

Yankee Spring Township

Zoning Board of Appeals

Circulated 1/18/2012
FINAL MINUTES
Approved 5/8/2012

December 13, 2011

Amended (1-10-2012)

Meeting called to order at 7:01 pm by Richard Beukema, Chairperson.

Present: Mary Cook, Richard Beukema, Paul Heystek, Scott Havens, Gordon Wells, and Keith Middlebush. Bob Lippert, Zoning Adm. and Constable James Orr and 2 visitors.

Pledge of Allegiance.

Motion by Cook to approve the October 11, 2011, meeting as presented. Second by Wells. Approved by all. Motion carried.

New Business:

ZBA 11-12-07, Parcel ID #033-070-012 A request by Chris Vander Hoff for a variance to increase the size of a proposed accessory building from 1280 square feet to 1500 square feet at 3534 Elmwood Beach, Middleville, MI 49333.

Public hearing was opened at 7:10 pm.

Chris Vander Hoff reviewed his plans to build an accessory building across the street from the cottage his family is building.

Photos were distributed for review.

Lot is 250% larger than the average size of the back lots in this neighborhood there are a couple other larger accessory buildings.

It was noted that even without a variance the applicant could build two accessory buildings 1280 square feet each.

Mr. Vander Hoff reviewed the practical difficulty criteria.

He advised they are planning to build a nice looking building not an average pole barn.

Existing home is on lot #12 which will be torn down.

It was noted the back lot and the lake lot are on the same tax bill.

Property is under one parcel where the platted lakefront lot is combined with the back lot.

Proposed height is approximately 2 ½ feet below the ordinance requirements.

No living area in the proposed garage whatsoever.

18-20 feet approximate sideyard setbacks.

Cook reviewed the criteria and noted the size of the lot does not have an effect on the size of the building allowed as long as the lot coverage limits are not exceeded.

It was noted that some of the existing large size buildings in the area were placed before the current ordinance was put into place or placed there without a building permit.

The road in this area does not necessarily run where it is platted.

Discussion regarding no real demonstrated hardship to build one large building because they can legally build two.

Mr. Vander Hoff advised that the South side of the property has wetlands and large trees which would be a problem in building two buildings.

Heystek commented that it does not make sense the applicant can legally build two buildings but cannot build one building of a larger size.

Lippert advised that there is nothing in the ordinance states that there is a limit to one building.

32 x 40 proposed size.

Exception would be that the ZBA would find that a hardship does not exist but quantified in that it would make better sense to build just one building 1500 square feet rather than two.

Lippert advised that this parcel is part of the FEMA designated flood area as well as the 2nd lot being in a DEQ designated wetland.

Public hearing was closed at 7:40 pm.

Motion by Cook to approve ZBA 11-12-07, Parcel ID #033-070-012; A request by Chris Vander Hoff for a variance to increase the size of a proposed accessory building from 1280 square feet to 1500 square feet at 3534 Elmwood Beach, Middleville, MI 49333 due to the existence of a demonstrated hardship that the parcel is in a FEMA flood plain, 2nd lot is in a DEQ designated wetland on the south side that does not make it feasible to build two buildings and the ZBA feels that one building would be more attractive and a better fit for the neighborhood. It was also requested by the ZBA that the current ordinance language for outbuildings be reviewed by the PC. Second by Heystek. Approved by: Mary Cook, Richard Beukema, Paul Heystek, Scott Havens, and Keith Middlebush. Rejected by: Gordon Wells. Motion carried.

Motion by Cook to approve draft for the joint meeting. Second by Wells. Approved by all. Motion carried.

There being no further business the meeting was adjourned at 7:50 pm.

Respectfully submitted,

Katie Hayward, Recording Secretary

(12-13-2011)