

**YANKEE SPRINGS TOWNSHIP
ZONING BOARD OF APPEALS**

Tuesday, October 11, 2011

**Yankee Springs Township Hall
284 North Briggs Road, Middleville, Michigan 49333**

**FINAL MINUTES
Approved 12/13/11**

MINUTES

Meeting called to order at 7:00 PM by ZBA Chairman, Richard Beukema.

CALL TO ORDER

Roll Call: Present: Scott Havens, Paul Heystek, Mary Cook, Gordon Wells, Keith Middlebush, Richard Beukema, Chuck Biggs.

ROLL CALL

PLEDGE OF ALLEGIANCE –

PLEDGE

Staff Present: Robert Lippert, Zoning Administrator, James Orr, Constable

Visitors: 4 (not including staff present).

APPROVAL OF MINUTES:

APPROVAL OF MINUTES

A revised version of the minutes of the August 9, 2011 ZBA meeting (with corrections and additions typed in red) had been distributed after the initial draft version. It was also pointed out that Chuck Biggs was the voting alternate for the August 9th meeting.

Motion by M. Cook with support from Wells, to approve minutes of the August 9, 2011 meeting of the Zoning Board of Appeals as amended by the revised draft (corrections and additions typed in red), the inclusion of the sentence: On Aug. 9, 2011, Paul Heystek was the Acting Chairman in the absence (with notice) of Richard Beukema, and the striking of Scott Havens' name on the back page of the Aug. 9, 2011 minutes. All ayes. MOTION CARRIED.

Motion to approve ZBA August 9, 2011 minutes as amended. Motion Carried.

NEW BUSINESS:

NEW BUSINESS

ZBA 11-09-05, Parcel ID# 0816-070-019-00; A request by Eric Hannapel for a variance of 2 feet 3 inches on the street side setback at 3458 Elmwood Beach, Middleville, MI 49333.

Variance Request by E. Hannapel, 3458 Elmwood Beach

Eric Hannapel described the proposed minor addition to his home. One wall of the existing home will go out 2' and another wall will go out 8' (4' if measuring at entrance). The house was originally built to the skewed lot and now the Hannapel's are trying to "square it up" to the road.

A letter was sent to the township as of September 9, 2011 with the signatures of all neighbors north and south of the residence stating that these residents had no objections to the variance request. Later in the meeting Hannapel added that all of his neighbors north (150') and south (100') "bless" this addition.

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NEW BUSINESS: Cont'd

David Morren, builder for this project, was also present at this meeting.

In regards to the previously mentioned variance request, it was noted that other adjacent homes are closer to the road than the E. Hannapel residence. E. Hannapel's next door neighbor built in 2008 and is 17' from the road per Hannapel.

Mary Cook read the practical difficulty test.

M. Cook added that the road setback certainly scrunches down as you get closer to the narrows.

Paul Heystek asked about parking. It was noted that parking will be done on the east side. E. Hannapel owns the back lot behind everything from E. Hannapels' home to Elmwood Beach Drive. This area is all grass now and will remain that way.

Chuck Biggs asked Robert Lippert, ZA, about the lot measurements and R. Lippert said that the irregular shape of the lot creates the hardship necessitating the variance request.

M. Cook mentioned that Elmwood is a private drive and will lie where it is paved. Cook added that topographically, there's a large curve there and you can see on the plat map how the lots shrink in size and road frontage as you get closer to the narrows.

In summary, M. Cook mentioned the following findings:

- E. Hannapel was dealing with a slanted front lot and trying to square up the house to the road.
- Deteriorating roadside setbacks were to the north of the residence and expanded ones to the south. E. Hanapel lies somewhere in the middle making it difficult to build "square to the road".
- If the additional distance of 5.4ft from the property line and the edge of the road could be used, a variance would not be needed.
- All parking will be done on the opposite side of the road.
- The Gun Lake Residential Lakefront standards say that every dwelling shall be set back at least 10 feet from the public or private roadway not excluding the average of 150 feet on each side.

Motion by Cook with support from Wells to approve ZBA 11-09-05, Parcel ID # 0816-070-019-00, variance from roadside setback from 2'3" into the setback from the 25 foot standard setback as presented to balance the front of the house to the road which currently is shorter on the north than the south. Conditions are that parking is across the street and there is an additional 5.4' from the normal setback.

Approved by: Scott Havens (voting alternate), Paul Heystek, Mary Cook, Gordon Wells, Keith Middlebush, Richard Beukema. MOTION CARRIED.

NEW BUSINESS: Cont'd

Request by E. Hannapel, 3458 Elmwood Beach

Motion to approve ZBA Request #11-09-05, 3458 Elmwood Beach. MOTION CARRIED.

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NEW BUSINESS: Cont'd

ZBA 11-09-06 - Parcel ID# 155-021-00. A request by Emil Pieri, agent for Robert Duball, for a variance of 6 feet on the street side setback at 1998 Parker, Wayland, MI.

A porch addition is needed to be built for shelter to enter the home for an 81 year old relative of the owner who uses a wheelchair. The house is further away from the road than the previous one. The porch is about a foot from where it was. A wheelchair ramp may be put in at a later date.

It was mentioned by Pieri that the variance being requested is right up there with the others in the area (setbacks).

Jerry Timmer, neighbor, has no problem with Emil Pieri's addition. E. Pieri said that the garage(s) on the other side of the road are where parking would take place.

R. Beukema said the house doesn't stick out. It blends in and lines up with the other houses. Pieri added that the house itself sits 5' back from the original. The house is a 1 & 1/2 story house. The porch will have two posts and be one step above the ground. There will no towering porch- nothing sticking out.

C. Biggs said that an allowance for some amount of egress has to be made going into and out of the house. E. Pieri added that a 5' turn around for the wheelchair (for a ramp) would be needed to accommodate the mother (81 year old).

P. Heystek asked if a ramp were to be built, what would be the proposed rate of fall on it. Pieri replied that it would not be much since the porch will only be a little off the ground. (1" per foot is code).

M. Cook said that the 25 foot standard setback needs to be used without the availability of measurements 300' in each direction.

Findings were as follows:

- Parking would be across the street from house.
- The house fits with the rest of the street.
- The house will not jut out further than other neighboring houses.
- The house will line up on the lakeside with adjacent properties.
- It will line up on the roadside on an angle with the house to the south being closer and the house on the north being farther back.

Motion was made by M. Cook with support from G. Wells to approve and allow ZBA 11-09-06 Parcel ID# 155-021-00 variance for 1998 Parker, Wayland, MI from 25' standard setback (in the absence of info. of properties or average of 300 feet in both directions) to be no closer than 15 ft. from the road under the following conditions that parking is across the street and home lines up with adjacent properties. Approved by: Scott Havens (voting alternate), Paul Heystek, Mary Cook, Gordon Wells, Keith Middlebush, Richard Beukema. **MOTION CARRIED.**

NEW BUSINESS: Cont'd

Variance Request by E. Pieri, agent for Robert Duball, for 1998 Parker, Wayland, MI.

Motion to approve variance request #11-09-06 for 1998 Parker Drive, Wayland, MI.

OLD BUSINESS: NONE

OLD BUSINESS: NONE

ADJOURNMENT:

Motion by M. Cook with support from G. Wells to adjourn meeting at 8:01 p.m.
Approved by all.

ADJOURNMENT

Attachment to Minutes:

Respectfully submitted:
D. Mousseau
Substitute Recording Secretary
10-13-11

Approved Date: _____
By: Janice C. Lippert, Clerk

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*RLL = NOTE TO ZBA MEMBERS
RE: ALTERNATE VOTING*