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YANKEE SPRINGS TOWNSHIP
ZONING BOARD OF APPEALS
Tuesday, November 10, 2026
6:00 PM
Yankee Springs Township Hall
284 N. Briggs Rd., Middleville, MI 49333
DRAFT MINUTES

Meeting called to order at 6:00 PM by Jake Welch

PLEDGE OF ALLEGIANCE

Roll Call: Dave VanHouten, Ron Heilman, John Frigmanski, Jake Welch, Mike Boysen (All Present)

Staff Present: Sandy Marcukaitis, John Trygier, Dennis Buist

Visitors: 9

REPORTS FROM REPRESENTATIVES:

REPORTS FROM REPRSENTATIVES

Planning Commission: Mr. Frigmanski gave an update on the recent meeting:

- Continued to work on master plan.
- Discussed the work plan for next year.
- He advised the PC that the ZBA would like them to look at setbacks for properties that have two road frontages and if perhaps the 25' that was granted for the mini-golf property should be the standard.

Board of Trustees: Trustee VanHouten shared recent board events:

- They are talking to engineering companies for a trail along M179.
- Continuing to monitoring progress on wells.
- Voting went very well.

INQUIRY ON CONFLICT OF INTEREST:

CONFLICT OF INTEREST

Mr. Welch inquired if there are any conflicts of interest with the board regarding the case on tonight's agenda. ***Roll Call:*** *Boysen: No, Welch: No, Frigmanski: No, Heilman: No, VanHouten: No.*

APPROVAL OF MINUTES:

APPROVAL OF MINUTES 10/13/26

Motion by Heilman with support from Frigmanski to approve the minutes from the October 13, 2026 meeting as presented.

All ayes. MOTION CARRIED.

NEW BUSINESS:

ZBA 26-10-03 1860 PARKER DR., WAYLAND

ZBA 26-10-03, Parcel ID 16-019-003-00, 1860 Parker Dr., Wayland. The property

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owner, Keith Foote, requests a variance from waterfront setback requirements for a new home pursuant to Article XX of the township zoning ordinance.

Joe Shea (Zoning Administrator) was unable to attend but provided his report to Chair Welch who summarized for the board.

Applicant Keith Foote is requesting to demolish the old structure that is on the lot and replace it with a new home that will be up to code. He states it will occupy essentially the same footprint and location on the lot. Because of the pie shape of the lot, if the 25' setback requirements are upheld, there will not be room to build a home. The current structure is not up to code and not livable year-round. The proposed home would be 20' from the west shore line and 12' on the east side, which is the channel. The better-looking home should enhance the neighborhood. Mr. VanHouten inquired about the "nearly" the same, "approximately" the same ... he is questioning how the new home will fit in the same spot. Applicant says it will be closer to the water on the east side but further away from the shoreline on the west side. Board members stated that they couldn't figure out exactly where the building will sit. Mr. Heilman asked what the dimensions of the proposed home are. Mr. Foote responds that it is roughly 48' x 24'. The existing house is 576 feet and the footprint of the new one will be 1370' plus the attached garage.

Motion by Heilman with support from VanHouten to open public hearing at 6:12 PM. All ayes. MOTION CARRIED.

- Chairman Welch read a letter from **Jamie Miller** (1858 Parker Dr) into the record. Jamie and Steve Miller expressed concern that the proposed two-story home at 1860 Parker does not meet the township's waterfront setback requirements. Their home is approximately 50 feet from the water, and the proposed structure would be positioned significantly farther forward than neighboring homes, looking directly into their primary living space. They believe the unusually shaped lot cannot accommodate a home of this size without violating setback requirements and negatively affecting their privacy and neighborhood character. They asked the board to uphold the zoning regulations and require the home to follow the established setback alignment.

- **Doug Ybema** (1864 Parker Dr.): He understands why the applicant is seeking a variance but believes the actual average waterfront setback of neighboring homes is approximately 60 feet, not the figure reflected in the online records. He is concerned that the proposed home, which is considerably larger than the existing structure, would extend farther into his lake view. He also raised concerns about the home's proximity to the channel and the proposed seawall. He supports replacing the existing home within its current footprint but does not support the requested variance or a larger structure that would obstruct neighboring views.

- **Jim TenHaaf** (1862 Parker): He acknowledged that the property is an unusually shaped lot but pointed out that the ordinance requires the greater of a 25-foot setback or the average setback of neighboring homes. Based on his measurements, the average is approximately 60 feet, making the requested 13-foot setback a substantial deviation from the ordinance. He believes the lot is better suited for a smaller cottage-style home rather than the proposed 2,400-square-foot residence, which he estimates would obstruct 40–50% of his existing water view. He emphasized that property owners

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should have reasonable use of their land, but that right must be balanced with neighbors' privacy and views. He feels the requested variance goes well beyond what is necessary and represents a self-created practical difficulty.

- **Applicant Keith Foote** states that the existing garage structure is closer than the building he is proposing, as close as 5' in one spot. His proposed home is further away than that. He measured from the seawall to the edge of the existing structure and came up with 12.8, so not much of a difference. As far as the two-story goes, it will be far enough back that he doesn't think it will obstruct anyone's view. The whole front of the pie is open so they can see across the lot.

Motion by Heilman with support from Boysen to close the public hearing at 6:23 PM. All ayes. MOTION CARRIED.

Discussion by the Board members occurred with analysis of the five points of practical difficulty.

1. *That the alleged plight of the landowner is due to the unique circumstances of the property that do not generally apply to other properties in the area.*
2. *That a literal interpretation of the provisions of the zoning ordinance would unreasonably prevent the landowner from using the property for a permitted purpose or would render conformity with such provisions unnecessarily burdensome.*
3. *That the variance, if granted, would not be significantly detrimental to adjacent property and the surrounding neighborhood.*
4. *That the request, or a lesser relaxation of the ordinance standards, would provide substantial justice to the landowner and neighbors.*
5. *That the alleged plight of the landowner is not self-created.*

After discussion of each of these points, the board did not feel the applicant had provided enough accurate information for them to make a decision.

MOTION TO TABLE THE REQUEST

Motion by Heilman with support from Boysen to table the case and allow the applicant to return at no cost, to give us how far the house is going to be from the lot lines, where he plans to have the footprint of the house, where it will set and that way we can measure it off and see how it affects the neighbors and see what kind of variance we would have to give him, either one or two variances. Discussion: Chairman Welch asked that the motion be restated to include the exact distances the existing house is from the property lines.

AMENDED MOTION

Motion by Heilman with support from Boysen to table this to next month, allowing the applicant to come back and to have a picture of the footprint of where his house will sit in relation to where the lot lines are and where the easement happens to be on the property lines and also on the channel side where he plans to have his stakes put so that we know exactly where he wants to put the house and where it sits in relation to the existing house; if it sits inside that footprint or is it going to be outside of that footprint. Discussion: Mr. VanHouten suggested that the applicant bring back drawings on one big piece of paper showing the existing house and another piece of paper showing the proposed house showing the overlay so that it will be very clear. He also stated that he would encourage the applicant to lose the garage and move the house back. Chairman Welch stated that it doesn't have to be next

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month, he can request to schedule it for a future meeting. Mr. Boysen asked for clarification as to if there is a sight line variance since the neighbors had significant concerns about that. Chairman Welch states that he does not believe there is, but it has been considered as part of the 5-point practical difficulty test. ***Roll Call Vote:*** *VanHouten: no, Frigmanski: yes, Heilman: yes, Boysen: yes, Welch: yes.*

Yes: 4, No: 1. MOTION CARRIED.

- Such other business as may properly come before the Zoning Board of Appeals: None.

OLD BUSINESS:

OLD BUSINESS

- None

PUBLIC COMMENT:

PUBLIC COMMENT

- None

ADJOURNMENT:

Motion by Heilman with support from Frigmanski to adjourn at 7:47 PM. All ayes. MOTION CARRIED

ADJOURNMENT

Approved by: _____ Date: _____
Ron Heilman

Respectfully submitted by:
Betsy Frigmanski, Recording Secretary
November 11, 2026

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