1. Call to Order

2. Approval of the Agenda

3. Approval of Minutes: July 6, 2020 Regular Meeting

4. Appeals: Note: Public notices were mailed to all property owners and occupants within 300 feet on or before Sunday, July 26, 2020 and published in the Holland Sentinel on Sunday, July 26, 2020.

   Item #1. A request by Henry Voetberg, to allow construction of a residence with a front yard of 13.5 feet where no less than 23.5 feet is permitted per Section 38-494(a) of the Park Township Zoning Ordinance. Said land and premises are located at 1384 Linwood Avenue, Holland, MI 49424. (Parcel 70-15-35-025, Zoned R-3 Low Density One Family Residence District)

   Item #2. A request by Dale L. Bird-Cortes to allow construction of a 768 square foot accessory building where a maximum size of 372 square feet is permitted per Section 38-491(b)(1)b of the Park Township Zoning Ordinance. Said land and premises are located at 22 Western Avenue, Holland, MI 49424. (Parcel 70-15-22-400-060, Zoned R-4 Medium Density One & Two Family Residence District)

   Item #3. A request by Dave Fleece, to allow construction of an addition to a residence with a front yard of 34.4 feet where no less than 40 feet is permitted per Section 38-276(1) of the Park Township Zoning Ordinance. Said land and premises are located at 713 West Lakewood Boulevard, Holland, MI 49424. (Parcel 70-15-24-286-010, Zoned R-3 Low Density One Family Residence District)

5. Other Business

6. Announcements

   Next scheduled meeting date is September 14, 2020.

7. Public Comment
   This is an opportunity for the public to address the Board and to make any appropriate comments. Please limit your comments to 2-3 minutes per person.

8. Adjourn
CALL TO ORDER:

Chair Dreyer called to order the regular meeting of the Park Township Zoning Board of Appeals at 6:30 P.M., held in the Township Hall Conference Room.

ATTENDANCE:

Present: Doug Dreyer, Dennis Eade, Dave Fleece, John Foster, Kathy Grimm (Alternate)

Absent with notice: Jim Gerard

Staff: Emma Posillico, Zoning Administrator

APPROVAL OF AGENDA:

Foster moved, supported by Eade, to approve the agenda as submitted.

Voice Vote: Ayes 5, Nays 0. Motion carried.

APPROVAL OF MINUTES:

Dreyer noted two minor errors on pages 1 and 9.

Foster moved, supported by Eade, to approve the two sets of minutes of April 20, 2020 Regular Meeting as corrected.

Voice Vote: Ayes 5, Nays 0. Motion carried.

BUSINESS ITEMS:

Item #1 - A request by Diane DeVries, to allow an addition to a residence with a side yard of 6 feet where no less than 10 feet is permitted per Section 38-276(2) of the Park Township
Zoning Ordinance. Said land and premises are located at 1718 Waukazoo Drive, Holland, MI 49424. (Parcel 70-15-27-296-010, Zoned R-3 Low Density One Family Residence District)

Posillico provided the background for this agenda item. The property is 0.20 acres, approximately 8,773 square feet, lot 28 of Elm Grove Park. There is an existing residence on the property, about 2,500 square feet, which was constructed in 2002. In 2017 a porch was added to the rear of the property, and in 2018 the porch was enclosed. The existing residence is constructed 10 feet from the eastern property line.

The applicant has submitted two variance applications, both of which are additions to the eastern side of the home, and would encroach into the side yard setback by 4 feet resulting in a side yard of 6 feet. The site plan submitted by the applicant shows two red boxes on the east side of the home. The southern box is 10 feet long by 4 feet wide and represents the proposed first floor bedroom addition that would result in a 6 ft. eastern side yard. The northern red box is 12 feet long by 4 feet wide and represents the proposed lean-to addition to cover trash containers which would result in a 6 foot eastern side yard.

DeVries explained the reasons for her request. She noted that the eastern building line of the existing residence is actually constructed with a 12 foot eastern side yard setback, rather than the 10 feet that is noted in the Staff report. The edge of the bedroom she would like to add is 6 feet wide, so it would encroach only 4 feet. She would like to have a cover for the trash can for the second request.

Foster asked how close the trees would be in the side yard where DeVries plans the additional 6 feet for the bedroom.

DeVries said they are on the neighbor’s property. They are not a factor in the request. They will not have to be cut down or even trimmed. DeVries noted that the window on her neighbor’s house that would look out at the proposed addition is a laundry room window.

Grimm asked if the house can be reconfigured.

DeVries said there is no room.

PUBLIC HEARING

Dreyer opened the Public Hearing at 6:40 P.M. He noted there was one letter of correspondence related to this variance request, neither for nor against the request.

There was no comment.

Dreyer closed the Public Hearing at 6:41 P.M.

Fleece observed there is some encroachment/non-conforming structures in the surrounding neighborhood properties.

Eade moved, supported by Fleece, to approve the variance request.

Eade reviewed the four standards:
a. That strict compliance with the zoning ordinance regulating the minimum area, yard setbacks, frontage, height, bulk, or density, or other regulation would render conformity with those restrictions of the zoning ordinance unnecessarily burdensome.

Based on proposal and staff analysis it appears there is limited area on the property for an addition that would conform to the setback requirement.

b. That granting the requested variance would do substantial justice to the applicant as well as to other property owners in the zoning district. If a lesser relaxation than that applied for would give substantial relief to the property owner and be more consistent with justice to other property owners in the district, the Board of Appeals may grant a lesser variance provided the other standards are met.

A first floor bedroom would allow the owner to age in place and would provide substantial justice to the applicant. The addition would not distract the view to the lake.

c. That the plight of the property owner/applicant is due to the unique circumstances of the property (e.g. an odd shape or a natural feature like a stream or wetland) and not due to general conditions of the zoning district.

The narrow size of the lot provides challenges for constructing an addition, and many of the nearby homes are either non-conforming or have been granted variances.

d. That the practical difficulties alleged are not self-created.

The practical difficulties aren't self-created. The applicant’s desire to age in her residence is becoming more prevalent in the Township population that is statistically aging.

Roll Call Vote:

Foster, aye; Fleece, aye; Dreyer, aye; Eade, aye; Grimm, aye.

Ayes 5  Nays 0. Motion carried

Item #2 – A request by Diane DeVries to allow an open air addition to a residence with a side yard of 6 feet where no less than 10 feet is permitted per Section 38-276(2) of the Park Township Zoning Ordinance. Said land and premises are located at 1718 Waukazoo Drive, Holland, MI 49424. (Parcel 70-15-27-296-010, Zoned R-3 Low Density One Family Residence District)

Posillico noted the applicant has submitted two separate variance applications, both of which are additions to the eastern side of the residence and encroach into the side yard setback by 4 feet, resulting in a side yard of 6 feet. The proposed open air lean-to addition is intended to provide cover for trash containers, that would result in a 6 foot eastern side yard. As noted in the Staff Memo of June 23, 2020, Section 38-483(e) of the Park Township Zoning Ordinance
provides for allowable building setback exceptions, however, roof overhangs are only permitted to project two feet into the required setback. Since the applicant is proposing a 4 foot overhang a variance is required.

DeVries said she wants to stay in her house and thanked the Township for consideration of this request.

Fleece asked the applicant about the plan for supporting the lean-to roof.

DeVries said the builder wants to install pole supports with a wood roof.

PUBLIC HEARING

Dreyer opened the Public Hearing at 6:50 P.M. He noted there was no correspondence.

There was no comment.

Dreyer closed the Public Hearing at 6:51 P.M.

Foster observed there will be no further encroachment onto the setback as a result of this variance request, given that the ZBA authorized Item #1 for a side yard setback of 6 feet.

Foster moved, supported by Eade, to use the same responses to the standards for approval of this request.

   a. That strict compliance with the zoning ordinance regulating the minimum area, yard setbacks, frontage, height, bulk, or density, or other regulation would render conformity with those restrictions of the zoning ordinance unnecessarily burdensome.

      There is a limited area on the property to construct the overhang that meets the setback requirements. Allowing the roof overhang will be less burdensome for the applicant

   b. That granting the requested variance would do substantial justice to the applicant as well as to other property owners in the zoning district. If a lesser relaxation than that applied for would give substantial relief to the property owner and be more consistent with justice to other property owners in the district, the Board of Appeals may grant a lesser variance provided the other standards are met.

      It would not affect any change in view for the neighbor and there is no opposition to the container covering. Granting the variance will provide substantial relief to the applicant

   c. That the plight of the property owner/applicant is due to the unique circumstances of the property (e.g. an odd shape or a natural feature like a stream or wetland) and not due to general conditions of the zoning district.

      The size of the lot is unique because it is only 50 feet wide.

   d. That the practical difficulties alleged are not self-created.
Heavy snow in the winter creates the need for a cover.

Roll Call Vote:

Foster, aye; Fleece, aye; Dreyer, aye; Eade, aye; Grimm, aye.

Ayes 5, Nays 0. Motion carried.

Item #3 - A request by Steve Witte, of Nederveld, on behalf of Ryan Essenberg, to allow construction of a residence with a rear yard of 39.2 feet where no less than 46 feet is permitted per Section 38-494(b) of the Park Township Zoning Ordinance. Said land and premises are located at approximately 1741 South Shore Drive, Holland, MI 49423. (Parcel 70-15-34-425-021, Zoned R-3 Low Density One Family Residence District)

Posillico addressed the applicant’s request. The property is described as lots 25 and 26 and the westerly half of lot 24 of Macatawa Park Grove. The property is 0.37 acres or approximately 16,052 square feet in size. There was a residence on the property until it was demolished in 2017. The current property owner purchased the land in 2019.

The property owner wants to construct a new residence on the property which would require both front and rear yard setback variances. The proposed rear yard setback of 39.2 feet is less than the average of the rear yards surrounding residences at 46 feet.

While the 100 year floodplain mark does traverse the subject property, and a construction permit will likely be required from EGLE, the existence of the floodplain does not affect the required rear yard setback.

Posillico noted that this is a conforming lot so the standards for non-conforming lots do not apply to this property.

Essenberg addressed his request. The lot is close to being square in shape so with setbacks it is difficult to build a “nice” house on it. To lend some character to the house plan he would like to add an overhanging patio with a stairway on the Lake Macatawa side of the property. He noted that in the immediate neighborhood the house to the west is 30’ from the water. The house to the east has a structure 10’ from the water. Several garages in the neighborhood are located between the residences and South Shore Drive. He also has to deal with the slopes on his property. With four children he and his wife want to make it livable with space for two attached garages.

PUBLIC HEARING

Dreyer opened the Public Hearing at 6:57 P.M. He said two items of correspondence were sent to the Township and both were in opposition to the rear yard variance request.

There was no comment.

Dreyer closed the Public Hearing at 6:58 P.M.
Dreyer asked about the rear yard averaging.

Essenberg said he is allowed a 46 ft. rear yard setback, utilizing rear yard averaging, without a variance.

Essenberg said that the portion of the house that encroaches into the rear yard setback is the elevated deck, that it is the distance from the bottom of the stairs to Lake Macatawa that requires the variance. Only a couple of feet of the enclosed living area of the house is located within the 46 ft. rear yard, and thus part of the variance.

Posillico said the distance is 39.2 feet from the northeast side of the patio to Lake Macatawa, and is 44 feet from the enclosed living area of the house to Lake Macatawa.

Essenberg said he just wants a bit more space than what is allowed by current setback requirements.

Foster asked about the letter that mentioned concerns about drainage and runoff.

Dreyer said EGLE will deal with that – it’s not the ZBA’s issue. We don’t have authority over any potential drainage problems.

Grimm asked about the driveway and will it be necessary for him to back out onto South Shore Drive.

Essenberg said there are two stalls in each garage, and with the large area between the two garages there is enough space to turnaround.

Fleece asked if he could alter the elevated deck area.

Essenberg said he could change the size of the patio and elevated deck.

Dreyer noted the sightlines to Lake Macatawa should be considered.

Posillico said the setback is measured to the elevated deck, because it is greater than 30 inches above grade. The distance of 46 feet to the house would include the rear yard averaging.

Dreyer noted there must be no visual blocking of the sightline to the lake.

Dreyer asked the Commissioners what they supported in the request.

Eade agreed that the enclosed living area of the residence should be brought back to 46 feet. If the applicant agrees, then the elevated deck could remain with a rear yard setback of 39.2 ft.

Grimm, Fleece and Foster were in support.

Foster moved, supported by Fleece, to approve with the variance request with a 46 foot rear yard setback for the enclosed living area of the residence, and the elevated deck can be located 39.2 feet from the water’s edge without blocking any visual sightlines.
Foster reviewed the standards:

- **a. That strict compliance with the zoning ordinance regulating the minimum area, yard setbacks, frontage, height, bulk, or density, or other regulation would render conformity with those restrictions of the zoning ordinance unnecessarily burdensome;**

Strict compliance with the zoning ordinance is burdensome, given the reduced depth of the lot (compared to adjacent properties). As the applicant has agreed to increase the distance from the enclosed living area of the residence to Lake Macatawa, to 46 feet, this standard has been met.

- **b. That granting the requested variance would do substantial justice to the applicant as well as to other property owners in the zoning district. If a lesser relaxation than that applied for would give substantial relief to the property owner and be more consistent with justice to other property owners in the district, the Board of Appeals may grant a lesser variance provided the other standards are met;**

Requiring the enclosed living area of the residence to be located 46 feet from the water’s edge conforms with the rear yard averaging requirements, and allows the applicant to have a home that is comparable to the size and scope of other residences in the area. It won’t encroach on the neighbors’ line of sight due to the requirement to use materials that do not block the view.

- **c. That the plight of the property owner/applicant is due to the unique circumstances of the property (e.g. an odd shape or a natural feature like a stream or wetland) and not due to general conditions of the zoning district;**

The property is on Lake Macatawa and is less deep than the other lots in the area. The structure will stay within the side yard setback requirements of the R-3 Zoning District.

- **d. That the practical difficulties alleged are not self-created.**

The size of the lot is existing. The applicant is trying to work with the size of the lot which he didn’t create. The structure is within the setback of rear yard averaging.

**Roll Call Vote:**

Foster, aye; Fleece, aye; Dreyer, aye; Eade, aye; Grimm, aye.

Ayes 5, Nays 0. Motion carried.

*Item #4 – A request by Steve Witte. of Nederveld, on behalf of Ryan Essenberg, to allow construction of a residence with a front yard of 26.9 feet where no less than 40 feet is permitted per Section 38-276(1) of the Park Township Zoning Ordinance. Said land and premises are located at approximately 1741 South Shore Drive, Holland, MI 49423. (Parcel 70-15-34-425-021, Zoned R-3 Low Density One Family Residence District)*
The applicant noted when discussing Item #3 of the agenda that there are several detached garages located between residences and South Shore Drive, which represent reduced front yard setbacks. Posillico clarified though that the front yard setback is measured from the house not the garage. Further, detached accessory buildings often have front yard setback requirements that are less than those for principal structures.

As noted in the Staff Memo, utilizing front yard averaging is not applicable to this request as the front yards of neighboring residences are greater than the 40 foot front yard setback of the R-3 Zoning District.

PUBLIC HEARING

Dreyer opened the Public Hearing at 7:15 P.M.

Dreyer noted there were two items of correspondence with no opposition to the front yard request.

There was no comment.

Dreyer closed the Public Hearing at 7:17 P.M.

Posillico noted the applicant provided a combined application for both and front and rear yard setback variances.

Fleece questioned the variance request that was granted in 2017 for the property, asking if the front yard setback was proposed to be greater in 2017.

Posillico explained that in 2017, a variance was granted for a 41.1 foot front yard. Since the current request is for a 26.9 foot front yard, the current request is approximately 17 feet closer to the right-of-way of South Shore Drive.

Fleece asked how the elevation of the garages compare to the elevation of Lake Macatawa.

Essenberg responded that the garages will be approximately 4 feet lower than the elevation of South Shore Drive, and Lake Macatawa is approximately 4 feet lower than the elevation of the garages.

Dreyer said the Zoning Board of Appeals has given other setback variance approvals for properties along Lake Macatawa. The Board should consider the unique circumstances of building on waterfront property, particularly on smaller lots.

Fleece moved, supported by Eade, to approve the front yard variance request

Fleece reviewed the standards:

a. That strict compliance with the zoning ordinance regulating the minimum area, yard setbacks, frontage, height, bulk, or density, or other regulation would render conformity with those restrictions of the zoning ordinance unnecessarily burdensome;
The building envelope, given the size and shape of the property, is limiting for the applicant and the restrictions make it unnecessarily burdensome.

b. That granting the request variance would do substantial justice to the applicant as well as to other property owners in the zoning district. If a lesser relaxation than that applied for would give substantial relief to the property owner and be more consistent with justice to other property owners in the district, the Board of Appeals may grant a lesser variance provided the other standards are met.

It does substantial justice to the applicant to add garages that require a front yard setback variance.

c. That the plight of the property owner/applicant is due to the unique circumstances of the property (e.g., an odd shape or a natural feature like a stream or a wetland) and not due to general conditions of the zoning district; and,

The elevation change is a unique circumstance associated with this property.

d. That the practical difficulties alleged are not self-created.

The applicant did not create the size of the lot.

Roll Call Vote:

Foster, aye; Fleece, aye; Dreyer, aye; Eade, aye; Grimm, aye.

Ayes 5, Nays 0. Motion carried.

Item #5 – A request by Henry Voetberg, to allow construction of a residence with a front yard of 22 feet where no less than 23.5 feet is permitted per Section 38-494(1) of the Park Township Zoning Ordinance. Said land and premises are located at 1384 Linwood Avenue, Holland, MI 49424. (Parcel 70-15-35-205-025, Zoned R-3 Low Density One Family Residence District)

Posillico described the request. The property is 0.44 acres, or approximately 19,166 square feet. There is an existing residence on the property that the applicant wishes to demolish to construct a new residence. The existing garage, which acts as the front building line, is approximately 6-7 feet from the front property line along Linwood Avenue. While the current residence is a nonconforming structure, once it is demolished, the new structure must conform to the requirements of the Zoning Ordinance. The applicant has proposed rear and side yard setbacks that comply with the requirements of the R-3 Zoning District, but has proposed a front yard of 22 feet which does not comply with these requirements or with the provisions of Section 38-494 of the Zoning Ordinance regarding front yard averaging.

Posillico noted that after the public hearing notice was published advertising a proposed 22 foot front yard setback, the applicant notified Staff his request was actually for a front yard setback of 14 feet, 7 feet closer to Lake Macatawa than the current residence is located. Staff advised the
applicant that the request would have to be re-noticed, but the applicant asked to discuss the matter at this meeting.

Voetberg spoke to his request. He noted that when he met with Staff previously, it was explained that there are not Zoning Ordinance requirements pertaining to sightlines. However, sightlines were referenced frequently during consideration of Items 1-4 on the agenda. Voetberg asked for clarification.

Posillico explained that while there are not requirements in the Ordinance pertaining to sightlines, when a variance is requested, the Board of Appeals has the authority to consider additional aspects of a building site.

Dreyer asked the applicant for clarification of his request. Is the actual request 14 feet? If so, he agreed with Staff the request would have to be re-noticed.

Foster said he observed when visiting the property that there is a separate parking area in front. Is it on the road or on the property?

Voetberg said it’s on the right-of-way. He needs to move it back and obtain permission from the Road Commission.

Voetberg said the variance request is to push the house back from the street approximately 6-7 feet from its current location.

Dreyer asked for the exact measurement to be re-noticed.

Voetberg said it is 13.6 feet.

Dreyer asked for a motion to table action on this item until the next meeting.

Foster moved, supported by Eade, to table action of this agenda item until the August meeting.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

PUBLIC COMMENT

Dreyer opened Public Comment at 7:30 P.M.

Dean Achterof is a neighbor of Mr. Voetberg and expressed concern about the sightline. He wanted to know how much the footprint would be changed in the Voetberg request.

Voetberg said the footprint would be expanded about 20 feet to the northwest.

Achterof said he had remodeled his house three years ago and requested an addition to the backyard on his small lot. He received no cooperation from the Township. It was his opinion the attitude of the Board is now changing. He noted that there are a lot of people who do not
live on the lake and should receive the same treatment. He also asked about a layout of the plan from Voetberg. Could this be made available?

Dreyer asked for a drawing of the building envelope to be shared at the next meeting.

Dreyer closed Public Comment at 7:42 P.M.

OTHER BUSINESS

A. Election of Officers for July 2020-July 2021

Foster nominated Doug Dreyer to continue as Chair. Fleece seconded the nomination.

Dreyer said he was willing to serve another term as Chair

Voice Vote:

Ayes 5, Nays 0.

Dreyer nominated Dave Fleece to continue as Vice Chair. Foster seconded the nomination.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

Dreyer nominated John Foster to continue as Secretary. Eade seconded the nomination.

Voice Vote:

Ayes 5, Nays 0. Motion carried.

Posillico clarified that officer terms are for one year periods, but generalized terms on the Zoning Board of Appeals are for three years.

ANNOUNCEMENTS

A. The next scheduled meeting date is August 10, 2020.

ADJOURNMENT

Fleece moved, supported by Foster, to adjourn the meeting at 7:45 P.M.

Voice vote:

Ayes 5, Nays 0. Motion carried.

Respectfully submitted,
Judith Hemwall
Recording Secretary
July 8, 2020

Approved:
To: Park Township Zoning Board of Appeals  
Subject: Variance Requests for the meeting of August 10, 2020  
Date: 7/30/2020  
From: Emma Posillico, Zoning Administrator

Three (3) applications have been received for the August 10, 2020 Zoning Board of Appeals meeting.

Item #1. A request by Henry Voetberg, to allow construction of a residence with a front yard of 13.5 feet where no less than 23.5 feet is permitted per Section 38-494(a) of the Park Township Zoning Ordinance. Said land and premises are located at 1384 Linwood Avenue, Holland, MI 49424. (Parcel 70-15-35-205-025, Zoned R-3 Low Density One Family Residence District)

Applicable Ordinance Sections:
Sec. 38-276, Area regulations (in part).
(1) Front yard. There shall be a front yard of not less than 40 feet; and

Sec. 38-494
(a) Residential front yard averaging. In any residential zoning district where the average depth of at least two front yards of existing adjacent buildings within 300 feet of the lot in question and within the same block on the same side of the street or private road is less than the minimum front yard depth prescribed for the residence zoning district in which the lot is located, then the required front yard shall be modified to be no less than the average depth of the existing adjacent buildings, as established by a licensed surveyor or the Zoning Administrator; provided, however, that the depth of the front yard shall not be less than 10 feet in any event.

Background:
The property is 0.44 acres, or approximately 19,166 square feet. There is an existing residence on the property that the applicant wishes to demolish to construct a new residence. An aerial view of the property is below.
Zoning Board of Appeals Considerations:
As aforementioned, the applicant wishes to demolish the existing residence to construct a new residence. As is evidenced by the aerial photo, the existing garage (which acts as the front building line) is approximately 6-7 feet from the front property line along Linwood. So while the current residence is a nonconforming structure, once it is demolished, the new structure must conform to the requirements of the Zoning Ordinance. The applicant has proposed rear and side yard setbacks that comply with the requirements of the R-3 Zoning District, but has proposed a front yard of 13.5 ft., which does not comply with the requirements of the R-3 Zoning District or with the provisions of Section 38-494 of the Zoning Ordinance regarding front yard averaging. Staff’s analysis is provided below.

<table>
<thead>
<tr>
<th>Setback</th>
<th>Required Setbacks</th>
<th>Proposed Setbacks</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard (adjacent to Linwood)</td>
<td>40 ft.</td>
<td><strong>13.5 ft.</strong></td>
<td>23.5 ft.</td>
</tr>
<tr>
<td>Rear Yard (adjacent to Lake Mac)</td>
<td>50 ft.</td>
<td>50 ft.</td>
<td>n/a</td>
</tr>
<tr>
<td>Side Yard (southern property line)</td>
<td>10 ft.</td>
<td>10 ft.</td>
<td>n/a</td>
</tr>
<tr>
<td>Side Yard (northern property line)</td>
<td>10 ft.</td>
<td>27 ft.</td>
<td>n/a</td>
</tr>
</tbody>
</table>

Provided below is an aerial photograph of the adjacent residences along the south side of Linwood that were considered in the front yard average calculation. As can be seen, the first three residences to the southeast along Linwood are located relatively close to the front property line. However, the fourth residence considered, 1366 Linwood, has a greater front yard setback which increases the front yard average value to 23.5 ft. As such, the applicant is requesting a
non-use (dimensional) variance, to construct a residence approximately 7 feet closer to Lake Macatawa than the current residence, and your associated standards appear below.

Non-Use Variance Standards Review:
Pursuant to Sec. 38-70(1), the Zoning Board of Appeals shall consider the following standards and shall make an affirmative finding as to each standard to authorize a non-use variance:

a. That strict compliance with the zoning ordinance regulating the minimum area, yard setbacks, frontage, height, bulk, or density, or other regulation would render conformity with those restrictions of the zoning ordinance unnecessarily burdensome;

The applicant states that the existing residence sits in line with all of the neighbors, and that the setback requirements would require a new residence to be closer to the water, which would hinder the neighbors’ view.

Staff Comments: Staff agrees that while the subject property is a conforming lot with adequate area to build a residence that meets the setback requirements of the R-3 Zoning District, building a residence with a front yard setback of 40 ft. would hinder the neighbors’ view due to the placement of the existing residences along Linwood. If the ZBA agrees, this standard may be met.
b. *That granting the requested variance would do substantial justice to the applicant as well as to other property owners in the zoning district. If a lesser relaxation than that applied for would give substantial relief to the property owner and be more consistent with justice to other property owners in the district, the Board of Appeals may grant a lesser variance provided the other standards are met.*

The applicant emphasizes that they would prefer not to be in the neighbors’ sight line.

Staff Comments: Staff agrees that a reduced front yard setback would do substantial justice to both the applicant and other property owners in the zoning district. Further, the requested front yard setback of 13.5 ft. is actually an increased setback from the existing residence on the property. If the ZBA agrees, this standard may be met.

c. *That the plight of the property owner/applicant is due to the unique circumstances of the property (e.g., an odd shape or a natural feature like a stream or a wetland) and not due to general conditions of the zoning district; and*

The applicant states that pretty much all of the homes within 300 ft. are non-conforming from the R-3 Zoning District setback requirements (40 ft. front yard, 50 ft. rear yard).

Staff Comments: Staff agrees that nearly all of the residences considered in the front yard averaging calculation have reduced front yard setbacks. Given that the applicant is requesting to construct a residence in a location that is generally in alignment with the other residences along Linwood, it appears that the plight of the applicant is due to the circumstances of the property. If the ZBA agrees, it appears this standard may be met.

d. *That the practical difficulties alleged are not self-created.*

The applicant states that the problem is not self-created because most neighboring properties are non-conforming, and the road (Linwood) was not centered in the right-of-way.

Staff Comments: Staff agrees that the location of the existing residences along Linwood was not self-created. If the ZBA agrees, it appears this standard may be met.

**Recommendation:**
If the ZBA agrees that the standards have been met, consider granting this variance request to construct a new residence with a front yard of 13.5 ft. where 23.5 ft. is required.
Item #2. A request by Dale L. Bird-Cortes to allow construction of a 768 square foot accessory building where a maximum size of 372 square feet is permitted per Section 38-491(b)(1)b of the Park Township Zoning Ordinance. Said land and premises are located at 22 Western Avenue, Holland, MI 49424. (Parcel 70-15-22-400-060, Zoned R-4 Medium Density One & Two Family Residence District)

Applicable Ordinance Section:
Sec. 38-491(b)(1)b (in part), Detached accessory buildings. Only one accessory building will be allowed on any lot, provided that the accessory building does not exceed the greater of 200 square feet or 2% of the calculated lot size, up to a maximum accessory building size of 2,500 square feet.

Background:
The subject property is located at the south end of Western Avenue, which is a private street northwest of the intersection of Perry Street & North 160th Avenue. The property is approximately 0.43 acres in overall area and includes an existing residence (an approximately 1,800 square foot bi-level) with an attached garage that was constructed in 1992. The applicant is intending to construct an accessory building on the property. An image of the property is below.

Zoning Board of Appeals Considerations:
Pursuant to Sec. 38-491(b)(1)b (see above), the maximum allowable size for a detached accessory building is 2% of the lot size, which would be approximately 372 square feet. The applicant is seeking to construct a 768 square foot accessory building, which is nearly double what is allowed. According to the cover page of the application, the applicant has a 27 ft. camper and 30 ft. boat that would require a larger accessory building. As such, the applicant is seeking authorization to construct a larger building than permitted.
Authorization for Larger Accessory Building Standards Review:
The ZBA must consider the following standards prior to approving a larger or higher accessory building.

1. *The area and/or height of the accessory building in relation to the size of the lot on which it is to be placed;*

   The applicant states that the placement of the building will not encroach upon the adjoining neighbors’ property lines. Further, the building will not interfere with the neighbors’ view from their back yards. The applicant notes that he has supplied a signed support document from the adjacent neighbors.

   Staff Comments: The proposed accessory building is approximately 4.1% of the overall lot size, and is proposed to sit behind the residence. Based on the applicant’s statements, it appears that the proposed accessory building meets all of the required setbacks for an accessory building of its size and exceeds the requirement of being located ten (10) feet from any other building. While it is not included with the application, Staff has confirmed with the applicant that the height of the proposed building will not exceed 20 ft. as required in the Zoning Ordinance. If the ZBA agrees, it appears this standard may be met.

2. *The area and/or height of the accessory building in relation to the principal building on the lot on which the accessory building is to be placed;*

   The applicant states that the proposed building is smaller than the principal dwelling, which is a bi-level.

   Staff Comments: Based on the topography of the property, the building would sit slightly lower than the existing residence. As aforementioned, Staff has confirmed with the applicant that the height of the proposed building will not exceed 20 ft. as required in the Zoning Ordinance. Based on the applicant’s statements, if the storage barn is shorter and smaller than the residence, the area and height of the accessory building may be in proportion to the principal building on the lot. If the ZBA agrees, this standard may be met.

3. *The location of the accessory building in relation to other buildings on adjoining lots and in relation to the principal building on the lot;*

   The applicant states that the proposed building fits on to the property without crowding or encroaching upon the neighbors’ property lines. Further, the building will be placed allowing sufficient footage to all adjoining properties. The applicant notes that the proposed building is visible from the back yards of the adjacent neighbors.

   Staff Comments: While the applicant did provide a supplement to the application showing support for the proposed accessory building from three (3) of the adjacent properties, support was not included from the owner of 1795 Perry Street. Staff would encourage the ZBA to consider any public comments received in this regard. However, it does appear that there are mature trees around the proposed accessory building area that may provide screening for the surrounding properties. It should be noted that the
applicant stated in the response to Standard 4 that some trees would be removed to allow for the proposed accessory building. As you know, the ZBA does have the authority to require additional landscaping around the accessory building, if desired. Pending any public comment received, if the ZBA agrees this standard may be met.

4. **Whether or not the accessory building will affect light and air circulation of any adjoining property; and**

The applicant states that in order to build the proposed structure, there will be trees removed, thereby increasing light and air circulation. Further, the location of the proposed building is below the existing structure, allowing for plenty of air flow. The applicant also notes that the proposed building will become a sound buffer from excessive noise and conversations.

Staff Comments: Due to the location of the proposed structure, staff does not anticipate any effect on the light and air circulation of any adjoining property. However, Staff encourages the ZBA to consider any public comment received. If the ZBA agrees, this standard may be met.

5. **Whether the accessory building will adversely affect the view of any adjoining property.**

The applicant states that the proposed building will not obstruct the view of existing neighbors. The applicant emphasizes that tree removal will increase the view, and that the structure will be located on a portion of the property that is adjacent to the back yards of neighboring properties.

Staff Comments: Staff disagrees with the applicant’s statement that tree removal will increase the view; generally speaking, trees provide screening from the view of structures and enhance the view of adjoining properties. As aforementioned, the ZBA does have the authority to require additional landscaping to be planted around the proposed accessory building to provide buffering. Pending consideration of the provision of additional landscaping, if the ZBA agrees this standard may be met.

**Staff Recommendation:**
Pending consideration of any public comment received, as well as discussion on requiring additional landscaping around the proposed accessory building, it appears that the standards to authorize an oversized accessory building may be met. If the ZBA agrees, consider authorizing this request for an oversized accessory building of 768 square feet.
Item #3. A request by Dave Fleece, to allow construction of an addition to a residence with a front yard of 34.4 feet where no less than 40 feet is permitted per Section 38-276(1) of the Park Township Zoning Ordinance. Said land and premises are located at 713 West Lakewood Boulevard, Holland, MI 49424. (Parcel 70-15-24-286-010, Zoned R-3 Low Density One Family Residence District)

Applicable Ordinance Sections:
Sec. 38-276(1), Area regulations (in part).
(1) Front yard. There shall be a front yard of not less than 40 feet; and

Sec. 38-483(e)
(2) Any building or structure built to a legally established building setback line before July 1, 2016, shall be considered as meeting the required setback from the adjacent lot line existing at that time. Additions or enlargements along or within existing setbacks shall only be allowed if approved by the Zoning Board of Appeals as a matter for Zoning Board of Appeals decision pursuant to Section 603 of the Zoning Act (MCL § 125.3603). In granting such authorization, the following standards shall be considered by the Zoning Board of Appeals:
   a. The proportion of the main wall which has been altered by the addition;
   b. The overall effect of the proposed addition on adjoining properties and the character of the surrounding neighborhood; and
   c. The addition shall not be less than five feet from the side and rear lot lines and shall not be less than 10 feet from the front lot line.

Background:
The property is described as lot 31 of Stielstra’s Subdivision. The property is 0.57 acres, or approximately 24,829 square feet. There is an existing residence on the property, approximately 1,800 square feet in size (constructed in 1903), as well as an existing 600 square foot accessory building. While the residence faces West Lakewood Boulevard, and is addressed to the same, since the property is a corner lot front yard setbacks are required to be met from both West Lakewood Boulevard and Home Avenue (Section 38-496). Per the site plan that was submitted with the application, the eastern wall of the existing residence is located 34.4 feet from the eastern property line. An aerial view of the property as well as a view from Home Avenue (taken in 2014) are below.
Zoning Board of Appeals Considerations:
The applicant is proposing to construct an addition to the residence that consists of a 26 ft. x 30 ft. garage, connected to the residence with an open breezeway. Even though the proposed breezeway is open, as the proposed garage addition would be structurally connected to the existing residence through the breezeway, it is all considered the principal structure and subject to a front yard setback requirement of 40 feet.

The applicant did apply for a dimensional variance in 2012 for a nearly identical proposal, except the breezeway was proposed to be enclosed and the garage addition was set back approximately 3 feet behind the face of the existing residence. The Zoning Board of Appeals approved the variance in 2012, which has of course expired.

It should be noted that in 2012, the provisions of the Zoning Ordinance pertaining to front and rear yard averaging did not exist, nor did the standards for the ZBA to authorize a setback variance for a building constructed prior to July 1, 2016. Staff did consider if front yard averaging could be utilized, analyzing the three properties to the north along Home Avenue. The front yard setbacks of those properties are less than the 40 feet required in the R-3 Zoning District, but it is unclear if the average is less than the 34.4 feet requested by the applicant. Rather than suggesting that the applicant seek a survey of the neighboring properties, it seems prudent to first consider the variance request. As such, your Standards of Review below reflect those listed in Section 38-483(e)(2).

Building Setback Exception Standards Review:
Pursuant to Sec. 38-483(e)(2), the Zoning Board of Appeals shall consider the following standards in granting authorization for a building setback exception:

a. The proportion of the main wall which has been altered by the addition;

The applicant states that the east face of the new garage would be 30 ft. long and aligned with the east face of the existing house, and separated by a 14 ft. open breezeway between structures. A small roof connection would offer protection between doors from house to garage.

Staff Comments: It does appear that the applicant is attempting to construct an addition that adjoins and blends architecturally to the existing residence. If the intention of this standard is to ensure that the proposed addition does not overwhelm the existing structure, it appears that this intention is achieved through the applicant’s proposal.

It should be noted that when the variance was considered in 2012, there was substantial discussion if it would be possible to shift the addition to the west, so it would meet the 40 ft. setback requirement. The applicant noted in 2012 that this was not feasible due to the existing windows/layout of the residence.

b. The overall effect of the proposed addition on adjoining properties and the character of the surrounding neighborhood; and
The applicant states that there would be no effect on adjoining properties and the surrounding neighborhood. The property to the north is over 55 ft. from the north face of the proposed addition. The property to the west is over 63 ft. from the west face of the proposed addition. The applicant notes that a variance was submitted 8 years ago for a similar garage addition, which was granted approval to proceed. According to the application, the neighbors were supportive at that time and still are.

Staff Comments: Staff agrees that given the distance to the adjacent residences, as well as the mature trees in the area, the proposed addition will have a minimal impact on adjoining properties and the character of the surrounding neighborhood.

c. The addition shall not be less than five feet from the side and rear lot lines and shall not be less than 10 feet from the front lot line.

Staff Comments: The proposed addition would be approximately 34 feet from the front property line along Home Avenue, approximately 60 feet from the side property line to the north, and approximately 55 feet from the rear property line to the west. As such, it appears this consideration has meet met.

Recommendation:
Staff finds that the proposed addition may not have any negative impacts on neighboring properties or significantly alter the main wall of the residence. If the ZBA agrees, and there are not substantive public concerns, consider approving this request to construct an addition to a single-family residence with a 34.4 foot front yard setback.
PARK TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

PARCEL #70-15-35 205-025                      DATE FILED  6/14/2020
PROPERTY ADDRESS  1384 Linwood Dr.            
NAME OF APPLICANT  Henry Voetberg            PHONE NO.  Cell: 836-1931
Email Address vvoetberg@yahoo.com
OWNER AS PER TAX RECORD  Henry J. Voetberg Trust u/tld Jan 10, 2003
                          Vicki J. Voetberg Trust u/tld Jan 10, 2003
Application is hereby made to the Zoning Board of Appeals for a variance of the Park Township Zoning Ordinance. The variance being applied for is contrary to SECTION NUMBER (S)

Describe the nature of the request:
  ☑ Dimensional variance (size, setback, height, etc.) Also fill out the Dimensional supplement attached.
  ☐ Interpretation of Zoning Ordinance. Attach a separate sheet explaining the interpretation you are seeking.
  ☐ Appeal of a Decision of the Zoning Administrator. Attach a separate sheet explaining the reason why you feel the decision was in error.
  ☐ Use variance. Note: The Use Variance Supplement is a separate form.

What are the practical difficulties or unnecessary hardships of complying with the Park Township Zoning Ordinance?

We would like to keep the same road front set backs we have on our existing home (or close to it)

Eight (8) copies of the appeal with supportive documentation (i.e. drawings, survey, sketches of proposed plan, proposed location) to be supplied with request.

AFFIDAVIT: I agree the statements made above are true, and if found not to be true, this application and subsequent decision may be void. Further, I agree to comply with the conditions and regulations provided with any variance that may be issued. Further, I agree the variance that may be issued is with the understanding all other applicable sections of the Park Township Zoning Ordinance, and Michigan Construction Code will be complied with. Further, I agree to notify the Park Township Building Dept. for inspections when required. Further, I agree to give permission for officials of Park Township, the County of Ottawa and the State of Michigan to enter the property subject to this permit application for purposes of inspection. Finally, I understand this is a Zoning Board of Appeals application, and any variance issued conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, deed restriction, or other property rights.

Signature of Property Owner  6/14/2020  Signature of Applicant  6/14/2020
Non-use Dimensional Variance Form

Following are the four (4) standards which the Zoning Board of Appeals must use in considering your dimensional variance request and a place for you to explain how you meet these standards. You may use additional sheets to answer in more detail, but you must answer all questions.

1) Whether strict compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would render conformity with such restrictions unnecessarily burdensome.

Describe how strict compliance would be unnecessarily burdensome as described in Standard #1 above:

The house now sits in line with all the neighbors. With the setback requirements the new home would be closer to the water and hinder their line of view from North to South.

2) Whether granting a variance would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property and be more consistent with justice to other property owners.

Describe how this variance will do justice to you without doing injustice to the neighbors as described in Standard #2 above:

We would prefer not to be in the neighbors sight line and we would prefer not being looked at, because we would be in there sight line.
3) Whether the plight of the owner/applicant is due to unique circumstances of the property and not to general conditions of the zoning district.

Describe what is unique about your property that warrants a variance as described in Standard #3 above:

Pretty much all the homes within 300 ft. are non-conforming with 40 front and 50 rear

4) Whether the problem is self-created.

Describe why this problem should not be considered as self-created:

The problem should not be considered self-created because of the fact that most neighbors are non-conforming and the road did not get centered in the "right of way"
PARK TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

PARCEL #70-15-22-400-060                DATE FILED 6/19/2020

PROPERTY ADDRESS  22 WESTERN AVENUE

NAME OF APPLICANT DALE L BIRD-CORTES
PHONE NO.  616-292-2930

Email Address  corte501@sbeglobal.net

OWNER AS PER TAX RECORD  DALE L BIRD-CORTES

Application is hereby made to the Zoning Board of Appeals for a variance of the Park Township Zoning Ordinance. The variance being applied for is contrary to SECTION NUMBER (S)

Describe the nature of the request:

☐ Dimensional variance (size, setback, height, etc.) Also fill out the Dimensional supplement attached.

☐ Interpretation of Zoning Ordinance. Attach a separate sheet explaining the interpretation you are seeking.

☐ Appeal of a Decision of the Zoning Administrator. Attach a separate sheet explaining the reason why you feel the decision was in error.

☐ Use variance. Note: The Use Variance Supplement is a separate form.


What are the practical difficulties or unnecessary hardships of complying with the Park Township Zoning Ordinance?

IT IS UNDERSTANDABLE AND NORMAL THAT GOVERNMENT RULES ARE DESIGNED TO COVER AN AVERAGE POSSIBLE NEED OF RESIDENTS. OUR NEED IS IMPOSSIBLE TO FIT A 27' CAMPER AND 30' TRAILER. WE WALK ALL OUR LIVESTOCK AND THE THINGS WE HAVE ACQUIRED PAYING THE STORAGE IN A RETIREMENT FUND INCOME POSES A HARDSHIP. OUR WOODED SETTING OF APPROX. 90X 90, IN BACK OF OUR HOUSE IS TACTICAL AND LEADS TO OUR NEEDS. I AM SUBMITTING A SIGNED SUPPORT FROM OUR ADJACENT NEIGHBORS.

Eight (8) copies of the appeal with supportive documentation (i.e. drawings, survey, sketches of proposed plan, proposed location) to be supplied with request.

AFFIDAVIT: I agree the statements made above are true, and if found not to be true, this application and subsequent decision may be void. Further, I agree to comply with the conditions and regulations provided with any variance that may be issued. Further, I agree the variance that may be issued is in accordance with all applicable sections of the Park Township Zoning Ordinance, and Michigan Construction Code will be complied with. Further, I agree to notify the Park Township Building Dept. for inspections when required. Further, I agree to give permission for officials of Park Township, the County of Ottawa and the State of Michigan to enter the property subject to this permit application for purposes of inspection. Finally, I understand this is a Zoning Board of Appeals application, and any variance issued conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, deed restriction, or other property rights.

Signature of Property Owner  6/19/2020

Signature of Applicant  6/19/2020
Accessory Building Approval Request

Following are the five (5) standards which the Zoning Board of Appeals must use in considering your request for additional square footage or height, and a place for you to explain how you meet these standards. You may use additional sheets to answer in more detail, but you must answer all questions.

1) The area and/or height of the accessory building in relation to the size of the lot on which it is to be placed;

Describe how the size or height is not excessive in relation to the lot size as described in Standard #1 above:

- THE PLACEMENT OF BUILDING WILL NOT PROTRACT UPON THE ADJACENT NEIGHBORS PROPERTY LINES
- THE BUILDING WILL NOT INTERFER WITH NEIGHBORS VIEW FROM THEIR BACKYARDS
- ATTACHED: SIGNED SUPPORT FROM ADJACENT NEIGHBORS

2) The area and/or height of the accessory building in relation to the principal building on the lot on which the accessory building is to be placed;

Describe how the proposed size of the accessory building is not excessive in relation to the size of the principal building as described in Standard #2 above:

- PROPOSED BUILDING IS SMALLER THAN PRINCIPAL BUILDING WHICH IS A BICLEVEL
- NOTE: ATTACHED SIGNED SUPPORT FROM ADJACENT NEIGHBORS

3) The location of the accessory building in relation to other buildings on adjoining lots and in relation to the principal building on the lot;
Describe how the proposed building will fit into the area as described in Standard #3 above:

Proposed Building fits onto property without
causing or encroaching upon neighbors property lines.
Building will be placed allowing sufficient footage
to all adjoining properties - building faces all
back yards of adjacent neighbors.

4) Whether or not the accessory building will affect light and air circulation of any adjoining property; and

Describe the effect or lack of effect of light and air circulation of any adjoining property.

In order to build proposed structure, there
will be removal of trees through increasing
light and air circulation. Location in aslo
below existing structure, allowing for
plenty of airflow. In addition, there will become a
sound buffer from excess noise and conversations
attached signed support from adjacent neighbors.

5) Whether the accessory building will adversely affect the view of any adjoining property.

Describe the effect the accessory building may have on the view from any adjoining property.

Building will not obstruct view of existing
neighbors. Tree removal will increase view
structure and be on property that buts up to
the back yards of neighbors

Attached signed support from adjacent neighbors
Dale L. Bird-Cortes and Dagoberto S. Cortes are requesting approval from Park Township to build a structure on their property at 22 Western Ave. We are requesting your support for the building of this structure.

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<th>State</th>
<th>Zip</th>
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<td>Dale L. Bird-Cortes</td>
<td>32 Western Ave, Holland, MI 49428</td>
<td>Holland</td>
<td>MI</td>
<td>49428</td>
<td>(616) 402-2303</td>
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<tr>
<td>Paul M. Cortes</td>
<td>1777 Perry Ave, Holland, MI 49424</td>
<td>Holland</td>
<td>MI</td>
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<td>616-796-9024</td>
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<td>Ray A. Cortes</td>
<td>1805 Perry St, Holland, MI 49424</td>
<td>Holland</td>
<td>MI</td>
<td>49424</td>
<td>616-215-2403</td>
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Signatures: Please include name, address, and phone number. Thank you
SCHOOL: 70070
PRE/MBT EXEMPTION #: 100.0000
PROPERTY ADDRESS: 22 Western Ave
PROPERTY TYPE: RESIDENTIAL
CLASS: 401

Bird-Cortez Dale L
22 Western Ave
Holland MI 49424

PAYMENT INSTRUCTIONS:
IF PAYING BY MAIL AND A RECEIPT IS DESIRED, SEND ENTIRE BILL & SELF-ADDRESSED, STAMPED ENVELOPE TO THE ADDRESS SHOWN AT TOP LEFT.
A DROP BOX IS LOCATED IN OUR FRONT PARKING LOT FOR AFTER HOUR PAYMENTS.

JS POSTAL SERVICE POSTMARKS (NOT PRIVATE METERED) BY THE DUE DATE WILL BE ACCEPTED.

IF YOU ARE OVER 62, A VETERAN, FARMER OR DISABLED AND YOU MAKE UNDER $40,000 PER YEAR, YOU MAY BE ELIGIBLE FOR A DEFERMENT (EXTENSION) OF THESE PROPERTY TAXES. DEFERMENT MUST BE FILED BY SEPTEMBER 15TH. CALL US AT 399-4520.

YOU MAY NOW PAY ONLINE, BY PHONE (666-587-3981) OR IN THE OFFICE WITH CREDIT CARDS. INSTRUCTIONS MAY BE FOUND ON OUR WEBSITE AT WWW.PARKTOWNSHIP.ORG. A TECHNOLOGY FEE OF 3% WILL APPLY. POSTDATED CHECKS WILL NOT BE ACCEPTED. ALL CHECKS WILL BE CASHED WHEN RECEIVED.

FISCAL YEARS
School JULY 1 JUNE 30
State OCTOBER 1 SEPTEMBER 30
County OCTOBER 1 SEPTEMBER 30
TOWNSHIP APRIL 1 MARCH 31

TREASURER NOT RESPONSIBLE FOR PAYMENT ON WRONG PROPERTY

2019 Summer
TAXABLE VALUE 69,460
STATE EQUAL VALUE 80,200

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TOTAL TAX DUE 09/16/2019 $1,686.63

MAKE CHECK PAYABLE TO:
PARK TOWNSHIP
52 152ND AVENUE
HOLLAND MI 49424
PHONE (616) 399-4520

There will be a $20 charge for all returned checks.
PARK TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

PARCEL #70-15-24-286-010 DATE FILED 7/13/2020

PROPERTY ADDRESS 713 West Lakewood Blvd.

NAME OF APPLICANT Dave Fleece PHONE NO. 616-566-3806

Email Address davedfleece@gmail.com

OWNER AS PER TAX RECORD Rebecca Schmidt-David Fleece

Application is hereby made to the Zoning Board of Appeals for a variance of the Park Township Zoning Ordinance. The variance being applied for is contrary to SECTION NUMBER (S)

Describe the nature of the request:

☒ Dimensional variance (size, setback, height, etc.) Also fill out the Dimensional supplement attached.
☐ Interpretation of Zoning Ordinance. Attach a separate sheet explaining the interpretation you are seeking.
☐ Appeal of a Decision of the Zoning Administrator. Attach a separate sheet explaining the reason why you feel the decision was in error.
☐ Use variance. Note: The Use Variance Supplement is a separate form.

What are the practical difficulties or unnecessary hardships of complying with the Park Township Zoning Ordinance?
My existing home was built in 1903, prior to Park Twp. Zoning Ordinances, consequently the front yard setback line on Home Ave. lies approx. 6'-0" into the interior of the home.

Eight (8) copies of the appeal with supportive documentation (i.e. drawings, survey, sketches of proposed plan, proposed location) to be supplied with request.

AFFIDAVIT: I agree the statements made above are true, and if found not to be true, this application and subsequent decision may be void. Further, I agree to comply with the conditions and regulations provided with any variance that may be issued. Further, I agree the variance that may be issued is with the understanding all other applicable sections of the Park Township Zoning Ordinance, and Michigan Construction Code will be complied with. Further, I agree to notify the Park Township Building Dept. for inspections when required. Further, I agree to give permission for officials of Park Township, the County of Ottawa and the State of Michigan to enter the property subject to this permit application for purposes of inspection. Finally, I understand this is a Zoning Board of Appeals application, and any variance issued conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, deed restriction, or other property rights.

Signature of Property Owner

Signature of Applicant

Date 7/13/2020

Date 7/13/2020
Building Setback Exception

Following are the standards which the Zoning Board of Appeals must use in considering your request and a place for you to explain how you meet these standards. You may use additional sheets to answer in more detail, but you must answer all questions.

1) The following projection dimensions are allowable:
   i. Bay windows, chimneys, awnings and architectural design embellishments of dwellings that do not house or enclose habitable floor area nor project more than three (3) feet into the required setback.
   ii. Roof overhangs that do not project more than two (2) feet into the required setback.
   iii. Steps and small entrance landings or porches, including porticos corresponding to the area of the porch, provided that such porches and porticos do not project more than four (4) feet in to the required setback;

2) The proportion of the main wall which has been altered by the projection.

Describe the size of the proposed expansion in relation to the main or existing wall:

   The east face of new garage would be 30' long and aligned with east face of existing house and separated by a 14’ open breezeway between structures. A small roof connection would offer protection between doors from house to garage.

3) The overall effect of the proposed projection on adjoining properties and the surrounding neighborhood.

Describe the effect of the expansion on adjoining properties and the surrounding neighborhood:

   There would be no effect on adjoining properties and surrounding neighborhood imposed by this garage addition. Property located to the north is over 55' away from north face. Property to the west is over 63’ away from west face.

   I submitted for a variance 8 years ago for a similar garage addition and was granted approval to proceed (note, i never did receive an official letter from Twp. for this). Neighbors were supportive at that time and still are. West neighbors are new and were supportive 2 years ago, but i put project on hold at that time.