AGENDA

PARK TOWNSHIP
ZONING BOARD OF APPEALS

Meeting
September 14, 2020
6:30 p.m.

VIA ZOOM

Meeting ID: 843 1127 0128 / Password: 808502 / Toll Free: (929) 436-2866

- We ask that attendees please conduct themselves in the same manner they would if physically present at a meeting at Park Township Hall.

- We ask that attendees, besides Commission members, Staff, and the recording secretary be on mute. Members of the public will be permitted to make comments during both public comment portions of the meeting. If any participant would like to speak, please virtually raise your hand. The Planning Commission Chair will recognize those requesting to speak, and will ask each Planning Commission member if they have comments on the matter(s) discussed.

- The Planning Commission has paper and electronic copies of the meeting materials, which were posted on Park Township’s website on or around August 30th. The meeting host may also share meeting materials using screen share functionality.

- Please note that this meeting is being recorded, and disruptive participants will be removed from the meeting. If there are too many disruptions to the meeting, the meeting will end early.

- All votes should be taken by roll call vote.

1. Call to Order

2. Approval of the Agenda

3. Approval of Minutes: August 10, 2020 Regular Meeting

4. Appeals: Note: Public notices were mailed to all property owners and occupants within 300 feet on or before Sunday, August 30, 2020 and published in the Holland Sentinel on Sunday, August 30, 2020.

   Item #1. A request by Jeremy vanEyk, on behalf of Jefra Groendyk, to allow construction of an addition to a residence with a side yard of 8 feet where no less than 10 feet is permitted per Section 38-246(2) of the Park Township Zoning Ordinance. Said land and premises are located at 2502 Eagle Lane, Holland, MI 49424. (Parcel 70-15-28-340-032, Zoned R-2 Lakeshore Residence District)

   Item #2. A request by Gerald Dagraeve to allow construction of a 391 square foot accessory building where a maximum size of 360 square feet is permitted per Section 38-491(b)(1)b of the Park Township Zoning Ordinance. Said land and premises are located at 248 Sea Esta Avenue, Holland, MI 49424. (Parcel 70-15-27-301-026, Zoned R-3 Low Density One Family Residence District)
**Item #3.** A request by Karin Kapteyn, to allow construction of a deck with a rear yard of approximately 17.5 feet where no less than 25 feet is permitted per Section 38-306(3) of the Park Township Zoning Ordinance. Said land and premises are located at 142 Bower Street, Holland, MI 49424. (Parcel 70-15-27-177-016, Zoned R-4 Medium Density One & Two Family Residence District)

**Item #4.** A request by Thomas Selvius, to allow construction of an accessory building on a vacant parcel, where a principal structure is also required per Section 38-491(b)(1)a of the Park Township Zoning Ordinance. Said land and premises are located on the eastern side of North Lakeshore Drive, north of Ransom Street. (Parcel 70-15-04-200-014, Zoned R-1 Rural Residence District)

**Item #5.** A request by Thomas Selvius, to allow construction of a 7,500 square foot accessory building where a 993 square foot accessory building would be permitted per Section 38-491(b)(1)b of the Park Township Zoning Ordinance. Said land and premises are located on the eastern side of North Lakeshore Drive, north of Ransom Street. (Parcel 70-15-04-200-014, Zoned R-1 Rural Residence District)

**Item #6.** A request by Pine Creek Construction, on behalf of Bob & Carol Fewless, to allow construction of an addition to a residence with a front yard of approximately 17 feet where no less than 40 feet is permitted per Section 38-306(1) of the Park Township Zoning Ordinance. Said land and premises are located at 2247 Second Avenue, Holland, MI 49424. (Parcel 70-15-33-279-004, Zoned R-4 Medium Density One & Two Family Residence District)

5. **Other Business**

6. **Announcements**

   Next scheduled meeting date is October 5, 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 via Zoom conferencing.

ATTENDANCE:
Present: Doug Dreyer, Dennis Eade, Dave Fleece, John Foster (arrived late due to confusion over meeting location), Jim Gerard, Sally Pollock (as alternate)
Staff: Emma Posillico, Zoning Administrator

APPROVAL OF AGENDA:
Eade moved, supported by Fleece, to approve the agenda as submitted.

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

APPROVAL OF MINUTES:
Eade moved, supported by Gerard, to approve the minutes of the July 6, 2020 Regular Meeting as submitted.

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

BUSINESS ITEMS:
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)
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.

Posillico provided background on this item. This was a request that was initially reviewed at the July 2020 meeting. She pointed out there was a noticing error for the July meeting when this was to be presented to the Zoning Board of Appeals, so the request was re-noticed for the August meeting with the accurate information. The front yard setback is to be 13.5’ where no less than 23.5’ is permitted. Note, the front yard averaging provisions would provide the applicant with a 23.5’ required setback. However, since the applicant is requesting a 13.5’ front yard setback for the construction of a new residence, a variance is required.

Voetberg said he had nothing new to add to the discussion that was not explained at the July meeting. He feels this is of benefit to the neighbors.

Dreyer noted there was no new correspondence.

PUBLIC HEARING

Dreyer opened the Public Hearing at 6:40 P.M.

There was no comment.

Dreyer closed the Public Hearing at 6:40 P.M.

Gerard asked Voetberg if the high water level affected the proposed location of the new residence, pushing it closer to Linwood Avenue.

Voetberg said he didn’t think so. He just doesn’t want to be too close to the neighbors.

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

Fleece reviewed the four standards for a dimensional 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 house is to be in line with the neighbors. The required setback would place the house closer to the water which would interfere with the neighbors’ views. The plan will be of better benefit to the applicant and the neighbors.

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 sight lines are preserved by the requested minimal setback and does justice to all.
Dreyer added that Posillico noted in the Staff Memo that the setback of 13.5’ is an increased setback as compared to the location of the current residence on the property.

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 homes within 300’ are generally nonconforming and have varying setbacks. Granting the requested front yard setback variance preserves the uniqueness for the first three homes on the corner. It is due to the circumstances of the property.

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

Most of the properties in the area are nonconforming which is not self-created. The applicant is improving the situation of the setback at 13.5’.

Roll Call Vote:

Fleece, aye; Dreyer, aye; Eade, aye; Gerard, aye. Pollock, aye.

Ayes 5, Nays 0. Motion carried

**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 and Two Family Residence District)

Posillico introduced this request. This property is at the end of the street. There is an existing residence with an attached garage. The applicant is seeking to build a detached accessory building to store a boat and camper. The camper is 27’ long and the boat is 30’ long, which requires a larger building than what is allowed by ordinance.

Cortes said he would be happy to address any questions.

Fleece asked if the access to the proposed accessory building would be along the north side of the property.

Cortes said yes.

Dreyer asked where the neighbors’ accessory building is located in relation to the proposed building.

Cortes said to the northwest.

Dreyer asked for the size of the neighbor’s building near Cortes’ property.
Cortes said he thought it was about 36’x42’.

Posillico said she could provide an aerial calculation. It is 34’x76’ feet.

PUBLIC HEARING

Dreyer said there were two items of correspondence - the neighbor to the north approves. The neighbor four houses east says no.

Dreyer opened the Public Hearing at 6:50 P.M.

There was no comment.

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

Cortes said he obtained signatures from the neighbors – all were in approval. Dreyer confirmed that was submitted with the application materials.

Eade moved, supported by Gerard, to approve the request with the condition the applicant provides appropriate landscape screening around the new accessory building.

Eade reviewed the Authorization for a Larger Accessory Building Standards Review:

   a. 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 proposes an oversized building that meets the setbacks. Staff confirms the height will not exceed 20’ as required, so this standard can be met.

   b. 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;

      Staff confirms the height of the building won’t exceed 20’ and, based on the applicant’s statement, the area and height will be in proportion to the principal building on the lot. This standard is met.

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

      There are trees around the proposed building area that can provide screening from the neighboring property. Additional landscaping is an option since the applicant wants to remove trees to clear an area for the proposed building.

      The Zoning Board of Appeals could condition additional landscaping being provided to ensure proper buffering.

   d. Whether or not the accessory building will affect light and air circulation of any adjoining property; and,
Staff provided information in the Staff report there will be no negative effect to the adjoining properties.

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

Trees provide screening. The Zoning Board of Appeals can require additional landscaping to provide buffering, but the standard can be met at this point.

Dreyer said the applicant has left the Zoom meeting and hopes he returns for the addition to the motion regarding landscaping.

In his opinion, Dreyer said the applicant should provide appropriate screening – this should be added as a condition in the motion. If he takes the trees down to allow for the new building, he should provide some buffering.

Posillico said if the applicant does not return to the Zoom meeting, and disagrees with the requirement to provide landscaping, he can come back before the Zoning Board of Appeals.

**Roll Call Vote:**

Fleece, aye; Dreyer, aye; Eade, aye; Gerard, aye; Pollock, aye.

Ayes 5, Nays 0. Motion carried.

Fleece recused himself from the third agenda item since he is the applicant. Foster joined the meeting at this time to provide full attendance of the Board.

**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)

There is an existing residence on the property that was constructed in 1903. There is also an accessory building on the property. The eastern wall of the residence, because it faces Home Avenue, is considered a front yard, so the front yard setback is required to be met in that location, so that is the reason for the 40’ setback requirement and associated variance request.

The applicant applied 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 three feet behind the face of the existing residence. The Zoning Board of Appeals approved the variance in 2012, which has since expired.

Posillico noted there is an error in the Staff Memo. On page 10, the dimensions given are 26’ x 30’ for the size of the addition, but Fleece clarified the dimensions are actually 30’ x 32’. This doesn’t affect the variance request or the ability of the proposed addition to meet the size and rear yard setback requirements.
Fleece explained his situation with the setback line. He would rather have the face of the existing residence align with the face of the proposed addition, which is shown on the site plan. He also has a septic system behind the area of the proposed addition, so there is no way to shift the proposed garage back (to the west).

PUBLIC HEARING

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

There was no comment.

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

Dreyer noted a signed letter of support by three neighbors and they were all in agreement with the variance request.

Gerard moved, supported by Foster, to approve the request.

Gerard reviewed the Building Setback Exception Standards:

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

  The main wall of the existing residence, which would be extended for the addition, will extend the line of the house but it won’t move the house any closer and won’t alter the existing setback.

- **b. The overall effect of the proposed addition on adjoining properties and the character of the surrounding neighborhood; and,**

  There is no adverse effect on the neighboring properties and the neighbors support the addition.

- **c. The addition shall not be less than 5’ from the side and rear lot and shall not be less than 10’ from the front lot line.**

  It meets this standard.

Roll Call Vote:

Foster, aye; Dreyer, aye; Eade, aye; Pollock, aye; Gerard, aye.

Ayes 5, Nays 0. Motion carried.

Cortes rejoined the meeting. He said he lost power and couldn’t continue on the Zoom meeting on his computer until the power came back on. He was using his phone.
Dreyer informed Cortes about the condition for the landscaping buffer that the Board of Appeals added to the motion for approval.

Cortes said he was okay with the condition in the motion for approval.

Posillico explained the provision for landscaping around the building to protect the view from the neighbors.

Cortes said that can be met.

ANNOUNCEMENTS

A. The next scheduled meeting date is September 14, 2020, which is later because the 7th is Labor Day.

PUBLIC COMMENT

Dreyer opened Public Comment at 7:20 P.M.

John Daniel, co-owner of the Waukazoo Farmers’ Market, joined the meeting. In the process of filing for a Special Use Permit to continue operating the Farmers’ Market, Township Staff has informed Mr. Daniel that there are several variances that are required. The Zoning Ordinance requires that commercially zoned properties have paved parking, be connected to public water, and that all business be conducted within an enclosed structure. Mr. Daniel will be seeking variances from these requirements at the October ZBA meeting. He then elaborated on why he believes he should not be required to meet these ordinance requirements.

The Township said there was a requirement for a paved space for parking, however, he has decided to not do any paving. It would cost him between $25,000 and $35,000 to pave the parking area. He noted another commercial use operated by David Dirkse, allows parking on grass near the State park. He checked with the Township Fire Marshall who reportedly said paved parking was not necessary. The variance request for paved parking will cost $350 and he questioned if he had to pay it. He also mentioned the enclosed building requirement which he feels is unnecessary. The market is conducted in popup tents and is orderly. He doesn’t intend to enclose the space. He said he explained this to Greg Ransford, the Township Planner. He emphasized this is a temporary condition for the market. This would cost him an additional $350 to appear before the ZBA to appeal. There is also the matter of the requirement for public water on the site. He doesn’t intend to provide customers public water service. Everything is on two self-contained trucks. If he wants to speak to a variance for all three of these requirements, he will have to pay $1,050 in application fees. He can’t afford this. He has already paid $1,200 for the Special Use application. He is asking for consideration for a reduction in application fees.

Dreyer asked if Daniel was extending the market beyond the Visser Farms vendor.
Daniel said he plans to expand to a maximum of seven vendors.

Dreyer said this is new information to the Zoning Board of Appeals, so recommended it be a formal agenda item for a later meeting.

Gerard asked if this is just about the fee reduction or the variance request.

Dreyer said the Zoning Board of Appeals could make a recommendation at the current meeting regarding the fee.

Fleece asked if the decision could be one one fee or all three variance requests.

Posillico said there is a fee for each application, but typically we usually don’t deal with three requests for the same property at one time.

Daniel said he would like a complete exemption from the fees. It’s the principle of the matter in that two of the ordinances are ludicrous in his opinion.

Posillico explained that Ransford reviewed the ordinance requirements with the applicant. Legal Counsel advised the three variances are required in order to move forward with the Special Use as proposed.

Foster asked if the Zoning Board of Appeals can make decisions on fee assessments.

Posillico said Legal Counsel advised it has been considered in the past – not necessarily granted, but considered.

Pollock suggested combining the fees into one fee. It’s a positive use of the property.

Foster doesn’t recall a ruling on fees as a long-time Zoning Board of Appeals member and felt it sets a precedent.

Dreyer agreed on not waiving the fees but combining the fees into one application fee of $350.

Posillico said they can’t be combined as one issue/variance, however, the Zoning Board of Appeals may combine the fees into one fee, if they were in agreement.

Foster moved, and Pollock supported, to approve assessment of one fee to consider all three variance requests.

Foster, aye; Fleece, aye; Dreyer, aye; Eade, aye; Gerard, aye; Pollock, aye.

Ayes 6, Nays 0. Motion carried.

Dreyer closed Public Comment at 7:35 P.M.
ADJOURNMENT

Foster moved, supported by Fleece, to adjourn the meeting 7:39 P.M.

Voice vote:

Ayes 6, Nays 0. Motion carried.

Respectfully submitted,

Judith Hemwall
Recording Secretary
August 12, 2020

Approved:
Six (6) applications have been received for the September 14, 2020 Zoning Board of Appeals meeting.

Item #1. A request by Jeremy vanEyk, on behalf of Jefra Groendyk, to allow construction of an addition to a residence with a side yard of 8 feet where no less than 10 feet is permitted per Section 38-246(2) of the Park Township Zoning Ordinance. Said land and premises are located at 2502 Eagle Lane, Holland, MI 49424. (Parcel 70-15-28-340-032, Zoned R-2 Lakeshore Residence District)

Applicable Ordinance Sections:
Sec. 38-246, Area regulations (in part).
(2) Side yard. For all residential buildings, no side yard shall be less than 10 feet. For all other buildings, no side yard shall be less than 10 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 16 of Heneveld’s Supervisor Plat No. 9 of Eagle Crest Park, and is 0.13 acres, or approximately 5,660 square feet in area. There is an existing 816 SF residence on the property that was constructed in approximately 1940. The applicant wishes to construct a 9 ft. (135 sq. ft.) addition to the southwest corner of the residence. An aerial view of the property is below.
It should be noted that the aerial image of the property makes it appear that there is a property line that runs through the eastern building line, separating the residence from the attached deck. However, the property survey submitted with the application shows that the entire residence and attached deck are located within the property lines, and within the entirely of Lot 17. Ottawa County GIS is utilized as a reference for Staff reports, and property lines may appear in inaccurate locations, particularly in locations with small lots, such as the Eagle Crest neighborhood. The legal survey is the official record of the property lines; as such, there does not appear to be an encroachment issue with the eastern building line of the residence.

It should also be noted that the applicant has obtained a Soil Erosion and Sedimentation Control permit from the Ottawa County Drain Commission, and has applied for a permit from EGLE for construction within the critical dune area. Any zoning and building permits issued for the property would require an EGLE permit prior to issuance.

**Zoning Board of Appeals Considerations:**
As aforementioned, the applicant is proposing additions to the residence, but the proposed 9 ft. (135 sq. ft.) addition at the southwest corner of the residence is 8 ft. from the western property line. While the proposed addition also extends 9 ft. into the rear yard, this is permitted through rear yard averaging (Section 39-494). While there is not a provision for side yard averaging in the R-2 District, building setback exemptions are provided for under Section 38-483(e)(2) of the Zoning Ordinance, which notes that additions or enlargements along or within existing setbacks shall only be allowed if approved by the Zoning Board of Appeals. Since the subject residence was constructed well before 2016, and the applicant is requesting a continuation of a western
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 current position of the residence is 8 ft. from the lot line. They are proposing to add a 9 ft. addition to the rear of the house, keeping the side wall in line with the existing structure.

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. If the ZBA agrees, this standard may be met.

b. *The overall effect of the proposed addition on adjoining properties and the character of the surrounding neighborhood; and*

The applicant states that this historic neighborhood is made up of all types of historic cottages that have been added onto in many very tight locations. The proposed 9 ft. addition to the rear of the residence will not encroach any more than the existing residence on the western property line. The applicant notes that the proposed addition will not impact health or safety in any way.

Staff Comments: Staff agrees that the Eagle Crest neighborhood is comprised of smaller lots, many of which have nonconforming structures that have required variances in order to be modernized. Given that the western property line of the subject property abuts a private driveway, and the proposed addition would not block light or air flow to any adjoining residences, it appears that the proposed addition would have minimal effects on the neighborhood. Pending any comment received at the public hearing, and if the ZBA agrees, it appears this standard may be met.

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 greater than five feet from the side and rear lot lines. As such, this standard has been met.

**Recommendation:**
Staff finds that the area proposed for the addition aligns with the existing western building line, and may not have any negative impacts on neighboring properties. 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 an 8 ft. side yard setback.
Item #2. A request by Gerald Dagraeve to allow construction of a 391 square foot accessory building where a maximum size of 360 square feet is permitted per Section 38-491(b)(1)b of the Park Township Zoning Ordinance. Said land and premises are located at 248 Sea Esta Avenue, Holland, MI 49424. (Parcel 70-15-27-301-026, Zoned R-3 Low Density One 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 on the western side of Sea Esta Avenue, which is north of the 168th Avenue and Ottawa Beach Road intersection. The property is approximately 0.42 acres in overall area, or approximately 18,037 square feet (according to the property survey submitted with the application). There is an existing residence on the property (an approximately 2,027 square foot single level constructed in approximately 1970), with an attached garage. The applicant is intending to construct an accessory building on the property. Aerial and street-view images of the property are 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 360 square feet. The applicant is seeking to construct a 391 square foot accessory building, which is 31 square feet greater than what is allowed. According to the applicant, a slightly larger accessory building would allow the storage of two pieces of outdoor equipment, rather than just one. Additionally, the applicant notes that building an accessory building of 360 square feet requires ordering materials in fractions of an inch.

While this is a minimal request in terms of additional square footage, the Zoning Administrator does not have the authority to grant such requests. As such, the applicant is seeking authorization from the ZBA to construct a larger building than permitted. You will note that the applicant has provided the application materials for both an oversized accessory building and a non-use (dimensional) variance. The non-use (dimensional) variance paperwork was initially provided to the applicant in error; however, he submitted both pieces of paperwork for your reference. Given the amount of effort that it appears the applicant put into the paperwork, Staff has included both for your reference. However, the only applicable variance standards are those for a larger accessory building, which appear below.

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 size of the accessory building will be 2.17% of the surveyed lot size. However, the applicant notes that 1,710 sq. ft. of the lot is not shown in the survey because it is next to the road within the right-of-way area. According to the applicant, since there are no sidewalks in the neighborhood, this section of land is 18 ft. x 95 ft. of his front yard. The applicant summarizes that the size of the accessory building will be less than 2% of the total property that he maintains.

   Staff Comments: It is a common complaint of property owners that they maintain property that is technically outside of their property description and within the right-of-way. However, property area is based upon the property lines, and if a yard area is not included within the legal description, it cannot be included within the calculations for allowable accessory building size. As the applicant has noted though, the requested size increase for the accessory building is 0.17% greater than the allowable size per the Zoning Ordinance. It would appear that the area and height of the proposed accessory building are in proportion to the size of the lot. 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 size of the principal building on the property (the residence) is 2,027 sq. ft., so the size of the accessory building would be 19.29% of the size of the residence. The applicant summarizes that the accessory building will be less than 1/5 the size of the residence.

   Staff Comments: Based on the topography of the property, the building would sit slightly lower than the existing residence. Based on the applicant’s statements, if the accessory building 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 accessory building will be in the backyard with a 49 ft. rear yard setback, an 11 ft. side yard setback, and located 44 ft. behind the principal building. He notes that both adjoining neighbors have a shed with similar setbacks and lot orientations.

   Staff Comments: Given that the proposed location of the accessory building meets the required building setbacks, and is marginally larger than the permitted 2% of the lot size, it appears that the accessory building would be in proportion to other buildings on
adjoining lots and in relation to the residence on the property. 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 the accessory building will be in the backyard in a lower elevation, set back in the tree line, and will have no effect on light or air circulation on any adjoining properties.

Staff Comments: Due to the location of the proposed structure, and the mature trees in the area, 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 accessory building will have a craftsman design, located in a lower elevation, surrounded by trees and landscaped to blend into the adjoining properties.

Staff Comments: As aforementioned in Item 4, due to the location of the proposed structure and the mature trees in the area, Staff does not anticipate that the proposed accessory building will adversely affect the view of any adjoining property. If the ZBA agrees, this standard may be met.

**Staff Recommendation:**
Pending consideration of any public comment received, 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 391 square feet.
Item #3. A request by Karin Kapteyn, to allow construction of a deck with a rear yard of approximately 17.5 feet where no less than 25 feet is permitted per Section 38-306(3) of the Park Township Zoning Ordinance. Said land and premises are located at 142 Bower Street, Holland, MI 49424. (Parcel 70-15-27-177-016, Zoned R-4 Medium Density One & Two Family Residence District)

Applicable Ordinance Sections:
Sec. 38-306(3), Area regulations (in part).
(3) Rear yard. There shall be a rear yard of not less than 25 feet; provided, however, that in the case of lakefront lots, the rear yard shall be not less than 50 feet.

Background:
The property is described as lot 2 of Wind Stream Subdivision No. 1. The property is 0.23 acres, or approximately 10,019 square feet. There is an existing residence on the property, approximately 1,014 square feet in size, excluding the attached garage. The existing residence was built in 1995 with the existing 10 ft. x 10 ft. rear deck. Per Ottawa County GIS, the rear wall of the residence is located 30 feet from the rear property line, with a 10 ft. x 10 ft. deck extending towards said property line. As such, the existing deck is approximately 20 feet from the rear property line. The applicant is proposing to demolish the existing deck and replace it with a 12’-5” x 16’-7” deck. It should be noted that since the existing (and proposed) decks are greater than 30 inches above grade, they are considered within setback computations. Further, the proposed stairs are not included within the setback computations as steps are exempt from the building setback requirements per Section 38-483(e)(1)c of the Zoning Ordinance. An aerial view of the property is below.

Zoning Board of Appeals Considerations:
As aforementioned, the residence was constructed in 1995, and unfortunately the Township is missing a copy of the original building permit, which would indicate the rear yard setback. You
will note that the applicant has stated that they believe a variance was granted for the location of the original deck; the Township does not have a record of such a variance. Staff believes that decks may have been exempt from the building setback regulations in 1995.

Township Staff has been advised by the Township Attorney that if a non-conforming deck is being replaced exactly to the existing footprint, it may be approved by Staff administratively. However, given that the applicant is proposing to increase the footprint of the non-conforming area towards the rear property line, expanding beyond an established setback, Staff believes that a variance is required for the rear yard setback of the proposed deck.

Since the applicant is proposing to extend the deck 2'-5” toward the rear property line, a rear yard setback of approximately 17.5 ft. would result, where a 25 ft. rear yard is required. As such, your Standards of Review below reflect those listed in Section 38-70(1).

Non-Use (Dimensional) 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 compliance with the 25 ft. setback would prevent the use of their backyard for entertaining guests, and limit the use of otherwise uninhabitable space.

Staff Comments: Staff understands that the backyard may be difficult to use given the wet ground in the area. However, the area that the applicant is proposing to expand the deck into appears to currently be used for a fire ring, and there is a patio further to the east. In addition, the property immediately to the east has an approximately 80 SF deck, and then utilizes the western portion of their rear yard for a patio. As aforementioned, the applicant is permitted to replace the deck as it currently exists by right. So, Staff questions if strict compliance would fully “prevent” the use of the applicant’s backyard, and limit the use of “uninhabitable” space. As such, the ZBA will need to deliberate if strict compliance with the ordinance is unnecessarily burdensome.

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 states that there are no neighbors directly behind the residence that would be affected by extending the deck. They note that the 100-year flood plain is located near the property edge, and the lot located behind is wooded and swampy.
The applicant summarizes that the neighbors to either side would not be adversely affected.

Staff Comments: To clarify, more so for the property owner’s information, it does not appear that the property is adjacent to the 100-year flood plain. The FEMA floodplain map is shown below, which was last updated in 2011. The property survey that was submitted with the application shows the 100-year flood plain running through the subject property; however, said survey was done in 1995. It is Staff’s guess that the 2011 FEMA data updated the flood plain to not include the subject property. It should be noted though that FEMA is currently updating the flood plain maps within Park Township, so this data may change.

![Floodplain Map](image)

It does appear though that the subject property is affected by the presence of wetlands, as can be seen through EGLE’s Wetlands Map Viewer below.\(^1\)

---

\(^1\) In Staff’s experience, EGLE rarely requires a permit for constructing a deck near a wetland area, as long as hand tools are utilized for construction. Staff would require documentation from the County Drain Commissioner regarding any required permits, given the proximity to a County Drain.
Given the presence of wet/swampy soils in the area of the subject property, and the lack of rear neighbors (with limited potential to divide said property in the future due to its long, narrow shape), it would appear that the variance request would do substantial justice to the applicant. Staff would encourage the ZBA to consider any public comment received to determine if the variance request would do substantial justice to the neighboring properties. If no substantive public comment is received, and the ZBA agrees, it appears that 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 again that the 100-year flood plain lies directly behind the residence, rendering it unsuitable for building. They note that the land is currently a swamp, and in drier years a wetland. They emphasize that no other property owner behind them will be affected.

Staff Comments: As aforementioned, Staff does not believe that the 100-year flood plain data shown on the applicant’s survey is current. However, there is a wetland in the vicinity and the land is obviously wet/swampy, which is a unique circumstance of the property. However, as noted in item (a.), the area that the applicant is proposing to expand the deck into appears to currently be used for a fire ring, and there is a patio...
further to the east. The ZBA will need to determine if there truly is a “plaint” to the property owner.

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

The applicant states that the current deck was built at the time the home was constructed. They note that apparently a variance was granted at that time as well.

Staff Comments: As aforementioned, the Township does not have a record of any variance being granted for the subject property, and that it is more likely that decks were not considered within the setback requirements in 1995. While Staff empathizes that the applicant’s rear yard may be wet, it is also permissible to replace the existing deck utilizing the existing footprint. Further, given the current use of the backyard for the existing deck and fire pit, a variance is not required to allow continued use of the backyard. The ZBA will need to determine if expanding the deck area is truly a practical difficulty.

**Recommendation:**
Staff does not have a firm recommendation for the ZBA, because it does not appear that there is a true hardship in this situation. The applicant is permitted to replace the existing deck, and it does appear that there are methods to use the property for social gatherings without expanding the deck. However, the requested deck expansion is a minimal area, and there are no rear neighbors. Pending any comments received at the public hearing, and if the ZBA agrees that standards (a.) through (d.) have been met, consider granting the variance for a rear yard of 17.5 ft. where 25 ft. is required.
Item #4. A request by Thomas Selvius, to allow construction of an accessory building on a vacant parcel, where a principal structure is also required per Section 38-491(b)(1)a of the Park Township Zoning Ordinance. Said land and premises are located on the eastern side of North Lakeshore Drive, north of Ransom Street. (Parcel 70-15-04-200-014, Zoned R-1 Rural Residence District)

Applicable Ordinance Section:
Sec. 38-491(b)(1)a: No accessory building shall be allowed on any lot that does not have a principal structure located on the lot.

Background:
The subject property is a vacant parcel, located on the east side of N. Lakeshore Drive, just north of Ransom Street. The property is approximately 1.15 acres, or approximately 50,097 sq. ft. in overall area. The applicant has applied to construct an accessory building on the property for the storage of vehicles, without a principal building on the property. The applicant does own the residence on the western side of the street, located at 4541 N. Lakeshore Drive. An image of the property is below.

Zoning Board of Appeals Considerations:
Pursuant to Sec. 38-491(b)(1)a (see above), accessory buildings are not allowed on lots that do not have a principal structure also on the lot. The applicant is seeking to construct a 7,500 square foot accessory building, which is detailed in Item #5, to hold a car collection. As you will note though, the applicant is requesting to construct only an accessory building on the vacant property, and has provided that he is willing to put a deed restriction in place that the subject property is never to be sold without the associated house (4541 N. Lakeshore Dr.), or without a home being built adjacent to the proposed accessory building. As such, Item #4 is to allow construction of an accessory building without a principal structure on the property, and your standards below reflect a non-use variance.
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:

1. 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 subject parcel has been owned in conjunction with 4541 N. Lakeshore Dr. for years, and that it “only makes sense to use as one.” The applicant notes that the subject property only collects trash at present, and using the property for an accessory building will clean up the property and preserve the natural setting. According to the applicant, removing the trees at 4541 N. Lakeshore Dr. for an accessory building would be a “travesty,” plus placing an accessory building near the road would not enhance the appearance of the neighborhood.

Staff Comments: The applicant has noted to Staff that the properties were sold together, so they were always considered as one property. Staff has explained to the applicant that the Township is unable to control how a real estate agent markets a property, and the properties are two separate parcels with two separate parcel numbers (and in fact, two separate owners, as the Constance Selvius Trust owns the subject property, while Thomas & Constance Selvius own 4541 N. Lakeshore Dr.). In addition, Staff contends that the property owner has the capability to clean up property that they own, regardless if it is being used for an accessory building or not. To further respond to the applicant’s contention that placing an accessory building between the residence at 4541 N. Lakeshore Dr. and the roadway will not enhance the appearance of the neighborhood – it is technically not feasible to construct an accessory building elsewhere on that property, as Section 38-491(2)f of the Zoning Ordinance prohibits accessory buildings from being placed between the principal building and Lake Michigan. Beyond pre-existing historical structures, this is the primary reason that there are a number of accessory buildings located between lakeside residences and N. Lakeshore Dr.

There is physical space for an accessory building between the principal residence at 4541 N. Lakeshore Dr. and the roadway, given a required front yard setback for an oversized accessory building of 100 ft. However, the required front yard setback for a principal residence is only 40 ft., which means that it is entirely feasible for the applicant to make an addition to the existing garage at 4541 N. Lakeshore Dr. While an accessory building or garage addition may not address the 7,500 sq. ft. of storage space that is being requested, it would facilitate the storage of additional vehicles.

The intention of the requirement to have a principal building prior to an accessory building being built is to ensure that residential properties are not used strictly for storage. While the applicant has noted that he is willing to put a deed restriction in place that the property is never to be sold without 4541 N. Lakeshore Dr., or that a residence must be built adjacent to the storage building, Staff is aware that deed
restrictions are overlooked during title searches on a regular basis. Furthermore, if an accessory building is permitted on the subject property (oversized at 7,500 sq. ft. for the sake of analysis), Staff questions what size residence would need to be built in the future on the property, in order to ensure that the accessory building is truly subordinate to the principal building. Given the number of alternatives for vehicle storage, it is Staff’s opinion that strict compliance with the Zoning Ordinance requirement to have a principal structure prior to the construction of an accessory structure is not unnecessarily burdensome. If the ZBA agrees, this standard has not been met.

2. 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 states that granting the variance would provide him with the storage space needed without ever being seen or noticed by anyone. He notes that the building site is very secluded and naturally screened, and if built in the front yard at 4541 N. Lakeshore Dr., it would be an injustice to the area.

Staff Comments: While being able to store classic cars on a property across the street from one’s residence may do substantial justice to the applicant, it is entirely plausible to provide substantial justice to the applicant by adding onto the existing garage at 4541 N. Lakeshore Dr. It is Staff’s opinion that allowing a 7,500 sq. ft. accessory building to be constructed without a principal building would do substantial injustice to neighboring properties. While the applicant believes that the structure would not be seen or noticed by any neighbors, there is no manner for the Township to ensure that any future property owners may not be hindered by the existence of such a structure. Further, Staff does not believe that any lesser relaxation than that applied for is plausible, as any accessory structure constructed without a principal building is contrary to the intent of the provisions of the Zoning Ordinance. If the ZBA agrees, this standard has not been met.

3. 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 the lakeside portion of the property is fully developed. The applicant is surprised that the adjacent property is not considered as “one” for development. Lastly, he states that one could not find a better shielded site for an accessory building.

Staff Comments: As aforementioned, Staff has explained to the applicant that the Township is unable to control how a real estate agent markets a property, and the properties are two separate parcels with two separate parcel numbers (and in fact, two
separate owners, as the Constance Selvius Trust owns the subject property, while Thomas & Constance Selvius own 4541 N. Lakeshore Dr.). As such, the properties are not “one” for development.

To address the applicant’s statement that the subject parcel is ideally shielded for an accessory building; the Zoning Ordinance definition of Accessory Use or Structure is (in part), “A use, building or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use, building or structure.” So, by definition, building a storage building on the subject property does not create an accessory structure, but rather a principal structure that is a storage building, which is not a permitted use in the R-2 Zoning District.

Given that the subject property is dimensionally a buildable parcel for a residence, Staff does not believe that there are unique circumstances to the property that precipitate its use only for a storage building. If the ZBA agrees, this standard has not been met.

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

The applicant states that when the property was purchased, it was marketed as 3.5 acres, and they did not realize that it was not merged with 4541 N. Lakeshore Drive. According to the application, the property owners maximized the footprint for aesthetics on the west side of N. Lakeshore Drive, not dreaming of a need for additional space. However, a new hobby of car collecting has changed that. According to the applicant, being unable to merge adjacent parcels is not self-created, but rather a Township-created issue.

Staff Comments: To emphasize again, Staff has explained to the applicant that the Township is unable to control how a real estate agent markets a property, and the properties are two separate parcels with two separate parcel numbers. Given that the applicant managed to list the properties under two separate ownership entities (Constance Selvius Trust owns the subject property, while Thomas & Constance Selvius own 4541 N. Lakeshore Dr.), Staff has a hard time believing that the applicant was unaware that they were separate parcels. Keeping parcels that are separated by a roadway as distinct properties is generally good practice, so Staff strongly disagrees that this is a Township-created difficulty.

As an alternative to constructing solely an accessory building on the property, the applicant does have the option to construct a residence with 7,500 sq. ft. of garage space, as long as the footprint of the garage does not exceed 75% of the footprint of the usable floor area of the dwelling unit to which it is attached (Section 38-491(a)(3)). As the applicant could either modify the existing garage at 4541 N. Lakeshore Dr., construct a smaller accessory building at 4541 N. Lakeshore Dr., construct a residence with 7,500 sq. ft. of garage space, or rent storage space elsewhere, Staff finds that this variance request is entirely self-created. If the ZBA agrees, this standard has not been met.
*Please note – Staff has strong concerns that authorizing an accessory building on a property without a principal structure may be a precedent-setting variance for Park Township.

**Recommendation:**
If the ZBA agrees, consider denying this request to allow an accessory storage structure to be constructed on a parcel without a principal structure.
Item #5. A request by Thomas Selvius, to allow construction of a 7,500 accessory building where a 993 square foot accessory building would be permitted per Section 38-491(b)(1)b of the Park Township Zoning Ordinance. Said land and premises are located on the eastern side of North Lakeshore Drive, north of Ransom Street. (Parcel 70-15-04-200-014, Zoned R-1 Rural 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:
Please see Item #4 for background information. If the ZBA denies the request for Item #4, then there is no need to proceed to consider Item #5.

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 993 square feet. The applicant is seeking to construct a 7,500 square foot accessory building, which is over 7.5 times what is allowed. 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 parcel is 1.15 acres, or 50,000 square feet. Since a 7,500 sq. ft. building is being proposed, that represents 15% of the total parcel size. The applicant emphasizes that the property is in the middle of the woods.

   Staff Comments: Given that the Zoning Ordinance limits accessory buildings to 2% of any lot size, Staff finds that 15% of the total parcel size is a great departure from the requirements of the Ordinance. Additionally, Staff is unaware of any other accessory building variance being granted for such a large accessory building. Staff is also unsure if the applicant would be able to adhere to the 24 ft. maximum height for an accessory building, given the proposed building dimensions. If the ZBA agrees, the proposed oversized accessory building is out of proportion to the size of the lot on which it is to be placed, and this standard has not been 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 they are seeking a variance to build where there is no other building, per Township rules of “not using adjacent acreage.” The applicant notes that if using the entire complex, the home/pool/garage footprint is 11,000 sq. ft., so 7,500 sq. ft. is not excessive.

Staff Comments: As aforementioned throughout Item #4, the Township cannot police how a real estate agent markets a property. Furthermore, the Township does not have a rule of “not using adjacent acreage,” as these properties are separate parcels. Since they are separate parcels, there is no legal association with the property to the west across N. Lakeshore Dr. In addition, to address the applicant’s contention regarding the pool footprint – Staff does not consider the footprint of a pool when considering the square footage of a principal building, so the proportion of “footprint” that the proposed 7,500 square foot accessory building would comprise would be even less.

As stated in Item #4, Staff has concerns about how large a principal building would need to be on the subject property, in order to make the proposed accessory building truly “subordinate” to the principal building. It is likely that a 7,500 sq. ft. accessory building would overwhelm a principal building constructed in the future. If the ZBA agrees, this standard has not been 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 emphasizes that the property is very secluded and screened, but “if you look hard you will be able to see.” Otherwise, the applicant believes it will be completely hidden.

Staff Comments: In Staff’s opinion, a 7,500 sq. ft. accessory building used to store vehicles would seem rather out-of-place in relation to other buildings on adjoining lots. While the applicant believes it would be difficult to see, Staff believes that it may be quite visible in the winter when foliage is sparser. To Staff, driving past such a building would appear to be more akin to a commercial storage use in a residential area, rather than an accessory building. Again, Staff has concerns about how large a principal building would need to be on the subject property in order to make the proposed accessory building truly “subordinate” to the principal building on the lot. If the ZBA agrees, this standard has not been met.

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

The applicant states there would be no effect.

Staff Comments: Due to the location of the proposed structure and the surrounding trees, it is possible that there would be minimal effect on the light and air circulation of any adjoining property. However, it is difficult for Staff to believe that there would be “no effect” on adjoining properties. If the ZBA agrees, this standard may not be met.
5. *Whether the accessory building will adversely affect the view of any adjoining property.*

According to the applicant, everyone will still be seeing the woods that they look at today.

Staff Comments: While the applicant may intend to retain as many existing trees as possible, it is plausible that the property may sell to another party in the future, who may remove trees and make the proposed structure very visible to neighboring properties. Again, it is difficult for Staff to believe that a 7,500 sq. ft. storage building would not have adverse effects on the views of adjoining residential properties. If the ZBA agrees, this standard has not been met.

*Please note – Staff has strong concerns that authorizing an oversized accessory building of 7,500 sq. ft. may be a precedent-setting variance.*

Staff Recommendation:
Staff finds that the standards have not been met. It the ZBA agrees, consider denying this request for an oversized accessory building of 7,500 square feet.
ZBA Memo for 9/14/2020
September 3, 2020
Page 21

Item #6. A request by Pine Creek Construction, on behalf of Bob & Carol Fewless, to allow construction of an addition to a residence with a front yard of approximately 17 feet where no less than 40 feet is permitted per Section 38-306(1) of the Park Township Zoning Ordinance. Said land and premises are located at 2247 Second Avenue, Holland, MI 49424. (Parcel 70-15-33-279-004, Zoned R-4 Medium Density One & Two Family Residence District)

Applicable Ordinance Sections:
Sec. 38-246, 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 49 and the western half of Lot 50 of Bosma’s Addition, and is 0.13 acres, or approximately 5,632 square feet in area. There is an existing 690 SF residence on the property that was constructed in approximately 1969. The applicant wishes to construct a 240 sq. ft. addition along the eastern side of the residence. An aerial view of the property is below.
Zoning Board of Appeals Considerations: 
As aforementioned, the applicant is proposing a 30 ft. x 8 ft. addition along the eastern side of the residence. While this addition meets the required side and rear yard setbacks, it extends the existing front yard setback of approximately 17 ft. While front yard averaging is a method that Staff has been able to use when considering similar non-conforming lots in the Ottawa Beach neighborhood, there are no other residences within 300 ft. on the same side of Second Avenue. As such, front yard averaging is not feasible, and the 40 ft. front yard setback requirement of the R-4 District prevails. As you know though, building setback exemptions are provided for under Section 38-483(e)(2) of the Zoning Ordinance, which notes that additions or enlargements along or within existing setbacks shall only be allowed if approved by the Zoning Board of Appeals. Since the subject residence was constructed well before 2016, and the applicant is requesting an extension of the front yard setback of approximately 17 ft., 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 proposed modification to the residence is an 8 ft. addition on the south side of the cottage.

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. If the ZBA agrees, this standard may be met.

b. The overall effect of the proposed addition on adjoining properties and the character of the surrounding neighborhood; and

The applicant states that the proposed addition should have no effect on the adjoining properties. They are proposing to push out and slightly reduce the width of the driveway, while still maintaining the current depth of the existing driveway. The applicant summarizes that the driveway will hold 3 cars deep, which is adequate for a 2 bedroom cottage.

Staff Comments: Staff finds that the Ottawa Beach neighborhood is comprised of smaller lots, many of which have nonconforming structures that have required variances in order to be modernized. Additionally, the geographic inability of the property to utilize front yard averaging provisions places the applicant at a disadvantage within the neighborhood. Given that the proposed addition would meet the side and rear yard setback requirements of the R-4 District, that the existing front yard setback would not be reduced, and that the property is adjacent to commercially-zoned parking lots on three sides, it appears that the proposed addition would have minimal effects on the neighborhood. Pending any comment received at the public hearing, and if the ZBA agrees, it appears this standard may be met.

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 greater than ten feet from the front lot line. As such, this standard has been met.

Recommendation:
Staff finds that the area proposed for the addition aligns with the existing front building line, and may not have any negative impacts on neighboring properties. 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 an approximately 17 ft. front yard setback.
PARK TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

PARCEL #70-15-28-340-032 DATE FILED

PROPERTY ADDRESS 2502 Eagle Lane

NAME OF APPLICANT Jeremy vanEyk PHONE NO. 616-886-1844

Email Address jeremy@cottagehome.com

OWNER AS PER TAX RECORD Jefra Groendykk

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) 38-246

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?
The existing home does not meet the current 10' setback and options are limited due to the small site and regulated dunes with steep slopes.

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 ___________________________ Date 7-22-2020

Signature of Applicant ___________________________ Date
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:

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

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:

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

The current position of the house is 8' from the lot line. We are adding a 9' addition to the back of the house, keeping the side wall in line with the existing structure.

This historic neighborhood is made up of all types of historic cottages that have been added onto in many very tight spots. This 9' addition to the back of the home will not encroach any more than the existing home to the West property line. It will not impact health or safety in any way.
June 24, 2020

Re: 2502 Eagle Lane, Holland, MI 49423

To Whom It May Concern:

This is to inform you that Jefra Groendyk, who owns the above referenced property, authorizes Cottage Home, Inc. to act as their agent in seeking various permits and approvals on their behalf.

These include:
- Various city zoning and building approvals
- County Soil Erosion
- Other permits that may be necessary

If there are any questions regarding this matter, please contact Jeremy vanEyk of Cottage Home.

Phone: 616.393.9460
Email: jeremy@cottagehome.com
Cell Phone: 616.886.1844
Address: 184 S. River Ave., Suite 204, Holland, MI 49423

Sincerely,

Jefra Groendyk
Permit
Soil Erosion & Sedimentation Control Agency
County of Ottawa

Issued under the authority of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 431, as amended

Permittee: Jefra Groendyk
Address: 2502 Eagle Ln
Holland, MI 49424

Permit No: 12952
Issued: 07/01/2020
Expires: 07/01/2021

Project Location: City/Village/Township: Park
Address/Property Location: 2502 Eagle Ln
On-Site Responsible Person: Jeremy VanEyk
Company: Cottage Home
Telephone Number: 616-886-1844

Permitted Activity:
Excavate for house addition construction

Permit Conditions:
1. The permitted activity shall be completed in accordance with the approved plans and specifications, and the attached general and specific conditions.

2. This permit does not waive the necessity for obtaining all other required federal, state or local permits.

3. Permittee shall notify the permitting agency before the start of and within one week after completing the permitted activity or one week prior to the permit expiration date, whichever comes first. (616) 994-4528.

4. PERMITTEE IS RESPONSIBLE FOR PROVIDING A COPY OF PERMIT, APPROVED SESG PLAN, AND ALL RELATED INFORMATION TO THE CONTRACTOR AND ENGINEER.

THIS PERMIT MUST BE POSTED AT THE PROJECT SITE

Jon Braxmaier
Erosion Control Agent
Water Resources Commissioners Office
616-994-4528
# Table of Contents

Digital EGLE/USACE Joint Permit Application (JPA) for Inland Lakes and Streams, Great Lakes, Wetlands, Floodplains, Dams, Environmental Areas, High Risk Erosion Areas and Critical Dune Areas

(Submission #: HP0-QFGC-TV3CE, version 1)

1. Details
2. Fees
3. Form Input
   1. Instructions
   2. Contact Information
   3. Project Location
4. Background Information
5. Permit Application Category and Public Notice Information
6. Project Description
7. Resource and Activity Type
8. Critical Dune Areas and High Risk Erosion Areas
9. Critical Dune Areas
10. Upload of Proposed Site Plans
11. Fees
12. Attachments
Digital EGLE/USACE Joint Permit Application (JPA) for Inland Lakes and Streams, Great Lakes, Wetlands, Floodplains, Dams, Environmental Areas, High Risk Erosion Areas and Critical Dune Areas
version 1.20
(Submission #: HP0-QFGC-TV3CE, version 1)

Details

Submission ID HP0-QFGC-TV3CE
Submission Reason New
Status Submitted

Fees

Fee $600.00
Payments/Adjustments ($600.00)
Balance Due $0.00 (Paid)

Form Input

Instructions

To download a copy or print these instructions, Please click this link (recommended).

Contact Information

Applicant Information (Usually the property owner)

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jefra</td>
<td>Groendyk</td>
</tr>
</tbody>
</table>

Organization Name
NONE PROVIDED

<table>
<thead>
<tr>
<th>Phone Type</th>
<th>Number</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other</td>
<td>616.886.1844</td>
<td></td>
</tr>
</tbody>
</table>

Email
NONE PROVIDED

2502 Eagle Lane
Holland, MI 49424

Is the Property Owner different from the Applicant?
No

Has the applicant hired an agent or cooperating agency (agency or firm assisting applicant) to complete the application process?
Yes
Agent Contact

First Name  Last Name
Adrienne    Peterson

Organization Name
Peterson Environmental

Phone Type  Number  Extension
Mobile      616.402.7592

Email
adrienne@petersonenviro.com

P.O. Box 262
Spring Lake, MI 49456

Are there additional property owners or other contacts you would like to add to the application?
No

Project Location

DEQ Site Reference Number (Pre-Populated)
1448566698449101751

Project Location
42.7858948,-86.209159

Project Location Address
2502 Eagle Lane
Holland, MI 49424

County
Ottawa

Is there a Property Tax ID Number(s) for the project area?
Yes

Please enter the Tax ID Number(s) for the project location
70-15-28-340-032

Is there Subdivision/Plat and Lot Number(s)?
Yes

Subdivision/Plat and Lot Number(s)
Heneveld's Supr Plat No. 9 of Eagle Crest Park, Lot 16

Is this project within Indian Lands?
No

Local Unit of Government (LUG)
Park Township

Directions to Project Site
From S Lakeshore Drive, head west onto Eagle Drive. Keep to the left and the road turns into Eagle Lane. The property is on the south side of the road, it is the second to last house to the south on this road.

Background Information
Has the Michigan Department of Environment, Great Lakes, and Energy (EGLE) and/or United States Army Corps of Engineers (USACE) conducted a pre-application meeting/inspection for this project? 
No

Has the EGLE completed a Wetland Identification Program (WIP) assessment for this site? 
No

Environmental Area Number (if known): 
NONE PROVIDED

Has the United States Army Corps of Engineers (USACE) completed either an approved or preliminary jurisdictional determination for this site? 
No

Were any regulated activities previously completed on this site under an EGLE and/or USACE permit? 
No

Have any activities commenced on this project? 
No

Is this an after-the-fact application? 
No

Are you aware of any unresolved violations of environmental law or litigation involving the property? 
No

Is there a conservation easement or other easement, deed restriction, lease, or other encumbrance upon the property? 
No

Are there any other federal, interstate, state, or local agency authorizations associated with this project? 
Yes

List all other federal, interstate, state, or local agency authorizations.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Type of Approval</th>
<th>Number</th>
<th>Date Applied</th>
<th>Approved/Denied/Undetermined</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ottawa County Water Resources</td>
<td>SESC</td>
<td>12952</td>
<td>NONE PROVIDED</td>
<td>Approved</td>
</tr>
<tr>
<td>Commission</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comments
NONE PROVIDED

Permit Application Category and Public Notice Information

Indicate the type of permit being applied for.
Individual Permit for all other projects

This type of permit application requires that you include contact information for the adjacent landowners to this project. If you are only entering in a small number of bordering parcel owners contact information, please select "Enter list of recipients". If there is a rather large number of affected property owners such as a project that significantly affects lake levels, please upload a spreadsheet of the property owners. Please include names and mailing addresses.
Enter list of recipients.

This project may require public noticing. Please list the adjacent landowners to the project, along with any of the others that may apply:

<table>
<thead>
<tr>
<th>Contact Type</th>
<th>Contact Person</th>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjacent Landowner</td>
<td>Roger J Gemmen MD Trust</td>
<td>PO Box 24177</td>
<td>Cleveland</td>
<td>OH</td>
<td>44124</td>
</tr>
<tr>
<td>Adjacent Landowner</td>
<td>Ereni N Hountras Trust</td>
<td>2506 Eagle Lane</td>
<td>Holland</td>
<td>MI</td>
<td>49424</td>
</tr>
<tr>
<td>Adjacent Landowner</td>
<td>Gary &amp; Denise Groendyk</td>
<td>8579 Cedar Lake Drive</td>
<td>Jenison</td>
<td>MI</td>
<td>49428</td>
</tr>
<tr>
<td>Adjacent Landowner</td>
<td>Barbara Kleis-DePuydt Trust</td>
<td>2509 Eagle Lane</td>
<td>Holland</td>
<td>MI</td>
<td>49424</td>
</tr>
</tbody>
</table>

7/20/2020 3:30:45 PM
Project Description

Project Use: (select all that apply - Private, Commercial, Public/Government/Tribal, Receiving Federal/State Transportation Funds, Non-profit, or Other)
Private

Project Type (select all that apply):
Private Residence

Project Summary (Purpose and Use): Provide a summary of all proposed activities including the intended use and reason for the proposed project.
Remove the existing brick patio, concrete wall and field stone wall to the south side of the existing house. Construct two new additions to the south side of the existing house, one addition is 135 square feet and the other is 27 square feet. The existing wood decks are proposed to remain. An approximately 60 linear foot rock retaining wall is proposed on the south side of the existing house. All activities have been proposed in a location that avoids impacts to the steep slopes greater than 33%. All construction access will be on foot via the walkway. No changes are proposed to the septic system. Vegetation Replacement Plan: No trees will be removed for this project. All disturbed areas will be stabilized with vegetation. The purpose of this project is to construct two new additions to this existing house to give the family a larger living space.

Project Construction Sequence, Methods, and Equipment: Describe how the proposed project timing, methods, and equipment will minimize disturbance from the project construction, including but not limited to soil erosion and sedimentation control measures.
Install temporary soil erosion control measures. Remove existing patio and walls. Construct new additions. Construct retaining wall. Stabilize site with vegetation as needed.

Project Alternatives: Describe all options considered as alternatives to the proposed project, and describe how impacts to state and federal regulated waters will be avoided and minimized. This may include other locations, materials, etc.
All proposed activities avoid steep slope areas.

Project Compensation: Describe how the proposed impacts to state and federal regulated waters will be compensated, OR explain why compensatory mitigation should not be required for the proposed impacts. Include amount, location, and method of compensation (i.e., bank, on-site, preservation, etc.)
No impacts to the state or federal regulated waters are proposed. Therefore, no mitigation is necessary.

Upload any additional information as needed to provide information applicable to your project regarding project purpose sequence, methods, alternatives, or compensation.

<table>
<thead>
<tr>
<th>Contact Type</th>
<th>Contact Person</th>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjacent Landowner</td>
<td>Lois &amp; Tomga Veldman</td>
<td>PO Box 422</td>
<td>Penney Farms</td>
<td>FL</td>
<td>32079</td>
</tr>
<tr>
<td>Adjacent Landowner</td>
<td>Miles &amp; Debra Baskett</td>
<td>2497 Eagle Lane</td>
<td>Hollan</td>
<td>MI</td>
<td>49424</td>
</tr>
</tbody>
</table>

Resource and Activity Type

SELECT THE ACTIVITIES from the list below that are proposed in your project (check ALL that apply). If you don’t see your project type listed, select “Other Project Type”. These activities listed require additional information to be gathered later in the application.

Other Project Type

The Proposed Project will involve the following resources (check ALL that apply).
Critical Dune Area

Major Project Fee Calculation Questions

Is filling of 10,000 cubic yards or more proposed (cumulatively) within wetlands, streams, lakes, or Great Lakes?
No
Is dredging of 10,000 cubic yards (cumulatively) or more proposed within streams, lakes, or Great Lakes? (wetlands not included)
No

Is new dredging or adjacent upland excavation in suspected contamination areas proposed by this application?
No

Is a subdivision, condominium, or new golf course proposed?
No

Critical Dune Areas and High Risk Erosion Areas

PROPERTY INFORMATION

Year the current property boundaries were created:
1995

All property boundaries, proposed structure corners and uses must be staked before the WRD site inspection.

Provide the date the project was staked:
7/17/2020

SEWAGE DISPOSAL INFORMATION

Type of sewage disposal proposed, if any:
Private septic system

Attach a copy of the health department permit. Show the location and dimension of the septic system on the application plans.

Critical Dune Areas

Select all activities that apply to this project:
Building: Additions; or new garages, gazebos or storage buildings.
Retaining walls and erosion protection devices: Cumulative length of 100 feet or less.

Project Information

Provide information about your project including the locations and sizes of proposed structures and the characteristics of the site.

Type of proposed activities including a home, utilities, and retaining walls. (*A home and garage are separate structures unless the garage is beneath the home)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Foundation type</th>
<th>Area (Length x Width) for activity (square feet):</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building - addition</td>
<td>Crawlspace</td>
<td>135</td>
<td>Square Feet</td>
</tr>
<tr>
<td>Building - addition</td>
<td>Crawlspace</td>
<td>27</td>
<td>Square Feet</td>
</tr>
<tr>
<td>Retaining Wall</td>
<td>NA</td>
<td>60</td>
<td>Linear Feet</td>
</tr>
</tbody>
</table>

Type of existing structures/uses on site (*a home and garage are separate structures unless the garage is beneath the home).

<table>
<thead>
<tr>
<th>Existing structures/use:</th>
<th>Foundation type</th>
<th>Area (Length x Width) for each existing structure/use (square feet):</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home</td>
<td>Crawlspace</td>
<td>1220</td>
<td>Square Feet</td>
</tr>
</tbody>
</table>

Does this project include the placement of fill in a Critical Dune Area?
No
If retaining walls are proposed indicate the total linear feet. Remember to include all existing and proposed walls used for landscaping and driveways.

NONE PROVIDED

What is the maximum slope proposed to be impacted?

<25%

Is the project within 100 feet measured landward from the dune crest?

No

Is sand being relocated onsite? If so, show location and access route on site plans.

None

Soil Erosion and Sedimentation Control (Part 91)

None

Local Soil Erosion and Sedimentation Control Agency

Attach the permit or letter from the County Enforcing Agent stating the project complies with Part 91, Soil Erosion and Sedimentation Control.

Vegetation Assurance

The law requires the property owner provide an assurance that the cutting and removal of trees and other vegetation for a proposed use in a critical dune area will be in accordance with the Forest Management Guidelines prepared by the Michigan Society of American Foresters.

If you are proposing shore protection due to the high water levels on the Great Lakes, you may choose to agree to a vegetation assurance written specifically for this type of project by EGLE. If you do not agree to this vegetation assurance, then please upload a separate vegetation assurance. All other projects must upload a project-specific vegetation assurance.

Frequently Asked Questions about a Vegetation Assurance

Dune habitat present where work is proposed, including access route(s) (check all that apply):

Sparse trees and low growing vegetation

Is your project for shore protection due to the high water levels?

No

Attach a copy of the vegetation assurance

Utilities

If utility lines are proposed indicate the installation method.

No utility lines proposed

Special Use

Is an application for special use being submitted as defined by MCL 324.35301 (j)?

No

Special Exception

For more information about Special Exceptions, please visit the following link.

Click here for FAQs of a Special Exception Application in Critical Dune Areas

Are you applying for a Special Exception?

No

Upload of Proposed Site Plans

Required on all Site Plan uploads. Please identify that all of the following items are included on your plans that you upload with this application.
<table>
<thead>
<tr>
<th>Site Plan Features</th>
<th>Existing and Proposed Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scale, Compass North, and Property Lines</td>
<td>Yes</td>
</tr>
<tr>
<td>Fill and Excavation areas with associated amounts in cubic yards</td>
<td>Yes</td>
</tr>
<tr>
<td>Any rivers, lakes, or ponds and associated Ordinary High Water Mark (OHWM)</td>
<td>Yes</td>
</tr>
<tr>
<td>Exterior dimensions of Structures, Fill and Excavation areas associated with the proposed project</td>
<td>Yes</td>
</tr>
<tr>
<td>Dimensions to other Structures and Lot Lines associated with the project</td>
<td>Yes</td>
</tr>
<tr>
<td>Topographic Contour Lines from licensed surveyor or engineer when applicable</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Upload Site Plans and Cross Section Drawings for your Proposed Project

![200713 - 20-02-047 EGLE signed.pdf - 07/13/2020 03:21 PM](Context)

Comment
NONE PROVIDED

Additional Required and Supplementary Documents
NONE PROVIDED

Comment
NONE PROVIDED

Fees

<table>
<thead>
<tr>
<th>Critical Dune Areas Fee:</th>
</tr>
</thead>
<tbody>
<tr>
<td>+$600.00</td>
</tr>
</tbody>
</table>

Total Fee Amount:

$600.00

Is the applicant or landowner a State of Michigan Agency?

No

Attachments

<table>
<thead>
<tr>
<th>Date</th>
<th>Attachment Name</th>
<th>Context</th>
<th>User</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/14/2020 2:33 PM</td>
<td>Septic system note.docx</td>
<td>Attachment</td>
<td>Adrienne Peterson</td>
</tr>
<tr>
<td>7/14/2020 2:29 PM</td>
<td>Vegetation Replacement Plan.docx</td>
<td>Attachment</td>
<td>Adrienne Peterson</td>
</tr>
<tr>
<td>7/13/2020 3:21 PM</td>
<td>200713 - 20-02-047 EGLE signed.pdf</td>
<td>Attachment</td>
<td>Adrienne Peterson</td>
</tr>
<tr>
<td>7/7/2020 11:12 AM</td>
<td>Groendyk - SESC Permit - 7-6-2020.pdf</td>
<td>Attachment</td>
<td>Adrienne Peterson</td>
</tr>
<tr>
<td>7/7/2020 9:16 AM</td>
<td>Agent Letter - Groendyk - 6-25-2020.pdf</td>
<td>Attachment</td>
<td>Adrienne Peterson</td>
</tr>
</tbody>
</table>
I am in support of the variance request for Jefra Groendyk’s cottage project but will not be in attendance at the Sept14 meeting.

Thank you!

Sarah Smith
Hello-
I live at 2476 eagle lane; and would like to voice my support for the requested variance at 2502 eagle lane.

Thank you,
Matt Wixson

Sent from my iPhone
I am in agreement with the variance request for Fall 2020 construction at the Groendyk House at 2502 Eagle Lane

Ellen Huyser
2485 Eagle Lane
PARK TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

PARCEL #70-15- 27 301 026 DATE FILED 7/30/2020

PROPERTY ADDRESS 248 Sea Esta Ave Holland, MI 49424

NAME OF APPLICANT Gerald Degraeve PHONE NO. (616)795-5175

Email Address gdegraeve@att.net

OWNER AS PER TAX RECORD Degraeve Gerald A - Susan

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?

Seeking variance / authorization to build an accessory building 31 sq ft larger in size contrary to Chapter 38 Zoning, Section 38-491 Accessory Buildings

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.

7/30/2020

Signature of Property Owner

7/30/2020

Signature of Applicant
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 size of the accessory building will be 2.17% of the surveyed lot size. However, 1710 sq. ft. of the lot is not shown in the survey because it is next to the road in the right of way. There are no sidewalks in the neighborhood so this section is simply 18’ x 95’ of my front yard. Therefore, the size of the accessory building will not be excessive. It will be less than 2% of the total property maintained by me. (See Attachments 1, 2 and 3)

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:

The size of the principle building is 2027 sq. ft. The size of the accessory building is 391 sq. ft. The size of the accessory building will be 19.29% of the size of the principle building. Therefore, the accessory building will not be excessive in relation to the size of the principal building. It will be less than 1/5th the size. (See Attachment 2)

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:
The accessory building will be in the backyard with a 49 ft. rear setback, a 11 ft. side setback and 44 ft. behind the principle building. Both adjoining neighbors have sheds with similar setbacks and lot orientations. (See Attachments 2 and 3)

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.

The accessory building will be in the backyard in a lower elevation, set back in the tree line and will have no effect on light or air circulation of any adjoining properties. (See Attachments 3 and 9)

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.

The accessory building will have a craftsman design located in a lower elevation surrounded by trees and landscaped to blend in to the adjoining properties. (See Attachment 9)
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:

**Strict compliance would be unnecessarily burdensome because it would cause me to design and build a garage to dimensions in fractions of an inch to obtain the maximum permitted garage size. Building to a standard size in even feet will result in an easier build with less chance for errors throughout the construction process. (See Attachment 4)**

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:

**This variance to increase the width of the garage from 15'8"W x 23'L to 17'W x 23'L will provide the width (and length) needed to store two pieces of outdoor equipment inside the building. This increase in width will also provide better aesthetics for my neighbors versus having a long and narrow garage with equipment parked outside. (See Attachments 4, 5, 6, 7, 8 & 9)**

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:
My property is unique where the measurements are to the decimals and the lot size is approximate. To achieve the maximum permitted garage size the wall lengths would have to be to the fraction of an inch. To build a standard size garage in increments of feet, the garage size would have to be reduced unless a variance is granted. (See Attachment 1 & 4)

4) Whether the problem is self-created.

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

Constructing an accessory building to the permitted size is a problem that is not self-created because both garage designing software and construction standards build to the foot. To meet these construction standards without a variance I would have to downsize to the nearest foot losing valuable square footage. (See Attachment 4)
PLAT OF SURVEY

LEGAL DESCRIPTION
FROM: QUIT CLAIM DEED (INSTRUMENT NO. 2012-0053701)

SITUATED IN THE TOWNSHIP OF PARK, COUNTY OF OTTAWA, STATE OF MICHIGAN AND DESCRIBED AS FOLLOWS:

THE FOLLOWING DESCRIBED PREMISES SITUATED IN THE TOWNSHIP OF PARK, COUNTY OF OTTAWA, STATE OF MICHIGAN, TO WIT: LOT 20, LAKE BREEZE SUBDIVISION OF PART OF LOTS 1 AND 2 OF HENVEIL'S SUPERVISORS PLAT NO. 22, AS RECORDED IN LIBER 16 OF PLATS ON PAGE 44, ALSO THAT PART OF LOT 2 OF HENVEIL'S SUPERVISORS PLAT NO. 22 ACCORDING TO THE RECORDED PLAT THEREOF IN LIBER 9, PAGE 13, COMMENCING AT THE SOUTHWEST CORNER OF LOT 20 OF LAKE BREEZE SUBDIVISION, THENCE NORTH 95.08 FEET TO THE NORTHWEST CORNER OF LOT 20; THENCE WEST 40.00 FEET; THENCE SOUTH 95.08 FEET; THENCE EAST TO THE POINT OF BEGINNING. MORE COMMONLY KNOWN AS: 248 SEA ESTA AVE, HOLLAND, MI 49424. SUBJECT TO EXISTING BUILDING AND USE RESTRICTIONS, EASEMENTS OF RECORD, AND ZONING ORDINANCES, IF ANY.

LOT 20
0.41± ACRES
(18,037± SQ. FT.)

LOT 19

LOT 21

LEGEND
□ Std. Conc. Mon.
■ Found Conc. Mon.
○ Cast Capped Rebar #7948
● Found Iron
▲ Std. Wood Stake
P
P = Plotted
Dw Described
M = Measured
R = Recorded

ADDRESS: 248 SEA ESTA AVE
HOLLAND, MI 49424
Tax Parcel No.: 70-15-27-301-026

Scale: 1"=40'

STATE OF MICHIGAN
PROFESSIONAL SURVEYOR
No. 47948

ALAN E. DAHL

DRIESENSA 
ASSOCIATES, INC.
Engineering • Surveying • Testing
www.driesenga.com
Holland, MI - 616-396-0235
Grand Rapids, MI - 616-249-3800
Dearborn, MI - 734-326-9663

FOR GERALD DEGRAVE
IN SW 1/4 OF SECTION 27, T. 05 N., R. 16 W.
DATE 05-16-2019 DRAWN BY OLK
SHEET 1 OF 1 JOB No. 1910315.5A

Alan E. Dahl P.S. No. 47948

THE DESCRIPTION WAS GIVEN TO US BY THE PERSON CERTIFIED TO, OR WAS PREPARED BY US FROM INFORMATION OR DOCUMENTS GIVEN TO US BY THE PERSON CERTIFIED TO, AND SHOULD BE COMPARED WITH THE ABSTRACT OF TITLE OR TITLE INSURANCE POLICY FOR ACCURACY, EASEMENTS OR EXCEPTIONS.

File Name: N:\Holland\Projects\2019\1910315.5A 248 Sea Esta Ave\248 Sea Esta Ave.dwg\1910315.5A.dwg Last Saved: 5/16/2019 4:33:02 PM
<table>
<thead>
<tr>
<th>Max Garage Size 18.037 x 2% = 360.74 sq ft</th>
<th>Garage Size Planning</th>
<th>Property Size = 18.037 x 3 sq ft</th>
</tr>
</thead>
</table>

### Equipment Versus Last One

1. An RV to 17W x 33L, less than 3 sq ft larger in size. This greater width will accommodate the room to store any two pieces of my outdoor

### Permitted Garage Size for My Equipment Storage is 15.8' x 23.1'. I am asking for a variance to increase the width of my garage build by

### Summary

The maximum permitted accessory building for my lot is 360.74 sq ft. The most suitable

<table>
<thead>
<tr>
<th>Most suitable with variance, will fit any two trailers with 2 vars</th>
<th>17.5' x 22.1'</th>
<th>391</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.2' x 22.2'</td>
<td>360.57</td>
<td></td>
</tr>
<tr>
<td>15.5' x 22.2'</td>
<td>360.67</td>
<td></td>
</tr>
<tr>
<td>15.7' x 22.2'</td>
<td>360.77</td>
<td></td>
</tr>
<tr>
<td>15.9' x 22.2'</td>
<td>360.97</td>
<td></td>
</tr>
<tr>
<td>16' x 22.2'</td>
<td>361.17</td>
<td></td>
</tr>
<tr>
<td>16.1' x 22.2'</td>
<td>361.27</td>
<td></td>
</tr>
<tr>
<td>16.2' x 22.2'</td>
<td>361.37</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Most suitable without variance, will fit any one trailer</th>
<th>17.5' x 22.1'</th>
<th>391</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.2' x 22.2'</td>
<td>360.57</td>
<td></td>
</tr>
<tr>
<td>15.5' x 22.2'</td>
<td>360.67</td>
<td></td>
</tr>
<tr>
<td>15.7' x 22.2'</td>
<td>360.77</td>
<td></td>
</tr>
<tr>
<td>15.9' x 22.2'</td>
<td>360.97</td>
<td></td>
</tr>
<tr>
<td>16' x 22.2'</td>
<td>361.17</td>
<td></td>
</tr>
<tr>
<td>16.1' x 22.2'</td>
<td>361.27</td>
<td></td>
</tr>
<tr>
<td>16.2' x 22.2'</td>
<td>361.37</td>
<td></td>
</tr>
</tbody>
</table>

### Notes

- Wear module size 8.6' x 22.1' x 10'
- PWC 8.5' x 22.1"
PARK TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

PARCEL # 27-177-016

DATE FILED 08.10.2020

PROPERTY ADDRESS 142 BOWER ST

NAME OF APPLICANT KARIN KAPTEYN

PHONE NO. 616-403-1433

Email Address kkapteyn@classicengineering.com

OWNER AS PER TAX RECORD KARIN KAPTEYN

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?

EXISTING 10'x10' DECK IS TOO SMALL TO ACCOMODATE GUESTS. THE BACKYARD IS WOODED AND WET AND IS NOT CONDUSIVE TO A LAWN. WE WOULD LIKE TO INCREASE THE DECK SIZE TO TO 12'-5"x16'-7 EXTENDING 2'-5" BEYOND ITS CURRENT LOCATION TO ALLOW US TO ENTERTAIN GUESTS IN OUR BACKYARD.

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

Date 08.10.2020

Signature of Applicant

Date 08.10.2020
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:

- Compliance with the 25' setback would prevent the use of our backyard for entertaining guest and limit use of otherwise uninhabitable space.

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 have no neighbors directly behind the our home that would be affected by extending the deck.
- The 100 year flood plain is located near the property edge. The lot located behind is wooded and swampy. Neighbors to either side would not be adversely affected.
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:

- The 100 year flood plain lies directly behind our home rendering it unsuitable for building. It is currently a swamp and in dryer years a wetland. No other property owner behind us will be affected.

4) Whether the problem is self-created.

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

The current deck was build at the time the home was constructed. Apparently a variance was granted at that time as well.
SITE PLAN
SCALE: NOT TO SCALE

PROJECT:
REPLACEMENT DECK
142 BOWER ST, HOLLAND, MI

DESIGN LOADS
LIVE LOAD 60 PSF
GUARD RAIL 200#/CONCENTRATED LOAD/50 PLF
GUARD POST 200#/CONCENTRATED LOAD @ TOP

CONCRETE SHALL ACHIEVE 28-DAY COMpressive STRENGTH OF 3000 PSI

STRUCTURAL NOTES
CONSTRUCTION SHALL COMPLY WITH MICHIGAN RESIDENTIAL BUILDING CODE 2015 [MRC 2015].
F-1: 24" DIA. CONC. FTG.
F-2: 18" DIA. CONC. FTG.
F-3: 12" DIA. x 8" CONC. FTG.
ALL FOOTINGS MIN. 42" BELOW GRADE

DECK FRAMING PLAN
SCALE: 1/4" = 1'-0"

PROJECT:
REPLACEMENT DECK
142 BOWER ST, HOLLAND, MI

DATE:
07.15.20
S1
PARK TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

PARCEL #70-15-04 700-014 DATE FILED 8/11/2020

PROPERTY ADDRESS (Acres/sqft) 4541 N Lakeshore Dr


Email Address: toms@terrytownrv.com

OWNER AS PER TAX RECORD: Thomas J & Constance A. Selvius

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?

Our residence offers no space for outbuilding without destroying 2 large Maples and placing in view between house and road.

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 8/11/2020

Signature of Applicant 8/11/2020
Request for ability to build approx. 7500 sq. ft. pole barn to hold a car collection. Property was bought in conjunction with 4541 N. Lakeshore Dr. They are across the street from each other, 180' road frontage for home and 200' road frontage for vacant 1.15 acres, 200'x250' deep. I have no problem putting a deed restriction in place that property is never to be sold without the house parcel or with a house built adjacent to the barn on this parcel. This parcel is heavily wooded and construction would stay away from the perimeter and keep the appearance of the lot as is. There is presently a "hole" in the trees across from the residence driveway. That would end up being the asphalt driveway leading into the pole barn.

Request is for the feasibility of the project. Details would be finalized with building dept. If request is not granted, Plan B would be to construct this same footprint as a higher roofed loft residence with large garage.
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:

This parcel has been owned in conjunction with lakeside parcel for years. It only makes sense to use as one. It just collects trash at present. This will clean it up while preserving the natural setting. Removing the large trees for an outbuilding at 45' it would be a travesty plus an outbuilding near the road would not enhance the appearance of the neighborhood.

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:

It would provide me the storage space needed without even be seen or noticed by anyone. The building site is very secluded and naturally screened. If built in the front yard at 45', it would not enhance the area, that would be an injustice to the area.
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:

The lakeside portion is fully developed. I am surprised that the adjacent property is not considered as "one" for development. One could not find a better "shielded" site for an accessory building.

4) Whether the problem is self-created.

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

When we bought this property it was marketed as 3.25 acres. We did not realize they are not "merged" as one for development. I am still surprised by that. We maxxed the footprint for "aesthetics" on the lakeside-not dreaming of a need for more space. A new hobby of car collecting has changed that. So the fact that you do not merge adjacent parcels is not self created, it is a township created issue.
FUTURE REDEVELOPMENT

POSSIBILITY

W/ Attached garage

FUTURE HOME
Building Spot
PARK TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

PARCEL #70-15-04-200-014 DATE FILED 8/11/2020

PROPERTY ADDRESS (Acquisition) 4541 N. Lakeshore On

NAME OF APPLICANT Thomas Selvius PHONE NO. 616-377-7376 (Cell) 616-481-9451

Email Address toms@tewytownrv.com

OWNER AS PER TAX RECORD Thomas J & Constance A Selvius

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?

Our residence offers no space for outbuilding without destroying 2 large maples and placing in view between house and road

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.

Thomas Selvius
Signature of Property Owner

Date 8/11/2020

Thomas Selvius
Signature of Applicant

Date 8/11/2020
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:

\[
\text{lot is 1.15 acres, 50,000 sq ft. We are proposing a 7500 sq ft building. This is 15\% of the total. It is in the middle of a woods.}
\]

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:

\[
\text{We are seeking through a variance to build where there is no other building per township rules of not using adjacent acreage. If using the entire complex, home/Pool/garage footprint is 7500 sq ft +/-, so it 7500 is not excessive.}
\]

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:

Again, it is very secluded and screened. If you look hard you will be able to see. Otherwise completely hidden.

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.

No effect

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.

Everyone will still be seeing the "woods" that they look at today.
PARK TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

PARCEL #70-15- 33-671-004 DATE FILED

PROPERTY ADDRESS 2847- 2nd Ave, Holland, MI 49424

NAME OF APPLICANT Bob a Card Fewless

PHONE NO. 616-460-5733

Email Address Cjeanfewless@gmail.com

OWNER AS PER TAX RECORD Bob a Card Fewless

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?

THE EXISTING COTTAGE WAS PLACED ON ITS EXISTING LOCATION ON THE LOT. THE ADDITION WILL MAINTAIN THE EXISTING FRONT YARD SETBACK.

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 Codes 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]

8-27-20

[Signature of Applicant]

[Signature]

8/26/20
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:

8' Addition on the South Side of the Cottage

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:

The proposed addition should have no effect on the adjoining properties. We are proposing to push out and slightly reduce the width of the driveway and still maintain the current depth of the existing driveway. Currently the driveway will hold 3 cars deep. That is adequate for a 2 bedroom cottage.
This Indenture,

KNOW ALL MEN BY THESE PRESENTS THAT:

CRAIG H. HILL AND SANDRA K. HILL, HUSBAND AND WIFE
692 WINTERSUN PLACE
HOLLAND, MI 49424

Convey(s) and Warrant(s) To:

ROBERT D. FEWLESS AND CAROL J. FEWLESS, HUSBAND AND WIFE
1713 FRUITWOOD NW
GRAND RAPIDS, MI 49504

for the sum of
ONE HUNDRED ELEVEN THOUSAND AND 00/100 DOLLARS --- ($111,000.00)

the following described premises situated in

THE TOWNSHIP OF PARK, COUNTY OF OTTAWA AND STATE OF MICHIGAN TO WIT:

ALL OF LOT 49 AND THE WESTERLY 1/2 OF LOT 50, PLAT OF BOSMA'S ADDITION TO WEST
MICHIGAN PARK, AS RECORDED IN VOLUME II OF PLATS ON PAGE 19.

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND LIMITATIONS OF RECORD, IF ANY.

Signed and Sealed

CRAIG H. HILL
SANDRA K. HILL

Witnesses:

KERRI L. WOOLVERTON

STATE OF MICHIGAN COUNTY OF OTTAWA

The foregoing instrument was acknowledged before me

ON MARCH 17, 1998 BY CRAIG H. HILL AND
SANDRA K. HILL, HUSBAND AND WIFE

PREPARED BY:
CRAIG H. HILL
692 WINTERSUN PLACE
HOLLAND, MI 49424

ASSISTED BY:
The Title Office, Inc.
321 Settlers Road
HOLLAND, MICHIGAN 49423

Kerrl L. Woolvertten
NOTARY PUBLIC OTTAWA COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 07/31/2000

WHEN RECORDED RETURN TO