

**MINUTES
PARK TOWNSHIP
ZONING BOARD OF APPEALS**
Park Township Hall
52 152nd Street
Holland, MI 49424

Regular Meeting
November 27, 2017
6:30 P.M.

DRAFT-APPROVED COPY

CALL TO ORDER:

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

ATTENDANCE:

Present: Doug Dreyer, Dennis Eade, Dave Fleece, Jim Gerard, Sally Pollock

Absent: John Foster (excused)

Staff: Ed de Vries, Community Development Director

APPROVAL OF AGENDA:

Motion by Gerard, supported by Pollock, to approve the agenda as presented.

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

APPROVAL OF MINUTES:

Dreyer noted that the three name references to the Van Syoc request should be consistent (pages 2 and 3).

Motion by Eade, supported by Pollock, to approve the minutes of the October 23, 2017 Regular Meeting as corrected.

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

BUSINESS ITEMS:

Item #1 - A request by Richard Carriere for approval to erect a 1,596 square foot accessory building where 1,218 square feet is allowed per Section 38-491(b)(1)b of the

Park Township Zoning Ordinance. The property is located at 177 N. 16th Avenue, Holland, MI 49424. (Parcel #70-15-23-300-009, R-4/AGR)

de Vries provided background information for this request. No history of previous variances was found. The current owners purchased the property in August of 2009. The applicant is proposing to demolish an existing 880 square foot detached garage built in 1978, and replace it with a new 1,596 square foot building.

Zoning Board of Appeals Considerations:

The lot size is 417' x 100', or 41,700 square feet. Normally one accessory building is permitted on lots less than two acres, however, if there is no attached garage an additional building is allowed.

The allowable square footage is 2 percent of the lot area, with an additional allowance of 576 square feet for properties without an attached garage. For this property the total allowed would be 1,410 square feet. There is an existing second accessory building of 192 square feet, which was constructed in 2012. This would allow 1,218 square feet for another building. The request is for a structure 378 square feet larger than the maximum permitted. There is an aerial photo of the property in the November 19 Staff Memo.

Assessing records list the house as having a 1,228 square foot footprint, or 368 square feet smaller than the requested building.

As this is a request to authorize more square footage than allowed the standards listed in Section 38-491(b)(2)h need to be addressed.

Applicant Richard Carriere spoke to his application. The purpose for the proposed building is to house three cars and a motor home which he recently purchased. The exterior architecture of the building will match the house.

Eade asked for clarification from the applicant that he wants to build a larger storage building where the proposal is 3.8% larger where 2% is allowed. Has he considered another option?

Carriere said he is paying for storage which is his only current option. To fit all four vehicles in one space he needs a building this size.

Eade asked Carriere if he could keep the existing garage and refurbish it for storage of vehicles.

Carriere said the height of the motor home requires a 14' door which would make it difficult. Putting another building behind the current one would be difficult in terms of access.

Dreyer asked the applicant if he would be willing to give up the small building.

Carriere said he uses the building for lawn and garden equipment. He built it a few years ago and would like to keep it on the property.

Dreyer said he is looking at what is allowable for accessory buildings. How far back on the lot will the proposed building be?

Carriere said it would be placed about 20' behind the house.

Eade asked for the height of the peak of the proposed building and how does that compare to other structures in the area.

Carriere said the height is 21' and the neighboring houses in the immediate vicinity are two stories high.

Fleece asked if the pitch could be lowered.

Carriere said he and de Vries discussed the pitch requirements and he did try to lower it.

Fleece asked why the ordinance limits this lot size to one building.

de Vries explained on lots greater than two acres two buildings are allowed.

Regarding the pitch, de Vries said Carriere could reduce the pitch slightly. The ordinance requires 3/12 and the applicant has a pitch of 4/12.

Dreyer said he would prefer to see vehicles stored inside and understands the applicant's reason for requesting the variance.

Carriere asked about the Township ruling for recreational vehicles.

Dreyer said the winter rule is the vehicle has to be stored behind the line of the house. It cannot be in the front yard.

Pollock said the buildings are well kept and the lot is big, the neighbors aren't close and this building would be further back from the road. These are her positive observations.

Eade asked the applicant if he has talked with neighbors about his proposal.

Carriere has talked with some of the neighbors and they support it.

de Vries said the Township has received no letters regarding this request.

Eade asked if the staff has any concerns with the variance setting a precedence.

de Vries said as long as the proposal can be supported by the standards there is no problem.

Fleece asked if the Zoning Board of Appeals can defend this request. He sees several large accessory buildings in the surrounding area so it has been allowed.

Dreyer said when he looks at the neighborhood it is a large lot and it is not out of context with the area.

Eade said it is his opinion that standards 2-6 are met although he has a problem with the first one. If a rationale can be suggested for this standard he sees no impediment to approval.

Dreyer said the height is not a problem for him. His argument is, because there is allowable square footage for storage if he had an attached garage and an outbuilding, he would be allowed more square footage.

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

Eade reviewed the required five standards:

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 height fits in with the surrounding neighborhood. If the applicant were allowed an attached garage and an outbuilding he would be allowed 2000 square feet. This proposed building is less than that. It is comparable to the surrounding structures and outbuildings that are closer in height.

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;

By moving the building back from the house and because of the size of the lot, the accessory building has little impact on the size relationship to the home. It is slightly taller than the house.

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;

Because of the size of the lot and surrounding properties and the buildings on them, the applicant meets this standard. The building is 12' further back on the lot and lines up with other accessory buildings in the neighborhood.

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

There is no negative effect because of the size of the lot and the expanse of the property. There is sufficient space between the house and the proposed building.

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

Based on the application and the aerial photo of the property it does not appear that there will be any adverse effect of the view, therefore it meets the standard.

Roll Call Vote:

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

Ayes 5, Nays 0. Motion carried.

Carriere asked about the possibility regarding a variance closer to the lot line. Would this be a difficult request?

Dreyer said it wouldn't be approved. By placing the building in the middle of the lot it is more acceptable.

Carriere asked what the timeline was for the approval.

Dreyer said he has one year to construct the approved building.

de Vries the applicant will hear from his office clarifying this. It is one year from the date of the Board of Appeals decision. This is attached to the property record file. There can be an appeal filed if someone disagrees with the decision.

ANNOUNCEMENTS:

The next regular meeting is December 18, 2017.

Dreyer said he never heard about the final decision about the Board packets being placed on the Township website.

de Vries said there has been discussion about posting the meeting packets on the website. It may be more applicable to the Planning Commission. There are privacy concerns regarding plans of building interiors. Do we want that on the web? If we go ahead with this the building interiors would be deleted.

Dreyer felt the information included in the Staff Memo is sufficient. He felt there can be too much transparency and privacy should be honored.

The Board of Appeals supported the fact the minutes and the Staff Memo should suffice for information. For Zoning Board of Appeals information site plans and elevations are all that is necessary.

PUBLIC COMMENT

Dreyer opened Public Comment at 7:00 PM

Dreyer closed Public Comment at 7:00 P.M.

ADJOURNMENT

Pollock moved, supported by Eade, to adjourn the meeting at 7:03 P.M.

Voice vote:

Ayes 5, Nays 0. Motion carried.

Respectfully submitted,

Judith Hemwall
Recording Secretary
November 29, 2017

Approved: December 21, 2017

DRAFT