

MEETING MINUTES  
GRAND HAVEN CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
APRIL 25, 2023

I. CALL TO ORDER

The regular meeting of the Grand Haven Charter Township Zoning Board of Appeals was called to order at 7:00 p.m. by Chair Voss.

II. ROLL CALL

Board of Appeals members present: Voss, Loftis, Behm, Slater, Hesselsweet, alt. Egedy-Bader  
Board of Appeals members absent: None

Also present: Senior Planner Thibault,

**Without objection**, Thibault was instructed to record the minutes for the meeting.

III. APPROVAL OF MINUTES

**Without objection**, the minutes of the September 27, 2022 ZBA Meeting were approved.

IV. NEW BUSINESS

A. ZBA Variance Application No. 22-10 – Zamiara – Dimensional Variance

Party Requesting Variance:	Nancy Zamiara
Address:	17461 Lakeside Trail
Parcel Number:	70-07-33-125-036
Location:	17461 Lakeside Trail

The applicant is seeking a variance to construct three new retaining wall systems, herein referred to as A, B, and C. System A would result in a 10’ height where a maximum height of 8’ is permitted; 1’ side yard setback where 10’ is required. System B would result in a 4’ side yard setback where 10’ is required. System C would result in a 7’ side yard setback where 10’ is required. The retaining walls violate Section 14.13.C of the Zoning Ordinance.

Thibault provided an overview through a memorandum dated April 20<sup>th</sup>.

The applicant, Ms. Zamiara, and her contractor Bill Monhollon were present to provide additional information

- Stated that a lot of the information was covered in the memo and had not significantly changed since the original application.

- Clarified that the proposed retaining wall for the driveway extension was located and sized in such a way as to provide an efficient and easy turning radius for vehicles to back-up and exit.
- Described how the retaining wall would step-back more than the vertical wall illustrated because the stacked wall will use modular blocks.
- Discussed how the new septic system would be constructed and accessed and where the drain field is located
- Stated the neighbors have been receptive of the proposed project

The Board discussed the application and noted the following:

- Questioned how runoff would be handled with the new drive and retaining wall
- Inquired if the extent of the driveway expansion as shown was necessary and how the septic tanks would be accessed
  - Staff stated what the regulations state for retaining wall setbacks, when engineered drawings need to be provided, and how wall setbacks are determined in the case of a stepped or stacked retaining wall
- Opined that a shared retaining wall with the neighbors to the South would be better than each property owner having individual retaining walls
  - Staff clarified that individual walls minimize the impacted area and avoid issues of shared maintenance

**Standard No. 1** – Exceptional or extraordinary circumstances:

- The property is a legal lot of record and is non-conforming in lot width. The property is encumbered by both Critical Dune Area and regulated wetlands.

Ayes: Voss, Slater, Behm, Loftis, Hesselsweet  
 Nays: None  
 Absent: None

**Standard No. 2** – Substantial property right:

- A series of retaining walls are required to maintain appropriate grading to provide a compliant building height for the addition and flat surface for a parking area.

Ayes: Voss, Slater, Behm, Loftis, Hesselsweet  
 Nays: None  
 Absent: None

**Standard No. 3** – Will not be a substantial detriment to adjacent parcels, or material impact on the intent and purpose of the Ordinance:

- No correspondence had been received as of the original public hearing deadline of September 22<sup>nd</sup> nor in the interim.

Ayes: Voss, Slater, Behm, Loftis, Hesselsweet  
Nays: None  
Absent: None

**Standard No. 4** – Request is not of such a recurrent nature as to make reasonably practical the formulation of a general regulation:

- Retaining wall: the limitations on the property due to the Critical Dune Area, regulated wetlands, and existing topography limit the buildable area and are unique to the property. The walls are needed in order to comply with the maximum building height and story requirement.

Ayes: Voss, Slater, Behm, Loftis, Hesselsweet  
Nays: None  
Absent: None

**Motion** by Slater, supported by Loftis, to **approve** a dimensional variance from Section 14.13.C of the Zoning Ordinance to construct a series of retaining walls at 17461 Lakeside Trail. This will result in three retaining wall systems: System A – has a 10-foot height and a 1-foot side yard setback . System B – Has a 4-foot side yard setback. System C – Has a 7-foot side yard setback. Approval of this variance is based upon this Board’s findings that all four standards have been affirmatively met.

**Which motion carried unanimously**, as indicated by the following roll call vote:

Ayes: Voss, Slater, Behm, Loftis, Hesselsweet  
Nays: None  
Absent: None

- V. REPORTS - None
- VI. EXTENDED PUBLIC COMMENTS – None
- VII. ADJOURNMENT

**Without objection**, the meeting was adjourned at 7:28 pm.

Respectfully submitted,



**Rory Thibault**

Acting Recording Secretary