



AGENDA

Zoning Board of Appeals – Special Meeting
Thursday, May 5, 2022 – 7:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Approval of the April 5, 2022 ZBA Meeting Minutes
- IV. New Business
 - A. ZBA Variance Application No. 22-03 – Karell – Dimensional Variance
- V. Reports
- VI. Extended Public Comments & Questions (Limited to 4 minutes)
- VII. Adjournment

SPECIAL MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
APRIL 5, 2022

I. CALL TO ORDER

The special 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, Slater, Loftis, Behm, Hesselsweet, Egedy-Bader (alternate)
Board of Appeals members absent: None

Also present: Associate Planner Hoisington and 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 28, 2021 ZBA Meeting were approved.

IV. NEW BUSINESS

A. ZBA Variance Application No. 22-01 – Westra – Retaining Walls

Party Requesting Variance: Gregory Westra
Address: 17318 Timber Dune Drive, Grand Haven
Parcel Number: 70-07-16-346-007
Location: 17318 Timber Dune Drive

The applicant is requesting to construct a retaining wall in the side yard and rear yard. This would result in a side yard setback of 2-feet where 15-feet is required, and a rear yard setback of 2-feet where 50-feet is required. The proposed walls would violate Section 14.13.C of the Zoning Ordinance.

Hoisington provided an overview through a memorandum dated March 31st.

The applicant, Mr. Westra, was present to provide information.

- Clarified the location of the existing fence, pool building, deck, and retaining walls relative to the property and house.
 - Property had these features when home was purchased.
- A previous ZBA variance application for a reduced side yard setback for a garage addition was not granted – the garage was later constructed with compliant setbacks.

The Board discussed the application and noted the following:

- Shared concerns over granting a variance to enlarge the size of the proposed patio compared to the existing nonconforming deck.
 - Suggestion to align retaining wall with the west side of the house.
 - Applicant was open to reducing the size of the patio to align with the house
- Inquired how water would effectively drain off the pool deck area and into the ground
 - Applicant's contractor clarified that dry wells would be used under the planted area or the west side of the patio with pervious pavers if the size were to decrease.
- Concerned about the inclusion of an additional retaining wall of an unknown length and height that was not noted on the original application.

Motion by Voss, supported by Behm to **table** a dimensional variance from Section 14.13.C at 17318 Timber Dunes Drive and direct the applicant to address the following:

1. Have the applicant submit an updated site plan showing the entire retaining wall system and reduction in the patio.

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

Ayes: Voss, Slater, Loftis, Behm, Hesselsweet

Nays: None

Abstained: None

B. Housekeeping

a. Appointment of Officers

- **Without objection**, Voss was nominated and appointed as Chair.
- **Without objection**, Slater was nominated and appointed as Vice Chair.
- **Without objection**, Loftis was nominated and appointed as Secretary.

b. Approve 2022 Meeting Date Schedule

Motion by Hesselsweet, supported by Slater to **approve** the 2022 Meeting Date Schedule

V. REPORTS

A. Hoisington provided an update that the Creason ZBA application which was tabled at the September 28, 2021 meeting had been withdrawn as a compliant solution was found.

VI. EXTENDED PUBLIC COMMENTS – None

VII. ADJOURNMENT

Without objection, the meeting was adjourned at 8:01 p.m.

Respectfully submitted,



Rory Thibault
Acting Recording Secretary

DRAFT



Community Development Memo

DATE: May 2, 2022

TO: Zoning Board of Appeals

FROM: Cassandra Hoisington – Associate Planner

RE: 15155 178th Avenue – Dimensional Variance Application No. 22-03

PARCEL INFORMATION

Owner	Linda Karell
Property Address	15155 178 th Avenue
Parcel Number	70-03-32-208-005
Lot Size	~20,000 sqft (or 0.46-acres)
Lot Type	Corner Lot
Zoning	R-1 Single Family Residential
Elevation Change	~6-feet
Required Setbacks for Principal Building	Front – 50-feet
Requested Setbacks for Principal Building	Front – 29.6-feet

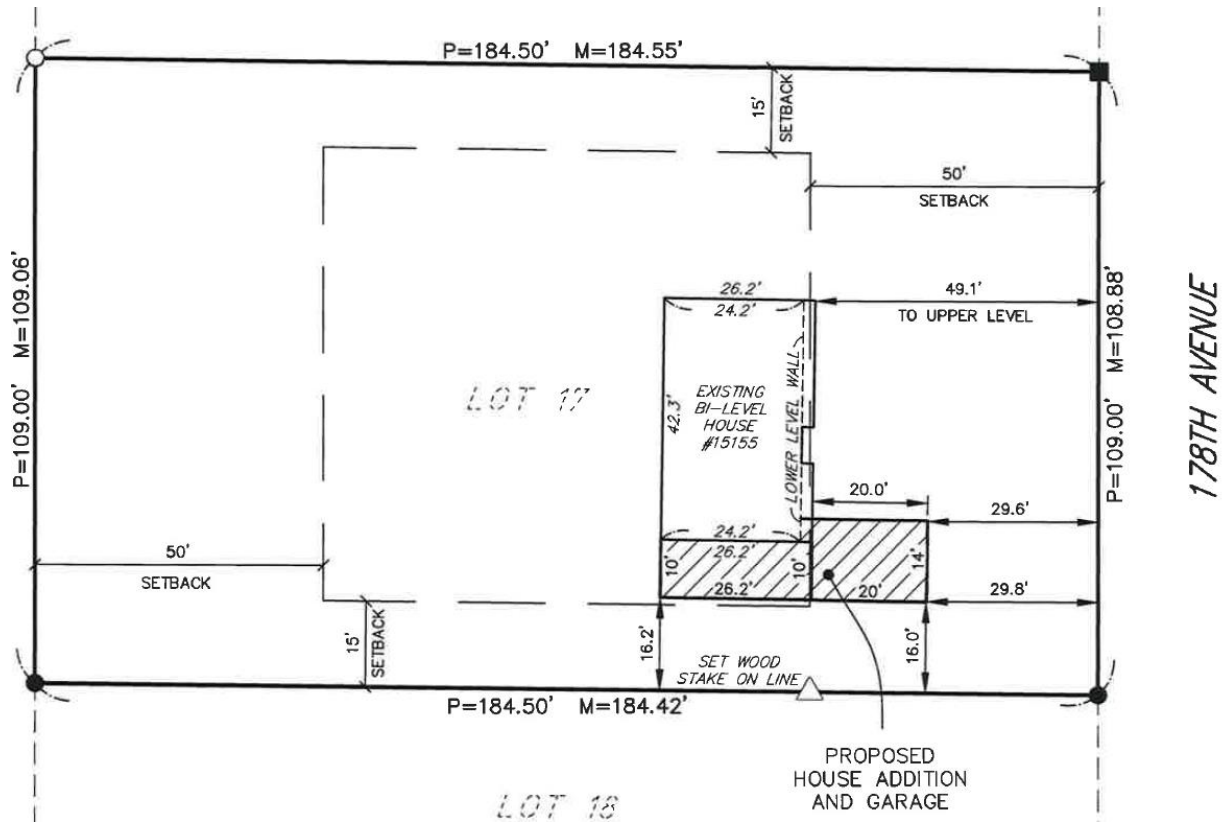


REASON FOR ZBA APPLICATION

The house was built in 1976 and purchased by the applicant in 1984. The lot meets the zoning requirements for the R-1 District and the house appears to meet the required setbacks (though the upper floor extends into the required front yard by less than a foot). The house is designed as a bi-level with the garage on the lower level and the majority of living space on the upper floor.

The applicant has noted her mobility issues with and is planning modifications to the home, including a building addition to relocate a laundry room and create a powder room for the main level of the home. The variance request pertains to a new garage addition which would be accessed by 178th Avenue and encroach into the required front yard by 20-feet. This would result in a front

yard setback of 29.6-feet where 50-feet is required. This garage would connect to the main level of the home, making the main level of the home more accessible for the applicant.



Based on the provided survey it appears a large portion of the lot is buildable without requiring a variance (though the corner side setback is shown incorrectly at 15-feet where it should be 25-feet). The applicant has stated an alternate building addition would not be feasible due to elevation changes on the property (approximately 6-feet total per Ottawa County GIS) and the home's interior layout.

Alternative options for accessibility that may exist for the home include adding a stair lift, installing a ramp to the front door, or similar alterations that may take place to make the home more accessible without changing the footprint.

While the ZBA has made the determination that residential properties are entitled to a garage, it does not mandate it must be attached to the main living area of a home. Both basement garages and detached garages are permitted and used through the Township.



VARIANCE STANDARDS

To authorize a dimensional variance from the strict applications of the provisions of this Ordinance, the ZBA shall apply the following standards and make an affirmative finding as to each of the matters set forth in the standards.

STANDARD 1

There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning classification.

The property is a corner lot that meets the dimensional requirements of the R-1 District.

The applicant has noted the elevation changes (~6-feet) as an encumbrance on the property.

The ZBA will need to determine whether this standard is met.



STANDARD 2

The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity, provided that possible increased financial return shall not of itself, be deemed sufficient to warrant a variance.

The ZBA has determined residential properties are entitled to having a garage. This property already has a garage on the lower level of the home.

The applicant has stated this garage addition would allow her better access to the house.

The ZBA will need to make a determination whether this standard is met given the circumstances of this case.

STANDARD 3

Authorization of such variance will not be of substantial detriment to adjacent property, and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community.

One letter of opposition was received for this application (*as of May 2nd*) and is included in the meeting packet.

The ZBA will need to make the determination whether this standard is met given the circumstances of this case and the findings on standards 1 and 2.

STANDARD 4

The condition or situation of the specific piece of property or the intended use of said property for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such condition or situation, a part of this Ordinance.

There are many corner lots in the Township. Bi-level homes in the Township are common.

The ZBA will need to make the determination whether this standard is met.

SAMPLE MOTIONS

If the ZBA determines each standard has been affirmative met, the following motion can be offered:

Motion to approve a dimensional variance from Section 2.08 to for a building addition at 15155 178th Avenue which will result in a 29.6-foot front yard setback where 50-foot is required. Approval of this variance is based upon this Board's findings that all four standards have been affirmatively met.

However, if the ZBA determines each standard has not been affirmatively met, the following motion can be offered:

Motion to deny the dimensional variance from Section 2.08 to for a building addition at 15155 178th Avenue. Denial of this variance is based upon this Board's findings that all four standards have not been affirmatively met.

If the ZBA determines that more information is needed to make an affirmative finding, the following motion can be offered:

Motion to table the dimensional variance application for 15155 178th Avenue, and direct the applicant and/or staff to address the following:

1. *List items here...*

Please contact me if this raises questions.



GRAND HAVEN CHARTER TOWNSHIP

ZONING BOARD OF APPEALS APPLICATION

Application Type	Fee	Escrow*
Variance or Appeal	\$250	\$300
603 Exemption	\$250	\$300

Application Type	Fee	Escrow*
Special Meeting	\$425	n/a
Interpretation	\$125	n/a

The full zoning ordinance can be found at www.ghet.org/zoning.

* To cover cost of legal and consulting fees, may be increased as necessary

Applicant/Appellant Information

Name Linda C Karell
 Phone (616) 566-2590
 Address 15155 178th Avenue, Grand Haven, MI 495417
 Email Address lckarell@gmail.com

Owner Information (If different from applicant/appellant)

Name _____
 Phone _____ Email _____
 Address _____
 Email Address _____

Property Information (Include a survey or scaled drawing)

Address 15155 178th Avenue, Grand Haven, MI 49417
 Parcel No. 70 -03 - 32 - 208 - 005 Current Zoning Residential R-1
 Lot Width 109 feet Lot Depth 184.5 feet
 Parcel Size 20,110.5 sq ft Parcel Size _____

General Information (Check one)

- Application for Variance
- Request for Interpretation
- Notice of Appeal

NOTE: Please provide a scaled drawing with details of your proposed work including the dimensions of any structures (i.e. height, width & length), building materials, the setbacks to ALL property lines, and other existing structures on the parcel, and any other relevant information, as needed.

VARIANCE REQUESTED (If applicable)

1. Attach a Narrative: Description of Request; Why it is needed; and Addresses each of the 4 Standards
2. Variance Requested From the Requirements of Section Number(s) Section 2.08 of Zoning Ordinance
3. Relating to Adding a garage on the West and addition to the South of current residence
4. Structure/Land Use (After Variance) 560 sq ft addition to home on the south side plus single stall garage 20' x 14'
5. Overall Building Size (After Variance) 3220.12sq ft
6. Setbacks from lot lines (After Variance):
 - a. Front Yard 29.8' East feet
 - b. Rear Yard 50' West feet
 - c. Side Yard #1 25' North feet
 - d. Side Yard #2 15' South feet

RT RD
04/11

Zoning Board of Appeals Application

Variance Request

I have owned my property at 15155 178th Avenue in Grand Haven Township since 1985 and have raised four children here who also know this property as home. I have financially and physically invested in my home and am emotionally attached to the property and location. As a result of all the strenuous work involved in fence building and yard maintenance as well as general upkeep, I have suffered back injury. Consequently, I have endured numerous back surgeries over thirteen years. In total my back is fused at C6 and from T6 to S1. Since December 2019 I have been dependent upon a walker to motate at all times.

My home is a front to back split, or bi-level, with the garage located on the lower level with the main floor thirteen stairs above. I have no way to leave or return to my home except to use these stairs. I manage this by using a cane and hand rails. Not only is this difficult but potentially dangerous since my legs do not work well and I have balance issues. As a result, I have become rather isolated. I rarely go downstairs and am unable to do my own laundry since I cannot carry anything up or down the stairs.

The addition I have planned will allow me to remain in my home and return some independence to my life. I have designed a 10' X 24' extension to the south side of my home (25 feet to the property from the current foundation) where my laundry room will be relocated to and an addition of a powder room. In front of this extension, I propose the construction of a single stall garage facing 178th Avenue that will allow a barrier free entrance to and from my home. The dimensions of the garage would be 14 feet wide and 20 feet long, so the additional width would extend over the front of the current living room wall. The 20-foot length of the garage is the reason for this variance request. The drive will be entered from 178th Avenue and will gradually be elevated to the main floor level using retaining walls-landscaped on both sides. The location of this garage at the main floor not only allows me to access my vehicle, but it also gives me easier access to others who transport me to medical and social outings.

I have tried to considered other options, but I have not been able to come up with any other solution that will allow me the barrier free situation I require. I could find no other options to the north or west sides of my home because of the severe slope of the land from front to back and the design of the home.



GRAND HAVEN CHARTER TOWNSHIP

ZONING BOARD OF APPEALS APPLICATION

Application Type	Fee	Escrow*
Variance or Appeal	\$250	\$300
603 Exemption	\$250	\$300

Application Type	Fee	Escrow*
Special Meeting	\$425	n/a
Interpretation	\$125	n/a

The full zoning ordinance can be found at www.gh.org/zoning.

* To cover cost of legal and consulting fees, may be increased as necessary

Applicant/Appellant Information

Name Linda C Karell
 Phone (616) 566-2590
 Address 15155 178th Avenue, Grand Haven, MI 495417
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 - b. Rear Yard 50' West feet
 - c. Side Yard #1 25' North feet
 - d. Side Yard #2 15' South feet

RELEASE FORM

The undersigned has applied to the Grand Haven Charter Township Zoning Board of Appeals for a variance. The undersigned hereby authorizes the members of the Zoning Board of Appeals and appropriate Township staff members to inspect the property (*address stated below*) at reasonable times, in regards to the consideration of my request for a variance.

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

Linda C Knoll
Applicant's Signature

4/8/2022
Date

Owner's Signature (if different from applicant)

Date

15155 178th Avenue, Grand Haven, MI 49417
Property Address

For Office Use Only

Date Received _____

Fee Paid? _____

ACTION TAKEN BY TOWNSHIP BOARD OF APPEALS

() Application Approved

() Application Denied

Description of variance granted or other action taken including conditions imposed, if any:

Grounds for Board action including findings as to standards and requirements prerequisite to imposition of conditions under ordinance:

Signature of ZBA Chairperson

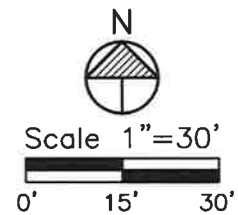
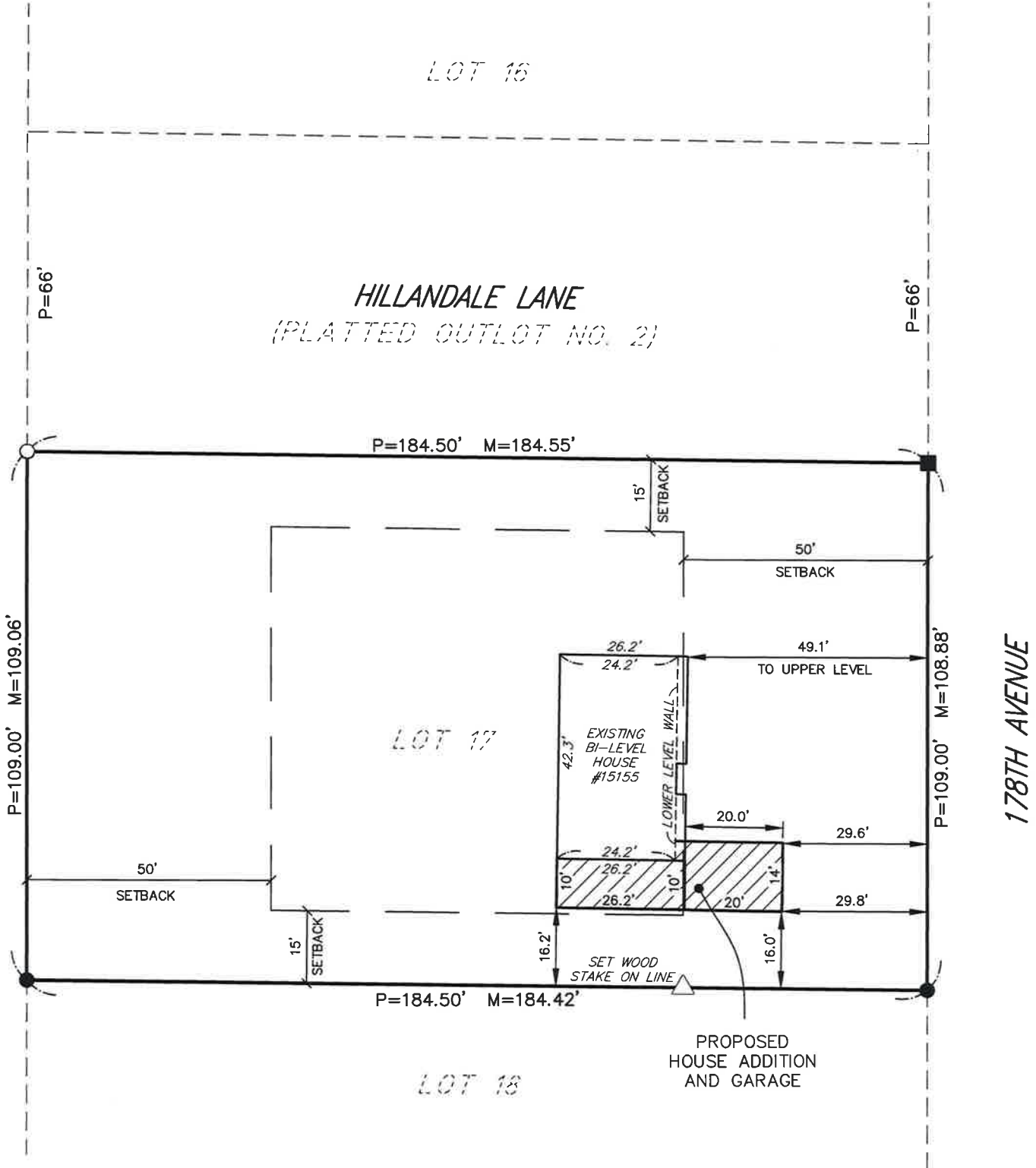
Date

PLAT OF SURVEY

Lot 17, Bottje Subdivision, Section 32, Town 8 North, Range 16 West,
Grand Haven Township, Ottawa County, Michigan

LOT 16

HILLANDALE LANE
(PLATTED OUTLOT NO. 2)



Brian A. Ford Professional Surveyor No. 4001047199

This survey was made from the legal description shown above. The description should be compared with the Abstract Title or Title Insurance Policy for accuracy, easements and exceptions.

LEGEND

- SET CON. MON
- FOUND CONC. MON
- SET CAPPED IRON
- △ SET MAG NAIL
- FOUND IRON
- "X" SET CUT "X"
- P. PLATTED
- M. MEASURED
- D. DESCRIBED
- CALC. CALCULATED

ABONMARCHE
MILANOWSKI AND ENGLERT

11 North 6th Street – Grand Haven, MI 49417
Phone 616-847-4070 Fax 616-847-6626

FOR Linda Karell

Sec. 32, T8N, R16W, Grand Haven Twp.

DATE April 5, 2022

DRAWN BY TV/DRB

SHEET 1 of 1

JOB NO. 16581
(22-0474)

Cassandra Hoisington

From: debhoffman@chartermi.net
Sent: Sunday, May 1, 2022 8:57 PM
To: Cassandra Hoisington
Subject: Variance Application/LKarell

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom This May Concern;

I, Deborah Hoffman live at 17847 Merrywood Lane in Grand Haven Township off 178th Street around the corner from Linda Karell.

As I understand due to health problems, she has petitioned the township to build a garage in the front of her home because she is having trouble accessing her current garage because of stairs.

This is a neighborhood of basic ranch style homes mostly built in the 50's and 60's. To build a garage in the front yard and not explore the option of putting a lift in her home to help her situation is crazy and will wreck the look of the neighborhood and be a real eye sore.

I can understand if someone needs to build a ramp for a wheel chair, but this is ridiculous. You don't just build another garage because you are unable to walk up and down a flight of stairs.

I am sorry, but we as neighbors are not responsible for another neighbor's health problems.

I have lived in this neighborhood a little over 40 years and have never seen anything like this.

Sincerely,

Deborah A Hoffman

Sent from [Mail](#) for Windows