

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
MARCH 25, 2025

I. CALL TO ORDER

The regular meeting of the Grand Haven Charter Township Zoning Board of Appeals was called to order at 6:00 p.m. by Chair Voss.

II. ROLL CALL

Board of Appeals members present: Hesselsweet, Slater, Voss, Dumbrell, and alt. Butler
Board of Appeals members absent: Egedy-Bader

Also present: Senior Planner Chaphalkar, Associate Planner Hill

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

III. APPROVAL OF MINUTES

Without objection, the minutes, of the January 28, 2025, ZBA Meeting were approved.

IV. PUBLIC COMMENT –

- Laura Kane, attorney representing an adjacent property owner spoke regarding the number of variances that were requested and potential impact on access to adjacent properties.
- Chad Antuna, attorney representing the Houchin family noted that a 16.5’ ingress/egress easement for access to the neighborhood had been signed and was awaiting recording with the County Register of Deeds.

V. NEW BUSINESS

A. ZBA Variance Application No. 25-02 – Houchin Dimensional Variance – Dimensional Variance

Applicant	Dave Netti- Dave Netti Artisan Homes
Party Requesting Variance:	Eric and Opal Houchin
Address:	10577 Lakeshore Dr, Grand Haven MI
Parcel Number:	70-07-28-300-013
Lot Size:	.12 Acres
Zoning:	R-1 - Residential Zoning District

The applicant is seeking three dimensional variances, described below:

1. A dimensional variance pursuant to Sections 10.04.C.2, 10.04.C.4, and 10.04.C.5 to construct a ~228 sqft deck with a setback of 4.3' from the front lot line and 7.4' from the side lot line.
2. A dimensional variance pursuant to Section 2.08 to construct a second story building addition which will maintain the setbacks of the existing dwelling, which setbacks are 12.3' from the front lot line, 38.6' from the rear lot line, and 7.4' from the north (side) lot line.
3. A dimensional variance pursuant to Section 2.08 to construct an attached two-story garage which will result in a setback of 16.5 feet from the rear lot line and a setback of 7.4 feet from the north (side) lot line.

Chaphalkar provided an overview through a memorandum dated March 20th.

Dave Netti, project representative, was present and provided the following information:

- Explained design choices regarding upper level addition and garage location to maintain access to adjacent property.
- Discussed potential construction equipment staging.
- Described EGLE requirements for “removable” structures in instances where a structure has to be moved due to erosion.

ZBA Members noted the following points of discussion:

- Inquired if Township staff had concerns over the existing or proposed access to the site and the adjacent property.
 - Chaphalkar clarified that an existing 8.5' wide easement was provided to access the property to the north. Fire/Rescue staff were consulted and because it is an existing access easement, it is considered sufficient although not compliant with current private road standards.
- Noted that construction has happened in this neighborhood previously.
- Discussed the precedence set previously by ZBA to allow for garages on residential properties.
- Questioned how far the deck extends west when compared to neighboring decks.
- Discussed how the additional level of the home would remain within the existing building footprint.

Variance Request #1 – Construct a ~228 sqft deck with a front yard setback of 4.3' and a side yard setback of 7.4'

Standard No. 1 – Exceptional or extraordinary circumstances:

- The property is legal lot of record and significantly undersized compared to the minimum dimensional requirements for the R-1 Zoning District. The property is entirely encumbered by Critical Dune Area and High Risk Erosion area, regulated by EGLE.
- ZBA Members discussed the uniquely small lot area of the property.

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

Standard No. 2 – Substantial property right:

- Properties near Lake Michigan commonly have western facing decks to increase the property owner’s ability to enjoy the view of the lake.
- The ZBA had no additional discussion points.

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

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

Two letters and one email were received for the application and are included in the meeting packet. They can be summarized as follows:

- Jack and Marcia Brace – 10545 Lakeshore Drive
 - Noted concern of impact from construction equipment on the private road.
- Michael and Mary Claire Podein – 10569 Lakeshore Drive
 - Does not object to the proposed construction, notes importance to maintain ingress/egress access for the property to the north.
- John and Jean Santa Maria – 10551 Lakeshore Drive
 - Does not object to the proposed work, but inquired regarding the required side yard setback.
 - Inquired about impact of garage access on shared pedestrian easement.
- The ZBA members opined that the newly drafted easement agreement would address impact to the adjacent property to the north.

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

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

- Compared to a conforming property in the R-1 Zoning District, the subject parcel is significantly undersized. The need for the variance for the deck is unique to the size and layout of the property.

- The ZBA had no additional discussion points

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

Motion by Slater, seconded by Dumbrell, to **approve** a dimensional variance from Sections 10.04.C.2, 10.04.C.4, and 10.04.C.5 to construct a ~228 sqft deck with a setback of 4.3' from the front lot line and 7.4' from the side lot line for the property at 10577 Lakeshore Drive.

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

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

Variance Request #2 – Construct a second story building addition within the existing building footprint, resulting in setbacks of 12.3' from the front lot line, 38.6' from the rear lot line, and 7.4' from the north (side) lot line.

Standard No. 1 – Exceptional or extraordinary circumstances:

- The property is legally non-conforming and significantly undersized. The property is entirely encumbered by Critical Dune Area and High Risk Erosion area, regulated by EGLE.
- The ZBA had no additional discussion points.

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

Standard No. 2 – Substantial property right:

- Residential properties are entitled to a maximum building height of up to 2.5 stories. The proposed addition would bring the dwelling to a height of 2 stories.
- The ZBA had no additional discussion points.

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

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

Two letters and one email were received for the application and are included in the meeting packet. They can be summarized as follows:

- Jack and Marcia Brace – 10545 Lakeshore Drive

- Noted concern of impact from construction equipment on the private road.
- Michael and Mary Claire Podein – 10569 Lakeshore Drive
 - Does not object to the proposed construction, notes importance to maintain ingress/egress access for the property to the north.
- John and Jean Santa Maria – 10551 Lakeshore Drive
 - Does not object to the proposed work, but inquired regarding the required side yard setback.
 - Inquired about impact of garage access on shared pedestrian easement.
- The ZBA had no additional discussion points.

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

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

- Compared to a conforming property in the R-1 Zoning District, the subject parcel is significantly undersized. Because the lot depth is less than 100’ and both the front and rear yard require 50’ setbacks, any dwelling would be non-conforming in location. The variance request is specific to the layout of the subject property.
- The ZBA had no additional discussion points

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

Motion by Dumbrell, seconded by Slater, to approve dimensional variances from Section 2.08 to construct a second story building addition which will maintain the setbacks of the existing dwelling, which setbacks are 12.3’ from the front lot line, 38.6’ from the rear lot line, and 7.4’ from the north (side) lot line for the property at 10577 Lakeshore Drive.

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

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

Variance Request #3 – Construct an attached two story garage with a setback of 16.5 feet from the rear lot line and a setback of 7.4 feet from the north (side) lot line

Standard No. 1 – Exceptional or extraordinary circumstances:

- The property is legally non-conforming and significantly undersized. The property is entirely encumbered by Critical Dune Area and High Risk Erosion area, regulated by EGLE.

- The ZBA had no additional discussion points.

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

Standard No. 2 – Substantial property right:

- The ZBA has previously set a precedence that single family homes in the Township are entitled to an attached garage. The proposed garage is of similar size (22.75' x 20') to those constructed with new homes.
- Residential properties are entitled to a maximum building height of up to 2.5 stories. The upper story of the garage would bring the height of the structure to two stories.
- The ZBA had no additional discussion points.

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

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

Two letters and one email were received for the application and are included in the meeting packet. They can be summarized as follows:

- Jack and Marcia Brace – 10545 Lakeshore Drive
 - Noted concern of impact from construction equipment on the private road.
- Michael and Mary Claire Podein – 10569 Lakeshore Drive
 - Does not object to the proposed construction, notes importance to maintain ingress/egress access for the property to the north.
- John and Jean Santa Maria – 10551 Lakeshore Drive
 - Does not object to the proposed work, but inquired regarding the required side yard setback.
 - Inquired about impact of garage access on shared pedestrian easement.
- The ZBA had no additional discussion points.

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler

Nays: None

Absent: Egedy-Bader

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

- Compared to a conforming property in the R-1 Zoning District, the subject parcel is significantly undersized. The variance is requested due to the dimensional restrictions unique to the property.
- The ZBA had no additional discussion points

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler
Nays: None
Absent: Egedy-Bader

Motion by Dumbrell, seconded by Slater, to **approve** dimensional variances from Section 2.08 to construct an attached two story garage which will result in a setback of 16.5 feet from the rear lot line and a setback of 7.4 feet from the north (side) lot line for the property at 10577 Lakeshore Drive.

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

Ayes: Hesselsweet, Slater, Voss, Dumbrell, Butler
Nays: None
Absent: Egedy-Bader

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

Without objection, the meeting was adjourned at 6:48 pm.

Respectfully submitted,



Harrison Hill

Acting Recording Secretary