

**MEETING MINUTES OF THE GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS
FOR THE REGULAR MEETING HELD ON
MARCH 13, 2019
AT THE GAINES CHARTER TOWNSHIP OFFICES
8555 KALAMAZOO AVENUE SE • CALEDONIA, MICHIGAN 49316**

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:05 p.m. by Chair Werkema. A quorum was present.

MEMBERS PRESENT: Brew, Hilton, Giarmo, Ringnalda, Werkema,

MEMBERS ABSENT: Tietz (With Notice)

OTHERS PRESENT: Matt McKernan, Assistant Planner

II. CONSIDERATION OF MEETING AGENDA

None

III. CONSIDERATION OF MEETING MINUTES

January 9, 2019 – Regular Meeting Minutes

MOTION: By Member Ringnalda supported by Member Giarmo to approve the minutes for the January 9, 2019 Regular Meeting.

Ayes: Giarmo, Brew, Hilton, Ringnalda, Werkema

Nays: None

Abstain: None

Motion: Passed

IV. INQUIRY OF CONFLICT OF INTEREST

None

V. ADVERTISED PUBLIC HEARINGS:

1. 8121 Hanna Lake Avenue SE (A-R)

Dimensional variance to allow for construction of an accessory building with a 30 ft. front yard setback where a 60 ft. setback is required.

Jim Stegehuis, Owner of 8121 Hanna Lake Avenue

Stegehuis explained that he was building a house and accessory building on a property he owns at 8121 Hanna Lake Avenue. During the construction of his home, Stegehuis determined that placing the accessory building in its originally proposed location might impede the natural flow of water on his property. Stegehuis requested permission to relocate the accessory building to a location 30 feet from the east property line. The accessory building would be used for household storage. Recreational vehicles would be parked under two attached “lean-to” overhangs.

Assistant Planner McKernan explained that Stegehuis’ request required a variance because it would be located within 30 feet of the property line. Accessory Buildings are permitted in the front yard of

properties in the A-R zoning district provided they are setback at least 60 feet from the front property line and have a Type I landscape buffer. Stegehuis interjected that he disputed staff's assessment that the east property line was his front yard because his house faced south. McKernan explained that the zoning ordinance defined his east property line as his front yard as this was the location of the private access drive.

Chair Werkema opened and closed the public hearing at 7:30 pm.

MOTION: By Member Giarmo, supported by Member Brew, to enter the staff report dated March 6, 2019 into the public record.

Discussion: None

Ayes: Giarmo, Brew, Hilton, Ringnalda, Werkema

Nays: None

Abstain: None

Motion: **Passed**

ZBA members discussed the merits of the applicant's request. The ZBA determined that the applicant's request was self-created because he created the lot lines and chose the location of his house without fully considering the site layout. Additionally the ZBA determined that there were ways to mitigate the concerns about water runoff that would not require a variance.

MOTION: By Member Giarmo, supported by Member Ringnalda, and based on the findings of the staff report, to deny the applicant's request for a dimensional variance to allow for construction of an accessory building with a 30 ft. front yard setback where a 60 ft. setback is required.

Discussion: None

Ayes: Giarmo, Brew, Hilton, Ringnalda

Nays: Werkema

Abstain: None

Motion: **Passed**

VI. GENERAL DISCUSSION

VII. ADJOURNMENT

MOTION: By Member Giarmo, supported by Member Ringnalda to adjourn the meeting.

Ayes: Giarmo, Brew, Hilton, Ringnalda, Werkema

Nays: None

Abstain: None

Motion: **Passed**

Meeting Adjourned at 8:00 pm.

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from the March 13, 2019 Regular Meeting of the Gaines Charter Township Zoning Board of Appeals held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

Michael Alex Brew, Secretary
Gaines Charter Township
Zoning Board of Appeals

Dated: ,2019/2020