A meeting of the Spring Lake Township Zoning Board of Appeals was held at Barber School, 102 W Exchange St., Spring Lake MI 49456.

I. **Call to Order**
The meeting was called to order by Ketchum at 7:06 p.m.

II. **Approval of Minutes**
Motion by Terpstra, support by delaRosa-Pearn, to approve the minutes of the June 24, 2021 meeting as presented. The motion passed unanimously.

III. **Adopt Agenda**
Motion by delaRosa-Pearn, support by Terpstra, to adopt the agenda with the addition of VII Board Comments and VIII Discussion of Attached Garages. The motion passed unanimously.

IV. **Public Comment**
A time for public comment was provided. There were no comments.

V. **Paskus – Variance Request for Retaining Walls – 15777 Vine**
Eric Rosendall from Lakeshore Property Services presented the request. A waterfront accessory structure was approved in January. Rosendall stated he was under the impression that a variance would not be required for rebuilding the retaining wall. He designed and built the wall to exactly replace the existing failing wall. The steps were moved and landscaping was added to soften the look. The wall is 6.5 feet tall. Rosendall has now discovered a variance is required.

DelaRosa-Pearn stated the wall has been under construction for three months, and this request is just now being heard. Rosendall stated that after discovering the need for a variance, time was needed to get the application together, and then to wait for the meeting date.

Mierle asked why there was an expectation for no need for approval. Rosendall stated that in Grand Haven City he didn’t require approval, and expected that Spring Lake Township was the same.

The public hearing was opened at 7:19pm.

Tom Craig, 319 Mark St, asked if the wall would block anyone’s view. Rosendall stated that it would not, as the wall is at grade and the houses are all much higher. Craig stated he had no other objections.

Motion by Terpstra, support by Postmus, to close the public hearing at 7:21pm. The motion passed unanimously.
Board members reviewed the criteria for granting a variance. Consensus of the Board was that none of the six criteria were met.

Hill stated that he has a January 29 email with a question regarding the retaining wall. Hill stated he asked if the wall would comply with the ordinance. Rosendall misinterpreted the question as stating the wall was in compliance.

Board members agreed the wall was attractive, but did not find that the criteria for granting a variance were met.

Motion by Terpstra, support by Postmus, to ask the Township Attorney to draft a resolution of denial for review. A roll call vote was taken and the motion passed unanimously.


No additional information was received from the applicant. The hot tub deck has been removed from the property.

Motion by Ketchum, support by delaRosa-Pearn, to leave the matter on the table, and to direct Hill to contact the applicant regarding the application. A roll call vote was taken. The motion passed unanimously.

VII. Board Comments
Terpstra discussed the number of variance requests being received after the structure has been constructed with the Board of Trustees. They agreed that it is a problem, and that the contractors know the rules but are ignoring them. The Board agrees with issuing fines if necessary. They also agreed that more publicity may be helpful.

VII. Discussion of Attached Garages
Hill stated that the ordinance which restricts the size of attached garages does not have a definition of garage included. This makes interpreting the ordinance more difficult. After discussion, Board members directed Hill to ask the Planning Commission to develop a definition of garage.

VII. Adjournment
Motion by Terpstra, support by Mierle, to adjourn the meeting at 8:51pm. The motion passed unanimously.

Respectfully submitted,

George Postmus, Secretary
Zoning Board of Appeals