I. **Call to Order:**

The meeting was called to order by Ketchum at 7:01 PM

II. **Approval of Minutes**

October 28 and November 4 minutes were discussed. Terpstra specified that an email correspondence regarding the Garrison property at 18069 N Shore Estates Road was missing from the November 4 minutes. The email came from Jim Brady 18075 North Shore Estates Road.

Motion by Terpstra to approve the October 28 minutes as presented and to approve the November 4 minutes as amended. Second by TenCate. Passed unanimously.

III. **Adopt Agenda**

TenCate asked to add “ordinance reporting and enforcement” to the agenda. Ketchum asked to add “Jack’s winter absence” to the agenda.

Motion by Terpstra to approve agenda. Second by Postmus. Passed unanimously.

IV. **Public Comment**

A time for public comment was provided. No comments were made.

V. **May-Karman- Variance to expand an existing nonconforming structure at 306 N. Lake Avenue**

Danielle Karman presented plans to add a second story to the single-story 950 square foot home. The current setback of the home is 20’ 9” from the sidewalk. The primary objectives of the project are to provide opportunity to make structural changes to the nonconforming portion of the current home, provide space for an eating area and living room while maintaining 3 bedrooms, allow for a master bedroom and separate bathroom and closet, make the exterior of the home more uniform in size and style to the homes around it and provide an upgrade to the neighborhood. Danielle Karman stated that the home owners are therefore asking for a 17’6” setback variance. The 17’6” includes an 18-inch decorative roof over-hang.
Postmus asked if an engineering study had been done to determine if the existing foundation can support the second story. Danielle Karman stated that the project has not progressed to that stage; they intend to get an engineering study after zoning approval.

Ketchum stated that the cottage district front setback is 30 feet.

Terpstra stated that it was likely that the 18 inch decorative roof would have to be eliminated to get the home in line other homes on the street. Asked if the May-Karmans would be willing to do that. Danielle Karman stated that they would be willing to remove the decorative roof.

Postmus asked if the home was 26 or 28 feet in width. Karman stated that the home is 26 feet wide.

Ketchum asked if the couple had considered moving the home back. Karman stated that moving the home was cost-prohibitive. They have also considered chopping off a portion of the front of the home however, the couple wants to keep the kitchen.

Public Comment

Carrie Brown at 17169 Esther stated that she was appreciative of the fact that Karman-May removed the shed in the back yard.

Ron Stroup at 302 N. Lake stated that Karman-May are a great addition to the neighborhood and that they are ambitious and hard-working. Stroup stated that he supported the project and that Karman-May are already assets to the community. Stroup stated that the new home would be a significant improvement to the street.

Ketchum stated that the ZBA’s decision must be based on the legal criteria set forth in the zoning ordinance.

TenCate moved to close public comment. Second by Terpstra. Unanimously passed.

Mierle stated that the board may be seen as hypocritical if this variance is allowed to pass.

Hill stated that each property before the ZBA must be analyzed against the legal criteria in the zoning ordinance. In addition, the Karman-May request is not a side-yard issue; it is a front yard matter. A previous request for variance on Howard Street involved extremely narrow corridors between homes.

Postmus asked how far the front walls needed to be peeled back to make the walls 2 by 6 instead of the 2 by 4. Karman stated that the entire front wall needs to be re-built.

Postmus asked how much of the building needed to be torn down. Karman stated that the only wall that needs to be re-done is the front wall.
Jacob May stated that the reason the front wall needs to be 2 by 6 is to accommodate the cathedral ceiling.

Terpstra stated that she would like to allow the homeowners to have the decorative roof but she can’t justify it.

Hill stated that the variance is needed because the average setback is 22’ and the Karman-Mays are asking for 19’.

TenCate read section 335 A and B of the zoning ordinance.

Mierle stated that the ZBA exists for the “betterment of the township”.

Postmus asked if the homeowners have permits for the siding work that is underway. Karman said “yes”

Chairman Ketchum began to read the ZBA ordinance legal criteria.

The Board reviewed the variance standards in Section 112.1 of the Zoning Ordinance.

By consensus, the Board found that the existence of other homes in the area and the nature of the cottage district, extraordinary or exceptional circumstances or conditions for this property that do not apply to property in general in the same zoning district.

By consensus, the Board found the variance necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district.

By consensus, the Board found that the variance would not be a substantial detriment to adjacent property and would not materially impair the intent and purpose of the Zoning Ordinance or the public interest.

By consensus, the Board found that the condition of the property or its intended use is not of so general or recurrent a nature to make a general regulation in the Zoning Ordinance a reasonable practicality.

By consensus, the Board found that the practical difficulties encountered by this property are not self-created.

By consensus, the Board found that the enforcement of the literal requirements of the Zoning Ordinance would create practical difficulties for the applicant.

On the basis of the above discussion and the consensus findings of the Board regarding the standards in Section 112.1 of the Zoning Ordinance motion by Terpstra, second by TenCate. to approve the plans as presented, without the decorative roof. Roof and foundation must remain the same setback as the current home. If structural issues are found with the foundation that
prohibit the addition of the second story then this approval is void. The applicant will comply with any other local, state and federal laws. The applicant will comply with all verbal representations as reflected in these minutes.

A roll call vote was taken. Motion passed unanimously.

VI.  Enforcement of Ordinances

TenCate stated that he had concerns that the township ordinances are not being enforced.

Gallagher stated that he was very interested in feedback from the ZBA regarding ordinance monitoring and enforcement.

Hill stated that SLT now has an enforcement officer, Travis Schippers, to work with staff to create and deliver citations. There is a monthly enforcement meeting where non-compliance issues are discussed. The majority of the non-compliance issues are brought to the attention of staff by concerned residents.

ZBA members agreed that there needs to be additional monitoring.

VII.  Jack Ketchum’s absence

Ketchum stated that he would be gone for 3 months this winter. He said that he is willing to step down as chairman. No one agreed. The ZBA has a vice-chairman (TenCate) who will step in.

VIII. Terpstra resignation

Terpstra took the opportunity to state that she will be moving out of the township and as such, will no longer be a member of the ZBA, effective January 2022.

Meeting was adjourned at 8:50 PM.

Respectfully submitted,

George Postmus, Secretary
Zoning Board of Appeals