SPRING LAKE TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
JULY 28, 2022
BARBER SCHOOL, 102 W EXCHANGE, SPRING LAKE MI

Present: Ellen delaRosa-Pearn, Jack Ketchum, Larry Mierle, George Postmus, Tom TenCate
Absent: Stephen Trocke
Participants: Lukas Hill, Community Development Director

I. Call to Order

The meeting was called to order by Ketchum at 7:05 p.m.

II. Adopt Agenda

TenCate moved to adopt the agenda as presented. DelaRosa-Pearn seconded the motion, which passed unanimously.

III. Approval of Minutes

Dela-Rosa Pearn moved to approve the minutes of the June 23, 2022 meeting as presented. TenCate seconded the motion, which passed unanimously.

IV. Public Comment

A time for public comment was provided. There were no comments.

V. Sievertsen – Waterfront Setback Determination – 18295 N Fruitport Rd

Hill discussed the resolution prepared by the Township attorney from discussion at the June meeting. The condition regarding the open-air deck was included in the proposed conditions in the Community Development Director report. Board members agreed they had discussed the deck at the June meeting.

The Board discussed the waterfront setback line as described in the resolution and were satisfied it represented their decision.

Motion by dela-Rosa Pearn, support by TenCate to approve the Resolution of Determination, draft date 7/20/2022, as presented.

A roll call vote was taken. The motion was approved unanimously.
VI.  **Cooper - Waterfront Setback Determination – 15471 Oak Dr.**

Todd Cooper presented his request for an open-air deck on the water side of his house. His home is currently closer to the water than the calculated waterfront setback, so a variance is required. Cooper noted the home to the right of his is quite far from the water, which affects the waterfront setback.

The request is for a 10x24 deck. The home on the right will not be able to see the deck because Cooper’s house will block the view. The home on the left is closer to the water and will be in front of the proposed deck, which will not impact their view. The railing will be wire or glass, to minimize the impact on everyone’s views. Steps will be installed on the right side, so fewer steps will be needed.

The public hearing was opened at 7:21pm.

Edith Swart, 15452 Oak Point Dr, sent a letter supporting the request.

Motion by TenCate, support by Postmus to close the public hearing at 7:23pm. The motion was approved unanimously.

The Board considered the criteria for a waterfront setback determination.

Motion by Postmus, support by Mierle, to approve the waterfront setback as presented as the determined setback meets all of the criteria in Section 356, C, of the Zoning Ordinance with the following conditions:

a. Any future improvements, including the proposed deck, on the north side of the home shall remain open air with no enclosed walls or roof.

b. The applicant shall comply with any other local, state, and federal laws.

c. The applicant will comply with all verbal representations.

A roll call vote was taken. The motion was approved unanimously.

VII.  **Adjournment**

TenCate moved to adjourn the meeting at 7:28pm with support from dela-Rosa Pearn. With a unanimous vote, the motion passed.

Respectfully submitted,

George Postmus, Secretary
Zoning Board of Appeals