

**MINUTES OF THE REGULAR MEETING OF THE GEORGETOWN CHARTER TOWNSHIP ZONING BOARD OF APPEALS HELD MARCH 27, 1996**

The meeting was called to order at 7:30 p.m. by Vice-Chairman Bill Kotsifas.

**Roll call:**

Members Present: Greg Honderd, William Kotsifas, Henry Hilbrand, James LaPlante,

Merwyn Koster (arrived at 7:45 p.m.)

Members Absent: none

Others Present: Don VanDyke was present as Zoning Administrator,

R. J. Poel was present as secretary, and the applicants

**#960327-01 - Approval of the minutes**

The minutes of the regular meeting held on February 28, 1996, were presented.

**Moved by Hilbrand, seconded by Honderd, to approve the minutes for the regular meeting held on February 28, 1996.**

**MOTION CARRIED.**

**#960327-02 - (VAR9608)**

Georgetown Bible Church, 4114 Baldwin St., is requesting permission to

construct an accessory building with a floor area of 1500 square feet, a variance of 300 square feet from the permitted 1200 square feet in Sect. 3.4(E)(4)(b), and for the accessory building to be 15 feet in height, a variance of one foot from the 14 feet permitted in Sect. 3.4(G), on a parcel in a (RR) Rural Residential District, on property described by P.P.# 70-14-18-400-022, located at 4114 Baldwin St., in Georgetown Township, Ottawa County, Michigan.

Vice-Chairman Kotsifas introduced the request and opened the public hearing at 7:32 p.m.

Morris Hoving, 6951 40th Ave., explained that a variance for the additional square footage was not necessary because the parcel was more than 5 acres and that the additional height of one foot for the accessory building was necessary to store a bus.

**Moved by LaPlante, seconded by Hilbrand, to close the public hearing at 7:38 p.m.**

**MOTION CARRIED.**

**Moved by Honderd, seconded by Hilbrand, to grant the variance for the additional height of one foot, with the hardship that most churches use accessory buildings to store buses.**

Yeas: LaPlante, Hilbrand, Kotsifas

Nays: Honderd

Absent: Koster

**MOTION CARRIED.**

**#960327-03 - (VAR9609)**

Richard and Julia Buys, 7863 Lilac Dr., are requesting permission to have a fence

with a height of six feet, a variance of two feet from the permitted four feet in Sect. 3.8(C), on a parcel in a (LDR) Low Density Residential District, on property described by P.P.#70-14-15-248-010, located at 7863 Lilac Dr., in Georgetown Township, Ottawa County, Michigan.

Vice-Chairman Kotsifas introduced the request and opened the public hearing at 7:44 p.m.

Merwyn Koster arrived at 7:45 p.m.

Richard Higgins, 563 Kenney NW, Walker, represented the applicant. The fence has already been erected. Higgins stated that there are two major reasons for wanting to keep the fence at six feet: the neighbors and the junk in their yard. The neighbors have received notices from the Township for various violations. The neighbors sometimes turn on bright lights, which face the bedroom side of Buys' house, and play basketball. The ball sometimes goes in the Buys' yard and the noise makes it difficult for their children to go to sleep.

Julia Buys, 7863 Lilac Dr., stated that the light from the neighbors playing basketball shown directly into her 4 year old daughter's room.

**Moved by Honderd, seconded by Koster, to close the public hearing at 7:48 p.m.**

**MOTION CARRIED.**

**Moved by Honderd, seconded by LaPlante, to deny the request because there is no ordinance hardship.**

The conscences was that the hardship consisted of the difficulty with the neighbors, not anything that related to the zoning ordinance and the request does not fit the guidelines the ordinance stipulates for a variance. The problem was also self-created because the fence was constructed before the variance was granted. The violation problem is under the jurisdiction of the police, not the zoning ordinance.

Don VanDyke stated that 5 violation notices have been sent to the applicant's neighbors over a 2 year period. There is an ordinance regarding bright lights. Also, if a bad situation exists, the applicant should call 911.

**MOTION CARRIED.**

**#960327-04 - (VAR9610)**

Richard Orlik, 1575 Rosewood St., is requesting permission to construct a house

with a 15 foot front yard setback, a variance of 25 feet from the 40 feet required in Chapter 24, and to have a rear yard setback of 37 feet, a variance of 3 feet from the 40 feet required in Chapter 24, on a parcel in a (LDR) Low Density Residential District, on property described by P.P.# 70-14-23-101-013, located at 1575 Rosewood St., in Georgetown Township, Ottawa County, Michigan.

Chairman Koster introduced the request and opened the public hearing at 8:00 p.m.

Richard Orlik, 1575 Rosewood St., explained that his home sits 11 feet from the property line. The property for Westgate St. was donated to the Township. The proposed house is pre-fabricated and the dimensions are approximately 26 X 45 ft., plus an allowance for a garage to be added at a later date.

Phillip Berk, 7095 Westgate, was concerned with the fact that the proposed house was a modular home and with the close proximity to the road. He wondered if the proposed house would lower property values of the neighboring houses.

Orlik stated the proposed house is in the \$60,000 range, with a basement and plans for a future garage.

Yolanda Longstreet, 7036 Eastwood, resides behind the proposed house. She was concerned about the location of the house on the lot and if it would be in-line with the rest of the houses. The proposed house would be 3 feet closer to her lot line if the rear yard variance was granted. There was also a concern with the fact that the house would be modular.

Don VanDyke stated that modular homes have to be approved by the State of Michigan and have to meet the requirements of the ordinance.

The plan showed that the house would not stick out.

John Hamilton, 1634 Rosewood St., was concerned with the location of the propose house.

Keith VanLeer, 7100 Westgate, was concerned with the front yard variance, the proximity of the proposed house to the street, and, with the number of children in the area, the garage location so close to the street.

Orlik stated that the proposed house would be set back at least as far as his house now.

Honderd asked if the proposed lot would meet the requirements of the ordinance.

VanDyke stated that this would have to be figured and the lot, which is now only one, would have to be split into two to meet the requirements of the ordinance.

**Moved by Kotsifas, seconded by Hilbrand, to close the public hearing at 8:16 p.m.**

**MOTION CARRIED.**

LaPlante noted that back when the homes were built on this street the setbacks were different. He saw no problem with building the house even with the other houses.

Hilbrand stated that when the road went through, it was because Orlik gave the land and he was given rights to build. If he had built the house when the others were built the applicant would not have needed such a large variance.

Honderd said that at this time it is one lot and when he splits it, the lot might be a nonconforming lot. He also would be in favor of a house with less width. However, it was the consciences of the board that if the variance was granted, it should be enough to allow the applicant to build a house compatible with the others in the area.

**Moved by LaPlante, seconded by Kotsifas, to grant the 25 ft. front yard setback variance with the hardship being the bend in Westgate, which was created when the road was built.**

Yeas: LaPlante, Kotsifas, Hilbrand

Nays: Honderd, Koster

**MOTION CARRIED.**

**Moved by Kotsifas, seconded by LaPlante, to grant the variance of 3 ft. for the rear yard setback because the first motion passed for the front yard setback.**

**MOTION CARRIED.**

**#960327-05 - (VAR9611)**

Ottawa County School Employee's Credit Union, 195 Chicago Dr., is requesting

permission to construct a building addition and a covered canopy for a drive-in establishment with a 5 foot

rear yard setback, a 35.4 foot variance from the 40 feet required in Chapter 24 (existing structure is non-conforming), and to permit parking in the required front yard, a variance from the requirement in Chapter 24, footnote 1., on a parcel in a (CS) Community Service Commercial District, on property described as P.P.# 70-14-13-400-001, located at 195 Chicago Dr., in Georgetown Township, Ottawa County, Michigan.

Chairman Koster introduced the request and opened the public hearing at 8:18 p.m.

Peter Phinney, 557 Westen Ave. Muskegon, stated that the curb cut has been approved by Ottawa County Road Commission. There are no structures within 100 ft. of the building.

LaPlante stated that he did not think that the credit union was busy enough to warrant that large of an expansion.

The applicant stated that the credit union will be taking over the whole building and will have parking on what is now the computer side. This request will go to the Planning Commission if and when the variances are granted.

VanDyke explained the issue of the building being nonconforming because of the ordinance at the time it was constructed.

**Moved by Honderd, seconded by Hilbrand, to close the public hearing at 8:38 p.m.**

**MOTION CARRIED.**

Hilbrand felt it was a good use of the land.

Kotsifas asked if the canopy would be allowed to be covered.

VanDyke stated that he did not know at this time, but if they asked for an addition that was not allowed by the ordinance, the applicant would have to return with another variance request.

Honderd expressed a concern with the traffic so close to a major intersection and the exit ramps of the expressway.

Kotsifas asked about the traffic from Fables.

**Moved by Kotsifas, seconded by LaPlante, to grant the variance for the addition and the canopy with the hardship being the configuration of the lot and the railroad in the back, which does not allow them to buy any more land in the back.**

Yeas: LaPlante, Hilbrand, Kotsifas, Koster

Nays: Honderd

**MOTION CARRIED.**

**Moved by Koster, seconded by Honderd, to grant the variance for parking due to the configuration of the lot.**

Honderd was concerned with where snow removal will go.

Kotsifas expressed a concern with where people would park.

Yeas: LaPlante, Hilbrand, Kotsifas

Nays: Honderd, Koster

**MOTION CARRIED.**

**#960327-06 - Adjournment**

The meeting was adjourned by Chairman Koster at 8:56 p.m.