

**Courtland Township
Zoning Board of Appeals
Wed., June 14, 2017 @ 7 PM
Courtland Township Hall**

The regular meeting of the Courtland Township Zoning Board of Appeals was called to order by Chairman Al Rau @ 7:00 p.m. Members present were Rau, Brown, Mojzuk, Pastoor, and McIntyre. Attendance of others is attached.

Election of Officers: Chairman – McIntyre made a motion to nominate Al Rau for Chairman, supported by Mojzuk. Hearing no other nominations. All members voted yes. Motion carried.

Vice-Chairman – Motion was made by McIntyre to nominate Robert Pastoor as Vice-Chairman. Nomination was declined by Pastoor. Motion was made by Rau to nominate Michele Mojzuk as Vice-Chairman, supported by Pastoor. All members voting yes. Motion carried.

Approval of Agenda: The agenda was approved by a motion made by McIntyre, supported by Pastoor, with the change that #8 be heard as #7, and #7 to be #8. All members voting yes. Motion carried.

Minutes – November 9, 2016 Motion made by Mojzuk, supported by Rau, to approve the Nov. 9, 2016 meeting minutes as presented. All members voting yes, Motion carried.

Public Comment: None

Variance Request – David Hammingh, Jr./Steketee, DeFrell Builders, 7275 Peninsula Dr., A release from Sec. 5.04 District Regulations, Front, Rear, & Side Yard Setbacks, and Sec. 201, B-2 Non-conforming Existing Lots of Record.

Woody Steketee, with DeFrell Builders was present to note request. 7275 Peninsula Dr. is Mr. Hammingh, Jr. current residence. Their goal is to get an approved proposed area for setback & design the house to fit within those border lines. With the Township's current regulations a house could not be built on this lot. The proposal would bring the new house closer to the property lines to the side, proposed it back farther from the road to help with parking issues and leave plenty of distance from the road and away from the lake with the additional property that is technically his and used by him, but is abandoned property all around the lake from the original platted lots. They wish to improve the home as a single family residence for year around living. They like the lake living and it is a better place for his family to grow and get bigger. It is more of a cottage at this point.

A site plan of the existing home on the lot was provided with an over lay of the proposed location for a new home to be built was presented for the members to review. It will be the same distance from Harbor St. and a little closer to lot 44 as the

property is staked out. A 2 ft. over hang is drawn on the drawing. The house foundation will be another 2 ft. away.

Public hearing was opened to those in attendance @ 7:10 p.m. Dianne Bennett, 7247 Peninsula Dr. wondered if they were knocking down the existing residence and building a new one?

Neighbor, Steve Flachs, 7272 Peninsula Dr., questioned the set back as shown on the plans does not reflect the way the property is staked? Also questioned if there was an air conditioner or generator, if it was outside of the house dimensions, would it need to be identified as measured closer to the lot line? The Builder and the Flachs reviewed the site plan to verify where the exact position of the new house would be. The Builder also stated the air conditioner and generator will be built within the approved setback guidelines and nothing would be outside of those approved setbacks. A letter from Steve and Mary Flachs was noted for the record and placed on file.

Public hearing was closed by Chairman Rau. Board member comments were heard. McIntyre commented she was looking to fit the new home within the 10 ft. setback required for the side yards, front yard of 40 ft. and a home could be built on the site without a variance that would be 24 x 70. Members reviewed the site, because it is unique with two front yards. Brown suggested the roof tresses be considered for the height to help with height issues. Members were suggesting a smaller drip edge off the house to not have to request as much of a variance. Mojzuk was concerned with the snow plow removal and trash pickup area to be given allowance for that with the setback. She would also like to see the utility pole moved across the street. Mr. Hammingh stated he has never had an issue with snow plowing. They really do not plow down Harbor St. at all, so that is not an issue. He is proposing an 1800 sq ft house that is in line with several homes and many are much larger on the lake than that. He is trying not to block any views of the neighbors as much as possible.

Neighbor Nick Grutter, 7254 Harbor Dr., suggested a 1 ft. over hang.

Motion was made by McIntyre supported by Pastoor, to grant a 4 ft. variance on the North side of the property towards lot 44, the rest of the setbacks will be approved as requested per site plan as signed & dated for 6/14/17 to build within that foot print. All members voting yes. Motion carried.

Variance Request – David Hammingh, Jr./Steketee, DeFrell Builders, 7273 Peninsula Dr., A release from Sec. 5.04 District Regulations, Front, Rear, & Side Yard Setbacks, and Sec. 201, B-2 Non-conforming Existing Lots of Record.

Builder, Woody Steketee, stated this lot is currently vacant and across the street from his existing residence. This lot has three front yards with Harbor St., Triangle Ave., and Peninsula Dr. on three sides as shown. They have tried to keep the dwelling as much away from the roads as possible. They are proposing 700 sq. ft. on the main level of living area to comply with the zoning ordinance with extra living

Public hearing was opened by Chairman Rau. No comments were heard from the audience. Public hearing was closed by Chairman Rau.

Much discussion was held between members and applicant to compromise with the house location. If there was not variance granted there would not be a building site available. Members agreed a 24 ft. variance to the West towards lot 61, 26 ft. variance to the East on Triangle Ave, 30 ft., variance to Peninsula Dr. And 27'6" variance be granted on Harbor St. side.

Motion was made by McIntyre, supported by Mojzuk, to approve the foot print as noted for 7273 Peninsula Dr., with a 24 ft. side yard variance to the West, 26 ft. variance to the East, 30 ft. variance to the North (Peninsula Dr.) and 27'6" from the South (Harbor Dr.) as noted above and signed and dated on 6/4/17 by the Chairman, Builder and Zoning Administrator. All members voting yes. Motion carried.

Planning Commission Report – Rau noted a meeting was held in May in regards to Special Land Use, Site Plan Review, and Open Air Business for Eric Smith @ 11559 Stout Ave., and approved.

Township Board Report – McIntyre reported the Oaks Of Rockford representative gave an update on the status of the park and how they are growing, which has been very favorable.

Adjournment – Meeting adjourned @ 8:46 pm by a motion made by McIntyre, supported by Pastoor. Motion carried.

Respectfully submitted,

Colleen Brown

Colleen Brown, Recording Secretary
& Zoning Administrator