

**GRAND RAPIDS CHARTER TOWNSHIP
BOARD OF ZONING APPEALS
September 10, 2013**

A meeting of the Grand Rapids Charter Township Zoning Board of Appeals was called to order at 7:00 pm with the following present; Chair Ron Hall, Secretary George Orphan, Mark Prein, Jim Kubicek and Lee VanPopering. Also present were Township Attorney James R. Brown and Planning Assistant Kara Hammond.

1. Approval of May 14, 2013 minutes.

Lee VanPopering, seconded by **Mark Prein**, moved to approve the minutes as they were with no changes required.

Motion approved unanimously.

2. #2013-02 - Alan & Kathryn Armstrong - 2252 Dean Lake Ave.

Alan Armstrong, the applicant, gave a brief presentation;

- Desire to build an outbuilding, measuring 780 square feet, in an area requiring a variance
- Wanted to build an outbuilding for a long time on his property
- 5.5 acres on Shadow Lake
- Rear of home is immediately adjacent to Shadow Lake, no usable land on the rear of the home
- 2 stall garage, 26 x 30
- Purpose of the outbuilding is to store, and protect, odds and ends and an antique tractor
- Live on a long gravel lane, use the tractor to maintain the road
- Also may house a future motorhome
- Four factors:
 - o Exceptional circumstances: most properties in the R-1 district have a backyard or property to build an outbuilding - they are on a lake
 - o Protect and take out of public view the machinery that he is looking to store and protect
 - o Visually restore the integrity of the neighborhood - prepared a notice to neighbors and had them sign off
 - o Variance is needed to situate the garage in a useable and appropriate location - insufficient space to build in the rear of the home
- Drain field is to the east of the home
- Own the adjacent lot; 2254 Dean Lake (within the city boundary)

Lee VanPopering asked the applicant to show him on the site plan exactly where he would like to build the proposed garage. Lee also asked if any trees would have to come down. Alan Armstrong indicated on the site plan and map the area he would like to build the outbuilding and stated yes, some trees would have to be removed. Lee inquired about the distance between the proposed garage to the gravel road. Alan Armstrong stated 40 feet.

Ron Hall asked for clarification if that distance was from the road or property line. Alan stated the property line.

Attorney Jim Brown gave the legal report (and noted the request will have to pass with 4 votes in order to be approved).

Alan Armstrong noted the proposed outbuilding will not be in direct view from any other home after being built.

Ron Hall opened the Public Comment at 7:17 pm.
No one was present for the Public Comment.
Ron Hall closed the Public Comment at 7:17 pm.

Lee VanPopering noted the property is in a unique spot and no general regulation can be made to cover a request like this.

Mark Prein brought up a question about the private road; if it ever becomes a public road will the proposed outbuilding be far enough off the roadway, and questioned if they need to be concerned about a possible future road. Jim Brown stated it is the risk of the property owner to put the building there. Jim said if something were to ever be put in, it would be a private road and it would be a matter of the various owners coming to some agreement. Ron Hall suggested the applicant slide the proposed building to the north an extra 10 feet in case a private road should ever go in. Mark Prein asked the applicant if they have enough room to move the location of the garage. Alan Armstrong stated yes he could possibly move it back 50 feet. Jim Brown stated item 3(a) of the proposed resolution will include verbiage stating the distance the building will be from the property line.

George Orphan inquired about the style of the outbuilding and questioned if it would be complimentary to the house. Jim Kubicek stated the style did not appear to be out of character to what other buildings are around there. Alan Armstrong noted the outbuilding is intended to be blue.

Lee VanPopering, seconded by **George Orphan**, moved to grant the variance as described for the property located at 2252 Dean Lake Avenue, adopting the resolution by the Township Attorney with the additional condition that the outbuilding/garage shall not be closer than 50 feet north of the south property line.

Yes: Ron Hall, Jim Kubicek, Mark Prein, George Orphan, Lee VanPopering
No: None

Motion passes 5-0.

The meeting was adjourned at 7:28 pm.

Respectfully Submitted,
George Orphan