

**Vergennes Township
Zoning Board of Appeals Minutes
March 22, 2000**

A meeting of the Vergennes Township Zoning Board of Appeals was held on March 22, 2000 at the Vergennes Township Hall. At 7:00 p.m. the meeting was called to order by temporary Chairman Kerry Tap. Also present were Board members Bill Schreur, Scott Jernberg, Bob Humphries and alternate Roger Odell. Absent was Pete Gustafson, regular Chairman. The purpose of this meeting is to hear a variance request.

Approval of December 29, 1999 and January 5, 2000 meeting minutes: Motion to approve December 29 minutes by Roger Odell, seconded by Bob Humphries. All approved. Motion to approve January minutes by Scott Jernberg, seconded by Roger Odell. All approved.

The purpose of this meeting is to hear a variance request. Prior to starting the agenda, Scott Jernberg stated that he works with the applicant's son in business. He feels that he can be objective and serve as a member of the Board for the application presented. Odell feels that his serving may be construed as biased, and that Jernberg should not vote on the application. He would be open to Jernberg participating in the discussion. Humphries agreed with Odell, feels that Jernberg should not vote. Schreur did not think there was a great problem, but would be best if Jernberg did not vote, but would like him to participate with questions. With this issue settled, the floor was opened to the applicant. There were no people in the audience for comment.

The applicants, James and Kathleen Boersma of 3590 Murray Lake Lowell are requesting a variance from the height ordinance of not more than 16 feet for accessory buildings. They are proposing a gambrel roof 2 story structure with a peak height of about 30 feet. Mr. Boersma said he does not have a basement due to the proximity to the lake and has very little storage area. He has a large boat that he wants to store indoors and they are considering a motorhome in the future and would like to park that inside a structure. He stated that Erb said the building would be 30 feet high with 2 X 6 construction with either vinyl siding to match the house or dark siding to blend in with the trees. He stated there would not be any heating or plumbing, just electrical. They also would like to store "lake toys" in the structure.

Humphries stated that he believes that the lake district has a height restriction due to the small lots and their proximity to the lake for not blocking others views. He questioned if this structure would block anyone's view? Boersma answered that there is a large hill behind the house and the driveway and no ones view would be blocked. The neighbor to the south would only be able to slightly see the structure. It would be seen some from the lake, although there is a large cattail area before the lake water edge and some trees and shrubs.

Schreur asked how far the proposed building would be from the side lot line to the south and would there be room for another house to be built in that area in the future? Boersma answered that he thought it was about 75 to 100 feet and probably could not build there because it is swampy on one side of the driveway and the big hill on the other side.

Tap asked how far to the water's edge as there are a lot of cattails from the ground out to the open water. Boersma answered that the water was about 75-100 feet away. Tap asked Vandersloot whether this property could be split and what would the setbacks be? She answered that yes the property could be split, the lot size minimum is small, the parent parcel is 16 acres and the side lot line setback is 10 feet.

Odell asked what is the watermark setback? Answer was 30 feet. He stated that the height variance is nearly twice the ordinance limit, would there be any screening from the lake edge? Boersma answered that they would leave as much trees and shrubs as possible, but would likely be seen from the lake over the cattails. Odell is concerned about such a large building being that close to the lake and in view from people in boats. Boersma also stated that with the large hill behind the structure, there would not be a silhouette of the building, but would blend in with the hill and trees behind it. Odell also asked about building a longer building and not as high? Boersma answered that they want a classy appearing building without the pole barn look and going up in height is less costly to build. Odell fears that most of the trees on the lake edge will be removed to clear the area to build the structure.

Schreur asked about future splits, sewer line, what about other side of the driveway? Boersma answered that no sense to split because of the terrain and swamps except out by the road and their lot is not on the sewer line. Discussion on possibility of deed restriction on no more homes allowed from the area between the proposed structure and the side lot line to the south.

Humphries asked if any other districts had the 16 foot height restriction? Vandersloot answered that lake residential was the only one, the other districts were 35 feet. He thought the hill was a hardship.

Lengthy discussion on height, truss types, second story storage, garage door heights, redesigning the building to still get reasonable storage without such a high peak. Boersma stated that Erb said the peak would be 30 feet, he would be proud of a classy building and would not mind it being seen from the lake. The members want the exact height as it is not depicted on the drawing and maybe lake occupants would mind seeing it from the lake, that is unknown. Question about would the building be taller than the house? Discussion on whether it would be or not, it is not known for sure at this time. Question of if the lot were split, could a 35 foot house be built there? Vandersloot said yes that would be possible as long as the setbacks and lot area could be met.

Odell read through the Variance Ordinance requirements. His opinion on #1 is yes, #2 is no, #3 he has a problem with people seeing it from the lake. Boersma stated that both of his neighbors have accessory buildings. Odell stated that why give a variance for nearly double the height on a 16 acre lot just because they want to locate it in this one spot? He realizes this is the most convenient spot for the homeowner, but other areas could be utilized.

Questions: Is whole lot in Lake District? Vandersloot stated yes. Could land be all split up in 10,000 square foot lots? Vandersloot stated yes, if requirements such as lot area, setbacks, etc. were met.

Lengthy discussion on compromise of height versus view such as taking out some of the hill to locate the building there, other truss styles, longer building, more than one building, other plans available at other lumber yards, etc..

Odell motioned to table until the Boersma's can come back with other alternative drawings that are not double the height ordinance and that lot area is not a consideration of going higher than ordinance (double), or that the exact dimensions of the proposed drawings be brought back. Odell thinks we are setting a precedent if we approved this building and he would vote no as presented. Jernberg agreed there are other alternatives. Schreur would prefer one building rather than multiple ones. Humphries stated that the Boersma's can probably perceive which way the members are leaning toward on a vote.

Mr. Boersma stated that if they built the building into the hill, then the garage doors would be visible to the lake. Odell said that all the trees on the lake side of the driveway would remain though as screening.

Discussion on motion to table meeting versus applicant withdrawing request as presented and coming back at no charge with additional dimensions or another plan at less height. Noted that if they voted no now, the applicants would have to pay the fee again for a new application with a new plan. The Boersma's stated they would withdraw the application and come back with more information or another plan. Odell withdrew his motion. Discussion on possible meeting date to resume meeting. March 29, a week away was convenient to all the members, except Odell stated he would check his schedule and he would call the hall for verification if he could attend on that date. Discussion on if they could meet that soon, publishing or noticing requirements. Vandersloot said she would check on that.

Motion to adjourn by Humphries, seconded by Odell at 8:39 p.m.

Minutes by Jeanne Vandersloot
Substitute Recorder