

Casco Township Zoning Board of Appeals
April 27, 2017 @ 7:00 PM

Members present: Chairman David Hughes, Sam Craig, Matt Hamlin, Paul Macyauski, and Matt Super

Also Present: Martin Detmer, applicant

Staff Present: Janet Chambers Recording Secretary, Alfred Ellingsen, Zoning Administrator

The meeting was called to order at 7:00 PM.

After review of February 23, 2017 minutes a motion by Hamlin, supported by Super to approve minutes as written. All in favor. MSC.

A request from Martin Detmer, 501 Forest, Glen Ellyn, Illinois 60137 for a variance from Section 3.28B1d(1) which requires a minimum front yard setback of 25 ft. The applicant wishes to construct an addition no closer than the existing two wings on the house, which is 9 ft. from the south side wing and 11.9 ft. from the north wing. Therefore, the variance from Edgewater Terrace is 16 ft. The parcel in question is located at 1118 Edgewater Terrace, South Haven, MI 49090 (Parcel #0302-180-151-00) in the Low Density Residential Zone.

Mr. Detmer explained that his existing cottage, in the Glen Shores area, is a U shape with 2 wings protruding out on the front (road side) of his home. He wishes to close in the area between the two existing protrusions, therefore not coming any closer to the road than the existing footprint is presently. The new structure will be 10 x 20 (287 sq. ft.) The lot is just over 11,000 sq. ft. Detmer stated the total structure, after the addition, would not cover more than 25% of the total lot. Detmer spoke to his neighbor, Jean Johnson, who was supportive.

Chairman Hughes said that even if the dimensional variance is granted, Detmer will need a drawing for the permit.

There was no public comment.

After review of answers from Detmer's application on Review Standards, a motion by Hamlin, supported by Craig to grant the 16 ft. variance from the required 25 ft. front yard setback. All in favor. MSC.

Dave Hughes
Dave Hughes, ZBA Chairman

Sam Craig
Sam Craig, ZBA Secretary

4-27-17
Date

4 | 27 | 17
Date

Minutes prepared by Janet Chambers, Recording Secretary

Attachment 1: Public Notice, in South Haven Tribune April 9, 2017

Attachment 2: Application

Attachment 3: Map of lot location

Attachment 4: Drawing of structure location on lot

A motion by Super, supported by Macyauski to adjourn. All in favor. Meeting adjourned at 7:32 PM.

CASCO TOWNSHIP

NOTICE OF PUBLIC HEARING & SPECIAL MEETING

The Casco Township Zoning Board of Appeals will hold a public hearing Thursday, 27 April 2017 at 7:00 pm at the Casco Township Hall at 7104 107th Ave., South Haven, MI 49090 to deliberate the following request for a variance from the requirements of the Casco Township Zoning Ordinance:

A request from Martin Detmer, 501 Forest, Glen Ellyn, Illinois 60137 for a variance from Section 3.28B1d(1) which requires a minimum front yard setback of 25 feet. The applicant wishes to construct an addition no closer than the existing two wings on the house, which is 9 feet from the south side wing and 11.9 feet from the north wing. Therefore, the variance from Edgewater Terrace is 16 feet. The parcel in question is located at 1118 Edgewater Terrace, South Haven, MI 49090(Parcel #0302-180-151-00) in the Low Density Residential Zone.

The Zoning Board of Appeals may modify any of the variance requests to comply more fully with Section 20.08 and to make findings based upon competent, material and substantial evidence.

The applications and any pertinent information may be viewed at the Township Hall at 7104 107th Ave., South Haven, MI 49090 during regular office hours. Written or faxed comments may be made to the address above or numbers below and oral comments may be made in person at the hearing. Necessary and reasonable aids for disabled persons will be made available with sufficient notice to the Clerk.

**Cheryl Brenner
Clerk
Phone-269/637-4441**

**Alfred J. Ellingsen
Zoning Administrator
Fax-269/639-1991**

(Please place in the South Haven Tribune for publishing on 9 April 2017)

ZONING BOARD OF APPEALS - CASCO TOWNSHIP
7104 107th Ave., South Haven, MI 49090 (Ph.-269/637-4441; Fax- 269/639-1991)

Application to the Zoning Board of appeals to authorize a variance from the requirements of the Zoning Ordinance.

TO THE ZONING BOARD OF APPEALS:

Request is hereby made for permission to:

Extend X

Use _____

Erect _____

Convert _____

Alter _____

Parcel # 0302-180 - 151 - 00

Contrary to the requirements of Section (s) _____ of the Zoning Ordinance, upon the premises known as 1110 Edgewater Terrace, South Haven and described as: Lots 151 & 152 of Elena Street Subdivision recorded (attach legal description) in Liber J of Plats, page 42 of Allegan County Records,

The following is a description of the proposed use:

1. Name of applicant: Martin J. Detmer, Jr.
Address: 501 Forest Ave., #604 Phone: 630-308-1835
City Glen Ellyn State IL Zip 60137
Fax: N/A

2. Interest of Applicant in the premises: owner

3. Name or Owner: Martin J. Detmer, Jr.
Address: 501 Forest Ave., #604 Phone: 630-308-1835
City Glen Ellyn State IL Zip 60137
Fax: N/A

4. Size of property to be effected by the variance: 0.26 Acres (11,044.6 sq. ft.)

5. Proposed use of building and/or premises: R-2 L0 (residential)

6. Present use of building and/or premises: Home

7. Size of proposed building or addition to existing building, including height: Existing Building Size: 1395 sq. ft. Proposed Building Size: 1682 sq. ft.
Existing Building Height: 15 ft. Proposed Building Height: 15 ft.

8. Has the building official refused a permit? NO

9. If there has been any previous appeal involving the premises; state the date of filing, nature of appeal and disposition of same: (use separate sheet) N/A

Date: 3/1/17
Martin J. Detmer Jr. Signature of Applicant

Notes: Incomplete applications will be returned to the applicant.

This application must be accompanied with a fee of \$ 250.00 payable to Casco Township.

ADDITIONAL INFORMATION FOR APPLICATION TO BOARD OF APPEALS

Since a variance cannot be authorized by the Board of Appeals unless it finds reasonable evidence that all of the following conditions exist, it is imperative that you give information to show that these facts and conditions do exist.

(Reference Section 20.08 of the Zoning Ordinance for additional requirements).

1. Granting the variance will not be contrary to the public interest and will ensure that the spirit of the Ordinance is observed. Correct. 1) Structure will retain $\approx 25\%$ of total lot coverage.
2) Structure will not move closer to Edgewater Terrace
3) Roof elevation will remain at 15 feet.

2. The variance is being granted with a full understanding of the property history.

Correct.

3. Granting the variance will not cause a substantial detriment to property or improvements in the vicinity or in the district in which the subject property is located.

Correct. 1) Structure will retain $\approx 25\%$ of total lot coverage.
Current lot coverage = approx. 13% / Proposed lot coverage = approx. 16%
2) Structure will not move closer to Edgewater Terrace
3) Roof elevation will remain at 15 feet

4. The variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for those conditions reasonably practicable.

Correct.

5. That there are practical difficulties in the way of carrying out the strict letter of these regulations which are caused by exceptional or extraordinary circumstances or conditions applying to the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the vicinity in the same Zoning District. Exceptional or extraordinary circumstances include:

- a. Exceptional narrowness, shallowness or shape of a specific property on the date of this Ordinance;
- b. Exceptional topographical conditions;
- c. By reason of the use or development of the property immediately adjoining the property in question;
- d. Any other physical situation on the land, building or structure deemed by the ZBA to be extraordinary.

Correct. The proposed addition will fill in a section of open area between two existing structural points.

- 6. That granting the variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity in the same Zoning District.

Correct. Adjacent properties have been granted variances. In some cases, the variance moves the structure much closer to the County Road than what is being proposed.

- 7. That the variance is not necessitated as a result of any action or inaction of the applicant.

Correct.

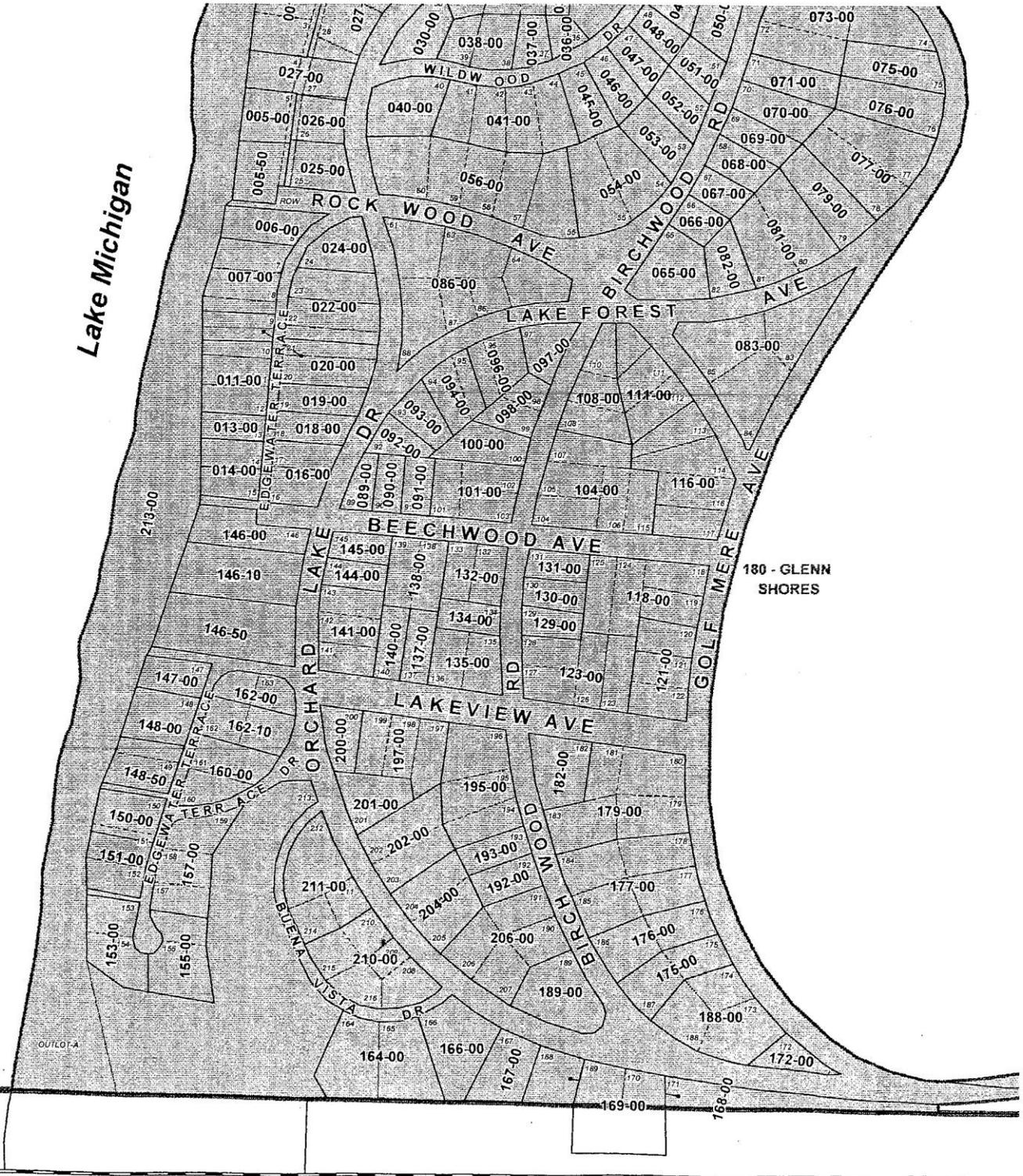
- 8. The variance, if granted, would be the minimum departure necessary to afford relief.

Correct.

- 9. If involving a platted subdivision, that there is no practical possibility of obtaining more land and the proposed use cannot be located on the lot such that the minimum requirements are met.

Correct.

Lake Michigan



180 - GLENN SHORES

