

**CASCO TOWNSHIP  
ZONING BOARD OF APPEALS**

**Agenda**

**Monday June 14, 2021 7:00PM**

Casco Township Hall  
7104 107<sup>th</sup> Ave. South Haven MI 49090

**Covid restrictions apply – masks are required and social distancing**

1. Call to Order, Roll Call
2. Approval of agenda
3. Public comment (non-agenda items)
4. New Business
  - a. Variance request James Reynolds 880 Blue Star 02-062-009-10 side yard setback; north 15ft of relief and south 20ft of relief; required 25ft.  
open public hearing
    1. Applicant explain request; ZA staff report
    2. correspondence
    3. audience for / against comments
    4. any further discussionclose public hearing
  - b. Discussion / decision of variance request
5. Old Business
  - a. anything else that may come before the ZBA
6. Public comment
7. Approval of previous minutes – May 24, 2021
8. Adjournment

**CASCO TOWNSHIP, ALLEGAN COUNTY**  
**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of Casco Township will conduct a public hearing and regular meeting concerning the following matters on Monday, June 14, 2021 at 7:00 p.m. at the Casco Township Hall, 7104 107<sup>th</sup> Ave, South Haven, MI 49090, within the Township.

PLEASE TAKE FURTHER NOTICE that the items to be considered at said public hearing include the following:

James & Cecelia Reynolds of Villa Park IL have petitioned for a dimensional variance at 880 Blue Star (0302-062-009-10) to build a home to replace existing home about to fall off bluff on Lake Michigan; required side yard is 25ft; request 15ft relief on north side line and 20ft of relief on south line.

Any other business that may come before the zoning board of appeals

PLEASE TAKE FURTHER NOTICE that the application packet can be reviewed at the Township Hall during regular business hours of regular business days at 7104 107<sup>th</sup> Ave, South Haven.

PLEASE TAKE FURTHER NOTICE that written comments will be received from any interested person concerning the foregoing by the Township Clerk at the address set forth below, during regular business hours of regular business days or by mail to the Township Clerk at the address set forth below, up to the date of the hearing and will also be received by the Zoning Board of Appeals at the hearing.

Casco Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the hearing upon seven (7) days notice to the Casco Township Clerk. Individuals with disabilities requiring auxiliary services should contact the Casco Township Clerk at the address or telephone number listed below.

Cheryl Brenner  
Casco Township Clerk  
7104 107<sup>th</sup> Ave, South Haven MI 49090  
269-637-4441  
[cascoclerk@gmail.com](mailto:cascoclerk@gmail.com)

Tasha Smalley  
Zoning Administrator  
1-800-626-5964  
[mtsallegran@frontier.com](mailto:mtsallegran@frontier.com)

Memorandum: Casco Township Zoning Board of Appeals  
Date: May 24, 2021  
From: Tasha Smalley, Zoning Administrator  
RE: STAFF REPORT - Variance request – side yard setback

**Meeting date: Monday June 14, 2021 7:00PM**

Owner: James and Cecilia Reynolds  
Mailing Address: 519 S Illinois Ave, Villa Park IL 60181

Subject Property: 880 Blue Star Hwy  
Parcel #: 0302-062-009-10

LR-A Lakeshore Residential District

7.03 District Regulations

Minimum lot area – 30,000 sq ft

Minimum lot width – 125 feet

Front setback – 50 feet

Water side – EGLE setback

Side setback – 25 feet

Rear setback – 50 feet

Maximum building height 35 feet

Analysis

Property 0302-062-009-10 is a legal non-conforming lot of record  
Lot area:  $45 \times 660 = 29,700$

The applicant is requesting a variance from both side yards to build a home to replace the home about to fall into Lake Michigan. The lot is 45ft wide. Request is for 15ft of relief on north side (to be 10ft) and 20ft of relief on south side (to be 5ft).

7A.03 District Regulations – side yard 25ft

Email mtsallegan@frontier.com with questions

### Casco Township Zoning Board of Appeals

7104 107<sup>th</sup> Ave., South Haven, MI 49090 Zoning Administrator: 269-673-3239

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:             | Use:                             |
| Erect: <b>House</b> | Convert:                         |
| Alter:              | Parcel #: <b>0302-062-009-10</b> |

Contrary to the requirements of Section(s) 7A.03 Sollyard of the Zoning Ordinance, upon the premises known as **880 Blue Star Highway South Haven MI 49090** and described as:

**THE N 45' OF THE S 114.50' OF THE N 524. 80' SE 1/4 ALSO COM AT E 1/4 COR TH S 410.3' TH W 208' TO POB TH CONT W 161' TH N 07 DEG 35' 40" E 15.13' TH E 159' TH S 15' TO POB SEC 12 T1N R17W**

**(2013).** (attach legal description) **The following is a description of the proposed use:**

Name of Applicant (if different from the owner) \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

**Interest of Applicant in the premises:**

Name of Owner(s) **James and Cecelia Reynolds**

Address **880 Blue Star Highway** Phone **630-291-3443**

City **South Haven** State **MI** Zip **49090**

Email **jmreynolds9091@gmail.com**

Approximate property dimensions, size **45 ft Width X 660 ft Depth**

Proposed use of building and/or premises **House**

Present use of building and/or premises **House 38 Ft Width X 40 ft Depth and Garage 22 ft Width X 31 ft Depth**

Size of proposed building or addition to existing building, including height **30 ft Width X 40 ft Depth X 28 ft Height**

Has the building official refused a permit? **No**

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

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.

**\_\_ Variance is being requested because of severe erosion. 30 ft has been lost in the past year and a total of 60 ft lost in the past 10 years due to erosion. Existing home is now only 10 ft from the Bluff. We believe that granting the variance is in the public interest and ensures that the spirit of the ordinance is observed. \_\_**

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

**\_\_ Existing house and garage were built in the existing location, on the existing lot, on the existing lot in 1947, 74 years ago. Variance is being requested with a full understanding of the property history. \_\_\_\_\_**

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.

**\_\_ Existing house is only 10 ft from the Bluff due to severe erosion. New house will be built closer to Blue Star Highway safely away from the Lake Michigan erosion. Granting the variance will not cause a detriment to the property. \_\_\_\_\_**

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 practical.

**\_\_ The severe erosion necessitates the variance request to position the new house away from the Lake Michigan and closer to Blue Star Highway. \_\_\_\_\_**

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 property, that do not generally apply to other property or uses in the vicinity in the same zoning district. Exceptional or extraordinary circumstances include any of the following:

- 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.

**\_\_ Exceptional narrowness of the lot, 45 ft width, necessitate the request for variance. \_\_\_\_\_**

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.

     Variance is necessary to resolve issue caused by severe Lake Michigan erosion.     

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

     Variance is not necessitated by any action or inaction of the applicants. Variance is requested due to severe Lake Michigan erosion.     

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

     The existing house is 38 ft wide. The variance being requested is to build a new house 30 ft wide, 8 ft narrower than the existing house. We are requesting a ten feet side setback on the north boundary and a five feet side setback on the south boundary. This is the minimum departure necessary to afford relief.

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.

     There is no practical possibility of obtaining more land. The proposed use cannot reasonably be located on the lot such that the minimum requirements are met due to the narrowness of the lot.     

Signature of Applicant & Owners (all owners must sign)

     *James M. Reynolds*     

     *Cecilia J. Reynolds*     

Date 05-12-2021

*Note: Incomplete applications will be returned*

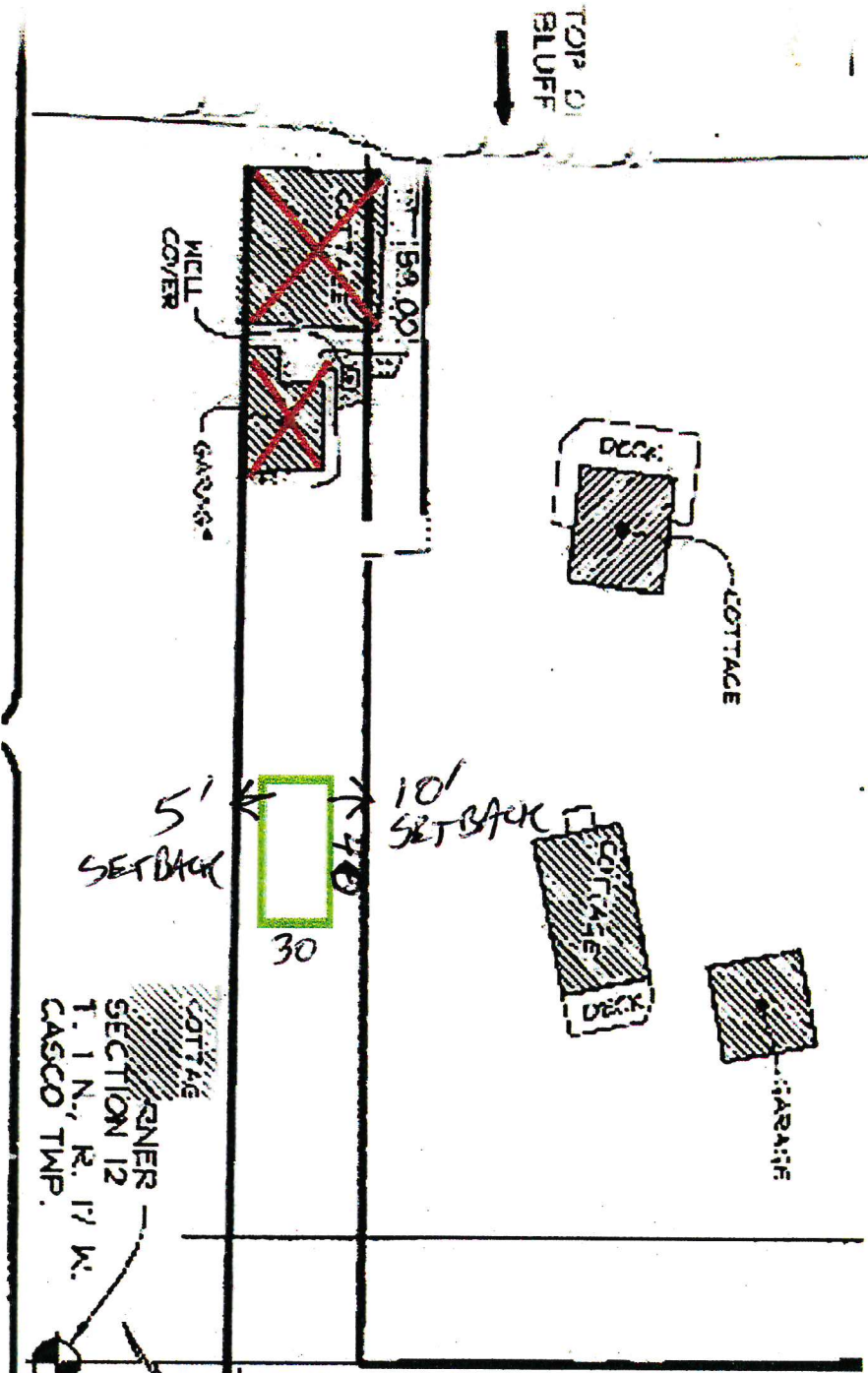
LAKE MICHIGAN

W

EXISTING HOSES AND APPROPRIATE WITH RED X TO BE DEMOLISHED

S

N



LOT 45' WIDE E

BLUE STAR HIGHWAY

