

Polkton Charter Township
Zoning Board of Appeals Minutes (Unapproved)
March 10, 2022

Members Present: Tim Alt, Kelly DuBois, Leah Spinner, Sheryl Koning

Members Absent: Marlin VandenBrink

Other Attendees: James Kloote (9310 Oriole Dr. Coopersville), Jody Bourque (9310 Oriole Dr. Coopersville), Don Jablonski (9366 Oriole Dr. Coopersville), Jessica Murphy (5020 Garfield Coopersville)

Chairperson Alt called the meeting to order at 7:01 PM.

1. ZBA members introduced themselves to the audience.
2. Approval of Agenda. Motion by Koning, supported by Spinner to approve the agenda as written. Vote taken—all ayes—motion carried.
3. Minutes of the September 9, 2021 Meeting: Motion by Alt, supported by Koning to approve the revised version of the minutes from DuBois. Vote taken—All ayes—Motion carried.

Variance Request #1: James E. Kloote
9310 Oriole Drive
Coopersville, MI 49404

Applicant has submitted a request for a variance to allow an accessory building in front of a primary residence in a riverfront property. Applicant also requests a dimensional variance to allow the accessory building to have a height of 20' 10 3/16" and a dimensional variance for a total 1280 square foot area (exceeding the 1200 maximum). Building to be located on a parcel that is approximately 12.6 acres. Parcel is commonly known as 9310 Oriole Dr., zoned R-2, parcel 70-93-66-100-026.

legally described as:

PART OF NW ¼ COM S 01D 23M 03S W 980.21 FT (R) S 01D 20M 46S W 980.21 FT (M) TO CEN LI OF ORIOLE DR & S 69D 15M E 713 FT (R) S 65D 53M 45S E 713 FT (M) ALG CEN LI OF ORIOLE DR FROM NW SEC COR, TH S 69D 15M E 593 FT (R) S 65D 53M 45S E 587.12 FT (M) ALG CEN LI OF ORIOLE DR, S 38D 45M 08S W 1076 FT TO INTERMEDIATE TRAVERSE LI, TH S 38D 45M 08S W 14 FT M/L TO WATERS EDGE OF GRAND RIVER, NWLY 500 FT M/L ALG SD WATERS EDGE TO A PT S 34D 28M 55S W 951.26 FT M/L FROM BEG, N 34D 28M 55S E 35 FT M/L TO INTERMEDIATE TRAVERSE LI, TH N 34D 28M 55S E 916.26 FT TO BEG. SEC 6 T7N R14W

Public Hearing: Chairperson Alt opened the public hearing at 7:04 PM and explained the rules for public comment.

Mr. Kloote presented his request. He would like to build a detached accessory building between the primary residence and Oriole Dr. There was a goat barn there previously that was demolished when he built the primary residence. He would like to build an accessory building on the same site.

Public Comment/Written Correspondence: No written comments were received. Don Jablonski (neighbor) has no problem with the proposed plan. His property would be the most likely to be impacted by what Mr. Kloote wants to do and he supports the plan.

Chairperson Slater closed the public hearing at 7:06 PM.

Board Discussion: Applicant is seeking three variances from ordinance 4.11: Accessory building will be located closer to the front lot line than the primary residence. Height of the accessory building will be 20' 10 3/16", exceeding the maximum 18 ft height. Area of the building will be 1280 square feet, exceeding the maximum 1200 square feet. He was previously approved for a similar request but was unable to complete construction during the allotted time.

Board compared notes on site plan. All were in agreement about the items that did not satisfy the ordinance in the site plan (see below). Koning moved, with support from Alt to forego the formal site plan review because the applicant has previously had a site plan review for the same building at the same location.

Site plan: site plan per ordinance Section 16.A.03. Items 1-4 were met, 5 was waived, 6 was met, 7-12 were waived, 13 was met, 14-15 were waived, 16 was met (completion prior to Dec. 2022), 17 was met (motion contingent), 18 was waived, 19-23 were met (with additional information provided by applicant), 24 was waived, 25 was met (with additional information provided by applicant), 26-29 were waived, 30 was met. Board then reviewed Section 16A.04. Item A was waived, B through E were met, F through H were waived, and I was met (motion contingent).

Section 8.04: (as the Kloote property is in R-2 zoning.) Items A-D were met. Section 8.05 was waived. Section 4.11: item A2 was met, A4a through A4c were met, A5 and A6 were met, B1 was not met, B2 was met, B3 was met, B3a and B3b were not met, B4a through B4f were met.

Board discussed variance request. Since this was previously approved and the closest neighbors are in support, the ZBA was supportive of this proposal.

As a result, the following motion was made:

Motion: Motion was made by Koning and supported by Alt to approve the three variances from Section 4.11; allowing construction of a 1280 sq. ft. (40' by 32') accessory building with a maximum height of 20' 10 3/16" closer to the front lot line than the primary residence, per the submitted plan. Buildings cannot include any living quarters for human beings. Approval is contingent on the accessory building being compliant with Township lighting ordinance Section 23.04. Vote taken—All ayes. Motion carried.

Other ZBA Business

The ZBA is still looking for an alternate member.

Motion to adjourn by Koning, support by Alt. Vote taken—All ayes. Motion carried. Meeting adjourned at 7:28 PM.

Next regular meeting is June 9, 2022 (if required).

Submitted by K DuBois, ZBA Secretary

