

**Port Sheldon Township Board of Appeals Hearing
Meeting Minutes for August 3, 2022**

Call Meeting to order: @ 4:30 pm

Attendance: Bobby Forrest, Rachel Frantom, Brian VanBeveren, Ryan Capson (ZA) Absent- Steve Grilley. Also attending: Eric and Kim Yee Haab, Prep and Dawn Kragt

Item 1. The request of Eric Haab for a variance from Section 4.03, 14.05, 5.04 of the Port Sheldon Township Zoning Ordinance – Parcel # 70-11-16-392-011 and 70-11-16-392-005 Address – 17429 and 17432 Ottawa Trail West Olive Mi 49460.

Opened the public hearing at 4:31pm

Applicant Eric Haab explained that his current home is on a 50' nonconforming lot. The property has been in the family for over a 100 years. They would like to make improvements to the home including being able to park cars on the lot. Current lot size does not allow for this and they are requesting a lot line adjustment with the property owners to the north (17429 Ottawa Trail). By purchasing 25 feet it will increase the road frontage to 75 feet on 17432 Ottawa Trail and reduce from 100' to 75 feet on 17429 Ottawa Trail. If approved, it would allow the homeowner to make improvements that include parking on the property instead of the road, which is very narrow and a road end.

Public Comments: Dawn Kragt brought a packet of information about the parking at the road end of Ottawa Trail. Prep Kragt asked if the applicant would be making 1 lane or 2 lanes for parking.

Applicant explained that they would like to have 2 car width for parking, but they need to work with Egle for permits in critical dune area.

Kim Yee expressed a point of fact about parking in Dawn Kragt's package. The chairman pointed out that parking is an association issue and not what the board was addressing with the application request.

Public Hearing closed 4:50 pm

Board Discussion: Board reviewed the application and discussed if a fact-finding sheet for each variance request. 4.03 is a provision on required area or space and 14.05 is non-conforming lots, both are the reason for the request of a lot line adjustment. 5.04 is the minimum lot area and lot width and this property is below the requirements which makes it a non-conforming lot.

A motion was made to approve the variance for property line adjustment as stated in the July 12, 2022 purchase agreement due to the 4 standards below.

- A. PSBA was developed in 1906 and predates zoning requirements, making this property a nonconformance.
- B. This is an old lot of record and per Township attorney, "to increase the nonconformity of one lot in order to increase the conformity of another nonconforming lot could be a legitimate purpose, if the results s that the tow nonconforming lots are each more reasonably useable than they would be without the variance".
- C. Lot is nonconforming due to platted before zoning was in place .
- D. House was built as a cottage in the 60's and not set up as a residence. The applicant would like to add on site parking and possibly a garage and would need more property to make this happen. Many newer homes in PSBA that have been able to build new homes on small lot of record properties.

Motion by Brian Van Beveren and second by Rachel Frantom. The motion passes as shown by the following votes: Yeas: 3 No: 0

Item 2: Review the meeting minutes for 7/6/22 public hearing.

Motion by Bobby Forrest to approve meeting minutes from 7/6/22 public hearing. Second by Brian Van Beveren. The motion passes as shown by the following votes: Yeas: 3 No:0

Meeting adjourned: @ 5:50 pm

Rachel Frantom – Secretary

Bobby Forrest – Chairman