

**WATERVLIET CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
MEETING AND HEARING MINUTES
JUNE 11, 2021**

Site Address: 5223 Park St.

Property #: 11-21-0970-0055-00-5

Variance Requested by James and Gloria Frazier

Request: The property currently has a small home that has been abandoned for residential use. The Frazier's would like to demolish the home and replace it with a 24'X40' garage. The planned structure would bring the Park St. setback to within 20 feet of the right-of-way line. The Lakeshore Dr. setback would be within 19 feet of the right of way line and both side yard setbacks would be 5 ½ feet from the side yard lot lines.

Watervliet Charter Township Zoning Ordinance No. 77, Article V - Schedule of District Regulations; Section 5.12 - Yard, Height and Lot Size Requirements for Principal and Accessory Uses mandates a road side setback in this district of at least 35 feet and a side yard setback of 10 feet. As such, in order for this structure to be built as planned, the Fraziers are requesting a road side setback variance from Park St. of 15 feet, a road side setback variance from Lakeshore Dr. of 16 feet and a variance from both side yards of 4 ½ feet.

Present: Robert Wallace, Deane Fizzell (Alternate), Deanna Heminger (Alternate), Carl Spessard, Mark Vander Linden, Thys Van Hout, Steve Myers.

Also Present: James and Gloria Frazier, John Gibson, Daniel Frieling

Chairman Spessard called the hearing to order at 2:00 p.m.

Roll Call was taken.

At 2:02 p.m., C. Spessard entertained a motion to close out of the regular meeting and enter into the scheduled public hearing. R. Wallace made a motion to close out of regular session and enter the public hearing. S. Myers seconded and the motion carried.

At this time Spessard requested a reading of the full request.

R. Wallace asked the Fraziers that since the existing structure appears essentially the same size of the proposed garage, did they consider just building the new garage in the existing legal non-conforming foot print? J. Frazier replied that they were cognizant of

their ability to chose that option, or even convert the existing structure into the garage but, upon inspection of the structure Frazier stated, due to its condition, there was no possibility of doing that. Frazier continued by stating the existing structure is 20'X 33'and is smaller than the planned 24'X 40' he stated he needed. He further added that he wished for the new structure to be centered on the lot and noted that it will be close to the size and appearance of the contiguous structure to the east.

Wallace noted that there is currently a recreational vehicle parked on the site and is the intent for it to be parked inside the new structure, if approved. Frazier stated it would not be parked inside as there would not be enough room.

S. Myers asked Frazier which frontage is the garage entrance intended to be on. Frazier stated the entrance will be on the Park St., or lake side, frontage. Myers stated he did not believe there would be adequate room to safely park vehicles between the planned location and Park St. and suggested, perhaps, moving the structure slightly further to the south to accommodate parking. Frazier said that he purposely left 20 feet between the front of the planned garage and Park St. for that reason and stated that he believes there will be adequate room for parking and further added that there would be more room for parking than most off road structures in the subdivision.

C. Spessard then asked for two correspondences regarding the request be read into the record.

The first submitted correspondence was from Skip and Sharon Hemmann and is as follows: "Dear members of the Watervliet zoning board,[sic] My wife and I live on Park Street, on Bowes Landing. We feel that allowing the Fraziers, property # 11-21-0970-0055-00-5, to get a variance will have no ill affect to Bowes Landing residents. The Fraziers are making an effort to improve their property and have an adequate size garage to house their cars and other personal items. We are in favor of them to receive the variance they have requested."

The second correspondence was submitted by the Jacki Stutzman Rev. Living Trust and is as follows: "Dear Members of the Board, I am writing in support of the Frazier's request for a road side setback variance from Park St. of 15 feet, a road side setback variance from Lakeshore Dr. of 16 feet and a variance from both side yards of 4 ½ feet. This would allow the construction of a 24' X 40' garage.

Demolishing the current structure on this property would certainly improve the appearance of Bowe's Landing, and provide the Frazier's with additional parking and storage space. My property is directly across from this property at 5224 Park St. Thank you for considering this letter and giving a positive vote in favor of the Frazier's request."

D. Frieling, in attendance, told the Board that the new garage would improve the appearance of the subdivision and increase property values and, as such, stated; "I think it's a great idea."

With no further written correspondence or input from those in attendance, C. Spessard entertained a motion to close out of the public hearing portion of the meeting and re-enter regular session. T. Van Hout made the motion to close out of the public hearing and re-enter the regular meeting. S. Myers seconded and the motion carried.

Back in regular session, S. Myers noted, in Board discussion, that even though this is a

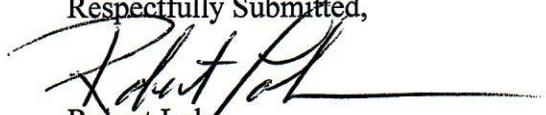
non-conforming improvement - it is still non-conforming. R. Wallace stated that the Fraziers are year round residents and, perhaps, they need more storage space. He further noted that last December the ZBA approved variances for an even larger garage on Lake Ave. Myers then stated that the Fraziers could have used the existing garage and, by not making the structure bigger, would not be creating any potential parking issues. With there being no further discussion amongst the Board members, R. Wallace made a motion to approve granting the variances as requested. T. Van Hout seconded. A roll call vote is as follows: M. Vander Linden, yea; S. Myers, yea; T. Van Hout, yea; R. Wallace, yea; C. Spessard, yea. Motion carried unanimously.

In other business Zoning Administrator R. Lohr stated that it is Township Supervisor Joe Stepich's intent to convene a joint meeting between the Planning Commission and the Zoning Board of Appeals in the near future, the intent of which is for the two bodies to get familiar with each other's rolls and responsibilities and, perhaps, learn how the two can and should work together in the future.

With there being no further business before the Board, S. Myers made a motion to adjourn. T. Van Hout seconded and the motion carried.

The meeting was adjourned at 2:26 p.m.

Respectfully Submitted,



Robert Lohr
Zoning Administrator