

Yankee Springs Township

Zoning Board of Appeals

Tuesday, May 8, 2012

Circulated 5/9/2012  
FINAL MINUTES  
Approved 7/10/2012

Meeting called to order at 7:00 pm by Paul Heystek, Acting Chairperson.

Present: Gordon Wells, Keith Middlebush, Paul Heystek, Mary Cook and Scott Havens, Alt.  
Bob Lippert, Zoning Adm., Chuck Biggs and 2 visitors. *ABSENT WITHOUT NOTICE - P. JANSENS*

Motion by Wells to approve the January 10, 2012, minutes as presented. Second by Cook. Approved by all.  
Motion carried.

New Business:

ZBA 12-04-02 Parcel ID. 140-002-00; A request by Gerald Klompien for a variance of 25 feet lake set back and a road set back of 39.44 to construct a new home on property at 12395 Oakwood Shores.

Mark Straub, representing the Klompien's advised on their plans to build a new home at 12395 Oakwood Shores.

It was noted the Klompien's own 2 ½ lots on Cobb Lake.

Gary (?), *HEBERT* neighbor to the West advised that he supports them removing the existing shed and has no problems with the proposed construction imposing on his view to the lake.

Proposed home to include a 3 stall garage.

Cook read the practical difficulty test criteria.

Discussion regarding the average setbacks for 150 feet on each side – approximately 45 feet.

Discussion regarding building envelope.

Discussion regarding the location of the road right of way.

Review of section map.

Mark Straub advised that they plan on installing a gravel trench with a filter to contain water run-off.

Existing seawall will be replaced with a rock structure.

After discussion, the following items were noted:

- Proposed home location will be 26 feet to the water's edge
- Roadside set back is approximately 50 feet
- Noted hardship is the shape of the lot which is wider than it is long, which is not typical
- Existing home was built in approximately 1957

Cook advised that she is concerned with lakeside setback and water containment.

ZBA deems property is exceptional in shape being wider than it is long, the roadside setback will keep the structure 40' from the road edge which is further away than the existing structure, lakeside setback conforms with the minimum ordinance requirement and excels the footprint of the existing building by only 1'.

Motion by Cook to approve ZBA 12-04-02 Parcel ID. 140-002-00; A request by Gerald Klompien for a 15' variance for the lakeside setback based on the average of 150' in both directions as it does not exceed ordinance requirements and allow them to build within 25' to the high water mark as noted by the existing seawall and a variance of 1.56' on the roadside setback requirement to allow them to build within 25.44' to the property line. Noted hardship is that due to the shape of the lot being wider than it is long it is very difficult to conform with required setback measurements. Second by Havens. Approved by: Havens, Heystek, Wells, Middlebush and Cook. Motion carried.

Old Business: None

Election of Officers to be tabled until all ZBA members are present.

There being no further business the meeting was adjourned at 7:55 pm.

Respectfully submitted,

Katie Hayward  
Recording Secretary

(5-9-2012)