



APPEAL APPLICATION  
ZONING BOARD OF APPEALS

VILLAGE OF SPRING LAKE  
PLANNING DEPARTMENT  
102 WEST SAVIDGE STREET, SPRING LAKE, MICHIGAN 49456  
PH: 616-842-1393 FAX: 616-847-1393  
www.springlakevillage.org

FEE: \$350.00 (plus costs\*)

Date: 4-22-2024 Applicant: Livingston Homes of West Michigan LLC  
Applicant Phone: 616 570-1904 Applicant Address: 1350 KODMAN AVE. GRAND Haven, MI 49417  
Owner: Rob + Mary Bennett Owner Phone (616) 403-2536  
Owner Address: 117 Barber Ct  
Project Address: 117 Barber Ct  
Parcel #: 70-03-15-327-002 Zoning District: SFR

Type of Appeal Requested: ( ) Interpretation (X) Dimensional Variance ( ) Administrative Appeal

Zoning Ordinance Section Number: 390-57-C (Rear Setback, Side Setback)

Description of Request: We are asking to re-build the existing garage footprint. We had prior approval to extend the wall height and add a new roof structure, but were forced to remove the existing walls/sheathing due to dry-rot. We would like to re-build the existing garage, adding about 20" of height to what was there. Asking for a rear yard setback of 18.7', and a side yard setback of 3.2'.

Description of Case: (Fill out only the items that apply)

1. Present Zoning Classification of Property: SFR
2. Description of property:
  - a. Size of Lot: 50' wide x 133' (one side) 136' (other side)
  - b. Area of Lot: 0.167 acres
  - c. Is lot a corner or interior lot? interior
3. Description of Existing Structures:
  - a. Number of buildings now on premises: One
  - b. Size of each building now on premises: 68' long, 39' wide
  - c. Use of existing buildings on premises: Single Family Residence
  - d. Percentage of lot coverage on ground level: 42.8% Exist
4. Description of proposed structure:
  - a. Height of proposed structure: 30'-2" (House) / 16'-11" (garage)
  - b. Dimensions of building or addition to be constructed: Garage = 28'-8" x 22'-8" (same as existing)
  - c. Area of building or addition to be constructed: 650 SF
  - d. Percentage of lot coverage of building or addition: Entire House + Concrete = 47.4 %

5. Existing setbacks measured from property lines:

- a. Front yard: (Lobe) = 49'-4"
- b. Side yard: 7'-4"
- c. Side yard: 3'-2 1/2"
- d. Rear yard: 18'-11"
- e. Other: \_\_\_\_\_

6. Proposed setbacks after completion of building or addition (measured from property line):

- a. Front yard: 49'-4"
- b. Side yard: 7'-4"
- c. Side yard: 3'-2 1/2"
- d. Rear yard: 18'-11"
- e. Other: \_\_\_\_\_

7. A site plan, drawn to scale, of the above information shall accompany this application. The sketch shall be no smaller than 8 1/2" x 11" in size. The Zoning Administrator may require a survey drawing. The legal description of the property must also be provided.

8. Article and Section number of the Zoning Ordinance that is being appealed: 390-57-C

9. Reason for Appeal (use additional sheets if necessary):

a. Interpretation of Zoning Ordinance is requested because (include Section number): \_\_\_\_\_

We are not requesting an interpretation.

b. Reason for appeal of administrative decision (include Section number if applicable): \_\_\_\_\_

Would like to re-build garage in existing footprint. We had prior approval, before wall structure was removed. Structure was only removed because significant rot was found inside the walls.

c. Description of how the variance request meets the 3 standards in Section 21.4. All standards must be met. (Use additional sheets if necessary).

i. That there are exceptional or extraordinary circumstances or conditions applying to the property in question which are different from other properties in the same zoning district or result from conditions which do not exist throughout the Village of Spring Lake.

This lot is smaller than many lots in the SFR district, and does not meet minimum lot size requirements.

Also asking to re-build on existing foundation. No change from previously approved plans.

ii. That such variance is necessary for the preservation and enjoyment of a substantial property right and that the need for such variance was not created by the applicant. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

Without meeting these existing setbacks, a garage would not be possible on this property, as we are keeping the existing house footprint.

- iii. That the granting of such variance will not be of substantial detriment to adjacent property or materially impair the intent and purposes of this Ordinance or the public interest.

It will have no affect on the adjacent property, as the garage was already located here for many years. Both adjacent PROPERTIES ARE CLOSED TO THE RIGHT OF WAY TRUNK THE SUBJECT PROPERTY WILL BE.

X Property Owner's Signature: [Signature] Date: 4/25/2024

Applicant's Signature  
(if other than property owner): [Signature] Date: 4-22-2024

**RELEASE FORM**

The Undersigned has applied to the Village of Spring Lake Zoning Board of Appeals for consideration of the request detailed on the application above. The undersigned hereby authorizes the members of the Zoning Board of Appeals and appropriate Village staff members to inspect the property indicated on the application at reasonable times in regards to consideration of the request.

[Signature] 4-22-2024  
Applicant's Signature Date

X [Signature] 4/23/2024  
Owner's Signature Date

\*The applicant is responsible for any additional costs incurred by the Village for professional review such as, but not limited to, engineering services or legal review, associated with the application. The Village may require a deposit to cover the anticipated costs.

