

**Regular Meeting  
Of the  
East Bay Charter Township Zoning Board of Appeals**

**TUESDAY    AUGUST 19, 2008    Township Hall    6:30 pm.**

Board Members Present: Dave Houseman, Carl Studzinski, Dale McAllister  
Members Absent (excused): Ted Hentschel, Pete Hembrough  
Also Present: Leslie Couturier, DZA and Bob Perry, Zoning Inspector

Two (2) guests in attendance.

1. Call Meeting to Order. Chair Houseman convened the meeting at 6:30pm.
2. **Roll Call.** Roll was called by the recording secretary and a quorum was present.
3. **Review for Conflict of Interest** – none presented
4. **Approval of the Agenda.** *McAllister moved to approve the agenda as presented. Studzinski seconded the motion and the motion carried unanimously.*
5. **Approval of the Minutes.** *A motion was made by McAllister to approve the minutes of July 8, 2008 regular meeting. Studzinski seconded the motion and the motion carried unanimously.*
6. **Public Input** (other than agenda items). None at this time.
7. **New Business.**

A. Appeal Request 7-07; DeKuiper Request for Extension Approval

The following request was approved on August 14, 2007:

Appeal Request 7-07; Dale & Deborah DeKuiper, owners, on a parcel of land commonly known as 4340 North Spider Lake Road, Traverse City, property identification number 28-03-780-233-00, in the Lakes Area, LA Zoning District. The request is to demolish an existing 16' x 12' sunroom and construct a 17' x 11' one-story residential addition (sun room) and a 15.5' x 11' pergola onto the existing home, also a 33' x 8' covered porch, requiring variances from Section 505 Table Number 1 Yard Setbacks. The specific variances are as follows: the sun room addition; a forty-one foot (41') water's edge variance resulting in a nine-foot ( 9') setback from the water's edge of Spider Lake, and the covered porch; a ten-foot (10') variance resulting in a forty-foot (40') setback from the water's edge of Spider Lake The minimum setback from the water's edge in the LA district for a single family dwelling is fifty feet (50').

Mr. & Mrs. DeKuiper were in attendance. Mr. DeKuiper explained the reason for the need to request an extension. He is just now returning to work after being laid off for six months. The DeKuiper's expect that they will begin construction in spring of 2009.

Chairman Houseman offered time for public hearing and no comments were offered. *A motion was made by McAllister/Studzinski to approve a one year extension for appeal Request 7-07, subject to original conditions of approval as follows:*

- 1) *That the concrete located on the west side of the house, with the exception of the 4' sidewalk, be removed.*
- 2) *That the topo is changed, if acceptable to the County Drain Commissioner, to cause any run-off from the home and pervious services to flow away from, not into the lake. And, further that the applicant work with the County Drain Commissioner in creating and executing a plan for the lake shore, to diminish and slow any future erosion.*
- 3) *That the land between the house and the lake remain pervious.*

*The motion passed unanimously.*

## **8. Old Business**

### A. Discussion Regarding Minkoff Injunctive Complaint

Couturier passed out copies of the complaint that is being filed next week. The ZBA will be kept up to date as to the out come.

### B. Discussion Regarding Windjammer Resort.

At a previous meeting the board had discussed sending a letter to the owners of Windjammer clarifying the dock issue. Couturier informed the Board that the issue will be taken care of when the applicant comes to the Planning Commission for Site Plan Review. The Board concurred that it could be handled this way.

9. Reports – there were no reports.

Chairman Houseman adjourned the meeting at 6:45p.m.

Leslie Couturier,  
Recording Secretary