A special electronic meeting of the Grand Haven Zoning Board of Appeals was called to order by Vice Chair Jerry Klukos at 7:02 p.m. via Zoom. On roll call, the following members were:

Present: Bill Hohmeyer, Mischelle Julien, Jerry Klukos, Amy Kozanecki, Kevin McLaughlin, Field Reichardt, Chair Melanie Riekels (joined at 7:08pm).

Absent: None

Also present was Jennifer Howland, Community Development Manager and Pat McGinnis, City Manager.

Call to Audience – First Opportunity
No comments

Elections – Chairperson, Vice Chairperson, Secretary
Riekels joined at 7:09pm.
Motion by Reichardt, seconded by Julien to nominate Klukos as Chair carried unanimously by roll call vote.
Motion by Riekels, seconded by Julien to nominate Kozanecki as Vice Chairperson carried unanimously by roll call vote.
Motion by Klukos, seconded by Riekels to nominate Reichardt as Secretary carried unanimously by roll call vote.

Approval of Minutes
Motion by Julien, seconded by McLaughlin to approve the June 17, 2020 minutes passed unanimously by roll call vote following minor corrections requested by Reichardt.
Motion by Julien, seconded by Riekels to approve the July 7, 2020 minutes passed unanimously by roll call vote following minor corrections requested by Reichardt.

Case 20-08: A request by Magennis Family Cottage, LLC (19305 North Shore Drive, parcel #70-03-19-226-005) and Gary F. Goode Trust (19323 North Shore Drive, parcel #70-03-19-226-034), Spring Lake, MI, 49456 for one (1) variance to the Grand Haven Zoning Ordinance related to the proposed installation of geo-tubes in the Beach Overlay District:
1. A variance from Section 40-423.03, shoreline protection measures. The requested variance is to allow for the installation of geo-tubes along the waterfront within the Beach Overlay District, where such arming of the shoreline is prohibited.
Howland read the case and provided a brief introduction, suggesting to the board members that they refer to the minutes of the July 7, 2020 meeting where a very similar case was presented.

Scott Timmer, representing both applicants, introduced himself. He stated that this request is the same variance granted to 7 nearby property owners. These two applicants are square in the center of the line of properties previously approved. Consents have been given by other parcels not highlighted. Mr. Timmer also noted that EGLE requires that geotubes be removed when the lake water recedes. The same contractor (Superior Groundcover) will be employed to do this installation, too.

Reichardt asked if Mr. Timmer expects to see applications from other properties along North Shore Drive, particularly the four shown on the map. Mr. Timmer has not been contacted to represent anyone else, and he doesn’t know if they intend to file a similar variance request.

Reichardt asked that since this request is identical to the last application, can the board consider all 7 conditions as one motion. Howland stated that they can be taken as one vote, as long as each condition is discussed and the group determines that the reasons for approving the conditions at the prior meeting hold true for these two properties.

Chair Klukos opened the public hearing for the case.

Public Comment:
None.

Correspondence:
The City received no correspondence for this case.

Motion by McLaughlin, seconded by Kozanecki, to close the public portion of the case was carried unanimously by roll call vote.

The Board considered the variance request as it relates to the Basic Conditions.

A. Klukos reviewed the discussion from July 7th. Motion by McLaughlin, seconded by Riekels, to approve Basic Condition A because the uniqueness of the high water level makes the request consistent with the public interest, and because those who may be affected have given consent, passed unanimously on roll call vote.

B. All members believe it meets this condition, as the use is not subject to special land use review. Motion by Hohmeyer, seconded by McLaughlin, to approve Basic Condition B passed unanimously on roll call vote.

C. Klukos reviewed the discussion from July 7th. Motion by Reichardt, seconded by Julien, to approve Basic Condition C because all property owners who could be affected by this have all consented and in order to help applicants save some of their shoreline during these high water times as discussed in our July 7th meeting. It is especially beneficial because they will adjoin adjacent properties. The motion passed unanimously on roll call vote.
D. Klukos reviewed the discussion from July 7th. Motion by Hohmeyer, seconded by McLaughlin to approve Basic Condition D because we are experiencing record high water levels, passed unanimously on roll call vote.

E. Klukos reviewed the discussion from July 7th. Reichardt stated that because there is no change from the prior request, he would support this condition. Motion by Reichardt, seconded by Julien, to approve Basic Condition E passed unanimously on roll call vote.

F. Klukos reviewed the discussion from July 7th. Motion by Reichardt, seconded by Julien, to approve Basic Condition F because there is no reasonable alternative location where the geotubes would be effective, passed unanimously on roll call vote.

G. Klukos reviewed the discussion from July 7th. Motion by McLaughlin, seconded by Hohmeyer, to approve Basic Condition G because this is the most reasonable use compared to a hard structure such as sheet piling or concrete passed unanimously on roll call vote.

Motion by Riekels to approve the variance request because it met all 7 Basic Conditions and subject to the five (5) conditions listed below. McLaughlin seconded the motion. The motion passed unanimously on roll call vote.
1. This is an extraordinary period of high water. The Geotubes will be allowed for a very temporary period. They must be dismantled immediately when lake levels go down.
2. This is not the first step towards permanent armament of the shoreline.
3. The applicants must comply with the plans as submitted to the Zoning Board of Appeals.
4. The applicants must comply with conditions of USACE and EGLE.
5. The applicants must comply with representations made during the meeting as recorded in the minutes.

Call to the Audience – Second Opportunity
Howland informed the ZBA that the public hearing for the zoning ordinance update has been scheduled for September 22, 2020 at 7:00 pm. Riekels asked what the status is of 300 North Beacon Blvd. Howland informed her that the City has not received a building permit application yet, but they have one year to move forward before the variance expires. Riekels also asked that code enforcement action take place on 101 S Beacon Blvd. She also stated that the exterior cladding materials on the Dairy Treat building are not appropriate and that material shouldn’t be allowed in the future (fiber cement board siding). Klukos stated that the materials comply with the ordinance and everyone has a different opinion on what looks good. McLaughlin said he noted her comment and would bring that back to the Planning Commission.

Adjournment:
Motion by Hohmeyer, seconded by McLaughlin, to adjourn was unanimously approved by roll call vote. The meeting adjourned at 7:57 p.m.

[Signature]
Jennifer Howland, Community Development Manager