

**BROOKS TOWNSHIP
ZONING BOARD OF APPEALS HEARING
May 27, 2026
Allen Postema – Parcel# 62-19-06-154-005**

DRAFT

1) MEETING CALLED TO ORDER

Chairman Pitzer called the meeting to order at 7:00 PM. The meeting was properly posted and a quorum of the Brooks Township Zoning Board of Appeals was present. Minutes are not a transcription as comments have been summarized for brevity and clarity.

2) ROLL CALL MEMBERS PRESENT: Mark Pitzer, Greg Myers, John Orlikowski, Derrick McLeod, Nick Wasmiller, Julie Vitale

MEMBERS ABSENT: None

MEMBERS OF THE PUBLIC PRESENT: Jerry Tuin, Zoning Administrator, Bill Falkowski, Zoning Assistant, Allen Postema, Dan Postema, Larry Bultema, Nancy Bultema

3) APPROVAL OF AGENDA

Moved by Greg Myers, **seconded** by Derrik McLeod to approve the agenda as written. **Unanimously Approved**

4) HEARING FOR ALLEN POSTEMA CALLED TO ORDER

A. Reason for Hearing – Allen Postema is requesting a variance for the construction of a pavilion structure for property located at 5063 Coral Drive.
Parcel #62-19-06-154-005

B. ADJOINING PROPERTY OWNER'S NOTIFICATION

All property owners residing within 300 feet of the above-mentioned parcel were notified with a copy of the Public Notice sent May 14, 2026.

C. RULES OF PROCEDURE

Chairman Pitzer introduced himself and explained the order of procedure for the hearing as well as the requirements that need to be met.

D. ZONING ADMINISTRATOR COMMENTS

Zoning Administrator, Jerry Tuin provided background information and reviewed the Zoning Staff Report and Overview which provides specific information for the hearing request. The overview includes information on the variance request, challenges, suggestions, and reference materials addressing township standards as well as a report from the township professional planner Williams and Works. These materials are included in the file.

E. APPLICANTS PRESENTATION – REASONS FOR APPEAL

The applicant wishes to have an area that is closer to the lake for family gatherings. He noted that the cottage is small and in not good shape and approximately 65 feet from the lake. There is also a large hill that must be climbed to get to the cottage from the lake which is difficult for elderly family members or others needing to use the bathroom. They would like to build a pavilion structure, approximately 20x24 feet, with a walkout basement below for storage and a bath with concrete floors on both levels. There is plenty of room on either side for this structure, but not on the lakeside due to challenges of the private road and a Michigan Land and Outing Boulevard and right-of-way.

Time requirements for abandoning the boulevard would possibly prevent the use of the property for another year and the loss of time would be detrimental to their plans. Additionally, it was noted that many residences around the lake are built closer than required setbacks and their proposed structure would be no closer to the lake than any of their neighbors. It was also noted that a property survey had been completed but was not back yet.

F/G. SUPPORTING/OPPOSING STATEMENTS FROM THE PUBLIC

Supporting Statements: One supporting statement from neighbor Kay Chase, 8011 Sparta Ave., Sparta, MI was mailed to the township.

Opposing Statements: None

Larry Builtema 5030 Coral Dr., neither supported or opposed, however, he shared a concern about how waste would be transported from the proposed bathroom. Mr. Postema clarified that there would be a lift pump to deal with the waste.

As an added note, Mr. Builtema stated that homeowners pay taxes for lakefront property and at one point he had discussed the Michigan Land and Outing Boulevard with a DNR official and was left with the impression that the lakefront was available for the homeowner's use.

H. ZBA CHAIRMAN REVIEW

Chairman Pitzer verbally reviewed each of the six criteria referencing review information from Williams and Works (Township professional planners) specific to this issue. And stated that all six zoning criteria must be met for a variance to be approved. He also noted that the unique issues of this request had been reviewed in depth.

-

I. ZBA MEMBER QUESTIONS/COMMENTS

Clarifying questions were asked by ZBA members regarding the following issues:

- The plan is for an outdoor kitchen on the top floor with cabinets and grill.
- The Michigan Land and Outing boulevard is basically an invisible line that was platted and not actually used as a roadway but is a boundary line for the property
- Jerry Tuin clarified that he was unaware of any other lots in Brooks Township with a 0-foot setback.
- The option to move the house further to the right or back 5-8 feet was discussed.
- Jerry Tuin clarified that if the proposed structure were moved closer to Coral an additional variance or a conditional approval would be required.

J. FINAL REBUTTAL/COMMENTS – Mr. Postema noted he was comfortable with a 5-foot setback which would be ideal with the road level. If the boulevard is vacated that would resolve the issue.

K. HEARING CLOSED TO PUBLIC COMMENT Hearing was closed at 7:59

5) CORRESPONDENCE – Per item F/G above, correspondence was received in favor of Mr. Postema's request.

6) FINDING OF FACTS/STANDARDS OF REVIEW ***

Incorporated into the hearing phase.

7) DELIBERATION BY THE ZBA - ZBA members agreed with the issues of practical difficulty, uniqueness of the property outlined in the professional planner review and the review of the 6 standards. A point was made that any approval needs to ensure that the structure is not a dwelling and that all fees were paid. A 5-foot setback rather than 0-foot setback was also recommended.

8) MOTION AND ROLL CALL VOTE: Moved by Greg Myers, **seconded** by Nick Wasmiller to approve a conditional variance with a 5-foot setback from the Michigan Land and Outing boulevard line and no closer than 20-feet to Coral Dr. All fees must be paid prior to construction start and the structure cannot be a dwelling.

Motion Approved by Roll Call Vote – AYES: Orlikowski, Wasmiller, Myers, McLeod, Pitzer **NAYS:** None

Note: Mr. Postema will need to confirm with Zoning Administrator, the specific details of placement and structural issues.

9) NEW BUSINESS: None

10) UNFINISHED BUSINESS –

- 1) Approval of minutes for Dawn Walker Hearing – **Moved** by Derrik McLeod, **seconded** by John Orlikowski to approve the minutes as presented.
Unanimously Approved

11) BOARD MEMBER COMMENTS: It was noted that a new septic system for the Speedway gas station was approved with installation in the next 30 days and EGLE is working on the issues at the Mobile Home Park.

12) PUBLIC COMMENTS: None

13) ADJOURNMENT: **Moved** by Nick Wasmiller, **seconded** by Derrik McLeod to adjourn the meeting at 8:27 PM.

Respectfully submitted,
Mark Pitzer _____
Zoning Board Chairman

Dianna Schaafsma _____
Brooks Township Deputy Clerk

Date _____

Date _____