

Ganges Township Zoning Board of Appeals

Meeting Minutes for October 16, 2025

Ganges Township Hall

119th Avenue and 64th Street

Fennville MI, Allegan County

Call to Order

Carol **Josefowicz** called the meeting to order at 6:00 PM.

Roll Call

Present:

Carol **Josefowicz**
Dale **Pierson**
Pam **Jenewein**
Tasha **Smalley**
Katelynn **Wolfe**

Audience:

David & Marty **Nash** – 2308 Lakeshore Dr.
Eve **McKeown** – 2318 Lakeshore Dr.
Jeanne **Zerbe** – 2110 Lakeshore Dr.
Dan **Sutherland** – 2223 Lakeshore Dr.
Lynn **Kirkaldy** – 2402 Lakeshore Dr.
Helen **Foster** – 2265 Lakeshore Dr.
Betsy **Foster** – 2260 Lakeshore Dr.
John & Rosie **Lanzendorf** – 2250 Lakeshore Dr.
Andy & Lana **Murch** – 2384 Lakeshore Dr.
Randy **Schipper** – Cunningham Dalman, Holland
Vinny & Lynn **Ferrari** – 2244 Lakeshore Dr.
David **VanderMolen** – 2172 68th St.
Brett **Schlender** – Schlender Law, Holland
Gerard **Weston** – 2246 Lakeshore Dr.
Jeff & Ellie **Foster** – 2257 Lakeshore Dr.
Jim **Birkes** – Saugatuck

Review/Approve Agenda

Jenewein made a motion to approve the agenda. **Pierson** seconded the motion. Motion passed.

Public Comment for non-agenda items

Betsy **Foster** noted that there was a road constructed down to the lake on the Weston property. Vinny **Ferrari** shared a picture of the road and stated that an excavator was brought in from the lake and they cut a swath about 10 ft wide from the house to the beach. **Ferrari** added that **Weston** has been riding horses and driving cars on the beach. **Smalley** replied that MTS and other agencies have been working on the matter.

Rosemary **Lanzendorf** added that **Weston** has been riding golf carts on the beach as well.

Public Hearing

Owner: Gerard Weston

Subject Property: 2246 Lakeshore Dr. 0307-005-054-00

Weston has petitioned for variances from the 3.09 fence regulations.

1. The fence height shall not exceed 4 ft in height within 50 ft of the road right of way; the requested fence is 8 ft in height.
2. The fence must be 6 ft from the right of way; the request is for the fence to be up to the right of way.
3. The fence height shall not exceed 6 ft in height (after the 50 ft from right of way); the requested fence is 8 ft in height.

a. Opening of Public Hearing – 6:06 PM

b. Applicant explain request

Brett **Schlender**, from Schlender Law, stated that he will be representing **Weston**.

Schlender continued that Weston installed the fence because of concerns about his safety and property. The context of the request goes back a couple years to the divorce between Weston and his ex-wife.

Schlender noted that the requested fence is partially installed. After receiving letters from the township, Weston stopped the installation of the fence.

Schlender stated that there are some exceptional topographic conditions because the homes are on a dune and are close together. He added that there have been documented instances of neighbors photographing Weston and others on the property.

Schlender continued reading through the Variance Application stating that the variance is necessary for the preservation and enjoyment of a substantial property right, the variances will not be significantly detrimental to adjacent properties and the practical difficulty causing the need for the variance request was not created by any affirmative action by Weston.

Smalley asked about the fence material. Weston replied that the fence is metal (coated aluminum) on the east side, and wood and metal on the north and south sides. There are plans to install a fence on the west side if the application gets approved.

c. Correspondence

Josefowicz read two letters opposing the variance request from John & Rosemary **Lanzendorf** (2250 Lakeshore Dr.) and Sean & Kerry **Curtis** (2266 Lakeshore Dr.).

d. Audience for/against comments

Vinny **Ferrari** shared pictures of Weston's fence from his property. He also noted that Weston has flags hanging by the road that draw attention to himself which is not consistent with Weston being concerned for his safety.

Randy **Schipper** from Cunningham Dalman, representing the **Ferraris**, stated that the Ganges Zoning Ordinance sets forth the criteria for applicants. If they are not met, the variance cannot be granted. **Schipper** continued that Weston's property does not have any extraordinary circumstances and the variance is not necessary for the preservation and enjoyment of the property. **Schipper** continued on about the fence on the east side, noting that a fence close to the road makes it hard for the snow plows in the winter, and a gate in the right of way can cause backups because there is no space to wait for the gate to open. He stated that the fence does not meet any of the criteria.

Rosie **Lanzendorf** stated that there is always a lot of activity at Weston's house during the day and at night.

John **Lanzendorf** noted that Weston's fence is 28 ft off the center line of the road and the pillars are a foot closer. The fence is 8 ft in height and there is a decorative piece on the pillars which makes them 9 ft. **Lanzendorf** continued that the fence and pillars are a hazard because they are so close to the road.

Ellie **Foster** agrees with the prior comments. She also noted that she lives across the street and has a view of the fence and flags.

Lynn **Kirkaldy** wondered if there is an ordinance that states no fencing near the bluff so the view is unobstructed.

e. Further discussion

Pierson asked if there are plans to install a gate. **Weston** replied that he plans to add security gates that are attached to the ground behind the pillars and they will slide north and south.

f. Close of Public Hearing – 6:38 PM

Discussion/Decision of Variance Request

Finding of Facts

For a variance to be granted, all of the following standards must be met.

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions include any of the following: a) exceptional narrowness, shallowness or shape of a specific property on the effective date of the Ordinance; b) exceptional topographic conditions or other extraordinary situation on the land, building or structure; or c) any other physical situation on the land building or structure deemed by the ZBA to be extraordinary.

Not met. The applicant in his application said there are no topographic issues. All surrounding properties are similar and typical of the properties along the lake.

2. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not itself be deemed sufficient to warrant a variance.

Not met. A claim of a need for security is not an enforceable property right.

3. The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.

Not met. A variance would be detrimental to the adjacent properties and surrounding neighbors. The proximity to the road is a safety concern.

4. The variance will not impair the intent and purpose of the Ordinance.

Not met. The variance would impair the intent and purpose of the Ordinance. The Ordinance was not honored.

5. The immediate practical difficulty causing the need for the variance request was not created by any affirmative action of the applicant.

Not met. The applicant did not get a permit. By not referring to the township ahead of construction, the applicant failed to install fencing properly.

6. The reasons set forth in the application justify the granting of the variance and the variance is the minimum variance necessary.

Not met. The applicant gave no justification for the granting of a variance. Security is not part of the justification of a variance.

Pierson noted that all of the standards must be met. It only takes one ‘not met’ to deny the variance request.

Pierson made a motion to deny all of the variance requests at 2246 Lakeshore Drive. **Jenewein** seconded the motion. Motion passed (3-0).

Josefowicz noted that Weston can still put up a fence, however, it has to follow the Ganges Township Ordinances.

Public Hearing – None

Any business that may come before the ZBA -

Smalley noted that the Planning Commission will be going over the ordinances again. She continued that the survey language needs to be worded better so people understand that the property needs to be surveyed and then the structures on the property also need to be included on the survey.

Public Comments –

John **Lanzendorf** wondered if the stone pillars needed to be taken down as well. **Josefowicz** replied yes, the fence and pillars need to be out of the right of way and set back 6 ft.

Approval of Meeting Minutes

A motion was made by **Josefowicz** to approve the September 2, 2025 regular meeting minutes with corrections. **Jenewein** seconded the motion. Motion passed (3-0).

Adjournment

Jenewein made a motion to adjourn the meeting. **Pierson** seconded the motion. Motion passed (3-0). Meeting adjourned at 7:01 PM.

Respectfully Submitted,
Katelynn Wolfe
Ganges Township, Zoning Board of Appeals