

CITY OF HUDSONVILLE

Zoning Board of Appeals

May 22, 2018

Approved June 18, 2019

5481 Wilson Avenue – Terry Smith – Dimensional Variances for Accessory Building

Chairman VanDenBerg called the meeting to order at 7:00 p.m.

Present: VanDenBerg, Lubbers, Hanson, Saxbee, Leerar, Strikwerda and Schut

Absent: None

1. A motion was made by Leerar, with support by Lubbers, to approve the minutes of the December 19, 2017 Zoning Board of Appeals meeting.

Yeas 5, Nays 0

NEW BUSINESS

2. **5481 Wilson Avenue – Terry Smith – Dimensional Variances for Accessory Building**

Chairman VanDenBerg opened the public hearing.

Terry Smith reviewed the request to construct a detached accessory building next to the house in the front yard building setback area causing the need for the variances being requested. When combined with the existing garage, it brings the total accessory space to 880 square feet.

Here is the requested variance:

5481 WILSON AVENUE		EXISTING REGULATION	PROPOSED REGULATION	VARIANCE REQUIRED
1.	FRONT YARD BUILDING SETBACK – SECTION 4-3 A. 3, FIGURE 4.1	30'	2.8'	27.2'
2.	DETACHED ACCESSORY BUILDING IN FRONT-YARD – SECTION 4-3 A. 1	No	Yes	Yes
3.	DETACHED ACCESSORY BUILDING SIDE-YARD BUILDING SETBACK – SECTION 4-3 A. 4	4'	2.8'	1.2'

The staff report was presented.

Chairman VanDenBerg closed the public hearing.

Are there unique circumstances or conditions that apply to your property? Yes

- Concern was raised with the neighbor to the west. It was noted their house is only 9' from the front lot line, but this request is for 2.8'. Even if the current neighbor is ok with it, if it is approved this will stand for the life of the property. Don't feel it's reasonable to have this building in front of the neighbor's house blocking the view.
- The lot is small so the back yard is small.
- This limits the ability to put an accessory building in the rear yard where they are permitted.
- Options for an attached garage were discussed.
- A smaller building was also discussed.
- The driveway is very short so there is not enough room for all of our things.

Does the request of this variance go beyond the possibility of increased financial return for you, the applicant? Yes

- The intent is to increase storage capacity for personal belongings. It is more of an effort to protect and secure those personal belongings.

Has the immediate practical difficulty been caused by anything other than what the applicant has done? No/Yes

No

- The practical difficulty is partly due to the property layout but it is also due to wanting more storage space. The existing garage is 400 s.f., which is a very small 2-stall garage at 20' x 20'.
- The practical difficulty is partly due to the applicant just wanting more accessory space. The explanation of question 3 states "having previously constructed/placed structures in a location which hinders your plan for the property" as not a valid reason for approving a variance, which is part of the reason for this request.

Yes

- Based on the size of the lot without a lot of options to place an accessory building.
- This is a small parcel for a corner lot but it is not an unusual size for the neighborhood.

Will granting this variance uphold the spirit of the ordinance, secure public safety, and uphold substantial justice to property owners in the district? In turn, will denying this variance prevent you, the applicant, substantial rights and privileges that others in the same zoning district are able to enjoy? No

- There is an existing garage with storage space attached, and it is similar in size to many of the garages in the neighborhood.
- The city has a minimum standard of 384 s.f. which is met.
- It would be in the front, blocking views.
- Why are so many of these buildings so close to the right of way? This is the oldest neighborhood in the city. The sidewalks were put in after the buildings were.

- If approved its permanent.

Have you explored all possible alternatives? Please explain/list other alternatives and the reasons why these options are not feasible. No

- A smaller building or attached building could be an option.
- If the applicant attaches the garage to their house, it would reduce the severity of the variance but they couldn't have stairs into the house so it isn't an ideal layout.
- Attaching the garage is more expensive but that is not a valid reason for eliminating an option. If the accessory building would be attached to the building it would match the neighborhood style.
- It was asked if there would be any issues with adding a driveway off Maple. No.

A motion was made by Leerar, with support by Saxby, to deny the following deviations from the City of Hudsonville Zoning Ordinance: a 27.2' dimensional variance into the Maple Street front-yard building setback at 5481 Wilson Avenue for a 2.8' front yard building setback in accordance with Section 4-3 A.3., Figure 4.1; the construction of a detached accessory building in the front yard in accordance with Section 4-3 A. 1; and to allow for an accessory building to be constructed within 4' from any property line in accordance with Section 4-3 A. 4. This denial is based on the finding that the 5 questions cannot be answered affirmatively.

Yeas 5, Nays 0

3. 2 new ZBA alternates were welcomed to the board, David Nyitray and Jack Groot.
4. A motion was made by VanDenBerg, with support by Lubbers, to adjourn at 8:02 p.m.

Yeas 5, Nays 0

Respectfully Submitted,

Teri Schut
Planning / Zoning Assistant