

CITY OF HUDSONVILLE

Zoning Board of Appeals

May 19, 2020

Approved September 15, 2020

3320 Highland Drive – Betten Baker – Dimensional Variance

3620 Chicago Drive – Talsma Furniture – Dimensional Variances

Chairman VanDenBerg called the meeting to order at 7:01 p.m.

Present: Altman, Groot, Lear, Saxbee, VanDenBerg, Strikwerda, Steffens

Absent: Lubbers

Public present: Kyle Visker of Land and Resource Engineering and Mike Bouman of Pioneer Construction for Betten Baker, Tim Talsma for Talsma Furniture

1. A motion was made by Leerar, with support by Groot, to approve the minutes of the August 20, 2020 Zoning Board of Appeals meeting.

Yeas 5, Nays 0

NEW BUSINESS

2. 3320 Highland Drive – Betten Baker – Dimensional Variance

Chairman VanDenBerg opened the public hearing.

Kyle Visker of Land and Resource Engineering requested a small building setback variance because a building could not be modified to meet the setback requirement due to GM standards for their dealerships and the proximity to the car pool lot.

<u>3320 & 3340 HIGHLAND DRIVE</u>		EXISTING REGULATION	PROPOSED REGULATION	VARIANCE REQUIRED
1.	MINIMUM FRONT YARD BUILDING SETBACK FROM RIGHT-OF-WAYS – ZONING ORDINANCE SECTION 5-16 D. 5. A., FIGURE 4.1	50'	38.1'	11.9'

Chairman VanDenBerg closed the public hearing.

1. **Are there unique circumstances or conditions that apply to your property?**
 - Yes, they are next to the park and ride for MDOT and have a challenging property with elevation from front to back.

2. **Does the request of this variance go beyond the possibility of increased financial return for you, the applicant?**
 - Yes, It is a difficult site to develop with the proximity of the MDOT parking lot.

3. **Has the immediate practical difficulty been caused by anything other than what the applicant has done?**
 - Yes, due to the size and dimensions of the lot, challenges with the elevations and dimensions of the lot.

4. **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?**
 - Yes, this variance is a minor infringement, given the site restrictions it is within the spirit of the code.

5. **Have you explored all possible alternatives? Please explain/list other alternatives and the reasons why these options are not feasible.**
 - Yes, they looked at other building designs and with GM's requirements there were no other solutions.

A motion was made by Leerar, with support by Groot, to approve the following deviations from the City of Hudsonville Zoning Ordinance:

A motion to approve a deviation from Section 5-16 D. 5. a., Figure 4.1 for the minimum front-yard building setback from the City of Hudsonville Zoning Ordinance to reduce the required front-yard building setback to 38.1' from 50' as shown on the site plan for 3320 Highland Drive. This is based on the findings from the 5 questions used for determining dimensional variances.

Yeas 5, Nays 0

3. 3620 Chicago Drive – Talsma Furniture – Dimensional Variances

Chairman VanDenBerg opened the public hearing.

Tim Talsma of 3620 Chicago Drive is asking for three variances.

<u>3620 CHICAGO DRIVE</u>		EXISTING REGULATION	PROPOSED REGULATION	VARIANCE REQUIRED
A.	MINIMUM FRONT-YARD LANDSCAPE BUFFER WIDTH – ZONING ORDINANCE SECTION 8-4 B. 2.	8'	0'	8'
B.	MAXIMUM WALL SIGN AREA – ZONING ORDINANCE SECTION 7-9 E. 1. a	150 s.f.	250 s.f.	100 s.f.
C.	MINIMUM PARKING SPACE REQUIREMENTS – ZONING ORDINANCE SECTION 6-6 E. 11.	1.5 spaces/ 1000 s.f.	1.25 spaces/ 1000 s.f.	0.25 spaces/ 1000 s.f.

Chairman VanDenBerg closed the public hearing.

Minimum Front-Yard Landscape Buffer Width

- 1. Are there unique circumstances or conditions that apply to your property?**
 - Yes, it is on Chicago Drive which is a main thoroughfare and there is a lot of yard between them and the road already.
- 2. Does the request of this variance go beyond the possibility of increased financial return for you, the applicant?**
 - Yes, they are trying to get the parking to work with a good solution.
- 3. Has the immediate practical difficulty been caused by anything other than what the applicant has done?**
 - Yes, it is consistent with their previous variance approvals.
- 4. 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?**
 - Yes, this is consistent with other properties in the area.
- 5. Have you explored all possible alternatives? Please explain/list other alternatives and the reasons why these options are not feasible.**
 - Yes, they are continuing the theme on the existing building.

A motion was made by Leerar, with support by Groot, to approve the following deviations from the City of Hudsonville Zoning Ordinance:

A motion to approve a deviation to reduce the landscape buffer width requirement from 20' to 0' along Chicago Drive in accordance with Section 8-4 B. 2. of the City of Hudsonville Zoning Ordinance for 3620 Chicago Drive. This is based on the findings from the 5 questions used for determining dimensional variances.

Yeas 5, Nays 0

Maximum Wall Sign Area

- 1. Are there unique circumstances or conditions that apply to your property?**
 - Yes, they abut Chicago Drive and have a lot of frontage on Chicago Drive due to the lot shape.
- 2. Does the request of this variance go beyond the possibility of increased financial return for you, the applicant?**
 - No, it is based on financial return, not anything further.

- 3. Has the immediate practical difficulty been caused by anything other than what the applicant has done?**
 - No, it is caused by them desiring more than the 150 s.f. maximum that has been sufficient for other buildings.
- 4. 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, other businesses would then look to why they couldn't do the same thing.
- 5. Have you explored all possible alternatives? Please explain/list other alternatives and the reasons why these options are not feasible.**
 - No, the main signage on the center of the building is visible. Having a sign on the far west of the building may direct people to come in the out versus where there is an existing sign at the entrance.

A motion was made by Leerar, with support by Groot, to approve the following deviations from the City of Hudsonville Zoning Ordinance:

A motion to deny a deviation for a 250 s.f. wall signage where 150 s.f. is permitted in accordance with Section 7-9 E. 1. a. of the City of Hudsonville Zoning Ordinance for 3620 Chicago Drive. This is based on the findings from the 5 questions used for determining dimensional variances.

Yeas 5, Nays 0

Minimum Parking Space Requirements

- 1. Are there unique circumstances or conditions that apply to your property?**
 - Yes, this is an odd shaped property along Chicago Drive.
- 2. Does the request of this variance go beyond the possibility of increased financial return for you, the applicant?**
 - Yes, it is beneficial for city and neighbors to prevent constructing a parking lot that is not necessary.
- 3. Has the immediate practical difficulty been caused by anything other than what the applicant has done?**
 - Yes, not needing the extra spaces has been proven by their site and existing parking demand.
- 4. 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?**

- Yes, this is only a minor adjustment from the actual parking needs based on our zoning.

5. Have you explored all possible alternatives? Please explain/list other alternatives and the reasons why these options are not feasible.

- Yes, it is a tough site to work with and it is an odd shaped building. They are doing the best with what their existing site.

A motion was made by Groot, with support by Leerar, to approve the following deviations from the City of Hudsonville Zoning Ordinance:

A motion to approve a deviation reduce the required amount of parking from 1.5 spaces per 1,000 s.f. to 1.25 spaces per 1,000 s.f. in accordance with Section 6-6 E. 11. of the City of Hudsonville Zoning Ordinance for 3620 Chicago Drive. This is based on the findings from the 5 questions used for determining dimensional variances.

Yeas 5, Nays 0

4. A motion was made by Leerar, with support by Saxbee, to adjourn at 7:34 p.m.

Yeas 5, Nays 0

Respectfully Submitted,

Sarah Steffens
Planning / Zoning Assistant