

CITY OF HUDSONVILLE

Zoning Board of Appeals

September 15, 2020

Approve December 1st, 2020

5284 32nd Avenue – Ryan Aukeman – Dimensional Variance

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

Present: Groot, Holtrop, Kamp, Lear, Saxbee, Strikwerda, Steffens

Absent: VanDenBerg

Public present: Ryan Aukeman of 5284 32nd Avenue was present

New members Holtrop and Kamp were welcomed to the Zoning Board of Appeals

1. A motion was made by Leerar, with support by Groot, to approve the minutes of the May 19, 2020 Zoning Board of Appeals meeting.

Yeas 5, Nays 0

NEW BUSINESS

2. 5284 32nd - Avenue Ryan Aukeman – Dimensional Variance

Acting Chairman Saxbee opened the public hearing.

Ryan Aukeman has submitted a dimensional zoning variance to allow for a detached accessory building to be constructed in the front yard.

Acting Chairman Saxbee closed the public hearing.

- Applicant does have interest in a larger building than what is allowed by right. That would be reviewed with Planning Commission.
- The floodway on the property cannot have a building within it, and then the flood zone is tough to get approval to place a building in.
- There is a drop next to the existing attached garage; it is so substantial it would be hard to build an extra stall or accessory building there.
- Generally, expect to allow residents to have the maximum accessory space they are allowed by right, and his lot hinders where the building is typically allowed.
- What is the intent with the strip of frontage on the northern part of the property? It is just a unique layout for the lot, is not wide enough for a driveway.
- What is the intent with the setbacks for this building? They are typically 4' from the property line and 10' from the house.

- Should the setback be left to the planning commission to decide versus the zoning board of appeals? Zoning Board of Appeals can choose a setback, but the building size should be left for Planning Commission. If the building is the by right size then it would otherwise be held to the 4' setback.
- Applicant planning garage to be 10' off the north and west property lines.

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

Yes

- The yard is either in the flood plain or the floodway which then renders it unbuildable.
- Front yard is somewhat an extension of the neighbor's backyard to the west, it isn't traditional layout.

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

Yes

- With the flood plain and floodway limits, this gives him the right that other citizens would have.
- Neighbors have detached accessory building, shouldn't tell him no just because the floodway prohibits it in the backyard.

3. Has the immediate practical difficulty been caused by anything other than what the applicant has done?

Yes

- Part of his lot is unbuildable due to flood plain and floodway, front yard is somewhat a backyard if it was a normal layout for the neighbor to the west.

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

- The neighbors have other accessory buildings so this allows him to have what the neighbors do.
- He would need to be 4' away from the property to the west, suggest to be 10' away from the north property line to line up to the accessory building to the west.
- Why is the 10' strip of property in place to the north? It has been that way longer than the applicants house has been. Most likely held onto for possible future access.
- Placing a condition to be 10' from the property line would be fine by the applicant.

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

Yes

- Being in the floodway and floodplain makes placing it anywhere else challenging.

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

A motion to approve a deviation from Section 4-3 A. 1. of the City of Hudsonville Zoning Ordinance to allow an accessory building in the front yard in the location shown with a condition of being setback 10' on the west and north property line for 5284 32nd Avenue. This is based on the findings from the 5 questions used for determining dimensional variances.

Yeas 5, Nays 0

3. A motion was made by Groot, with support by Holtrop, to adjourn at 7:36 p.m.

Yeas 5, Nays 0

Respectfully Submitted,

Sarah Steffens
Planning / Zoning Assistant