

**CITY OF HUDSONVILLE**

**Zoning Board of Appeals**

November 16<sup>th</sup>, 2021

Approved December 21<sup>st</sup>, 2022

**6465 Balsam Drive – Shelley Frody – Non-conforming Use to Non-conforming Use**

Chairman VanDenBerg called the meeting to order at 6:59 p.m.

Present: Hanna, Holtrop, Kamp, Saxbee, VanDenBerg

Absent: Leerar

Staff Present: Steffens, Strikwerda

1. A motion was made by Holtrop, with support by Kamp, to approve the minutes of the June 15<sup>th</sup>, 2021 Zoning Board of Appeals meeting.

Yeas 5, Nays 0

**NEW BUSINESS**

**2. 6465 Balsam Drive – Shelley Frody- Non-Conforming Use to Non-Conforming Use**

Chairman VanDenBerg opened the public hearing.

Shelley Frody presented the request.

The applicant isn't looking to have the large parties with amplification but rather to be allowed to have a company event.

The staff report was presented.

Steve and Shelley Frody have requested a change from the nonconforming use of *single-family residential* to the nonconforming use of *short-term rental* for 6465 Balsam Drive, which is zoned "LC" Light Commercial. This property has historically been used as a single-family residence. Recently it has been used as a short-term rental facility through Airbnb. They have also allowed events to take place with a tent rental on this two-acre parcel. The request includes the ability to allow events for up to 100 people.

Public Comment was as follows:

- Curtis Barnes 2926 Stoney Creek Ct. There were 2 events that were held outdoors this summer. One was in the afternoon that seemed to be a family party. There was a second that was a wedding reception, it started at 2pm and went until 9:30pm with a DJ and amplification. There wasn't a room in his home he could go to that he couldn't hear the noise from. Concerned about the value of his property and the ability to sell down the road.

It affects him being able to have a quiet weekend at home.

The following discussion took place amongst the board:

- Current Use. Airbnb is not allowed in the current code as it stands. So, if it was denied then the use would have to cease.
- How are large events at single-family homes handled currently? Right now, they do not need a permit to host these events unless there is a traffic concern. They are handled administratively as far as speaking with the police and making sure there isn't a nuisance. These events tend to happen very infrequently.
- Allowing for small events at the applicant's property is something that could be allowed based on a motion.
- What is being determined tonight is to decide if this property is going to be more conforming to light commercial zoning as a short-term rental than as a single-family residence.
- Property is not within a typical residential neighborhood. It is surrounded by businesses and on a busy road (Balsam Drive).
- Applicant stated that this property in the draft ordinance is allowed a small hotel as far as the properties future zoning of Neighborhood Commercial. This is a draft ordinance that is not legally binding at this time.
- Parking. Parking for the home would be in the grass area once the driveway is full. Is this a concern with this property being on a busy street? The property is 2 acres, so there is a lot of room for cars. If this was approved to have large events then there would need to be conversation with the Planning Commission as far as installing a parking lot.
- Having outdoor company events at the applicant's property isn't an issue as long as it isn't abused. Like a company picnic. This is something that businesses are allowed to do without any special permissions.
- If there was a place to allow this use (short-term rental) this would be a reasonably logical place more so than in a typical residential neighborhood. This is a large property.
- Between 30-50 employees would come to the company parties and would park either at the business next door (City 2 Shore), on the property or behind Signatures Coffee Shop.
- The company had 3 outdoor events last year. In the future it would be uncommon to do company meetings outdoors more than once a year and then also the company picnic.
- The number of guests would vary but from 2-12. But average would be 6-8. Average length of stay, the longest would be a week and then there is a two-night minimum otherwise.
- Is there anything in the agreement that guests cannot have a party? Besides it being booked specifically for those wedding events, the Airbnb is limited to the guests staying there and they cannot invite outside guests for a party.
- Weddings. There wasn't an intention of doing weddings but due to COVID there were requests for weddings because there was outdoor capacity to do so.
- A single-family older home that seems to be fitting less with its surroundings this seems to make sense for the property to potentially be an Airbnb.
- What if the rental ends up being a party location on the weekends? With the history of the property, it seems to not have been an issue as far as complaints. If there were to be an

issue with that, there would be discussion with the Sheriff's Department where they would then keep a closer eye on the property.

- The property owner said she would restrict the rental from being a party home. There are rules the property owner can put in place that allows her to deny booking. Keeping the price up also is something the owner feels would keep someone from renting it out for parties only.

Chairman VanDenBerg closed the public hearing.

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

A change from one nonconforming use to another nonconforming use for 6465 Balsam Drive in accordance with Section 14-2 F of the City of Hudsonville Zoning Ordinance to allow the use of the property to change from single-family residential to short-term rental in the Light Commercial "LC" Zone District. Events involving people not staying at the short-term rental are not permitted.

- Is it ok for the property owners to use the property for their events? Yes, that is the right of the property owner, as long as they alert the city.

Yeas 5, Nays 0

3. A motion was made by Holtrop, with support by Kamp, to adjourn at 7:51 pm.

Yeas 5, Nays 0

Respectfully Submitted,

Sarah Steffens  
Planning / Zoning Assistant