

**Zeeland Charter Township
Zoning Board of Appeals
February 25, 2025**

The meeting was called to order at 7:00 p.m. by Chair Steve Walters

Members Present: Steve Walters, Rich De Leau, Tim Miedema, Russ Mudget, Ben Zwagerman, Dirk Pyle, Jeff Salisbury

Members Absent: None

Staff Present: PCI Zoning Administrator, Kirk Scharphorn, PCI. Katy Steenwyk, Recording Secretary

Motion to approve the minutes of March 26, 2024: Motion Carried

PUBLIC HEARING – A request from Jason VanKoevering, Owner of property located at 6015 Riley Street, also known as permanent parcel 70-17-11-300-014, for a variance to construct a 32' x 60' addition to an existing pole barn that would be closer to the side lot line than is permitted by Ordinance. The variance will provide relief from Section 3.12F, 5.03 (Side Yard Setback) and all other applicable provisions of the Zeeland Charter Township Zoning Ordinance.

The applicants are asking for relief from the side yard setback to construct a 32' x 60' addition to the existing detached accessory building. The proposed addition will create a scenario in which the existing detached accessory building would be partially in front of the existing dwelling. The existing detached accessory building is located forty- seven (47) feet from the west side property line. The applicant is asking for relief from the required twenty (20) foot setback to approximately fifteen (15) feet, or five (5) feet closer to the side lot line than currently permitted.

Motion to open the public hearing.

No public comment. One neighbor, Jason DeWitt submitted his support for the variance, via email.

Motion made by Mudget, supported by DeLeau to close the public hearing.

Section 18.04 in the township ordinance requires five criteria to be satisfied before a variance to be granted.

A. Non-Use (Dimensional) Variances: The ZBA may authorize upon written application in specific cases variances from the non-use (dimensional) terms of this Ordinance where, owing to special conditions related to the applicant's property, a literal enforcement of the provisions of this Ordinance would result in a practical difficulty to the applicant. A variance from the terms of this Ordinance shall not be granted by the ZBA unless and until a written application for a variance is submitted and the ZBA finds:

1. That 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:

- a. Exceptional narrowness, shallowness, or shape of a specific property on the effective date of this Ordinance; or
- b. Exceptional topographic conditions or other extraordinary situation on the land, Building or Structure; or
- c. The use or development of the property immediately adjoining the property in question, whereby the literal enforcement of the requirements of this Ordinance would involve practical difficulties; or
- d. Any other physical situation on the land, Building or Structure deemed by the ZBA to be extraordinary.

Determination: Condition met. Topography of parcel, including gullies and hills provide limitations on buildable areas within the parcel.

- 2. That the condition or situation of the specific piece of property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such conditions or situations.

Determination: Condition met. Topography of parcel makes the situation unique.

- 3. That 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 of itself be deemed sufficient to warrant a variance.

Determination: Condition met. The proposed location of the addition will help preserve the character and enjoyment of the parcel, rather than requiring an additional building in the front yard.

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

Determination: Condition met. No detrimental effect to neighboring properties. Neighbor to the west is in support of variance.

- 5. The variance will not impair the intent and purpose of this Ordinance.

Determination: Conditions met. Variance is for five feet. No impairment to the intent of the ordinance.

Motion made by Mudgett, supported by Pyle to approve the variance as requested.

Ayes: Salisbury, Pyle, Miedema, Walters, Zwagerman, DeLeau, Mudgett

Nays: None

Motion Carried. Variance Granted.

Motion to Adjourn. Meeting adjourned at 7:47 pm

Katy Steenwyk, Recording Secretary