

**Zeeland Charter Township
Zoning Board of Appeals
March 26, 2024**

The meeting was called to order at 7:00 p.m. by Acting Chair Russ Mudget

Members Present: Rich De Leau, Tim Miedema, Russ Mudget, Ben Zwagerman, Dirk Pyle

Members Absent: Steve Walters, Jeff Salisbury

Staff Present: PCI Zoning Administrator, Lori Castello, AICP. Katy Steenwyk, Recording Secretary

Motion to approve the minutes of January 23, 2024: Motion Carried

PUBLIC HEARING – A request from Ryan Bos, for the property located at 3031 48th Avenue, also known as permanent parcel 70-17-13-200-010, for a variance to operate an insulation company in the Agricultural Zoning District. The variance will provide relief from Section 5.02 and other applicable provisions of the Zeeland Charter Township Zoning Ordinance.

The applicant is looking to purchase the property and fix it up to run an insulation business with 5 employees.

Motion to open the public hearing.

No public comment.

Motion made by De Leau, supported by Miedema to close the public hearing.

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

1. That the Building, Structure, or land cannot be reasonably used for a use allowed in the Zoning District in which it is located;
Determination: Condition not met. Structure and parcel can reasonably be used for an allowed use.
2. That the condition or situation of the specific piece of property or the intended use of such property for which the variance is sought is unique to that property and not commonly present in the general vicinity or in the Zoning District. Unique conditions or situations may include: ZEELAND CHARTER TOWNSHIP ZONING ORDINANCE CHAPTER 18 18-5 ZONING BOARD OF APPEALS
 - 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; or d. Any other physical situation on the land, Building or Structure deemed by the ZBA to be extraordinary.

- Determination: Condition not met. Parcel is flat and fairly square. No unique issues with the topography or shape that warrant a special use.*
3. That the proposed use will not alter the essential character of the neighborhood or the intent of the Master Plan.
Determination: Condition met. Business would not alter the essential character of the neighborhood. Master plan is for the parcel to remain Ag.
 4. That the immediate unnecessary hardship causing the need for the variance request was not created by any affirmative action of the applicant.
Determination: Condition not met. Hardship would be caused by applicant if they purchase the property. They don't currently own the parcel.
 5. That the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance, which will make possible reasonable use of the land, Building, or Structure.
Determination: Reasons set forth in application do not justify variance. Four of the five conditions are not met.

Motion made by Zwagerman, supported by DeLeau to approve the variance as requested.

Ayes: None

Nays: Zwagerman, Miedema, Pyle, Mudget, DeLeau

Absent: Walters, Salisbury

Motion Failed. Variance Denied.

Motion to Adjourn. Meeting adjourned at 7:50 pm

Katy Steenwyk, Recording Secretary