

ZEELAND CHARTER TOWNSHIP

ZONING BOARD OF APPEALS

June 28, 2016

The Zoning Board of appeals of Zeeland Charter Township held a regular meeting in the township hall on June 28, 2016 at 7pm.

Members present: Tom Oonk, Rich De Leau, Bruce Knoper, Steve Walters and Russ Mudgett.

Absent with notice: Dirk Pyle and Ben Zwagerman.

Chairman Walters called the meeting to order

Motion by DeLeau second by Knoper to approve the minutes of the May 7, 2015 meeting.

Motion approved by voice vote. Unanimous.

Secretary Oonk read the notice that was published for the public hearing as follows

The Zoning Board of Appeals of Zeeland Charter Township will meet in the township hall, 6582 Byron Road, Zeeland MI 49464 at 7 pm on Tuesday, June 28, 2016 to review the request from Jake Schierbeek to run Custom Trenching and Goethermal Inc. at parcel # 70-17-13-200-012 with the address known as 4885 Felch Street, Zeeland.

Any questions concerning the request may be directed to the office of Zeeland Charter Township, 6582 Byron Road, Zeeland, MI 49464 (ph: 616-772-6701) between the hours of 8:30am-5:00pm Monday, Tuesday & Thursday or between the hours of 8:30am-12:00pm on Wednesday and Friday, except on holidays.

*Don Mannes, Zoning Administrator
Zeeland Charter Township*

Chairman Wolters opened the public hearing and gave the applicants the opportunity to present their request.

Jake Schierbeek and his son explained that their goal was to purchase the property and clean out the concrete bark slabs and walls, get rid of the mobile office and plant grass in those areas and then reside and reroof the 8000 sq. ft. building which would house their equipment overnight. Their business consists of all offsite work in the excavating field mainly trenching for buried electrical service lines and geothermal installations. They would leave the premises in the morning and return at night with 2 or 3 trucks and equipment. They are a two full time and two part time person operation. Their goal is to later build a house on the property for the son and operate as a home based business.

The only neighboring property owners at the hearing were Doug and Cindy Veltema and they spoke in favor of the request saying that the property has fallen into disrepair over the years as the bark sales business cannot support itself at that location.

A motion was made to close the public hearing which passed unanimously.

The discussion of the ZBA in considering the request followed the Zeeland Charter Township ordinance section 18.04 B as follows.

The ZBA determined unanimously that:

B.1.

The building, structure, or land cannot be reasonably used for a use allowed in the Zoning District in which it is located.

2. That the condition or situation of the specific piece of 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 include:

- a. Exceptional narrowness and shape of the property.
- b. Exceptional topographic conditions (gully running the length of the property).

3. Further the proposed use will not alter the essential character of the neighborhood.

4. The immediate hardship causing the need for the variance was not caused by any affirmative action of the applicant.

After a time of discussion a motion was made by Oonk and seconded by Knoper to grant the variance with the stipulation that all driveways enter off from Felch St.

A roll call vote yielded the following results.

Ayes Mudget, Wolters, Knoper, De Leau and Onk.

Nays, by reason of absence, Zwagerman and Pyle.

Chairman declared the hearing adjourned at 8:10 pm

Tom Oonk, Secretary

Don Mannes Recording Secretary