

Jamestown Charter Township  
Zoning Board of Appeals  
January 3, 2017

The meeting was called to order at 6:00 p.m. by Vice Chair Terpstra with Zomerlei opening with prayer.

Board members present: Zomerlei, Ymker, Terpstra, Van Haitsma, Brouwer.

Present other than Board: Kirk Sharphorn, Jr. Zoning Administrator, list attached.

Motion by Terpstra to approve the agenda with election of officers added under new business, supported by Van Haitsma. Carried.

Motion by Zomerlei to approve the minutes of 12-6-16, seconded by Brouwer. Carried.

Hearing request for Jeffrey Chiu 2968 Rocaway Dr. for a variance to allow a front yard setback of 33 feet instead of the required 50 feet per Sec. 7.4.1.

Denny Snip builder – simply here for a front yard setback, stacked in the same spot, same survey from last month's meeting.

Dan Cnossen 2995 16<sup>th</sup> Ave. – I was here at the last meeting. Now they're trying to change again. Last month you approved a back yard setback of 35 feet contingent on its meeting all the other required setbacks.

Terpstra – we approved only a rear yard setback – not a front yard.

Chiu – I did background work. It's 33 feet from the garage. Cnossen concerns were with the back yard. Now, it looks like it conforms with the neighborhood. It's not a highly traveled road. The driveway will still be 52.8 feet, curb to house.

Cnossen – being a builder, I understand the process. The house does not fit the property... you're trying to fit the house in. What about my view? Every foot back will push the roof line higher – our view is decreasing. Chiu's request was approved at last month's meeting, meeting all other setbacks. Now you're changing the front setback – that's concerning to me.

Chiu – I looked at run-off with the neighbor.

Ymker – as the house shifts to the south, the trees will hide the view. I agree with the drainage, we have to maintain that.

Zomerlei – to meet the setback, how far north do you have to go? Snip – about 80 feet.

Cnossen – [referenced minutes of 12-6-16] as to what Chiu said "I'll give you the front 50 feet, but I want the back 35 feet"...Now you're changing it?

Ymker – we caught a mistake by the builder on the survey later in the meeting, so we had to have another hearing.

Sharphorn – yes, we approved the setback. That does not mean he can't come back for a variance.

Crossen – that's disappointing. I can read minutes. It's hard to understand...you have one thing and then you do another. I have no agenda here, I don't know any of you people, I'm a resident of Jamestown...and coming to a point, I should be listened to too.

Sharphorn – he has a right to apply, like you have right to be listened to.

Ymker – this is a legitimate hearing. The builder made an error, it was caught and it needs to be resolved in order to build.

Crossen – why were contingencies placed if they couldn't be met?

Terpstra – he's requesting something different now.

Snip – how does 15 feet closer in the front yard bother you??

Crossen – you still haven't given me an answer to my question – just an explanation of why we're here.

Sharphorn – I think the intent of the approval was that we still need to meet the front yard. Didn't publish correctly because of the error by the builder, it was caught and it needs to be correct. There's no conspiracy here.

Crossen – when you look at the stakes and at the lot, the house does not fit...you are just trying to make it fit.

Crossen - I just want to make sure I'm heard. We have guidelines and ordinances, hopefully they will be followed. I didn't express myself well at the last meeting.

Ymker made a motion to close the hearing, supported by Van Haitsma. Carried.

Motion by Terpstra to approve the request as stated, supported by Ymker for the following reasons:

- 1] Unique shape and conditions of property
- 2] The house will fit better in the development
- 3] Not contrary to the spirit of intent of the ordinance

Vote. **Yes** – Terpstra, Brouwer, Van Haitsma, Ymker. **No** vote – Zomerlei. Motion carried.

Election of officers:

Motion by Zomerlei to nominate Terpstra as Chair with Van Haitsma as Vice-chair. No second.

Motion by Brouwer to nominate Terpstra as Chair with Zomerlei as Vice-chair, supported by Van Haitsma. Motion carried.

P. 3 ZBA 1-3-17

Motion by Van Haitsma, seconded by Brouwer to adjourn. Carried.

Meeting adjourned at 6:54 p.m..

Respectfully submitted,

Bonnie Oosterink, Sec.  
Zoning Board of Appeals

Minutes approved on \_\_\_\_\_ by \_\_\_\_\_  
Chair