

Jamestown Charter Township
Zoning Board of Appeals
September 3, 2019

The meeting was called to order at 6:00 p.m. by Chairman Zomerlei with VanAanhold opening with prayer.

Board members present: Zomerlei, Brouwer, VanAanhold, VandenHeuvel, Byker.

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

Motion by Brouwer to approve agenda, supported by Byker. Carried.

Motion to approve the minutes of 8/6/19 by VandenHeuvel, seconded by VanAanhold. Carried.

No public comment.

Zomerlei read in request of Cal Klooster 988 20th Avenue for a variance at 1476 Adams Street, Parcel #70-18-35-100-010 to create a parcel with one [1] acre of land in the AR zoning instead of the required two [2] acres minimum.

Klooster – I talked to Steve [Kushion] and Kirk about the request. I feel that there is a difference in mine than other requests. I'm not trying to create more land for housing, trying to keep for farming. You have a list of parcels I purchased over the years. There is not a lot of resale...as I want to preserve farm land. In 1998, the ordinance was an acre and a half. People want to see farming – not housing. I have rented this 40 acres since 1981, purchasing it last year and I want to sell off the house and buildings, which all fit nicely on the one acre. I have given you a list of properties of houses built in the '60's with one acre. If I go with two acres, probably the land surrounding the house would go to weeds.

Motion by Byker to close the hearing, seconded by Brouwer. Carried.

Byker – Have you thought of selling the larger area [two acres]?

Klooster – I want to control the property.

VandenHeuvel – there's lots of historical scenarios.

Sharphorn – the ordinance used to be smaller, but it has been two acres for a while. Don't know if all the properties you listed are in AR. We have houses with one acre in the township, but it has been two acres for at least 10 years. There are different ways to preserve farm land – every township is different. Our ordinance now is two acres. Clearly, the acreage is there for two acres to meet the ordinance. How do you prove this is unique? Everyone wants to sell off

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one acre only. Does this fit the criteria to approve? Could you sell the house with the option to farm? The potential to split to one acre parcels is quite a few in that area. Once you do one...everyone wants it.

VandenHeuvel – The decision was made to increase the acreage. I struggle to meet the criteria. We don't have the power to grant approval.

Zomerlei – Looking at the five criteria...hard to get all five.

Motion by Byker to deny the request, supported by VandenHeuvel for the following reasons:

- 1] No hardship
- 2] Nothing unique about the property
- 3] Circumstances created by owner
- 4] Not granting special privileges
- 5] Meeting spirit of ordinance
- 6] Could sell with option to farm

Motion carried unanimously.

Motion to adjourn by Brouwer, seconded by VanAanhold. Carried.

Meeting adjourned at 6:40 p.m..

Respectfully submitted,

Bonnie Oosterink, recording Sec.
Zoning Board of Appeals

Minutes approved on _____ by _____
Chairman