

JAMESTOWN CHARTER TOWNSHIP

Zoning Board of Appeals

Meeting Minutes

December 06, 2022 at 6:00 p.m.

CALL TO ORDER: Vice-Chairperson VanAanhold called the meeting to order at 6:00 p.m.

BOARD MEMBERS PRESENT: Scott Brouwer, Janae Byker, Dean Smith, Mike VanAanhold. Chris VandenHeuvel was absent with notice.

INVOCATION: Board member Brouwer opened with the invocation.

APPROVAL OF AGENDA: A motion was made by Brouwer, supported by Byker, to approve the agenda. Motion carried unanimously.

APPROVAL OF MINUTES: A motion was made by Smith, supported by Brouwer, to approve the minutes of the October 04, 2022 Zoning Board of Appeals meeting as written. Motion carried unanimously.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA: None.

PUBLIC HEARING:

Vice-Chairperson VanAanhold read the request from Kurt DeKock, interested party at 1956 8th Avenue, also known as permanent parcel 70-18-24-300-027, for a variance to allow for a parcel with substandard width. This variance would provide relief from Section 6.5.A.4, Lot Width and Area Requirements within the AR Agricultural-Rural Residential District (AR). This variance request was considered and approved at the October 04, 2022 Zoning Board of Appeals meeting, but due to the failure of the Grand Rapids Press to publish the public hearing notice for the October 04, 2022 meeting, the hearing needed to be re-held.

A motion was made by Smith, supported by Brouwer, to open the Public Hearing at 6:02 p.m. Motion carried unanimously.

There were no public comments.

A motion was made by Brouwer, supported by Smith, to close the Public Hearing at 6:04 p.m. Motion carried unanimously.

Board members reviewed the motion made at the October 04, 2022 Zoning Board of Appeals meeting and the consensus was to retain the wording of the motion as approved at that meeting.

A motion was made by Smith, supported by Byker, to approve the request for a variance from Section 6.5.A.4 to allow for a parcel with substandard width for the property located at 1956 8th Avenue, parcel number 70-18-24-300-027 for the following reasons and conditions:

- 1) That the strict enforcement of the provisions of the Ordinance would cause an unnecessary hardship and deprive the owner of rights enjoyed by all other property owners in the same zoning district, as the lot was a conforming lot prior to the adoption of new regulations.
- 2) There are conditions and circumstances unique to the property due to the large size of the property.
- 3) That the conditions and circumstances were not created by the Owner or his predecessor in that the flag lot parcel was created by the sale of property along 8th Avenue thirty years ago in accordance with regulations existing at that time.
- 4) That the requested variance will not grant special privileges that are denied other properties in the same zoning district due to the large size of the parcel and its unique shape.

- 5) The requested variance is not contrary to the spirit and intent of the Zoning Ordinance as it results in fewer parcels than would have been allowed with a private road.
- 6) With the condition that the property is subject to the current ordinance requirement of no more than two (2) houses on a shared driveway.

Motion carried unanimously.

NEW BUSINESS: Training for Zoning Board of Appeals and Planning Commission members will be held at the Township Office on Thursday December 20, 2022 at 7:00 p.m. following the regular Planning Commission meeting.

ADJOURN: A motion was made by Smith, supported by Brouwer, to adjourn the meeting at 6:10 p.m. Motion carried unanimously.

Respectfully submitted by,

Maureen Carmody, Recording Secretary
Zoning Board of Appeals

Minutes approved on

_____ by _____
(chair)