

**CITY OF HUDSONVILLE**

**Zoning Board of Appeals**

November 18, 2014

(Approved)

**FORMAL: Approval of the September 16, 2014 Zoning Board of Appeals minutes  
3316 Hudson Trails Drive – Action Water Sports – Dimensional Variance**

**INFORMAL:** None

Present: VanDenBerg, Lubbers, Herweyer, Hanson, Vander Maas, Strikwerda and Schut

Absent: Leerar

**FORMAL SESSION:**

1. Chairman VanDenBerg called the meeting to order at 7:00 p.m.
2. A motion was made by Herweyer, and supported by Lubbers to approve the September 16, 2014 meeting minutes.

Yeas 5, Nays 0

**3. 3316 Hudson Trails Drive – Action Water Sports – Dimensional Variance**

Chairman VanDenBerg opened the public hearing.

Rick Pulaski with Nederveld presented the request for a dimensional variance on behalf of Action Water Sports, for driveway spacing as shown on the table below in accordance with the City of Hudsonville Zoning Ordinance. The parcel at 3316 Hudson Trails Drive only has frontage on the end of the cul-de-sac and cannot have a driveway without a variance. Nate Beebe with Action Water Sports was also present.

Here is the proposed variance:

| <b><u>3316 Hudson Trials Drive</u></b>                 | <b>Existing Regulation</b> | <b>Proposed Regulation</b> | <b>Variance Required</b> |
|--|----------------------------|----------------------------|--------------------------|
| <b>Driveway spacing per Section 9.4 B 6, Table 9.3</b> | 185'                       | 108'                       | 77'                      |

The staff report was presented.

Chairman VanDenBerg closed the public hearing.

**Are there unique circumstances or conditions that apply to your property? Yes**

- This parcel is unique since it is at the end of a cul-de-sac and there is not enough frontage for a driveway without a dimensional variance.
- The proposed driveway takes up the entire frontage so it is the only place for a driveway.
- Dimensional variances have been granted for this type of situation in the past, examples are the Corporate Exchange Drive and Buttermilk Court cul-de-sacs.

**Does the request of this variance go beyond the possibility of increased financial return for you, the applicant? Yes**

- There is no additional financial gain besides enabling access to the property that otherwise does not have access.

**Has the immediate practical difficulty been caused by anything other than what the applicant has done? Yes**

- This parcel does not have a driveway.
- Zoning does not enable a driveway by right since it does not have cul-de-sac driveway spacing criteria.

**Will granting this variance uphold the spirit of the ordinance, secure public safety, and uphold substantial justice to property owners in the district? In turn, will denying this variance prevent you, the applicant, substantial rights and privileges that others in the same zoning district are able to enjoy? Yes**

- Even though this property is under the same ownership as the parcel to the east, the spirit of the ordinance, public safety, and substantial justice are not compromised by permitting a driveway for this parcel.
- Two similar variances were approved for this situation.

**Have you explored all possible alternatives? Please explain/list other alternatives and the reasons why these options are not feasible. Yes**

- No other feasible alternatives. A consolidated driveway or a frontage road are not a reasonable options.
- Each separately-owned property is allowed a driveway. This property has the same ownership as the parcel to the east but it still is unreasonable to say this parcel should not be allowed as separate driveway. There are no negative impacts from allowing this driveway.

A motion was made by Vander Maas, with support by Herweyer, to approve the 77' dimensional variance for 108' driveway spacing for 3316 Hudson Trails Drive where 185' is the minimum driveway spacing requirement according to City of Hudsonville Zoning Ordinance Section 9.4 B 6, Table 9.3. This approval is based on the finding that the 5 questions are answered affirmatively for the revised building setback in accordance with Section 16-5 G of the Hudsonville Zoning Ordinance with the following conditions:

1. Approval from the neighboring property owner is needed since the driveway radius goes into their frontage.
2. An approved Zoning Compliance Permit is required to ensure city standards are met prior to constructing the driveway.

Yeas 5, Nays 0

**INFORMAL SESSION:**

4. A motion was made by Lubbers, and supported by Herweyer to adjourn at 7:40 p.m.

Yeas 5, Nays 0

Respectfully Submitted,

Teri Schut  
Planning & Zoning Assistant