

**CITY OF HUDSONVILLE**

**Zoning Board of Appeals**

July 16, 2014

(Approved September 16, 2014)

**FORMAL: Approval of the June 17, 2014 Zoning Board of Appeals minutes  
3310 & 3320 Van Buren Street - Love INC - Dimensional Variance**

**INFORMAL:** None

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

Absent: None

**FORMAL SESSION:**

1. Chairman VanDenBerg called the meeting to order at 6:00 p.m.
2. A motion was made by Lubbers, with support by Vander Maas, to approve the June 17, 2014 meeting minutes.

Yeas 5, Nays 0

**3. 3310 & 3320 Van Buren Street – Love INC – Dimensional Variance**

Chairman VanDenBerg opened the public hearing.

Jack Katerburg, board member of Love INC, presented the request for a dimensional variance as shown on the table below in accordance with the City of Hudsonville Zoning Ordinance.

Here is the proposed variance:

<b>3310 &amp; 3320 Van Buren Street</b>	<b>Existing regulation</b>	<b>Proposed regulation</b>	<b>Variance required</b>
Building setback from right-of-way Section 4-7, Figure 4.1.	30'	15'	15'

The staff report was presented, including the history that lead to this request.

Chairman VanDenBerg closed the public hearing

- Will the front have stacked stone or block? Stacked stone.
- How far away from the street were the two homes? Within 1-2 feet of where the request for this building is.

- Will the glass be clear or tinted? Clear.

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

- No other property on this block meets the minimum 30' front yard building setback.
- The location of the proposed building is close to the location of the existing house being replaced.
- The proposed location is more in line with the build to zone for a Cottage Retail building type in the Downtown Zoning Ordinance.

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

- The purpose of the request is based on the preferred building layout that received approval from the Planning Commission.
- They are a non-profit organization.

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

- The applicant worked with city staff and the city's consultant, Mark Miller on the building design.
- The request is based on the recommended building layout that was approved by the Planning Commission. They requested the bump out.
- The building location was suggested by city staff, not the applicant.

**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

- They are doing a good job blending proposed building and location to closely match the existing buildings in the neighborhood.
- The setback more closely matches the 'build to zone' of 0' to 15' from the right-of-way line that is required in the downtown zoning ordinance for the Cottage Retail Building Type with a Shopfront frontage.

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

- There was a lot of deliberating with the building design.
- The applicant is following what has been recommended as the best building layout, which requires the 15' building setback dimensional variance.
- The applicant has done a great job working with the city and the neighbors with their needs and requirements.

- This design will be more in line with the new city zoning ordinance, once it is completed.

A motion was made by Leerar, with support by Lubbers, to approve the 15' dimensional variance for a 15' building setback from Van Buren Street for 3310 and 3320 Van Buren Street where 30' is required according to City of Hudsonville Zoning Ordinance Section 4-7, Figure 4.1. 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.

Yeas 5, Nays 0

**INFORMAL SESSION:**

4. A motion was made by Herweyer, with support by Leerar, to adjourn at 6:20 p.m.

Yeas 5, Nays 0

Respectfully Submitted,

Teri Schut  
Planning & Zoning Assistant