

CITY OF HUDSONVILLE

Zoning Board of Appeals

April 16, 2014

Approved May 20, 2014

**FORMAL: Approval of the October 15, 2013 Zoning Board minutes
4917 32nd Avenue –VanderLaan Funeral Home – Dimensional Variances**

INFORMAL: None

Present: VanDenBerg, Lubbers, Vander Maas, Aukeman, Herweyer and Strikwerda

Absent: Leerar

FORMAL SESSION:

1. Chairman VanDenBerg called the meeting to order at 6:00 p.m.
2. Welcomed new member, Larry Herweyer to the Zoning Board of Appeals.
3. A motion was made by Lubbers, and supported by Vander Maas to approve the October 15, 2013 meeting minutes.

Yeas 5, Nays 0

4. 4917 32nd Avenue – VanderLaan Funeral Home – Dimensional Variances

Chairman VanDenBerg opened the public hearing.

Earl Hemmeke of Architects Collective P.C. presented the application for VanderLaan Funeral Home to allow for dimensional variances at their property located at 4917 32nd Avenue. Joanne VanderLaan and Rich VanderLaan were also present.

Here are the proposed variances:

| | | EXISTING REGULATION | PROPOSED REGULATION | VARIANCE REQUIRED |
|---|--|------------------------|------------------------|----------------------|
| A | DRIVEWAY SPACING PER SECTION 9-4 B. 6. TABLE 9.3. | 245' | 150' | 95' |
| B | PARKING SPACES PER SECTION 6-6 E. 10. AND 6-3 D. | 98 | 124 | 26 |

The staff report was presented.

Chairman VanDenBerg closed the public hearing.

Variance A:

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

- There are currently 3 driveways within 130', 2 of which are on the subject property. They are allowed to keep them both, but in an effort to improve the spacing and site function, it is better to move one of the driveways from the south edge of the property to the north edge of the property.
- This cannot be done without a dimensional variance.

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

- Moving the driveway increases safety and provide better traffic flow onto the property
- It is safer both for 32nd Avenue traffic and on-site traffic.

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

- The neighborhood has changed.
- The city code changed resulting in this nonconformity.

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 could leave the driveways as they currently are, but moving it will improve public safety.
- Brings the driveways closer to current code compliance.

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

- The applicant attempted an agreement with the church to the north so a driveway could be constructed that met spacing requirements but could not come to terms with the church.
- They are putting the driveway in the best possible place as far from the current driveway as they can from the main entrance that is directly across from Beechcrest Drive.

A motion by Vander Maas, and support by Herweyer to approve the dimensional variance of 95', allowing for 150' driveway spacing for 4917 32nd Avenue according to the submitted site plan where a 245' driveway spacing is required according to Section 9-4 B. 6. Table 9.3 of the City of Hudsonville Zoning Ordinance. This approval is based on the finding that the 5 questions are answered affirmatively in accordance with Section 16-5 G of the Hudsonville Zoning Ordinance.

Yeas 5, Nays 0

Variance B:

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

- They have a building they cannot completely utilize.
- The demand for parking is higher than what limits will allow.
- Overflow parking sometimes goes onto neighboring property or across 32nd Avenue, which is not ideal or safe.
- Existing spaces do not meet the current minimum dimensions so it does not function well.

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

- Additional parking could help provide for increased financial return since there are 3 chapels that cannot all be used at the same time, but since the parking lot dimensions of the parking spaces and access aisles are below minimum standards, the parking lot does not function well.
- Patrons also need to park elsewhere, including across 32nd Avenue, which is not safe.
- Allowing additional parking will allow this business to function as intended.

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

- The applicant wants additional parking due to the typical existing demand for a single visitation, which is beyond the applicant's control.
- Having to cross 32nd Avenue to park is unsafe.

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

- The applicant is trying to construct the amount of parking spaces that are needed for a visitation.
- They will avoid overflow parking from going across 32nd Avenue.

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

- The applicant needs their own parking lot with sufficient spaces to meet their basic needs.
- The applicant attempted an agreement with the church to the north so a driveway could be constructed that met spacing requirements but could not come to terms with the church.

A motion by Lubbers, and support by Vander Maas to approve the dimensional variance of 26 parking spaces, allowing for 124 parking spaces for 4917 32nd Avenue according to the submitted site plan where 98 parking spaces are allowed according to Section s 6-6 E. 10. And 6-3 D. of the City of Hudsonville Zoning Ordinance. This approval is based on the finding that the 5 questions are answered affirmatively in accordance with Section 16-5 G of the Hudsonville Zoning Ordinance.

Yeas 5, Nays 0

INFORMAL SESSION:

5. A motion was made by Lubbers, and supported by Vander Maas to adjourn at 6:30 p.m.

Yeas 5, Nays

Respectfully Submitted,

Teri Schut
Planning & Zoning Assistant