

**CITY OF HUDSONVILLE**

**Zoning Board of Appeals**

December 19, 2017

Approved May 22, 2018

**5900 Balsam Drive – Robert Becker Properties, LLC (Cedar Crest Dairy) – Dimensional Variance – Light Pole Height**

Chairman VanDenBerg called the meeting to order at 7:00 p.m.

Present: VanDenBerg, Lubbers, Hanson, Saxbee, Leerar, Strikwerda and Schut

Absent: Vander Maas

1. A motion was made by Lubbers, with support by Leerar, to approve the minutes of the September 19, 2017 Zoning Board of Appeals meeting.

Yeas 5, Nays 0

**NEW BUSINESS**

2. **5900 Balsam Drive – Robert Becker Properties, LLC (Cedar Crest Dairy) – Dimensional Variance – Light Pole Height**

Chairman VanDenBerg opened the public hearing.

Tom Miedema with Miedema Metal Buildings representing Robert Becker Properties, LLC (Cedar Crest Dairy) reviewed the request for a dimensional variance to increase light pole height to 30’ within 150’ of a residential district or use where 20’ is the maximum height allowed. The light pole height limit is 30’ when 150’ or more from a residential district or use. There are 5 light poles that wrap around the north side of this property that are within 150’ of the property line at the proposed 30’ height. 4 along the north lot line and 1 along the east property line towards the railway tracks. Robert Becker was also present.

Cedar Crest Dairy received a variance in September to allow for the landscape buffer along the north lot line to be 20’ wide instead of the standard 50’ width between industrial and residentially zoned property. This is the same area where the applicant is requesting taller light poles.

Here is the requested variance:

<b><u>5900 BALSAM DRIVE</u></b>	<b>EXISTING REGULATION</b>	<b>PROPOSED REGULATION</b>	<b>VARIANCE REQUIRED</b>
LIGHT POLE HEIGHT WITHIN 150’ OF A RESIDENTIAL DISTRICT OR USE – ZONING ORDINANCE SECTION 6-4 C.	20’	30’	<b>10’</b>

The staff report was presented.

The following discussion took place:

- What type of lights are you looking at using? They are a standard LED box. The light points straight down to the ground with side shields to help protect the adjacent properties with most of the light casting down onto the parking lot.
- The light photometrics for this site were presented.
- Why are you not asking for the other 2 light poles to be the same height? They are not within 150' from a residential district or use so they can be 30' tall without a variance.
- Safety is the main reason for this request. We are trying to get as much light as possible onto the parking lot without spilling onto neighboring properties.
- Is light pole height being reviewed in the new ordinance? Yes it is.

Chairman VanDenBerg closed the public hearing.

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

- More lights at the lower height cannot be added to the sight since they would get in the way for truck circulation.
- The property to the north is a crop so there currently are limited concerns for light pollution.
- The property in this area also has very unstable soil for construction, which makes the actual future use of the adjacent property less certain.

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

- The intent is to increase safety for employees and semi-trailers that will be parked in the parking lot.
- We don't see any financial gain for this request.
- The trucks will block most of the light with 20' tall light poles.

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

- The practical difficulty exists due to a zoning regulation that is based on older lighting technology.
- New lighting technology has drastically improved the ability to direct light which significantly reduces light spillover.
- The buffers that were discussed with the first variance will help mitigate some of the light spillover as well.
- The intent is to prevent light pollution, and with the newer technology this is accomplished.

**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**

- With current technology, 30' light poles should not cause light pollution on the adjacent property due to the greater ability to direct lighting.
- If the light poles are limited to the existing requirement of 20' they will not be able to adequately light the parking lot since semi-trailers will block much of the light.
- The required landscape buffer will also help.

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

- There really isn't another viable option.
- It also isn't feasible to install lights in the middle of the parking area as they would be in the way for truck circulation.

A motion was made by Leerar, with support by Lubbers, to approve a 10' dimensional variance at 5900 Balsam Drive allowing for 30' light pole height within 150' of residentially zoned property where 20' is the maximum height allowed in accordance with Zoning Ordinance Section 6-4 C. of the City of Hudsonville Zoning Ordinance. This approval is based on the finding that the 5 questions have been answered affirmatively.

Yeas 5, Nays 0

3. We will be sending the board information on some training that is being offered by Ottawa County Planning and Zoning and Dickinson Wright.
4. A motion was made by VanDenBerg, with support by Lubbers, to adjourn at 7:18 p.m.

Yeas 5, Nays 0

Respectfully Submitted,

Teri Schut  
Planning / Zoning Assistant