

MEETING MINUTES  
GRAND HAVEN CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS  
TUESDAY, MAY 23, 2017 – 7:00 P.M.

I. CALL TO ORDER

The regular meeting of the Grand Haven Charter Township Zoning Board of Appeals was called to order at 7:00 p.m. by Chair Robertson.

The Chair explained both the purpose and procedures of the ZBA.

II. ROLL CALL

Board of Appeals members present: Robertson, Loftis, Voss, Behm & Rycenga (alternate)  
Board of Appeals members absent: Slater

Also present: Community Development Director Fedewa

**Without objection**, Fedewa was instructed to record the minutes for the meeting.

III. APPROVAL OF MINUTES

**Without objection**, the minutes of the February 28, 2017 meeting were approved.

IV. NEW BUSINESS

A. ZBA Case #17-02 – Dimensional Variance – Spartan Stores Fuel LLC

Party Requesting Variance:	Spartan Stores Fuel LLC
Mailing Address:	850 76 <sup>th</sup> Street SW, Grand Rapids 49518
Parcel Number:	70-03-33-100-047
Subject Property Location:	17200 Robbins Road, Grand Haven 49417

Spartan Stores Fuel is seeking a dimensional variance from Sections 20.19.5.B and 24.02.2 of the Zoning Ordinance in order to construct parking lots within the required side yard for a gasoline station renovation.

Fedewa provided an overview of the application through a memorandum dated May 19<sup>th</sup>.

Following the initial discussions, the Chair invited the applicant to speak:

Brian Sinnott, P.E. from Paradigm Design – 550 3 Mile NW Ste B, Grand Rapids 49544:

- Project Engineer for Spartan Stores Fuel LLC.

- Provided a brief review of how this ZBA application came to fruition through the Special Land Use process.
- Noted Art O’Strander, Director of Design & Construction for SpartanNash, was also present and available to answer questions.

The Board discussed the four standards and noted the following:

- Inquired what year the original gas station was constructed. It is believed it occurred in the 1970’s or 1980’s but that a formal approval process was not done through the Township, so there are limited records available.
- Noted the overall site will improve with better access management—defining the Robbins Road entrance and closing the north entrance on 172<sup>nd</sup> Avenue.
- The addition of the landscape island at the south entrance on 172<sup>nd</sup> Avenue will define the vehicle lanes and improve circulation on the site.
- Inquired if there will be any additional site lighting—no.
- Inquired if there will be any exterior improvements—new siding, paint, and signage.

**Standard No. 1** – Exceptional or extraordinary circumstances:

- The original building was not constructed with Township approval, so there is no baseline for which to use as a reference.
- Nearly two dozen examples of existing businesses that have parking spaces within the required side yard.
- Challenging site design—the north, south, and west portions of the lot are not large enough to accommodate parking spaces, and the east portion is only 54 feet wide. Taking into account the required 40-foot side yard setback requirement for corner lots there is not enough space available to install compliant parking spaces.

Ayes: Robertson, Voss, Loftis, Behm, Rycenga

Nays: None

**Standard No. 2** – Substantial property right:

- Property is subject to the US-31 Area Overlay Zone provisions, which emphasizes landscaping along the walls to reduce the visual mass of the buildings. Without the variance, the existing parking spaces would remain, which prevents landscaping from being planted. This would create less cohesion when the remainder of the site redevelops.
- All other property owners within the US-31 Area Overlay Zone must meet the landscaping requirements, and this business must as well because Section 15A.03.4

states, “where the standards of this Overlay Zone are more restrictive...such standards replace those that apply to the underlying zoning district outside the Overlay Zone.”

Ayes: Robertson, Voss, Loftis, Behm, Rycenga

Nays: None

**Standard No. 3** – Will not be a substantial detriment to adjacent parcels, or material impact on the intent and purpose of the Ordinance:

- No correspondence was received on this application.
- The major improvements to this site will result in an overall benefit to the community.

Ayes: Robertson, Voss, Loftis, Behm, Rycenga

Nays: None

**Standard No. 4** – Request is not of such a recurrent nature as to make reasonably practical the formulation of a general regulation:

- This is a unique parcel, in a unique location, with a unique history, and there are no other properties like this in the Township.
- The previous Zoning Ordinance did not establish a 40-foot side yard setback requirement for commercial properties on a corner lot. That changed in the most recent Zoning Ordinance that was adopted in 1999.

Ayes: Robertson, Voss, Loftis, Behm, Rycenga

Nays: None

**Motion** by Voss, supported by Behm, to **approve** a dimensional variance from Sections 20.19.5.B and 24.02.2 to allow parking spaces to be located within the required side yard at 17200 Robbins Road. Approval of this variance is based upon this Board’s findings that all four standards have been affirmatively met. **Which motion carried unanimously.**

Ayes: Robertson, Voss, Loftis, Behm, Rycenga

Nays: None

Absent: Slater

**B. REVISE APPOINTMENT TO THE ZONING ORDINANCE UPDATE COMMITTEE**

**Without objection**, the ZBA appointed Loftis to the Zoning Ordinance Update Committee.

**C. 2016 ZBA REPORT**

Fedewa reviewed the 2016 ZBA Report through a memorandum dated May 19<sup>th</sup>.

- V. REPORTS – there will be a July ZBA meeting.
- VI. EXTENDED PUBLIC COMMENTS – None
- VII. ADJOURNMENT

**Without objection**, the meeting was adjourned at 7:18 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stacey Fedewa". The signature is written in black ink and is positioned above the printed name.

**Stacey Fedewa**  
Acting Recording Secretary