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ZONING BOARD OF APPEALS

Regular Meeting

November 18, 2025

The meeting was called to order by Vice Chairman Ross De Vries at 5:30 p.m.

Present: Vice-Chairman Ross DeVries, Members Elliott Church, Jack Vander Meulen and Alternate Steve Haberkorn. Also present were Community Development Director Corey Broersma, Assistant Planner/Zoning Administrator Kate White, and Recording Secretary Laurie Kissau.

Absent: Chairman Russ Boersma, and Member Bob DeVries

There were no public comments.

** It was moved by Haberkorn and supported by Church to approve the minutes from the August 26, 2025, meeting as presented. Motion carried 3-Yes, 0-No, and 1-Abstain.

Vice-Chairman De Vries explained the Public Hearing process to the audience.

Hearing declared open to consider a petition for a Nonuse Variance Request submitted by Jeremy Fogg of Greentrust Capital Mgmt LLC for property located at 2490 Van Ommen Drive, known specifically as Parcel Number 70-16-16-377-010. Petitioner is requesting variances consisting of: 1) 15 feet from the required 15-foot side yard setback along the north lot line, resulting in a 0-foot side yard setback for an outdoor storage area; 2) 45 feet from the required 50-foot front yard setback along the east lot line, resulting in a 5-foot front yard setback for an outdoor storage area; 3) permission for an outdoor storage area to be located within a front yard; and 4) 14.8 feet from the required 20-foot front setback along the east lot line, resulting in a 5.2-foot front yard setback for a vehicle sales and display area. The subject property is zoned C-2 Community Commercial.

Present for this request was Jeremy Fogg.

Mr. Fogg explained to the Board that he purchased the building a couple of years ago. It is currently a vehicle repair facility. Mr. Fogg received a violation notice from the Township for the storage of vehicles outside. He has cleaned up the property. However, he still needs outdoor storage for vehicles that need major repairs such as rebuilding the transmission. These vehicles could be on the property for three to four weeks. He is trying to get that installed on this site.

Mr. Fogg further explained that he has walked the property. The north fence exists, the building exists, and the pavement exists. This is a very practical spot for the long-term major repair storage area. He has a snowplow truck and two to three customers waiting on parts. He noted that it is sized for six to seven vehicles and on the lot where it does not obstruct any of the other business.

They got a site plan and submitted it and were told it violates a variety of setbacks from different lot lines. The north lot line has a current fence, but to park a vehicle there for an outdoor storage area, they need a 15-foot side yard variance. The location where the cars are currently being parked is where the storage area would be, but it would be fenced in to be less visible to the oncoming and passing traffic on US-31. It is mostly on the east side of the building, so people on the Van Ommen side of the building will never see it.

Mr. Fogg stated he also needs a variance for the area for the sales and display of vehicles as the pavement is too close to the lot line. Mr. Fogg stated he is less concerned about that variance. He can park the cars a couple of feet back. The existing parking lot is currently about 6 feet from the US-31 front lot line, requiring a 14-foot setback variance from the required 20-foot vehicle sales/display setback.

Mr. Fogg went to the layout on the screen and pointed out the area to be fenced in. There is a bay door to get in and out of the building. There is also a man door on the east end of the property where they propose to make the outdoor storage area.

Mr. Vander Meulen asked Mr. Fogg what he was doing for a dumpster on the property. Also, where they stored fluids from the vehicles.

Mr. Fogg replied that the dumpster is currently on the southeast corner of the building outside the proposed storage area. There is an oil separator inside the building, and they have a service that comes and sucks it out.

Community Development Director Corey Broersma suggested that the Board first look at variance request #3 (permission for an outdoor storage area to be located between the building and a public right of way). Director Broersma noted this is a through lot, so they have two front yards. If the Board finds there is some relief from the location variance, then it is easier to start talking about variance requests #1 and #2. If item #3 is denied, Director Broersma stated that he would anticipate items one and two would be denied as well as the variance requests build on each other.

Mr. Fogg commented that they did talk about putting the storage area elsewhere, but it was not feasible. On the Van Ommen Dr side of the property are the oil separators and there's a lot of infrastructure there.

Mr. Vander Meulen asked Director Broersma to explain to everyone what the Township's vision for the US-31 corridor looks like long term.

Mr. Broersma stated that the US-31 corridor is the primary corridor for residents and visitors alike. The 20-year Comprehensive Plan, which was approved in 2020. The Comprehensive Plan identifies is the US-31 corridor as a sub area. Within the US-31 corridor, there is the desire to enhance the corridor with green space and landscaping and to activate properties along the US-31 corridor. Mr. Broersma noted that ways to further the vision of the Comprehensive Plan would be enforcing or reinforcing the desire for green on private property to comply with the front yard setbacks that incorporate some trees or some shrubs as it does for other front yards.

Mr. Haberkorn was concerned about fire safety.

Mr. Broersma replied that he spoke with Fire Chief Jim Kohsel and he was ok with it as he has easy access to the south side and he could stay on Van Ommen for the north side with a hand hose that did not exceed the international fire codes length of 150 feet.

Mr. DeVries asked Mr. Fogg if the building was fire-suppressed. Mr. Fogg replied that there is currently no fire suppression inside the building as it does not meet those requirements. It is a stick-built building with metal.

Mr. Vander Meulen asked for the east elevation picture to be brought back up. There was a truck and the garbage dumpster. Mr. Vander Meulen commented that that is the stuff the Township wants to see cleaned up. He further commented that the property is better than a year ago. Some of the scrap vehicles have been cleaned up.

Mr. Fogg commented that they did get rid of the old boat and the vehicle carcasses that had weeds growing up through them. He does have at least 10 to 20 cars out there. If he can't have that and this doesn't get approved, his tenant can't run his business. He currently only has cars out there that are operational.

Mr. Fogg further commented that the chain link fence that goes the whole length of the highway looks awful. If he could take that down and make a nice-looking fence, he would be more than happy to do so. However, there is not an easy way to put a bunch of green there.

Mr. Vander Meulen commented that it is a lot nicer than what it was a year ago. If they can continue the way they are going and finish the cleanup, maybe it takes a place to hide some of it. Mr. VanderMeulen noted that the owner is not going to be able to change the fence along the highway as the State put it there.

Mr. Fogg responded that the only vehicles today are client vehicles parked there.

Mr. Vander Meulen asked the applicant how long the vehicles typically sit there if they are waiting for parts.

Mr. Fogg replied that it is two to four weeks depending on how backed up the service center is that is doing the engine or the transmission.

Mr. Church asked Staff about how the adjoining properties are used and what kind of things have been permitted on adjoining properties. Mr. Church wanted to understand if what is being requested is consistent with what is permitted nearby.

Mr. Broersma replied that to the north is Zero Latency, which is the interactive, team building, gaming type facility that has a special land use permit. To the south, there is a minor vehicle repair, detailing and sales business in the front suite. Further to the north, there is Long Range Archery. Also, there is Bouwkamp Builders to the west, who have a special use permit that came before the Planning Commission in terms of how this site was renovated to accommodate outdoor storage and a contractor's facility and some of the new paving and landscaping that was installed there.

The Board asked Staff if it is legal to park in the setback.

Mr. Broersma responded that by today's code, it would be a non-conforming situation. Parking setbacks would be required for this particular site consisting of a front yard landscape with a depth of 10 feet and a side yard buffer with a depth of 10 feet for a new construction.

Mr. Church asked if everything outside of those buffers could then be paved.

Mr. Broersma responded that it can. Ideally, if this was a brand new facility coming before the Zoning Board then they would look at interior parking lot landscaping. Parking lot trees with curbed islands. Mr. Broersma noted they're not dealing with a new construction.

Mr. Fogg replied that he is trying to be practical. He is not against spending money to keep the property nice. He is doing his best.

Vice-Chairman DeVries opened the floor for public comment. Present in the audience to speak to this request was Marty De Haan, owner of Quality Brake and Auto Service to the south (2470 Van Ommen Drive). Mr. De Haan noted that businesses in the area are finding it difficult to comply with whatever it is the Township is asking them to do. When the businesses were built in the 1980s, they met the standards. These are businesses that work with their hands, get dirty, work on people's cars, make a nice living. They take pride in their work and in what their facilities look like.

It might be advantageous to get all the businesses together to put up a fence next to the MDOT fence to hide the properties from the view of travelers on US-31.

Mr. De Haan noted he has vehicles parked in front of his business. He is waiting for parts. Mr. De Haan stated that he schedules the customer, they bring their car in, they diagnose it and hopefully it gets fixed and gone within a day. Customers don't like vehicles to be held up. Getting quality parts could take a bit longer. This is part of what they need to do to make an honest living. Some vehicles need to be stored outside.

He has been in business there since 2015 and no one has ever come in and told him that his business looks bad from US-31. These are all tax paying businesses. They are all trying to get along. The Township wants a cage all around so they can't see what the business is doing. It impacts them all.

Mr. Fogg also spoke to Mr. De Haan's comments. The fence requirement is twofold. One requirement is a certain height fence for long-term storage. Second, all the fences being installed cannot be 12 feet high. Even with a fence, they can't hide it all from view of US-31. The fence in the front can only be as tall as the chain link fence. Some of it is tall, some of it is short.

****** It was moved by Vander Meulen and supported by Haberkorn to close the hearing. Motion carried with a unanimous voice vote.

There was further discussion among the Board Members regarding variance request #3 to allow front yard outdoor storage.

Mr. Church commented that the first issue is "Can there be outside storage?" And if they allow that, the staff report said there was a way for it to comply with the setbacks.

Mr. Broersma responded that there is a way for it dimensional to comply with the setback of 50 feet. That would result in an area that would be relatively small at 23.3 feet from the building.

There was further discussion about how the property could be used if no variances were granted.

Mr. Church asked what length of time a vehicle needs to be parked there to be considered storage.

Mr. Broersma responded that it is overnight parking of 24 hours or more. That timeframe allows some flexibility for customers that drop their vehicles off the night before with a key drop. They must be vehicles that are operational.

Vice-Chairman De Vries responded that 23 feet is not enough to maneuver the vehicles.

There was further discussion about parking on the parcel. The parking spaces on the south are for cars coming in for their appointment, getting repaired and out that same day. The spaces to the east are for vehicles that are for sale and four to six cars for long term parking.

Mr. Church asked the Vice-Chairman if he could ask the applicant a question. He wanted to know what the minimum area would be needed to maneuver the largest vehicle they would possibly work on.

Mr. Fogg replied that the longest car to park would be 25 feet. Some are brought in with a tow, so more room is needed to get in and out of the area.

Mr. Broersma responded that he agreed that a 23 foot storage area would not be practical for this application as it involves moving vehicles. The applicant would need to have gate after gate to get the vehicles in and out.

Mr. Church continued asking what a practical minimum would be. He further commented that 10 feet off the property line is more than practical. A lesser relaxation would be the Board's objective here. Mr. Church asked Staff for their input.

Mr. Broersma responded that outdoor storage has never been allowed on these properties. They have gradually taken advantage of the lack of code enforcement in the Township in years past. The Township is now catching up to make sure properties are compliant. This property in particular, brought to light that maybe the ordinance was too stringent in having no outdoor storage. Within the last year, the Ordinance has been amended to allow more items to be stored outside. Items that are unsightly, such as major vehicle repair, need extra screening.

Mr. Broersma noted if a lesser relaxation was to be granted, pavement could easily be cut back to the 10 foot point and then it would be up to the Planning Commission whether they would want the fence at 10 feet or 15 feet. The fence could be a 6 foot to 8 foot high fence to screen items/vehicles as long as items were not stacked.

Mr. Vander Meulen asked Staff how tall the fence must be to hide a vehicle. Mr. Broersma noted the fence would need to be at least 6 feet tall per the Ordinance.

Mr. De Vries started with the setback. He stated there is 73 feet from the east face of the building to where the fence currently is. Bringing it into the 50-foot setback would create a completely

worthless outdoor storage area. 10 feet off there would reduce their storage area to 63 feet. That would be a reasonable amount for them to store their vehicles and navigate their vehicles if they are in tow.

Mr. Vander Meulen found the 63 feet to be a good measurement. The property could be softened up with a green space between the two fences. A couple of trees could be placed there. Then the fence would look good on both sides of it.

Mr. Church stated that the distance should be determined by what is the minimum the applicant needs. 25 feet is not quite enough; it might be as little as 10 feet more. The setback should be as far as it can be and still be practical. If the Board approves a 10 foot setback then that sets a standard for the entire corridor. Mr. Church stated the Board not be generous, but be practical.

Mr. Vander Meulen stated that they have a stricter standard for something that is being redeveloped or a new development than something that has been there for five decades. Mr. Vander Meulen said the Township changed the ordinance from a 25 foot setback along US-31 to a 50 foot front yard setback several years ago.

Mr. De Vries stated when an applicant decides to put in for what they want, they are asking for what they feel they need to be functional. This property is never going to meet the 50 foot setback without tearing down the building.

Mr. Church responded that the Board should not give more than is necessary. Everyone will ask for a 10 foot setback, not because they need it, but because they want it. Mr. Church noted the Board should be as conservative as possible within the bounds of practicality. He doesn't think people come before the Board asking for what they need, they ask for what they want. Whatever the Board grants here will be asked for in similar situations.

There was further discussion among the Board Members on what the lesser relaxation should be.

Mr. Church asked Vice-Chairman De Vries if he could ask Mr. De Haan's opinion. Mr. De Vries denied the request as the public hearing had been closed and the Board proceeded to the standards.

The Board went over the standards to review when considering the four (4) nonuse variance requests.

- 1. That compliance with the Zoning Ordinance would result in practical difficulties due to exceptional, extraordinary, or unique characteristics or conditions of the land or lot of record, including but not limited to:***
 - a. Exceptional narrowness of the width or depth of a lot of record, or irregular shape.***
 - b. Exceptional natural or topographic features located on the lot of record, such as steep slopes, water, existing significant trees, or other unique or extreme physical conditions of the land.***
 - c. Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional land features.***
 - d. Other exceptional or extraordinary dimensional conditions or characteristics of land or lot of record.***

The Board found that the only unique characteristic of the property is that it has two front yards. Not every site in the Township is going to have two front yards. Also, the building is existing and in a location that is going to make it more difficult for him to place outdoor storage and the ordinance has changed several times since the building existed. The Board found this standard applied to all four variance requests.

2. ***That the unusual circumstances do not apply to most other lots of record in the same manner to the same extent to other lots of record in the same zoning district.***

The Board found that any parcel along the highway is going to have two front yards. The neighboring parcels have similar uses and needs. It is not unique; they simply face the same challenges.

The site did meet the Ordinance when it was built, but the Ordinance changed several times since.

3. ***That the variance is necessary for the preservation and enjoyment of a substantial property right. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.***

The Board found that the applicant bought the existing building expecting to continue to use it for what it was previously used for. Storing cars for more than 24 hours can't be avoided in this type of business. It's a natural feature of auto repair. A lesser relaxation is appropriate.

Mr. Church stated that the setback for vehicle sales and display should be the original setback because everyone has expected that. He further stated that that permits enough space for it to be practical in this case. Mr. Church was of the opinion that a side yard setback variance was not necessary.

4. ***That the granting of the variance will not be of substantial detriment to adjacent and nearby land uses and properties.***

The Board found that encroaching upon outdoor storage setbacks and the 10-foot front yard landscape area would be contrary to the Township's vision for the US-31 Corridor to "green" and enhance the landscaping along the US-31 right-of-way.

Mr. Vander Meulen commented that both Bouwkamp Builders and Zero Latency came before the Planning Commission to get approval for what they do. Mr. Vander Meulen thinks they both ended up doing a lot more extensive work to their properties than they probably would have chosen to have done. Mr. Vander Meulen stated that granting them a variance will mean that they will make improvements to the property, that once completed, will enhance the neighborhood.

The Board asked how much of a variance is needed to do him a good service and also be of good service to other properties and the Township. There was discussion of tabling the request

and what that would mean because of the papers served on them to clean up the property.

5. *That the applicant shall not have created the problem for which the variance is being sought.*

The Board found that the Zoning Ordinance has been revised to allow outdoor storage and the applicant is dealing with the location of an existing building, the through lot configuration, and service bay configuration which impact the ability to locate outdoor storage outside of a front yard area.

The Board found that they all agreed to allow the front yard storage along US-31 as it is the only location that makes sense. The question is how much to grant because it will set a precedence.

Mr. Church was of the opinion that the Board did not have enough information to give the applicant the setback variances asked for.

6. *That the granting of the variance will not be contrary to the public interest and that the spirit of this ordinance shall be observed, public safety secured, and substantial justice done for both the applicant and other property owners in the district.*

The Board found that granting relief from the 50 foot setback would give justice to both the property owner and other property owners in the district. It makes sense to allow vehicle sales like others in the district. Vehicle sales are a natural component of the work that they do.

Mr. Vander Meulen commented that vehicle sales would make the owner want to keep the property cleaned up. This would not be contrary to public interest or the spirit of the ordinance. Mr. Vander Meulen was good with a 10 foot setback it is more than what is there now by five feet. He further commented that there is no advantage to making more grass.

Mr. Church agreed on the setback for the vehicle sales area but felt that the other setback was too much and would be contrary to public interest. Granting this would make it difficult to say no to anyone else who wants to build up to the property line.

****** It was moved by Mr. Church and supported by Mr. Vander Meulen to approve a variance for permission for an outdoor storage area to be located within a front yard. Motion carried with a unanimous roll call vote.

****** It was moved by Mr. De Vries and supported by Mr. Vander Meulen to approve the request for a variance of 15 feet from the required 15-foot side yard setback along the north lot line, resulting in a 0-foot side yard setback for an outdoor storage area. Motion carried with a roll call vote of 3 - Yes to 1 - No.

There was further discussion on what the front yard setback along US-31 should be.

** It was moved by Mr. Church and supported by Mr. Vander Meulen to table this portion of the request for a variance of 45 feet from the required 50-foot front yard setback along the east lot line, resulting in a 5-foot front yard setback for an outdoor storage area.

Mr. Church further stated that he does not know what is practical – 50 feet is too imposing. What is sufficient without being overly generous? There are also aesthetic desires for every property in this corridor to be the same.

Mr. Vander Meulen supported it because he would like them to rethink it and not have something six foot high within five feet of the highway.

The Board continued to have further discussion on why the setback portion of the request should be tabled or not tabled.

Mr. De Vries commented that the Board should have the information needed. The Board know that 23 feet is not enough to move a vehicle around in the outdoor storage area. Take the longest vehicle and double it. The Board have the ability to say what they want the setback to be.

Mr. Church stated he is comfortable with going back to the 25 foot setback from the previous ordinance because that is what everyone should have expected. They have no back yard.

Motion failed with a roll call vote of 2 - Yes to 2 - No.

** It was moved by Church and supported by De Vries to withdraw the motion to table this portion of the variance request. Motion carried with a unanimous roll call vote.

Mr. Church agrees with a relaxation of the previous 25 foot setback for the front yard.

There was a discussion as to whether there was a previous ordinance of a front yard being 25 feet. Mr. Broersma provided context on a recent court case for another property along US-31. The courts ruled that the property could have a 25 foot front on US-31 according to an old site plan that was submitted. The portion facing US-31 would be a back yard with a setback of 25 foot due to lack of access. The Township chose not to appeal. Mr. Broersma further commented that there is a now a text amendment ordinance clearly stating that property along US-31 is a front yard.

** It was moved by Haberkorn and supported by Vander Meulen to grant a lesser relaxation of a variance of 20 feet from the required 50-foot front yard setback along the east lot line, resulting in a 30-foot front yard setback for an outdoor storage area. Motion carried with a unanimous roll call vote.

There was discussion of the vehicle display area on the east property line. The applicant is asking for a 5.2-foot setback, a 20 foot setback is required by ordinance.

Mr. Vander Meulen commented that the area between the fence and the vehicle sales area would be a nice place to have mowed grass and maintain the area between the fence and the parking lot

with trees to soften it. At the same time, Mr. Vander Meulen noted the owner wouldn't want to block the display area. Mr. Broersma stated that the plantings could be clustered.

****** It was moved by Vander Meulen and supported by Church to grant a lesser relaxation of a variance, so they have a 10 foot front yard setback for vehicle sale and display along US-31 with the condition a compliant front yard landscape be installed, that the variance approval does not qualify as special use authorization, and that the variance is contingent upon receiving the Special Land Use permit approval from the Planning Commission for the uses as presented. Motion carried with a unanimous roll call vote.

Hearing declared open to consider a petition for a Nonuse Variance Request submitted by Brian Malone on behalf of Christine Gethin of CLG Holdings LLC for property located at 4412 136th Avenue, known specifically as Parcel Number 70-16-05-300-023. Petition is requesting a variance for a 20,000-square-foot outdoor storage area, exceeding the maximum 10,000 square feet permitted for an outdoor storage area determined from the footprint of the existing principal building. The subject property is zoned I-2 General Industrial.

Present for this request was Brian Malone on behalf of Christine Gethin of CLG Holdings LLC and Bruce Zeinstra with Holland Engineering.

Mr. Zeinstra noted that Mr. Malone is under contract to lease the property. Mr. Zeinstra noted Mr. Malone is asking for an outdoor storage area exceeding the maximum area requirements for a storage area. The current ordinance, which was adopted in March, states that the outdoor storage area cannot be any larger than the footprint of the existing principal building. The existing building is 10,000 square feet. Mr. Malone is asking for 20,000 square feet of outdoor storage. The 10,000 square foot area would not meet his needs.

Mr. Malone noted he has a Masonry Company with 15 large vehicles and flatbed trailers. This area would be his staging area to load the vehicles. The area would have a 6 foot tall white vinyl fence around it. The outdoor storage would meet all setbacks.

Mr. Vander Meulen asked if he would be willing to use a different color fence. White draws attention. Mr. Malone responded that he would be willing to use a different color fence.

Mr. Malone further explained that he has a five-year lease with the opportunity to purchase the property after that. If all goes well with the business, he plans to add on to the existing building.

The Board asked about drainage. Mr. Zeinstra responded that they would be talking with the Drain Commission. There are no drainage issues that they are aware of.

Mr. De Vries asked whether Mr. Malone plans on using storage racks for their items. Mr. Malone noted they would not.

Mr. Haberkorn asked what kind of surface the storage area would have. Mr. Malone replied that he planned to have crushed gravel as the vehicles are quite heavy and would tear up asphalt. He plans to dig out around the area and put 10 inches of gravel flush with the ground. They would maintain it and bring in more when needed and keep it graded.

Mr. Broersma informed the Board that the Zoning Administrator has the final say on what type of surface gets put in based on the Ordinance.

Mr. Church asked Staff if there are any other businesses in Holland Charter Township that have double the principal building size of outdoor storage.

Mr. Broersma replied that this is a new Ordinance and this is the first request to make the outdoor storage area larger than the principal building.

Mr. Haberkorn asked what Mr. Malone was doing with his vehicles currently.

Mr. Malone responded that they are stored off site.

There was discussion of a text amendment being the better way to go. Perhaps the size of the storage area should be dependent on what the nature of the business is and what zoning district it is in.

Mr. Broersma explained to the applicant that not all vehicles need to be in a storage area. Passenger vehicles like an F-150 truck could be parked overnight in their parking lot.

Mr. Malone replied that his vehicles are more like F-350s to F-550s, larger vehicles with crew cabs and longer beds because of what they have to transport.

Mr. Church asked the applicant conservatively what their need would be.

Mr. Malone stated that 10,000 square feet would almost not work; 20,000 square feet would be idealistic.

Vice-Chairman De Vries opened the floor for public comment. There was no one present in audience to speak to this request. There was no communication with Staff from surrounding businesses.

** It was moved by Haberkorn and supported by De Vries to close the hearing. Motion carried with a unanimous voice vote.

The Board went over the standards to review when considering a nonuse variance request.

- 1. That compliance with the Zoning Ordinance would result in practical difficulties due to exceptional, extraordinary, or unique characteristics or conditions of the land or lot of record, including but not limited to:***
 - a. Exceptional narrowness of the width or depth of a lot of record, or irregular shape.***
 - b. Exceptional natural or topographic features located on the lot of record, such as steep slopes, water, existing significant trees, or other unique or extreme physical conditions of the land.***
 - c. Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional land features.***
 - d. Other exceptional or extraordinary dimensional conditions or characteristics of land or lot of record.***

The Board found there are no practical difficulties due to exceptional, extraordinary or unique characteristics of the land; the lot is conforming and flat. The size of the building vs the size of the lot makes the building look small. There is plenty of room for growth on this parcel.

2. ***That the unusual circumstances do not apply to most other lots of record in the same manner to the same extent to other lots of record in the same zoning district.***

The Board found that the building to lot ratio does not apply to most other lots of record in the same manner to the same extent to other lots of record in the same zoning district.

3. ***That the variance is necessary for the preservation and enjoyment of a substantial property right. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.***

The Ordinance requirement for a maximum size area for outdoor storage is a new regulation as of March of this year to discourage outdoor storage from becoming the principal use.

The Board found that the request does not seem to be necessary for the preservation of a substantial property right.

4. ***That the granting of the variance will not be of substantial detriment to adjacent and nearby land uses and properties.***

The Board found that granting of the variance will not be of substantial detriment to adjacent and nearby land uses and properties, as the applicant is not seeking relief from screening requirements and the size of the storage area is not anticipated to create nuisances.

5. ***That the applicant shall not have created the problem for which the variance is being sought.***

The Board found that the applicant did not construct the building, however, they selected the location and are limited to the size of the building for a maximum storage area.

6. ***That the granting of the variance will not be contrary to the public interest and that the spirit of this ordinance shall be observed, public safety secured, and substantial justice done for both the applicant and other property owners in the district.***

The Board found that granting this variance would be contrary to the public interest. If the Board allow two times the amount of outdoor storage space because the building is small, everyone who wants more outdoor storage space will think it is ok. It is not ok in every case. To create that idea does not help.

Mr. Vander Meulen stated that this ordinance was just amended. If the Boards grants the first request for two times the amount allowed, the Board is saying the new ordinance doesn't mean anything.

Mr. Vander Meulen commented that there was a lot of discussion among the Planning Commission, and this is what they agreed to.

** It was moved by Mr. De Vries and supported by Mr. Church to deny the variance request for a 20,000-square-foot outdoor storage area, exceeding the maximum 10,000 square feet permitted for an outdoor storage area determined from the footprint of the existing principal building. The motion carried by a unanimous roll call vote.

Next on the agenda was the approval of the time and dates for the 2026 meetings for the Zoning Board of Appeal.

** It was moved by Church and supported by De Vries to approve the meeting dates of 2026 as presented with the start time remaining at 5:30 p.m. Motion carried with a unanimous voice vote.

Meeting adjourned at 8:16 p.m.

Respectfully submitted,

Laurie Kissau
Recording Secretary