

PETITION FOR NONUSE VARIANCE
HOLLAND CHARTER TOWNSHIP ZONING BOARD OF APPEALS

353 North 120th Avenue · Holland, MI 49424 · Phone: 616.395.0151 · www.hct.holland.mi.us

To the Petitioner: A nonuse variance (also known as a dimensional variance) is a variance granted upon showing of "practical difficulty" created by a dimensional requirement in a zoning ordinance. If granted, the variance is a license to violate the zoning law. Dimensional variances typically involve setbacks, height limitations, bulk, lot area and other numerical standards in an ordinance.

The Michigan Courts have set standards to be used when considering nonuse variances. These standards require the petitioner to demonstrate a "practical difficulty" unique to the property - not the petitioner - in order to qualify.

Please print or type:

Applicant's Name: Champion Windows Phone: 616-871-2412

Applicant's Address: 4717 Broadmoor SE suite J E-mail: jtyler@getchampion.com
Kentwood MI 49512

Property Address: 230 Mac Rose Ave, Holland MI 49424

Parcel Number: 70 - 16 - _____ - _____ - _____ Zoning: _____

Owner's Name: Raymond Gutierrez Phone: 616-377-8616

Owner's Address: 230 Mae Rose Ave E-mail: _____
Holland, MI 49424

Ordinance Section Number(s) Relative To This Appeal: _____

Provide a Brief Description of Your Request: We are requesting a variation of the front yard setback from 35' to 30', a decrease of 5' (or 14.28%) to install a 13' x 13' patio cover on the side of the house. The patio cover will sit back 1' from the front of the house so it will not be incroaching any farther than the house currently is. The house is currently a legal non-conforming structure, likely from a change in zoning throughout the years.

Standards for Granting of Variance. No variance in the provisions or requirements of this ordinance (Zoning Ordinance) shall be authorized by the Zoning Board of Appeals unless it is found from the evidence that all the following conditions exist:

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 an 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 features of the land.
 - d. Other exceptional or extraordinary dimensional conditions or characteristics of land or lot of record.
2. That the unusual circumstances do not apply to most other lots of record in the same manner or 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.
4. That the granting of the variance will not be of substantial detriment to adjacent and nearby land uses and properties.
5. That the applicant shall not have created the problem for which the variance is being sought.
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.

Describe how this petition meets all of the above conditions (attach additional sheets as necessary):

1. The property was rezoned at some point making the house a legal nonconforming structure.
2. If the property was not rezoned, they would be allow to build this patio cover.
3. The property owner cant use his lot to build on in the same manner as a property that
has not been rezoned.
4. The patio cover will have little to no effect on the neighboring properties.
5. The property owner did not request the property to be rezoned and did not create this issue.
6. The patio cover will have no effect on the general public and will be a nice addition to this
property.

A filing fee of \$400.00 must be submitted along with nine (9) complete copies of: this form, related documentation, and the site plan including an electronic copy of the site plan on CD or other file sharing device. This petition must be submitted as least four (4) weeks before the scheduled hearing date. Incomplete applications will not be scheduled for a hearing.

You or your authorized agent must be present at the hearing to present your petition. You will be notified as to the date and time. Your neighbors within 300 feet will also be notified concerning your hearing.

Property Owners Certification

I hereby certify that I am the owner of the above-described property and have authorized the applicant to seek this variance on my behalf. I further understand that conditions and restrictions may be placed upon this property by the Holland Township Zoning Board of appeals and hereby agree to conform to and abide by any and all such conditions.

I further agree and authorize representatives from Holland Charter Township to enter my property in order to review the particulars of my request.

Property Owner's Signature: Raymond V. Gutierrez Date: 09/09/2024

OFFICE USE ONLY:

Permission

Raymond Gutierrez <seabeesw15@gmail.com>

Fri 2/9/2024 7:39 PM

To:Chaffin,Brandon <bchaffin@getchampion.com>;Tyler,Julius <jtyler@getchampion.com>

****** EXTERNAL EMAIL - USE CAUTION WHEN CLICKING LINKS OR OPENING ATTACHMENTS

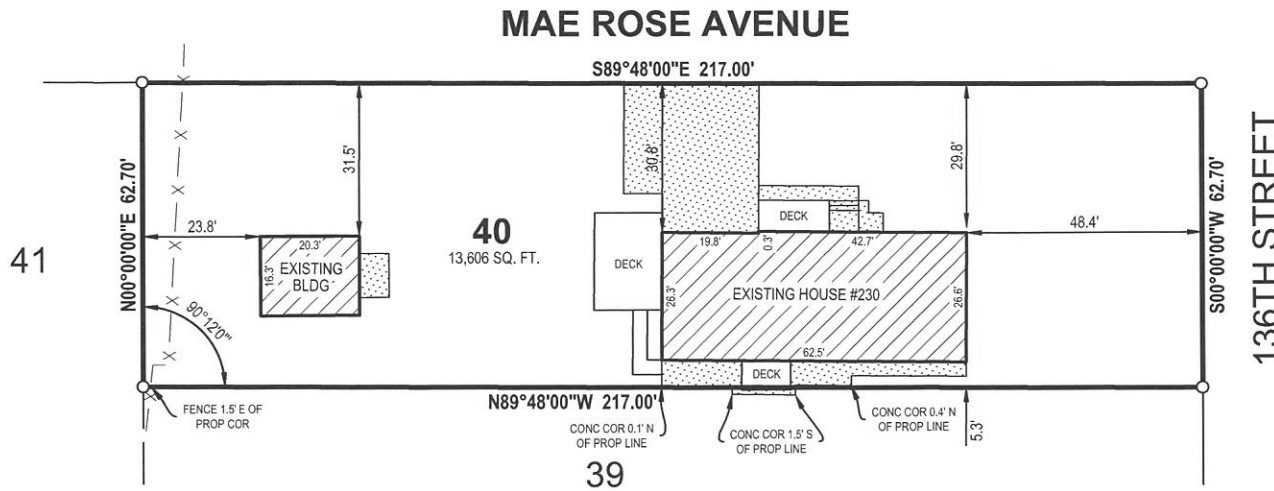
To whom it may concern: By this brief note I authorize Champion Windows to apply for a variance on my behalf. Raymond V Gutierrez 02/08/2024

DESCRIPTION

The premises located in Ottawa County, Michigan, described as;

LOT 40 ESSENBURGS SUB NO. 2

(Quit Claim Deed, Document No. 2016-0049392, dated December 28, 2016, Ottawa County Register of Deeds)



LEGEND

- Iron-Found
- Fence
- Existing Building
- Concrete

We hereby certify that we have examined the premises herein described, that the improvements are located entirely thereon as shown and that they do not encroach except as shown hereon.

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

136TH STREET



By: *Scott A. Hedges*
Scott A. Hedges Licensed Professional Surveyor No. 4001047953

SCALE: 1" = 30' 0' 15' 30'

NORTH

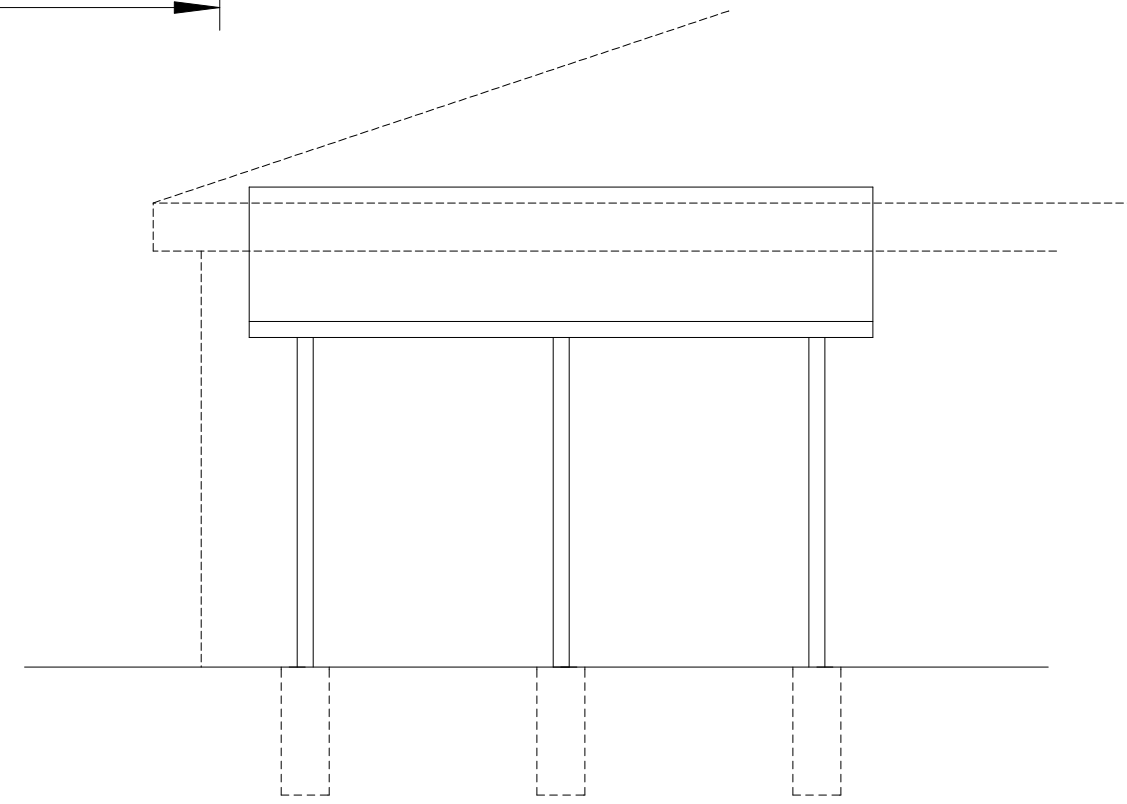
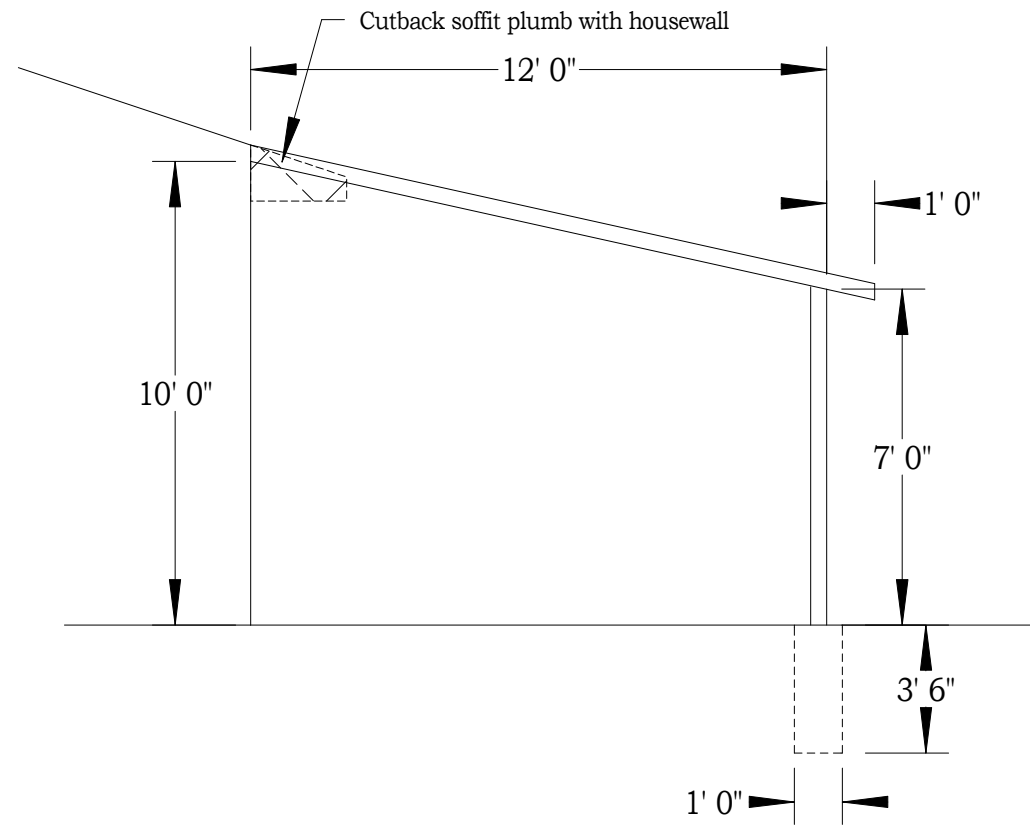
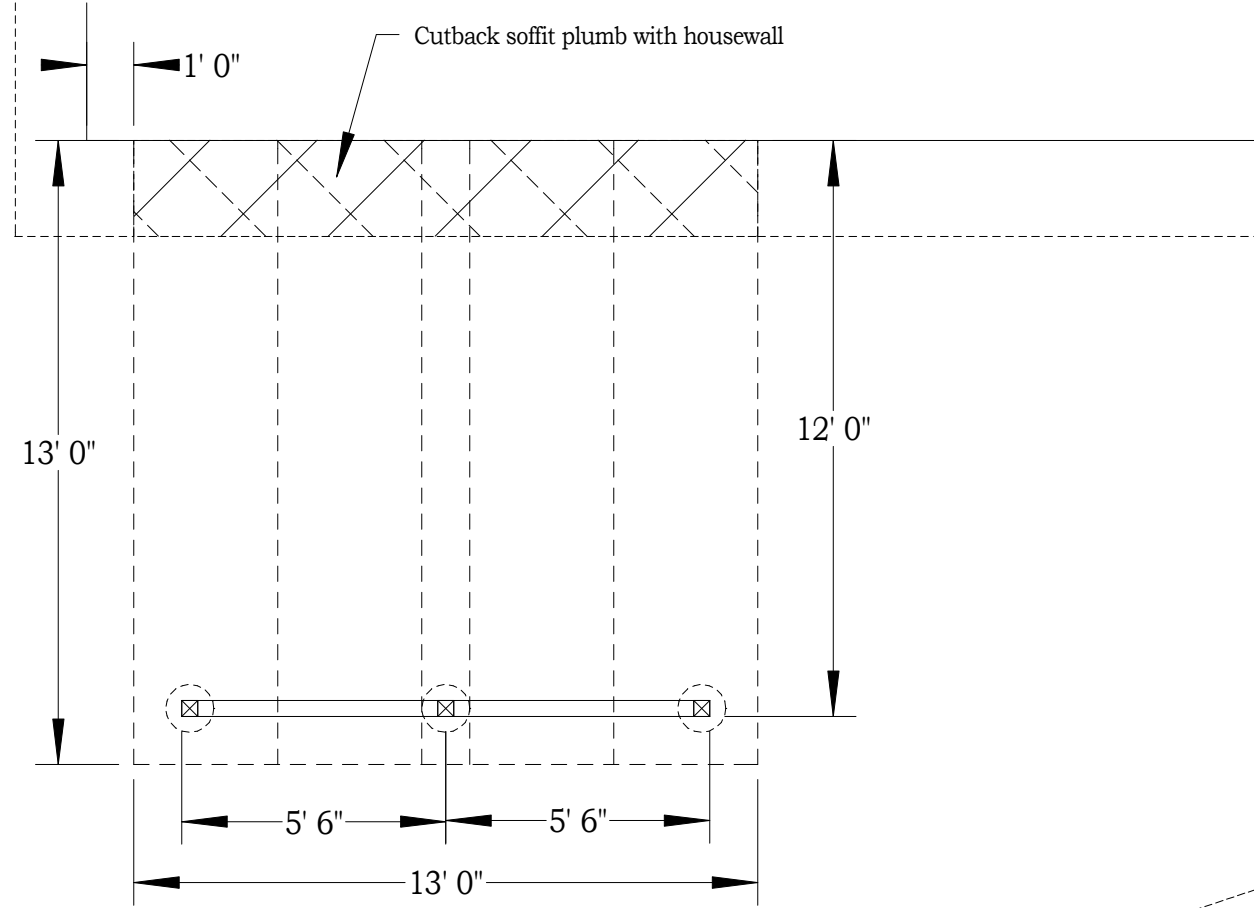
Champion Windows
Julius Tyler
4717 Broadmoor Avenue SE
Suite J
Grand Rapids, MI 49512

230 Mae Rose Ave

NEDERVELD
www.nederveld.com • 800.222.1868
Holland
347 Hoover Blvd.
Holland, MI 49423
Ann Arbor, Chicago, Columbus,
Grand Rapids, Indianapolis

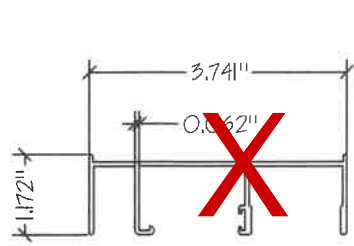
DRAWN BY: HM	DATE: 2-29-24	PRJ #: 24200236
REV. BY:	REV. DATE:	
REV.:		
		1 OF 1

Patio cover off garage
No egress violations

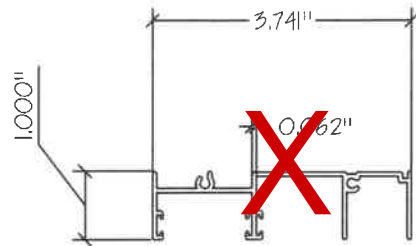


<u>CODES</u> 2015 Michigan Residential Code	<p>CHAMPION Modular aluminum construction. Seasonal, unheated, non-habitable space. 3-SEASON window room with 365 glass Framing to be white aluminum. Exterior panel to be white. Interior panel to be white. All sashes & door glass to be tempered.</p>	<p>CHAMPION PATIO ROOMS 4717 Broadmoor SE Suite J Kentwood, MI 49512 616-554-1600</p>	<p><u>RESIDENCE</u> Raymond Gutierrez 230 Mary Rose Ave. Holland, MI 49424</p>	<p><u>SCALE : 1/4" = 1'</u></p>	<u>NOTES</u> No egress issues per section R-310 of the 2015 Michigan Residential Code
		<p><u>PATIO ROOM MANAGER</u> JOSH DELPIERRE</p>	<p><u>CUSTOMER ID NO.</u> 5700003286</p>	<p><u>DATE</u> 01/10/2024</p>	
		<p><u>SHEET NO.</u> 1 of 1</p>			

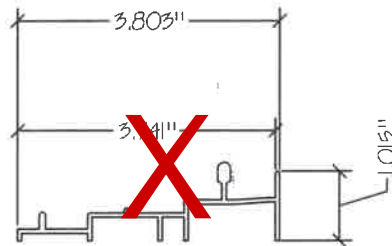
Roof only patio cover (no walls)



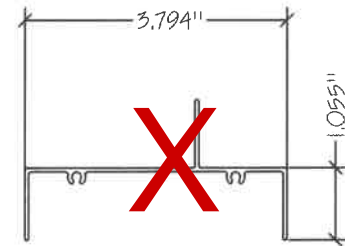
① WINDOW/DOOR FRAME HEAD



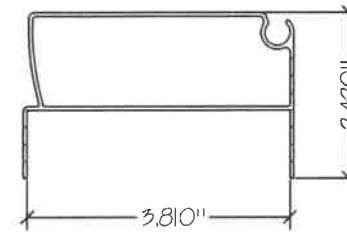
② WINDOW/DOOR FRAME JAMB



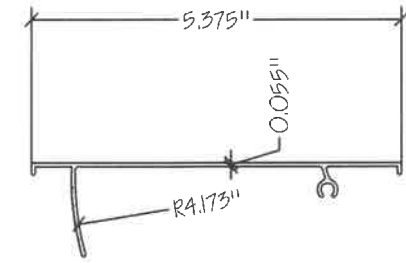
③ WINDOW/DOOR FRAME SILL



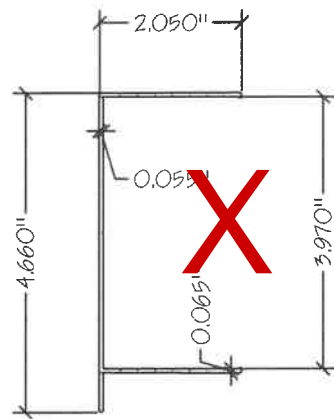
④ TRANSOM FRAME



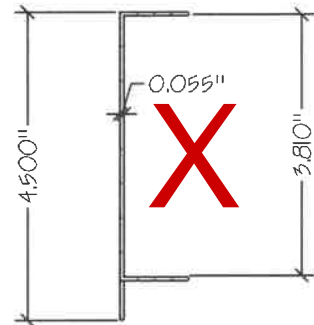
⑤ HEADER BASE



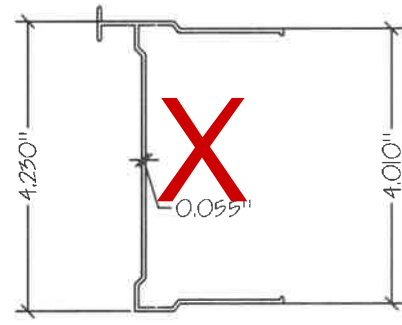
⑥ HEADER ARM



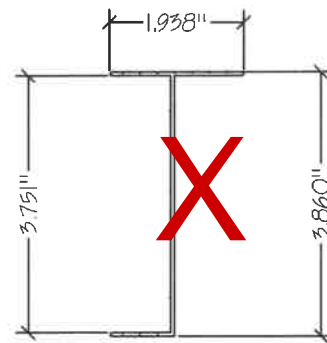
⑦ 4" EXPANDER



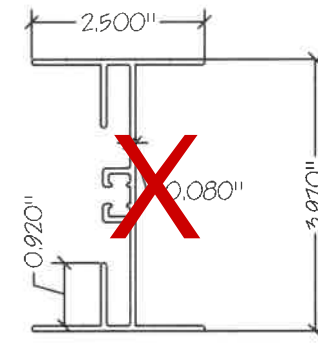
⑧ 4" F-CHANNEL



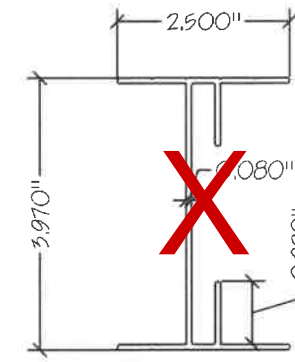
⑨ 4" HANGER BASE



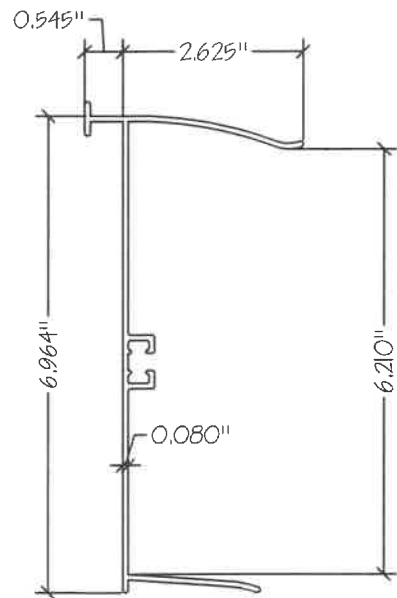
⑩ 4" SILL EXTRUSION



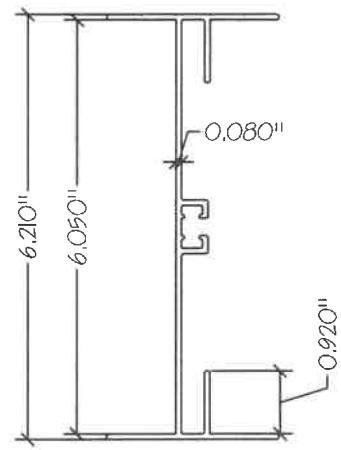
⑪ 4" I-SECTION THERM



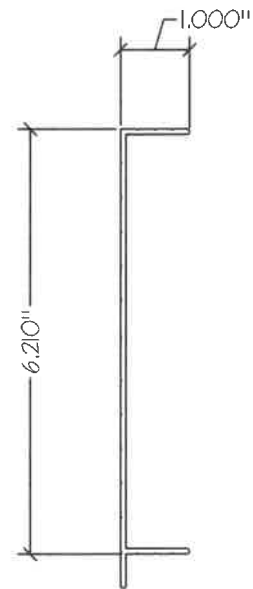
⑫ 4" NON-THERM I-SECTION



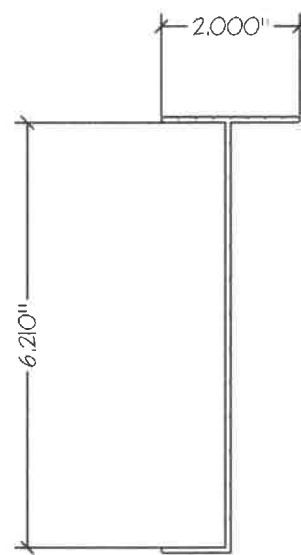
⑬ 6" HANGER BASE



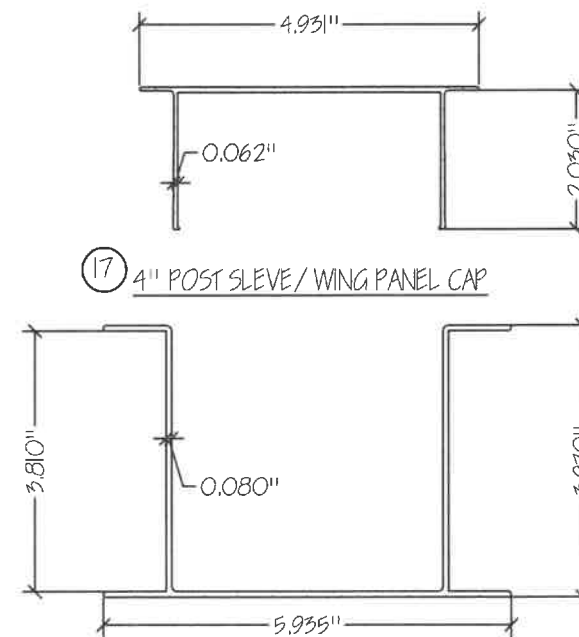
⑭ 6" I-BEAM



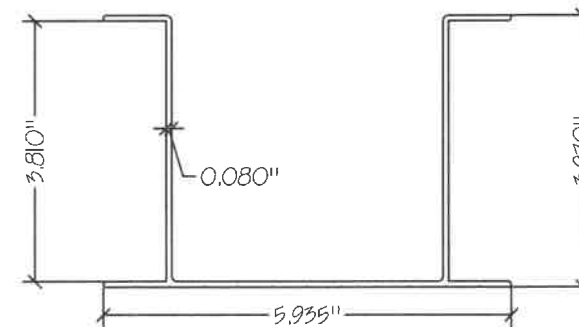
⑮ 6" F-CHANNEL



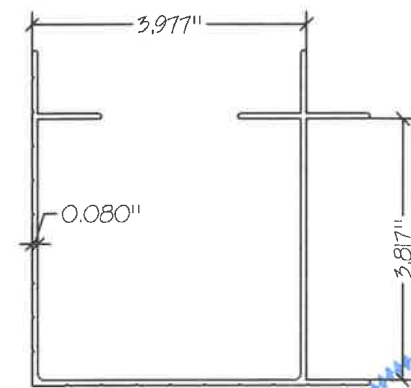
⑯ 6" SILL



⑰ 4" POST SLEVE/WING PANEL CAP



⑱ 4" POST SLEVE



⑳ CORNER POST

DATE: 2/13/19

SCALE: NTS

Drawn by: MJG

REV: DATE:

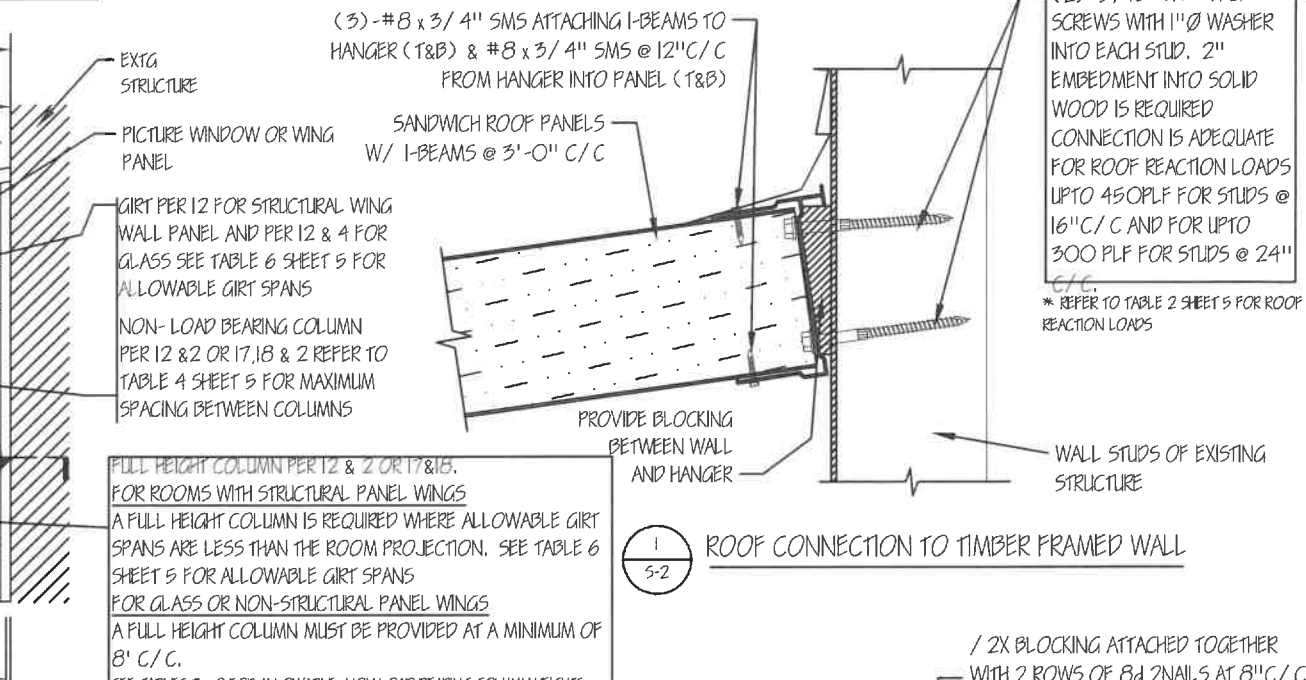
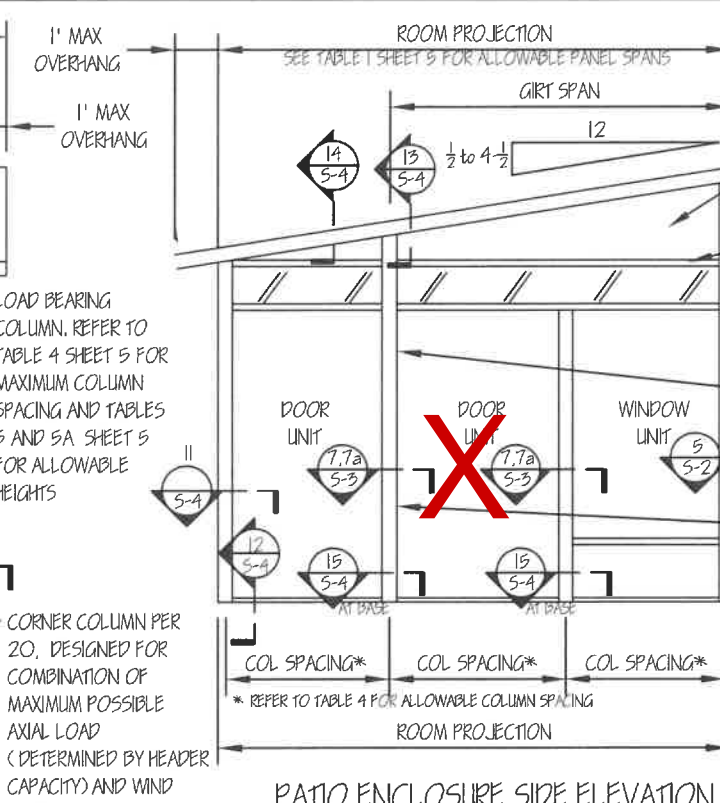
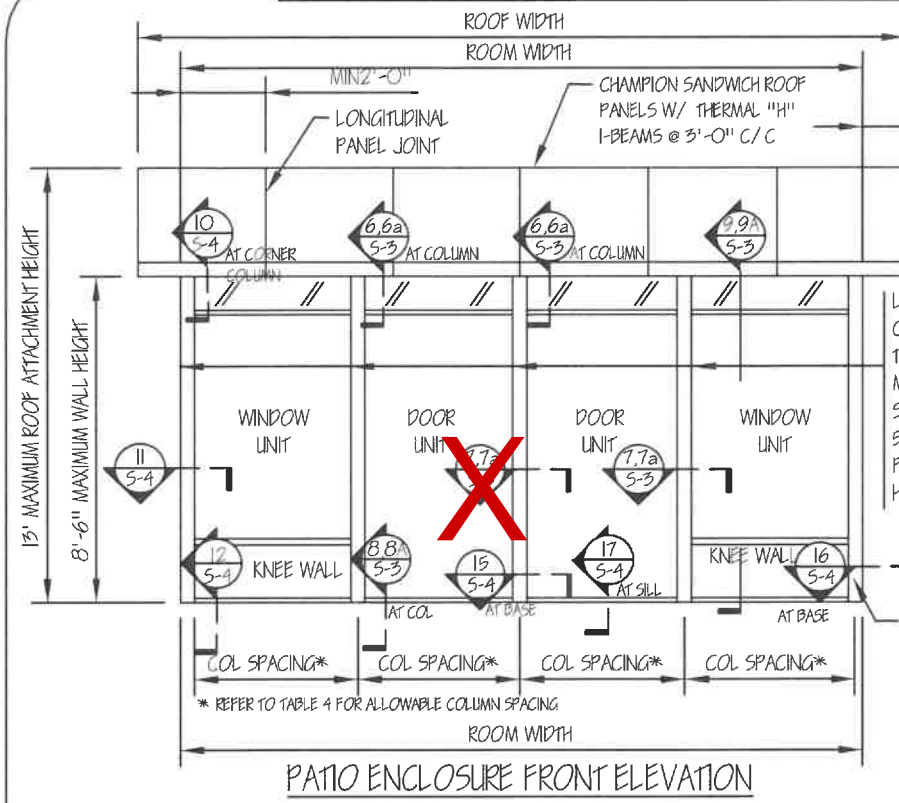
SHEET: 1 OF 5



10/11/2021

Roof only patio cover (no walls)

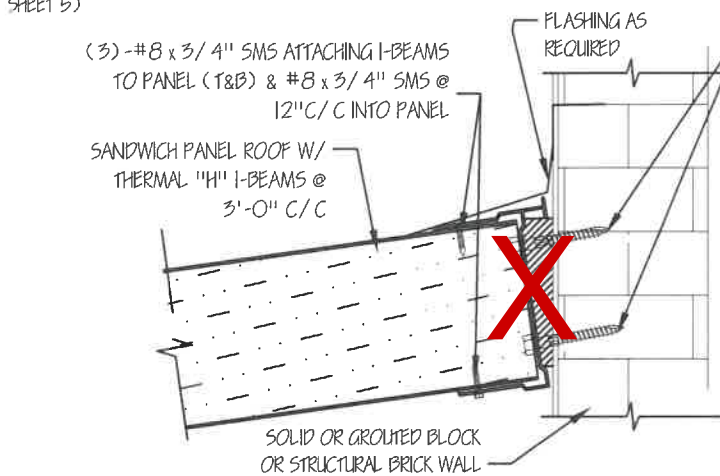
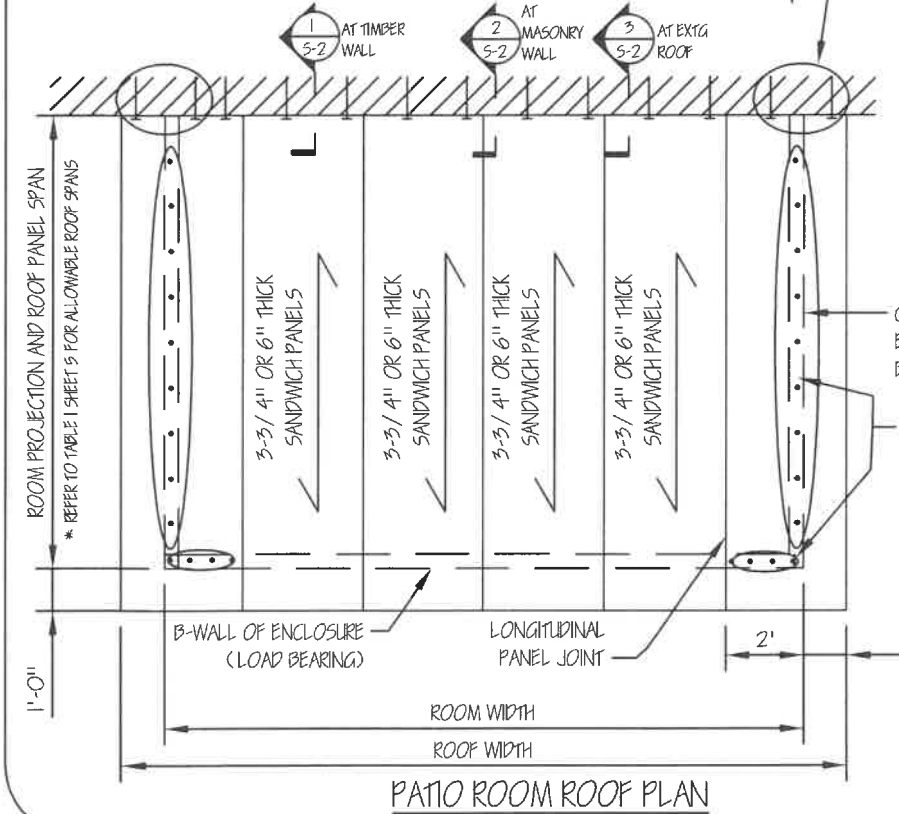
NOTE: ALTERNATE COMBINATION OF DOORS, WINDOWS, TRANSOMS AND KNEE WALLS ARE PERMITTED PROVIDED THE SPECIFIED HEIGHT AND SPACING LIMITATIONS ARE ADHERED TO.



WIND ZONE*	MAX ROOM PROJECTION (FT)
1	1.1 X ROOM WIDTH
2	1.0 X ROOM WIDTH
3	0.9 X ROOM WIDTH
4	0.8 X ROOM WIDTH

* REFER TO TABLE A SHEET 5 FOR WIND ZONE DESIGNATION

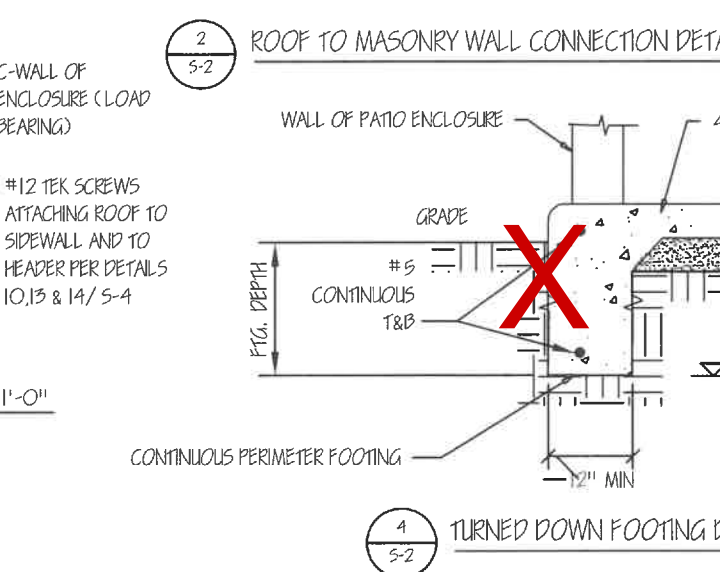
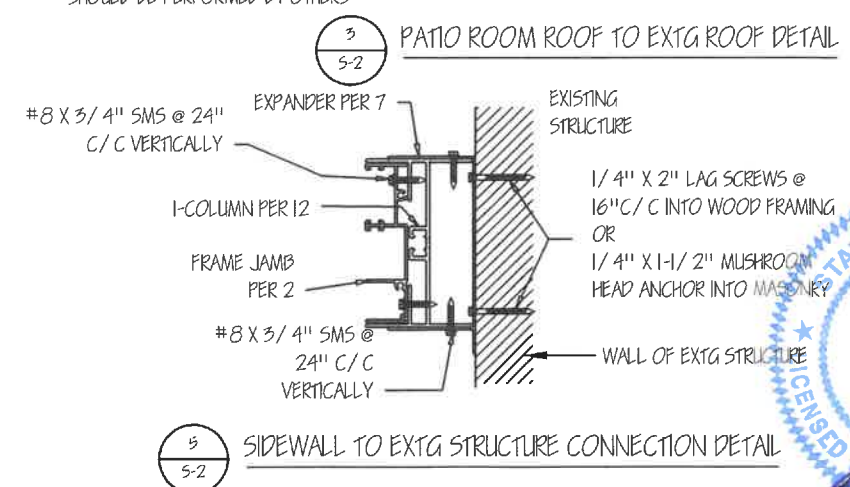
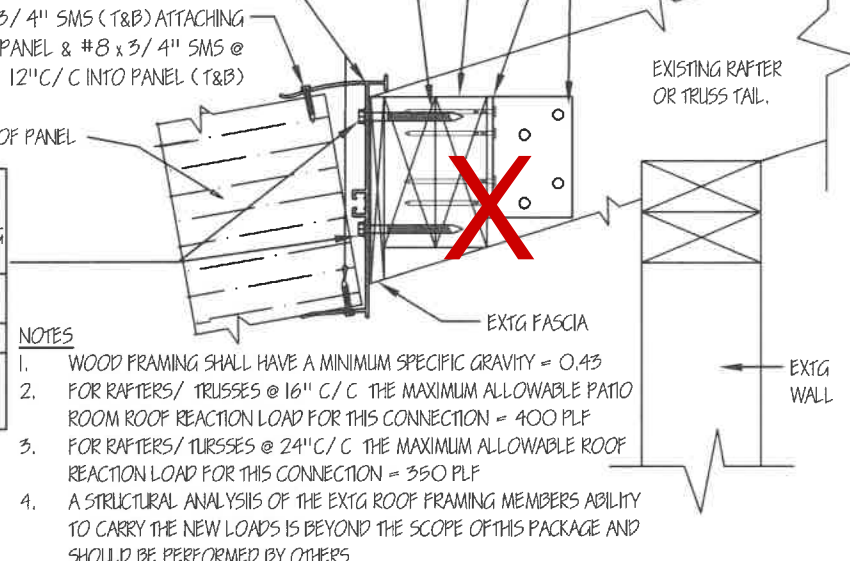
2 SETS OF 5/16" X 3" LAG SCREWS WITH 1" Ø WASHER @ 16" C/C CONNECTING EACH END OF THE ROOF DIAPHRAGM TO A TIMBER FRAMED STRUCTURE OR
2 SETS OF (2) -1/4" X 3-3/4" HILTI KWIK-CON II+ ANCHORS @ 12" C/C CONNECTING THE END OF THE ROOF DIAPHRAGM TO A MASONRY STRUCTURE.



(2) -1/4" X 3-3/4" HILTI KWIK-CON II ANCHORS @ 12" C/C FOR ROOF REACTION LOADS UP TO 400 PLF*. * REFER TO TABLE 2 SHEET 5 FOR ROOF REACTION LOADS

REQ'D SPACING (IN)	ROOF REACTION*						
	100	150	200	250	300	350	450
	16"	16"	12"	10"	8"	7"	5"

* ROOF REACTION FROM TABLE 2 SHEET 5



- NOTES
- WOOD FRAMING SHALL HAVE A MINIMUM SPECIFIC GRAVITY = 0.43
 - FOR RAFTERS/ TRUSSES @ 16" C/C THE MAXIMUM ALLOWABLE PATIO ROOM ROOF REACTION LOAD FOR THIS CONNECTION = 400 PLF
 - FOR RAFTERS/ TRUSSES @ 24" C/C THE MAXIMUM ALLOWABLE ROOF REACTION LOAD FOR THIS CONNECTION = 350 PLF
 - A STRUCTURAL ANALYSIS OF THE EXTG ROOF FRAMING MEMBERS ABILITY TO CARRY THE NEW LOADS IS BEYOND THE SCOPE OF THIS PACKAGE AND SHOULD BE PERFORMED BY OTHERS

CES
CHAMPION ENCLOSURE SUPPLIERS
 12111 CHAMPION WAY, CINCINNATI, OH 45241
 PH: (513) 782-3900 FAX: (513) 782-3900

CHAMPION WINDOWS AND PATIO ROOM
 4" Wall System with Studio Style Roof
ELEVATION AND SECTION DETAILS

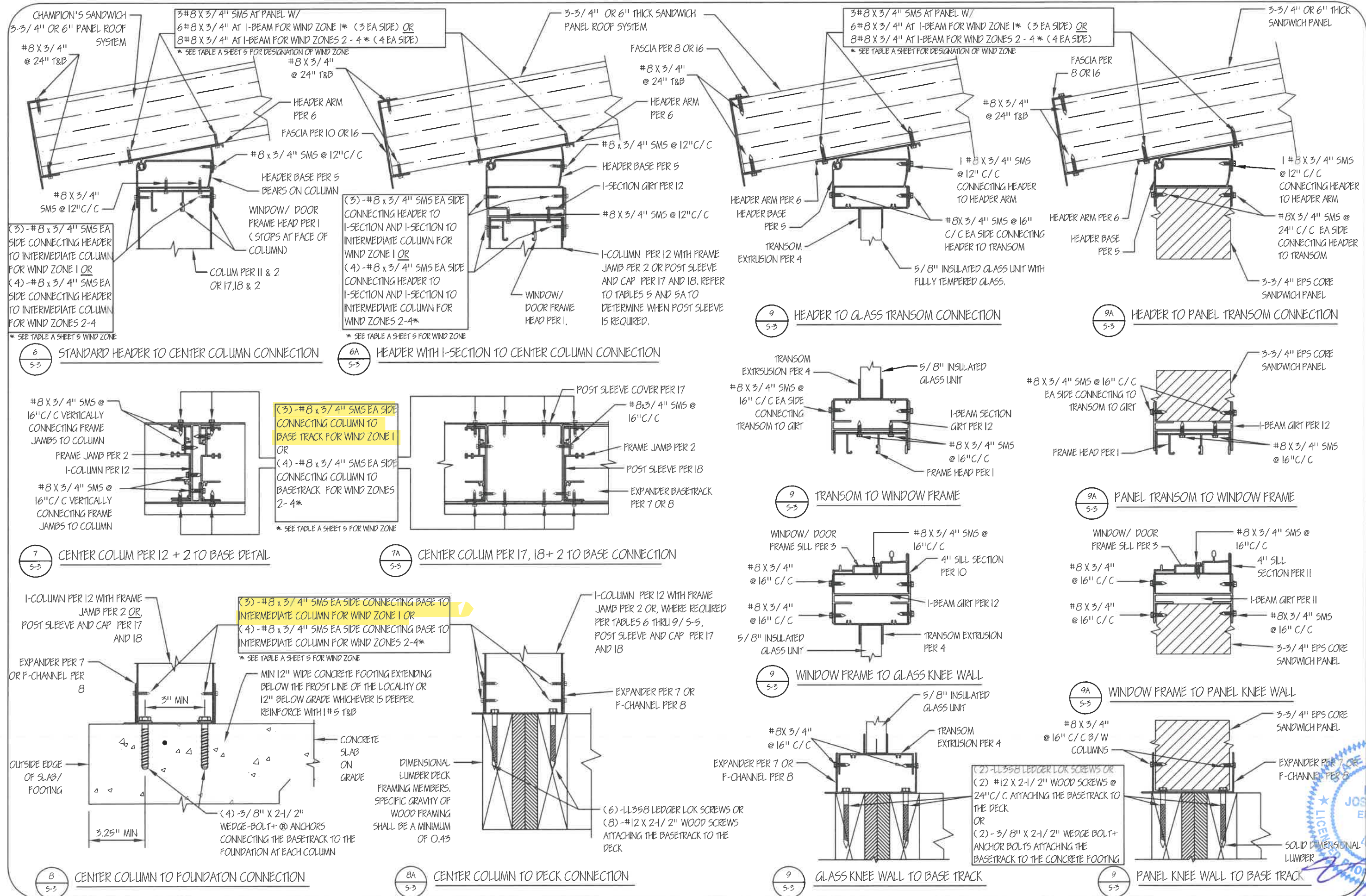
DATE: 2/13/19
 SCALE: NTS
 Drawn by: MJG
 REV: DATE:

SHEET: 2 OF 5

STATE OF MICHIGAN
MARTIN JOSEPH GOSS
 ENGINEER
 No. 47232
 LICENSED PROFESSIONAL ENGINEER

10/4/20

Roof only patio cover (no walls)

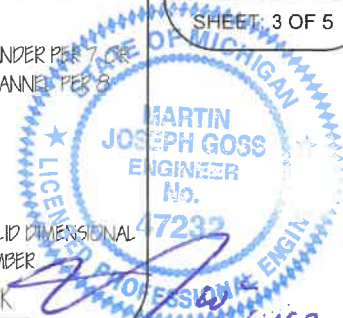


CHAMPION ENCLOSURE SUPPLIERS
 12111 CHAMPION WAY, CINCINNATI, OH 45241
 PH: (513) 762-3900 FAX: (513) 762-3903

CHAMPION WINDOWS AND PATIO ROOM
 4" Wall System with Studio Style Roof

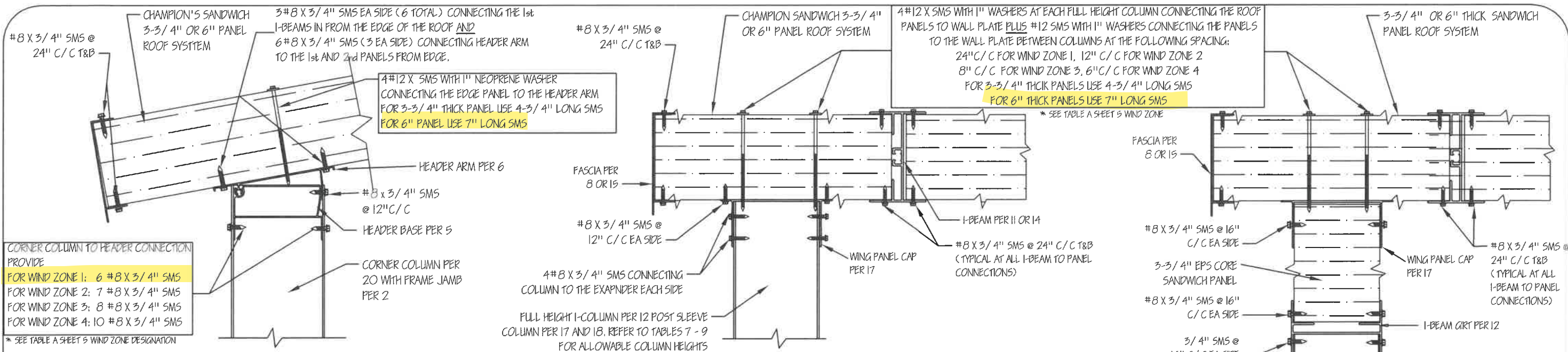
SECTION DETAILS

DATE: 2/13/19
 SCALE: NTS
 Drawn by: MJG
 REV: DATE:



SHEET: 3 OF 5
 10/11/2021

Roof only patio cover (no walls)



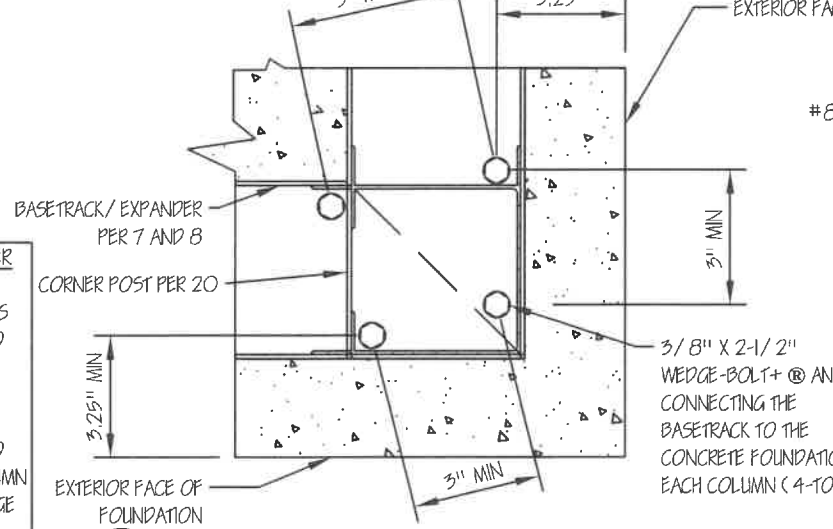
CORNER COLUMN TO HEADER CONNECTION PROVIDE
 FOR WIND ZONE 1: 6 #8 X 3/4" SMS
 FOR WIND ZONE 2: 7 #8 X 3/4" SMS
 FOR WIND ZONE 3: 8 #8 X 3/4" SMS
 FOR WIND ZONE 4: 10 #8 X 3/4" SMS
 * SEE TABLE A SHEET 5 WIND ZONE DESIGNATION

CORNER COLUMN TO HEADER CONNECTION PROVIDE
 FOR WIND ZONE 1: 6 #8 X 3/4" SMS
 FOR WIND ZONE 2: 7 #8 X 3/4" SMS
 FOR WIND ZONE 3: 8 #8 X 3/4" SMS
 FOR WIND ZONE 4: 10 #8 X 3/4" SMS
 * SEE TABLE A SHEET 5 WIND ZONE

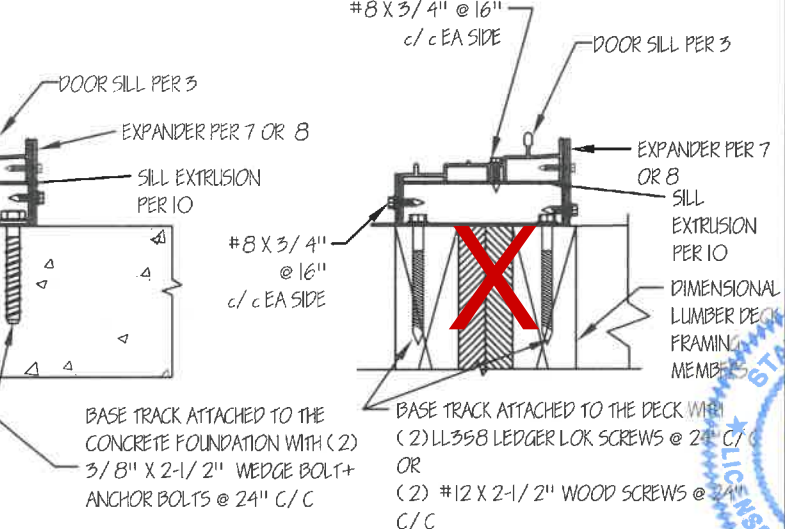
11 CORNER COLUMN TO BASE CONNECTION

CORNER COLUMN TO BASE CONNECTION PROVIDE
 FOR WIND ZONE 1: 6 #8 X 3/4" SMS
 FOR WIND ZONE 2: 7 #8 X 3/4" SMS
 FOR WIND ZONE 3: 8 #8 X 3/4" SMS
 FOR WIND ZONE 4: 10 #8 X 3/4" SMS
 * SEE TABLE A SHEET 5 WIND ZONE DESIGNATION

15 CONNECTION OF CENTER COLUMN PER 12 & 2 TO BASE / FOUNDATION



15A CONNECTION OF CENTER COLUMN PER 17 & 18 TO FOUNDATION



12 CORNER COLUMN TO FOUNDATION CONNECTION

CORNER COLUMN TO BASE CONNECTION PROVIDE
 FOR WIND ZONE 1: 6 #8 X 3/4" SMS
 FOR WIND ZONE 2: 7 #8 X 3/4" SMS
 FOR WIND ZONE 3: 8 #8 X 3/4" SMS
 FOR WIND ZONE 4: 10 #8 X 3/4" SMS
 * SEE TABLE A SHEET 5 WIND ZONE DESIGNATION

16 CORNER POST TO FOUNDATION CONNECTION

17 DOOR THRESHOLD TO FOUNDATION

17A DOOR THRESHOLD TO DECK

CES
 CHAMPION ENCLOSURE SUPPLIERS
 12111 CHAMPION WAY, CINCINNATI, OH 45241
 PH: (513) 782-3900 FAX: (513) 782-3900

CHAMPION WINDOWS AND PATIO ROOM
 4" Wall System with Studio Style Roof
 SECTION DETAILS

DATE: 2/13/19
 SCALE: NTS
 Drawn by: MJG
 REV: DATE:
 SHEET: 4 OF 5

STATE OF MICHIGAN
 MARTIN JOSEPH GOSS
 ENGINEER
 No. 47232
 10/2/20

