



# Georgetown Charter Township

1515 Baldwin St., Jenison, MI 49428

**Zoning Board of Appeals Meeting Agenda**

**Wednesday, January 28, 2026, 7:00pm**

1. Call To Order
2. Approval Of The Minutes
  - 2.1. Minutes Of The 12/10/2025 Zoning Board Of Appeals Regular Meeting

Documents:

[ZBA MINUTES 251210.PDF](#)

3. Public Hearings
  - 3.1. (VAR2601) Ross De Ruiter, SBA Auction Inc., 2286 Port Sheldon Ct., Is Appealing The Zoning Administrator's Determination That The Use Of The Site At 2286 Port Sheldon Ct. For The Storage And Rental Of U-Haul Trailers Is An Open Air Business As Defined In Sec. 2.77 Of The Township Zoning Ordinance, Which Is Determined To NOT Be Allowed, To NEVER Have Been Allowed, To NOT Be Legal Nonconforming, And To Have NO Legal Nonconforming Status Rights On A Parcel Of Land Described As P.P. # 70-14-27-100-032, Located At 2286 Port Sheldon Ct., In An Industrial (I) Zoning District, Georgetown Township, Ottawa County, MI.

Documents:

[STAFF REPORT - \(VAR2601\) ROSS DE RUITER - SBA AUCTION INC.PDF](#)  
[APPEAL APPLICATION - AGENDA.PDF](#)  
[FEE PAID - AGENDA.PDF](#)  
[APPLICATION FOR USE ZONING COMPLIANCE - AGENDA.PDF](#)  
[OFFICIAL SIGNED ZONING DETERMINATION LETTER - 2286 PORT SHELTON CT - AGENDA.PDF](#)  
[U-HAUL DEALER OPEN TO PUBLIC DOCUMENTS.PDF](#)  
[CERTIFIED CONSENT JUDGMENT W MEMO.PDF](#)  
[PROPERTY NOTICE.PDF](#)  
[RESIDENT RESPONSE TO APPEAL 1.PDF](#)  
[RESIDENT RESPONSE TO APPEAL 2.PDF](#)

4. Public Comment
5. Other Business
6. Adjournment

MINUTES OF THE REGULAR MEETING OF THE GEORGETOWN CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS HELD DECEMBER 10, 2025

The meeting was called to order by Chairman Kendall Grable at 7:00 p.m.

Members Present: Kendall Grable (Chairman Grable), Tom Healy, Susan Ouellette, Kelly Kuiper,  
Kyle Terpstra

Members Absent: None

Others Present: Ryan Schab, Zoning Administrator (ZA); Crystal Morgan (Township Attorney)

**#251210-01 – Approval of the Minutes of the [October 22, 2025](#) Zoning Board of Appeals Meeting.**

Tom Healy suggested amending page 8 paragraph 3 to change “common venues” to “condominiums.”

Moved by Kelly Kuiper, seconded by Tom Healy, to approve the [October 22, 2025](#) minutes as amended.

MOTION CARRIED UNANIMOUSLY.

**#251210-02 – Public Hearing – (VAR2503) Travis VandenBerg, 51 Port Sheldon St., is requesting approval of the following variances from the Georgetown Charter Township Zoning Ordinance and/or reasonable accommodations under the Federal Fair Housing Act, to allow the following:**

- 1) To allow for the keeping and raising of 7 ducks, a variance of 7 ducks, from the zero allowed in a multi-family building in an MHR district under Section 3.4(Q).
- 2) To allow for an enclosure/coop totaling 450 square feet, a variance 370 square feet from the one enclosure/coop of 80 square feet permitted under Section 3.4(Q)(4).
- 3) To allow the enclosed area where the ducks are kept to be located closer than 20 feet from any dwelling as required under Section 3.4(Q)(5).
- 4) To allow the use of tarps as a material to enclose the coops, which is a variance from Section 3.4(Q)(6) which excludes tarps as a material to construct the enclosed area.

on a parcel of land described as P.P. #70-14-13-400-008, located at 51 Port Sheldon St., in a Medium/High Density Residential district (MHR), Georgetown Township, Ottawa County, MI. ([Zoning Compliance for Enclosure/Coop](#), [Landlord Inspection Photos & Patio Examples](#))

The public hearing was held on October 22, 2025. The Zoning Board of Appeals (ZBA) tabled the request for a reasonable accommodation until the December 10, 2025 meeting, after the ZA, Township Attorney, Landlord, and Applicant could all meet to come to an agreement on the specifics of the proposed resolution.

Moved by Kelly Kuiper, seconded by Susan Ouellette to remove the items from the table.

MOTION CARRIED UNANIMOUSLY.

Chairman Grable asked the ZA to present any recent information that has occurred since the prior meeting.

The ZA presented the [Proposed Resolution](#) to the ZBA.

The Township Attorney stated she spoke to the applicant prior to tonight's meeting. She stated it is still the applicant's intent to seek a reasonable accommodation. He conveyed to her he had begun construction on an enclosure in Allegan on his mother's property. His intent is to complete the enclosure, which he stated would take "one solid day of work" and would then move all ducks to that property. Once that is done, he would then work on completing the enclosure on the subject property and bring four ducks back, or whichever number the ZBA would allow. She stated one of the primary issues would be determining a timeline for implementing the reasonable accommodation. She recommended something to the effect of fourteen days to complete the enclosure in Allegan and move the ducks there. She stated that number is up for debate, but cited the relatively quick deadline as being caused by how much time has elapsed so far, lack of progress to date, concerns expressed by the township and the landlord, and the need for only one day to complete the Allegan enclosure.

Chairman Grable asked if the holidays will effect the number of days code enforcement will be in the office.

The ZA explained the township holiday closures to the ZBA.

Tom Healy wanted clarification on if fourteen days meant fourteen business days or two full weeks.

The Township Attorney stated it would typically mean two full weeks unless expressly stated to be business days, and it would be up to the township to determine which.

Chairman Grable wanted to know who all was present for the meeting on November 12 where the terms of the resolution were discussed.

The Township Attorney stated she, the applicant, the ZA, the property owner, and the property owner's attorney were present at the meeting. She stated the meeting was productive and there was a lot of good discussion and the result of the meeting was the proposed resolution being presented tonight. She stated the difficulty now is the timing of implementing it.

Chairman Grable asked the applicant if he was in agreement with the terms of the resolution and if he had the chance to thoroughly read it.

Travis Vandenberg stated he was in agreement with the terms and, yes, he'd had time to read it thoroughly.

Chairman Grable asked the representative of the owner if they were in agreement with the terms.

The property owner's representative stated they wanted clarification on the resolution that no ducks would be allowed inside the unit and wanted it spelled out more clearly.

Kyle Terpstra asked what the ZBA's authority is regarding the interior of a property.

The Township Attorney stated the township enforces the International Property Maintenance Code (IPMC), however it is very rare that a case about a property's interior is pursued. She stated the township typically does not have access to the interior of a property unless they go through a process to get a warrant. She stated that while it was rare for a case of interior maintenance to get enforced, the township still has the authority to do so.

Kyle Terpstra wanted further explanation about sanitation concerns in the interior versus exterior.

The Township Attorney stated with ducks specifically the concern is smell and noise which are lesser if they are outdoors, and when it comes to dumping out the pools, the dirty water would be filtered naturally versus dumping them out in a bathtub or a kitchen sink. Additionally, feathers and waste disposal would be more challenging indoors. Odors would sink into the carpet and other materials that aren't made for wild animals to be living on.

Kelly Kuiper asked at what point does it become a public health code issue rather than an IPMC issue.

The Township Attorney stated she did not believe the public health code specifically addresses a sanitation issue like this, stating it would instead be addressed under the IPMC. The IPMC lays out the framework for what authority municipalities have when it comes to investigating a complaint, placing liens on properties, etc... She stated when it is a landlord/tenant situation the landlord often has the ability to inspect and enforce their own safety and wellness terms and provisions as stated in their leases.

Kelly Kuiper asked at what point does the township leave the condition of the interior of the unit to be handled by the landlord per the lease.

The Township Attorney stated that part of the resolution addresses that. It states, "Nothing prohibits the Applicant from keeping the ducks indoors... so long as sanitary conditions are maintained inside the residence and so long as the Owner expressly grants permission." This indicates the property owner has the power to state whether or not they can be indoors.

Kyle Terpstra wanted to clarify then that the township is stating the applicant can keep the ducks indoors.

The Township Attorney stated that yes, if the owner approves, and if so, the owner may also impose additional conditions. The intent was to not have the township be responsible for monitoring the indoor conditions of the unit. She stated the applicant has also not indicated a desire to have the ducks indoors. She stated she believed at one point the applicant expressed keeping a duck indoors following a surgery, but otherwise understands the ducks cannot be indoors and doesn't plan to keep them indoors.

Kyle Terpstra asked if the township had the ability to say the only reasonable accommodation they could grant would be keeping the ducks indoors.

The Township Attorney stated, yes, the township could determine that, but she cautioned that if that was the decision, then they needed to have specific findings as to why it's more reasonable to have them indoors rather than outdoors.

Kyle Terpstra stated the reasons would be because it's a multi-family unit, which means close quarters, sanitation, noise, and there have been complaints from neighbors about them being kept outside already. He stated a reasonable accommodation might be keeping them indoors, not outside.

The Township Attorney stated she would caution the ZBA about do so. She stated there was an interactive process to come to the current proposed resolution that has involved the applicant and

the landlord. Knowing that the landlord has stated the ducks cannot be indoors, and then the ZBA stating the only way the applicant can keep them is by keeping them indoors, that it would open the door to a claim that the ZBA's determination was *not* a reasonable accommodation.

Chairman Grable stated the ZBA's task was to determine if a duck was a reasonable accommodation, and as the Township Attorney has stated, the location of the ducks was largely determined by the property owner.

Tom Healy stated that knowing the landlord will not allow the ducks indoors, if the ZBA determined the ducks can *only* be kept indoors would effectively be a denial of a reasonable accommodation. He further asked Chairman Grable for clarification on the type of duck the resolution is allowing the applicant to keep on the property; the resolution conflicts with what was stated on the minutes from the previous meeting. He stated he thought they were at a point of approving the four endangered Cayuga ducks, but the resolution is stating he can keep Rouen ducks.

Travis Vandenberg clarified that the four Cayuga ducks were to remain with him on the subject property and the seven Rouen ducks would be rehomed to the property in Allegan.

Tom Healy asked the applicant if he ever intended to rearrange which ducks were staying at the subject property.

Travis Vandenberg stated the only reason he might rearrange them is if one of the Rouen ducks became ill and he wanted to keep it closer to him to monitor.

Chairman Grable stated that the proposed resolution states the number of ducks allowed at the subject property starts at four and then reduces to two maximum as the ducks pass away.

Travis Vandenberg stated if the township was against him keeping ducks with him for medical purposes, then he would figure out another solution for that situation.

Chairman Grable stated the township is agreeing to allow the applicant to keep the four Cayuga ducks on the property, and agreeing that the other ducks would be rehomed, and agreeing that as the Cayuga ducks pass away, the number is reduced to no more than two.

Travis Vandenberg wanted clarification on the wording in the resolution. He wanted to confirm that he is allowed to keep the four Cayuga ducks, and once two of them pass of natural causes, the number is not to exceed two.

Tom Healy stated the cause of a duck's passing is not a factor, whether it be natural or otherwise. Once two ducks have become deceased, the number cannot exceed two. He stated the way he understands the agreement, it is allowing the four Cayuga ducks to remain and once two of them have become deceased, no other ducks can replace them. The maximum number is then two ducks only.

Kelly Kuiper stated she was wondering why they are specifying the species of ducks at all. She wondered why, if the number allowed will ultimately be no more than two, why they aren't starting with two ducks today. She stated she would rather they did not specify a species of duck and that they instead started with a cap of two ducks, rather than starting with four and capping at two as they pass away.

Tom Healy asked the Township Attorney what it was the ZBA is ultimately charged with as far as health, safety and welfare. He also stated in the past they had other duck approvals which were capped immediately at two whereas this situation was four, which became seven, which then became ten in a short timeframe.

The Township Attorney stated it's hard to put all applications for duck approvals in one box. In past cases ducks were being substituted for chickens [which in Low Density Residential (LDR) zoning, up to six chickens are allowed]. In this case, the medical provider's note specifically states four. The discussions in the past also pointed to four as the initial number due to the fact that the four Cayuga ducks were all from the same flock and that by removing two, there would be negative impacts both for the ducks and the applicant. In terms of public health, safety, and welfare, that is the basis of a zoning ordinance. She stated the Federal law [Fair Housing Act] states the township must make a reasonable accommodation, but does not give guidance about how to do that or the best way to do that. She stated the ZBA can start at allowing for four and reducing to two as the proposed resolution is currently written, or they could immediately start with two, but that it would be in conflict with the medical provider's note. She stated there was language written into the resolution about providing photographs so that the code enforcement staff could compare which ducks are on the property with which ones were approved. She argued that without the level of detail regarding species, it would almost be more difficult to enforce.

Tom Healy stated he was having trouble drawing the line between allowing two ducks on an LDR parcel versus four ducks on a higher density parcel.

Kelly Kuiper asked if there was a certain piece of evidence, like the medical provider's note, that carries more weight in these situations if it were to go before a judge.

The Township Attorney stated that the medical provider's note would be given some elevated level of reliance and there was also the landlord's statement that four was reasonable, though it's not a clear answer.

Kyle Terpstra stated that the ordinance states zero ducks are allowed, and so anything above zero would be reasonable in his opinion.

Tom Healy stated the emotional support animals letter from the VA psychotherapist states Travis cares for four ducks and did not exclude the possibility of getting more ducks for a healthy, balanced flock. So the psychotherapist implies that four is not a hard number.

Kelly Kuiper stated it means the number could increase, not necessarily decrease.

Chairman Grable suggested taking the species of duck out of the resolution.

Kelly Kuiper argued that she felt the Township Attorney was correct in stating which species is allowed. She stated that if the species look different, it would be easier to enforce a possible violation. She stated it was important to state which four are allowed.

Tom Healy agreed and stated the rationale for allowing the applicant to keep the four Cayuga ducks was that they are part of the same flock and separating them would cause distress like constant quacking.

Kelly Kuiper asked if there was a timeline on getting the population down to two ducks that is not dependent on their deaths.

The Township Attorney stated that could be a challenge for the township; determining if new ducks were substituting for ones that have passed in an effort to keep the number at four.

Tom Healy stated they needed to identify the four specific ducks that they are allowing.

The Township Attorney stated she updated the resolution to correct the species of duck they are allowing at the subject property. She stated they could rephrase the resolution to state that once the ducks have reduced to two, the species doesn't matter.

Tom Healy asked for the ZA's opinion on identifying which ducks were allowed at the property.

The ZA stated it was worth getting the photos and names of the ducks to help with enforcement if necessary.

There seemed to be a general consensus that starting at four was reasonable and once two of those four pass away, two becomes the limit in number and the species then does not matter.

Chairman Grable moved on to discussing the enclosure. The enclosure will be a fenced in area around the applicant's patio which will contain a 7' x 3' coop and one water feature not to exceed 36" and 6" deep.

The Township Attorney stated the fence would be solid white fencing as seen in the submitted zoning compliance application. She stated the landlord's desire was to utilize that material for aesthetic purposes and screening from neighbors. She stated there would also be netting or wire around the bottom gap of the fence to keep the ducks contained.

Tom Healy asked the applicant about a statement he had made in an email regarding heating the water in the ducks' pool.

Travis Vandenberg stated that unfortunately the outlets outside his unit do not work and the heating solutions he had were electric. So instead he monitors the water so they have enough to dump their heads in to clear their eyes and nostrils.

Tom Healy asked if they use the small wading pool for that purpose.

Travis Vandenberg stated that the wading pool would freeze over too quickly in winter so they use a rubber bucket and water bowls instead. If the outdoor outlets worked, he could use a heated water bucket or a de-icer. He stated these tools are typically used for larger animals like cattle.

Tom Healy stated his concern was that as part of the agreement, Item Four under Conditions of Approval states, "No heat lamps or other heat-generating devices shall be approved given the proximity of the Enclosure to the Dwelling unit(s)." Tom Healy wanted to confirm the applicant understood no heating devices would be allowed.

Travis Vandenberg confirmed he understood that.

Kelly Kuiper stated it seemed like the ZBA was generally in support of the resolution as proposed with the change that “Rouen” ducks be updated to “Cayuga.”

The Township Attorney stated the only unknown at this point was adding a date that the terms and conditions were effective on item 3.a. of the resolution.

Tom Healy suggested January 01, 2026.

Chairman Grable suggested December 31, 2025 since township staff are not working on January 01 and at least have a half day on December 31 to go check the property.

There was a general consensus that December 31, 2025 would be the date the resolution would be effective.

Tom Healy suggested opening the meeting to public comment.

Moved by Tom Healy, seconded by Susan Ouellette to open the meeting to public comment.

MOTION CARRIED UNANIMOUSLY.

Chairman Grable opened the meeting to public comment.

Travis Vandenberg, 51 Port Sheldon St., thanked the ZBA for their time. He stated he will get the enclosure finished in Allegan and get the other six ducks out there as quickly as possible.

Jean Howard, 25 Ionia Ave. SW, the owner’s legal representative, stated she also wanted to thank the ZBA for their time and efforts. She stated she wanted to be very clear that if the ducks are ever kept within the unit, that she will file a complaint.

There were no further public comments and Chairman Grable closed the meeting to public comment.

Chairman Grable asked the Township Attorney if it would be a civil issue between the landlord and tenant if the applicant were to keep the ducks inside the unit.

The Township Attorney’s recommendation was yes, if it’s about the interior of the unit then that enforcement should begin with the landlord, not the township.

**Moved by Kelly Kuiper, seconded by Kendall Grable to adopt the following Resolution:**

**ZONING BOARD OF APPEALS  
GEORGETOWN CHARTER TOWNSHIP  
OTTAWA COUNTY, MICHIGAN**

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RESOLUTION NO. 251210-02

**A RESOLUTION GRANTING VAR2503 TO ALLOW, AS A REASONABLE  
ACCOMMODATION UNDER THE FEDERAL FAIR HOUSING ACT, AS AMENDED,  
THE KEEPING OF CERTAIN EMOTIONAL SUPPORT ANIMALS, WITH  
CONDITIONS, AT THE PROPERTY COMMONLY KNOWN AS**

**51 PORT SHELDON STREET**

WHEREAS, Travis VandenBerg (“Applicant”) applied

- a. To allow for the keeping and raising of 7 ducks, a variance of 7 ducks, from the zero allowed in a multi-family building in an MHR district under Section 3.4(Q).
- b. To allow for an enclosure/coop totaling 450 square feet, a variance 370 square feet from the one enclosure/coop of 80 square feet permitted under Section 3.4(Q)(4).
- c. To allow the enclosed area where the ducks are kept to be located closer than 20 feet from any dwelling as required under Section 3.4(Q)(5).
- d. To allow the use of tarps as a material to enclose the coops, which is a variance from Section 3.4(Q)(6) which excludes tarps as a material to construct the enclosed area.

on a parcel of land described as P.P. #70-14-13-400-008, located at 51 Port Sheldon St., in a Medium/High Density Residential district (MHR), Georgetown Township, Ottawa County, MI, described as:

PART SE 1/4 OF SE 1/4 COM CEN OF CO. ROAD S 10D22M W 143.72 FT FROM INTERS WITH S LINE JENISONVILLE PLAT, TH SW'LY ALG CEN LINE 195.28 FT, TH N 67D W 203 FT, TH SW'LY PAR TO ROAD 95 FT, TH S 67D E 208 FT, TH SW'LY ALG ROAD 434.82 FT, TH N 41D33M W TO RUSH CREEK, TH NE'LY ALG CREEK TO S LINE OF SOUTH FRONTAGE ROAD, TH SE'LY TO BEG. SEC 13 T6N R13W

(hereinafter, the “Property”); and

WHEREAS, the Property is located in a Medium/High Density Residential (“MHR”) zoning district in Georgetown Charter Township (“Township”); and

WHEREAS, the Township notified the Applicant, following an inquiry made by the Applicant, that the Zoning Ordinance prohibits the keeping of any ducks and in the MHR district; and

WHEREAS, the Township also notified the Applicant of the Zoning Ordinance requirements for enclosures/coops; and

WHEREAS, the Township informed the Applicant of the procedure available for seeking zoning variances and/or a reasonable accommodation under the Federal Fair Housing Act (“FHA”); and

WHEREAS, in response, the Applicant voluntarily sought multiple variances and/or reasonable accommodations from the Zoning Ordinance, which governs accessory structures and uses in residential districts, including the keeping and regulation of poultry, and which under Section 3.4(Q) permits the keeping of chickens in certain residential districts but does not include the keeping of chickens or ducks in the MHR district; and

WHEREAS, at the time of the application the Applicant had seven (7) ducks, which he contended were emotional support animals; and

WHEREAS, the Applicant sought permission to keep the seven (7) ducks and to keep the configuration of his enclosure/coop, which was not located in a compliant location and exceeded the size, scope, and type allowed under the Zoning Ordinance;

WHEREAS, the Georgetown Charter Township Zoning Board of Appeals (“ZBA”) held a properly noticed public hearing on the application on Wednesday, October 22, 2025, at the Township Hall; and

WHEREAS, at the October 22, 2025, meeting, the ZBA voted unanimously to deny the application, in part, for the reason that the Applicant’s request did not meet the Township’s standards for a variance as set forth in Section 28.11(C) of the Zoning Ordinance; and

WHEREAS, at the October 22, 2025, meeting, the ZBA tabled the application for a reasonable accommodation and requested that the Applicant and Property owner/landlord/representatives (“Owner”) meet with Township staff to continue discussions regarding the Applicant’s request for a reasonable accommodation; and

WHEREAS, those parties met on November 12, 2025, to continue discussions regarding the Applicant’s request for a reasonable accommodation, were able to reach mutual agreement regarding a reasonable accommodation, and the results of that discussion were relayed to the ZBA by Township staff at the ZBA’s December 10, 2025, meeting; and

WHEREAS, in addition to the Applicant’s application, the ZBA has received reports and testimony from Township staff, correspondence from the Owner, and other documents; and

WHEREAS, the ZBA has carefully considered the application and testimony of the Applicant and the public comments, all documents constituting the record in this matter, the nature of the request, the purpose of the FHA, the nature of the property and character of the neighborhood, and the applicable zoning, and has given consideration to the health, safety and welfare of the residents in the area in question, and the Owner’s position regarding a reasonable accommodation, and considered all of the pertinent factors; and

WHEREAS, the ZBA has determined that the Applicant’s request for a reasonable accommodation shall be granted, in part, subject to certain terms and conditions set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Georgetown Charter Township Zoning Board of Appeals hereby grants VAR2503, in part, subject to the findings, conclusions, terms and conditions set forth in this resolution:

1. Applicant’s Request and Applicable Zoning.
  - a. The Property is located in the MHR zoning district and per Section 10.2 of the Zoning Ordinance may, by right, be used for attached single-family dwellings (town houses or row houses) and accessory buildings and uses.
  - b. The Property has been zoned MHR since prior to 1980 and is a typical MHR district size lot of approximately 4.64 acres, with the rear yard abutting Rush Creek.
  - c. Section 3.4(Q) of the Zoning Ordinance, which addresses accessory buildings and uses, allows the keeping of up to six (6) chickens in the certain residential zoning districts (not including MHR), subject to certain restrictions, where the principal use of the parcel is a single family residential dwelling.
  - d. The principal use of the Property is attached single family residential dwellings.

- e. Because the Applicant's request to allow the keeping of the seven (7) ducks as emotional support animals and to keep the configuration of his enclosure/coop, which was not located in a compliant location and exceeded the size, scope, and type allowed under the Zoning Ordinance would require a significant departure from the strict language of the Zoning Ordinance, the Applicant voluntarily submitted the application as a request for multiple variances and/or a reasonable accommodation under the FHA.
- f. It is within the ZBA's power to grant a reasonable accommodation on a case-by-case basis in the form of a variance from the requirements of the Zoning Ordinance, and to determine the terms and conditions of any such reasonable accommodation, based on the authority granted the ZBA under the Michigan Zoning Enabling Act, the Zoning Ordinance, and taking into consideration the application of the FHA to the particular facts and circumstances.

2. The Record; Additional Findings.

- a. The written record in this matter shall consist of the application and attachments; correspondence to and from the Applicant; photographs; all written correspondence and other documents received and/or compiled by the Township and provided or made available to the ZBA for its review and consideration, including all written correspondence, photographs, and other documents concerning the application that were received by the Township through December 10, 2025; written staff reports and legal memoranda regarding VAR2503; the relevant portions of the Zoning Ordinance; audio and/or video recordings (if any) of all meetings at which the application was discussed; the minutes of the October 22, 2025, and December 10, 2025, ZBA meetings; and this Resolution.
- b. In reviewing the Applicant's request for a reasonable accommodation, the ZBA considered all public comments and also relied upon verbal representations made by the Applicant and Property Owner during the course of the public hearing and meetings at which the ZBA reviewed this matter, as well as staff testimony and reports.
- c. The ZBA finds that review of the variance factors in Section 28.11(C) of the Zoning Ordinance is warranted for the reasons stated in the Staff Report, further finds that none of the factors are objectively met for the reasons stated in the Staff Report and at the October 22, 2025, meeting, and thus the Applicant cannot meet all of the standards for granting a variance under the Zoning Ordinance, but further finds that strict application of the factors in Section 28.11(C) could result in the improper denial of a reasonable accommodation under the FHA under the specific facts and circumstances of this matter; thus, the ZBA considers whether to grant any or all of the requested variances, or a different, reasonable accommodation under the FHA.
- d. The ZBA finds the Applicant has established that he is a person with a disability who resides at the Property and that an accommodation in the form of a zoning variance is necessary to afford him equal opportunity to use and enjoy the dwelling at the Property.
- e. The ZBA accepts the Applicant's representations regarding his diagnosis, which is supported by the note submitted by his medical provider, and accepts that he has been advised and believes that ducks are better suited to be emotional support animals than cats or dogs based on his specific diagnosis and needs.
- f. The ZBA finds, however, that the Applicant has not met his burden of proving the necessity or reasonableness of keeping seven (7) emotional support animals on the Property, nor does

the FHA mandate the Township allow for the keeping of seven (7) emotional support animals on a residential parcel.

- g. The ZBA finds that keeping seven (7) ducks on the Property and the related activities is an agricultural operation that is not permitted under the Zoning Ordinance and that granting a request for seven (7) ducks under these circumstances would result in a fundamental alteration to the zoning scheme applicable to this Property and others in the well-established MHR zoning district.
- h. The ZBA also finds that granting a request for seven (7) ducks would likely impose a financial and administrative burden on the Township as it would likely result in complaint response and enforcement activities, including legal fees, and could subject the Township to litigation initiated by neighbors who may be aggrieved by the decision.
- i. The ZBA further finds that the keeping of seven (7) ducks at the Property has generated multiple complaints to the property owner from neighboring tenants concerning noise, odor, unsanitary conditions, negative impact on neighboring property values, and interference with the use and enjoyment of neighboring units. The Owner does not permit the keeping of seven (7) ducks on the Property, as a reasonable accommodation or otherwise.
- j. The ZBA finds that the Applicant has not met his burden of proving the necessity or reasonableness of keeping seven (7) emotional support ducks on the Property.
- k. The ZBA finds that the Applicant has met his burden of proving that the keeping of ducks may be necessary because of the benefits and emotional and mental support he described during the October 22, 2025, hearing, as further supported by the note submitted by his medical provider; however, the Applicant has not demonstrated the necessity or reasonableness of keeping seven (7) emotional support ducks on the Property.
- l. The ZBA determines, subject to the terms and conditions in this Resolution, that a reasonable accommodation shall be granted to allow the keeping of up to four (4) emotional support ducks at the Property, subject to the conditions set forth in this Resolution, including the condition that the number of allowable ducks be reduced from four (4) to two (2) ducks, as set forth in this Resolution
- m. The ZBA finds that allowing a higher number of ducks would be unreasonable because the MHR district does not allow for the keeping of any fowl, including chickens and ducks, because immediate neighbors expressed concerns regarding noise and sanitation, and because the Applicant acknowledged that all of the ducks provide the same service.
- n. The Applicant agreed at the October 22, 2025, ZBA meeting that he could reduce the size of his flock by rehoming some of the ducks, but requested to keep the four ducks that were the members of the same flock, as separating the flock could negatively impact the ducks and the Applicant.
- o. After the October 22, 2025, ZBA meeting, the Applicant acquired three (3) additional ducks, bringing the total number of ducks at the Property to ten (10) ducks, without the approval of the Owner or the Township.
- p. The Applicant agreed in the November 12, 2025, meeting with Township staff and the Owner to reduce the number of ducks at the Property to the four (4) Cayuga ducks that are members of the same, existing flock, with the understanding that as those ducks die and the flock is

reduced to two (2) ducks, no more than two (2) ducks shall be kept at the Property at any time. In other words, when the existing flock of four (4) Cayuga ducks is reduced to two (2) ducks, the number of emotional support ducks at the Property shall be capped at two (2) ducks.

- q. At the November 12, 2025, meeting the parties did not reach a mutual agreement regarding the deadline for reducing the flock to the four (4) existing Cayuga ducks, with (i) the Owner requesting a 15-day compliance period; (ii) the Applicant indicating that he would defer to the ZBA's determination, but would like as much time as possible; and (iii) Township staff indicating that the ZBA had imposed 30 and 60-day compliance periods in previous applications but suggesting that the ZBA may consider a shorter compliance period in this matter given the amount of time that has elapsed since submission of the Application, the Applicant's need to complete certain improvements before winter, the Owner's request for immediate compliance, and the events that have transpired since the October 22, 2025, ZBA meeting, including the Applicant's decision to increase the number of ducks despite the ZBA's comments at the October 22, 2025, meeting.
- r. The ZBA also determines that the reasonable accommodation shall include a relaxing of certain standards applicable to enclosures/coops in certain residential districts, as set forth in this Resolution, to accommodate the Applicant's request to allow for the reasonable care of the ducks.
- s. At the November 12, 2025, meeting, the parties reached a mutual agreement regarding the location, size, configuration, materials, and maintenance of the proposed enclosure and coop, and the ZBA gives strong consideration to the Applicant and Owner's preferences regarding these matters, as the Owner is also acting on behalf of the other residents at the Property in determining an appropriate, reasonable accommodation based on the location of the Applicant's dwelling unit, its proximity to other residents, and other factors relevant to the maintenance and management of the Property.
- t. The ZBA adopts the final Staff Report regarding VAR2503 as its findings except to the extent any portion of the Staff Report conflicts with this Resolution, in which case the conflicting portion of the Staff Report shall be considered superseded by this Resolution.
- u. To the extent the minutes of any ZBA meeting are construed as conflicting with the terms, conditions, or findings in this resolution, this Resolution shall be deemed to supersede any conflicting portion of the minutes.

3. Conditions of Approval. The ZBA finds that the reasonable accommodation shall be granted subject to specific conditions of approval that are necessary to address the complaints and concerns about odor, unsanitary conditions, noise, containment of the ducks, and impacts on neighboring units and properties. The conditions of approval are also necessary to honor the intent of the Zoning Ordinance, which regulates the keeping of birds in residential districts to protect the health, safety, and welfare of the Township's residents, and to protect and preserve the characteristics of a residential neighborhood. The ZBA grants the request for a reasonable accommodation, subject to compliance with all of the following terms and conditions:

- a. The following terms and conditions are effective twenty-one (21) days after adoption of this Resolution:

1. No more than four (4) ducks may be kept at any time on the Property, subject to all conditions in this Resolution. More specifically, the ZBA grants the Applicant's request to keep the four (4) Cayuga ducks that are members of the same, existing flock, on the condition that as those ducks die and that flock is reduced to two (2) ducks, no more than two (2) ducks shall be kept at the Property. In other words, the Applicant shall initially reduce the flock to the four (4) existing Cayuga ducks, and when the flock of four (4) Cayuga ducks is reduced to two (2) ducks, the number of emotional support ducks at the Property shall be capped at two (2) ducks going forward.
2. To allow for the reasonable care of the ducks, and as the parties mutually agreed at the November 12, 2025, meeting, the Applicant is permitted to fence an approximately 10-foot by 14-foot (140 SF) rectangular area ("Enclosure") directly behind the Applicant's unit, which Enclosure: (a) shall be no wider than the existing privacy fence/dividers between the Applicant's unit and adjoining units; (b) shall not extend beyond the depth of the Applicant's patio; (c) shall be enclosed with a solid, 6-foot, white, vinyl privacy fence constructed of materials to match the existing white privacy fence/dividers separating the Applicant's unit from adjoining units; (d) shall have a functional gate to allow for ingress and egress and for proper disposal of the pool water in the outside of the Enclosure; (e) may utilize chicken wire, hawk netting, or other materials as approved by the Owner (and not prohibited by this Resolution) to fully contain the ducks within the fenced Enclosure; and (f) may not exceed the height of the fence, except as may be strictly necessary to allow for human ingress and egress.
3. The Applicant may maintain the following inside of the Enclosure: (a) the existing 7-foot by 3-foot (21 SF) wooden coop with fabric window coverings ("Coop"); (b) one water feature (e.g., plastic pool) not to exceed 36 inches in diameter and six (6) inches deep; (c) two windbreaks, which are currently constructed of molded plastic, are no larger than seven (7) square feet each, and are intended for use to shelter ducks from the wind and to contain bedding materials such as straw.
4. The Applicant confirmed that no heat lamps or other heat-generating devices are being utilized or requested. No heat lamps or other heat-generating devices shall be approved given the proximity of the Enclosure to the dwelling unit(s).
5. Except as expressly provided in this Resolution, the Enclosure, Coop, and all components shall be constructed of approved materials, which shall exclude tarps, plastic, fabric, rubber, paper, cardboard, and other non-traditional building materials, in compliance with the Zoning Ordinance. The Applicant shall submit his plans to the Zoning Administrator for a compliance review prior to construction. The Applicant shall also submit his plans to the Owner for approval of the design, which approval shall not be unreasonably withheld.
6. The Applicant shall notify the Township Zoning Administrator in writing when the number of ducks has been reduced to four (4) and when the Enclosure has been brought into compliance with these conditions, and shall allow an inspection of the exterior of the Property during normal business hours to confirm such compliance.
7. The Applicant shall submit to the Zoning Administrator photographs and names of the four (4) Cayuga ducks that are initially permitted to remain on the Property, and shall notify the Zoning Administrator within three (3) days of the death of any duck.

- b. The following terms and conditions are effective immediately:
1. The granting of this reasonable accommodation does not include authorization to engage in any commercial activities related to or stemming from the keeping of ducks on the Property, including but not limited to the breeding and/or sale of ducks or the sale of eggs or other duck by-products.
  2. The keeping of chickens and roosters is prohibited.
  3. The keeping of other farm animals is prohibited.
  4. The outdoor slaughtering of animals is prohibited.
  5. The Applicant shall take precautions against the spread of disease.
  6. The ducks shall be kept within the Enclosure, and shall not be allowed to roam the Property and or to enter or trespass upon any other property or unit.
  7. The areas inside and outside the Enclosure, including the Coop shall be kept clean and neat at all times. Feces and waste shall be removed, contained, and disposed of on a regular basis not to exceed every three (3) days or such shorter time period as may be necessary to prevent odor and other nuisance conditions. The Coop, bedding, water, and all other items related to the keeping or care of the ducks shall be cleaned, changed, replaced, and/or disposed of as necessary to maintain clean, neat, and sanitary conditions on the Property.
  8. The keeping of the ducks shall be in compliance with all other local, state, and federal regulations, including but not limited to the International Property Maintenance Code, which has been adopted by reference by the Township and requires, in part, that properties be maintained in a clean and sanitary condition.
  9. The ducks shall not create noise at such volume and/or repetition that it disturbs the use and enjoyment of the Property or neighboring parcels.
  10. The duck feed shall be kept in rodent-proof, sealed containers. The ducks shall be fed and watered inside the Enclosure in amounts that can be digested within a reasonable time frame so as to prevent the attraction of vermin or other nuisances.
  11. Ducks are allowed at the Property, subject to these terms and conditions, as long as the Applicant resides at the Property. Should the Applicant permanently reside elsewhere, the ducks shall be removed from the Property and the Enclosure, Coop, and related structures shall be removed and the Property brought into strict compliance with the Zoning Ordinance within seven (7) days, or such other time as the Township and Owner may agree in writing.
  12. The pool shall not be dumped within the Enclosure or directly into Rush Creek under any circumstances, especially during the Applicant's regular cleanings. Section 48-36 (A) of the Georgetown Township General Ordinance prohibits illicit discharges into a water body, directly or indirectly, any materials including, but not limited to pollutants or waters containing any pollutants.

13. Per the Owner and Applicant's agreement, the pool shall not be filled from any outdoor spigot at the Property, or any hose run over the roof, but may be filled using water brought from inside the Applicant's unit.
  14. Nothing in this Resolution prohibits the Applicant from keeping the ducks indoors, nor does this Resolution prohibit the Applicant from feeding or engaging other activities with the ducks inside the residence, so long as sanitary conditions are maintained inside the residence, and so long as the Owner expressly grants such permission.
4. Enforcement.
- a. The terms and conditions of this approval shall not run with the land and shall be binding on the Applicant, the Property, and its occupants.
  - b. This Resolution shall not be construed as a determination, attempt or intent to amend the Zoning Ordinance or to generally allow ducks in the MHR district or any other zoning district where the keeping of ducks is otherwise prohibited.
  - c. Per the FHA, the matters addressed in this Resolution are property-specific and applicant-specific and shall not be construed to apply to any other property or applicant.
  - d. A violation of any of the terms and conditions of this approval shall be deemed a violation of the Zoning Ordinance.
  - e. In the event of a violation, the Township may take any action permitted by law to enforce the terms of this Resolution and the Zoning Ordinance, up to and including revocation of the variance(s) granted in this Resolution through the approval of reasonable accommodations; however, no variance granted under this Resolution shall be revoked without prior notice to the Applicant and a public hearing.
  - f. Nothing in this Resolution shall be construed as prohibiting the Township from enforcing other applicable ordinances or codes.

At a regular meeting of the Georgetown Charter Township Zoning Board of Appeals held December 10, 2025, at 7:00 p.m., this resolution was offered by Member Kelly Kuiper, and supported by Member Kendall Grable.

YEAS: Kendall Grable, Kelly Kuiper, Tom Healy, Susan Ouellette

NAYS: Kyle Terpstra

ABSENT/ABSTAIN: None

RESOLUTION NO. 251210-02 DECLARED ADOPTED.

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Susan Ouellette  
Secretary, Georgetown Charter Township Zoning Board of Appeals

CERTIFICATION

I, \_\_\_\_\_, hereby certify that that the foregoing is a true and complete copy of a resolution adopted by the Georgetown Charter Township Zoning Board of Appeals at a regular meeting held on December 10, 2025, which was noticed and held in accordance with the Michigan Open Meetings Act, Public Act 267 of 1976.

\_\_\_\_\_  
Susan Ouellette  
Secretary, Georgetown Charter Township Zoning Board of Appeals

**#251210-03 – Public Comments**

Members of the public were present. No public comments were made.

**#251210-04 – Other Business – Election of Officers**

Moved by Kelly Kupier, seconded by Kyle Terpstra to appoint Kendall Grable as Chairperson.

MOTION CARRIED UNANIMOUSLY.

Moved by Kelly Kuiper, seconded by Kyle Terpstra to appoint Tom Healy as Vice-Chairperson.

MOTION CARRIED UNANIMOUSLY.

Moved by Susan Ouellette, seconded by Kelly Kuiper to appoint Susan Ouellette as Secretary.

MOTION CARRIED UNANIMOUSLY.

**Officers for Zoning Board of Appeals 2026:**

**Kendall Grable – Chairperson**

**Tom Healy – Vice-Chairperson**

**Susan Ouellette – Secretary**

**#251210-05 – Discussion**

**#251210-06 – Adjournment**

Moved by Kelly Kuiper, seconded by Tom Healy, to adjourn the meeting.

MOTION CARRIED UNANIMOUSLY.

The meeting was adjourned at 7:59 p.m.

## **REQUEST**

(VAR2601) Ross De Ruiter, SBA Auction Inc., 2286 Port Sheldon Ct., is **appealing** the Zoning Administrator’s determination that the use of the site at 2286 Port Sheldon Ct. for the storage and rental of U-Haul trailers is an open air business as defined in Sec. 2.77 of the Township Zoning Ordinance, which **is determined to NOT be allowed, to NEVER have been allowed, to NOT be legal nonconforming, and to have NO legal nonconforming status rights** on a parcel of land described as P.P. # 70-14-27-100-032, located at 2286 Port Sheldon Ct., in an Industrial (I) zoning district, Georgetown Township, Ottawa County, MI.

## **HISTORY**

On October 31, 2025, I sent an email to [info@sbauctioninc.com](mailto:info@sbauctioninc.com) after the Township learned that Simple Bid Auction, Inc. opened a business at 2286 Port Sheldon Ct. All new businesses are required to complete the New Occupant/Business Application (Zoning Compliance), as required in Sec. 29.3 of the Georgetown Township Zoning Ordinance, to ensure a new business is compatible with the zoning district and has enough required parking to operate. The October 31, 2025 email provided Mr. De Ruiter with a link to complete the application and informed Mr. De Ruiter that a fire inspection would be scheduled following the submittal of the application.

Since the Township did not receive a completed application in a timely manner, the Township’s Code Enforcement Officer, Rich Nawrocki, visited the site to follow up on the request. He spoke to Mr. De Ruiter at the location and was informed that the application would be submitted.

On November 17, 2025, Mr. De Ruiter filed a New Occupant/Business Application (Zoning Compliance) with the Township to operate “Online Auction Sales, U-Haul Dealer” at 2286 Port Sheldon Ct.

On November 24, 2025, I sent Mr. De Ruiter an email subject line: “Application for New Occupant/Business Application” and informed Mr. De Ruiter that the Online Auction Sales use would be permitted per Sec. 17.2 (C) of the Zoning Ordinance as a warehouse. However, I informed Mr. De Ruiter that the U-Haul Dealer use would not be permitted in the Industrial (I) district as it is considered an open air business. Open air businesses are only permitted in the Community Service Commercial (CS) district and Highway Service Commercial (HS) district with special land use approval. Mr. De Ruiter was also provided with the Township’s definition of an open air business as noted in Sec. 2.77 of the Zoning Ordinance:

### **Sec 2.77 OPEN AIR BUSINESS**

Includes uses operated for profit substantially in the open air, including, but not limited to:

- A. **Bicycle, utility truck or trailer, motor vehicle, boats, or home equipment sale, repair, rental, or storage services.**
- B. Outdoor display and sale of garages, motor homes, mobile homes, snowmobiles, farm implements, swimming pools, and similar activities.
- C. Retail sale of trees, fruits, vegetables, shrubbery, plants, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment.
- D. Tennis courts, archery courts, shuffleboard, horseshoe courts, rifle ranges, miniature golf, golf driving ranges, children's amusement park or similar recreation uses (transient or permanent).

Mr. De Ruiter was then asked to confirm that he would no longer be operating the U-Haul Dealer use and only move forward with the online auction warehouse use.

Shortly after I sent the November 24, 2025 email to Mr. De Ruiter, I received a call from him, asking how he could obtain approval for the U-Haul Dealer use. Mr. De Ruiter was informed that an industrial parcel cannot be permitted to have an open air business as it is not a use available by right or special land use in that zoning district. Although the Township entertains variance applications, Sec. 28.11 of the Zoning Ordinance specifically states that “use” variances are prohibited from being approved. The only way to have the use permitted would be to rezone the property to CS or HS and then obtain a special land use approval to operate the open air business. Also, due to the fact that the site does not meet the requirements for an open air business, non-use variances would be required. Note that Sec. 28.11 states the seven standards that are required to be met for a variance to be granted.

Mr. De Ruiter requested information on how he could start that process.

I received a follow-up email from Mr. De Ruiter on December 1, 2025 asking how his business is classified differently than Sunbelt Rentals located at 2370 Port Sheldon Ct., also located in an Industrial (I) district:

**From:** ross [REDACTED]  
**Sent:** Monday, December 1, 2025 11:47 AM  
**To:** Ryan Schab <rschab@georgetown-mi.gov>  
**Subject:** Re: Application for New Occupant/Business Application

I am still trying to figure out how we are classified differently than Sunbelt Rentals.

Everything I read online of what is considered a Open Air Business is Businesses that Run out of Temp Offices, Food Trucks... and the Like. We run out of a Permanant Building and all transactions have to happen indoors... trucks are stored outside but all business and transactions take place indoors. We do rentals just as what Sunbelt Rentals Does, I know you classify they as a Contractor Yard but We really are too.. 90% of our business is renting to Moving contractors, and UPS, FEDEX, AMAZON So I would appreciate if you could relook/rethink this and Give us the Same Classification as Sunbelt Rentals.

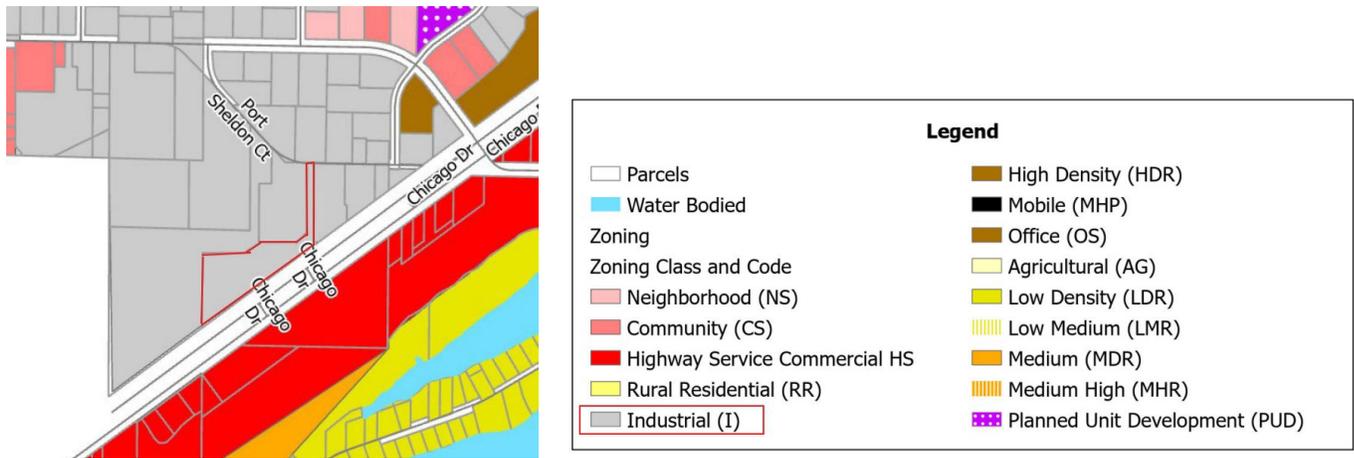
Thanks Ross De Ruiter

The following information is provided.

### **PROPERTY INFORMATION**

The 5.97-acre site, identified as P.P. # 70-14-27-100-032, located at 2286 Port Sheldon Ct., is in an Industrial (I) district. There is no access to Chicago Dr. from the parcel, and the site has 50' of frontage of Port Sheldon Ct. and 50' of width.

### *Zoning Map*



### **SITUATION**

The Township has historically determined that U-Haul Dealers are open air businesses. This determination is consistent with a previous situation in 2023 in which Great Lakes Rental Properties, LLC attempted to operate a U-Haul Dealer use at 9651 42<sup>nd</sup> Ave. in an Agricultural (AG) district. A previous zoning administrator determined that the U-Haul Dealer use must cease immediately. The Township initiated a court case to enforce the Zoning Ordinance, and the case ended with the business admitting responsibility for the violation and ceasing the use pursuant to the judgment entered in the case. The business submitted a new zoning compliance for a different, approved business activity.

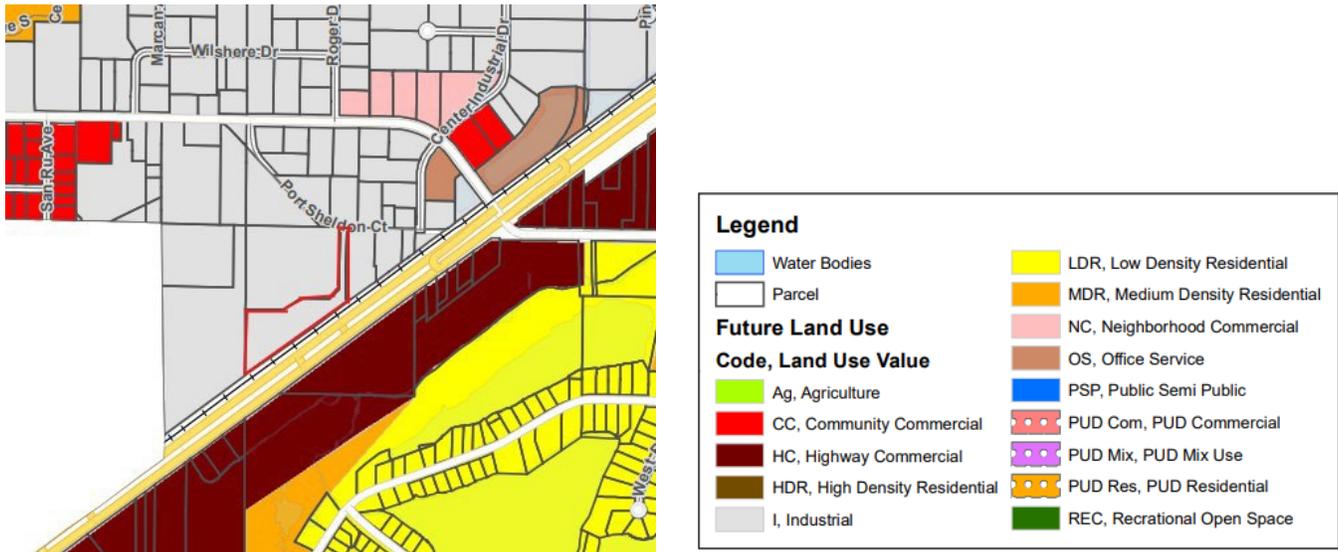
The current applicant has requested information on how the U-Haul Dealer use could be permitted at 2286 Port Sheldon Ct.

The first requirement is that the property must be rezoned to the CS or HS commercial districts since those are the only districts where an open air business is permitted. Every property owner has the right to apply to rezone their property. However, in order for the Township Board to approve a rezoning request, the proposal must meet the requirements in Sec. 4.2 of the ordinance to be approved. The standards that are considered by the Planning Commission and Township Board for rezoning requests are listed below, all standards must be met for a rezoning to be approved:

THE FOLLOWING STANDARDS WILL BE CONSIDERED BY THE PLANNING COMMISSION AND TOWNSHIP BOARD IN THEIR REVIEW OF THE REZONING REQUEST.

1. CONSISTENCY: IS THE PROPOSED ZONING AND ALL OF ITS PERMITTED USES CONSISTENT WITH THE RECOMMENDATIONS OF THE TOWNSHIP LAND USE PLAN?

## Future Land Use Map



A request to rezone the property to CS or HS (on future land use map labeled CC and HC) **does not** appear to be consistent with the recommendations of the Future Land Use Plan. The parcel is surrounded by Industrial parcels on all sides besides the HS district located on the other side of Chicago Dr. While zoning district designations are not parcel specific, it appears that the surrounding area is only industrial. The HS district located to the south is on the other side of Chicago Dr., which provides a buffer to separate the two zoning districts.

Page 30 of the Master Plan states the following:

**Development which creates land use conflicts between different uses should be avoided. Gradual transitions from intensive commercial and industrial uses to low density residential uses should be provided, or developers should be required to provide an adequate buffer. Consideration should be given to developments which can provide opportunities for buffers between high and low intense uses.**

2. COMPATIBILITY: IS THE PROPOSED DISTRICT AND ALL OF ITS ALLOWED USES COMPATIBLE WITH THE SURROUNDING AREA?

The uses allowed within the CS and HS districts **do not** appear to be compatible with the surrounding area of Industrial. The uses permitted in CS and HS include also all the uses permitted in the Office Service (OS) Commercial and Neighborhood Service (NS) Commercial districts. These include uses such as restaurants (drive-through and sit down), schools, medical offices including clinics, churches, personal service establishments (such as laundromats or barber shops) ... etc.

**The rest of the standards are listed below. Although any person may apply for any rezoning, the Township Board only has the authority to approve a rezoning of the property to CS or HS if ALL the standards are met.**

3. CAPABILITY: IS THE PROPERTY CAPABLE OF BEING USED FOR A USE PERMITTED WITHIN THE EXISTING ZONING DISTRICT?

4. OTHER CONSIDERATIONS: WILL THE REZONING REQUIRE AN INORDINATE REPENDITURE OF PUBLIC FUNDS (ROAD IMPROVEMENTS, UTILITY EXTENSION, ETC.) TO MAKE THE DEVELOPMENT FEASIBLE?
5. WILL THE REZONING CAUSE DEVELOPMENT TO LEAP FROG” OTHER UNDEVELOPED ARES IN THE SAME ZONING DISTRICT AND NECESSITATE PREMATURE EXTENSIONS OF SERVICES TO RURAL AREAS OF THE TOWNSHIP?
6. IS THERE SUFFICIENT VACANT LAND ALREADY ZONED IN A SPECIFIC CATEGORY (E.G., INDUSTIRAL, MULTIFAMILY, COMMERCIAL)?
7. IS THE REZONING MORE LIKELY TO BE GRANTED IF CONDITIONS COULD BE ATTACHED (NOTE: REZONINGS CANNOT BE CONDITIONAL)?

Even if the property was to be rezoned to CS or HS, which would happen ONLY if the above standards are met, special land use approval for an open air business would still be required to be obtained. The standards for receiving approval on a special land use permit for an open air business are below:

**Sec 20.3 GENERAL STANDARDS**

The following general standards, in addition to those specific standards established for certain uses, shall be satisfied before the Planning Commission makes a decision regarding a Special Land Use application.

1. Each application shall be reviewed for the purpose of determining that the proposed use meets the following standards and, in addition, that each use of the proposed site will:
  1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
  2. Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
  3. Not create excessive additional requirements at public cost for public facilities and services.
  4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

**Sec 20.4 SITE DESIGN STANDARDS**

Those uses specified in Section 20.1 as permitted by "right" or as special land uses shall be subject to the requirements of the District in which the use is located in addition to all applicable conditions, standards and regulations regarding site design and development and other standards and conditions as are cited in the following:

- Z. **Open air businesses.** The use of an open air business is expressly prohibited in all zoning districts except (CS) Community Service Commercial district and (HS) Highway Service Commercial district. In the CS and HS districts, the use is allowed with special land use approval with is contingent upon compliance with the following standards (revised 03-26-07):
  1. Minimum lot area shall be one (1) acre.
  2. Minimum lot width shall be two hundred (200) feet.

3. The Planning Commission may require a six (6) foot fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises. (revised 10/0/2023)
4. All open air businesses shall comply with all applicable Health Department regulations regarding sanitation and general health conditions.
5. The Planning Commission may, to ensure strict compliance with any regulation contained herein and required as a condition of special land use approval, require the permittee to furnish a Surety Bond in accordance with Section 29.4(B) of this Ordinance.
6. The lot area used for parking shall be hard-surfaced and the display or storage areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water.
7. Ingress and egress shall be provided as far as practicable from two (2) intersecting streets and shall be at least one hundred (100) feet from an intersection.
8. All lighting shall be shielded from adjacent residential areas.
9. In the case of a plant materials nursery:
  1. The storage or materials display areas shall meet all the yard setback requirements applicable to any building in the District.
  2. All loading activities and parking areas shall be provided on the same premises (off-street).
  3. The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.
10. No display area shall be located within ten (10) feet of a road right-of-way line.

**The parcel does not meet standard #2 of the site design standards provided in Section 20.4 (Z) for open air businesses. The parcel only has 50' of width. Therefore, a dimensional variance would also be required.**

Section 28.11 provides the standards for receiving a variance, and all 7 standards must be met for the Zoning Board of Appeals to approve the request:

#### **Sec 28.11 DUTIES AND POWERS**

The Township Board of Appeals shall have the following specified duties and powers:

- C. Variances. The Board of Appeals shall have the power to authorize, upon an appeal, specific variances from the requirements of this Ordinance, when the applicant demonstrates that ALL of the following conditions will be satisfied.
  1. Granting the variance be in the public interest and will ensure that the spirit of this Ordinance shall be observed.
  2. Granting the variance shall not permit the establishment within a district of any use which is prohibited, nor shall any use variances be granted.
  3. That there are practical difficulties in complying with the standards of the Zoning Ordinance resulting from exceptional, extraordinary, or unique circumstances or conditions applying to the property in question, that do not generally apply to other property or uses in the vicinity in the same zoning district; and have not resulted from the adoption of this Ordinance.
  4. That the granting of such variance will not be of substantial detriment to adjacent properties or improvements in the vicinity; or, that the application of conditions to an approved variance will eliminate or sufficiently mitigate potential detrimental impacts.

5. That granting such variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity in the same zoning district.
6. That granting such variance will not cause any existing non-conforming use, structure, or condition to be increased or perpetuated, contrary to the provisions of Chapter 27 of this Ordinance, except in accordance with Section 27.12
7. That the variance is not necessitated as a result of any action or inaction of the applicant.(revised 4-23-2001)

Considering that the variance is necessitated by the applicant requesting a certain use that they did not receive zoning compliance approval for, it could be argued that the request is necessitated by action of the applicant (standard #7). No other property in the vicinity in the same zoning district has the right to have 50' of width (standard #5) or operate an open air business. **While every property owner has the right to apply for a variance request, the Zoning Board of Appeals ONLY has the authority to grant such a variance request if all of the seven standards are met and does NOT have the authority to grant a variance if even one of the standards is not met.**

Ross De Ruiter also requested information on Sun Belt Rental's ability to operate at 2370 Port Sheldon Ct.

A previous zoning administrator determined that Sun Belt Rental's proposed use met the definition of "Contractor's yards, building materials storage," which is a permitted use in the Industrial (I) district under Section 17.2 (O). The ordinance allows for outdoor storage in the Industrial (I) district but **only for permitted uses and with certain conditions:**

#### **Chapter 24 DISTRICT REGULATIONS**

- R. Except for necessary drives and walks, the front yard, for a depth of thirty (30) feet, shall be landscaped and shall not be used for parking. Loading, storage and accessory structures shall not be permitted in any front yard. Side or rear yards may be used for parking and loading. **Outdoor storage may be permitted, if located in the rear yard or non-required side yard and screened from adjoining properties and streets by a sight-obscuring fence, wall or landscaping, approved by the approving authority as designed in Chapter 19.** (revised 4/27/15) (revised 3/13/17)

**I, as the current zoning administrator, and consistent with past application of Sec. 2.77 of the Zoning Ordinance, determine that the use of U-Haul truck and trailer rentals clearly meets the definition in Sec. 2.77 of the Zoning Ordinance, which defines an open air business as a use operated substantially in the open air, including utility truck or trailer sales, repair, rental or storage services. This is a final determination and can only be reversed by the ZBA, upon appeal, if they determine that my interpretation of the Zoning Ordinance is not correct.**

#### **OTHER RELEVANT ZONING ORDINANCE SECTIONS**

##### **Chapter 17 I – Industrial**

##### **Sec 17.1 PURPOSE**

This District permits most primary industrial uses. By providing a separate area for such uses, these essential facilities are kept from encroaching in areas or Districts where they would be incompatible.

## **Sec 17.2 PERMITTED USES**

Land and/or buildings in this District may be used for the following purposes by right:

- A. Compounding, processing, packaging, treating and assembling from previously prepared materials in the production of:
  1. Food products including meat, dairy, fruit, vegetable, seafood, grain, bakery, confectionery, beverage and kindred foods.
  2. Textile mill products including woven fabric, knit goods, dyeing, and finishing, floor coverings, yarn and thread and other textile goods.
  3. Apparel and other finished products made from fabrics, leather goods, fur, canvas, and similar materials.
  4. Lumber and wood products including millwork, prefabricated structural wood products and containers, not including logging camps or outdoor storage.
  5. Furniture and fixtures.
  6. Paperboard containers, building paper, building board, and bookbinding.
  7. Printing and publishing.
  8. Chemical products such as plastics, perfumes, synthetic fibers.
  9. Engineering, measuring, optic, medical, lenses, photographs, and similar instruments.
  10. Jewelry, silverware, toys, athletic, office and tobacco goods, musical instruments, signs and displays, lampshades, and similar products.
- B. Wholesale establishments including automotive equipment, drugs, chemicals, dry goods, apparel, food, farm products, electrical goods, hardware, machinery, equipment, metals, paper products, and furnishings, and lumber and building products, not including outdoor storage.
- C. Warehouses, cartage businesses.
- D. Laboratories including experimental, film and testing.
- E. Trade or industrial schools and veterinary/animal hospitals or clinics or kennels (kennels subject to the standards in Chapter 20). (revised 10-25-2021)
- F. Motor freight terminals and distribution centers including garaging and maintenance of equipment. Freight forwarding, packing, and crating services.
- G. Central dry-cleaning plant.
- H. Municipal buildings, public service buildings.
- I. Electricity regulating substation, and pressure control station for gas, water and sewage.
- J. Office buildings for any of the following: executive, administrative, professional, accounting, clerical or stenographic, and drafting.
- K. Accessory buildings and uses customarily incidental of the above permitted uses as defined in Chapter II.
- L. Private non-commercial recreation.
- M. Vehicle repair establishments.
- N. Restaurants or other eating or drinking establishments which provide food and drink on the premises, including drive-through establishments. (revised 6/25/18)
- O. Contractor's yards, building materials storage
- P. Tool and die, metal working and stone, clay, glass, concrete, brick, pottery, abrasives, tile and related products.
- Q. Retail sales fronting on a major street with no outdoor sales or display.
- R. Contractor/showroom (where, in general, the contractor installs the product)
- S. Health and physical fitness salons, indoor sports, gymnastics and dance studios.
- T. Mini-storage garages.
- U. Commercial enterprises producing merchandise on the premises to be sold at retail and/or wholesale (section revised 3/28/16)

### **Sec 17.3 USES REQUIRING SPECIAL LAND USE APPROVAL**

The following uses may be permitted by obtaining Special Land Use Approval when all applicable standards as cited in Chapter XX are met.

1. Waste treatment facilities.
  2. Water supply and treatment facilities.
  3. Waste disposal facilities, including incinerators and sanitary landfills.
  4. Airports and Landing fields.
  5. Commercial soil removal.
  6. Heating and electric power generating plants.
  7. Junk yards and salvage yards.
  8. Commercial radio and television and wireless communication towers. (Revised November 1997).
  9. Community Fair. (revised 4/24/17)
  10. Restaurants having a distillery, brewery or winery on the same site. (revised 6/25/18)
- (section revised 3/28/16)

**\*Note that open air businesses are not permitted in the Industrial (I) district.\***

### **FINDINGS**

**The following are findings pertaining to the uses allowed at the site:**

1. **The use of U-Haul truck and trailer rental clearly meets the definition of open air business in Sec. 2.77 of the Zoning Ordinance.**
2. **The site is located in the Industrial district where open air businesses are specifically prohibited.**
3. **Use Zoning Compliance approval was granted for warehousing.**

### **ZONING ADMINISTRATOR OFFICIAL DETERMINATION**

From the authority given to the Zoning Administrator in Chapter 29 of the Georgetown Township Zoning Ordinance to administer and enforce the provisions of the Zoning Ordinance and based on the information provided and evident with the documents and conversations, **the determination is as follows:**

**The use of the site at 2286 Port Sheldon Ct. for the storage and rental of U-Haul trailers is an open-air business which is determined to NOT be allowed, to NEVER have been allowed, to NOT be legal nonconforming, and to have NO legal nonconforming status rights.**

### **ANALYSIS OF APPLICANTS REBUTTAL**

The applicant claims that his business should be classified as “Contractor’s yards, building materials storage” the same classification as Sunbelt Rentals located at 2380 Port Sheldon St.

The Township Zoning Ordinance does not have a definition of “Contractor’s yards, building materials storage” so the following definitions are presented:

**Contractor yard, landscape or construction:** A yard used for the outdoor storage of a construction or landscape contractor's vehicles, equipment, and materials, including plant materials and contained soil. – *City of Detroit, Zoning Ordinance*

**Contractor's Yard** means the use of any lot or building by a construction company, landscaper, or contractor for the storage and maintenance of equipment and materials used or rented by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used by the business. – *City of Kingston, California, Zoning Bylaws*

A "**contractor's storage yard**" is defined as a place where stone, gravel, sand, cement, brick, brick tile, cement tile, tile sewer pipe, wood, lumber or other building material is stored or kept for sale. A "coal yard" is defined as a place where coal is stored or kept for sale. A "lumberyard" is defined as a place where lumber is stored or kept for sale, including shops where lumber is used and stored for carpentry or cabinet making purposes. – *City of Worth, Illinois, Zoning Ordinance*

When the Township's Zoning Ordinance does not have a specific definition in the ordinance, the Township uses the generally accepted definition. Based on the above definitions, the applicant's use better fits the Township's definition of an open air business as defined in Sec. 2.77 of the Township Zoning Ordinance. The business is open to the public for retail rentals of trucks, not specifically contractors. The Township has also historically classified U-Haul Dealers as open air businesses and this determination is in keeping with that historical precedent.

## **CONCLUSION**

**The open air business operation (U-Haul Dealer) being conducted at 2286 Port Sheldon Ct. is a violation of the Zoning Ordinance and must cease immediately.**

## **SUMMARY**

Chapter 28 gives the opportunity to any person aggrieved by the ruling of the Zoning Administrator to appeal such decision to the Zoning Board of Appeals. One of the duties of the Zoning Board of Appeals is to hear and decide the appeal of the determination of the Zoning Administrator in the administration of the Zoning Ordinance.

**Consequently, the Zoning Board of Appeals is tasked with reviewing the provided information and to determine to concur or not to concur with the official ruling of the Zoning Administrator. Consideration should be given that the determination of the Zoning Board of Appeals will set precedent for future similar Zoning Administration official rulings on such uses.**

Zoning Ordinance sections below explain the appeal process:

### **Sec. 28.10 APPEALS**

Appeals to the Board of Appeals may be taken by any person aggrieved, or by any officer, department or board of the Township. Any appeal from the ruling of the Zoning Administrator concerning the enforcement of the provisions of this Ordinance may be made to the Board of Appeals within five (5) days after the date of the Zoning Administrator's decision which is the basis of the appeal. The appellant must file with the Zoning Administrator a notice of appeal specifying the grounds for appeal. The Zoning Administrator shall

immediately transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from was taken.

**Sec 28.11 DUTIES AND POWERS**

The Township Board of Appeals shall have the following specified duties and powers:

- A. Review. Shall hear and decide appeals from and review any order, requirement, decision, or determination made by the Zoning Administrator in the administration of this Ordinance.

**OPTIONS FOR MOTION**

Motion: To adopt the staff report as finding of fact and to:

- a. **reaffirm and concur with** the Zoning Administrator’s determination as follows:

**The use of the site at 2286 Port Sheldon Ct. for the storage and rental of U-Haul trailers is an open-air business which is determined to NOT be allowed, to NEVER have been allowed, to NOT be legal nonconforming, and to have NO legal nonconforming status rights.**

**or**

- b. **not concur and reverse** the Zoning Administrator’s determination and to determine that the proposed use and equipment described in the Zoning Administrator’s determination is \_\_\_\_\_  
\_\_\_\_\_.

PERMIT NUMBER: VAR 2601

### APPLICATION FOR ZONING APPEAL

Georgetown Charter Township  
1515 Baldwin St, P.O. Box 769  
Jenison, MI 49429  
616-457-2340

revised: 1/26/09

#### APPLICANT INFORMATION

COMPANY NAME: Simple Bid Auction, Inc/ Uhaul Authorized Dealer		PHONE: [REDACTED]
APPLICANT NAME: Ross De Ruiter		
ADDRESS: 2286 Port Sheldon Ct	CITY / STATE / ZIP: Jenison, MI 49428	

#### PROPERTY INFORMATION

COMPANY NAME: Port Sheldon Realty 2		PHONE: [REDACTED]
OWNER / AGENT NAME: David Coates		TITLE: Owner
ADDRESS: 2374 Port Sheldon Ct	CITY / STATE / ZIP: Jenison, MI 49428	
PARCEL NUMBER: 70-14-27-100-032	ZONING DISTRICT: Industrial	
EXISTING USE: Industrial/Warehouse		

#### REQUEST INFORMATION

STATE THE NATURE OF THE APPEAL, INTERPRETATION OR VARIANCE REQUEST:  
You are Tying to ZOne us as "Open Air Business" we are not even Close to Classified as a Open Air Business

Should be Same As Sunbelt Rentals - We Shunt Trucks/Trailers on lot until they ar rented and they Move on

We do Business from a Perm. Building not a Temp Building Like "Open Air" States

SECTION OF THE ORDINANCE RELATING TO THE REQUEST:  
Sec 2.77 Open Air Business

EIGHT (8) FOLDED COPIES OF A SITE PLAN ARE REQUIRED TO ACCOMPANY THIS APPLICATION

#### APPLICANT SIGNATURE

I HEREBY ATTEST THAT THE INFORMATION ON THIS FORM IS, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE AND COPIES OF ALL MATERIALS SUBMITTED TO THE BOARD WILL ALSO BE SUBMITTED TO THE TOWNSHIP. I UNDERSTAND THAT I MAY BE REQUIRED TO BE SWORN IN TO GIVE TESTAMONY. I HEREBY GRANT PERMISSION FOR MEMBERS OF THE TOWNSHIP BOARD OF APPEALS TO ENTER THE SUBJECT PROPERTY FOR THE PURPOSE OF GATHERING INFOMRATION RELATED TO THIS REQUEST. IT IS THE APPLICANT'S RESPONSIBILITY TO MEET THE REQUIREMENTS OF THE TOWNSHIP ZONING ORDINANCE IN ALL RESPECTS AND TO PROVIDE THE NECESSARY INFORMATION TO THE TOWNSHIP FOR APPROVAL. COPIES OF THE ORDINANCE MAY BE OBTAINED FROM THE TOWNSHIP WEBSITE AT WWW.GEORGETOWN-MI.GOV. BY SIGNING, PERMISSION IS GRANTED FOR THE TOWNSHIP STAFF AND BOARD MEMBERS TO ENTER THE SUBJECT PROPERTY FOR PURPOSES OF GATHERING INFORMATION TO REVIEW THIS REQUEST. I ACKNOWLEDGE THERE ARE NO REFUNDS FOR ANY REASON.

APPLICANT SIGNATURE: 	DATE: 12-15-2025
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#### FOR OFFICE USE ONLY

DATE OF ZONING BOARD OF APPEALS MEETING: 1/28/26	DATE ADVERTISED: 1/13/26	DATE PROPERTY NOTICES WERE SENT: 1/13/26
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## ZONING BOARD OF APPEALS REVIEW PROCESS

THE ZONING BOARD OF APPEALS IS A QUASI-JUDICIAL REVIEW BODY CHARGED WITH THE AUTHORITY TO HEAR AND DECIDE APPEALS FROM ANY ADMINISTRATIVE ACTION, INTERPRETATION OR REGULATION OF THE GEORGETOWN CHARTER TOWNSHIP ZONING ORDINANCE. THE PROCESS IS AS FOLLOWS:

1. A COMPLETE APPLICATION, ALONG WITH A FILING FEE, MUST BE SUBMITTED TO THE TOWNSHIP ZONING ADMINISTRATOR AT LEAST FOUR WEEKS PRIOR TO THE REGULARLY SCHEDULED BOARD OF APPEALS MEETING (FOURTH WEDNESDAY OF EACH MONTH). SEE DEADLINE DATES ON THE WEBSITE.
2. EIGHT FOLDED (8) COPIES OF A SITE PLAN SHOULD ALSO BE INCLUDED WITH THE APPLICATION. THE PLAN SHOULD BE DRAWN TO SCALE (BASED ON A PROPERTY SURVEY) AND PROVIDE SUFFICIENT DETAIL TO ILLUSTRATE THE SUBJECT PROPERTY, BUILDINGS, STREETS AND OTHER FEATURES PERTINENT TO THE APPEAL. STRUCTURES LOCATED ON ADJOINING PROPERTIES SHOULD ALSO BE SHOWN TO DEPICT THE RELATIONSHIP OF THE PROPOSED TO ITS SURROUNDINGS AND THE POTENTIAL IMPACTS ON ADJACENT USES. FOR COMMERCIAL OR INDUSTRIAL PROJECTS, THE PLAN SHOULD BE PROFESSIONALLY PREPARED. FAILURE TO PROVIDE SUCH INFORMATION WITH THE APPLICATION MAY CAUSE THE REQUEST TO BE TABLED UNTIL AN ACCEPTABLE SITE PLAN IS SUBMITTED.
3. AT ITS NEXT REGULAR MEETING, THE ZONING BOARD OF APPEALS WILL CONDUCT A PUBLIC HEARING CONCERNING THE REQUEST. FOLLOWING DELIBERATIONS, THE ZONING BOARD MAY RENDER A DECISION OR TABLE THE REQUEST FOR FURTHER STUDY. THE BOARD MAY IMPOSE CONDITIONS AS PART OF ITS DECISION.
4. THE APPLICANT OR A DESIGNATED REPRESENTATIVE MUST BE PRESENT AT THE MEETING OR THE REQUEST WILL BE TABLED.
5. DECISIONS OF THE ZONING BOARD OF APPEALS ARE FINAL. FURTHER APPEAL OF A BOARD DECISION IS PERMITTED ONLY THROUGH THE CIRCUIT COURT.
6. ANY VARIANCE THAT HAS BEEN GRANTED WILL EXPIRE ONE (1) YEAR AFTER THE DATE OF APPROVAL, UNLESS THE CONSTRUCTION AUTHORIZED BY THE VARIANCE HAS COMMENCED.
7. NO REQUEST WHICH HAS BEEN DENIED BY THE ZONING BOARD OF APPEALS MAY BE SUBMITTED FOR RECONSIDERATION FOR A PERIOD OF ONE (1) YEAR FOLLOWING THE BOARD'S ACTION, EXCEPT ON GROUNDS OF NEWLY DISCOVERED EVIDENCE OR PROOF OF CHANGED CONDITIONS.

Sec. 28.11 of the Georgetown Charter Township Zoning Ordinance establishes the powers and duties of the Zoning Board of Appeals. All Variance requests must meet the specific standards listed in that section in order to be approved. In the space below or additional sheets, if needed, state how your request meets each of the approval standards.

Section 28.11 of the Zoning Ordinance states:

- (C) **Variations.** The Board of Appeals shall have the power to authorize, upon an appeal, specific variances from the requirements of this Ordinance, when the applicant demonstrates that ALL of the following conditions will be satisfied.

*(Please describe, in detail, how your request meets each of the following standards.)*

- (1) Granting the variance be in the public interest and will ensure that the spirit of this Ordinance shall be observed. *(Will the intentions of the ordinance be upheld and will there be no detrimental effects to the public if the variance is granted?)*

We will Do everythign we can to have the trucks all lined up in nice rows and great looking - we will be doing

---

Landscaping in the Spring/summer to make everything look great!

---

- (2) Granting the variance shall not permit the establishment within a district of any use which is prohibited, nor shall any use variances be granted. *(Is the use to which the variance relates allowed in the zoning district where the site is located?)*

Yes we would like to be zoned exactly the same as sunbelt rentals which is Also Zoned Industrial right

---

In front of us. we do exactly the same thing as them. Rent Equipment

---

- (3) That there are practical difficulties in complying with the standards of the Zoning Ordinance resulting from exceptional, extraordinary, or unique circumstances or conditions applying to the property in question, that do not generally apply to other property or uses in the vicinity in the same zoning district; and have not resulted from the adoption of this Ordinance. *(What unusual circumstances related to the property, that are different from other neighboring properties, necessitate the request?)*

Ther is no issues with this property to not be zoned the same as Sunbelt Rentals if you gave it to them

---

It shouldn't be a issue giving it to us.

---

- 
- (4) That the granting of such variance will not be of substantial detriment to adjacent properties or improvements in the vicinity; or, that the application of conditions to an approved variance will eliminate or sufficiently mitigate potential detrimental impacts. *(Present evidence that if the variance is granted, the adjacent properties will not suffer from detrimental effects.)*

All the Neighbors are for our business and have NO issues with us Running it Here.

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- (5) That granting such variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity in the same zoning district. *(What substantial property right are you denied under the current circumstances?)*

Being Classified as a "open Air Business" is not allowing us to run our Uhaul Business at this location which

---

Is a Huge Part of Our Business. - Sunbelt Rentals right in front is zoned Industrial - Contractor Yard and

---

We do that exact same thing and should be zoned the same

---

---

- (6) That granting such variance will not cause any existing non-conforming use, structure, or condition to be increased or perpetuated, contrary to the provisions of Chapter 27 of this Ordinance, except in accordance with Section 27.12 *(Are there any circumstances on the property that are currently non-conforming? If so, will the non-conforming be increased or enlarged?)*

Nothing

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- (7) That the variance is not necessitated as a result of any action or inaction of the applicant. *(revised 4-23-2001) (Is this request necessary because of anything that has been done or not done by the applicant?)*

We need this Zoned the same as Sunbelt Rentals to be able to run our Main business of Uhaul rentals

---

All other Areas allowed it and with No Hassle or issues and we were in Industrial Also

---

We wouldn't have Rented this had it not been a problem... Industrial shouldnt be a issue for this ... Again

---

Sunbelt Rentals is here and same thing. We have been in Zeeland, Hudsonville, and Walker no Issues

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**Georgetown Township**

**VARIANCE Permit No: PVAR2601**

Zoning Department  
Phone:(616) 457-2690 Ext. 228

1515 Baldwin Street  
Fax: (616) 457-3670

Jenison, MI 49428  
Hours: Monday-Friday 8 am - 5:00 pm

2286 PORT SHELDON CT  
70-14-27-100-032

Location

Issued:01/15/26

PORT SHELDON REALTY 2 LLC  
2374 PORT SHELDON COURT  
JENISON MI 49428

Owner

ROSS DE RUITER  
2286 PORT SHELDON CT.  
Jenison MI 49428

Applicant

**Comment:** (VAR2601) Ross De Ruitter, SBA Auction Inc., 2286 Port Sheldon Ct., is appealing the Zoning Administrator's determination that the use of the site at 2286 Port Sheldon Ct. for the storage and rental of U-Haul trailers is an open air business as defined in Sec. 2.77 of the Township Zoning Ordinance, which is determined to NOT be allowed, to NEVER have been allowed, to NOT be legal nonconforming, and to have NO legal nonconforming status rights on a parcel of land described as P.P. # 70-14-27-100-032, located at 2286 Port Sheldon Ct., in an Industrial (I) zoning district, Georgetown Township, Ottawa County, MI.

	Work Type	No. of Items or size	Item Total
VARIANCE-COMMERCIAL		1.00	400.00

Zoning Administrator or Designee

<b>Fee Total:</b>	400.00
<b>Amount Paid:</b>	400.00
<b>Balance Due:</b>	0.00

Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations. The Township and its officers and employees shall not be liable for approving a land division if building permits for construction on the parcels are subsequently denied because of inadequate water supply, sewage disposal facilities or otherwise, and any notice of approval shall include a statement to this effect.

pd. online  
  
Payment Validation

# APPLICATION FOR NEW OCCUPANT/BUSINESS

Georgetown Charter Township  
1515 Baldwin St, P.O. Box 769  
Jenison, MI 49429  
616-457-2690

revised: 10/25/21

## PROPERTY INFORMATION

ADDRESS:  
2286 Port Sheldon Ct, Jenison, MI 49428

PARCEL NUMBER:  
Unknown

ZONING DISTRICT:  
Unknown

PLAT NAME:

LOT NUMBER:

## APPLICANT INFORMATION

COMPANY NAME:  
Simple Bid Auction, Inc

PHONE:  
[REDACTED]

OWNER / AGENT NAME:  
Ross De Ruiter

EMAIL:  
[REDACTED]

ADDRESS:  
2286 Port Sheldon Ct

CITY / STATE / ZIP:  
Jenison, MI 49428

## USE INFORMATION

NAME OF BUSINESS:  
Simple Bid Auction, Inc

EXISTING USE:  
was a roofing company

EXPLAIN THE PROPOSED USE:  
Online Auction Sales, Uhaul Dealer

THE APPLICATION FEE WILL INCLUDE A MAXIMUM OF TWO BUILDING AND TWO FIRE INSPECTIONS. IF MORE INSPECTIONS ARE REQUIRED, A FEE OF \$50 PER INSPECTION MUST BE PAID PRIOR TO THE INSPECTIONS BEING CONDUCTED.

## INSPECTION INFORMATION

ANTICIPATED MOVE-IN DATE:  
11/1/2025

REQUESTED INSPECTION DATE:

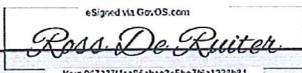
CONTACT NAME:  
Ross De Ruiter

PHONE:  
6163794004

## APPLICANT SIGNATURE

IT IS THE APPLICANT'S RESPONSIBILITY TO MEET THE REQUIREMENTS OF THE TOWNSHIP ZONING AND GENERAL ORDINANCES IN ALL RESPECTS AND TO PROVIDE THE NECESSARY INFORMATION TO THE TOWNSHIP FOR APPROVAL. COPIES OF THE ORDINANCE MAY BE OBTAINED FROM THE GEORGETOWN TOWNSHIP WEBSITE AT [www.georgetown-mi.gov](http://www.georgetown-mi.gov). BY SIGNING, PERMISSION IS GRANTED FOR THE TOWNSHIP STAFF TO ENTER THE SUBJECT PROPERTY FOR PURPOSES OF GATHERING INFORMATION TO REVIEW THIS REQUEST. A ZONING COMPLIANCE CERTIFICATE WILL BE ISSUED UPON APPROVAL OF THIS APPLICATION. THE ZONING COMPLIANCE CERTIFICATE MUST BE OBTAINED PRIOR TO OCCUPYING, OPERATING OR USE OF THE STRUCTURE. I ACKNOWLEDGE THERE ARE NO REFUNDS FOR ANY REASONS.

APPLICANT SIGNATURE:

eSigned via GovOS.com  
  
Key: 047237f4e56ab3c2e5be76a1322884

DATE:

11-17-2025

FOR OFFICE USE ONLY

USE ALLOWED PER SECTION:

APPROVAL SIGNATURE:

DATE:



December 11, 2025

Simple Bid Auction, Inc.  
Ross De Ruiter  
2286 Port Sheldon Ct.  
Jenison, MI 49428

RE: Official Zoning Determination Letter for P.P. # 70-14-27-100-032, 2286 Port Sheldon Ct.

Dear Mr. De Ruiter,

This is an official zoning determination letter regarding the request to operate an open air business (U-Haul Dealer) at P.P. # 70-14-27-100-032 located at 2286 Port Sheldon Ct. in an Industrial zoning district.

**HISTORY**

On October 31, 2025, I sent an email to [info@sbauctioninc.com](mailto:info@sbauctioninc.com) after the Township learned that Simple Bid Auction, Inc. opened a business at 2286 Port Sheldon Ct. The Township requires all new businesses to complete the New Occupant/Business Application, as required in Sec. 29.3 of the Georgetown Township Zoning Ordinance, to ensure a new business is compatible with the zoning district and has enough required parking to operate. The October 31, 2025 email provided Mr. De Ruiter with a link to complete the application and informed Mr. De Ruiter that a fire inspection would be scheduled following the submittal of the application.

Since the Township did not receive a completed application in a timely manner, the Township's Code Enforcement Officer, Rich Nawrocki visited the site to follow up on the request. He spoke to Mr. De Ruiter at the location and was informed that the application would be submitted.

On November 17, 2025, Mr. De Ruiter filed a New Occupant/Business Application with the Township to operate "Online Auction Sales, U-Haul Dealer" at 2286 Port Sheldon Ct.

On November 24, 2025, I sent Mr. De Ruiter an email subject line: Application for New Occupant/Business Application and informed Mr. De Ruiter that the Online Auction Sales use would be permitted per Sec. 17.2 (C) of the Zoning Ordinance as a warehouse. However, I informed Mr. De Ruiter that the U-Haul Dealer use would not be permitted in the Industrial (I) district as it is considered an open air business. Open air businesses are only permitted in the Community Service Commercial (CS) district and Highway Service Commercial (HS) district with special land use approval. Mr. De Ruiter was also provided with the Township's definition of an open air business as noted in Sec. 2.77 of the Zoning Ordinance:

**Sec 2.77 OPEN AIR BUSINESS**

Includes uses operated for profit substantially in the open air, including, but not limited to:

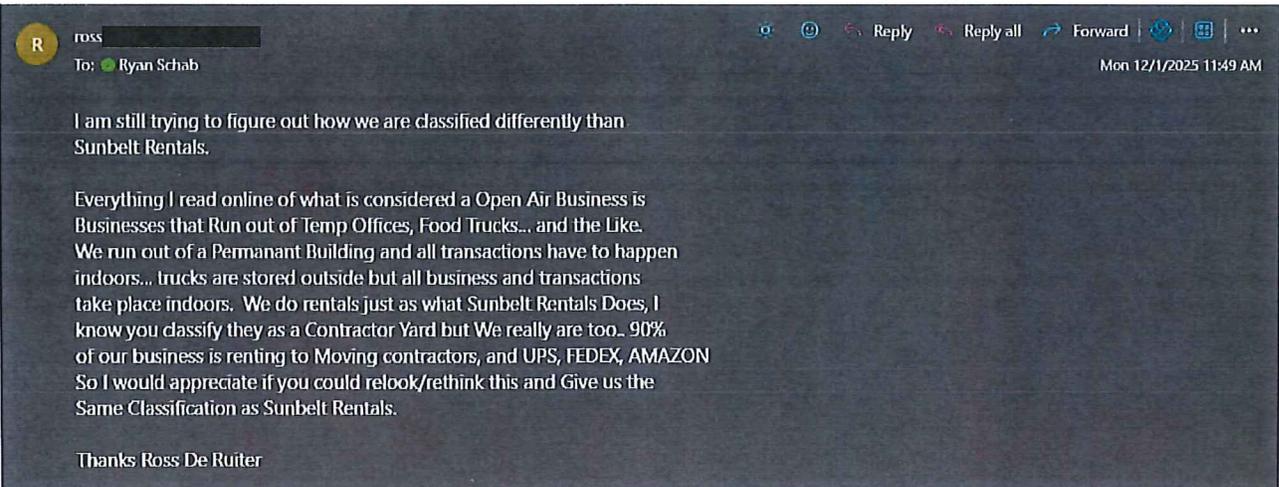
- A. Bicycle, utility truck or trailer, motor vehicle, boats, or home equipment sale, repair, rental, or storage services.
- B. Outdoor display and sale of garages, motor homes, mobile homes, snowmobiles, farm implements, swimming pools, and similar activities.
- C. Retail sale of trees, fruits, vegetables, shrubbery, plants, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment.
- D. Tennis courts, archery courts, shuffleboard, horseshoe courts, rifle ranges, miniature golf, golf driving ranges, children's amusement park or similar recreation uses (transient or permanent).

Mr. De Ruiter was then asked to confirm that he would no longer be operating the U-Haul Dealer use and only move forward with the online auction warehouse use.

Shortly after I sent the November 24, 2025 email to Mr. De Ruiter, I received a call from him, asking how he could obtain approval for the U-Haul Dealer use. Mr. De Ruiter was informed that an industrial parcel cannot be permitted to have an open air business as it is not a use available by right or special land use in that zoning district. Although the Township entertains variance applications, Sec. 28.11 of the Zoning Ordinance specifically states that "use" variances are prohibited from being approved. The only way to have the use permitted would be to rezone the property to CS or HS and then obtain a special land use approval to operate the open air business. Also, due to the fact that the site does not meet the requirements for an open air business, non-use variances would be required. Note that Sec. 28.11 states the seven standards that are required to be met for a variance to be granted.

Mr. De Ruiter requested information on how he could start that process.

I received a follow-up email from Mr. De Ruiter on December 1, 2025 asking how his business is classified differently than Sunbelt Rentals located at 2370 Port Sheldon Ct., also located in an Industrial (I) district:

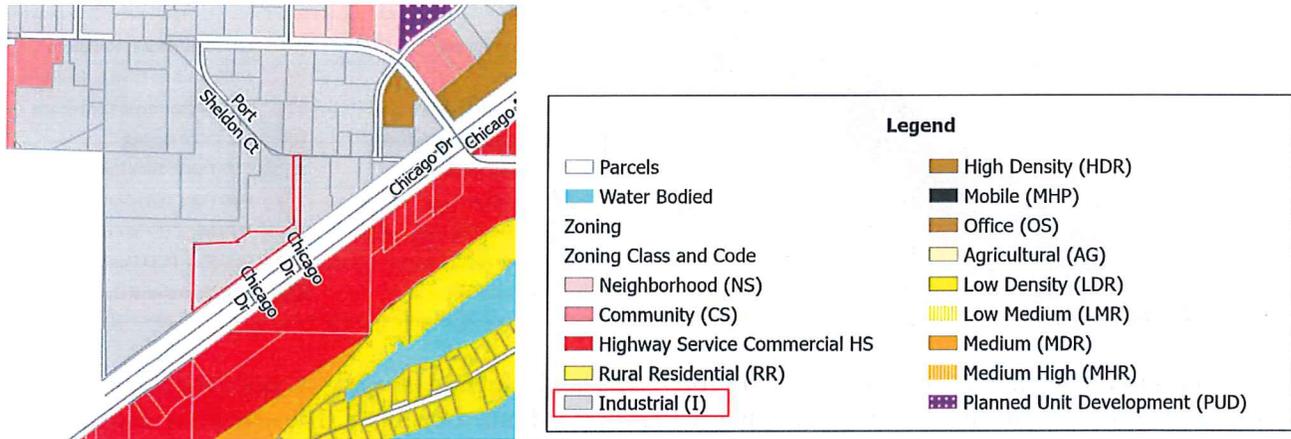


The following information is provided.

**PROPERTY INFORMATION**

The 5.97-acre site, identified as P.P. # 70-14-27-100-032, located at 2286 Port Sheldon Ct., is in an Industrial (I) district. There is no access to Chicago Dr. from the parcel, and the site has 50' of frontage of Port Sheldon Ct. and 50' of width.

*Zoning Map*



**SITUATION**

The Township has historically determined that U-Haul Dealers are open air businesses. This determination is consistent with a previous situation in 2023 in which Great Lakes Rental Properties, LLC attempted to operate a U-Haul Dealer use at 9651 42<sup>nd</sup> Ave. in an Agricultural (AG) district. A previous zoning administrator determined that the U-Haul Dealer use must cease immediately. The Township initiated a court case to enforce the Zoning Ordinance, and the case ended with the business admitting responsibility for the violation and ceasing the use pursuant to the judgment entered in the case. The business submitted a new zoning compliance for a different, approved business activity.

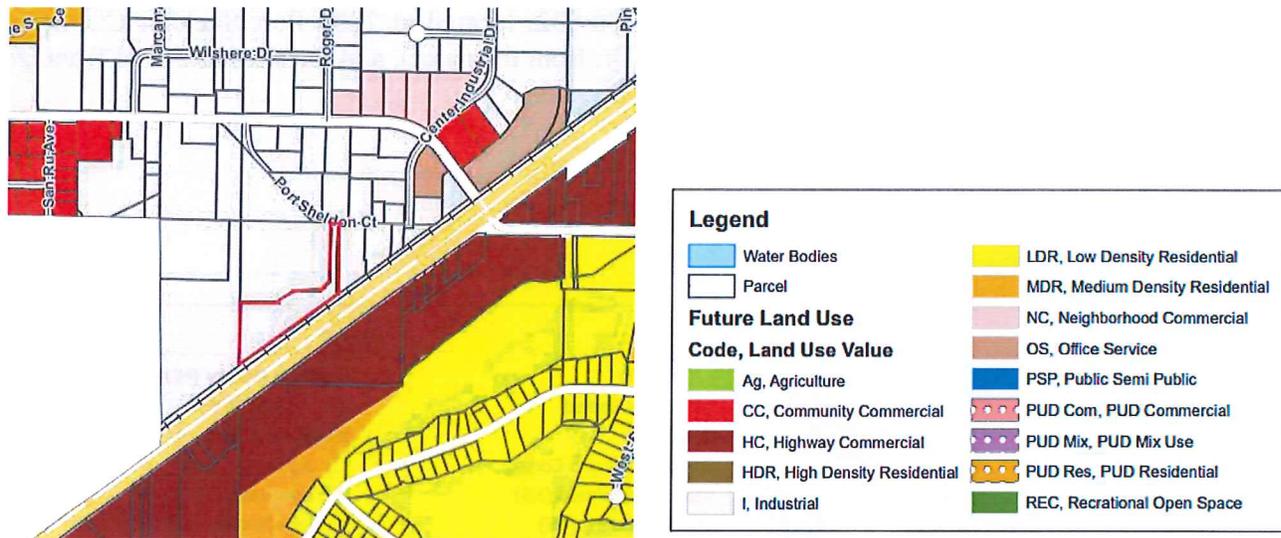
The current applicant has requested information on how the U-Haul Dealer use could be permitted at 2286 Port Sheldon Ct.

The first requirement is that the business must be rezoned to the CS or HS commercial districts since those are the only districts where an open air business is permitted. Every property owner has the right to apply to rezone their property. However, in order for the Township Board to approve a rezoning request, the proposal must meet the requirements in Sec. 4.2 of the ordinance to be approved. The standards that are considered by the Planning Commission and Township Board for rezoning requests are listed below, all standards must be met for a rezoning to be approved:

THE FOLLOWING STANDARDS WILL BE CONSIDERED BY THE PLANNING COMMISSION AND TOWNSHIP BOARD IN THEIR REVIEW OF THE REZONING REQUEST.

1. CONSISTENCY: IS THE PROPOSED ZONING AND ALL OF ITS PERMITTED USES CONSISTENT WITH THE RECOMMENDATIONS OF THE TOWNSHIP LAND USE PLAN?

## Future Land Use Map



A request to rezone the property to CS or HS (on future land use map labeled CC and HC) **does not** appear to be consistent with the recommendations of the Future Land Use Plan. The parcel is surrounded by Industrial parcels on all sides besides the HS district located on the other side of Chicago Dr. While zoning district designations are not parcel specific, it appears that the surrounding area is only industrial. The HS district located to the south is on the other side of Chicago Dr., which provides a buffer to separate the two zoning districts.

Page 30 of the Master Plan states the following:

**Development which creates land use conflicts between different uses should be avoided. Gradual transitions from intensive commercial and industrial uses to low density residential uses should be provided, or developers should be required to provide an adequate buffer. Consideration should be given to developments which can provide opportunities for buffers between high and low intense uses.**

2. COMPATIBILITY: IS THE PROPOSED DISTRICT AND ALL OF ITS ALLOWED USES COMPATIBLE WITH THE SURROUNDING AREA?

The uses allowed within the CS and HS districts **do not** appear to be compatible with the surrounding area of Industrial. The uses permitted in CS and HS include also all the uses permitted in the Office Service (OS) Commercial and Neighborhood Service (NS) Commercial districts. These include uses such as restaurants (drive-through and sit down), schools, medical offices including clinics, churches, personal service establishments (such as laundromats or barber shops) ... etc.

**The rest of the standards are listed below. Although any person may apply for any rezoning, the Township Board only has the authority to approve a rezoning of the property to CS or HS if ALL the standards are met.**

3. CAPABILITY: IS THE PROPERTY CAPABLE OF BEING USED FOR A USE PERMITTED WITHIN THE EXISTING ZONING DISTRICT?

4. OTHER CONSIDERATIONS: WILL THE REZONING REQUIRE AN INORDINATE REPENDITURE OF PUBLIC FUNDS (ROAD IMPROVEMENTS, UTILITY EXTENSION, ETC.) TO MAKE THE DEVELOPMENT FEASIBLE?
5. WILL THE REZONING CAUSE DEVELOPMENT TO LEAP FROG" OTHER UNDEVELOPED AREAS IN THE SAME ZONING DISTRICT AND NECESSITATE PREMATURE EXTENSIONS OF SERVICES TO RURAL AREAS OF THE TOWNSHIP?
6. IS THERE SUFFICIENT VACANT LAND ALREADY ZONED IN A SPECIFIC CATEGORY (E.G., INDUSTIRAL, MULTIFAMILY, COMMERCIAL)?
7. IS THE REZONING MORE LIKELY TO BE GRANTED IF CONDITIONS COULD BE ATTACHED (NOTE: REZONINGS CANNOT BE CONDITIONAL)?

Even if the property was to be rezoned to CS or HS, which would happen ONLY if the above standards are met, special land use approval for an open air business would still be required to be obtained. The standards for receiving approval on a special land use permit for an open air business are below:

### **Sec 20.3 GENERAL STANDARDS**

The following general standards, in addition to those specific standards established for certain uses, shall be satisfied before the Planning Commission makes a decision regarding a Special Land Use application.

1. Each application shall be reviewed for the purpose of determining that the proposed use meets the following standards and, in addition, that each use of the proposed site will:
  1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
  2. Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
  3. Not create excessive additional requirements at public cost for public facilities and services.
  4. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

### **Sec 20.4 SITE DESIGN STANDARDS**

Those uses specified in Section 20.1 as permitted by "right" or as special land uses shall be subject to the requirements of the District in which the use is located in addition to all applicable conditions, standards and regulations regarding site design and development and other standards and conditions as are cited in the following:

- Z. **Open air businesses.** The use of an open air business is expressly prohibited in all zoning districts except (CS) Community Service Commercial district and (HS) Highway Service Commercial district. In the CS and HS districts, the use is allowed with special land use approval with is contingent upon compliance with the following standards (revised 03-26-07):
  1. Minimum lot area shall be one (1) acre.
  2. Minimum lot width shall be two hundred (200) feet.

3. The Planning Commission may require a six (6) foot fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises. (revised 10/0/2023)
4. All open air businesses shall comply with all applicable Health Department regulations regarding sanitation and general health conditions.
5. The Planning Commission may, to ensure strict compliance with any regulation contained herein and required as a condition of special land use approval, require the permittee to furnish a Surety Bond in accordance with Section 29.4(B) of this Ordinance.
6. The lot area used for parking shall be hard-surfaced and the display or storage areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water.
7. Ingress and egress shall be provided as far as practicable from two (2) intersecting streets and shall be at least one hundred (100) feet from an intersection.
8. All lighting shall be shielded from adjacent residential areas.
9. In the case of a plant materials nursery:
  1. The storage or materials display areas shall meet all the yard setback requirements applicable to any building in the District.
  2. All loading activities and parking areas shall be provided on the same premises (off-street).
  3. The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.
10. No display area shall be located within ten (10) feet of a road right-of-way line.

**The parcel does not meet standard #2 of the site design standards provided in Section 20.4 (Z) for open air businesses. The parcel only has 50' of width. Therefore, a dimensional variance would also be required.**

Section 28.11 provides the standards for receiving a variance, and all 7 standards must be met for the Zoning Board of Appeals to approve the request:

**Sec 28.11 DUTIES AND POWERS**

The Township Board of Appeals shall have the following specified duties and powers:

- C. Variances. The Board of Appeals shall have the power to authorize, upon an appeal, specific variances from the requirements of this Ordinance, when the applicant demonstrates that ALL of the following conditions will be satisfied.
  1. Granting the variance be in the public interest and will ensure that the spirit of this Ordinance shall be observed.
  2. Granting the variance shall not permit the establishment within a district of any use which is prohibited, nor shall any use variances be granted.
  3. That there are practical difficulties in complying with the standards of the Zoning Ordinance resulting from exceptional, extraordinary, or unique circumstances or conditions applying to the property in question, that do not generally apply to other property or uses in the vicinity in the same zoning district; and have not resulted from the adoption of this Ordinance.
  4. That the granting of such variance will not be of substantial detriment to adjacent properties or improvements in the vicinity; or, that the application of conditions to an approved variance will eliminate or sufficiently mitigate potential detrimental impacts.

5. That granting such variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity in the same zoning district.
6. That granting such variance will not cause any existing non-conforming use, structure, or condition to be increased or perpetuated, contrary to the provisions of Chapter 27 of this Ordinance, except in accordance with Section 27.12
7. That the variance is not necessitated as a result of any action or inaction of the applicant.(revised 4-23-2001)

Considering that the variance is necessitated by the applicant requesting a certain use that they did not receive zoning compliance approval for, it could be argued that the request is necessitated by action of the applicant (standard #7). No other property in the vicinity in the same zoning district has the right to have 50' of width (standard #5) or operate an open air business. **While every property owner has the right to apply for a variance request, the Zoning Board of Appeals ONLY has the authority to grant such a variance request if all of the seven standards are met and does NOT have the authority to grant a variance if even one of the standards is not met.**

Ross De Ruiter also requested information on Sun Belt Rental's ability to operate at 2370 Port Sheldon Ct.

A previous zoning administrator determined that Sun Belt Rental's proposed use met the definition of "Contractor's yards, building materials storage," which is a permitted use in the Industrial (I) district under Section 17.2 (O). The ordinance allows for outdoor storage in the Industrial (I) district but **only for permitted uses and with certain conditions:**

#### **Chapter 24 DISTRICT REGULATIONS**

- R. Except for necessary drives and walks, the front yard, for a depth of thirty (30) feet, shall be landscaped and shall not be used for parking. Loading, storage and accessory structures shall not be permitted in any front yard. Side or rear yards may be used for parking and loading. **Outdoor storage may be permitted, if located in the rear yard or non-required side yard and screened from adjoining properties and streets by a sight-obscuring fence, wall or landscaping, approved by the approving authority as designed in Chapter 19.** (revised 4/27/15) (revised 3/13/17)

**I, as the current zoning administrator, and consistent with past application of Sec. 2.77 of the Zoning Ordinance, determine that the use of U-Haul truck and trailer rentals clearly meets the definition in Sec. 2.77 of the Zoning Ordinance, which defines an open air business as a use operated substantially in the open air, including utility truck or trailer sales, repair, rental or storage services. This is a final determination and can only be reversed by the ZBA, upon appeal, if they determine that my interpretation of the Zoning Ordinance is not correct.**

#### **OTHER RELEVANT ZONING ORDINANCE SECTIONS**

##### **Chapter 17 I – Industrial**

##### **Sec 17.1 PURPOSE**

This District permits most primary industrial uses. By providing a separate area for such uses, these essential facilities are kept from encroaching in areas or Districts where they would be incompatible.

## **Sec 17.2 PERMITTED USES**

Land and/or buildings in this District may be used for the following purposes by right:

- A. Compounding, processing, packaging, treating and assembling from previously prepared materials in the production of:
  - 1. Food products including meat, dairy, fruit, vegetable, seafood, grain, bakery, confectionery, beverage and kindred foods.
  - 2. Textile mill products including woven fabric, knit goods, dyeing, and finishing, floor coverings, yarn and thread and other textile goods.
  - 3. Apparel and other finished products made from fabrics, leather goods, fur, canvas, and similar materials.
  - 4. Lumber and wood products including millwork, prefabricated structural wood products and containers, not including logging camps or outdoor storage.
  - 5. Furniture and fixtures.
  - 6. Paperboard containers, building paper, building board, and bookbinding.
  - 7. Printing and publishing.
  - 8. Chemical products such as plastics, perfumes, synthetic fibers.
  - 9. Engineering, measuring, optic, medical, lenses, photographs, and similar instruments.
  - 10. Jewelry, silverware, toys, athletic, office and tobacco goods, musical instruments, signs and displays, lampshades, and similar products.
- B. Wholesale establishments including automotive equipment, drugs, chemicals, dry goods, apparel, food, farm products, electrical goods, hardware, machinery, equipment, metals, paper products, and furnishings, and lumber and building products, not including outdoor storage.
- C. Warehouses, cartage businesses.
- D. Laboratories including experimental, film and testing.
- E. Trade or industrial schools and veterinary/animal hospitals or clinics or kennels (kennels subject to the standards in Chapter 20). (revised 10-25-2021)
- F. Motor freight terminals and distribution centers including garaging and maintenance of equipment. Freight forwarding, packing, and crating services.
- G. Central dry-cleaning plant.
- H. Municipal buildings, public service buildings.
- I. Electricity regulating substation, and pressure control station for gas, water and sewage.
- J. Office buildings for any of the following: executive, administrative, professional, accounting, clerical or stenographic, and drafting.
- K. Accessory buildings and uses customarily incidental of the above permitted uses as defined in Chapter II.
- L. Private non-commercial recreation.
- M. Vehicle repair establishments.
- N. Restaurants or other eating or drinking establishments which provide food and drink on the premises, including drive-through establishments. (revised 6/25/18)
- O. Contractor's yards, building materials storage
- P. Tool and die, metal working and stone, clay, glass, concrete, brick, pottery, abrasives, tile and related products.
- Q. Retail sales fronting on a major street with no outdoor sales or display.
- R. Contractor/showroom (where, in general, the contractor installs the product)
- S. Health and physical fitness salons, indoor sports, gymnastics and dance studios.
- T. Mini-storage garages.
- U. Commercial enterprises producing merchandise on the premises to be sold at retail and/or wholesale (section revised 3/28/16)

### **Sec 17.3 USES REQUIRING SPECIAL LAND USE APPROVAL**

The following uses may be permitted by obtaining Special Land Use Approval when all applicable standards as cited in Chapter XX are met.

1. Waste treatment facilities.
  2. Water supply and treatment facilities.
  3. Waste disposal facilities, including incinerators and sanitary landfills.
  4. Airports and Landing fields.
  5. Commercial soil removal.
  6. Heating and electric power generating plants.
  7. Junk yards and salvage yards.
  8. Commercial radio and television and wireless communication towers. (Revised November 1997).
  9. Community Fair. (revised 4/24/17)
  10. Restaurants having a distillery, brewery or winery on the same site. (revised 6/25/18)
- (section revised 3/28/16)

**\*Note that open air businesses are not permitted in the Industrial (I) district.\***

### **FINDINGS**

**The following are findings pertaining to the uses allowed at the site:**

1. **The use of U-Haul truck and trailer rental clearly meets the definition of open air business in Sec. 2.77 of the Zoning Ordinance.**
2. **The site is located in the Industrial district where open air businesses are specifically prohibited.**
3. **Use Zoning Compliance approval was granted for warehousing.**

### **ZONING ADMINISTRATOR OFFICIAL DETERMINATION**

From the authority given to the Zoning Administrator in Chapter 29 of the Georgetown Township Zoning Ordinance to administer and enforce the provisions of the Zoning Ordinance and based on the information provided and evident with the documents and conversations, **the determination is as follows:**

**The use of the site at 2286 Port Sheldon Ct. for the storage and rental of U-Haul trailers is an open-air business which is determined to NOT be allowed, to NEVER have been allowed, to NOT be legal nonconforming, and to have NO legal nonconforming status rights.**

### **CONCLUSION**

**The open air business operation (U-Haul Dealer) being conducted at 2286 Port Sheldon Ct. is a violation of the Zoning Ordinance and must cease immediately.**

Therefore, please remove all of the U-Hauls from the property and cease the open air business use by December 26, 2025. A site inspection will be made on December 26, 2025 to verify compliance. Please be aware that any owner or responsible party who refuses to comply with Georgetown Township

Ordinances may be subject to further enforcement and issuance of a municipal civil infraction citation for the code violation.

### **OPPORTUNITY FOR APPEAL TO THE ZONING BOARD OF APPEALS**

This letter is an official Zoning Administrator determination. Therefore, as per Sec. 28.10 of the Georgetown Township Zoning Ordinance, you have the right and opportunity to appeal this determination to the Zoning Board of Appeals. The Zoning Board of Appeals has the authority to hear and decide appeals from any decision or determination made by the Zoning Administrator in the administration of the Zoning Ordinance.

Sec. 28.10 states:

#### **Sec. 28.10 APPEALS**

Appeals to the Board of Appeals may be taken by any person aggrieved, or by any officer, department or board of the Township. Any appeal from the ruling of the Zoning Administrator concerning the enforcement of the provisions of this Ordinance may be made to the Board of Appeals **within five (5) days** after the date of the Zoning Administrator's decision which is the basis of the appeal. The appellant must file with the Zoning Administrator a notice of appeal specifying the grounds for appeal. The Zoning Administrator shall immediately transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from was taken.

- A. Stays. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Board of Appeals after the notice of the appeal shall have been filed with him that, for reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board of Appeals or, on application, by the Circuit Court when due cause can be shown.
- B. Representation. Any party may appear in person or by agent or by attorney at a hearing considering his request or appeal.
- C. Fees. A fee as established by the Township Board shall be paid to the Township Clerk at the time of filing application with the Board. The purpose of the fee is to cover any necessary advertisement and investigation expenses incurred by the Board of Appeals in connection with the appeal.

If you decide to proceed with appealing this determination to the Zoning Board of Appeals, **please submit a signed application stating the nature of the appeal, along with a \$400 fee, within five days after the date of the receipt of this letter to be placed on a Zoning Board of Appeals agenda.**

If you have questions, please contact me at 616-226-6013.

Sincerely,



Ryan Schab  
Zoning Administrator

The following documents are provided as evidence to support fact that the U-Haul dealer operation at 2286 Port Sheldon Ct. is open to the public for rental.

✔ A 10' Truck has been added to your cart.  
Save your back! [Hire a Moving Helper](#) in your area to load your equipment.

ⓘ Your rental may qualify you for [one month of free storage](#) at a participating location.

## Your Shopping Cart

### Equipment Rental *Guarantee your reservation, reserve now!*

📱 This rental requires the use of your mobile device at the time of pickup.



<b>10' Truck</b> (In-Town)	1	<b>\$19.95</b> Plus \$1.19/mile		
<a href="#">VEHICLE LICENSE/COST RECOVERY FEE</a>		\$5.05		
<a href="#">ENVIRONMENTAL FEE</a>		\$1.00		
<b>Scheduled Pickup</b> 1/9/2026 at 8:30 AM 4 hour rental Simple Bid Auction Inc				
<b>Drop Off:</b> 1/9/2026 Simple Bid Auction Inc 2286 Port Sheldon Ct Jenison, MI 49428				
<b>Damage Coverage</b> Safemove®	1	\$15.00		

**Due Today:** \$0.00

*All rates are in US dollars and do not include sales tax or shipping unless otherwise noted.*

[Apply discount code \(Optional\)](#)

**Check Out**

**Due at Pick Up:**  
Equipment Rental **\$41.00**  
plus \$1.19/mile

**Save This Quote**



## Simple Bid Auction Inc

(U-Haul Neighborhood Dealer)

★★★★☆ [13 reviews](#)

### Contact Us

(616) 827-7896

2286 Port Sheldon Ct  
Jenison, MI 49428

[Driving Directions](#)

[Google Map](#)

### Services at this Location:

[Moving Trucks](#)

[Trailers & Towing](#)

[Moving Supplies](#)

[Trucks for Sale](#)

**Find Truck Rentals at This Location**

## 2 Simple Bid Auction Inc

U-Haul Neighborhood Dealer



2286 Port Sheldon Ct  
Jenison, MI 49428  
(616) 827-7896

[Driving Directions](#)

★★★★☆ [13 reviews](#)

**Standard Hours** [Show All](#) ▾

**Open today 9 am - 4 pm**

**Special Operating Hours** ▾ [Show All](#)

12/24/2025: Closed

✔ 24 hour customer return

### Services

[Moving Trucks](#) | [Trailers & Towing](#) | [Truck and Trailer Sales](#) |

[Moving Supplies](#)

# Simple Bid Auction Inc

(U-Haul Neighborhood Dealer)

★★★★☆ 13 reviews (<https://www.uhaul.com/Locations/Customer-reviews-for-Simple-Bid-Auction-Inc/018258/Trucks/?version=2>)

## Contact Us

(616) 827-7896 (tel:6168277896)

2286 Port Sheldon Ct  
Jenison, MI 49428

 Driving  
Directions

 Google Map  
(<https://maps.google.com/maps?cid=9695859172974879923>)

## Office Hours

**Mon-Fri:** 9 am - 4 pm

**Sat:** 9 am - 12 pm

**Sun:** Closed

## Special Operating Hours

- 12/24/2025: Closed
- 12/25/2025: Closed
- 12/26/2025: Closed



 24 hour customer return

## Services at this Location:

  
**Moving Trucks**

  
**Trailers & Towing**

  
**Moving Supplies**

  
**Trucks for Sale**

## Find Truck Rentals at This Location

Pick Up Date\*

1/9/2026

Drop Off Location (Optional)

Zip or City, State

**Get Rates**

## One-Way and In-Town® Rentals in Jenison, MI 49428

U-Haul has the largest selection of in-town and one-way trucks and trailers available in your area. U-Haul offers an easy moving process when you rent a truck or trailer, which include: cargo and enclosed trailers, utility trailers, car trailers and motorcycle trailers. Combine your moving efforts by renting a truck and a trailer from U-Haul today.

## Other U-Haul Services

  
**Self-Storage**  
 We have the most coverage in North America!

  
**U-Box® Containers**  
 We ship across town or across the world!

  
**Trailer Hitches**  
 U-Haul is North America's #1 hitch installer!

  
**Propane**  
 Propane service delivered straight to your door!

## Customer Reviews

Sort Reviews By:

Newest to oldest

**4.0** Average

**Customer Rating**

★★★★☆ 13

[reviews](#)

<https://www.uhaul.com/Locations/Customer-reviews-for-Simple-Bid-Auction-Inc/018258/Trucks/?version=2>

**Let us know what you think.**

Your valuable feedback will help us serve you better.

[Write a review \(/locationratinglink.aspx\)](#)

**Rating:**

★★★★★ 5.0

The man who helped me at the counter was very polite and kind.

– **REBECCA L** (12/20/2025)

★★★★★ 5.0

Very friendly service! Made sure the trailer was ready to go when I got there!

– **DEZSO V** (12/6/2025)

**Rating:**

★★★★★ 5.0

Thanks for your patience...

– **Justus W** (12/4/2025)

**Rating:**

★★☆☆☆ 2.0

Extremely confusing to find your way around. Signage and location of things is poor at best.

– **Brent D** (11/29/2025)

**Rating:**

★★★★★ 5.0

Great job Sue.

– **JOSEPH T** (11/28/2025)

[View more reviews](#)

The following documents are the consent judgement for a case in 2023 in which a business located at 9651 42<sup>nd</sup> Ave., P.P. #70-10-31-400-017, attempted to operate a U-Haul dealer use (open air business) in the Agricultural (AG) district. Note that open air businesses are not permitted in the Agricultural (AG) district or Industrial (I) district by right or special land use.

The Township initiated an enforcement on the property (EN23-0070) and the case ended with the business admitting responsibility for the violation and ceasing the use pursuant to the judgement entered in the case. The business submitted a new zoning compliance for a different, approved business activity.

<b>STATE OF MICHIGAN</b> 58TH JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	<b>CERTIFICATION OF RECORDS/          ATTESTATION OF EXEMPLIFIED COPIES</b>	<b>CASE NO.</b> U-00002018-705
--	---	-----------------------------------

<b>Court address</b> 3100 Port Sheldon Hudsonville MI 49426	<b>Court telephone no.</b> (616) 662-3100
--	--

Plaintiff STATE OF MICHIGAN	<b>v</b>	Defendant GREAT LAKES RENTAL PROPERTIES
--------------------------------	----------	--

Juvenile In the matter of \_\_\_\_\_  
 Probate In the matter of \_\_\_\_\_

**ATTESTATION OF CLERK/REGISTER**

I am the clerk/register of the court and I attest that:

1. I am the custodian of the records of the Ottawa County 58th DISTRICT court.
2. I have compared the annexed copies of CONSENT JUDGMENT

\_\_\_\_\_

\_\_\_\_\_

from the above case with the originals on file and of record in this court, and I find the copies to be true copies of the whole of such originals.

10/11/2023  
Date

*Cindy Daldos*

\_\_\_\_\_  
Signature  
Cindy Daldos  
Clerk/Register (type or print)

By: Spenser VanLente  
Deputy clerk/register (type or print)

**CERTIFICATION OF JUDGE**

I, JUDY K. MULDER, judge of the Ottawa County 58th District  
 Name (type or print)

court, certify that the above attestation is in proper form and that the signature is genuine.

10/11/2023  
Date

*J Mulder*

\_\_\_\_\_  
Judge

P42268  
Bar no.

(SEAL)

**NOTE:** The Certification of Judge is completed only when records are being sent out of the state.

STATE OF MICHIGAN

IN THE 58TH DISTRICT COURT FOR THE COUNTY OF OTTAWA

GEORGETOWN CHARTER TOWNSHIP,

Hon. Judy K. Mulder

Plaintiff,

Case No. U-00002018-705

v

GREAT LAKES RENTAL PROPERTIES, LLC,

Defendant.

Crystal L. Morgan (P68837)  
LAW OFFICE OF CRYSTAL MORGAN, PLLC  
Attorney for Plaintiff  
520 Butternut Dr., Suite 80-206  
Holland, MI 49424  
(616) 607-2800  
crystal@crystalmorganlaw.com

Harold M. Hermanson (P29727)  
HERMANSON LAW, PLLC  
Attorney for Defendant  
8 W. Walton Ave., Suite C  
Muskegon, MI 49440-1360  
(231) 727-8058  
halslawoffice@gmail.com

**STIPULATION FOR ENTRY OF CONSENT JUDGMENT**

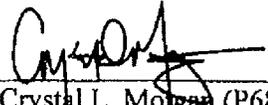
Plaintiff Georgetown Charter Township and Defendant Great Lakes Rental Properties, LLC, through counsel, hereby consent to the Court's entry of the following Consent Judgment, consent to the form, terms and content of the Consent Judgment, and waive notice of entry.

Dated: September 28, 2023

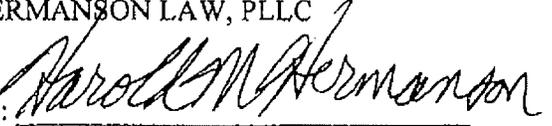
Dated: September 28, 2023

LAW OFFICE OF CRYSTAL MORGAN, PLLC

HERMANSON LAW, PLLC

By: 

Crystal L. Morgan (P68837)  
Attorney for Plaintiff

By: 

Harold M. Hermanson (P29727)  
Attorney for Defendant

**CONSENT JUDGMENT**

At a session of court, held in the 58th District Court, County of Ottawa,  
State of Michigan, on this \_\_\_\_\_ day of September, 2023

Present:     Honorable Judy K. Mulder  
                  District Court Judge

Plaintiff, GEORGETOWN CHARTER TOWNSHIP (“Township”), having cited Defendant, GREAT LAKES RENTAL PROPERTIES, LLC (“Defendant”), for a municipal civil infraction; the parties having reached a settlement, the terms of which are set forth below; and the Court being otherwise fully informed in the premises;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Defendant is the owner of record of the property located at 9651 42nd Ave., Allendale, MI 49401 (PPN: 70-00-31-400-017) (the “Property”), which is described as

E 336.2 FT OF S 660.9 FT OF SW 1/4 OF SE 1/4, EXC COM SE COR, TH W 48 FT, TH N 33 FT, TH NE’LY 21.2 FT M/L TO PT 48 FT N & 33 FT W OF PT OF BEG, TH E 33 FT & S 48 FT TO BEG. SEC 31 T7N R13W

2. The Property is an improved parcel consisting of approximately 4.9 acres in the Agricultural (AG) Zoning District.

3. On September 13, 2023, the Township issued Citation No. 2018, alleging that Defendant was engaged in an unpermitted use at the Property, to wit: an open air business which is not permitted in the AG Zoning District, in violation of Section 6.2 of the Township Zoning Ordinance, a municipal civil infraction.

4. Defendant admits responsibility for the violation and based on that admission and the parties’ stipulations, the Court finds Defendant responsible and orders the following:

<b>Code Section</b>	<b>Disposition</b>	<b>Fines and Court Costs</b>	<b>Township Costs of Prosecution (MCL 600.8727)</b>
Zoning Ordinance 6.2	Responsible by admission	Waived (see §§14-15)	Waived (see §§14-15)

5. For purposes of this Consent Judgment, “open air business” means that term as it is defined in Section 2.77 of the Township Zoning Ordinance, and includes bicycle, utility truck or trailer, motor vehicle, boats, or home equipment sale, repair, rental, or storage services operated for profit substantially in the open air.

6. When Citation No. 2018 was issued to Defendant, Defendant was engaged in the open air business of renting U-Haul trucks and trailers at the Property.

7. For the reasons set forth in the July 5, 2023, Zoning Determination Letter for PPN 70-10-31-400-017, the use of the Property as an open air business is neither considered to be a legal nonconforming use, nor allowed under any zoning approvals previously issued for the Property.

8. Defendant shall, **not later than October 2, 2023**, cease all open air business operations at the Property.

9. Nothing in this Consent Judgment prohibits Defendant from engaging in business operations that are consistent with the previous zoning approvals for the Property, which authorize:

- a. The operation of a greenhouse and nursery (permitted uses under Section 6.2 of the Zoning Ordinance);
- b. Accessory buildings and uses as defined in Chapter 2 of the Zoning Ordinance, which may include the use and storage of landscaping vehicles and equipment utilized in the business operations;
- c. The operation of a roadside stand used for the display or sale of agricultural products grown on the premises;
- d. The ability to seek a temporary use permit allowing the non-permanent, temporary sale of seasonal products, such as landscaping material, for up to six (6) months per year pursuant to Section 3.25 of the Zoning Ordinance.

10. Defendant shall, not later than **October 9, 2023**, seek and obtain a Zoning Compliance Certificate for the Property, as required under Zoning Ordinance Section 29.3, by

submitting a completed Application for New Occupant/Business, a copy of which has been provided to Defendant. The Township agrees to waive the application and inspection fees, if any, for Defendant's initial and timely Application for New Occupant/Business.

11. Nothing in this Consent Judgment prohibits Defendant from seeking a Zoning Compliance Certificate for a use(s) that is not described in Paragraph 9, above, and/or from seeking to amend the site plan previously approved for the Property; however, nothing in this Consent Judgment shall be construed as requiring the Township to approve or issue a Zoning Compliance Certificate or any other approvals for a use that is not permitted (by right or with special land use approval) in the AG District.

12. Nothing in this Consent Judgment shall be construed as a waiver of any application, review, public hearing, notice, or other procedures or requirements set forth in the Township Zoning Ordinance and/or the Michigan Zoning Enabling Act, MCL 125.3101 *et seq.*

13. Nothing in this Consent Judgment shall be construed as a waiver of any customary application, inspection, or other fees charged by the Township, except as provided in Paragraph 10, above.

14. If Defendant complies with Paragraphs 8 and 10, the Township agrees to waive all fines and costs, including costs of prosecution, in this matter.

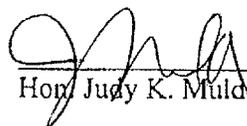
15. If Defendant fails to comply with Paragraphs 8 and 10, the Township may:
- a. Request a show cause hearing at which it may request any remedy permitted by law, which may include fines, costs, costs of prosecution, sanctions for contempt of court, further injunctive relief, and any order authorized under MCL 600.8727 and/or MCL 600.8302; and/or
  - b. Enter onto the Property to perform the work necessary to bring the Property into compliance with this Consent Judgment and charge the costs against Defendant and the Property, which costs shall be a lien against the Property as provided by law until paid.

16. The terms of this Consent Judgment are authorized under MCL 600.8727 and MCL 600.8302.

17. A copy of this Consent Judgment may be recorded with the Ottawa County Register of Deeds.

18. This Court shall retain jurisdiction of this matter to the extent necessary to enforce the terms of this Consent Judgment. Without limitation, a violation of the terms of this Consent Judgment shall subject Defendant to the contempt of court powers of this Court.

A true copy:

A handwritten signature in cursive script, appearing to be "W. J. [unclear]", written over a horizontal line.A handwritten signature in cursive script, appearing to be "Judy K. Mulder", written over a horizontal line.  
Hon. Judy K. Mulder



NOTICE OF PUBLIC HEARING  
GEORGETOWN TOWNSHIP  
1515 BALDWIN STREET  
JENISON, MICHIGAN  
616-457-2340

Notice is hereby given, that the Georgetown Township Zoning Board of Appeals will hold a public hearing on Wednesday, January 28, 2026 at 7:00 p.m., or after, at the Georgetown Township Office, 1515 Baldwin Street, Jenison, Michigan.

The following request will be considered:

**(VAR2601) Ross De Ruiter, SBA Auction Inc.**, 2286 Port Sheldon Ct., is **appealing** the Zoning Administrator's determination that the use of the site at 2286 Port Sheldon Ct. for the storage and rental of U-Haul trailers is an open air business as defined in Sec. 2.77 of the Township Zoning Ordinance, which **is determined to NOT be allowed, to NEVER have been allowed, to NOT be legal nonconforming, and to have NO legal nonconforming status rights** on a parcel of land described as P.P. # 70-14-27-100-032, located at 2286 Port Sheldon Ct., in an Industrial (I) zoning district, Georgetown Township, Ottawa County, MI.

Email comments to [contact@georgetown-mi.gov](mailto:contact@georgetown-mi.gov) to allow time for reading and review of your comments.

Signed: Ryan Schab, Secretary  
Georgetown Charter Township



## **Grand River Construction, Inc.**

General Contractors • Commercial and Industrial • Concrete Specialist

**January 21, 2026**

**Georgetown Township  
1515 Baldwin Street  
Jenison, MI 49429**

**Re: SB Auction, Inc. – U-Haul activities at 2286 Port Sheldon Court**

Dear Board Members,

Grand River Construction is a neighboring business to SB Auction, Inc. We are writing to show our support for SB Auction, Inc.'s appeal of the township's determination that a U-Haul rental business at 2286 Port Sheldon Ct. is nonconforming. Many businesses in this neighborhood have outdoor storage and components of an open air business including construction equipment, semi trailers, salvage yards, and others. Permitted uses include motor freight terminals, cartage businesses, and vehicle repair establishments which are all very similar to a U-Haul rental business. Sunbelt Rentals, a neighboring business directly adjacent to SB Auction Inc. is an open air equipment rental business and used to be a part of a parcel for an open air auction business.

We understand that an open air business like a flea market may not fit with the neighboring businesses but believe that a U-Haul business is a great addition to the neighborhood and the community as a whole. We believe the township should focus on allocating resources to support and encourage local businesses.

Sincerely,

*John Kersaan*

John Kersaan  
President, Grand River Construction Inc.  
2374 Port Sheldon Court



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11/19/2026

Zoning Board of Appeals / Georgetown Twp.  
1515 Baldwin Street  
Jenison, MI 49429

Re: Support for SB Auctions Inc. — Outdoor Storage of U-Haul Trucks at 2286 Port Sheldon Ct. Jenison, MI 49428

Dear Board Members,

As a neighboring business, I am writing in support of SB Auctions Inc.'s request for permission to conduct outdoor staging of their U-Haul rental trucks at their Port Sheldon Ct. address. The activity is functionally equivalent to the neighboring equipment rental company's use, which already stores inventory outdoors. Therefore, the township has already set a precedent for such an open-air business on an industrial-zoned parcel.

It's essential for the township to act in line with such precedents to continue reducing the undue burden and confusion on local businesses. Approving SB Auctions' request ensures consistent treatment of like uses and fair competition.

Sincerely,

Matthew Henderson  
President, Nu-Wool Co., LLC.  
2472 Port Sheldon St • 616-669-0100