

MINUTES OF THE REGULAR MEETING OF THE GEORGETOWN CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS HELD OCTOBER 25, 2023

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

Members Present: Kendall Grable, Michael Bosch, Kevin Kelly, Susan Ouellette, Tim Smit (alt),  
Members Absent: Tom Healy  
Others Present: Kevin Austin, Secretary and Zoning Administrator (ZA)

**#231025-01 – Approval of the Minutes of the July 26, 2023 Zoning Board of Appeals Meeting**

The minutes of the regular meeting held on July 26, 2023 were presented.

Moved by Tim Smit, seconded by Michael Bosch, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

**#231025-02 – Public Hearing – (VAR2304) Guggenheim Development Services, LLC**, representing Jiffy Lube, 2739 Port Sheldon St, Jenison, MI, 49428 are requesting the following variances on a parcel of land described as P.P. # 70-14-21-400-092 in a Neighborhood Service Commercial (NS) Zoning District, Ottawa County, Michigan:

1. To have a front yard setback of 74.46 feet, a variance of 15.54 feet from the 90 foot required setback in Chapter 24 Footnote B (2).
2. To have parking and drives 45.17 feet from the centerline of Port Sheldon, a variance of 44.83 feet from the 90 foot required setback (30 foot setback measured from a point 60 feet from the centerline of Port Sheldon) to the centerline of Port Sheldon, required in Chapter 24, footnote (L) which states that except for necessary drives and walks, the front yard setback shall be landscaped and not used for parking, loading or accessory structures.
3. To have a rear yard setback of 9.5 feet with drives, which is a variance of 15.5 feet from the required 25 feet in Chapter 24 Footnote M, which states that where a side and/or rear yard abuts a Residential District, there shall be a minimum yard of not less than twenty five (25) feet, exclusive of parking and drives. Such yard shall contain a greenbelt which meets the minimum standards of Sec. 3.11.
4. To have a building setback of 31.46 feet from the Right-of-Way line, a variance of 18.54 feet from the 50 feet required in Chapter 20.4 Site Design Standards, subsection AD(3).

Chairman Grable stated that the applicant for VAR2304 has chosen to withdraw their application for requested variances at this time.

**Moved by Susan Ouellette, seconded by Michael Bosch, to accept the withdrawal by Guggenheim development Services LLC for the application for requested variances on a parcel of land described as P.P. # 70-14-21-400-092 in a Neighborhood Service Commercial (NS) Zoning District, Ottawa County, Michigan.**

Yeas: Kendall Grable, Michael Bosch, Susan Ouellette, Kevin Kelly, Tim Smit  
Nays: None

MOTION CARRIED UNANIMOUSLY.

**#231025-03 – Public Hearing – (VAR2303)** St John Lutheran Church is requesting to have a lot width of 150 feet, a variance of 50 feet from the 200 feet required in Chapter 24 for a parcel in the Agricultural District (AG), on a parcel of land described as P.P. # 70-10-31-300-009, located at 9650 48th Ave, Jenison, MI, 49428, Ottawa County, Michigan.

The Zoning Administrator presented the [staff report](#).

Bruce Owen, Director of Buildings and Grounds for St John Lutheran Church presented the request on behalf of the church. He stated that to address the non-conforming issue that would be raised by the potential follow-on split, the Church could remove the drive that exists too close to the residence. He addressed the attorney letter that the township has been operating under and questioned whether or not an opinion from 1996 is still valid today or if something has changed. He stated that the land around them may change to LDR following the current development trend within the township. He stated that the Pastors of the church would like to own the property instead of retaining it as a parsonage for the church.

Kendall Grable asked the applicant if they could allow the house to sit empty to avoid losing their tax exemption or if it can be torn down.

Bruce Owen stated that the church wasn't interested in seeing this property fall into disrepair or lose the value of it altogether by demolishing it.

Susan Ouellette asked if the church had thought to sell the house to someone who would be able to move it from its current location.

Bruce Owen stated that they had not evaluated that option.

Michael Bosch stated that the board was informed that the abutting farm land to the north would not sell enough frontage to them to meet minimum requirements, but he questioned whether or not they had offered to give a portion equal to the needed dimension from their other abutting property line so that both properties would retain the same total land but frontage would increase for the church.

Bruce Owen stated that the location which Michael Bosch was highlighting was utilized for drainage purposes by the church, therefore it was not feasible to give the land in that area.

Chairman Grable opened public comment.

No comments were made by the public.

Chairman Grable closed public comment.

The ZA provided options for motion to the board.

Michael Bosch disclosed to the board a discussion with the ZA before the meeting regarding a possible rezoning for the applicant, however, given that the Future Land Use map doesn't indicate the area to be anything other than an AG district, and a rezoning would constitute "spot zoning" they thought this route was unrealistic for the applicant.

Kendall Grable stated that development is stretching further NW through the township and this area may be considered for a different zoning classification by the Master Plan in the Future, however, under the current situation, it is not to be regarded as anything other than an AG district. Further, he stated that the seven standards must be met for an approval and he agrees that many of the standards are not met.

**Moved by Susan Ouellette, seconded by Kevin Kelly, To adopt the staff report as finding of fact and to deny the variance request (VAR2303) St John Lutheran Church, to have a lot width of 150 feet, a variance of 50 feet from the 200 feet required in Chapter 24 for a parcel in the Agricultural District (AG), on a parcel of land described as P.P. # 70-10-31-300-009, located at 9650 48th Ave, Jenison, MI, 49428, Ottawa County, Michigan: based on the finding that the request does not meet the seven standards of the ordinance. Specifically, standards (1, 3,4,5,6 and 7) have not been met and the reasons are within the Staff Report.**

Yeas: Kendall Grable, Michael Bosch, Susan Ouellette, Kevin Kelly, Tim Smit  
Nays: None

MOTION CARRIED UNANIMOUSLY.

**#231025-04 – Public Comments**

No comments were made.

**#231025-05 – Other Business**

There was no other business at this time.

**#231025-06 – Adjournment**

Moved by Kevin Kelly, seconded by Mike Bosch, to adjourn the meeting at 7:27 p.m.

MOTION CARRIED UNANIMOUSLY.