



**AGENDA
KENTWOOD ZONING BOARD OF APPEALS
KENTWOOD CITY HALL
CITY COMMISSION CHAMBERS
SEPTEMBER 20, 2021, 7:00 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes of August 16, 2021
5. Public Hearing

Appeal #V-21-12

Applicant: Trent R. Wadsworth
Location: 4553 Burton Street

Request: The applicant wishes to expand an existing detached accessory building to 1,300 square feet in area. Section 3.15.D.2.a of the Kentwood Zoning Ordinance limits the size of the detached accessory building to 960 square in area

The requested variance is for an increase in area of 340 square feet over the maximum permitted by ordinance.

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6. Adjournment

**PROPOSED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD ZONING BOARD OF APPEALS
CITY COMMISSION CHAMBERS
AUGUST 16, 2021, 7:00 P.M.**

1. Chair Derusha called the meeting to order.
2. Pledge of Allegiance (West)
3. Roll Call
MEMBERS PRESENT: Lisha Berry-Ridge, Les Derusha, Robert Houtman, Amanda Le, Alan Lipner and Susan West
MEMBERS ABSENT: Mary VanNoord (absent with notification)
OTHERS PRESENT: Planner Joe Pung, Planning Assistant Monique Collier, the applicants.

Motion by Houtman, supported by Lipner, to excuse VanNoord from the meeting.

- Motion Carried (6-0) –
- VanNoord absent -

4. Approval of the Minutes and Findings of Fact

Motion by Houtman, supported by Lipner, to approve the minutes of March 15, 2021 and May 17, 2021

- Motion Carried (6-0) –
- VanNoord absent -

5. Acknowledge visitors and those wishing to speak to non-agenda items.

There was no public comment.

6. Public Hearing

Appeal #V-21-10

Applicant: Speedway, LLC
Location: 4384 Kalamazoo Avenue, 4338 Kalamazoo Avenue, 4382 Kalamazoo Avenue & 1637 – 44th Street SE

Request: The applicant wishes to demolish the existing vehicle fuel station and construct a new one. As proposed, the building would be setback 23.3 feet from the east property line and there would be two (2) driveways onto Kalamazoo Avenue. Section 15.04.D.1 requires a minimum building setback of fifty (50) feet from the

east property line and Section 15.04.D.6 permits only one (1) driveway onto Kalamazoo Avenue.

The requested variances are: 1) a reduction of 26.7 feet to the building setback from the east property line, and 2) permit a second driveway onto Kalamazoo Avenue.

Mandy Gauss, CESO Engineer, (13060 South US Highway Suite B, 27 Dewitt MI) representing Speedway was present. She presented a slideshow of the project. She stated two of the parcels are located in the City of Grand Rapids and 2 in the City of Kentwood. She stated they have already gone through the process of getting a 425 Agreement in place so that all the zoning will be done under the City of Kentwood with the 425 for the approval process.

Gauss stated the current site straddles 3 parcels and the site under contract is the oil change place to the north. She stated all four parcels would be demolished everything would be cleaned up all underground tanks piping everything would be coming out and brand new infrastructure would be going back in.

Gauss stated the building is a 4,608 square foot building. She stated it will be your standard convenience store. It is more the grab and go type food, no restaurant inside the facility. She stated it has the bathrooms with multiple stalls. It meets the parking code at 24 parking spaces. She stated there are currently 4 dispensers, the proposed station will have 8 dispensers.

Gauss stated there is an existing shared driveway between the oil change place and a learning center next door that is proposed to remain in place. She stated the existing driveway on Kalamazoo is proposed to stay open. She stated the variance request is for the second driveway on Kalamazoo. She stated the importance of the drive; they did a traffic study and in a current no build situation the left turn stacking is 142 feet and in the build scenario it is 144 feet. She stated with 144 feet the cars are stacking and it is beyond the existing shared driveway. She stated to make a left out and do a turnaround to head south bound on Kalamazoo Ave from that driveway you cannot do during peak hours. She stated that is that last turnaround before it goes down to a non divided roadway.

Gauss stated it is very important that the cars would be able to make the right movement out to get over into the left turn lane and then maneuver so they can head southbound on Kalamazoo. She stated it is an existing driveway for Speedway today. She stated they are proposing it in the same location. She stated with the driveway modifications you won't see much difference in what is currently there right now if the variance is approved. They will be in the same location as they are now. She stated the level of service for both of those is acceptable.

Gauss stated they had the City of Grand Rapids review the traffic study since Kalamazoo is their roadway for ROW. They responded back saying that they are onboard with what was shown in the study. They did comment that they would like to see that existing driveway narrowed some as it is 40 feet wide currently, they would like it to be reduced in width. She stated they don't have a problem with that; however, when going through the Planning Commission some of the board members wanted it to stay the same because it is easier for cars to get in and out. She stated they are on board with either option, they would just like it in that location for accessibility for the southbound on Kalamazoo.

Gauss stated the other variance they are requesting is for the rear yard setback. She stated behind the Speedway is an R4 residential zoning district. She stated because this is a fueling station, the 50 foot setback is required adjacent to residential. She stated the City of Grand Rapids only requires 15 foot setback. She stated with the 425 all of the zoning goes through the City of Kentwood that is why they are requesting the variance in order to allow 23.3 feet in lieu of the 50 foot setback. She stated there are dumpsters and sheds that are closer to the residential now than their building would be with the redevelopment. She stated they are going to add more greenspace behind the building. Gauss stated they can't shift the building closer to Kalamazoo and take away some of the pavement because trucks have to enter and exit off of 44th Street. Kalamazoo is not a truck route so they are not allowed to have their fueling truck go onto Kalamazoo Avenue. She stated they have to enter off of 44th Street and then they have to wrap around the canopy, drop fuel and then pull back out on 44th Street. She stated to reduce that she doesn't think it is a safe maneuver with the fueling trucks. It is very important that they do not take away some of the pavement area in the front. She stated landscaping is also important for the roadways to have that greenspace. She stated they don't feel it would be detrimental to the residential use in the back. It is more of an apartment style and not single family it is a large scale residential development.

Houtman questioned if Tuffy would be moving. Gauss stated as of right now Tuffy is month to month when things move forward they will be moving out. She stated she doesn't know what their plan is in the future.

Lipner stated he was there and he noticed quite a few cars behind Tuffy and parked at the oil change and questioned if they are all there for Tuffy. Gauss stated she believes they are for Tuffy. She stated if anything there may be some employee cars but she doesn't know for sure. She stated the new Speedway will be able to accommodate parking so whatever congestion that is there now won't be a problem in the future.

Houtman stated if Kalamazoo is not a truck route, how does the gas station up the street on Kalamazoo get fuel. Pung stated in Kentwood if the destination is on a non-truck route you are allowed to go to your destination then you have to come back immediately to a designated truck route. You can't drive through any street to get there.

Berry-Ridge questioned if they anticipate traffic at the children's daycare. Gauss stated they don't anticipate much traffic at all. Most people she anticipates will use the middle driveway.

Houtman questioned if staff heard anything from the apartment complex or any neighbors. Pung stated we use Regis to send out notices within 300 feet and the data base is provided by Kent County. He stated the apartment complex would have gotten the notice.

Derusha questioned how many dispensers they will have. Gauss stated they are going to have 8 dispensers.

Houtman questioned if they have lights that are confined to the site. Gauss stated Kentwood's lighting codes are very strict; however, they are meeting them, there is one that they have to adjust, but they will make sure it gets done.

Houtman questioned what landscaping they will be putting at the back property line. Gauss stated part of the problem is an existing sanitary main that runs along the rear of the property line. They will be relocating the main to bypass the site. She stated there is an easement currently along the rear property line and the utilities are at the rear of the site, that hinders some of the landscaping along the back. She stated they do have some landscaping proposed along the back and a heavier shrub line adjacent to the residential zoning.

Motion by Lipner, supported by Houtman, to close the public hearing.

- Motion Carried (6-0) –
- VanNoord absent –

Houtman stated point 1 is met. The development is in two cities and the station shares a drive with an adjacent use and in order to make this work properly and to rehabilitate the site, the two drives on Kalamazoo are needed. Houtman stated point 2 is met. It is located in two jurisdictions and as indicated it is the only one in Kentwood in this situation. Houtman stated point 3 has been met. The literal application of the zoning ordinance would deprive the applicant of property rights commonly enjoyed by the zone.

Lipner concurred that points 1, 2 and 3 have been met adding especially on the north driveway as it is a shared driveway, therefore it has to be maintained where it is.

Berry-Ridge, West, Le, Derusha concurred that points 1, 2 and 3 have been met.

Houtman stated point 4 has been met. He thinks it won't be detrimental, it will probably be an improvement. Houtman stated point 5 is met because it is a very unique condition being in two cities and the rear yard building setback will be farther away then they are right now when they remove the existing building. Houtman stated point 6 has been met.

The existing circumstances and conditions of the site and the adjacent properties were not created by the applicant.

Lipner, Berry-Ridge, West, Le, Derusha concurred that points 4, 5 and 6 have been met

Motion by Houtman, supported by Berry-Ridge to approve V-21-10 based on the prior discussion

- 1. There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district.**
- 2. The condition or situation on which the requested variance is based does not occur often enough to make more practical adoption of a new zoning provision.**
- 3. The literal application of the provisions of the Zoning Ordinance would deprive the applicant of property rights commonly enjoyed by other properties in the same zone district.**
- 4. The variance will not be detrimental to adjacent property and the surrounding neighborhood.**
- 5. Taken as a whole, the variance will not impair the intent and purpose of the Zoning Ordinance.**
- 6. The exceptional conditions or circumstances do not result from the actions of the applicant. Thus, by way of example, the exceptional circumstances result from uses or development on an adjacent property or the exceptional shape of the property is the result of an unrelated predecessor's split of the parcel.**

Appeal #V-21-11

Applicant: Speedway, LLC
Location: 4384 Kalamazoo Avenue, 4338 Kalamazoo Avenue, 4382
Kalamazoo Avenue & 1637 – 44th Street SE

Request: The applicant wishes to demolish the existing vehicle fuel station and construct a new one. The proposed sign package includes two (2) one hundred (100) sq. foot pole signs with clearance of 5.4 feet from the bottom of the sign to the ground and signs on four (4) sides of the proposed pump canopy with 47.25 square foot signs on the north and south elevations. For the pole signs, Section 8.03.D of the Zoning Ordinance permits only one (1) pole sign, requires a minimum of ten (10) feet of ground clearance, and limits the sign area along the 44th Street frontage to 95 square feet. For the signs on the canopy, Section 8.03.D permits signage on only two (2)

sides of the canopy and limits the sign area on the north and south sides to 42 square feet.

The requested variances are: 1) permit a second pole sign; 2) reduce the pole sign ground clearance by 4.6 feet; 3) permit increase in pole sign area along 44th Street by 5 square feet; 4) permit signage on all four sides of the canopy; and 5) permit an increase in sign area of 5.25 square feet for signs on the north and south sides of the canopy.

If the variances for the additional pole sign are not approved, the applicant requests a variance to install an eight (8) foot high ground sign less than ten (10) feet from the Kalamazoo Avenue right-of-way line. Section 8.03.D requires that a ground sign greater than four (4) feet in height be setback at least ten (10) feet from the right-of-way line.

Gauss stated signage is very important cars need to know they are coming up on a station so they can maneuver in the right turn lane and access the site. She stated it makes it safer if they can see it in advance. She stated it is a divided site on both roadways.

Gauss stated currently there is one sign near the intersection on an angle; therefore, it is hard to see visibility from all of the different directions. She stated what is being requested is to add the goal post sign near the driveways so that it is visible and people know where to enter the site. She stated they are requesting 99 square feet, (100 square feet is permitted) on Kalamazoo and 95 square feet is permitted on 44th Street.

Gauss stated as far as the canopy signage, what is being requested is signage on all four sides. The signs would be visible to traffic going west and east bound and the end sign are for your north and south traffic. She stated signage on the canopy is very important for the site and for safety.

Gauss stated there is another proposed sign on the building and that is the reader board sign and that is more to tell what the current specials are. It is not really visible from the roadway, it's more for the people at the pumps that are fueling.

Gauss stated if the goal post sign is not approved in the location requested they were looking for a setback variance for the monument sign. She stated they could shift the sign over however with the easement they can't put the sign in that easement. If the goal post signs are not supported they would like to get the setback variance specific to a monument sign on Kalamazoo.

Pung stated they are also asking for the minimum ground clearance. The ordinance requires clearance from the ground to the bottom of the sign of 10 feet and they only have 5.4 feet.

Lipner stated they are requesting signage on all four sides of the canopy and wondered if it is necessary for the side facing the building. Gauss stated they have it on the corner towards the roadway and the reason for that is there is no obstruction to the east of the building so the traffic heading west bound on 44th will be able to see that and that is the small "S" letter sign 11 square feet in size. She stated it is not a large sign but it is on that far end so traffic can see it.

Derusah questioned if the clearance on the sign would have any impact on the corner. Pung stated if you are exiting out on 44th Street you can only go right, therefore for traffic you will be looking to the left and at 5 feet you can probably see someone walking on the sidewalk. Pung stated it is right in /right out for all driveways.

Gauss stated they have quite a bit landscaping to help dress up the site.

Le questioned the safety for the people who walk by the driveway. Gauss stated the sidewalk is beyond the driveway, you will still be able to see a pedestrian. Gauss stated currently there is a concern because there is so much congestion on the site. By moving to a dive in canopy and getting rid of the congestion from Tuffy there is a lot of movability on site. Gauss stated the City of Grand Rapids was concerned about narrowing the driveway, if it was narrower for pedestrians it will help them walk across. There is a bus stop on the site as well and they have been in contact with the Rapid Transit and they are not planning on relocating the bus stop from its current location.

Houtman questioned if there was a sign on the building itself. Gauss stated just the reader board. Houtman questioned what they would be allowed if they wanted a sign on the building; Pung stated wall signs are based on the width of the wall to which you are attaching the sign on a corner lot they can have two wall signs they can choose which side to put them on.

Berry-Ridge questioned what if the variance is not approved. Gauss stated if it is not approved they would end up going to a monument sign without a variance (72 square feet in size). If the goal post are not granted they would not have the 10 feet from the ROW for the monument sign clearance to be able to put it in the greenbelt. She stated the problem with shifting that sign to that location is it is right through the easement. She stated they can't shift the sign to the other location and keep it 10 feet off the ROW because it would be with the easement and the sanitary main that is being relocated.

Lipner stated he noticed several other Speedways and they have corner signs, does she think that would be adequate for this location, keeping the corner angled sign. Gauss stated with the corner angled sign the visibility as your heading east bound and as you're heading north bound you really only see more of the ends of it you don't get a good look at the actual pricing on the sign. However, you do as you're heading west bound and south bound on Kalamazoo. Lipner stated he drove around and he was not restricted to seeing pricing or reading anything on the sign in any direction he thought the angled sign

was adequate. He stated if we can keep the single sign that would be more prudent. Gauss stated one of the issues with the single sign there is a lot of landscaping and it will impact the visibility as well. She stated they had to meet City of Grand Rapids and City of Kentwood landscape standards so it definitely throws a hiccup on the visibility when you are talking about signage.

Lipner questioned how big are the trees. Gauss stated they will grow but they will meet the standard they will get more clearance as they get taller, they are more of an ornamental tree so they aren't going to be massive.

Derusha stated the red "S" on the canopy he suggested having the Speedway text as the only two canopy signs. Jennifer High was present. She stated they would prefer to keep those goal post signs. She stated operations would be ok with getting rid of the two "S" badges. She stated they typically like to have the Speedway channel letters because it is more known. Derusha stated technically they are repetitious because they are on the main side too. Gauss stated if that were the case they wouldn't need the number of wall signs it would just be the sign of the wall sign on the end.

Gauss stated if the clearance is an issue they can go up to the 25 foot height, that would give them 2 feet 3 inches additional of clearance. They wouldn't meet the 10 feet but they would be over 8 feet and still not be over the 25 foot tall sign height maximum.

West questioned if the signs on the canopy are lighted. Gauss stated they are illuminated but the canopy surface is not lit just the lettering itself.

Houtman stated would they be able to have these goal post sign in the City of Grand Rapids. Gauss stated in the City of Grand Rapids one per frontage for wall signs and pole ground signs (50 square foot pole sign 75 square foot ground mount signs) maximum height of 25 feet for a pole and 6 foot for ground but the base could not exceed a third of that height of the ground mount sign.

Houtman questioned if they are allowed 2 ground signs. Pung stated for a ground sign you are allowed one per street frontage. Discussion ensued.

Derusha stated he could live with the two pole signs and a canopy sign

Derusha opened the public hearing.

There was no public comment.

Motion by Houtman, supported by Berry-Ridge, to close the public hearing

- Motion Carried (6-0) –
- VanNoord absent -

Lipner stated point 1 is met predicated on the fact that it is located in two municipalities and for visibility. Lipner stated point 2 is met because it is in 2 municipalities. Lipner stated point 3 is met because of where it is located and the amount of traffic.

West, Berry-Ridge, Houtman, Le, Derusha concurred that points 1, 2 and 3 have been met.

Lipner stated point 4 nothing has been bought up. Lipner stated point 5 is met having two properties in two separate districts point 5 has been met, Lipner stated point 6 has been met

West, Berry-Ridge, Houtman, Le, Derusha concurred that points 4, 5 and 6

Motion by Lipner supported by Houtman, to approve based on the prior discussion V-21-11 with the conditions that the two side “S” badges will not be part of the variance and the pole sign height will be increased to 25 feet tall and the clearance will be 8ft 7 ¾ inches

- 1. There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district.**
- 2. The condition or situation on which the requested variance is based does not occur often enough to make more practical adoption of a new zoning provision.**
- 3. The literal application of the provisions of the Zoning Ordinance would deprive the applicant of property rights commonly enjoyed by other properties in the same zone district.**
- 4. The variance will not be detrimental to adjacent property and the surrounding neighborhood.**
- 5. Taken as a whole, the variance will not impair the intent and purpose of the Zoning Ordinance.**
- 6. The exceptional conditions or circumstances do not result from the actions of the applicant.**

Motion by supported by to adjourn the meeting.

- Motion Carried (6 -0) –
- VanNoord absent -

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Robert Houtman, Secretary

STAFF REPORT: September 14, 2021
PREPARED FOR: Kentwood Zoning Board of Appeals
PREPARED BY: Joe Pung
CASE NO.: V-21-12

GENERAL INFORMATION

APPLICANT: Trent R. Wadsworth
4553 Burton Street, SE
Kentwood, MI 49546

STATUS OF
APPLICANT: Property Owner

REQUESTED ACTION: The applicant wishes to expand an existing detached accessory building to 1,300 square feet in area. Section 3.15.D.2.a of the Kentwood Zoning Ordinance limits the size of the detached accessory building to 960 square in area.

The requested variance is for an increase in area of 340 square feet over the maximum permitted by ordinance.

EXISTING ZONING OF
SUBJECT PARCEL: R1-C Single Family Residential

GENERAL LOCATION: 4553 Burton Street

PARCEL SIZE: 4.67 acres

EXISTING LAND USE
ON THE PARCEL: Single Family Home

ADJACENT AREA
LAND USES: N - Single Family Homes
S - Burton Street ROW
E - Single Family Homes
W - Single Family Home

ZONING ON ADJOINING
PARCELS: N - R1-C Single Family Residential
S - RPUD-1 High Density Residential PUD
E - R1-C Single Family Residential
W - R1-C Single Family Residential

Staff Comments:

1. The applicant wishes to expand an existing detached accessory building to 1,300 square feet in area. Section 3.15.D.2.a of the Kentwood Zoning Ordinance limits the size of the detached accessory building to 960 square in area.

The requested variance is for an increase in area of 340 square feet over the maximum permitted by ordinance.

2. The existing home and 956 square foot attached garage were constructed in 1987. When the home was constructed, the zoning ordinance at the time restricted the capacity of a garage to no more than three (3) vehicles (with additional storage capacity allowed if approved by the Zoning Administrator); no maximum square footage allowance was identified in the zoning ordinance. Under the current zoning code, the attached garage would be limited to 768 square feet in area.

In 1989 a building permit was issued for a 24'x24' (576 square foot) detached accessory building. At some point after 1989 the structure was expanded to at least 768 square feet in area (Assessor's Office indicates 768 square feet and the applicant has stated it is 864 square feet); staff could find no record of a building permit for its expansion.

For residential properties between one (1) and five (5) acres, the zoning ordinance allows for a detached accessory building of up to 960 square feet in area.

3. The maximum size for a detached accessory structure in single family and two-family residential districts is 1,100 square feet for properties of five (5) acres or more in area. This site falls short of the five (5) acre minimum.
4. In addition to the accessory structure that the applicant wishes to expand, there are two (2) other smaller accessory structures on the property (one to the north and one to the south of the larger detached accessory structure). With an attached garage, the Zoning Ordinance (with some limited exceptions) would permit only one detached accessory structure on the property.
5. A detached accessory structure of 960 square feet would require a rear yard setback of thirty (30) feet and a side yard setback of five (5) feet. A detached accessory structure greater than 960 square feet in area would require a minimum rear yard setback of thirty-five (35) feet and a minimum side yard setback of seven (7) feet.
6. Since 1985, the Zoning Board of Appeals has heard over sixty (60) requests for variances to permit larger accessory buildings/garages. The most recent requests were:

Appeal No.	Address	Action
V-20-13	2101 Highlander Drive	Denied (↑ 100 square feet, detached)
V-20-12	380 Pine Needles Court	Denied (↑ 230 square feet, detached)
V-19-09	2101 Highlander Drive	Withdrawn (↑ 216 square feet, detached)

V-18-17	4106 Walnut Hills Drive	Granted (↑ 1,018 square feet, apt. complex maintenance. garage)
V-18-13	3582 29 th Street	Withdrawn (↑ 830 square feet, detached)
V-18-04	5475 Settlers Pass	Withdrawn (↑ 120 square feet, detached)
V-17-15	5720 Madison Avenue	Granted (↑ 134 square feet, detached)
V-15-06	5380 Eastern Avenue	Granted (↑ 1,030 square feet, detached)
V-15-01	731 – 52 nd Street	Denied (↑ 248 square feet, detached)
V-14-12	5460 Wing Avenue	Granted (↑ 196 square feet, detached)
V-11-12	5747 Blaine Avenue	Granted (↑ 326 square feet, detached)
V-09-06	3130 Lindenwood Drive	Granted (↑ 160 square feet, detached)
V-09-03	1677 Gentian Drive	Granted (↑ 134 square feet, detached)
V-08-22	1677 Gentian Drive	Granted (↑ 70 square feet, detached)
V-08-10	4330 Burton Street	Granted (↑ 290 square feet, detached)
V-08-01	3130 Lindenwood Drive	Granted (↑ 160 square feet, detached)
V-07-24	3608 Lake Drive	Granted (↑ 204 square feet, detached)
V-07-13	2500 – 52 nd Street	Granted (↑ 1,705 square feet, detached)
V-06-19	1161 – 60 th Street	Denied (↑ 265 square feet, attached)
V-05-21	5830 Wing Avenue	Granted (↑ 432 square feet, detached)
V-05-08	3716 Breton Avenue	Denied (↑ 710 square feet, detached)

Whether a request was approved or denied depended on the ability to meet the non-use variance standards of the Kentwood Zoning Ordinance.

7. A non-use variance may be allowed by the Zoning Board of Appeals only in cases where the applicant demonstrates through competent material and substantial evidence on the record that ALL of the following exist:
- 1) That there are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions include by way of example:
 - a) Exceptional narrowness, shallowness or shape of the property on the effective date of this ordinance; or
 - b) Exceptional topographic or environmental conditions or other extraordinary situation on the land, building or structure.

The property is just over 4-1/2 acres in area (there are other single family residential properties in Kentwood of a similar size or larger). The accessory structure is setback over 850 feet from Burton Street and is not visible from the street due to the heavily wooded nature of the property (a larger setback from a public street is not unique).

- 2) That the condition or situation on which the requested variance is based does not occur often enough to make more practical adoption of a new zoning provision.

There are other single family residential properties in Kentwood that or of a similar size or larger and which are also heavily wooded.

- 3) The literal application of the provisions of the Zoning Ordinance would deprive the applicant of property rights commonly enjoyed by other properties in the same zone district.

Without the variance, the applicant can still have a 960 square foot detached accessory structure the same as other single family residential properties in Kentwood between one (1) and five (5) acres in area.

- 4) The variance will not be detrimental to adjacent property and the surrounding neighborhood.

The existing vegetation (both on-site and off-site) and the significant setback from the street should screen the structure from both the street and exiting adjacent residences.

- 5) Taken as a whole, the variance will not impair the intent and purpose of the Zoning Ordinance.

Granting the variance could impair the intent and purpose of the ordinance to limit the size of detached accessory structures in residential districts.

- 6) The exceptional conditions or circumstances do not result from the actions of the applicant. Thus, by way of example, the exceptional circumstances result from uses or development on an adjacent property or the exceptional shape of the property is the result of an unrelated predecessor's split of the parcel.

The size, shape, and wooded nature of the property were not created by the applicant.

8. In authorizing a variance, the Board may, in addition to the specific conditions of approval called for in the Zoning Ordinance, attach other conditions regarding the location, character, landscaping or treatment reasonably necessary to the furtherance of the intent and spirit of the Ordinance and the protection of the public interest or as otherwise permitted by law.

If the Board were to grant the request, it should be conditioned on the removal of the other detached accessory structures on the property.

9. A majority vote by at least four members of the Zoning Board is necessary to approve the requested variance.

Exhibit 1: Location of Variance Request

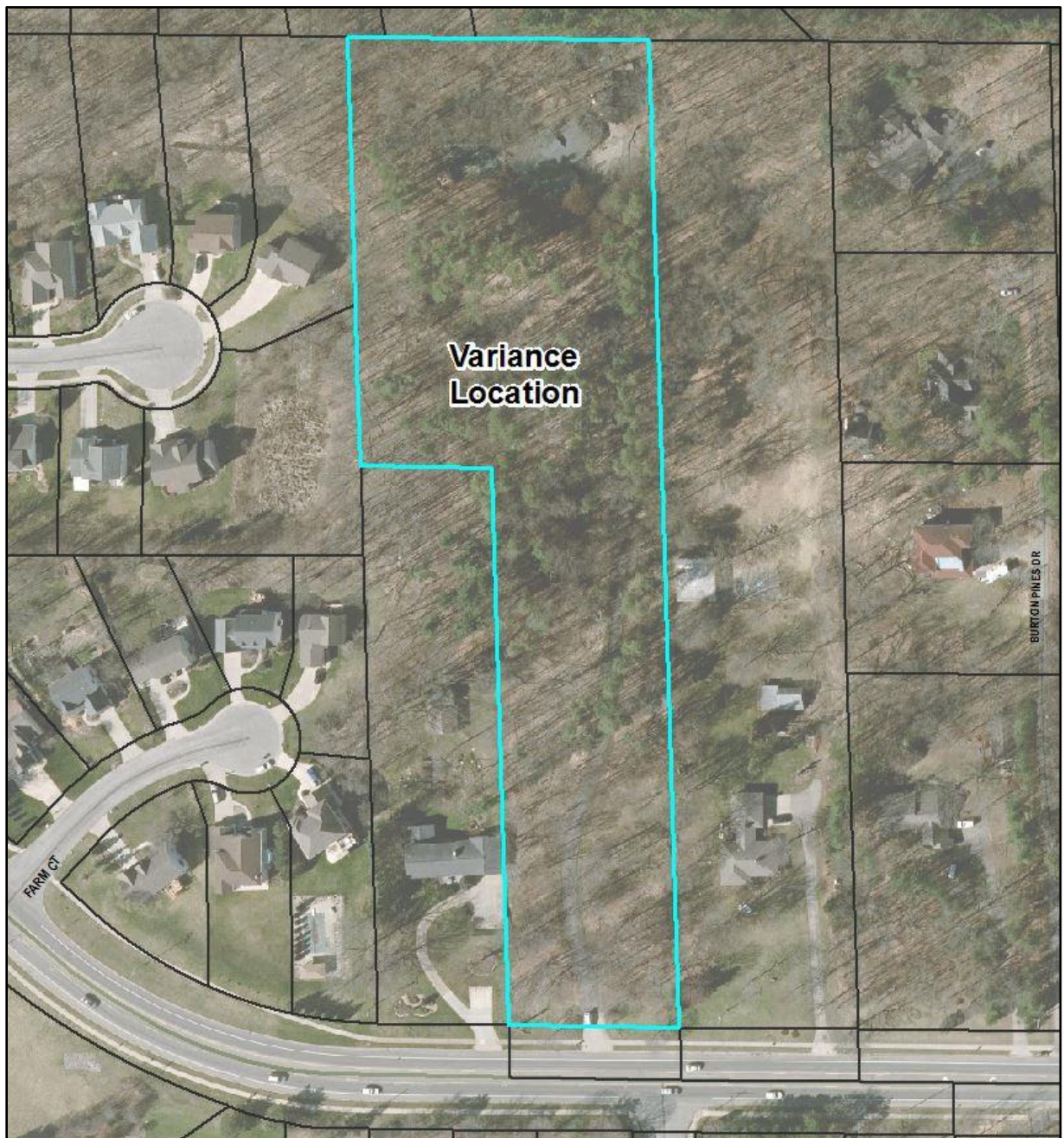


Exhibit 2: April 2020 Pictometry Photo (view from the south)





CITY OF KENTWOOD
ZONING BOARD OF APPEALS
NON-USE VARIANCE APPLICATION

APPEAL # V-21-12

HEARING DATE 9-20-21

APPLICANT: Trent R Wadsworth

PHONE # _____

ADDRESS: 4553 Burton St SE

PROPERTY OWNER: Trent R Wadsworth PHONE # (616) 293-1037

ADDRESS: 4553 Burton St SE

LOCATION OF VARIANCE (If applicable) 4553 Burton St SE

ZONING DISTRICT OF PROPERTY: R1-C

ZONING ORDINANCE SECTION (S) APPEALED: 3.15.D.2.a

NATURE OF APPEAL: The Zoning Ordinance (requires/allows/does not permit)

Asking to expand an existing out building from
800 sq ft to 1300 sq ft. by adding 6 foot along the
side and 8 ft along the back.

JUSTIFICATION OF APPEAL: Briefly describe how your appeal meets the Standards of Section 21.04B of the Kentwood Zoning Ordinance. Each standard must be met.

STANDARD (1): Just under 5 acres; building in question is
1,000 feet off the road and for most part not
visible to neighbors.

STANDARD (2): Most lots are less than 5 acres

STANDARD (3): There are others properties in same
district with larger out buildings

STANDARD (4): Correct, as stated prior the building
is not visible by other neighbors

STANDARD (5): I don't feel it will.

STANDARD (6): If I understand the question properly
I don't believe it does

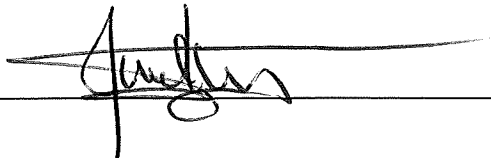
Zoning Board of Appeals
Non-Use Variance Application
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I hereby certify that all of the above statements and any attachments are correct and true to the best of my knowledge.

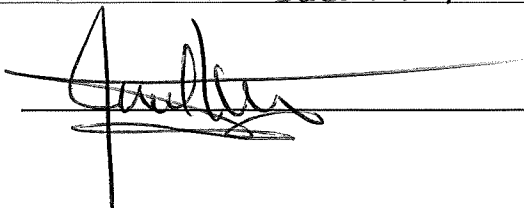
Authorization for city staff and board members to enter the property for evaluation.

Yes ✓ No

NAME OF APPLICANT: Trent R. Wadsworth
(Please print)

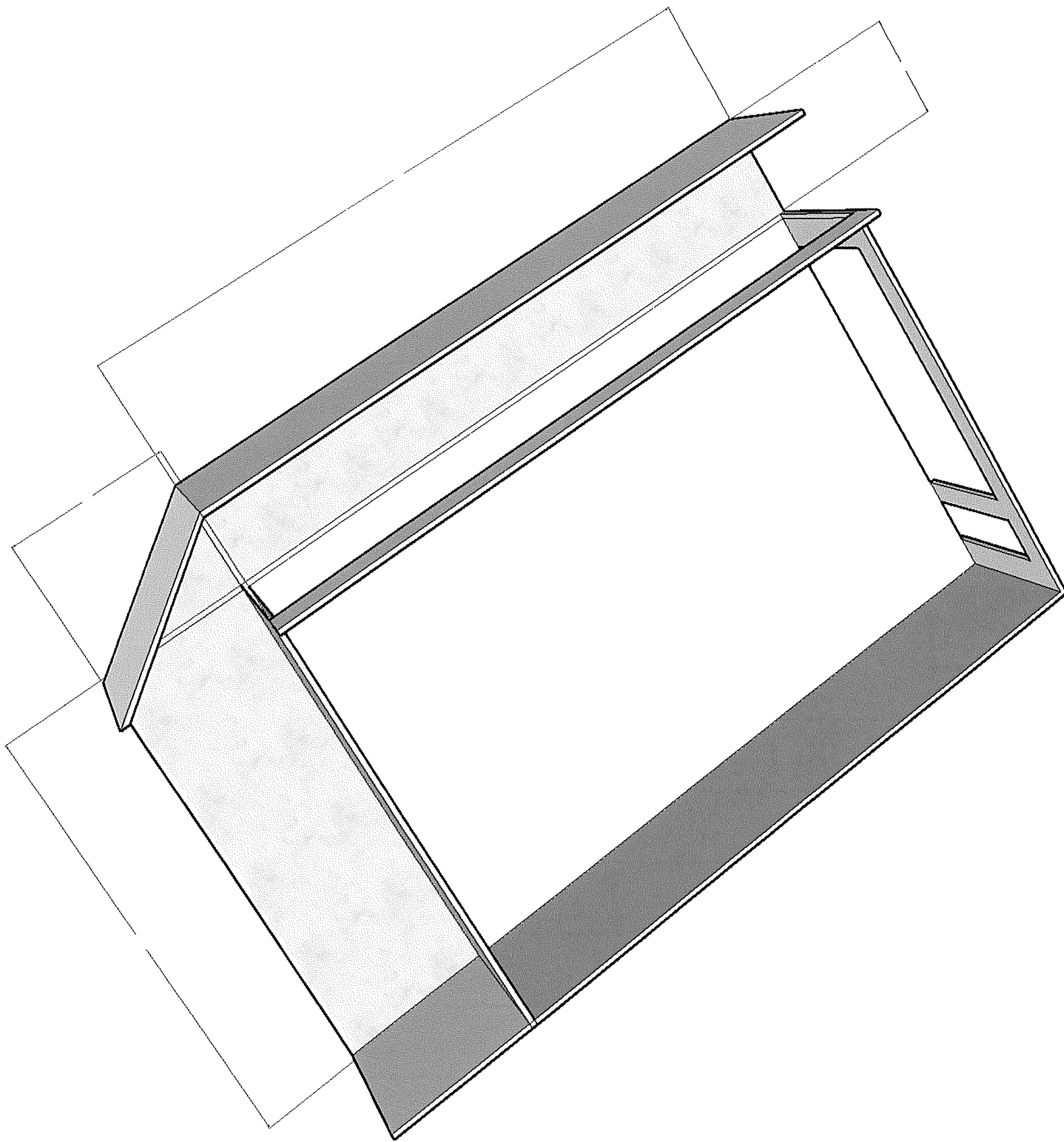
SIGNATURE OF APPLICANT:  DATE: 8/17/2021

NAME OF PROPERTY OWNER: Trent R Wadsworth
(Please print)

SIGNATURE OF PROPERTY OWNER:  DATE: 8/17/2021

Return to Planning Department
PHONE: 554-0707, FAX NO. 698-7118

Filing Fee \$
Escrow Fee (if applicable) \$ Escrow fee to cover extraordinary fees directly attributable to the project review. Applicant will also be responsible for any other extraordinary fees in excess of the original escrow fee.





1 inch = 116 feet This map does not represent a legal document. It is intended to serve as an aid in graphic representation only. Information shown on this map is not warranted for accurach





