

VILLAGE OF CALEDONIA
County of Kent, Michigan
Zoning Board of Appeals
Minutes of Tuesday June 8th, 2021

Meeting called together at 6:01 by Village President Jennifer Lindsey.

The Pledge of Allegiance was recited.

All Trustees, President, Village Manager and Attorney were present. Trustee Soest arrived at 6:12.

No conflicts of interest were heard.

Tamara Zeminski spoke of rentals devaluing *area* property, they are not maintained and money is not worth the safety and Security of the area. Giving an account of the previous tenant.

Kim Peters spoke that she was losing faith in the process and that she stated the five factors had not been met but has an understanding of why the vision center had been previously given a variance. She communicated that public sentiment was not in favor of this change and that traffic increase and additional rental affects the character of the community. She stated that granting the request was not a property improvement and that it should be denied not meeting the criteria.

Trustee Hahn moved and supported by Schuler to approve the agenda. Motion passed.

Moved by Schuler and supported by Hahn to accept the minutes of the May 13th ZBA meeting Motion passed

Mr. Thomas was provided the opportunity to speak of which he presented emails in support of his request and referenced some of his past projects and his taxable contribution to the village.

The Board reviewed and discussed each of the five factors for a dimensional variance in the Ordinance. All five must be met to approve a variance. After much discussion the board found that the property is usable as it is without a variance, that the ordinance was not causing any undue expense. But there may be some practical difficulty because there were a few lots nearby as small as what the applicant is requesting, and so the first factor might be met. However, the Board found that the size of the property did not constitute a unique condition because, based on its knowledge of the Village and a review of lot sizes there are many properties in the R-2 district as large or larger than the existing lot., and a lot as large as this one is not uncommon. Mr. Thomas had stated that he found 7 lots in the area as small as 6600 square feet, and the attorney stated he found 4 or 5 lots this size in the entire R-2 district on the aerial maps on the accesskent web site. So based on that, a majority of the Board found that having a home on a lot this size is not a “right” commonly enjoyed by properties in the R-2 district. A majority of the Board found that based on the existing layout of the neighborhood, that this would cause crowding and other negative effects at this particular location and that due to the large difference from the current required minimum lot size this

would be contrary to the spirit of the ordinance. Finally, the Board agreed there were no Self-Created Difficulties. After the discussion the Chair called for the vote.

Those in favor of the lot split: Schuler and Miller

Those opposed to the lot split: Soest, Erskine, Lindsey, Neil and Hahn.

Requested Action Failed.

The attorney stated that because the lot split variance was denied, the building setback variance became moot because the ordinance does not permit two residences on the same lot.

Meeting was adjourned at 6:44 p.m.