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ZONING BOARD OF APPEALS

Regular Meeting

March 24, 2026

The meeting was called to order by Chairman Russ Boersma at 5:45 p.m. once a quorum of the Board was present.

Present: Chairman Russ Boersma, Members Elliott Church, and Ross DeVries. Also present were Community Development Director Corey Broersma, Assistant Planner/Zoning Administrator Kate White and Recording Secretary Laurie Kissau.

Absent: Members Jack Vander Meulen and Robert De Vries.

There were no public comments.

** It was moved by Ross De Vries and supported by Boersma to approve the minutes of February 24, 2026, as presented. Motion carried.

Chairman Boersma explained the Public Hearing process to the audience. He further informed the applicants that there were two members absent, so any roll call vote on a motion would need to be unanimous for it to be approved. The applicant has the option to have their application tabled until there are more Board Members present.

Hearing declared open to consider a petition for a Nonuse Variance Request submitted by Dave Timmerman for vacant, unaddressed property located on Mason Street, known specifically as Parcel Number 70-16-35-200-030. Petitioner is requesting variances consisting of: 1) 2,352 square feet from the maximum 720 square feet permitted for detached accessory building area, resulting in a 3,072-square-foot detached accessory building; and 2) 6 feet 8 inches from the maximum 16 feet permitted for detached accessory building height, resulting in a 22-foot 8-inch tall detached accessory building. The subject property is AG Agriculture and FP Floodplain.

Present for this request was Eric DeYoung, Project Manager from Nederveld, Inc. Also present was the property owner, Dave Timmerman, and Troy DeHoop of Celebrity Builders.

Mr. DeYoung explained to the Board that there are two variances before them for the proposed barn. The property is zoned AG Agricultural. There are barns of all shapes and sizes permitted in this zoning district strictly for agricultural use. Mr. Timmerman may use the proposed barn for some agricultural purposes, but he would like to use it for other purposes as well.

Mr. DeYoung noted the proposed barn would be 48' x 64' for a total of 3,072 square feet. They are allowed by ordinance an accessory building of 720 square feet, regardless of the size of the parcel. They are also asking for a height of 22'8"; the ordinance allows 16'.

Mr. DeYoung stated the position of the barn would meet all the setback requirements. The proposed building would be behind the primary residence. The parcel is very large, and the lot coverage would be less than 2%. There are similar size barns in the area. The barn is designed to house tractors and other equipment that is appropriate for the rural agricultural context of the property. No living quarters are proposed in the building. No commercial use is proposed. It would be used for hobby, storage, and

recreation uses such as permitted by Section 8.3A of the Ordinance. The proposed barn would be complementary to the aesthetics of the house and the neighborhood and allow for appropriate use in the rural setting.

Mr. Timmerman addressed the Board. He started with a bit of history about the parcels. About a year ago when Mr. Timmerman was getting closer to purchasing the property, he had conversations with Community Development Director, Corey Broersma, to try and understand what he could and could not do on the property. He was informed that he could sign an Agricultural Use Affidavit if the desired building were to be used for farming purposes. He could not in good conscience sign it as he planned to have mixed uses in the barn. It was not going to be 100% agricultural use. Right now, he has four old tractors he would like to store in there, but maybe someday he will have a boat or RV that he wants to store in the barn.

Mr. Timmerman noted that a quarter mile down the road, next to Macatawa Ridge Subdivision, there is another barn of approximately 2,700 square feet in size. He did not know if the owner signed an Agricultural Use Affidavit or if he got a variance.

Behind Mr. Timmerman to the north is Mark Brink and his son Connor. They have a mini farm. He spoke with them, and they stated that the barn would be a good buffer for them. It would be 400 feet from Mr. Brink's property line and 325 feet from Connor's property. To the east of Mr. Timmerman's property is a retirement memory unit.

Mr. Timmerman continued that what fits with the property should be considered, not strictly the use. What fits on a parcel that's 11 and a half acres in size.

There was discussion about whether the applicant had applied for the parcels to be put together. Mr. Broersma replied that Mr. Timmerman would need to contact the assessor's office to complete the proper application for lot combination. Once the parcels have been combined, it is the applicant's responsibility to record a new deed at the County and then the maps will be updated.

Chair Boersma noted that currently, the house and the barn are proposed on the 6.8-acre parcel.

Board Member Church had further questions for the applicant. He asked Staff to bring up a screen with the surrounding properties uses. Mr. Church stated that the purpose of an ordinance like this is to protect surrounding properties from an intrusive type of use. He further stated the Mr. Timmerman has talked with his adjacent neighbors and no letters to the contrary have been received by Staff. So, no one is objecting.

Mr. Church asked Mr. Timmerman what the terrain between the subdivision to the west and the proposed outbuilding. Mr. Timmerman responded that it is floodplain. The strip along the west of the property line, except for close to the road, is approximately 30 feet lower in a flood plain. It is not buildable. Mr. Church asked if he must build further back on the property? Mr. Timmerman stated that the southwest end of the property is not buildable.

Mr. Church asked if the building Mr. Timmerman is proposing would be visible from any adjacent property. Mr. Timmerman replied that it would not be visible as there is a ridge of trees along the subdivision and a steep slope. To the east of the property is the Memory Unit. From the parking lot, the house would be more visible than the barn.

Mr. Church continued asking about the height and footprint of the house. Timmerman responded that it would be a two-story house approximately 25 to 26 feet in height. The footprint of the house would be 6,000 to 7,000 square feet.

At this point, Troy DeHoop of Celebrity Builders interjected. He stated that the barn would be 22 feet and the house would be 25-26 feet in height. The house would be taller than the barn. He also wanted to readdress the question of lot coverage. Lot coverage of the 6.8-acre parcel that the house and barn are intended to be built on would be a little bit more than 1%.

Mr. Church continued by asking Mr. Timmerman that he commented that he had four tractors. What did he plan to do with the tractors? Was he coming here from a farm? Mr. Timmerman replied that he was coming from a farm and was hoping to slow down a bit. He plans on planting hay in the front half or two thirds of the parcel this summer. So, the tractors will be stored in the barn. He may sell two of them. He doesn't know how much farm equipment he will buy. His neighbor may help him. He could possibly rent out some of the acreage for farming.

Mr. Church stated that the Board could grant a lesser relaxation. He asked Mr. Timmerman if the amount of square footage asked for is the amount that is needed to support his envisioned use or is it more than that? Mr. Timmerman stated that it is of a practical size and it is all needed. He further stated that when he first started talking with Corey, he wanted a 7,000 square foot barn, with enough room for a pickleball court.

Mr. Church asked Mr. DeHoop if the size could be optimized further? Mr. DeHoop responded that he is not the one using it. Mr. Timmerman has talked about using the front corner for hobbies as he is about to retire, possibly woodworking. Storage to the right of that, allowing for potential camper or RV in the future. The tractors will be on the back end of the hobby area. Mr. DeHoop further commented that they tried to stick with the aesthetics of the house. Make it a bit more appealing, dress it up a bit. The barn will be comparable to the house; however, it will not be a perfect match.

Mr. Church asked Staff to find out how the 5-acre parcel down the road got their accessory building of approximately 2,700 square feet. Staff did some research and discovered that they got a variance April of 2017 for a 2,400 square foot accessory building with a height of 28' and that it was under the previous Ordinance with different standards. In May of 2018, a new Zoning Ordinance took effect.

There was further discussion among the Board Members and Staff about the ordinance not addressing larger accessory buildings for larger parcels and why it stops at 720 square feet for 2-acre and larger parcels. The Board had issues with the possibility of setting a precedent.

There was discussion about what this area is zoned as on the Master Plan. There are some residentially zoned areas to the north. The Master Plan indicates Low Density Residential around it.

Planning Commission Member, Gretchen Molotky, was in the audience. She confirmed that the area is in the floodplain and both parcels are zoned Agricultural. That the parcels are separate. She asked if the parcel it is being compared to was also zoned AG? Mr. Broersma responded that it is. She further confirmed with Staff that that parcel's accessory building was approved for a non-agricultural use. Further confirming that Mr. Timmerman is going to use his proposed accessory building as a mixed use because he does have farming on his property. Again Mr. Broersma confirmed that the property is currently being farmed by someone else off site.

She had further questions about the floodplain area on the two parcels.

There was no one in the audience to speak to this request.

** It was moved by Church and supported by Ross De Vries to close the hearing. Motion carried with a unanimous voice vote.

The Board went over the standards to review when considering the nonuse variance request.

1. ***That compliance with the Zoning Ordinance would result in practical difficulties due to exceptional, extraordinary, or unique characteristics or conditions of the land or lot of record, including but not limited to:***
 - a. *Exceptional narrowness of the width or depth of a lot of record, or irregular shape.*
 - b. *Exceptional natural or topographic features located on the lot of record, such as steep slopes, water, existing significant trees, or other unique or extreme physical conditions of the land.*
 - c. *Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional land features.*
 - d. *Other exceptional or extraordinary dimensional conditions or characteristics of land or lot of record.*

The Board found that the exceptional condition of the parcel is that it is a very large parcel in this Township. Most lots are not this large. And that gives the Board a reason to think twice about the variance. The Board found that this standard applies to both the area and height variances.

Chair Boersma noted that there is no hardship to build what is allowed by Ordinance; they could build what is allowed by ordinance, a 720 square foot accessory building, on the property.

2. ***That the unusual circumstances do not apply to most other lots of record in the same manner to the same extent to other lots of record in the same zoning district.***

The Board found that it is an unusually large lot within the Township, different than a subdivision lot. The Zoning Ordinance does not address larger lots. There is no sliding scale for larger parcels. The barn will be a great distance from both the road and other structures on adjoining properties. The topography of the land lends itself to natural screening from the surrounding properties. The Board found that this standard applies to both the area and height variances.

3. ***That the variance is necessary for the preservation and enjoyment of a substantial property right. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.***

The Board found the applicant is not looking for the possibility of an increased financial return with this request. Consideration has been made for a lesser relaxation prior to coming before the Board. The applicant has already considered and cut down the size.

Also, proportionality matters. The house is big, but the accessory building is smaller than the house a third to a half size smaller. Other properties you see the house, and the accessory building is smaller. The same holds true for this application. There is aesthetic value. The proposed accessory building will be shorter than the proposed house. The Board found that this standard applies to both the area and height variances.

4. That the granting of the variance will not be of substantial detriment to adjacent and nearby land uses and properties.

The Board found granting this variance would not be of substantial detriment to adjacent properties as no one has voiced any objections. There are two rows of trees and a ravine separating the property to the west. The house and barn will not be visible to the subdivision. The barn is proposed to be at the back of the property, far from the road. The Board found that this standard applies to both the area and height variances.

5. That the applicant shall not have created the problem for which the variance is being sought.

The Board found that when someone owns a property this large and builds a house on it you would anticipate that they will have an accessory building. Proportionality matters. The house is larger; the accessory building is smaller. The house is taller. Aesthetically there needs to be stipulations that the siding and the roofing are consistent with, and complementary to the proposed house.

Also, the applicant has stated that he does not mind joining the parcels so the motion should stipulate that they do join the two parcels together. That would give the applicant a parcel of over 10 acres on which he is placing the 3,072 square foot accessory building. It creates a defensible position. The Board found that this standard applies to both the area and height variances.

6. That the granting of the variance will not be contrary to the public interest and that the spirit of this ordinance shall be observed, public safety secured, and substantial justice done for both the applicant and other property owners in the district.

The Board found that given the reasoning discussed, the size of the property, the scale of the proposed house and the proposed barn, it won't be a detriment to public interest, and the spirit of this ordinance would be observed. This is one of those instances where we have a large piece of property and the one size fits all 720 square foot accessory building does not really fit well. The Board found that this standard applies to both the area and height variances.

** It was moved by Church and supported by Ross De Vries to approve the request for a variance of 2,352 square feet from the maximum 720 square feet permitted for detached accessory building area, resulting in a 3,072-square-foot detached accessory building for Parcel Number 70-16-35-200-030 with the following stipulations:

1. The exterior and the roofing are complimentary to the principal residence. This is to be at the discretion of the Zoning Administrator; and
2. The two parcels 70-16-35-200-030 and 70-16-35-200-009 are to be joined together resulting in 11.76 acres; and
3. The house and the barn are to be located where shown on the plans submitted for this meeting. The house and the barn are to be the size presented at this meeting.

Motion carried with a unanimous roll call vote.

** It was moved by Church and supported by Ross De Vries to approve the request for a variance of 6 feet 8 inches from the maximum 16 feet permitted for detached accessory building height, resulting in a 22-foot 8-inch tall, detached accessory building for Parcel Number 70-16-35-200-030 with the following stipulations:

1. The exterior and the roofing are complimentary to the principal residence. This is to be at the discretion of the Zoning Administrator; and
2. The two parcels 70-16-35-200-030 and 70-16-35-200-009 are to be joined together resulting in 11.76 acres; and

3. The house and the barn are to be located where shown on the plans submitted for this meeting.
The house and the barn are to be the size presented at this meeting.

Motion carried with a unanimous roll call vote.

Meeting adjourned at 6:55 pm.

Respectfully submitted,

Laurie Kissau
Recording Secretary