

ZONING BOARD OF APPEALS  
Regular Meeting  
June 22, 2021

The meeting was called to order by Chairman Boersma at 5:30 p.m.

Present: Chairman Russ Boersma, Vice-Chairman Ross DeVries, Members Jack Vander Meulen, Elliott Church and Robert DeVries. Also present were Community Development Director John D. Said, Assistant Community Development Director Corey Broersma and Recording Secretary Laurie Slater.

Absent: None

Public Comments: None

\*\* It was moved by Vander Meulen and supported by Robert De Vries to approve the Minutes of May 25, 2021 as written. Motion carried.

Chairman Boersma explained the Public Hearing process to the audience.

**Hearing declared open to consider** a petition for nonuse variances submitted by Tippmann Group/Jason Bransteter o/b/o Gentex Corporation, for property located at 0 Ransom Street (vacant parcel), known more specifically as 70-16-05-200-022. Petitioner is requesting a variance of 20 feet from the required 45-foot maximum building height to allow a building height of 65 feet. The subject property is zoned I-2 General Industrial.

Present for this request was Jason Bransteter of Tippmann Group.

Mr. Bransteter explained to the Board that they own and operate cold storage distribution centers. The proposed distribution center would look similar to the Interstate Warehousing – Indianapolis (Anderson), IN under tab number 6 in the presentation materials (enclosed). In that example the dock is 32' tall and behind that area is 60' tall.

The building would be built in phases. Phase 1 of the plan would be 150,000 square feet in size. According to Ordinance the height limit in an Industrial Zoning District is currently 45'. They would like a variance to raise it to 65'. Due to advanced technology and equipment in cold storage, they can now make the racks taller. The taller building can operate more efficiently and they would have more storage within a smaller footprint. The heat load generated from the roof would be reduced making the building more energy efficient. The amount of underfloor heating system would also be reduced making the building more energy efficient. The underfloor heating system is used to keep the ground from freezing. The temperature in the warehouse is 0 to minus 10 degrees at all times. Being able to store more product per aisle makes for less movement around the warehouse by the employees in their equipment.

With approval of the request, they would be able to pull the building back from all the property lines. The closest being the north property line at 75' back from the rear yard setback. The building being taller instead of building out allows for the greater setbacks. The elevation steps several times in Phase I; the office – approximately 16', the docks at 30', and the warehouse at 65'. The 20 acres to the west of the No. 8 County Drain would not be developed. It would be green space and storm water detention pond area. The entire north side of the building would be 65' tall and would be 100' off the property line. The docks would run north to south.

The first phase would employ 40-50 people. Upon completion they would employ approximately 350 people as they operate 24/7.

The Board asked staff if the Fire Chief approved of the height of this building. Mr. Said stated that he has seen the concept plans and there has been no formal approval, but he has not objected to it so far. The Fire Department does have a new 100' Aerial Truck, so reaching up that far would not be a factor. Tippmann Group has included a fire lane access with each of the phases.

Mr. Church asked if they ever build cold storage warehouses that are shorter. Mr. Bransteter replied that they have built some that are 35' tall. However, technology now allows them to go taller and be more efficient and utilize the properties to their fullest. Going smaller you lose storage space.

The Board had question of the height of other buildings in the surrounding area and the recently built hotels within Holland Charter Township. Staff noted that the hotels are in a Commercial Zoning District which allows for taller buildings and that perhaps a change to the Industrial Zoning District should be considered. The C-2 and C-3 Districts allow building up to 50' in height but require a setback of 1' for each 1' of additional height for buildings in excess of 35' tall. The reason it was not addressed in the Industrial District at the time the ordinances were updated, was because height variances in that district were not asked for.

Mr. Bransteter answered further questions from the Board.

They could possibly be asking for a variance in the amount of parking spaces required in the future. They do not have customers in and out of the building throughout the day so there would be no need to pave all that property. Mr. Broersma stated that they could ask for a deferred parking agreement and that would not need a variance.

The property all around is zoned Industrial and undeveloped.

They cannot build down because of the water table. They hit water at 3'-6'.

With the completion of the first phase, they expect to see approximately 50 trucks per day.

The condenser on the top of the building would be below 60'. The refrigeration is an Ammonia Refrigeration System and the condenser on the roof is quiet. The portion of the building that is 65' tall would not have anything on the roof.

The applicant would meet the requirement for green space on the property.

Jason DeWitt with Colliers International Real Estate commented that they had phone calls from three neighboring properties asking what they were doing on the property. No one had any negative comments.

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

\*\* It was moved by Vander Meulen and supported by Ross De Vries to close the hearing. Motion carried.

The Board went over the standards to review when considering a 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 water table is high – 3’ to 6’ – so they can’t build down. They are limited to only going up.

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

There are no unusual circumstances.

- 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.*

This approach is more logical as it is more energy efficient and on the cutting edge of going green.

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

Granting this variance would not be of substantial detriment to adjacent or nearby lands uses or properties. All surrounding properties are in the Industrial District. They are using the step approach with larger setbacks.

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

While this can be perceived as a self-created problem, The taller building heights, with appropriately controlled stepped-back height increases if associated with industrial facilities, provide more efficient use of the land and increase their marketability. It would also be more energy efficient than a shorter building.

- 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 proposed variance would serve the applicant’s interest and convenience, but would also serve the Township as a possible consideration to amend the Zoning Ordinance to allow taller buildings with appropriate stepped-back designs for taller structures, similar to those allowances in the C-2 and C-3 District. They are not adjacent to a Residential District.

\*\* It was moved by Church and supported by Vander Meulen to approve the request based on the comments noted above, allowing for the variance of 20 feet resulting in a building height of 65 feet, to be no closer than 20’ to the edge of the currently allowed building setbacks on all sides east of the county drain (excluding the 20 acres of property west of the No. 8 County Drain). Motion carried unanimously with a roll call vote.

Other Business: None

The meeting adjourned at 6:13 pm.

Respectfully submitted,

Laurie Slater  
Recording Secretary