

Blendon Township
Zoning Board of Appeals
May 3, 2021

1. **The meeting was called to order** at 7:00 pm by Chairman Bruce Costen.
2. **Roll Call: PRESENT:**
 - Bruce Costen
 - Mark Dykstra
 - Dave Hovingh
 - Brett Huizenga
 - Joel Hoving
3. **Also Attending:**
 - a) Andrew Moore – Township Planning Consultant
 - b) Kurt Gernaat – Fire Chief
4. ***Motion to approve the agenda*** was made by Dave Hovingh, support by Mark Dykstra
Motion Carried
5. ***Motion to approve the Zoning Board of Appeals Meeting Minutes, dated September 9, 2019, was made by Mark Dykstra, support by Dave Hovingh.***
Motion Carried
6. **Zoning Board of Appeals Annual Business:**
 - a) Election of Officers:
 - ***Motion to re-elect Bruce Costen as the Chairman of the Zoning Board of Appeals*** was made by Mark Dykstra, support by Brett Huizenga.
Motion Carried
 - ***Motion to re-elect Dave Hovingh as the Vice-Chairman of the Zoning Board of Appeals*** was made by Bruce Costen, support by Mark Dykstra.
Motion Carried
 - ***Motion to elect Joel Hoving as the Secretary of the Zoning Board of Appeals*** was made by Dave Hovingh, support by Joel Hoving.
Motion Carried
 - b) 2021-2022 Meeting Day-Date Schedule
 - ***Motion to hold the Zoning Board of Appeals meetings on the first Monday of the month, as needed, was made by Dave Hovingh, support by Bruce Costen.***
Motion Carried
7. **Correspondence:**
 - a) none

8. New Business:

a) Sheldon Meats – Tim Bleyenbergh:

- Public Hearing for the request of Tim Bleyenbergh, of 7405 Port Sheldon St, for a use variance from section 16.07 of the Blendon Township Zoning
- Township Planner, Andrew Moore, read the published public hearing notice.
- **Motion to open the public hearing at 7:06 pm was made by Dave Hovingh, support by Mark Dykstra.**

Motion Carried

- Applicant was in attendance.
 - Chairman Costen asked the applicant to explain the reason for his request for the variance.
 - The applicant waived his right to speak at that time and asked for active conversation throughout the process.
 - Applicant deferred to his builder, Mitch Feenstra, as his personal representative.
- Public Comment:
 - Tom Smedley: 7770 – 56th Ave
 - Offered support for the applicant's application
 - Joe DeZeeuw: 7391 Port Sheldon St
 - Opposed to the new facility but does not want that to cause the business to have to close.
- **Motion to close the public hearing at 7:17 pm was made by Dave Hovingh, support by Brett Huizenga.**

Motion Carried

- Discussion was had by the members of the ZBA.
- Board's motions on each of the standards:
 - The enforcement of the literal requirements of this Ordinance **[would/would not]** involve practical difficulties for the following reasons:
 - **Motion made by Bruce Costen, support by Dave Hovingh that the enforcement of the literal requirements of this Ordinance WOULD involve practical difficulties because it would cause the limited ability for expansion and the limited ability for improvement that can be made to the current use, and these constitute an unnecessary hardship.**
 - Such a variance **[is/is not]** necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and in the vicinity for the following reasons:
 - **Motion made by Dave Hovingh, support by Brett Huizenga, that a variance IS NOT necessary for the preservation and enjoyment of substantial property right possessed by other properties in the same zoning district because it would allow for a commercial building on residential property.**

Motion Carried 5-0

Motion Carried 5-0

- The special conditions or circumstances **[exist/do not exist]** which are peculiar to the land, structures or buildings involved and which **[are/are not]** applicable to other lands, structures or buildings in the same zoning district for the following reasons:

- ***Motion made by Bruce Costen, support by Dave Hovingh, that special conditions or circumstances DO exist which ARE peculiar to the land, structures or buildings involved and which ARE NOT applicable to other lands, structures or buildings in the same zoning district because the history and the use that has occurred on the property for 50+ years is unique to the vicinity.***

Motion Carried 5-0

- The authorizing of such variance **[will/will not]** be of substantial detriment to the other lands and uses and **[will/will not]** be contrary to the spirit and purpose of this Ordinance for the following reasons:

- ***Motion made by Dave Hovingh, support by Bruce Costen, that authorizing of such a variance WILL NOT be of substantial detriment to the other lands and uses and WILL be contrary to the spirit and purpose of this Ordinance because it establishes a commercial building and use in a residential district and this is not consistent with the spirit of the zoning ordinance.***

Motion Carried 5-0

- **Motion made by Dave Hovingh, support by Bruce Costen, that the Zoning Board of Appeals hereby finds that the standards of Section 16.07 of the Zoning Ordinance ARE NOT satisfied for the reasons set forth in the record stated above and hereby DENIES the requested use variance to allow for operation expansion of Sheldon Meats on 7405 Port Sheldon Street (PPN 70-13-21-400-030) as illustrated on the variance application dated March 24, 2021, subject to further review by the Blendon Township Planning Commission.**

- Roll Call Vote:

- Aye: Costen, Dykstra, Huizenga, Hovingh, Hoving
- Nay: None

Motion Carried 5-0

9. Adjournment:

- a) With no further business brought before the board, a ***motion was made Mark Dykstra, support by Brett Huizenga, to adjourn the meeting at 9:15 pm.***

Recorded by Tina Vander Schuur
Submitted by Joel Hoving, Secretary