

GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS – REGULAR MEETING

Township Board Room - 8555 Kalamazoo Ave. S.E. Caledonia, MI 49316

DRAFT Agenda

7:00 p.m. – Wednesday May 8th, 2024

- I. Call to Order and Roll Call**
- II. Consideration of the Meeting Agenda**
- III. Consideration of Meeting Minutes**
April 12th, 2023 – Regular Meeting
- IV. Inquiry of Conflict of Interest**
- V. Advertised Public Hearing**
 - 1. 1267 100th Street (A-R, Agricultural/ Rural-Residential)**
Dimensional Variance - Setbacks
 - 2. 3241 Muff Ridge Lane (A-R, Agricultural/ Rural-Residential)**
Dimensional Variance – Unique Geographic Conditions
 - 3. 225 Sorrento Drive (A-R, Agricultural/ Rural-Residential)**
Dimensional Variance - Setbacks
- VI. General Discussion Items**
- VII. Other Reports**
- VIII. Adjournment**

*Please note that advertised public hearings will not start before the noted time, but may start later due to the length of other agenda items. All interested persons are invited to attend and participate. Persons with disabilities needing accommodation for effective participation in the meeting should contact the Township Office at 616-698-6640 one week in advance to request mobility, visual, hearing or other assistance.

**DRAFT MINUTES OF THE GAINES CHARTER TOWNSHIP ZONING BOARD OF APPEALS REGULAR
MEETING
HELD ON APRIL 12TH, 2023
GAINES CHARTER TOWNSHIP
8555 KALAMAZOO AVENUE SE CALEDONIA, MICHIGAN 49316**

I. CALL TO ORDER AND ROLL CALL

Chair Werkema called the meeting to order at 7:00 PM.

MEMBERS PRESENT: Hilton, Kooiman, Peacock, Ringnalda, Werkema, and Wiersema

MEMBERS ABSENT: None

OTHERS PRESENT: Dan Wells, Community Development Director; Michelle Renner-Lewis, Administrative Assistant

II. CONSIDERATION OF MEETING AGENDA

III. CONSIDERATION OF MEETING MINUTES

Motion: Motion by Wiersema, support by Ringnalda to approve the Zoning Board of Appeals regular meeting minutes from February 8th, 2023, as presented.

Discussion: None

Ayes: Hilton, Kooiman, Ringnalda, Werkema, and Wiersema

Nays: None

Abstain: None

Decision: Motion carried (5-0).

IV. INQUIRY OF CONFLICT OF INTEREST

V. PUBLIC HEARING

- 1. 10664 Eastern Avenue – Agricultural/Rural-Residential (A-R) Zoning District (Parcel Number 41-22-32-300-054).** *A request for a dimensional variance to reduce the front yard setback of the front (western) property line to fifteen feet from the sixty-foot requirement to construct a 1,600-square-foot accessory building.*

Applicant Madsen stated that he is requesting to construct a pole barn in the front yard of his property within the required setbacks. The terrain of his property limits the buildable space where the pole barn can be constructed.

Planner Wells stated that the neighbor submitted a letter of support for the variance (see Exhibit 1).

Chair Werkema opened the public hearing at 7:10 PM. No public comment was made. Chair Werkema closed the public hearing at 7:10 PM.

Motion: Motion by Hilton, support by Wiersema to enter the staff report into the public record.

Discussion: None

Ayes: Hilton, Kooiman, Ringnalda, Werkema, and Wiersema

Nays: None

Abstain: None

Decision: Motion carried (5-0).

Motion: Motion by Kooiman, support by Ringnalda to enter the letter of support into the public record.

Discussion: None

Ayes: Hilton, Kooiman, Ringnalda, Werkema, and Wiersema

Nays: None

Abstain: None

Decision: Motion carried (5-0)

Chair Werkema discussed the standards of review as outlined in the staff report. Chair Werkema found that the first three standards of review have been met for the reasons outlined in the staff report.

While reviewing the visual impacts of the variance request under Standard 4, Member Wiersema stated that the Type I Buffer requirement defined in the zoning ordinance should be rewritten for clarification purposes. For the sake of this request, Member Wiersema found that the vegetation on the property satisfies the requirements of a Type I Buffer. Consensus among the members that Standard 4 is met. Standard 5 was found to be met for the reasons outlined in the staff report.

Motion: Motion by Hilton, support by Ringnalda to approve the dimensional variance to reduce the front yard setback of the front (western) property line to fifteen feet from the sixty-foot requirement to construct a 1,600-square-foot accessory building for 10664 Eastern Avenue.

Discussion: None

Ayes: Hilton, Kooiman, Ringnalda, Werkema, and Wiersema

Nays: None

Abstain: None

Decision: Motion carried (5-0)

2. GENERAL DISCUSSION

None.

3. OTHER REPORTS

None.

4. ADJOURNMENT

Motion by Ringalda, support by Kooiman to adjourn at 7:29 PM.

CERTIFICATION

I hereby certify that the above is a true copy of the minutes from April 12th, 2023, Regular Meeting of the Gaines Charter Township Zoning Board of Appeals held at the time and place mentioned above pursuant to the required statutory procedures.

Respectfully submitted,

Matt Kooiman
Secretary
Gaines Charter
Township Zoning
Board of Appeals

Dated: _____, 2023

Gaines Charter Township

Zoning Board of Appeals Memo

Meeting Date: May 8th, 2024

AGENDA ITEM: V.1

REQUEST: Dimensional Variance

ADDRESS: 1267 100th Street SE

PARCEL NUMBER: 41-22-29-400-052

APPLICANT: Dan & Tiffany Brown

FILE NUMBER: 240329DB

**PROPERTY ZONING DISTRICT:
Agricultural/Rural-Residential (A-R)**

PROPERTY SIZE: 2.7 Acres

**REPORT BY: Dan Wells, Community
Development Director**



OVERVIEW

The applicant is requesting a dimensional variance to reduce the side yard accessory building setback of the southern property line from 20 feet to 10 feet (a 10-foot variance from the ordinance requirement). If approved, the applicant will submit zoning and building permits to construct a 960-square-foot accessory building.

The natural location for an accessory building at the terminus of the driveway and off the southwest corner of the house is the location of the septic drainfield and septic reserve field, which is also subject to setback restrictions (see attached sketch map by Kent County Sanitarian).

The other natural location for an accessory building would be the front yard (Accessory buildings are allowed in front yards in the Agricultural/Rural-Residential (A-R) zoning district if constructed a minimum of 60 feet from the front property line), but that area is wetland (Mixed Hardwood Swamp per EGLE).



<https://www.mcgi.state.mi.us/wetlands/mcgiMap.html#>

SURROUNDING ZONING:

	NORTH: Agricultural/Rural-Residential (A-R)	
WEST: Agricultural/Rural-Residential (A-R)	SUBJECT PARCEL	EAST: Agricultural/Rural-Residential (A-R)
	SOUTH: Agricultural/Rural-Residential (A-R) (Sikkema Equipment)	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Chapter 26, Section 26.8 (D) Non-Use (Dimensional) Variances. The Zoning Board of Appeals must find that all standards in this report are satisfied to grant a variance.

1. The predicament is caused by exceptional, unique, or extraordinary physical conditions, dimensions, or circumstances that directly relate to the subject lot or parcel rather than the individual situation or desire of the applicant or property owner (see definition of “unique circumstance”).

“Unique Circumstance”: An exceptional, unique, or extraordinary physical condition that is one of the following:

- 1. Exceptional narrowness of the width or depth of a lot or parcel, or an irregular shape, as compared to a conforming lot or parcel.*
- 2. Exceptional natural or topographic features located on the lot or parcel, such as steep slopes, surface water features, existing significant trees, or other unique or extreme physical conditions of the land.*
- 3. Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional features of the land.*
- 4. Other natural, topographic, built, or dimensional conditions or characteristics of land, lot, or parcel, which are determined by the Zoning Board of Appeals as exceptional or extraordinary*

Meets standard. The request for a side yard setback reduction from 20 feet to 10 feet stems from unique circumstances under #4, namely natural wetlands located on the property, and the location of the required septic drainfield and reserve area that is necessary for the residential use of the property. Below is a topographic map of the property:



2. The variance is necessary for the preservation and enjoyment of a substantial property right which is similar to that possessed by other landowners in the same Zoning District and vicinity and does not grant special privileges to the applicant that are not available to the owners of these properties.

Meets standard. The landowner desires to build a 960 SF pole barn, a common accessory structure utilized by many residents in the A-R zoning district. Approving the dimensional variance request would not grant special privileges to the applicant. A 10-foot encroachment on the required 20-foot side yard setback is being requested due to natural site conditions and the location of the required septic system. If there are other property owners in the same zoning district that were unable to reasonably develop their properties due to similar exceptional physical conditions, they could apply for a dimensional variance as well. Staff does not believe that the physical site conditions present on the subject parcel allow for the property to be reasonably developed for a use normally allowed by right.

3. The practical difficulty for which the variance is requested does not result from a self-created problem by the applicant, current landowner, or any previous landowner of the property involved (see definition of "self-created problem").

Self-Created Problem: A problem that occurs, results, or exists from one or more of the following conditions:

- 1. A problem that occurs when one can reasonably develop a property in a compliant manner, but the landowner or applicant's personal desires and preferences for property development do not align with zoning requirements.*
- 2. A problem that occurs when a property is currently built-out under current zoning constraints, but the landowner or applicant's personal desires and preferences for expansion do not align with zoning requirements.*
- 3. A problem that results from the action, preference, or desire of the landowner or applicant that is not a result of a unique characteristic of the property.*
- 4. A problem that exists because the landowner, previous landowner, or applicant took a specific action that created the need for the variance, such as adjusting a lot line, constructing a building, or developing a site in a manner that does not allow future compliant construction, building expansion, or site development.*

Meets Standard. After reviewing the request and site conditions, staff does not believe that the variance is being requested due to a self-created problem. The property is limited in buildable area compared to its overall size due to the presence of natural wetlands and required placement of the septic system.

4. The variance will not be detrimental to the public welfare, injurious to neighboring properties, or change the essential character of the neighborhood.

Meets standard. The proposed location of the accessory building will still provide an adequate buffer between the edge of the building and the neighboring property to the south, more in line with setbacks for Low Density Residential (which would be 8 feet). The main impact of an accessory building this close to a property line would be a visual impact on surrounding properties, but it will be adjacent to Sikkenga Equipment and storage areas. The applicant has discussed the proposed location with the owner of Sikkenga Equipment.

5. The variance is consistent with the purpose and intent of the Master Plan and the intent and provisions of the Zoning Ordinance and Zoning District designation of the subject property.

Meets Standard. The 2023 Master Plan designates this parcel as “Rural.” Given that the rural future land use category applies to single-family detached home residential uses, staff believes that the request is consistent with the purpose and intent of the master plan.

The intent and purpose of Section 20.2 of the GCTZO is to promote consistent rules for the placement of buildings and structures within the A-R zoning district and to buffer accessory buildings from surrounding properties.

STAFF RECOMMENDATION

If ZBA determines all the standards for a dimensional variance are met, approval of the application is recommended with no conditions.

1267 100th Street



1267 100th Street



1267 100th Street



Front Yard

1267 100th Street



End of Driveway. Proposed Location.

1267 100th Street



Back Yard/Drainfield.

Water Supply/Waste Water Disposal Permit
Location Details/Specifications

Page 2

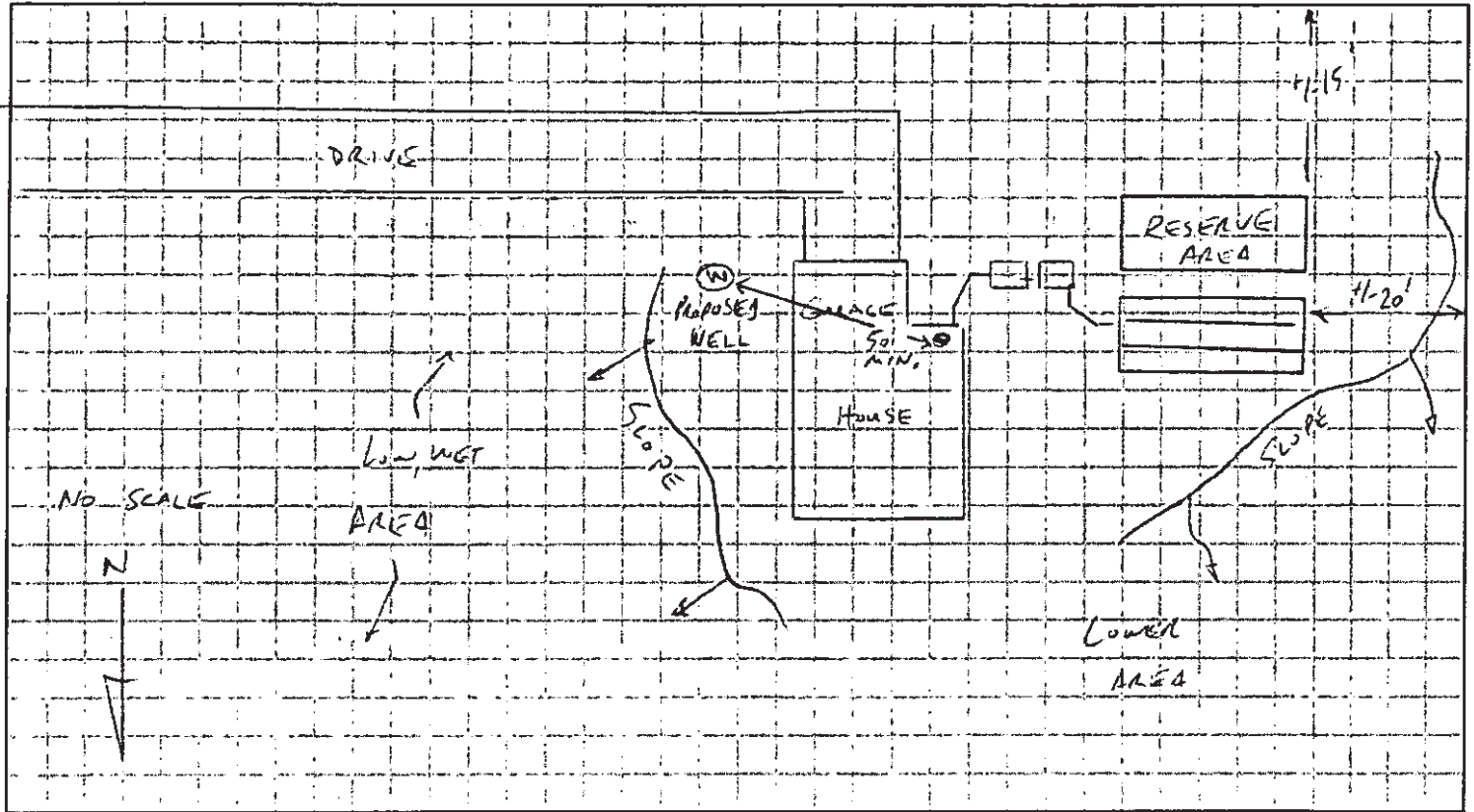
Location/Address: 1267 100TH ST. SE

City, Village, or Twp.: GARNET Subdivision & Lot No.:

Lot Plan

(See page 1 of permit for additional system details)

LOW LINE



Comments

Signature of Sanitarian:

[Handwritten signature]

Date Issued:

10/17/05

✓ Approved
1289 - Tellkamp

✓ Approved
1299 - Lieske, M

✓ Approved
1289 - Lieske, C

✓ Approved
1285 - Fryling

✓ Approved
1273 - Bruno

✓ Approved
1275 - Diegel

✓ Approved
1273 - Pazdur

✓ Approved
1271 - Heiss

✓ Approved
1269 - Mete

✓ Approved
1267 - Brown

✓ Approved
1305 - Gregg

✓ Approved
1307 - Johnson

✓ Approved
1235 - Woronko

✓ Approved
1259 - Tyrrell

✓ Approved
1321 - Barnaby

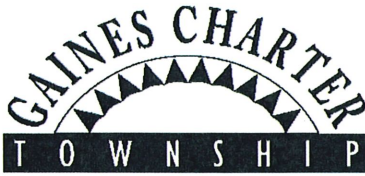
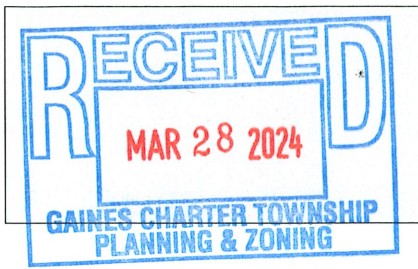
✓ Approved
1179
Wisner

100th St SE

100th St SE

We, the undersigned neighbors, hereby acknowledge and approve the proposed variance request for Daniel and Tiffany's property. We believe that the requested dimensional/use variance does not negatively impact our properties, the character of the neighborhood, or any other concerns outlined in the requirements. We support Daniel and Tiffany's efforts to improve the property in the proposed manner as it is consistent with the neighborhood's character and appreciate the consideration given to potential impacts on the community.

Name	Property Number	Signature	Date
DAVID METE	1269-100 th ST	David M. Mete	3/7/24
Ryan Pazdur	1273-100 th ST	Ryan Pazdur	3/7/24
David Diegel	1275 100 th ST	David Diegel	3/7/24
Lindsey Fryling	1285 100 th ST	Lindsey Fryling	3/7/24
Heidi LeGarde	1289 100 th ST	Heidi LeGarde	3-7-24
Ch. Tellez	1295 100 th	Ch. Tellez	3-7-24
Bob Woronko	1235 100 th St. S.E.	Bob Woronko	3-13-24
Brittany Tyrrell	1259 100 th St SE	Brittany Tyrrell	3-13-24
Bill Johnson	1307 100 th St SE	Bill Johnson	3-13-24
Gregg Bruno	1277 100 th St SE	Gregg Bruno	3/13/24
Stephen Harris	1271 100 th St SE	Stephen Harris	3/13/24
Elizabeth Barnaby	1321 100 th SE	Elizabeth Barnaby	3/19/24
Steve & Holly Gregg	1305 100 th St SE	Holly J. Gregg	3/25/2024
Matt Lieske	1299 100 th St SE	Matt Lieske	3/25/2024
Ben Wisner	1179 100 th St SE	Ben Wisner	3-26-24



FILE NO. 240329DB

8555 Kalamazoo Avenue SE • Caledonia MI 49316
Ph: 616 698-6640 • Fax: 616 698-2490
www.gainestownship.org

Zoning Board of Appeals Application

Project Address	1267 100th st se Byron Center MI 49315		
Owner Name	Daniel and Tiffany Brown		
Owner Address	Street Address 1267 100th st se	City, State, Zip Byron Center, MI 49315	
Parcel Number(s):	41-22- 29-400-052	41-22-	
Description of Proposed Project/Use	Construction of an accessory garage 10ft from the property line.		

Applicant/Contact	Daniel Brown		
Applicant/Contact Address	Street Address 1267 100th st se	City, State, Zip Byron Center, MI 49315	
Contact Info	Home / Office / Cell 616-306-8004	E-Mail dan@brown.plus	
<i>"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.</i>			
Signature			
Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.			

Township Use Only

Current Zoning District: RL-14 RL-10 R-3 R-4 C-1 C-2 O-S I-1 I-2 PUD A-R A-B			
One / Two Family Construction ☐	Zoning Board of Appeals ☐	Planning Commission ☐	Land Combination ☐
Site Plan Review ☐	Rezoning / PUD Rezoning ☐	PUD Amendment ☐	Land Division ☐
Subdivision / Site Condo Review ☐	Special Use Permit ☐		Lot Line Adjustment ☐
Other:			
Approved ☐	Approved with Conditions ☐	Denied ☐	Withdrawn ☐
Zoning Administrator:			Date:

Site Plan

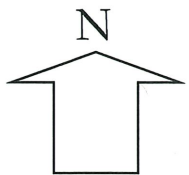
Please Show:

- The property lines and their dimensions.
- The location, dimensions, setbacks, minimum building openings and distance between all existing and proposed structures.
- The gross floor area, listed by floor level, including basements.
- The location of all roads bordering or private drives/easements on the property.
- The location of all bodies of water, easements, utility lines, sidewalks, drives, septic systems, drain, and other improvements.

Please Note: Setbacks must be measured from the edge of the street right of way (which is not the edge of the pavement) or from the edge of an access easement. Staff reserves the right to determine whether or not an application is complete.



Gross Floor Area Calculations



Main Floor: 0 Second Floor: 0 Basement: 0 Total: 960 Garage: 960

Variance Request - Applicant Worksheet

File No.

Indicate your request type and the applicable Section(s) of the zoning ordinance.
Leave blank if uncertain.

☒ Dimensional (Area) Variance

Section(s) 26.8.D

☐ Use Variance

Section(s)

☐ Interpretation / Appeal of Zoning Administrator *

Section(s)

* Attach a narrative of your comments regarding the interpretation/appeal.

Applicant Response to Variance Standards

ZBA must find that all standards under A) are met for Dimensional (Area) Variance,
OR
all under B) for Use Variance approval

1. A) Does the property display any unique circumstances that justify the need for the dimensional variance request, rather than the individual situation or desire of the applicant? (See definition of "unique circumstance.")

OR

B) Is the use variance necessary due to the unique condition, location, or situation of the property in relation to the permitted and special land uses categorized within the applicable Zoning District?

Yes, the property exhibits unique circumstances that warrant the dimensional variance request.

The topography of the land necessitates the current location of the septic drainage field, preventing the construction of a structure on alternative sites. Attempting to relocate the field elsewhere poses a significant risk of flooding to the house basement and back yard of residential neighbors to the north. This unique circumstance directly stems from the natural features of the land, establishing a clear need for the requested dimensional variance. In addition, the property uniquely borders a commercial industrial company imposing privacy troubles that would be mitigated with this variance.

2. A) Would approval of the variance request grant special privileges to the property owner requesting the dimensional variance that are not held by landowners in the same zoning district or vicinity?

OR

B) Does the unique nature of the property prevent the establishment of all other reasonable and appropriate permitted and special land uses categorized within the applicable Zoning District.

The variance request does not grant special privileges; it addresses unique property conditions related to topography and existing features. Approval is essential as these conditions prevent the establishment of other reasonable land uses in line with the neighborhood's character, demonstrated by similar structures owned by most landowners on the street. Alternative building locations would be impractical without compromising the property's integrity or risking adverse impacts on neighboring properties due to the level of construction required to build in any other area.

3. A) Is the practical difficulty for which the dimensional variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

OR

B) Is the hardship for which the use variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

The unique challenges are inherent to the property's topography and existing conditions, specifically related to the septic drainage field's required location, which dictates the placement of any structure. These constraints are not the result of personal desire, convenience, or preference but are rather a consequence of the natural features of the land.

4. For A) & B) If approved, will the dimensional or use variance cause detriment to the public welfare, injury to neighboring properties, or change the essential character of the neighborhood? If so, please explain.

The proposed variance is designed to address the unique conditions of the property, and its approval would contribute

positively to the surrounding area. The new structure would serve as a communal sound barrier, benefiting both

residential and commercial areas. It will also enhance privacy for both the landowner and the neighboring commercial business.

Importantly, the proposed location occupies space that is otherwise unusable and would not be detrimental to the area.

The overall impact aligns with the neighborhood's character and contributes to the well-being of the community.

5. For A) & B) To the best of your knowledge, is the dimensional or use variance request consistent with the purpose and intent of the Master Plan, Gaines Charter Township Zoning Ordinance, and zoning district designation of the property?

Yes, to the best of my knowledge, the dimensional or use variance request is consistent with the

purpose and intent of the Master Plan, Gaines Charter Township Zoning Ordinance, and the

zoning district designation of the property. The proposed improvements, such as the construction

of a detached structure, align with the neighborhood's character and contribute positively to the

surrounding area. The variance supports increased property utility, value, and the overall quality of

the neighborhood. Additionally, the proposed pole barn complements the Agricultural/Rural-

Residential zone, enhancing the rural character and fulfilling the intended use of the area.

Gaines Charter Township

Zoning Board of Appeals Memo

Meeting Date: May 8th, 2024

AGENDA ITEM: V.2

REQUEST: Dimensional Variance

ADDRESS: 3241 Muff Ridge Lane

PARCEL NUMBER: 41-22-26-301-005

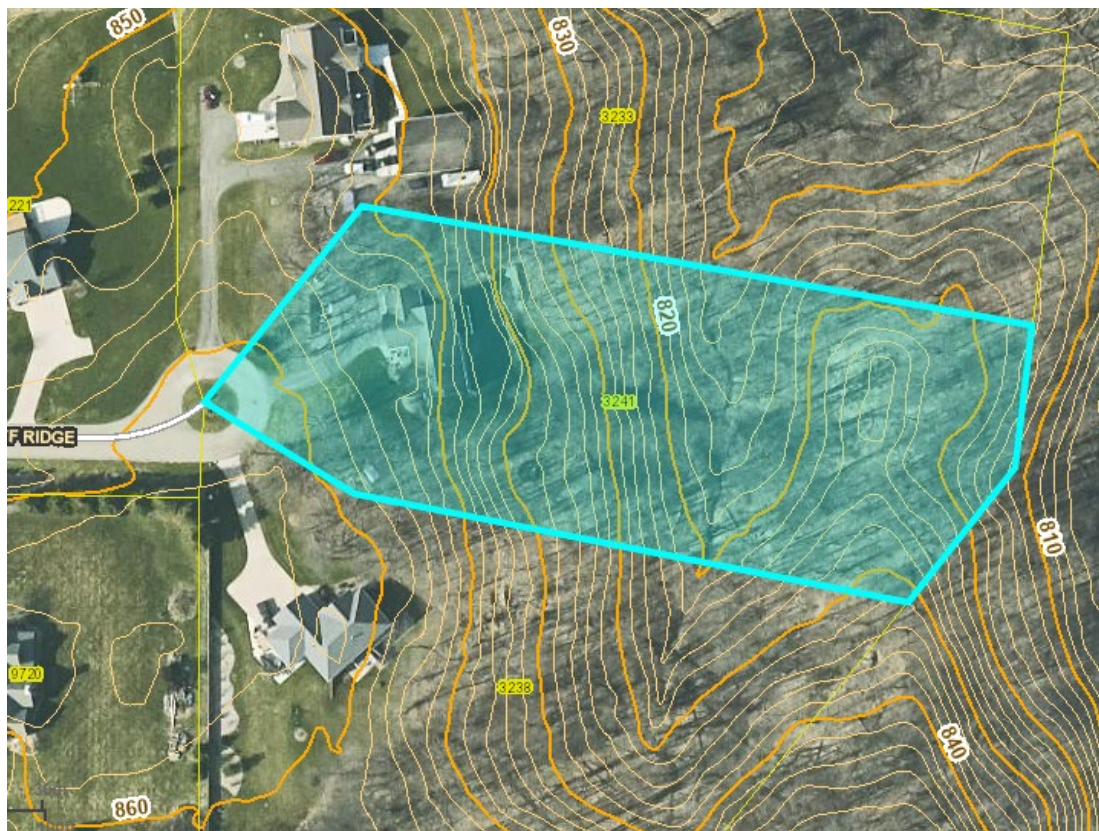
APPLICANT: Matt & Eve Wynalda

FILE NUMBER: 240409MW

**PROPERTY ZONING DISTRICT:
Agricultural/Rural-Residential (A-R)**

PROPERTY SIZE: 2.2 Acres

**REPORT BY: Dan Wells, Community
Development Director**



OVERVIEW

The applicant is requesting a dimensional variance for two reductions in setbacks; first, to reduce the front yard setback for an accessory building from an access easement from 60 feet to 52 feet (an eight-foot variance from the ordinance requirement), and second, to reduce the side yard setback for an accessory building from 20 feet to 9 feet (an eleven-foot variance from the ordinance requirement). The proposed location is the only remaining flat area on the parcel conducive to building an accessory structure.

If approved, the applicant will submit zoning and building permits to construct a 1,925-square-foot 35x55 foot accessory building. The front setback variance is requested because the topography of the site complicates placing the building any further back due to the steep slope of the land. The side setback variance is requested because the presence of a wellhead in the front yard(?) prevents it from being placed to the north of the proposed location.

An access easement forms the line from which the front setbacks are measured. Accessory buildings are allowed in front yards in the Agricultural/Rural-Residential (A-R) zoning district if constructed a minimum of 60 feet from the front property line and a Type 1 Buffer is provided. Placing the building further east would put it over a significant slope that would normally be considered unbuildable. Placing it further north would put it over a wellhead which is not permitted unless it's abandoned.

The surrounding zoning is:

	NORTH: Agricultural/Rural-Residential (A-R)	
WEST: Agricultural/Rural-Residential (A-R)	SUBJECT PARCEL	EAST: Agricultural/Rural-Residential (A-R)
	SOUTH: Agricultural/Rural-Residential (A-R)	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Chapter 26, Section 26.8 (D) Non-Use (Dimensional) Variances. The Zoning Board of Appeals must find that all standards in this report are satisfied to grant a variance.

1. The predicament is caused by exceptional, unique, or extraordinary physical conditions, dimensions, or circumstances that directly relate to the subject lot or parcel rather than the individual situation or desire of the applicant or property owner (see definition of "unique circumstance").

"Unique Circumstance": An exceptional, unique, or extraordinary physical condition that is one of the following:

1. Exceptional narrowness of the width or depth of a lot or parcel, or an irregular shape, as compared to a conforming lot or parcel.

2. *Exceptional natural or topographic features located on the lot or parcel, such as steep slopes, surface water features, existing significant trees, or other unique or extreme physical conditions of the land.*
3. *Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional features of the land.*
4. *Other natural, topographic, built, or dimensional conditions or characteristics of land, lot, or parcel, which are determined by the Zoning Board of Appeals as exceptional or extraordinary*

Meets standard. The request for a front yard setback reduction from 60 feet to 15 feet stems from a unique circumstance, namely #2, exceptional topographic features that are located on the property. Below is a topographic map of the property:



As shown above, the gentlest slope on the parcel is located south of the existing home; the contour lines on the remainder of the property represent a steep increase/decrease in elevation. The front yard directly west of the home would be a viable option if the wellhead were not located there. Given the site conditions, staff believes that a unique circumstance is present, which supports the need for a variance.

2. The variance is necessary for the preservation and enjoyment of a substantial property right which is similar to that possessed by other landowners in the same Zoning District and vicinity and does not grant special privileges to the applicant that are not available to the owners of these properties.

Meets standard. Approving the dimensional variance request would not grant special privileges to the applicant. If there are other property owners in the same zoning district that are unable to reasonably develop their properties due to exceptional physical conditions, they would be able to apply for a dimensional variance as well. Staff does not believe that the physical site conditions present on the subject parcel allow for the property to be reasonably developed for a use normally allowed by right.

3. *The practical difficulty for which the variance is requested does not result from a self-created problem by the applicant, current landowner, or any previous landowner of the property involved (see definition of “self-created problem”).*

Self-Created Problem: A problem that occurs, results, or exists from one or more of the following conditions:

1. *A problem that occurs when one can reasonably develop a property in a compliant manner, but the landowner or applicant’s personal desires and preferences for property development do not align with zoning requirements.*
2. *A problem that occurs when a property is currently built-out under current zoning constraints, but the landowner or applicant’s personal desires and preferences for expansion do not align with zoning requirements.*
3. *A problem that results from the action, preference, or desire of the landowner or applicant that is not a result of a unique characteristic of the property.*
4. *A problem that exists because the landowner, previous landowner, or applicant took a specific action that created the need for the variance, such as adjusting a lot line, constructing a building, or developing a site in a manner that does not allow future compliant construction, building expansion, or site development.*

Undetermined. The ZBA will have to make a determination as to what is “reasonable” in this case. The landowner has requested the variances based on the desire to construct a 35x55 foot (1,950 SF) accessory building. If a smaller building was constructed it could potentially fit within the setbacks. A 24x46 foot barn (1,104 SF) would potentially fit into the front and side setbacks.

If it is determined that a larger barn that doesn’t fit into the required setback is reasonable, and not just landowner preference, then standards 3.1-3.4 can be met.

Another point to consider; a 1,950 SF pole barn would be allowed “by right” on a lot this big in the A-R zone. For reference, the neighbor to the north has a 34x46 foot (1,564 SF) accessory building.

4. *The variance will not be detrimental to the public welfare, injurious to neighboring properties, or change the essential character of the neighborhood.*

Meets standard. The main impact of an accessory building at this location would be a visual impact on surrounding properties. The proposed location of the accessory building would provide an adequate vegetative buffer between the edge of the building and the neighboring property to the south if it remains vegetated, but it would be highly visible from the road.

Accessory buildings are allowed in the front yard in A-R zones with a Type I Buffer between the proposed accessory building and the access easement. The zoning ordinance defines a Type I Buffer as:

Buffer, Type I: A linear strip of land within any Yard as required by various sections throughout this Ordinance, at least ten (10) feet in width measured horizontally, providing a slight vegetative buffer, or natural equivalent, consisting of at least three (3) plantings for each thirty (30) linear feet, or fraction thereof, one (1) of which shall be evergreen and at

least four (4) feet in height, and the other two (2) of which shall be not less than six (6) feet in height and capable of growing to a height at maturity at least twenty (20) feet.

If the variance is approved, staff recommends a condition that the Type 1 buffer standard be met prior to final inspection, whether that be through utilizing the existing vegetation or requiring new plantings.

5. The variance is consistent with the purpose and intent of the Master Plan and the intent and provisions of the Zoning Ordinance and Zoning District designation of the subject property.

Meets Standard. Residential accessory buildings are common in A-R zoning districts, and there are provisions for placement in front yards. An accessory building of 1,950 SF would be allowed “by right” on a lot of this size.

The intent and purpose of Section 20.2 of the GCTZO is to promote consistent rules for the placement of buildings and structures within the A-R zoning district and to buffer accessory buildings from surrounding properties. In this specific location, the front yard setback is defined by an access easement, rather than the lot line.

STAFF RECOMMENDATION

ZBA must consider whether the request for the variance is reasonable to narrow the setbacks for the 1,950 SF accessory building.

If all the standards for a dimensional variance are determined to be met, approval of the variance is recommended with one condition:

Type 1 buffer standard for the front elevation be met prior to final inspection.

Name: _____
Date: _____
Page: _____

GAINES CHARTER
SCHOOL DISTRICT
10000 10th Avenue, NW
Edmonton, Alberta T6E 6K6
Tel: (780) 443-1000
Fax: (780) 443-1001
www.gaines.ca

Home: 10000 10th Avenue, NW
Edmonton, Alberta T6E 6K6
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www.gaines.ca

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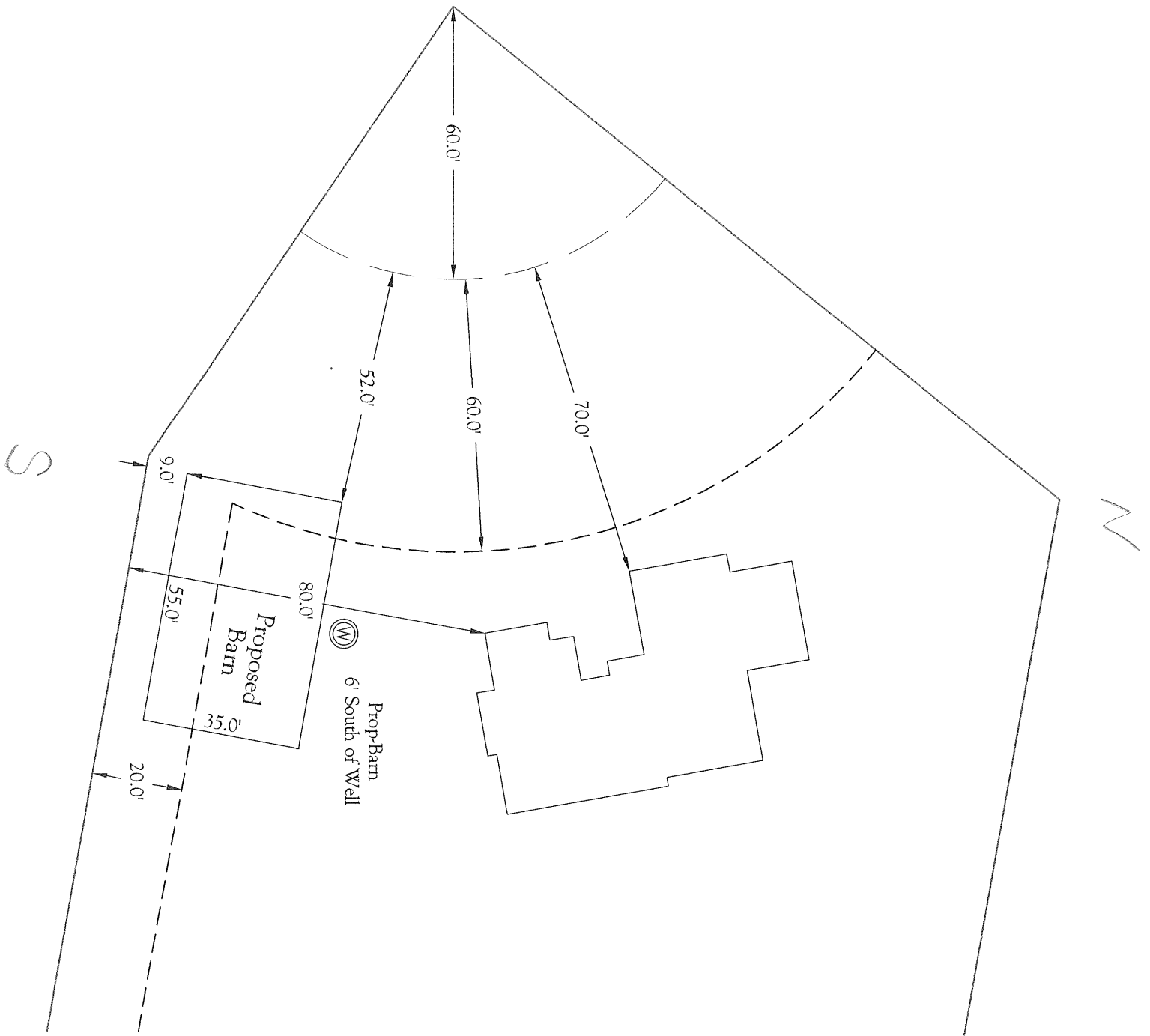
Thank you!
Mrs.

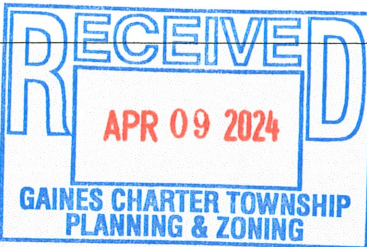












FILE NO. 240409MW

8555 Kalamazoo Avenue SE • Caledonia MI 49316
Ph: 616 698-6640 • Fax: 616 698-2490
www.gainestownship.org

Zoning Board of Appeals Application

Project Address	3241 Muff Ridge Lane Caledonia 49316		
Owner Name	Matt & Eve Wynalda		
Owner Address	Street Address	City, State, Zip	
	3241 Muff Ridge Lane	Caledonia MI 49316	
Parcel Number(s):	41-22- 26-301-005	41-22-	
Description of Proposed Project/Use	Building of personal barn		

Applicant/Contact	Matt & Eve Wynalda		
Applicant/Contact Address	Street Address	City, State, Zip	
	3241 Muff Ridge	Caledonia MI 49316	
Contact Info	Home / Office / Cell	E-Mail	
	616-240-9551 & 616-283-2169	mattwynalda@charter.net	
<i>"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.</i>			
Signature	Matt Wynalda		
Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.			

Township Use Only

Current Zoning District:	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B
One / Two Family Construction ☐	Zoning Board of Appeals ☒		Planning Commission ☐		Land Combination ☐							
Site Plan Review ☐	Rezoning / PUD Rezoning ☐		PUD Amendment ☐		Land Division ☐							
Subdivision / Site Condo Review ☐	Special Use Permit ☐		Lot Line Adjustment ☐									
Other: VARIANCE REQUEST												
Approved ☐	Approved with Conditions ☐		Denied ☐		Withdrawn ☐							
Zoning Administrator:											Date:	

Variance Request - Applicant Worksheet

File No.

Indicate your request type and the applicable Section(s) of the zoning ordinance.
Leave blank if uncertain.

☒ Dimensional (Area) Variance

Section(s) _____

☐ Use Variance

Section(s) _____

☐ Interpretation / Appeal of Zoning Administrator *

Section(s) _____

* *Attach a narrative of your comments regarding the interpretation/appeal.*

Applicant Response to Variance Standards

*ZBA must find that all standards under A) are met for Dimensional (Area) Variance,
OR
all under B) for Use Variance approval*

1. A) Does the property display any unique circumstances that justify the need for the dimensional variance request, rather than the individual situation or desire of the applicant? (See definition of "unique circumstance.")

OR

B) Is the use variance necessary due to the unique condition, location, or situation of the property in relation to the permitted and special land uses categorized within the applicable Zoning District?

A) property is unique due to the nature of the downward slop and hilly grades of the land, the proposed location is the only flat area that will keep the woods preserved. When you review the property due to the 'ravines' and drop off that run into the stream, this proposed area on the property allows for the most stable build.

2. A) Would approval of the variance request grant special privileges to the property owner requesting the dimensional variance that are not held by landowners in the same zoning district or vicinity?

OR

B) Does the unique nature of the property prevent the establishment of all other reasonable and appropriate permitted and special land uses categorized within the applicable Zoning District.

B) due to the downward nature/slope we hardly have any flat ground for a building. The proposed area will need the least amount of excavating/tree removal allowing a minimal change to the views of the property.

3. A) Is the practical difficulty for which the dimensional variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

OR

B) Is the hardship for which the use variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

The land has not been excavated since purchased, it is by nature the property is downward sloped with a drop off/ravine to the east. Due to the positioning of the well we are asking for a variance in the set back to the south and due to the large downgrade the farther east our property runs we are asking for a variance of the west set back.

4. For A) & B) If approved, will the dimensional or use variance cause detriment to the public welfare, injury to neighboring properties, or change the essential character of the neighborhood? If so, please explain.

No - we are planning to build where tree coverage will help blend in the barn. Our house is the farthest from the road front and the proposed area will keep most of the property untouched.

5. For A) & B) To the best of your knowledge, is the dimensional or use variance request consistent with the purpose and intent of the Master Plan, Gaines Charter Township Zoning Ordinance, and zoning district designation of the property?

Yes - we are trying to preserve the integrity of the beautifully wooded lots/area on our street.

Gaines Charter Township

Zoning Board of Appeals Memo

Meeting Date: May 8th, 2024

AGENDA ITEM: V.3

REQUEST: Dimensional Variance

ADDRESS: 225 Sorrento Drive

PARCEL NUMBER: 41-22-19-376-012

APPLICANT: Kevin Diekevers

FILE NUMBER: 240410KD

**PROPERTY ZONING DISTRICT:
Agricultural/Rural-Residential (A-R)**

PROPERTY SIZE: ca. 4.0 Acres

**REPORT BY: Dan Wells, Community
Development Director**



OVERVIEW

The applicant is requesting a dimensional variance to reduce the side yard setback for a proposed residence adjacent to the western property line from 20 feet to 12 feet (an 8-foot variance from the ordinance requirement). If approved, the applicant will submit zoning and building permits to construct a +/- 2,000 SF residence.

The topography of the site complicates where a house can be built due to steep slopes and wetland areas across the parcel, in addition to a pond. There is only one reasonable buildable envelope at the far northwest corner of the parcel. This was the former location of a house that was lost in a fire five years ago. That house was a total loss and has been demolished in its entirety. The owner desires to rebuild in the same location with a similarly sized house since the well and septic drain field are adjacent to where the former house stood. Another natural limitation on house placement is the northwest area is the only part of the parcel with soils that perc.

By ordinance, the proposed residence would be required to be 20 feet from the side (west) property line, however, to preserve the wellhead and connect to the drainfield the house has to encroach into the side setback eight feet, reducing it to 12 feet from the property line.

SURROUNDING ZONING:

	NORTH: Agricultural/Rural-Residential (A-R)	
WEST: Agricultural/Rural-Residential (A-R)	SUBJECT PARCEL	EAST: Agricultural/Rural-Residential (A-R)
	SOUTH: Agricultural/Rural-Residential (A-R)	

STANDARDS OF REVIEW SURROUNDING ZONING:

The request has been reviewed using the applicable review standards of Chapter 26, Section 26.8 (D) Non-Use (Dimensional) Variances. The Zoning Board of Appeals must find that all standards in this report are satisfied to grant a variance.

1. The predicament is caused by exceptional, unique, or extraordinary physical conditions, dimensions, or circumstances that directly relate to the subject lot or parcel rather than the individual situation or desire of the applicant or property owner (see definition of "unique circumstance").

"Unique Circumstance": An exceptional, unique, or extraordinary physical condition that is one of the following:

- 1. Exceptional narrowness of the width or depth of a lot or parcel, or an irregular shape, as compared to a conforming lot or parcel.*
- 2. Exceptional natural or topographic features located on the lot or parcel, such as steep slopes, surface water features, existing significant trees, or other unique or extreme physical conditions of the land.*

3. Extraordinary location of an existing building or structure that allows no other practical or feasible location for expansion because of exceptional features of the land.

4. Other natural, topographic, built, or dimensional conditions or characteristics of land, lot, or parcel, which are determined by the Zoning Board of Appeals as exceptional or extraordinary

Meets standard. The request for a side yard setback reduction from 20 feet to 12 feet stems from a unique circumstance, namely exceptional topographic features located on the property. Below is a topographic map of the property:



As shown above, the gentlest slope on the parcel is located at the northwest corner of the parcel; the contour lines on the remainder of the property represent steep slopes, with about a quarter of the parcel taken up by pond and wetlands. Given the site conditions, staff believes that a unique circumstance is present, which supports the need for a variance.

2. The variance is necessary for the preservation and enjoyment of a substantial property right which is similar to that possessed by other landowners in the same Zoning District and vicinity and does not grant special privileges to the applicant that are not available to the owners of these properties.

Meets standard. Approving the dimensional variance request would not grant special privileges to the applicant. An 8-foot encroachment on the required 20-foot side yard setback is being requested due to the site conditions. If there are other property owners in the same zoning district that are unable to reasonably develop their properties due to exceptional physical conditions, they would be able to apply for a dimensional variance as well. Other than the one location in the northwest, staff does not believe that the physical site conditions present on the subject parcel allow for the property to be reasonably developed for a use normally allowed by right.

3. The practical difficulty for which the variance is requested does not result from a self-created problem by the applicant, current landowner, or any previous landowner of the property involved (see definition of "self-created problem").

Self-Created Problem: A problem that occurs, results, or exists from one or more of the following conditions:

- 1. A problem that occurs when one can reasonably develop a property in a compliant manner, but the landowner or applicant's personal desires and preferences for property development do not align with zoning requirements.*
- 2. A problem that occurs when a property is currently built-out under current zoning constraints, but the landowner or applicant's personal desires and preferences for expansion do not align with zoning requirements.*
- 3. A problem that results from the action, preference, or desire of the landowner or applicant that is not a result of a unique characteristic of the property.*
- 4. A problem that exists because the landowner, previous landowner, or applicant took a specific action that created the need for the variance, such as adjusting a lot line, constructing a building, or developing a site in a manner that does not allow future compliant construction, building expansion, or site development.*

Meets Standard. After reviewing the request and site conditions, staff does not believe that the variance is being requested due to a self-created problem. The parcel was laid out prior to 1997 under different land division laws, and setback requirements.

The property does not currently have a primary residential use, and the property owner did not take a specific action that created the need for the variance. As explained under Standard 1, the house cannot be built in a compliant setback due to natural conditions; well and drainfield locations limit the area in which a residential building permitted by right could be constructed.

4. The variance will not be detrimental to the public welfare, injurious to neighboring properties, or change the essential character of the neighborhood.

Meets standard. The main impact of a house at this location would be a visual impact on the property to the northeast, which is about 85 feet away. There is a tree and hedge line dividing the properties that blocks the view to some degree.

5. The variance is consistent with the purpose and intent of the Master Plan and the intent and provisions of the Zoning Ordinance and Zoning District designation of the subject property.

Meets Standard. The parcel is currently and future zoned for residential use.

The intent and purpose of Section 20.2 of the GCTZO is to promote consistent rules for the placement of buildings and structures within the A-R zoning district and to buffer accessory buildings from surrounding properties. In this specific location, the front yard setback is defined by where the road connects to the property and the rear yard is the south property line.

In one sense, the construction of a house on the property will resolve the issue of it being occupied by an accessory building, which is a non-conforming use without a primary residence.

STAFF RECOMMENDATION

If the ZBA determines all the standards for a dimensional variance are met, approval of the application is recommended with no conditions.

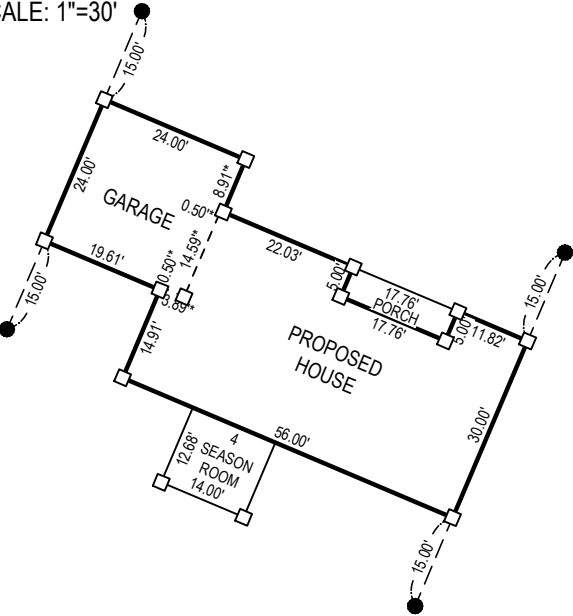
DESCRIPTION

Description: That part of the E 1/2, SW 1/4, Section 19, T5N, R11W, Gaines Township, Kent County, Michigan, described as beginning at a point on the West line of Lot 21 of Monte Vista Plat, said point being 110.0 feet South of the NW corner of said Lot 21; thence North along said West line 110.0 feet; thence N44°41'30"W along the Southwesterly line of Lot 11 (and its extension) 471.98 feet; thence Southwesterly 229.90 feet along a 300.0 foot radius curve to the right, the long chord of which bears S70°47'15"W 224.32 feet to the West line of E 1/2, SW 1/4, said Section 19; thence S00°02"W along said West line 371.72 feet; thence N90°00'E 544.0 feet to the place of beginning. Subject to an easement for drainage and ponding of surface waters as recorded in Liber 1999, Page 1003.

(Survey by others)

HOUSE DETAIL

SCALE: 1"=30'

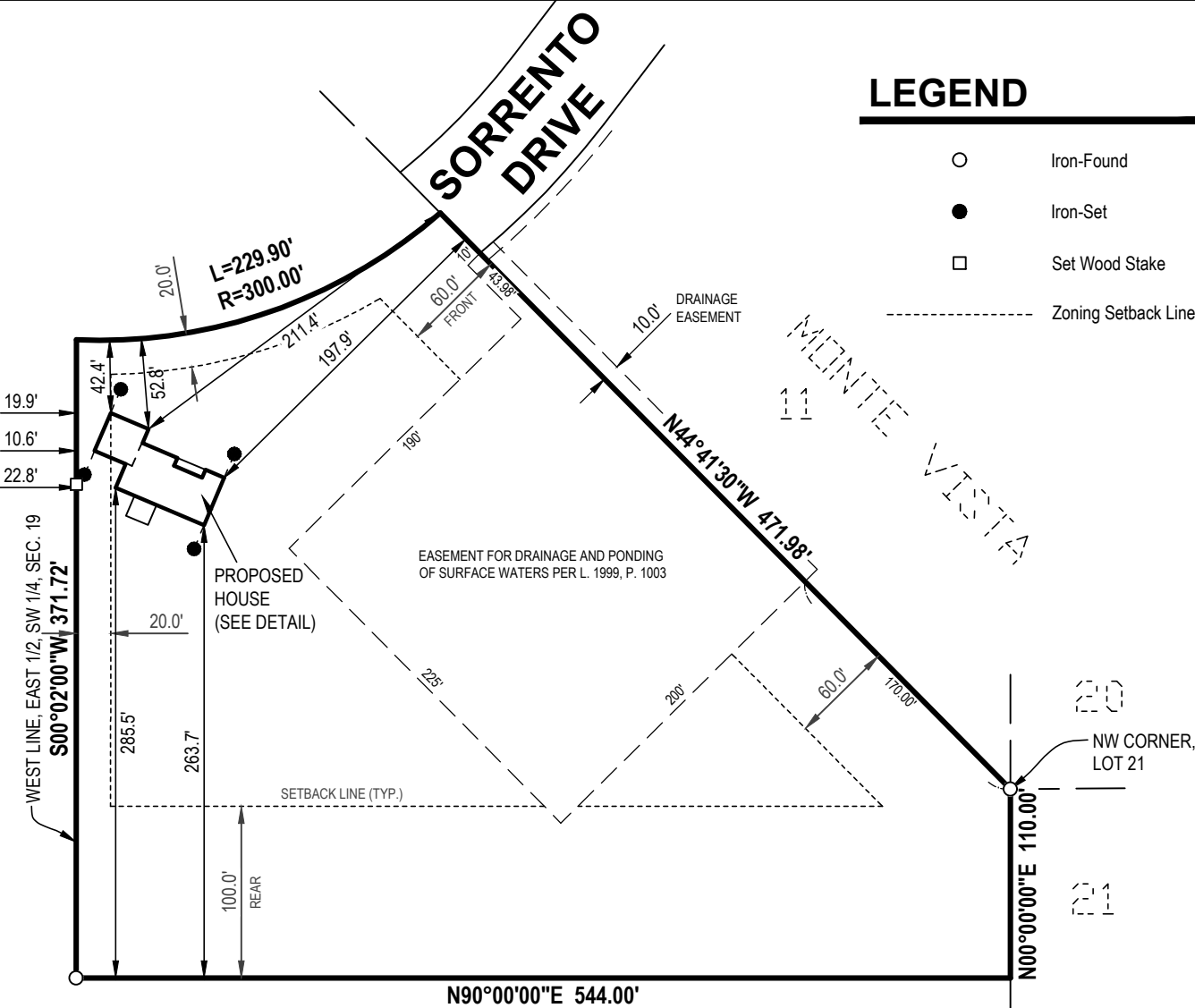


NOTE: Care has been taken to meet proper setback requirements. However, municipal approval of the proposed location should be obtained prior to commencement of construction.

This sketch was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

LEGEND

- Iron-Found
- Iron-Set
- Set Wood Stake
- Zoning Setback Line



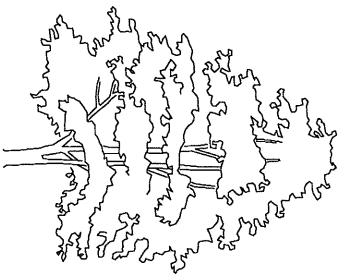
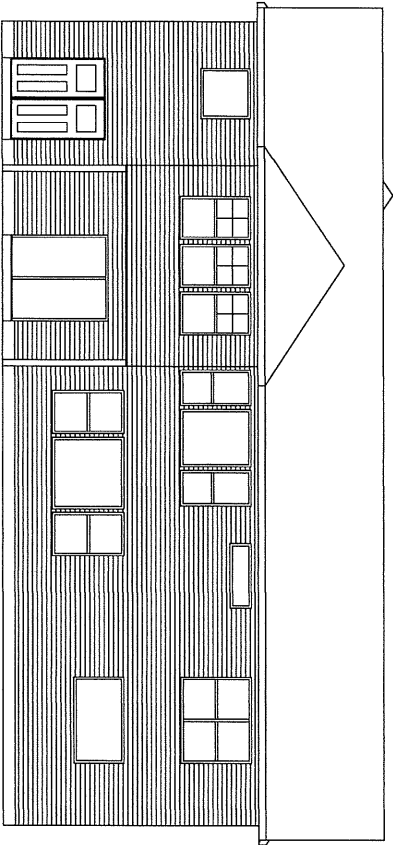
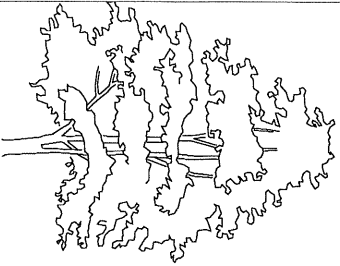
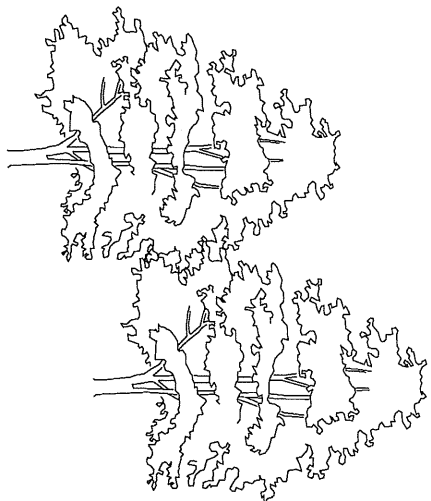
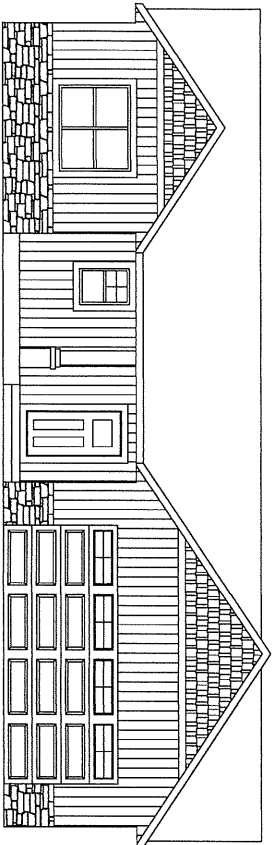
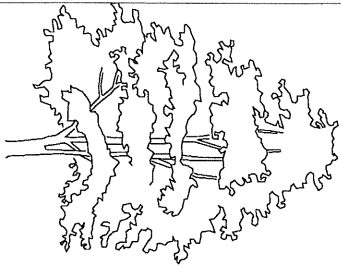
FOUNDATION PLAN NOTE: Dimensions marked with (*) indicate a missing and/or ambiguous dimension on the provided building plans. Verification required prior to construction.

STATE OF MICHIGAN
Scott A. Hendges
License No. 4001047953
LANCE DEYOUNG BUILDING LLC
Lance DeYoung
PO Box 422
Hudsonville, MI 49426
225 Sorrento Drive SE

By: Scott A. Hendges
Scott A. Hendges Licensed Professional Surveyor No. 4001047953

SCALE: 1" = 100' 0' 50' 100' NORTH

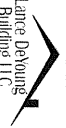
Lance DeYoung Building LLC
Lance DeYoung
PO Box 422
Hudsonville, MI 49426
225 Sorrento Drive SE
DRAWN BY: VB DATE: 04.09.24
REV. BY: VB REV. DATE: 04.16.24
REV.: Staked house for construction
PRJ #: 24400384.3
1 OF 1
NEDERVELD
www.nederveld.com • 800.222.1868
Grand Rapids
217 Grandville Ave., Suite 302
Grand Rapids, MI 49503
Ann Arbor, Chicago, Columbus,
Holland, Indianapolis



General Notes

Drawn by: Joel Mulder
While every attempt in the preparation of these drawings has been made to make them as accurate as possible, the drafter is not responsible for all dimensions and other details in the construction of this project. All Federal, State and local codes, ordinances, regulations and specifications for this building shall take priority over anything shown or described, where discrepancies occur.

No.	Revision/Issue	Date



Lance DeVoung
Building LLC
616-681-7970
lance.devoung@gmail.com

Project Name and Address:
Lance DeVoung Custom:
222 Sycamore Dr. Lawrence

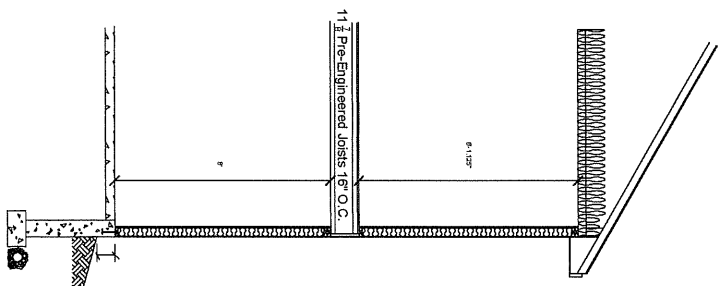
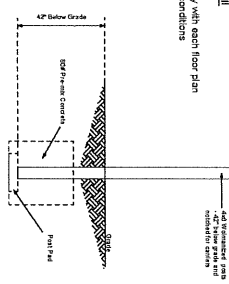
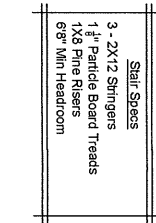
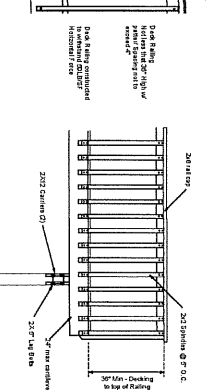
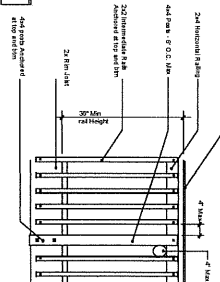
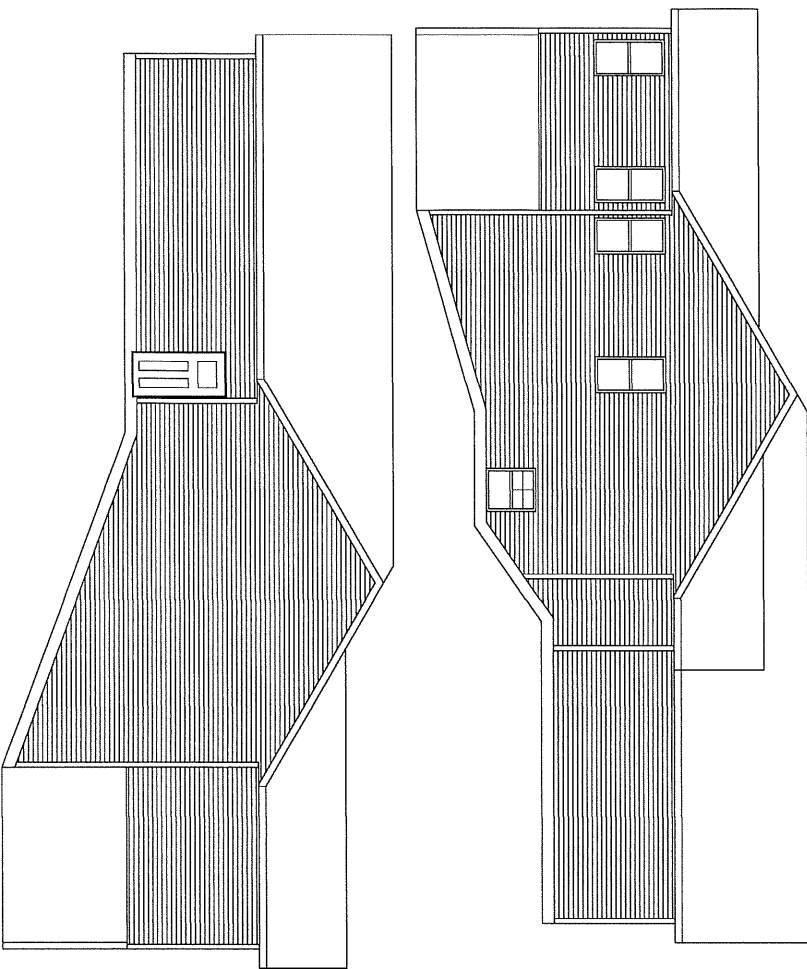
Project:
Date:
Scale: 1/4" = 1'



GENESIS DESIGN

Roof Structure
30 YR Dimensional Shingles
15# Felt
1" OSB Sheathing
Ice and Water Shield @ edges and Valleys
Engineered Trusses @ 24" O.C.
R-39 Min Insulation
1st Ceiling Drywall - tapered and sanded

2 1/4"
1 7/8"
1 1/8" Pre-Engineered Joists 16" O.C.
2 1/2"
9 1/2"
Barrier Free
Wall Section



Roof / Ceiling System Roof Ventilation 1:300 to the Og. Area Ventilation Detached 1st Floor Underlay 35% Ice and Water Shield @ Edges and Eaves Insulated Roof Membrane 2" OSB Sheathing w/ 1" dips Pipe engineered roof trusses Battins as required for Ventilation 2x36 Min. insulation R-12 Min above the 1" min dips of exterior wall 1" Gypsum Board on Ceiling	Soft System Meat Drip Edge 2x6 Sub F. Field w/ aluminum vented soffit
Wall System Double Top plate 2x4 Recess Studs - 16" O.C w/ 1" Gypsum board Brown in Calcium Insulation 1" OSB Exterior wall w/ Tyvek house wrap Single bottom plate	Floor System 2" OSB 1x6 Plooring 11" 1" Floor Joist 1" 1x6 R18 Board 1" 1x6 R18 Board 2x6 Trussed sill plate w/ sill sealer
800' Foundation wall As-Received Vertical @400'C. As-Received Horizontal @24" O.C. 42'x42' Foundation wall	As-Received Vertical @400'C. As-Received Horizontal @24" O.C. 1" Dowel @4" O.C. 1" Row Horizontal As-Received
Splice grade away from structure Water or Damp Proofing per site conditions 6" min poly Vapor Barrier 4" D.30 in. with pea gravel where required Reinforced Concrete Footing to show on undisturbed soil.	

General Notes

Drawn by: Joel Mulder

While every attempt in the preparation of these drawings has been made to make them as accurate as possible, the General Contractors and the sub contractors must be responsible for all dimensions and other details in the construction of this project. All Federal, State and local codes, ordinances, regulations, etc., shall be considered as part of specifications for this building and shall take priority over anything shown or described, where discrepancies occur.

[illegible]

225 Sorrento

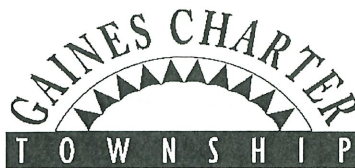
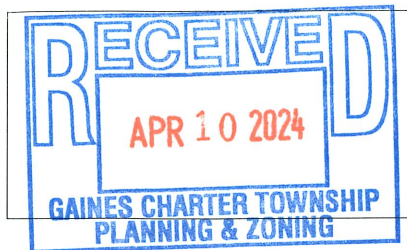


Proposed House Location

225 Sorrento



Slope away From House Location



FILE NO. 240410KD

8555 Kalamazoo Avenue SE • Caledonia MI 49316
Ph: 616 698-6640 • Fax: 616 698-2490
www.gainestownship.org

Zoning Board of Appeals Application

Project Address	225 Sorrento Dr		
Owner Name	Jerry and Sherline (Trust) Diekevers		
Owner Address	Street Address	City, State, Zip	
	225 Sorrento Dr	Byron Center, MI 49315	
Parcel Number(s):	41-22- 19-376-012	41-22-	
Description of Proposed Project/Use	Family Residence		

Applicant/Contact	Kevin Diekevers		
Applicant/Contact Address	Street Address	City, State, Zip	
	2510 Southplatte Dr	Byron Center, MI 49315	
Contact Info	Home / Office / Cell	E-Mail	
	616-293-0047	Kevin.diekevers@gmail.com	

"I" hereby certify to the correctness and knowledge of the information submitted and hereby agree to comply with the terms and requirements of all applicable Township ordinances. I also grant Township staff permission to enter onto the subject property in review of this application.

Signature	Kevin Diekevers
-----------	-----------------

Please complete the appropriate Worksheet as part of your application packet (see Staff for more information) for: Planning Commission, Zoning Board of Appeals requests, Land Divisions, Combinations or Lot Line Adjustments.

Township Use Only

Current Zoning District:	RL-14	RL-10	R-3	R-4	C-1	C-2	O-S	I-1	I-2	PUD	A-R	A-B	
One / Two Family Construction	Zoning Board of Appeals ☒		Planning Commission ☐		Land Combination ☐								
Site Plan Review ☐	Rezoning / PUD Rezoning ☐		PUD Amendment ☐		Land Division ☐								
Subdivision / Site Condo Review ☐	Special Use Permit ☐		Lot Line Adjustment ☐										
Other:	DIMENSIONAL VARIANCE - SETBACKS												
Approved ☐	Approved with Conditions ☐		Denied ☐		Withdrawn ☐								
Zoning Administrator:											Date:		

Site Plan

#SDS 01 99A

Please Show:

The property lines and their dimensions.

The location, dimensions, setbacks, minimum building openings and distance between all existing and proposed structures.

The gross floor area, listed by floor level, including basements.

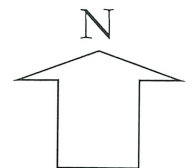
The location of all roads bordering or private drives/easements on the property.

The location of all bodies of water, easements, utility lines, sidewalks, drives, septic systems, drain, and other improvements.

Please Note: Setbacks must be measured from the edge of the street right of way (which is not the edge of the pavement) or from the edge of an access easement. Staff reserves the right to determine whether or not an application is complete.

Place site plan in this area (failure to do this may result in an incomplete application)

Gross Floor Area Calculations



Main Floor: 1688 Second Floor: _____ Basement: 1348 Total: 3036 Garage: 576

Variance Request - Applicant Worksheet

File No. _____

Indicate your request type and the applicable Section(s) of the zoning ordinance.
Leave blank if uncertain.

☒ Dimensional (Area) Variance

Section(s) _____

☐ Use Variance

Section(s) _____

☐ Interpretation / Appeal of Zoning Administrator *

Section(s) _____

* Attach a narrative of your comments regarding the interpretation/appeal.

Applicant Response to Variance Standards

ZBA must find that all standards under A) are met for Dimensional (Area) Variance,
OR

all under B) for Use Variance approval

1. A) Does the property display any unique circumstances that justify the need for the dimensional variance request, rather than the individual situation or desire of the applicant? (See definition of "unique circumstance.")

OR

B) Is the use variance necessary due to the unique condition, location, or situation of the property in relation to the permitted and special land uses categorized within the applicable Zoning District?

A. Due to the Contour of Property The building envelope is very small therefore we are requesting a side yard set back variance for this home. The former house was burned down on MAY 12, 2018 and it was 7' from side yard. With the new plan we are requesting 12'.

2. A) Would approval of the variance request grant special privileges to the property owner requesting the dimensional variance that are not held by landowners in the same zoning district or vicinity?

OR

B) Does the unique nature of the property prevent the establishment of all other reasonable and appropriate permitted and special land uses categorized within the applicable Zoning District.

This does not give owner any special privileges. Because of the topography of property this is the only buildable space on the lot. There is also an existing well that we would like to use from the former home before the fire.

3. A) Is the practical difficulty for which the dimensional variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

OR

- B) Is the hardship for which the use variance is being requested a result from a self-created problem by the current landowner, such as personal desire, convenience, or preference, or was the practical difficulty created by a previous landowner? (See definition of "self-created problem.")

The previous home was lost in a fire therefore we are asking to place new home on very similar location ~~edge of road and building on new site~~

4. For A) & B) If approved, will the dimensional or use variance cause detriment to the public welfare, injury to neighboring properties, or change the essential character of the neighborhood? If so, please explain.

No

5. For A) & B) To the best of your knowledge, is the dimensional or use variance request consistent with the purpose and intent of the Master Plan, Gaines Charter Township Zoning Ordinance, and zoning district designation of the property?

Yes