A special electronic meeting of the Grand Haven Zoning Board of Appeals was called to order by Chair Melanie Riekels at 7:03 p.m. via Zoom. On roll call, the following members were:

Present: Bill Hohmeyer (arrived at 7:05pm), Mischelle Julien (arrived at 7:10pm), Jerry Klukos, Amy Kozanecki, Kevin McLaughlin, Field Reichardt, Chair Melanie Riekels.

Absent: None

Also present was Jennifer Howland, Community Development Manager and Ashley Latsch, Assistant to the City Manager.

Approval of Minutes
Motion by McLaughlin, seconded by Reichardt, to approve the February 19, 2020 meeting minutes was unanimously approved by roll call vote (Klukos, Kozanecki, McLaughlin, Reichardt, Riekels).

Bill Hohmeyer arrived at the meeting.

Approval of Procedures for Electronic Remote Meetings
Motion by Reichardt, seconded by McLaughlin, to approve the Procedures was approved unanimously by roll call vote (Hohmeyer, Klukos, Kozanecki, McLaughlin, Reichardt, Riekels).

Call to Audience – First Opportunity
No comments

Mischelle Julien arrived at the meeting.

Case 20-03: A request by Miranda Rudkin of 4389 Roaring Fork Drive, Loveland, CO, 80538 for the property at 58 Poplar Ridge, Grand Haven, MI, 49417 (parcel #70-03-29-321-002) for three (3) variances to the Grand Haven Zoning Ordinance related to proposed construction on a legally nonconforming two-unit dwelling/short-term rental:

1. A variance from Section 40-119.05.A. The requested variance is to allow for a structural alteration of a building occupied by a nonconforming use. Specifically, the entry door on the north wall will be relocated.

2. A variance from Section 40-119.05.B. The requested variance is to allow for an expansion of a building occupied by a nonconforming use. Specifically,
the applicant proposes to construct a second story deck above a proposed reconstructed grade level deck which increases lot coverage.

3. A variance from Section 40-119.05.A. The requested variance is to allow for a structural alteration of a building occupied by a nonconforming use. Specifically, a window on the west wall is proposed to be converted to a doorway to gain access to the proposed deck.

Howland read the case and provided a brief introduction.

Rich Buitenhuis, 504 Clinton, contractor for applicant, addressed the letters that were sent from neighbors first. The concerns included worries about views, renters, and proximity of the proposed deck to property lines. Although from Colorado, a family member lives there. The applicant wants great views and wants renters to have great views. They spend a lot of time in Grand Haven, so the cottage is not just an exclusive rental. Buitenhuis was not sure of the facts in the letters from neighbors. The property to the south will have the most opposition to the deck because they are close to the deck and their house is actually on the Rudkin’s property. The proposed decks will be smaller in footprint than the existing deck on the ground. They feel it is a reasonable request. Buitenhuis reviewed the three (3) proposed variances.

1. Move the door on the north wall to the east is possible because they removed an old retaining wall, deck, and chimney.
2. Putting a deck on the front of the house with a smaller footprint than the existing ground level deck footprint. Buitenhuis believes the building footprint excludes decks.
3. The third variance to change a window opening to a slider door opening is only requested if Variance 2 is granted.

Buitenhuis stated that views are not owned; they can be shared. Houses in the neighborhood are close together, so you often get the view straight out and sometimes to the side. The property to the south is 10.5 feet closer to the street than the house to the south. The proposed deck will not obstruct the view of 59 Poplar Ridge to Lake Michigan, but only the view to the street.

Buitenhuis asked that additional lower level structural changes be considered during this hearing. Howland stated that was not permitted because it was not part of the original request.

Buitenhuis stated that the Dune Residential District placement standards of protecting dunes doesn’t apply, nor does the mitigation of view corridors of upgradient improved properties because the subject property is at the same elevation as the neighbors. He feels it is a reasonable request compared to setbacks of other properties, including 57 Poplar Ridge which is 6 feet from the street.

Chair Riekels asked the Board members for comments.

Klukos questioned why a deck was designed that encroaches onto the privacy of a neighbor’s bedroom. He didn’t see how the neighbors should be expected to say that is
acceptable. He was concerned about the impacts of the deck on the neighbor's property in terms of enjoyment and value, because the Kelleys stated in their letter that they would not be able to utilize the bedroom if the deck were installed. Buitenhuis described the window placement.

Kozanecki asked for clarification on the existing use of the second floor and the location of existing windows, and how that would change if the deck were added. Buitenhuis described how the existing second level was one covered porch, with 3 openings facing west, and one opening facing south. The plan is to add windows to existing openings; there will be no new openings. He feels there is no alternative location for the proposed improvements. Kozanecki asked if they are enclosing an existing deck for more living space and requesting to add a deck. Buitenhuis explained that the owners want an open deck with views of the sky, not a covered porch.

Reichardt believes that the existing porch and window with lattice provides a bit of respect for privacy of neighbors. The proposed deck would have some negative effect on the neighbors.

Chair Riekels asked about the setback of the proposed deck. Howland explained how an average of the adjacent properties is being used to establish the front setback. The proposed deck meets that average setback. Buitenhuis explained that the existing ground level deck is 10.5 feet deep and extends two feet south of the building wall. The proposed decks would be 8 feet deep and would not project south of the building wall.

Chair Riekels opened the public hearing for the case.

Public Comment:
Laurie Kelley, part-owner of 59 Poplar Ridge to the immediate south, called in. She clarified that only their stairs partly encroach onto 58 Poplar Ridge, and that only the first floor porch is closer to the street; the rest of the house is in line with the subject property. She said lattice was added by the previous owner to the south window to provide privacy to 59 Poplar Ridge. She is concerned about the closeness of the proposed deck and outlined her specific comments in a letter that was submitted previously to the Board.

Correspondence:
Steve Vink, 57 Poplar Ridge, has no problem with the proposed variances. Marietta Bigelow, 64 Poplar Ridge, had concerns about the deck not being in line with the other cottages, and the impacts to the neighbor to the south, so she is not in favor of granting the variance. David Swain, 63 Poplar Ridge, had some questions and was concerned about noise, dangers from people congregating in the road, and the ability of the owner to monitor rental activity from out of state. Laurie Kelley submitted a letter and photos, but she called in during the meeting and reviewed her concerns.

Buitenhuis asked if the property was turned into an owner occupied single family home, can they build the deck. Howland stated yes, they could.
Motion by Hohmeyer, seconded by McLaughlin, to close the public portion of the case was carried unanimously by roll call vote.

After some discussion about Basic Condition A related to the proposed deck, Buitenhus asked for the Board to consider the first variance related to the doorway movement first.

The Board considered the first variance request related to the movement of a doorway on the north wall. The consensus was that the request met all seven (7) basic conditions:

A. Motion by Hohmeyer, seconded by Kuklos, to approve Basic Condition A for Variance 1 passed unanimously on roll call vote.
B. Motion by Reichardt, seconded by Kuklos, to approve Basic Condition B for Variance 1 passed unanimously on roll call vote.
C. Motion by Reichardt, seconded by Julien, to approve Basic Condition C for Variance 1 passed unanimously on roll call vote.
D. Motion by Kukos, seconded by Kozanecki, to approve Basic Condition D for Variance 1 passed unanimously on roll call vote.
E. Motion by Kukos, seconded by McLaughlin, to approve Basic Condition E for Variance 1 passed unanimously on roll call vote.
F. Motion by Julien, seconded by Hohmeyer, to approve Basic Condition F for Variance 1 passed unanimously on roll call vote.
G. Motion by Reichardt, seconded by Kozanecki, to approve Basic Condition G for Variance 1 passed unanimously on roll call vote.

Motion by McLaughlin, seconded by Hohmeyer, to APPROVE a variance from Section 40-119.05.A to allow for the entry door on the north wall to be relocated, passed unanimously on roll call vote.

The Board then considered the variance request related to the proposed construction of a second story deck above a proposed reconstructed grade level deck on the west wall of the building. Riekers had computer issues so Vice Chair Kuklos took over temporarily.

A. Hohmeyer stated that the intent is to prevent expansion and structural alterations of nonconforming structures; he’ll need to be convinced that this condition is met. Julien and Kuklos stated it is contrary to the intent and purpose of the ordinance. Kuklos said that the hodgepodge of construction in the neighborhood is due to properties being grandfathered in during a time when there were no ordinances or old ordinances, so the concept of a right to do this does not apply. Kozanecki: said it does not meet Condition A because it is nonconforming and is proposing to expand. McLaughlin, Reichardt, and Chair Riekers agreed. Motion by Reichardt, seconded by Hohmeyer, to approve Basic Condition A failed unanimously on roll call vote (Riekers was not present for this vote, so the vote was 0-6).

B. Kozanecki stated it is a legal nonconforming use so this condition is met. Hohmeyer and McLaughlin agreed. Motion by Reichardt, seconded by Hohmeyer, to approve Basic Condition B passed unanimously on roll call vote (Riekers was not present for this vote, so the vote was 6-0).

C. Hohmeyer stated the proposed variance will cause a substantial adverse effect on neighboring properties. Julien, Kuklos, Kozanecki and McLaughlin agreed.
McLaughlin stated that of all of the basic conditions, this one stands out as having the greatest effect. Reichardt agreed, and Chair Riekels stated that it's the most negative condition for the property and surrounding areas, and she stated she still has a problem with the property being used as a short term rental. Motion by Klukos, seconded by Julien, to approve Basic Condition C failed unanimously on roll call vote (0-7 with Riekels back as Chair for the remainder of the meeting).

D. Klukos stated that the situation is very general and very recurrent because it would open the door to many properties to do something similar; all other board members agreed. Motion by Reichardt, seconded by Julien to approve Basic Condition D failed unanimously on roll call vote.

E. McLaughlin stated that the proposal is self-created; all other board members agreed. Motion by Reichardt, seconded by Julien, to approve Basic Condition E failed unanimously on roll call vote.

F. Julien doesn't see an option to change the location of the deck where the variance would not be required. Klukos agreed. McLaughlin asked about reducing the size of the deck. Julien said that's not the proposal being considered. Reichardt, McLaughlin, Hohmeyer and Chair Riekels agreed there is no alternative location where a variance would not be required. Motion by Klukos, seconded by Julien, to approve Basic Condition F passed unanimously on roll call vote.

G. Klukos stated the request would be the minimum because it's the ground floor outline for the deck. All other board members agreed. Motion by Hohmeyer, seconded by Reichardt, to approve Basic Condition G passed unanimously on roll call vote.

Motion by Klukos, seconded by Julien, to DENY the requested variance from Section 40-119.05.B to construct a second story deck above a proposed reconstructed grade level deck because it failed Basic Conditions A, C, D and E, passed unanimously on roll call vote.

Buitenhuiss said that there was no need to go through Variance 3 because Variance 2 was denied. He doesn't see how they don't comply with the conditions, but Chair Riekels explained that when one Basic Condition fails, the variance fails. Howland clarified that the request was not for an interpretation of the zoning administrator's decision, and that the Board's deliberation was thorough. Buitenhuiss withdrew Variance 3.

Case 20-04: A request by QCW Enterprises of 240 East 8th Street, Holland, MI, 49423 for the property at 832 Robbins Road, Grand Haven, MI, 49417 (parcel #70-03-33-100-055) for six (6) variances to the Grand Haven Zoning Ordinance, related to a proposed redevelopment of the property into an automobile wash:

1. A variance from Section 40-414.02.D. The requested variance is to allow for a ground floor transparency of 41.7 percent on the east elevation where a minimum of 60 percent is required.
2. A variance from Section 40-414.02.D. The requested variance is to allow for a ground floor transparency of 16.8 percent on the north elevation where a minimum of 60 percent is required.

3. A variance from Section 40-414.02.D. The requested variance is to allow for use of 95 percent accent/trim materials on a primary wall (north elevation) where 20 percent is the maximum.

4. A variance from Section 40-414.02.D. The requested variance is to allow for use of 94.4 percent accent/trim materials on a primary wall (east elevation) where 20 percent is the maximum.

5. A variance from Section 40-414.02.D. The requested variance is to allow for use of 90.3 percent accent/trim materials on a secondary wall (south elevation) where 20 percent is the maximum.

6. A variance from Section 40-414.02.D. The requested variance is to allow for use of 62.6 percent accent/trim materials on a secondary wall (west elevation) where 20 percent is the maximum.

Howland introduced the case.

Steve Witte of Nederveld, 217 Grandville Ave SW #302, Grand Rapids, provided an overview of the request. Related to transparency variance requests, the blower room on the north end requires excessive amount of detail for maintenance. Earliest prototypes of the building included more glass but glass collects mildew which is difficult to maintain even with excessive washing. Therefore, opaque metal material is needed for the north end of the building. The roof system is unique. It’s transparent acrylic and appears as glass, but it can’t be counted in the transparency calculations because it is above the ceiling height. The roof will be visible from Beacon Blvd. During operating hours, the north end door is open frequently to allow vehicles to exit the site, so you’ll be able to see into the building. The building is 71 feet off of the road and there is landscaping to screen it too. Additional glass will make it difficult to meet energy code requirements. The black metal paneling looks and feels like glass. Finally, branding is important to Tommy’s to create a consistent look and experience. The existing building to be demolished doesn’t meet transparency requirements.

Related to the request to the use of metal for the exterior cladding materials, Mr. Witte stated that a majority of non-glass areas of the design uses high quality metal. Metal is required for several reasons: resists mildew better than other materials; highly detergent resistant so it’s easy to maintain; sleek attractive building look and gives appearance of tinted glass (black). Black and red metal provides a vibrant first impression even after many years. Metal uses no petroleum and is recyclable so it’s environmentally friendly. They are also locally sourced metal panels. The metal also adds to Tommy’s brand. It’s not a cost factor, but instead is the best material for maintenance, appearance, and longevity. The property is unique because it’s a corner lot, set back far, and it’s a car wash.

Steven Marks of Progressive AE, the architect for the project, reviewed the building design. Chair Riekels invited the board members to ask questions of the applicant.
Klukos asked what other materials have been tried at other locations. Mr. Witte has said they've done an all-glass design but it was high maintenance. Mr. Marks stated that in other locations they have expanded the use of masonry but branding would be best with metal. Megan Weidman of QCW, 240 E 8th St, stated that EIFS and stucco was not durable. Klukos likes the Tommy's car wash look, but Walmart has a dozen different styles across the country to meet local standards and Tommy's seems unwilling to work with the City. Mr. Witte said that branding is a distant argument. The main argument is maintenance for the proposed car wash use.

Hohmeyer likes aluminum with protective coating a lot as a material. He is familiar with the Holland car wash, and said the design is not the typical metal pole barn look. This is an architectural building. Famous architects use this material and it should be permissible for a car wash.

McLaughlin agrees with Hohmeyer. If this were close to the downtown, it would be dead in his opinion. He lives nearby. This mix of materials is perfect for the site. This would be a tremendous improvement over what is currently there. McLaughlin asked to combine the transparency variances together and the cladding materials variances together. Howland said that's acceptable, and also fine to extract one elevation out if you want to approve one wall but not another.

Reichardt suggested that the applicant seek alternatives to what has been used in other locations, and he would have preferred to see some alternatives.

Kozanecki stated that it is a vast improvement over what is there. Similar metal has been used in other cities and doesn’t read as metal. However, the request for 94.4 percent when the maximum is 20 percent gets your attention. She agreed that combining the variances together as McLaughlin described was a good idea.

Chair Riekels stated that her grandson works for Tommy’s in their computer area, that they didn’t discuss this case, and he has no involvement in the building design. She doesn’t feel there is a conflict. Julien appreciated Riekels' honesty and doesn’t see a conflict. Howland read the ZBA bylaws section related to conflict of interest, in which it states that a conflict of interest may be present where there are immediate family members. Howland asked if Riekels' grandson lives with her in her household. She said he does not. Motion by Reichardt, seconded by Julien, to vote that there is no conflict of interest passed unanimously with a roll call vote of 6-0 (Riekels abstained).

Chair Riekels opened the public hearing

Public Comment:
None

Correspondence:
Howland read a letter from Jay Greer of 14508 Cameron Court, Grand Haven. Mr. Greer asks that the Board uphold the high standards of previous planning for a property that is very visible. It should be a building we are proud to look at.
Motion by McLaughlin, seconded by Klukos, to close the public hearing was carried unanimously by roll call vote.

The board members agreed to lump transparency variances together and cladding materials together.

Hohmeyer felt that the applicant could amend the windows on the east elevation but not much can be done to the north elevation, and there wasn't much to look at inside the building to make transparency useful.

Julien accepts the design as proposed and stated it is not contrary to the intent or purpose of the ordinance.

Klukos does not support the very substantial requests. He likes the design but it would open the door to others to ask for the same variances. Redevelopment is the time to bring properties up to standard.

Kozanecki stated these are large variance requests, but she cannot see where they could make a change. It's a new building and should comply with the regulations that were developed with a lot of thought and planning.

Reichardt would be interested to see other architectural designs that Tommys/QCW has used in other locations to see if we can get closer to our requirements. He doesn't want to set a precedent.

Ryan Essenbarg, QCW Enterprises, 240 East 8th Street, Holland, MI 49423 stated that the architectural towers are used for storage and flight deck/operations, so there is nowhere to add transparency. Mr. Witte reaffirmed his opinion that the black metal on the north elevation reads as glass and the roof provides transparency but cannot be included in the calculation.

Mr. Marks stated that the roof system is acrylic and semi-transparent. It rises slowly and gives the look of transparency. In other areas, it would be a detriment to add glass because it would display unsightly equipment and would pose a security risk. Glass is positioned to showcase attractive equipment as appropriate. Adding glass to the towers would showcase things the public would not want to see.

Reichardt asked if Tommy's has alternative plans. Mr. Essenbarg stated other materials used in the past would change the red sections on the towers. Mr. Witte stated that there are other materials but they haven't worked as well and don't improve the transparency of the building. Mr. Essenbarg offered to change the red material to EIFS but Mr. Witte clarified that EIFS is just as nonconforming as metal. Mr. Marks has used masonry for the red towers but the color would be muted and the contrast would be less. Julien asked for a rendering of the brick building but the applicant didn't have a copy available but noted the brick was gray and not red.
McLaughlin stated that if the towers had more glass, the public would see mechanical equipment. For the reasons presented, McLaughlin thinks the transparency makes sense and it would be a real disservice to the community to deny the project.

Klukos stated there was too much of a variance request. They already received other variances and other properties will want to ask the same.

Chair Riekels suggested that the Planning Commission should update the transparency requirements. McLaughlin said they are but haven’t had an in-depth discussion yet.

Hohmeyer stated that the transparent roof material helps improve the look of the building and should be something to consider.

A suggestion was made by one of the Board members to table the discussion. Howland stated that this is the request before the ZBA tonight, and unless the applicant wants to withdraw, the ZBA should continue with its discussion. She also stated that the Planning Commission is reviewing the entire Zoning Ordinance, but it’ll be several months before the outcome is determined. Mr. Essenbug stated that virtually nothing can be done with transparency. Alterations cannot be made so please continue forward with the transparency variance request.

The Board members discussed the seven Basic Conditions related to the two transparency variance requests.

A. Julien stated it is not contrary to public interest. Klukos quoted the staff report. Kozanecki stated it is not contrary to public interest, although they are large numbers. This level of transparency allows them to display their stuff. McLaughlin had no issue. Reichardt understands Howland’s comment about conditioning it upon it being for a car wash to avoid setting precedence. Riekels doesn’t like the proposed percentages. Motion by McLaughlin, seconded by Kozanecki, to approve Basic Condition A passed on roll call vote. Ayes: Hohmeyer, Julien, Kozanecki, McLaughlin, Riekels. Nays: Klukos, Reichardt.

B. All members agreed it meets this criteria. Motion by Reichardt, seconded by McLaughlin, to approve Basic Condition B passed unanimously on roll call vote.

C. Hohmeyer stated it doesn’t cause a substantial adverse effect. Julien agreed. Klukos believes it will cause an adverse effect on everyone else who has to comply with the ordinance. Kozanecki stated it is not a substantial effect. McLaughlin believes it will enhance the neighborhood. Reichardt stated this condition speaks to immediate vicinity, and it will not an adverse effect. Riekels said that they handle each variance separately and believes it is met. Motion by McLaughlin, seconded by Kozanecki, to approve Basic Condition C passed on roll call vote. Ayes: Hohmeyer, Julien, Kozanecki, McLaughlin, Reichardt, Riekels. Nays: Klukos.

D. Klukos believes it fails it because it will be general and recurrent; Reichardt and Hohmeyer agree. Kozanecki believes the condition is met; McLaughlin agrees. Julien believes this is not recurrent because it is a car wash. Riekels believes the condition is met. Motion by Hohmeyer, seconded by McLaughlin, to approve Basic Condition D passed on roll call vote. Ayes: Hohmeyer, Julie, Kozanecki, McLaughlin, Riekels. Nays: Klukos, Reichardt.
E. McLaughlin stated it is self-created for the reasons that they have outlined to us. It’s a car wash and they are doing what they have to do to meet it from a functional and aesthetic standpoint. Hohmeyer believes it is not self-created. Julien said all of their buildings look like this. Klokos and Reichardt believe it is self-created. Kozanecki believes that there are exceptional items related to a car wash. Riekels believes there is no alternative and would prefer not to see dirty glass. Motion by McLaughlin, seconded by Kozanecki, to approve Basic Condition E passed on roll call vote. Ayes: Hohmeyer, Julien, Kozanecki, McLaughlin, Riekels. Nays: Klokos, Reichardt.

F. Hohmeyer stated this condition doesn’t apply because it is not related to a location. Julien sees no alternative location. The rest of the board members agree. Motion by Kozanecki, seconded by McLaughlin, to approve Basic Condition F passed unanimously on roll call vote.

G. Julien believes the condition has been met. Klokos said it fails because it is far from the minimum. Kozanecki believes it’s the maximum they can provide; McLaughlin agrees. Reichardt said it doesn’t meet the condition. Hohmeyer feels it is reasonable and the minimum variance to make reasonable use of the property as a car wash; Riekels agrees. Motion by Hohmeyer, seconded by Julien, to approve Basic Condition G passed on roll call vote. Ayes: Hohmeyer, Julien, Kozanecki, McLaughlin, Riekels. Nays: Klokos, Reichardt.

Motion by McLaughlin, seconded by Kozanecki, to APPROVE variances from Section 40-414.02.D to allow for a ground floor transparency of 41.7 percent on the east elevation and a ground floor transparency of 16.8 percent on the north elevation because all seven basic conditions have been met and the proposed use is a car wash, passed on roll call vote. Ayes: Hohmeyer, Julien, Kozanecki, McLaughlin, Riekels. Nays: Klokos, Reichardt.

The Board members discussed the seven Basic Conditions related to the four cladding materials variance requests.

A. Julien stated it meets this condition. Klokos said they could use masonry to create the design. The standard was established to create a consistent building design throughout the district. Kozanecki said the numbers are even bigger than the transparency requests. When the requirements were established, the City specifically got rid of metal as a primary material. It’s against the intent of the ordinance. McLaughlin is good with the design. Reichardt doesn’t believe it meets the requirements. Hohmeyer said that new materials are coming out. Coated metal panels don’t set a new standard for everyone else. Riekels asked when the requirements were created. Howland stated it was recently. For that reason, Riekels believes it doesn’t meet this condition. Motion by Hohmeyer, seconded by Julien, to approve Basic Condition A because the material intended doesn’t establish a standard for the whole commercial district, keeping in mind it’s a car wash, failed on roll call vote. Ayes: Hohmeyer, Julien, McLaughlin. Nays: Klokos, Kozanecki, Reichardt, Riekels.

B. All members felt this condition was met. Motion by Kozanecki, seconded by McLaughlin, to approve Basic Condition B passed unanimously on roll call vote.

C. McLaughlin stated the design enhances the immediate vicinity so he is in favor. Reichardt said it doesn’t hurt the vicinity but creates a precedence. Julien and
Hohmeyer are ok with this condition. Klukos said they are huge requests, so it sets precedence and fails. Kozanecki is not comfortable with this one. Hohmeyer stressed the "immediate vicinity" phrase in the condition. Motion by McLaughlin, seconded by Julien, to approve Basic Condition C passed on roll call vote. Ayes: Hohmeyer, Julien, McLaughlin, Riekel. Nays: Klukos, Kozanecki, Reichardt.

D. Julien, McLaughlin, Hohmeyer, and Riekel said the condition was met. Klukos stated it can become general or recurrent by setting precedence. Kozanecki stated the property doesn't have any unique features to support it; Reichardt agreed. Motion by McLaughlin, seconded by Julien, to approve Basic Condition D passed on roll call vote. Ayes: Hohmeyer, Julien, Kozanecki, McLaughlin, Riekel. Nays: Klukos, Reichardt.

E. Kozanecki believes it fails this condition. McLaughlin was good with it for the same reasons as prior. Reichardt, Hohmeyer, and Julien said it's not self-created. Klukos believes asking for variances this large is self-created. Motion by McLaughlin, seconded by Kozanecki, to approve Basic Condition E passed on roll call vote. Ayes: Hohmeyer, Julien, McLaughlin, Reichardt, Riekel. Nays: Klukos, Kozanecki.

F. All members felt this condition was met. Motion by Julien, seconded by McLaughlin, to approve Basic Condition F passed unanimously on roll call vote.

G. Klukos stated the percentages requested are far from the minimum so it fails; Kozanecki and Reichardt agreed. McLaughlin supports the condition being met. Hohmeyer believes it is the minimum variance requested for a car wash. Motion by McLaughlin, seconded by Julien, to approve Basic Condition G failed on roll call vote. Ayes: Hohmeyer, Julien, McLaughlin. Nays: Klukos, Kozanecki, Reichardt, Riekel.

Motion by Klukos, seconded by Reichardt, to DENY variances from Section 40-414.02.D to allow for use of 95 percent accent/trim materials on the north elevation, 94.4 percent accent/trim materials on the east elevation, 90.3 percent accent/trim materials on the south elevation, and 62.6 percent accent/trim materials on the west elevation because Basic Conditions A and G were not met, passed on roll call vote. Ayes: Klukos, Kozanecki, Reichardt, Riekel. Nays: Hohmeyer, Julien, McLaughlin.

Case 20-05: A request by Pat and Jaci Clark of 428 North 6th Street, Grand Haven, MI, 49417 for the property at 425 Lafayette Avenue, Grand Haven, MI, 49417 (parcel #70-03-20-480-018) for approval of a change of use from 4-family dwelling to 3-family dwelling pursuant to Section 40-119.05.C of the Zoning Ordinance and approval of one (1) variance to the Grand Haven Zoning Ordinance, related to a proposed merging together of two existing dwelling units into one owner-occupied dwelling unit:

1. A variance from Section 40-119.05.A. The requested variance is to allow for a structural alteration of a building occupied by a nonconforming use. Specifically, the applicant proposes to install one doorway between two existing dwelling units to create one dwelling unit.

Howland provided an overview of the request, stating that the change of use does not follow the seven basic conditions as with the prior cases but is evaluated based on
compatibility with the neighborhood and intensity of the proposed use. The proposed minor structural alteration is just a doorway to connect the two units into one. Jaci Clark, 428 North 6th Street, Grand Haven, applicant, stated that she and her husband Pat purchased the property as a 4-family dwelling. They want to move into it and occupy the main two units and connect them with a doorway. They will maintain two rental apartments upstairs. The proposed doorway is interior to the structure; no changes to the exterior are proposed. They will convert the south kitchen into a laundry room. This is not a short-term rental.

Chair Riekels opened the public hearing. Howland read letters of support from Mike Westbrook (423 Lafayette Ave), Mark Hills (520 Pennoyer Ave), and Eileen Paull (423 Howard Ave). Ashley Latsch read a comment on Facebook from Robyn Vandenberg that she likes the renovations the Clarks have done in the past.

Motion by Julien, seconded by McLaughlin, to close the public hearing was approved unanimously on roll call vote.

Julien stated the request takes the property in a positive direction. Kozanecki stated it would be a great addition to the neighborhood. Reichardt was in favor of granting the request. Riekels stated that anytime you improve a rental property, she is all for it.

Motion by Julien, seconded by McLaughlin, to grant the change of use from 4-family dwelling to 3-family dwelling and allow the structural alteration to add a doorway connection the two first floor units because it met all the criteria passed unanimously on roll call vote.

Call to the Audience – Second Opportunity
Latsch read a Facebook comment that was received after the close of the public hearing for 55 Poplar Ridge. Jessica Alexander of 181 Grand Avenue has lived at this property for 17 years. She stated that we are not in the Highland Park Association, but fall within the “neighborhood”. In her opinion the proposed addition and complete renovation of the property would add value for the adjacent properties.

Adjourment:
Motion by Klukos, seconded by Kozanecki, to adjourn was unanimously approved by roll call vote. The meeting adjourned at 10:45 p.m.

[Signature]

Jennifer Howland
Community Development Department