

TALLMADGE CHARTER TOWNSHIP

Ottawa County

O-1451 Leonard Street, Grand Rapids, Michigan, 49534

VARIANCE REQUEST

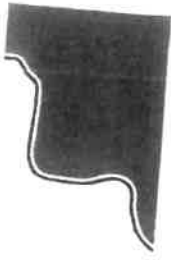
For an application to be considered complete, all requested information must be provided. If an item is not applicable to your application, please state "not applicable" and provide an explanation why it is not applicable.

- **Review Body:** Zoning Board of Appeals
- **Meeting Frequency:** First Tuesday of every month ←
- **Application Deadline:** Forty-eight (48) calendar days prior to the first Tuesday meeting at which you desire your application to be considered.
- **Township Office Review:** Following review by township personnel, if any required materials are deemed missing the applicant will be notified and must provide said material, which must result in a complete application at least thirty (30) calendar days prior to said meeting for consideration.
- **Initial Submission Requirements:** One (1) electronic copy and Four (4) copies folded to a size no larger than 11"x14". No rolled plans shall be accepted.
- **Final Plan Submission Requirements:** One (1) electronic copy and Eight (8) copies of all final plan materials for distribution to the Review Body are required to be folded to a size no larger than 11" x 14" and shall be clipped or otherwise secured in eight (8) equal groups. No rolled plans shall be accepted.

**DO NOT DISCARD THIS PAGE
YOU MUST SUBMIT THIS PAGE WITH YOUR APPLICATION**

April 7th

For office use:
 Date Received: 1/27/26 Payment of: \$750⁰⁰ Attachment: #23082 Cash: _____



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ZONING BOARD OF APPEALS

GENERAL INFORMATION:

The Zoning Board of Appeals (ZBA) consists of five residents of the Township who are appointed by the Township Board of Trustees. The ZBA is empowered by the Zoning Ordinance and state statute to grant variances to the requirements of the Zoning Ordinance *upon findings of certain facts and/or conditions that exist*. The ZBA is also empowered to make other decisions assigned to it by the Zoning Ordinance, upon certain findings and subject to specific requirements.

The Zoning Ordinance provides for three areas of Appeal:

1. A use or area (dimensional) variance;
2. An appeal of an Administrative decision; and
3. An interpretation of the Zoning Map or Zoning Ordinance text.

The ZBA cannot change the Zoning Ordinance text or the Zoning Map; this can only be performed by the Board of Trustees.

An area (dimensional) variance is granted upon a showing of "practical difficulty," generally created by a dimensional requirement in the Zoning Ordinance. The practical difficulty must apply to the property, not to the applicant. If granted, the variance is a license to violate a specific provision of the Zoning Ordinance. Area variances typically involve setbacks, height limitations, square footage requirements, bulk, lot area and other numerical standards in the Zoning Ordinance.

A use variance is granted upon a showing of "unnecessary hardship," which again must apply to the property and not the applicant. If granted, the variance is a license to use the property in a way not allowed by the Zoning Ordinance.

Section 21.07(d) of the Zoning Ordinance establishes standards which apply to dimensional variances. Section 21.07(e) of the Zoning Ordinance establishes standards which apply to use variances. In accordance with both Section 21.07(d) and Section 21.07(e) neither an area variance or a use variance may be granted unless all of the following standards are met:

21.07(d) Standards for Review - Dimension Variance. For a dimension variance, the Board of Appeals must find that all of the following facts and conditions exist.

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question, as to its intended use, that do not apply generally to other properties or classes of uses in the same zone.
2. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties or classes of uses in the same zone. The possibility of increased financial return shall not of itself be deemed sufficient to warrant the granting of a variance.
3. The variance, if granted, will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or the public interest.
4. The condition or situation of the property or its intended use is not of so general or recurrent a nature as to make reasonably practicable a general regulation for the condition or situation.
5. Any exceptional or extraordinary circumstances applying to the property in question are not self-created.

21.07(e) Standards for Review - Use Variance. For a use variance, two-thirds of the members of the Board of Appeals must find that all of the following facts and conditions exist.

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question, as to its intended use, that do not apply generally to other properties or classes of uses in the same zone.
2. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties or classes of uses in the same zone. The possibility of increased financial return shall not of itself be deemed sufficient to warrant the granting of a variance.
3. The variance, if granted, will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or the public interest.

4. The condition or situation of the property or its intended use is not of so general or recurrent a nature as to make reasonably practicable a general regulation for the condition or situation.
5. Any exceptional or extraordinary circumstances applying to the property in question are not self-created.
6. The property in question cannot be reasonably used as zoned and therefore a use variance is necessary.

NOTE: The applicant or a representative is required to be present at the public hearing. The applicant will be notified as to the date and time.



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Ottawa County

O-1451 Leonard Street, Grand Rapids, Michigan, 49534

ZONING BOARD OF APPEALS APPLICATION

REQUEST FEE: \$750.00

PROCEDURE:

Name of Applicant: Ken Ver Woert

Address of Applicant: 1889 VAN BUREN ST
Hudsonville Mi 49426

Email: Ken@VWCGR.com Telephone: 616-299-1703

Property Location: 13953 Ironwood Drive N.W.
Grand Rapids MI 49534

Permanent Parcel Number: 70-10-01-400-051

Subdivision: N/A Lot Number: N/A

Parcel Size: 2 acre Current Zoning of Property: C-2

Existing Use of Property and/or Structure: VACANT

Proposed Use of Property and/or Structure: Commercial Building

Point of Contact Name(POC)*: Ken Ver Woert
*Point of Contact shall be the only person contacted by the township regarding the application

POC Telephone: 616-299-1703 POC Email: Ken@VWCGR.com

NOTE: Provide the legal description of the property. A survey of the property documenting accurate measurements must be provided. The applicant may be required to post a performance bond or other performance guarantee in an amount to be determined by the Zoning Board of Appeals.

VARIANCE REQUEST:

Section(s) of the Tallmadge Charter Township Zoning Ordinance from which relief is sought:

11.04 (c) 2

Reason for seeking variance: SEE ATTACHED

NOTE: The applicant must attach a site plan showing the dimensions of the property, setbacks to front, rear and side lot lines, the location and dimensions of all existing buildings and structures, any proposed buildings or structures, the location of any driveways or easements, the area of the property where the variance is being sought and such other information as may be required.

I agree to authorize members of the Zoning Board of Appeals and representatives from the Zoning or Building Department to enter my property in order to review the particulars of my request.

1-21-2026

Date



Applicant's Signature

To: Zoning Board of Appeals

Re: Dimensional Variance request for property located at 13953 Ironwood Drive

**This variance is requested for Parcel A and B. We seek to enlarge Parcel B to accommodate the desired building as we go thru Planning Commission, however at this time Parcel A is affected, until property line is adjusted.

To: Zoning Board members,

We are seeking a dimensional variance for 13953 Ironwood Drive as it pertains to the west boundry currently zoned RP, owned by the Neubecker Company LLC. The extraordinary circumstance we are struggling with is the parcel located at 13965 Ironwood Drive NW is zoned C2, part of the Ironwood Commercial Corridor , which congruent zoning allows a 10' side yard setback, along with a six-foot-high privacy fence. The property goes approximately 233' south from Ironwood Drive. The next parcel to the south along the property line is owned by the Neubecker Company LLC. The current Zoning of that property is RP, but is "master planned" to be included in the "Ironwood Commercial Corridor". Due to the current RP zoning, our proposed building would have to make a substantial jog, eliminating several thousand square feet to achieve the 25' set back requirement. This would have a significant financial impact on the feasibility of the project, for no reason.

I met with Eric Neubecker and discussed this. He has provided a signed letter granting permission to said variance, acknowledging the highest and best use of their land would be to develop their property commercially along the Ironwood Commercial Corridor with access to water and sewer as opposed to RP. This dimensional variance would be limited to the end of the proposed building approximately 150' South from the rear property line of 13965 Ironwood Drive. Please see attached letter.

Bear in mind that the six-foot-tall fence would also be installed on the property line hiding the building.

The building we are proposing with this variance would not negatively impact any neighboring landowners and is not self-created, as we are using the guidelines for the Commercial district provided to us due to the

overlay of the "Master Planned District". Also knowing that in time it is likely the RP will follow the Master Plan, and this becomes a non-issue.

In addition, the wetlands that are on our property drain to the northwest, going through the Neubecker property and may limit any development that would about this small area being discussed.

In closing, we thank you for your time and consideration in this matter! It is for just reasons as this, the ZBA can discern each case or situation as they arise. We ask that you grant a "Dimensional Variance" in this case and allow for a 10' setback on the West line from the current C-2 zoned parcel to the end (back) line of the proposed building.

Sincerely;

A handwritten signature in black ink, appearing to be "K. D. J.", written over a horizontal line.

To: Tallmadge Charter Township

From: Neubecker Company LLC

Neubecker Company LLC owns the property located at 425 Johnson Street.

This property is currently zoned RP and a portion of the property along Ironwood is Master planned to be part of the Ironwood Commercial Corridor. Since we have legal access to both Ironwood Drive and to Johnson Avenue, in time it is very likely that the highest and best use of the property would be to follow the Master Plan and utilize the sewer and water for the commercial uses along the "Master Planned" Ironwood Corridor. While the possibility for RP development could be best served with a private road from Johnson Ave.

Our current neighbor to the East, Ken Ver Woert, desires to sell this land to an entity, who wishes to build a commercial building with a 10' side yard, following commercial zoning standards. We understand the current zoning for Commercial abutting RP the side yard setback is 25'.

This side yard requirement for Commercial to RP (when the RP intends to be replaced with a Master planned ICC) makes no sense. We suggest that you allow the neighbor to use a 10' side yard set back on the West side of their property for their desired building size, as in time that our land will most likely be rezoned to ICC and then the side yard becomes no issue.

It would not be fair to them to lose 3,500 to 4,000 square feet of building for no reason at all.

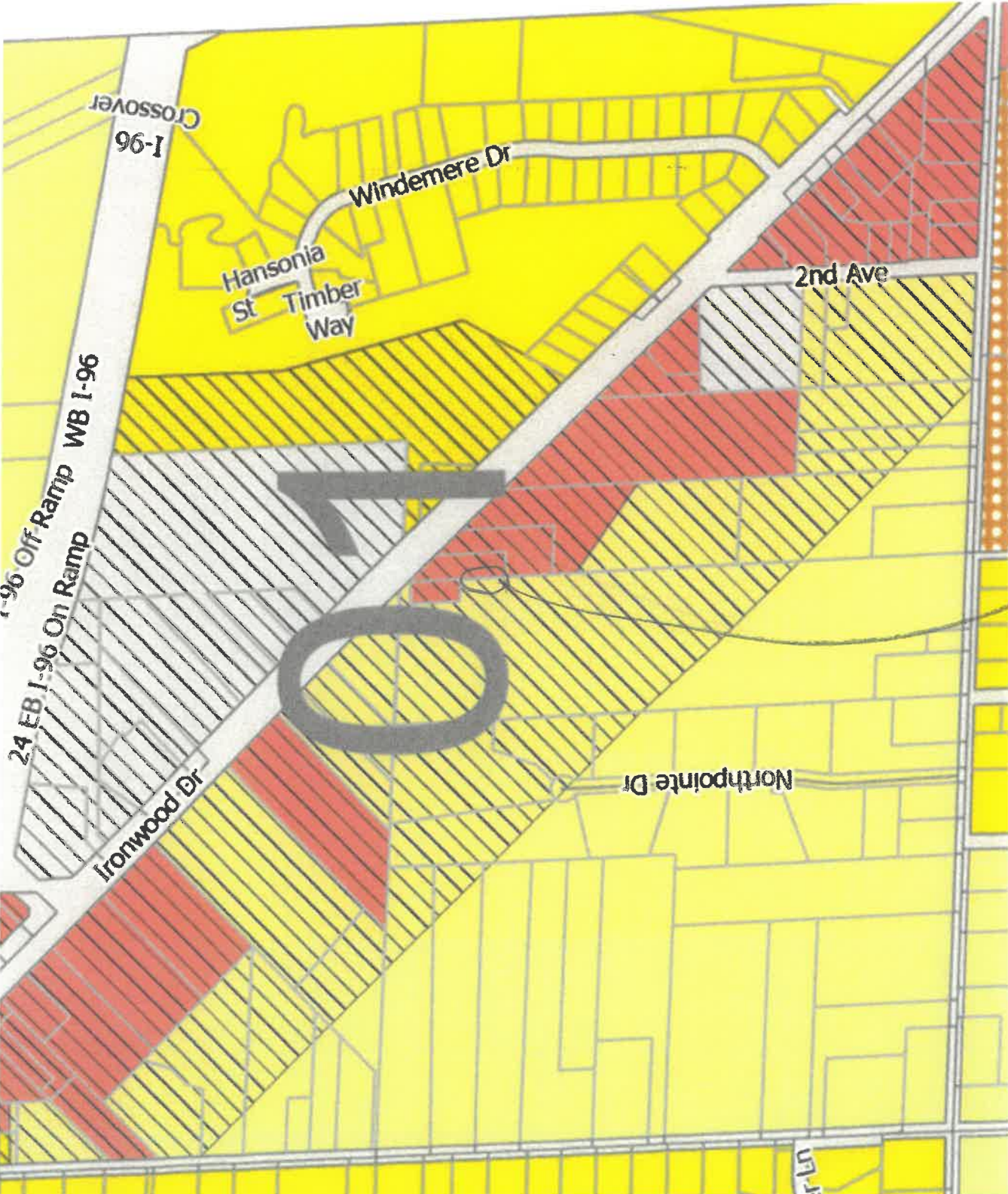
Of further note the neighbor has indicated that the South end of their proposed building goes back as far as possible due to wetlands, so we have no concern about revisiting this again in the future.

Sincerely;


ERIC NEUBECKER - PARTNER

Date: 12-31-25





AREA BEING DISCUSSED



13965
300-004

400-001

13953
400-051

400-052

VERHOEFT
-053

13925
400-047

ANDREWS
-054

13905
400-012

SITE PLAN FOR DIMENSIONAL VARIANCE

TAX DESCRIPTION FOR EXISTING PARCEL A:

Part of the Southeast 1/4 of Section 1, T7N, R13W, Ottawa County, Michigan, described as: Commencing at the South 1/4 corner of said Section; thence N04°53'W 1962.94 feet along the North-South 1/4 line of said Section to the Place of Beginning; thence N04°53'W 210.97 feet along said 1/4 line; thence N85°07'E 113 feet; thence N04°53'W 320.14 feet parallel with the North-South 1/4 line to the Southerly right of way line of Ironwood Drive (aka M-11) (158 feet wide); thence Southeasterly 164.01 feet along said right of way line on a 22839.31 foot radius curve to the right, the long chord of which bears S46°09'01"E 164.02 feet; thence S04°53'E 426.72 feet parallel with the North-South 1/4 line; thence West 221.99 feet to the Place of Beginning.

TAX DESCRIPTION FOR EXISTING PARCEL B:

Part of the Southeast 1/4 of Section 1, T7N, R13W, Ottawa County, Michigan, described as: Commencing at the South 1/4 corner of said Section; thence N04°53'W 2173.91 feet along the North-South 1/4 line of said Section to the Place of Beginning; thence N04°53'W 447.01 feet along said 1/4 line to the Southerly right of way line of Ironwood Drive (aka M-11) (158 feet wide); thence Southeasterly 169.9 feet along said right of way line on a 22839.31 foot radius curve to the right, the long chord of which bears S46°34'28"E 169.9 feet; thence S04°53'E 320.14 feet parallel with the North-South 1/4 line; thence S85°07'W 113 feet to the Place of Beginning.

