



Fresh Coast Planning

119 1/2 Washington Avenue, Studio B
Grand Haven, MI 49417
www.freshcoastplanning.com

Gregory L. Ransford, MPA
616-638-1240
greg@freshcoastplanning.com

Kevin Yeomans
616-349-0223
kevin@freshcoastplanning.com

Alexis Gulker
616-773-4638
alexis@freshcoastplanning.com

Aaron Bigelow
616-919-2370
aaron@freshcoastplanning.com

Andrea Goodell
616-313-9333
andrea@freshcoastplanning.com

MEMORANDUM

To: Tallmadge Charter Township Zoning Board of Appeals
From: Alexis C. Gulker
Date: April 2, 2026
Re: Ken VerWoert – Dimensional Variance Request of Side Yard

Attached is an application for a dimensional variance request from Ken VerWoert for property located at 13953 Ironwood Dr, parcel number 70-10-01-400-055. The property is located within the General Commercial Zoning District (C-2).

The applicant seeks relief from Section 11.04(c)2 – Area Regulations Side Yards of the Tallmadge Charter Township Zoning Ordinance (TCTZO) to construct a 16,800 square foot commercial building with a side yard adjacent to a residential zoned property of ten (10) feet which is less than the required 25-foot side yard setback, if constructed.

The application has been reviewed and found complete. We believe denial is appropriate.

Property Details

The 0.99-acre lot is situated on the south side of Ironwood Drive, west of 2nd Avenue. The applicant will have to make a lot line adjustment if the variance is granted in order to have the size of the building they are proposing. Section 11.04(g) – Area Regulations Lot Coverage of the TCTZO states: “No more than thirty-five percent (35%) of the total land area of lot or parcel of land shall be covered with buildings or structures.” Therefore, their site plan presented to the Planning Commission and to you shows the proposed lot to be 1.21 acres.

The property currently is vacant and has 167 feet of road frontage on Ironwood Dr. The property abuts C-2 properties to the Northwest, South, and East and abuts the Rural Preserve (RP) Zoning District on the southwest. The subject property and all surrounding (abutting) properties are master planned for the Ironwood Drive Corridor (I-C), meaning the properties could be rezoned to either Commercial or Industrial zoning in the future.

Dimensional Request

As aforementioned, the applicant seeks the following dimensional variance:

- A side yard setback of ten (10) feet adjacent to a residential zoned property where the minimum side yard required is 25 feet.

A copy of Section 11.04(c)2 is provided below for your convenience:

2. Whenever a lot within this district lies contiguous to any zoning district, other than a C-1 or C-2 District, there shall be a side yard along such district of not less than twenty-five (25) feet.

Standards for Review

As you know, you are required to examine your Standards for Review (Section 21.07(d) below) to appropriately consider the request, and in order to grant a variance, all of the standards shall be met. In an effort to assist with your review, we provided our comments in italic font for each standard.

(d) Standards for Review - Dimensional 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.

There does not appear to be exceptional or extraordinary circumstances applying to the property in question. The C-2 zoning district requires a minimum lot width of 80 feet, and the subject property is 167 feet wide. The Planning Commission determined that the proposed lot size is sufficient for the intended use. Additionally, nearby properties—such as Charlie’s Canine, located approximately 880 feet northwest on Ironwood—is also zoned C-2 and abut residential zoning districts to the west, south, and east. This demonstrates that similar conditions exist on other properties within the same zoning district. The applicant noted the presence of wetlands on the subject property that drain to the northwest, extending onto the adjacent neighboring property and may limit development in that area being discussed. While the wetlands may reduce the buildable area of the neighbor’s site, the applicant has substantial space to conduct viable commercial use on their own property without needing a lesser setback as requested. Given this, it does not appear this standard is met.

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.

The variance is not necessary for the preservation or enjoyment of a substantial property right similar to that possessed by other properties or uses in the same zone district. The property owner's project includes the adjacent parcel (two parcels in total) so a combination and rearrangement of the site plan could occur to avoid the need for a variance and meet the required 25-foot setback. It appears the proposed variance is more of a necessity for increased financial return, which shall not be deemed sufficient to grant a variance. Given this, it does not appear this standard is met.

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.

The variance could pose a substantial detriment to the adjacent residentially zoned property as the proposed 10-foot side yard setback is significantly less than the required 25 feet intended to mitigate noise, light, and other impacts commercial uses bring. While the applicant has submitted a letter from the residentially zoned property owner indicating they are comfortable with the reduced setback, it is important to recognize that ownership may change, and future owners and future land uses must also be considered. Additionally, although the adjacent property is master planned within the Ironwood Overlay Corridor, this does not guarantee it will be rezoned to commercial in the future; it could also be rezoned to industrial. In that case, the reduced 10-foot setback would continue to conflict with the ordinance requirement for a 25-foot setback when abutting a different zoning district. Therefore, it does not appear this standard is met.

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.

The condition of the property and the intended use are general and typical for commercially zoned properties, as other C-2 parcels in the Township also abut different zoning districts and have been, or will be, required to meet the 25-foot side yard setback. Therefore, it does not appear that this standard is met.

5. Any exceptional or extraordinary circumstances applying to the property in question are not self-created.

It appears the circumstance for the variance is self-created by the applicant. As aforementioned, the property owner owns the adjacent parcel to the southeast and could combine the parcels and rearrange the site plan to meet the required 25-foot setback or decrease the size of the proposed building. Therefore, it does not appear this standard is met.

As you are aware, a dimensional request requires a majority vote of the membership.

Public Hearing

The application has been scheduled for a public hearing at your April 14, 2026, special meeting at 7:00pm. If you have any questions, please let us know.



Associate Planner

Attachments

cc: Mark Bennett, Supervisor