

ZONING BOARD OF APPEALS
CITY OF GRAND HAVEN
MEETING MINUTES

June 17, 2026



A regular meeting of the Grand Haven Zoning Board of Appeals was called to order by Vice Chair Shibley at 7:00 p.m. in the Grand Haven Council Chambers. On roll call, the following members were:

Present: Kerry Bridges, Amy Kozanecki, Richard Norton, Brendan Pool, Vice- Chair Paul Shibley, Chair Mark Hills, Alternate Oliver Shampine

Absent: Tyler Berg

Also present: Brian Urquhart, City Planner

Approval of Minutes

Motion by Shampine, seconded by Norton, to approve the April 22, 2026 minutes as written. Passed unanimously with a voice vote.

Approval of Agenda

Motion by Hills, seconded by Shibley, to approve the agenda with moving case 26-05 as item 6,a, and case 26-04 as 6,b. Passed unanimously with a voice vote.

Call to the Audience – None

Case 26-05: A request by Jason Beecham for a variance related to a garage addition at 108 Lafayette Ave. (parcel #70-03-20-455-002), a variance from Sec. 40-301.02.A to allow a detached accessory building of 1,400 sq. ft. where the maximum detached building size in the S – Southside District is 1,000 sq. ft.

Urquhart introduced the case. He said Mr. Beecham is looking to add a 15 ft. x 23 ft. addition to the detached garage at 108 Lafayette. The existing garage currently exceeds the maximum size of 1,000 sq. ft. in the Southside district. According to the application, the primary reason for this size addition was to provide enough room to park a work truck and create additional storage space.

Jason Beechman, 108 Lafayette, said the proposed addition was the optimum size to provide room and make economical sense without having to change the roof pitch. Jason also said the property is two-family dwelling, and the required parking and circulation would be met with this design.

Chair Hills opened the public hearing at 7:16 pm.

Shibley asked about the size of the truck. Beecham responded it was a large F250, which is much larger than how garages were sized in the past.

Shampine asked about the garage size. Beecham responded the length is currently 22 ft., but the vehicle is just a little bit longer.

Motion by Kozanecki, seconded by Norton, to close the public hearing. Voice vote. All ayes. Public hearing closed at 7:20pm.

The board considered the seven basic conditions.

- A. All members agreed the addition to the garage to a size greater than 1,000 sq. ft. for a parcel and use of this size in Southside did not contradict the intent or spirit of the ordinance. Motion by Shibley, seconded by Pool, to approve Basic Condition A. Condition A **passed** unanimously on roll call vote.
- B. All members agreed a detached garage is a permitted use in the Southside district. Motion by Norton, seconded by Bridges, to approve Basic Condition B. Condition B **passed** unanimously on roll call vote.
- C. All members agreed the addition to the garage would not create any substantial adverse effect on properties in the adjacent vicinity. Motion by Bridges, seconded by Pool, to approve Basic Condition C. Condition C **passed** unanimously on roll call vote.
- D. All members agreed the condition was unique due to the existing garage was large and shaped to accommodate 4-stalls, and the parcel was a two-family dwelling, placing a higher demand on additional parking. Motion by Shampine, seconded by Bridges, to approve Basic Condition D. Condition D **passed** unanimously on roll call vote.
- E. Most members agreed the garage addition was not an act of self-creation. Norton believed the basis of the variance request was to accommodate a large truck, in which the truck does not need to be parked inside, or smaller vehicles can be used. Hills shared a similar concern. Motion by Pool, seconded by Bridges, to approve Basic Condition E. Yeas: Bridges, Pool, Kozanecki, Shampine, Shibley. Nays: Hills, Norton. Condition E **passed** 5-2 vote.
- F. All members agreed there was no reasonable alternative for the location for the garage addition on the property. Motion by Pool, seconded by Shampine, to approve Basic Condition F. Condition F **passed** unanimously on roll call vote.
- G. Most members believe the addition size, based on the over parcel size and two-family use, the variance was the minimum necessary. Pool stated the variance is not the minimum needed to accommodate the request. Motion by Shibley, seconded by Norton, to approve Basic Condition G. Yeas: Bridges, Pool, Norton, Kozanecki, Shampine, Shibley. Nays: Hills. Condition G **passed** 6-1 on a roll call vote.

Motion by Kozanecki, seconded by Shampine, to APPROVE Case 26-05, A request by Jason Beecham for a variance related to a garage addition at 108 Lafayette Ave. (parcel #70-03-20-455-002), a variance from Sec. 40-301.02.A to allow a detached accessory

building of 1,400 sq. ft. where the maximum detached building size in the S – Southside District is 1,000 sq. ft. based on the fact basic conditions A through G were met.

Yeas: Bridges, Pool, Kozanecki, Shibley, Shampine. Nays: Hills, Norton. The variance was **APPROVED** on a 5-2 vote.

Case 26-04a: A request by Dick's Towing & Recovery Inc. related to the reconstruction of a building at 321 N. 7th St. (parcel #70-03-21-305-010) subject to the following: The reestablishment of a nonconforming use of an automobile recovery and towing facility in the NMU – Neighborhood Mixed-Use District, an appeal from Sec. 40-111.05.F

Chair Hills opened the public hearing at 7:35pm.

Urquhart introduced the case. He said Dick's Towing building burned completely in February. Cindy Domanchuk of Dick's Towing approached the city inquiring about rebuilding the structure, where it was determined nonconforming uses and structures applied to the property.

Urquhart reviewed the underlying zoning district of NMU and determined an automobile towing and recovery use was not permitted by right or special land use. Urquhart then reviewed Sec. 40-325, unclassified uses, and determined there was no use that was sufficiently similar to an automobile and recovery facility. Urquhart then reviewed Sec. 40-111, nonconformities. It was determined Sec. 40-111.05.F applied, in which where a nonconforming use status applies to a structure and land in combination, removal, or destruction of the structure shall eliminate the nonconforming status of the land. Urquhart determined, with confirmation from City Attorney, the use was hereby eliminated. Domanchuk then applied for an appeal of this determination, seeking continuation of the nonconforming use in the NMU district.

Urquhart said the City received dozens of letters and emails regarding this case, mostly in favor of the appeal. Urquhart cited the concerns submitted were largely based upon the layout, parking of tow trucks in the street, noise, dust, fumes, and unsightly property conditions.

Cindy Domanchuk presented her case before the ZBA.

Linda Hosington of Dick's Towing, responded to a question from Shampine about the Dept. of Public Safety priority list for tow companies.

Kozanecki asked about other towing companies in the City and the permissions granted to operate in the current locations.

Paul Ohep, 628 Madison, spoke against the appeal. Concerned with residential adjacent uses.

Dave Domanchuk read a letter in favor of the appeal request.

Alyssa Langlois, 535 Elliott, spoke in favor of the appeal.

Dawn Hill, 654 Elliott, spoke against the appeal. Hill felt that Dick's has outgrown its current location and suggests there are better places for a towing and recovery business.

Stacey Kubiski, 633 Elliott, spoke against the appeal, citing traffic challenges, negative impacts on neighboring properties.

Molly Greenwald, 18110 168th St. Spring Lake, spoke in support of the appeal.

Jen Smith, 117 N. Jacqueline Spring Lake, spoke in support of the appeal. Said the nonconforming use must continue and the ordinance was harsh.

James Neal, 622 Fulton, said he lived in Grand Haven for 40 years and spoke towards the benefit of Dick's towing and supported the appeal.

Mike VerDuin, 619 Washington, spoke in favor of the appeal. Suggested the applicant did not cause the fire and the destruction of the building and Dick's was acting in good faith.

Linda Hosington, 17258 Taft Rd. spoke about the cost of repair and the business needs help. Said there is very little land available in the city for this use.

Dawn Struck, 17793 Comstock St., spoke in favor of the appeal.

Scott Jackson, 117 N. Jackson Ave. spoke in favor of the appeal.

Alex Rajeski, 18110 168th Spring Lake, spoke in favor of the appeal.

Brad Johnson, 17855 168th St. Spring Lake, spoke in favor of appeal, citing AAA uses capacity plans from NHSP business locations such as Dick's to provide crucial service. Johnson noted the appeal would provide public safety.

Motion by Shibley, seconded by Pool, to close the public hearing. Voice vote. All ayes. Public hearing closed at 8:45pm.

Urquhart said because this was an appeal, the seven basic conditions for a variance do not apply. The board considered the findings of fact and agreed the circumstance was not self-created, narrow application of the ordinance, and no specific permissive language to allow a towing and recovery use any other zoning district in the city.

ZBA members discussed the difficulty placed upon the a nonconforming use and the fact the structure was destroyed by a fire, and the strict letter of the ordinance of removing the nonconforming use. The appeal appeared to have justification based on the duration of the

use and the ambiguity of permissive language to allow an automobile towing and recovery facility.

Motion by Pool, seconded by Shampine, to approve Case 26-04a, A request by Dick's Towing & Recovery Inc. related to the reconstruction of a building at 321 N. 7th St. (parcel #70-03-21-305-010) subject to the following: The reestablishment of a nonconforming use of an automobile recovery and towing facility in the NMU – Neighborhood Mixed-Use District, an appeal from Sec. 40-111.05.F with the following findings:

1. Sec. 40-111.05.F places an unnecessary hardship upon the appellant to reestablish a nonconforming use in the NMU District.
2. The appellant did not create the destruction of the nonconforming structure.
3. The appellant has remained in the same location for over 50 years and the appellant did not request to rezone the property to Neighborhood Mixed-Use, creating said nonconforming use.
4. There are no specific zoning districts nor a definition of an automobile towing and recovery facility in the current Zoning Ordinance, resulting in an unnecessary hardship upon the appellant to relocate the use within the City.
5. Public health, safety and welfare and substantial justice will be preserved by allowing the reestablishment of a nonconforming use of an automobile towing and recovery facility at 321 N. 7th St. (parcel #70-03-21-305-010).

And with the following conditions:

1. The Planning Commission shall initiate an amendment to the zoning ordinance to establish a definition of automobile towing and recovery facility, and decide of which specific zoning district would permit the automobile towing and recovery facility use, either by right or special land use. The Planning Commission shall prepare the necessary standards for approval if such use is permitted by special land use.
2. The appellant, upon receiving all site plan approvals, shall park and store towing trucks on site. No tow trucks shall be parked or stored on any public street for any reason whatsoever.
3. The appellant shall repair all failing fencing, screening, lighting, or other incompatible functions, as determined by the Zoning Board of Appeals.

Yeas: Bridges, Pool, Norton, Kozanecki, Shibley, Shampine. Nays: Hills. The appeal was **APPROVED** on a 6-1 vote.

Case 26-04b: A variance to allow a front yard setback of 5 ft. where the required setback must be within the build to zone of 0 to 3 ft. as defined in Sec. 40-306.12, a variance from Sec. 40-411.02.D; and a variance to allow a corner front yard setback of 14 ft. where the maximum setback must be 5 ft., a variance from Sec. 40-411.02.D

Urquhart introduced the case. He said following the appeal approval, the variance could be considered. The NMU district has requirement for buildings to be placed on narrow setbacks, particularly on corner lots. The applicant is seeking relief to provide a setback

from the road right-of-way due to the use and placement of an underground storage tank off Madison. The proposed variance would allow for enough space to park the tow trucks on site.

Cindy Domanchuk reviewed her variance presentation. She cited the difficulty of rebuilding to NMU setback, because of the shallowness incompatibility with continued nonconforming use.

Chair Hills opened the public hearing at 9:19 pm.

Mike VerDuin, 623 Washington, spoke in favor of the variance.

Molly Grenwald, 18110 168th St. Spring Lake, agreed with the request and reiterated the glass variance would be needed for a purpose building like this.

Motion by Shibley, seconded by Norton, to close the public hearing. Voice vote. All ayes.

Public hearing closed at 9:37pm.

The board considered the seven basic conditions.

- A. All members agreed that the setback requirements in the NMU district are intended for retail/restaurant type uses, becoming in harmony with the street. However, the use lends itself to a larger setback and would not compromise the intent of the ordinance. Motion by Norton, seconded by Shibley, to approve Basic Condition A. Condition A **passed** unanimously on a roll call vote.
- B. This condition was not applicable to the approval of the appeal for Case 26-04a to continue the nonconforming use. Motion by Pool, seconded by Bridges, to approve Basic Condition B. Condition B **passed** unanimously on roll call vote.
- C. All members agreed the variance to allow 5 ft. and 14 ft, front and corner front yard setback would not be substantially adverse on property in the immediate vicinity. Motion by Bridges, seconded by Shampine, to approve Basic Condition C. Condition C **passed** unanimously on roll call vote.
- D. All members agreed the property was unique, at extremity of the NMU district, with close proximity to US-31 and highway commercial uses that lend itself to buildings with similar setbacks. Motion by Shampine, seconded by Bridges, to approve Basic Condition D. Condition D **passed** unanimously on roll call vote.
- E. All members agreed the condition or situation of the property was a result of the applicant. As discussed per Case 26-04a, the applicant did not rezone the property from B-2 commercial in 1997, nor purposely caused the fire to destroy the building. Motion by Pool, seconded by Shibley, to approve Basic Condition E. Condition E **passed** unanimously on roll call vote.
- F. All members agreed there was no reasonable alternative for the setbacks due to the underground storage tank, setback from 7th St. and location of driveway access off 7th St. Motion by Norton, seconded by Shampine, to approve Basic Condition F. Condition F **passed** unanimously on roll call vote.

- G. All members agreed the request for a 5 ft. and 14 ft. variance was the minimum necessary to make use of the improvement. Members cited a 85% reduction in the setback off 7th St. and the 14 ft. setback off Madison is the same as the prior setback, therefore no increase in nonconformity. Motion by Pool, seconded by Norton, to approve Basic Condition G. Condition G **passed** unanimously on a roll call vote.

Motion by Kozanecki, seconded by Shampine, to APPROVE Case 26-04b, a variance to allow a front yard setback of 5 ft. where the required setback must be within the build to zone of 0 to 3 ft. as defined in Sec. 40-306.12, a variance from Sec. 40-411.02.D; and a variance to allow a corner front yard setback of 14 ft. where the maximum setback must be 5 ft., a variance from Sec. 40-411.02.D based on the fact basic conditions a through g were met.

Yeas: Bridges, Pool, Norton, Kozanecki, Shibley, Hills, Shampine. Nays: None. The variance was **APPROVED** on a 7-0 vote.

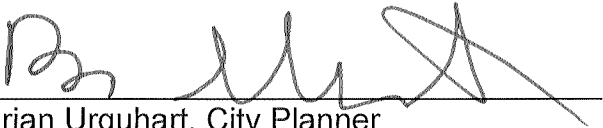
City Planner Report –Urquhart reminded the ZBA of training opportunities. Urquhart thanked Hills for his time serving as ZBA chair.

Call to the Audience – Second Opportunity

Bob Monetza, 945 Washington, thanked the ZBA and Hills for their dedication and commitment to the City.

Adjournment:

Motion by Kozanecki, seconded by Norton, to adjourn. Unanimously approved by voice vote. Meeting adjourned at 9:59 pm.



Brian Urquhart, City Planner