



Minutes – Zoning Board of Appeals

Meeting – Wednesday, March 18th, 2026

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**Meeting called by:** Vice Chair Gerald Skelonc @ 7:04 PM

**Members Present:** Vice Chair Skelonc acting Chair requested Member Roll Call: Anielski, Alternates Crofoot and Perrin present; Blair present @7:12 PM Absent: Tilburt, Powell

**Others present:** Attorney – Cruickshank; Zoning Admin – Gross; Supervisor – Ellick

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**Pledge of Allegiance:**

**Approval of Minutes:** Motion to accept January 21<sup>th</sup>, 2026 meeting minutes by Anielski, second – Skelonc, all Ayes, Carried.

**Approval of Agenda:** Motion to accept Agenda by Anielski, second – Crofoot, all Ayes, Carried.

**Public Comment** - Matters not the Subject of Public Hearing/Agenda Items: No public comment, closed.

**Agenda Items to be reviewed by the Zoning Board of Appeals:**

Agenda Item #1: Scheduled Public Hearing for Variance Request – WILCOME, 14681 Algoma Ave, Cedar Springs (**Skelonc**) Opened Public Hearing with explanation of procedures and recognized Aaron and Ashley Wilcome, owner/applicant. (**Wilcome**) Requesting Variance to extend our road front with an additional 30 feet purchased from the neighboring property south to make it possible to build a house. This would make the neighboring property more nonconforming. We have been under contract for over three years trying to close on this purchase. The neighbors have two lots and the 30 feet is on a vacant lot and their home is on the second lot further south. The additional 30 feet would give us a buffer and allow us to put in a well, septic and driveway. (**Ellick**) The additional 30 feet would satisfy the Health Department, the property is useless regardless, it is trash land. (**Anielski**) According to zoning ordinance 17.06 regarding Dimension Variances, there are four hurdles the applicant must meet to be granted variance;

1. Practical difficulties
2. Special conditions or circumstances exist not applicable to others in same zoning district
3. Depriving the applicant of property rights enjoyed by others in same zoning district
4. Authorization of variance will not be of substantial detriment to other lands and contrary to spirit, purpose of ordinance.

**Public Hearing:**

**Arnold Magoon**, 14688 Algoma Ave NE, Cedar Springs: He has spent three years trying to get the 30 feet and has spent a lot of money trying to build. How long is it going to take to get 52 feet? Like to see him build right across from my house, him and his family have been working at it for a while cleaning it up, couldn't even drive in it until then. I would hate to see him lose it.

**Melissa Kaiserlian**, 16055 White Creek Ave, Cedar Springs: Third hurdle? (**Anielski**) Provisions of Ordinance would deprive the applicant from property rights others enjoy in the district. (**Kaiserlian**) This is true? It is legally nonconforming? (**Gross**) This means at some point in time it was created. The complication is coming in by making the neighboring property more nonconforming by purchasing the 30 ft. I cannot sign off on that as a rule. (**Kaiserlian**) The neighbor selling the property doesn't seem to act as their property rights are being violated. (**Anielski**) We need to follow the ordinance and what it says. That is the one spot the hurdle comes in, the law saying, the letter of the law it is going against his neighbor. (**Skelonc**) Once you allow it to happen, once and down the road, somebody else wants it and it will be twice as much. For one and for all. (**Magoon**) Came here for a variance, what is the object of this meeting? You are saying letter of law is 200 ft? He is here to see if he can get away without that. (**Anielski**) Not saying anything against him, we have to review ordinance and follow what it says and see if that variance makes sense for the township.

**(Magoon)** It sounds like he needs 200 feet or he can't build. **(Gross)** Not what is happening, I would sign off the zoning if he didn't need the additional 30 ft because that is the way it is written. I have to go by the book, not a question or right or wrong. He can build now if he can meet all the needs with the county. It is noncompliant the way the ordinance is written.

**Patrick Keating**, 14100 Algoma Ave, Cedar Springs: What about an easement? **(Skelonc)** It isn't possible unless the landowner creates one, Jerry? **(Gross)** Depends on is considered an easement. No septic on someone else's property, maybe driveway for the people to go back there but accomplishing this with the 30 feet, not my determination it is the ZBA's.

### ZBA Discussion and Questions:

**(Anielski)** Can an additional 50 feet be purchased to complete required 200 feet road frontage?

**(Gross)** Ordinance has changed since properties were established. I could not sign off on original application because it makes the neighboring property even more nonconforming.

**(Anielski)** Does property taxes increase if both neighboring properties were combined? Uncap if lot line adjustment?

**(Blair)** This gentleman is taking a piece of worthless land and increasing the tax base of this township. A variance is in the township's best interest. The ordinance is to make sure the township and citizens' rights are protected. He is going to improve it and make it a valuable piece of property I say good for him.

**(Anielski)** Four hurdles are in Ordinance 17.06...property difficulties, neighbor that won't sell; deprive the applicant from property rights that others enjoy, it is legal nonconforming.

**(Gross)** It was legal non-conforming when purchased and continues to be, they were created that way and can be built on. That is not the problem, the issue is the building area is not sufficient for driveway, well and septic. If they can be built upon, road right of way doesn't matter and doesn't stop him from building. Making the other parcel more non-conforming is a problem.

**(Anielski)** It is a mute point making the neighboring property more nonconforming, you cannot build on it. If it is a matter of the neighbor, it is their land and this checks off that hurdle. Road frontage is a hurdle.

**(Gross)** He needs the 30 foot for the driveway because it is the high land, the frontage is not an issue at this point other than I could not sign off and approve of his application making the other parcel more nonconforming. That is why he is seeking the variance.

**(Blair)** This gentleman wants to take his nonconforming property and make it less nonconforming, him and his wife are trying to improve it. The more nonconforming lot will never be, it is a worthless piece of swamp land. Let's look at the intent rather than the letter of law. I would say I don't understand why we don't approve that. We are splitting hairs, it is never going to be conforming.

**(Gross)** What I feel and believe has no place for this, it is what the book says.

**(Anielski)** Legal wise, anything we need to address?

**(Attorney Cruickshank)** Focus is on the criteria, ordinance 17.06, how does variance relate to adjoining property?

**(Blair)** Regarding the daycare center years ago, needed a variance, land not large enough to meet parking lot requirements. We approved that and I do not see this as being any different. I don't know why neighbor won't sell, it is worthless. **(Skelonc)** Must be some condition as to why there is resistance from the neighbor to cooperate. **(Wilcome)** We tried to buy all of the parcel. They wanted access to pond, placement of ashes. During Mediation this was addressed. **(Anielski)** Sounds as the 30 feet will be enough to accomplish what is required to build.

**(Skelonc)** Called for motion. **(Gross)** Anything to adjust? **(Attorney Cruickshank)** No, it is good. **(Anielski)** Any approval contingent on the purchase of the 30 feet. I am inclined to motion to approve. **(Blair)** Second **(Cruickshank)** Page 4, conditions on variance: 1. The adjacent parcel will be nonconforming and not buildable. 2. Mr. Wilcome will provide written consent, we can add language and conditions to include purchase. **(Anielski)** I would like amend my motion to include that. We are approving based on Mr. Wilcome getting the 30 feet and clearance for septic and driveway. Any approval for building pending proof of purchase of 30 feet. **(Kaiserlian)** Purchase agreement showing property owner agrees with this more nonconforming? Does he need an additional document? **(Gross)** Will come through Clerk and goes on record that properties have been... **(Blair)** Everyone is protected. **(Cruickshank)** Conditions on variance, will have to provide proof of purchase to township.

**(Skelonc)** Roll call vote; Ed – Yes, AJ – Yes, Lisa – Yes, Gerald – Yes, Dawn – Yes, all ayes, motion carried.

- Approval Resolution is revised to allow proof of purchase upon closing.

**Conclusion:** Attorney will prepare approval resolution with revisions. Applicant may pursue resolution conditions – closing on property, proof of purchase and move forward with lot line adjustment application.

**Other Matters to be reviewed by the Zoning Board of Appeals:** N/A

**Old Business:** N/A

**Open Discussion for Issues not on the Agenda:**

1. Zoning Board of Appeals: N/A
2. Correspondence Received: N/A

**Report of Township Board Representative:** (Anielski) N/A

**Report of Board of Appeals Representative:** (Tilbert) Absent

**Report of Zoning Administrator:** (Gross) Nothing to report.

**Additional Public Comment:** N/A

**Adjournment:**

**Skelonc:** Entertain Motion to adjourn; Motion to adjourn by Blair, Second – Anielski, all Ayes, Motion Carried. Meeting Adjourned: 7:54 PM.

**Next Scheduled Meeting:** Wednesday, April 15th, 2026 at 5:00 PM