

***BYRON TOWNSHIP ZONING BOARD OF APPEALS
REGULAR MEETING – February 26, 2003
MINUTES***

The regular meeting of the Byron Township Board of Appeals was called to order by Chairman Abe VanderWoude Wednesday February 26, 2003, at 7:00 p.m. at the Byron Township Offices, 8085 Byron Center Ave., Byron Center, MI.

Members present were: Abe VanderWoude, Seymour Gould, Jim Haagsma, Jeff Brinks, and Kathy Burgess

7:00 p.m. Larry Wormmeester - for a 134' lot frontage variance for property located at: 7160 Ivanrest. (tabled from the January 22, 2003 meeting)

A motion was made by Gould supported by Haagsma to remove the variance request for Larry Wormmeester from the table for discussion.

Gould commented that he spoke to the township attorney about this variance request and was advised that issuing a bond would not be appropriate. The property can be used as it is zoned. And there is another option for him. Brinks stated that this is not a unique situation in fact there are a lot of situations like this one.

Mr. Wormmeester responded by saying that he is fully aware of the requirements that must be met. He stated at this time he is only asking for a temporary postponement of putting the cul-de-sac in. He stated that he has 14 acres just sitting there.

VanderWoude stated that he does have another options. If he deeds the property over to the county he does not need a variance, and he does not have to put the cul-de-sac in.

After some additional discussion a motion was made by Gould supported by Brinks to deny the variance request as it does not meet the requirements of the Zoning Ordinance 21.6.

Roll call vote: Brinks - yes; Gould - yes; Haagsma - yes; Burgess - abstained; VanderWoude - abstained. Motion Carried. Variance denied.

Seymour Gould was excused for the remainder of the meeting due to illness in the family.

Approval of the Minutes - January 22, 2003

A motion was made by Haagsma, supported by Brinks to approve the minutes as written. All voted aye. Motion Carried.

7:15 p.m. City Sign Erectors - for a variance to permit a flashing and/or intermittently illuminated sign for the property located at 531 - 68th St. SW (Mc Donalds).

Mr. Jeff Brinks read the public notice. All property owners within 300' of the subject property were notified and no written responses were received.

Tracy Rogers was present on behalf of City Sign Erectors. She stated that their intent will be to replace the existing reader board with a new digital reader board. And to re-do the facing of the old sign with the new updated logos for McDonalds. Business has struggled during the recent road construction and this would hopefully draw attention to their specials and new menu items.

Chairman Abe VanderWoude closed the public portion of the meeting.

The board members discussed that the Planning Commission should take another look at the Townships sign ordinance. These types of signs are not going to go away. Jeff Brinks stated that he would get in contact with the Chairman of the Planning Commission.

After some additional discussion a motion was made by Brinks, supported by Haagsma to grant this variance for the intermittent sign and at this time text changes to that sign can be 3 minute intervals, until at which time the zoning ordinance may change they then will be required to comply with that change has to the amount of text changes allowed.

Roll call vote: Brinks - yes; Haagsma - yes; Burgess - yes; VanderWoude - yes.

Motion Carried. Variance granted.

7:30 Henry Kamps - Kamps Mini Storage - variance to allow storage in a front yard and a variance to place evergreen trees in lieu of a solid screening wall or fence for property located at approximately 7295 Clyde Park Ave. SW.

Mr. Brinks stated that he received a phone call from Henry Kamps stating that they are persuing other options and are requesting that we table this request until the March 26, 2003 meeting.

A motion was made by Brinks, supported by Haagsma to table this request until the March 26, 2003 meeting. All voted aye. Motion carried.

7:45 Corner Trailer Sales - for a 7' height variance to construct an accessory building for property located at 9993 Byron Center Ave. SW.

Mr. Jeff Brinks read the public notice. All property owners within 300 feet of the subject property were notified and no written responses were received.

Dale Brinks was present to state why this variance is needed. He stated that they are asking for a 7' height variance for the new pole building they hope to erect. This corner is zoned B-2, and it is unique due to the rural setting of this business.

Dennis Buist - 9978 Byron Center Ave. SW lives across the street from Corner Trailer Sales and is concerned about what type of lighting will be used.

Mr. Brink responded by saying they will not have a light on the pole barn, but will have shoe box type lighting in the parking lot. Which shine down, not out.

Bill Speyer - 9902 Byron Center Ave. SW stated that he has no problem with them building the pole barn there or the height. He stated that the corner is looking much better than what it has in the past.

Chairman Abe VanderWoude closed the public portion of the meeting.

Abe Vander Woude noted that this will have to go through site plan approval, and it will be noted that the lighting will have to be boxed directional lights.

After some discussion a motion was made by Brinks, supported by Burgess to grant the 7' height variance as requested.

Roll call vote: Burgess - yes; Haagsma - yes; Brinks - yes; VanderWoude – yes.

Motion Carried. Variance granted.

8:00 Velting Contractors - for a variance to construct a gravel parking/storage area for the property located at 255 - 76th St. SW

Mr. Jeff Brinks read the public notice. All property owners within 300 feet of the subject property were notified and no written responses were received.

Kevin Velting was present on behalf of Velting Contractors stating that they are simply asking for a gravel storage space. Due to the size of some of the equipment they work with a black top surface would get damaged very quickly. They would be replacing some of the black top area with new black top, and the area between the buildings would be concrete.

Mr. VanderWoude asked if this area will be for storage or demo of equipment. Kevin responded by saying it would be just storage. The majority of their equipment stays out on the job site. It is only brought to this located to be serviced and maintained.

Chariman Abe VanderWoude closed the public portion of the meeting.

After further discussion a motion was made by Brinks, supported by Burgess to grant this variance for a gravel parking/storage area with the stipulation that they use crushed concrete on the area so specified on the site plan that was presented.

Roll call vote: Haagsma - yes; Brinks - yes; Burgess - yes; VanderWoude - yes.

Motion carried. Variance granted.

Miscellaneous

Chairman Abe VanderWoude commented that the members of the Zoning Board of Appeals suggest that the Planning Commission look into possibly changing the Byron Township Zoning Ordinance concerning signs. Specifically looking at 17.2 (J 5). Jeff Brinks commented that he would speak to the Chairman of the Planning Commission.

Adjournment

8:23 p.m. It was moved by Haagsma, supported by Burgess to adjourn the meeting. All voted aye. Motion Carried.

Jeff Brinks
Secretary of Board of Appeals