

***BYRON TOWNSHIP ZONING BOARD OF APPEALS  
REGULAR MEETING – May 28, 2003  
MINUTES***

The regular meeting of the Byron Township Board of Appeals was called to order by Chairman Abe VanderWoude Wednesday May 28, 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, Kathy Burgess and alternate member Doug Tubergen.

**7:00 p.m. Thomas Saladino - for a 4' height variance to construct an accessory building for property located at: 4485 - 100<sup>th</sup> St. SW)**

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

Tom Saladino was present to state why he is requesting this variance. He mentioned he would like to match the 6/12 pitch of his house, which of course would make it look better, and he would put brink on the front of the barn to match the house. He also stated that he would like to utilize the added height for attic storage space.

Tom Okhuysen - 1507 - 100<sup>th</sup> St. stated that they purchased this home with the idea that if this situation did arise in the neighborhood, that the Township would go according to their ordinance. If this is approved he feels this puts his investment in danger.

Jennifer Okhuysen - 1507 - 100<sup>th</sup> St. commented that this building would be very close to their lot line.

Ken Van Putten - 9890 Brin Pt. Ct. stated that he is displeased with this request. It will block his view and with the added height it will really make a difference.

Chairman Abe Vander Woude closed the public portion of the meeting.

After some discussion Gould commented that the height ordinance has to be looked at and a possible change made. The height ordinance in Byron Township has not changed since 1988. Houses have changed but the height has not.

Brinks stated that this request is coming before us more and more often.

After further discussion a motion was made by Brinks, supported by Gould to grant the 4' height variance as requested per Byron Township Zoning Ordinance 21.6 2 & 3 as conditions.

Roll call vote: Haagsma - no; Burgess - yes; Gould - yes; Brinks - yes; VanderWoude - yes.

Motion Carried. Variance granted.

**7:15 p.m. Gordon, Sherrie and Trevor Schutter – request to move a home from 9959 S. Division to 9760 S. Division.**

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.

Sherrie Schutter stated this home is old in fact over 200 years old and the oldest home listed on the tax roll for Byron Township, also its falling apart, and we'd like to restore it, and keep the historical look. She stated that they would like to move it across the street on a 1 ½ acre lot and the house would have 275' of frontage. The house needs all new plaster, plumbing, porches, windows etc.

No public comments were made.

Gould asked what they thought the time table would be to get this done.

Sherrie stated that it going to take some time. It is going to be a family project, and they want to do it right.

Burgess asked who would occupy the house once it is all done or do they consider running a business out of the home, like a Bed & Breakfast.

Sherrie said that it would be occupied by family, and they have no intentions of operating a business out of the home.

No public comments were made.

Chairman Vander Woude closed the public portion of the meeting.

After some discussion a motion was made by Gould supported by Haagsma to grant the moving of the house from 9959 S. Division to 9760 S. Division with the following stipulations: everything is brought up to code, the building, electrical, plumbing and mechanical, replace windows, replace porches, new roof, new or approved alternative siding, and the landscaping completed, after 1 year you are required to come back to the Board of Appeals and ask for an extension, at that time you can report the progress that has been made on the home, also a 15,000 cash bond must be placed with the Township Clerk prior to the issuance of a moving permit good until August, 2005.

Roll call vote: Gould - yes; Haagsma - yes; Brinks - yes; Burgess - yes; Vander Woude - yes.

Motion carried. Variance granted.

**7:30 p.m. Richard Zuiderveen for a 15' rear and a 15' side yard variance to construct an accessory building for the property located at 2075 Pleasant Pond SW**

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

Rich Zuiderveen was present to state why this variance is needed. He mentioned that he would like to build an accessory building in the southwest corner of his property no closer than five feet from the rear and side property lines. By putting the building closer to the back corner of the property will allow for the maximum amount of room for outside activities. Since the property is a corner lot the view from both roads would be better if it was located further back, making the property look better to neighbors and those who pass by. He also stated that Lot 7 which is across the street was granted a variance to move his building back and closer to his lot line.

Chairman Vander Woude closed the public portion of the meeting.

Mr. Vander Woude asked Mr. Zuiderveen if he had spoken to any of his neighbors about what he intended to do.

Mr. Zuiderveen responded by saying that he did go and speak to his neighbors, and no one had a problem with him doing this.

Mr. Gould commented that the two lots mentioned are completely different layouts.

Mr. Haagsma stated that by allowing this variance, we would be preserving a better looking neighborhood if the building would be set further back.

After some discussion a motion was made by Gould supported by Brinks to deny the request at 2075 Pleasant Pond. Roll call vote: Burgess - yes; Haagsma - no; Gould - yes; Brinks - yes; VanderWoude - yes. Motion Carried. Variance denied.

**7:45 Jim Lombardo for a 3' height variance to construct an accessory building for the property located at: 4751 Leann Ct.**

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.

Dan Lindemulder from Ridgewood Builders was present on behalf of Jim Lombardo. He stated that they would like this building to match the house. He also stated that this outbuilding would have an 11' wall height with 19' at the peak in order to be able to install a taller door so in the future they can get a motor home inside.

No public comments were made.

Chairman Vander Woude closed the public portion of the meeting.

After some discussion a motion was made by Vander Woude supported by Burgess to grant the

request for a 3' height variance with the stipulation that the scissor joist go back 30' in the front of the out building facing west.

Roll call vote: Gould - yes; Brinks - yes; Burgess - yes; Haagsma - no; Vander Woude - yes.

Motion carried. Variance granted.

### **Miscellaneous**

Discussed was the building height issue. It will be brought to the Planning Commission for further study and consideration.

### **Approval of the minutes of the April 23, 2003 meeting.**

A motion was made by Haagsma, supported by Gould to approve the minutes as corrected.

All voted aye. Motion Carried.

### **Adjournment**

8:40 p.m. It was moved by Brinks, supported by Haagsma to adjourn the meeting. All voted aye. Motion Carried.

---

Jeff Brinks  
Secretary of Board of Appeals