

***BYRON TOWNSHIP ZONING BOARD OF APPEALS
REGULAR MEETING – February 25, 2004
MINUTES***

The regular meeting of the Byron Township Board of Appeals was called to order by Vice Chairman Jim Haagsma on Wednesday February 25, 2004, at 7:00 p.m. at the Byron Township Offices, 8085 Byron Center Ave. Byron Center, MI.

Members present were: James Haagsma, Seymour Gould, Jeff Brinks, Kathy Burgess, and alternate Doug Tubergen. Absent: Abe VanderWoude.

7:00 p.m. Pace Trailer Sales – request for a 50 sq ft. area variance and a 3’ height variance to have a flashing/animated sign (Art. 17.2 (b) (3) for the property located at: 8788 Byron Commerce Dr.

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

Bart Arigo owner of Pace Trailer was present to comment on why they are requesting these variances. He stated that Pace Trailer is a multi line truck sales and service operation. They represent eight different truck manufactures. He stated that they can not begin to put up a sign for every type of truck that they sell or service. They are located on an 11 acre site. He stated that they are not looking for a flashing neon sign, or something that zips a message back and forth. They would like a reader type message board. They have a need to identify Pace Trailer on the expressway side of the building. The 3’ height variance that is being requested is necessary. The ordinance now allows 20’ which would only give a 12’ clearance from the bottom of the sign. When the trucks move around the parking lot they need at least 15’ clearance or they could hit the bottom of the sign.

Jim from Advanced Signs was also present to answer any questions that may arise.

No public comments were made.

Vice Chairman Jim Haagsma closed the public portion of the meeting.

It was discussed by the board that each variance request would be voted on separately.

After some discussion a motion was made by Gould supported by Burgess to deny the 50 sq ft. area variance as it does not meet any part of Article 21.6 1,2, or 3 of the Byron Township Zoning Ordinance.

Roll call vote: Brinks - yes. Burgess - yes. Tubergen - yes. Gould - yes. Haagsma - no. Motion carried. Variance denied.

A motion was made by Brinks supported by Gould to grant the 3' height variance.

Roll call vote: Tubergen - yes. Burgess - yes. Brinks - yes. Gould - yes. Haagsma - yes. Motion carried. Variance approved.

A motion was made by Gould supported by Brinks to approve the reader board as requested.

Roll call vote: Brinks - yes. Burgess - yes. Gould - yes. Tubergen - yes. Haagsma - yes. Motion carried. Variance approved.

7:15 p.m. Jack Schneider for a 616 sq ft. area variance for an existing accessory building for property located at 1506 – 76th 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.

Jack Schneider commented that the reason this variance is needed is due to the split of the property. He stated that the accessory building was built in the 60's and is used for storage of his boat, winter vehicles, and trailers. He stated that he has spoken to the neighbors and they have no complaints. Hopefully with the split of the property he can keep his building the same size.

No public comments were made.

Vice Chairman Haagsma closed the public portion of the meeting.

Tubergen asked Mr. Schneider what the size of his property will be after the split.

Mr. Schneider commented that the change would be 7 acres down to a little over 5 acres.

Brinks commented that this building was built in the 60's, and at that time the building was built to the max. The barn fits the property now, but now that the property is getting smaller thus the barn should get smaller to.

After some discussion a motion was made by Brinks supported by Tubergen to deny the 616 sq ft. area variance as it does not meet any part of Byron Township Zoning Ordinance Art. 21.6 1,2 or 3. Roll call vote: Gould - yes. Brinks - yes. Burgess - no. Tubergen - yes. Haagsma - yes. Motion Carried. Variance denied.

7:30 Signs by Tomorrow for a 6 sq ft. area variance for property located at 6237 South Division (Cutlerville Laundry).

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

Mr. Skip Lorimer from Sign by Tomorrow was present to state why this variance is needed. He commented that this is a new business located close to the new South Beltline. The building is set back from the road, and when coming from the south it is hard to see. Mr. Russo who owns the building currently has a sign 5' x 16', so there is precedence for a larger sign on the property. The name of the business "Cutlerville Laundromat" as well as the "Drop-Off & Dry Cleaning" is a long name and requires the specific use of a longer sign box in order for it to be legible from the road.

No public comments were made.

Vice Chairman Jim Haagsma closed the public portion of the meeting.

It was discussed by the board and suggested that Randy Zomerlei look up the site plan and check out the signage information for the Russo building. It is a multi-tenant building and each tenant is allowed 50 sq ft.

After some discussion a motion was made by Gould supported by Burgess to grant the 6 sq ft area variance.

Roll call vote: Tubergen - yes. Brinks - no. Burgess - yes. Gould - yes. Haagsma - yes. Motion carried. Variance granted.

Approval of the Minutes - January 28, 2004

A motion was made by Gould supported by Burgess to approve the minutes as written. All voted aye. Motion Carried.

Miscellaneous

A comment was made in regards to the property at 870 Alles Dr. A variance was denied in July, 2003 for a 412 sq ft. area variance for the accessory building. It looks like they are either adding on to the building or closing it in.

Suggestion was made to have Randy Zomerlei look into this and possible proceed with another letter and state that further action will be taken. Randy will keep the board informed as to what is happening.

Adjournment

7:50 p.m. It was moved by Gould supported by Burgess to adjourn the meeting. All voted aye. Motion Carried.

Jeff Brinks
Secretary of Board of Appeals