

***BYRON TOWNSHIP ZONING BOARD OF APPEALS
REGULAR MEETING – March 24, 2004
MINUTES***

The regular meeting of the Byron Township Board of Appeals was called to order by Chairman Abe VanderWoude on Wednesday March 24, 2004, at 7:00 p.m. at the Byron Township Offices, 8085 Byron Center Ave. Byron Center, MI.

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

7:00 p.m. Marvin Steinbrecher - request for a 129 sq ft area variance to construct a garage addition for the property located at: 9136 J Ave. 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.

Marv Steinbrecher was present to state why they are requesting this variance. He commented that they would like to add a single stall to the existing two stall attached garage. It would make it look better and neater to get everything inside, a lot less clutter. He also stated that it would improve the value of the property.

No public comments were made.

Chairman Abe VanderWoude closed the public portion of the meeting.

It was discussed that this property is zoned R-S, and the Byron Ordinance states that no garage can be 60% more than the main floor square footage of the home. If we allow this theirs would be 71% more. Also it looks like there are already two accessory buildings in the back already.

After some additional discussion a motion was made by Gould supported by Haagsma to deny the 129 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: Burgess - yes. Haagsma - yes. Brinks - yes. Gould - yes. VanderWoude yes. Motion carried. Variance denied.

Approval of the Minutes - February 25, 2004

A motion was made by Gould supported by Haagsma to approve the minutes as written. All voted aye. Motion Carried. Abe VanderWoude abstained due to absent from the February 25, 2004 meeting.

Election of Officers

A motion was made by Gould supported by Burgess to renew the officers for a one year term.

Abe VanderWoude - Chairman
James Haagsma - Vice Chairman
Jeff Brinks - Secretary

All voted aye. Motion Carried.

7:15 p.m. Lamar Outdoor Advertising for the following variances: (1.) Construct a billboard in the RA zone. (2.) Construct a billboard on an occupied property. (3.) Construct a billboard within 1000' of another billboard. (4.) A 65' setback variance from the public R/W. (5.) a 372 sq ft. area variance for property located at 400 - 84th 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.

Mr. Brinks stated that a fax was received on March 23, 2004 from Lamar Outdoor Advertising requesting to postpone this hearing.

Chairman VanderWoude stated that they requested this hearing, it was advertised, and there are people here for this hearing. Do we table this request, or go ahead and hold the hearing. It's only fair for those who are present to hear this request.

After some discussion it was decided to go ahead and hold the public hearing.

Donna Walters - 425 - 84th St. SW who stated that she lives across the street from Dome World and was wondering where they intend to place this billboard. If it is to be placed along 84th St. she asked that the board would please consider how busy 84th St. is, and with additional signs to read along that roadway people take their eyes off the road and begin reading the signs.

Mr. Brinks responded to Donna Walters stating that the billboard is proposed to go along the US 131 expressway not along 84th St.

Jake A. Siebers an Attorney with Siebers Mohny PLC was present on behalf of AM Group, LLC who owns the property adjacent to the parcel involved in the appeal and stated that they oppose the request for the five variances that would enable Lamar Outdoor Advertising to construct a billboard on its property. A copy of Mr. Siebers statement is attached and made part of these minutes.

Chairman VanderWoude closed the public portion of the meeting.

Chairman VanderWoude asked how the board wished to proceed. A lot of variances are being asked for here and some to a great extent. They waited until the 11th hour to ask to postpone this, and no one shows up or contacts us as to the reason why.

After further discussion a motion was made by Brinks supported by Gould to deny these requests as presented.

Roll call vote: Brinks - yes. Burgess - yes. Haagsma - no. Gould - yes. VanderWoude - yes. Motion Carried. Request denied.

Miscellaneous

A comment was made on the number of violations that do exist on J Ave. in reference to additional out buildings.

Adjournment

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

Jeff Brinks
Secretary of Board of Appeals