

***BYRON TOWNSHIP ZONING BOARD OF APPEALS
REGULAR MEETING – July 28, 2004
MINUTES***

The regular meeting of the Byron Township Board of Appeals was called to order by Chairman Abe VanderWoude on Wednesday July 28, 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. Also present was Recording Secretary LaVonne Kuiper.

7:00 p.m. – Nick Lirones for a 8’ sideyard and 23’ rear yard setback variance to construct a detached garage for property located at 2950/2952 – 84th St.

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

Nick Lirones was present to comment on his request. He stated that the property is located at the corner of 84th and Eldora. It is a two family duplex which faces 84th St. The original builder apparently did not foresee the needs of two families with 2 or 3 cars each. With the lack of adequate existing parking this is resulting in congestion at the west end of the duplex, which at times can cause visual obstruction to oncoming traffic, especially on 84th Street. By adding this 2 stall garage, each three bedroom home would be provided with adequate parking for visiting friends or relatives. He mentioned he did get permission from Consumers Energy to build on the easement on the south property line. If this request is approved it would do away with the hazardous conditions that occur.

No public comments were made.

Chairman VanderWoude closed the public portion of the meeting.

Tubergen commented that this duplex is located in an R-U zoning and you are allowed a 150 sq ft. building there. A lot of people would like bigger accessory buildings.

Haagsma stated that he has sympathy with the applicant as to what occurs at that corner. That lot just can not handle that big of a building.

After much discussion a motion was made by Gould supported by Haagsma to deny this request as it does not meet any part of Byron Zoning Ordinance Article 21.6 1, 2, or 3.

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

7:15 – Jeffrey Grit - request for a 192 sq ft. area variance and a 10’ sideyard variance to construct a detached garage for the property located at 2776 - 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.

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

Linda Grit was present to explain their request. She stated that they are currently zoned MFR (multi family residential), and if they place the garage on the lot where it is suppose to be it would have to be in the middle of the back yard. As everyone knows there is no front yard and we’d like to preserve the back yard the best we can for the safety of our children.

No public comments were made.

Chairman VanderWoude closed the public portion of the meeting.

After some discussion a motion was made by Haagsma supported by Brinks to grant the 10’ sideyard setback variance to construct a garage.

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

Motion Carried. Request granted.

After some discussion a motion was made by Gould supported by Brinks to grant the 192 sq ft. area variance to construct a garage with the stipulation that there will be no other accessory building built on this property in the future and that the existing metal shed must be removed.

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

Motion Carried. Request granted.

Approval of the Minutes – June 23, 2004

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

Approval of the Special Meeting Minutes – July 19, 2004

A motion was made by Gould supported by Burgess to approve the minutes as written. All voted aye. Haagsma abstained (absent from the July 19, 2004 meeting). Motion Carried.

Miscellaneous

Farrell Moore - variance request to increase density in the R-S zoning district from 2.5 units/acre to 7 units/acre for 7330, 7410, & 6922 Burlingame Ave. SW as well as 1515 - 76th St. and 1461 Bogey St.

(tabled until the August 25, 2004 meeting)

It was discussed by the board to have the Township Attorney present at the August 25, 2004 meeting.

Adjournment

7:45 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