

***BYRON TOWNSHIP ZONING BOARD OF APPEALS
MEETING – December 28, 2005
MINUTES***

A meeting of the Byron Township Board of Appeals was called to order by Chairman Abe VanderWoude on Wednesday, December 28, 2005, at 7:00 p.m., at the Byron Township Offices, 8085 Byron Center Ave. Byron Center, Mi.

Members present were: Abe VanderWoude, James Haagsma, Seymour Gould, Doug Tubergen and Kathy Burgess. Absent: Jeff Brinks. Also present was Byron Township Building Inspector Randy Zomerlei and Recording Secretary LaVonne Kuiper.

7:00 p.m. A & D Mini Storage – Dave Lyon – requesting a variance to utilize non-paved surface for outdoor storage for the property located at 8111 Clyde Park Ave. SW

Mr. Seymour Gould read the public notice. All property owners within 300' of the subject property were notified. One written responses was received. Mr. Gould read a letter from Roger Sabine who is the director for the Kent County Parks Department. The letter stated he is not in objection to the project as it is proposed on the east side of the railroad tracks. A copy of said letter is attached and made part of these minutes.

Dave Lyon was present to explain the variance request. He commented he would like this non paved area to store campers, RV's, and boats. They will use a crushed concrete which will help to control the dust and weeds

No public comments were made.

Chairman VanderWoude closed the public portion of the meeting.

Tubergen asked the applicant if he proposes storage on the south side as well.

Mr. Lyon responded by saying he hopes to have storage on the north and the south side. It will depend on the business. If there is a big demand for outside storage he will then go to the south. He would move the fence that is there now further to the south. He said the south property line is 30' from the existing fence.

Burgess asked the board members if it would be possible to restrict what is stored out doors.

VanderWoude asked the applicant why outside storage instead of another storage building.

Mr. Lyon stated the ordinance does not permit another building on the property.

VanderWoude asked about the size of each space for the outside storage and if these spaces would be unified in size. Mr. Lyon responded by saying the spaces would probably be 12' apart which would leave plenty of space to open doors etc., and probably the spaces would be angled north to south.

Tubergen commented that personally he would like to see it all paved for a clean operation and no dust at all.

Haagsma stated he does not view it as a dust problem. He's more concerned about the screening of the area.

Burgess commented unless you actually live next door to something like this it could be a problem.

Gould stated he agreed with Haagsma concerning the screening. Maybe if we restrict storage in the front of the building by backing up storage 10' to the west on the east side of the building.

VanderWoude thought it was a good idea to back up the storage 10' to the west. He felt that crushed concrete is excellent for drainage on the property.

After some additional discussion a motion was made by Gould supported by Haagsma to grant outside storage on a non paved area with the following stipulations:

1. crushed concrete only
2. storage to begin 10' west of the east building fronts (north & south side)
3. spaces to be 12' wide
4. applicant to come back to Zoning Board of Appeals in one year for review
5. no parking (storage) between buildings and on the east or west sides
6. recreational vehicle storage only (campers, motorhomes, boats)

Roll call vote: Burgess - yes. Haagsma - yes. Tubergen - no. Gould - yes. VanderWoude - yes. Motion Carried. Variance granted.

7:15 p.m. – American RV Sales & Service, Inc., requesting a 223 sq ft. sign area variance, a 50' high height variance and a variance to have an electronic reader board for the property located at 255 – 76th St. SW

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

Ron Neff was present to explain the variance request. He stated American RV offers various services in the area. Examples are sales and service and propane for local residence and those passing through the area. A sign with a reader board could show those passing through what is available. Hopefully this will help to continue the growth of the business. Others in the area who have put up signs similar to the proposed sign stated an improvement in their business. He also stated he likes to promote local event which also helps the community.

No public comments were made.

Chairman VanderWoude closed the public portion of the meeting.

Discussed were the proposed location of the sign which would be to place it as far south and west as possible, and the 10' ground difference in elevation which will make this sign look similar in height to other signs in the area.

Chairman VanderWoude asked the applicant if this sign is guaranteed not to fall over onto 76th St.

A representative from Postema Sign Co. was present and stated an engineer has to design a sign this size. This type of sign is capable to with stand a 100 mile per hour wind load and hopefully it never falls over. The sign is made of steel and as we all know steel tends to bend and not break. The sign is a tiered type sign, which leaves natural break off points.

It was noted that the Planning Commission is in the process of working on changing the Township Ordinance concerning allowing reader board signs. It has not been approved yet.

A motion was made by Haagsma supported by Gould to grant the variance request for the 223 sq ft. area variance.

Roll call vote: Burgess - yes. Haagsma - yes. Tubergen - yes. VanderWoude - yes. Gould - yes. Motion Carried. Variance granted.

A motion was made by Gould supported by Haagsma to approve the 50' high height variance.

Roll call vote: Gould - yes. Haagsma - yes. Tubergen - yes. Burgess - yes. VanderWoude - yes. Motion Carried. Variance granted.

A motion was made by Haagsma supported by Gould to allow the reader board sign as presented.

Roll call vote: Haagsma - yes. Tubergen - yes. Gould - yes. Burgess - yes. VanderWoude - yes. Motion Carried. Variance granted.

Land Use Variance request to operate a trucking company in a R-A Rural Agricultural zone for property located at 3360 – 84th St, SW

A motion was made by Gould supported by Haagsma to remove this land use variance request for John & Carol Reynolds from the table for discussion.

Chairman VanderWoude commented this was sent to the Planning Commission for review and study. It was a good report but in the best interest of the community the Planning Commission recommends that we deny this request.

After some discussion a motion was made by Gould supported by Burgess to deny this land use variance for the property located at 3360 - 84th St. SW.

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

Motion Carried. Variance denied.

Approval of Minutes - November 23, 2005

A motion was made by Haagsma supported by Gould to approve the minutes as written. Yes -4. No - 0. Abstained - 1 VanderWoude (absent from November 23, 2005 meeting). Absent - 1 (Brinks)

Miscellaneous

- Kamps Mini Storage
- Section 14.3 (5) Byron Township Zoning Ordinance pertaining to outdoor storage.
- D-1 Industrial zoning regarding major automotive repair
- Reader Board signs
- Dog houses/play houses etc.

Adjournment

8:20 pm. A motion was made by Haagsma supported by Gould to adjourn the meeting. All voted aye.

Jeff Brinks
Secretary of Board of Appeals