

BYRON TOWNSHIP ZONING BOARD OF APPEALS
MEETING – July 26, 2006
MINUTES

A meeting of the Byron Township Board of Appeals was called to order by Chairman Abe Vander Woude on Wednesday, July 26, 2006, at 7:00 p.m., at the Byron Township Offices, 8085 Byron Center Ave. Byron Center, Mi.

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

7:00 p.m. – Kevin Fahl - requesting a 29' sideyard setback variance to construct a two stall garage for the property located at 9254 Wilson Ave. SW

Mr. Jeff Brinks read the public notice and affirmed that the notice was published once in the South Advance and mailed to all property owners within 300' of the property. There were no written responses.

Kevin Fahl was present to explain why this variance is being requested. He stated that presently he only has a one stall garage and he would like to build a two stall garage on the south side of his home. By doing this he would be to close to the side lot line. He also commented that his property only has 100' of frontage on Wilson Ave

No public comments were made.

Chairman VanderWoude closed the public portion of the meeting.

Haagsma questioned the small storage shed located in the back southeast corner of the lot. It was noted that he is allowed a storage shed on his property.

The board members questioned the applicant if he intended to remove the single stall that exists now and built a new two stall garage.

Kevin responded by saying he would be removing the existing stall and build a new two stall garage.

After some discussion a motion was made by Gould supported by Haagsma to grant the variance for a 14' sideyard setback variance and that the new garage is not to exceed 24' in width.

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

7:15 p.m. - Dykhouse Associates – requesting a variance not to construct the required 10’ landscape buffer within the front and side yards for the property located at 7740 Clyde Park Ave. SW

Mr. Jeff Brinks read the public notice and affirmed that the notice was published once in the South Advance and mailed to all property owners within 300’ of the subject property. There were not written responses.

Ron Quakalaar from Dykhouse Associates was present to explain the variance request. He commented he is requesting an adjustment to the 10’ landscape buffer requirement as per Section 14.4 (c) of the Township Zoning Ordinance. This variance request will continue to allow an access right of way between both properties which increases safety rather than going on to Clyde Park Ave. when going to the other buildings. He stated this situation is unique because of the property size and the adjoining properties which are owned by the same owner.

No public comments were made.

Chairman VanderWoude closed the public portion of the meeting.

Jeff Brinks asked if the Site Plan for this project has been approved by the Planning Commission?

Building Inspector Randy Zomerlei responded by saying it was approved contingent on the decision made at this meeting.

After some discussion a motion was made by Brinks supported by Burgess to grant the variance to allow Dykhouse Associates not to construct the required 10’ landscape buffer within the front and side yards, the site to be built according to the approved site plan as well as a written statement provided to the Township stating that there will be a 25’ wide cross access easement for the property along 7720, 7740, and 7760 Clyde Park Ave.

Roll Call Vote: Haagsma - yes. Brinks - yes. Gould - yes. Burgess - yes. VanderWoude – yes. Motion Carried. Variance granted.

Miscellaneous

Travis Underhill from Latitude Engineering was present on behalf of Titan Equipment to explain the situation that has occurred at the Titan Equipment site located at 6192 Clyde Park Ave. The site plan was approved at the Planning Commission meeting on November 21, 2005. At that time it was noted that the site plan indicated a pending variance request that had to be approved for equipment storage located in an area west of the building. That request went to the Board of Appeals on November 23, 2005 and was approved with the stipulation that Titan Equipment come back to the Board of Appeals after one year to review the variance and request an extension.

The problem began when we went to the Kent County Road Commission to obtain permission for a curb cut for a drive way to the site. Our request was grossly unaccepted. We were able to purchase the property located in front of the site which gave us the proper curb cut but we want to make sure we can use the lot for storage of equipment. This lot was not part of the variance

approval and they are trying to get back on track with the Township and want to know what they have to do next.

It was commented by the board members that the original request was for a larger area of unpaved surface. Now the area is much less, on a different location and closer to the road.

It was noted that crush concrete would be used on the non paved surface.

Brinks stated his concern would be with the neighboring residents, since the area is closer to the road but less in size. A time limit placed on the site will be a great help.

It was the consensus of the board members that they would like to go out to the site and check it out and discuss it next month.

A motion was made by Gould supported by Burgess to recess this until the next regular meeting of the Zoning Board of Appeals to be held on August 23, 2006 at 7:00 p.m.

Yes - 5. No - 0. Motion Carried

Approval of Minutes – June 28, 2006

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

Yes - 5. No - 0. Motion carried.

Adjournment

7:55 pm. A motion was made by Gould supported by Haagsma to adjourn the meeting. All voted aye.

Jeff Brinks
Secretary of Board of Appeals