

BYRON TOWNSHIP ZONING BOARD OF APPEALS MEETING MINUTES

Special Meeting

July 2, 2007

5:00 p.m.

A special meeting of the Byron Township Zoning Board of Appeals was called to order by Vice Chairman James Haagsma on Monday, July 2, 2007, at 5:00 p.m., at the Byron Township Offices, 8085 Byron Center Ave. Byron Center, MI.

Members present were: James Haagsma, Seymour Gould, Kathy Burgess, Jeff Brinks and Doug Tubergen. Absent - Abe Vander Woude. Also present was Recording Secretary LaVonne Kuiper.

5:00 p.m. – Ric Johntson requesting a permit to move a house from 1111 – 76th St. to approximately 2065 – 76th St, 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 with 300' of the property. There were no written responses.

Ric Johnston explained he would like to move the house from 1111 – 76th St. to this new location. His older son will be getting married soon and living in the house.

Vice Chairman Haagsma opened the hearing to the public.

For the benefit of the public Jeff Brinks showed a site plan showing where the proposed house would be located.

Roy Gulch – 2039 - 76th St. SW commented that his property is located just to the east of the property. He has lived there for 37 years. He was wondering if the property was deeded or if this would be a separate parcel also if they would have their own driveway or share a drive. He also was concerned about the water and sewer connections.

Dean & Marlene Helms – who own property on Whistlewood just wanted to know exactly where the house was going to be placed on the lot.

No further public comments were made.

Vice Chairman Haagsma closed the public portion of the meeting.

Ric Johnston stated this property has been split and it is a separate parcel. They are considering a shared drive at this time and there is a well on the property but he intends to talk to the Water Department as to what the cost of connecting would be.

Tom Dykhouse who will be helping with the building stated that the legal description of the property is on the site plan they submitted. That separate parcel where the home will be located is on 1.9 acres.

The Board discussed the proposed size of the garage compared to the total square footage of the home. They were in agreement that the size of the proposed garage is in compliance with the Township Ordinance.

Tom Dykhouse also stated they are putting a new partial basement in. The house will have daylight windows with new vinyl/aluminum siding. It will look like a new house.

Jeff Brinks stated that it is the responsibility of the Zoning Board of Appeals to determine if this house fits in the neighborhood since there are now homes in the area. He asked the applicant as to what types of improvements were going to be made.

Ric Johnston stated the house would have new siding, new windows throughout the whole house, landscaping and possibly a new roof. He wants the house to look brand new.

Kathy Burgess commented that according to Township Ordinance even though there is a well on the property they will have to hook up to water because it is available.

The Board discussed the pro and cons of a shared driveway. They felt they would like to see them have their own driveway. They thought easements could be an issue as well.

Jeff Brinks did say that the Township does not have any issues with a shared drive but the easement is the problem.

Seymour Gould stated a recorded easement would be needed.

A motion was made by Brinks supported by Gould to approve the house move permit for the home located at 1111 – 76th St. to be moved to 2065 – 76th St. SW with the following stipulations:

1. New siding on the entire home.
2. New windows for the entire home.
3. Landscaping installed and completed by October 31, 2007.
4. A recorded easement/maintenance agreement be in place prior to the issuance of a building permit.
5. A letter of credit/bond to be established with the Township Clerk in the amount of \$15,000 to expire on November 30, 2007.

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

Miscellaneous

Jeff Brinks stated that Randy had a question for interpretation regarding property located at 6115 Burlingame Ave. SW. A variance was granted in 2000 to move the house back on the lot and allow an accessory building to be in the front yard. Now they want to put a bigger accessory building in front of the house again. Randy was wondering if the DTE Energy buildings count against square footage & size. This is the property that DTE is leasing (life time lease) with no property split. It was the consensus of the Board of Appeals that yes these building would count. Looking at a site plan of the property a lot of questions remained unanswered. It was decided to try and do some research on this property and discuss this at the next meeting.

Adjournment

5:36 p.m. A motion was made by Haagsma supported by Burgess to adjourn the meeting. All voted aye.

Jeff Brinks
Secretary of Board of Appeals