

***BYRON TOWNSHIP ZONING BOARD OF APPEALS
REGULAR MEETING – November 25, 2009
MINUTES***

The regular meeting of the Byron Township Board of Appeals was called to order by Vice Chairman James Haagsma on Wednesday, November 25, 2009, at 7:00 p.m., at the Byron Township Offices, 8085 Byron Center Ave., Byron Center, MI.

Members present were: James Haagsma, Tim Newhouse, Randall Jonker, & Dan Barron. Absent: Abe VanderWoude & Joe Pitsch. Also present was Township Building Inspector Randy Zomerlei and Recording Secretary LaVonne Kuiper.

7:00 p.m. – Andrew Grashuis - requesting a variance to have four(4) accessory buildings on a 4.1 acre parcel where only two (2) are permitted (Appendix D) and requesting approximately a 600 sq ft., area variance for the four (4) accessory buildings for the property located at 9832 Ivanrest Ave. SW.

Secretary Dan Barron read the public notice and affirmed that the notice was published once in the South Advance and a notice sent to all property owners within 300' of the subject property. No written responses were received.

Andrew Grashuis was present and explained why he is requesting the variance. He is looking for this variance on behalf of the potential buyer who wants to keep the barns and the integrity of the property. The property has approximately 2900 sq ft., of outbuildings and the seller is wishing to split 4.1 acres off to sell the property with the existing buildings to remain.

Vice Chairman Haagsma opened the hearing to the public.

Richard McConnan who is not a resident of Byron Township but is the realtor for the homeowner thinks that this is a reasonable request to keep the property as it is.

Kelly Queen who made an offer on the property was present and she commented that she can afford the 4 acres but not 6 acres. The first time she saw the property she fell in love with the rural atmosphere.

No further comments were made.

A motion was made by Newhouse supported by Barron to close the public portion of the meeting. All voted aye. Motion carried.

Vice Chairman Haagsma commented that he looked at the barn and it is very old and historic but it is in bad shape. He asked the applicant and potential buyer if they plan to replace the barn and shed.

Kelly responded and said they do plan on have the building inspected and will go from there if she will need to renovate it or not.

Board member Newhouse stated that the main barn & shed are built on foundations and the other two aluminum buildings have no foundations. He feels that this request does not appear to meet any of the four requirements.

Vice Chairman Haagsma agreed with Newhouse.

Board member Jonker commented that the small sheds are considered lawn mower sheds. Every other Township around Byron lets this go with size and number of buildings. He feels this is a common sense request and feel some of Byorn Ordinances are not in line with other surrounding Townships.

Board member Barron agreed with Newhouse that it does not meet any of the requirements in the variance application.

Additional discussion included that this does meet 3 of the 4 requirements with the practical difficulties and special conditions or circumstances exist because 3 of the 4 buildings are built on foundations, and this request should not be a substantial detriment to other lands and uses and will not be contrary to the spirit and purpose of this Ordinance. Also the smallest building has to be removed from the property.

Roll call vote: Haagsma - yes. Barron - yes. Jonker - yes. Newhouse - yes.
Motion carried.

Approval of Minutes – October 28, 2009

A motion was made by Newhouse supported by Jonker to approve the October 28, 2009 meeting minutes as presented.

Yes - 3. No - 0. Abstained - 1. (Barron) Absent - VanderWoude & Pitsch

Miscellaneous

Vice Chairman commented that there are two variance requests for the December 23, 2009 meeting. It was the consensus of the Board members to change the time of that meeting from 7:00p.m. to 5:30 p.m.

Adjournment

7:25 p.m. It was moved by Jonker supported by Newhouse to adjourn the meeting. Yes - 4. No- 0. Absent - 2 Meeting adjourned.

Dan Barron
Secretary of Zoning Board of Appeals