

BYRON TOWNSHIP PLANNING COMMISSION

July 21, 2003

MINUTES

CALL TO ORDER, ATTENDANCE & PRAYER

Vice Chairman Dutch Zeinstra called a regular meeting of the Byron Township Planning Commission to order at 7:00 p.m. on July 21, 2003, at the Byron Township Offices, 8085 Byron Center Avenue, SW Byron Center, Michigan 49315.

Commission members present were: Dutch Zeinstra, Maynard Van Singel, John Stone, Jeff Gritter and Tim Slot. Members absent were: Seymour Gould and Bernie Schuitema. Also present were Township Building Inspector Randy Zomerlei, Planner Larry Nix, and Township Attorney H. James Telman.

Prayer was offered by Mr. Dutch Zeinstra.

APPROVAL OF MINUTES

A motion was made by Mr. Gritter supported by Mr. Slot that the minutes of the June 16, 2003 regular meeting be approved as written. Yes - 5, No - 0, Absent - 2. Motion Carried.

A motion was made by Mr. Stone supported by Mr. Van Singel that the minutes of the special meeting (work session) held on June 24, 2003 be approved as written. Yes - 5, No - 0, Absent - 2. Motion Carried.

The building inspectors report was received and placed on file.

SITE PLANS

A motion was made by Mr. Slot supported by Mr. Gritter that the following site plans be approved as per the Township Planner recommendation in a Memorandum dated July 18, 2003, of which a copy is hereby attached and made part of these minutes.

Site Plan 03-12: Spica Properties with the following conditions that a letter of credit be established with the Township Clerk in an amount equivalent to the cost of preparing and paving the parking area, the parking lot lighting shall not exceed 20 feet in height as measured from grade and shall contain a shoebox type fixture with a flat lense and aligned parallel to the ground surface, the height of the sign shall not exceed 20 feet in height nor cause a traffic concern with the location, and wall pack lighting will only be permitted on the north wall of the building. The Township Engineer has approved the plan with the condition the proposed curb cut is approved by the Kent County Road Commission.

Site Plan 03-13: AT&T Wireless - with no conditions.

Yes - 5, No - 0, Absent - 2. Motion Carried.

Set Public Hearing - Mark DeHoek for special use request.

An application for special use for property located at 6503 S. Division was reviewed.

Mr. Nix stated that Mr. DeHoek would like to open a Body Shop Repair facility at this location. He presently has his business located around the 6900 block of South Division, and he needs a larger facility.

After some discussion a motion was made by Mr. Stone, supported by Mr. Van Singel that a public hearing be set for the next regular meeting to be held on August 18, 2003.

Yes - 5, No - 0, Absent - 2. Motion Carried.

Set Public Hearing - H. Dale Graham rezoning request.

An application for rezoning property located at 8068 Burlingame was reviewed.

Mr. Nix stated that Mr. Graham would like to rezone approximately 20 acres from R-S Suburban Residential to R-U Urban Residential.

A motion was made by Mr. Stone supported by Mr. Van Single that a public hearing be set for the next regular meeting to be held on August 18, 2003.

Yes - 5, No - 0, Absent - 2. Motion Carried.

Miscellaneous

Jerry Hop - 76th & Gordon Industrial Drive

Mr. Nix stated that Jerry Hop who is the owner of the new commercial building located at the southwest corner of 76th and Gordon Industrial Drive. He desires to have a party store occupy a portion of the building. At question is the "Equitable Servitude" signed by Mr. Hop, item 1. Does item 1 include the sale of beer, wine or alcoholic liquor for use off premises? Mr. Hop would like an interpretation of this. (Copy of letter signed by Mr. Hop is attached and made part of these minutes.)

Mr. Hop and Don Vanden Berg were present.

Mr. Zeinstra commented that item 1 is very clear. It states that any establishment, bar, tavern or other entity at which beer, wine or alcoholic liquor is sold and/or use for consumption on the premises is not allowed.

Mr. Stone commented that the original request was presented as an additional service for the truckers. No intention was to allow for alcohol sales.

The members of the planning commission discussed their recollection of the discussions of the past meetings concerning this issue. It was stated that there were more than one meeting dealing with this, and that Mr. Hop was not present at all of them.

After much discussion it was the general feeling of all commission members that this was to be used

strictly as a service for the truck drivers, such as retail store, CB radios, clothing, etc. not the sale of alcohol. The planning commission did not promote this type of business especially located next to a truck stop.

Larry Campbell

Mr. Nix stated that Mr. Campbell met with Mr. Silvernail and himself earlier in the week to discuss the potential of placing a Walgreens at the northwest corner 76th and Byron Center Ave. At that time he desired to approach the Commission for a general discussion. The commission members all felt that there probably is a better location to consider placing the Walgreen store.

Sign Ordinance

Attached and made part of these minutes is a memo dated July 3, 2003. Mr. Telman provided the history to the revisions. The commission discussed the revisions and decided to take no action at this time.

Accessory Buildings

Mr. Nix commented that at the June 24th meeting it was discussed to possibly increasing the height of accessory buildings and the need to increase the existing limitations. It was noted the ZBA normally grants minor height variances in most instances. Based on this the following is proposed for your consideration.

District	Existing Max. Height	Proposed Max. Height
RA	20'	24'
RR	16'	20'
RS	12'	16'
RU	9'	12'

After some discussion a motion was made by Mr. Slot supported by Mr. Gritter that a Public Hearing be set for the next regular meeting to be held on August 18, 2003 to consider public comments.

Yes - 5, No - 0, Absent - 2. Motion Carried.

Dick Boverhof

Mr. Nix stated that Mr. Boverhof owns the property at the corner of 64th and Byron Center Ave. He desired to discuss the future potential of his property. But due to a death in his family, Mr. Boverhof was not present.

Adjournment

A motion was made by Mr. Stone supported by Mr. Van Singel that the meeting be adjourned.

Bernie Schuitema
Planning Commission Secretary