

BYRON TOWNSHIP PLANNING COMMISSION
September 20, 2004

MINUTES

CALL TO ORDER, ATTENDANCE & PRAYER

Chairman Seymour Gould called a regular meeting of the Byron Township Planning Commission to order at 7:00 p.m. on September 20, 2004, at the Byron Township Offices, 8085 Byron Center Avenue, SW Byron Center, Michigan 49315.

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

Prayer was offered by Mr. Maynard Van Singel

APPROVAL OF MINUTES

A motion was made by Schuitema supported by Gritter that the minutes of the August 16, 2004 meeting be approved as written. Yes - 6. No - 0. Absent - 1. Motion Carried.

A motion was made by Slot supported by Van Singel that the minutes of the special meeting held on September 13, 2004 be approved as written. Yes - 5. No - 0. Absent - 1. (John Stone) Abstained - 1. Jeff Gritter absent from the September 13, 2004 meeting. Motion Carried.

The building inspectors report was received and placed on file.

SITE PLANS

No site plans were submitted for consideration.

Set Public Hearing – Sleepy Hollow Pet Cemetery – special use request for additional cremation equipment and storage for the property located at 2755 - 64th St. SW

An application for the special use request for the property located at 2755 – 64th St. SW was reviewed.

A motion was made by Zeinstra supported by Gritter to set a public hearing for the next regular meeting to be held on October 18, 2004.

Yes - 6. No - 0. Absent - 1. Motion Carried.

Maier Homes (Mark Maier) rezoning request to rezone property from R-R Rural Residential to R-S Suburban Residential Planned United Development for the property located at 2092 - 76th St. SW. (Tabled at the August 16, 2004 meeting.)

A motion was made by Slot supported by Zeinstra to remove the rezoning request for Maier Homes from the table for discussion.

Chairman Gould stated that since the public hearing was held last month there will be no public comments taken.

Doug Stalsonburg from Excel Engineering was present on behalf of Maier Homes. Mr. Stalsonburg commented that they have submitted a revised PUD Plan illustrating side and rear yard setbacks consistent with the RS district. They also submitted a new design plan, with 19 single family homes, owner occupied and would have a condo association. With some creative thinking they felt a private road would allow them to be more creative in the lay out. We all know private roads are not allowed in Byron Township. The only way to do this would be to have detached single condos. This concept is new and different for Byron Township. He stated that they feel this is a much improved plan, and would like some feedback from the planning commission as to how they feel about this plan.

Items discussed were the entry road, the trees on the property, and the drainage situation.

It was decided that since this is a revised PUD Plan another public hearing will be held.

After much discussion a motion was made by Schuitema supported by Zeinstra to table this request until the next regular meeting to be held on October 18, 2004.

Yes - 6. No - 0. Absent - 1. Motion Carried.

Marlo Farms rezoning/PUD approval for the property located at: 1810 - 84th St. SW, 1946 - 84th St. SW, 8661 Burlingame Ave. SW, 1750 - 84th St. SW, 8690 Burlingame Ave. SW, 1778 - 84th St. SW and 8451 Burlingame Ave. SW.

Tabled at the August 16, 2004 meeting.

A motion was made by Zeinstra supported by Schuitema to remove the request for Marlo Farms from the table for discussion.

Mr. Nix reviewed his updated memorandum dated September 20, 2004 of which a copy is attached and made part of these minutes. Mr. Nix commented that Carlos Caceres has submitted a revised plan that includes the 18 acres east of Burlingame Ave in order to meet the green space requirement. The 18 acres was proposed to be removed from the plan. With this change they meet the green space requirements of the Zoning Ordinance.

It was noted that any future development plans for the 6 acres not dedicated as green space on the east side of Burlingame will be part of the PUD and will have to be approved

by the Planning Commission.

After some additional discussion a motion was made by Schuitema supported by Gritter to recommend approval from the Township Board.

Roll call vote: Slot - yes. Gritter - yes. Schuitema - yes. Van Singel - yes. Zeinstra - yes. Gould - yes. Stone - absent. Motion Carried.

Public Hearing – Abel VanderWoude request to rezone property located at 8390 Clyde Park from R-S Suburban Residential to B-2 General Business

Chairman Gould declared the public hearing open for Abe VanderWoude. Bernie Schuitema read the public notice and affirmed that the notice was published twice in the South Advance and mailed to all property owners within 300 feet of the proposed property.

Mr. VanderWoude was present and stated the property is .51 acres, located on the northeast corner of Clyde Park & 84th St. It is presently zoned R-S and would like it to be rezoned to B-2 General Business. He stated that he would like to black top the lot and use it for a park and sell lot. All the trees that are presently there would remain.

Mr. Nix reviewed his memorandum dated September 10, 2004 of which a copy is attached and made part of these minutes.

Chairman Gould opened the hearing to the public.

No public comments were made.

Items discussed were drainage, current zoning and use, neighboring property, master plan, and other options for the applicant.

After much discussion a motion was made by Zeinstra supported by Van Singel to recommend to the Township Board denial of this rezoning request.

Yes - 6. No - 0. Absent - 1. Motion Carried.

Railside West No 3 - preliminary plat approval

Doug Stalsonburg was present to comment on the resubmitted plan for the third phase of Railside West, located south of 76th St.

Mr. Nix commented that this proposed plat is consistent with single family residential development as stated in the Master Plan. Also the minimum requirements of the Zoning Ordinance have been met.

After some discussion a motion was made by Schuitema supported by Gritter to

approve the Preliminary Plat for Railside 3.
Yes - 6. No - 1. (Slot). Absent - 1. Motion Carried.

Pete Bultsma rezoning request remanded back to the Planning Commission from the Township Board.

Mr. Nix commented that this rezoning involved a triangle shape piece of property located at 396 – 84th St. SW for the use of a billboard. A letter from the Department of Transportation was received stating that no MDOT permits would be issued for areas where the zoning was changed to exclusively make a billboard permit legal. A copy of the letter is attached and made part of these minutes.

After some discussion a motion was made by Schuitema supported by Slot to recommend to the Township Board the rezoning request be denied based on the new information provided by MDOT dated August 5, 2004.
Yes - 6. No - 0. Absent - 1. Motion Carried.

Miscellaneous

Landscaping Regulation –

Brian Wegener was present and explained the changes that were made on the Landscaping Draft.

All commission members were in agreement with the changes made.

After some discussion a motion was made by Slot supported by Zeinstra to set a public hearing for the next regular meeting to be held on October 18, 2004 for the addition of Section 4.43 Landscaping Regulation to the Byron Township Ordinance.
Yes - 6. No - 0. Absent - 1. Motion Carried.

Mr. Deppe Site Plan –

Mr. Deppe is putting up a new office building located on the north side of 76th St. to the east of the Sierrafield Condos. His site plan shows a solid screened fence facing the south. Now they would like to install a gate in a portion of that solid fence designed to screen the storage area. It was decided to inform the applicant the concerns of the commission members regarding screening.

Adjournment

A motion was made by Slot supported by Schuitema that the meeting be adjourned.
Yes - 6. No - 0. Absent - 1. Motion Carried

Bernie Schuitema
Planning Commission Secretary