

Present: Chairman Steve Haberkorn, Vice-Chairman Vern Johnson, Secretary Marty Corbin and Members Norm Nykamp, and Elliott Church. Also present was Zoning Administrator Jon Mersman, Assistant Zoning Administrator Meghann Reynolds and Recording Secretary Laurie Slater.

The meeting was called to order by Chairman Haberkorn at 5:30 p.m. Mr. Haberkorn explained to the audience the public hearing process.

Present for this request was Brian and Mary Klifman.

Mrs. Klifman explained to the Board that they would like to erect a 32' x 36' accessory building for the storage of a 27' travel trailer with a hitch and a 25' boat, as well as the contents of the 12'

x 16' shed that was taken down.

Their travel trailer is parked in the yard. On Memorial Day weekend they went on vacation and their house was broken into. The absence of the trailer was a sign that they were not at home.

The proposed accessory building would go in the same location as the previous shed. They are also taking down the dog kennel. The sand box is gone as well. This would be for storage only with no power or water going to the building.

There was a question about the ad in the yellow pages for this address and phone number. It is a taxidermy business that Mr. Klifman does as a hobby out of a friends' house on Old Allegan Road. It is a trade that you have to be licensed for by the State as well as at the Federal level.

The Board asked if they had considered off premises storage for the travel trailer and the boat. Mr. Klifman responded that it would cost a couple of hundred dollars a month to store them. Mrs. Klifman added that you lose control if they are stored elsewhere. The places available for storage of such items are open areas with several vehicles stored under the same roof.

The Klifman's have lived here for 13 years. They do not live in a subdivision because of the rules about storing such items in the yard.

The proposed accessory building lot coverage would be 6.5%. The Board's standard is 3%. When you add in the attached garage the total coverage is 8.1%.

There were several people present in the audience to speak to this request.

James Lambert of 888 Oakdale Ct. felt it would be detrimental to the neighborhood to have an accessory building of this size in the neighborhood. Mr. Klifman is asking for 4.8 times what is allowed by ordinance. Mr. Lambert believes that most of the storage sheds in the area are within the limits of the ordinance. The Lamberts have a trailer that is outside and it has never

been vandalized.

Carolyn Van Lente of 922 Oakdale Ct. commented that she would have the best view of the building and she had no problem with the size. Mrs. Van Lente has lived there 53 years and the Klifman's yard has always been kept neat and clean. She also owns a camper and it was vandalized with gang symbols painted on it. She has also had a lamp post kicked out in her yard.

Elsa Volkmann of 905 Oakdale Ct. opposed the proposed accessory building. She felt that they should put their trailer and boat in off premises storage. If you want the toys, you should be able to pay for storage.

Stephen Jokumsen of 321 Franklin was also opposed to the request. His property is to the west of the Klifman's. A building of this size of pole barn construction would be out of place in the neighborhood. With 12' sidewalls and a peaked roof Mr. Jokumsen's view would be a wall and it would block his sunlight.

Mr. Klifman asked if he could address some the comments made.

Mr. Jokumsen has a large tree in his yard near the area where the previous shed was. It already blocks his sunlight.

Mr. Klifman addressed the construction of the proposed building. He was not sure if it would be steel or wood or vinyl siding. The roof would be shingled with an overhang and gutters. There would be an 11' door for access.

There was also a letter in support of the proposed storage building from Tom and Pat Updegraff of 913 Oakdale.

There was also a petition submitted to the Board signed by nine of the neighboring properties in

opposition of the proposed building.

\*\*□ It was moved by Mr. Johnson and supported by Ms. Corbin to close the hearing. Motion carried.

The Board went over the eight standards to review when considering an oversized accessory building request.

1. The size of the lot is 17,765 square feet. They are asking for a 1,152 square foot accessory building, which would be 6.5% coverage. The Board has generally granted 3% which would be 532 square feet.
2. The intended use of the proposed building would be personal storage.
3. The proposed size of the building is excessive in an R-1 zone. The location would be in the same place as the previous storage shed. The type of construction would be pole barn with a singled roof, an overhang and gutters. It would have steel or vinyl or wood shingles.
4. There is an attached garage on the existing house. The 10'x12' storage shed has already been removed.
5. There is not another accessory building of this size in this neighborhood.
6. The building would definitely be visible from other properties. It is questionable as to whether it would affect the neighbor to the west for light. It would not affect the air circulation of any adjoining properties.
7. The building would have an effect on the surrounding neighborhood. It would create

contention in the neighborhood. This is huge compared to what is existing in the surrounding neighborhood. This would not be consistent with what the Board has granted in the past.

8. There would be no adverse environmental effect of the building or its proposed use.

The Board further discussed what an alternate solution might be. What would be the smallest the building could be and still fit the trailer in it and be within the standards the Board has granted in the past?

\*\* It was moved by Mr. Church and supported by Mr. Nykamp to grant them a building of 16.625' x 32' (532 square feet – 3%) in the footprint designated in the application with the construction to match the existing house in every detail not limited to roof and siding. The sidewalls are to be no greater than 12' and the building is to be used for storage only, no business is to transpire there. Motion carried.

2) Hearing declared open to consider a petition for a nonuse variance submitted by Good Shepherd Lutheran Church for property located at 3990 N. 112th Avenue to place two abutting 80 square foot (8 feet by 10 feet) signs on the property. The requested variance is for 128 feet (Total sign size would be 160 square feet) as the ordinance permits one freestanding sign no larger than 32 square feet. The property is zoned A Agricultural (70-16-11-100-012).

Present for this request was Doug DeKock.

Mr. DeKock explained to the Board that Good Shepherd Lutheran Church would like to erect a monument sign by the road at the corner of 112th and Quincy.

Many churches do have two signs especially if they are on a corner. The Noordeloos CRC across the street has three signs; one on each road and one historical sign.

Non-commercial type buildings have two signs, i.e. apartments, which is only logical.

There are no speed limit signs posted on Quincy and 112th, making the speed limit 55 mph. The signs need to be of a reasonable size so they can be read from a distance.

Mr. DeKock gave four examples of possible signage, showing the visibility of each from all four directions. The perfect signage would be two separate signs one on 112th and one on Quincy. This, however, would not be as economical for the church as one V shaped sign placed diagonally on the corner. The proposed V shaped sign could be seen from all directions.

The proposed sign would have 40 square feet of signage on each side with an additional 40 square feet of reader board. They are allowed 72 square feet, they are asking for 160 square feet, which is a variance of 88 square feet. Mr. DeKock had pictures of similar signage within the Township (First Assembly of God – Adams Street; Lakewood Corporate Park; Parkway Electric with similar v shaped signage). Also, the parcel is five acres in size.

Mr. DeKock further explained that if the two sides of the sign were within two feet of each other this would be considered one sign. They are asking for no more than if the sign had two faces. Also, there would be no signage on the church building itself.

Churches are unique in that the use of the sign is to provide information on the time of services and sayings of the day. The speed of the traffic warrants signage of this size. It would also be consistent with other churches in the area, Noordeloos across the street and it is a corner location.

There was no one present in the audience to speak to this request.

\*\*It as moved by Mr. Nykamp and supported by Mr. Church to close the hearing. Motion carried.

The board went over the four standards to review when considering a nonuse variance request.

1. Strict compliance would be unnecessarily burdensome to the applicant in that the signage would be too small to be seen by cars driving by at 55 miles per hour and from all directions. The sign wouldn't take up more room than allowed if it were back to back.
2. It would be just to the applicant to grant this request. The Noordeloos Church across the street has three signs, one on each road and one historical sign. It would be consistent with what has been previously granted to applicants with similar requests.
3. The property is unique in that it is a corner lot. The sign needs visibility from all four directions. The speed limit is 55 miles per hour.
4. The situation was not self-created.

\*\*It was moved by Ms. Corbin and supported by Mr. Nykamp to grant the request as submitted. Motion carried.

3) Hearing declared open to consider a petition to extend a non-conforming structure by Ross Hoek for property at 141 Jefferson to add an overhead door and concrete ramp to access an existing building. This ramp would be in the required side yard and immediately adjacent to the adjoining commercial building which is also built on the lot line. The property is zoned C-2 (70-16-20-325-010).

Present for this request was Andy Boer, Architect.

Mr. Boer explained to the Board that he would like to put in a concrete ramp for vehicle access to the building. Current vehicle access to the building is dock height. The concrete ramp would be approximately 2 feet away from the building next to it and half as long. The ramp would have a railing. There would be a new 18' square door into the building allowing access. The ramp would be 25' wide with retaining walls and a curb raise.

This is the only viable location to add this door. There is no extra room around the building. There are no setbacks; that is the non-conformity of the building.

The ramp would be used to drive vehicles and a boat in to the building for storage. They will maintain the ramp in the winter by plowing or shoveling and keep the area between the ramp and the building clear.

There was no one present in the audience to speak to this request.

\*\* It was moved by Mr. Nykamp and supported by Mr. Johnson to close the hearing. Motion carried.

The Board went over the three standards to review when considering an extension of a non-conforming use.

1. The Board determined that the alteration would not substantially extend the probable duration of the non-conforming building or its use. The building itself is not changing. The ramp will allow the building to be used more.
2. The alteration of the non-conforming structure will not interfere with the use of adjoining lands or other properties in the surrounding neighborhood for the uses for which they have been zoned pursuant to the provisions of this ordinance. The ramp may provide additional protection to the adjoining building.
3. There would be no adverse effect of the non-conforming building or its use and such alteration thereof on adjoining lands in the surrounding neighborhood.

\*\* It was moved by Mr. Johnson and supported by Ms. Corbin to grant the request as

presented. Motion carried.

4) Hearing declared open to consider a Nonuse Variance petition submitted by Kenneth Brondyke for property at 11441 Lakewood Blvd, to extend a non conforming lot allowing it to be split into two parcels. The request would require that the following variances be granted; (1) a variance of 36 feet from the required 66 foot access drive ( drive would be 30 feet wide) to provide access to the rear parcel; (2) a variance of 20 feet from the required 200 foot lot frontage ( frontage would be 180 feet) for both parcels; (3) a variance of 22 feet from the required 75 foot front yard for the south parcel ( Front yard would be 53 feet deep); (4) a variance of 10 feet from the 30 foot side yard for the east side yard on the southerly piece ( yard would be 20 feet); (5) a variance of 12 feet from the required 50 feet rear yard (yard would be 38 feet); (6) a variance of 36 feet from the required front yard of 75 feet on the northerly parcel (front yard would be 39 feet). These actions are requested to allow two buildings to be sold to separate owners. The property is zoned I-2 General Commercial (70-16-22-200-034).

Present for this request was Kenneth Hoesch, attorney for Kenneth Brondyke.

Mr. Hoesch explained to the Board that Mr. Brondyke would like to divide a parcel into two parcels to allow for two separate sales. You can usually find someone who wants one building, but seldom someone who wants two such buildings. The split would be half way between the two buildings. Both buildings are currently occupied. Parking in the industrial area is determined by the number of employees, so the parking spaces will not be affected.

The front yard setback of the front building and side yard setbacks of both buildings are already non-conforming. The front yard setback of this lot was rendered non-conforming when the road was widened. By splitting the lots, the rear yard setback of the front building and the front yard setback of the second building would need approval, as well as the access drive back to the second building.

The property would not look any different than it does now. The only difference would be that instead of both buildings being owned by one property owner, each building would probably be owned separately.

It was the consensus of the Board that they did not have a problem with the setbacks as the

property has been non-conforming. Their concerns were with the access drive to the back property. They felt that a 30' wide easement could be a safety issue.

It was noted that the front building has no doors or windows on the east side, so there would be no reason for anyone to park in the easement. There is also access to the back building through the parking lot of the building to the east. The access drive has been sufficient up until now. Splitting the lot is not going to change anything that isn't already there.

It was also noted that there is a similar situation two lots to the east of this property. There are two building on two lots with an access drive that is about 45 feet wide.

Present in the audience to speak to this request was Chuck Postumus, architect and owner of the three rear lots on Crossings Court. He had concerns with the easement to the back building.

Mr. Postumus noted that Mr. Brondyke had an open lot that he sold off that could have been the easement to this property. Mr. Brondyke sold off that property three to four years ago.

Mr. Postumus suggested that Mr. Brondyke could access the back building from one of his lots on Crossings Court with the required 66' wide easement.

There was discussion by the Board as to whether the easement needed to be paved. Mr. Mersman told the Board that it was not required to be paved. It just needed to be clear and open access to the building.

It was at this point that Mr. Brondyke and his attorney informed the Board that there was an easement associated with the property to the east to get to the empty parcel that was previously sold off.

That easement was not noted anywhere in the paperwork. Mr. Hoesch said it was public

knowledge the paperwork had been filed with the Township when the parcel was sold.

The Board wanted proof that this easement exists and that the back building on the parcel to be split would have access from that easement. The Board did not feel comfortable granting the request contingent on deeded access. They wanted to see a map with the easement on it and the easement giving a specific right for access to the back property.

\*\*[] It was moved by Ms. Corbin and Supported by Mr. Johnson to close the hearing. Motion carried.

\*\*[] It was moved by Mr. Church and supported by Mr. Johnson to table this request with the annotation that the five variances for setbacks would be approved, but the proposed variance for the access drive would not be approved. The Board needs to see an alternative plan for the access drive. Motion carried.

The Minutes of July 27, 2010 were approved as printed.

The meeting adjourned at 7:52 p.m.

Respectfully Submitted,

Laurie Slater  
Recording Secretary

