

These minutes are subject to formal approval by the Wyoming Zoning Board of Appeals at their regular meeting on August 20, 2012.

MINUTES OF THE WYOMING BOARD OF ZONING APPEALS
HELD AT WYOMING CITY HALL

September 17, 2012

The meeting was called to order at 1:30 P.M. by Chairman VanderSluis.

Members present: Beduhn Burrill Dykhouse Lomonaco
 Postema VanderSluis VanHouten

Other official present: James W. DeLange, Chief Building Official

A motion was made by Beduhn, and seconded by Palmer to approve the minutes of the August 15, 2012 Board of Zoning Appeals meeting with corrections as noted.

Motion carried: Yeas Nays

PUBLIC HEARING:

Appeal #V120231 P.P. #41-17-28-301-001

Jeff Newberry

4820 Ivanrest Ave. S.W.

Zoned R1

The application requesting a variance from City Zoning Code section 90-96 regulating single family zoned districts to allow a non-conforming B-2 Use I.E. offices and parking of pick up sized snow removal equipment to locate on this parcel zoned ER-1 was read by Secretary Lomonaco. A letter from the proposed buyer was also read.

Chairman VanderSluis opened the public hearing.

Rusty Richter, 5665 Ivanrest Ave. S.W., Wyoming, commercial realtor, represented both buyer and seller. The owner Jeff Newberry, and the proposed buyer Dave Stevens were both present in the audience. Snow and Salt Tech LLC. proposed to use the building as their office, and to store their snow removal equipment to the rear of the site behind the building.

There being no further remarks, Chairman VanderSluis closed the public hearing.

DeLange noted the parcel, while zoned residential, is adjacent to heavy industrial used property to the east, and what he believed was Planned Urban Development zoned property further to the north in the City of Grandville. Surrounding property has poor soil, as it is mostly "swampland." It would probably never be developed for any other use. Staff has spoken with the proposed buyer. Most of his equipment is pickup sized trucks. He does have a couple large vehicles like dump trucks. Staff would not support storage of the large vehicles. Mr. Stevens is thought to have an arrangement to park his large equipment at the

heavy industrial zoned property adjacent to this parcel. Staff supported the variance request with the stipulation regarding parking of equipment, and had made Finding of Facts for the Board's consideration.

A motion was made by Van Houten and seconded by Beduhn that the request for a variance in application no. V120231 be granted, accepting staff's Finding of Facts.

1. That the condition, location, or situation of the specific piece of property or of the intended use of the property is unique to the property in the zoning district in which it is located because this small residentially zoned parcel is basically "orphaned" from nearby residentially occupied parcels due to extensive low/wet/poor soil areas. It is adjacent to an industrial use to the north within the City of Grandville Corporate limits. The use proposed with included storage of pickup style snow plow vehicles is reasonable. The small building will allow office and some storage for equipment and materials.
2. That the building, structure or land cannot be reasonably used in a manner consistent with the uses allowed in the zoning district in which it is located because of its isolation from other developable parcels. Vehicles proposed on site are very similar to vehicles often parked in residential areas. The premises are not to be used for general vehicle repair or equipment repair/service. All plowing equipment is to be stored in the rear property area.
3. That the use variance will not alter the essential character of the neighborhood nor the intent of the City Master Plan, nor be of detriment to adjacent properties because of the scope of anticipated business use, limited size of vehicles (note that larger "dump truck" size plowing equipment will be stored next door in Grandville at an industrial site.)
4. That the requested use is not of so general or recurring a nature as to make reasonably practical the formulation of a general regulation or adding it to the permitted uses in the zoning district in which it is located or to permitted uses in other more appropriate zoning districts because of its isolated location from reasonable developable land.
5. That the variance will not impair the intent and purpose of this Ordinance because the immediate area within the Cities of Grandville and Wyoming have/are in process or may be changing due to development within the area.
6. That the immediate unnecessary hardship causing the need for the variance request was not created by the applicant because the structure has existed for many years under various types of variances. Stipulations for pickup size snow removal vehicles to be parked in rear yard areas only, no general vehicle repair/maintenance and no heavy equipment storage are conditions of this variance and shall be recorded on the deed of the property.

Motion carried: 7 Yeas 0 Nays (Resolution #5343)

REQUEST FOR RECONSIDERATION:

Appeal #V120233 P.P. #41-17-10-427-064
DeHamer Brothers Real Estate Ltd. Partnership
2515 Burlingame Ave. S.W.
Zoned I-1

Jeff Koeze, Koeze Company requested the Board reconsider the Use variance from City Zoning section 90-471 allowing an I-2 General Industrial District Special Use. I.E. open

