

**GRAND RAPIDS CHARTER TOWNSHIP
BOARD OF ZONING APPEALS
MAY 13, 2003**

A meeting of the Grand Rapids Charter Township Zoning Board of Appeals was called to order at 7:30 p.m. with the following present: Chairman Ronald J. Hall, Lee VanPopering, Beverly Wall, David A. VanDyke, and alternate John J. Timmer. Also present was Susan Thomas, Township Planner.

1. Approval of the September 10, 2002 minutes.

Lee VanPopering, seconded by Beverly Wall, moved to approve the minutes as presented. Motion passed.

2. Greg Matheson on behalf of the owner of 3141 Lawton Drive NE.

Mr. Greg Matheson is requesting a variance from the Zoning Ordinance to allow for the construction of a detached garage to be located in front of the existing home. The garage is proposed to be 38 feet from the front property line. The request is being made in the R-1, Single Family Residential and Agricultural zoning district at 3141 Lawton Drive NE. Mr. Matheson explained the challenging terrain of the lot and that there was a lot of fill added to the west of the driveway. He clarified that the garage is proposed to be 38 feet from the road's pavement, 6 feet forward of the house and 10 feet from the corner of the house. In addition, he mentioned that the garage may be smaller, shorter and look different than proposed.

Public Comments:

Sally Quigley, 2030 Valentine Street NE Spoke in support of the project.

Theresa Mancewicz, 3121 Loretta Drive NE

Asked if the garage is going to be one or two stalls. She also asked about sidewalks in the area.

A letter received by the Township from resident Jerald Reminga, 2129 Emerald Lake Drive NE, spoke in opposition to the variance.

Discussion was held about where the road right-a-way exists; the pitch of the garage roof as compared to the pitch of the home's roof; the 9-foot height of the proposed garage walls; the size of the slope to the east; retaining walls to hold the slope to the east; size of the garage; side yard set back to the east should be 11 feet; and the usage of the garage.

The Board came to a consensus that they need exact elevations of the garage, the exact size of the garage, a survey of the property and the exact location of the garage.

John Timmer, seconded by Beverly Wall, moved to table until further information is available. Motion passed unanimously.

3. Bulk Petroleum, property owner of 3428 Plainfield Avenue NE.

Jason Thompson, representing Bulk Petroleum, is requesting two front yard setback variances and a rear yard variance to allow for the construction of a new gas station and convenience store. The request is being made in the C, General Commercial Zoning District at 3428 Plainfield Avenue NE.

Questions were asked about: how many pumps on the site now; handicap parking; where employees would park; possible shared parking arrangements for employee parking; canopy lighting; and height and size of the canopy. They also asked about turning the building 90° and Ron Hall mentioned that the gas stations at Cascade/Forest Hill and Cascade/East Paris appeared to have their canopies 25 to 30 feet from the outside lane of traffic.

Jason stated that the canopy's clearance would be 13 ft. 6 inches and the fascia would be 3 feet. Dave Van Dyke expressed his desire for up lighting of the canopy instead of recessed lighting.

Public Comments:

John Clark, on behalf of Northtown Shopping Center, spoke regarding concern for the one-foot side yard setback. He also feels the convenience store is too large and crowds the site. Mr. Clark is concerned about parking and trespassing. He feels this will devalue his property and deter new tenants from leasing his property. Mr. Clark is also concerned that the property may be contaminated.

Mr. Thompson addressed the contamination issue. He explained that if the site is contaminated it will be cleaned up and he is willing to give assurance of that. He also mentioned that he is willing to put up a fence along the rear yard to separate their properties.

A letter was received from Dudley Larson, a neighboring business owner across Rupert Street, which stated concerns about contamination, traffic, and usage.

David VanDyke, seconded by Lee VanPopering, moved to grant the variances that are being requested: 1) Front yard- 10 feet setback along Plainfield Avenue for gas pump canopy. 2) Front yard- 15 feet setback along Rupert Street for a gas pump canopy. 3) Rear yard (east) -0 foot for the gas station/convenience store. 4) Side yard (north) -abutting Auto Zone can be a 0 feet. 5) A minimum setback from the proposed building to the Rupert Street right-a-way of 27 feet. The Board feels that this request satisfies all four criteria of Section 20.4. Motion passed unanimously.

The meeting was adjourned at 9:20

Respectfully Submitted
David A. VanDyke
David VanDyke