

Jamestown Charter Township  
Zoning Board of Appeals  
May 14, 2019

The meeting was called to order at 6:00 p.m. by Chairman Zomerlei with Zomerlei opening with prayer.

Board member present: Zomerlei, Brouwer, VanAanhold, Vanden Heuvel, Byker.

Present other than board: Zoning Administrator Kirk Sharphorn Jr., list attached.

Motion by Vanden Heuvel to approve the agenda, supported by Brouwer. Carried.

Motion by VanAanhold to approve the minutes of 12-4-18, seconded by Byker. Carried.

No public comments.

Chairman read in request for Royal Technologies for a variance to allow a 296 sq. ft. wall sign where the maximum size permitted by ordinance is 139 sq. ft. per Sec. 24.15 B of the ordinance.

Motion to open the hearing by Byker, supported by Brouwer. Carried.

Stephen Kerr, Valley City Sign – The building itself has a floor area of over 267,000 sq. ft. and a front surface area of 15,612 sq. ft. Comparing the sign allowed to the building would only be 0.9% of the wall surface area. We are asking for an increase to 1.9%. We don't feel that will cause substantial harm to the surrounding properties. Anything smaller is inconsistent with the building and not a desired effect for Royal.

Motion by Vanden Heuvel to close the hearing, seconded by Byker. Carried.

Vanden Heuvel – as laid out, the primary reason is to be proportionate to the building. Our mandate is based on criteria. A hardship that wouldn't be present in another place. Allowed 250 lineal feet...you are 196 feet wider than that. It's not within our guidelines to grant the variance.

Byker – to me, I could find no hardship.

Chairman read letter from Westhouse into the minutes with concerns of lighting. Attached.

Zomerlei - circumstances are not unique to the property. Still have 0.9%. Also, conditions are created by the owner.

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Not a retail business. They do not need a sign as a Meijer would require.

Can have a ground sign and a wall sign.

Motion by Byker to deny the request, supported by Vanden Heuvel for the following reasons:

Does not meet any of the conditions of Sec. 22.8 -

- 1] Would not cause a hardship or deprive the owner of rights enjoyed by other owners
- 2] No circumstances unique to property
- 3] Conditions were created by the owner
- 4] Variance will grant special privileges denied other properties similarly situated
- 5] In addition, not a retail area

Motion carried unanimously.

Chairman read in request of Pam Nickels for a variance allowing a rear yard setback of 18 feet from the rear property line instead of the required 75 feet.

Motion by Brouwer to open the hearing, supported by VanAanhold. Carried.

Nickels – main thing is, we are a non-conforming lot. We want to bring the house up to code. The red barn is half off and half on the property. We will remove the barn and build an attached garage. We don't want to buy any more property with the expenses already incurred and future costs.

Motion to close the hearing by Byker, seconded by Vanden Heuvel. Carried.

Bought the house from their dad. If they get the variance, they will remove the barn. Wants to preserve farmland.

Sharphorn – with the lot size, going by the minimum width, it's impossible to meet the requirements. This will also clear up the barn issue. It is zoned AR with larger dimensions to meet.

Motion by VanAanhold, seconded by Byker to grant the variance request on the condition that the accessory building will be torn down for the following reasons:

- 1] Meets all criteria
- 2] Not granted special privilege
- 3] Is a hardship
- 4] Clears up the barn issue

Motioned carried unanimously.

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No new business

Motion by Vanden Heuvel to adjourn, supported by Brouwer. Carried.

Meeting adjourned at 6:30 p.m.

Respectfully submitted,

Bonnie Oosterink, Recording Sec.  
Zoning Board of Appeals

Minutes approved on \_\_\_\_\_ by \_\_\_\_\_  
Chairman