

**APPROVED MINUTES OF THE REGULAR MEETING
OF THE KENTWOOD ZONING BOARD OF APPEALS
CITY COMMISSION CHAMBERS
SEPTEMBER 18, 2023, 7:00 P.M.**

1. Chair Derusha called the meeting to order.
2. Pledge of Allegiance
3. Roll Call
MEMBERS PRESENT: Les Derusha, Robert Houtman, Robert Spalding, David Fant, Mary VanNoord and Susan West
MEMBERS ABSENT: Alan Lipner (absent with notification) , Aaron Johnson
OTHERS PRESENT: Planner Joe Pung, Planning Assistant Monique Collier and the Applicant.

Motion by Houtman, supported by Spalding to excuse Lipner and Johnson from the meeting.

- Motion Carried (6-0) –
- Lipner and Johnson absent -

4. Declaration of Conflict of Interest

There was no conflict of interest expressed.

5. Approval of the Minutes

Motion by VanNoord, supported by West to approve the minutes of August 18, 2023.

- Motion Carried (6-0) –
- Lipner and Johnson absent -

6. Acknowledge visitors and those wishing to speak to non-agenda items.

7. Public Hearing

Appeal #V-23-10 (Applicant requested tabling to the August 21, 2023 meeting now to the September 18, 2023 meeting)

Applicant: Church of Jesus Christ of Latter-day Saints
Location: 2400 Forest Hill Avenue, SE

Request: The applicant wishes to construct a 112-foot high spire as part of a proposed temple. Section 3.03.A of the Kentwood Zoning Ordinance limits the height of the spire to 50-feet. The requested variance is for an increase in height of 77-

feet to the maximum height permitted by the Zoning Ordinance.

Derusha opened the public hearing.

Jeff Lippert, 2364 Shadtree Ln was present. He stated he objects to what the applicant is trying to accomplish. He stated the reason being is that he welcomes the church into the neighborhood; however, the church itself is surrounded by residential properties. He stated he is concerned about the height, the illumination, and light pollution.

The applicant has requested tabling the request to the October 16, 2023, meeting

Motion by Houtman, supported by Spalding, to table V-23-10 to the October 16, 2023 meeting.

- Motion Carried (6-0) –
- Lipner and Johnson absent -

Appeal #V-23-13

Applicant: Universal Sign, Inc.
Location: 4201 Patterson Avenue, SE

Request: The applicant wishes to replace an existing freestanding sign with a new freestanding sign. The proposed sign would be eleven point nine (11.9) feet from the Patterson Avenue right-of-way. Section 10.03.E of the Kentwood Zoning Ordinance requires a minimum setback of 17 feet from the public right-of-way. The requested variance is for a reduction of five point one (5.1) feet to the required setback.

Doug Portinga, representing the owner of the property, and Nate Zevenbergen, 5001 Falconview were present. Portinga stated they are not asking for the sign to be any closer to the road than what it currently is. They are trying to remove and get an upgraded sign and move it further to the north. He stated where their sign is currently located sometimes causes confusion for their customers. He stated the customer lobby is on the north side of their building and yet their sign is toward the south side and closer to the corner of Danvers and Patterson Avenue. He stated they would like to make the sign look nicer and move it closer to the flag and to the north side, but keeping that same position relative to the road and ROW that it has been for 30 plus years.

Houtman questioned if dimensionally the sign be the same size. Zevenbergen stated it is actually going to be a little bit shallower width, but it will be very similar in height a couple inches taller. He stated the square footage is going to be the same. He stated they are moving the sign to the north because visitors get confused with where to enter the building. He stated they refaced the sign back in 2010. He stated they are updating an old sign trying to keep the same setback from the road just because of the unique parcel. He stated they are going to make the sign a little nicer. They are going to add a masonry

base, it is setback partially into a landscaped area. He stated the sign is far enough away from the road, yet still visible.

Derusha opened the public hearing.

There was no public comment.

Motion by Houtman, supported by West, to close the public hearing.

- Motion Carried (6-0) –
- Lipner and Johnson absent -

Houtman stated point 1 is met. As noted the existing sign has been there since 1991, there aren't many businesses that are 60 feet from the center line. Houtman stated point 2 is met. There are only 8 of approximately 39 properties in Kentwood south of 28th Street that have a Patterson Avenue ROW width of 60 feet as measured from the center line. Houtman stated point 3 is met. The property owner could continue to use the non-conforming sign but a new sign would have to be backed up quite a bit from the ROW line.

West, Fant, VanNoord, Spalding and Derusha concurred that points 1,2 and 3 have been met.

Houtman stated point 4 is met it is not going to be detrimental because the sign has been there and so have many of the neighbors since 1991 and the new sign is going to have the same setback. Houtman stated point 5 has been met. This is among one of many that we have granted over the years for the same reason. Houtman stated point 6 is met. He stated the applicant was not responsible for installation of the existing sign nor the width of the public ROW relative to other properties along Patterson Avenue.

West, Fant, VanNoord, Spalding and Derusha concurred that points 4,5 and 6 have been met.

Motion by Houtman, supported by West, to grant approval of V-23-13.

1. **There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district.**
2. **The condition or situation on which the requested variance is based does not occur often enough to make more practical adoption of a new zoning provision.**
3. **The literal application of the provisions of the Zoning Ordinance would deprive the applicant of property rights commonly enjoyed by other properties in the same zone district.**
4. **The variance will not be detrimental to adjacent property and the surrounding neighborhood.**

5. **Taken as a whole, the variance will not impair the intent and purpose of the Zoning Ordinance.**
6. **The exceptional conditions or circumstances do not result from the actions of the applicant.**

Motion by Houtman, supported by VanNoord, to adjourn the meeting.

- Motion Carried (6-0) –
- Lipner and Johnson absent -

Meeting adjourned at 7:20 p.m.

Respectfully submitted,

Robert Houtman, Secretary