

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – July 10, 2017

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Seyburn at 7:00 p.m. in the Council Chambers. Three people were in the audience.

MEMBERS PRESENT: John Byrnes, Alexander Philipp, Lowell Seyburn, Randall Schau, Jay Eichstaedt, Veronica Demaio, Natalie Rowe, Linda Finch.

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator and Charlie Bear, Assistant City Attorney.

MEMBERS EXCUSED: Brenda Carlton

APPROVAL OF THE MINUTES: Rowe moved and Eichstaedt seconded a motion to approve the June 12, 2017 minutes as submitted. Upon voice vote, the motion was approved 7-0.

NEW BUSINESS:

ZBA #17-01, Jimmie Harvey, 330 East Centre Avenue: Mais summarized the request for a Temporary Use Permit to operate an outdoor barbecue grill at 330 East Centre Avenue from July 11 through November 11, 2017 and from April 15 through October 15, 2018. Seyburn noted the applicant did not need to demonstrate a practical difficulty for the Board to approve a Temporary Use Permit. Mr. Harvey was present to answer questions. Philipp inquired if the applicant really intended to operate during November. Mr. Harvey replied probably not, but it depended on the weather.

The public hearing was opened. A letter of opposition from Francis Walters, 8027 Waylee Street, was read into the record. No one present spoke for or against the request. The public hearing was then closed.

A motion was made by Rowe, seconded by Eichstaedt, to grant a Temporary Use Permit to operate an outdoor barbecue grill at 330 East Centre Avenue from July 11 through November 11, 2017 and from April 15 through October 15, 2018, with the following conditions: 1) The Temporary Use be permitted from July 11 through November 11, 2017 and from April 15 through October 15, 2018; 2) The outdoor barbecue be licensed by the Kalamazoo County Department of Health and Community Services; 3) Table (under tent), pedestrian barrier, and tent setup be consistent with the site sketch; 4) Hours of operation be limited from 10:00 a.m. to 6:00 p.m. Tuesday through Saturday; 5) The site be kept free of trash and refuse; 6) Temporary signage be limited to one sign not exceeding 40 square feet; 7) No sound amplifying equipment be permitted; 8) A minimum of one portable fire extinguisher (size 2A:10BC) must be provided and placed in a conspicuous location in the tent; 9) No open flame or other devices emitting flame, fire, or heat or any flammable or combustible liquids, gas, charcoal or other cooking devices shall be permitted in or within 20 feet of the tent; 10) Parking on site must not obstruct building entrances/exits, maneuvering lanes, or access roads and no parking is permitted in lawn areas; and 11) "No smoking" signs be conspicuously posted in tent. Upon roll call vote: Byrnes-Yes, Rowe-Yes, Philipp-Yes, Seyburn-Yes, Schau-Yes, Eichstaedt-Yes, Demaio-Yes. Motion passed 7-0.

OTHER BUSINESS: Officer elections were held: Lowell Seyburn was elected Chair; Randall Schau, Vice Chair; and John Byrnes, Secretary.

STATEMENT OF CITIZENS:

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:16 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator