

MEETING

CITY OF WALKER

ZONING BOARD OF APPEALS

Wednesday, April 14, 2010

7:00 p.m.

The meeting of the Zoning Board of Appeals was called to order by Robert Marz, Chairman at 7:00 p.m. at City Hall 4243 Remembrance Rd., N.W., Walker, Michigan.

Members present: Robert Marz, Chairman; Roger Crabtree; Sandi Howland; Brian Boelens; Randy Smith; Beth Rogers and James Hickey. Member absent: Charles Deschaine. Also present: Jeff Nelson, Building Official; and Tammy Freedman, Recording Secretary.

DECISION AND ORDER

Legal Description

Property located at 3050 Walkent, also known on the tax rolls as 41-13-03-412-001. Hearing requested by Don E. Knottnerus.

The applicant's request is for a use variance to allow a Recreation/Community Center in an ML-Light Industrial District.

Finding of Facts

Robert Marz, Chairman reviewed the application and site plan submitted.

Robert Marz read the memorandum from Phil McCormack, Chief Fire Inspector.

Robert Marz read the letter from Frank Wash, Planning Director.

Don Knottnerus explained they are a non-profit group. Don explained instead of the City of Walker creating an ordinance for a one time recreation youth center, he applied for a use variance. He feels if the City of Walker continues to grow they should look at creating an ordinance for vacant buildings in which the buildings could be used for other uses instead of what they are zoned for. They looked at numerous buildings in the same area, but this building would work the best for their group because of the high ceilings.

Beth Rogers asked if this is a non-profit group then they will not be subject to taxes.

Don Knottnerus stated they are a non-profit group 501 (c) (3), but they will have some employees that will be subject to the City of Walker Income Tax.

Ted McIntyre stated that since they will be leasing this building and they do not own the building the building is still subject to property taxes.

Beth Rogers asked will this be open to all youth.

Don Knottnerus explained they are not affiliated with any group. This facility will be geared toward junior and senior high kids.

Randy Smith asked Don Knottnerus what he meant by a one-time use variance can he elaborate on this.

Don Knottnerus explained for the City of Walker to change all the ordinances to allow this type of facility in a “ML” district he doesn’t see a lot of people interested in this type of a non-profit group.

Robert Marz stated that he doesn’t feel this is a re-occurring request so he doesn’t feel the ordinance needs to be changed.

Jim Hickey asked how the Alpine School of Gymnastics will be similar to his recreation center.

Don Knottnerus explained that this will be similar to the Alpine School of Gymnastics with an area that could be used as a recreational center.

Jim Hickey asked how they support their endeavor.

Don Knottnerus explained they have a lot of generous donors.

Jim Hickey asked if the kids will be charged a fee.

Don Knottnerus explained there could be a small fee charged.

Don Knottnerus explained they have done a lot research on this type of center and security was a big issue. They will install a security system with cameras and security cards to enter the building and they will have a staff.

Jim Hickey asked how many staff they will have.

Don Knottnerus stated they are looking at possibly having 150 kids at one time, but the staff will depend on how many kids they have.

Jim Hickey asked how much money they will be putting into the renovation of the building.

Don Knottnerus explained they will be putting in approximately \$300,000 to renovate the building.

Stan Kiste director of organization stated they will be open on Friday and Saturday nights, they will have crafts, movie, video games, basketball courts, and re-ball.

Brian Boelens asked if the junior and senior high kids will be separated in the building.

Stan Kiste stated this was correct. Each person will have an identification card that will identify their age.

Sandi Howland asked what the hours of operation will be.

Stan Kiste stated that the hours of operation will be Friday and Saturday nights from 7:00 p.m. To 11:00 p.m., they may have some Saturday afternoon.

Sandi Howland asked if they will only have weekend hours.

Stan Kiste stated they are looking at only being open on weekends if there seems to be a lot of interest they will be open during the week.

Brian Boelens asked if all the activities will be inside the building.

Stan Kiste stated this is correct. The entry system will be if you come into the building you are not allowed to go in the parking lot and then go back into the building.

Roger Crabtree asked if in the future they would rent out this facility

Stan Kiste stated that they may rent this out to a church youth group for a lock in situation.

Roger Crabtree asked if they rented the facility to another group would that interfere with the members coming to the facility.

Stan Kiste stated that they would encourage the members and the group that rented the facility to be at the facility at the same time and then when the members leave at their scheduled time the rented group would have the facility for the rest of the night.

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Roger Crabtree asked if they will be having concessions.

Stan Kiste said they will offer refreshments probably more of a vending type service.

Jim Hickey asked if the 57 parking spaces shown on the site plan correct.

Jeff Nelson stated that they talked about sharing parking with a neighboring business. There will be many changes made to the building and during that time they will determine occupancy load. The building will be renovated to today's codes before they occupy the building.

Don Knottnerus stated they do have an architect on board and they do have some preliminary plans.

Roger Crabtree stated that the Zoning Board of Appeals has granted variances in the past for gymnastics, indoor skate parks, etc. in an industrial zone.

Motion

Randy Smith moved and Brian Boelens supported the motion to grant the applicant's request to obtain a use variance to allow a Recreation/Community Center in an ML-Light Industrial District.

- a. There are exceptional and extraordinary circumstances applicable to the property in question as to the intended use of the property that do not apply generally to other properties in the same zoning district the existing building contains high ceilings and is large enough for indoor recreational activities. This type of building meets the requirements for the recreational activities proposed and equipment to be utilized.
- b. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district. There would be no detriment to the surrounding area in an "ML" light industrial district as all activities would take place on the weekends and evenings. Surrounding area businesses were contacted and did not have any objections to the proposed use.
- c. Authorization of the variance will not be of a substantial detriment to adjacent property and will not materially impair the intent and purpose of the ordinance or public interest in that the recreational activity is located in an "ML" light industrial district inside a building were the activities will not have an adverse affect on the surrounding business.
- d. The condition or the situation of the piece of property or the intended use of the property for which the variance is sought is not so general or recurrent a nature as to make reasonably practicable for the formulation of a general regulation. In this economy, many building in the general area are vacant and cannot be utilized for their intended purpose.
- e. Does not apply.

Motion carried .

Motion

Randy Smith moved and Beth Rogers supported the motion to approve the Zoning Board of Appeals Minutes from March 24, 2010.

Motion carried unanimously

Motion

Randy Smith and Brian Boelens supported the motion to adjourn the Zoning Board of Appeals meeting t 7:50 p.m.

Motion carried unanimously.

Roger G Crabtree
Zoning Board of Appeals Secretary

Tammy Freedman
Recording Secretary