

OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS

MINUTES OF A MEETING HELD MARCH 25, 2008

---

Agenda

**OLD WORLD DISTRIBUTORS, INC. - SITE PLAN REVIEW - 6051 WEST KL AVENUE - (PARCEL NO. 3905-23-430-037)**

**GROUP MARKETING SERVICES, INC. - SETBACK AND PARKING VARIANCES - 374 SOUTH DRAKE ROAD - (PARCEL NO. 3905-24-230-010)**

---

A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, March 25, 2008, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Grace Borgfjord, Chairperson  
Robert Anderson  
Dave Bushouse  
Duane McClung  
Roger Taylor  
Cheri Bell, Alternate

MEMBERS ABSENT: Mike Smith, Alternate

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Senior Planner; James W. Porter, Township Attorney; and five other interested persons.

Call to Order/Pledge of Allegiance

The Chairperson called the meeting to order at approximately 3:00 p.m., and the Pledge of Allegiance was recited.

Minutes

The Chairperson asked if the Board had had an opportunity to review the minutes of February 26, 2008. The members indicated that they had. Mr. McClung made a motion to approve the minutes as submitted. Mr. Anderson seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

**OLD WORLD DISTRIBUTORS, INC. - SITE PLAN REVIEW - 6051 WEST KL AVENUE - (PARCEL NO. 3905-23-430-037)**

The Chairperson said that the next item on the Agenda was consideration of site plan review of Old World Distributors, Inc. for an addition to a building at 6051 West KL Avenue, Parcel No. 3905-23-430-037. The Chairperson asked for a report from the Planning Department. Ms. Bugge submitted her report to the Zoning Board of Appeals dated March 25, 2008, and the same is incorporated herein by reference.

Ms. Bugge indicated that the applicant was requesting site plan review for a 10,932 square foot building addition. She said that the manufacturing facility was a permitted use in the "I-1" District. She did note that the applicant intended to combine the parcel they are currently on with an adjoining parcel to the east to create a conforming, buildable parcel. Ms. Bugge then took the Board through a review of the area including the surrounding properties and their applicable zoning. Ms. Bugge next went through a review of Section 82.800 involving site plan review, as more fully set forth in her report.

The Chairperson asked if there were any questions of Ms. Bugge. Mr. Bushouse asked about the water run-off from the facility. Ms. Bugge indicated that the applicant would have to maintain storm water on site and that there might be some modifications necessary on the site plan to accommodate that requirement.

The Chairperson asked to hear from the applicant. Mr. Steve Bosch with Bosch Architects, introduced himself on behalf of Old World Distributors. Mr. Bosch said that he thought the presentation by the Planning Department was excellent. He said he did have one issue with regard to sanitary hook-up. He stated that if the Health Department allowed continued use of the existing septic system, they would continue to use it rather than hooking up to the public sewers. Ms. Bugge indicated that it would be up to the Health Department to make that determination.

The Chairperson asked if there were any questions of the applicant's architect, and hearing none, asked if there was any public comments. There being none, the Chairperson called for Board deliberations.

Mr. Bushouse asked for clarification as to whether the site plan was going to be subject to appropriate land division approval. Ms. Bugge indicated that was one of the criteria which would have to be met before the applicant could proceed with the improvements.

The Chairperson asked if the applicant would be complying with the appropriate sign permits. Mr. Bradley Solarek indicated that they would comply with the Township Ordinance requirements.

Ms. Bugge inquired about the applicant's relationship to the property to the north and the access easement. Mr. Solarek said there was not common ownership of the two parcels. He was certain that Old World Distributors was not granted an access easement, but that the easement was theirs. Attorney Porter asked for clarification and inquired as to whether it was a reservation of easement versus a grant of an easement by the property owner. Mr. Solarek said that was correct.

The Chairperson asked Mr. Solarek what Old World Distributors did on site. Mr. Solarek explained that they manufactured decorative roofing and roofing parts which were shipped all over the world for a select list of clientele. He indicated there is very little waste as they use zinc and copper, and all material is stored inside the building.

Mr. Anderson noted that it was nice to see a business in the area which was growing and prospering.

Mr. McClung said he thought that the site plan appeared to be in order and should be approved.

The Chairperson asked the Planning Department if they were comfortable with the existing landscaping. Ms. Bugge said she was if the conditions suggested by Staff in the report regarding additional evergreens and a Type A landscaping to the north of the building were met.

Mr. McClung then made a motion to approve the site plan subject to the following conditions as set forth in the Staff report of March 25, 2008.

1. Approval shall be subject to providing the Township with a copy of the recorded ingress and egress easement prior to receiving a Building Permit.
2. Approval shall be subject to all parking and loading areas meeting the criteria of Section 68 and submission of a revised site plan indicating a paved area for trailer parking.
3. No outdoor storage is requested or approved.
4. Site plan approval is subject to the applicant entering into an escrow agreement for future non-motorized improvements with the Township prior to the issuance of a Building Permit.
5. Outside building light fixtures shall comply with the requirements of Section 78.700 of the Zoning Ordinance.
6. All new and existing signs shall be subject to review and approval through the sign-permitting process.

7. Approval shall be subject to landscaping modifications regarding additional evergreens and Type A landscaping north of the building, providing Staff finds retained vegetation adequate. A landscaping plan shall be submitted for Township review and approval prior to issuance of the Building Permit.
8. All required landscaping shall be installed pursuant to an approved plan before occupancy is permitted or a Performance Guarantee, consistent with Section 82.950, shall be provided.
9. Evidence of a recorded deed bringing the property into compliance with the Land Division Ordinance shall be submitted prior to issuance of the Building Permit.
10. Site plan approval shall be subject to the applicant satisfying the requirements of the Fire Department, pursuant to the adopted codes.
11. Site plan approval shall be subject to the applicant satisfying the requirements of the Township Engineer.
12. A site plan depicting the proposed sewer connection shall be provided for Township review or providing written evidence from the Health Department that the septic system is adequate.
13. The existing septic system shall be addressed in accordance with Health Department requirements.
14. An Earth Change permit is required.

Mr. Taylor seconded the motion. The Chairman called for further discussion. Hearing none, she called for a vote on the motion, and the motion passed unanimously.

**GROUP MARKETING SERVICES, INC. - SETBACK AND PARKING VARIANCES - 374 SOUTH DRAKE ROAD - (PARCEL NO. 3905-24-230-010)**

The Chairperson announced that the next item was consideration of setback and parking variances for Group Marketing Services, Inc. She explained that the applicant was requesting variances under Sections 23.202 and 23.404 to allow parking in the required setback areas, as well as a building addition within the required side yard setback areas under Section 64.200. She noted that the property is located at 374 South Drake Road, Parcel No. 3905-24-230-010. The Chairperson asked to hear from the Planning Department. Ms. Stefforia submitted her report to the Zoning Board of Appeals dated March 25, 2008, and the same is incorporated herein by reference.

Ms. Stefforia explained the history behind the use of the residence as an office dated back to the mid-70's. She noted the zoning changes which took place in the 1980's, as well as recent rezoning of the subject property from the "R-4" classification to "R-3" classification. She explained that the applicant was requesting variance relief from provisions of the Ordinance, Sections 23.202, 23.404 and 64.200. Ms. Stefforia then proceeded to take the Board through the standards of approval for a nonuse variance as more fully set forth in her report.

The Chairperson began with questions of Ms. Stefforia by asking what percent of the site is currently being utilized. Ms. Stefforia said she was not certain, but she would figure it out.

The Chairperson asked to hear from the applicant. Mr. James Kaiser introduced himself to the Board. He said he agreed with the presentation but did want to make a couple of comments. He asked that the Board take note of the fact that the property to the north, both Accent Travel as well as the multi-family areas, already had paved their lots to the curb or up to the fence on the north property line.

Mr. Bushouse asked where the stormwater was currently going on site. Mr. Kaiser said that there were two catch basins, one in the northeast parking area and one in the west parking area. He said they had been approved at the time the previous additions were made.

Ms. Bell asked why the applicant needed so much additional parking for only two employees. Mr. Kaiser said that they did have deliveries, and there would be some additional growth beyond the initial employees who they wanted to add. He did note that one of the major reasons that they needed the parking was to comply with the Township's Ordinances. Ms. Stefforia asked if he was doing this just to meet the Ordinance requirement. Mr. Kaiser said no; he did need some additional parking so it was for more than zoning compliance. Mr. Kaiser said the spaces provided would not exceed the Ordinance requirements.

Ms. Bell asked how many parking spaces were being added. She further inquired why all of the paving on site was necessary. Mr. McClung followed up and asked how many parking spaces they currently had. Mr. Kaiser said that they had 19 parking spaces. Mr. McClung asked where they were going to be adding additional parking spaces. It was pointed out on the overhead projector that the additional parking would be in the southeast and southwest corners of the property.

Ms. Bell asked if the Township Zoning Ordinance required a certain amount of parking per square foot of building. Ms. Stefforia said that it did, but the Township also did not require that all of the parking be constructed so long as additional parking area was available in the future, if needed. Ms. Bell asked whether they could limit the number of spaces in order to maintain a certain amount of greenspace. Mr. Bushouse said that the Board in the past always made sure that the parking space was available,

but certainly would not require that all of the parking be established until it was necessary.

The Chairperson asked about the amount of greenspace left on the property. Ms. Stefforia said that only about seven percent of greenspace would be left after the improvements. Attorney Porter asked if that exceeded the coverage requirements. Ms. Stefforia said it did not since only the buildings were taken into account in computing the coverage requirements in the "R-3" Residential District.

The Chairperson asked if there was any public comment. Hearing none, she closed the public portion of the meeting and called for Board deliberations. Mr. Taylor said he wanted to see more of the greenspace preserved and did not understand why all of the additional parking spaces were needed to accommodate the few new employees who were being added.

Mr. Bushouse asked about a sidewalk and why that was not shown. Ms. Stefforia said it was due to the fact that this was not a complete site plan and they were simply proposing a sketch plan at this point for the Board's consideration in order to get a determination on the requested variances.

The Chairperson said that with only seven percent greenspace left on site, she thought that the property might be maxed out as far as its development. The applicant asked where a sidewalk would go since there was no more room left within the right-of-way. The Chairperson said that typically it would be in an easement across a developer's property.

The Chairperson reviewed the standards for granting or denying a nonuse variance as set forth in the Planning Department's report.

Mr. McClung said he did not have difficulty in allowing the addition to the building addition because the applicant would stay within the building lines. However, he thought the additional parking was a much bigger issue.

Mr. Bushouse said he was somewhat confused. He could not see what the size of the building was to compute the required number of parking spaces that were needed. At this point, a discussion ensued as to the actual square footage of the proposed additions in relationship to the Ordinance requirements for additional parking spaces. Ms. Stefforia noted that perhaps the Board needed additional information. The Chairperson indicated that the Board might want to table the matter until they had more precise calculations on the buildings and proposed parking requirements.

Mr. Bushouse asked if the applicant was using the basement. Mr. Kaiser said that they were. Mr. Bushouse asked if they would be adding additional basement space. Mr. Kaiser said he was not certain at this time. Mr. Bushouse asked how the

basement was being used. Mr. Kaiser said that there were some offices in the basement, as well as storage.

The Chairperson again noted that she felt the Board needed more information before considering the proposed variances. Mr. Taylor made a motion to table this matter for further information to be provided at its next meeting in the form of a more detailed site plan. Mr. McClung seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

Ms. Stefforia told the applicant that she would provide him with a list of provisions necessary for full site plan review.

#### Public Comment on Non-Agenda Items

None.

#### Any Other Business

None.

#### Adjournment

There being no other comments, the meeting was adjourned at approximately 4:10 p.m.

Minutes Prepared:  
March 28, 2008

Minutes Approved:  
April 22, 2008