

OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS

MINUTES OF A MEETING HELD APRIL 22, 2008

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Agenda

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

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A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, April 22, 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  
Mike Smith, Alternate

MEMBERS ABSENT: None

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Senior Planner; James W. Porter, Township Attorney; and eight 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 there were any changes to the minutes of March 25, 2008. Hearing none, Mr. McClung made a motion to approve the minutes as submitted. Mr. Taylor seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

**GROUP MARKETING SERVICES, INC. - SETBACK AND PARKING VARIANCES -  
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The Chairperson stated that the next item on the Agenda was the setback and parking variances for Group Marketing Services, Inc. She noted that this matter was tabled from March 25, 2008. The Chairperson asked for a report from the Planning Department. Ms. Bugge submitted the report to the Zoning Board of Appeals dated April 22, 2008, and the same is incorporated herein by reference.

Ms. Bugge took the Board through a review of the matter which had been tabled from the last meeting. She explained to the Board that they were dealing with two variance requests from Sections 23.404(e) and 23.404(f) of the Township Zoning Ordinance. The first variance being requested was to allow parking in the setback areas along Skyridge Avenue and Drake Road, and the second requested variance was to allow a building addition in the required 20-foot side yard setback. Ms. Bugge proceeded to take the Board through a review of the Standards for Approval of a nonuse variance, as more fully set forth in the report.

At the conclusion of Ms. Bugge's report, the Chairperson asked if the building addition would also trigger the requirements for extra parking spaces. Ms. Bugge indicated that was correct. Ms. Stefforia pointed out that the Board could choose not to impose all the parking requirements, but at the time she visited the site, all of the parking spaces which were currently available were being used.

Mr. Taylor asked if the applicant would have the ability to hold all of its stormwater run-off if the improvements were allowed. Ms. Stefforia indicated that they would have to use catch basins or whatever was necessary in order to re-engineer the site to hold all their stormwater.

The Chairperson then asked to hear from the applicant. Mr. Jim Kurtz of Keifer and Kurtz Architects introduced himself to the Board. He said he put the site plan together and he also noted that he thought that the Planning Department had thoroughly covered the issue and asked if there were any questions.

Ms. Bugge asked if she might inquire as to the number of employees currently working at the site. Mr. Kaiser said there are approximately 20 to 21 employees, depending on the day. The Chairperson asked if Mr. Kaiser intended to add additional employees. Mr. Kaiser said approximately two to three new employees would be added.

The Chairperson asked if there were any other questions. Hearing none, she called for public comment. Hearing no public comment, she closed the public portion of the meeting and called for Board deliberations.

Mr. Bushouse said he was concerned about the residential plat behind the proposed development. He said he understood that this was originally a house which was converted to an office, and it had a minimum impact on the plat. However, he said

with what was being proposed, the area would suffer because it would change the entrance to the plat. He did not think that was what was needed in the area. Therefore, Mr. Bushouse said he was not in favor of any of the requested variances.

Mr. Taylor asked if the neighbors had been invited to comment. Ms. Stefforia indicated that they had, but there was no response.

Mr. McClung said that the property north of the subject property was almost completely paved already. The Chairperson said she agreed, but that was done under prior Ordinances, not under the current Ordinances in effect. She said what they were talking about was the quality of life for the people in the area and the aesthetics of what the Township is trying to create with the current Ordinances.

Mr. McClung asked if any of the trees would be removed. Mr. Kaiser said none of the largest trees would be removed, but two other smaller trees would have to be removed.

The Chairperson said she was concerned about the number of variances being requested for the property. She said they would set a bad precedent.

Mr. Smith said he had mixed feelings about the proposal. He said he did not like the number of variances being requested, but none of the neighboring property owners seemed to be objecting.

Ms. Bell said she thought it was all or nothing. She said she did not think you could pick one part and not approve the other part because of the inter-dependence between the increased office space and the need for additional parking.

Mr. Taylor said he thought the Board owed an obligation to the property owners to the west. He said Drake Road is what it is, and the requests would not affect Drake Road, but he thought the variances would have a negative impact on the residential area if the variances were granted. He said he thought it would take away from the residential feel of the area.

Mr. Anderson said he thought it was time to consider if the site was no longer adequate, and there was no longer enough room to expand.

There was a brief discussion on whether the Board could consider the two variances separately. It was the consensus of the Board to consider the building expansion first and then consider the parking expansion. Attorney Porter said he thought that would be appropriate since, perhaps they could obtain parking easements elsewhere if the building variance was granted. Ms. Stefforia concurred.

Mr. Taylor then made a motion to deny the parking variance for the reasons set forth in Ms. Stefforia's report. Mr. Anderson seconded the motion. The Chairperson

called for further discussion, and hearing none, called for a vote on the motion. The motion passed unanimously.

Mr. McClung next made a motion to approve the variance which would allow the building additions in line with existing building lines. Mr. Anderson seconded the motion. The Chairperson called for discussion.

Mr. Taylor said perhaps the matter should be tabled in order to allow the applicant to make parking arrangements if a building variance were granted. The Chairperson said it would be up to the applicant to work that out if the variance were even granted.

There was a brief discussion regarding the compliance with the previous approval by the Zoning Board of Appeals in 1978. After reviewing the minutes of February 13, 1978, Mr. McClung stated that the motion would stand. The Chairperson called for a vote on the motion, the motion failed 4-to-1 with only Mr. McClung voting in favor of the motion.

#### Public Comment on Non-Agenda Items

None.

#### Any Other Business

None.

#### Adjournment

There being no other comments, the meeting was adjourned at approximately 3:45 p.m.

Minutes Prepared:  
April 29, 2008

Minutes Approved:  
May 27, 2008