

OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

MINUTES OF A MEETING HELD APRIL 27, 2010

Agenda

**OSHTEMO TOWNSHIP – DEPTH-TO-WIDTH, AREA AND FRONTAGE VARIANCES
FOR A PLATTED LOT SPLIT FOR AN ESSENTIAL PUBLIC SERVICE – 10645
WEST MAIN STREET – (PARCEL NO. 3905-18-332-040)**

A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, April 27, 2010, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Roger Taylor, Chairman
Cheri Bell, Vice Chair
Robert Anderson
L. Michael Smith
Neil Sikora, First Alternate
James Sterenberg, Second Alternate

MEMBERS ABSENT: Dave Bushouse, excused

Also present was Jodi Stefforia, Planning Director.

Call to Order/Pledge of Allegiance

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

Minutes

The Chairman said the first item on the Agenda for approval was the minutes of March 23, 2010. The Chairman asked if the members had a chance to review the same, and he said he would entertain a motion. A motion was made by Mr. Anderson, seconded by Mr. Smith to approve the minutes, as submitted. The Chairman called for a vote on the motion, and the motion passed unanimously.

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The Chairman indicated that the next item on the Agenda was a request for two variances to allow a platted lot split resulting in a lot where the depth was more than four times the width and a separate property that did not satisfy the minimum area or

frontage requirements of the Ordinance. He said the subject property was located at 10645 West Main Street, Parcel No. 3905-18-332-040. The Chairman asked for a report from the Planning Department. Ms. Stefforia submitted her report dated April 27, 2010, and the same is incorporated herein by reference.

Ms. Stefforia explained that the Township has been attempting to acquire a 50'x80' piece of land upon which a public water system pressure reducing station would be built. The Township has agreed upon terms with the owner of Lot #4 of the Nicholas Hills plat for a 50'x80' portion of the northeast corner of the lot.

In its current configuration, lot #4 exceeds the 4:1 depth-to-width limitations of the ordinance; however, it is considered conforming as it was approved in this configuration when the plat was established in 1991. It was noted that lots 2, 3 and 5 of the plat have similar dimensions. By adjusting the lot lines to sell a portion of the lot to the Township, the depth-to-width issue needs a variance as the conforming status is lost with the new lot lines.

Ms. Stefforia further explained that the land being acquired by the Township, a 50'x80' piece of land satisfies neither the frontage nor area requirements of the ordinance. A variance is necessary to allow the land acquired by the Township to be considered buildable.

Ms. Stefforia proceeded to take the Board through a review of the standards of approval of a nonuse variance as is more fully set forth in her report.

The Chairman asked if there were any questions. Mr. Sikora inquired about the building that will be built for the water system pressure reduction station and if it will comply with setback requirements. Ms. Stefforia responded that the building will not satisfy front setback requirements but she discovered this issue too late for this meeting and a variance request for setback relief will be on the next Zoning Board of Appeals agenda. She added that the building is a special exception use and that review will be conducted by the Planning Commission on May 13, 2010.

The Chairman opened the meeting to public comment. Hearing none, he called for Board deliberations.

Ms. Bell summarized the two variance requests before the Board indicating that she was glad that the Township was not acquiring more land than necessary for the essential public service to avoid future maintenance issues that would be associated with owning the entire 2.7 acre lot and potential liability.

Mr. Smith added that he preferred to keep the balance of the lot buildable and on the tax rolls instead of having the township own the entire 2.7 acres.

The Chairman asked if the building would be screened. Ms. Stefforia indicated that landscape screening will be added around the building and that she thought that screening was a requirement of the purchase agreement between the township and the

owners, the Rendons. The site layout and screening will be considered by the Planning Commission during the special exception use approval process.

The Chairman said he would entertain a motion. Mr. Smith made a motion to approve the variances as requested. Ms. Stefforia asked if the motion was based upon the findings of the staff report. Mr. Smith said that was correct. Mr. Sikora seconded the motion. The Chairman called for a vote on the motion, and the motion passed unanimously.

Public Comment on Non-Agenda Items

Ms. Bell congratulated the Kalamazoo Central High School boys basketball team on winning the state championship. Ms. Bell also reminded the Board that the school was one of five high schools in the country chosen to compete for President Obama to give the commencement address. She urged the members to go on-line and vote for Kalamazoo Central High School before Thursday.

Mr. Smith expressed his concern about a manufactured home established on a parcel abutting an established plat and that perhaps rear and side yard setback requirements should be increased.

Review of Emergency Procedures

This review will occur at the May meeting due to the unavailability of the meeting room.

Any Other Business

None.

Adjournment

There being no further business to come before the Board, the Chairman adjourned the meeting at approximately 3:30 p.m.

Minutes Prepared:
April 28, 2010

Minutes Approved:
_____, 2010