

OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS

MINUTES OF A MEETING HELD AUGUST 25, 2009

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Agenda

**RYDER – SITE PLAN REVIEW – 6210 TECHNOLOGY AVENUE- (PARCEL NO. 3905-35-450-015)**

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A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, August 25, 2009, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Duane McClung  
Dave Bushouse  
Roger Taylor  
Mike Smith, First Alternate  
Neil Sikora, Second Alternate

MEMBERS ABSENT: Cheri Bell  
Bob Anderson

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

Call to Order/Pledge of Allegiance

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

Minutes

The Chairman stated that the next item on the Agenda was the approval of the July 28, 2009 regular meeting minutes. There being no changes, Mr. Smith made a motion to approve the minutes, as submitted. The motion was seconded by Mr. Sikora. The Chairman called for a vote on the motion, and the motion passed unanimously.

**RYDER – SITE PLAN REVIEW – 6210 TECHNOLOGY AVENUE- (PARCEL NO. 3905-35-450-015)**

The Chairman indicated that the next item on the Agenda was the consideration of a site plan approval for Richard Ryder for unit 13 of Oshtemo Business Park, 6210 Technology Avenue, Parcel No. 3905-35-430-015. Chairperson called for a report from the Planning Department. Mr. West submitted his report dated August 25<sup>th</sup>, 2009 and the same is incorporated herein by reference.

Mr. West reviewed his report with the Board outlining the applicant's proposal to construct a 4500 sq. ft. building on a vacant parcel 1.5 acres in size. He said the property is located at 6210 Technology Avenue in the IR district. Mr. West proceeded through a review of Section 82.800 as more fully set forth in his report.

At the conclusion of Mr. West's report, the Chairperson asked if there were any questions.

Mr. Taylor asked if the air conditioning unit would be within the setback area. Ms. Stefforia said that it would but that was permissible. Ms. Bugge pointed out that it was permissible so long as it wasn't within the greenspace area, which in this case it was not.

The Chairperson asked to hear from the applicant. Mr. Walter Hanson introduced himself as well as Mr. Ryder and the owner's architect. He said that he thought Mr. West had thoroughly reviewed the project with the Board but asked if they had any questions. Ms. Stefforia asked about the existing pile of topsoil on site. Mr. Hanson said that would be removed from the property or be used in the final grade of the subject property.

The Chairman asked the Applicant if they would meet the landscaping requirements as requested. Mr. Hanson indicated that they would.

Mr. Smith asked if they could reduce their parking somewhat. Mr. Hanson said he didn't believe they could reduce the parking and still meet their needs and thought they had to keep it, in part, to provide a fire lane as well as a truck turnaround for deliveries.

Mr. Sikora asked if Mr. Hanson was comfortable with the amount of area provided for a truck turnaround. Mr. Hanson said that he believed it was adequate.

Mr. Ryder introduced himself to the Board. He said he looked forward to coming to Oshtemo Township. The Chairperson thanked Mr. Ryder for his presentation and indicated that the public comment portion of the meeting would be dispensed with since there were no other members of the public in the audience to comment on the proposal.

The Chairperson called for Board deliberations. After a brief discussion the consensus from the Board was that the applicant had met all of the requirements of 82.800 or would meet them based on the conditions recommended by the Planning Department. With that the Chairperson said he would entertain a motion. Mr. Taylor made a motion to approve the site plan subject to the following conditions:

1. Site plan approval is subject to the applicant obtaining a driveway permit from the Kalamazoo County Road Commission.
2. All parking and site access shall satisfy the criteria of Section 68.000.
3. Building shall satisfy the setback requirements of Section 64.000.
4. Light fixture details shall be submitted for Township review and approved before the issuance of a building permit. Any outside lighting is subject to Staff approval and shall be in accordance with Section 78.700 of the Zoning Ordinance.
5. Pursuant to Section 76.000 a Sign Permit shall be required before any signs can be placed upon the property.
6. Landscaping shall be installed consistent with the approved plan or a performance guarantee posted in accordance with Section 82.950 prior to the issuance of a Certificate of Occupation.
7. Pursuant to Section 75.000 approval of the site plan is subject to Staff approval of a revised landscaping plan.
8. Site Plan approved shall be subject to the applicant satisfying the requirements of the Fire Department, pursuant to the adopted codes.
9. Site plan approval shall be subject to the applicant satisfying the requirements of the Township Engineer, pursuant to the adopted codes.
10. Site plan approval is subject to obtaining an Earth Change Permit from the Kalamazoo County Drain Commissioner's Office.

The motion was seconded by Mr. Sikora. The Chairperson called for further discussion and hearing none called for a vote on the motion, and the motion passed unanimously.

#### Public Comment on Non-Agenda Items

None.

#### Any Other Business

Ms. Stefforia alerted the Board to the September 14<sup>th</sup> walk on 10<sup>th</sup> St to discuss the feasibility of a non-motorized path. She said the walk would commence at 10:00 a.m. at the Kal-Haven Trail head. Ms. Stefforia also noted there would be a joint meeting between the Boards on September 15<sup>th</sup> commencing at 6:00 p.m.

#### Adjournment

There being no further business to come before the Board, the Chairman called for adjournment of the meeting at approximately 3:17 p.m.

Minutes Prepared:

August 26, 2009

Minutes Approved:

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