

OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

MINUTES OF A MEETING HELD SEPTEMBER 23, 2008

Agenda

OSHTEMO CHARTER TOWNSHIP - AREA AND SETBACK VARIANCES - 5277 WEST KL AVENUE - (PARCEL NO. 3905-24-460-010)

A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, September 23, 2008, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Grace Borgfjord, Chairperson
Duane McClung
Dave Bushouse
Mike Smith, Alternate

MEMBERS ABSENT: Robert Anderson
Roger Taylor
Cheri Bell, Alternate

Also present were Jodi Stefforia, Planning Director; Brian VanDenBrand, Associate Planner; and James W. Porter, Township Attorney. There were no other interested persons.

Call to Order/Pledge of Allegiance

The Chairperson called the meeting to order, and the "Pledge of Allegiance" was recited.

Minutes

The Chairperson asked if the Board had any revisions to the minutes of June 24, 2008. There being none, Mr. Smith made a motion to approve the minutes as submitted. The motion was seconded by Mr. McClung. The Chairperson called for a vote on the motion, and the motion passed unanimously.

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The Chairperson said that the next item on the Agenda was the request from Oshtemo Charter Township for a variance from Section 66.201 to allow a parcel of less than 50,000 square feet in area to be considered buildable and a variance from Section 64.100 to allow a

reduction in the front yard setback to build a public water system booster/bleeder station. The Chairperson noted the subject property is located at 5277 West KL Avenue, Parcel No. 3905-24-460-010. The Chairperson asked the Board how it wished to proceed.

Mr. Smith recommended that the Board simply accept the Staff report dated September 23, 2008, and proceed with the discussion. The report is incorporated herein by reference.

The Chairperson asked why this issue was brought on for a public hearing. Attorney Porter noted that, while it was a variance to allow the construction of a municipal booster/bleeder station, the matter still needed to go through the same procedural steps as any other variance request. He said many other units of government simply dispense with the process, but the Township has always been of the opinion, with which he concurred, that the public should have the right to appear and question all variances, even those proposed by the government itself.

Ms. Stefforia noted that Edward Rose, an adjoining property owner, had filed a letter in support of the proposed request.

Mr. Bushouse asked that the Planning Department make the Township Engineer and City aware of where the Acadia Creek flow-through was on the subject property to make sure that they did not obstruct natural water flow in the future. Ms. Stefforia said it would be so noted.

There was no public in attendance to comment on the matter.

There being no further discussion, Mr. Smith made a motion to approve the two variances as requested. Mr. McClung seconded the motion. The Chairperson called for further discussion. Hearing none, she called for a vote on the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

The Chairperson noted that there was no public in attendance for purposes of public comment.

Adjournment

Hearing no further business, the meeting was adjourned at approximately 3:05 p.m.

Minutes Prepared:
September 25, 2008

Minutes Approved:
_____, 2008