

**OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS**

**MINUTES OF A MEETING HELD JANUARY 26, 2016**

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**Agenda**

**SITE PLAN REVIEW EXTENSION (CORNERS REALTY LLC, 652 S. 8<sup>TH</sup> Street)  
APPLICANT REQUESTS AN EXTENTION TO A SITE PLAN THAT WAS APPROVED  
ON JANUARY 27, 2015. (PARCEL #3905-22-230-029).**

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A meeting of the Oshtemo Charter Township Zoning Board was held on Tuesday, January 26, 2016, at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Nancy Culp  
Millard Loy  
Neil Sikora  
James Sterenberg

ABSENT: Bob Anderson  
Cheri Bell  
L. Michael Smith

Also present were Julie Johnston, Planning Director, Martha Coash, Meeting Transcriptionist, and four interested persons.

**Call to Order and Pledge of Allegiance**

In the absence of the Chair and Vice Chair, Secretary Sterenberg chaired the meeting and invited those present to join in reciting the "Pledge of Allegiance."

**Agenda Approval**

Mr. Sterenberg asked if there were any changes to the agenda. Hearing none, he asked for a motion for approval.

Mr. Loy made a motion to approve the agenda as presented. Mr. Sikora seconded the motion. The motion was approved unanimously.

**Public Comment on Non-Agenda Items**

There were no comments on non-agenda items.

## **Approval of the Minutes of November 17, 2015**

The Chairperson asked if there were any additions, deletions or corrections to the minutes of November 17, 2015. Mr. Sterenberg noted the approved list of meeting dates needed to be changed to correct the May, 2016 date from the 26<sup>th</sup> to the 24<sup>th</sup>.

Mr. Sikora made a motion to approve the minutes of November 17, 2015 as corrected. Ms.Culp seconded the motion. The motion was approved unanimously.

## **SITE PLAN REVIEW EXTENSION (CORNERS REALTY LLC, 652 S. 8<sup>TH</sup> Street) APPLICANT REQUESTS AN EXTENTION TO A SITE PLAN THAT WAS APPROVED ON JANUARY 27, 2015. (PARCEL #3905-22-230-029).**

Mr. Sterenberg said the next item was a request for a site plan review extension and asked Ms. Johnston to review the application.

Ms. Johnston explained the applicant was seeking an extension from the Zoning Board of Appeals for a site plan that was approved on January 27, 2015. She noted Section 82.900(a) indicated approval of the Site Plan shall be valid for a period of one year after the date of approval. If a building permit has not been obtained and on-site development actually commenced within said one year, the Site Plan approval shall become void and new approval obtained before any construction or earth change is commenced upon the site.

She said the original request was for the development of a 12,000 square foot warehouse building located at 652 South 8<sup>th</sup> Street, which is on the west side of 8<sup>th</sup> Street just north of KL Avenue.

Ms. Johnston noted prior to the meeting, the applicant provided an updated, revised site plan indicating many of the original conditions required have been met with the new plan. Some preliminary site work has been done, but a building permit has not yet been obtained. They intend to submit a permit to the Kalamazoo Area Building Authority to hopefully begin construction in the spring of 2016.

As a result of the revised plan and conditions met, Ms. Johnston said Staff changed their recommendation for approval to a six month extension to July 27, 2016 from the original approval date of January 27, 2015 with the following as yet unmet conditions:

- a) A sign permit is required before any new signs are installed on site, and all signage shall conform to the requirements of the sign chapter of the Zoning Ordinance.
- b) Approval of the KCRC, KCHD, and County Soil & Sedimentation Control (at minimum) are necessary prior to issuance of the building permit.

- c) All comments of the Township Engineer stated in his January 16, 2015 review memo – including provision of an easement for the northern retention pond and review of additional drainage calculations – shall be addressed prior to issuance of a building permit.
- d) Site plan approval is subject to the approval of the Fire Department, pursuant to adopted codes.
- e) Site plan approval is subject to the review and acceptance of the Township Engineer as adequate.

Mr. Sterenberg asked if Board Members had questions for Ms. Johnston.

It was confirmed that six months seemed adequate for the applicant.

Mr. Loy said he thought the business should be allowed to load and unload at the front door as other businesses in the Township are allowed to do.

Ms. Johnston said the Zoning Ordinance has specific wording prohibiting loading and unloading in the front yard in the industrial zone although it happens all the time in front of retail concerns. She was not sure why that was included in the Ordinance. She said she informed the applicant this will remain as is unless they wish to request a variance.

Mr. Sterenberg confirmed what is being sought today is an extension of what was approved in January of 2015.

Ms. Johnston asked if the ZBA feels the front yard loading/unloading restrictions in an industrial zone should be reviewed and any suggested changes recommended to the Planning Commission.

Mr. Loy said he would like to address this issue.

Mr. Sterenberg asked if the applicant wanted to address the Board.

Mr. Kevin Laaksonen, 3398 Oak Harbor Street, said they would also like to see the loading/unloading issue addressed. He said a lot of work is planned to be done on the site to make it look nice and that improvements have already been made.

Mr. Sterenberg asked whether a six month extension is long enough.

Mr. Laaksonen said they intended to get a building permit last year, but things intervened; they hope to get moving soon and feel six months is adequate.

Mr. Sterenberg determined there were no members of the public who wished to address the Board and moved to Board Discussion.

There was discussion of the length of the term of the extension; it was noted there is no limit on the number of extensions that may be requested.

Mr. Sterenberg asked for a motion on the request.

Mr. Loy moved to approve the request for a six month extension to July 27, 2016, with the five remaining conditions listed by staff. Ms. Culp supported the motion. The motion passed unanimously.

There was further discussion on the restriction on loading and unloading in the front yard in the industrial zone; all concurred they would like to review this provision.

### **Election of Officers**

Mr. Sterenberg nominated the following slate of officers for the coming year:

Cheri Bell, Chair  
James Sterenberg, Vice Chair  
Neil Sikora, Secretary

He noted he confirmed with Ms. Bell that she was willing to continue as Chair.

Ms. Culp made a motion to elect the slate of officers presented. Mr. Loy seconded the motion. The motion was approved unanimously.

### **Any Other Business / ZBA Member Comments**

Ms. Johnston indicated there would likely be a sign variance request for the Pine West building for the February meeting; if not, there would be no need for a meeting.

Mr. Sterenberg noted he would be absent in February.

### **Adjournment**

Mr. Sterenberg noted the Zoning Board of Appeals had exhausted its Agenda, and with there being no other business, he adjourned the meeting at approximately 3:30 p.m.

Minutes prepared:  
January 29, 2016

Minutes approved:  
April 5, 2016