

**OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS**

**MINUTES OF A MEETING HELD OCTOBER 22, 2019**

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**Agenda**

**ACCESSORY USE REVIEW: DAVID AND BREE BENNETT**

**A REQUEST FOR PLAN REVIEW AND APPROVAL TO LOCATE A NEW ACCESSORY BUILDING WITHIN THE FRONT YARD OF 7067 HAWTHORNE VALLEY AVENUE. PARCEL NO. 05-10-290-070.**

**SITE PLAN REVIEW: MEIJER ADDITION**

**A REQUEST FOR SITE PLAN REVIEW AND APPROVAL OF A 2,310 SQUARE FOOT ADDITION TO THE EXISTING MEIJER CONVENIENCE STORE LOCATED AT 6660 AND 6700 WEST MAIN STREET.  
PARCEL NOS. 5-14-185-022 AND 05-14-185-040.**

**ANY OTHER BUSINESS**

- a. DRAFT ZONING BOARD OF APPEALS BY-LAWS**
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A meeting of the Oshtemo Charter Township Zoning Board was held Tuesday, October 22, 2019 at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS WERE PRESENT:	James Sterenberg, Chair Fred Antosz Cheri Bell Fred Gould Micki Maxwell Neil Sikora, Vice Chair
MEMBER ABSENT:	Anita Smith

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney and Martha Coash, Meeting Transcriptionist. One other person was present.

**Call to Order and Pledge of Allegiance**

Chairperson Sterenberg called the meeting to order and invited those present to join in reciting the "Pledge of Allegiance."

**Public Comment on Non-Agenda Items**

There were no comments on non-agenda items.

## **APPROVAL OF THE MINUTES OF SEPTEMBER 24, 2019**

Chairperson Sterenberg asked if there were any additions, deletions or corrections to the minutes of September 24, 2019.

Mr. Antosz noted the minutes addressed a correction to be made to the August 27, 2019 minutes, but did not reflect action taken by the Board to approve them.

Attorney Porter said the notes he took at the meeting include the board members who made the motion and second for approval and the vote taken. He indicated the minutes could be approved with the understanding they would be amended to include that information.

Given that explanation, Chairperson Sterenberg asked for a motion.

Mr. Sikora made a motion to approve the Minutes of September 24, 2019 with the understanding that the addition of the motion and second made and the vote taken for approval of the August 27<sup>th</sup> meeting minutes, per Attorney Porter's notes, would be added. Mr. Antosz seconded the motion. The motion was approved unanimously.

Chairperson Sterenberg moved to the next agenda item and asked Ms. Johnston for the staff review.

## **ACCESSORY USE REVIEW: DAVID AND BREE BENNETT A REQUEST FOR PLAN REVIEW AND APPROVAL TO LOCATE A NEW ACCESSORY BUILDING WITHIN THE FRONT YARD OF 7067 HAWTHORNE VALLEY AVENUE. PARCEL NO. 05-10-290-070.**

Ms. Johnston explained the required public notice for this item had not occurred and as a result this item could not be considered at this meeting. She has spoken with the applicants, who were understanding, but wanted the matter considered as soon as possible.

She said public notice could be sent to the Gazette the next day, which would allow for a special meeting on Tuesday, November 12<sup>th</sup>, if a quorum could be reached on that date.

It was determined enough members would be available to reach a quorum on November 12<sup>th</sup>.

Mr. Sikora made a motion to table this item until a special meeting of the ZBA at 3:00 p.m. on November 12, 2019. Ms. Bell seconded the motion. The motion was approved unanimously.

Chairperson Sterenberg moved to the next item on the agenda and asked Ms. Johnston for her review.

**SITE PLAN REVIEW: MEIJER ADDITION**

**A REQUEST FOR SITE PLAN REVIEW AND APPROVAL OF A 2,310 SQUARE FOOT ADDITION TO THE EXISTING MEIJER CONVENIENCE STORE LOCATED AT 6660 AND 6700 WEST MAIN STREET.**

**PARCEL NOS. 5-14-185-022 AND 05-14-185-040.**

Ms. Johnston said two parcels are involved with this application, the Meijer retail store located at 6660 West Main Street and the convenience store at 6700 West Main Street. The properties are zoned C: Local Business District, which indicates both uses are permitted by right.

She explained the Meijer store is an existing 209,214 square foot retail space. The applicant would like to update the façade of the store, which will require the addition of 2,310 square feet. The convenience store is an existing 1,664 square foot structure. The construction of new bathrooms adds 490 square feet to the building.

Besides the square footage, the additional changes to the Meijer store include:

- The vehicular drive adjacent to the store is being realigned to the south to accommodate the new square footage of the front entrance.
- The realignment will require the loss of 14 parking spaces. Even with the loss of these spaces, the Meijer store is still over parked by 313 spaces per the current Off-Street Parking Ordinance.
- The redesigned accessible parking spaces will be constructed with concrete per Ordinance requirements.
- Some additional landscaping will be added to existing parking lot islands to meet the requirements of Section 53.130 of the Landscape Ordinance.

The additional changes to the convenience store include:

- Added landscaping to meet the requirements of Section 53.130.

Ms. Johnston said the proposed additions are generally in compliance with all applicable parts of the Oshtemo Township Zoning Ordinance, with a few exceptions. The existing use and its proposed expansion are permitted by right, and the new additions will be located within the acceptable building setback envelopes.

New lighting is planned on the building, but detailed cut sheets will be needed to ensure the proposed lighting meets the Township's new Lighting Ordinance.

The site plan indicates parking spaces are 9.5 feet in width. The Off-Street Parking Ordinance requires parking spaces to be 10-feet wide. Staff has asked the project designer to verify the width of the parking spaces. In addition, it was noted to the applicant that all restriped spaces, except for accessible spaces which have specific ADA requirements, must meet the 10-foot width regulation. This notation will need to be added to the site plan.

She said staff found some deficiencies with the proposed landscape plan which will require updated information on the plan.

Ms. Johnston listed the following outstanding items/concerns to be resolved:

1. Cut sheets which detail the new lighting proposed for the building are needed to ensure compliance with the Lighting Ordinance.
2. The parking space size needs to be verified and a note indicating any restriped parking will meet Ordinance requirements.
3. An updated landscape plan will be needed that addresses the outstanding planting issues outlined above.

Chairperson Sterenberg thanked Ms. Johnston for her report and asked if Board members had questions for her.

In response to a question from Ms. Bell, Ms. Johnston confirmed the accessible parking spaces will be moved to the south and will meet all Township and ADA requirements.

Mr. Sikora wondered whether the number of parking spaces will still meet minimum requirements when some areas are covered with plowed snow or when a fireworks stand is on site.

Ms. Johnston said the site is overparked based on current Township Ordinances. In general, if the spaces are provided but the property owner decides to utilize some for snow storage, that would be their decision. Also, temporary uses could utilize required parking spaces, but if such a situation were to occur it would likely only last for around 30-days.

She confirmed for Chairperson Sterenberg that the clearance/setbacks for the gas station meet requirements.

Hearing no further questions, Chairperson Sterenberg asked whether the applicant wished to speak.

Mr. Thomas Reder, Architect for Bergmann and representing Meijer, indicated the site plans were revised last week to meet the landscape requirements, that cut

sheets for the lighting towers would be provided and that the 9-1/2 feet parking spots listed on the original documents were in error – they are actually 10 feet wide.

He explained the number of parking spaces far exceeds what is needed, but in the event that parking spaces would ever be so negatively impacted by snow that shoppers would be affected during the holiday season, the snow would be trucked off.

Ms. Bell asked if the Board moved to approve the site plan whether the conditions listed were acceptable.

Mr. Reder agreed the conditions were acceptable. He described the extensive upgrading to be done at both the store and gas station and noted work is expected to begin January 2, 2020 and completed in four to five months.

The chair moved to Board Discussion and commented that he is enthusiastic about the planned remodeling.

Hearing no further comments, he asked for a motion.

Ms. Bell made a motion to approve the site plan as requested, including the three conditions recommended by Staff. Ms. Maxwell seconded the motion. The motion was approved unanimously.

Chairperson Sterenberg moved to the next item and asked Ms. Johnston for her review.

### **Any Other Business**

#### b. Draft ZBA By-Laws

Ms. Johnston said at the May 28th meeting a request was made for staff to develop a set of by-laws for the Zoning Board of Appeals (ZBA). She suggested discussing the draft by-laws for any possible changes, corrections, or edits.

The group went through the document page by page and suggested a few additions and corrections.

Ms. Johnston will revise the by-laws to reflect the discussion and return them to the Board at the November 12<sup>th</sup> special meeting for final review. Once the by-laws are in a draft form acceptable to the ZBA, a recommendation of adoption can be forwarded to the Township Board.

### **ZBA Member Comments**

Chairperson Sterenberg acknowledged that Ms. Johnston is leaving the Township to work for a different local employer and thanked her for her excellent work for the Township and for the Zoning Board in particular.

### **Adjournment**

Chairperson Sterenberg noted the Zoning Board of Appeals had exhausted its Agenda. There being no other business, he adjourned the meeting at approximately 4:03 p.m.

Minutes prepared:  
October 23, 2019

Minutes approved:  
November 12, 2019