



Call to Order: 7:30 PM

(Tilburt) Announcement – Meeting is being recorded.

Roll Call: Present: Tilburt, Powell, Skelonc, Perrin Absent: Blair
Zoning Administrator Gross, and Township Attorney Leisman were also in attendance.

Pledge of Allegiance:

Approval of Last Meeting Minutes: Motion to approve January 17, 2024, minutes by Skelonc, second by Perrin, all Ayes, Motion Carried.

Approval of Agenda: Motion to approve by Powell, second by Skelonc, All Ayes, Motion Carried.

Public Comment – Matters not the Subject of Agenda Items: *Ellick, Rodney (*asked to hold comments for public hearing(s) on agenda items.*)

Agenda Matters to be reviewed by the Zoning Board of Appeals:

#1 Scheduled Public Hearing – Cedar Springs Retail Management Dimensional Variance Request – 3584 17 Mile

(Tilburt) Opened public hearing with explanation of procedures – 7:35 PM.

(Tilburt) Recognized Alejandro Fernandez – Stonefield Engineering and Design, LLC, representative. (*Fernandez*) -

Reduced tenants to a single tenant freestanding restaurant with a drive thru. The site plan is less intensive.

Asking for the same variance as approved October 2022.

(Tilburt) Called for public comment. No public comment – closed public hearing 7:41 PM.

Discussion/Questions:

(Gross) Property probably should never have been created. Given The fact that none of the potential driveway locations would have met current standards for separation. It is up to ZBA board to determine if this is still a factor.

(Tilburt) This was approved in October 2022. And was not acted on in the year required. That is why we are here.

They have revised and reduced the building, reduced parking and improved site circulation.

(Powell) This shows you have added a curb cut out to Meijer gas station. That is different from last year.

(Tilburt) Yes, that will improve circulation.

(Leisman) We do have a resolution prepared essentially the same as the last resolution that was adopted in 2022.

(Tilburt) Called for motion. Motion to accept the resolution and add the new site plan into the resolution by Skelonc.

Second, Powell, All Ayes – Motion Carried.

#2 Scheduled Public Hearing – Premier/Kooienga Parking Setback Variance Request – 28 17 Mile

(Tilburt) Opened public hearing with explanation of procedures – 7:47 PM.

(Tilburt) Recognized Bruce Callen – PE, representative, and Scott Kooienga, owner. (*Callen*) – seeking dimensional variance related to non-residential parking that adjoins the residential district. Specifically, section 1503 D. We ask to reduce minimum set back from 20' to 2'. This would provide safer employee parking, and separate visitor parking from heavy equipment traffic, also avoids undue pedestrian conflict. Premier Auto has grown since its inception in 2000 and its relocation to this site in 2005. Updating an existing facility presents unforeseen modifications that were not apparent at the onset. As the business grew, the employee count increased, and the interior traffic routes became defined for increased safety. Also, the short, remaining life on the existing structure was not realized. Razing the old roller rink and constructing the new building provides an opportunity to locate employee and visitor parking facilities safely away from industrial traffic. They meet the ordinance for the first 108 ft. from the road. No other residences are within the 200 ft in the property. Parking is screened with 6ft opaque fencing and supplemental conifer trees.

(Tilburt) Clarify the "within 200 ft of the property."

(Callen) Driving up and down the road there are no other residences within 200 ft of the parking in question. All residences are set within 100 ft from the road. Plus, the use of screening along the entire east side of the property.

(Tilburt) Open public comments: *Ellick - fails to see how a property with over 35 acres cannot find parking without a variance.

(Tilburt) Why couldn't parking be on the west side of the existing buildings?

(Callen) They do use parking to the west but most of the employees are working in the east building. This parking variance would allow safer parking for visitors and employees in the main building. The goal would be to keep people out of the industrial traffic path between the buildings.

(Tilburt) Who owns the property on the west side of this land?

(Callen) They don't own that property. The west side of their property is going to be a septic drain field as shown.

(Tilburt) Hearing no other public comments closed the public hearing, 7:58 PM.

Discussion/Questions:

(Tilburt) Called for Township officials report and recommendations.

(Gross) There is legal non-conforming parking currently on the east side that has been there forever. It is existing and there is no way to find out when it became parking. This should have been addressed at that time. They are here because we cannot extend the current legal non-conforming parking.

(Leisman) No recommendations. He provided us both with approving and disapproving resolutions.

(Gross) They have tried to purchase the property to the east that is the residence that is being impacted by this variance. The owner has not taken them up on the offer yet.

(Tilburt) Are the board members aware of the residential property next door?

(Skelonc) Has been by the property.

(Gross) It is a site in dire need of cleanup - got the front cleaned up a bit while working as code enforcement. Ownership is not clear. It could alleviate this situation now if he could acquire the property.

(Powell) The owners of the east property are not here, correct? And we have not heard anything from them?

(Tilburt) No, they are not. They have been informed.

(Gross) They are not here. And they have been informed.

(Skelonc) If they could purchase the property, it would alleviate the 2' set back.

(Gross) It could but the property would have to be rezoned for use as industrial.

(Callen) We are trying to communicate with the owners.

(Kooienga) If we could acquire the property, we would clear it giving enough space.

(Skelonc) Could we put in the resolution that if they should acquire the property they should come into compliance?

(Gross) That would be their goal. There is a statement in the original resolution that said they could not expand beyond the property. That would be better determined by Ross to expand because it does not comply with the resolution.

(Tilburt) Can not find that portion of the previous resolution.

(Tilburt) Feels it is an improvement on the property. Buildings, parking and landscaping. They can only do so much regarding the property to the east.

(Skelonc) This is basically going to be parking for employees. No box trucks?

(Kooienga) No, this will only be employee parking and will be behind the fence.

(Skelonc) What are your thoughts about electric batteries?

(Kooienga) We are getting training for future recycling.

(Tilburt) Made a motion granting the dimensional variance with a few modifications to verbiage. (Several minor clarifications directed to Ross) Add item 2(b) ii - "the township masterplan indicates the neighboring residential property will likely change to NC in future."

(Gross) Existing zoning is conditional industrial.

(Tilburt) Master plan needs to be looked at for industrial use in future.

(Leisman) Clarify, "unique in the narrowness and topography." 2(b)i - Strike the words, "no nearby residences."

(Skelonc) Seconds motion to approve dimensional variance with amendments noted.

(Skelonc) The question of zoning if the property to the east becomes available.

(Gross) Currently Ag/Res. Master Plan calls for commercial zoning. The Premier property is currently conditional industrial.

(Tilburt) This needs to be addressed in the Master Plan.

Conclusion: Vote. All Ayes. Dimensional variance passed.

Other Matters to be reviewed by the Zoning Board of Appeals: N/A

Old Business: N/A

Open discussion for Issues not on the Agenda: N/A

Report of Township Board Representative: N/A

Report of Planning Commission Representative: (Tilburt) N/A

Report of Zoning Administrator: (Gross) N/A

Adjournment: Motion to adjourn by Tilburt, seconded by Perrin, all Ayes, motion carried. Adjourned – 8:47 PM

Next Scheduled Meeting to be September 18, 2024, 7:30 PM

Secretary: Byrnadette Powell
Date: 1-15-2025

