

JAMESTOWN CHARTER TOWNSHIP

Zoning Board of Appeals

Meeting Minutes

March 02, 2021 at 6:00 p.m. remotely via Ring Central

CALL TO ORDER: Chairman Zomerlei called the meeting to order at 6:00 p.m.

BOARD MEMBERS PRESENT: Randy Zomerlei, Scott Brouwer, Janae Byker, Mike VanAanhold. Chris VandenHeuvel joined the meeting at 6:14 p.m. Also present was Township Zoning Administrator Kirk Scharphorn.

INVOCATION: Board member Brouwer opened with the invocation.

APPROVAL OF AGENDA: A motion was made by VanAanhold, supported by Byker to approve the agenda. A roll call vote was taken. Ayes: VanAanhold, Brouwer, Byker, Zomerlei. Nays: None. Absent: VandenHeuvel. Motion carried unanimously.

APPROVAL OF MINUTES: A motion was made by VanAanhold, supported by Brouwer to approve the minutes of the October 27, 2020 Zoning Board of Appeals meeting. A roll call vote was taken. Ayes: Brouwer, VanAanhold, Byker, Zomerlei. Nays: None. Absent: VandenHeuvel. Motion carried unanimously.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA: None.

PUBLIC HEARING: Zomerlei read the request from ALDI, Inc. located just south of 4100 32nd Ave., also known as permanent parcel 70-18-04-300-021 and 70-18-04-300-026 for a variance to allow the overhead door of the loading dock to face a public side street from a commercial building on a corner lot. This variance would provide relief from Section 15.6 D.

Chris Grzenkowicz, the engineer from Design Incorporated, was present on behalf of the applicant to present information regarding the request for a variance. He stated that the property is currently two parcels that will be combined into one 5.2-acre parcel, and that there is only an approximately 2.5-acre buildable area on the northwest corner of the site. Of the remaining acreage, 9/10th-acre consists of an existing county drain and wetlands and 8/10th-acre is inaccessible on the east side of the wetlands. The northeast side of the property is inaccessible and has a 20-foot elevation change. To locate the building on the south side of the parking lot would require a 20-foot retaining wall to hold up the building. A significant number of trees would have to be removed and wetland areas filled in order to have the loading dock on the east side of the property, which would also remove a natural buffer for the existing properties to the east. The driveway location on 32nd Ave. must also line up with the drive that services Meijer, and this dictates their access route for trucks through the site. The loading dock door facing Quincy St. is the best orientation, and the door is recessed about 123 feet back. The door is also about 550 feet from the Quincy St. right-of-way.

The Public Hearing was opened at 6:08 p.m.

Emil Perry, 3155 Quincy St., questioned Grzenkowicz regarding the hours of operation for trucks, whether the parking lot will drain into the detention basin and the elevation of the basin relative to the bike path, whether there is a back way out and if the section to the north is a future drive or a buffer with the adjacent credit union, and if they are planning to fill in the rest of ravine to the south, or is that going to stay open and exposed. He also asked if the detention basin would have a retaining wall.

Grzenkowicz provided the following answers to Perry's questions. There will only be one delivery per day. The detention basin is for parking lot drainage, and the elevation for the detention basin is not finalized, but will likely be recessed below and not readily visible from the street. There will be just one drive through the site, and while there is the future possibility of a cross connection with the credit union, it is not likely unless the credit union site is redesigned.

The thick dashed line on the plan is a retaining wall, beyond which everything south and east of the retaining wall will remain in its natural state. They are still in the design phase, but the goal is to not have a retaining wall around the detention basin.

VanAanhold inquired about the reason for aligning the drive with the Meijer drive, and he was informed that it is a requirement of the Ottawa County Road Commission. He also asked for verification of the proposed number of parking spaces, and Grzenkowicz stated that there would be 102 parking spaces as indicated on the plan. VanAanhold also said that it looked like the truck well would be recessed and not ground level. Grzenkowicz stated that is correct, but that due to the falling grade to the east, there would not be a retaining wall on the outer edge. VanAanhold also noted that due to the location of the dumpster, there would not be trucks parked in the truck well, that they would come and leave. Grzenkowicz stated that this was correct.

VandenHeuvel asked if trees would be taken down or left in place to block the view from Quincy. Grzenkowicz stated that some of the trees would need to be removed for construction, but they would retain as many as possible.

A motion was made by Byker, supported by Brouwer to close the Public Hearing at 6:13 p.m. A roll call vote was taken. Ayes: Byker, Brouwer, VanAanhold, Zomerlei. Nays: None. Absent: VandenHeuvel. Motion carried unanimously.

A motion was made by Byker, supported by VandenHeuvel to approve the variance request for the following reasons:

- 1) The amount of space between the truck well and Quincy St. is large, the trees will be obstructing its view, and that is unique to this piece of property.
- 2) The submission is well written and covers all five of the requirements, and that it is a unique situation on this property. There is no other way to do it without disturbing the surrounding area in a way that creates a bigger problem than it is solving.
- 3) The truck well is 600 feet from Quincy St. Most of the natural features will remain, most of the trees are protecting the neighbors to the east, and it is the best use of the property.

A roll call vote was taken. Ayes: Byker, VandenHeuvel, VanAanhold, Brouwer, Zomerlei. Nays: None. Absent: None. Zomerlei declared the variance request approved.

NEW BUSINESS: None.

ADJOURN: A motion was made by Brouwer, supported by VandenHeuvel to adjourn the meeting at 6:22 p.m. A roll call vote was taken. Ayes: Brouwer, VandenHeuvel, Byker, VanAanhold, Zomerlei. Nays: None. Absent: None. Motion carried unanimously.

Respectfully submitted by,

Maureen Carmody, Recording Secretary
Zoning Board of Appeals

Minutes approved on

_____ by _____
(chair)