

BEDFORD TOWNSHIP BOARD OF ZONING APPEALS
REGULAR MEETING MINUTES
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
JUNE 2, 2014

PRESENT:

BRAD GREELEY, CHAIRMAN, CITIZEN AT LARGE
BOB POTTER, VICE-CHAIRMAN, CITIZEN AT LARGE
RICK STEINER, TOWNSHIP BOARD LIAISON
JEFF BIGGS, PLANNING COMMISSION LIAISON
KYLE PARSONS, CITIZEN AT LARGE

ALSO PRESENT:

PHIL GOLDSMITH, LEGAL COUNSEL, LENNARD, GRAHAM & GOLDSMITH PLC
DENNIS KOLAR, BUILDING OFFICIAL
KAREN M. KINCAID, PLANNING, RECORDING SECRETARY

Greeley called the Bedford Township Board of Zoning Appeals meeting to order at 7:00 p.m. The Pledge of Allegiance was said. Kincaid called the roll. Quorum present.

APPROVAL OF THE AGENDA

Motion by Biggs, supported by Parsons, to approve the agenda. Motion carried.

APPROVAL OF THE MINUTES

Motion by Steiner, supported by Potter, to approve the minutes of April 7, 2014. Motion carried.

NEW BUSINESS

A) OPEN THE PUBLIC HEARING AT 7:03 P.M. REGARDING THE APPEAL OF SUNRISE WINDOWS, LTD., 200 ENTERPRISE DRIVE, TEMPERANCE, MI 48182, REQUESTING A VARIANCE TO ALLOW A TEMPORARY BUILDING, PER SECTION 400.2204, BOARD OF APPEALS, ON LAND DESCRIBED AS 5802-035-010-30, 200 ENTERPRISE DRIVE, TEMPERANCE, MI 48182

Kincaid went over the variance analysis, saying the applicant is seeking to install a 1344 square foot temporary building to provide office space for additional personnel during the planning and construction stages for an expansion of their industrial facility, with the time frame for the temporary building not to exceed 18 months. Kincaid said the proposed temporary building location within the parking lot on the east side of the existing building does not create an issue regarding the parking space requirement; however, there shall be no reduction in the number of handicapped parking spaces on the site.

Mark Wallach, Director of Continuous Improvements, Sunrise Windows, said while their originally submitted building location will work well for their needs, there are three other possible locations they are considering. Mr. Wallach said the placement that would be most ideal for the office providers, as it is (1) in close proximity to the main employee entrance, (2)

meets the code requirements regarding setbacks, and (3) is located on the south side of the building completely out of sight from the street, is located west of the permanent office space. Mr. Wallach said the only issue with that location is the ground slopes and they are not certain at this time if the building can be accommodated in that particular area. When asked, Mr. Wallach said the location west of the permanent office would be their first choice and the originally submitted location within the parking lot near the main entrance would be their second choice for building placement.

Discussion took place regarding the location requests, code requirements regarding building separation stipulations, and the need for temporary housing while the business plans to expand their facility. Attorney Goldsmith said the board does have the option to consider approving any four of the proposed location sites provided that the location chosen meets the setback required and code requirements. Goldsmith said this would avoid an issue should it be discovered neither of the first two choices work when trying to place the building on site.

Greeley asked if the board can grant a temporary building use for 18 months. Attorney Goldsmith gave the opinion that the request would be in conformance with the ordinance, as the language within the ordinance is general. Further discussion took place regarding the possibility of allowing up to the two year limit, as Mr. Kolar commented on the length of the time it might take to go through site plan approval and constructing the new building.

Motion by Steiner, supported by Potter, to close the public hearing at 7:15 p.m. Roll call as follows: Voting Aye: Steiner, Potter, Biggs, Parsons, Greeley. Voting Nay: None. Motion carried.

Attorney Goldsmith commented on the optional bond requirement to ensure the temporary building will be removed at the end of the two years. Goldsmith said the bond requirement is typical within residential zoning districts and is not necessarily needed within the industrial park location so long as the removal requirement is stipulated in any motion to grant a variance.

Motion by Biggs, supported by Steiner, to approve the appeal of Sunrise Windows, Ltd., to allow a temporary building per Section 400.2204, Board of Appeals, to be placed on land described as 5802-035-010-30, 200 Enterprise Drive, Temperance, MI 48182, with the stipulation that 1) the use shall be limited to a 24-month time frame, 2) the building shall be placed at any one of the four sites the applicant has submitted for consideration so long as the minimum setback requirement and all code requirements are adhered to, 3) should either of the two parking lot locations be chosen, the minimum required handicapped parking spaces shall be maintained, and 4) when the use ceases, the structure must be removed from the premises.

Goldsmith explained a practical difficulty is not required for a temporary use variance.

Roll call as follows: Voting Aye: Biggs, Steiner, Potter, Parsons, Greeley. Voting Nay: None. Motion carried.

Bedford Township Board of Zoning Appeals
Regular Meeting
June 2, 2014
Page 3

PUBLIC COMMENT - None.

BOARD / STAFF COMMENT –

Kincaid said no variance applications have been received to this date for the July meeting. Parsons, Biggs, and Steiner commented on Sunrise Windows' plan and anticipated growth.

ADJOURNMENT -

Motion by Biggs, supported by Potter, to adjourn at 7:25 p.m. Motion carried.

Respectfully submitted,

Karen M. Kincaid
Recording Secretary