

OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS

MINUTES OF A SPECIAL MEETING HELD APRIL 27, 2006

**Agenda**

**CONSUMERS CREDIT UNION - SIGN SETBACK DEVIATION - 5018 WEST MAIN STREET (PARCEL NO. 3905-13-280-060)**

A special meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Thursday, April 27, 2006, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Millard Loy  
Mike Smith  
Dave Bushouse  
Duane McClung

MEMBERS ABSENT: None

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Township Planner; and one other interested person.

**Call to Order**

The Chairperson, Millard Loy, called the meeting to order at approximately 3:00 p.m.

**Minutes**

The Chairman said that the first item on the Agenda was the minutes of March 28, 2006. Mr. Bushouse made a motion to approve the minutes as submitted. Mr. McClung seconded the motion. The Chairman called for a vote, and the motion passed unanimously.

**CONSUMERS CREDIT UNION - SIGN SETBACK DEVIATION - 5018 WEST MAIN STREET (PARCEL NO. 3905-13-280-060)**

The Chairman indicated the next item on the agenda was a request from Consumers Credit Union for consideration of a deviation to allow the relocation of a sign where the new location will not satisfy the requirement for a 10-foot setback from the right-of-way and may cause the sign to overhang the right-of-way. He said the subject property was located at 5018 West Main Street, Parcel No. 3905-13-280-060. The Chairman asked for a report from the Planning Department. Ms. Stefforia submitted her report dated April 27, 2006, and the same is incorporated herein by reference.

Ms. Stefforia explained to the Board that the Planning Commission had granted approval in May 2005 to allow modifications to the credit union's drive-through service lanes. The changes included the addition of another teller lane, a second ATM lane and a widened approach aisle.

Subsequent to the Planning Commission approval, the Michigan Department of Transportation approached the credit union about acquiring additional right-of-way along Drake Road to accommodate improvements to the M-43/Drake Road intersection. She indicated that negotiations have resulted in an agreement to 'swap' land where the credit union will acquire more property along M-43 that is currently right-of-way and MDOT will expand the right-of-way along Drake Road to encompass property currently owned by the credit union. As a result of the land 'swap' modifications to the previously approved site plan are required, including reconfiguration of the drive-through service lanes and the relocation of the existing and yet-to-be established ATM. Special Exception Use approval for the changes was granted earlier this month.

Ms. Stefforia stated the existing pole sign must be relocated and a deviation from the Zoning Board of Appeals is requested to allow sign placement as indicated on the site plan. As proposed, the sign would not meet the 10-foot setback requirement as measured to the leading edge of the sign and the sign face would overhang the right-of-way. However, the sign pole and foundation would be situated on the applicant's property and MDOT would allow the sign face to extend up to three feet beyond the right-of-way line.

Additionally, she suggested that the ZBA discuss lettering on the ATM housing as the Planning Commission had expressed concern that, due to the proximity to West Main Street, they not be used as additional signage. She referenced the April 5, 1999 ZBA interpretation regarding text on ATMs.

Ms. Stefforia then proceeded to take the Board through a review of the criteria for granting a deviation.

The Chairman asked if there were any questions of Ms. Stefforia and hearing none he asked to hear from the applicant, Michael Mair. Mr. Mair reviewed the request and sign location and asked if there were any questions.

Mr. Loy asked for clarification of the proposed sign location and Mr. Mair indicated the location indicated on the site plan in the report packet was correct. He went on to clarify where the new property lines were. Mr. Bushouse questioned sign clearance and how far the sign would intrude into the right-of-way. Mr. Main replied the foundation and pole for the sign would be on credit union property but the sign face would encroach approximately 2 ½ feet into the right-of-way. Furthermore, the sign face would be 10'8" above the ground. Mr. Bushouse inquired about sidewalk placement and Staff stated they would be placed in the right-of-way.

Mr. Smith stated the Planning Commission's concern that lettering on the ATMs not be use for additional signage. Ms. Stefforia assured the Board that any lettering would be reviewed by Staff to ensure compliance with the Ordinance and past interpretation by the ZBA.

Following discussion, the Board determined the conditions of the site were unique due to the land 'swap' and pending road improvements and granting the deviation would not set an adverse precedent.

No public was present to offer comment.

The Chairman asked for a motion and Mr. McClung made a motion to approve the deviation as requested based upon the Board's finding of unique circumstances. The motion was seconded by Mr. Smith. The Chairman called for a vote on the motion and the motion passed unanimously.

### **OTHER BUSINESS**

There was no other business.

### **ADJOURNMENT**

There being no further business to come before the Zoning Board of Appeals, the Board adjourned at approximately 3:20 p.m.

OSHTEMO CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS

By:

Millard Loy, Chairman

By:

Mike Smith

By: Duane McClung

By: Dave Bushouse

Minutes Prepared:  
April 28, 2006

Minutes Approved:  
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