

OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

MINUTES OF A MEETING HELD SEPTEMBER 26, 2006

Agenda

**NIEWOONDER - ACCESSORY BUILDING REVIEW - 10147 WEST MAIN STREET -
(PARCEL NO. 3905-18-430-050)**

**SALBENBLATT - SETBACK VARIANCE - 6473 BUCKHAM WOOD DRIVE -
(PARCEL NO. 3905-23-207-004)**

**VALUE PLACE HOTEL - SITE PLAN REVIEW - 1647 SOUTH 11TH STREET -
(PARCEL NO. 3905-25-205-010)**

**VALUE PLACE HOTEL - SIGN DEVIATION- 1647 SOUTH 11TH STREET - (PARCEL
NO. 3905-25-205-010)**

**SHELDON CLEANERS - VARIANCE - 6460 STADIUM DRIVE - (PARCEL NO. 3905-
35-205-012)**

A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, September 26, 2006, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Millard Loy, Chairman
Mike Smith
Roger Taylor
Dave Bushouse
Duane McClung

MEMBERS ABSENT: None

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Senior Planner; Brian VanDenBrand, Associate Planner; James W. Porter, Township Attorney; and approximately 12 other interested persons.

Call to Order

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

Minutes

The Chairman said the next item on the agenda was consideration of the minutes of August 22, 2006. Mr. McClung made a motion to approve the minutes as submitted. The motion was seconded by Mr. Taylor. The Chairman called for a vote on the motion, and the motion passed unanimously.

NIEWOONDER - ACCESSORY BUILDING REVIEW - 10147 WEST MAIN STREET - (PARCEL NO. 3905-18-430-050)

The Chairman said the next item on the agenda was consideration of a site plan review of a proposed addition to an existing accessory building where the aggregate floor area of the accessory building exceeds the ground floor area of the dwelling. He said the subject property was located at 10147 West Main Street, Parcel No. 3905-18-430-050.

The Chairman asked for a report from the Planning Department. Ms. Stefforia submitted reports dated June 27, 2006 and September 26, 2006, and the same are incorporated herein by reference.

Ms. Stefforia reminded the Board that the Zoning Board of Appeals had granted site plan approval for a 4,800 square foot accessory building on approximately nine acres in April of 2005. She said approval was required because the dwelling was only 2,162 square feet. She noted that earlier in the year the applicant had requested to erect a second 4,800 square foot accessory building on the property, but the request was denied. In May, the applicant returned to discuss his options for additional storage. Based upon those comments, the applicant decided to apply for an addition to his existing accessory building. She said the applicant had appeared to request a 2,500 square foot addition, but at that hearing the request failed in a 2 - 2 tie vote.

Ms. Stefforia said the applicant was currently seeking a 2,500 square foot addition to the existing 4,800 square foot accessory building. She said the building would be 7,300 square feet in area, with the addition being placed on the north end of the building, that the exterior would be the same as the existing building, and once constructed the building setback would be approximately 900 feet from West Main and

approximately 25 feet from the west property line. She said the dwelling was more than 1,000 feet from West Main.

Ms. Stefforia proceeded to review, at the request of the Zoning Board of Appeals, what other accessory buildings had been approved under Section 78.800, when comparing building size to the area of the home. She noted that, for most ranch homes, the accessory buildings range from 1.2 to 1.7 times the area of ranch homes. For two story homes, outbuildings range from .7 to 1.7 times the combined floor area of the dwelling and 1.1 to 2.5 times the ground floor area of the dwelling. She said the applicant's request for an accessory building was approximately 3.3 times the floor area of his ranch dwelling.

Ms. Stefforia noted that, since the Zoning Board of Appeals' last review of this matter, the Planning Commission was considering making a text amendment that would require a deed restriction for accessory buildings in the future.

Ms. Stefforia took the Board through a review of Section 78.820 of the Ordinance, as more fully set forth in her report. Ms. Stefforia concluded by noting that one of the neighbors had expressed a concern regarding the lighting on the subject building, particularly in the winter when the leaves were down.

The Chairman asked if there were any questions of Ms. Stefforia, and hearing none, asked to hear from the applicant. Mr. Niewoonder introduced himself to the Board. He said this was the third time that he had appeared before the Board. He noted that he was requesting the addition to his existing outbuilding based on the suggestion of the Board and asked if they had any questions. Mr. Taylor asked about the concerns expressed regarding outdoor lighting. He specifically asked Mr. Niewoonder if he would be adding any additional lighting. Mr. Niewoonder said he only had one wall pack on the east side of the building. He said during construction he did have an additional pole light but that it had been removed, and there would be no additional lighting added as a result of the addition.

The Chairman asked Mr. Niewoonder if he would only be storing his personal equipment within the building. Mr. Niewoonder indicated that was correct. The Chairman asked Mr. Niewoonder, if approved, whether he would agree to execute a deed restriction prohibiting any business activity or storage of nonpersonal items in the structure. Mr. Niewoonder said he would not have a problem with that, but was concerned that it might devalue his property. Attorney Porter noted that he did not believe there would be any devaluation of the property since all he would be doing is agreeing to abide by the Ordinance and provide a permanent record for future buyers as to what the subject use of the property could be.

The Chairman asked if there were any further questions, and hearing none, he asked to hear from the audience. There being no public comment, the Chairman called

for Board deliberations. Mr. Smith said he did not have a problem with the applicant's request because he thought that the proposed building was sufficiently hidden and set back from the road right-of-way so as not to be obtrusive. He also noted that there were a number of large buildings in the area surrounding the airport, and he did not think it was a stretch to allow Mr. Niewoonder to construct the proposed building since it seemed to be consistent with structures in the area.

Mr. McClung said he agreed with the comments of Mr. Smith. He said, given the fact that the subject property abuts the airport, and since it was only an addition to an existing building, he thought the applicant's request should be permitted.

Mr. Bushouse said that he would stand by his previous statements and referred the Board to page 4 of the previous minutes in which he had expressed a concern about establishing a precedent that would allow an accessory building 3.3 times the floor area of the existing home. He again reiterated that, in his experience, the making of these types of exceptions would cause serious problems, not only with the present use, but with regard to the future use. He stressed the need to maintain uniformity for all the residents in the Township and thought the proposal should be rejected. Mr. Bushouse noted that he had recently driven around the plat and looked at other buildings and saw that most of them were 1.2 to 2.5 times larger than the residence and, again, granting a structure that was more than 3 times the size of the ground floor area of the residence was inappropriate. He said that basically it would be equivalent to allowing a commercial building in a residential zone, and it was not consistent with residential use.

Mr. Bushouse noted that at the last meeting a gentleman who had supported Mr. Niewoonder's proposal also owned a large building near the airport. Since then, it had come to Mr. Bushouse's attention that the individual was constructing helicopters for a fee within that structure which was inconsistent with the allowed uses within the area.

Mr. Smith said he did not think they were creating an inappropriate precedence, since every site would be judged on its own merits, and he thought this structure was appropriate based on its location and the lot configuration. Mr. Bushouse asked if the Board allowed a structure 3.3 times the size of this house, how could it deny a person with 40 acres an accessory building that was 12 times the size of their house. He said he still thought the Board was creating a precedent based upon the size of the property. Mr. Smith said he did not believe it was based on the size of the property, but based upon suitability of the site for such a structure.

The Chairman asked to hear Mr. Taylor's thought. Mr. Taylor said he thought if they did proceed he would want to see some type of deed restriction so that purchasers would not be under the impression they could use the building for commercial purposes. However, he said he thought the proposal was coming dangerously close to developing commercial-type structures in a residential zone. He said he was very concerned that this was outside the normal range of what should be allowed.

Mr. Smith said that the applicant could add 1,000 square foot to his garage without needing any type of zoning approval. The Chairman said that was true, but he said he still had concerns about setting a precedent to allow outbuildings more than 2.5 times the size of the house and was concerned that this proposed building was exceeding a reasonable limit for a building in a residential zone. He said he certainly thought this was pushing the envelope.

Mr. Taylor asked where the Board was to draw the line and asked whether any other variances had been granted of this size. Mr. McClung made a reference to a recently approved building that he thought was roughly equivalent to what was being proposed and asked Ms. Stefforia if she could provide the information regarding that parcel. Ms. Stefforia said she thought Mr. McClung was referring to the DeForrest request. Ms. Bugge indicated that Mr. DeForrest had 45 acres. Ms. Stefforia noted that Mr. DeForrest had a 6,100 square foot house with a first floor of 3,800 square feet, and 9,700 square feet in accessory buildings. Mr. Niewoonder pointed out that Mr. DeForrest had over three times the square footage of the ground floor area of his home, which was very similar to his request. Ms. Stefforia indicated that was correct but each site had to be judged individually, and Mr. DeForrest did have a much larger 45 acre parcel.

After additional discussion, the Chairman said he would entertain a motion. Mr. Smith made a motion to approve the request provided that Mr. Niewoonder execute the appropriate deed restriction that there be no commercial activity within the structure. The motion was seconded by McClung. The Chairman called for a vote and the motion passed 3 to 2, with Mr. Bushouse and the Chairman voting in the negative.

**SALBENBLATT - SETBACK VARIANCE - 6473 BUCKHAM WOOD DRIVE -
(PARCEL NO. 3905-23-207-004)**

The Chairman said the fourth item up for consideration was a request for a variance from Section 64.200 to allow an addition resulting in a rear yard setback of less than 10 feet. He said the subject property was located at 6473 Buckham Wood Drive, Parcel No. 3905-23-207-004. The Chairman asked to hear from the Planning Department. Mr. Brian VanDenBrand submitted his report to the Board dated September 26, 2006, and the same is incorporated herein by reference.

Mr. VanDenBrand explained that the applicant was seeking relief to allow the construction of a 12' x 14' all-season room in place of a 11'8" x 11'8" deck. He said the structural modifications to the deck footings would be made to bring it up to code. He said, under Section 64.200, a 10-foot setback from the side and rear property lines was required. He stated that the deck currently protruded into that setback area by approximately four feet. He noted that the configuration of Buckham Highlands was a bit different in that the rear lot line of the subject property abutted a 30-foot open space owned by the Buckham Highlands Condominium Association. He said the adjacent

parcel to the south was zoned "R-2" and, while not currently developed, would likely be developed in the future. He said the request was for a variance to allow a 5' 6" rear yard setback. Mr. VanDenBrand proceeded to take the Board through a review of Section 66.206, as more fully set forth in his report. Mr. VanDenBrand concluded by noting that the applicant had received a statement signed by all of the neighbors within the Buckham Highland development supporting his request.

The Chairman asked if there were any questions. Questions ensued about the lot lines and the open space area as they related to the visual overhead. It was noted that the GIS system had not accurately placed the lot lines on the aerial photograph and, therefore, the property lines were actually located further to the south and to the east than were shown.

Mr. Taylor said that even with the realignment of the lot lines, the applicant was still seeking a rear yard setback of 5'6". Mr. VanDenBrand said that was correct.

Mr. McClung asked again about the 30-foot distance to the adjoining property to the south. Mr. VanDenBrand explained that the open space was part of the Buckham Highlands Site Condominium development. Mr. McClung asked if anything could be built upon that property. Mr. VanDenBrand indicated that it could not be built upon, that it would have to remain open space. Mr. McClung said that even with the requested variance there would actually be 30+ feet to the adjoining property. Mr. VanDenBrand said that was correct, that there would be approximately a 35 foot setback to the adjoining property due to the open space. Mr. Smith asked for clarification and asked if the deck was already intruding into the setback area. Mr. VanDenBrand indicated that was correct.

There was a brief discussion regarding the photographs on the overhead showing the properties to the east and to the west of the subject property. After a brief discussion, and with clarification by the applicant, the Board verified that the structures to the east and west were in compliance with the Ordinance. Mr. Taylor asked if there were any objections from the neighbors. Mr. VanDenBrand said all the neighbors within the development were in support of the proposal. Mr. Taylor asked about the Association. Mr. VanDenBrand said the Association wished to remain neutral.

Ms. Stefforia asked that there be a clarification regarding approval of surrounding neighbors. She wanted it noted that the neighbor to the south, which was not part of the Buckham Highlands development, had not consented and was, in fact, in the audience and wanted to address the Board.

The Chairman then asked the audience if they wished to comment. Mr. Ken Bleeker said he was a property owner in Buckham Highlands development and that he supported the proposal. He said all the other residences in the area had the ability to have an attached porch, and he thought the applicant should be allowed the same. He

said the others were set back a little further from the lot line and therefore were permitted. He said, however, with the additional open space, he did not think it would affect any of the surrounding property holders and thought it was good for the community as a whole.

The Chairman asked if there were any other comments. Mr. Zaf Kahja introduced himself to the Board. His attorney Dennis Malek also introduced himself to the Board. Mr. Kahja said he owned the property to the south, and it was indicated when Buckham Highlands was developed, there would be no requests for any types of encroachments or variances of this kind. He was concerned that this would set an adverse precedent. He said he was also concerned about the negative impact of having development closer to his property. He provided a photograph of trees that had recently fallen from his property over onto the neighboring property, and he did not want to be responsible for any damage that might result if structures were built closer to the lot line.

Mr. Malek said he thought the lots in the Buckham Highlands were likely smaller than what was normally permitted because of the development of the open space. He said he was very concerned about encroachments into the setbacks bordering that open space because of the small size of the lots. He said the thought the benefit of the green space would be negatively impacted if people were allowed to build closer to the open space. He said their concern was maintaining an adequate distance between the structures, negatively impacting the quiet of the area, as well as safety concerns. He said he was concerned about a negative impact on his client's property to the south. Mr. Malek said in conclusion what the applicant was proposing might very well be in violation of the condominium restrictions.

The Chairman asked if there were any other comments. Hearing none, he called for Board deliberations. Ms. Stefforia noted for the Board that all of the lots within Buckham Highlands met the minimum requirements for lot size, in addition to the 30-foot open space buffer.

Attorney Porter noted if there were any concerns over violation of the condominium association's regulations, that would be a private matter to be addressed by the association and the applicant individually, and not by the Zoning Board of Appeals.

Mr. Bushouse said, given the fact there is a 30-foot setback because of the open space area, he thought it was somewhat unique, and he did not think there would be a problem in granting the request. Mr. Taylor said that, even if there was an encroachment on the lot line of the subject parcel, it certainly would not create an encroachment on any other property. Mr. Smith said he had to agree. He said the deck was already encroaching into the recognized setback area and was not causing a problem. He did not believe it would cause any negative impact on surround properties.

The Chairman asked what the pleasure of the Board was. Mr. Taylor made a motion to approve the variance request based upon the Planning Department's report and the comments of the Board members. The motion was seconded by Mr. Smith. The Chairman called for further discussion, and hearing none, called for a vote on the motion. The motion passed unanimously.

VALUE PLACE HOTEL - SITE PLAN REVIEW - 1647 SOUTH 11TH STREET - (PARCEL NO. 3905-25-205-010)

The Chairman said the next item on the agenda was a site plan review for a proposed hotel to be constructed at 1647 South 11th Street, Parcel No. 3905-25-205-010. The Chairman called for a report from the Planning Department. Ms. Stefforia submitted a report dated September 26, 2006, and the same is incorporated herein by reference.

Ms. Stefforia said Value Place Hotel was proposing to construct a 121 room hotel along U.S. 131 on the rear acreage at 1647 South 11th Street. She said the property was approximately 4.2 acres and would be developed into a two-unit site condominium with access provided by a private street. She said the hotel would occupy the eastern site condominium unit with a total site area of approximately 2.2 acres. Ms. Stefforia then proceeded to take the Board through a review of Section 82.800 regarding site plan review, as more fully set forth in her report.

The Chairman asked if there were any questions. Mr. Bushouse asked if a new project developed west of the proposed site whether the new project would be using the new private road for access. Ms. Stefforia assured Mr. Bushouse that they would and that it would be part of the overall condominium approval to restrict access to South 11th Street and make the developer use the private road being developed. Mr. Taylor asked Ms. Stefforia how many parking spaces were going to be provided. Ms. Stefforia indicated 124 spaces.

There being no further questions of Mr. Stefforia, the Chairman asked to hear from the applicant. Mr. Todd Batts introduced himself and informed the Board that he was the engineer and project manager for the proposed development. Mr. Batts assured the Board that all access for both condominium units would be via the private road. Mr. Batts said they had taken note of the Planning Department's concern regarding the parking. He said, however, the developer assured him that only two staff employees would be needed on site. He also noted that all stormwater would be handled through a subsurface containment system. In addition, he assured the Board there would be more than adequate fire suppression, since the hotel would be encircled by an 8" water supply.

The Chairman asked if only two staff people were going to be on site, who would clean the rooms. Gary Fisher, on behalf of Value Place, said that the hotel was an extended stay hotel; that most people would be there for a minimum of a week, perhaps longer. He said that daily cleaning was not provided and, therefore, they generally would not have more than two people on site. He said that Value Place had 30 hotels operating, 500 hotels planned, and that it was truly set up to be run by two employees, and cleaning people would be brought in as needed.

The Chairman asked if all the bedrooms were single. Mr. Fisher said no, that some of them were larger and had two beds, while the others were single-bed rooms. Mr. Smith asked if they would need more parking with the additional bedrooms. Mr. Fisher again said they were all single rooms, just that some of them had a second bed to accommodate four people. Mr. Smith asked what their occupancy rate was. Mr. Fisher said approximately 92%.

Mr. Bushouse asked where they were going to put their snow. Mr. Fisher said along the lawn area within the setback area. The Chairman asked whether they had curbs provided around the parking areas. Mr. Fisher said that there would be curb to the north and curb around the interior island but that the rest would just be road curb. The Chairman asked what about trees and shrubs. Mr. Randy Lee, representative of Value Place said there would only be shrubs along the east side of the property facing U.S. 131. He said the rest of the areas would just be trees which would allow adequate room for the plowing of snow.

The Chairman said he was not sure the applicant understood what winters were like here in Michigan. He said he thought there would be a serious problem plowing snow because it would be impacted by the limited parking.

The Chairman asked for comments from the audience. John Coleman introduced himself to the Board. He said his parents own property across from Uncle Bob's. He said they have had continual problems with water runoff from adjacent properties and were concerned that the proposed driveway would cause additional problems for his parents. He said he was also concerned about lighting, noting that when the leaves were down in the winter time, the commercial businesses in the area had a negative impact on his parents' property. The Chairman said this applicant would have to conform with the regulations provided for lighting, including sharp cutoff and perimeter lighting no higher than 0.1 foot-candle. The Chairman said the applicant would be required by Township Ordinance to keep the water on site and that the Township would make sure they properly addressed these issues.

The Chairman asked if there were any further comments, and hearing none, called for Board deliberations. Mr. Taylor said he was very concerned about the number of parking spaces. He said he was particularly concerned about the lack of adequate space to handle the snow and about parking spaces for employees, since

they would have to have cleaning people come in at least once a week. He stated there did not appear to be adequate parking to address that issue. Mr. Smith said he was also concerned about parking and thought it needed to be addressed. Mr. Bushouse said he was concerned about how they would be handling snow and was concerned that it appeared the Board was granting a permit that would allow less than the number of parking spaces required by Ordinance.

Mr. Bushouse also said the property was on a hill, and the applicant would have to make absolutely certain that all stormwater was retained on site. Attorney Porter apologized for interrupting the Board's discussion, but he was very concerned about the applicant's statements about snow being pushed off the paved portion of the property. Attorney Porter wondered, if that were done, how the water runoff was going to be dealt with when the snow melted. He said, with the subterranean water retention system, pushing snow off the parking lot would create runoff that would not be going into the proposed storm water system.

Mr. Todd Batts asked if he could address some of those concerns. Mr. Batts said that the proposed number of parking spaces was in compliance with the Township Ordinance, which was one space per room and one space for each employee. He said, in fact, they had one for an additional employee. He said he was concerned the Zoning Board of Appeals was requesting more than what was required under the Ordinance. Mr. Bushouse said it was not a matter of not being in compliance. He said he understood that the applicant was technically complying with the Ordinance, but he said that when one took into account necessary on-site employees for cleaning, it did not appear to be in compliance.

Mr. Bushouse also said there was a serious concern over snow removal and the available parking spaces in the winter. Mr. Batts said that, if necessary, the applicant would have to remove snow from the site. The Chairman noted, if they pushed the snow off the driveway, when it melted, it would go offsite, which would be prohibited. Mr. Batts acknowledged that and said that it could not be allowed.

During these discussions, Mr. Coleman said, if snow could not be maintained within the paved portion of the parking lot, they would have to have the snow removed with a bobcat and trucked offsite, if necessary. Mr. Fisher said, if necessary, that would be done and he was committing Value Place to do that.

Jewel Coleman asked to make a comment. Ms. Coleman said she was very concerned by the statements about snow and water runoff and wanted to reiterate her and her husband's concerns regarding problems they have had with the properties east of 11th Street.

Ms. Bugge then asked Mr. Fisher about their occupancy rate and the need for cleaning crews. Mr. Fisher said he really did not believe it would be a problem, since

their cleaning crews would never arrive on site until after people had vacated the premises. He said there was very little daily cleaning and that typically after a week, the occupant would leave and then someone for cleaning would arrive. Therefore, there would never be any shortage of parking.

Mr. Bushouse asked about the lighting. The Chairman said he thought it would be strictly enforced. After some additional discussion, Mr. Smith made a motion to approve the site plan subject to the conditions set forth in the Staff report, as follows:

1. Details of all wall fixtures must be provided before a Building Permit may be issued.
2. All exterior lighting shall comply with the provisions of Section 78.700.
3. All signs shall comply with Section 76.000 and be reviewed/approved through the permit process prior to being placed on the property.
4. A revised landscaping plan must be submitted for Staff review and approval before a Building Permit may be issued.
5. All landscaping shall be installed before a Certificate of Occupancy may be issued or a Performance Guarantee, pursuant to Section 82.950 ,provided by the Township.
6. Site plan approval is subject to review and approval by the Fire Department.
7. Site plan approval is subject to review and acceptance by the Township Engineer as adequate.
8. If necessary, snow would be removed from the site.

Mr. McClung seconded the motion. The Chairman called for further discussion, and hearing none, called for a vote on the motion. The motion passed unanimously.

VALUE PLACE HOTEL - SIGN DEVIATION- 1647 SOUTH 11TH STREET - (PARCEL NO. 3905-25-205-010)

The Chairman said the next item was a requested sign deviation for the Value Place Hotel. He noted, however, they had not received the necessary information and asked that the matter be tabled until the meeting of October 24. Mr. Smith made a motion to table Item #6 to-wit: the sign deviation for Value Place Hotel. The motion was seconded by Mr. Taylor. The Chairman called for a vote on the motion, and the motion passed unanimously.

SHELDON CLEANERS - VARIANCE - 6460 STADIUM DRIVE - (PARCEL NO. 3905-35-205-012)

The Chairman said the next item up for consideration was a variance from Section 30.410 to allow replacement of a nonconforming wall sign with a new sign that exceeded the area permitted. He said the subject property was located at 6460 Stadium Drive, Parcel No. 3905-35-205-012. The Chairman asked for a report from the Planning Department. Mr. Brian VanDenBrand submitted his report to the Board dated September 26, 2006, and the same is incorporated herein by reference.

Mr. VanDenBrand said that the applicant was John Alcorn on behalf of Sheldon Cleaners. He explained that the owner currently had existing wall signs, and was seeking to replace them, but because of the Village Commercial sign limitations, the proposal on the south face of the building would exceed the permitted square footage by 13.6 square feet. Therefore, the applicant is seeking a variance for the same. Mr. VanDenBrand then took the Board through the review standards for nonuse variance, as more fully set forth in his report.

The Chairman asked if there were any questions. Hearing none, he asked to hear from the applicant. Mr. John Alcorn introduced himself to the Board. He said they were seeking to replace the existing channel letter signs for Sheldon Cleaners. He said they were proposing the change because of a safety issue and said the signs were no longer currently being lighted because of electrical problems. He thought it would be more prudent to simply replace them rather than try to repair them. He said what they proposed would present a much cleaner appearance in the way of wall signs, particularly with regard to the portion of the building facing south. The Chairman said he agreed with Mr. Alcorn that the proposal was much cleaner, but was concerned about the extent of the requested variance.

Mr. Smith said his concern was that they wanted to get people to comply with the Village Commercial requirements and was not sure how that could be done if they continued to allow such significant variances. Mr. Bushouse said he did not think that a variance was needed and thought they could come into compliance with the Ordinance.

Ms. Stefforia said she had encouraged the applicant to seek the variance as a way of encouraging them to replace the existing signs. She said, if they did not allow some type of accommodation, then people simply would not replace their signs, they would refurbish them. She said she thought this would be a way of at least moving the occupant in the right direction. Mr. Bushouse said he understood, but he thought because of the extent of the size and number of signs, that the proposed reduction was not justified. Ms. Bugge said perhaps they could look at the southern facing sign not as two signs but as a single sign, so that they were only addressing a single variance request with not as much square footage being requested. She said that the Board

might also wish to consider requesting a reduction in the term "cleaners" so as to bring it more into compliance.

After further discussion, Mr. McClung made a motion to allow the proposed variance, provided that the term "cleaners" be constructed of letters no larger than the letters in the portion of the sign entitled "Sheldon." Mr. Smith seconded the motion. The Chairman called for further discussion, and hearing none, called for a vote on the motion. The motion passed 4-to-1, with Mr. Bushouse voting no.

Other Business

None

Adjournment

There being no further business to come before the Zoning Board of Appeals, the Board adjourned at approximately 4:20 p.m.

OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

By: Millard Loy, Chairman

By: Mike Smith

By: Roger Taylor

By: Duane McClung

By: Dave Bushouse

Minutes Prepared:
October 5, 2006
Minutes Approved:
_____, 2006