

OSHTEMO CHARTER TOWNSHIP ZONING BOARD OF APPEALS

MINUTES OF MEETING HELD JULY 21, 1997

Agenda

EDWARD D. JONES & CO. - VARIANCE FROM WALL SIGN STANDARDS -
5349 WEST MAIN (GOLF RIDGE CENTRE)

UNION 76/NEXT DOOR - VARIANCE FROM COMMERCIAL SIGN STANDARDS - 5658
WEST MAIN

PHOENIX PROPERTIES, L.L.C. - SITE PLAN REVIEW - PROPOSED 9,200 SQ. FT.
OFFICE BUILDING - NW CORNER STADIUM DRIVE & FAIRGROVE

MIDWEST AUTO COLLISION - VARIANCE FROM SECTIONS 82.900/84.200; TIME
EXTENSION FOR COMPLETION OF SITE - 6415 WEST KL AVENUE

A meeting was conducted by the Oshtemo Charter Township Zoning Board of Appeals on Monday, July 21, 1997, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall, pursuant to notice.

MEMBERS PRESENT: Brian Dylhoff, Chairperson
 Thomas Brodasky
 Lara Meeuwse
 William Saunders

MEMBER ABSENT: David Bushouse

Also present were Rebecca Harvey and Mike West on behalf of the Planning and Zoning Department, Patricia R. Mason, Township Attorney, and six (6) other interested persons.

CALL TO ORDER

The Chairperson called the meeting to order at 3:04 p.m.

MINUTES

The Board considered the minutes of the meeting of July 6, 1997. The changes suggested by Ms. Harvey were noted. Mr. Brodasky moved to approve the minutes as amended, and Ms. Meeuwse seconded the motion. The motion carried unanimously.

**EDWARD D. JONES & CO. - VARIANCE FROM WALL SIGN STANDARDS -
5349 WEST MAIN (GOLF RIDGE CENTRE)**

The Board next considered an item tabled from the meeting of July 7, 1997, which was the application of Edward Jones, representing Edward D. Jones & Co., for variance approval from the wall sign standards established by Section 76.135 of the Zoning Ordinance. The subject site is located at 5349 West Main (Golf Ridge Centre) and is within the "C" Local Business District Zoning classification.

Mike Matteson was present on behalf of the applicant. He indicated that he had had a sign in this location for about three years. His sign was placed in this location with the permission of the landlord. He believed at the time that the landlord had obtained a Township permit for the sign. He stated that he did not wish to relocate the sign in that it might negatively impact his business. He felt that customers may feel he was no longer in business because his sign disappeared. He stated that, although his suite is not in front of Golf Ridge Centre, to put a sign in back would not be "productive." He stressed that his business entrance is in front of the building near the sign.

Ms. Meeuwse questioned the applicant as to whether the entrance in question was used for other tenants. Mr. Matteson stated that it was. It was not an Edward D. Jones entrance alone. "Pretty much everyone used this entrance," according to Mr. Matteson.

There was a discussion of the possible options for signage for Edward D. Jones & Co. It was stated that the name could be placed on the door. Further, the free-standing signage at this site could be altered to add signage for Edward D. Jones & Co. Wall signage on the suite could be established. The Chairperson stressed that the Board did not wish to damage the applicant's business but that all businesses need to comply with the same Ordinances.

The applicant was questioned as to whether wall signage could be placed on the Edward D. Jones & Co. suite. The applicant stated that there was a sliding glass patio window padlocked which led to his suite from the back. He felt that there was no physical location where the signage could be placed. However, the applicant presented photos of the back portion of Golf Ridge Centre, showing the location of his suite, and it appeared that there was wall space on the suite upon which wall signage could be placed.

The Chairperson pointed out that the Planning Commission would be taking up the issue of amendment of the Ordinance to consider whether wall signage should be permitted in locations other than on the walls of a particular suite within a multi-tenant building.

Mr. Saunders noted that the Board had considered two similar variance requests recently, and these requests had been denied.

Ms. Harvey reminded the Board of the fact that, during its consideration of previous applications, it had been noted that the Board might view a variance request differently if the

owner of the site came in with an "overall signage plan" for the site. It was felt that such a proposal might be in a better position to meet the variance criteria considered by the Board.

There was no public comment offered on the item, and the public hearing was closed.

Mr. Brodasky stated that he saw no choice for the Board but to deny the application in that there was available wall space on the suite upon which wall signage could be affixed. The Lucent Technologies application had been denied under almost identical conditions.

Mr. Saunders moved to deny the variance request with the following reasoning:

(1) That conformance was not unnecessarily burdensome in that the existing wall signage could be located in compliance with the locational requirements of the Ordinance. Additional square footage could be added to the free-standing sign to advertise the business in question. Moreover, other identification sign options were available.

(2) That substantial justice required denial of the application in that two similar applications (one in the Golf Ridge Centre) had been denied.

(3) That there were no unique physical circumstances preventing compliance with the Ordinance.

(4) That the hardship was self-created in that the proposed use and design of the site/building were at the discretion of the owner/developer of Golf Ridge Centre.

(5) That variance was not in keeping with the spirit and intent of the Ordinance. It was felt that granting such variances on a "piecemeal basis" would lead to a great deal of nonconforming signage.

Mr. Brodasky seconded the motion, and the motion carried unanimously.

UNION 76/NEXT DOOR - VARIANCE FROM COMMERCIAL SIGN STANDARDS - 5658 WEST MAIN

The next item was the application of Bill Walker, Union 76 maintenance supervisor, representing Imperial Oil, requesting variance approval from the commercial sign standards established by Section 76.125 of the Zoning Ordinance. The subject site is located at 5658 West Main and is within the "C" Local Business District Zoning classification.

The report of the Planning and Zoning Department is incorporated herein by reference.

Ms. Harvey pointed out that the current signage at the site is nonconforming in that it exceeds the height standards set forth in the Ordinance. The size and setback of the existing sign conformed with Ordinance standards. Ms. Harvey pointed out that the Zoning Board of Appeals had previously interpreted that, if a sign is modified, that sign must come into

conformance with current Ordinance standards. The applicant was asking to modify the current signage at the site to add square footage to the pole and to change the sign's face. This modification would be sufficient to trigger the requirement that the sign come into conformance with Ordinance requirements. The applicant was asking for variance allowing the height to exceed 20' (remain at 28' in height) and increase the signage to 102 sq. ft.

Jim Case was present on behalf of the applicant. Mr. Case stated that the applicant was planning to use the existing poles and therefore did not want to alter the sign height. Since Union 76 no longer exists, the applicant was seeking to modify the sign face so as to advertise its association with Marathon. However, they also felt it was important to keep their identity as the "next-door store."

Mr. Brodasky questioned Mr. Case as to whether the Marathon portion of the sign could be reduced from 6' x 6' to 5' x 6'. The applicant stated he believed that this would "greatly diminish signage effectiveness." The Chairperson observed that the Board had, in its past decisions, never granted a square-footage variance. Particular reference was made to other applications received from service station facilities. Ms. Harvey pointed out that, if the applicant were merely placing new sign faces ~~within the existing frames on the poles that were 60 sq. ft. in total~~, there would be no need for variance in that the height would remain lawfully nonconforming.

There was no public comment offered, and the public hearing was closed.

After further discussion, Mr. Brodasky moved to deny variance with the following reasoning:

(1) That conformance was not unnecessarily burdensome in that the existing free-standing sign at the subject site is lawfully nonconforming and could undergo changes to the sign face only without taking the sign out of nonconformity as long as the square footage of the sign face remained at 60 sq. ft. Additional signage options, including liberal wall signage allowance under the Ordinance, were available.

(2) That substantial justice dictated denial of the variance request in that no sign size variance had been granted, and similar applications had been denied.

(3) That there were no physical circumstances that were unique which would require variance.

(4) That the hardship was self-created in that the sign size, design and placement were at the discretion of the applicant.

(5) That the spirit of the Ordinance would not be observed; and the public health, safety and welfare would not be secured if variance were granted. It was felt that approval of a variance request in this circumstance would be contrary to the intent of eventually bringing lawfully nonconforming signs into compliance with current standards.

Mr. Saunders seconded the motion, and the motion carried unanimously.

PHOENIX PROPERTIES, L.L.C. - SITE PLAN REVIEW - PROPOSED 9,200 SQ. FT. OFFICE BUILDING - NW CORNER STADIUM DRIVE & FAIRGROVE

The next item was the application of Larry Harris on behalf of L. L. Harris & Associates, representing Phoenix Properties, L.L.C., for site plan review of a proposed 9,200 sq. ft. office building. The subject site is located on the northwest corner of Stadium Drive and Fairgrove and is within the "C-1" Local Business District Zoning classification.

Ms. Harvey pointed out that the site plan proposes the division of the subject property, resulting in two parcels. The Speedway site would be left with 40,000 sq. ft., which would not conform with Ordinance requirements. Ms. Harvey suggested acknowledging in any approval that the land division comply with Ordinance requirements. As to access, Ms. Harvey pointed out that the subject site is proposed to be served by two access points onto Fairgrove. The existing Stadium Drive access point would be located on the subject site but would solely provide access to the Speedway site.

It was noted that the access arrangement complies with the Access Management Guidelines in many ways. However, the proposed arrangement suggests two driveways. The Access Management Guidelines states that, for parcels with frontage on at least two streets, two driveways may be allowed provided that a traffic analysis is submitted by the applicant showing that conditions warrant an additional driveway and that all driveways meet the spacing requirements. The proposed drives do not, however, meet driveway spacing requirements; and no traffic analysis had been submitted.

The applicant was present and stated that the office building would be used for "general office activities." As to parking, the applicant calculated the need for approximately 49 spaces, and 52 had been proposed, including barrier-free spaces. He noted that open space would be approximately 1.1 acres. He stated that lighting would be on 12' poles and would comply with Ordinance requirements. He suggested that the existing spruce trees along the northwest line of the property would be used as screening between the "C-1" District and the residential district. The applicant asked that the Board approve the site plan and that the applicant would take steps to make sure that the land division complied with Ordinance requirements. As to the access arrangement, Mr. Harris stated that he had tried to place the drives opposite of existing drives so as to minimize traffic conflicts. He felt that two drives would enhance maneuverability and access into the site.

The drainage system was discussed. In response to questioning by Ms. Meeuwse, Mr. Harris stated that the retention basin serves only the proposed site and would not serve the Speedway property.

The Chairperson questioned the applicant as to whether he realized that the access across the street was approved as a one-way-in/one-way-out system. Mr. Harris stated that he did not. He felt that the Wisner access points were not designed as one way in and one way out. Ms. Harvey suggested that the Board could, if it chose, approve the site plan conditioned upon receipt of a traffic study which would be reviewed by Township staff and the Township's traffic consultant.

The Chairperson asked for public comment, and Steve Humphrey stated he was concerned with the traffic flow. He felt that Fairgrove was "stacked up" quite a bit since the establishment of the insurance office. He was concerned about the effect of the "double drives." He thought there had been some discussion at the time the Speedway property developed about the sharing of the Speedway access point on Stadium Drive.

There was no other public comment offered, and the public hearing was closed.

Mr. Brodasky expressed concern that, without a traffic analysis, the Board could not analyze whether two drives were warranted. The applicant stated he felt that the input of the Township Fire Department was important on this point.

In response to questioning by the Chairperson, the applicant stated that sharing access with Speedway was not an option in that he felt it would create more problems than would be eliminated because of the speed of Stadium Drive and the proximity of the driveway access point to the intersection.

Ms. Meeuwse stated that, in her opinion, the northernmost drive of the site would be the most feasible of the two drives suggested. She also felt the need to have a traffic study for review. Mr. Saunders agreed, stating that he would accept two drives if the traffic study submitted and reviewed supported two drives at the site.

The parking and dumpster location were discussed. As to parking, Ms. Harvey stated she believed that if 50 spaces were proposed, three barrier-free spaces would be needed. Mr. Harris disagreed. Ms. Harvey stated that she would confirm the barrier-free requirements on this point.

The Chairperson noted that some of Speedway's improvements would be located on this property and that the appropriate paperwork would be needed to allow for this. Board members agreed that the sidewalk should be extended around the building so as to provide access to the back of the site.

Mr. Saunders moved to approve the site plan with the following conditions, limitations and notations:

(1) That the approval was subject to land division's compliance with Township Ordinance standards.

(2) That the northernmost access point proposed on the subject site was approved as the single access point for the site unless a traffic study was submitted to and reviewed by Township staff and the Township's traffic consultant, which traffic study supported two drives as proposed.

(3) That written consent from the applicant permitting the location of the Speedway access and other Speedway site improvements on the subject site must be provided.

(4) That all parking is subject to compliance with dimensional standards of the Ordinance (10' x 20').

(5) That barrier-free parking is subject to ADA and Michigan Barrier-Free Guidelines and must be designated with signage and pavement logo.

(6) That the dumpster arrangement is satisfactory. The proposed dumpster enclosure must be detailed for Township staff for review and approval.

(7) That all outdoor lighting must comply with Section 78.700, and a lighting proposal shall be detailed for review and approval by Township staff pursuant to Section 78.700(g).

(8) That signage must comply with Section 76.000 and be reviewed and approved through the permit process.

(9) That the sidewalk arrangement shall be extended to serve the building's rear access points.

(10) That it was acknowledged that there was a need for screening between the subject site and the residential zoning and land use to the north. The proposal for the applicant to retain the existing treeline was acceptable. A landscaping plan for the site, including the parking lot, is to be submitted to the Township staff for review and approval.

(11) That no variance had been requested.

(12) That approval was subject to the review and approval of the Township Fire Department and Engineer.

(13) That the proposed project is to be served by public sewer and water.

(14) That the environmental permits checklist and hazardous substance reporting form must be completed and submitted for the proposed project.

The motion was seconded by Mr. Brodasky and carried unanimously.

MIDWEST AUTO COLLISION - VARIANCE FROM SECTIONS 82.900/84.200; TIME EXTENSION FOR COMPLETION OF SITE - 6415 WEST KL AVENUE

The next item was the application of Ed Schippers, representing Midwest Auto collision, for variance approval from Sections 82.900 and 84.200 of the Zoning Ordinance as they relate to the occupancy of the building addition on the subject facility. A time extension for the completion of the site in compliance with the site plan approved on September 9, 1996, is requested. The subject site is located at 6415 West KL Avenue and is within the "I-1" Zoning District classification.

The report of the Planning and Zoning Department is incorporated herein by reference. Ms. Harvey pointed out that, in the past, the Zoning Board of Appeals had granted six other applications; and the delay in completion was weather related. She noted that the performance bond option was available.

The applicant was present, stating he needed approval for temporary occupancy. He stated that 60 days was needed to complete the site. He stated that the landscaping, fencing, guard rail and final coat of asphalt could be completed within those 60 days. The dumpster had already been relocated. He stated that the items in question would have been completed by now but for the weather. The applicant noted that he had already paid for the completion of the asphalt.

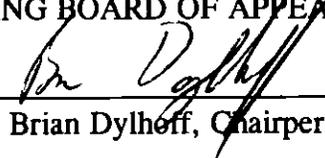
There was no one in the audience, and the public hearing was closed.

Ms. Meeuwse moved to allow temporary occupancy for a 60-day period from July 21, 1997, for the completion of the final coat of asphalt, guard rail, stockade fence and site landscaping. The variance was conditioned upon written proof provided by the applicant to the Township that the asphalt work had been paid. In the alternative, the applicant could provide the Township with a performance bond sufficient to pay for the completion of the asphalt work. Mr. Brodasky seconded the motion. The motion carried unanimously.

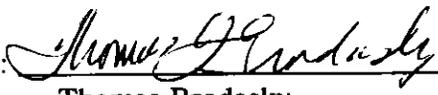
ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 4:50 p.m.

OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

By: 
Brian Dylhoff, Chairperson

By: _____
William Saunders

By: 
Thomas Brodasky

By: 
Lara Meeuwse

By: 
David Bushouse

Minutes Prepared:
July 23, 1997

Minutes Approved:
8-4-97

AGENDA: 2
MINUTES: ZBA

DATE: July 21, 1997
SENT: Oct. 2, 1997

ZBA

- Lara M.
 - Dave B.
 - Bill S.
 - Brian
 - Tom B.
- } 7-31-97

PC

- Libby
- Marvin
- Lara
- Ken H.
- Millard
- Ted C.
- Wilfred

TB

- Fred
- Dave B.
- Marvin
- Norm

OFFICE

- Becky
- Bob
- Marci
- Lois
- Ron
- Elaine
- Jim
- Attorney's
- Mike
- Ken
- Tobey
- Cathy
- Scott P.

PEOPLE

Ms. Leanne Martin
Edward D. Jones & Company
12555 Manchester Road, 5th Floor
St. Louis, MO 63131

Mr. Bill Walker
Imperial Company Inc.
P.O. Box 408
Mt. Pleasant, MI 48804-0408

Larry Harris
3503 Greenleaf Boulevard
Kalamazoo, MI 49008

David L. Holmes
Phoenix Properties, LLC
5340 Holiday Terrace
Kalamazoo, MI 49009

Ed Schippers
Midwest Auto Collision
6415 West "KL" Avenue
Kalamazoo, MI 49009

Home Builders Association
5700 West Michigan
Kalamazoo, MI 49009

Oshtemo Business Association
P.O. Box 1
Oshtemo, MI 49077



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
616-375-4260 FAX 375-7180 TDD 375-7198

NOTICE

OSHTEMO TOWNSHIP ZONING BOARD OF APPEALS

July 21, 1997
3:00 p.m.

AGENDA

1. Call to Order
2. Approval of Minutes
- July 7, 1997
3. Variance Request - Edward D. Jones & Co.

: Tabled from July 7, 1997 Zoning Board of Appeals Meeting

Edward Jones, representing Edward D. Jones & Co., requests Variance Approval from the wall sign standards established by Section 76.135, Zoning Ordinance.

Subject site is located at 5349 West Main (Golf Ridge Center) and is within the "C" District. (3905-13-405-029)

4. Variance Request - Union 76/Next Door

Bill Walker, Union 76 Maintenance Supervisor, representing Imperial Oil, requests Variance Approval from the commercial sign standards established by Section 76.125, Zoning Ordinance.

Subject site is located at 5658 West Main and is within the "C" District.
(3905-13-180-040)

5. Site Plan Review - Phoenix Properties L.L.C.

Larry Harris of L.L. Harris & Associates, representing Phoenix Properties L.L.C., requests Site Plan Review of a proposed 9,200 sq. ft. office building.

Subject site is located on the northwest corner of Stadium Drive and Fairgrove and is within the "C-1" District. (3905-26-440-015/019)

6. Variance Request - Midwest Auto Collision

Ed Schippers, representing Midwest Auto Collision, requests Variance Approval from Sections 82.900/84.200, Zoning Ordinance, as they relate to occupancy of the building addition onto the subject facility. A time extension for the completion of the site in compliance with the site plan approved on September 9, 1996 is requested.

Subject site is located at 6415 West "KL" Avenue and is within the "I-1" District. (3905-23-405-015)

7. Other Business

8. Adjourn

AGENDA: ZBA
MINUTES: _____

DATE: July 21, 1997
SENT: July 14, 1997

ZBA

- Lara M.
- Dave B.
- Bill S.
- Brian
- Tom B.

PC

- Libby
- Marvin
- Lara
- Ken H.
- Millard
- Ted C.
- Wilfred

TB

- Fred
- Dave B.
- Marvin
- Norm

OFFICE

- Becky
- Bob
- Marci
- Lois
- Ron
- Tony
- Jim
- Attorney's
- Index
- Elaine

Total

Mike West

PEOPLE

Ms. Leanne Martin
Edward D. Jones & Company
12555 Manchester road, 5th Floor
St. Louis, MO 63131

Mr. Bill Walker
Imperial Company Inc.
P.O. Box 408
Mt. Pleasant, MI 48804-0408
15 Labels

Larry Harris (Phoenix Properties)
3503 Greenleaf Boulevard
Kalamazoo, MI 49008
89 Labels

Ed Schippers (Midwest Auto Body)
8495 West "KL" Avenue
Kalamazoo, MI 49009
5 Labels

Dave Person
Kalamazoo Gazette
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Kalamazoo, MI 49003

Home Builders Association
5700 West Michigan
Kalamazoo, MI 49009

Oshtemo Business Association
P.O. Box 1
Oshtemo, MI 49077

Wightman Ward Corporation
1818 W. Centre Street
Portage, MI 49024

Cripps Fontaine Excavating
7729 Douglas Avenue
Kalamazoo, MI 49004

Stanley Rakowski
7151 West "G" Avenue
Kalamazoo, MI 49009

Fred Langeland
Balkema Sand & Gravel
1500 River Street
Kalamazoo, MI 49001

Investment Property Management

2012 - 28th Street SE
Grand Rapids, MI 49508
Telephone (800) 444-5340
Fax (616) 248-3545

Gordy Bruinsma
Dick Frens

July 17, 1997

Mr. James Wiley
Oshtemo Township
7275 W. Main
Kalamazoo, Michigan 49009

Dear Mr. Wiley,

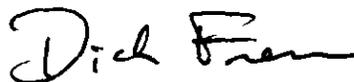
This letter is in reference to an upcoming hearing regarding signage for Edward Jones Company located at 5349 West Main St., and Mr. Mike Matteson.

I represent the owners of the building, Walnut Woods of Michigan, LLC, and the management company, Investment Property Management, and I am writing to urge you to continue to allow the current signage on the front of the building for Edward Jones Company.

This signage is critical for this business and while the office does not have a window to the front of the building, Mr. Matteson's business entrance is the front door of the building. I feel that his signage is justifiably placed.

I would be happy to answer any questions or concerns regarding this matter, and I look forward to your reply.

With regards,



Dick Frens
Investment Property Management



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
616-375-4260 FAX 375-7180 TDD 375-7198

To: Zoning Board of Appeals

Meeting Date: 7-21-97

From: Planning/Zoning Department

Agenda Item: #4

Applicant: Bill Walker (Union 76 Maintenance Supervisor)
Representing Imperial Oil Company

Property In Question: Union 76/Next Door
5658 West Main

Reference Vicinity Map

Zoning District: "C" Local Business District

Request: Variance Approval - Sign Size & Height Standards

Ordinance Section(s): Section 76.125 - Commercial Sign Standards

Planning/Zoning Department Report:

Background Information

- The existing free standing sign located at the subject site is a lawfully nonconforming sign having the following dimensions:
 - : existing nonconforming sign: 60 sq. ft., 28 ft. height, 85 ft. from c/l of West Main
 - : current sign standards: 60 sq. ft., 20 ft. height, 85 ft. from c/l of West Main
- On 5-1-89, the ZBA denied a request for variance approval to increase the sign size at the subject site to 108 sq. ft.

Reference ZBA minutes of 5-1-89

- Section 76.125 of the Zoning Ordinance permits the following freestanding signage on the subject site:

- : 1 freestanding sign - maximum 60 sq. ft.
- : maximum height of 20 ft. (above grade of road)
- : 85 ft. setback from centerline of West Main

- The Applicant proposes to convert the existing freestanding sign from "Union 76" to "Marathon" with the inclusion of an additional reader panel "Next Door Store" which will increase the total size of the sign to 102 sq. ft.

No change to the location, height, and/or frame of the existing sign is being proposed by the Applicant.

A change in the size of the existing lawfully nonconforming sign would take the sign out of "nonconformity" and make it subject to the current commercial sign standards (60 sq. ft., 20 ft. height, 85 ft. from c/l of West Main).

- Based upon the Applicant's proposal, a variance from both the size standard of 60 sq. ft. and the height standard of 20 ft., is being requested.

Reference Application and Sign Change Proposal

Department Review

Reference Standards of Approval of a Nonuse Variance ('practical difficulty' criteria):

1. *Conformance Unnecessarily Burdensome*

: Are reasonable options for compliance available?

: Does reasonable use of the property exist with a denial of the variance?

- The existing freestanding sign at subject site is a lawfully nonconforming sign which can undergo changes in sign facing only (maximum 60 sq. ft.), without taking the sign out of "nonconformity".

Any change in size, location, height, and/or framing would make the existing sign subject to current commercial sign standards.

- The Township has not generally considered it to be "unreasonable" to limit signage to sizes outside of those offered by a franchise.

- The commercial district permits both freestanding and wall signage options to provide flexibility in designing adequate site signage.

Additional wall signage is currently being utilized at the subject site ("Next Door Food Store" - on building, 24 sq. ft.).

2. *Substantial Justice*

: Consider past ZBA decisions in similar requests:

Sign Size Variance Requests (since 1984 Ordinance)

5-5-97	Speedway	Denied
11-21-94	Long John Silver's	Denied
2-7-94	Target	Denied
3-1-93	Meijer	Denied
10-7-91	Shell Oil	Denied
8-21-89	Bob & Kays	Denied
8-21-89	Meijer Square	Denied
5-1-89	Imperial Oil (subject site)	Denied
12-7-87	Dick Loehr's	Denied
11-2-87	Family Foods	Denied
11-4-84	McDonalds	Denied
3-3-86	DeVisser Landscape	Denied
10-1-84	Checker Oil Company	Denied

(BOLD indicates sites which are in the general vicinity of the subject site)

Sign Height Variance Requests (since 1984 Ordinance)

9-11-95	Heslinga Lawn & Power	Denied
6-25-90	Budgetel	Denied
12-4-89	On Target	Granted

: Consider the general character of the surrounding land use and the location/size of existing signs in the general area.

<u>site</u>	<u>size</u>	<u>height</u>	<u>status</u>
Maple Hill Chrysler	168 sq. ft. 84 sq. ft. 56 sq. ft.	30 ft. 20 ft. 20 ft.	lawfully nonconforming size variance amendment (1-20-92) conforming
Carlos Murphy	100 sq. ft. 175 sq. ft.	20 ft. unknown	size variance (6-2-80) size/height variance (10-6-80)
Chi Chis	-----	-----	no freestanding sign
Elk's Place Center	206 sq. ft.	30 ft.	size variance (12-7-81)
Russ'	100 sq. ft. 80 sq. ft.	20 ft. 20 ft.	size variance (2-21-80) second sign variance (1-19-81)
West Main Arcade	192 sq. ft.	26 ft.	size variance (9-21-81)
Firestone	-----	-----	no freestanding sign
Franks	128 sq. ft.	21 ft.	lawfully nonconforming
McDonalds	60 sq. ft.	20 ft.	conforming
Chicken Coop	60 sq. ft.	14 ft.	conforming
Target	60 sq. ft.	20 ft.	conforming
Long John Silvers	92 sq. ft.	26 ft.	size variance (9-15-75)
Burger King	94 sq. ft.	20 ft.	size variance (10-13-82)
Wendy's	76 sq. ft.	19 ft.	lawfully nonconforming
Steak n Shake	60 sq. ft.	20 ft.	conforming

3 *Unique Physical Circumstances*

There are no unique physical limitations on the subject site preventing compliance with the commercial sign standards.

4. *Self-Created Hardship*

: Sign design and placement are at the discretion of the Applicant.

: The facing of the existing lawfully nonconforming sign (maximum 60 sq. ft.) can be modified to accommodate the change in advertisement, without taking the sign out of "nonconformity".

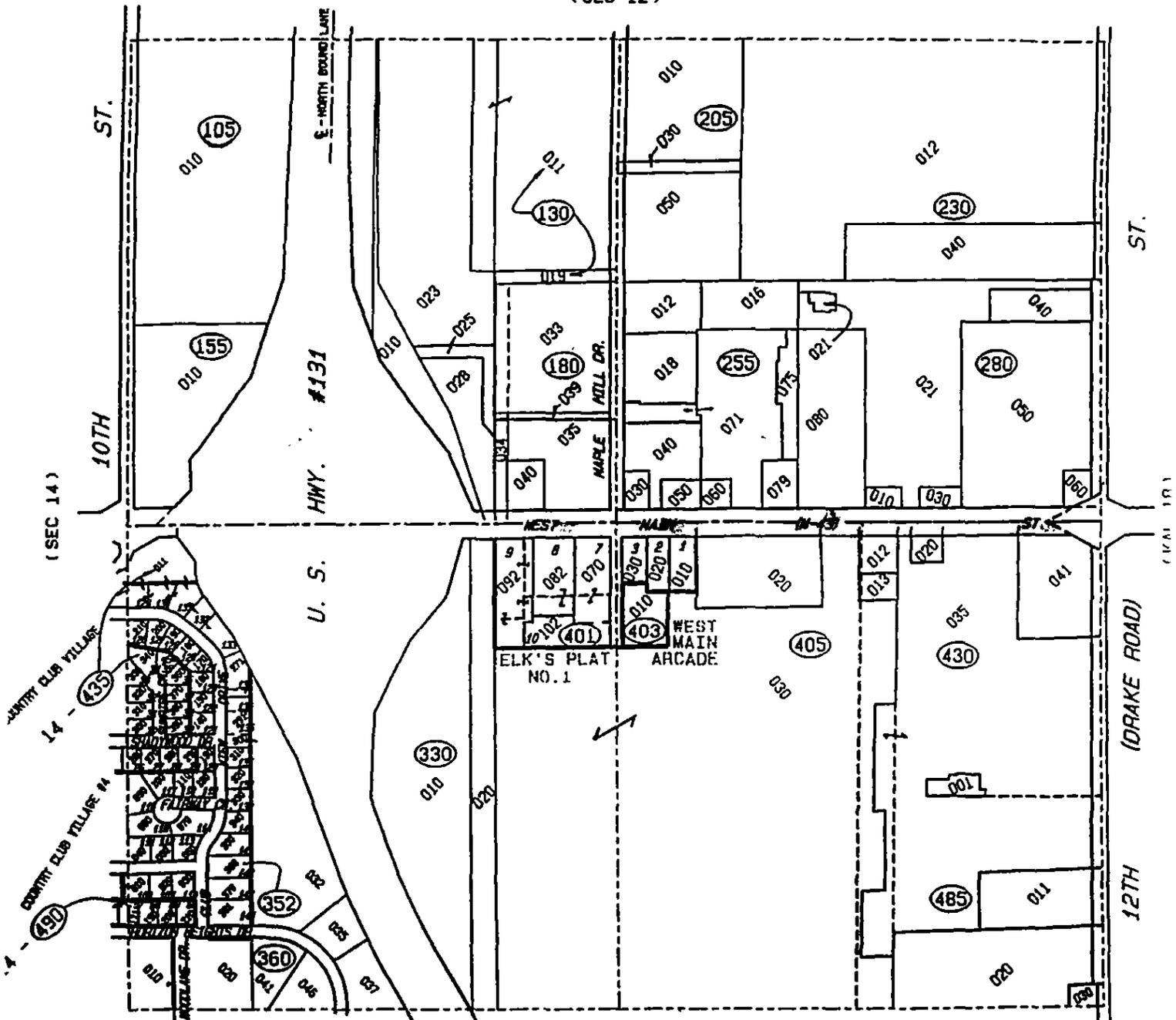
: Changes to either the size/area, height, location, or framing of the existing lawfully nonconforming sign will subject the sign to present day commercial sign standards.

5. *Will the spirit of the Ordinance be observed, the public health, safety, and welfare secured, and substantial justice done if the variance is granted?*

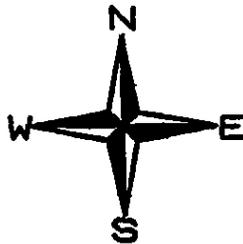
Approval of the variance request would be contrary to the intent of eventually bringing lawfully nonconforming" signs into compliance with current standards

SECTION 13

(SEC 12)



(SEC 24)



SCALE 1" = 800'

DATE: AUGUST 25, 1993
REVISED DATE: MARCH 4, 1996
PRINTED DATE: MARCH 21, 1996

OSHTEMO CHARTER TOWNSHIP ZONING BOARD OF APPEALS

MINUTES OF MEETING HELD MAY 1, 1989

AGENDA:

Request from Imperial Oil-Delta Group for variance from sign size limitation.

Request from Summer Ridge Apartments for variance to permit temporary occupancy of club house as a sales office.

Request from Simco Molds, Inc. for site plan amendment.

Request from Bronson Health Care Association for site plan amendment and variance from paving requirement and for temporary parking lot.

Consideration of minutes of meetings of March 27, 1989 and April 3, 1989.

A meeting was held by the Oshtemo Charter Township Zoning Board of Appeals on Monday, May 1, 1989, commencing at approximately 2:45 p.m. at the Oshtemo Charter Township Hall.

Members Present: Marvin Block, Chairman
 Lois Brown
 George Vuicich
 Stanley Rakowski

Member Absent: Frank Ballo

Also present were Rebecca Harvey of the Township Planning and Zoning Department, Lynda E. Thomsen, Township Attorney and approximately 5 interested persons.

ITEM 1 - CONSIDERATION OF MINUTES

The Chairman announced that the first order of business was the consideration of the minutes of the March 27, 1989 meeting. Ms. Brown made a motion to approve the minutes as submitted. The motion was seconded by Mr. Rakowski and carried 3 - 0, with Mr. Vuicich not voting because he was not present at the beginning of this part of the meeting.

The Chairman then noted that the next order of business was consideration of the minutes of the meeting of April 3, 1989. Mr. Rakowski made a motion to approve the minutes with the change at the top of page 10 to reflect that the motion carried on a vote of 3 to 1 instead of 3 to 0. Ms. Brown supported the motion. The motion carried on a vote of 4 to 0.

ITEM 2 - REQUEST FROM IMPERIAL OIL-DELTA GROUP FOR VARIANCE FROM SIZE LIMITATIONS FOR SIGNS

The Chairman announced that the next item of business was a request from Bruce Lennox representing Imperial Oil-Delta Group, for a variance from the 80 sq. foot sign size limitation established by Section 76.125 of the Zoning Ordinance. The subject site is located at 5658 West Main and is in the "C" District.

Ms. Harvey referred to her report to the Board regarding this item. She stated that the request was for a variance from the size restrictions of the Ordinance only. She noted that a 108 sq. foot sign total was being requested. She noted that until the new building being constructed on the site is completed, the maximum signage permitted would be 60 sq. feet.

Ms. Harvey further noted that the Zoning Board of Appeals has received four size variance requests since the new ordinance went into effect. All have been denied. She specifically noted that within the area in question, a request had been received from Checker Oil. In that instance, the minutes of the meeting at which the request was considered show that the applicant indicated that it needed larger signs because of the nature of the business as a gas station. The variance request was denied. She also noted that in 1984, McDonalds requested a variance from the size restrictions. The minutes of the meeting at which that application was considered show that the applicant claimed that surrounding signs were larger in area than the current ordinance permitted due to variances or nonconforming status. This justification was not found sufficient by the Zoning Board of Appeals, and the application for variance was denied.

Mr. Gordon Cribb appeared on behalf of the applicant. He advised the Board that the applicant now has a metal price sign attached to a pole. The applicant feels that an illuminated sign would be a better looking sign. The applicant must be competitive according to Mr. Cribb. He submitted two photographs to the Zoning Board of Appeals showing the existing sign and a similar sign to the proposed sign which is now in place in Kalkaska. He noted that the proposed sign would not include any changeable copy as is shown on the Kalkaska sign photograph. He also indicated that the applicant is seeking 90 sq. feet of signage total.

Ms. Harvey noted that the applicant currently is permitted 60 sq. feet of signage. After the new building is completed, the applicant will be entitled to 20 sq. feet more. No variance would be required for 80 sq. feet of signage to be in place upon completion of the new building.

Chairman Block called for comments from the public. None were received.

Mr. Rakowski asked Mr. Cribb whether it is proposed that the new building would be completed later this year. Mr. Cribb replied in the affirmative. Mr. Rakowski inquired of Ms. Harvey whether the applicant would be allowed signage on that building. Ms. Harvey replied in the affirmative.

Chairman Block inquired of the applicant whether a new canopy was planned to be constructed. Mr. Cribb replied in the affirmative, noting that it would be a little different style but pretty close to the same place. It was also noted that the top two sections of the existing sign equals 60 sq. feet. Mr. Cribb noted that the portions of the sign showing pricing are 6' x 2' or 6' x 2 1/2' each he believes.

Ms. Brown noted that she can understand the reasons for signage showing prices of gasoline, but when she reflects upon the reasons for having denied other variance requests, she feels that they are still valid. In light of the fact that a new building is being constructed, and 80 sq. feet of signage will be permitted, that will provide the ability to make signage including pricing which would comply with the Township requirements.

Mr. Cribb noted that the signs are furnished by Unocal 76. Ms. Brown replied that Unocal can build the signs to comply with local requirements.

Chairman Block inquired whether Unocal specifies the required arrangement of signs and noted that the photograph of the Kalkaska illuminated sign shows smaller numbers indicating price of gasoline. Mr. Cribb agreed that on the Kalkaska sign, the price portion of the sign is smaller than the numbers shown on the photograph of the existing local sign.

Chairman Block agreed with Ms. Brown and noted that it is important that the Zoning Board Appeals be consistent.

Thereupon, Mr. Vuicich made a motion to deny the application for a variance for the reasons that the applicant has not shown any undue hardship in conforming to the ordinance standards; there are no unique circumstances shown; the problem is self-created, since signs can be manufactured to the appropriate size; and that to grant the variance would do injustice to other businesses who have been denied variances of the same nature in the same area. Ms. Brown supported the motion.

Mr. Rakowski noted that he was recently in Florida and that in some communities, it appears that their regulations are going to lower signs. The complete switch looks much better.

The motion carried on a vote of 4 - 0.

ITEM 3 - REQUEST FROM SUMMER RIDGE APARTMENTS FOR VARIANCE APPROVAL FOR TEMPORARY OCCUPANCY OF CLUB HOUSE AS SALES OFFICE

Chairman Block then noted that the next item on the agenda was the application submitted by Richard Fay, representing Summer Ridge Apartments (previously known as Bent Tree Apartments), requesting variance approval for temporary occupancy of the club house as a sales office prior to the completion of the site as approved under site plan review. The subject site is located northwest of the existing terminus of Maple Hill Drive and is in the "C" District.

Ms. Harvey requested that the building official and fire inspector be present. Thereafter, they appeared at the meeting.

Mr. Fay was present, and while Ms. Harvey was requesting the presence of the building official and the fire inspector, Mr. Fay proceeded to give some information to the Zoning Board of Appeals as follows: He noted that the project was begun approximately November 1, 1988. Thereafter, it rained for approximately 45 days. Over the winter, approximately \$20,000.00 in stone was brought in for the road so that the builders could get to the community building on the site. Now, work is being done on the site. He indicated that he had asked the building official for permission to open the community building for sales by May 1, 1989, even if the paving was not done. He noted that the paving and building are both behind schedule. He also stated that another problem is that the City Water Department is too cumbersome to deal with. He indicated to the Zoning Board of Appeals that the City Water Department has been promising to be in everyday for 4 or 5 weeks, but has not yet installed the necessary water lines.

Ms. Harvey then addressed the information in her report to the Board. She noted that the applicant is requesting permission to occupy a portion of the site before paving is installed. She noted, however, that there are other incomplete matters. She suggested that the building official and the fire inspector have further information on those topics.

The fire inspector noted that the current situation is that the fire department requires a stabilized surface for fire equipment access. This spring, the site has been difficult to access or inaccessible at various times. He stated that the bottom line is that the fire department equipment can only get so far into the site. He stated that the fire department cannot end up sinking its equipment. The applicant has been advised of this several times. With regard to water availability to the site, he noted that there is one hydrant at the end of Maple Hill Drive.



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
 616-375-4260 FAX 375-7180 TDD 375-7198

REQUEST FOR ZONING BOARD OF APPEALS MEETING

Date 6-24-97 Present Zoning _____ Fee \$100

Land Owner IMPERIAL OIL

Address 5115 E. PICKARD Phone 517 773-9921

Person Making Request BILL WALKER

Address _____ Phone _____

Interest in Property MAINTENANCE SUPERVISOR

Size of Property Involved _____

Reason for Request CHANGING FROM UNION 76 TO MARATHON

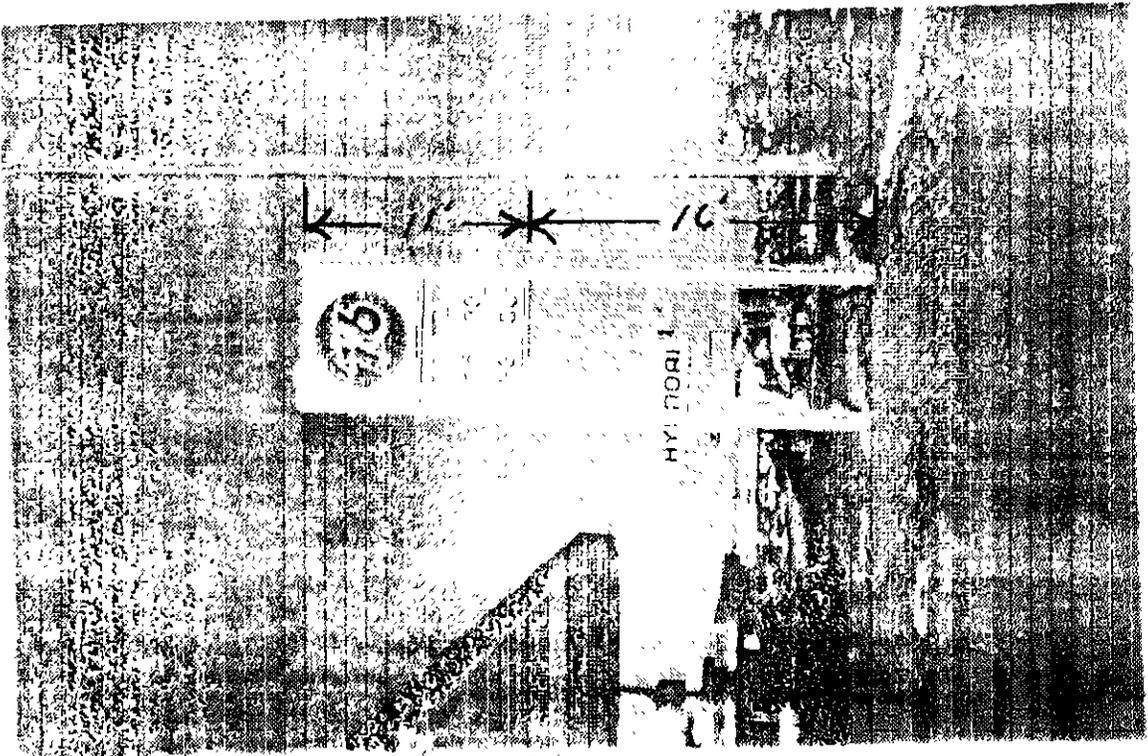
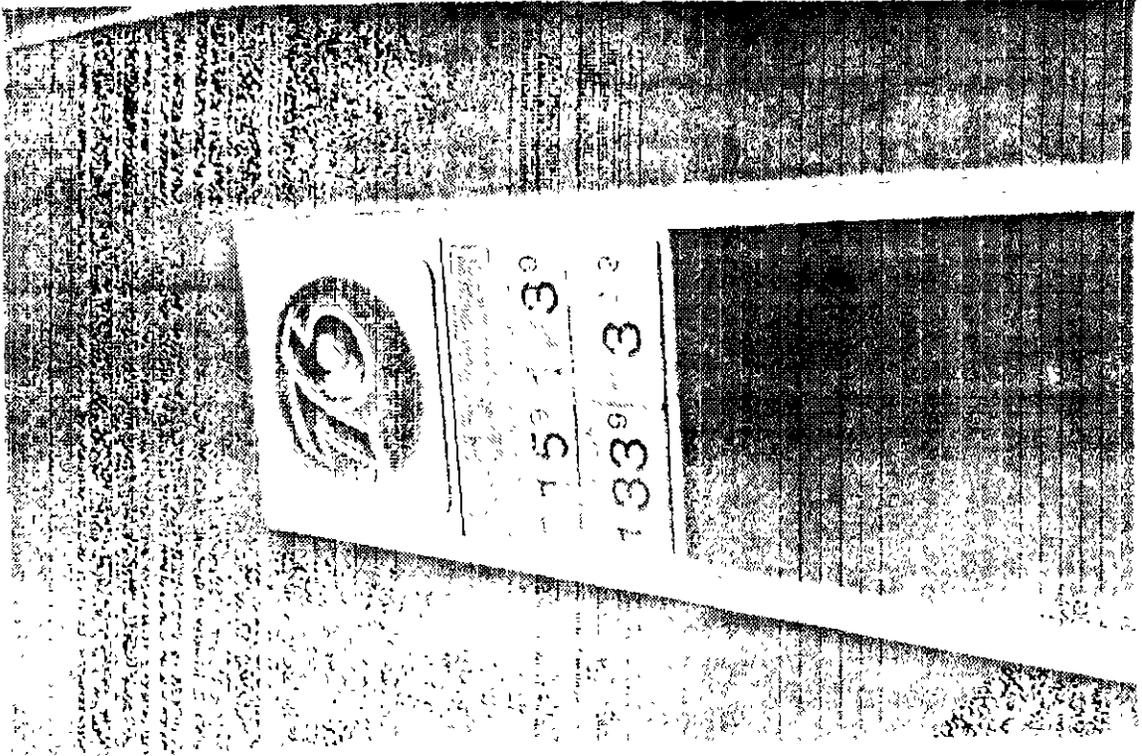
Need to increase sign size

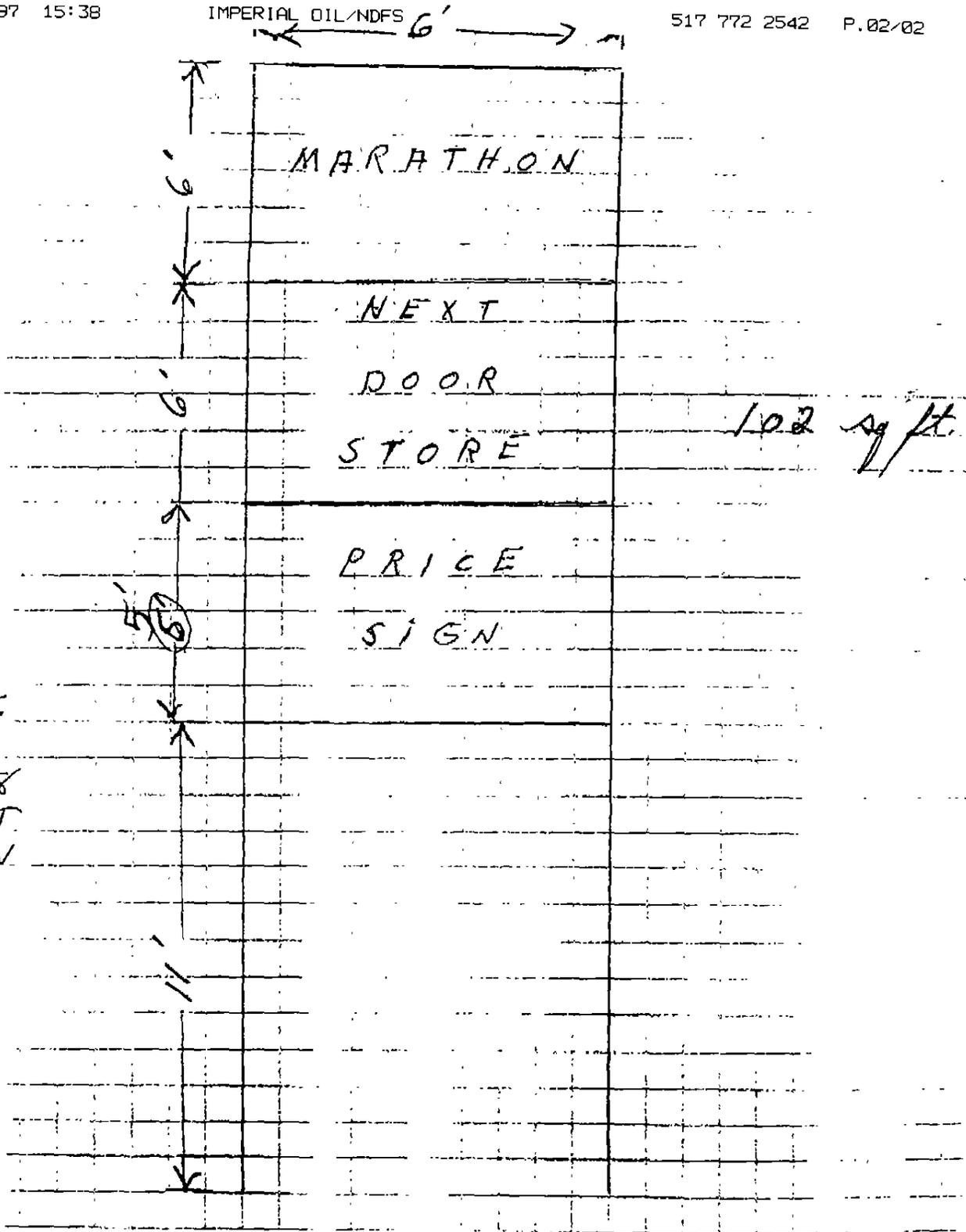
CHARTER TOWNSHIP
 OF OSHTEMO
 7275 W. MAIN STREET
 KALAMAZOO, MI 49009
 616-375-4260

6-24-97 JF

053586 724 REQUEST/IMPERIAL 100.00
 TOTAL PAID 100.00

THANK YOU





COOPER

Cooper Lighting

Metalux • Surelites • Halo • Lurr



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
616-375-4260 FAX 375-7180 TDD 375-7198

To: Zoning Board of Appeals

Meeting Date: 7-21-97

From: Planning/Zoning Department

Agenda Item: #5

Applicant: Larry Harris, L.L. Harris & Associates
Representing Phoenix Properties L.L.C.

Property In Question: Approximately 2 acres located on the northwest corner of Stadium Drive and Fairgrove.

Reference Vicinity Map

Zoning District: "C-1" Local Business District

Request: Site Plan Review - 9200 Sq Ft Office Building

Ordinance Section(s): Section 82.800 - Criteria For Review

Planning/Zoning Department Report:

Background Information

- The subject 2.3 acre site is currently provided 350 ft of frontage on Stadium Drive and is occupied by Speedway (6150 Stadium Drive).

Reference Vicinity Map

- The Site Plan proposes a division of the subject property resulting in the following two parcels:

Project Site - 2 acres, 150 ft frontage on Stadium Drive/380 ft frontage on Fairgrove, 37,000 sq ft from Orchard Place parcel

Speedway Site - 40,000 sq ft, 200 ft frontage on Stadium Drive

Reference Site Use Map (from Site Plan)

- Site Plan Approval shall be subject to Land Division Approval of the proposed property split/combination.

Department Review

Site Plan Review - Section 82.800

- a) - The subject site is proposed to be served by two (2) access points onto Fairgrove. (The existing Stadium Drive access serving Speedway is located on the subject site and is proposed to remain - - providing access solely to the Speedway site.)

The proposed access arrangement should be reviewed in consideration of the following access management design guidelines:

Section 67.300 3. & 5. - Driveway Design

Approval shall be subject to Kalamazoo County Road Commission review/approval.

Section 67.400 - Number of Driveways

- 3. For parcels with frontage on at least two streets, two driveways may be allowed, provided that a traffic analysis is submitted by the applicant showing that conditions warrant an additional driveway and that all driveways meet the spacing requirements.

Section 67.500 - Driveway Spacing

- 1. 150 ft driveway spacing required; 125 ft driveway spacing proposed.
- 2. 200 ft driveway spacing from intersection required; 145 ft driveway spacing from intersection proposed.
- 4. Written consent from the applicant permitting the location of the Speedway access on the subject site should be provided.
- 5. The proposed access arrangement onto Fairgrove has been located in alignment with the directional (one-way) driveways serving the Wisser Office

Building opposite the subject site. (Reference 3-15-93, 11-1-93, & 4-18-94 ZBA Minutes - Wiser Site Plan Approval)

6. Access to the subject site has been provided from the 'lesser traveled street' abutting the property (Fairgrove).

- Proposed parking layout is satisfactory has been provided in compliance with Ordinance standards. All parking spaces shall be subject to compliance with dimensional standards (10 ft x 20 ft).
- Barrier free parking has been adequately provided. Said parking shall be subject to ADA and MI Barrier Free Guidelines and be designated with signage and pavement logo.

The following should be noted:

- : An additional barrier-free parking space shall be required with the provision of 50 standard parking spaces
- : 1 van accessible parking space (8 ft width; 8 ft aisle width) shall be provided for every 8 barrier-free parking spaces
- : barrier-free parking shall be located 'as close as possible on the most direct route to barrier-free building entrances'
- : a barrier-free access ramp shall be located and designed

- The sidewalk arrangement should be extended to service the building's rear access points.

b) - Proposed building setbacks comply with Ordinance standards.

- The proposed dumpster arrangement is satisfactory. The proposed dumpster enclosure shall be detailed for review/approval.
- Exterior site lighting is proposed to consist of 7 pole lights; building lighting has not been proposed.

All outdoor lighting shall be provided in compliance with the lighting guidelines set forth in Section 78.700. A lighting proposal shall be detailed for review/approval pursuant to Section 78.700 g.

- Signage shall comply with Section 76.000 and be reviewed/approved through the permit process.

c)&

d) - The subject site abuts commercial zoning/land use on its east and west boundaries. Fairlane Plat, a 60-lot residential subdivision, is adjacent to the north of the subject site.

- Retention of the existing tree line along the northern boundary of the site is proposed as a buffer for the residential land use to the north.
- Approximately 56% of the site (1.13 acres) has been proposed as 'open space'. A landscape plan with attention to parking lot landscaping should be developed and reviewed in consideration of the character of the general area and the approved landscaping schemes on area development sites.

e) - Variance approval has not been requested.

f) - Approval shall be subject to Township Fire Department review/approval.

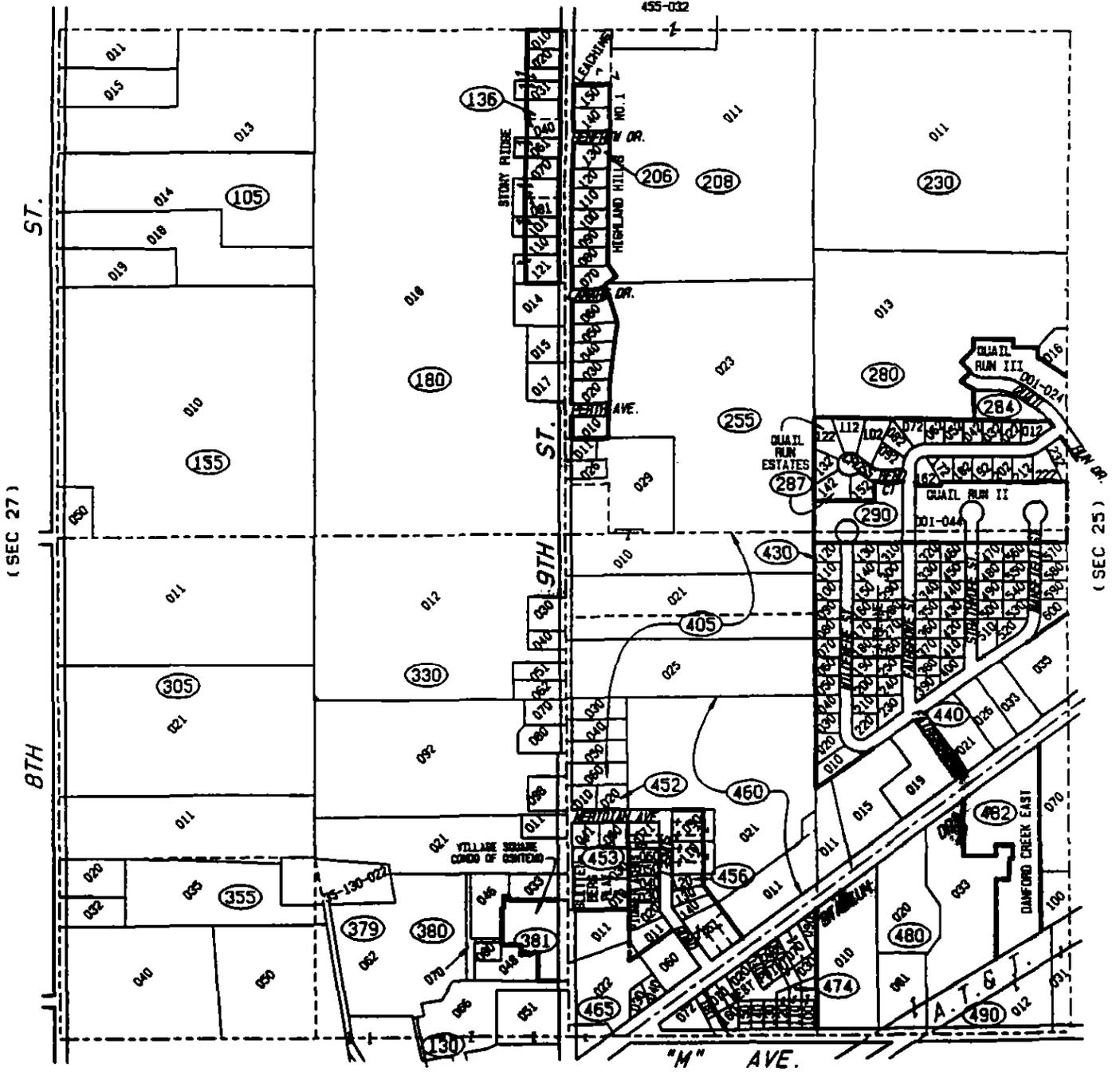
g) - Approval shall be subject to Township Engineer review/approval.

l) - The proposed project will be serviced by public sewer and water.

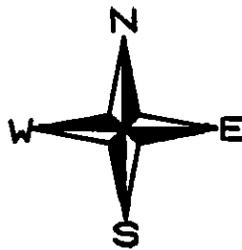
- An Environmental Permits Checklist and Hazardous Substance Reporting Form shall be completed and submitted for the proposed project.

SECTION 26

(SEC 23)



(SEC 35)



SCALE 1" = 800'

DATE: AUGUST 25, 1993

REVISED DATE: FEBRUARY 29, 1996

PRINTED DATE: MARCH 21, 1996

OSHTEMO CHARTER TOWNSHIP ZONING BOARD OF APPEALS

MINUTES OF MEETING HELD MARCH 15, 1993

Agenda

WILLIAM ABBE - SITE PLAN APPROVAL FOR 6100 STADIUM DRIVE

A meeting was conducted by the Oshtemo Charter Township Zoning Board of Appeals on Monday, March 15, 1993, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall, pursuant to notice.

MEMBERS PRESENT: Marvin Block, Chairperson
 Stanley Rakowski
 Ron Zuiderveen
 George Vuicich

MEMBER ABSENT: Elaine Branch

Also present were Rebecca Harvey, Planning and Zoning Department, James W. Porter, Township Attorney, and six (6) other interested persons.

CALL TO ORDER

The Chairperson called the meeting to order at 3:00 p.m.

APPROVAL OF MINUTES

Mr. Rakowski moved to approve the minutes of the meeting of January 18, 1993, as submitted. Mr. Zuiderveen seconded the motion. The motion was unanimously approved.

A question was raised as to when the March 1, 1993, minutes were received. Having resolved that question, Mr. Zuiderveen moved to approve the minutes as submitted. Mr. Rakowski seconded the motion. Mr. Vuicich abstained due to the fact that he was not present at the meeting and could not assess the accuracy of the minutes. The motion passed 3-0 with Mr. Vuicich abstaining.

WILLIAM ABBE - SITE PLAN APPROVAL FOR 6100 STADIUM DRIVE

The next item of business was the public hearing on the application of William Abbe, requesting Site Plan Review for the proposed conversion and expansion of an existing office building previously occupied by State Farm Insurance. The subject site is located at 6100 Stadium Drive and is currently within the "C-1" Zoning District.

The Chairperson asked for a report from the Planning and Zoning Department. Ms. Harvey provided the members of the Board with a written report, which report is incorporated herein by reference. In addition, she indicated that the Board should consider the starred items on the report as matters to be included in a motion regarding the Site Plan. Ms. Harvey indicated that the applicant proposed altering the property in two phases. The first phase would include renovation and occupation of the existing structure; the second phase would consist of a proposed addition. She noted that the fact that it was to be a phased development ~~would not affect their~~ ~~should be noted in any approval or disapproval~~ of the proposed Site Plan.

Ms. Harvey told the Board that she did not see any significant problems with the Site Plan as proposed but added that she thought they should address certain issues regarding the access arrangements to the property. She explained to the Board that there were two ~~existing~~ access points on Fairgrove Street. The applicant was requesting the removal of one drive on Fairgrove and the addition of an access point onto Mansfield. Ms. Harvey explained that the Access Management Guidelines, if this were a new property, would dictate that only one drive/access would be warranted. She added that the location of the drives and the distance standards ~~on in~~ the Access Management Guidelines would be complied with as the site is currently developed or as it is proposed to be developed. The real issue, she explained to the Board, was whether there should be two drives for the ~~site~~ and whether a ~~the~~ second drive should be on Mansfield ~~was warranted~~.

Ms. Harvey told the Board that there was no clear lighting proposal set forth in the Site Plan. She recommended that, if there was going to be lighting, the Board require sharp cut-off lighting and that the location of the poles be added to the Site Plan.

The Chairperson then asked the applicant to address the Board. Mr. Abbe told the Board that they would be increasing the parking area and requested that a new drive be allowed onto Mansfield. He explained that it would help facilitate access to a dumpster on the property, as well as keep them in compliance with the Fire Code. He explained that, given the distance to the back of the building, they would have to have either a circle drive or a drive onto Mansfield in order to comply with Fire Department requirements.

A discussion then ensued with Mr. Abbe explaining, by reference to the map, his proposed development.

The Chairperson asked if there was anything further from the applicant and, hearing none, asked the Board if they had any questions of the applicant. The Chairperson immediately followed up by asking the developer how close in time the two phases would be developed. The applicant indicated that Phase 2 would follow within no more than two weeks of the completion of Phase 1. He said the two phases might even overlap.

The Chairperson asked if there was going to be any lighting added to the site. Mr. Abbe stated that he might place entry lighting near the doorways but that he did not intend to be open in the evenings and, therefore, did not anticipate pole lighting. He said he would follow whatever guidelines the Township required with regard to lighting.

The Chairperson also asked the applicant if all the green areas would be retained. Mr. Abbe indicated that they would and, in fact, portions of them would be enhanced.

The Chairperson asked Ms. Harvey whether or not there would have to be any screening in the area adjacent to the funeral home. Ms. Harvey said that no screening was required because the subject premises abutted commercial property. Ms. Harvey said the property to the north was residentially zoned and that screening would be required to the north.

In answer to a question from Mr. Zuiderveen, Ms. Harvey stated that the northernmost drive on Fairgrove would be closed according to the applicant's proposal. Mr. Vuicich inquired as to what the reaction of the public would be to opening a drive on Mansfield. He stated that he was surprised by the request to open an access point onto a street which was primarily residential. The Chairperson added that he thought it might be a problem due to the proximity to residential development. Mr. Vuicich said he would like to hold further comment until he had heard from the public.

The Chairperson then opened the hearing to public comment.

Mr. Todd Walter told the Board that he was very much concerned about the entrance onto Mansfield. He stated that he had no other concern about the proposed development and believed that the subject premises had adequate access. He told the Board he did not want to see such a large expansion of the premises as to cause a problem for the residential properties on Fairgrove.

The Chairperson asked if there was any further comment from the public and, hearing none, closed the public portion of the meeting.

Mr. Vuicich asked the applicant what his thoughts were regarding maintaining the current two drives and repositioning the dumpster for access. Mr. Abbe told Mr. Vuicich that it was actually the Fire Department that told him that a curb cut on Mansfield might be helpful due to the dead-end parking lot at the subject premises. The applicant said visitors would likely use the Fairgrove access and that only workers from the current location would use the access on Mansfield. Mr. Abbe stated that if they had to maintain the two curb cuts on Fairgrove they would lose some parking space and that it might cut into the green area to the south. He felt that aesthetically it would help if they had the drive onto Mansfield and that it might actually allow them to increase and enhance the greenspace.

Ms. Harvey told the Board that the Fire Department had reviewed the Site Plan and did see a dead-end parking lot problem. The Department told the applicant that he would need an on-site turnaround because the distance to the back of the building was in excess of 150 feet. She stated that an access on Mansfield would allow them to avoid an on-site turnaround. Mr. Vuicich asked Ms. Harvey what the arrangement had been with the State Farm Site Plan. Ms. Harvey indicated that she did not know and that it was hard to tell from the prior Board's analysis of the original Site Plan.

Mr. Vuicich told the Board he would like to see the proposed parking on the south portion of the proposed Site Plan eliminated but was still concerned about the drive opening on Mansfield. Mr. Vuicich inquired as to what the typical policy of the Board had been in past similar cases. The Chairperson said in a few cases it had been allowed but that it was rarely done. The applicant told the Board that if it was a real problem he could provide for an emergency entrance only with knock-down posts and thereby satisfy the Fire Department without

actually having a regularly used drive onto Mansfield. Mr. Rakowski said he believed they would have to reconfigure the dumpster arrangement. The applicant concurred.

Ms. Harvey asked the applicant, if they were allowed an emergency access on Mansfield, whether or not they could live with only one entrance on Fairgrove. The applicant said that would be acceptable. Ms. Harvey again added that the present Access Management Guidelines only warranted one drive to the present location but ~~she did not believe that an emergency drive would be a problem was not generally seen as a second access.~~ Ms. Harvey added that she thought the configuration of the drive should be left to the Fire Department ~~but should be grass if possible.~~

Mr. Vuicich stated that they would still have to take out trees but he did not believe that that would present an undue problem. He added he would like to see only one drive onto Fairgrove so as to not have to add to the parking on the southwest corner of the property. The Chairperson asked whether the applicant could live with it, and the applicant indicated that he could. The Chairperson said he thought the drive onto Mansfield would need a solid base but could be grassed over to be aesthetically pleasing. The applicant said that in a prior development he had used a configuration consisting of cement cores with grass in the interior so that from a distance of 20 feet it would appear to be totally grass.

Mr. Vuicich moved that the Board approve the Site Plan as submitted with the following conditions, limitations and notations.

- (1) That the northernmost drive on Fairgrove be removed and returned to greenspace.
- (2) That the Mansfield street access point be for emergency purposes only, subject to the approval of the Oshtemo Township Fire Chief and the Planning and Zoning Department.
- (3) That the development, including parking, be in compliance with barrier-free requirements of the Americans with Disabilities Act.
- (4) That the barrier-free parking spaces be designated with signage and pavement logos.
- (5) That the dumpster location would be changed in light of the revised emergency access point to the property.
- (6) That no pole lighting be established and that any lighting provided on the subject building be sharp cut-off in nature, mounted at a 90° angle to the building or structure and comply with Section 78.700 of the Zoning Ordinance.
- (7) That all new signage comply with Section 76.125 of the Township Ordinance and that appropriate permits be obtained.
- (8) That the green areas be enhanced and that the north boundary buffer be retained for appropriate screening to residential with the exception of the emergency access point.
- (9) That approval be subject to Fire Department review and approval.

(10) That the parking shown in the southwest corner consisting of six parking spaces be eliminated and not constructed.

(11) That the Site Plan be subject to Township Engineer review and approval.

(12) That the parking comply with all pertinent Township Ordinance standards.

(13) That Phase 1 and Phase 2 will be developed consecutively or concurrently.

Mr. Rakowski seconded the motion, and the motion was unanimously approved.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 3:35 p.m.

OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

By: Marvin Block
Marvin Block, Chairperson

By: Stanley L. Rakowski
Stanley Rakowski

By: George Vuicich
George Vuicich

By: Ron Zuiderveen
Ron Zuiderveen

By: _____
Elaine Branch

Minutes prepared:
March 19, 1993

Minutes approved:
April 5, 1993

OSHTEMO CHARTER TOWNSHIP ZONING BOARD OF APPEALS

MINUTES OF MEETING HELD NOVEMBER 1, 1993

Agenda

CONSUMERS POWER CO. - SITE PLAN REVIEW AND VARIANCE FROM SECTION 68.202

WISER OFFICE COMPLEX (WILLIAM ABBE) - SITE PLAN AMENDMENT AND VARIANCE

WISER OFFICE COMPLEX (WILLIAM ABBE) - SITE PLAN AMENDMENT AND VARIANCE

The next item was the application of William Abbe, representing Wisser Office Complex, for site plan amendment for the proposed construction of a one-car garage and a revised access arrangement. The applicant also requested variance approval from the 20' side-line setback requirement established by Section 64.300 of the Zoning Ordinance. The subject site is located at 6100 Stadium Drive and is within the "C-1" Local Business District Zoning classification.

The report of the Planning and Zoning Department is incorporated herein by reference.

The applicant was present and stated that two access points were needed, one entrance and one exit. He stated that this arrangement was already in place and resulted in a good traffic flow for the site. It was felt that traffic flow would be negatively impacted if the northernmost access point on Fairgrove was eliminated as previously approved by the Board.

As to the garage, the applicant indicated that the garage was needed and that the neighbor does not object to the establishment of same near his property line. Further, the garage would not be visible from the road.

There was no public comment, and the public hearing was closed.

Mr. Rakowski questioned the applicant, and it was noted that this was the second time that the applicant was seeking a variance for the establishment of a garage. The applicant had previously attempted to obtain a variance from the Fairgrove Mansfield setback requirement to establish the garage. The applicant was questioned as to whether the garage could be repositioned to comply with the ordinance, and the applicant indicated that it could.

The Chairperson noted that a letter had been received from Roy Betzler indicating that he was the adjacent landowner and had no objection to the garage. The letter said something about sharing a paved access, and there was discussion with the applicant that that paved shared access was not part of the proposed amendment. The applicant indicated that the details of the proposed shared access were being worked out and that he would return to the Township once a firm proposal was in place.

The Chairperson questioned the applicant with regard to the purpose for the garage. The applicant indicated that it was his information that Mr. Wisner wished to store or park his personal cars within the garage. There was Board discussion of the fact that this personal use of the garage was not customarily incidental to the permitted use and therefore might be an inappropriate use of an accessory building. However, the Board went on to consider whether the variance criterion were met.

After discussion of the non-use variance criteria, Mr. Rakowski moved to deny the variance for the following reasons:

(1) That compliance was not unnecessarily burdensome in that the applicant had other options with regard to building redesign/relocation and site redesign to comply with ordinance requirements. Further, the applicant had reasonable use of the site without the variance.

(2) That substantial justice would not be served by granting the variance. The large degree of the variance (15' or 75%) was considered.

(3) That there were no unique physical circumstances at the site preventing compliance with the ordinance.

(4) That the hardship was self-created.

(5) That the spirit of the ordinance would not be observed. Again, it was noted that the applicant was seeking a 15' setback variance, which greatly exceeds that which the Board normally considers appropriate.

Mr. Dyhloff seconded the motion. It was emphasized that the Board's motion was based on an assumption that the use of the building would comply with ordinance requirements. However, the Board had serious questions as to whether the use would in fact be allowed in the "C-1" zone.

Upon a vote on the motion, the motion carried unanimously.

The Board next considered the site plan amendment proposed by the applicant. It was noted that the applicant wished to retain the northernmost Fairgrove access point. The plan, as drawn by the applicant, appeared to include two two-way drives. The attorney advised that this would not be in accord with the Access Management Guidelines of the Township, which indicated that only one drive to the use was warranted. The attorney advised the Board to consider Section 67.700 with regard to deviation from the Guidelines. After further discussion, the applicant indicated that he wished to have two one-way drives. One drive would be marked "Entrance," the other "Exit." It was noted that Section 67.400 provides that access for an individual parcel, lot or building site shall consist of either a single two-way driveway or a paired driveway system wherein one driveway is designed and appropriately marked to accommodate ingress traffic and the other egress traffic. Therefore, if the applicant sought two one-way drives, the proposal would comply with Section 67.400.

Mr. Rakowski moved to approve the site plan amendment with the following conditions, limitations and notations:

- (1) That the garage was not part of the approved plan.
- (2) That the Fairgrove access approved was to be either one two-way drive or a paired driveway system wherein one driveway is designed and appropriately marked to accommodate ingress traffic and the other egress traffic.
- (3) That the applicant was required to revise his plan and submit same regarding the Fairgrove access to Township staff for review and approval.
- (4) That the approval was subject to review and approval of the Township Engineer and Fire Department.
- (5) That the Board was not considering or approving any shared driveway or parking arrangement between this site and the Betzler site.

Mr. Dyhloff seconded the motion, and the motion carried unanimously.

OSHTEMO CHARTER TOWNSHIP ZONING BOARD OF APPEALS

MINUTES OF MEETING HELD APRIL 18, 1994

Agenda

CLARK OIL - SITE PLAN REVIEW - GAS STATION/CAR WASH/FOOD PLAZA

WISER OFFICE COMPLEX - SITE PLAN AMENDMENT - 6100 STADIUM DRIVE

A meeting was conducted by the Oshtemo Charter Township Zoning Board of Appeals on Monday, April 18, 1994, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall, pursuant to notice.

MEMBERS PRESENT: Stanley Rakowski, Chairperson
Elaine Branch
William Miller
William Saunders
Brian Dyhloff

MEMBERS ABSENT: None

Also present were Rebecca Harvey, Planning and Zoning Department, Patricia Mason, Township Attorney, and four (4) other interested persons.

CALL TO ORDER

The Chairperson called the meeting to order at 3:00 p.m.

MINUTES

The Board considered the minutes of the meeting of April 4, 1994. The suggested changes made by Ms. Harvey were noted. Mr. Miller moved to approve the minutes as amended. Ms. Branch seconded the motion. The motion carried unanimously.

CLARK OIL - SITE PLAN REVIEW - GAS STATION/CAR WASH/FOOD PLAZA

The Chairperson noted that it had been agreed with the applicant that the application of Clark Oil for site plan review of a proposed 3,700-sq. ft. gas station/car wash/food plaza to be situated on one acre at the southeast corner of West Main and 9th Street, within the "C" Zoning District classification, would be tabled to a special meeting on April 25, 1994. Mr. Miller moved to table the item to that date at 3:00 p.m. Mr. Saunders seconded the motion. The motion carried unanimously.

WISER OFFICE COMPLEX - SITE PLAN AMENDMENT - 6100 STADIUM DRIVE

The next item of business was the application of Wisner Office Complex for site plan amendment regarding a revised access arrangement and parking lot layout involving the Betzler Funeral Home site adjacent to the east at 6080 Stadium Drive. The applicant also requested Board interpretation regarding the applicability of Section 67.000 of the Zoning Ordinance to the subject site. The subject site is located at 6100 Stadium Drive and is within the "C-1" Local Business District Zoning classification.

Michael Chojnowski, attorney for the applicant, was present.

The Planning and Zoning Department's report is incorporated herein by reference. Ms. Harvey noted the letters which had been received by the applicant. She stated that two issues were before the Board: (1) interpretation of the ordinance as to whether the Access Management Guidelines apply to this site and (2) site plan amendment to permit the proposed parking lot connection and retention of the northernmost access point on Fairgrove. Ms. Harvey noted that Section 67.100 of the ordinance is the provision which sets forth the standard for the applicability of the guidelines.

Mr. Chojnowski spoke regarding the item, stating that he represented Ron Wisner and, in an indirect way, Roy Betzler. Both were present. He noted that a combined site plan had been submitted to the Township. This combined plan was not detailed with regard to the Wisner site. However, it was accurate as to the parking lot connection proposed and the reopening of the northernmost curb cut on Fairgrove Avenue to the Wisner site. Mr. Chojnowski indicated that the applicant proposed to reopen the northerly access point and connect the parking lots of the Wisner and Betzler sites. His April 14, 1994, letter is incorporated herein by reference. He stated that that letter outlined the reasons why the request is important. He emphasized that both access points are currently in existence and were used by State Farm, which had formerly been located at the Wisner site, for many years. Moreover, the Zoning Board of Appeals had previously approved a one-way-in/one-way-out driveway system. It was noted that Citizens Insurance leases part of the Wisner office complex space. Under the lease, the landlord has a duty to keep the parking area and access point clear. Therefore, if there is only one access to the site, the Betzler traffic would be routed out one access point and would interfere with the use of the drive by Citizens Insurance. If the Betzler traffic were routed out the same drive as that used by Citizens, traffic could back up. Mr. Chojnowski indicated that, in his opinion, the reopening of the second access point would improve the accessibility to both the Wisner and the Betzler sites.

As to the applicability of the Access Management Guidelines, Mr. Chojnowski stated that Section 67.100 states that they are applicable to land uses located on an arterial or collector. He noted that the Wisner and Betzler sites are located on an arterial or collector but that the Wisner access points were on a local street. Therefore, he believes that these guidelines are not meant to apply. Further, the Land Use Plan indicates access control on local streets is "none." He felt that the applicability of the Access Management Guidelines depended on the definition of the work "located." He felt that in this case the entrance drives were on a local street and that the parking lot abuts the local street. The entrances to the buildings face the local street. He stated that there was a buffer of approximately 150'

from the edge of the building to the Stadium Drive curb. The parcel has frontage on Stadium Drive; however, the emphasis of the site design is on the local street. He acknowledged that the site does have a Stadium Drive address, but he felt that it was more important that the physical improvements face Fairgrove.

He felt that there were unique circumstances with regard to this property in that the building site had two curb cuts before the Access Management Guidelines were adopted. Further, the cross-access arrangement suggested between Wisner and Betzler had advantages and the Township should encourage this arrangement. He felt that the proposal does what the Access Management Guidelines are intended to do in that the Wisner access points are not on Stadium Drive. Therefore, the Township should reward the applicant in that the Access Management Plan's intent is met. He saw no good reason why the access point should be removed.

Roy Betzler, owner of Betzler Funeral Home, Inc., stated that he is in the process of expanding the parking for his site. He stated that he has a large number of funerals each year where vehicles exceed 100. When a large funeral or memorial service is conducted, cars are sometimes "stacked" into Stadium Drive. He felt that in the winter the "stacking" is particularly dangerous. He felt that a connection to the Wisner site would be desirable in eliminating the "stacking" problem. He stated that he felt Wisner would not allow connection of the two sites if there was no separate access point which Betzler could use in that the Betzler traffic would have to traverse the entire Wisner site and would interfere with the operation of the parking lot if only one access point were available. The second access point proposed would be more in alignment with the Betzler/Wisner parking lot connection.

Mr. Betzler noted that, with funeral and memorial services, all cars wish to enter and exit roughly at the same time. He felt that the approval of the proposed amendment would have a positive effect in creating a safer ingress/egress arrangement for his site and for that of Wisner.

Public comment was offered, and Becky Lawson, who lives directly across from the Wisner/Betzler sites, stated that she felt that the two drives serving the State Farm business had not been a problem because the business did not have a lot of traffic. She felt that with both Wisner and Betzler using the drives there would be a significant increase in traffic. Further, the children's bus stop is in this area. She was also concerned that a funeral procession might exit on Fairgrove rather than on Stadium Drive. In addition, she was very concerned about possible access on Mansfield. The Chairperson pointed out that there is none currently proposed.

Mr. Miller had a question with regard to the bus, and it was explained that same enters from Stadium Drive, stops near the northern drive of the site and turns around in the Mansfield/Fairgrove intersection and exits on Stadium Drive.

Richard Schramm spoke, stating that his design philosophy is that "if something is not broke, don't fix it." He stated that two drives currently exist and therefore should be left alone. He noted that, in his opinion, the owner of the Wisner complex had been required to create a "Fire Department parking lot" because one of the access points had been closed. He

felt that, whether the site had one or two drives, the traffic would be the same. His comment was that funeral traffic was always off-peak hours.

Ms. Branch questioned the applicant with regard to the Fire Department issue and questioned Mr. Schramm as to the meaning of his comments with regard to the fire lane. Mr. Schramm stated he felt that a no-parking fire zone had been created because the northernmost drive was proposed to be closed. If the drive were open, he did not feel there would be a need for a fire truck turnaround. Ms. Branch stated that she did not see how the closing of the northern drive would influence the Fire Department needs. Mr. Betzler stated that if the drive were open the Fire Department would not need a turnaround. Mr. Betzler stated that funeral processions would not exit on Fairgrove. Further, he noted that the school bus did not stop at times when funeral generally occur.

In response to a question from Ms. Branch, Mr. Betzler indicated that he would have persons on site to direct overflow traffic to the Fairgrove drive.

The Chairperson noted that a letter had been received from a Fairgrove neighbor of the property who was concerned that no access drive be permitted on Mansfield.

Ms. Harvey stated that the Fire Department had met with the applicant and, in the Fire Department's review of the proposal, the reopening of the northern drive or connection of the parking lot with the Betzler parking lot was of no consequence to the Fire Department with regard to its requirements for both sites. The Fire Department stated that it was not in need of a second drive and that there would be no change in their requirements based on the parking lot connection.

Ms. Harvey stated that, given the premise upon which the applicant had approached the Board, perhaps the location of the drive rather than the number of drives was at issue. A single drive in a northern location might be what the applicant needs in that same would align with the parking lot connection to the Betzler site.

Mr. Rakowski agreed, stating that he failed to see why both drives were required to be open. The northern drive would provide the most direct route to the Betzler site. Ms. Branch noted that, if it was a concern to direct traffic from the Betzler site directly to Fairgrove, perhaps both existing drives should be closed and a new drive created.

Mr. Saunders expressed concern about the distance such a new drive would be from the intersection of Fairgrove and Mansfield.

Frank Eichelberg of the Oshtemo Businessmen's Association stated that the objective of his association is to cooperate with the Township; his association was meant to help businessmen deal with the Township. He stated that there were two taxpayers in this application coming together to solve a common problem and he would like to see the Township work with these applicants. He stated that he could not see how closing one of the Wiser drives would benefit the Township.

Mr. Chojnowski stated that the drives were an existing situation and that the expense of closing the northernmost drive goes "beyond the bounds of reason." These drives have not been a problem and would not be a problem, in his opinion. Ms. Harvey asked Mr. Chojnowski what the cost of closing the northernmost drive would be, and he responded that he would not answer a question put to him by the Township's planner.

Mr. Saunders stated he had attended two funerals at the Betzler property, and these two funerals "could have used a second access point." He would like to see something done to alleviate the situation. Mr. Saunders commented that the ordinance provides that certain developments warrant a second drive, and he felt that a funeral home (at times of "big services") generates more traffic than some of the businesses listed by the ordinance in Section 67.400.

Mr. Rakowski commented that he would like to see a larger driveway on the north end established and the southern drive closed.

There was discussion of the fact that the Zoning Board of Appeals had previously approved ingress/egress-only paired drive systems for this site. Ms. Branch wondered whether there would be any additional expense to reconfiguring the existing drives to be a paired driveway system except signage and pavement designation.

There was no additional public comment, and the public hearing was closed.

The Board moved to interpretation of whether the Access Management Guidelines applied to the property in question. Section 67.100 was referenced. Ms. Branch commented that she felt the ordinance addresses the road upon which a site "sits." She felt that the ordinance uses the word "located" to refer to the road on which a site has frontage and could conceivably gain access. She noted that she felt that Mr. Chojnowski's interpretation did not make sense under the ordinance in that, for example, the Access Management Guidelines would never apply to a vacant parcel. She felt that the ordinance was clearly intended to address and be applicable to vacant parcels where same had frontage on an arterial or collector. The Guidelines provide that, where a site has access on two different streets, access would be required to be on the lesser-traveled or secondary road. That is what occurred with regard to the site in question. The access point was located on the secondary road. Ms. Branch felt it was appropriate to apply the Access Management Guidelines to the property in question. The Chairperson and other Board members concurred.

Ms. Branch moved to interpret the Zoning Ordinance, specifically Section 67.100, to indicate that the Access Management Plan and Guidelines apply to the site in question. The motion was seconded by Mr. Miller.

Mr. Chojnowski commented that he did not feel that the Guidelines apply and felt that, if the Guidelines apply primarily because of the frontage on Stadium Drive, Wisner could deed the frontage to Betzler. Deeding the frontage to Betzler would then make the Access Management Guidelines inapplicable to the property in question.

Upon a vote on the motion, the motion carried unanimously.

It was noted that, if the property in question did not have frontage on Stadium Drive, the Access Management Guidelines would not be strictly applicable. However, the Township Attorney opined that the Guidelines would be used as a reference to determining whether the site met the site plan review and approval criteria of the ordinance. Reference was made to the recent application in the Venture Park Site Condominium project in which the Guidelines were used as a reference to review the access and parking arrangements.

Ms. Harvey noted that, if two one-way drives were approved for the site, those drives would need to be designed as entrance-only/exit-only drives. Therefore, some reconstruction of the existing drives would need to be done. If the Board did not wish to require reconstruction, the Board should so provide.

Ms. Branch noted that Section 67.400 allows a deviation from the Guidelines under certain circumstances if a traffic analysis shows that the conditions warrant. She felt that reasons were presented but not a traffic analysis. Ms. Branch was not convinced that a second drive was necessary for the site.

Ms. Branch had questions with regard to the number of employees at the Wiser complex. Mr. Wiser responded that Citizens has more than 30 employees and that Wiser has 16. There is adequate parking for the employees on the site.

Mr. Wiser commented that, if only one drive were to be left open, he would prefer that the southern drive be open because it is the drive that serves the "Wiser offices best." However, if only the southern drive were in existence, he could not allow the Betzler site to use his property because the one access point could be blocked during Betzler funerals.

Ms. Branch had further questions with regard to traffic in and out of the Wiser site. Mr. Wiser stated that the Wiser office and the Citizens office both have a "fair amount of traffic." He also stated that at times a delivery truck blocks the entrance/exit point on the south part of the site.

Ms. Branch queried whether the Betzler traffic exiting at a northern access point would hold up traffic from the southern drive. Traffic at the southern drive would have to wait for a let-up in the northern access traffic in order to exit to reach Stadium Drive.

There was discussion by Mr. Wiser indicating that, if two access points were allowed, the Fire Department fire lane would be unnecessary. Four to six parking spaces could be added to the site. After discussion, it was clarified that two spaces could be added in that the dumpster is located so as to block any further parking being established in the area.

Ms. Branch wondered whether the applicant had offered enough traffic information. Mr. Miller felt that the information offered by Mr. Betzler as to "stacking" on Stadium Drive, number of funerals exceeding 100 vehicles, etc., had been sufficient. It was noted that Mr. Betzler had stated that at least 20 times in 1993 he had had funerals with over 100 cars. Mr. Saunders felt that the information provided was sufficient. Mr. Dyhloff was unsatisfied with the information which had been offered. The attorney stated that the ordinance required a "traffic analysis"; however, the level of sophistication of the analysis

would be dependent on the access arrangements proposed, location of site, nature of streets/roads abutting same, etc. Therefore, in certain cases, a complex and detailed analysis would be necessary where in other cases a rudimentary analysis would suffice.

The Chairperson questioned Mr. Wiser as to his office hours and, after some problem answering, Mr. Wiser indicated that office hours for the Wiser portion of the site were generally from 8:00 a.m. to 10:00 p.m. Citizens Insurance had office hours from 8:00 a.m. to 5:00 p.m.

Mr. Saunders wondered whether it would make sense to allow one-way in and one-way out but waive the design and reconstruction criteria.

Mr. Miller moved to allow two full service driveways on Fairgrove and approve the parking lot connection as proposed. Mr. Miller reasoned that, pursuant to Section 67.400.3 and .4, a second full service drive was warranted to facilitate the movement of traffic into and from the Betzler Funeral Home. His motion was conditioned on a cross-access arrangement being executed, recorded and on file with the Township. The motion was seconded by Mr. Saunders. Upon a vote on the motion, the motion did not carry in that the Chairperson, Ms. Branch and Mr. Dylhoff voted in opposition.

There was a brief recess, and the Board reconvened at 5:12 p.m.

The Chairperson sought input from the applicant. Mr. Chojnowski stated that there were two possibilities: (1) to deed the frontage to Betzler so that the site is no longer located on an arterial, and (2) to leave access as is with an entrance-only/exit-only paired-driveway system. The entrance/exit-only, however, would require no construction change and be designated with pavement marking and signage only.

Mr. Saunders moved to amend the site plan, allowing the parking lot connection proposed and allowing an entrance-only/exit-only paired-drive system with a waiver of the design requirements; the paired-drive's entrance only/exit only would be designated with pavement markings and signage only. Mr. Saunders reasoned that, due to the movement off Fairgrove, there was no need for construction changes to the drive.

Ms. Harvey noted that a ~~drive designed for full movement~~ ~~full movement drive~~ cannot ~~normally effectively~~ function as a paired-drive system. Mr. Saunders commented that he did not feel that in every case a full-movement driveway could function as a paired-drive system without reconstruction; but in this particular case, given its location on Fairgrove and the fact that the southernmost drive was closest to Stadium Drive and was therefore the natural entrance point, traffic could be directed to exit on the northernmost point by pavement marking and signage only. Further, reconstruction of the drives, due to their orientation to Stadium Drive, would not have a practical effect of directing traffic in and out of the correct drive. Mr. Saunders reasoned that there was no way to redesign or reconstruct the "one-way-out" drive so that traffic would not go in same. There was no immediate second for the motion. After further discussion, Ms. Branch seconded Mr. Saunders' motion. Upon a vote on the motion, the motion carried 4:1 with Mr. Dylhoff voting in opposition.



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
616-375-4260 FAX 375-7180 TDD 375-7198

To: Zoning Board of Appeals

Meeting Date: 7-21-97

From: Planning/Zoning Department

Agenda Item: #6

Applicant: Ed Schippers
Representing Midwest Auto Collision

Property In Question: Midwest Auto Collision
6415 West KL Avenue

Reference Vicinity Map

Zoning District: "I-1" Industrial District (Manufacturing & Service)

Request: Time Extension For Completion of Building Addition In Compliance With
The Site Plan Approved 9-9-96.

Ordinance Section(s): Section 82.900 - Conformity To Approved Site Plan
Section 84.200 - Certificate of Occupancy

Planning/Zoning Department Report:

Background Information

- On 9-9-96, the ZBA granted Site Plan Approval for a proposed 3,300 sq. ft. building addition (2,700 sq. ft. storage addition and 600 sq. ft. office addition) to the existing Midwest Auto Collision facility.

Reference 9-9-96 ZBA Minutes

- The Applicant has completed construction activities associated with the building addition, however, several site issues remain incomplete.

- The Applicant has been occupying the building addition without a Certificate of Occupancy since April of 1997.
- The Applicant requests continued occupancy of the building addition and a time extension for completion of the following site work:
 1. Final coat of asphalt
 2. Dumpster relocation
 3. Guardrail - east and south side
 4. Stockade fence - south side of property
 5. Finish grade - seed or sod
 6. Landscaping

Department Review

- Section 82.900 requires that *“property which is the subject of Site Plan approval must be developed in strict compliance with the approved Site Plan.....”*.
- Section 84.200 states that *“it shall be unlawful to use or permit the use of any building or premises.....until a Certificate of Occupancy has been issued.....certifying that the structure or use complies with the Ordinance”*.
- In consideration of the request for a time extension on the completion of the building addition in conformance with the Site Plan Approval, consider the following:
 - : The Applicant sets forth as a basis for delay in completion of the subject site as approved *“need to finish landscaping and fence, waiting on excavator”*.
 - : The ZBA has granted time extensions for compliance on select requests. Reference ZBA consideration of the following time extension requests:

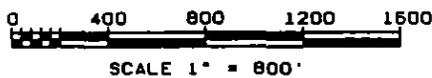
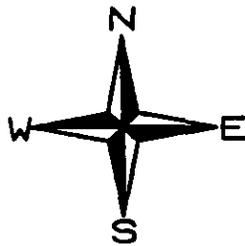
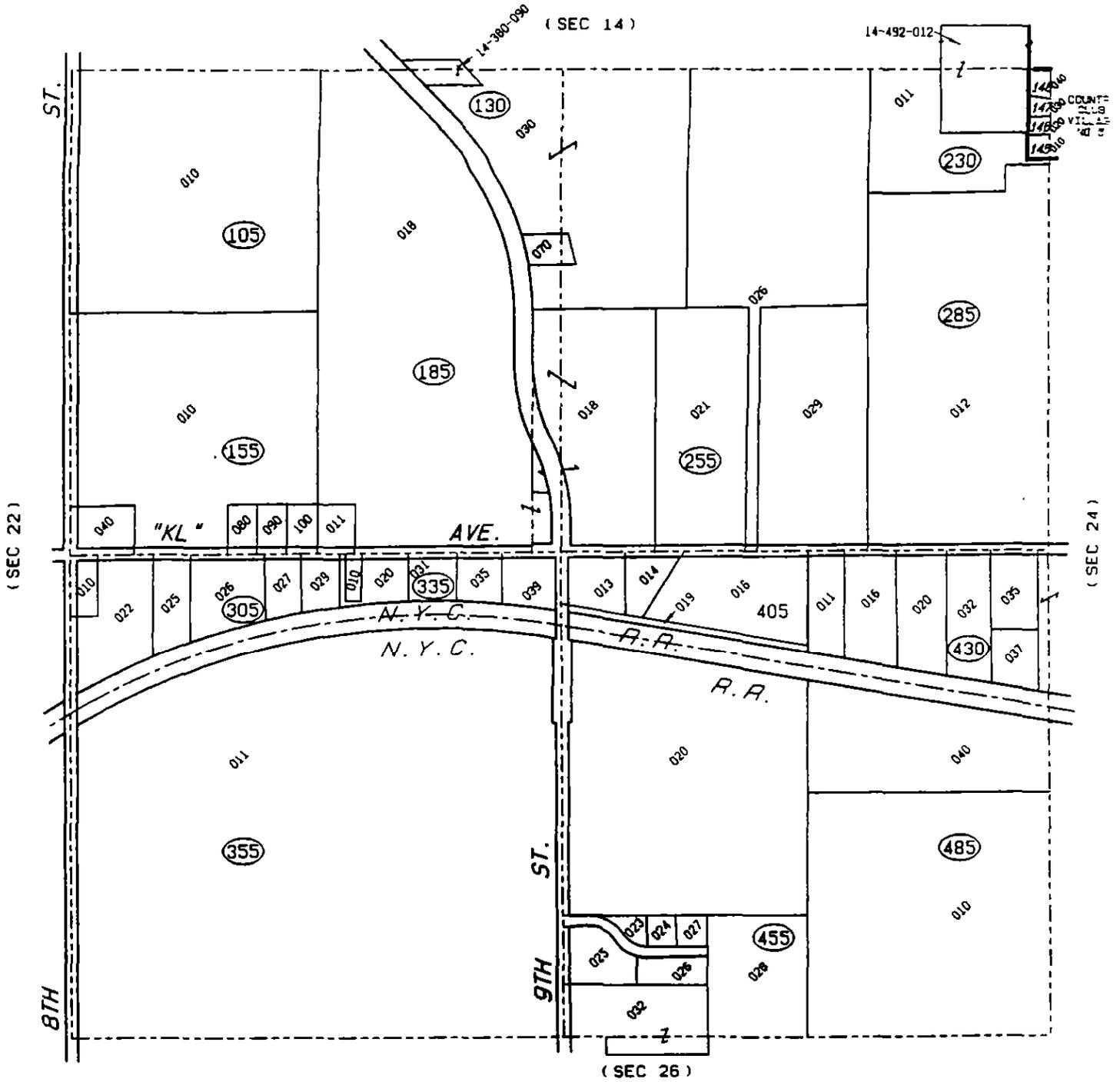
3-3-97	ProSource	Granted
2-24-97	Universal Images	Granted
3-18-96	Fieldstone Building Group	Granted
2-5-96	Southwestern Employees Credit Union	Granted
2-22-94	Konvalinka Dental Office	Granted
12-6-93	Welling, Ripley, & Labs	Granted

- : Section 82.950 sets forth the authority of the ZBA to require a performance bond *“to insure the development of the site in accordance with the approved plans.”*

- ZBA action on the request for a time extension should incorporate the following:

1. Identification of all incomplete site work.
2. Basis for granting a time extension.
:unique and/or physical circumstances
:past decisions in similar situations
3. Time deadline for completion of all incomplete site work.
4. Compliance with Township Engineer and Township Fire Department review/approval.
5. Consideration of the application of Section 82.950-Performance Bond.

SECTION 23



DATE: AUGUST 25, 1993
 REVISED DATE: MARCH 8, 1996
 PRINTED DATE: MARCH 21, 1996

OSHTEMO CHARTER TOWNSHIP ZONING BOARD OF APPEALS

MINUTES OF MEETING HELD SEPTEMBER 9, 1996

Agenda

MIDWEST AUTO COLLISION - SITE PLAN REVIEW - PROPOSED ADDITION TO EXISTING FACILITY - 6415 WEST KL AVENUE

AUTOMOTIVE WERKS - SITE PLAN REVIEW - PROPOSED 3,500 SQ. FT. AUTO REPAIR FACILITY - EAST SIDE OF S. 9TH ST. SOUTH OF HANNAPEL HOME CENTER

UNIVERSAL IMAGES - SITE PLAN REVIEW - PROPOSED ADDITION TO EXISTING HAIR SALON/VARIANCE FROM SETBACK REQUIREMENTS - 2005 INVERWAY COURT (LOT 7, WHITEGATE SQUARE)

WINDSOR ESTATES - VARIANCE REQUEST FROM ON-SITE STORMWATER RETENTION REQUIREMENT - 1827 S. 11TH STREET

A meeting was conducted by the Oshtemo Charter Township Zoning Board of Appeals on Monday, September 9, 1996, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall, pursuant to notice.

MEMBERS PRESENT: Brian Dylhoff, Chairperson
 Lara Meeuwse
 Thomas Brodasky
 William Saunders
 Elaine Branch

MEMBERS ABSENT: None

Also present were Rebecca Harvey, Township Planning and Zoning Department, Patricia R. Mason, Township Attorney, and seven (7) other interested persons.

CALL TO ORDER

The Chairperson called the meeting to order at 3:02 p.m.

MINUTES

The Board discussed the minutes of the meeting of August 19, 1996. Ms. Meeuwse pointed out a typographical error on page 4 in that two words were repeated. Ms. Meeuwse

moved to approve the minutes as amended, and Mr. Brodasky seconded the motion. The motion carried unanimously.

The Board next discussed the minutes of the meeting of August 26, 1996. Mr. Brodasky suggested a change to page 6 to indicate that the proposed addition could not be located on the east side of the site. Ms. Meeuwse pointed out typographical errors on pages 1 and 2. Ms. Meeuwse moved to approve the minutes as amended. Mr. Brodasky seconded the motion. The motion carried unanimously.

MIDWEST AUTO COLLISION - SITE PLAN REVIEW - PROPOSED ADDITION TO EXISTING FACILITY - 6415 WEST KL AVENUE

The next item was the application of Carl Frederick of Frederick Construction, representing Midwest Auto Collision, for site plan review of a proposed addition (2,700 sq. ft. storage addition and 600 sq. ft. office addition) to the existing facility. The subject site is located at 6415 West KL Avenue and is within the "I-1" Industrial District Zoning classification.

The report of the Planning and Zoning Department is incorporated herein by reference. Ms. Harvey noted that there were two main issues: (1) parking adequacy and (2) outdoor storage of vehicles. She felt that a revised plan could be submitted to the Township showing this information and approval could be conditioned upon receipt of the revised plan.

The applicant was present and stated there was plenty of room on the site for additional parking if necessary. He noted that no additional employees would be hired. The new addition would eliminate some need for outdoor storage of vehicles. He stated that the owner owns approximately 50' (additional 30' not shown on the plan) on the west side of the property and intends in the future to enclose the area for storage. It was recognized that this would require a return to the Zoning Board of Appeals at a future date.

There was discussion of the issue of outdoor storage of vehicles, and the applicant indicated that the business had always had outdoor storage. Ms. Harvey pointed out that the facility's site plan was not approved for outdoor storage but recognized that the site does include such storage. However, outdoor storage is allowed in the "I-1" District and therefore would be approvable by the Board if the location could be identified on the plan. The applicant responded that the storage currently takes place on the east side of the building, east of the main parking lot, off the pavement. Ms. Branch questioned the applicant as to the condition of the cars stored in this area, and the applicant responded that they are "wrecked." He noted that cars are dropped off by wreckers or by customers (if cars are drivable) and may be located in this area for a week maximum.

Ms. Meeuwse questioned the applicant as to the size of the office addition, and he responded it was approximately 600 square feet.

Again the Board returned to discussion of outdoor storage, with the suggestion made to the applicant that an area be set aside and designated as the location for outdoor storage of vehicles. The applicant proposed extending the paving of the parking area to the east and designating the area as outdoor storage.

Ms. Meeuwse questioned the applicant as to how many service bays are involved in the business. The applicant stated there are currently 13 bays, and the new addition would include 4-6 additional bays or work stations. There were seven employees in the business, and no additional employees would be involved after the addition was constructed. The current office space in the building would become a break room for the employees.

There was discussion of parking, with the applicant stating there was use of 6-7 spots "in front of the building on the gravel area." Ms. Harvey noted that the site plan currently has eight approved parking spaces, none of which were on the gravel in front of the building. It appeared that the applicant needed a total of at least ten spaces, and the applicant responded that the parking lot could be extended south to accommodate two additional spaces.

The Chairperson questioned the applicant with regard to the dumpster location. It was stated that the dumpster would be placed between existing concrete and new concrete on the southeast side. The area would be paved. There was a question as to whether trucks would have sufficient area to back in, and it was recognized that at present the trucks do run onto the gravel when attempting to access the dumpster. Board members agreed there seemed to be a need for additional paving of a truck turnaround for the dumpster area.

There was discussion of the overhead doors, and the applicant stated there would be overhead doors on the east side of the new addition. There are overhead doors on the east and west sides of the existing building. The west side of the building currently is unpaved, and it was noted that this area would need to be paved if it was part of the site circulation plan.

As to lighting, in response to questioning by Ms. Meeuwse, the applicant indicated a building light would be added to the new addition. It was recognized that additional information as to the wattage and type of fixture, etc., would need to be submitted to the Township.

The Chairperson called for public comment, and none was offered. The public hearing was closed.

Ms. Meeuwse asked whether any floor drain would be involved in the addition, and the applicant responded that there would be no floor drain.

Mr. Brodasky moved to approve the site plan with the following conditions, limitations and notations:

- (1) That the existing access arrangement is not proposed to be altered.
- (2) That two additional parking spaces to the south of the east parking lot must be added, and parking to the north of the building on the unpaved area must be discontinued.
- (3) That all parking was subject to compliance with parking space dimensional standards of 10' x 20'.
- (4) That all barrier-free parking be subject to ADA and Michigan Barrier-Free Guidelines and be designated by signage and pavement logo.
- (5) That the dumpsters were to be enclosed on three sides and located on a paved surface. The dumpster arrangement must be detailed on the plan for review and approval by Township staff. Additionally, necessary paving for a truck turnaround to access the dumpster was needed.
- (6) That the overhead doors located on the west side were not to be used for ingress or egress of vehicles unless the west side of the site is paved.
- (7) That paving on the east side of the site would be extended and the area designated for storage of vehicles. It was anticipated that vehicles would be located in this area for up to one week and therefore such parking was not considered contrary to the outdoor storage provisions of the Ordinance.
- (8) That all proposed lighting was subject to compliance with Section 78.700 and must be detailed for review and approval pursuant to Section 78.700(g).
- (9) That no additional signage was proposed or approved.
- (10) That no additional screening was required.
- (11) That approval was subject to the review and approval of the Township Fire Department and Township Engineer.
- (12) That approval was subject to compliance with the Groundwater Protection Standards and with Section 69.200.
- (13) That it was required that a revised site plan detailing parking, outdoor storage areas, dumpster detail, lighting, etc., be submitted to Township staff for review and approval for compliance with the Zoning Ordinance and with the conditions of this approval.

Mr. Saunders seconded the motion, and the motion carried unanimously.

7/21 ZBA.



7275 W. MAIN STREET, KALAMAZOO, MI 49009-93
616-375-4260 FAX 375-7180 TDD 375-71

REQUEST FOR ZONING BOARD OF APPEALS MEETING

Date 6-19-97 Present Zoning Z1 Fee \$100

Land Owner ED Schippers - Co-owner

Address 6415 West. K.L. Ave Phone 372-1337

Person Making Request Ed Schippers

Address 8495 West. K.L. Ave. Phone 372-9440

Interest in Property Owner.

Size of Property Involved 3 Acres approx.

Reason for Request Need To finish land scaping +
fence, waiting on excavator.

**CHARTER TOWNSHIP
OF OSHTEMO**
7275 W. MAIN STREET
KALAMAZOO, MI 49009
616-375-4260

7/02/97 JF

053714 ZBA REQUEST/MIDWEST 100.00
TOTAL PAID 100.00

THANK YOU

CR # 6584
Dated 6-19-97



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
616-375-4260 FAX 375-7180 TDD 375-7198

June 30, 1997

Site inspection for Midwest Auto Body.

Incomplete Items:

Final Coat of Asphalt

Dumpster Relocation

Guardrail - East and South Side

Stockade Fence - South Side of Property

Finish Grade - Seed or Sod

Landscaping



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
616-375-4260 FAX 375-7180 TDD 375-7198

REQUEST FOR ZONING BOARD OF APPEALS MEETING

Date 6-24-97 Present Zoning "C" Fee \$100

Land Owner IMPERIAL OIL

Address 5115 E PICKARD Phone 517 773-9921

Person Making Request Mr. Pleasant 48858 BILL WALKER

Address _____ Phone _____

Interest in Property MAINTENANCE SUPERVISOR

Size of Property Involved _____

Reason for Request CHANGING FROM UNION 76 TO MARATHON

Need to increase size size

CHARTER TOWNSHIP
OF OSHTEMO
7275 W. MAIN STREET
KALAMAZOO, MI 49009
616-375-4260

6/24/97 JF

053586 ZBA REQUEST/IMPERIAL 100.00
TOTAL PAID 100.00

THANK YOU

Imperial Oil

3905-13-180-040

Royal

13-180-010

Consumers

025

Much State Hury

028

Carlos Murphy's

0

033

Ash. Ltd Div

034

Carlos Murphy's (Dup.)

No 0

035

Maple Realty

039

Two Squared

13-330-010

Much State Hury (Dup.)

No 0

020

Consumers (Dup.)

No 0

13-401-070

BRE

082

Pentecost

092

Chi Chi's

Mr. Bill Walker
Imperial Company Inc.
P.O. Box 408
Mt. Pleasant, MI 48804-0408

13-180-034
TWO SQUARE DEV (LENNON ROBERT)
CARLOS MURPHYS
4725 N SCOTTSDALE ROAD STE 350
SCOTTSDALE AZ 85251

13-180-035
MAPLE REALTY
5622 WEST MAIN
KALAMAZOO MI 49009

13-180-040
ROYAL PETROLEUM INC
PO BOX 408
MT PLEASANT MI 48858

13-180-039
TWO SQUARED DEVELOPMENT
LENNON ROBERT
425 WEST MICHGIAN AVENUE
KALAMAZOO MI 49007

13-180-040
OCCUPANT
5658 WEST MAIN
KALAMAZOO, MI 49009

13-401-070
BRE LLC
RUSS' RESTAURANT
390 EAST 8TH STREET
HOLLAND MI 49423

13-180-010
CONSUMERS POWER COMPANY
ATT R J TREVILLIAN
2400 WEISS STREET
SAGINAW MI 48602

13-401-070
OCCUPANT
5519 WEST MAIN
KALAMAZOO, MI 49009

13-180-025
MICHIGAN STATE HIGHWAY DEPT
TWO SQUARED DEVELOPMENT
425 WEST MICHIGAN AVENUE
KALAMAZOO MI 49007

13-401-082
PENTECOST JOE D
6046 SOUTH CEDAR SUITE C
LANSING MI 48911

13-180-028
EDC CO OF KAL (TWO SQ DEV)
CARLOS MURPHYS
4725 N SCOTTSDALE ROAD STE 350
SCOTTSDALE AZ 85251

13-401-082
OCCUPANT
5601 WEST MAIN
KALAMAZOO, MI 49009

13-180-028
OCCUPANT *Returned*
5650 WEST MAIN
KALAMAZOO, MI 49009

13-401-092
CHI CHI'S INC #0019
2701 ALTON AVENUE
IRVINE CA 92714

13-180-033
OSHTMO LTD DIV HSY ASSN
600 WEST ST JOSEPH STREET
LANSING MI 48933 *Returned*

13-401-092
OCCUPANT
5609 WEST MAIN
KALAMAZOO, MI 49009

6/25/97 JF

053614 SITE PLAN/L.HARRIS 600.00
TOTAL PAID 600.00

THANK YOU



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9333
616-375-4260 FAX 375-7180 TDD 375-7193

SITE PLAN REVIEW APPLICATION

Date: 6-23-97 Present Zoning: 6-1 Fee: \$600.00

Land Owner: Including the names & addresses of any officers of a corporation or partners of a partnership). Documentation is required.

Stadium Fairgrove LLC
5340 Holiday Terrace
Kalamazoo, MI 49009

Person Making Request: Larry Harris

Address: 3503 Greenleaf Blvd Kalamazoo MI 49008 Phone: 375-6859

Interest in Property: Site Planner/Landscape Architect

Size of Property Involved: 2.01 Acres (26-440-015 + 019)

Legal Description of Property Involved: See Attached Description

General Description of the Proposed Development: 9000 S.F. +/-

Office Building

List Supporting Documents attached to the application, if any: _____

See Attached site Plan

I, the undersigned, acknowledge that approval of this site plan constitutes an agreement with the Charter Township of Oshtemo, that all improvements and obligations must be developed in strict compliance with the approved site plan and any amendments or conditions imposed, and shall be completed within the time specified under Site Plan Review.

Owner/Agent

Phoenix Properties

3905-26-440-015 Orchard Place
019 Emro

26-440-011 Kal Co Rd. Comm.
021 Wiser
026 Betzler

26-430-010 Boven
020 Lockett
030 Ellis
040 Ross
200 Wilson
210 O'Connor
220 Weaver
230 Humphrey
240 Walter
250 Daniel
380 Williams
390 Worthy
400 Lawson

26-460-011 State Farm
021 Bruce

26-480-010 Kinney
020 Westbrook
033 Bearcreek

3905-26-482 - 001 Danford Creek
002 " "
003 " "
004 " "
005 " "
006 " "
007 Caron
008 Weisert
009 Danford Creek
010 " "
011 Sherman
012 Limestone
013 Field
014 Danford Creek
015 " "
016 " "
017 " "
018 Ryan
019 Jepkema
020 Antons
021 Danford Creek
022 Baker
023 Worthen
024 Wolownik
025 Burrell
026 Jacinsky
027 Danford Creek
028 Ebert
029 Fisher

3905-26-482-030

031	Zebanek
032	Cyuchna
033	Miller
034	Walcott
035	Hazard
036	Hettinga
037	Mc Clinney
038	Romanetz
039	Hagg
040	Murphy
041	Daines
042	Nendorf
043	Branch
044	Lugauer
045	Beacock
046	Boudeman
047	Bell
048	Grathwol
	Hanthorn

Larry L. Harris
3503 Greenleaf Boulevard
Kalamazoo, MI 49008

26-430-200
WILSON DOREEN A
2641 WILDEMERE STREET
KALAMAZOO MI 49009

Stadium Fairgrove LLC
5340 Holiday Terrace
Kalamazoo, MI 49009

26-430-210
O'CONNOR JOSEPH & SUSAN
2671 WILDEMERE STREET
KALAMAZOO MI 49009

26-440-015
ORCHARD PLACE PARTNERSHIP
PHOENIX PROPERTIES
PO BOX 20000
KALAMAZOO MI 49019

26-430-220
WEAVER JOHN & LENA
2701 WILDEMERE STREET
KALAMAZOO MI 49009

26-440-015
OCCUPANT
6200 STADIUM DRIVE
KALAMAZOO, MI 49009

26-430-230
HUMPHREY STEPHEN J & RUTHANN
2670 FAIRGROVE STREET
KALAMAZOO MI 49009

26-440-019
EMRO MARKETING COMPANY
PROPERTY TAX DEPARTMENT
539 SOUTH MAIN STREET
FINDLAY OH 45840

26-430-240
WALTER TOD R/PARIKH CATHERINE
2642 FAIRGROVE STREET
KALAMAZOO MI 49009

26-440-019
OCCUPANT
6150 STADIUM DRIVE
KALAMAZOO, MI 49009

26-430-250
DANIEL GEORGE JR TRUST
2612 FAIRGROVE STREET
KALAMAZOO MI 49009

26-440-011
KALAMAZOO COUNTY ROAD COMM
3801 EAST KILGORE ROAD
KALAMAZOO MI 49001

26-430-380
WILLIAMS CARL & EMMA MAE
2611 FAIRGROVE STREET
KALAMAZOO MI 49009

26-440-021
WISER RONALD
6100 STADIUM DRIVE
KALAMAZOO MI 49009

26-430-390
WORTHY RICHARD & GWINDLAND
2641 FAIRGROVE STREET
KALAMAZOO MI 49009

26-440-026
BETZLER ROY A
6080 STADIUM DRIVE
KALAMAZOO MI 49009

26-430-400
LAWSON GARY D & REBECCA
2608 STRATHMORE STREET
KALAMAZOO MI 49009

26-430-010
BOVEN MICHELE/SCHANER LOUISE
2746 WILDEMERE STREET
KALAMAZOO MI 49009

26-460-011
STATE FARM AUTO INSURANCE
CORP TAX DEPARTMENT RE641
ONE STATE FARM PLAZA
BLOOMINGTON IL 61710

26-430-020
LOCKETT LEONARD D & MARY M
2732 WILDEMERE STREET
KALAMAZOO MI 49009

26-460-011
OCCUPANT
6312 STADIUM DRIVE
KALAMAZOO, MI 49009

26-430-030
ELLIS WOODROW & LILLIAN
2702 WILDEMERE STREET
KALAMAZOO MI 49009

26-460-021
BRUCE LUTHER & LINDA
5128 E MOUNTAINVIEW ROAD
PARADISE VALLEY AZ 85253

26-430-040
ROSS WILLIAM D & SUZETTE P
2672 WILDEMERE STREET
KALAMAZOO MI 49009

26-480-010
KINNEY MARY JANE
P O BOX 407
OSHTENO MI 490??

OCCUPANT *Returned* 26-480-010
6227 STADIUM DRIVE
KALAMAZOO, MI 49009

OCCUPANT 26-482-005
6109 DANFORD CREEK DR #2
KALAMAZOO, MI 49009

WESTBROOK MANOR NURSING HOME 26-480-020
ROSTIN JOSEPH A
755 SKOKIE BOULEVARD #285
NORTHBROOK IL 60062

DANFORD CREEK LLC 26-482-006
PO BOX 437
OSHTENO MI 49077

OCCUPANT 26-480 020
6203 STADIUM DRIVE
KALAMAZOO, MI 49009

OCCUPANT 26-482-006
6109 DANFORD CREEK DR #1
KALAMAZOO, MI 49009

BEAVERCREEK ACQUISITIONS LLC 26-480 033
HOMES DAVID
PO BOX 20000
KALAMAZOO MI 49019

CARON JOHN & KATHLEEN 26-482-007
CAMPBELL WILLIAM & MARTHA
5933 SOUTH 9TH STREET
KALAMAZOO MI 49009

DANFORD CREEK LLC 26-482 001
PO BOX 437

OCCUPANT 26-482-007
6067 DANFORD CREEK DR #4
KALAMAZOO, MI 49009

OCCUPANT 26-482-001
6067 DANFORD CREEK DR #2
KALAMAZOO, MI 49009

WEISSERT DAVID 26-482-008
1425 HIGHGATE
KALAMAZOO MI 49009

DANFORD CREEK LLC 26-482-002
PO BOX 437
OSHTENO MI 49077

OCCUPANT 26-482-008
6067 DANFORD CREEK DR #3
KALAMAZOO, MI 49009

OCCUPANT 26-482-002
6067 DANFORD CREEK DR #1
KALAMAZOO, MI 49009

DANFORD CREEK LLC 26-482-009
PO BOX 437
OSHTENO MI 49077

DANFORD CREEK LLC 26-482-003
PO BOX 437
OSHTENO MI 49077

OCCUPANT 26-482-009
6081 DANFORD CREEK DR #4
KALAMAZOO, MI 49009

OCCUPANT 26-482-003
6081 DANFORD CREEK DR #2
KALAMAZOO, MI 49009

DANFORD CREEK LLC 26-482-010
PO BOX 437
OSHTENO MI 49077

DANFORD CREEK LLC 26-482-004
PO BOX 437
OSHTENO MI 49077

OCCUPANT 26-482-010
6081 DANFORD CREEK DR #3
KALAMAZOO, MI 49009

OCCUPANT 26-482-004
6081 DANFORD CREEK DR #1
KALAMAZOO, MI 49009

SHERMAN RICHARD 26-482-011
6109 DANFORD CREEK DR #4
KALAMAZOO MI 49009

DANFORD CREEK LLC 26-482-005
PO BOX 437
OSHTENO MI 49077

FIRESTONE GREGORY A & DAWN E 26-482-012
9522 NW 8TH CIRCLE
PLANTATION FL 33324

26-482-012
OCCUPANT
6109 DANFORD CREEK DR #3
KALAMAZOO, MI 49009

26-482-020
ANTONS MARIS J & BERZINS ILZE
10960 DELIHANT ROAD
THREE RIVERS MI 49093

26-482-013
FIELD JENNIFER E
6042 DANFORD CREEK DR #2
KALAMAZOO MI 49009

26-482-020
OCCUPANT *Returned*
6042 DANFORD CREEK DR #3
KALAMAZOO, MI 49009

26-482-014
DANFORD CREEK LLC
PO BOX 437
OSHTENO MI 49077

26-482-021
DANFORD CREEK LLC
PO BOX 437
OSHTENO MI 49077

26-482-014
OCCUPANT
6042 DANFORD CREEK DR #1
KALAMAZOO, MI 49009

26-482-021
OCCUPANT
6034 DANFORD CREEK DR #4
KALAMAZOO, MI 49009

26-482-015
DANFORD CREEK LLC
PO BOX 437
OSHTENO MI 49077

26-482-022
BAKER ANTHONY B
6034 DANFORD CREEK DRIVE #3
KALAMAZOO MI 49009

26-482-015
OCCUPANT *Returned*
6034 DANFORD CREEK DR #2
KALAMAZOO, MI 49009

26-482-023
WORTHEN LARRY D & CHARLOTTE
6028 DANFORD CREEK DR #4
KALAMAZOO MI 49009

26-482-016
DANFORD CREEK LLC
PO BOX 437
OSHTENO MI 49077

26-482-023
OCCUPANT
6028 DANFORD CREEK DR #4
KALAMAZOO, MI 49009
Same as above

26-482-016
OCCUPANT
6034 DANFORD CREEK DR #1
KALAMAZOO, MI 49009

26-482-024
WOLOWNIK ROBERT
6028 DANFORD CREEK DR #3
KALAMAZOO MI 49009

26-482-017
DANFORD CREEK LLC
PO BOX 437
OSHTENO MI 49077

26-482-025
BURRELL SONJA/BENNETT R & B
2917 DANFORD CREEK DR #2
KALAMAZOO MI 49009

26-482-017
OCCUPANT
6028 DANFORD CREEK DR #2
KALAMAZOO, MI 49009

26-482-026
JASINSKY FRANK
5977 SHADYWOOD DRIVE
KALAMAZOO MI 49009

26-482-018
RYAN JAMES & BARBARA
1827 CHEVY CHASE
KALAMAZOO MI 49008

26-482-026
OCCUPANT *Returned*
2917 DANFORD CREEK DR #1
KALAMAZOO, MI 49009

26-482-018
OCCUPANT
6028 DANFORD CREEK DR #1
KALAMAZOO, MI 49009

26-482-027
DANFORD CREEK LLC
PO BOX 437
OSHTENO MI 49077

26-482-019
JEPKEMA ANN
6042 DANFORD CREEK DR #4
KALAMAZOO MI 49009

26-482-027
OCCUPANT
2935 DANFORD CREEK DR #2
KALAMAZOO, MI 49009

26-482-028
EBERT NANCY K
2935 DANFORD CREEK DRIVE #1
KALAMAZOO MI 49009

26-482-037
OCCUPANT
6031 DANFORD CREEK DR #2
KALAMAZOO, MI 49009
Same as above

26-482-028
OCCUPANT
2935 DANFORD CREEK DR #1
KALAMAZOO, MI 49009
Same as above

26-482-038
HAGG LAWRENCE J
6031 DANFORD CREEK DRIVE #1
KALAMAZOO MI 49009

26-482-029
FISHER D/RICHARD F & DONNA J
2949 DANFORD CREEK DR #2
KALAMAZOO MI 49009

26-482-039
MURPHY ED & NANCY
3851 WOODMAN DRIVE
TROY MI 48084

26-482-030
ZEBRANEK JOEL D *Returned*
2949 DANFORD CREEK DR #1
KALAMAZOO MI 49009

26-482-039
OCCUPANT
6039 DANFORD CREEK DR #2
KALAMAZOO, MI 49009

26-482-031
CZUCHNA JODI K
12810 MERLAU ROAD
PLAINWELL MI 49080

26-482-040
DAINES CYNTHIA K
6039 DANFORD CREEK DRIVE #1
KALAMAZOO MI 49009

26-482-031
OCCUPANT
2917 DANFORD CREEK DR #4
KALAMAZOO, MI 49009

26-482-040
OCCUPANT
6039 DANFORD CREEK DR #1
KALAMAZOO, MI 49009
Same as above

26-482-032
MILLER MICHAEL G
2917 DANFORD CREEK DR #3
KALAMAZOO MI 49009

26-482-041
NENDORF KURT
LINGBEEK JOHN
4613 EVENTIDE AVENUE
KALAMAZOO MI 49009

26-482-033
WALCOTT DELORES D *Returned*
3073 DANFORD CREEK DR #3
KALAMAZOO MI 49009

26-482-041
OCCUPANT
6047 DANFORD CREEK DR #2
KALAMAZOO, MI 49009

26-482-033
OCCUPANT
2935 DANFORD CREEK DR #4
KALAMAZOO, MI 49009

26-482-042
BRANCH CHERI
6047 DANFORD CREEK DR #1
KALAMAZOO MI 49009

26-482-034
HAZARD DOROTHY F
2935 DANFORD CREEK DRIVE #3
KALAMAZOO MI 49009

26-482-043
LUGAUER JOHN M
6031 DANFORD CREEK DR #4
KALAMAZOO MI 49009

26-482-035
HETTINGA WENDY L
2949 DANFORD CREEK DR #4
KALAMAZOO MI 49009

26-482-044
PEACOCK RYAN F *Returned*
6031 DANFORD CREEK DR #3
KALAMAZOO MI 49009

26-482-036
MCCLLENNEY ROBERT JR
2949 DANFORD CREEK DRIVE #3
KALAMAZOO MI 49009

26-482-045
BOUDEMAN SHERWOOD D
3730 DOUBLEDAY DRIVE
RICHLAND MI 49083

26-482-037
ROMANETZ HARRY/MAJDAN MILLIE
6031 DANFORD CREEK #2
KALAMAZOO MI 49009

26-482-045
OCCUPANT
6039 DANFORD CREEK DR #4
KALAMAZOO, MI 49009

26-482-048
HANTHORN REBECCA
6047 DANFORD CREEK DRIVE #3
KALAMAZOO MI 49009

26-482-048
OCCUPANT
6047 DANFORD CREEK DR #3
KALAMAZOO, MI 49009
Same as above

26-482-049
BELL TERENCE T *Returned*
6039 DANFORD CREEK DR #3
KALAMAZOO MI 49009

26-482-047
GRATHWOL DORIS I
6047 DANFORD CREEK DRIVE #4
KALAMAZOO MI 49009

7/21 ZBA.



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
616-375-4260 FAX 375-7180 TDD 375-7198

REQUEST FOR ZONING BOARD OF APPEALS MEETING

Date 6-19-97 Present Zoning F1 Fee \$100

Land Owner ED Schippers - co-owner

Address 6415 West. K.L. Ave Phone 372-1337

Person Making Request Ed Schippers

Address 8495 West. K.L. Ave. Phone 372-9440

Interest in Property Owner.

Size of Property Involved 3 Acres. approx.

Reason for Request Need To finish land scaping +
Fence, waiting on excavator.

**CHARTER TOWNSHIP
OF OSHTEMO**
7275 W. MAIN STREET
KALAMAZOO, MI 49009
616-375-4260

7/02/97 JF

053714 ZBA REQUEST/MIDWEST 100.00
TOTAL PAID 100.00

THANK YOU

CR # 6584
Dated 6-19-97

Midwest Auto Body

3905-23-405-015 Midwest

23-405-013 ~~Khaj~~ BlackBerry
014 Top
019 "
020 Heritage

23-255-018 Khaj
021 Holmes/Meyers/Hamilton

Ed Schippers
8495 West "KL" Avenue
Kalamazoo, MI 49009

23-405-015
KUIVENHOVEN PETER & DOROTHY
BRULE J/SCHIPPERS E/BRITTEN L
6415 WEST KL AVENUE
KALAMAZOO MI 49009

23-405-013
SCHMITT RICHARD N & JEAN T
BLACKBERRY SYSTEMS INC
6477 WEST KL AVENUE
KALAMAZOO MI 49009

23-405-020
HERITAGE BAPTIST ACADEMY ASSOC
8828 NORTH DOUGLAS AVENUE
KALAMAZOO MI 49004

23-255-018
KHAJ ZAFAR V & BARBARA A
2125 OAKLAND DRIVE
KALAMAZOO MI 49008

23-255-021
HOLMES IRENE
MEYERS BEVERLY A
HAMILTON PATRICIA A
6922 LOVERS LANE
PORTAGE MI 49002