

7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
269-216-5220 Fax 375-7180 TDD 375-7198
www.oshtemo.org

**NOTICE
OSHTEMO CHARTER TOWNSHIP
Zoning Board of Appeals**

**Tuesday,
June 26, 2018
3:00 p.m.**

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Public Comment on Non-Agenda Items
4. Approval of Minutes: May 22, 2018
5. **Public Hearing: Sign Variance Request**
A variance has been requested by The Vernon Group, from Section 76.420.C of the Township Zoning Ordinance, to erect a freestanding sign with zero setback from the West Main Street right-of-way when ten feet is typically required. The subject property is located at 5945 West Main Street, Kalamazoo, MI 49009, within the C: Local Business District. Parcel No. 3905-14-435-011.
6. **Public Hearing: Sign Variance Request**
A variance has been requested by Allied Signs, Inc., on behalf of Oshtemo Hotels, LLC, from Section 76.170 of the Township Zoning Ordinance, to place the top of a wall sign approximately 43 feet above grade when only 30 feet is allowed. The subject property is located at 5724 West Main Street, Kalamazoo, MI 49009, within the C: Local Business District. Parcel No. 3905-13-130-030.
7. **Site Plan Review: Hurley & Stewart Office Addition**
Hurley & Stewart, LLC is requesting site plan approval for a 2,2275 square foot addition to their existing office building at 2800 South 11th Street, parcel number 3905-25-153-140.
8. Any Other Business
9. ZBA Member Comments
10. Adjournment

Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

- a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.
- b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be board discussion prior to call for a motion.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment or Citizen Comment on Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 5/9/2000)
(revised 5/14/2013)

Policy for Public Comment
6:00 p.m. "Public Comment"/Portion of Township Board Meetings

At the commencement of the meeting, the Supervisor shall poll the members of the public who are present to determine how many persons wish to make comments. The Supervisor shall allocate maximum comment time among persons so identified based upon the total number of persons indicating their wish to make public comments, but no longer than ten (10) minutes per person. Special permission to extend the maximum comment time may be granted in advance by the Supervisor based upon the topic of discussion.

While this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 2/27/2001)
(revised 5/14/2013)

**OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS**

MINUTES OF A MEETING HELD MAY 22, 2018

Agenda

**SITE PLAN REVIEW: (WOLFF FINANCIAL)
WALTER HANSEN, OF HANSEN BUILDING AND DESIGN CORP., REPRESENTING
FUTUREVEST FINANCIAL, LLC, REQUESTED SITE PLAN APPROVAL FOR A NEW
OFFICE BUILDING AT 5938 VENTURE PARK DRIVE.
PARCEL NO. 3905-25-153-140.**

A meeting of the Oshtemo Charter Township Zoning Board was held on Tuesday, May 22, 2018 at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: James Sterenberg, Chair
Nancy Culp
Neil Sikora, Vice Chair
Anita Smith
Bruce VanderWeele

MEMBER ABSENT: Bob Anderson

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney, and Martha Coash, Meeting Transcriptionist. Four other persons were in attendance.

Call to Order and Pledge of Allegiance

Chairperson Sterenberg called the meeting to order and invited those present to join in reciting the "Pledge of Allegiance."

Public Comment on Non-Agenda Items

There were no comments on non-agenda items.

Approval of the Minutes of April 24, 2018

Chairperson Sterenberg asked if there were any additions, deletions or corrections to the minutes of April 24, 2018. Hearing none, he asked for a motion.

Mr. Sikora made a motion to approve the Minutes of April 24, 2018 as presented. Mr. VanderWeele supported the motion. The motion was approved unanimously.

SITE PLAN REVIEW: (WOLFF FINANCIAL)
WALTER HANSEN, OF HANSEN BUILDING AND DESIGN CORP., REPRESENTING
FUTUREVEST FINANCIAL, LLC, REQUESTED SITE PLAN APPROVAL FOR A NEW
OFFICE BUILDING AT 5938 VENTURE PARK DRIVE.
PARCEL NO. 3905-25-153-140.

Chairperson Sterenberg moved to the next item on the agenda and asked Ms. Johnston for her presentation.

Ms. Johnston indicated this is one of the last remaining vacant lots along Venture Park Drive. The subject site is located on the north side of the drive, approximately 550 feet northeast of Quail Run Drive. The applicant is seeking site plan approval to construct a new 4,721 gross square foot facility on a 1.40-acre site. Located in the C: Local Business District, the proposed office use is by right, which permits site plan review and approval by the Zoning Board of Appeals.

To the north of the project site is a single-family subdivision called Whitegate Farms; to the west is a large 130-foot utility corridor and then the Fairgrove and Quail Run condominium developments; to the south and east are additional office and commercial uses along Venture Park Drive and Stadium Drive. Similar to the uses, the zoning of properties to the north and west are residential; R-2 and R-3: Residence Districts to the east and R-1: Residence District to the north. Similarly, the properties on Venture Park Drive and Stadium Drive are zoned C: Local Business District.

She said the general layout of the site satisfies all applicable requirements of the Oshtemo Township Zoning Ordinance. The site plan indicates herbie curbies will be used for trash, eliminating the requirement for a dumpster and dumpster enclosure.

Exterior wall material colors are required on the site plan per Section 82.600.C.3.b. The applicant has indicated that while exterior wall materials have been chosen, their colors have not yet been decided. She indicated a revised set of elevation drawings will need to be provided with the exterior colors indicated.

Ms. Johnston said the project site will be accessed from a new curb cut off of Venture Park Drive. A driveway permit will be required by the Road Commission of Kalamazoo County. The curb cut will be located close to the north property line of the subject site. This is approximately 126 feet from the nearest curb cut to the south and 100 feet from the nearest curb cut to the northeast. Venture Park Drive is a 25 mile per hour local road and is therefore not regulated by Section 67.500: Driveway Spacing. However, the location of the curb cut is in the best possible position, being generally equidistant from the neighboring existing curb cuts.

On site, vehicle parking will be located in front and east side yards. Staff calculates a minimum of 23 parking spaces required onsite, per section 68.000: Off Street Parking of the Zoning Ordinance. The site plan indicates 17 spaces located at the front of the building and six within the east side yard for a total of 23 spaces. Per Section 68.300.D, the accessible spaces are shown as concrete.

She said the Township is currently considering sidewalks along Venture Park Drive. A request was made to the applicant to design their driveway access to ensure sidewalks can be developed in the future and to provide a connection from the building to the future sidewalk. The applicant has complied with both requests.

Ms. Johnston reported the Township Engineer and the Fire Marshal both signed off on the site plan after some concerns were addressed.

Ms. Johnston said Staff is generally satisfied that the project site plan meets all ordinance requirements and recommends approval. However, she suggested the approval include a condition that a revised set of elevation details with the exterior wall color indicated be provided to the Township.

Chairperson Sterenberg determined there were no questions for Ms. Johnston from Board Members and no public comment. He asked whether the applicant wished to address the Board.

Mr. Walter Hansen, Hansen Building and Design, 3027 Woodhams, Portage MI, said the color for the rear of the building is yet to be determined but would likely be cream and noted it would not be visible from the street. He said the exterior landscape plan would be attractive and that the building would be an asset to the Township.

Mr. Matt Wolff, owner, 5278 Skyridge, Oshtemo, said he was pleased to enter this venture and was excited to get the building underway.

There were no further comments; Chairperson Sterenberg moved to Board discussion.

Mr. Sikora indicated he was pleased with the presentation and complete packet provided and appreciated the applicant's work with Township personnel.

Mr. VanderWeele said the building will be nice looking, that he owns property to the south, and will be glad to see the building go up.

Mr. Sterenberg appreciated the business will stay with Oshtemo Township.

Hearing no further comments, Chairperson Sterenberg asked for a motion.

Mr. Sikora made a motion to approve the site plan for Wolff Financial as recommended, to include the condition from Staff as stated. Ms. Culp supported the motion. The motion was approved unanimously.

Any Other Business

Ms. Johnston told the group the Planning Commission is working on a re-organization of the zoning ordinance to make it more user-friendly and that she will keep the ZBA up to date as work progresses.

Ms. Johnston indicated there will be a ZBA meeting in June to address requests for sign variances and a site plan review.

ZBA Member Comments

Chairperson Sterenberg reminded the group of a joint meeting that night at 6:00.

He also acknowledged Mr. L. Michael Smith's service on the Board over the last five years.

The Chair thanked Mr. Ben Clark for his participation with the ZBA over the last year and a half and noted he did a great job during Ms. Johnston's absence.

Adjournment

Chairperson Sterenberg noted the Zoning Board of Appeals had exhausted its Agenda. There being no other business, he adjourned the meeting at approximately 3:15 p.m.

Minutes prepared:
May 23, 2018

Minutes approved:
_____, 2018



June 13th, 2018

Mtg Date: June 26th, 2018

To: Zoning Board of Appeals

From: Ben Clark, Zoning Administrator

Applicant: Matt Vernon, the Vernon Group

Owner: TMV Properties, LLC

Property: 5945 West Main Street, Parcel Number 05-14-435-011

Zoning: C: Local Business District

Request: Relief from the minimum ten-foot sign setback from the West Main right-of-way, down to zero feet.

Section(s): 76.420 - Required sign setbacks for all zoning districts

Project Name: Vernon Group Sign Setback Variance

OVERVIEW

Approved by the Township Zoning Board of Appeals in 1986, the Vernon Group's Walnut Woods facility offers commercially-zoned business spaces for rent to various tenants in three large structures. At the time of the property's development, the Township did not require a 20-foot wide landscape buffer between parking areas and adjacent rights-of-way, therefore paving could extend to the property line. As such, the Walnut Woods facility lacks a conforming landscape buffer along its Lodge Lane and West Main Street road frontages, in some cases down to zero feet in width. Along West Main, the only place the current dimensional standard is met is in the property's northeast quadrant, adjacent to the US-131 right-of-way, which is heavily vegetated.

Without modifying the parking area, this absence of a consistent and sufficient landscape buffer severely limits where the applicant can place a sign along West Main Street, in conformance with the Township-mandated ten-foot setback from the public right-of-way. A compliant ground or pole sign could hypothetically be located immediately adjacent to the aforementioned US-131 boundary, but such a display device would essentially be invisible to westbound motorists because of off-site vegetation. Due to this difficulty, the applicant requests

that they be allowed a zero-foot sign setback from the West Main right-of-way, which would allow them more options in which to locate a sign, abutting their north property line.

Currently, the property is serviced by two freestanding signs along West Main Street, which are both located within the public right-of-way, which has occupied its current area since 1970. The “Walnut Woods Office Centre” sign was permitted in October of 1987. The existing Zoning Ordinance does not allow for such placement, and it is unclear whether or not the permit for this sign was appropriately issued in 1987. The second device is a real estate sign advertising available tenant space. Per *section 76.190, Schedule D—Temporary Signs*, no permit is required for such real estate signs, so it was likely erected without Township review. Should the ZBA grant the requested variance, removal of these two signs should be required prior to issuance of any new sign permit. The real estate sign, assuming units area available for lease, may be put back up, but not within the right-of-way.

APPROVAL CRITERIA

The Zoning Enabling Act of Michigan outlines that when considering a variance request, the Zoning Board of Appeals must ensure that the “spirit of the ordinance is observed, public safety secured, and substantial justice done.” The Michigan courts have added that variances should only be granted in the case of a practical difficulty for a nonuse (dimensional) variance. In addition, applicants must demonstrate that their plight is due to the unique circumstances particular to that property and that the problem is not self-created.

The request by the applicant is a nonuse variance. The ZBA should review the following standards in considering the variance request:

Standards of Approval of a Nonuse Variance (practical difficulty):

Standard: Conformance Unnecessarily Burdensome
Are reasonable options for compliance available?
Does reasonable use of the property exist with denial of the variance?

Comment: Without requiring alterations to the property—i.e. removing paving and losing at least one parking space—the applicant has no reasonable way to place an appropriately sized sign along the subject property’s West Main Street frontage. Currently, the most suitable place for a sign is only 13 feet wide between the edge of the parking lot and the right-of-way, meaning that a sign placed in compliance could only be three feet wide. Any newly developed property with the necessary 20-foot wide landscape buffer would have at least ten feet of space in which to locate a sign.

Standard: Substantial Justice
Applied to both applicant as well as to other property owners in district.
Review past decisions of the ZBA for consistency (precedence).

Comment: Reviewing past variance requests, Township staff have identified one such instance with similar circumstances where a sign setback.

Consumers Credit Union, 5018 West Main Street, 2/22/1999:

- The applicant sought, and was granted, relief from the required sign setback on the subject property due to existing site development, as well as visibility issues related to off-site vegetation. In its final decision, the ZBA found that site development-induced restraints, as well as the Township's desire to offer reasonable options for signage display, warranted the setback variance.

Speedway Gas Station, 1250 South Drake Road, 5/5/1997

- Citing the existing parking lot paving and prevalent traffic patterns, the ZBA granted the applicant relief from the minimum sign setback requirements in order for a pole sign to be erected in the available greenspace adjacent to Drake Road.

Standard: Unique Physical Circumstances
Are there unique physical limitations or conditions which prevent compliance?

Comment: The subject property's legal non-conforming perimeter landscape buffers meant that no reasonably sized signage can be installed along West Main Street and still be in compliance with the minimum ten-foot setback, save for the one area near US-131. This portion of the property is obscured by off-site vegetation, however, and is not suitable for a sign location.

Standard: Self-Created Hardship
Are the conditions or circumstances which resulted in the variance request created by actions of the applicant?

Comment: Developed in accordance with the Zoning Ordinance at the time of site plan approval in 1987, Township staff do not view the hardships affecting the subject property as self-made.

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

Comment: The ten-foot minimum sign setback is intended to not only preserve certain Township aesthetics, but also to ensure that no signs are placed so near the road as to cause visibility issues for the roadgoing public. Aside from US-131, West Main Street has the widest right-of-way in the Township—around 160 feet in the area of the subject property. As such, a sign located on the applicant’s parcel in compliance with the ten-foot setback would place it approximately 37 feet south of the edge of pavement. For comparison, if the applicant were to place a freestanding sign along their Lodge Lane frontage, where the right-of-way is the more standard 66 feet wide, the sign could be placed around 23 feet from the paved portion of the road. Additionally, West Main Street is an exceptionally wide road, and the speed limit is 50 miles per hour along this stretch—two more factors that arguably compromise sign visibility and legibility.

Allowing a sign to be placed with a zero-foot setback to the West Main right-of-way will in no way compromise public health, safety, and welfare, as ample spacing will remain between the display device and any adjacent public travel ways. As discussed elsewhere in this report, the ZBA has in the past acknowledged that limiting site constraints do warrant relief, so substantial justice would be done by granting this variance.

When evaluating this variance request, Township staff reached out to MDOT to discuss the date of right-of-way acquisition. It was during this conversation that MDOT staff stressed the importance of not allowing any part of a new sign, including footings, to intrude into the public right-of-way.

RECOMMENDATION

Given the following findings, staff recommend that the Zoning Board of Appeals grant the request for a zero-foot sign setback from the West Main Street right-of-way:

1. There are no reasonable options for compliance.
2. Past ZBA decisions support this request.
3. Changes in Township-mandated development standards have imposed a physical limitation on the property.
4. The hardship is not self-created.
5. Public health, safety, and welfare will not be compromised.

If the ZBA is inclined to grant the requested variance, staff suggests the following conditions be attached:

1. The two existing signs along the West Main frontage shall be removed prior to the issuance of a new sign permit. Any future signs shall be erected in full compliance with section 76.000—*Signs and Billboards* of the Oshtemo Township Zoning Ordinance.
2. Per MDOT's request, if a zero-foot setback is granted to the applicant, no part of any new sign, including subterranean footings, shall encroach into the public right-of-way.

Respectfully Submitted,



Ben Clark
Zoning Administrator

Attachments:

- Application
- Aerial property map

6/26



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS Walnut Woods 5945 West Main

PLANNING & ZONING APPLICATION

Applicant Name : Matt Vernon
Company The Vernon Group
Address 5937 West Main
Kalamazoo MI 49009
E-mail matth@vernongrp.com
Telephone 269 353 1681 Fax _____
Interest in Property owner

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

Fee Amount _____
Escrow Amount _____

OWNER*:

Name Same
Address _____
Email _____
Phone & Fax _____

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- Planning Escrow-1042
- Site Plan Review-1088
- Administrative Site Plan Review-1086
- Special Exception Use-1085
- Zoning Variance-1092
- Site Condominium-1084
- Accessory Building Review-1083
- Land Division-1090
- Subdivision Plat Review-1089
- Rezoning-1091
- Interpretation-1082
- Text Amendment-1081
- Sign Deviation-1080
- Other: _____

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): _____

Build new road sign up to property line, inside of 10' setback.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

see attached

PARCEL NUMBER: 3905-

14 435 011

ADDRESS OF PROPERTY:

5945 West Main Kalamazoo 49009

PRESENT USE OF THE PROPERTY:

Office

PRESENT ZONING

C-

SIZE OF PROPERTY

4 acres

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)

Address(es)

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

Owner's Signature(* If different from Applicant)

[Signature]

Applicant's Signature

Date

4/28/18

Date

- Copies to:
- Planning -1
- Applicant -1
- Clerk -1
- Deputy Clerk -1
- Attorney-1
- Assessor -1
- Planning Secretary - Original

PLEASE ATTACH ALL REQUIRED DOCUMENTS

WALNUT WOODS SIGN VARIANCE

N 10TH ST

W MAIN ST

Real Estate Sign

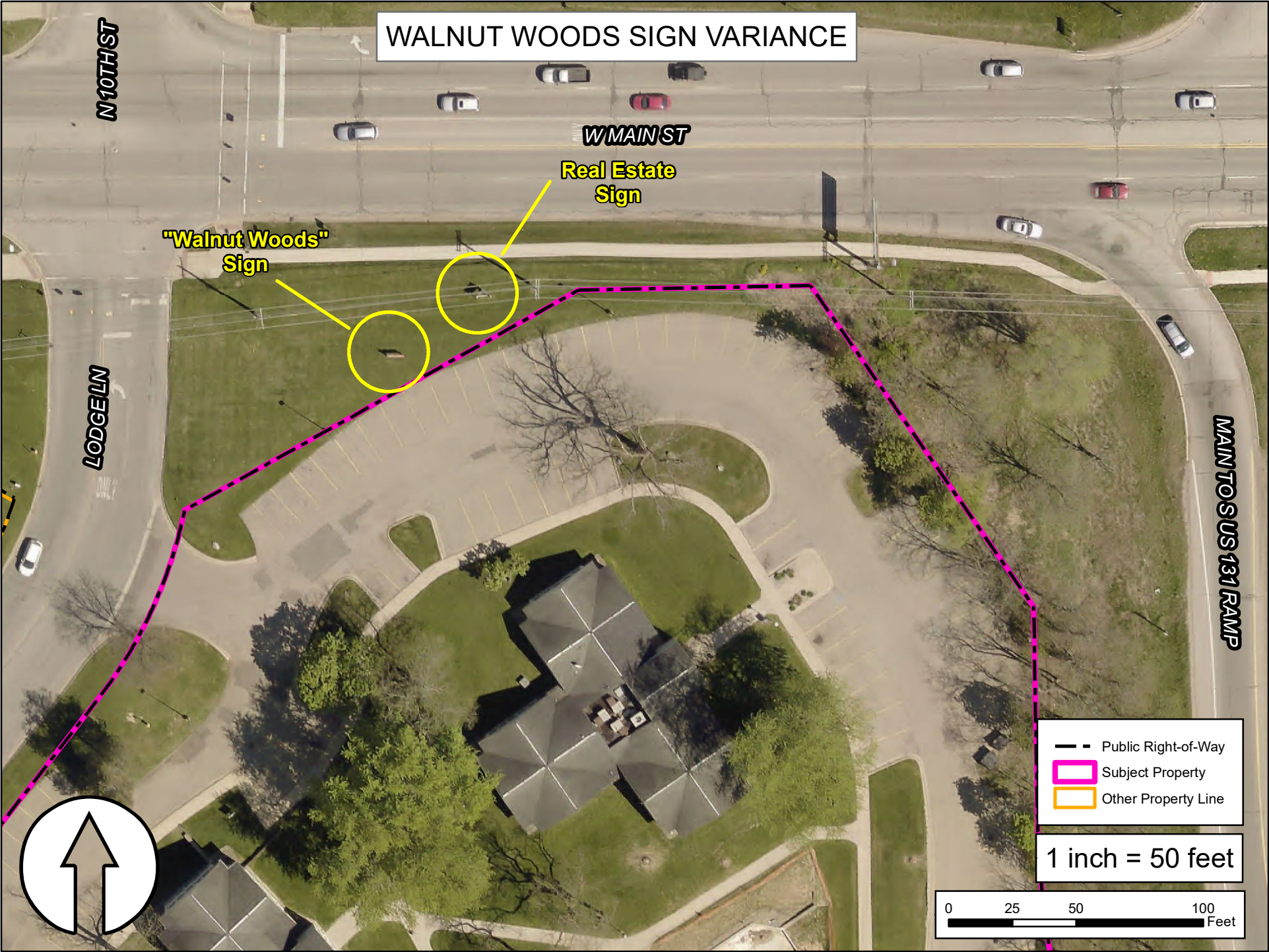
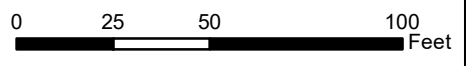
"Walnut Woods" Sign

LODGE LN

MAINTOSUS 131 RAMP

- - - Public Right-of-Way
- █ Subject Property
- ▭ Other Property Line

1 inch = 50 feet



June 19, 2018

Meeting Date: June 26, 2017



To: Zoning Board of Appeals

Applicant: Patrick Stieber, Allied Signs, Inc.

Owner: Oshtemo Hotels, LLC

Property: 5724 West Main Street, Parcel #3905-13-130-030

Zoning: C: Local Business District and Planned Unit Development

Request: Variance from the maximum height restriction of Section 76.000: Signs and Billboards.

Section(s): Section 76.170: Commercial and office land uses

Project Name: Holiday Inn Express and Suites

OVERVIEW

The building in question is the Holiday Inn Express and Suites currently under construction within the Westgate Planned Unit Development (PUD) located at the northeast corner of US131 and West Main Street. The Westgate PUD is zoned C: Local Business District with a PUD overlay. Per the requirements of Section 76.170 of the Signs and Billboard Ordinance, wall signs for hotels are restricted to a maximum height of 30 feet.

The applicant is seeking a variance from Section 76.170 to allow the placement of two wall signs located near the top of the Holiday Inn Express and Suites building, which has a maximum height of 45 feet 4 inches. Both the west and south facing signs would have a maximum wall sign height of approximately 39 feet 11 inches, 9 feet 11 inches above the maximum allowed placement for a sign.

The applicant indicates the variance is needed due to the setback of the building. They state on their application that due to the setback of the building, the sign needs to be installed towards the top of the building for maximum visibility. The application goes on to state the requested change is for the sides of the building that face US131 and West Main Street.

Staff deduces from these statements that the applicant is not referring to the actual zoning ordinance required setback for the building, which is from their property line. Instead, staff believes the applicant is referring to the distance of the buildings from US131 and West Main Street, which is approximately 375 feet from the pavement of US131 and 1,700 from the pavement of West Main Street.

APPROVAL CRITERIA

The Zoning Enabling Act of Michigan outlines that when considering a variance request, the Zoning Board of Appeals must ensure that the "spirit of the ordinance is observed, public safety secured, and substantial justice done." The Michigan courts have added that variances should only be granted in the case of a

practical difficulty for a nonuse (dimensional) variance. In addition, applicants must demonstrate that their plight is due to the unique circumstances particular to that property and that the problem is not self-created.

The request by the applicant is a nonuse variance. The ZBA should review the following standards in considering the variance request:

Standards of Approval of a Nonuse Variance (practical difficulty):

*Standard: Conformance Unnecessarily Burdensome
Are reasonable options for compliance available?
Does reasonable use of the property exist with denial of the variance?*

Comment: The requested variance to alter the height of the proposed wall sign does not impact the reasonable use of the property. The development of the hotel may still proceed without the approval of the sign variance. In addition, conformance to the maximum required height for the wall sign can still be met. Based on the application provided there are no building issues that would stop the sign from being placed at the 30-foot maximum height requirement.

*Standard: Substantial Justice
Applied to both applicant as well as to other property owners in district.
Review past decisions of the ZBA for consistency (precedence).*

Comment: The requirements of Section 76.170 of the Sign Ordinance apply to all commercial and office developments within the Township.

Staff was able to find two past instances where hotels located near US131 requested similar variances from the Zoning Board of Appeals. Both applications were for hotels located on 11th Street. Following is a brief summary of these cases:

- **Best Western; 2575 South 11th Street; March 17, 2009:**
Best Western requested a variance to both increase the height and size of their east and west facing wall signs. The applicant indicated the request was to help increase visibility from US131 even though the hotel did not directly abut the highway. The ZBA granted the variance for increase height and size for the sign facing US 131 but not the west facing sign.
- **Value Place Hotel; 1647 South 11th Street; October 24, 2006:**
Value Place Hotel requested a variance to increase the height and size of their wall signs to allow for better visibility from US131. The ZBA indicated that they did not see any basis for a variance to either the height or size of the signs and denied the request.

As can be seen, one application was approved while the earlier application was denied. Similar to the current application, the request from the hotel without direct frontage on US131 was the application that received approval.

Standard: Unique Physical Circumstances
Are there unique physical limitations or conditions which prevent compliance?

Comment: While not an existing physical hardship found on the property in question, an argument could be made that the utility corridor represents a unique condition in this area. A 145-foot utility easement sits between the Westgate PUD property boundary and the right-of-way for US131. Without this dedicated utility corridor, the Westgate PUD and the hotel would have more direct frontage on US131. This added distance is the setback staff believes the applicant is referring to in their request. However, because it is a utility corridor, visual encumbrances like tall trees do not obstruct views to the hotel.

The request for the additional sign height for the south facing wall sign does not have a unique physical circumstance related to the request. The location of West Main Street and its distance from the hotel was a known factor when Oshtemo Hotels, LLC purchased the property for development.

Standard: Self-Created Hardship
Are the conditions or circumstances which resulted in the variance request created by actions of the applicant?

Comment: Technically, the height of the sign could be placed in compliance with Ordinance standards. But, the applicant has no ability to alter the utility corridor adjacent to their development.

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

Comment: Raising the sign height should have little to no effect on public health, safety, and welfare.

The difficulty with this request is the disparity in the Ordinance between heights of buildings and placement of signs. Building height in Oshtemo Township is based solely on the ability to meet setbacks. The Ordinance states the minimum setback distance between any nonresidential building and any rear or interior property line shall be 20 feet or the height of the building at its heights point, whichever is greater. If a development had the ability to accommodate 100-foot setbacks from all sides, the building could technically be 100 feet tall.

The Sign Ordinance, on the other hand, limits height to 30-feet. This disparity does not allow signs to develop at a proportional height to the stature of the building. This can be clearly seen with this application. The property in question was of a large enough size to allow setbacks that would accommodate the approximate 46-foot-tall structure. Placing the signs at the 30-foot height would locate them more at the third-floor level of the structure than the top floor, where it is more expected and generally the industry standard.

Based on this assessment, staff would recommend the ZBA request the Planning Commission consider reviewing the Sign Ordinance for possible text changes. Having a

height requirement that is proportional to the building height might be a consideration, eliminating the need for future variances to this section of the code. If an ordinance change was contemplated, any variance considered by the ZBA for this application might allow this request to become compliant in the future.

RECOMMENDATION

In summary, staff present the following relevant information for the Zoning Board of Appeals to consider:

1. If you find that substantial justice can be achieved due to the height variance provided to the Best Western Hotel in 2009 than a variance could also be warranted for this request.
2. If you find that the unique condition of a utility corridor found adjacent to the project site supports a practical hardship, which is not experienced by other commercially zoned properties in the area, then the variance for the west facing sign is supported.
3. If you find that the requested variance does not meet one or more of the criteria for approval noted above and that compliance with the Ordinance is not unnecessarily burdensome, then the application should not be supported.

Given the above findings, the variance request before the Zoning Board of Appeals will require careful deliberation. Staff presents the Board with three possible courses of action:

1. Deny the variance, based on the fact that the practical hardship in this case does not make compliance with the ordinance unnecessarily burdensome.
2. Approve the variance for the west facing sign, acknowledging that there is a unique circumstance with the location of the utility easement, but deny the request for the south facing sign.
3. Approve the variance for both wall signs, indicating substantial justice based on the 2009 Best Western Hotel precedence and the unique condition of the utility easement.

Regardless of the final deliberation, staff suggests the Zoning Board of Appeals request the Planning Commission consider Sign Ordinance amendments related to maximum height of signs in relation to the height of the structure.

Respectfully Submitted,



Julie Johnston, APIC
Planning Director

Attachments: Application
Aerial map
ZBA Minutes: October 24, 2006 and March 17, 2009



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS Holiday Inn Express & Suites, 5724 West Main Street

PLANNING & ZONING APPLICATION

Applicant Name : Patrick Stieber
Company Allied Signs, Inc.
Address 33650 Giftos
Clinton Twp. MI 48035
E-mail Kim@alliedsignsinc.com
Telephone 586-791-7900 Fax 586-791-7788
Interest in Property Sign Contractor

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

OWNER*:

Name Oshtemo Hotels, LLC
Address 2369 Franklin Road
Bloomfield Hills, MI 48302
Email _____
Phone & Fax 248-601-2500 248-651-0717

Fee Amount _____
Escrow Amount _____

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- | | |
|---|---|
| <input type="checkbox"/> Planning Escrow-1042 | <input type="checkbox"/> Land Division-1090 |
| <input type="checkbox"/> Site Plan Review-1088 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086 | <input type="checkbox"/> Rezoning-1091 |
| <input type="checkbox"/> Special Exception Use-1085 | <input type="checkbox"/> Interpretation-1082 |
| <input type="checkbox"/> Zoning Variance-1092 | <input type="checkbox"/> Text Amendment-1081 |
| <input type="checkbox"/> Site Condominium-1084 | <input checked="" type="checkbox"/> Sign Deviation-1080 |
| <input type="checkbox"/> Accessory Building Review-1083 | <input type="checkbox"/> Other: _____ |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): _____

Install (2) wall signs at a height higher than 30' from grade to the top of the sign. Due to the setback of the building, the signs need to be installed towards the top of the building for maximum visibility. One side faces US131 and one side faces West Main Street.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

See attached.

PARCEL NUMBER: 3905- 13-130-030

ADDRESS OF PROPERTY: 5724 West Main

PRESENT USE OF THE PROPERTY: Hotel

PRESENT ZONING C - Local Business **SIZE OF PROPERTY** 2.08 acres

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)

Address(es)

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

[Handwritten Signature]

Owner's Signature (* If different from Applicant)

5/11/18
Date

[Handwritten Signature]

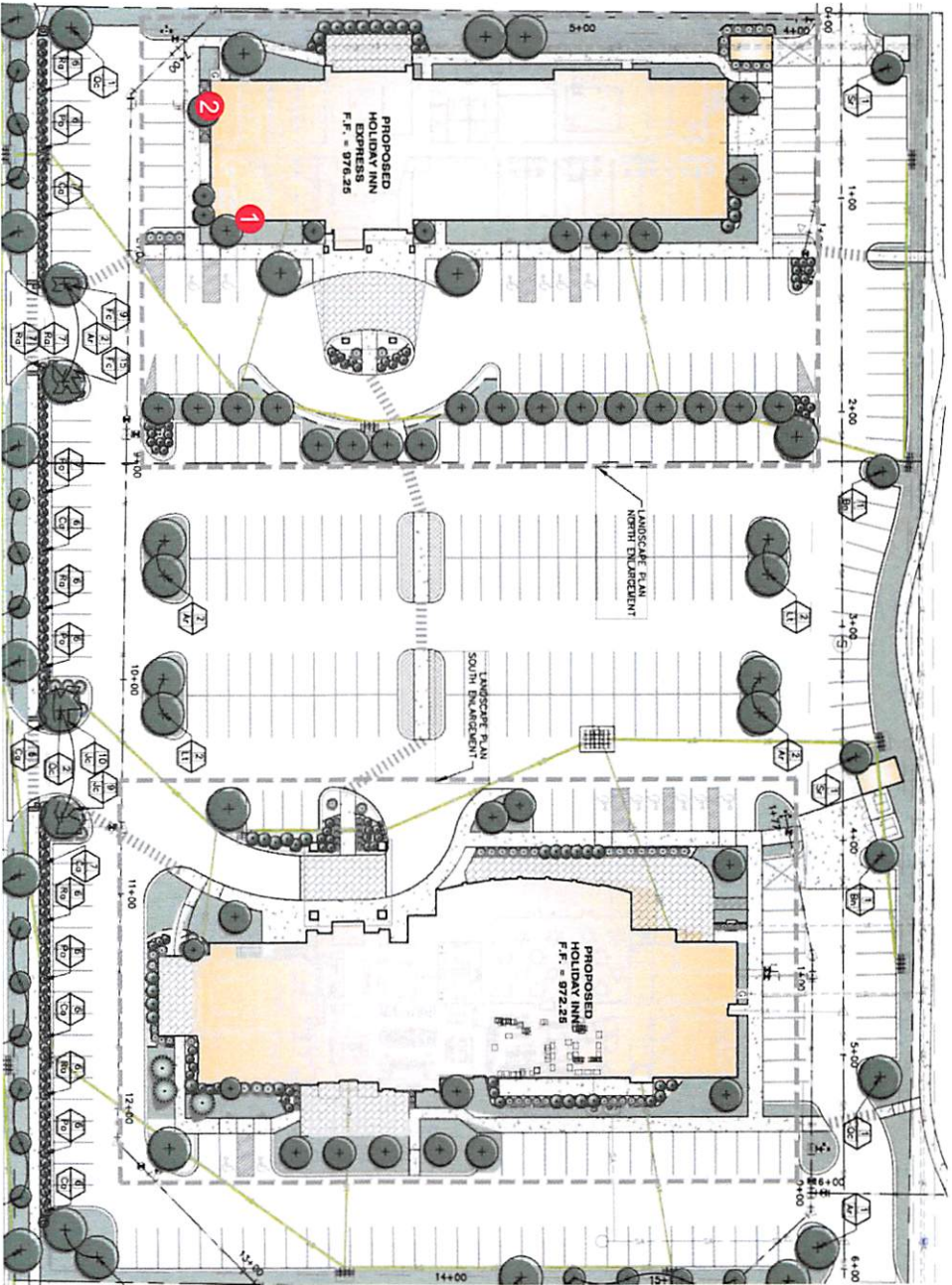
Applicant's Signature

5/11/18
Date

- Copies to:
- Planning -1
- Applicant -1
- Clerk -1
- Deputy Clerk -1
- Attorney-1
- Assessor -1
- Planning Secretary - Original

PLEASE ATTACH ALL REQUIRED DOCUMENTS

SEC 13-2-12 COMM ON N & S 1/4 LI 857.54 FT S 01DEG-05'-56" W OF N 1/4 POST TH S 88DEG-57'-53" W
824.53 FT TO POB TH S 89DEG-58'-34" W 425.59 FT TH N 00DEG-06'-12" W 213.65 FT TH S 89DEG-27'-
36" E 429.9 FT TH S 01DEG-04'-11" W 209.46 FT TO BEG** **12-97 1997 SPLIT FROM 13-180-023 & 13-
130-019 SPLIT/COMBINED ON 11/14/2017 FROM 05-13-130-021 INTO 05-13-130-022, 05-13-130-030,
05-13-130-040;



INN CODE: AZOES

HOLIDAY INN EXPRESS & SUITES
2800 S 11TH ST
KALAMAZOO, MI 49009

NEW CONSTRUCTION /
NO EXISTING SIGNS

PROPOSED SIGNS:

- 1 XLS-SM-5D
5'-1" LOGO W/ '1-11 1/2" CHANNEL LETTERS
- 2 XLS-SM-5D
5'-1" LOGO W/ '1-11 1/2" CHANNEL LETTERS

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

APPROVAL BOX - PLEASE INITIAL
CUSTOMER APPROVAL _____ Date _____

Customer: **HOLIDAY INN EXPRESS & SUITES**
Location: **KALAMAZOO, MI**

Date: **01/23/18**

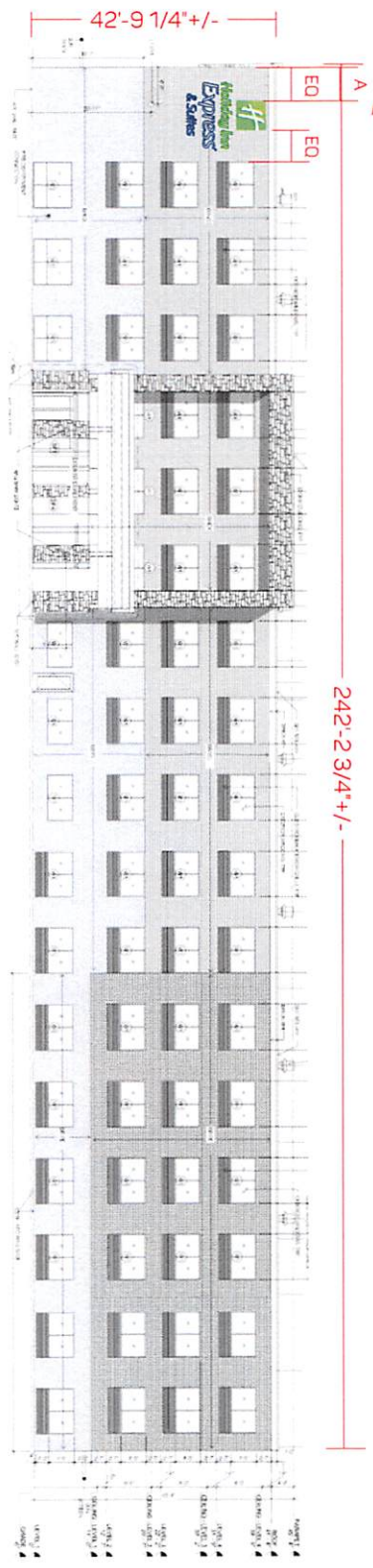
Prepared By: **KH**
File Name: **160689 - RS - KALAMAZOO MI**

Eng: _____

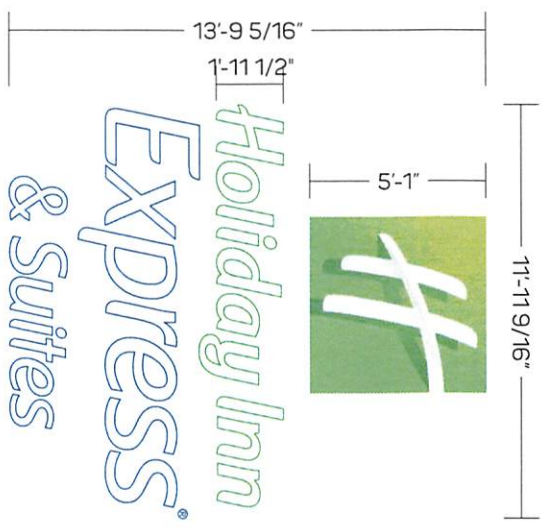
Note: Color should not be used when viewing or printing the drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS number and a reason to this drawing will be fixed.

persona
SIGNS | LIGHTING | IMAGE
DISTRIBUTED BY SIGN UP COMPANY
700 21st Street, Southwest
PO Box 210
Watertown, SD 57201-0210
1.800.843.9888 • www.personasigns.com

SOUTH FRONT ELEVATION
SCALE: 1/32" = 1'-0"



NOTE: SAME DISTANCE AS WEST SIDE ELEVATION



GRAPHIC DETAIL
SCALE: 3/16" = 1'-0"

NOTE: DO NOT SHEETROCK THE WALLS WHERE SIGNS ARE LOCATED

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer:	HOLIDAY INN EXPRESS & SUITES	
Location:	KALAMAZOO, MI	
Date:	2/21/18	Prepared By: KH/AT/AT
File Name:	160689 - R5 - KALAMAZOO MI	
Eng:	-	

Note: Only signage and the exact lettering or graphics drawing. All colors used are PMS (the closest CMYK equivalent if these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be necessary)

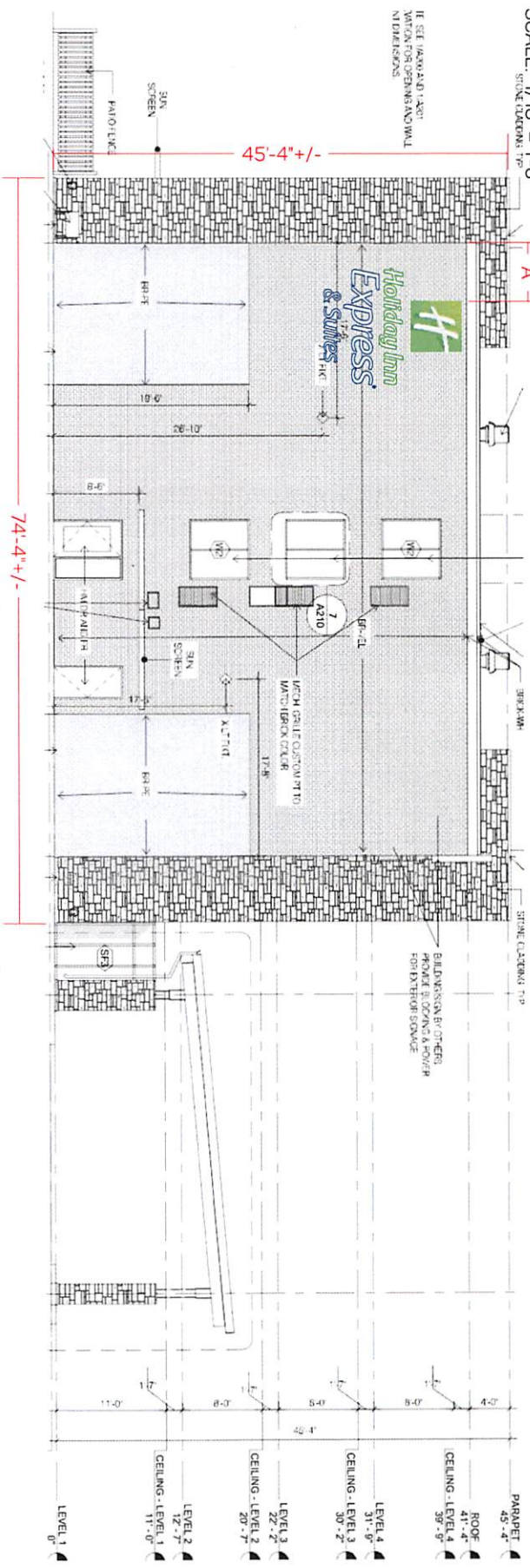
PROPOSED:
XLS -SM-SW
5'-1" LOGO W/ 1'-11 1/2" CHANNEL LETTERS
BOXED AREA: 164.81 SQ FT

APPROVAL BOX - PLEASE INITIAL	
CUSTOMER APPROVAL	Date

persona
SIGNS | LIGHTING | IMAGE

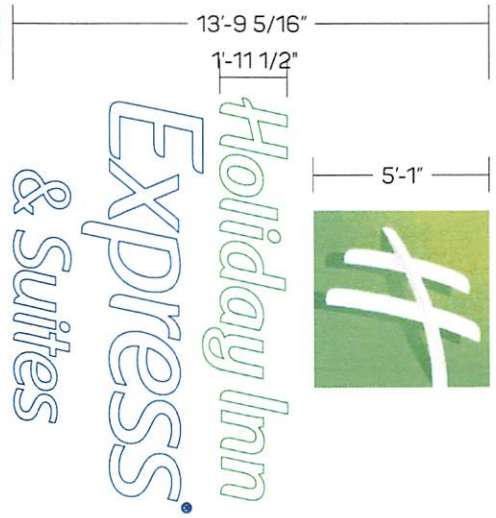
DISTRIBUTED BY SIGN UP COMPANY
700 21st Street, SouthWest
PO Box 210
Watertown, SD 57201-0210
1.800.843.9888 • www.personasigns.com

WEST SIDE ELEVATION
SCALE: 1/16" = 1'-0"



NOTE: DO NOT SHEETROCK THE WALLS WHERE SIGNS ARE LOCATED

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.



GRAPHIC DETAIL
SCALE: 3/16" = 1'-0"

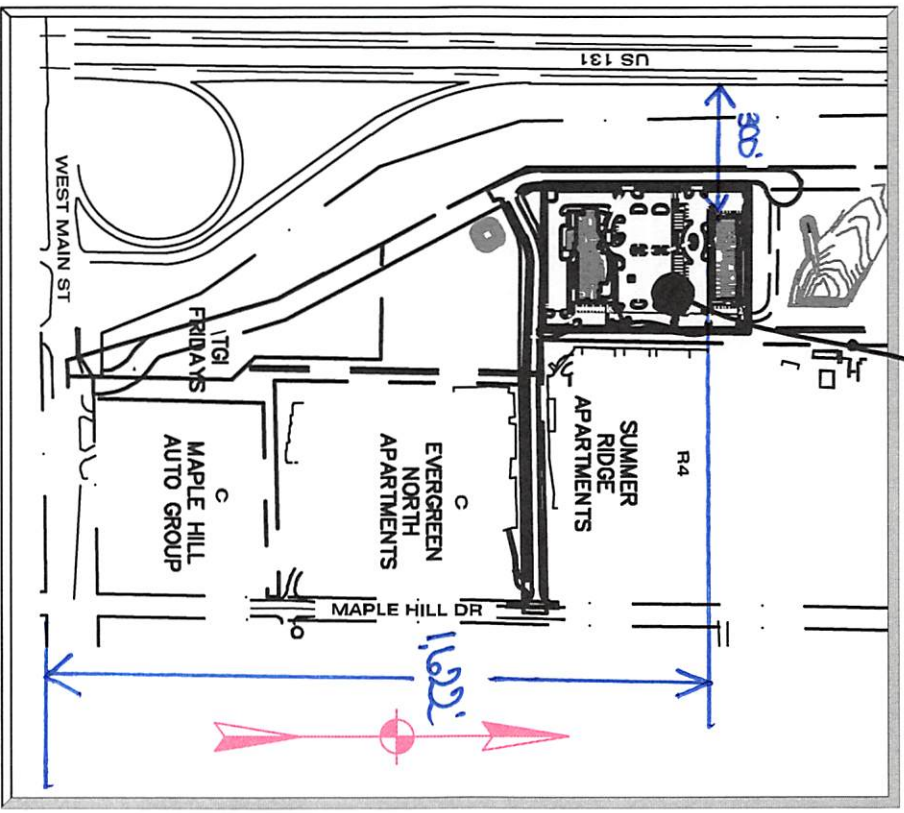
APPROVAL BOX - PLEASE INITIAL
CUSTOMER APPROVAL _____ Date _____

PROPOSED:
XLS-SM-5W
5'-1" LOGO W/ 1'-11 1/2" CHANNEL LETTERS
BOXED AREA: 164.81 SQ FT

Customer: HOLIDAY INN EXPRESS & SUITES	Date: 2/21/18	Prepared By: KH/AT/KH/AT	Eng: -
Location: KALAMAZOO, MI	File Name: 160689 - R5 - KALAMAZOO MI	<p>Note: Color should not be used when viewing or printing the drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS method and a reference to this drawing will be used.</p>	
<p>DISTRIBUTED BY SIGN UP COMPANY 700 21st Street, Southwrest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com</p>			



**PROJECT
LOCATION**

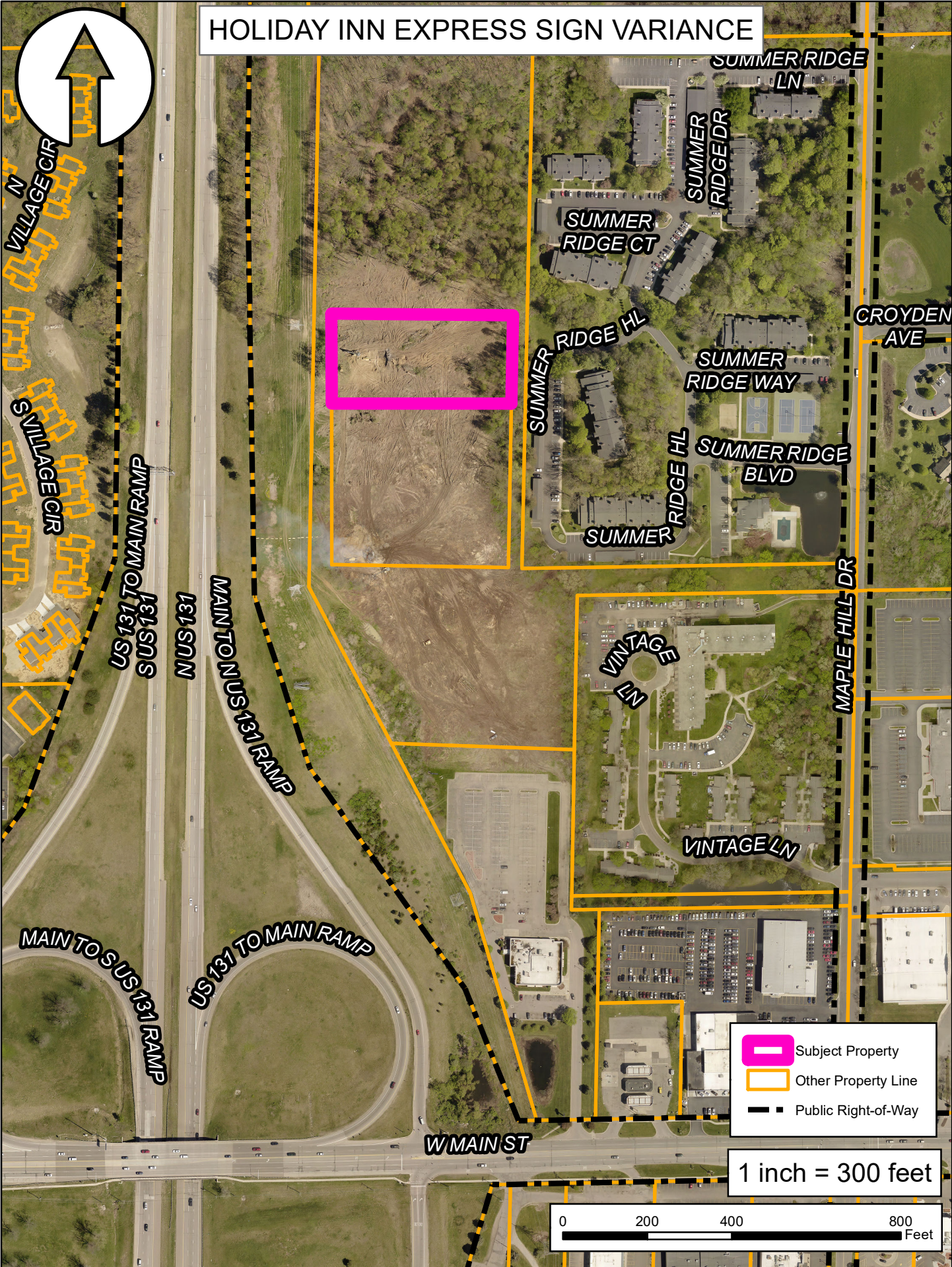


SITE INDEX MAP

SCALE: 1" = 500'



HOLIDAY INN EXPRESS SIGN VARIANCE



OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

MINUTES OF A SPECIAL MEETING HELD MARCH 17, 2009

Agenda

BEST WESTERN - VALLEY CITY SIGN - SIGN DEVIATIONS - 2575 SOUTH 11TH STREET - (PARCEL NO. 3905-25-405-020)

A special meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, March 17, 2009, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Duane McClung
Dave Bushouse
Robert Anderson
Cheri Bell
Neil Sikora, Alternate

MEMBERS ABSENT: Roger Taylor
Mike Smith, Alternate

Also present were Mary Lynn Bugge, Senior Planner; James W. Porter, Township Attorney, and one other interested person.

Call to Order/Pledge of Allegiance

The meeting was called to order by Mr. McClung, the Vice Chair, and the "Pledge of Allegiance" was recited.

Election of Officers

Mr. McClung said the next item on the Agenda was the election of officers for 2009. Ms. Bell made a motion to nominate Duane McClung as Chairman. The motion was seconded by Mr. Anderson. The Vice Chairman asked if there were any other nominations, and hearing none, closed the nominations for Chairman.

Mr. McClung said he would entertain a motion for Vice Chair. Mr. Bushouse made a motion to nominate Robert Anderson as Vice Chair. The motion was seconded by Ms. Bell. Mr. McClung asked if there were any other nominations. Hearing none, he called for a vote on both motions for the offices of Chairman and Vice Chair, as submitted. The motions carried unanimously in favor of the officers submitted.

Minutes

The Chairman stated that the next item on the Agenda was the approval of the minutes of November 18, 2008. Ms. Bell noted, on page 5, paragraph 6, located in the middle of the page, that there is a reference to Mr. Anderson asking what percentage of the apartments were rented and inquiring whether the building was needed, when it was she who had asked. The Chairman asked if there were any other changes. Hearing none, Ms. Bell moved to approve the minutes, as revised. The motion was seconded by Mr. Anderson. The Chairman called for a vote on the motion, and the motion passed unanimously.

BEST WESTERN - VALLEY CITY SIGN - SIGN DEVIATIONS - 2575 SOUTH 11TH STREET - (PARCEL NO. 3905-25-405-020)

The Chairman said the next item was a request for sign deviations for Best Western hotel submitted by Valley City Sign. The subject property is formerly known as the Hawthorn Suites located at 2575 S. 11th Street, Parcel No. 3905-25-405-020. The Chairman asked to hear from the Planning Department. Ms. Bugge submitted her report to the Zoning Board of Appeals dated March 17, 2009, and is incorporated herein by reference.

Ms. Bugge began by noting that the requests relating to the oversized pylon sign on the east side had been withdrawn from the application. Therefore, the request for a second pylon sign was not needed. Therefore, she said she would focus specifically on the other requested deviations, specifically, the west wall sign and the east wall signs. She said on the west wall, the applicant is requesting a height deviation of eight (8) feet. Ms. Bugge noted that on the east wall, a nine (9) foot height deviation for the Best Western sign was being requested, along with a .6 square foot sign area deviation. With regard to the LED message center on the east wall, the applicant is requesting an eight (8) foot height deviation and a 95 square foot deviation on the requested sign area size. Ms. Bugge then proceeded with her report, comparing and contrasting the proposed request to others which had been granted under previous Zoning Ordinance provisions.

At the conclusion of Ms. Bugge's report, the Chairman asked if there were any questions of Ms. Bugge. Hearing none, he asked to hear from the applicant.

Ms. Melanie Gray of Valley City Sign, on behalf of Best Western, introduced herself to the Board. Ms. Gray explained the two pylon signs were removed from their

proposal to bring the property more into conformance with the Township Zoning Ordinance. She said they needed the sign height increase, particularly on the east side of the building, in order to be visible from U.S. 131. She said she realized that the subject property did not abut U.S. 131, but was similarly situated to other hotels and motels in the area, and in order to be equally competitive, the deviations on height and size were necessary.

Ms. Gray then took the Board through a review of photographs showing the proposed signs on the subject building. Ms. Gray specifically noted the fact that, given the trees, as well as the other buildings fronting on U.S. 131, it was absolutely necessary to have the sign displayed on the fourth floor versus the third floor in order to be visible by the motoring public traveling on U.S. 131.

Ms. Gray also provided photographs to the Board of other hotels and motels in the area, reiterating the fact that she felt to be competitive with others bordering or near U.S. 131, the applicant needed the requested deviations. She did concede that on the front sign, there was not a compelling reason, other than aesthetics, that the sign needed to be located on the fourth floor level.

The Chairman asked if there were any questions of the applicant or Ms. Bugge.

Mr. Benson asked for a recap on the proposed deviations. Ms. Bugge directed him to page 2 of her report, specifically citing the request for the two wall signs on the east side of the building, as well as the one wall sign on the west side of the building.

The Chairman asked if there were any further questions. He noted that there was no public to comment, and therefore, asked for Board deliberations.

Mr. Anderson said he thought it was important for the applicant to be seen from the highway, and therefore, he would not object to the proposed height increases. The Chairman asked if that was on the highway side of the building. Mr. Anderson indicated it was.

Mr. Sikora said he thought the signs needed to be visible from the highway, but he was somewhat concerned by the fact that the subject property did not immediately abut the highway. Mr. Bushouse said, in the last few years, in his travels, many of the hotels and motels were not putting up large highway signs anymore, and he did not see a need for the sign deviations. He also noted that the Hotel could use the highway travel directory signs which were available to the motoring public on the interstate highways.

The Chairman said he, unlike Mr. Bushouse, did like to see the large signs to know where he was going when he left the interstate. Therefore, he felt that the signs were necessary.

Ms. Bell asked if the height provisions for signs had been increased. Ms. Bugge said that the wall sign height was increased to 30 feet just a couple of years ago. Ms. Bell expressed some concern about granting additional height deviations.

Ms. Gray asked if she could respond. She explained to the Board that, since they were not asking for a pylon sign on the east side, she thought what they were requesting, in the way of sign height deviation and area, was reasonable and would only match what the competitors already had in the area. Ms. Bugge pointed out that the applicant could utilize LED display in their pylon sign on 11th Street and on their wall signs as long as they met the permitted size.

Ms. Bell asked if they could take each request one at a time. The Chairman said he thought that would be appropriate. Ms. Bell said, given that they could have a LED display on the 11th Street sign, she certainly would not support adding 95 square feet of LED sign on the east side of the building. However, she noted that, given the topography and the Westwood Park buildings, she thought the fourth floor location for the sign on the east side of the building was appropriate.

Mr. Sikora asked if she would favor the LED sign. Ms. Bell indicated she would not. He asked if she would favor the requested height of the sign on the east side of the building, to which Ms. Bell indicated that she would.

Mr. Anderson said he agreed with Ms. Bell; he would approve the increased height and wall sign area on the east side, but not the LED sign.

With that, the Chairman said he would entertain a motion. Ms. Bell made a motion to permit one sign on the east wall of the subject building to have a nine (9) foot height deviation to 39 feet and a sign area of 69.6 square feet, but deny the LED sign on the east side of the building for the reasons stated in the record. The motion was seconded by Mr. Anderson. The Chairman called for a vote on the motion. The motion passed unanimously.

The Chairman asked about the height of the sign on the west wall. Mr. Anderson said he thought it looked better at the increased height. Ms. Bell said if the decision was based on symmetry, that would be true, but there were no justifiable reasons set forth in the record. Mr. Bushouse said he saw no reason to grant a deviation for the wall sign on 11th Street. Mr. Anderson made a motion to deny the request for an increase in wall sign height on the west side of the building, and leave it at 30 feet. Mr. Sikora seconded the motion. The Chairman called for further discussion, and hearing none, called for a vote on the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

None.

Adjournment

Hearing no further business, the meeting was adjourned at approximately 4:05 p.m.

Minutes Prepared:
March 24, 2009

Minutes Approved:
_____, 2009

OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

MINUTES OF A MEETING HELD OCTOBER 24, 2006

Agenda

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

GOLF RIDGE - SUPPLEMENTAL SETBACK VARIANCE AND SITE PLAN REVIEW - 5349 WEST MAIN STREET (PARCEL NO. 3905-13-405-029)

MCNEE - ACCESSORY BUILDING REVIEW - 10695 WEST MAIN STREET - (PARCEL NO. 3905-18-330-095)

A meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, October 24, 2006, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

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

MEMBERS ABSENT: None

Also present were Jodi Stefforia, Planning Director; Mary Lynn Bugge, Senior Planner; Brian VanDenBrand, Associate Planner; James W. Porter, Township Attorney; and approximately 5 other interested persons.

Call to Order

The Chairman, Millard Loy, called the meeting to order at approximately 3:00 p.m. He let those in attendance know that Item #4 was going to be removed from the Agenda, pursuant to the applicant's request. Ms. Stefforia indicated the applicant was not certain when she would return and so she would have to resubmit her request and the matter would have to be renoticed.

Minutes

The Chairman asked if the members had had an opportunity to review the minutes of September 26. Mr. McClung made a motion to approve the minutes as submitted. The motion was seconded by Mr. Smith. The Chairman called for a vote on the motion, and the motion passed unanimously.

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

The Chairman said the next item on the Agenda was a review of a deviation request from Sections 76.130 and 76.170 to allow a sign package where the freestanding sign exceeded the height and sign area limitations, and where the wall signs would exceed the mounting height and sign area limitations. He said the property is located at 1647 South 11th Street, Parcel No. 3905-25-205-010. The Chairman then asked to hear from the Planning Department. Mr. Brian VanDenBrand submitted his report dated October 24, 2006, and the same is incorporated herein by reference.

Mr. VanDenBrand reminded the Board that it had approved the site plan for the hotel on September 26, 2006. He also explained that the Planning Commission recommended approval of the preliminary plan review for the site condominium development and approved the special exception use for the private street on September 28, 2006.

Mr. VanDenBrand stated that this particular commercial use was allowed one wall sign per wall, equal to the square footage for each foot in length or height of the wall to which it is attached, whichever is greater, and that the maximum height for wall signs was 30 feet. He also explained that freestanding signs were permitted, but limited to 60 square feet and a maximum height of 20 feet. He also noted that 25% of the permitted sign area could be used for LED display or changeable copy subject to the restrictions of Section 76.410.

Mr. VanDenBrand told the Board that the applicant was seeking a deviation to allow the construction of a 50-foot tall freestanding sign measuring 250 square feet. He also said the applicant was seeking a deviation from the 30-foot height limitation for all wall signs and the square footage area for the wall signs facing east and west.

Mr. VanDenBrand then went through a review of the hotel/motel signs in the vicinity, placing each one in its historical context as it related to the Zoning Ordinance at that time, as more fully set forth in his report. Mr. VanDenBrand took the Board through

a review of the criteria for granting the deviation, again, as more fully set forth in his report.

The Chairman asked if there were any questions of Mr. VanDenBrand. Hearing none, he asked to hear from the applicant. Kyle Clements on behalf of Value Place LLC introduced himself to the Board. He thanked Staff for all of its assistance in reviewing and understanding the Township Ordinance. He said prior to looking at the site they had made their request for a higher freestanding sign. He said, however, after viewing the site, he felt a 30-foot freestanding sign would be appropriate and asked to amend his request accordingly.

Mr. Clements then provided the Board with a set of exhibits showing the representative samples of the proposed freestanding sign location on the property, as well as the locations of wall signs on the building. Mr. Clements said they were only requesting a 178.12 square foot sign if you measured it geometrically, rather than part of a larger rectangle. He said he thought this would allow them to be consistent with the size of the other signs in the area. He also pointed out that the actual wall signs they were proposing, again measured geometrically, really were only 89.07 square feet. He said this would allow them to maintain the appropriate visibility from US 131, which would provide for greater traffic safety, and the ability of travelers to see their signs from the highway. He said he also thought the wall signs needed to be larger to identify the building itself once someone had left the interstate. He noted there was no directional sign on 11th Street and thought, therefore, that the wall signs needed to be higher in order to accommodate the traveling public.

Mr. Clements said that Value Place was not a nationally recognized chain and that up to 70% of their traffic was impulse buy. Therefore, signs were very important to their business in order to compete with other hotels in the area and maintain viability. He said he thought their request was less than what had been granted to other hotels in the area.

Mr. Bushouse told Mr. Clements that he took exception to his statements regarding the percentage of impulse buyers coming to the area. He said when the previous Value Place representative appeared before the Board for site plan approval they were told it was a long-term hotel relying upon weekly patrons. Mr. Clements said the hotel serves both types of patrons, but that often people would purchase five nights at \$189 rather than a more expensive room for two nights which would exceed that amount.

The Chairman said he also wished to take issue with the statements made by Mr. Clements since the previous representative said there would not be any stays shorter than one week. The Chairman explained to Mr. Clements that the Board's site plan approval, particularly as it related to parking, was based upon the assumption that there

would not be a revolving clientele requiring many on-staff cleaning persons since the proposed parking would not accommodate such traffic. He said he thought that what Mr. Clements had just said with regard to Value Place was totally inconsistent with what had been previously stated.

Mr. Taylor joined Mr. Bushouse and the Chairman in expressing his concerns about what they had been told regarding the parking and the lack of short-term stays which would mitigate against the need for on-site cleaning staff.

Mr. Clements said he needed to clarify and stated that they only rented by the week whether a person stayed two days or five days.

The Chairman asked if there were any other questions of Mr. Clements. Hearing none, he asked the Staff how this particular sign would normally be measured under the Ordinance. Mr. VanDenBrand said it would basically be determined by drawing a rectangular box around the outer most portions of the sign. Ms. Bugge concurred by stating that sign area was measured using the continuous perimeter composed of any straight-line geometric figure which encloses the extreme limits of the advertising message along with the frame.

Mr. Bushouse told the applicant and the Board members that he thought the Township should try to maintain compliance with the Township Ordinance as much as possible. He said that the larger signs in the area predated the current Ordinance. He said, that to the extent that new signs were permitted, it was done with the goal of trying to reduce their overall size and bring them closer into compliance even if they were not brought totally into compliance. He said the Township had recently reduced permitted sign area, and he did not see any reason to allow this applicant to deviate from the sign requirements. Mr. VanDenBrand pointed out that the applicant could use the MDOT signs to assist in directing people to the facility from U. S. 131.

The Chairman asked if there were any comments from the audience before continuing with Board deliberations. Hearing none, the Chairman asked that the Board continue. The Chairman began by stating that he agreed with Mr. Bushouse's statements. He said he thought the signs certainly could comply with the Ordinance, and he saw no reason to exceed the wall height limitation for any of the signs. He also said he thought the 20-foot height for the freestanding sign was sufficient, given the elevation of the property and the relationship to US 131. The Chairman said he did think they needed a directional sign on 11th Street and thought if that was done there would not be a need to request an increase in the height of wall signs. The Chairman also noted that he was very uncomfortable with what Value Place had told them about their business practices in comparison to what Mr. Clements had told them regarding impulse buyers.

Mr. Smith said he agreed with some of the concerns raised by the Chairman, but given the other hotel/motel signs in the area, he did not see any reason why they could not go to 200 square feet but without any variance for the height of the freestanding sign.

Mr. Taylor said that there might be some basis for allowing them to increase the sign to compete with the other hotel/motel signs in the area, but he did not see any reason to allow an increase in the height of the pole sign. Mr. Bushouse said they had not allowed increased signage for Super 8, and they were using the MDOT signs to direct people to their facilities and they seem to be operating just fine.

Mr. McClung said that might work for Super 8, but that was on a state highway, not an interstate, and given the higher speeds and the traffic, he thought it would be safer to allow them to have a larger sign to identify themselves with the traveling public. He said he would not approve an increase in the height of the sign, nor would he recommend changing the wall sign requirements, but he said he did not see a problem with allowing them a larger sign along US 131. Ms. Stefforia pointed out that Super 8 was allowed a MDOT sign because they were on M-43 and such a sign would not be available to Value Place on 11th Street.

The Chairman said he understood the positions of the various Board members. He said he could consider, perhaps, 150 square feet, but would not want to go beyond that. Mr. Bushouse again reiterated his position that he thought they should make the applicant comply with the current Ordinance. Mr. Smith said he thought he could go along with what the Chairman was recommending and look at something more in the nature of 150 square feet. Mr. Bushouse pointed out that when Holiday Inn was approved, it was approved as a multiple unit complex, a motel, restaurant and a bowling alley. He said he did not think that looking at the Holiday Inn sign was relevant. Ms. Bugge pointed out that of the five hotel signs in the area, three did not comply, but two actually did comply with the Ordinance. Mr. Bushouse said the two which complied seemed to be viable, and he did not understand why there was a need to deviate from the Ordinance.

Ms. Stefforia asked the Board if it were to limit Value Place to 60 square feet, that it provide the Planning Department with some flexibility in measuring the sign, given its unique shape. She said if a box is drawn around the Value Place sign, given its configuration, it would look ridiculous and be nearly impossible to read. Mr. VanDenBrand asked if in the Board's discussion the 150 feet they were talking about was geometric square feet or the square footage of the sign as traditionally measured by Staff. Ms. Stefforia said she thought the Board would be justified in distinguishing this sign based upon the shape. The question then arose as to whether they would place the sign at the required 20 feet or higher. Mr. McClung raised a concern over visibility of the sign if it was only placed 20 feet above grade. Mr. Bushouse pointed out

the location of proposed signs on the site plan and said the topography would make the sign quite visible from either direction on U.S. 131. Mr. Bushouse again said he did not favor granting the deviation.

Mr. Clements pointed out, if there was a geometric analysis of the proposed sign, the smaller sign which was proposed would only be 105.19 geometric square feet. Mr. Clements then produced a scale drawing of the sign for the Board's review. Mr. Taylor said he thought he could accept a smaller sign. Mr. McClung said he thought that the smaller sign would be acceptable. The Chairman asked if the Board was to proceed on the freestanding and the wall sign separately. It was the consensus of the Board to take up the two issues individually.

Mr. McClung then made a motion to grant the sign deviation to allow the alternative sign proposed by the applicant; to-wit: the 105.19 geometric square foot sign, but with the 20-foot height limitation. The motion was seconded by Mr. Taylor. The Chairman called for a vote on the motion, and the motion passed unanimously.

The Chairman said the next issue to be determined was whether or not there would be any deviations allowed for wall signs. Mr. Taylor said he did not see any basis to allow for a deviation from wall sign height since the wall signs would be clearly visible over all surrounding structures. Mr. Bushouse said he saw no reason to increase the height or the size of the signs. The Chairman said he agreed with those comments. Mr. McClung then made a motion to deny the request for deviation from wall sign height and size of the wall signs as requested. The motion was seconded by Mr. Smith. The Chairman called for a vote on the motion, and the motion passed unanimously.

GOLF RIDGE - SUPPLEMENTAL SETBACK VARIANCE AND SITE PLAN REVIEW - 5349 WEST MAIN STREET (PARCEL NO. 3905-13-405-029)

The Chairman indicated the next item on the agenda was the supplemental setback variance request of Golf Ridge. However, he noted that the applicant had requested the matter be tabled. Ms. Stefforia again told the Board that the applicant was not sure when they would return. Therefore, the matter could not be tabled to a date certain, and the matter would have to be resubmitted for review.

Mr. Smith made a motion to table the matter until the applicant seeks further review. The motion was seconded by Mr. Taylor. The Chairman called for a vote on the motion, and the motion passed unanimously.

MCNEE - ACCESSORY BUILDING REVIEW - 10695 WEST MAIN STREET (PARCEL NO. 3905-18-330-095)

The Chairman said the next item up for consideration was review of a proposed accessory building on property where the aggregate area of the accessory buildings on the property exceed the ground floor area of the dwelling and where the new accessory building would be placed between the house and the street. He said the subject property was located at 10695 West Main Street, Parcel No. 3905-18-330-095. The Chairman asked to hear from the Planning Department. Mr. VanDenBrand submitted his report to the Planning Department and the same is incorporated herein by reference.

Mr. VanDenBrand told the Board that the applicant would like to construct a 40' by 60' building, with a total ground floor area of 2,400 square feet. Mr. VanDenBrand said, because of the Ordinance requirements, Zoning Board of Appeals' approval was necessary. He explained that the property currently contained a 670 square foot detached garage and a 1,200 square foot barn. He stated that, with the additional accessory building, the aggregate area of all of accessory buildings would increase to 4,272 square feet, thereby exceeding the 1,188 square foot area of the residence. He said the applicant had indicated that the barn might be demolished, which would reduce the aggregate area of the accessory buildings to 3,072 square feet. Mr. VanDenBrand then took the Board through a review of Section 78.820, as more fully set forth in his report.

The Chairman asked if there were any questions of Mr. VanDenBrand. Hearing none, he asked to hear from the applicant. Mr. Ed Santora introduced himself to the Board. He said he was Mr. McNee's brother-in-law and that he planned to purchase the property in approximately a year from his sister and brother-in-law. He apologized for not obtaining a permit for construction of the pole barn, but was told by his father-in-law that because it was a kit building, no permit was required. He again apologized for his error.

Mr. Santora explained where the existing garage was on the building and where he wanted to place the additional structure. He noted that the red barn was really in bad shape and would eventually be removed. He said they currently needed storage and would like to try and complete the structure before winter. Mr. Santora asked if there would be a possibility of the fire department burning the structure down. Mr. Bushouse explained that could be somewhat troublesome in that, given its poor condition there would be no benefit to the Township for training purposes.

The Chairman asked if the use of the building was strictly for personal use and personal storage. Mr. Santora assured him that it was.

Mr. McClung asked if counsel would explain the requirement to execute a written agreement for structures of this kind. Attorney Porter noted that the Township now required the execution of a written agreement by the property owner which could be

recorded with the register of deeds to provide written evidence to any subsequent purchaser that the building could never be used for commercial purposes. Mr. Santora said he did not think there would be a problem in complying with that request. Mr. Santora asked if having a race car would be a violation. The Board indicated that as long as it was a hobby, it would not be a problem, but that he could not run any type of business from the proposed structure.

Mr. Bushouse suggested perhaps allowing them to put the building up, but not allow occupancy until such time the barn was removed. Mr. Santora expressed some concern over that proposal, given the cost of demolition and removal of the structure. The Chairman said, given Mr. Santora's statements regarding the building, he thought the barn at least needed to be torn down so that it was no longer an attractive nuisance to children in the area. He said perhaps they could allow occupancy for a limited period of time before removal of the demolition. After further discussion with the Board, Mr. Smith made a motion to approve the request, on the following conditions:

1. The property owners and Mr. Santora execute the appropriate deed restrictions limiting the structure to personal use.
2. The existing barn be torn down.
3. Steady progress be made toward removal of the debris of the existing barn once torn down.

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

Other Business

Mr. VanDenBrand told the Board an applicant had requested a special meeting to consider an accessory building review under the Ordinance. After a brief discussion, it was the consensus of the Board to convene that meeting on November 3, 2006, at 4:00 p.m.

Adjournment

There being no further business to come before the Zoning Board of Appeals, the Board adjourned at approximately 4:25 p.m.

OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

By: Millard Loy, Chairman

By: Mike Smith

By: Roger Taylor

By: Duane McClung

By: Dave Bushouse

Minutes Prepared:
November 7, 2006

Minutes Approved:
_____, 2006

June 19, 2018

Meeting Date: June 26, 2018



To: Oshtemo Township Zoning Board of Appeals

Applicant: Hurley & Stewart, LLC

Owner: Todd Hurley

Property: 2800 S. 11th Street, Parcel Number 3905-25-335-040

Zoning: R-3: Residential District

Request: Site plan review for an office building addition

Section(s): Section 23.000—R-3 Residence District; 82.000—Site Plan Review

Project Name: Hurley & Stewart Office Addition

PROJECT SUMMARY

The applicant is requesting site plan review for a 2,227 square foot addition to their existing office building located at 2800 South 11th Street. The subject property is approximately two acres in size and is the office location for the Hurley & Stewart civil engineering firm.

Located in the R-3: Residence District, the proposed addition is a permitted by right under Section 23.202: Conversion of residence for office uses. This site was initially a residential home, which was converted to an office use in 2007, when the applicant purchased the property. In that same year, the Zoning Board of Appeals approved an addition to the building within the front yard. Their future plans at that time were to continue expanding in the front yard when the growth of their business warranted the construction. In 2014, they submitted a site plan for an expansion of their parking lot, which included eight deferred spaces.

In July of 2016, Hurley & Stewart contacted the Planning Department about moving forward with an addition. It was explained that in 2008, enhanced setbacks were incorporated into the Zoning Ordinance for 11th Street, requiring a 70-foot setback. This was concerning to the applicant because when they purchased the property the setbacks from 11th Street were 40 feet. After discussions with the applicant on their options, they chose to submit a variance request. The Zoning Board of Appeals granted the front yard setback variance in August of 2016, allowing a 40-foot front yard setback.

GENERAL ZONING COMPLIANCE

Section 23.202 of the R-3 District states the following for the conversion of residential homes:

- a. Any such building must remain compatible in size, height, external design, landscaping and surrounding open space as other residential buildings in the area adjacent and nearest to the proposed use within a radius not to exceed one-half mile.*

- b. Any interior or exterior lighting shall be of a subdued character with the source not visible from the perimeters of the property and shall be reduced in intensity or eliminated during non-business hours.*
- c. Required off-street parking and driveways shall be maintained upon the premises, appropriately landscaped and situated in locations least objectionable to adjacent premises, not closer than ten feet to such adjacent premises nor within the required front setback areas.*
- d. Landscaping shall be established in accordance with SECTION 75 between such premises and any adjacent premises utilized for single-family or two-family purposes or, if vacant, zoned for such purposes.*
- e. Access to and from the premises by motor vehicles shall be designed to accommodate forward movement in each case and no vehicles shall be permitted to back into the abutting private or public street.*

Based on previous approvals and the current site plan, all requirements of the ordinance related to conversion of single-family homes have been met. The east facing façade continues to have a residential appearance, residential lighting is used on site, parking lot requirements and setbacks have been met, and all landscaping meets the requirements of Section 75.

Onsite, vehicle parking will be located in the north side yard and rear yard. Staff calculates a minimum of 26 parking spaces required onsite, per Section 68.000: Off Street Parking Ordinance. The site plan provides 22 spaces, requesting four spaces continue to be deferred.

PUBLIC WORKS

The Township Engineer did not have any concerns with the site plan.

FIRE DEPARTMENT

The Fire Marshall requested the area near the existing garage be noted as a fire lane and that fire hydrants be labeled on the site plan. Both requests have been met.

RECOMMENDATION

Staff is satisfied that the project site plan meets all ordinance requirements and therefore recommends approval to the Zoning Board of Appeals. If amenable, this approval should include the continued deferment of four parking spaces on site.

Respectfully Submitted,



Julie Johnston, AICP
Planning Director

Attachments: Application
Aerial map
Site Plan



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
 Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS 2800 S. 11TH ST HURLEY & STEWART, LLC ADDITION

PLANNING & ZONING APPLICATION

Applicant Name : HURLEY & STEWART, LLC
Company HURLEY & STEWART PROPERTIES, LLC
Address 2800 S. 11TH ST
KALAMAZOO, MI 49009
E-mail thurley@hurleystewart.com
Telephone 269.492.3777 Fax 269.552.4961
Interest in Property OWNER/OCCUPANT

Oshtemo Charter Township
 7275 W MAIN ST
 KALAMAZOO, MI 49009
 Phone : 269-375-4260
 OSHEMOTOWNSHIP.ORG

Received From: HURLEY STEWART
 Date: 05/15/2018 Time: 10:41:15 AM
 Receipt: 141333
 Cashier: GTAYLOR

ITEM REFERENCE	AMOUNT
1088 SITE PLAN REVIEW	
SITE PLAN REVIEW	\$600.00
TOTAL	\$600.00
CHECK 2073	\$600.00
Total Tendered:	\$600.00
Change:	\$0.00

OWNER*:

Name Todd Hurley Huley & Stewart, LLC
Address 2800 S. 11th St.
Kalamazoo, MI
Email thurley@hurleystewart.com
Phone & Fax 269.492.3777 269.552.4961

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- | | |
|---|---|
| <input type="checkbox"/> Planning Escrow-1042 | <input type="checkbox"/> Land Division-1090 |
| <input checked="" type="checkbox"/> Site Plan Review-1088 | <input type="checkbox"/> Subdivision Plat Review-1089 |
| <input type="checkbox"/> Administrative Site Plan Review-1086 | <input type="checkbox"/> Rezoning-1091 |
| <input type="checkbox"/> Special Exception Use-1085 | <input type="checkbox"/> Interpretation-1082 |
| <input type="checkbox"/> Zoning Variance-1092 | <input type="checkbox"/> Text Amendment-1081 |
| <input type="checkbox"/> Site Condominium-1084 | <input type="checkbox"/> Sign Deviation-1080 |
| <input type="checkbox"/> Accessory Building Review-1083 | <input type="checkbox"/> Other: _____ |

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary): _____

Site Plan Review for 2,227 SF office addition

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

See Sheet C-1

PARCEL NUMBER: 3905- 25335040

ADDRESS OF PROPERTY: 2800 S. 11th St

PRESENT USE OF THE PROPERTY: Office

PRESENT ZONING R-3 **SIZE OF PROPERTY** 2 acres

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)	Address(es)
Todd Hurley	2800 South 11th Street, Kalamazoo, MI 49009
Tim Stewart	2800 South 11th Street, Kalamazoo, MI 49009

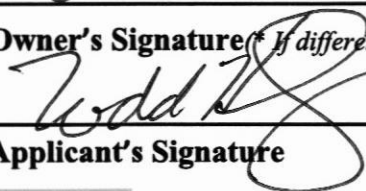
SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.



Owner's Signature (* If different from Applicant)

Date
5-15-18



Applicant's Signature

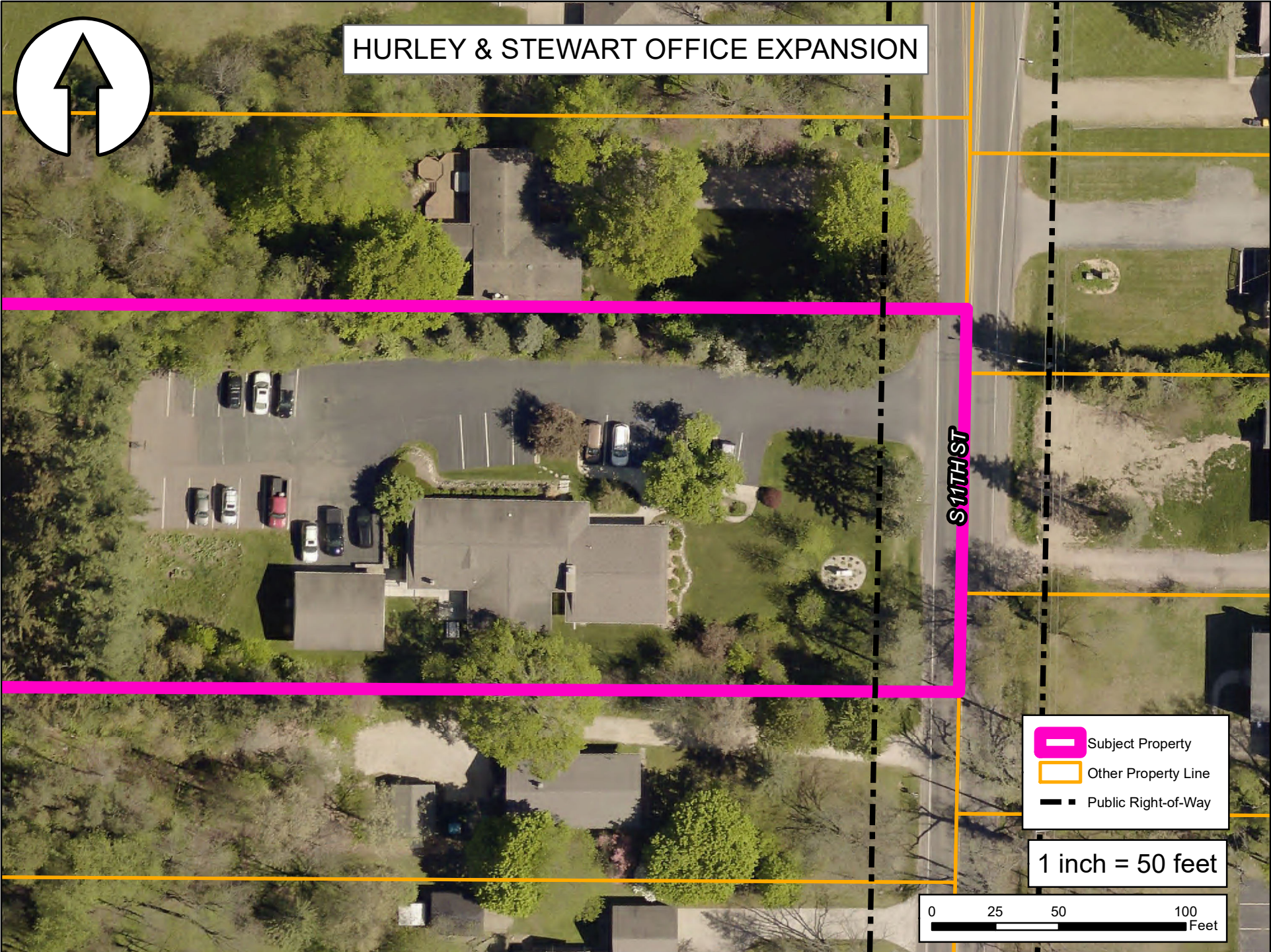
Date

- Copies to:
- Planning -1
- Applicant -1
- Clerk -1
- Deputy Clerk -1
- Attorney-1
- Assessor -1
- Planning Secretary - Original

PLEASE ATTACH ALL REQUIRED DOCUMENTS



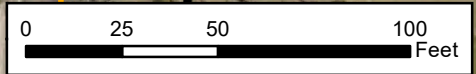
HURLEY & STEWART OFFICE EXPANSION



S117H ST

-  Subject Property
-  Other Property Line
-  Public Right-of-Way

1 inch = 50 feet



Sheet Set Description

HURLEY & STEWART, LLC ADDITION

2800 S. 11th Street
 Kalamazoo
 Kalamazoo County, MI
 6/11/18

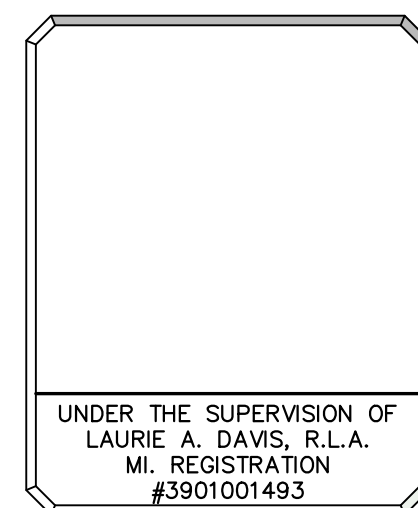
OWNER

hurley & stewart properties, llc
 2800 south 11th street
 kalamazoo, mi 49009
 269.552.4960 fax 552.4961

PLANS PREPARED BY:

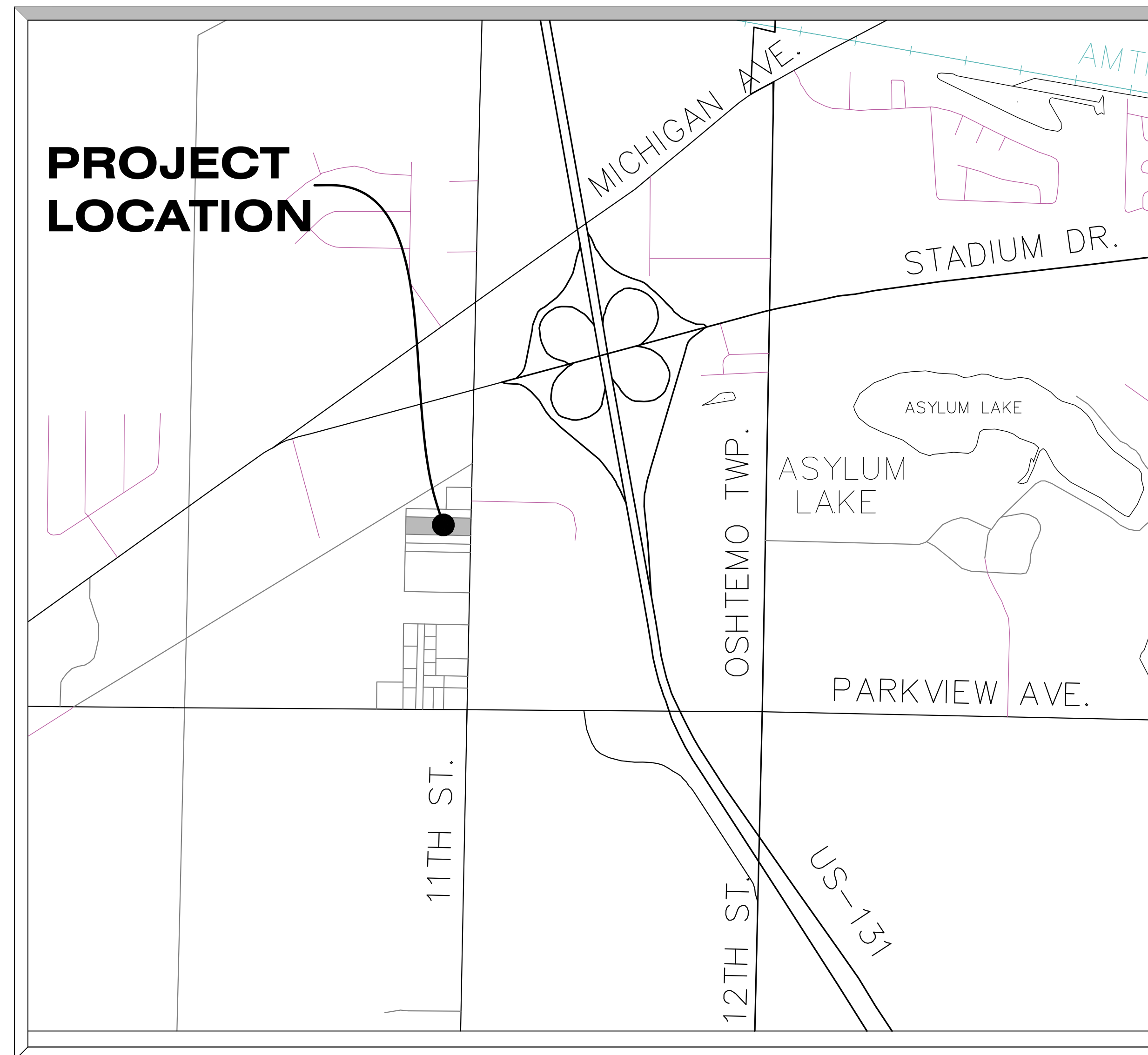


hurley & stewart, llc
 2800 south 11th street
 kalamazoo, michigan 49009
 269.552.4960 fax 552.4961
 www.hurleystewart.com



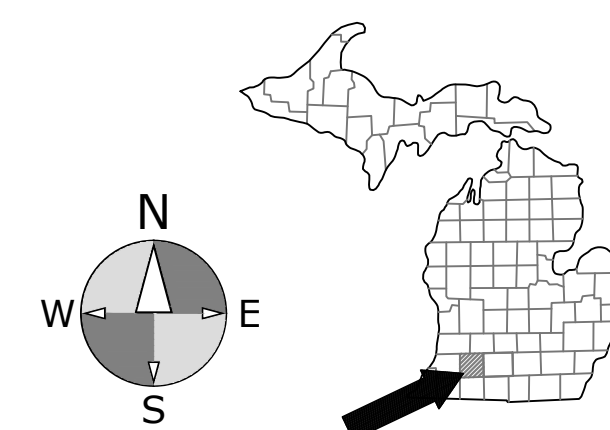
UTILITY CONTACTS:

CONSUMERS ENERGY CO. JESSE BURNS 2500 E. CORK STREET KALAMAZOO, MI 49001 269.337.2311	ELECTRIC
CONSUMERS ENERGY CO. TERRY FIELDS 2500 E. CORK STREET KALAMAZOO, MI 49001 269.337.2270	GAS
CITY OF KALAMAZOO STEVE SKALSKI/MATT JOHNSON 415 STOCKBRIDGE AVENUE KALAMAZOO, MI 49001 269.337.8002	WATER/SANITARY
CHARTER JEFF LAKE 2919 MILLCORK ST. KALAMAZOO, MI 49001 269.625.7403	TELEPHONE/CABLE
COMCAST 1(800)391-3000	CABLE TV
OSHTEMO TOWNSHIP GREG MILLIKEN 7275 W. MAIN ST KALAMAZOO, MI 49009	TOWNSHIP



SITE LOCATION MAP

SCALE: 1" = 800'



DRAWING INDEX

SHT #	DESCRIPTION
C-1	EXISTING CONDITIONS AND DEMO PLAN
C-2	LAYOUT PLAN
C-3	GRADING AND UTILITY PLAN
C-4	BUILDING ELEVATIONS

PRELIMINARY
 NOT FOR CONSTRUCTION



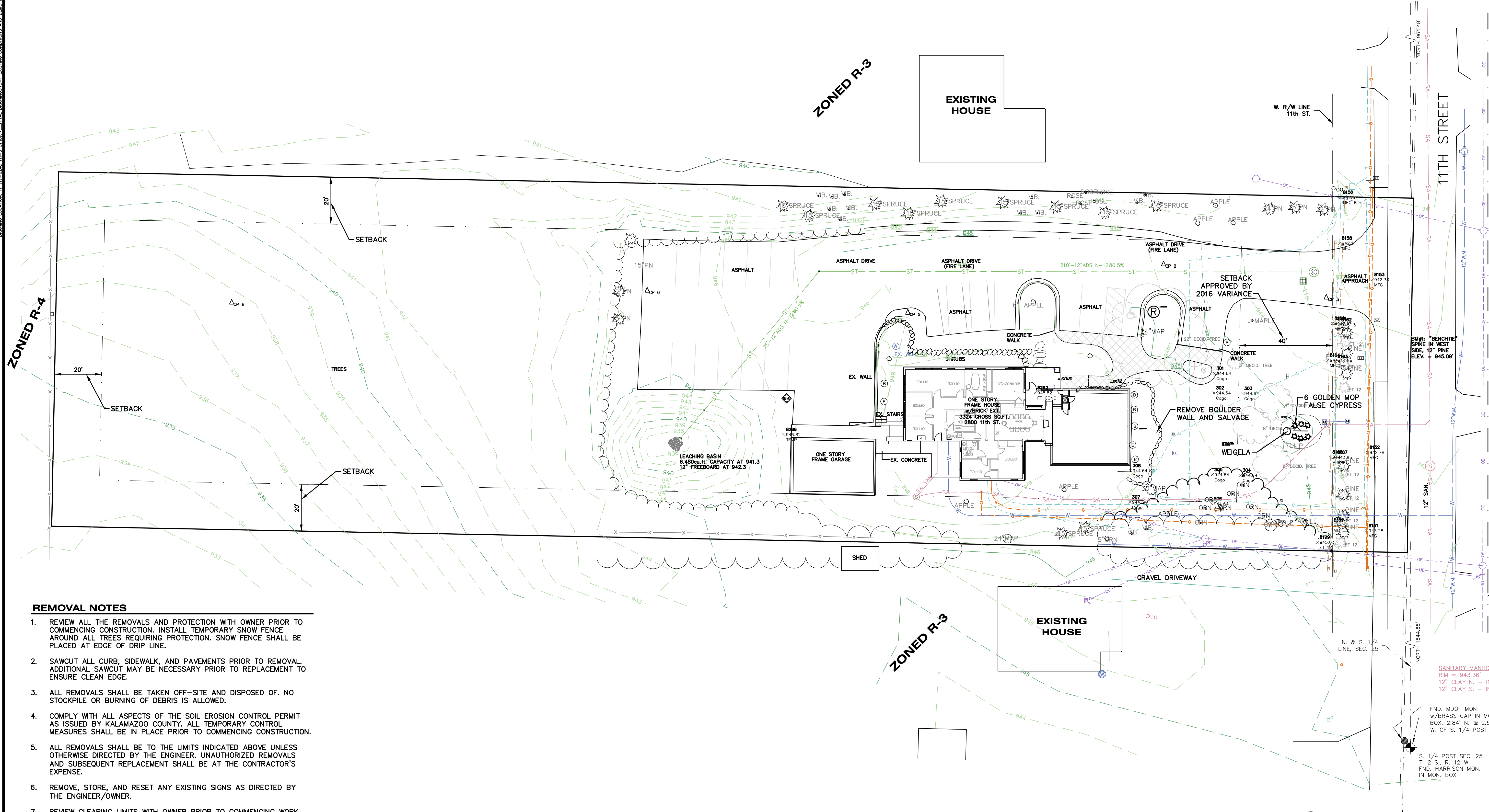
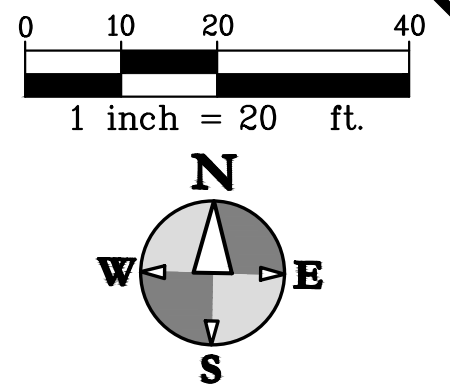
EXISTING TOPOGRAPHY PROVIDED BY CARR AND ASSOCIATES LAND SURVEYING. ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

ISSUED FOR:
 TOWNSHIP RESUBMITTAL
 6/11/18

DRAWING LOCATION: 11/17/2018 (11:53 AM) - FINAL DRAWINGS (C-1) EXISTING CONDITIONS AND DEMO PLANS (L) LAST SAVED BY: LORIN ON 5/31/2018

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE NORTH AND SOUTH QUARTER LINE OF SECTION 26, TOWN 2 SOUTH, RANGE 12 WEST, 1544.85 FEET NORTH OF THE SOUTHERLY 1/4 POST THEREOF; THENCE NORTH ALONG SAID NORTH AND SOUTH 1/4 LINE, 150.84 FEET; THENCE WEST 577.5 FEET; THENCE SOUTH 150.84 FEET; THENCE EAST 577.5 FEET TO THE PLACE OF BEGINNING. CONTAINS 2.0 ACRES MORE OR LESS.



REMOVAL NOTES

1. REVIEW ALL THE REMOVALS AND PROTECTION WITH OWNER PRIOR TO COMMENCING CONSTRUCTION. INSTALL TEMPORARY SNOW FENCE AROUND ALL TREES REQUIRING PROTECTION. SNOW FENCE SHALL BE PLACED AT EDGE OF DRIP LINE.
2. SAWCUT ALL CURB, SIDEWALK, AND PAVEMENTS PRIOR TO REMOVAL. ADDITIONAL SAWCUT MAY BE NECESSARY PRIOR TO REPLACEMENT TO ENSURE CLEAN EDGE.
3. ALL REMOVALS SHALL BE TAKEN OFF-SITE AND DISPOSED OF. NO STOCKPILE OR BURNING OF DEBRIS IS ALLOWED.
4. COMPLY WITH ALL ASPECTS OF THE SOIL EROSION CONTROL PERMIT AS ISSUED BY KALAMAZOO COUNTY. ALL TEMPORARY CONTROL MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING CONSTRUCTION.
5. ALL REMOVALS SHALL BE TO THE LIMITS INDICATED ABOVE UNLESS OTHERWISE DIRECTED BY THE ENGINEER. UNAUTHORIZED REMOVALS AND SUBSEQUENT REPLACEMENT SHALL BE AT THE CONTRACTOR'S EXPENSE.
6. REMOVE, STORE, AND RESET ANY EXISTING SIGNS AS DIRECTED BY THE ENGINEER/OWNER.
7. REVIEW CLEARING LIMITS WITH OWNER PRIOR TO COMMENCING WORK. PRESERVE TREES WHERE INDICATED.
8. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
9. FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL 1-800-482-7171 A MINIMUM OF THREE FULL WORKING DAYS EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE NOT BEEN PREVIOUSLY LOCATED. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.

BENCHMARKS

BM # 1 ELEVATION = 945.09
"BENCHTIE" SPIKE IN WEST SIDE OF 12" PINE

REMOVALS LEGEND

- SAWCUT
- PAVEMENT/SIDEWALK REMOVAL
- REMOVE
- SALVAGE



Know what's below.
Call before you dig.

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

FIELD WORK PERFORMED BY:
LANDTECH PROFESSIONAL SURVEYING

EXISTING CONDITIONS AND DEMO PLAN
HURLEY & STEWART, LLC ADDITION
HURLEY & STEWART PROPERTIES, LLC

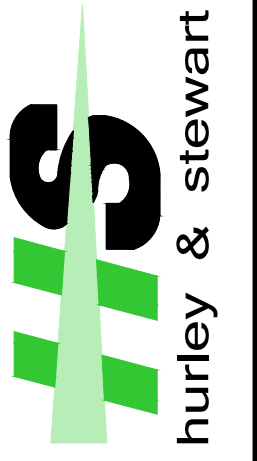
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Project:
Client:

5/15/18
Sheet

C-1

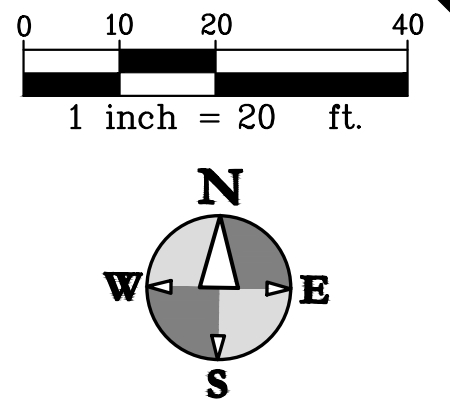
Job No. 17-024D	P.M.	DRH-LAD	QA/QC: 00/00/00
ISSUED FOR REVISIONS:	5/15/18		
1. TOWNSHIP SUBMISSION	6/11/18		
2. TOWNSHIP RESUBMITTAL			
3.			
4.			

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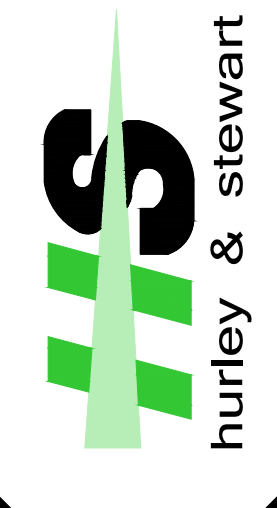


hurley & stewart, llc
2800 south 11th street
Kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

DRAWING LOCATION: H-17-0240 (H-S CHGS) - FINAL DRAWINGS-C-2 LAYOUT PLAN.dwg LAST SAVED BY: LORDEL ON: 6/11/2018



hurley & stewart, llc
 2800 south 11th street
 Kalamazoo, michigan 49009
 269.552.4960 fax 269.552.4961
 www.hurleystewart.com



Job No. 17-0240 P.M. - DRH-LAD QA/QC: 00/00/00

ISSUED FOR/REVISIONS:	DATE
1. TOWNSHIP SUBMISSION	5/15/18
2. TOWNSHIP RESUBMITTAL	6/11/18
3.	
4.	

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LAYOUT PLAN
HURLEY & STEWART, LLC ADDITION
HURLEY & STEWART PROPERTIES, LLC

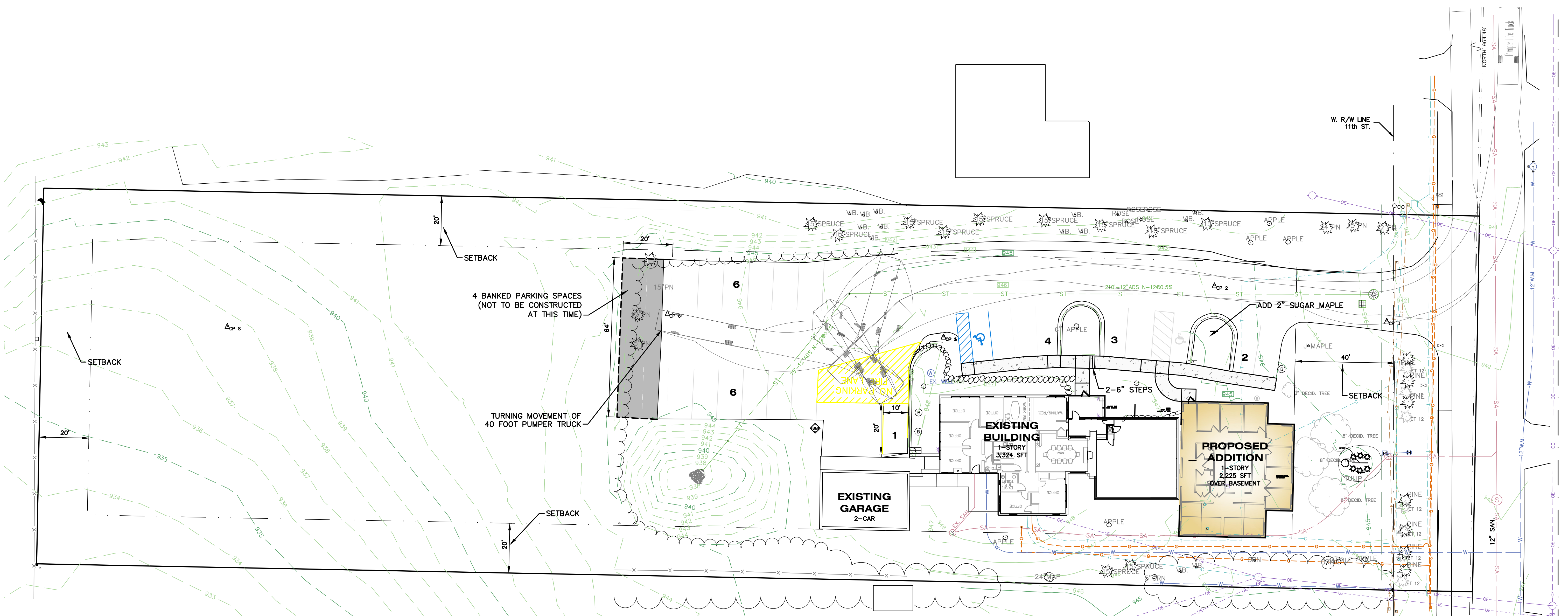
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 Project:
 Client:

5/15/18
 Sheet

C-2



ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.
 FIELD WORK PERFORMED BY:
 LANDTECH PROFESSIONAL SURVEYING



ZONING REQUIREMENTS

ZONING
 THE SITE IS ZONED R-3 (RESIDENTIAL)
 SETBACKS: FRONT - 40'
 SIDES - 20' (OR HEIGHT OF BLDG)
 REAR - 20'

PROPOSED USE
 OFFICE FACILITY

PARKING
 REQUIRED: 26 SPACES

PROVIDED:
 EXISTING LOT: 22 SPACES
 GARAGE: 2 SPACES
 BANKED PARKING: 4 SPACES
 TOTAL = 28 SPACES

BARRIER FREE SPACES REQUIRED = 2
 BARRIER FREE SPACES PROVIDED = 2
 ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS

TYPICAL PARKING SPACE DIMENSION = 10' X 20' (10' X 25' PARALLEL)

OFFICE CURRENTLY EMPLOYS 15 PEOPLE. WITH THE ADDITIONS, THE OFFICE COULD SUPPORT 29 EMPLOYEES. H&S HAS EXPANDED PARKING AS REQUIRED BY DAY TO DAY OPERATIONS AS HAS BEEN NEEDED IN THE PAST AND PLANS TO EXPAND PARKING AS NEEDED IN THE FUTURE. IN ADDITION, SOME EMPLOYEES ARE FIELD WORKERS WHO DO NOT REQUIRE A DESIGNATED DAILY SPACE.

SITE AREA CALCULATIONS

TOTAL SITE AREA (NOT INCLUDING R.O.W.) = 82,132 SFT
 TOTAL BUILDING COVERAGE = 6,788 SFT = 8.26%
 TOTAL OPEN SPACE = 58,134 SFT = 70.78%

BUILDING INFORMATION
 THE EXISTING BUILDING HAS A 3,324 GROSS SFT
 THE PROPOSED ADDITION WILL BE 2,225 GROSS SFT
 CONSTRUCTION TYPE: WOOD FRAME

GENERAL NOTES

1. ALL DIMENSIONS SHOWN ARE TO THE EDGE OF METAL.
2. PROVIDE CURB CUTS/RAMPS AT ALL BARRIER FREE ACCESS POINTS.
3. PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND MICHIGAN BARRIER FREE CODE.
4. ALL SIGNAGE AND STRIPING SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
5. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
6. ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
7. ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE P1 (3500PS), AIR ENTRAINED, LIMESTONE AGGREGATE, BROOM FINISHED, CURING SEAL.
8. ROLL-AWAY GARBAGE CONTAINERS SHALL BE STORED IN THE GARAGE.
9. ON-SITE LIGHTING WILL NOT CHANGE FROM THE EXISTING WITH THIS ADDITION. LIGHTING WILL BE REDUCED IN INTENSITY DURING NON-BUSINESS HOURS.
10. 40 FOOT FRONT SETBACK APPROVED BY A 2016 VARIANCE.

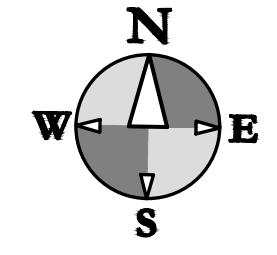
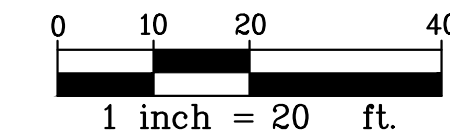
PROJECT DESCRIPTION

ADD 2,225 SF OFFICE ADDITION WITH BASEMENT TO EXISTING 1 STORY OFFICE BUILDING

LEGEND

- CONCRETE PAVEMENT AND SIDEWALK
- PROPOSED BUILDING

DRAWING LOCATION: H-17-0249 (H-5 Office) FINAL DRAWINGS-C-3 GRADING AND UTILITY PLAN SHEET LAST SAVED BY: LURLEI ON: 6/11/2018

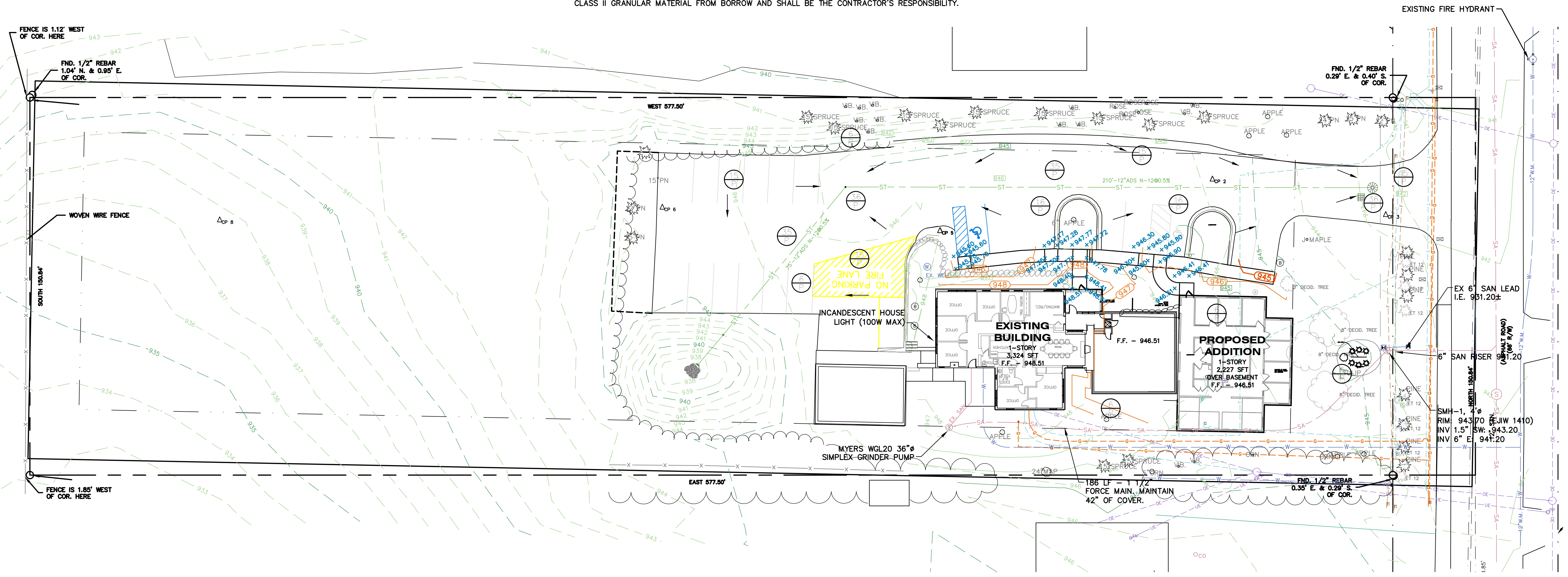


UTILITY NOTES

1. EXISTING MUNICIPAL WATER, AND PRIVATE GAS, ELECTRIC AND TELEPHONE SERVICES SHALL BE UTILIZED FOR THE ADDITION.
2. EXISTING ON-SITE STORM MANAGEMENT SYSTEM SHALL BE UTILIZED.

SESC & GRADING NOTES

1. ALL WORK WILL COMPLY WITH THE PROVISIONS OF THE SOIL EROSION AND SEDIMENTATION CONTROL ACT (PA 347 OF 1972 AS AMENDED) ADMINISTERED BY THE COUNTY DRAIN COMMISSIONER.
2. AVOID UNNECESSARY DISTURBING OR REMOVING EXISTING VEGETATED TOPSOIL OR EARTH COVER. THESE AREAS ACT AS SEDIMENT FILTERS.
3. ALL TEMPORARY SOIL EROSION PROTECTION SHALL REMAIN IN PLACE UNTIL REMOVAL IS REQUIRED FOR FINAL CLEANUP AND APPROVAL.
4. NO SITE WORK SHALL BEGIN UNTIL THE SILT FENCE IS INSTALLED.
5. ALL SOIL PILES SHALL BE SURROUNDED BY SILT FENCE IF ALLOWED TO REMAIN IN PLACE FOR MORE THAN 7 DAYS. TOPSOIL PILES SHALL BE SEEDED IF ALLOWED TO REMAIN IN PLACE FOR MORE THAN 20 DAYS. SPOIL PILES SHALL NOT BE PLACED WITHIN 50' FROM ANY TEMPORARY OR PERMANENT WATERCOURSE.
6. MATCH EXISTING GRADES AROUND PERIMETER WITH SLOPES AS SHOWN. MATCH AT 1 ON 6 IF NOT LABELED.
7. THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
8. ALL REQUIRED FILL FOR THIS PROJECT SHALL BE SELECTED EXCAVATED MATERIAL FROM THE SITE APPROVED BY THE ENGINEER OR CLASS II GRANULAR MATERIAL FROM BORROW AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.



SOIL EROSION AND SEDIMENTATION CONTROL MEASURES

KEY	DETAIL	CHARACTERISTICS
6	Seeding with Mulch and/or Matting	Facilitates establishment of vegetative cover. Effective for drainage with low velocity. Easily applied in small quantities by inexperienced personnel. Some erosion control is provided.
15	Styrene	Protects areas which cannot otherwise be protected, but increases runoff volume and velocity. Irregular surface will help slow velocity.
16	Curb and Gutter	Keeps high velocity runoff on paved areas from leaving paved surface. Collects and conducts runoff to enclosed drainage system or "open" drainage way.
35	Storm Drain	System removes collected runoff from site, particularly from paved areas. Can accept large concentrations of runoff. Conducts runoff to municipal storm system or stabilized out fall location. Use catch basins to collect sediment.
36	Catch Basin, Drop Inlet	Collects high velocity concentrated runoff. May use filter cloth over inlet.



ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.
FIELD WORK PERFORMED BY:
WIGHTMAN WARD SURVEYING

hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com

Job No.: 17-0249 P.M. - Drt. LAD QA/QC: 00/00/00

ISSUED FOR/REVISIONS:	DATE
1. TOWNSHIP SUBMISSION	5/15/18
2. TOWNSHIP RESUBMITTAL	6/11/18
3.	
4.	

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GRADING AND UTILITY PLAN
HURLEY & STEWART, LLC ADDITION
HURLEY & STEWART PROPERTIES, LLC

Sheet Title:
Project:
Client:

5/15/18
Sheet

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BUILDING RENDERING
LOOKING SOUTHWEST



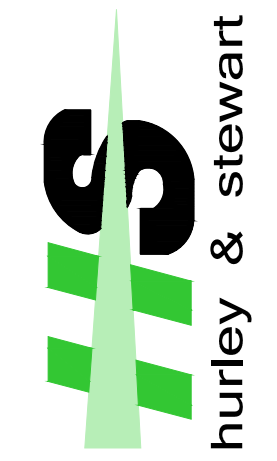
BUILDING RENDERING
LOOKING SOUTH

NOTES: FINISHES TO MATCH EXISTING BUILDING.
BRICK AND STUCCO.



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Job No. 17-0540	P.M.	Dr: LAB	QA/QC: 00/00/00
ISSUED FOR REVISIONS:			
1	TOWNSHIP SUBMISSION	5/15/18	
2	TOWNSHIP RESUBMITTAL	6/11/18	
3			
4			

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BUILDING ELEVATIONS
HURLEY & STEWART, LLC ADDITION
HURLEY & STEWART PROPERTIES, LLC

Sheet Title:
Project:
Client:

5/15/18
Sheet

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