

Agenda

City of Kalamazoo - Zoning Board of Appeals

March 8, 2018

City Commission Chambers, City Hall

7:00 p.m.

A. Call to Order:

B. Communications and Announcements:

C. Approval of Meeting Minutes for February 8, 2018

D. Public Hearings:

1. ZBA #18-03-05: 3433 Oakland Drive. Todd and Wendy Trucks are requesting a dimensional variance from Chapter 4, Section G3, to allow one unit per 6,125 square feet of land area, where 7,500 square feet is the minimum square footage per cluster housing unit in the RS-5 District. The total number of cluster housing units being proposed for this project is eight. Please note this same request was approved on September 11, 2014, but this approval has expired.
2. ZBA #18-03-06: 2309, 2315, 2343, 2349, 2401 Angling Road. The Kalamazoo Nature Center is request the following: **1)** A dimensional variance from Chapter 6, Section 6.1 H 1, to allow gravel parking areas, where the surfacing requirement for drives and parking areas concrete or asphalt; and **2)** A dimensional variance from Chapter 7, Section 7.3 A, to install a 20 square foot freestanding sign where only a two square foot name plate is allowed in Zone RS-5.

E. Other Business:

F. Adjournment:

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
FEBRUARY 8, 2018 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

Members Present: Matt Lager, Reed Youngs, Chris Flach, Christina Doane, Jeff Carroll

Members Absent: James Houston

City Staff: Pete Eldridge, Zoning Administrator; Clyde Robinson, City Attorney;
Deanna Benthin, Recording Secretary

Chair Lager called the meeting to order at 7:00 p.m.

MINUTES:

Mr. Youngs moved to approve the minutes of January 11, 2018 as submitted, seconded by Mr. Carroll.

Motion approved by voice vote unanimously.

NEW BUSINESS:

PUBLIC HEARINGS: Chair Lager summarized the process and explained the Zoning Board of Appeals public hearing rules of procedures stating that a full board consists of six members and that approval requires four affirmative votes. If only four members are present the applicants would have the option to hold their requests over to the next meeting or present their requests with the hopes of getting all four affirmative votes.

Mr. Carroll read the application for 2103 S. Burdick Street, Parcel #06-27-178-007:

ZBA# 18-01-01: 2103 S. Burdick Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Kelly Nguyen of Nonla Burger. The request concerns the property at 2103 S. Burdick Street, which is situated in use Zone CN-1, Commercial – Neighborhood District. The applicant is requesting a dimensional variance from Chapter 12, Section 12.3, to allow a wall sign to remain which projects 26 inches from the building and is mounted off the corner of the building, where a wall sign is defined as having a sign face projecting not more than 18 inches from the building and the sign face must be on a parallel plane with the exterior surface of the building.

Please note that this request will not change the zoning classification of the property. This is a request for a variance only regarding the items described above. There were sixty-seven notices of public hearing sent and zero responses were received.

Kelly Nguyen stated they requested a sign permit, but didn't understand they couldn't have the sign the way they installed it. It's only a six inch difference and is a very subtle sign. She gave examples of other similar signs in the area like theirs. She stated the sign was securely installed the same way as on their other building and they've had no problems with that sign.

Mr. Carroll questioned the other signs referred too and if they had variances. Mr. Eldridge stated one sign was the KD Sales sign and the building has a zero setback, the sign falls under a old program they had for projecting signs in the right of way, it's a legal non-conforming sign. Those signs are now only allowed in the Commercial Central Business District Downtown since 2005, the same for the sign for La Hispanica; they pay a \$40 fee annually for having a sign projecting over the City property. The Nguyen's sign is different; it only projects from the building, not over the City's property.

Mr. Youngs commented on similar signs on Portage Street, where Jersey Giants, Community Promise Credit Union, and a couple projecting signs across the street were approved.

Chair Lager questioned why they chose to place the sign in that location. Mrs. Nguyen stated for visibility from both streets, and to save money on buying two signs. Chair Lager stated it doesn't impede any parking spaces either.

Mr. Carroll questioned why they don't want a larger sign. Mrs. Nguyen stated too keep the sign subtle and maintain consistency with their other business.

Mr. Eldridge commented the parking is tight at the location; the sign on the wall is conducive to the site. They could place a sign on both frontages since they have a double frontage. This type of signage is urban in character and it only projects off the building, not over a sidewalk.

There were no comments from the public.
Chair Lager closed the public hearing.

FINDING OF FACT

Ms. Doane moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 2103 S. Burdick Street shall include all information included in the notice of public hearing dated December 27, 2017.
- 2.) Sixty-seven notices of public hearing were sent and zero responses were received.
- 3.) A public hearing was held before the board and public comments were accepted.

- 4.) The Zoning Board of Appeals received documents on the request including lot diagrams with boundaries and drawings, aerial photographs, site plans, elevations and a letter.
- 5.) The Finding of Fact shall include those documents just described and also all facts and comments made during the public hearing, which are summarized to include without limitation, the following: Kelly Nyguyen stated she didn't know about the rule when they placed the sign. She gave examples in the same neighborhood of other similar signs. Mr. Eldridge stated their sign is different than other examples since it doesn't project over the right of way. They mentioned other businesses in the Washington Square area that have similar signs. Mr. Eldridge stated they could put more signage up per the ordinance; this sign is minimal in comparison and is more fitting to the property than a larger sign. The sign is not seen as a detriment to the local community.

Mr. Youngs seconded the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Mr. Youngs moved to approve the application, seconded by Ms. Doane.

Mr. Youngs reviewed the criteria conditions that must be met to qualify and stated the granting of the variance won't adversely affect adjacent land negatively. The sign is proportionate to the building and he's in favor.

Chair Lager stated he was in favor, due to the small size of the building and parking lot; the sign doesn't interfere with anything and fits with the character of the area.

Motion approved by roll call vote unanimously.

Mr. Carroll read the application for 1001 W. Maple Street, Parcel # 06-28-221-001:

ZBA# 18-02-03: 1001 W. Maple Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Sign Art Inc. on behalf of the YMCA. The request concerns the property at 1001 W. Maple Street, which is situated in use Zone RM-15, Residential – Multi Dwelling District. The applicant is requesting a dimensional variance from Chapter 7, Section 7.3 A, to install a 24 square foot wall sign, where in Zone RM-15 a special use such as the YMCA is allowed a 32 square foot freestanding sign only with no allowance provided for wall signage.

Please note that this request will not change the zoning classification of the property. This is a request for a variance only regarding the items described above. There were thirty-eight notices of public hearing sent and zero responses were received.

Steve VanderSloot of SignArt representing the YMCA, stated he personally went to activities and worked there when he was younger. The YMCA is a bit antiquated and they want to upgrade their sign on the addition. There's a wall sign stipulation in the RM15 zone district where the YMCA is located. Mr. VanderSloot stated in the early morning hours the YMCA wants a lighted sign there at their main entrance.

Chair Lager questioned the building location. Mr. Eldridge clarified it's the Maple Street drop off lane. Mr. VanderSloot stated it's a drive up and drop off lane only, there's no parking. The actual entrance is off Hudson Drive where the sign faces. Coming to the YMCA in the evening you want to park where the sign is located. They discussed the existing monument sign also.

Mr. Eldridge questioned if there would be any more signage coming down the road. Mr. VanderSloot stated the YMCA has a new CEO, he has not heard anything mentioned to him about additional signs.

There were no comments from the public.
Chair Lager closed the public hearing.

FINDING OF FACT

Mr. Flach moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 1001 W. Maple Street shall include all information included in the notice of public hearing dated January 24, 2018.
- 2.) Thirty-eight notices of public hearing were sent and zero responses were received.
- 3.) A public hearing was held before the board and public comments were accepted.
- 4.) The Zoning Board of Appeals received documents on the request including lot diagrams with boundaries and drawings, aerial photographs, site plans, elevations and a letter.
- 5.) The Finding of Fact shall include those documents just described and also all facts and comments made during the public hearing, which are summarized to include without limitation, the following: Mr. VanderSloot of SignArt, representing the YMCA stated he had good experiences with the YMCA and this would be value added to the community. He stated the sign would be facing Hudson Street and for directing patrons to the entrance. The sign will be illuminated, since the YMCA is open early in the morning and in the evenings. Mr. Eldridge asked if there would be any other perceived new sings to be

added. Mr. VanderSloot stated he couldn't foresee the future, but nothing has been proposed at this time.

Mr. Carroll seconded the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Mr. Youngs moved to approve the application, seconded by Mr. Carroll.

Chair Lager reviewed the criteria conditions that must be met to qualify and stated he was in favor. He stated there are special circumstances; the YMCA is a landmark in the area nestled in a residential area, with a church and a middle school nearby. The use of the property necessitates a sign.

Mr. Flach questioned if another sign could be installed since they are on a corner. Mr. Eldridge stated yes, but he referred to the comments made by Chair Lager for the need for an identifier for the entrance to the building. There is an allowance for an identification sign on each frontage. Mr. Flach clarified they could have this variance approved and then install a monument sign. Mr. Eldridge replied correct, the Board could grant conditions with the variances, with no additional signs on the street frontage. Mr. Eldridge clarified the sign could be six foot in height and thirty-two square foot. Chair Lager prefers not to add conditions, that's not the request before them and the YMCA hasn't mentioned adding another sign.

Motion approved by roll call vote unanimously.

Mr. Carroll read the application for 3406 Stadium Drive, Parcel #06-30-241-005:

ZBA# 18-02-04: 3406 Stadium Drive: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Roy Meyer of Meyer Wood Products. The request concerns the property at 3406 Stadium Drive, which is situated in use Zone CC, Commercial – Community District. The applicant is requesting the following: 1) A variance from Chapter 4, Section 4.3 J, to authorize Meyer Wood Products to display and sell sheds and other wood products in the parking lot of 3406 Stadium Drive for a period of six months (April 1, 2018 to September 30, 2018) where a maximum of 30 days is permitted per calendar year for a Temporary Sales or Service use; and 2) A dimensional variance from the sign provisions for a Temporary Sales or Service use to authorize a double sided 32 square foot sign where only eight square feet is permitted for a Temporary Sales and Service use.

Please note that this request will not change the zoning classification of the property. This is a request for a variance only regarding the items described above. There were nineteen notices of public hearing sent and zero responses were received.

Roy Meyer, owner of Meyer Wood Products stated he's requesting a variance; he wants to expand his sales. He gave his wood working background history, stating there will be approximately thirty to forty buildings there. He sells docks, gazebo's yard swings, sheds, back yard furniture and Amish furniture. The property at Wayside is a heavy traffic area, sheds, garages, it's a growing business and he needs that display area. He currently has a

display area on South Westnedge in Portage. He stated he has a sign issue, and is asking for a thirty-two square foot sign for his name and website to be displayed. He will man the site for twenty to thirty hours to greet people, and then they would go to Paw Paw to design and order the shed.

Chair Lager questioned where the location in Portage was. He stated it was by Habitat for Humanity, he leases there for six months, and he uses an existing sign slot for signage there. The demand is there for more sheds. He has a couple locations he leases year round. Mr. Eldridge requested a greeter be on site, to check the doors, mow, and keep trash picked up.

Mr. Carroll questioned if it's a temporary use. Mr. Meyer stated he's been trying to sell his business for over ten years. He won't buy the property, it's too expensive, but it's better to have something on the property than have a vacant lot. Chair Lager questioned the need for a thirty-two square foot sign. Mr. Meyer stated all his other locations have the thirty-two square foot signs, and it makes them legible. Mr. Meyer stated Plaza Corp has two signs existing, but he hasn't asked if he can use one.

Mr. Carroll questioned what zone district would allow for him to not have to request a variance. Mr. Eldridge clarified the zones allowed for an outdoor display of products. Mr. Eldridge stated the City could approve a temporary use for up to thirty days, if more than thirty days it has to go before the ZBA. Mr. Carroll questioned if the applicant has to come before the Board every year. Mr. Eldridge stated yes, the Board likes the applicant to come back, and then they can address any issues that have occurred. It's not an annual approval to operate; it's only for six months in 2018. Mr. Eldridge commented the Planning Staff would not support more than six months for a temporary use, if more than that they needed to go through a site plan review. They've approved food trucks, BBQ stands, fireworks sales, flower sales, and only the fireworks stand was granted a variance for a larger sign. They discussed the hardship for granting a fireworks stand for a six month period, due to hazardous conditions and security issues.

Mr. Eldridge commented Mr. Meyer's main office is in Paw Paw, but he has other satellite locations. Mr. Eldridge commented he'd spoken to Mr. Meyer about removing trash, keeping the site clean, issues with the homeless population, having a sales person on site would help deal with those issues.

There were no comments from the public.
Chair Lager closed the public hearing.

FINDING OF FACT

Mr. Youngs moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 3406 Stadium Drive shall include all information included in the notice of public hearing dated January 24, 2018.
- 2.) Nineteen notices of public hearing were sent and zero responses were received.

- 3.) A public hearing was held before the board and public comments were accepted.
- 4.) The Zoning Board of Appeals received documents on the request including lot diagrams with boundaries and drawings, aerial photographs, site plans, elevations and a letter.
- 5.) The Finding of Fact shall include those documents just described and also all facts and comments made during the public hearing, which are summarized to include without limitation, the following: Roy Meyer of Meyer Wood Products is looking to expand his business with a new temporary sales location. He explained the sign issue with requesting a thirty-two square foot sign and will be the same size as his other locations. He will have an on-site sales person for twenty to thirty hours a week.

Mr. Flach seconded the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Mr. Youngs moved to approve the application for part 1) A variance from Chapter 4, Section 4.3 J, to authorize Meyer Wood Products to display and sell sheds and other wood products in the parking lot of 3406 Stadium Drive for a period of six months (April 1, 2018 to September 30, 2018) where a maximum of 30 days is permitted per calendar year for a Temporary Sales or Service use seconded by Mr. Flach.

Chair Lager reviewed the criteria conditions that must be met to qualify and stated he was in favor. He discussed the nature of Stadium Drive. It's a vacant property currently; it's the minimum action to make use of the property.

Mr. Youngs stated he was in favor, it serves a dual purpose, and it helps the applicant and landowner.

Mr. Eldridge stated the temporary use requirements are different. He spoke to Staff having done a review. It states only an eight foot sign is allowed under this use.

Mr. Flach stated everyone wins in this request, the community and the owner.

Roll call vote:

Yes: Flach, Lager, Youngs, Doane

No: Carroll,

Ms. Doane wanted to question the applicant if it was his intention to request this variance every year. Mr. Eldridge discussed how to move forward since a motion was on the table.

Attorney Robinson stated when following Roberts Rules of Order there is a caveat to the rules, stating however, parliamentary procedures shall be flexible, and may be adjusted at the Chair's discretion, as determined by the ZBA, however no rules shall be adopted that are inconsistent with the rules of the ZBA, if there is a question, it should have been during the discussion, when there is a vote on the table, it's too late.

Mr. Flach questioned the applicant if he would return next year. Mr. Meyer commented he would return next year and request a second year if the lot was still vacant and available, stating he'd be creating more jobs in the community. Mr. Eldridge stated if there were issues that had occurred on site, it would be brought up at that time.

Motion approved by roll call vote.

Mr. Youngs moved to approve the application for part 2) a dimensional variance from the sign provisions for a Temporary Sales or Service use to authorize a double sided 32 square foot sign where only eight square feet is permitted for a Temporary Sales and Service use seconded by Mr. Flach.

Chair Lager questioned if the temporary use sign requirements for approval were the same as dimensional use requirements. Mr. Eldridge stated they are, they'd look at the requirements and what are significant for a sign on Stadium Dr. He spoke to the sign allowances along Stadium Dr. Plaza Corp's real estate sign should be a thirty-two square foot sign.

Chair Lager reviewed the criteria requirements and if it was a permanent business it would be allowed a larger sign. Mr. Eldridge stated probably they could have two one hundred and fifty foot signs with the road frontage they have.

Motion denied by roll call vote.

Yes: Flach, Lager, Youngs

No: Carroll, Doane

OTHER BUSINESS:

Mr. Eldridge had a discussion on the annual report for 2017. He gave a brief summary on the requests that came before the Board.

Election of Officers:

Mr. Flach made a motion to appoint Reed Youngs as Chair, Matt Lager as Vice-Chair, and Jim Houston as Secretary, seconded by Mr. Carroll.

Motion approved by voice vote unanimously.

ADJOURNMENT:

Motion approved by roll call vote unanimously.

The meeting was adjourned at 8:26 p.m.

Submitted By _____ **Date** _____

Recording Secretary

Reviewed By _____ **Date** _____

City Staff

Approved By _____ **Date** _____

Chair

DRAFT



Community Planning and Development

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

February 20, 2018

**RE: ZBA #18-03-05
3433 Oakland Drive
Parcel: #06-32-235-001**

Dear Property Owner:

An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Todd and Wendy Trucks. The request concerns the property at 3433 Oakland Drive, which is situated in Zone RS-5 (Residential – Single Dwelling District).

The request, if approved, would authorize a dimensional variance from Chapter 4, Section G3, to allow one unit per 6,125 square feet of land area, where 7,500 square feet is the minimum square footage per cluster housing unit in the RS-5 District. The total number of cluster housing units being proposed for this project is eight. Please note this same request was approved on September 11, 2014, but this approval has expired.

Please note that this request will not change the zoning classification of the property. This is a request for variance only regarding the item described above.

A public hearing will be held on **Thursday, March 8, 2018 at 7:00 p.m.** in the City Commission Chambers in City Hall (241 W. South Street), at which time you may submit your views on this matter in person, by writing, or by representative. If you should know of any interested person who has not received a copy of this letter, please inform them of the time and place of the hearing.

Further information, including property diagrams and drawings are available at the Community Planning and Development Department at 415 Stockbridge Avenue. Meeting agenda packets will also be available to view on-line 10 days prior to the meeting at:
www.kalamazoocity.org/boards

If you have any questions, please call (269) 337-8026 or submit by email at eldridgep@kalamazoocity.org.

Sincerely,
ZONING BOARD OF APPEALS


Peter C. Eldridge, AICP
Zoning Administrator

c: File



Zoning Board of Appeals (ZBA) Application Form

Community Planning & Development Department

415 Stockbridge

Kalamazoo, MI 49001

Phone: 269-337-8026

www.kalamazoo-city.org

Your fully completed application, fee, and all related documents must be submitted to the Community Planning & Development Department at least four (4) weeks prior to the Zoning Board of Appeals meeting.

Applicant: Name Todd + Wendy Trucks, an Entity to be Formed, c/o Don Sappanos A Horney
Address 1595 West Centre Ave., Suite 100
City, State, Zip Portage, MI 49024
Phone 269-375-7213 Cell 269-207-3177
Fax 269-375-7827 Email Sappanoslaw@sbcglobal.net

Owner: Name SAMI Investments
Address 404 West Centre Ave., Ste 1
City, State, Zip Portage, MI 49024
Phone 269-383-2686 Cell 269-760-2686
Fax 269-383-1332 Email Houston@samionline.biz

(If the applicant is not the property owner, a letter signed by the owner agreeing to the variance must be included with the application.)

Property Information

Street or Street Address 3433 Oakland Drive, Kalamazoo, MI 49008

This property is located between Logan street and Amherst street, on the

north south east west side of the street.

CCN# 06-32-235-001 Zone RS-5

Type of Request

Interpretation of Chapter(s) _____ Sections(s) _____
Paragraph(s) _____ of the City of Kalamazoo Zoning Ordinance.

Use Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, unnecessary hardship to the applicant will result. All Use Variance Requirements must be met. (See Requirements List.)

Dimensional Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, practical difficulties to the applicant will result. All Dimensional Variance Requirements must be met. (See Requirements List.)

Appeal of an Administrative Decision

Description _____

Attachments

- \$ Fee
- Brief narrative (less than one type-written page) describing the nature of the request (2 copies)
- Sketch plan of the property in questions (2 copies)
- Additional attachments as needed e.g. (pictures, architectural drawings, petitions, etc. (2 copies)

Signature of Applicant _____ Date 2-1-18

Signature of Owner (if different than applicant) _____ Date 2-2-2018

DONALD L. SAPPANOS, PC.

Wednesday, January 31, 2018

The City of Kalamazoo
Community Planning & Development Department
415 Stockbridge Avenue
Kalamazoo, MI 49001-2816

City of Kalamazoo, Zoning Board of Appeals:

On behalf of Todd and Wendy Trucks, an Entity to-be Formed, this firm is requesting a dimensional variance for the property at 3433 Oakland Drive, Kalamazoo, MI 49008 which is situated in Zone RS-5 (Residential – Single Dwelling District). The request, if approved, would authorize a dimensional variance from Chapter 4, Section G3, to allow one unit per 6,125 square feet of land area, where 7,500 square feet is the minimum square foot per cluster housing unit in the RS-5 District. The total number of cluster housing units being proposed for this project is eight. The requested variance does not change the current zoning classification; the only request is for an additional unit. The eight unit project would be built under the Cluster Development whereby 53% of the project will be open space vs. the requirement of a minimum of 50%. All set-back requirements are met and the requested variance of one additional unit does not adversely affect the adjacent property owners. The Zoning Board of Appeals previously approved the Variance Request on 09-11-2014.

Todd and Wendy Trucks, an Entity to-be Formed is developing an eight-unit detached condominium project for the site located at 3433 Oakland Drive, Kalamazoo, MI 49008; the up-scale development takes advantage of the land contours and views of the Kalamazoo Country Club. Each two story $\pm 2,200$ SF unit will have three bedrooms and four and a half bathrooms, a two stall garage and a full finished ± 865 SF basement with walk-out egress and daylight windows; all units will feature a deck overlooking the project's open space, and the fifth green of the Kalamazoo Country Club. Additionally, each unit includes a guest parking space. The common space offers eight guest parking space (including two barrier free spaces), two screened waste receptacle areas (four 95 gallon rolling containers), and open space. Pat Flanagan, Ingersoll, Watson, & McMachen, Inc., prepared the site plan and condominium documents. Steve Bosch designed the building construction plans.

Thank you for your consideration the above dimensional variance request.

Respectfully yours,



Donald L. Sappanos, Jr.

1595 West Centre Avenue, Suite 100
Portage, MI 49024
Phone 269-375-7713 / Fax 269-375-7827
sappanoslaw@sbcglobal.com



440 West Centre Avenue, Suite 1
Portage, MI 49024
Tel: (269) 383-2686
Fax: (269) 383-1332
www.samionline.biz
NMLS 571746

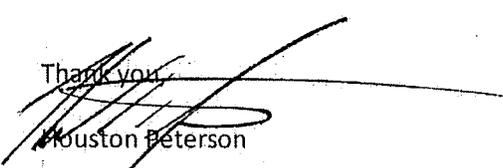
January 30, 2018

RE: Zoning Variance at 3433 Oakland Drive Kalamazoo MI 49008

To Kalamazoo Zoning Board of Appeals,

SAMI Investments LLC is the owner of the above named property. We are in agreement with the variance being requested by Todd and Wendy Trucks. The Variance for 1 additional unit as described in the site plan for a total of 8 units.

Thank you,



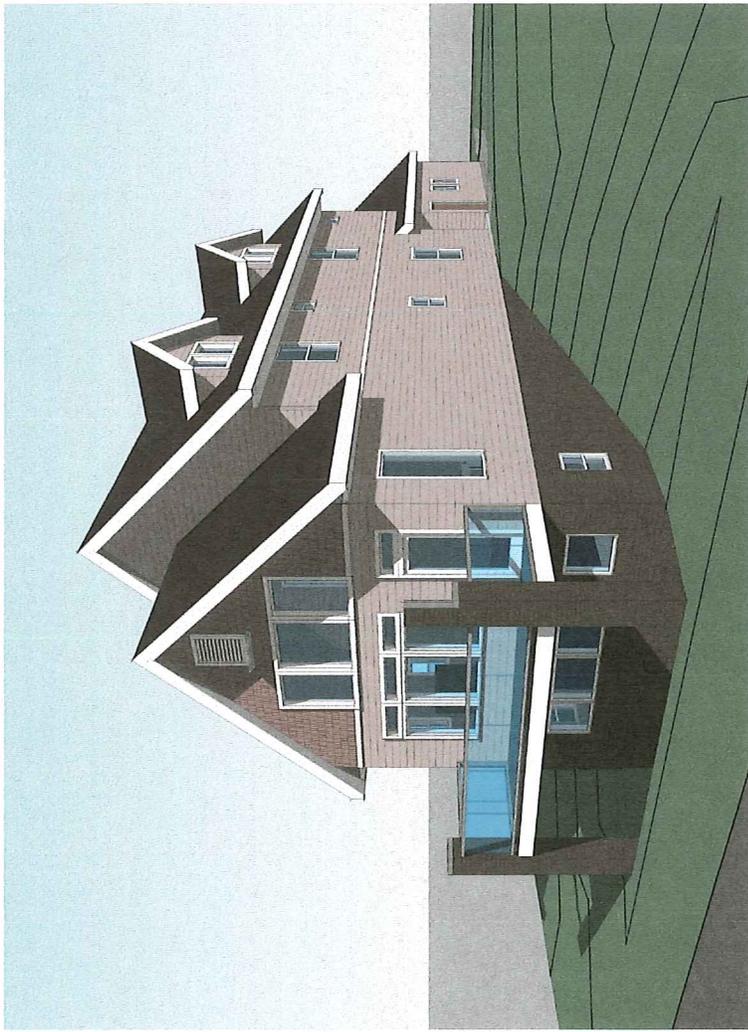
Houston Peterson

Houston Peterson, President
E-mail: Houston@samionline.biz
NMLS: 163056

William Katke, Service Manager
E-mail: Will@samionline.biz

GOLFSIDE CONDOMINIUMS

3433 Oakland Drive, Kalamazoo, Michigan
 April 21, 2015
 for Construction

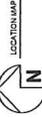


① 3D View Exterior Rear View

Sheet Number	Sheet Name	Sheet Issue Date
A000	Cover Sheet	04/21/2015
A001	3 D Views	04/21/2015
A101	First Floor and Basement Plan	04/21/2015
A102	Second Floor and Roof Plan	04/21/2015
A201	Elevations	04/21/2015
A202	Sections	04/21/2015
A211	Building Sections	04/21/2015
A212	Building Sections	04/21/2015
A501	Building Details	04/21/2015



PROJECT LOCATION

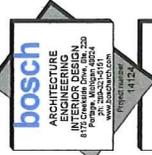


GOLFSIDE CONDOMINIUMS

3433 Oakland Drive, Kalamazoo Michigan



No.	Description	Date



14 1252
 Cover Sheet
 A000

GOLF SIDE CONDOMINIUMS

3433 Oakland Drive, Kalamazoo Michigan

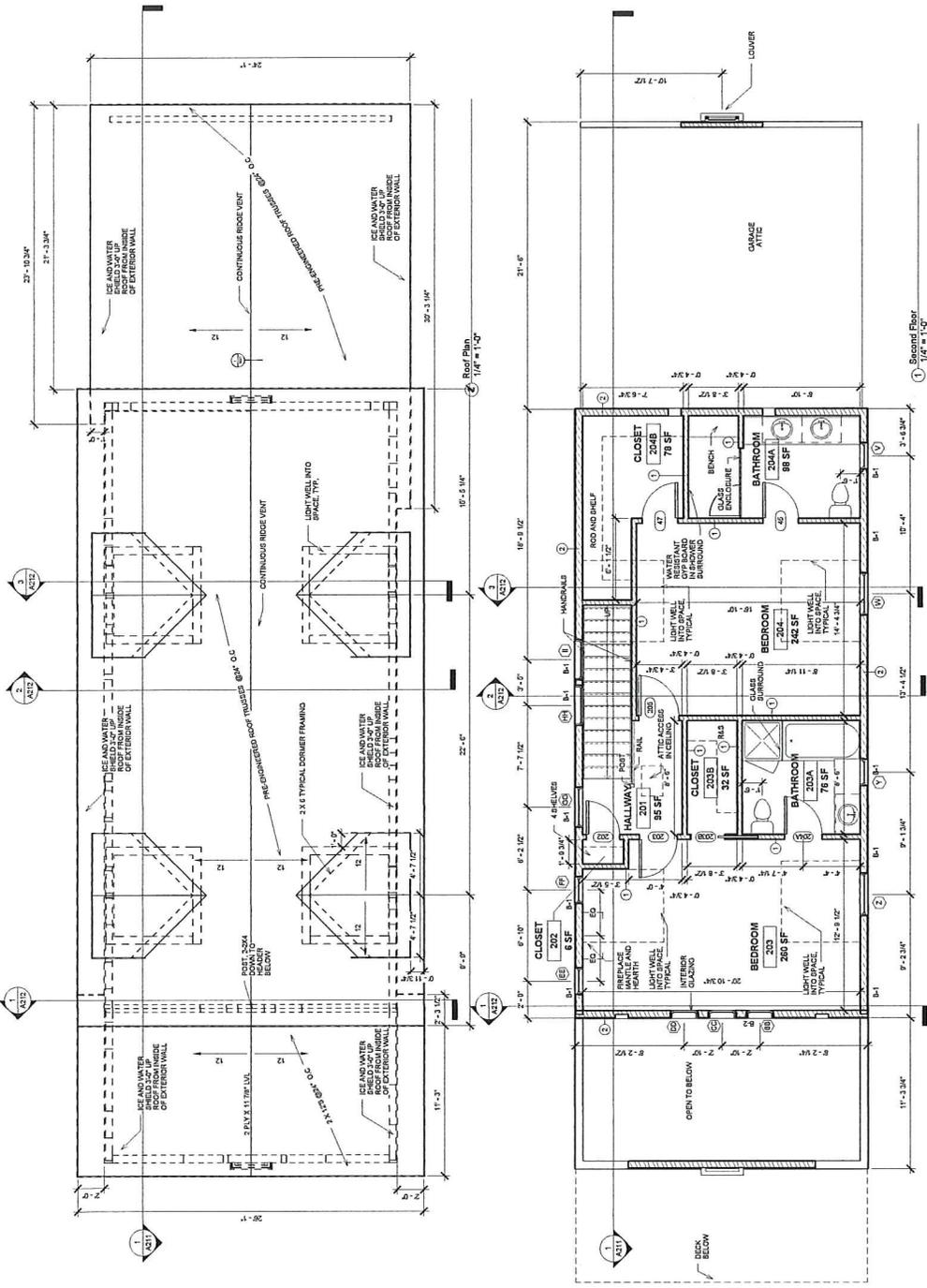
No.	Description	Date



Project Number: 141524
 Second Floor and Roof Plan
 A102

- GENERAL NOTES**
1. SEE WALL TYPES FOR WALL CONFIGURATION
 2. VERIFY ALL DIMENSIONS IN THE FIELD BEFORE ORDERING ANY MATERIALS
 3. DIMENSIONS ARE NOMINAL TO FINISHED SURFACES UNLESS OTHERWISE NOTED
 4. THE CONTRACTOR SHALL VISIT THE SITE AND DRAWING THE FINISHED AND EXISTING CONDITIONS TO COORDINATE NEW INSTALLATION.
 5. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN NECESSARY PERMITS AND INSURANCE PRIOR TO BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND MATERIALS PRIOR TO ORDERING.
- BEAM TYPES**
- B-1: 2" X 8" X 8" W/L
 - B-2: 2" X 8" X 8" W/L
 - B-3: 2" X 8" X 8" W/L
 - B-4: 2" X 8" X 8" W/L
 - B-5: 2" X 8" X 8" W/L
 - B-6: 2" X 8" X 8" W/L
 - B-7: 2" X 8" X 8" W/L

- WALL TYPES**
- 1. 1/2" GYP BOARD ON 2" X 4" STUDS WITH 1/2" SPACING APPROX.
 - 2. 5/8" CONCRETE ON 2" X 4" STUDS WITH 1/2" SPACING APPROX.
 - 3. 1/2" GYP BOARD ON 2" X 4" STUDS WITH 1/2" SPACING APPROX.
 - 4. 1/2" GYP BOARD ON 2" X 4" STUDS WITH 1/2" SPACING APPROX.
 - 5. CONCRETE FOUNDATION WALL
 - 6. 1/2" GYP BOARD ON 2" X 4" STUDS WITH 1/2" SPACING APPROX.
 - 7. 1/2" GYP BOARD ON 2" X 4" STUDS WITH 1/2" SPACING APPROX.



Window Schedule 2

Mark	Family	Width	Height	Head Height	Comments
T	Double Hung with Trim	2'-0"	3'-0"	5'-2"	
TT	Fixed with Trim	3'-0"	1'-0"	8'-5 3/4"	V/F
U	Double Hung with Trim	2'-0"	3'-0"	5'-2"	
UU	Fixed with Trim	2'-0"	2'-0"	5'-5 3/4"	V/F
V	Double Hung with Trim	3'-0"	1'-0"	8'-5 3/4"	
W	Double Hung with Trim	3'-2"	4'-9"	7'-0"	Egress
WW	Fixed with Trim	3'-0"	5'-0"	5'-3 1/4"	V/F
XX	Fixed with Trim	4'-0"	5'-0"	7'-0"	V/F
YY	Double Hung with Trim	2'-0"	7'-0"	7'-0"	V/F
Z	Double Hung with Trim	3'-2"	4'-8"	7'-0"	Egress

Window Schedule 2

Mark	Family	Width	Height	Head Height	Comments
JJ	Fixed with Trim	2'-0"	3'-0"	4'-3"	
K	Double Hung with Trim	2'-0"	3'-0"	7'-0"	
KK	Fixed with Trim	2'-0"	4'-3"	4'-3"	
L	Fixed with Trim	2'-0"	3'-0"	4'-3"	
M	Fixed with Trim	2'-0"	3'-0"	4'-3"	
MM	Fixed with Trim	2'-0"	3'-0"	7'-1 1/4"	V/F
N	Fixed with Trim	2'-0"	3'-0"	4'-3"	
O	Fixed with Trim	2'-0"	3'-0"	7'-1 1/4"	V/F
OO	Fixed with Trim	2'-0"	3'-0"	4'-3"	
PP	Fixed with Trim	2'-0"	3'-0"	4'-3"	
QQ	Double Hung with Trim	2'-0"	3'-0"	4'-3"	
RR	Double Hung with Trim	2'-0"	3'-0"	4'-3"	
SS	Fixed with Trim	2'-0"	3'-0"	4'-3"	
SS	Fixed with Trim	3'-2 1/2"	1'-0"	0'-5 3/4"	V/F

Window Schedule 2

Mark	Family	Width	Height	Head Height	Comments
A	Double Hung	2'-0"	3'-0"	7'-5"	
B	Fixed	3'-0"	3'-0"	7'-5"	
BB	Fixed with Trim	2'-0"	5'-0"	6'-5"	
CC	Fixed with Trim	3'-0"	5'-0"	7'-5"	
DD	Fixed with Trim	4'-0"	7'-5"	7'-5"	
DD	Fixed with Trim	2'-0"	5'-0"	6'-5"	
EE	Fixed	2'-0"	3'-0"	7'-5"	
EE	Double Hung with Trim	2'-0"	4'-0"	7'-0"	
FF	Double Hung with Trim	2'-0"	3'-0"	7'-5"	
FF	Double Hung with Trim	2'-0"	3'-0"	5'-2"	
GG	Double Hung with Trim	2'-0"	4'-0"	7'-0"	
GG	Double Hung with Trim	2'-0"	3'-0"	5'-2"	
HH	Fixed with Trim	3'-0"	4'-0"	7'-0"	
HH	Fixed with Trim	3'-0"	4'-9"	7'-0"	
II	Fixed with Trim	3'-0"	4'-0"	7'-0"	

WINDOWS ARE BASED ON ANDERSON EGRESS ALUM CLAD DRT.

GOLFSIDE CONDOMINIUMS

3433 Oakland Drive, Kalamazoo Michigan



Project Name: 14-0256
 First Floor and Basement Plan
 A101

GENERAL NOTES

- SEE WALL TYPES FOR WALL CONFIGURATION
- ALL DIMENSIONS IN THE FIELD BETWEEN CORNER OR OTHER MATERIALS ARE NOMINAL TO FINISHED SURFACES UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS ARE NOMINAL TO FINISHED SURFACES UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS ARE NOMINAL TO FINISHED SURFACES UNLESS OTHERWISE NOTED.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND TO VERIFY ALL LOCAL REGULATIONS AND ORDINANCES TO COMPLETE THE PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND TO VERIFY ALL LOCAL REGULATIONS AND ORDINANCES TO COMPLETE THE PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND TO VERIFY ALL LOCAL REGULATIONS AND ORDINANCES TO COMPLETE THE PROJECT.

BEAM TYPES

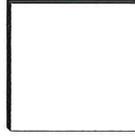
- B-1: 12" x 24"
- B-2: 12" x 30"
- B-3: 12" x 36"
- B-4: 12" x 42"
- B-5: 12" x 48"
- B-6: 12" x 54"
- B-7: 12" x 60"
- B-8: 12" x 66"
- B-9: 12" x 72"
- B-10: 12" x 78"
- B-11: 12" x 84"
- B-12: 12" x 90"
- B-13: 12" x 96"
- B-14: 12" x 102"
- B-15: 12" x 108"
- B-16: 12" x 114"
- B-17: 12" x 120"
- B-18: 12" x 126"
- B-19: 12" x 132"
- B-20: 12" x 138"
- B-21: 12" x 144"
- B-22: 12" x 150"
- B-23: 12" x 156"
- B-24: 12" x 162"
- B-25: 12" x 168"
- B-26: 12" x 174"
- B-27: 12" x 180"
- B-28: 12" x 186"
- B-29: 12" x 192"
- B-30: 12" x 198"
- B-31: 12" x 204"
- B-32: 12" x 210"
- B-33: 12" x 216"
- B-34: 12" x 222"
- B-35: 12" x 228"
- B-36: 12" x 234"
- B-37: 12" x 240"
- B-38: 12" x 246"
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- B-42: 12" x 270"
- B-43: 12" x 276"
- B-44: 12" x 282"
- B-45: 12" x 288"
- B-46: 12" x 294"
- B-47: 12" x 300"
- B-48: 12" x 306"
- B-49: 12" x 312"
- B-50: 12" x 318"
- B-51: 12" x 324"
- B-52: 12" x 330"
- B-53: 12" x 336"
- B-54: 12" x 342"
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- B-56: 12" x 354"
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- B-63: 12" x 396"
- B-64: 12" x 402"
- B-65: 12" x 408"
- B-66: 12" x 414"
- B-67: 12" x 420"
- B-68: 12" x 426"
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- B-70: 12" x 438"
- B-71: 12" x 444"
- B-72: 12" x 450"
- B-73: 12" x 456"
- B-74: 12" x 462"
- B-75: 12" x 468"
- B-76: 12" x 474"
- B-77: 12" x 480"
- B-78: 12" x 486"
- B-79: 12" x 492"
- B-80: 12" x 498"
- B-81: 12" x 504"
- B-82: 12" x 510"
- B-83: 12" x 516"
- B-84: 12" x 522"
- B-85: 12" x 528"
- B-86: 12" x 534"
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- B-94: 12" x 582"
- B-95: 12" x 588"
- B-96: 12" x 594"
- B-97: 12" x 600"
- B-98: 12" x 606"
- B-99: 12" x 612"
- B-100: 12" x 618"
- B-101: 12" x 624"
- B-102: 12" x 630"
- B-103: 12" x 636"
- B-104: 12" x 642"
- B-105: 12" x 648"
- B-106: 12" x 654"
- B-107: 12" x 660"
- B-108: 12" x 666"
- B-109: 12" x 672"
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- B-111: 12" x 684"
- B-112: 12" x 690"
- B-113: 12" x 696"
- B-114: 12" x 702"
- B-115: 12" x 708"
- B-116: 12" x 714"
- B-117: 12" x 720"
- B-118: 12" x 726"
- B-119: 12" x 732"
- B-120: 12" x 738"
- B-121: 12" x 744"
- B-122: 12" x 750"
- B-123: 12" x 756"
- B-124: 12" x 762"
- B-125: 12" x 768"
- B-126: 12" x 774"
- B-127: 12" x 780"
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- B-148: 12" x 906"
- B-149: 12" x 912"
- B-150: 12" x 918"
- B-151: 12" x 924"
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- B-183: 12" x 1116"
- B-184: 12" x 1122"
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- B-186: 12" x 1134"
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- B-298: 12" x 1806"
- B-299: 12" x 1812"
- B-300: 12" x 1818"
- B-301: 12" x 1824"
- B-302: 12" x 1830"
- B-303: 12" x 1836"
- B-304: 12" x 1842"
- B-305: 12" x 1848"
- B-306: 12" x 1854"
- B-307: 12" x 1860"
- B-308: 12" x 1866"
- B-309: 12" x 1872"
- B-310: 12" x 1878"
- B-311: 12" x 1884"
- B-312: 12" x 1890"
- B-313: 12" x 1896"
- B-314: 12" x 1902"
- B-315: 12" x 1908"
- B-316: 12" x 1914"
- B-317: 12" x 1920"
- B-318: 12" x 1926"
- B-319: 12" x 1932"
- B-320: 12" x 1938"
- B-321: 12" x 1944"
- B-322: 12" x 1950"
- B-323: 12" x 1956"
- B-324: 12" x 1962"
- B-325: 12" x 1968"
- B-326: 12" x 1974"
- B-327: 12" x 1980"
- B-328: 12" x 1986"
- B-329: 12" x 1992"
- B-330: 12" x 1998"
- B-331: 12" x 2004"
- B-332: 12" x 2010"
- B-333: 12" x 2016"
- B-334: 12" x 2022"
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- B-346: 12" x 2094"
- B-347: 12" x 2100"
- B-348: 12" x 2106"
- B-349: 12" x 2112"
- B-350: 12" x 2118"
- B-351: 12" x 2124"
- B-352: 12" x 2130"
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- B-365: 12" x 2208"
- B-366: 12" x 2214"
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- B-376: 12" x 2274"
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- B-378: 12" x 2286"
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- B-389: 12" x 2352"
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- B-391: 12" x 2364"
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- B-393: 12" x 2376"
- B-394: 12" x 2382"
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- B-397: 12" x 2400"
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- B-445: 12" x 2688"
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- B-447: 12" x 2700"
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- B-473: 12" x 2856"
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- B-476: 12" x 2874"
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- B-481: 12" x 2904"
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- B-494: 12" x 2982"
- B-495: 12" x 2988"
- B-496: 12" x 2994"
- B-497: 12" x 3000"
- B-498: 12" x 3006"
- B-499: 12" x 3012"
- B-500: 12" x 3018"
- B-501: 12" x 3024"
- B-502: 12" x 3030"
- B-503: 12" x 3036"
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- B-506: 12" x 3054"
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- B-508: 12" x 3066"
- B-509: 12" x 3072"
- B-510: 12" x 3078"
- B-511: 12" x 3084"
- B-512: 12" x 3090"
- B-513: 12" x 3096"
- B-514: 12" x 3102"
- B-515: 12" x 3108"
- B-516: 12" x 3114"
- B-517: 12" x 3120"
- B-518: 12" x 3126"
- B-519: 12" x 3132"
- B-520: 12" x 3138"
- B-521: 12" x 3144"
- B-522: 12" x 3150"
- B-523: 12" x 3156"
- B-524: 12" x 3162"
- B-525: 12" x 3168"
- B-526: 12" x 3174"
- B-527: 12" x 3180"
- B-528: 12" x 3186"
- B-529: 12" x 3192"
- B-530: 12" x 3198"
- B-531: 12" x 3204"
- B-532: 12" x 3210"
- B-533: 12" x 3216"
- B-534: 12" x 3222"
- B-535: 12" x 3228"
- B-536: 12" x 3234"
- B-537: 12" x 3240"
- B-538: 12" x 3246"
- B-539: 12" x 3252"
- B-540: 12" x 3258"
- B-541: 12" x 3264"
- B-542: 12" x 3270"
- B-543: 12" x 3276"
- B-544: 12" x 3282"
- B-545: 12" x 3288"
- B-546: 12" x 3294"
- B-547: 12" x 3300"
- B-548: 12" x 3306"
- B-549: 12" x 3312"
- B-550: 12" x 3318"
- B-551: 12" x 3324"
- B-552: 12" x 3330"
- B-553: 12" x 3336"
- B-554: 12" x 3342"
- B-555: 12" x 3348"
- B-556: 12" x 3354"
- B-557: 12" x 3360"
- B-558: 12" x 3366"
- B-559: 12" x 3372"
- B-560: 12" x 3378"
- B-561: 12" x 3384"
- B-562: 12" x 3390"
- B-563: 12" x 3396"
- B-564: 12" x 3402"
- B-565: 12" x 3408"
- B-566: 12" x 3414"
- B-567: 12" x 3420"
- B-568: 12" x 3426"
- B-569: 12" x 3432"
- B-570: 12" x 3438"
- B-571: 12" x 3444"
- B-572: 12" x 3450"
- B-573: 12" x 3456"
- B-574: 12" x 3462"
- B-575: 12" x 3468"
- B-576: 12" x 3



ARCHITECTURE
INTERIOR DESIGN

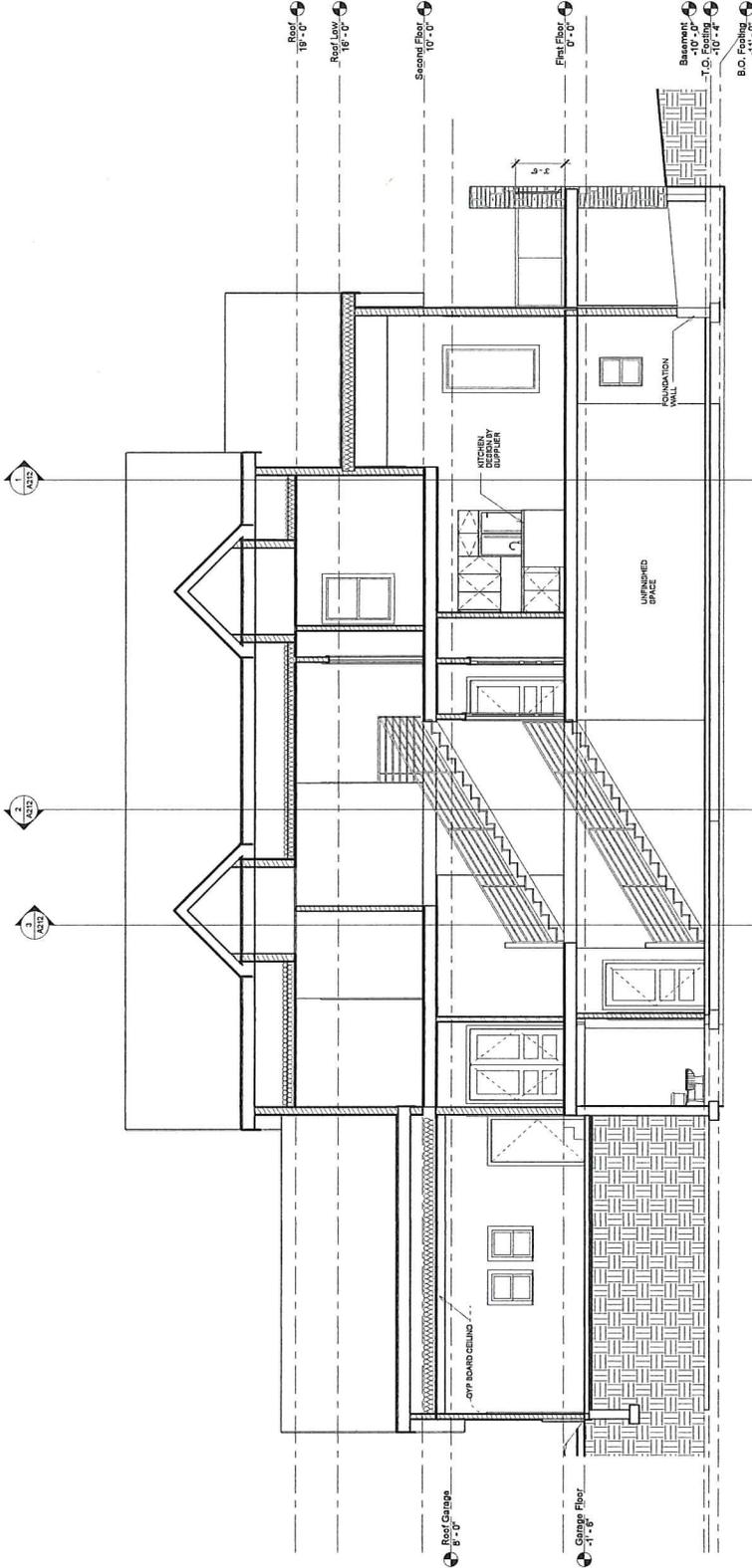
8170 Eastpark Drive, Suite 200
Farmington Hills, MI 48334
313.286.0100
www.boscharch.com

No.	Description	Date



GOLFIDE CONDOMINIUMS

3433 Oakland Drive, Kalamazoo Michigan



Section 1
1/4" = 1'-0"

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
September 11, 2014 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

Members Present: Nick Boyd, James Houston, Jason Enos, Christina Anderson, Reed Youngs (Alternate #1)

Members Absent: Daloma Poe, Joel Pryson

City Staff: Pete Eldridge, Project Coordinator; John Kneas, Assistant City Attorney; Deanna Benthin, Recording Secretary

Chair Boyd called the meeting to order at 7:10 p.m.

MINUTES

Mr. Houston, supported by Mr. Enos moved to approve the minutes of August 14, 2014 as submitted.

Motion approved by voice vote unanimously.

NEW BUSINESS

PUBLIC HEARINGS: Chair Boyd summarized the process and explained the Zoning Board of Appeals public hearing rules of procedures stating that a full board consists of six members and that approval requires four affirmative votes. If only four members are present the applicants would have the option to hold their requests over to the next meeting or present their requests with the hopes of getting all four affirmative votes.

Mr. Houston read the application for 1205 Eldridge Drive, Parcel # 06-19-441-058:

ZBA# 14-09-19: 1205 Eldridge Drive: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Andrew and Cathy Cushman. The request concerns the property at 1205 Eldridge Drive, which is situated in Zone RS-5 (Residential – Single Dwelling District). The applicants are requesting the following: 1) A dimensional variance from Chapter 6, Section 6.3 A 2, to authorize a six foot tall privacy fence in the front yard setback along Berkshire Drive, where four feet is the maximum height permitted per the Zoning Ordinance; and 2) A dimensional variance from Chapter 6, Section 6.3 A 3(b), to allow a fence with 100% opacity in the front yard setback along Berkshire Drive, where 75% is the maximum opacity permitted per the Zoning Ordinance.

Please note that this request will not change the zoning classification of the property. This is a request for a variance only regarding the items described above. There were thirty-seven notices of public hearing sent and zero responses were received.

Andrew and Cathy Cushman, the applicants for the variance stated when they purchased the house it was very unkempt and overgrown. They have two large dogs that like to bark at people walking by. Previously they had installed a four foot chicken wire style fence, which wasn't very useful; the dogs leaned over on the fence barking at people. They feel irresponsible to not put up a privacy fence to contain the dogs and minimize the barking. They are in the process of putting up the privacy fence; it keeps the dogs in and is more peaceful. It keeps the neighborhood safer; their dogs have gotten out several times from the previous fence. There are several other privacy fences in the neighborhood and Ms. Cushman feels her fence is visually appealing. They submitted a petition with 54 signatures in support.

Mr. Enos questioned who the contractor was for the fence. Mr. Cushman stated he was the contractor. Mr. Enos questioned how he didn't know he needed a variance for the fence. Mr. Cushman replied he's a subcontractor and does interior trim work, he doesn't normally do fencing.

Mr. Eldridge asked for clarification on the distance the fence sets back from the sidewalk. Mr. Cushman stated its setback two feet from the sidewalk on Berkshire; they used the same fence line that was existing with the adjoining property lines. Mr. Eldridge questioned why there wasn't a signature from the adjoining property owner on the petition, wondering if they had an issue. Ms. Cushman stated the neighbors didn't have any issues, stating they tried to work on the weekends they weren't around. Chair Boyd stated that adjoining property was actually his. Chair Boyd didn't feel it was proper to sign the petition, but had no objections to it. He feels he can be impartial in rendering a verdict.

David Bruininks, 1109 Berkshire stated he lives three houses down from the Cushman's. He welcomes them into the neighborhood and all the improvements they've made to the property. He didn't know about the need for a variance to the fence, but feels it's a great improvement. He respects the Cushman's wanting to protect the neighbors from the dogs even though they are friendly. He's on the Arcadia Neighborhood Association and hasn't heard anything negative against the fence. He's in favor of the fence and asked the Board to approve the request.

Chris Gheen, 1017 Eldridge a neighbor stated the quality and appearance of the fence were great and he's in support.

Karen Boyd, 1129 Berkshire, a neighbor stated she lives adjacent to the fence and has no trouble seeing when pulling in or out of their driveway. It doesn't impede the view trying to turn onto Eldridge from Berkshire. The cars actually slow down now due to not being able to see as far down the road. The Cushman's dogs are large and intimidating to people who don't know them. A lot of people walk through their neighborhood and the fence adds some safety and the dogs don't bark as much. She stated her support for the variance.

Chair Boyd closed the public hearing.

FINDING OF FACT

Ms. Anderson moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 1205 Eldridge Drive shall include all information included in the notice of public hearing dated August 27, 2014.
- 2.) Thirty-seven notices of public hearing were sent and zero responses were received.
- 3.) A public hearing was held before the board and public comments were accepted.
- 4.) The Zoning Board of Appeals received documents on the request including lot diagrams with boundaries and drawings, aerial photographs, site plans, elevations and a letter.
- 5.) The Finding of Fact shall include those documents just described and also all facts and comments made during the public hearing, which are summarized to include without limitation, the following: Cathy Cushman stated they live on a corner lot that was previously unkempt; they've done quite a few property improvements. They have two large dogs that were previously inside a chicken wire type fence they installed to try to keep the dogs contained and from barking, it wasn't very successful. The dogs were able to get out and barked at all the people walking by. They felt installing the wood privacy fence would keep the dogs in. It's a safety issue and is considerate to their neighbors. Other neighbors have privacy fences. They spoke with many of their neighbors and didn't receive any complaints, all the comments were positive. The Board asked who the contractor was; the applicant was the contractor, stating he wasn't aware of the zoning requirements for a fence. Mr. Eldridge asked for clarification for the setbacks of the fence in relationship to the property lines. It is approximately two feet from the sidewalk and they used the existing fence line along the rear of the property to locate the new fence. The applicant did not talk to the rear neighbor; they did most of the fence while they were out of town. Chair Boyd stated he was the rear property owner and didn't sign the petition. In support of the variance, David Bruininks at 1109 Berkshire Drive, about three houses down was very happy about the improvements and the aesthetics of the fence. He's on the Neighborhood Board and hadn't received any complaints. Chris Gheen, 1017 Eldridge also spoke in support of the applicant's request and of the high quality of the fence. Karen Boyd, neighbor to the rear spoke in favor of the fence, stating there were no visibility issues in terms of automobiles passing or entering and exiting her driveway. She stated the dogs are very friendly, but can be intimidating and the fence helps and keeps the dogs quieter.

Mr. Houston supported the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Chair Boyd commented due to being a neighbor of the applicant, he would be abstaining from voting.

Ms. Anderson moved to approve the application for a dimensional variance from Chapter 6, Section 6.3 A 2, to authorize a six foot tall privacy fence in the front yard setback along Berkshire Drive, where four feet is the maximum height permitted per the Zoning Ordinance, supported by Mr. Youngs.

Mr. Enos commented the ordinance doesn't permit privacy fences in the front yard in the City. Everyone else has to abide by that rule stating a corner lot has two front yards. Regardless of how many people like the fence and appreciate the dogs are behind the fence, it's still a privacy fence. If they build up neighborhoods with everyone building up privacy fences, there wouldn't be neighborhoods anymore. The rules the Board has to go by to grant a variance are very specific and that all of the conditions have to be met. One of those rules is that the special circumstances are not the result of the actions of the applicant or title holder. First, there are no special circumstances on this property. There are corner lots everywhere and they have the same restrictions as everyone else. The special circumstances seem to be they have dogs. Owners need to consider whether or not to have a dog and if their location is suitable for pets. He appreciates that neighbors like the fence and the dogs, but those are not appropriate criteria for granting a variance and he would not be in support of the variance.

Ms. Anderson agreed, stating she couldn't come up with any special circumstances to allow a six foot front yard fence either.

Motion denied by roll call vote.

Yes:

No: Anderson, Houston, Enos, Youngs

Abstained: Boyd

Ms. Anderson moved to approve the application for a dimensional variance from Chapter 6, Section 6.3 A 3(b), to allow a fence with 100% opacity in the front yard setback along Berkshire Drive, where 75% is the maximum opacity permitted per the Zoning Ordinance., supported by Mr. Enos.

Mr. Enos reiterated the same comments above apply to this request.

Motion denied by roll call vote.

Yes:

No: Anderson, Houston, Enos, Youngs

Abstained: Boyd

Mr. Houston read the application for 3433 Oakland Drive, Parcel # 06-32-235-001:

ZBA# 14-09-20: 3433 Oakland Drive: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by J.D. Development & Holdings. The request concerns the property at 3433 Oakland Drive, which is situated in Zone RS-5 (Residential – Single Dwelling District). The request, if approved, would authorize a dimensional variance from Chapter 4, Section G3, to allow one unit per 6,125 square feet of land area, where 7,500 square feet is the minimum square footage per cluster housing unit in the RS-5 District. The total number of cluster housing units being proposed for this project is eight.

Please note that this request will not change the zoning classification of the property. This is a request for a variance only regarding the items described above. There were eighteen notices of public hearing sent and zero responses were received.

Jose Santamaria, 2227 S. Rose, on half of J.D. Development along with Mike Krepps, Architect for the project were present to request a variance for the project. The ordinance allows for up to six and a half units, they're requesting eight units. Each two story unit will have three bedrooms, three and a half bathrooms, approximately two thousand square feet with a full basement and a two stall garage. The site currently has a green single family home there, adjacent to the Woods Lake School, with Oakland Drive and the Kalamazoo Country Club on the sides. The eight units would be built in the cluster zoning, they are required to have fifty percent open space and will have fifty-three percent open space. They are not requesting a zoning change. All setbacks will be met and it doesn't adversely affect adjacent property owners.

Mr. Houston asked for clarification if this property was before the Board previously. Mr. Eldridge commented it was before the Board on September 12, 2013, a use variance was granted to allow the redevelopment of the site for a medical office and a dimensional variance for the impervious lot coverage was granted. The other request was in April, 2013, where the Board granted a use variance for a financial institution. Two previous variances were granted, but neither was acted on by the developer. Mr. Houston commented they are now going from a business use to a residential use. Mr. Eldridge commented that cluster housing developments are permitted in this zone district. The request is a dimensional variance regarding density only.

Attorney Kneas commented technically six point five is rounded up, so the request is actually for only one unit.

Mr. Youngs questioned placing eight units and what the width of the building would be. Mr. Krepps stated the overall width of the building is twenty-two foot wide, and the garages are eighteen foot wide and the overall depth is seventy-eight foot. Mr. Youngs questioned if there would be a driveway relocation. Mr. Krepps stated the driveway will be relocated slightly to the south, about forty feet further from the school entrance.

Mr. Eldridge reiterated this is a dimensional variance versus the prior two redevelopment requests that were use variances. This is a nominal dimensional variance, the open space is exceeded, the setbacks and landscaping requirements will be dealt with through the Site Plan Committee.

There were no comments from the public.
Chair Boyd closed the public hearing.

FINDING OF FACT

Mr. Enos moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 3433 Oakland Drive shall include all information included in the notice of public hearing dated August 27, 2014.
- 2.) Eighteen notices of public hearing were sent and zero responses were received.
- 3.) A public hearing was held before the board and public comments were accepted.
- 4.) The Zoning Board of Appeals received documents on the request including lot diagrams with boundaries and drawings, aerial photographs, site plans, elevations and a letter.
- 5.) The Finding of Fact shall include those documents just described and also all facts and comments made during the public hearing, which are summarized to include without limitation, the following: Mr. Santamaria spoke on behalf of the request; he stated the zoning remains RS-5 (Residential-Single Dwelling). They are requesting an increase from six point five to eight units, a cluster development plan. The building plans follow the topography of the site, with eight three bedroom units with about two thousand square feet and a two car garage and he doesn't believe the one additional unit will adversely affect the Elementary School. Mr. Eldridge stated that previous variances included a use variance for a Credit Union in 2013. No previous use variances for the project were acted on. That cluster development is permitted by right in RS-5; this use will be in compliance. Attorney Kneas clarified that the ordinance permits seven units, because six point five is rounded up to seven so the variance is for only one unit. Responding to a Board question Mr. Santamaria stated that the depth is about seventy-eight feet each and the entrance driveway will be relocated slightly to the south of its present location. Mr. Eldridge clarified this is a dimensional variance only and that the use is in compliance with the ordinance as a cluster development.

Mr. Youngs supported the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Ms. Anderson moved to approve the application, supported by Mr. Enos.

Mr. Houston clarified the units are not apartments, but single family condominiums. Mr. Santamaria stated they would not be rental units and the average retail cost would be approximately \$300,000.

Mr. Enos stated the applicant is entitled to build seven units on the property and is asking for eight. This property isn't bounding any other residential uses.

Mr. Youngs commented he drives by the property often and it would be a nice unit going in there. It's a convenient location and he's in support.

Chair Boyd commented the site has been before the Board previously. He doesn't see any negative affect for the neighbors and was in favor of the request.

Motion approved by roll call vote unanimously.

OTHER BUSINESS:

Mr. Eldridge reminded the Board Members that the October meeting will be held on October 16th.

Mr. Houston moved to adjourn the meeting and was supported by Mr. Enos.

ADJOURNMENT

The meeting was adjourned at 7:55 p.m.

Submitted By Deanna Benthen Date 10/16/14
Recording Secretary

Reviewed By Peter Eldridge Date 10/16/14
City Staff

Approved By James H. Houston Date 10-16-14
Chair



Community Planning and Development

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

September 15, 2014

J.D. Development & Holdings
C/O Don Sappanus
1595 W. Centre Avenue, Suite 100
Portage, MI 49024

**Re: ZBA #14-09-20
3433 Oakland Drive
Parcel #06-32-235-001**

Dear Mr. Sappanus:

At the meeting of the Zoning Board of Appeals on Thursday, September 11, 2014, the Board granted a dimensional variance from Chapter 4, Section G3, to allow one unit per 6,125 square feet of land area, where 7,500 square feet is the minimum square footage per cluster housing unit in the RS-5 District. The total number of cluster housing units being proposed for this project is eight.

Please note that unless specified by the Board, all variances granted shall become null and void if not exercised within one (1) year of the date of granting. This project will require site plan review prior to the issuance of permit for construction.

If you have any questions, please contact the Community Planning and Development Department at (269) 337-8026.

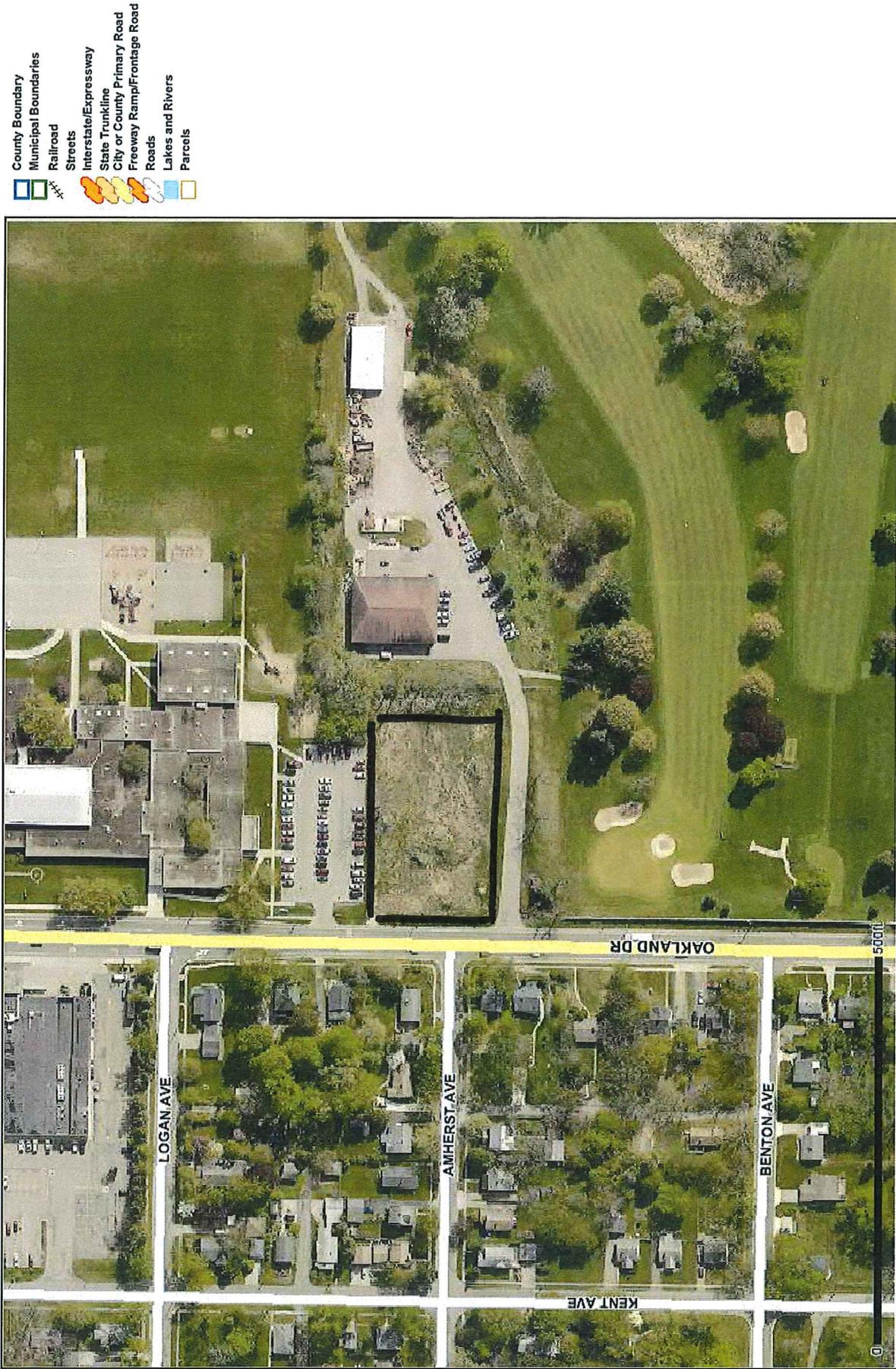
Sincerely,
ZONING BOARD OF APPEALS

Peter C. Eldridge, AICP
Project Coordinator

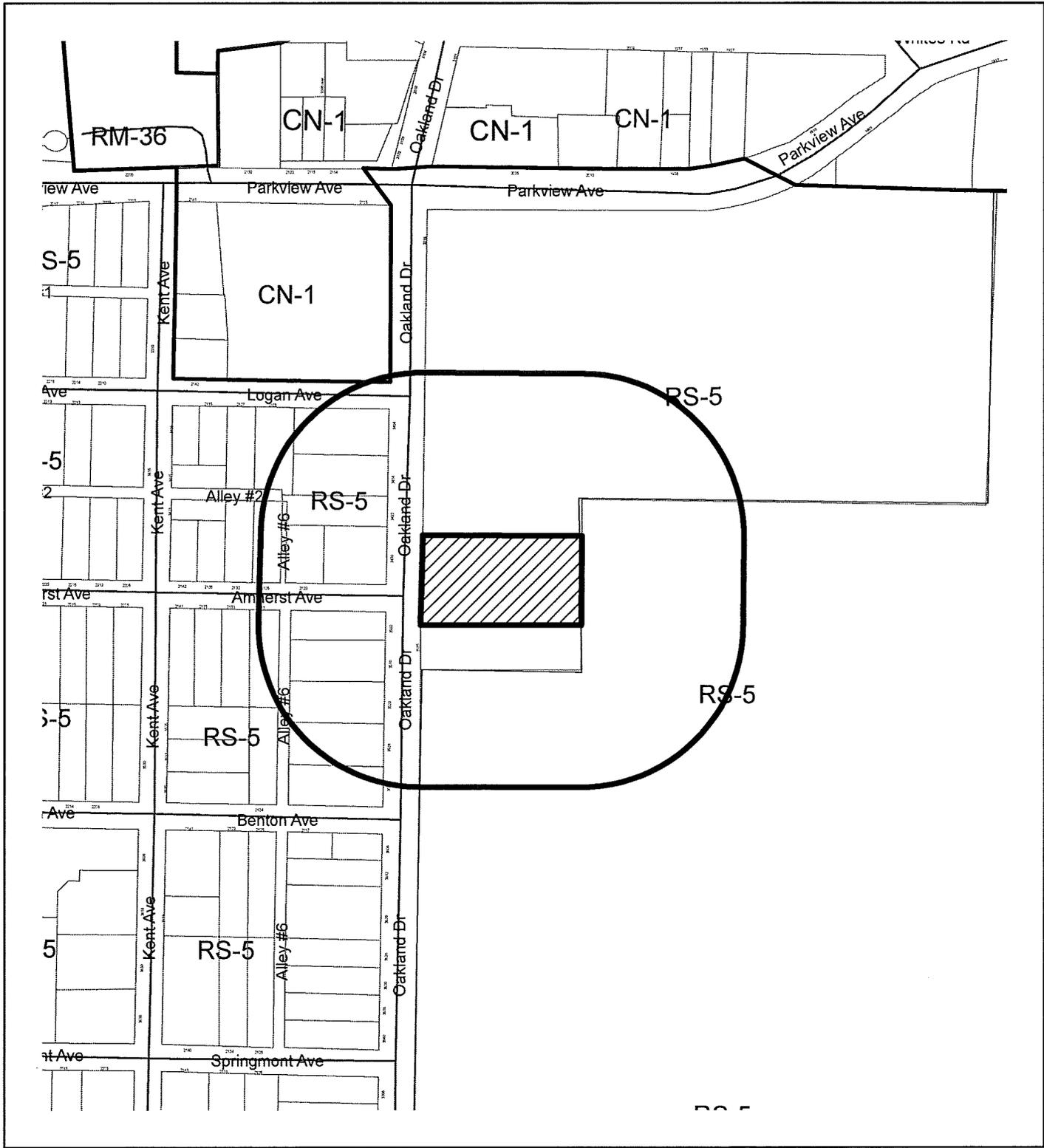
C: Ann L. Camburn 5346 N. 36th Street, Richland MI 49083
Ronald C. Paska, 4301 Sunnybrook Drive, Kalamazoo MI 49008
Bobby Durkee, Zoning Inspector
Rob Bauckham, Assistant City Planner
Property File

3433 Oakland Drive

2017 Aerial Photo



This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and sources regarding the area shown, and is to be used for reference purposes only. The user of this map acknowledges that the State/County/Cities/Townships/Villages shall not be liable for any damage, all claims, and agrees to defend, indemnify, and hold harmless the State/County/Cities/Townships/Villages from any and all claims brought by the User, its employees or agents, or third parties with access or use of data provided. Map Created: 2/22/2018



300' Mailing Boundary
 3433 Oakland Drive



1" = 50 Feet
 0/80



Community Planning and Development

415 Stockbridge Avenue

Kalamazoo, MI 49001

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

February 20, 2018

**RE: ZBA #18-03-06
2309, 2315, 2343, 2349, 2401 Angling Road
Parcel #06-32-451-001, 06-32-466-001, 06-32-461-001, 06-32-455-001, and 06-32-389-122**

Dear Property Owner:

An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by the Kalamazoo Nature Center. The request concerns the properties at 2309, 2315, 2343, 2349, 2401 Angling Road, which are situated in Zone RS-5 (Residential – Single Dwelling District).

The applicant is request the following: **1)** A dimensional variance from Chapter 6, Section 6.1 H 1, to allow gravel parking areas, where the surfacing requirement for drives and parking areas concrete or asphalt; and **2)** A dimensional variance from Chapter 7, Section 7.3 A, to install a 20 square foot freestanding sign where only a two square foot name plate is allowed in Zone RS-5.

Please note that this request will not change the zoning classification of the properties. This is a request for variances only regarding the items described above.

A public hearing will be held on **Thursday, March 8, 2018 at 7:00 p.m.** in the City Commission Chambers in City Hall (241 W. South Street), at which time you may submit your views on this matter in person, by writing, or by representative. If you should know of any interested person who has not received a copy of this letter, please inform them of the time and place of the hearing.

Further information, including property diagrams and drawings are available at the Community Planning and Development Department at 415 Stockbridge Avenue. Meeting agenda packets will also be available to view on-line 10 days prior to the meeting at:

www.kalamazoocity.org/boards

If you have any questions, please call (269) 337-8026 or submit by email at eldridgep@kalamazoocity.org.

Sincerely,
ZONING BOARD OF APPEALS

Peter C. Eldridge, AICP
Zoning Administrator

c: File



Zoning Board of Appeals (ZBA) Application Form

Community Planning & Development Department

415 Stockbridge

Kalamazoo, MI 49001

Phone: 269-337-8026

www.kalamazoocity.org

Your fully completed application, fee, and all related documents must be submitted to the Community Planning & Development Department at least four (4) weeks prior to the Zoning Board of Appeals meeting.

Applicant: Name Kalamazoo Nature Center
 Address 7000 N. Westridge Ave.
 City, State, Zip Kalamazoo, MI 49009
 Phone 269.381.1574 Cell 269.568.2515
 Fax 269.381.2557 Email jwnight@naturecenter.org

Owner: Name _____
 Address SAME
 City, State, Zip _____
 Phone _____ Cell _____
 Fax _____ Email _____

(If the applicant is not the property owner, a letter signed by the owner agreeing to the variance must be included with the application.)

Property Information

Street or Street Address 2309, 2349, 2401, 2315, 2343 Angling Rd.

This property is located between Angling street and Oakland street, on the

north south east west side of the street.

CCN# _____ Zone Zone RS-5

Type of Request

Interpretation of Chapter(s) _____ Sections(s) _____
 Paragraph(s) _____ of the City of Kalamazoo Zoning Ordinance.

Use Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, unnecessary hardship to the applicant will result. All Use Variance Requirements must be met. (See *Requirements List*.)

Dimensional Variance: Applicant must demonstrate that if the Zoning Ordinance is applied strictly, practical difficulties to the applicant will result. All Dimensional Variance Requirements must be met. (See *Requirements List*.)

Appeal of an Administrative Decision

Description The Kalamazoo Nature Center is requesting approval of a variance at the Stryker Nature Preserve, to include: gravel surface parking rather than asphalt or concrete pavement, & an increase in the signage allowance from 2ft² to 80ft².

Attachments

- \$275 Fee pd. PCE
- Brief narrative (less than one type-written page) describing the nature of the request (2 copies)
- Sketch plan of the property in questions (2 copies)
- Additional attachments as needed e.g. (pictures, architectural drawings, petitions, etc. (2 copies)

J. W. Night
Signature of Applicant

Feb. 7, 2018
Date

Signature of Owner (if different than applicant)

Date



Kalamazoo Nature Center

Request for Dimensional Variance: Gravel Surfaced Parking

Stryker Nature Preserve – Kalamazoo Nature Center

The Kalamazoo Nature Center (KNC) is requesting approval of a dimensional variance for two purposes: to provide gravel surface parking rather than asphalt or concrete pavement and to allow a signage variance to exceed the current size restriction from two 2 ft² to 20 ft². KNC is a non-profit organization whose mission is to inspire people to care for the environment by providing experiences that lead them to understand their connection to the natural world.

The Stryker Nature Preserve was a generous donation from a local philanthropist which will allow KNC to provide opportunities for the public to connect to nature in a unique way. With over 30 acres of land, including a significant portion of the west fork of Portage Creek, now protected, the SNP supports a wide array of opportunities to connect people to their own backyard.

The long-term plan for the Stryker Nature Preserve is to be used for educational and recreational purpose devoted to developing in people, and especially in children, a better understand and appreciation of our natural resources. This will include conducting programs on natural history and science, conservation, horticulture and related subjects, and to provide non-consumptive and non-destructive forms of leisure time recreation and aesthetic enjoyment.

After conducting several community planning sessions, the programs will focus on nature, art & mindfulness, and programs and spaces will be intentionally developed around those main themes. The first phase of improvements to the Stryker Nature Preserve will be to make one of the existing structures accessible and to renovate the garage to create a small Visitor Center where programs can be offered. In addition, we will develop a series of hiking trails for visitors to experience the natural features of the property, including the forest, wetlands, and stream.

This request for a variance to allow gravel parking surfaces is made for the access drive off of Angling Rd. and the standard parking spaces along the entrance drive and up to the Visitor Center. The plan is to provide several small parking lots with approximately 36 parking spaces, including, 2 barrier free spaces near the Visitor Center, which will be pave with concrete and will include the adjacent access aisles.

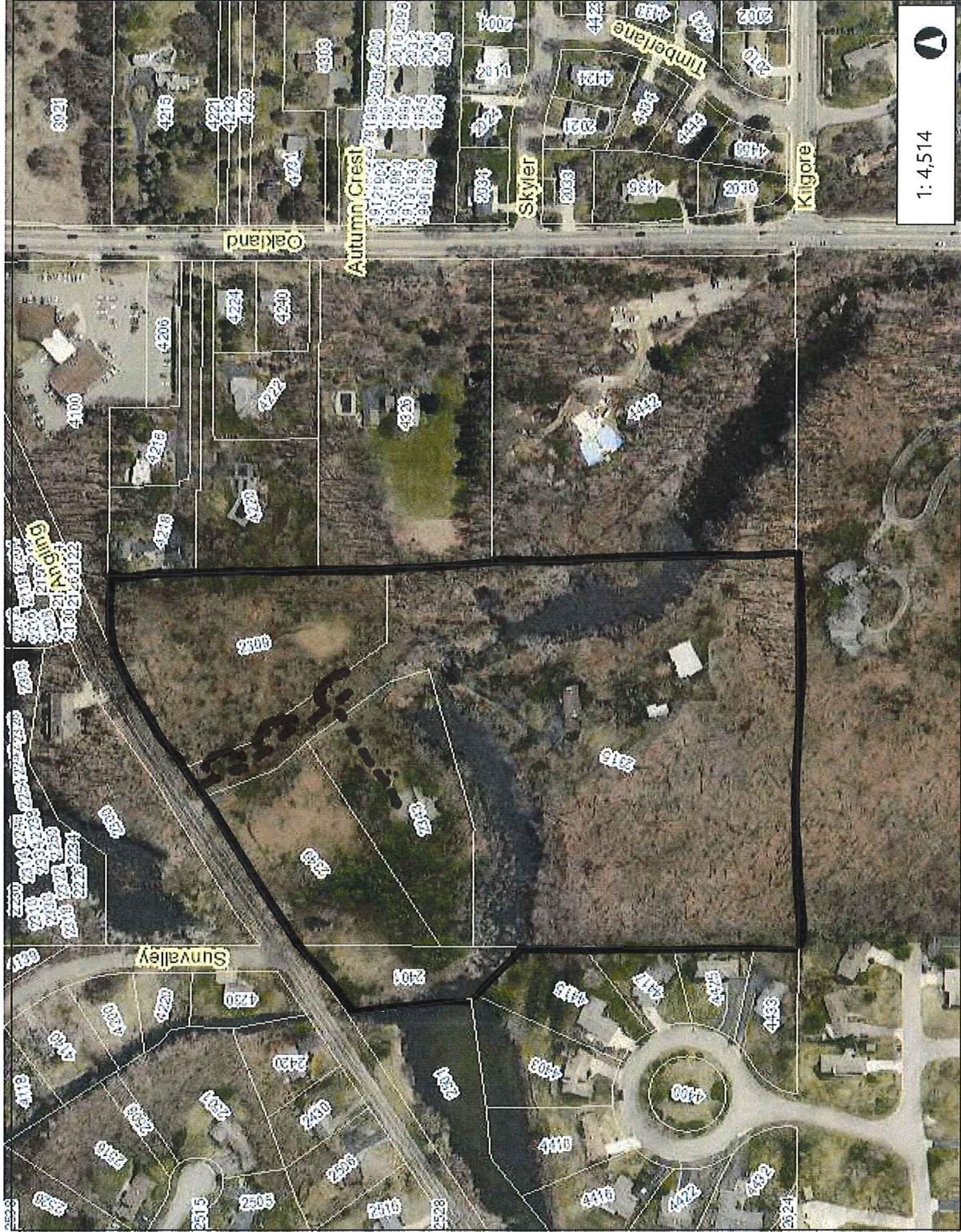
This request is consistent with the Kalamazoo Nature's mission as it will reduce the volume and increase the quality of stormwater runoff during rain events thus protecting the natural resources within the Portage Creek watershed. Gravel will not leach harmful chemicals as will asphalt pavement, and gravel does not cause air pollution or emit greenhouse gases to the same extent as do both asphalt and concrete production. In addition, as a non-profit organization, KNC believes the lower cost of gravel will be more readily supported by its limited financial resources.

The request for variance also includes an allowance for signage to include a double-sided entrance sign up to 20 ft² in size, to be placed along the southwest side of the Angling Rd. entrance. This sign will be designed with KNC graphic standards and will include down facing, shielded lighting to effectively advertise the location of the property. The height of this sign will be determined by a site evaluation and safe sight lines will be considered when installing.

We seek these variances due to the sensitive environmental conditions of the site, the long history of environmental stewardship of the previous owners, and to the expectation of the community who are counting on KNC to develop a safe and welcoming property with the least amount of environmental degradation. Literal enforcement of the standard to pave the parking lot would cause practical difficulty to KNC through the additional cost of both the initial installation as well as the long-term maintenance requirements including pavement striping and repairs. Acceptance of this variance will allow KNC to demonstrate a more sustainable method of developing parking while still being consistent with the general intent of the ordinance as parking will be available to the general public in both standard and barrier free parking spaces.

Literal enforcement of the 2ft² signage ordinance will restrict KNC from being able to effectively advertise the property and will create navigational difficulties for our users thus jeopardizing the success of the project. Acceptance of this variance will meet KNC's customer care standards and will create a welcoming first-impression.

Kalamazoo Nature Center - Angling Road Properties



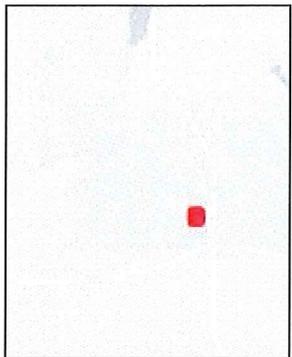
0.1 0 0.07 0.1 Miles

THIS MAP IS NOT TO BE USED FOR NAVIGATION

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



- Legend**
- Street Names - City
 - Parcels



Example 1

Sign at Kalamazoo Nature Center Location at 7000 N. Westnedge Ave.



Image capture: Jun 2012 © 2018 Google

Kalamazoo, Michigan

Google, Inc.

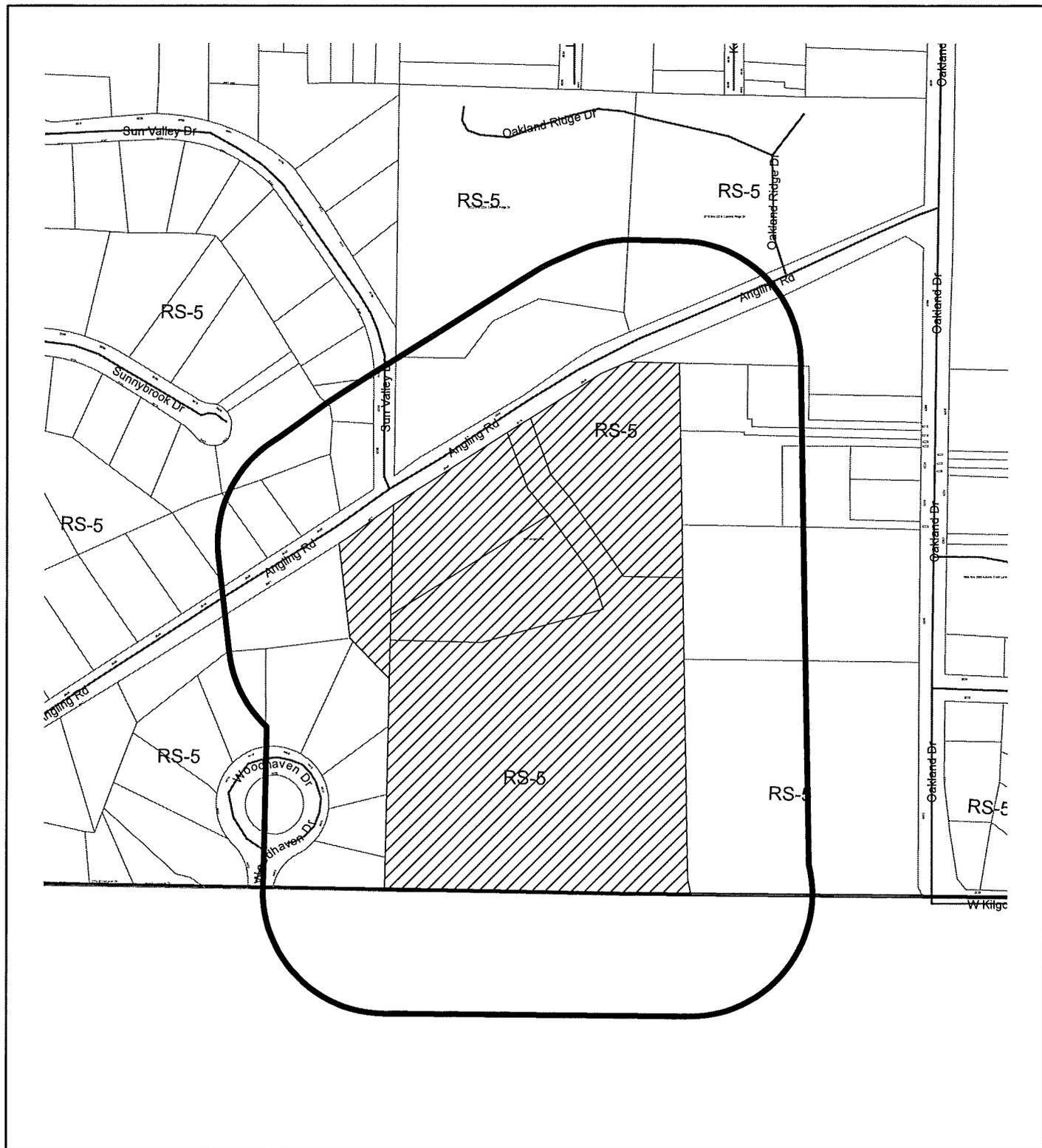
Street View - Jun 2012



Example 2

Sign at **Urban Nature Park** Location at 426 E. Michigan Ave.





300' Mailing Boundary
2309, 2315, 2343, 2349 & 2401 Angling Rd.



1" = 620 Feet