

Meeting Agenda

City of Kalamazoo - Zoning Board of Appeals

May 14, 2020

Electronic Meeting: Streamed on the City of Kalamazoo YouTube Channel and Facebook 7:00 p.m.

A. Call to Order:

B. Communications and Announcements:

C. Approval of the Meeting Minutes:

1. Regular Meeting on February 13, 2020
2. Special Meeting on May 5, 2020:

D. Public Hearings:

1. ZBA #20-05-09: 4501 Arboretum Parkway. American Kendall Properties LLC is requesting a dimensional variance from Chapter 9, Section 9.2A, to increase the number of off-street parking spaces by 39 spaces for this nonconforming development which currently is over the maximum number of allowed off-street parking spaces by 210 spaces. The total number of off-street parking spaces if approved would be 514 spaces to serve the 241-unit complex.
2. ZBA #20-05-06: 736 Jackson Street. Remi Herrington is requesting: **1)** A use variance from Chapter 4, Section 4.1, to allow for a commercial agricultural use and educational programs on this residentially zoned property. This includes a green house and pavilion along with planting bed areas. **2)** A dimensional variance from Chapter 50 -7.2, for one off-street parking space, where two are required. **3)** A dimensional variance from Chapter 6, Section 6.3 A 2, for two feet to allow six-foot fencing in the front yard on Jackson Street and Neumaier Court where only four-foot fencing is permitted for a residential zoned property.
3. ZBA #20-05-07: 1316 Mills Street. Remi Herrington is requesting: **1)** A use variance from Chapter 4, Section 4.1, to allow for a commercial agricultural use on this residentially zoned property. This includes a greenhouse and raised planting beds. **2)** A dimensional variance from Chapter 50 -7.2, for two off-street parking spaces, where two are required. **3)** A dimensional variance from Chapter 6, Section 6.3 A 2, for two feet to allow six-foot fencing in the front yard along Mills Street where only four-foot fencing is permitted for a residentially zoned property.
4. ZBA #20-05-08: 1503 Washington Avenue. Remi Herrington is requesting: **1)** A use variance from Chapter 4, Section 4.1, to allow for a commercial agricultural use on this residentially zoned property. This includes a structure with vertical planting beds and other raised planting beds on the property. **2)** A dimensional variance from Chapter 50 -7.2, for two off-street parking spaces, where two are required. **3)** A dimensional variance from Chapter 6, Section 6.3 A 2, for two feet to allow six-foot fencing in the front yard along Washington Avenue and Division Street where only four-foot fencing is permitted for a residentially zoned property.

E. Other Business:

F. Adjournment:

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
February 13, 2020 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

Members Present: Matt Lager, Dick Skalski, Chris Flach, Christina Doane, Jeff Carroll, Beth van den Hombergh Alternate

Members Absent:

City Staff: Pete Eldridge, Assistant City Planner; Clyde Robinson, City Attorney; Deanna Benthin, Recording Secretary

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

NEW BUSINESS:

Mr. Eldridge commented Staff had reviewed The Roberts Rules of Order and reminded the Board members any conversations or comments need to be made on record and to keep the side bar comments to a minimum, if not non-existent for transparency reasons.

Attorney Robinson added some procedural comments, the Chair should not be making or seconding motions, he can ask to entertain the motion and someone else can make the motion. He underscored the remarks by Mr. Eldridge, referring to the open meetings act that any conversation should be open to the public for clarification.

MINUTES:

Mr. Carroll, moved to approve the minutes of December 12, 2019 as submitted, seconded by Mr. Skalski.

Motion approved by voice vote unanimously.

PUBLIC HEARINGS: Acting 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 417 Forest Street, Parcel #06-22-321-002:

ZBA #20-02-01: 417 Forest Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Dennis

Greenfield, owner of the property at 417 Forest Street which is situated in Zone CO, Commercial – Office District. The applicant is requesting a use variance from Chapter 4, Section 4.1, to authorize the renting of motorhomes and provide storage for motorhomes on this property which falls under the land use category of ‘light equipment sales and rental’. This use category is not permitted in the Commercial Office District.

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-three notices of public hearing sent and zero responses were received.

Dennis Greenfield, owner of the property stated he proposed to build a garage on the far west side, he has two motorhomes that he rented out over 80 times last year as a business. It would require a variance to build a garage that stores six motor homes. He was told by the Building Inspector it would require the building to be sprinkled requiring a 4” water main to be run to the building also. His intent is not to have a parking lot full of R. V’s, only those inside the garage.

Mr. Flach questioned if he was parking the motor homes there now. Mr. Greenfield replied yes, on the backside of his current building. Mr. Flach clarified he could have a six-stall garage for cars. Mr. Greenfield stated a six-stall garage for the office building, but to store R. V’s. he needed a zoning variance. Mr. Flach questioned the difference between parking and storing.

Mr. Eldridge stated the variance is for both, parking and storing of R.V vehicles. The storage of R. V’s is not allowed in the CO Zone district.

Mr. Skalski asked what the building is being used for. Mr. Greenfield stated, over half is used for his business, there’s a non-profit, a medical records storage space, and the city rents an office space.

Chair Lager questioned if Mr. Greenfield was leasing the R. V’s from the property. Mr. Greenfield replied it’s an online rental site and they pick up the R.V at the office on Forest Street.

Speaking in Opposition:

David Wheatley, 428 Denadel Ct. stated his property backs up to the subject property, his concerns are with the open and unkept weedy property, with the R. V’s sitting there leaking oil and gas, and in disrepair.

Mr. Eldridge commented on the RV business being small scale, but it is in a commercial office zone district designed for medium to high intensity office uses. For commercial strip development with activity conducted inside the building, next to residential zoning. The future land use maps identify the area as commercial. This business description doesn’t fit into commercial office, the size of the garage with 14 ft overhead doors, 6 bays, 42’ by 60’ is a rather large structure compared to anything around it. There are homes nearby it, and it’s just outside the Vine Historic District.

Chair Lager closed the public hearing.

FINDING OF FACT

Ms. Doane moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 417 Forest Street shall include all information included in the notice of public hearing dated January 29, 2020.
- 2.) Sixty-three 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: Dennis Greenfield, the applicant stated he wanted to store R. V's on the site, a variance is required, to make it cost effective it would require six-stalls, that's his plan, currently he has two R.V's parked behind the main office building. Mr. Wheatley stated his concerns with the unsightliness and environmental concerns. Mr. Eldridge reported it's in the CC Zone District, a low intensity district, the footprint is too much for the area it's proposed to be in.

Mr. Flach seconded the Finding of Fact.

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

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

Mr. Skalski commented there were two motor homes on the east side of the building and clarified that those two would be stored inside the proposed building. The area on the east is in the flood plain, did he have plans to clean it up.

Mr. Greenfield, the applicant came forward, stating he owned the grass section next to one business on Park Street; however, the other properties are not under his ownership and he has no say over maintenance of those properties.

Chair Lager reviewed the criteria conditions that must be met to qualify and stated he would be voting against the request. One of the criteria needed to be met to approve a use variance is that the special circumstances are not the result of the applicant, in all other cases where a use variance is granted, there is a land condition reason to grant the request, where it wasn't the applicant's reason, he isn't seeing it in this case. He passes this property several times a day,

it's quite noticeable there are motorhomes in a residential area of the block. It doesn't meet the character of the neighborhood.

Mr. Carroll stated the variance doesn't meet criteria one or two and he'd be voting against the request.

Motion denied by roll call vote unanimously.

Mr. Carroll read the application for 303 Balch Street and 1612 S. Park Street, Parcels #06-22-368-001 and #06-22-363-022:

ZBA #20-02-02: 303 Balch Street and 1612 S. Park Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals Whitley Memorial Funeral Home, owner of the property at 303 Balch Street and 1612 S. Park Street, which are situated in Zone CC, Commercial – Community District. The applicant is requesting a dimensional variance from Chapter 5, Section 5.2, to authorize the construction of an attached garage on the south side of the building which will be within 2.5 feet of the south property line where a 25-foot setback is required from adjacent residentially zoned property.

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 forty-four notices of public hearing sent and zero responses were received.

James Dirks, with Intersect Studio Architecture, was representing the owner of the property, it currently holds an abandoned 2-story condemned house. Whitley Funeral Home proposes to demolish that building, and is requesting a variance, the house is within 2.5 feet of the south property line. Whitley Funeral Home also owns the house to the south they lease. They request to allow to build the garage, connect it to the main building for storing indoor storage of the hearse, and limousine, and help visually with the activities of those vehicles.

Mr. Carroll questioned the dimensions of the garage. Mr. Dirks stated the building is about 24 feet wide, the frontage of the property is approximately 33' wide. It only leaves a small amount of space, but the garage will be connected, to takes the descendants into the building.

Chair Lager questioned the elevation of the house next door or the elevation of the funeral home property. Mr. Dirks stated the hill goes downward; the garage would be built even with the upper level of the commercial building.

Mr. Eldridge clarified, there are two parcels that will be combined.

Ms. van den Hombergh clarified it'd be the 88' and 33' together when the parcels are combined. Mr. Eldridge stated yes and clarified the location of the garage on the property. The easy rational is the 1612 S. Park and 303 S. Park are in the CC Zone District which gives it a 25' setback because of the residential property next to them.

Speaking in favor:

Bob McClure; 1614 S. Park St. spoke in favor; he would like to see the removal of the condemned house and had no objection to having a garage next door.

Mr. Eldridge stated the future land use map shows the area as Urban Edge, small scale commercial or mixed-use development. A funeral home is a use permitted by right in the CC Zone District.

Chair Lager closed the public hearing.

FINDING OF FACT

Mr. van den Hombergh moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 303 Balch Street and 1612 S. Park Street shall include all information included in the notice of public hearing dated January 29, 2020.
- 2.) Forty-four 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: James Dirks with Intersect Studios spoke representing the applicant, stated Whitley Funeral Home proposes to merge two parcels for a total frontage of 121 feet, there's an abandoned, condemned two story home on the property that's been there about 20 years, they want to demolish it, build an attached garage to the funeral home to give the descendants respect while moving them. The width of the garage is 24 foot, and would have a Park Street access, it will be even with the ground floor of the house being demolished. In favor was Bob McClure, he supports having the house torn down and is in support of the attached garage.

Ms. Doane seconded the Finding of Fact.

Ms. Van den Hombergh amended the Finding of Fact to include that the new garage will be 2.5 feet from the south property lines, seconded by Ms. Donae.

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

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

Mr. Skalski stated he was in favor stating they are demolishing an unsightly existing house and improving the property.

Mr. Carroll stated he was voting in favor; it meets all the criteria required to grant the variance.

Motion approved by roll call vote unanimously.

OTHER BUSINESS:

Mr. Eldridge referred to the 2020 meeting dates, and to the copy of the annual report. He stated he'd add Mr. Skalski to the roster for the 2019 term. He spoke to the number of parking variances and the amendments going to the City Commission currently regarding hotels and the parking standards for those.

Mr. Eldridge stated it was election night.

Mr. Skalski made a motion to nominate Mr. Lager as Chair, Mr. Carroll as Vice Chair, and Ms. Doane as Secretary, seconded by Mr. Flach.

Motion approved by voice vote unanimously.

ADJOURNMENT:

The meeting was adjourned at 7:48 p.m.

Submitted by _____ Date _____

Recording Secretary

Reviewed By _____ Date _____

City Staff

Approved By _____ Date _____

Chair

**MINUTES
CITY OF KALAMAZOO
SPECIAL ZONING BOARD OF
APPEALS*
MAY 5, 2020 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

* A special meeting of the Zoning Board of Appeals was held on Tuesday, May 5, 2020 at 7:00 p.m. This meeting was held as an electronic meeting under the authority of Executive Order 2020-15 issued by Governor Gretchen Whitmer.

Members Present: Matt Lager, Dick Skalski, Chris Flach, Christina Doane, Beth van den Hombergh

Members Absent: Jeff Carroll

City Staff: Pete Eldridge, Assistant City Planner; Clyde Robinson, City Attorney; Deanna Benthin, Recording Secretary

Chair Lager called the meeting to order at 7:21 p.m.

NEW BUSINESS:

Mr. Eldridge stated the meeting was being streamed for viewing, the ability to call in for audio and the public could call in to 269-226-6573 to leave comments for the two hearings and clarified to leave the address of either 1401 Harrison Street or 2117 Benton Ave.

PUBLIC HEARINGS: Chair Lager summarized the process and explained the Zoning Board of Appeals public hearing rules of procedures. For each request, the secretary will read the application into the public record. The applicant or their representative will have 10 minutes to present their comments, followed by public comments received via phone will be aired for the panelist and audience. Then the public hearing would be closed on the request. The Board would then conduct the finding of facts. The Board then would state the finding of facts of the request and approve them the first vote is not a ruling on the request, but on the finding of fact, The Board must approve the Finding of Fact. Therefore, the first vote you here is not a ruling on the request, but the Finding of Fact, then the Board discusses the request in order to determine a ruling. The Board reserves the privilege to ask questions of persons who have already spoken even though the public comment portion is now closed. Once discussion has ended the Board moves onto a roll call vote. A full board consists of six members and four affirmative votes are required grant to a motion for a non-use or use variance.

Ms. Doane read the application for 1401 Harrison Street, Parcel #06-10-485-002:

ZBA# 20-03-04: 1401 Harrison Street: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Graphic

Packaging International, LLC owner of 1401 Harrison Street, which is situated in Zone M-2, Manufacturing – General District. The applicant is requesting a dimensional variance from Chapter 9, Section 9.3B, to increase the height of an existing nonconforming building which encroaches approximately 20 feet into the required 25-foot building setback from the Harrison Street right-of-way. The footprint of the building along Harrison Street will not be altered and the building will not be located any closer to the front property line. However, the height will be increased from 30 feet to 80 feet which increases the extent of the nonconformity.

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 five notices of public hearing sent and zero responses were received.

Rusty Miller, Senior Vice President of Engineering for Graphics Packaging International stated they want to raise the roof of the building at 1401 Harrison Street as part of their \$600 million-dollar expansion plan. The building is non-conforming, they require a variance to raise the roof on that existing building, but they will not change the footprint.

Chair Lager asked Mr. Miller to clarify for the members not familiar with the expansion to give a brief overview. Mr. Miller stated Graphics Packaging is one of the largest manufacturing employers in the City, with around 700 employees in Kalamazoo. They have the recycled paper boards facility at 1501 N. Pitcher Street which houses two paper machines and makes essential food packaging, primarily for dry foods, paper boards for cereal. They've made paper board for over 100 years. Across the street they have the printing operations that prints onto the cereal carton then sends it to Kellogg's in Battle Creek. The expansion involves a third paper machine doubling their capacity allowing them another 100 years of success in Kalamazoo. A few months ago, they received a variance for a new building on Pitcher Street. In the Harrison Street facility, they'll be processing the old corrugated boxes into pulp and then pump them into the new paper machine building, they've been making paper board since the turn of the century.

Mr. Eldridge questioned the connection between the new paper press on Pitcher Street and the new building they are talking about tonight, what that process entailed. Mr. Miller stated it takes the old corrugated boxes from stores like Meijer's, those are then slushed, pulped, water is added to slur them down, then that product is pumped over to the new paper machine and made into new paper product. It takes the bales of paper adding them into water to slurry them basically.

Mr. Skalski stated it's an excellent opportunity in the core of an industrial area.

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

Mr. Eldridge commented the building is deemed non-conforming; the building is approximately five feet from the front property line where the perimeter setback in a General Manufacturing M-2 Zone district is 25 feet. A portion of the building was built in the 1950's and another portion was built in 1966. The building was constructed under a former zoning ordinance which was in place since the early 80's or 90's. The intent of the 25' setback in the

M-2 Zone District is the most intensive manufacturing zone district allowing for low/medium/high impact. The intent was to allow for a land buffer for odor, vibration, dust, noise from an industrial use from residential use. What's before them tonight is expensive machinery that needs to be enclosed within the building, they need to raise the roof from 30' to 80' in part of the building. Part of the building that is non-conforming must be re-constructed and enlarged to house the equipment. Harrison Street is a public street but functions like a private street. The block from Patterson Street to the Wastewater Facility has only two owners, the City of Kalamazoo and Graphics Packaging who owns the property on the east and west sides of Harrison Street. There are no impacted property owners that would be affected by this or need to be protected from this.

FINDING OF FACT

Ms. Doane moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 1401 Harrison Street shall include all information included in the notice of public hearing dated April 21, 2020.
- 2.) Five 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: Rusty Miller, a representative from Graphics Packaging spoke to the request to raise the height of the existing building. The footprint will not change but will change the height from 30' to 80'. They are adding a third paper machine to double capacity. They estimate additional capacity will enable one hundred more years of production. The new space will be in support of that machine. Mr. Eldridge commented the building existing is deemed a non-conforming older structure built under a different ordinance. The purpose of 25' setback was to provide a buffer of its use to protect other areas. Purpose of variance is to protect the machine and support its operation. Harrison Street functions as a private street with few owners, all governmental or business. Impact would be minimal.

Mr. Skalski seconded the Finding of Fact.

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

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

Chair Lager stated he would be voting in favor as the applicant meets the variance requirements, the use and nature of the building will be positive and there won't be any negative impact on the street.

Motion approved by roll call vote unanimously.

Mr. Miller thanked the Board for using today's technology to move this meeting forward.

Ms. Doane read the application for 2117 Benton Avenue, Parcel #06-32-224-001:

ZBA #20-03-05: 2117 Benton Avenue: An application for a variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Todd DeLooff owner of 2117 Benton Avenue, which is situated in Zone RS-5, Residential – Single Dwelling District. The applicant is requesting a dimensional variance from Chapter 5, Section 5.1, for a 14-foot variance from the required 25-foot rear yard setback to construct a 128 square foot (8-ft. x 16 ft.) covered porch on the rear of the dwelling.

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 notices of public hearing sent and one response was received.

Todd DeLooff, owner of the property stated he wanted to build a screened in porch on the back of his house.

Chair Lager asked for clarification on the estimate sheet enclosed and asked him to visually describe the porch.

Mr. DeLooff clarified the contractor, Patrick McNally stated he'd be using 4' x 4' posts with concrete and then attach 2' x 6' rafters onto the house, with soundproofing, then metal. He has a flat roof currently and the new roof will be slanted, to allow the snow fall to withstand the weight.

Mr. Eldridge stated in the aerial photograph there is an existing porch showing which he understands was constructed without a permit and now needs to be re-built. When the contractor recently tried to obtain a permit for the reconstruction it was determined a variance was required.

Ms. Doane questioned when the old porch was built. Mr. DeLooff stated it was on the house when he purchased it in 2007.

Chair Lager clarified that the new porch is replacing the existing one. Mr. DeLooff replied correct.

Mr. Skalski asked what the rear distance was. Mr. DeLooff stated the lot is 80' x 50', the house is 20' x 24' the current porch was 9' x 8' the new one will be 8' x 16'.

Mr. Eldridge stated the lot is non-conforming at 50' in depth and 82' wide, 4100 sq. ft overall, in the RS-5 zoning district the minimum is 4500' and this is a substandard lot, the house was built in 1952 at 480 sq. ft. The house still doesn't comply with front or rear setbacks. Any project triggers a variance, so over the year's efforts have been made to make this house functional. August 14, 2003 the previous owner went to the ZBA to build a single stall garage on the east side of the house, which was granted, and this porch requires a variance also. There are practical difficulties with this lot size.

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 2117 Benton Avenue shall include all information included in the notice of public hearing dated April 21, 2020.
- 2.) Thirty notices of public hearing were sent, and one response was received from the owner at 2141 Benton Avenue in support.
- 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 all facts and comments made during the public hearing, which are summarized to include without limitation, the following: Mr. DeLooff stated he wanted to build an attached screened in porch to the house. He has hired a contractor to do the work to code. The existing porch will be torn down. The existing porch was attached when Mr. DeLooff purchased the house. The new porch will be an 8' x 16', larger than the existing one. Mr. Eldridge mentioned the lot is sub-standard and the house has been there since 1952. The house doesn't comply to setback requirements and any owner wanting to make any additions to the property will automatically require a variance. The porch Mr. DeLooff is putting up makes the house more functional.

Mr. Skalski seconded the Finding of Fact.

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

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

Ms. Doane commented on the sub-standard size of the house, and Mr. DeLooff will be replacing a substandard porch, she would be voting in favor of the request. Mr. Flach and Mr. Skalski both agreed with her comments.

Motion approved by roll call vote unanimously.

Mr. Eldridge commented on the ZBA meeting on May 14, 2020

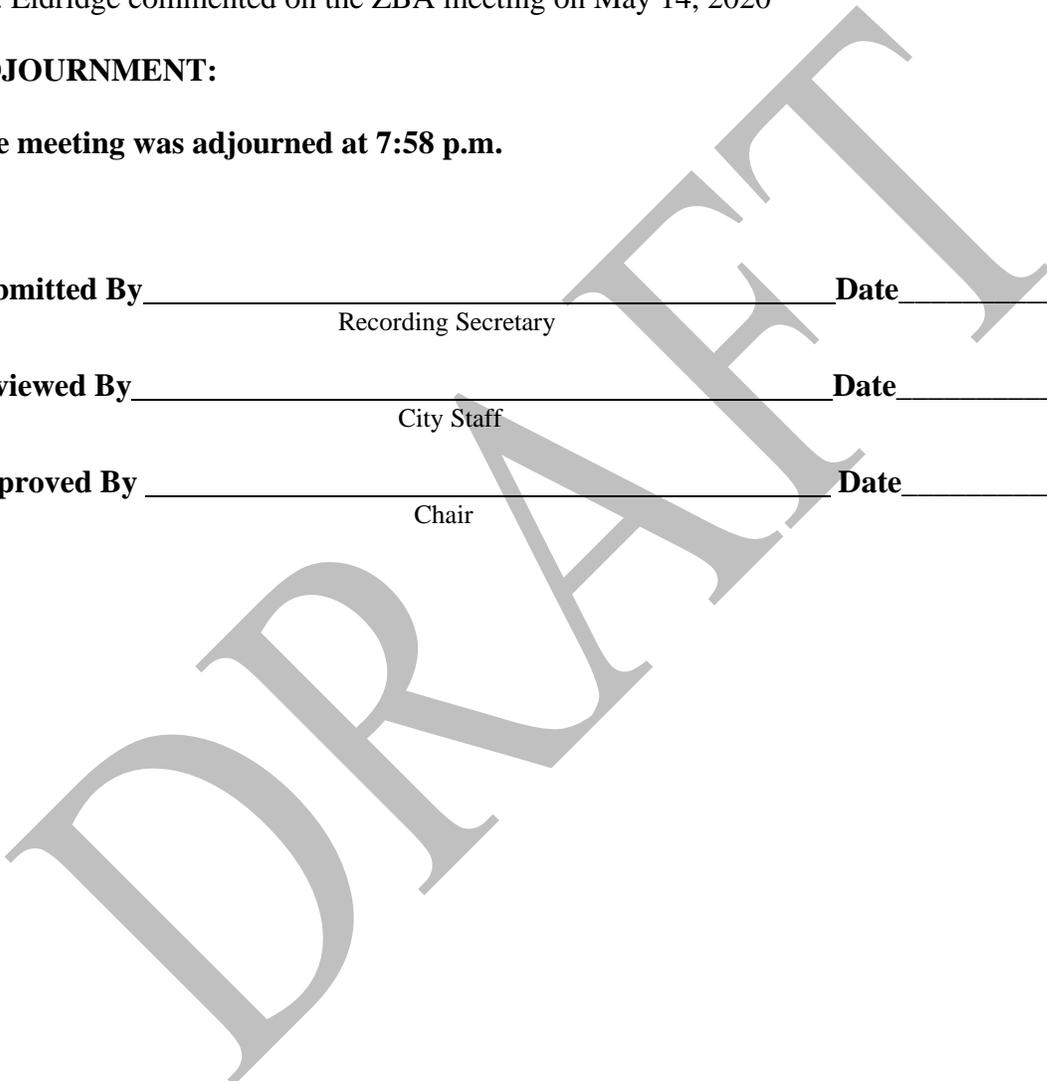
ADJOURNMENT:

The meeting was adjourned at 7:58 p.m.

Submitted By _____ **Date** _____
Recording Secretary

Reviewed By _____ **Date** _____
City Staff

Approved By _____ **Date** _____
Chair





Community Planning and Economic Development

245 N. Rose Street, Ste. 100

Kalamazoo, MI 49007

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

April 29, 2020

**RE: ZBA #20-05-09
4501 Arboretum Parkway
Parcel #06-19-118-002**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by American Kendall Properties, LLC owner of 4501 Arboretum Parkway (Parkway Flats Apartments), which is situated in Zone RM-24, Residential – Multi Dwelling District.

The applicant is requesting a dimensional variance from Chapter 9, Section 9.2A, to increase the number of off-street parking spaces by 39 spaces for this nonconforming development which currently is over the maximum number of allowed off-street parking spaces by 210 spaces. The total number of off-street parking spaces if approved would be 514 spaces to serve the 241-unit complex.

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.

The meeting will be held on Thursday, May 14, 2020 at 7 p.m. Due to COVID-19 this public meeting will be held electronically and streamed live on the [City's Facebook page](#) and [YouTube Channel](#). Check www.kalamazoocity.org for details on providing public comments.

To examine documents related to this request or provide written comments, please contact Pete Eldridge at eldridgep@kalamazoocity.org or call (269) 337-8806. The agenda will be posted at <https://www.kalamazoocity.org/boards>

Sincerely,

ZONING BOARD OF APPEALS

Peter C. Eldridge, AICP
Assistant City Planner

c: Property File



Zoning Board of Appeals (ZBA) Application Form

Community Planning & Development Department

415 Stockbridge

Kalamazoo, MI 49001

Phone: 269-337-8026

www.kalamazoo.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 American Kendall Property, LLC
Address 3600 Woodview Trace, Suite 130
City, State, Zip Indianapolis, IN 46268
Phone 317-872-4600 Cell _____
Fax 317-872-4840 Email _____

Owner: Name American Kendall Property, LLC
Address 3600 Woodview Trace, Suite 130
City, State, Zip Indianapolis, IN 46268
Phone 317-872-4600 Cell _____
Fax 317-872-4840 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 4501 Arboretum Parkway, Kalamazoo, MI 49006

This property is located between Arboretum Parkway street and Arboretum Parkway street, on the

north south east west side of the street.

CCN# 06-19-118-002 Zone RM

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 Request a variance from the maximum number of off-street parking spaces allowed under Sec. 50-7.2-2b of the City of Kalamazoo Zoning Ordinance.

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 3/2/20
Signature of Owner (if different than applicant) _____ Date _____



March 4, 2020

City of Kalamazoo Zoning Board of Appeals
415 E Stockbridge Ave.
Kalamazoo, MI 49001

RE: Variance Request
Parkway Flats Apartments – 4501 Arboretum Parkway

Dear Board Members,

We are currently working on providing additional parking spaces to the new Parkway Flats apartment complex located in the City of Kalamazoo. The additional parking spaces will be added to the existing parking area located at 4501 Arboretum Parkway.

We request a variance from the maximum number of off-street parking spaces allowed under Sec. 50-7.2-2b of the City of Kalamazoo Zoning Ordinance. A Multi-Unit Residential development is required to provide one and a half parking space per unit and does not allow greater than 110% of the minimum parking requirement. The existing apartment complex has 241 units and a combined 475 parking spaces, including 316 outdoor surface parking spaces and 159 indoor garage parking spaces. We are requesting to provide an additional 39 parking spaces bringing the total parking count on site to 514 parking spaces.

In the following section, we have provided responses to requirements from the ZBA Variance Requirements List to ensure that the spirit of the ordinance is observed, public safety secured, and substantial justice done.

1. There are special circumstances or conditions (like exceptional topographic conditions, narrowness, shallowness, or the shape of property) that are peculiar to the land or structure for which the variance is sought, that is not applicable to other land or structures in the same zone district.

The subject property is located near the southwest edge of the city limits and is not located in a densely populated area where other apartment complexes or other developments in the area that allow for shared use or on-street parking facilities.

2. The special circumstances are not the result of the actions of the applicant or titleholder of the land.

The special circumstances listed in the previous response are not caused by actions of the application or titleholder of the land, but rather the location within the City limits and the proximity to provide on-street parking and parking structures.

3. The literal interpretation and enforcement of the terms and provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other land in the same zone district, and would cause practical difficulty.

Past projects experience has shown that other developments located on the outskirts of the City of Kalamazoo have been granted variances from the same ordinance section. The current limit on parking spaces causes practical difficulty for this type of development as it creates hardship for residents in

personal vehicles living in Kalamazoo on the outskirts of the downtown setting, where parking structures and on-street parking is less abundant.

4. The granting of the variance is the minimum action that will make possible the use of the land or structure that is not contrary to the public interest, and that would carry out the spirit of this Ordinance.

Granting the variance is the minimum action that would make possible the use of this land as a successful apartment complex development that is not contrary to public interest. The spirit of this ordinance is described in the 2025 Master Plan, which states that “parking, like many other zoning requirements, is not a one-size-fits-all solution. Context and character, in addition to the traditional considerations of size or quantity of customers, are important.” We have shown that the context of this development requires a greater quantity of parking spaces to be successful.

5. The granting of the variance will not adversely affect adjacent land in a material way.

The adjacent land is occupied by two schools, a bank and a church that will not be adversely impacted by the development in a material way. Stormwater runoff increased by the increase in impervious area will be handled in the same manner as deemed appropriate in the previous phase.

6. The granting of the variance will be generally consistent with the purposes and intent of this Ordinance.

We believe that granting the variance would be generally consistent with the intent of the zoning ordinance. As we understand it, this requirement is ideal for developments located in densely populated downtown settings where parking garages with non-motorized means of transportation and additional on-street parking is available. While the majority of the City fits in this category, we believe our particular property does not fall within this category.

7. Where the requested dimensional variance involves required landscaping, the Zoning Board of Appeals may grant a variance upon additional criteria:

Requested variance does not involve landscaping: additional criteria do not apply.

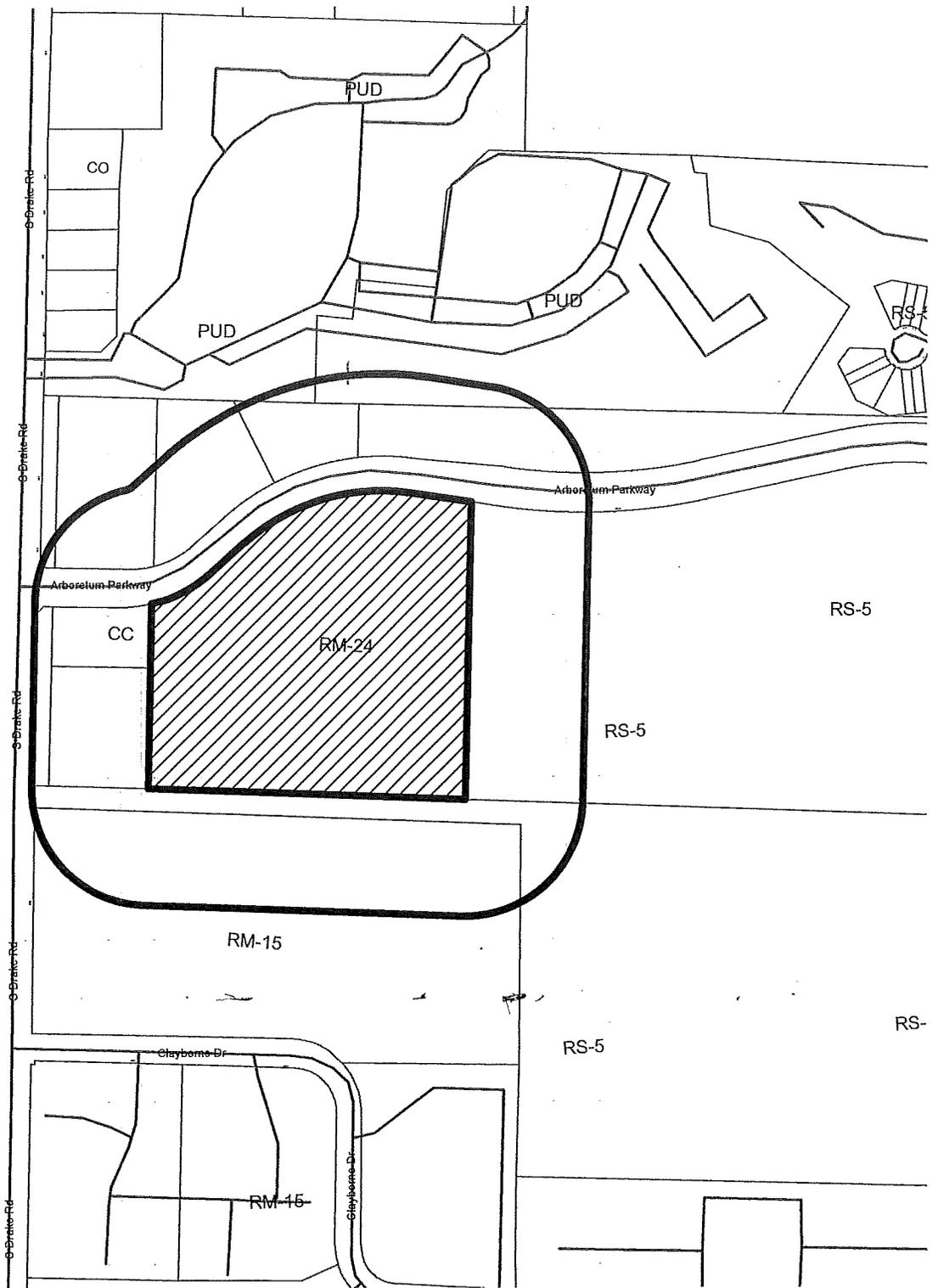
Thank you for your time and understanding.

Sincerely,

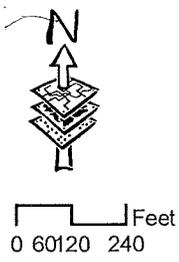
HURLEY & STEWART, LLC.

Alex. R. Phelan





300' Mailing Boundary
 4501 Arboretum Parkway





Community Planning and Economic Development

245 N. Rose Street, Ste. 100

Kalamazoo, MI 49007

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

April 29, 2020

**RE: ZBA #20-05-06
736 Jackson Street
Parcel #06-22-293-007**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Remi Herrington owner of 736 Jackson Street, which is situated in Zone RM-15, Residential – Multi Dwelling District.

The applicant is requesting: **1)** A use variance from Chapter 4, Section 4.1, to allow for a commercial agricultural use and educational programs on this residentially zoned property. This includes a green house and pavilion along with planting bed areas. **2)** A dimensional variance from Chapter 50 -7.2, for one off-street parking space, where two are required. **3)** A dimensional variance from Chapter 6, Section 6.3 A 2, for two feet to allow six-foot fencing in the front yard on Jackson Street and Neumaier Court where only four-foot fencing is permitted for a residential zoned property.

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

The meeting will be held on Thursday, May 14, 2020 at 7 p.m. Due to COVID-19 this public meeting will be held electronically and streamed live on the [City's Facebook page](#) and [YouTube Channel](#). Check www.kalamazoocity.org for details on providing public comments.

To examine documents related to this request or provide written comments, please contact Pete Eldridge at eldridgep@kalamazoocity.org or call (269) 337-8806. The agenda will be posted at <https://www.kalamazoocity.org/boards>

Sincerely,

ZONING BOARD OF APPEALS

Peter C. Eldridge, AICP
Assistant City Planner

c: Property File



Zoning Board of Appeals (ZBA) Application Form

Community Planning & Development Department

415 Stockbridge

Kalamazoo, MI 49001

Phone: 269-337-8026

www.kalamazoo.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 REMI HARRINGTON
 Address 533 W. SOUTH ST. APT. 4
 City, State, Zip KALAMAZOO MI 49007
 Phone 269-274-5250 Cell _____
 Fax _____ Email INFO@EMMEVILLENFOLKARTISTS

Owner: Name REMI HARRINGTON / THE URBAN FOLK ARTISTS
 Address EXPLORATORIUM
 City, State, Zip _____
 Phone P.O. BOX 2644 Battle Creek, MI
 Fax 269-274-5250 Email 49016 info@emmevillennfalkartists

(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 736 JACKSON ST. KALAMAZOO, 49001
 This property is located between PARADE street and COTTAGE street, on the
 north south east west side of the street.
 CCN# 06-22-293-007 Zone KM-15

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 URBAN FORM

- 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 REMI HARRINGTON Date 2/12/2020
 Signature of Owner (if different than applicant) REMI HARRINGTON Date 2/12/2020

Remi Harrington
Zoo City Farm and Food Network
326 W. Kalamazoo Ave.
Suite 204 A
Kalamazoo, Michigan 49007

February 19, 2020

Remi Harrington
415 Stockbridge Ave.
Kalamazoo, Michigan 49001

Dear Zoning Board of Appeals:

It is my goal to develop 736 Jackson St. into a multifunctional community farm and garden site in the Edison Neighborhood. Our goal is to be granted and approval for a use variance for this site. We need to have the ability to use this site for agricultural market purposes.

The goal is to create a worker owned co-operative that has a multitude of social, environmental and economic benefits for this neighborhood, and our entire community. Please favorably consider our request.

If you have any further questions about the goals of the Zoo City Farm and Food Network, please feel free to look at our website: www.zoocityfood.com and the Urban Folk Art Exploratory, www.exploreurbanfolkart.org

Thank you,

A handwritten signature in black ink that reads "Remi Harrington". The signature is written in a cursive, flowing style with a large initial "R".

Remi Harrington
Zoo City Farm and Food Network

ZBA APPLICATION SUPPLEMENTAL INFORMATION REQUESTED- 736 JACKSON ST.

THE GOAL OF THE ZOO CITY FARM AND FOOD NETWORK IS TO DEVELOP 736 JACKSON ST. INTO AN EDUCATIONAL URBAN AGRICULTURE SITE.

WE PLAN TO ERECT 11 4FT. X 8 FT. RAISED BEDS, A GREEN HOUSE AND A LEARNING LAB/OPEN AIR PAVILION-

THE ELEMENTS OF THIS SPACE ARE OUTLINED IN OUR SITE PLAN.

THERE WILL BE OFF STREET PARKING AND A FARM FENCE THAT IS BETWEEN 4FT. AND 6T. TALL-

SUPPLEMENTARY NARRATIVE REQUESTED FOR USE VARIANCE OF 736 JACKSON ST.-

THE GOAL OF ZOO CITY FARM AND FOOD NETWORK IS TO DEVELOP 736 JACKSON ST. INTO A MULTIFUNCTIONAL URBAN AGRICULTURE SITE.

THE SITE WAS ACQUIRED IN 2013 AS AN EDUCATIONAL GARDEN SPACE CALLED TEGAN'S HOPEFUL STORYBOOK GARDEN.

AT THIS POINT, OUR GOAL IS TO EXPAND OUR WORK INTO A MULTIFUNCTIONAL COMMUNITY FARM SITE, BUT THE PROPERTY IS ZONED RM-15, AND THE SECTION 4.1 USE TABLE INDICATES THAT AGRICULTURE IS A PROHIBITED USE.

WE HAVE HISTORICALLY USED THIS SITE AS AN URBAN GREENING PLACE MAKING SPACE, AND HAVE ALWAYS HOPED TO EXPAND THIS SITE INTO AN EDUCATIONAL PRODUCTION SPACE FOR THE COMMUNITY, AND AS A PATHWAY TO ECONOMIC AND EDUCATIONAL EMPOWERMENT THROUGH INFUSING ART, SCIENCE, TECHNOLOGY AND ALIGNING OUR PROGRAMMING WITH KALAMAZOO PUBLIC SCHOOL'S STRATEGIC PLANNING EXPECTATIONS FOR COMMUNITY. WE HAVE ALSO HIRED SINGLE MOTHER'S AND YOUTH THAT LIVE IN THE NEIGHBORHOOD AND ARE REFLECTIVE OF THE NEIGHBORHOOD TO FACILITATE OUR PROGRAMMING.

AS A RESULT OF THE PARCEL BEING RESIDENTIALLY ZONED, WE HAVE ENCOUNTERED AND OR HAVE ANTICIPATED SEVERAL BARRIERS TO DEVELOPMENT, INCLUDING BUT NOT LIMITED TO; THE TYPE OF STRUCTURES THAT CAN BE ERECTED ON SITE, LIMITATIONS ON PROGRAMMING AND AGRICULTURAL COMMERCE. THIS IS DISAPPOINTING BECAUSE THERE ARE TWO ADJACENT PROPERTIES THAT ARE ZONED COMMERCIAL OR MANUFACTURING BESIDE US, AND IN FRONT OF US.

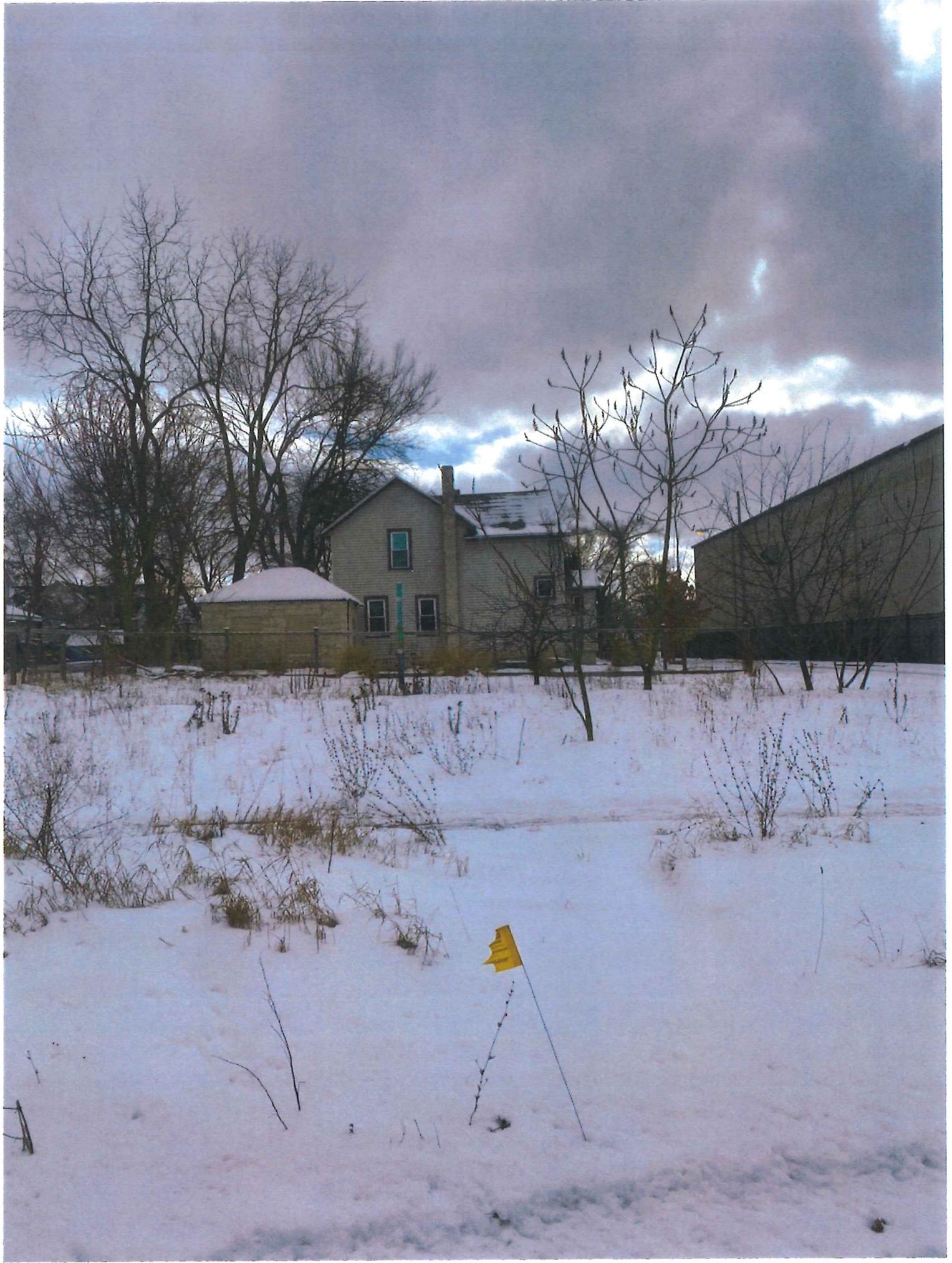
THIS APPLICATION FOR A USE VARIANCE IS NOT THE RESULT OF AN ACTION INITIATED BY ME THAT MOVED A PROJECT FORWARD WITHOUT GOING THROUGH THE APPROPRIATE PROCESS AND IS NOW SEEKING RETROACTIVE APPROVAL, BUT IT WAS ALMOST THAT STORY BECAUSE I DIDN'T KNOW THAT I WAS SUPPOSED TO COME TO THE CITY FOR APPROVAL FOR STUFF LIKE THIS FOR THE PROPERTIES THAT I AM STEWARDING AND/OR OWN.

BY GRANTING THE USE VARIANCE FOR THIS PARCEL, WE WILL CONTINUE TO SERVE OUR COMMUNITY BY DOING OUR PART TO FULLY INTEGRATE OUR COMMUNITY THROUGH REIMAGINING AND ACTIVATING NEIGHBORHOOD BASED NETWORKS AND SYSTEMS THAT AFFIRM OUR CULTURAL CONTRIBUTIONS AND CREATE PATHWAYS TO ECONOMIC SUSTAINABILITY THAT BRIDGE THE RACIALIZED WEALTH GAPS IN OUR CITY.

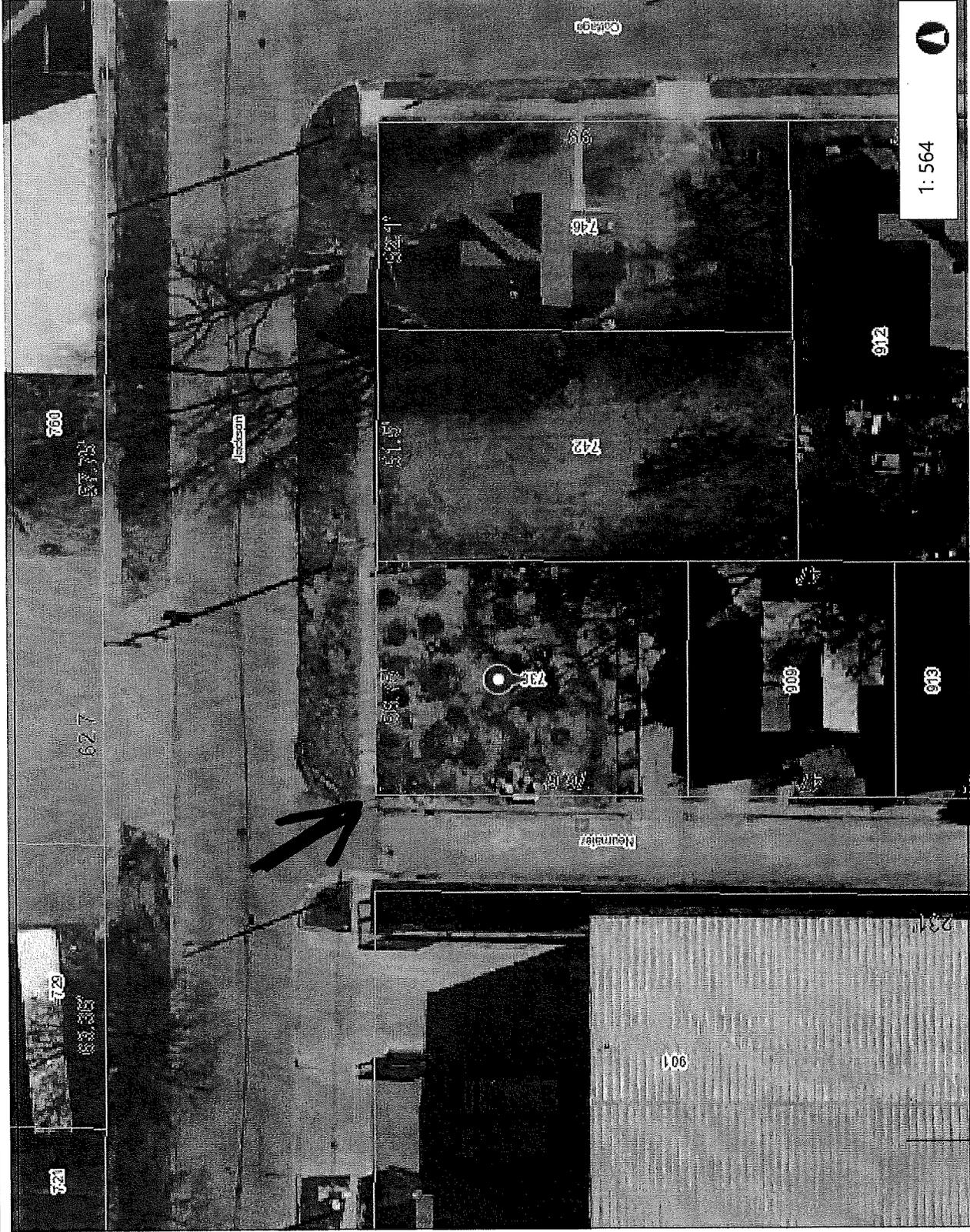
WE WILL NOT ADVERSELY IMPACT OUR NEIGHBORS WITH THIS USE VARIANCE IN A MATERIAL WAY.

OUR PROGRAMMING IS CONFINED TO OUR PARCEL AND PUBLIC SPACE.

THE GRANTING OF THE VARIANCE WILL GENERALLY BE CONSISTENT WITH THE USE THAT WE ARE REQUESTING, WHICH IS AGRICULTURE.



City of Kalamazoo GIS



Legend

Street Names - City

Cadastral

— LOT

— PARCEL

▭ Parcels

THE CITY OF



1:564



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. THIS MAP IS NOT TO BE USED FOR NAVIGATION

0.0 Miles

0.01

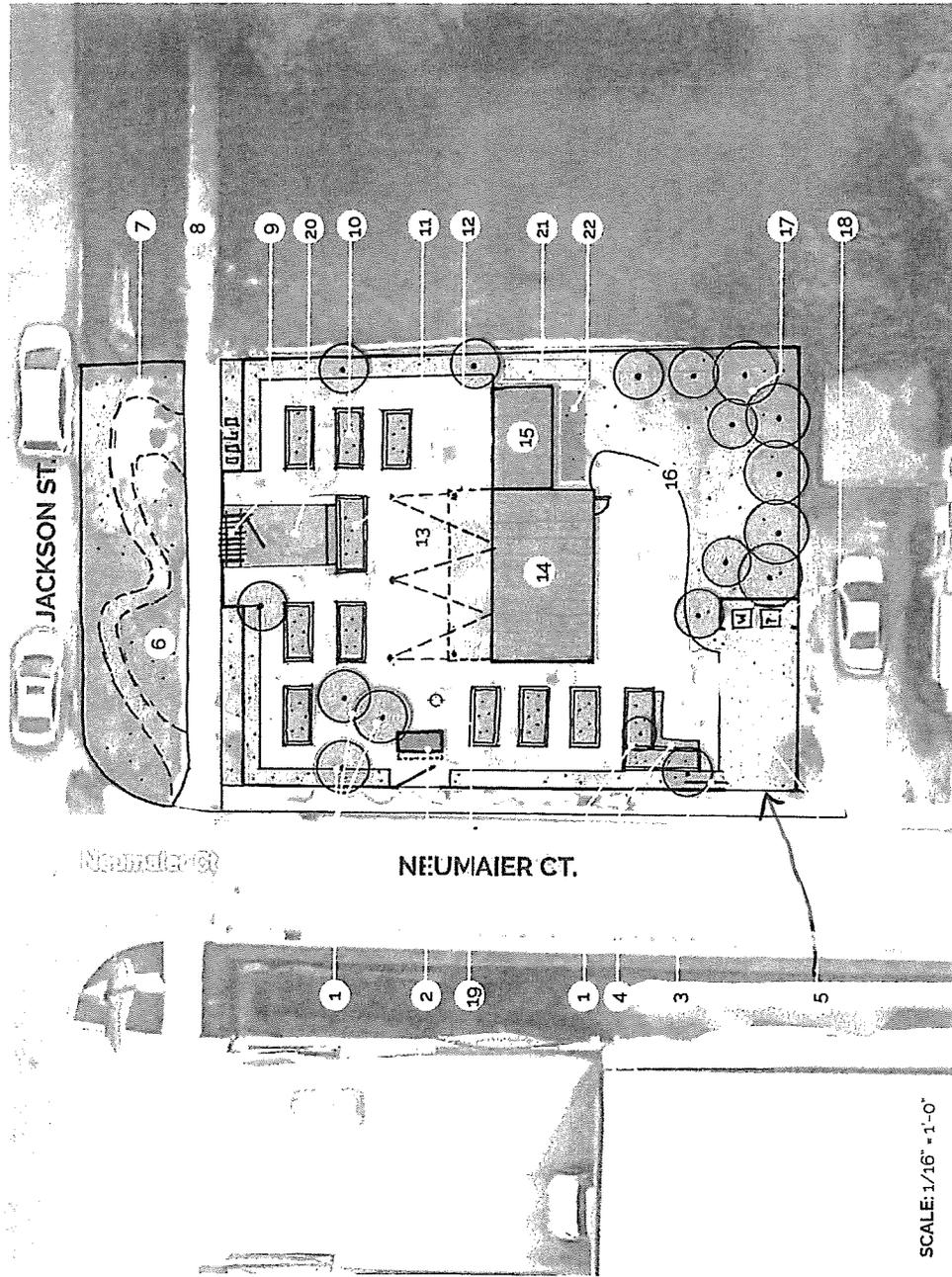
0

0.0

WGS_1984_Web_Mercator_Auxiliary_Sphere

SITE PLAN

NOTE: Drawings represent design intent only. Contractor to verify all construction details, existing conditions, and confirm local code requirements.



SCALE: 1/16" = 1'-0"

SITE PLAN KEY:

1. Existing Trees - Verify Location
2. Farm Stand
3. Lockable entrance gate; Entry feature above
4. Seating Bench
5. Parking on small-scale gravel aggregate
6. Sunflowers
7. Gravel Walking Path
8. Bike Rack
9. Entry Trellis and Secure Gate
10. Raised beds (4Lx8'W, cedar or corrugated kit), typ. Confirm final selection with Owner
11. Welcome counter
12. Festoon Lighting
13. Yard, Confirm material with owner
14. Open Air Pavilion
15. Greenhouse
16. Play Area
17. Urban Orchard
18. Waste area & Storage
19. Wayfinding monument
20. Brick or landscape pavers
21. Composting area (2-3 stations). Confirm requirements with Owner
22. Flexible growing area (To be determined once final Greenhouse Product is selected).

intersect

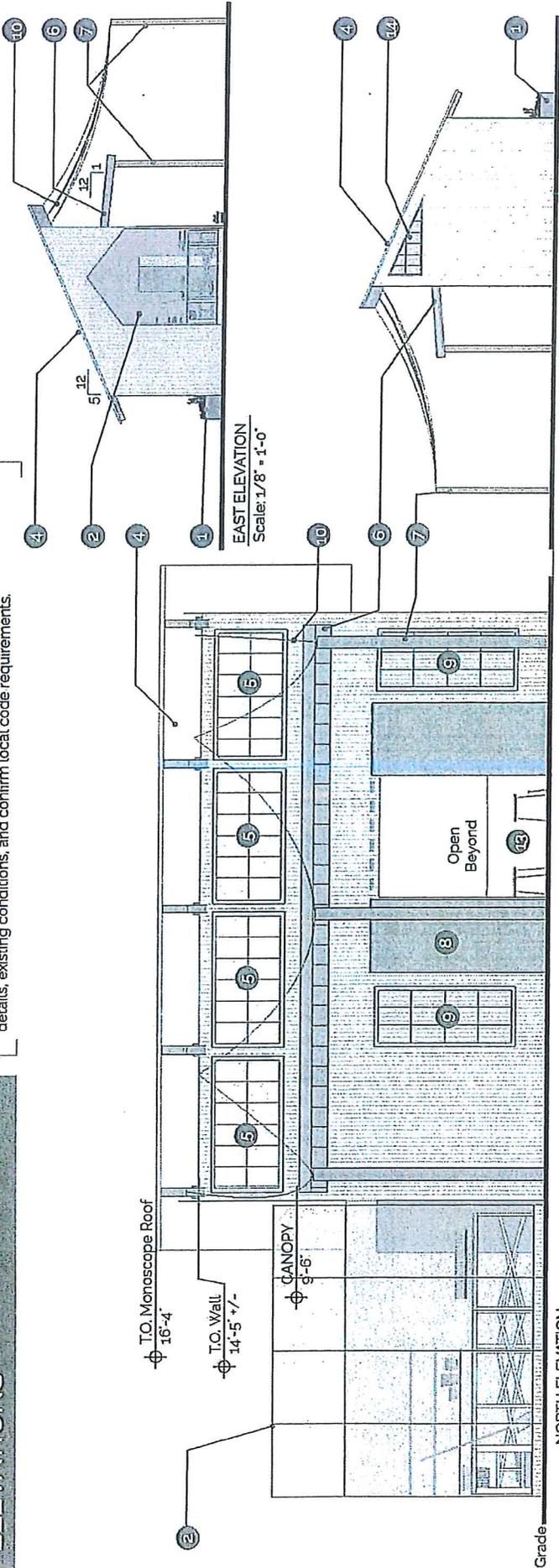
Design, Strategy, Architecture.
intersect-studio.com

MICRO-FARM & PAVILION
 KALAMAZOO, MI

PRELIMINARY CONCEPT DESIGN
 October 25, 2019

ELEVATIONS

NOTE: Drawings represent design intent only. Contractor to verify all construction details, existing conditions, and confirm local code requirements.



NORTH ELEVATION
Scale: 1/4" = 1'-0"

EAST ELEVATION
Scale: 1/8" = 1'-0"

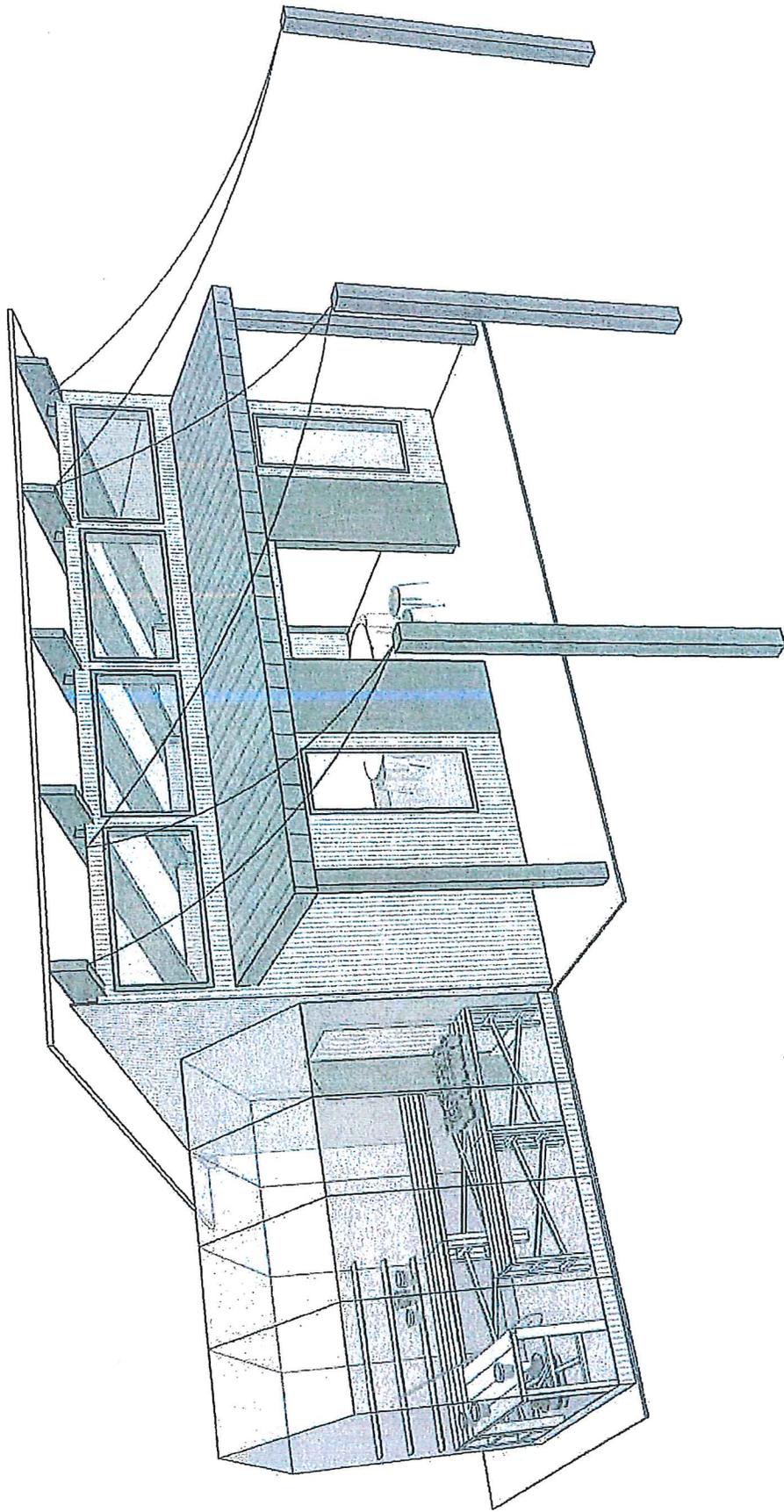
WEST ELEVATION
Scale: 1/8" = 1'-0"

SOUTH ELEVATION
Scale: 1/8" = 1'-0"

KEY:

- 1. Premanuf Greenhouse Kit
- 2. Festoon lighting
- 3. Corrugated Metal Roof
- 4. 5'-2"W x 2'-4"H fixed windows in wood frame, typ for 3
- 5. Metal canopy
- 6. 6x6 wood columns, typ.
- 7. Sliding wood doors, on surface mtd hardware, lockable.
- 8. 2'-2" x 5'-6" fixed windows in wood frame (typ for 2)
- 9. Opaque acrylic panels, 3.
- 10. Swing wood door and frame, lockable hardware.
- 11. Furniture by owner.
- 12. 14'-2'-4" X 6'-4" Angled glass punched opening
- 13. Open Beyond
- 14. 13

3D Model



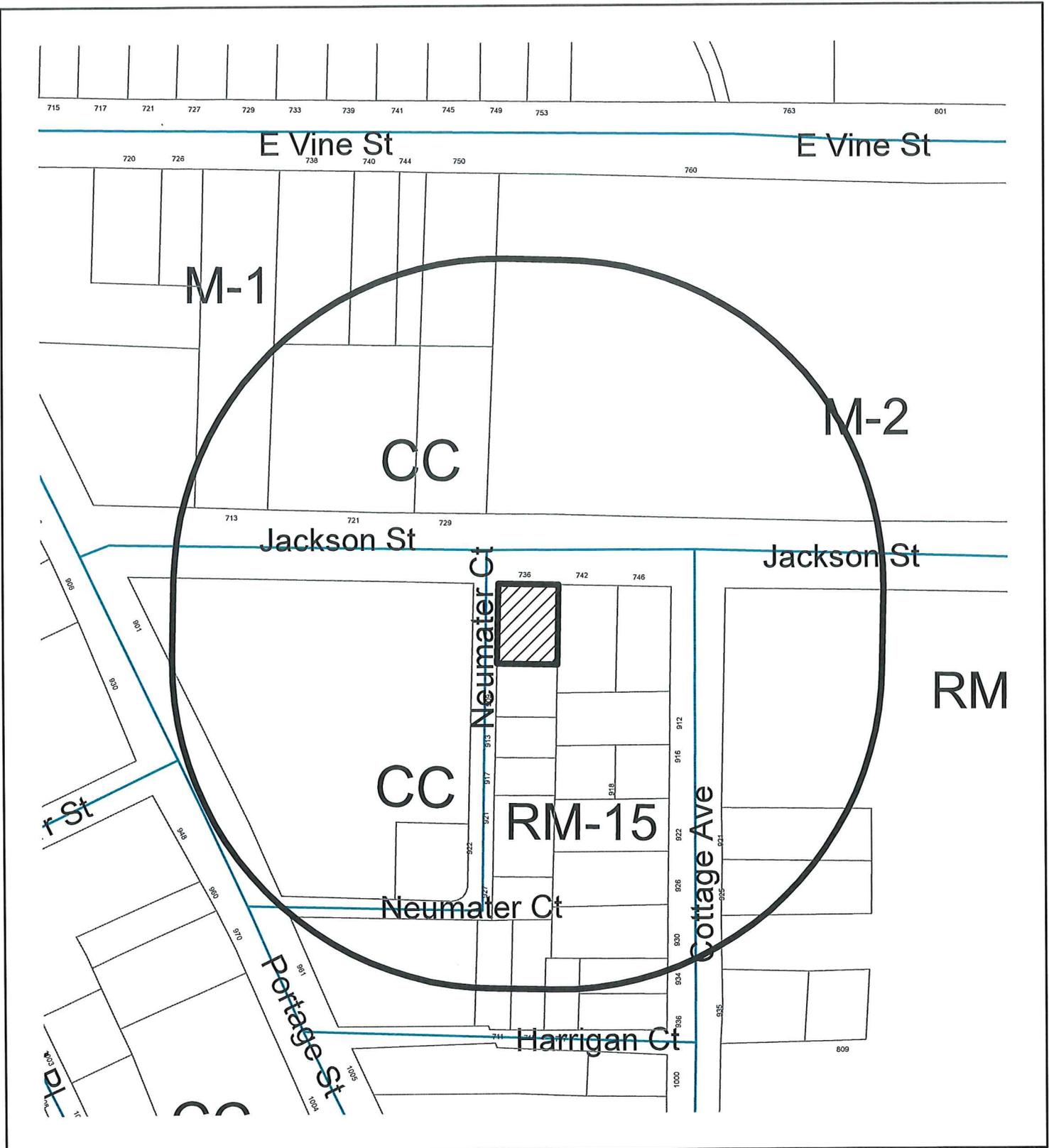
intersect
Design, Strategy, Architecture.
intersect-studio.com

MICRO-FARM & PAVILION
KALAMAZOO, MI

PRELIMINARY CONCEPT DESIGN
October 25, 2019

FARM FENCE EXAMPLE-





300' Mailing Boundary
736 Jackson St



0 1530 60 Feet



Community Planning and Economic Development

245 N. Rose Street, Ste. 100

Kalamazoo, MI 49007

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

April 29, 2020

**RE: ZBA #20-05-07
1316 Mills Street
Parcel #06-23-323-198**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Remi Herrington owner of 1316 Mills Street, which is situated in Zone RD-19, Residential – Duplex District.

The applicant is requesting: **1)** A use variance from Chapter 4, Section 4.1, to allow for a commercial agricultural use on this residentially zoned property. This includes a greenhouse and raised planting beds. **2)** A dimensional variance from Chapter 50 -7.2, for two off-street parking spaces, where two are required. **3)** A dimensional variance from Chapter 6, Section 6.3 A 2, for two feet to allow six-foot fencing in the front yard along Mills Street where only four-foot fencing is permitted for a residentially zoned property.

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.

The meeting will be held on Thursday, May 14, 2020 at 7 p.m. Due to COVID-19 this public meeting will be held electronically and streamed live on the [City's Facebook page](#) and [YouTube Channel](#). Check www.kalamazoocity.org for details on providing public comments.

To examine documents related to this request or provide written comments, please contact Pete Eldridge at eldridgep@kalamazoocity.org or call (269) 337-8806. The agenda will be posted at <https://www.kalamazoocity.org/boards>

Sincerely,

ZONING BOARD OF APPEALS

Peter C. Eldridge, AICP
Assistant City Planner

c: Property 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 REMI HARRINGTON
 Address 533 W. SOUTH ST. APT. 4
 City, State, Zip KALAMAZOO, MI 49007
 Phone 269.274.5250
 Fax _____ Email info@exploreurbanfarm.org

Owner: Name REMI HARRINGTON / THE URBAN FARM
 Address P.O. BOX 2646
 City, State, Zip BATTLE CREEK, MI 49007
 Phone 269.274.5250
 Fax _____ Email info@exploreurbanfarm.org

(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 1316 Mill St. Kalamazoo, MI 49001

This property is located between _____ street and _____ street, on the

north south east west side of the street.

CCN# 06-23-323-10 Zone RD-19

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 Urban Farm

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)

REMI HARRINGTON 2/14/20
 Signature of Applicant Date
REMI HARRINGTON 2/14/20
 Signature of Owner (if different than applicant) Date

Remi Harrington
Zoo City Farm and Food Network
326 W. Kalamazoo Ave.
Suite 204 A
Kalamazoo, Michigan 49007

February 19, 2020

Remi Harrington
415 Stockbridge Ave.
Kalamazoo, Michigan 49001

Dear Zoning Board of Appeals:

It is my goal to develop 1316 Mills St. into a multifunctional community farm and garden site in the Edison Neighborhood. Our goal is to be granted and approval for a use variance for this site. We need to have the ability to use this site for agricultural market purposes.

The goal is to create a worker owned co-operative that has a multitude of social, environmental and economic benefits for this neighborhood, and our entire community. Please favorably consider our request.

If you have any further questions about the goals of the Zoo City Farm and Food Network, please feel free to look at our website: www.zoocityfood.com and the Urban Folk Art Exploratory, www.exploreurbanfolkart.org

Thank you,

A handwritten signature in black ink that reads "Remi Harrington". The signature is written in a cursive, flowing style with some loops and flourishes.

Remi Harrington
Zoo City Farm and Food Network

SUPPLEMENTARY NARRATIVE REQUESTED FOR USE VARIANCE OF 1316 MILLS ST.-

THE GOAL OF ZOO CITY FARM AND FOOD NETWORK IS TO DEVELOP 1316 MILLS ST. INTO A WORKER OWNED COOPERATIVE URBAN AGRICULTURE SITE.

THE SITE WAS ACQUIRED IN 2019 AND IS ZONED RD-19 AND THE SECTION 4.1 USE TABLE INDICATES THAT AGRICULTURE IS A PROHIBITED USE. THIS SITE IS LOCATED RIGHT NEXT DOOR TO STOCKBRIDGE UNITED METHODIST CHURCH WHERE THERE ARE SEVERAL NON-PROFIT ENTITIES THAT ARE ADVANCING MISSION BASED WORK, AND WE WOULD LIKE TO PARTICIPATE IN THE SYNERGY LOCATED AT THAT SITE.

UNFORTUNATELY, THIS PARCEL BEING ZONED RESIDENTIAL IS PROHIBITIVE OF OUR INTENDED USE, WHICH IS TO EMPOWER RESIDENTS TO COOPERATIVELY OWN LAND AND AN AGRICULTURE BUSINESS FOR THE PURPOSE OF DEVELOPING AND PARTICIPATING IN A NEIGHBORHOOD BASED FOOD INDUSTRY ECOSYSTEM.

THIS APPLICATION FOR A USE VARIANCE IS NOT THE RESULT OF AN ACTION INITIATED BY ME THAT MOVED A PROJECT FORWARD WITHOUT GOING THROUGH THE APPROPRIATE PROCESS AND IS NOW SEEKING RETROACTIVE APPROVAL.

BY GRANTING THE USE VARIANCE FOR THIS PARCEL, WE WILL CONTINUE TO SERVE OUR COMMUNITY BY DOING OUR PART TO FULLY INTEGRATE OUR COMMUNITY THROUGH REIMAGINING AND ACTIVATING NEIGHBORHOOD BASED NETWORKS AND SYSTEMS THAT AFFIRM OUR CULTURAL CONTRIBUTIONS AND CREATE PATHWAYS TO ECONOMIC SUSTAINABILITY THAT BRIDGE THE RACIALIZED WEALTH GAPS IN OUR CITY.

WE WILL NOT ADVERSELY IMPACT OUR NEIGHBORS WITH THIS USE VARIANCE IN A MATERIAL WAY.

OUR PROGRAMMING IS CONFINED TO OUR PARCEL AND PUBLIC SPACE.

THE GRANTING OF THE VARIANCE WILL GENERALLY BE CONSISTENT WITH THE USE THAT WE ARE REQUESTING, WHICH IS AGRICULTURE.

ZBA APPLICATION SUPPLEMENTAL INFORMATION REQUESTED-1316 MILLS ST.

THE GOAL OF THE ZOO CITY FARM AND FOOD NETWORK IS TO DEVELOP 1316 MILLS ST. INTO A WORKER OWNED COOPERATIVE URBAN FARM SITE.

WE ARE REQUESTING A USE AND DIMENSIONAL VARIANCE FOR OUR PROPERTY ON MILLS ST. TO BE A MARKET-ORIENTED AGRICULTURE SITE. WE WILL USE A SIX FT. TALL FARM FENCE TO SURROUND OUR FARM SITE, AND USE OFF STREET PARKING FOR OUR FARM. WE ARE ALSO ACTIVELY WORKING ON GETTING SUPPORT FOR AN ARRANGEMENT FROM THE ADJACENT CHURCH TO UTILIZE THEIR PARKING LOT.

WE WILL BE ADDING A 12FT. X 22 FT. GREENHOUSE THAT IS 30 FT. HIGH-

FOUR 3 FT. X 40 FT. RAISED BEDS-

FOUR 6 FT. X 12 FT. RAISED BEDS-

EIGHT 5FT. X 8 FT. RAISED BEDS-

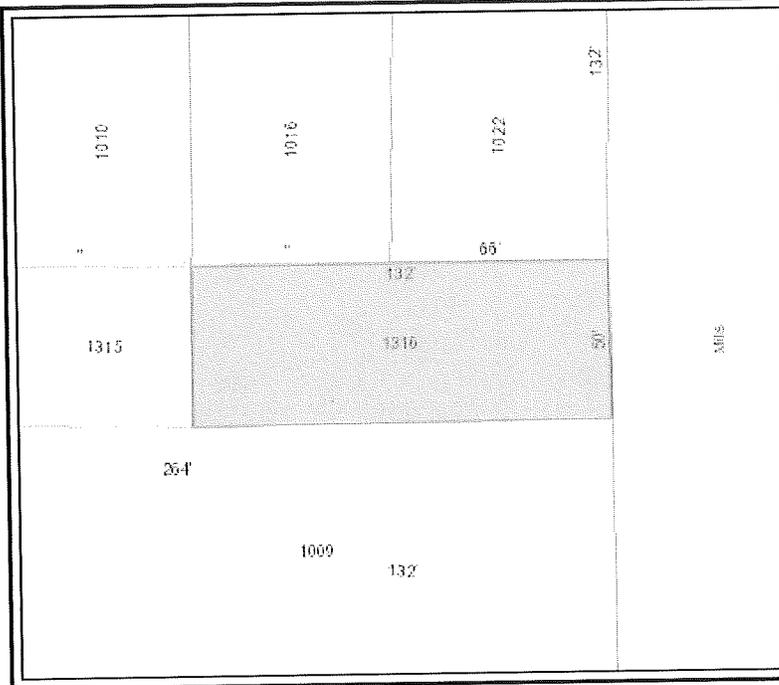
AND A FARM FENCE THAT SPANS THE PERIMETER OF THE FARM ~~AND IS BETWEEN 4 FT. AND 6 FT. TALL-~~



Kalamazoo, MI Parcels Information Report

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 federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

Report Date: 3/3/2020



Parcel ID: 06-23-323-198

Property Address: 1316 MILLS ST, KALAMAZOO, MI 49001

Estimated Acreage: 0.152

Land Class: 402

School District: 39010

Taxpayer: THE URBAN ARTS EXPLORATORY

Taxpayer (care of): REMI HARRINGTON

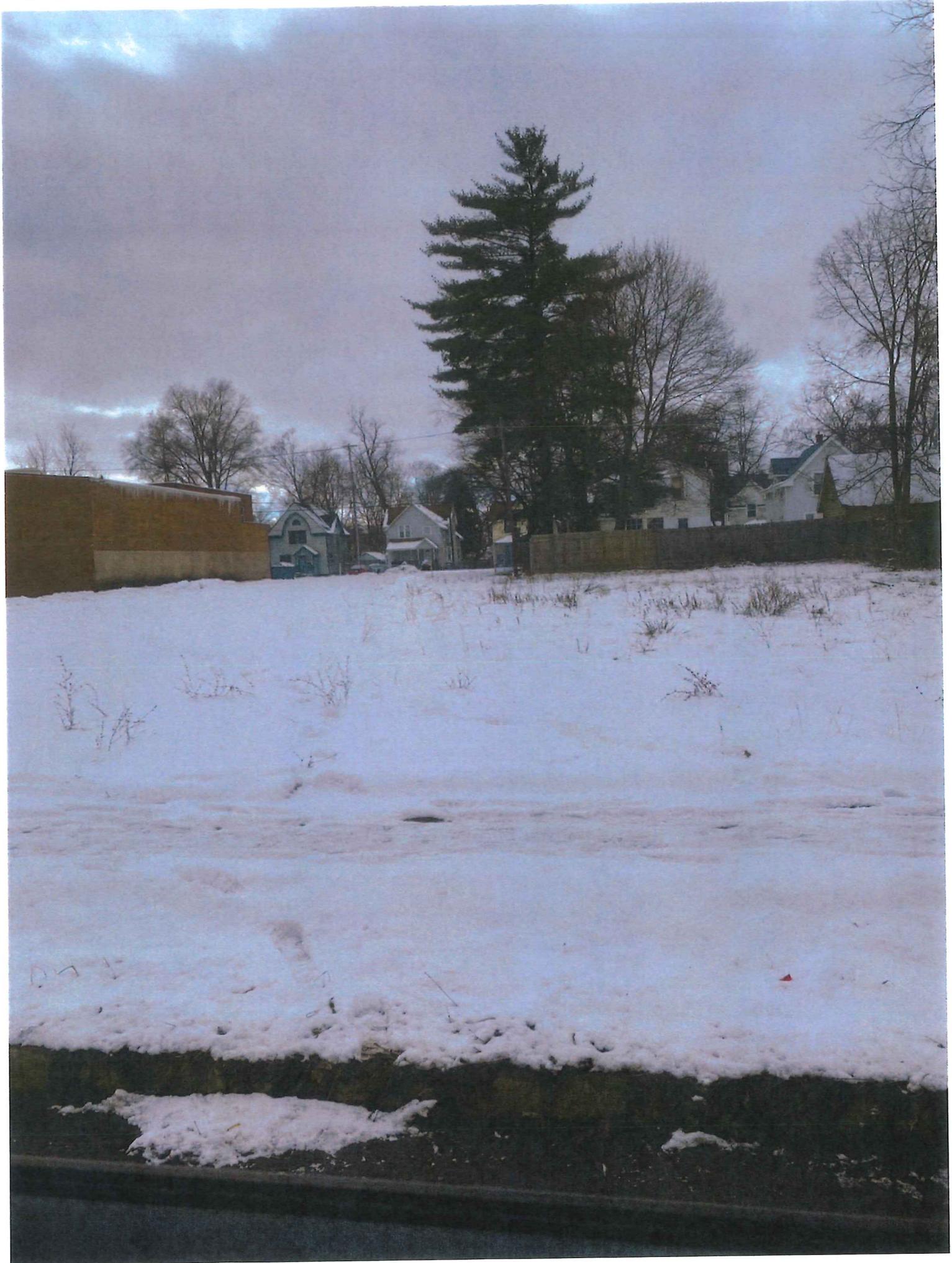
Taxpayer Address: 533 W SOUTH ST, APT 4,
KALAMAZOO, MI 49007

Taxable Value: 7200

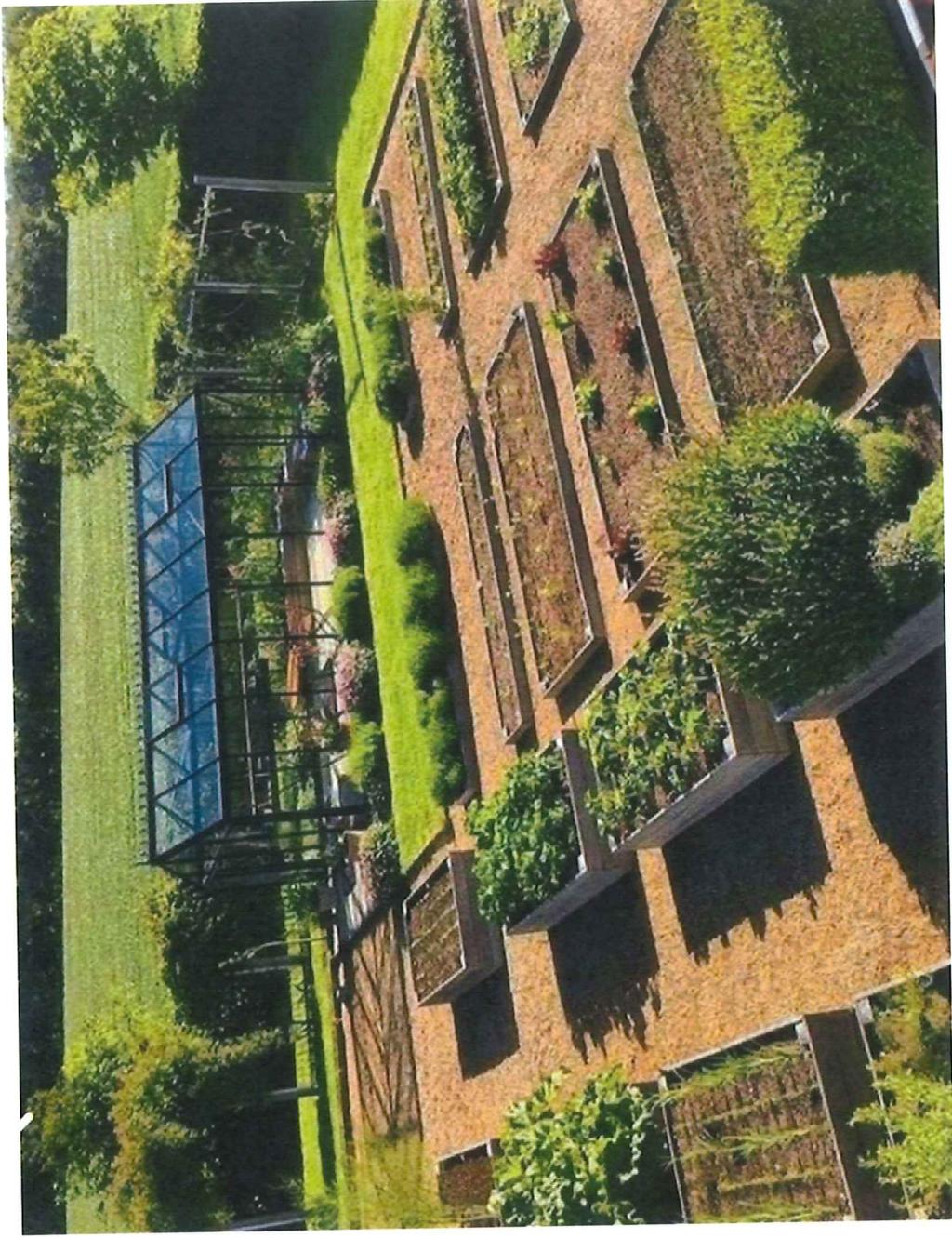
Assessed Value: 7200

Homestead Pct: 0

Legal Description: 21592 HAYS PARK, Liber 6 of Plats Page 14; Lot 198.



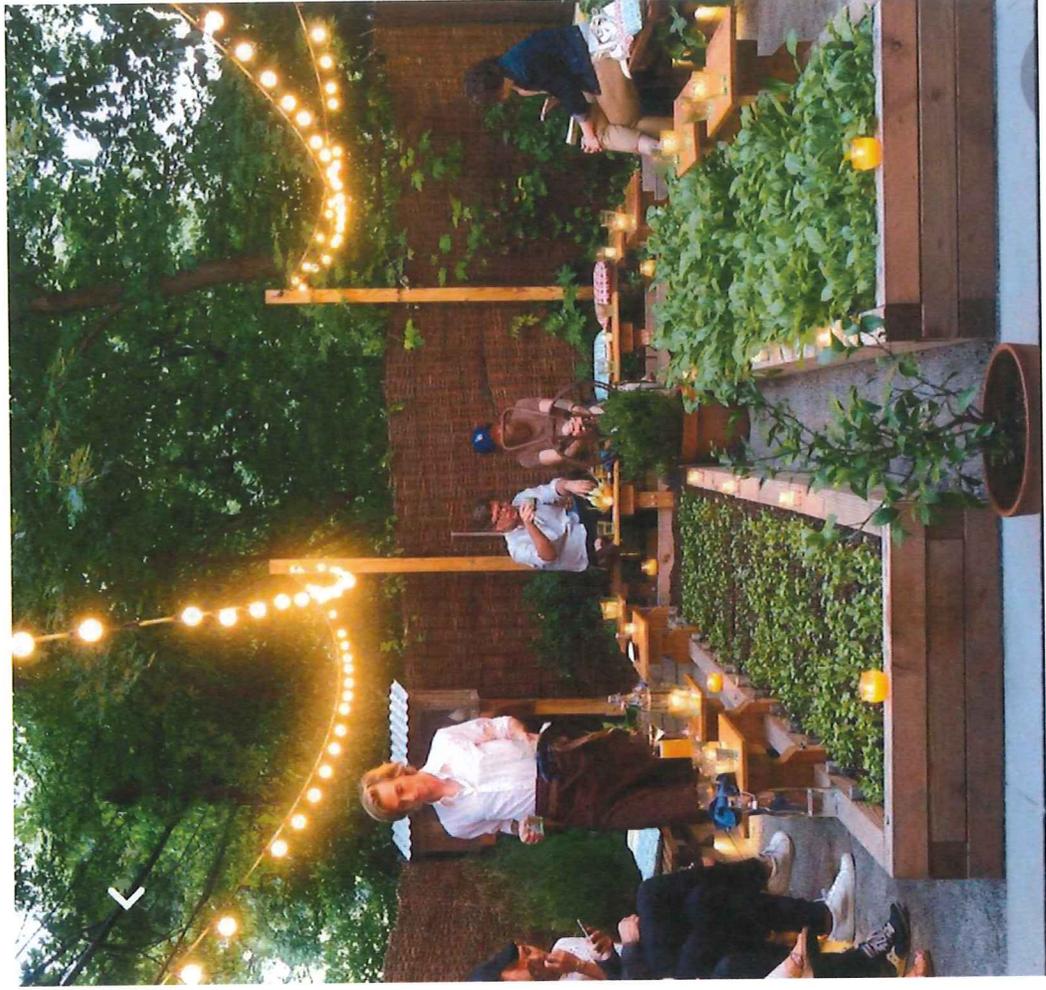
ZOO CITY FOOD AND FARM NETWORK 1316 MILLS CONCEPT SITE PLAN



ZOO CITY FOOD AND FARM NETWORK 1316 MILLS CONCEPT SITE PLAN

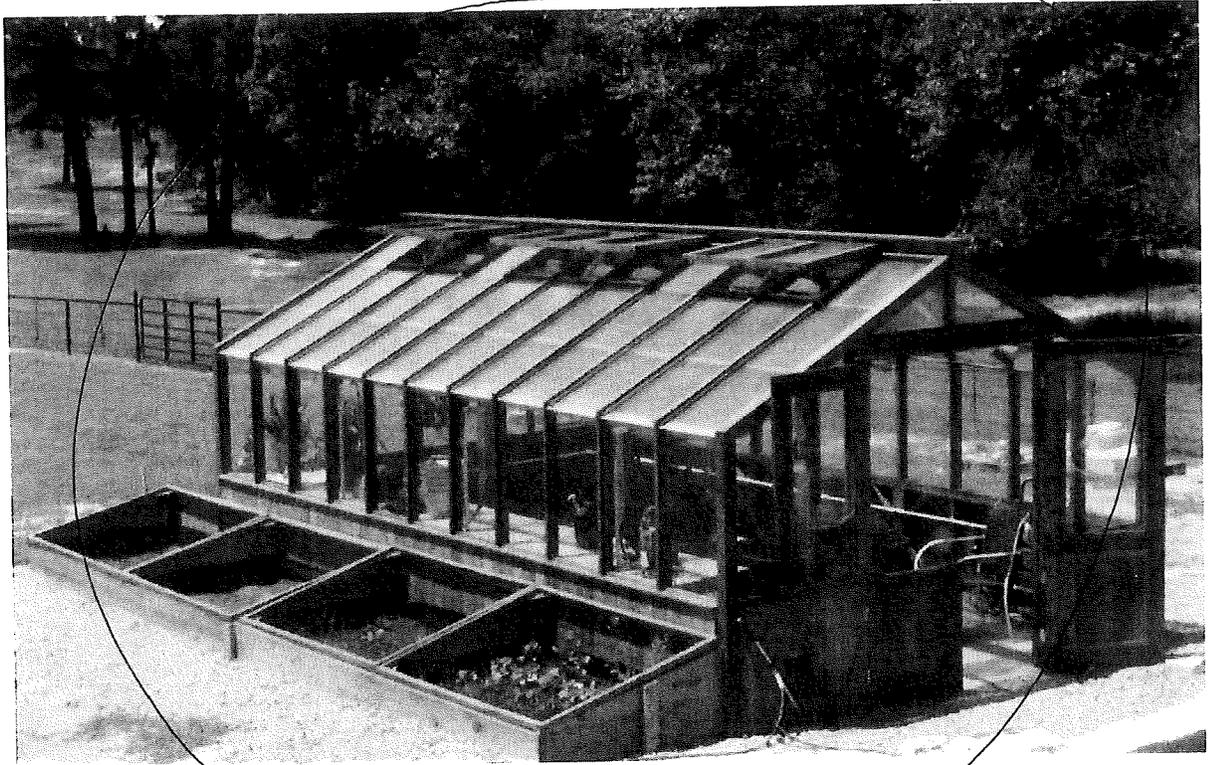
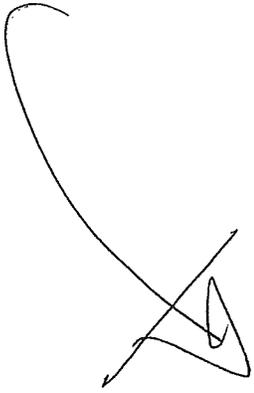


ZOO CITY FOOD AND FARM NETWORK 1316 MILLS CONCEPT SITE PLAN





12 x 22 CLICK ON PHOTO FOR MORE IMAGES



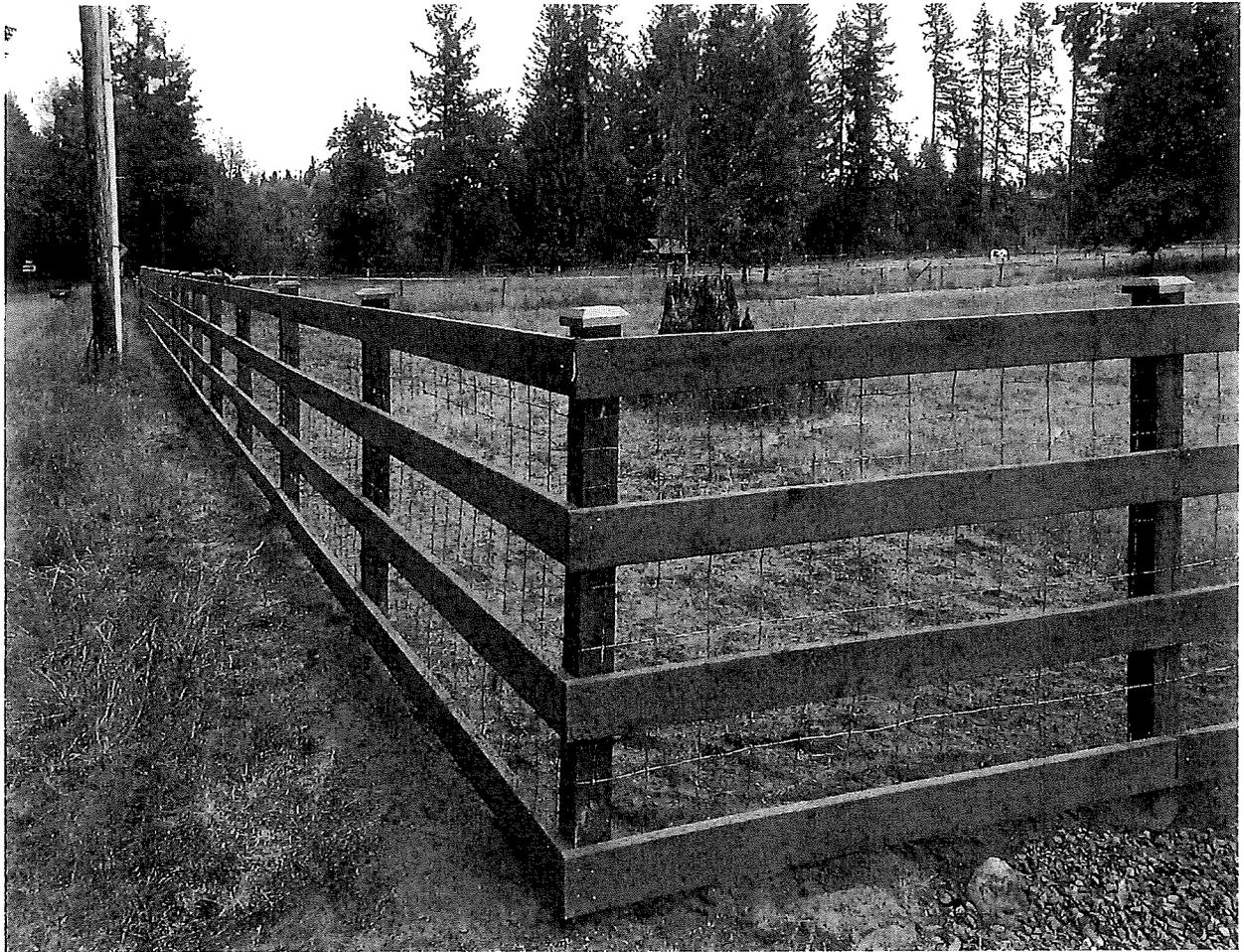
12 x 22 CLICK ON PHOTO FOR MORE IMAGES

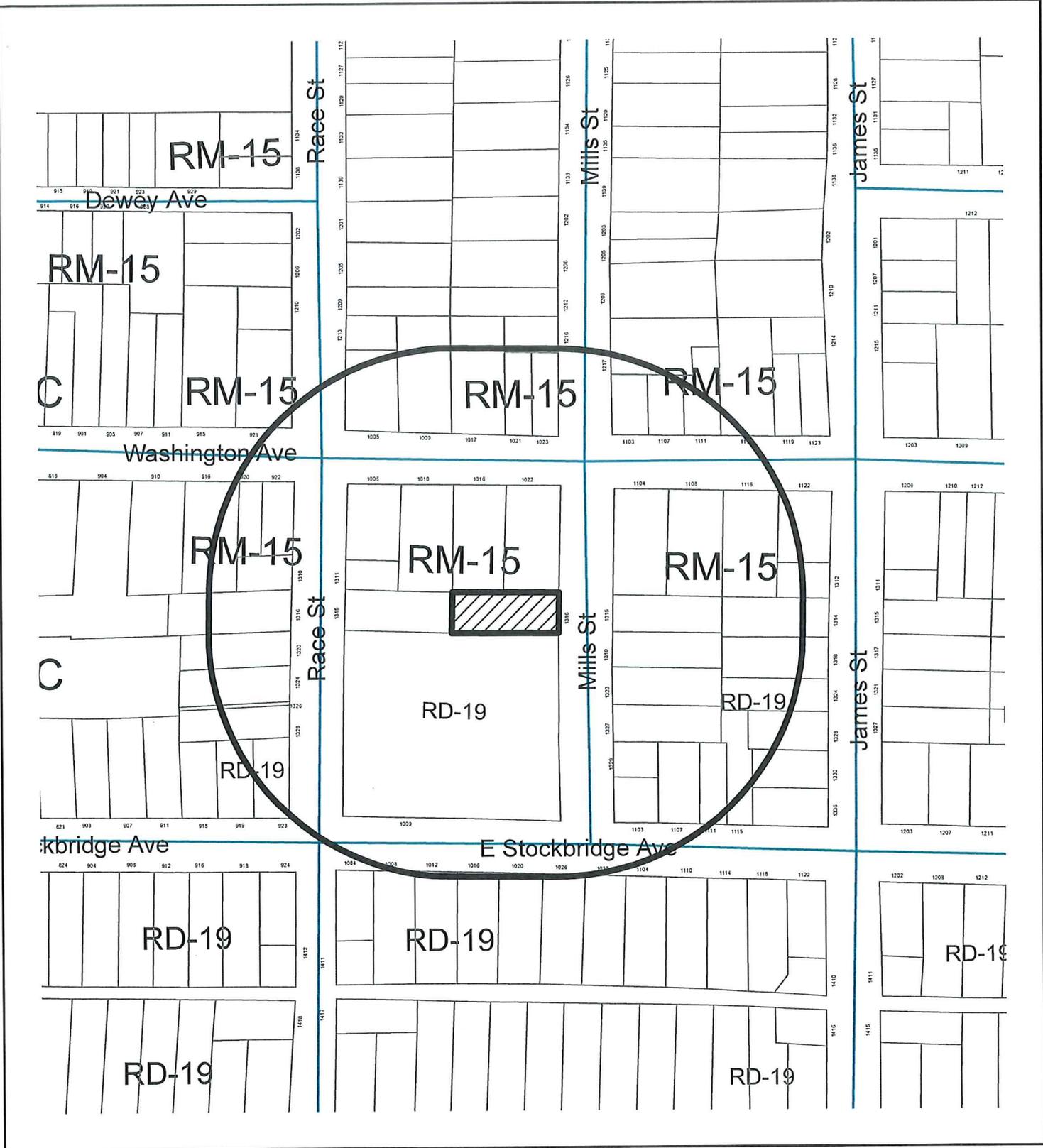


CLICK ON PHOTO FOR MORE IMAGES

Our 12'x16' Cedar-Built greenhouse makes a beautiful centerpiece! Please don't hesitate to send any prospective customers our way if they would like to see an erected unit before purchase. "Thank you for all of your help in accomplishing this, and for providing an excellent product."

FARM FENCE EXAMPLE-





300' Mailing Boundary
1316 Mills St.



0 2040 80 Feet



Community Planning and Economic Development

245 N. Rose Street, Ste. 100

Kalamazoo, MI 49007

PH: (269) 337-8044

FAX (269) 337-8429

www.kalamazoocity.org

NOTICE OF PUBLIC HEARING

April 29, 2020

**RE: ZBA #20-05-08
1503 Washington Avenue
Parcel #06-06-23-343-055**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Remi Herrington owner of 1503 Washington Avenue, which is situated in Zone RM-15, Residential - Multi Dwelling District.

The applicant is requesting: **1)** A use variance from Chapter 4, Section 4.1, to allow for a commercial agricultural use on this residentially zoned property. This includes a structure with vertical planting beds and other raised planting beds on the property. **2)** A dimensional variance from Chapter 50 -7.2, for two off-street parking spaces, where two are required. **3)** A dimensional variance from Chapter 6, Section 6.3 A 2, for two feet to allow six-foot fencing in the front yard along Washington Avenue and Division Street where only four-foot fencing is permitted for a residentially zoned property.

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

The meeting will be held on Thursday, May 14, 2020 at 7 p.m. Due to COVID-19 this public meeting will be held electronically and streamed live on the [City's Facebook page](#) and [YouTube Channel](#). Check www.kalamazoocity.org for details on providing public comments.

To examine documents related to this request or provide written comments, please contact Pete Eldridge at eldridgep@kalamazoocity.org or call (269) 337-8806. The agenda will be posted at <https://www.kalamazoocity.org/boards>

Sincerely,

ZONING BOARD OF APPEALS

A handwritten signature in blue ink that reads 'Peter C. Eldridge'.

Peter C. Eldridge, AICP
Assistant City Planner

c: Property File



Zoning Board of Appeals (ZBA) Application Form

Community Planning & Development Department

415 Stockbridge

Kalamazoo, MI 49001

Phone: 269-337-8026

www.kalamazoo.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 REMI HARRINGTON
Address 533 W. SOUTH ST. APT. 4
City, State, Zip KALAMAZOO, MI 49007
Phone 269-274-5250 Cell _____
Fax _____ Email INFO@EXPRESSURBANFARM

Owner: Name REMI HARRINGTON / THE URBAN FARM
Address PO. BOX 2646
City, State, Zip WELLSBORO, MI 49016
Phone 269-274-5250 Cell _____
Fax _____ Email INFO@EXPRESSURBANFARM

(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 1503 WASHINGTON AVE. KALAMAZOO, MI

This property is located between DIVISION street and CAMERON street, on the 4901

north south east west side of the street.

CCN# 06-23-343-055 Zone KM-15

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 URBAN FARM

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))

REMI HARRINGTON
Signature of Applicant

2/14/2020
Date

REMI HARRINGTON
Signature of Owner (if different than applicant)

2/14/2020
Date

Remi Harrington
Zoo City Farm and Food Network
326 W. Kalamazoo Ave.
Suite 204 A
Kalamazoo, Michigan 49007

February 19, 2020

Remi Harrington
415 Stockbridge Ave.
Kalamazoo, Michigan 49001

Dear Zoning Board of Appeals:

It is my goal to develop 1503 Washington Ave. into a multifunctional community farm and garden site in the Edison Neighborhood. Our goal is to be granted and approval for a use variance for this site. We need to have the ability to use this site for agricultural market purposes.

The goal is to create a worker owned co-operative that has a multitude of social, environmental and economic benefits for this neighborhood, and our entire community. Please favorably consider our request.

If you have any further questions about the goals of the Zoo City Farm and Food Network, please feel free to look at our website: www.zoocityfood.com and the Urban Folk Art Exploratory, www.exploreurbanfolkart.org

Thank you,

A handwritten signature in black ink that reads "Remi Harrington". The signature is written in a cursive, flowing style.

Remi Harrington
Zoo City Farm and Food Network

ZBA APPLICATION SUPPLEMENTAL INFORMATION REQUESTED-1503 WASHINGTON AVE.

THE GOAL OF THE ZOO CITY FARM AND FOOD NETWORK IS TO DEVELOP 1503 WASHINGTON AVE. INTO A COOPERATIVE GROWING SPACE AND URBAN FARM SITE.

WE PLAN TO ERECT TWO PRODUCTION AREAS. ONE IS A COVERED 18FT. X24 FT. RAISED BED VERTICAL GROWING SPACE WITH A PERGOLA THAT IS 30 FT. HIGH.

THE OTHER IS A SITE WITH ELEVATED RAISED BEDS THAT ARE ACCESSIBLE WITHOUT BENDING DOWN TOO FAR.

THESE RAISED BEDS WILL BE OUTSIDE OF THE PERGOLA GROWING SPACE.

THERE WILL BE FOUR 4FT. X 4FT. X 4 FT. RAISED BED STRUCTURES-

THE RAISED BED PERGOLA STRUCTURE WILL BE OPEN, BUT THE GROWING SITE WILL BE ENCLOSED BY A FARM FENCE.

THE FARM FENCE WILL BE ~~BETWEEN 4FT. AND 6FT. HIGH-~~

THERE WILL BE OFF STREET PARKING.

SUPPLEMENTARY NARRATIVE REQUESTED FOR USE VARIANCE OF 1503 WASHINGTON AVE.-

THE GOAL OF ZOO CITY FARM AND FOOD NETWORK IS TO DEVELOP 1503 WASHINGTON AVE. INTO A MICRO-NURSERY, URBAN ORCHARD AND VERTICAL GARDENING SPACE THAT IS A PART OF A SUSTAINABLE FOOD SYSTEM.

THE SITE WAS ACQUIRED IN 2019 AND IS ZONED RM-15 AND THE SECTION 4.1 USE TABLE INDICATES THAT AGRICULTURE IS A PROHIBITED USE.

UNFORTUNATELY, THIS PARCEL BEING ZONED RESIDENTIAL IS PROHIBITIVE OF OUR INTENDED USE, WHICH IS TO EMPOWER RESIDENTS TO COOPERATIVELY STEWARD LAND AND CREATE AGRICULTURE AND HORTICULTURE BUSINESSES FOR THE PURPOSE OF DEVELOPING AND PARTICIPATING IN A NEIGHBORHOOD BASED FOOD INDUSTRY ECOSYSTEM.

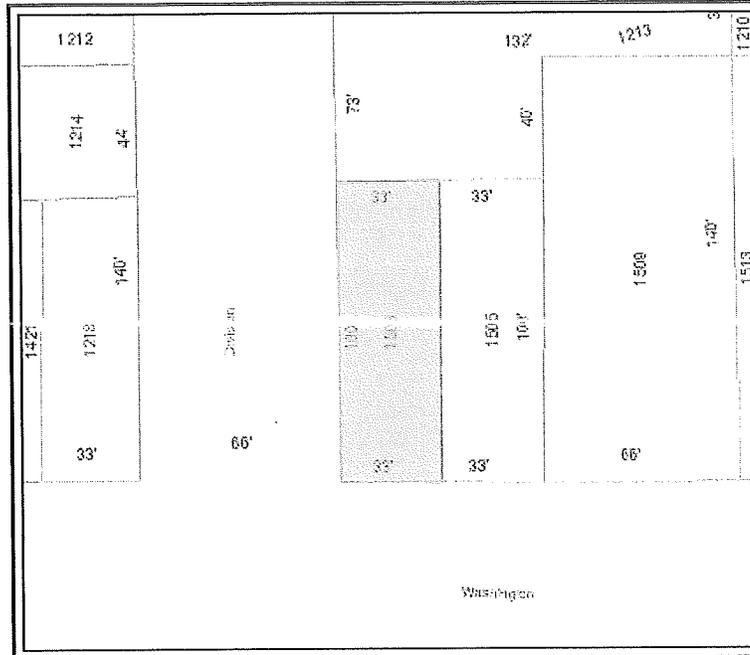
THIS APPLICATION FOR A USE VARIANCE IS NOT THE RESULT OF AN ACTION INITIATED BY ME THAT MOVED A PROJECT FORWARD WITHOUT GOING THROUGH THE APPROPRIATE PROCESS AND IS NOW SEEKING RETROACTIVE APPROVAL.

BY GRANTING THE USE VARIANCE FOR THIS PARCEL, WE WILL CONTINUE TO SERVE OUR COMMUNITY BY DOING OUR PART TO FULLY INTEGRATE OUR COMMUNITY THROUGH REIMAGINING AND ACTIVATING NEIGHBORHOOD BASED NETWORKS AND SYSTEMS THAT AFFIRM OUR CULTURAL CONTRIBUTIONS AND CREATE PATHWAYS TO ECONOMIC SUSTAINABILITY THAT BRIDGE THE RACIALIZED WEALTH GAPS IN OUR CITY.

WE WILL NOT ADVERSELY IMPACT OUR NEIGHBORS WITH THIS USE VARIANCE IN A MATERIAL WAY.

OUR PROGRAMMING IS CONFINED TO OUR PARCEL AND PUBLIC SPACE.

THE GRANTING OF THE VARIANCE WILL GENERALLY BE CONSISTENT WITH THE USE THAT WE ARE REQUESTING, WHICH IS AGRICULTURE.



Kalamazoo, MI Parcels Information Report

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 federal offices and other sources regarding the area shown, and is to be used for reference purposes only.

Report Date: 3/4/2020

Parcel ID: 06-23-343-055

Property Address: 1503 WASHINGTON AVE, KALAMAZOO, MI 49001

Estimated Acreage: 0.076

Land Class: 401

School District: 39010

Taxpayer: THE URBAN ARTS EXPLORATORY

Taxpayer (care of): REMI HARRINGTON

Taxpayer Address: 533 W SOUTH ST, APT 4, KALAMAZOO, MI 49007

Taxable Value: 11776

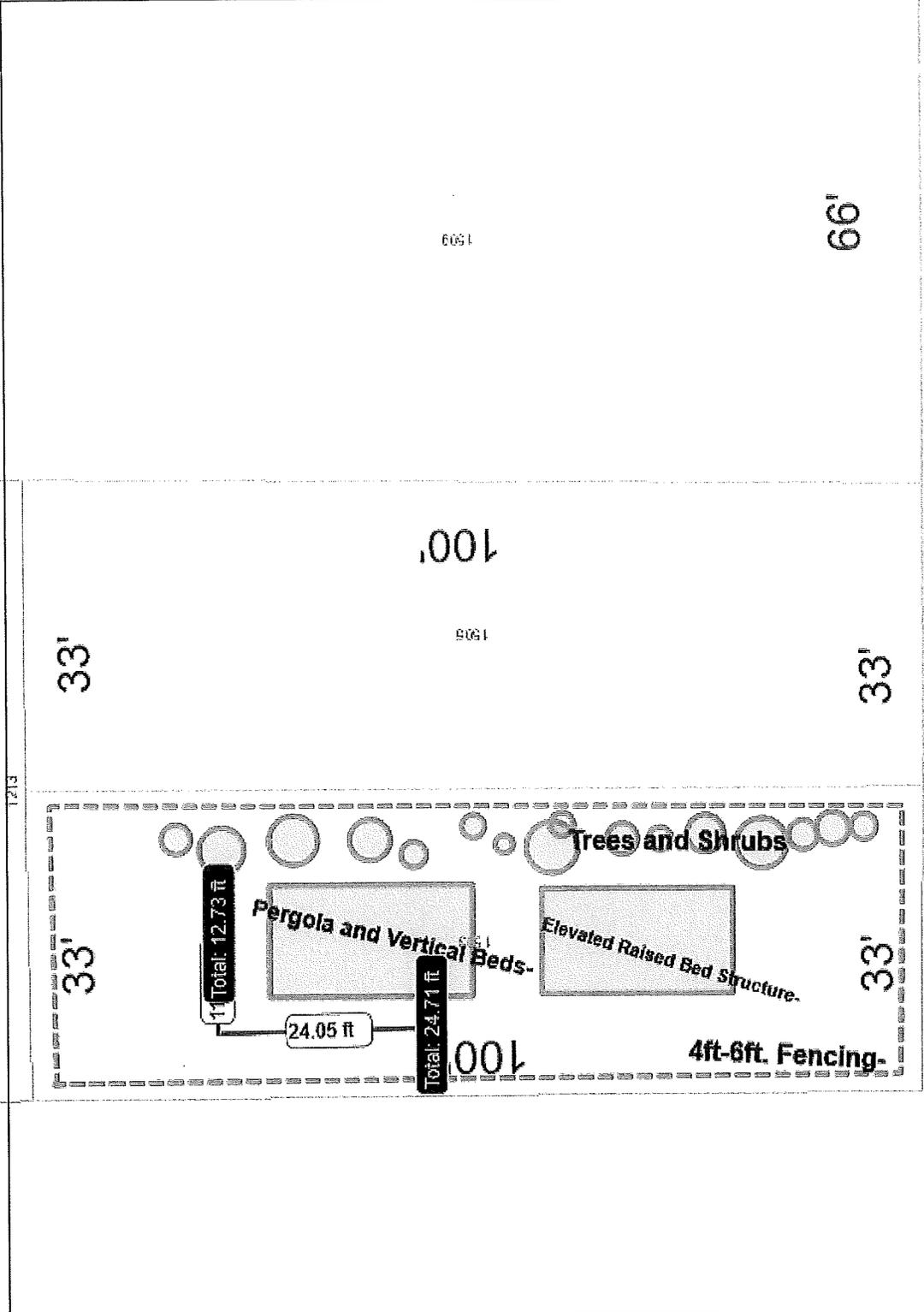
Assessed Value: 14300

Homestead Pct: 0

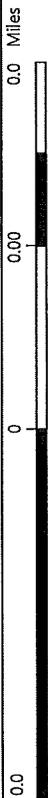
Legal Description: 27342 KALAMAZOO LAND & IMPROVEMENT COMPANY'S ADDITION; West 33ft OF S 100 FT OF LOT 55

Legend

- Street Names - City
- Cadastral
- LOT
- PARCEL
- Water Features
- CULVERT
- ISLAND
- SURFACE
- NWI Wetlands
- Parcels



1:282



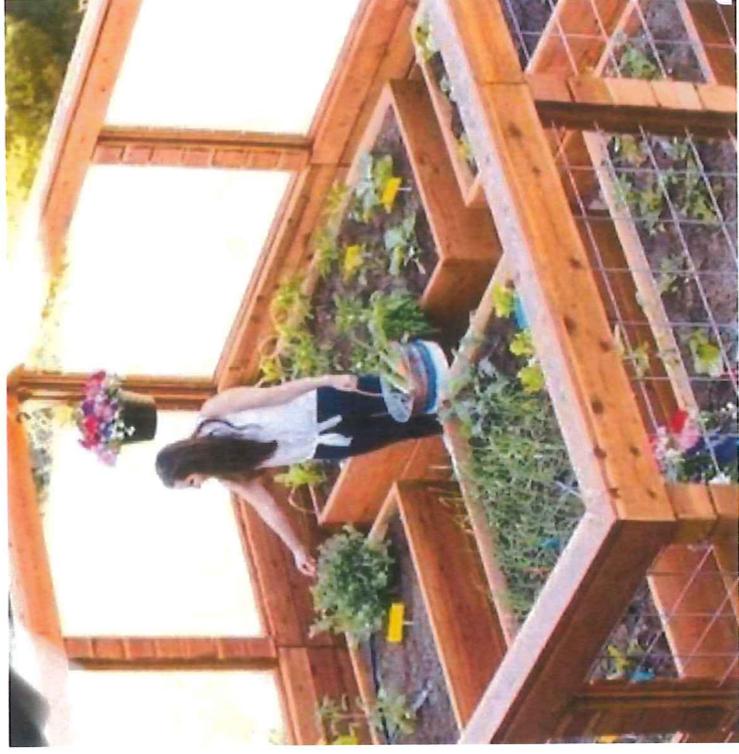
This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



ZOO CITY FOOD AND FARM NETWORK 1503 WASHINGTON CONCEPT SITE PLAN

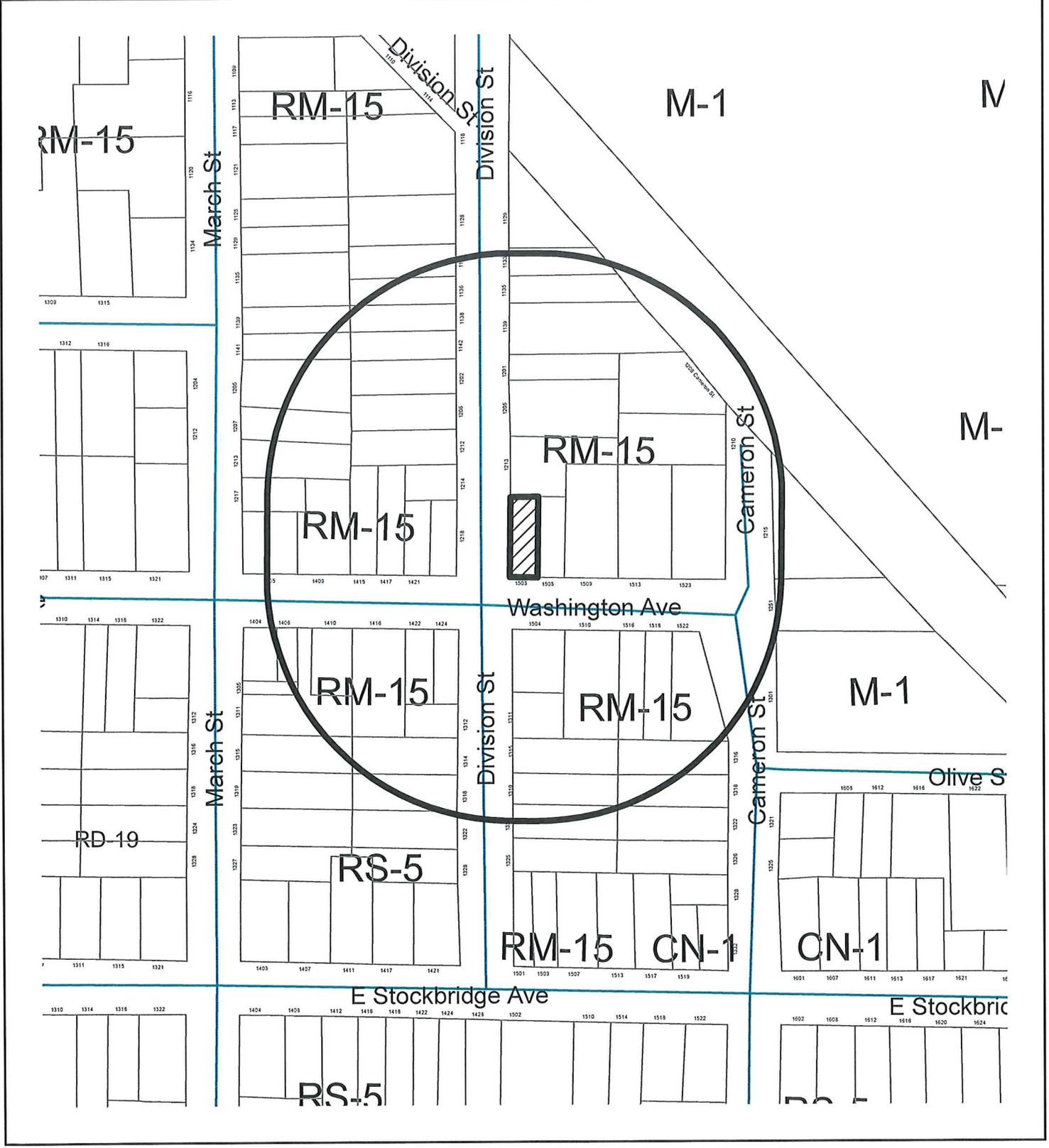


ZOO CITY FOOD AND FARM NETWORK 1503 WASHINGTON CONCEPT SITE PLAN



FARM FENCE EXAMPLE-





300' Mailing Boundary
 1503 Washington Ave.



0 2040 80 Feet