CITY OF
PORTAGE
A Place for Opportunities to Grow

ZONING BOARD OF APPEALS

April 9, 2012

CITY OF PORTAGE ZONING BOARD OF APPEALS

Monday, April 9, 2012
(7:00 pm)
Portage City Hall
Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES:

* March 12, 2012

OLD BUSINESS:

* ZBA# 11-16, Adams Outdoor Advertising, 5602 Lovers Lane: is requesting a variance for: a) a 672 square-foot non-accessory Electronic Message Display sign that exceeds the maximum allowed 300 square-foot sign area; b) a 99 foot variance to erect a sign two feet from the (north) property line where a minimum 101 foot setback is required; and c) a 43-foot variance to erect a sign seven feet from the (east) property line where a minimum 50 foot setback is required.
    - Request to table until the May 14, 2012 meeting

NEW BUSINESS:

* ZBA# 11-18, Meijer Inc., 8850 Shaver Road: is requesting a variance to allow 606 square feet of wall signage where a maximum 300 square feet is permitted.

* ZBA# 11-19, Michelle O'Neill, 4620 Golden Ridge Trail: is requesting a two-foot rear yard setback variance to construct a 12-foot by 16-foot porch addition to the existing dwelling to within 38-feet of the rear property line, where a 40-foot rear yard setback is required.

STATEMENT OF CITIZENS:

ADJOURNMENT:

Materials Transmitted

Star (*) indicates printed material within the agenda packet

CITY OF PORTAGE ZONING BOARD OF APPEALS

DRAFT

Minutes of Meeting – March 12, 2012

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Linenger at 7:00 p.m. in the Council Chambers. Approximately one person was in the audience.

MEMBERS PRESENT: Mariana Singer, Doug Rhodus, Timothy Bunch, Betty Schimmel, Rob Linenger, Lowell Seyburn, Glenn Smith, and Jeffrey Bright.

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator and Charles Bear, Assistant City Attorney

APPROVAL OF THE MINUTES: Bunch moved and Schimmel seconded a motion to approve the February 13, 2012 minutes as submitted. Upon voice vote, motion was approved 7-0.

NEW BUSINESS:

ZBA #11-16, 5602 Lovers Lane: A letter from the applicant was read requesting the item be postponed until the April 9, 2012 meeting.

A motion was made by Seyburn, seconded by Bunch to postpone the hearing until the April 9, 2012 meeting. Upon voice vote, the motion passed 7-0.

ZBA #11-17, 6295 and 6355 South Westnedge Avenue: A letter from the applicant was read stating the request has been withdrawn. Bright inquired why the application was being withdrawn. Staff stated it was understood to be a business decision by the prospective tenant not to proceed further.

A motion was made by Schimmel, seconded by Rhodus to accept the withdrawal. Upon voice vote, the motion passed 7-0.

STATEMENT OF CITIZENS:

ADJOURNMENT: There being no further business, the meeting was adjourned at approximately 7:05 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator

S:\2011-2012 Department Files\Board Files\ZBA\Minutes\2012 03 12 JAM ZBA minutes.doc

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

TO: Zoning Board of Appeals **DATE:** March 30, 2012

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: ZBA# 11-16, 5602 Lovers Lane

Attached is an email correspondence from Mr. Kevin Green, Adams Outdoor Advertising, requesting that the public hearing for the above captioned variance request be postponed to the May 14, 2012 meeting.

At the request of the applicant, staff advises the Zoning Board of Appeals to adjourn the hearing for 5602 Lovers Lane, to the May 14, 2012 meeting.

Attachment: March 15, 2012 email correspondence from Mr. Kevin Green

S:\2011-2012 Department Files\Board Files\ZBA\11-16; 5602 Lovers ln\2012 03 30 VG ZBA 11-16 Lovers Ln, 5602 (postpone).doc

Jeff Mais - Table the billboard variance - Revised Lovers' Lane Site Plan

From: Kevin Green <kgreen@adamsoutdoor.com>
To: "'maisj@portagemi.gov'" <maisj@portagemi.gov>
Date: 3/15/2012 3:23 PM
Subject: Table the billboard variance - Revised Lovers' Lane Site Plan

Hello Jeff,

Please table our variance request to May 14. I will be working on getting resolve with the Radio station and property owner and will let you know when that is done. I will send you the revised site plan as soon as I get it from our surveyor. Thank you much Jeff.

Kevin

Kevin J. Green
Real Estate Manager
Kalamazoo, Michigan
269-342-9831

From: Scott Hendges [mailto:shendges@nederveld.com]
Sent: Monday, March 12, 2012 2:51 PM
To: Kevin Green
Subject: 11400687 -- Lovers Lane
Importance: High

Hi Kevin,

Attached is the Revised site plan you requested for the above referenced property. Let me know if you have any questions/comments.

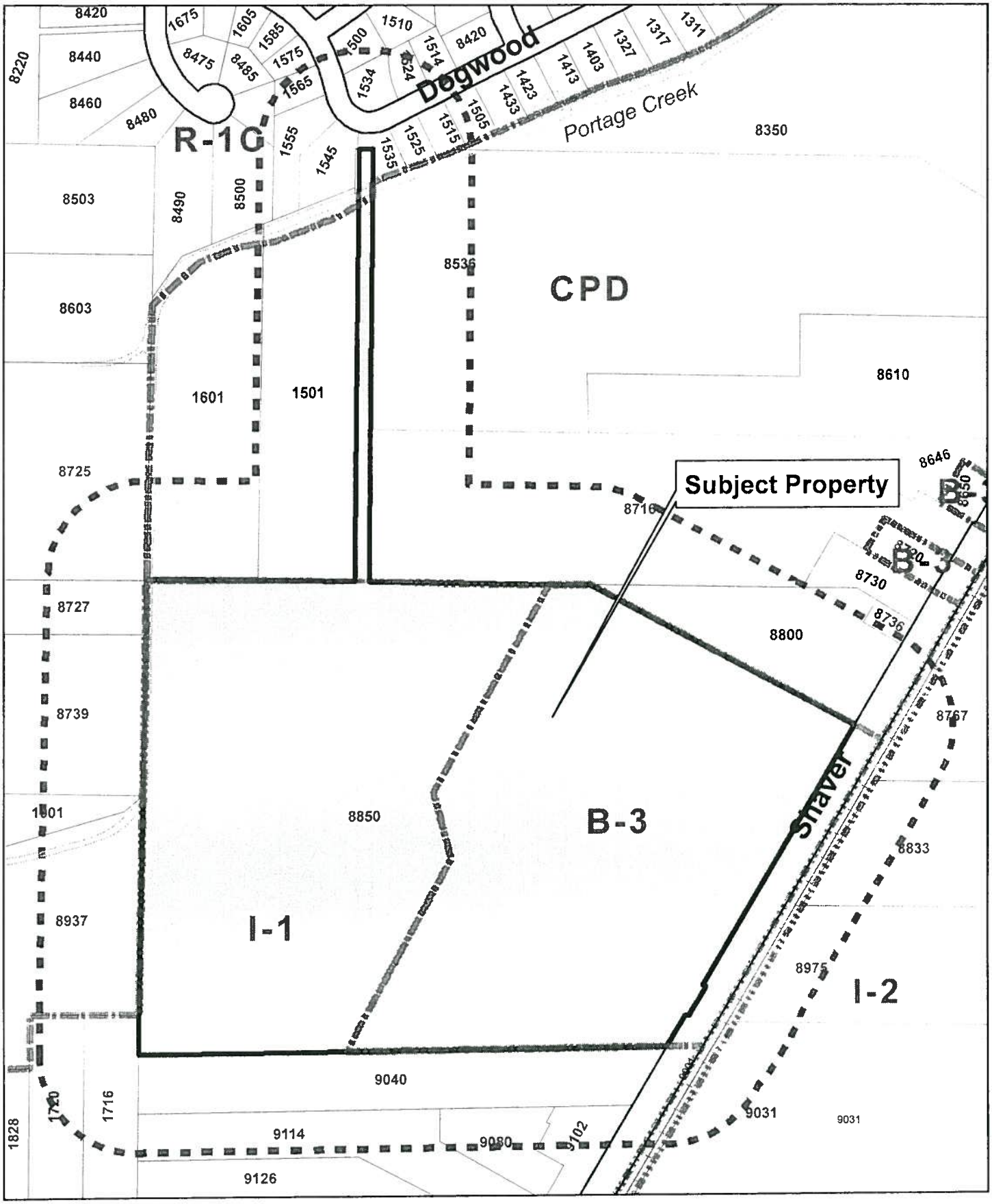
Thanks,

Scott A. Hendges, P.S.

Nederveld Inc.
347 Hoover Boulevard
Suite C
Holland, MI 49423

616.393.0449

www.nederveld.com



ZBA 11-18
8850 Shaver Road

1 inch = 400 feet

Legend

- Zoning Boundary
- Subject Property
- 300' Notification Boundary

Name: 11-18_8850 shaver

11 - 1 00000 18

RECEIVED

FEB 17 2012
4:00 pm
COMMUNITY DEVELOPMENT

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

ZONING BOARD OF APPEALS APPLICATION

FOR COMPLETION BY APPLICANT

Application Date 2/8/2012

Name of Applicant Roger DeHoek/Meijer Inc (Print) [signature] (Signature)

Applicant's Address 2929 Walker Ave Phone No. (616) 791-3909

Name of Property Owner (if different from Applicant) Meijer Inc (Goodwill Co Inc)

Address 2929 Walker Ave Grand Rapids MI 49544 Phone No. (616) 791-3909

Address of the Property that is the subject of this Application:

Street Address 8850 Shaver Road Portage MI

For Platted Property: Lot _____ of _____ Plat

[If The Property Is Unplatted, the Legal Description is needed. Please attach on a separate sheet.]

Applicant's interest in Property that is the subject of this Application: Owner

Application Fee _____ (Residential Uses) $ 330.00 (All Other Uses)

Type of Appeal (Please check one of the following **bold choices** and provide the requested information):

✓ **Variance from Zoning Ordinance:** Article _____ Section _____ Paragraph _____

Regarding: Use _____ Area _____ Yards _____

Setbacks _____ Parking _____ Other Sign Size

Reason for Request (Also complete page 2 of application): To increase the size of the Meijer Main Store Identification Sign from 100 SF to 300 SF.

____ **Appeal of Administrative Decision:** Article _____ Section _____ Paragraph _____

Reason for Request: _____

____ **Interpretation of the Zoning Ordinance:** Article _____ Section _____ Paragraph _____

Reason for Request: _____

____ **A Temporary Permit for:** Building _____ Use _____ Other Approval _____

Article _____ Section _____ Paragraph _____

Reason for Request: _____

FOR STAFF USE

Application Number: 11-18	**Filing Date:** 2/17/12	**Tentative Hearing Date:** 4/9/12
Previous Application Filed Regarding This Property: ZBA 00-08		

Reason For Variance

1. Please explain how the property has characteristics such as narrowness, shallowness, irregular shape, topography, or natural features that prevent compliance with the Zoning Ordinance. (Attach additional sheets if needed.)

The Meijer Building is Approx 450' from Shaver Road. Other typical business (McDonalds) are Approx. 100-150' from Streets

2. Are the physical characteristics you explained above unique and not shared by neighboring properties? (Attach additional sheets if needed.)

Most businesses are located much closer to roadways. See #1

3. Can the property be reasonably used for the uses permitted in the zoning district without granting the variance? (Attach additional sheets is needed.)

The Meijer Store can operate more effectively with better/Larger Signage - (Traffic Control)

4. Is the variance the minimum necessary to permit reasonable use of the land and buildings, or would a lesser variance be fair and equitable to the applicant as well as logical and just to other property owners in the area? (Attach additional sheets if needed.)

The preference is to have a 300 Sq Ft Sign for enhanced visibility purposes. The existing Sign is 100 Sq. Ft

5. Explain how the variance would <u>not</u> result in adverse affects on adjacent properties or alter the character of the area. (Attach additional sheets if needed.)

A Sign Size variance will have NO affect on any neighboring properties.

6. Explain how the variance would <u>not</u> result in increased traffic congestion, noise, or other potential concerns, or in dangers from fire, flood or other hazards, that would be detrimental to the property or to the area. (Attach additional sheets if needed.)

The Sign variance will NOT increase traffic. It will help control traffic with better business identification.

7. Is the reason for the request, the practical difficulty or the hardship created, due to an act of the applicant or due to an act by the previous property owner? (Attach additional sheets if needed.)

The Meijer Store has been in operation since May of 2001

8. Explain how the variance <u>would fulfill</u> the spirit and intent of the Zoning Ordinance. (Attach additional sheets if needed.)

Approval of the Sign Size variance will be consistent with the intent of the Zoning ordinance by promoting public health and safety of the Community.

Signature of Applicant

2/16/2012
Date

ITY OF PORTGAGE, KALAMAZOO COUNTY, MI

1/4 OF SECTION 21, AND PART OF THE NORTHWEST 1/4 OF SECTION 28, ALL IN TOWN 3 SOUTH, RANGE 11 WEST,
Y OF KALAMAZOO, MICHIGAN, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF
THE NORTHWEST CORNER OF SECTION 28; THENCE ALONG THE WEST LINE OF SECTION 21, NORTH 00°18'09" EAST,
E NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21; THENCE ALONG SAID LINE, SOUTH
.00 FEET; THENCE PARALLEL WITH THE WEST LINE OF SECTION 21, NORTH 00°18'09" EAST, FOR 1046.55 FEET TO
R LINE OF PORTAGE CREEK, KNOWN AS "POINT A"; THENCE CONTINUING, NORTH 00°18'09" EAST, FOR 23.0 FEET TO
RTAGE CREEK; THENCE NORTHEASTERLY ALONG SAID THREAD FOR 315.0 FEET; THENCE SOUTH 00°16'32" WEST, FOR
ARY HIGH WATER LINE OF PORTAGE CREEK KNOWN AS "POINT B", SAID POINT BEING NORTH 67°42'16" EAST, FOR
MENTIONED "POINT A"; THENCE NORTH 00°16'32" EAST, FOR 160.55 FEET TO THE NORTH LINE OF THE SOUTHWEST
IENCE ALONG SAID LINE, SOUTH 89°32'48" EAST, FOR 43.00 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE
SOUTHWEST 1/4 OF SECTION 21; THENCE ALONG SAID LINE, SOUTH 00°16'32" WEST, FOR 1324.32 FEET TO THE
THWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 21; THENCE ALONG SAID LINE, SOUTH 89°34'21" EAST, FOR
RPENDICULAR TO THE CENTERLINE OF SHAVER ROAD (FORMERLY U.S. 131), SOUTH 60°13'00" EAST, FOR 898.71 FEET;
WEST, FOR 161.84 FEET; THENCE PERPENDICULAR TO THE CENTERLINE OF SHAVER ROAD, SOUTH 60°13'00" EAST,
CENTERLINE OF SHAVER ROAD; THENCE ALONG SAID LINE, SOUTH 29°47'00" WEST, FOR 833.00 FEET TO THE SOUTH
) BEING THE NORTH LINE OF SECTION 28; THENCE CONTINUING ALONG SAID CENTERLINE, SOUTH 29°47'00" WEST, FOR
RALLEL WITH THE NORTH LINE OF SECTION 28, NORTH 89°35'53" WEST, FOR 1639.46 FEET TO THE WEST LINE OF
NG SAID LINE, NORTH 00°04'42" EAST, FOR 99.04 FEET TO THE POINT OF BEGINNING. CONTAINING 69.738 ACRES,

Existing

New Paint Scheme Elevation

meijer
creative
store design
department

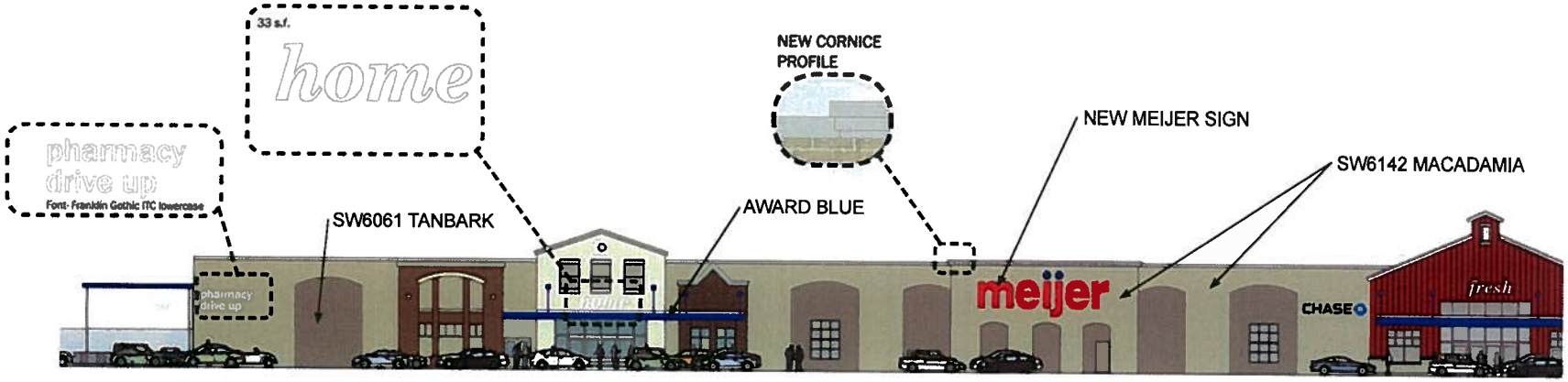
TITLE: Paint Scheme Elevation

DATE:

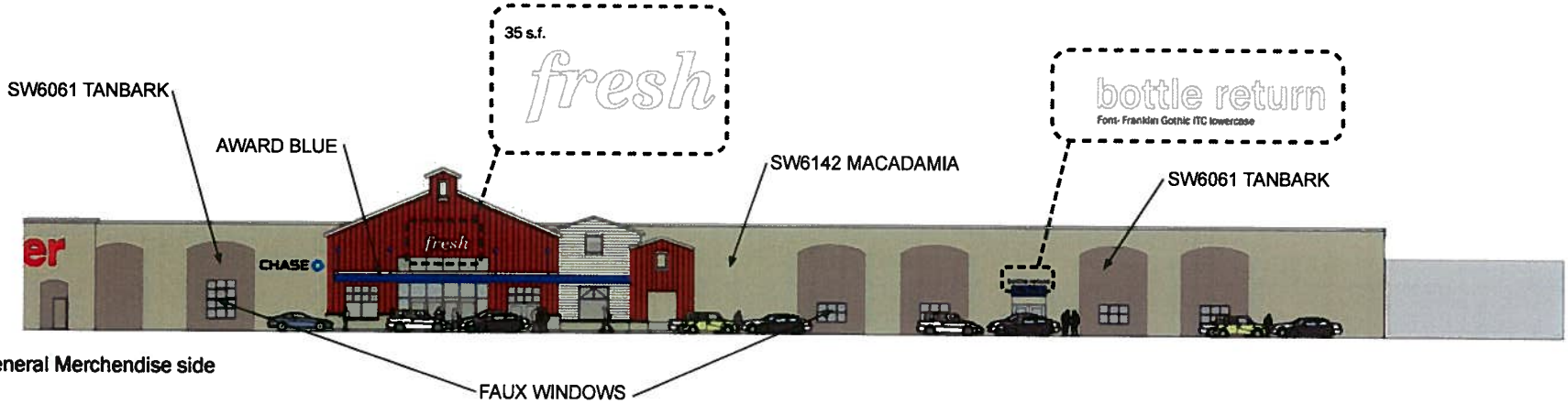
DRAWN BY:

196 Exterior Refresh
8850 Shaver Road
Portage, MI 49024

A



Grocery Side



General Merchendise side

meijer
creative
store design
department

Enlarged Elevations

DATE: 10/21/2011

196 Exterior Refresh
8850 Shaver Road
Portage, MI 49024

B

Perspective 1

Perspective 2

meijer
creative
store design
department
2929 Walker Ave. NW
Grand Rapids MI. 49544

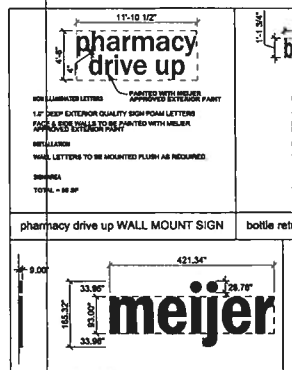
TITLE: Perspectives

DRAWN BY:

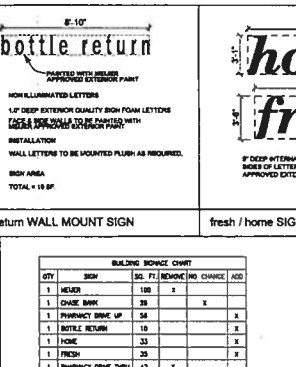
DATE: 10/21/2011
11/7/2011

196 Exterior Refresh
8850 Shaver Road
Portage, MI 49024

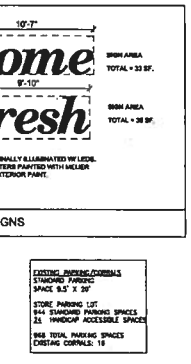
C



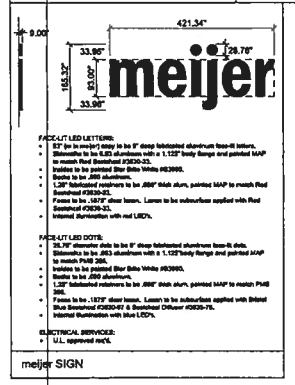
pharmacy drive up WALL MOUNT SIGN



bottle return WALL MOUNT SIGN



fresh / home SIGNS



meijer SIGN

BUILDING SIGNAGE CHART					
QTY	SIGN	SQ. FT.	REMOVE	NO CHANGE	ADD
1	MEIJER	100	X		
1	CHASE BANK	28		X	
1	PHARMACY DRIVE UP	56			X
1	BOTTLE RETURN	10			X
1	HOME	33			X
1	FRESH	35			X
1	PHARMACY DRIVE THRU	47	X		
2	WELCOME	42	X		
1	GARDEN CENTER	36	X		
1	GAS STATION SIGN	36.6		X	
1	MEIJER	300			X
1	GAS STATION PRICING	26.3	X		
1	GAS STATION PRICING	26.3			X
TOTAL SQ. FT.			299.3	84.6	481.3
NET SQ. FT. ADDITION			255.6 SQ. FT.		

NOTE:
ALL UTILITIES SHOWN ARE APPROXIMATE LOCATIONS FROM FIELD DATA AND AVAILABLE INFORMATION. THEY SHOULD NOT BE INTERPRETED AS EXACT LOCATIONS NOR SHOULD THEY BE ASSUMED TO BE THE ONLY UTILITIES IN THE AREA.

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT FINAL, SEALED DOCUMENT.

EXISTING PARKING/CORRALS
STANDARD PARKING
SPACE 9.5' X 20'

STORE PARKING LOT
944 STANDARD PARKING SPACES
21 HANDICAP ACCESSIBLE SPACES

965 TOTAL PARKING SPACES
EXISTING CORRALS: 19

PROPOSED PARKING/CORRALS
STANDARD PARKING
SPACE 9.5' X 20'

STORE PARKING LOT
934 STANDARD PARKING SPACES
21 HANDICAP ACCESSIBLE SPACES

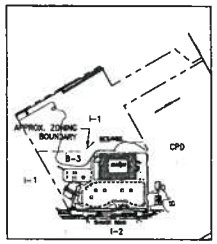
955 TOTAL PARKING SPACES
PROPOSED CORRALS: 16

REQUIRED: PER CITY OF PORTAGE ZONING ORDINANCE (REFERENCE ONLY)

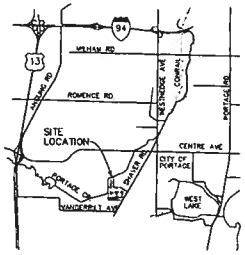
MEIJER RETAIL STORE:	
BUILDING AREA	191,665 SQ.FT.
USABLE FLOOR AREA	134,100 SQ.FT.
SPACES REQUIRED AT 1 PER 150 SQ. FT. USABLE FLOOR AREA	894 SPACES
MEIJER GAS STATION:	
BUILDING AREA	2,345 SQ.FT.
USABLE FLOOR AREA	1,876 SQ. FT.
SPACES REQUIRED AT 1 PER 150 SQ. FT. USABLE FLOOR AREA	11 SPACES
TOTAL PARKING SPACES REQUIRED	905 SPACES

BENCHMARKS:
BM#727 P.P. ON SE SIDE OF SHAVER ROAD OPPOSITE HOUSE #8836 874.21
BM#728 P.P. ON SE SIDE OF SHAVER ROAD OPPOSITE HOUSE #8846 871.26

LED PRICE CABINET PYLON SIGN



BOUNDARY KEY MAP
NO SCALE
ROTATED 90 DEGREES FROM NORTH



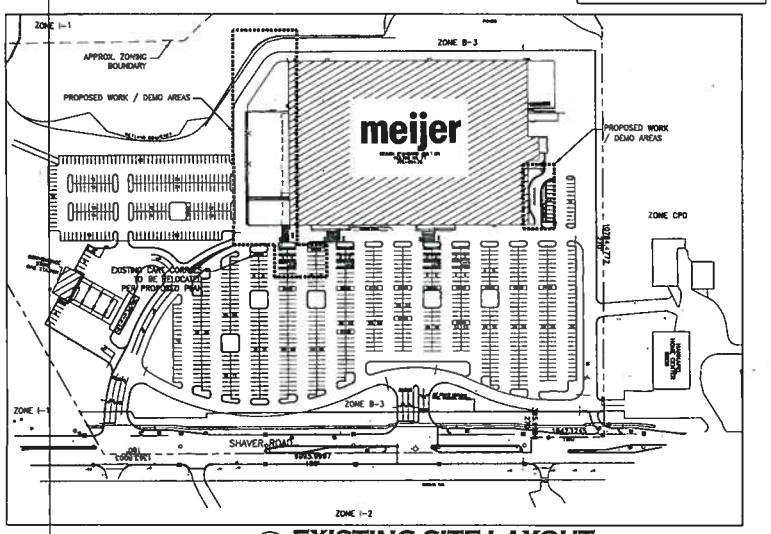
LOCATION MAP
NO SCALE

SITE PLAN NOTES:

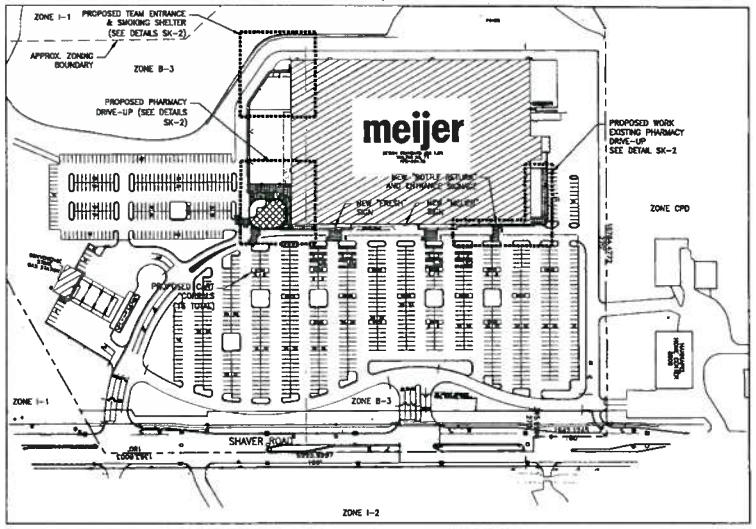
1. OWNER INFORMATION:
   MEIJER, INC. (GOOD WILL, INC.)
   2929 WALKER AVE, NW
   GRAND RAPIDS, MI 49544
2. SITE ZONING: B-3, GENERAL BUSINESS
3. BUILDING SETBACKS:
   FRONT YARD - 30' (FROM CENTERLINE OF ADJACENT ROADS)
   SIDE YARD - 0 - 10'
   REAR YARD - 20'
4. STORM DRAINAGE PATTERNS AND STORM WATER MANAGEMENT SHALL REMAIN AS EXISTING. NO CHANGE IN STORMWATER QUANTITY OR IMPERVIOUS AREA.
5. PROPOSED CONSTRUCTION IS NOT LOCATED IN A DESIGNATED FLOODPLAIN OR WETLAND AREA.
6. EXISTING UTILITIES SHALL REMAIN EXCEPT AS INDICATED ON THE DRAWINGS.
7. EXISTING BUILDING AND POLE-MOUNTED SITE LIGHTING FIXTURES SHALL REMAIN. ALL PROPOSED LIGHT FIXTURES IN PROPOSED CANOPIES (E.G. PHARMACY DRIVE-UP, BOTTLE RETURN, EMPLOYEE ENTRY) SHALL BE SHIELDED AS REQUIRED BY ZONING ORDINANCE LIGHTING REQUIREMENTS.
8. PROPOSED SIGN CURBS WILL BE PROVIDED AT LIGHT POLES.
9. EXISTING LANDSCAPING SHALL REMAIN.
10. CONSTRUCTION DRAWINGS WILL INCLUDE REQUIRED SOIL EROSION CONTROL MEASURES INCLUDING INLET PROTECTION AT ALL AFFECTED STORMWATER INLETS.
11. SEE DRAWINGS FOR CHANGES TO EXTERIOR SIGNAGE.
12. SITE PAVEMENT MARKINGS AND SIGNAGE, WHERE APPLICABLE, SHALL COMPLY WITH THE MICHIGAN MUTCD (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES) LATEST EDITION.

FIRE DEPARTMENT NOTES:

1. THE EXISTING BUILDING ADDRESS(S) SHALL REMAIN UNCHANGED.
2. THE PROPOSED BUILDING ADDITION SHALL BE FULLY SPRINKLED AS REQUIRED BY BUILDING AND FIRE CODES.
3. EXISTING FIRE LANES AND FIRE DEPARTMENT ACCESS ROAD WIDTHS SHALL REMAIN.
4. ALL FIRE HYDRANTS SHALL REMAIN.



EXISTING SITE LAYOUT
ROTATED 90 DEGREES FROM NORTH
SCALE 1"=100'



PROPOSED SITE LAYOUT
ROTATED 90 DEGREES FROM NORTH
SCALE 1"=100'

3 WORKING DAYS
BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171
(811)
ALTERNATE NUMBER (810) MISS-DIG
CODES FOR UTILITY LOCATING

SCHENKELSHULTZ
ARCHITECTURE
111 east wayne street
suite 802
fort wayne, in 46802
voice 260-424-8080
fax 260-424-1222
schenkelshultz.com
Indiana Central Number - 167808-613

RECEIVED
FEB 1 0 2012
COMMUNITY DEVELOPMENT

meijer

MEIJER
STORE #196
REMODEL

8800 Shaver Road
Portage, Michigan 49024

Meijer Project Number: 100000X

For:
Meijer Inc.
2929 Walker Avenue NW
Grand Rapids, Michigan 49544

REVISION:
11-18-11 PER COMMENTS
12-16-11 PER PORTAGE COMMENTS

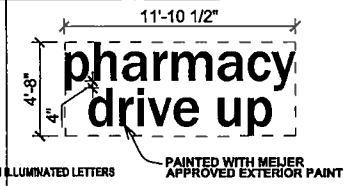
APPROVED
CITY OF PORTAGE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
Reviewer:
DATE
NAME

drawn: TEH
checked: MSR
date: 10/21/11
comm. no.: 1101500

OVERALL
SITE PLAN

SK-1

subpercentage



NON ILLUMINATED LETTERS

1.0" DEEP EXTERIOR QUALITY SIGN FOAM LETTERS

FACE & SIDE WALLS TO BE PAINTED WITH MEIJER APPROVED EXTERIOR PAINT

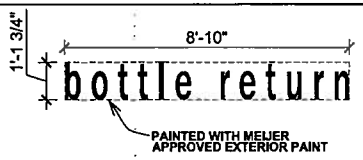
INSTALLATION

WALL LETTERS TO BE MOUNTED FLUSH AS REQUIRED.

SIGN AREA

TOTAL = 56 SF

pharmacy drive up WALL MOUNT SIGN



NON ILLUMINATED LETTERS

1.0" DEEP EXTERIOR QUALITY SIGN FOAM LETTERS

FACE & SIDE WALLS TO BE PAINTED WITH MEIJER APPROVED EXTERIOR PAINT

INSTALLATION

WALL LETTERS TO BE MOUNTED FLUSH AS REQUIRED.

SIGN AREA

TOTAL = 10 SF.

bottle return WALL MOUNT SIGN

SIGN AREA

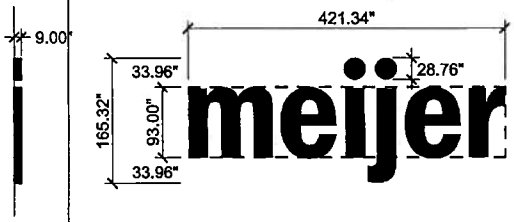
TOTAL = 33 SF.

SIGN AREA

TOTAL = 35 SF.

5" DEEP INTERNALLY ILLUMINATED W/ LEDS.
SIDES OF LETTERS PAINTED WITH MEIJER APPROVED EXTERIOR PAINT.

fresh / home SIGNS



FACE-LIT LED LETTERS:

- 93" (m in meijer) copy to be 9" deep fabricated aluminum face-lit letters.
- Sidewalks to be 0.63 aluminum with a 1.125" body flange and painted MAP to match Red Scotchcal #3630-33.
- Insides to be painted Star Brite White #B3990.
- Backs to be .090 aluminum.
- 1.25" fabricated retainers to be .090" thick alum. painted MAP to match Red Scotchcal #3630-33.
- Faces to be .1875" clear lexan. Lexan to be subsurface applied with Red Scotchcal #3630-33.
- Internal illumination with red LED's.

FACE-LIT LED DOTS:

- 28.76" diameter dots to be 9" deep fabricated aluminum face-lit dots.
- Sidewalks to be .063 aluminum with a 1.125"body flange and painted MAP to match PMS 286.
- Insides to be painted Star Brite White #B3990.
- Backs to be .090 aluminum.
- 1.25" fabricated retainers to be .090" thick alum. painted MAP to match PMS 286.
- Faces to be .1875" clear lexan. Lexan to be subsurface applied with Bristol Blue Scotchcal #3630-97 & Scotchcal Diffuser #3635-70.
- Internal illumination with blue LED's.

ELECTRICAL SERVICES:

- U.L. approved req'd.

meijer SIGN

BUILDING SIGNAGE CHART

QTY	SIGN	SQ. FT.	REMOVE	NO CHANGE	ADD
1	MEIJER	100	X		
1	CHASE BANK	28		X	
1	PHARMACY DRIVE UP	56			X
1	BOTTLE RETURN	10			X
1	HOME	33			X
1	FRESH	35			X
1	PHARMACY DRIVE THRU	42	X		
2	WELCOME	42	X		
1	GARDEN CENTER	36	X		
1	GAS STATION SIGN	56.6		X	
1	MEIJER	300			X
1	GAS STATION PRICING	28.5	X		
1	GAS STATION PRICING	28.5			X
TOTAL SQ. FT.			290.5	84.6	461.5
NET SQ. FT. ADDITION			255.6 SQ. FT.		

NOTE:
ALL UTILITIES SHOWN ARE APPROXIMATE LOCATIONS FROM FIELD DATA AND AVAILABLE INFORMATION. THEY SHOULD NOT BE INTERPRETED AS EXACT LOCATIONS NOR SHOULD THEY BE ASSUMED TO BE THE ONLY UTILITIES IN THE AREA.

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT FINAL, SEALED DOCUMENT.

EXISTING PARKING/CORRALS
STANDARD PARKING
SPACE 9.5' X 20'

STORE PARKING LOT
944 STANDARD PARKING SPACES
24 HANDICAP ACCESSIBLE SPACES

968 TOTAL PARKING SPACES
EXISTING CORRALS: 16

PROPOSED PARKING/CORRALS
STANDARD PARKING
SPACE 9.5' X 20'

STORE PARKING LOT
934 STANDARD PARKING SPACES
24 HANDICAP ACCESSIBLE SPACES

958 TOTAL PARKING SPACES
PROPOSED CORRALS: 16

REQUIRED: PER CITY OF PORTAGE ZONING ORDINANCE (REFERENCE ONLY)

MEIJER RETAIL STORE:

BULDING AREA	191,669 SQ.FT.
USABLE FLOOR AREA	134,100 SQ.FT.
SPACES REQUIRED AT 1 PER 150	/150
SQ. FT. USABLE FLOOR AREA	894 SPACES

MEIJER GAS STATION:

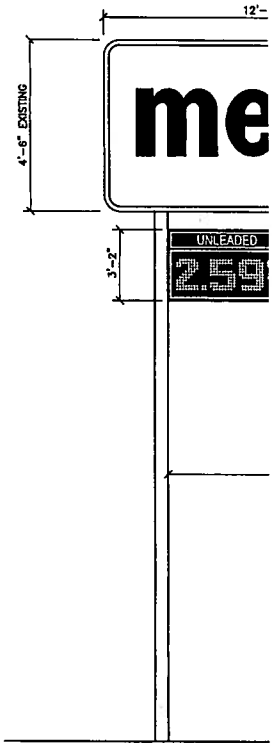
BUILDING AREA	2,545 SQ.FT.
USABLE FLOOR AREA	1,628 SQ. FT.
SPACES REQUIRED AT 1 PER 150	/150
SQ. FT. USABLE FLOOR AREA	11 SPACES

TOTAL PARKING SPACES REQUIRED 905 SPACES

BENCHMARKS:

BM#727 P.P. ON SE SIDE OF SHAVER ROAD OPPOSITE HOUSE #8936 874.21

BM#728 P.P. ON SE SIDE OF SHAVER ROAD OPPOSITE HOUSE #8946 871.26



LED PRICE CABINET PYLON SIGN

PARCEL DESCRIPTION

MEIJER STORE #196 – CITY
OWNER: MEIJER, INC.

PART OF THE SOUTHWEST 1/
CITY OF PORTAGE, COUNTY O
SECTION 21, ALSO BEING THE
FOR 1324.61 FEET TO THE N
89°34'21" EAST, FOR 330.00
THE ORDINARY HIGH WATER L
THE THREAD OF SAID PORTAG
20.0 FEET TO THE ORDINARY
318.44 FEET FROM AFOREMEN
1/4 OF SAID SECTION; THENC
NORTHWEST 1/4 OF THE SOU
NORTH LINE OF THE SOUTHWE
708.60 FEET; THENCE PERPE
THENCE SOUTH 29°47'00" WE
FOR 33.00 FEET TO THE CEN
LINE OF SECTION 21 ALSO BE
113.65 FEET; THENCE PARALL
SECTION 28; THENCE ALONG
MORE OR LESS.

ZONE I-1

PONDS

ZONE I-1

Copyright ©2009 Pictometry International Corp.

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

TO: Zoning Board of Appeals **DATE:** March 30, 2012

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: ZBA #11-18; Meijer Inc., 8850 Shaver Road; B-3, General Business

CODE SECTION: 42-552(I) B-3 Wall Signs; p. CD42:131

APPEAL: Requesting a variance to allow 606 square feet of wall signage where a maximum 300 square feet is permitted.

STAFF RECOMMENDATION: The applicant requests the above variance per the enclosed application, site and elevation sketches. The 67 acre zoning lot is improved with a 188,352 square-foot commercial building, 2,445 square-foot gas station, off-street parking lot and related improvements. The approximate east half of the property is zoned B-3, General Business and the vacant west half is zoned I-1, Light Industrial.

The applicant proposes exterior facade improvements to the site in conjunction with interior building modifications. As part of the façade improvements, the applicant is proposing to replace the current wall signs. The proposed Pharmacy Drive Up (55 sq. ft.), Bottle Return (10 sq. ft.), Home (33 sq. ft.) and Fresh (34 sq. ft.) signs total a combined 132 square feet in area. The applicant notes the main Meijer sign measures 300 square feet. However, the actual size of the sign is 484 square feet based on the Zoning Code method of measuring the sign area. The main building is set back approximately 445 feet from Shaver Road and has approximately 532 feet of wall length. As a result of this setback distance and size of wall, Section 42-552(I) allows an additional 200 square feet of wall signage for a total of up to 300 square feet.

As background for the Board, Meijer previously requested a variance in September, 2000 (ZBA 00-08) to install 392 square feet of wall signs. At that time, a maximum 100 square feet was permitted. The Board concluded the request was excessive and granted a reduced variance permitting 250 square feet of wall signage, citing the significant setback from Shaver Road as the practical difficulty. In response to variance requests of this nature, the sign code was amended in 2003 and the amount of permitted wall signage was increased for buildings with significant wall area and setback from the adjacent street. The standards of Section 42-552(I) of the Zoning Code are based, in part, on previous variances granted by the Board for similar-sized 'big box' businesses.

The Meijer store has successfully operated at this location for over a decade. The site is readily visible from Shaver Road due to the two existing freestanding signs, number of driveways (three) and location along Shaver Road, traffic signal located at the center (main) driveway, as well as the size and design of the building. The applicant qualifies for additional wall sign area per Section 42-552(I) and conforming alternatives are available. For the reasons noted, the variance is not recommended.

PRACTICAL DIFFICULTY: None noted by staff. See Suggested Motion form.

S:\2011-2012 Department Files\Board Files\ZBA\11-17, 6355 SWA\2012 03 02 VG ZBA 11-17 SWA, 6355 (CTF staff report).doc

SUGGESTED NON-USE VARIANCE MOTION FORM

Mr. Chairman:

I move, in regard to ZBA #_____, the application by _____

for a variance from _____

_____

be:

a. granted for all of the following reasons:

1a. There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district, which include_____
_____;

2a. The variance is necessary for the preservation and enjoyment of a substantial property right, the right to_____, which is similar to that possessed by other properties in the same zoning district and in the vicinity;

3a. The immediate practical difficulty causing the need for the variance request was not created by the applicant;

4a. The variance will not be detrimental to adjacent property and the surrounding neighborhood, and;

5a. The variance will not materially impair the intent and purpose of the zoning ordinance.

-or-

b. denied for one of more of the following reasons:

1b. There are no exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district;

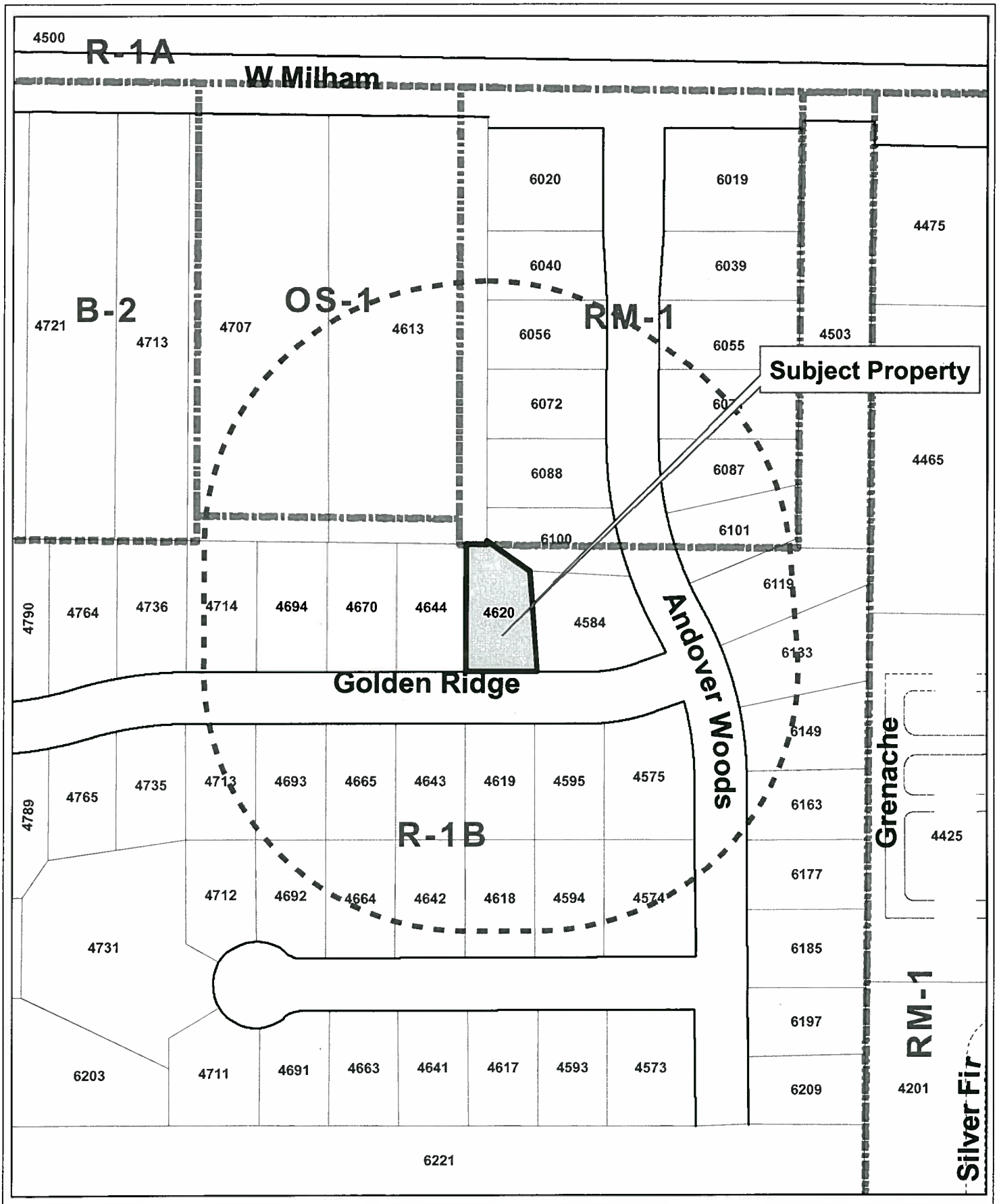
2b. The variance is not necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district in the vicinity because there are conforming alternatives available such as_____
_____.

3b. The immediate practical difficulty causing the need for the variance request was created by the applicant;

4b. The variance would be detrimental to adjacent property and the surrounding neighborhood, and;

5b. The variance would materially impair the intent and purpose of the zoning ordinance.

c. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, **and that action of the Board be final and effective immediately.**



ZBA 11-19
4620 Golden Ridge Trail

1 inch = 150 feet

Legend

- Zoning Boundary
- Subject Property
- 300' Notification Boundary

Name: 11-19_4620 Golden Ridge Trail

11-10000019 RECEIVED

MAR 07 2012

COMMUNITY DEVELOPMENT

CITY OF **PORTAGE**
A Place for Opportunities to Grow

Department of Community Development

ZONING BOARD OF APPEALS APPLICATION

FOR COMPLETION BY APPLICANT

Application Date 3/7/12

Name of Applicant Michelle L. O'Neill (Print) Michelle O'Neill (Signature)

Applicant's Address 4620 Golden Ridge Trail Phone No. 269-353-6764

Name of Property Owner (if different from Applicant) _____

Address _____ Phone No. _____

Address of the Property that is the subject of this Application:

Street Address 4620 Golden Ridge Trail

For Platted Property: Lot 35 of Andover Woods No. 1 Plat

[If The Property Is Unplatted, the Legal Description is needed. Please attach on a separate sheet.]

Applicant's interest in Property that is the subject of this Application: _____

Application Fee $135 (Residential Uses) _____ (All Other Uses)

Type of Appeal (Please check one of the following **bold choices** and provide the requested information):

✓ **Variance from Zoning Ordinance:** Article 4 Section 42-350 Paragraph A

Regarding: Use _____ Area _____ Yards _____

Setbacks Rear Yard Parking _____ Other _____

Reason for Request (Also complete page 2 of application): Construction of a 4 season enclosed porch - requires a 2' variance for a 12' x 16' room

____ **Appeal of Administrative Decision:** Article _____ Section _____ Paragraph _____

Reason for Request: _____

____ **Interpretation of the Zoning Ordinance:** Article _____ Section _____ Paragraph _____

Reason for Request: _____

____ **A Temporary Permit for:** Building _____ Use _____ Other Approval _____

Article _____ Section _____ Paragraph _____

Reason for Request: _____

FOR STAFF USE

Application Number:	Filing Date:	Tentative Hearing Date:
Previous Application Filed Regarding This Property:		

Reason For Variance

1. Please explain how the property has characteristics such as narrowness, shallowness, irregular shape, topography, or natural features that prevent compliance with the Zoning Ordinance. (Attach additional sheets if needed.)
The parcel has an irregular side/rear lot line. See attached drawing.

2. Are the physical characteristics you explained above unique and not shared by neighboring properties? (Attach additional sheets if needed.)
No. The neighboring parcel to the north shares this angled lot line. In their instance the line was considered a side yard line.

3. Can the property be reasonably used for the uses permitted in the zoning district without granting the variance? (Attach additional sheets is needed.)
No. Glass rooms are fabricated in sections. To stay within the requirements of the setback would require special panels to be constructed at an angle at a significant cost increase. Also, location of room is limited by egress window and water spigot.

4. Is the variance the minimum necessary to permit reasonable use of the land and buildings, or would a lesser variance be fair and equitable to the applicant as well as logical and just to other property owners in the area? (Attach additional sheets if needed.)
Yes. The request for a 2' variance is the minimum size which still provided an adequate room size for the intended use (sun room) while still keeping with the spirit of the law. Modifying the shape is a financial hardship.

5. Explain how the variance would not result in adverse affects on adjacent properties or alter the character of the area. (Attach additional sheets if needed.)
The room is glass so neighbors would maintain the same line of sight from their yards. The room does not alter the charuchter of the neighborhood.

6. Explain how the variance would not result in increased traffic congestion, noise, or other potential concerns, or in dangers from fire, flood or other hazards, that would be detrimental to the property or to the area. (Attach additional sheets if needed.)
The room would not be detrimental to the property because it will be constructed to building standards.

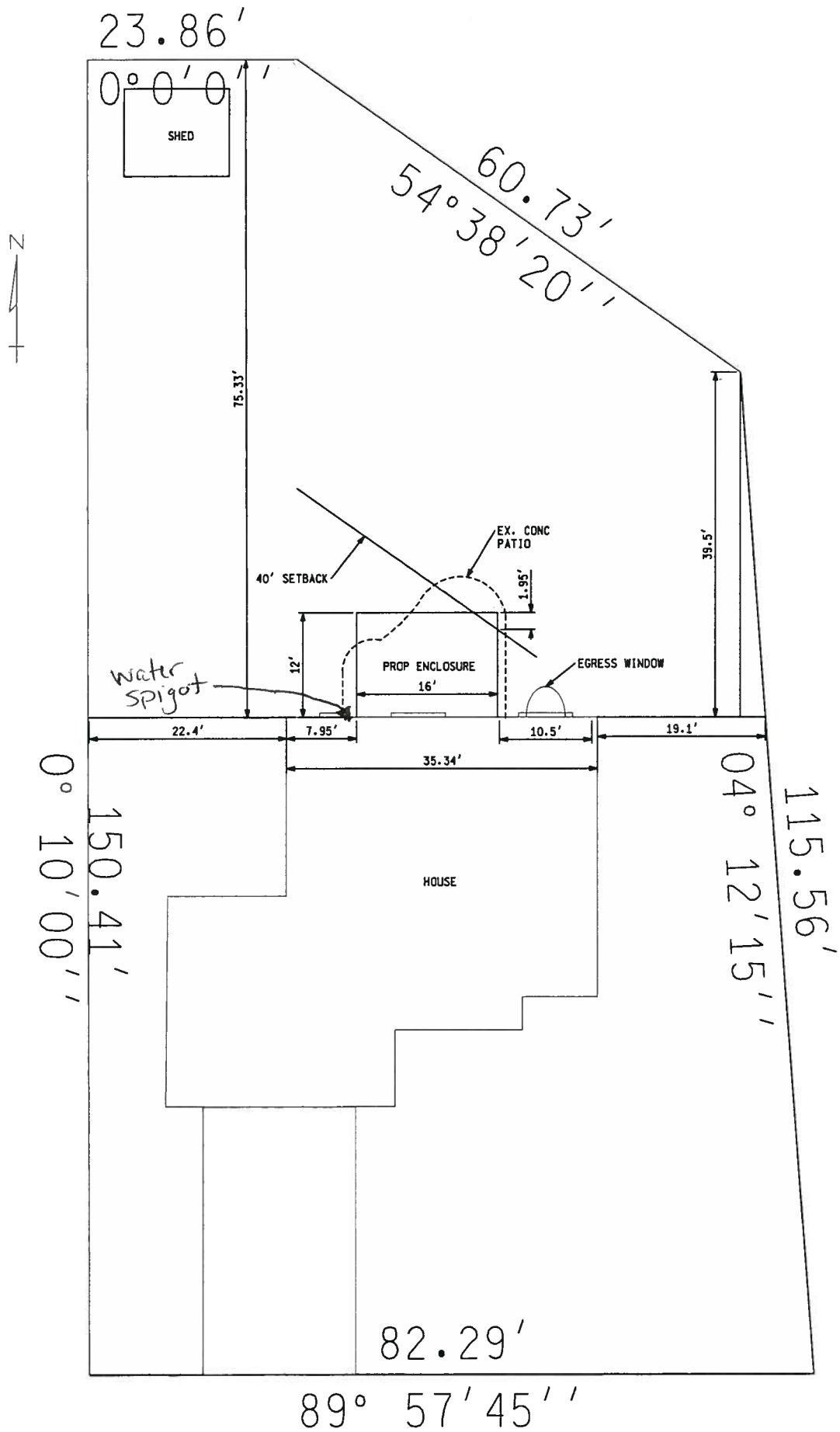
7. Is the reason for the request, the practical difficulty or the hardship created, due to an act of the applicant or due to an act by the previous property owner? (Attach additional sheets if needed.)
No

8. Explain how the variance would fulfill the spirit and intent of the Zoning Ordinance. (Attach additional sheets if needed.)
Constructing the porch as proposed would meet the standards of appearance (see attached image) and construction.

Signature of Applicant

3/7/12
Date

3/7/12 M. O'Neill

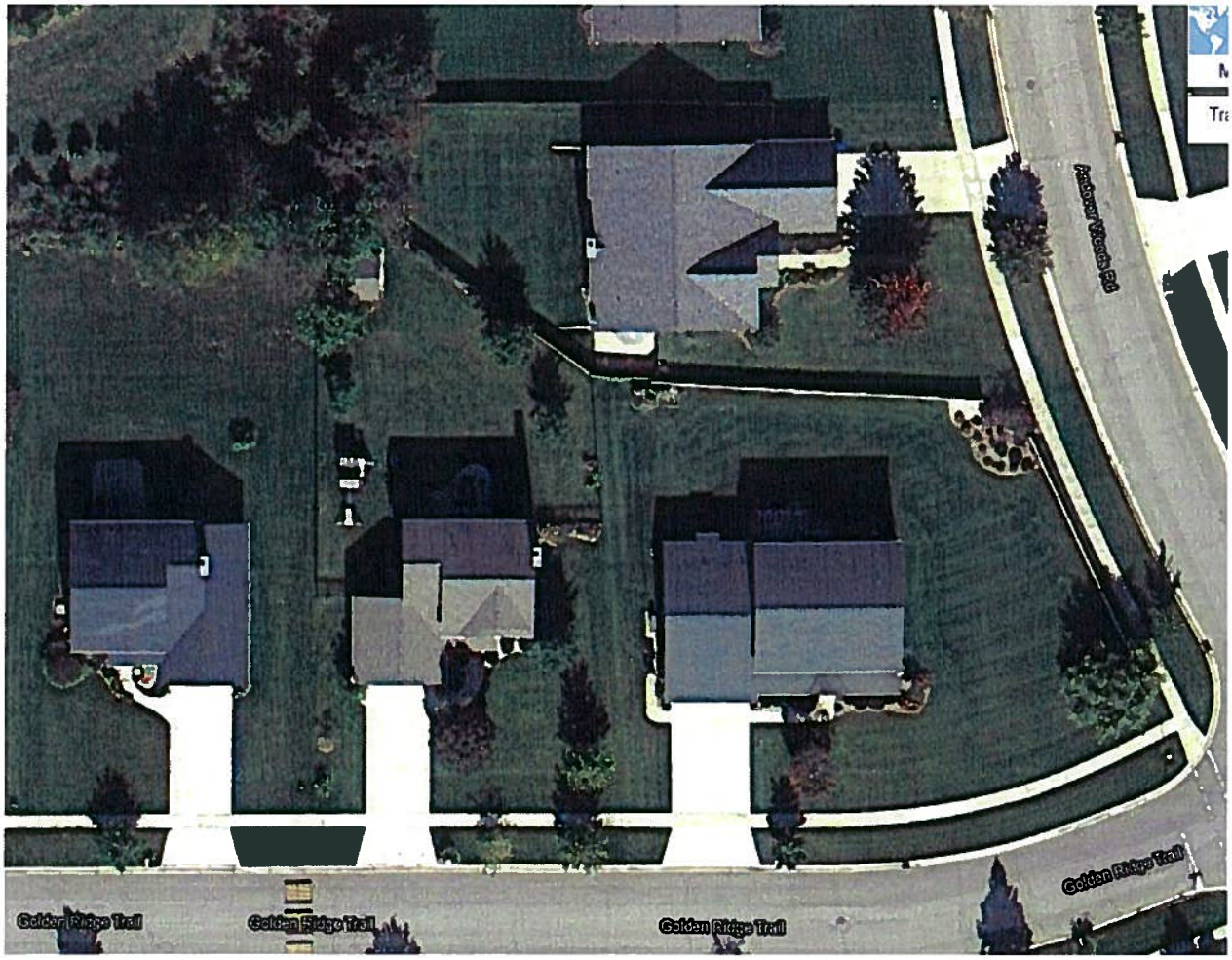


Michelle and Ryan O'Neill, 4620 Golden Ridge Trail
Zoning Board of Appeals Application 03/07/2012

Rear Lot facing South

View of egress window well on east side of house

Rear View looking southeasterly



View of Aerial Image showing neighboring properties

Examples of the Gable Roof Patio Room that is Proposed

RECEIVED
MAR 23 2012
COMMUNITY DEVELOPMENT

March 15, 2012

Dear Neighbors,

We have lived in our home for 10 years this year and have enjoyed having you as our neighbors. This year, we would like to construct an all season glass sunroom on the back of our house. The dimensions of this proposed room are 12' by 16' and the room would be built approximately overtop of our existing concrete patio.

The city of Portage building and zoning laws state that a permanent residential structure must have a 40 foot setback to the rear lot line of the property. Since our parcel has an irregular shape, the sunroom we have proposed will not meet this requirement by 2 feet on the eastern corner of the room as shown on the attached drawing.

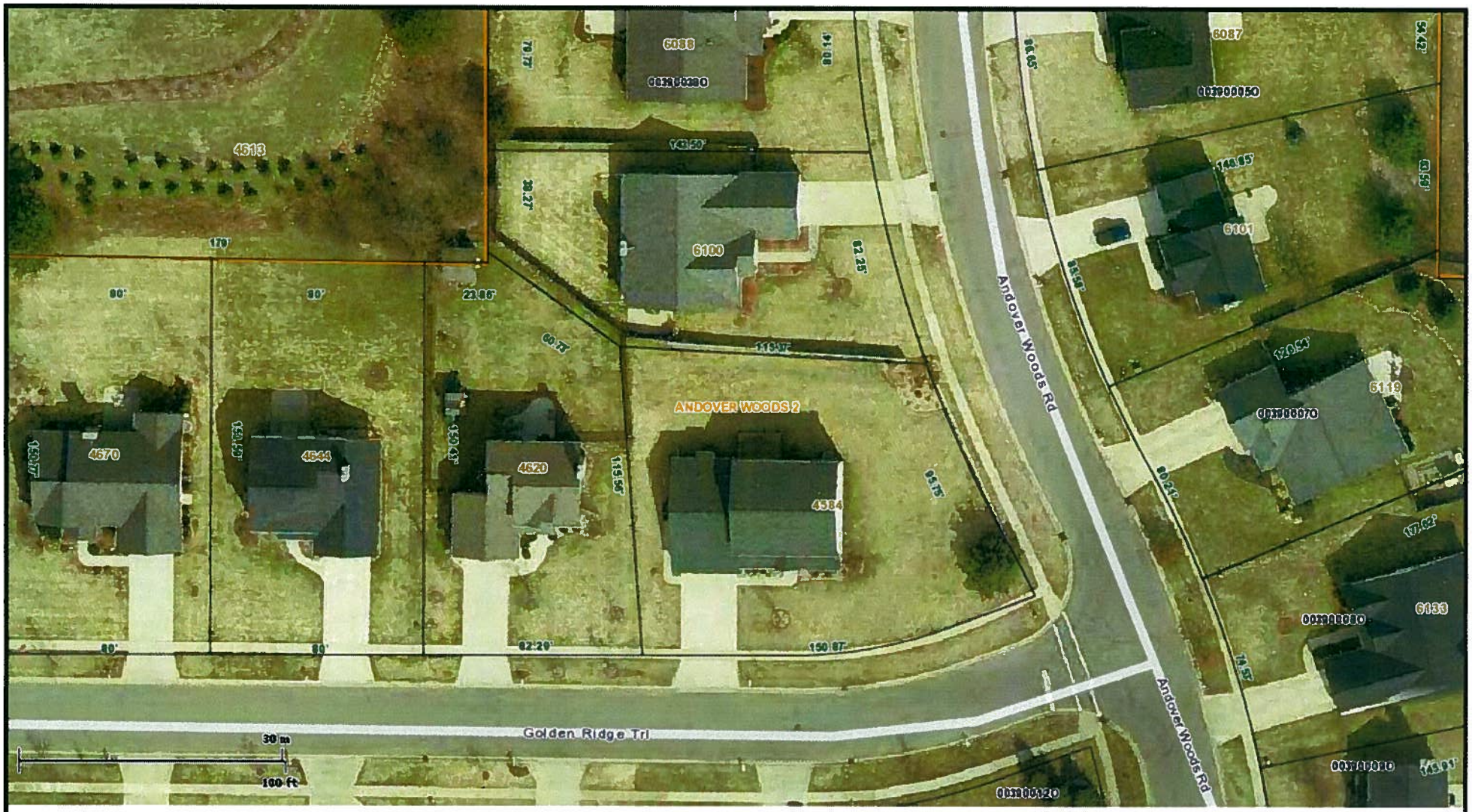
We have come to you to ask you to sign a letter of support that we will present to the Zoning Board of Appeals on April 9, 2012 at 7 pm. By signing below, you are indicating that you do not take any issues with the construction of the proposed sunroom as stated.

Thank you for your support.
Ryan and Michelle O'Neill
4620 Golden Ridge Trail, Portage

Tim McMillen & Sandhya Sood- McMillen, 4584 Golden Ridge Trail

John Mathew, 4644 Golden Ridge Trail

Suresh Parsa & Josna Mitnala, 6100 Andover Woods Road



City of Portage Map Document

CITY OF PORTAGE
A Place for Opportunities to Grow

web mapping by Amalgam LLC

1:900

Map Publication:

Wed Mar 14 2012 05:00:16 PM

Disclaimer:

This map does not represent a survey or legal document and is provided on an "as is" basis. City of Portage expresses no warranty for the information displayed on this map document.

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

TO: Zoning Board of Appeals **DATE:** March 30, 2012

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: ZBA #11-19; Michelle O'Neill, 4620 Golden Ridge Trail; R-1B, One Family Residential

CODE SECTION: 42-350(A) Schedule of Regulations; p. CD42:84

APPEAL: Requesting a two-foot rear yard setback variance to construct a 12-foot by 16-foot four season enclosed porch within 38-feet of the rear property line, where a 40-foot rear yard setback is required.

STAFF RECOMMENDATION: The applicant requests the above variance per the enclosed application and attachments. The 0.25 acre property is irregular-shaped with 82 feet of frontage on Golden Ridge Trail and 132 feet of depth along the west property line and 115 feet of depth along the east property line. The lot is improved with a 1,784 square-foot, two-story residential dwelling and attached 506 square-foot garage constructed in 2002. The property is surrounded by other single-family residences located within the Andover Woods single family residential subdivision.

The applicant proposes to construct a 12-foot by 16-foot enclosed porch over an existing concrete patio, along the north side of the dwelling approximately 38-feet from the rear (northeast) property line. While open, uncovered decks are allowed to project up to 10-feet into the required rear yard setback, enclosed structures such as the proposed porch are required to meet the 40-foot rear yard setback applicable to the main building.

The applicant identifies circumstances that apply to the property and not others in the immediate area including the irregular lot shape and angular nature of the rear property line. While the majority of the lots situated along the north side of Golden Ridge Trail have a lot depth ranging from 150-180 feet, the eastern side lot line of the subject property is only 115 feet in depth. Additionally, the orientation of the house on the lot with the attached garage on the west side of the property creates a slight off-set that places the house closer to the eastern property line. The applicant did evaluate potential conforming locations but due to an existing bathroom window and water spigot, the proposed porch addition could not be readily shifted to the west outside of the setback area. The requested variance is the minimum amount needed for the four season porch with only a small area of the addition encroaching into the rear setback, and will not alter the character of the residential neighborhood or the view/use of adjacent properties. For the reasons noted above, approval of the variance is recommended.

PRACTICAL DIFFICULTY: Existing floor plan; Reduced rear yard area given the irregular lot shape, angled rear property line and orientation of dwelling. See Suggested Motion form.

S:\2011-2012 Department Files\Board Files\ZBA\11-19; 4620 Golden Ridge\2012 03 16 VG ZBA 11-19 Golden Ridge, 4620 (staff report).doc

SUGGESTED NON-USE VARIANCE MOTION FORM

Mr. Chairman:

I move, in regard to ZBA #_____, the application by _____

for a variance from _____

_____

be:

a. granted for all of the following reasons:

1a. There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district, which include_____
_____;

2a. The variance is necessary for the preservation and enjoyment of a substantial property right, the right to_____, which is similar to that possessed by other properties in the same zoning district and in the vicinity;

3a. The immediate practical difficulty causing the need for the variance request was not created by the applicant;

4a. The variance will not be detrimental to adjacent property and the surrounding neighborhood, and;

5a. The variance will not materially impair the intent and purpose of the zoning ordinance.

-or-

b. denied for one of more of the following reasons:

1b. There are no exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district;

2b. The variance is not necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district in the vicinity because there are conforming alternatives available such as_____
_____.

3b. The immediate practical difficulty causing the need for the variance request was created by the applicant;

4b. The variance would be detrimental to adjacent property and the surrounding neighborhood, and;

5b. The variance would materially impair the intent and purpose of the zoning ordinance.

c. **In addition**, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, **and that action of the Board be final and effective immediately.**