

Agenda

Zoning Board of Appeals



City of Kalamazoo

Thursday, December 11, 2025

7:00 PM

City Commission Chambers – 241 West South Street

A. CALL TO ORDER/ROLL CALL

B. APPROVAL OF MINUTES

1. Approval of minutes from the Zoning Board of Appeals meeting on November 13, 2025

C. COMMUNICATIONS AND ANNOUNCEMENTS

D. PUBLIC HEARINGS

1. ZBA #25-12-22: 130 Portage Street. The City of Kalamazoo is requesting a dimensional variance from Chapter 50-8.5 D 2(b)[2], to erect a 2.5-foot picket fence around the ground-mounted mechanical units where a solid fence tall enough to screen the mechanical units is required.
2. ZBA #25-12-23: 124 Martin Street. Valley Vision Construction & Development, LLC is requesting a dimensional variance from Appendix A, Chapter 5, Section 5.1, of 5 feet from the required 25-foot front yard building setback from Martin Street to authorize the new single-family home to be setback 20 feet from the front property line.
3. ZBA #25-12-24: 102 Martin Street. Valley Vision Construction & Development, LLC is requesting a dimensional variance from Appendix A, Chapter 5, Section 5.1, of 5 feet from the required 25-foot front yard building setback from Martin Street to authorize the new single-family home to be setback 20 feet from the front property line.

E. DISCUSSION/ACTION ITEMS

1. 2026 Zoning Board of Appeals Meeting Schedule

F. REPORTS

G. ADJOURNMENT

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
November 13, 2025 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

Members Present: Alison Haan, Remi Harrington, Joe Hohler III, Beth van den Hombergh, Gary Wark, and Jack Urban (alternate)

Members Absent: Tony McReynolds

City Staff: Pete Eldridge, Zoning Administrator; Charles Bear, Assistant City Attorney; Shelby Donaldson, Recording Secretary

Chair Hohler called the meeting to order at 7:05 p.m.

Chair Hohler asked if there were any changes to the agenda and Mr. Eldridge said there were none.

Mr. Eldridge performed a roll call of board members present for the meeting (Ms. Harrington arrived at 7:29 p.m.)

APPROVAL OF MINUTES:

Ms. Haan moved to approve the meeting minutes from October 9, 2025, as submitted, seconded by Ms. van den Hombergh. The motion was approved by voice vote unanimously.

PUBLIC HEARINGS: Chair Hohler 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 in favor of the application where they will state their name and address and speak for four minutes. Following that those in opposition will be invited to speak for four minutes and afterward, those received via phone will be aired for the panelist and audience. The public can call in to 888-382-9556 to leave comments for any of the property on the agenda then the public hearing will be closed on that request. The Board would then conduct the finding of facts. The Board must approve the Finding of Fact. Therefore, the first vote you hear 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 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 to grant a motion for a non-use or use variance. Chair Hohler added that at this moment there are only four members and if any of the applicants would prefer to wait until more members are present that is their choice. Chair Hohler then suggested taking the time extension request first, while we wait for additional board members to show up for the variance requests. Representatives from Graphic Packaging agreed.

E. DISCUSSION / ACTION ITEMS: (Agenda order was altered to address this item first while waiting for the fifth Board Member to arrive)

1. ZBA #25-11-21: 1421 N. Pitcher Street: Graphic Packaging International is requesting a six-month extension for the two building setback variances granted by the Zoning Board of Appeals on December 12, 2024 (this extension will make the variances valid until June 11, 2026).

Chair Hohler asked what the procedure is for giving an extension and Mr. Eldridge stated the procedure is laid out within the staff report. If the board finds there is just cause for a six-month extension, then the board can vote to approve it. He said the last one was done in 2021 for the River Caddis apartment complex development on Gull Road at Harrison and that it was another one that got hung up between variances and going into site plan review and required a six-month extension for the variances related to that project. Mr. Wark asked if they came in front of the board to explain and Mr. Eldridge said they did, they provided a written statement of explanation and came before the board, verbally talked through it, the board discussed it, and then voted on the extension of time.

John Paterson, the project manager for the automated warehouse project for Graphic Packaging and works for the corporate engineering department is asking for an extension for the automated warehouse project at 1421 Pitcher Street. He stated when they first presented the variances, they were in the process of designing the automated warehouse project and since then there have been quite a few projects going on: the new papermill in Greenfield Texas, which they completed three weeks ago and they are building two automated warehouses in Texarkana Texas and the one here in Kalamazoo. He added that there was also a regulation change in their Macon paperboard facility where they have to install a waste treatment system, which wasn't in the capital plan and is also a \$90 million project. He added that with all of that, the shareholders and the capital plan in addition to tariff pressures on equipment from overseas and the cost of finishing the paperboard facility, they had to make decisions regarding some of the optional projects in their capital portfolio, one of which is the ARW project and added that the environmental project in Macon was not adjustable and has a target deadline with the state of Georgia and at that point they had to make decisions about where they would spend the money and the only one that wasn't under construction was the Kalamazoo ARW project. He said currently in their engineering they were here to do a design review and they are at a 65% design engineering review and intend to submit for site plan review in the first or second quarter of next year and were planning to submit this quarter because they have enough information to do that, but decided to continue to develop the engineering and submit and finalize the project plans in the first quarter of next year. He added they don't plan to make many changes other than what is asked and civil construction on the site will begin in spring of 2027. Mr. Wark asked if he said they would start site plan review in the first or second quarter of

next year and Mr. Paterson said yes, Mr. Wark asked if they would start construction after that's approved and Mr. Paterson said yes, in the spring of 2027 is the current plan.

Chair Hohler and Mr. Wark asked if six months is enough and Mr. Eldridge stated as long as the site plan review is started before the six-month deadline hits they are set to move forward and once they enter site plan review, that shows that action has been taken on the variance and the project has moved to the review and approval step, and it is feasible to get into site plan review within the six months.

Chair Hohler asked about protocol and Mr. Eldridge stated there is no staff comments for an extension, it's just a matter of the applicant presenting the facts to the board and the board rendering a decision.

Ms. van den Hombergh motioned to approve the request for a six-month extension for the two building setback variances for Graphics Packaging International, located at 1421 North Pitcher Street, granted by the Zoning Board of Appeals on December 12, 2024, which will make the variances valid until June 11, 2026, seconded by Mr. Wark.

Motion was approved unanimously by a roll call vote (Haan, Hohler, Wark, and van den Hombergh).

D. PUBLIC HEARINGS:

Ms. Harrington read the application for 850 E. Crosstown Parkway into the record.

ZBA#25-11-18: 850 E. Crosstown Parkway: An application for a dimensional variance for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by CMCW Holdings, LLC (Alliance Metal Recycling). The applicant is requesting a variance from Appendix A, Chapter 4.2 Y (1), for a "Recycling Facilities", to be located on a parcel totaling .87 acres, where this type of use is required to have a minimum of two (2) acres of land.

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.

Chance Woods, representing Alliance Metal Recycling, stated this is similar to the request heard a couple of months ago and it hinges on the fact that there is a rather large category for salvage yards, recycling facilities, scrap yards that takes into consideration some of the more intensive work that some of those places do like shredding metal, torching and melting things in addition to a lot of outside storage and heavy equipment she stated they don't do any of that and Mr. Eldridge did a nice job of summarizing in the staff report. She said they have a simple business model where they acquire recyclable materials, sort it into categories, repackage it into larger lots for sale to a buyer, then they ship it out to a buyer, they don't do any heavy processing and they do it all inside the building, which sets them apart from needing two acres. She stated they have been in business in Kalamazoo since 2019 and until this move they were operating out of a much smaller facility, so this is an improvement for their business since the old space was less than half the square footage

of the new facility and was, roughly, 1/10 of the outdoor space, so while they were able to operate in that space, the new facility will allow for more breathing room and growth. She said in the past this facility was an aluminum foundry where they were melting aluminum and pouring it into cases to make new products.

Chair Hohler paused to announce the addition of the alternate board member, Mr. Jack Urban, who was in the audience and will replace Mr. Tony McReynolds.

Chair Hohler asked for staff comments, and they are as follows: Mr. Eldridge stated this request is less than the two-acre allowance, but he wanted to bring up the way the ordinance is worded. He said the ordinance is very protective when it comes to certain types of land use, and that's where the fencing of the facility and the two acre minimum comes into play. He said the way the category is worded, it covers scrap and salvage operations, storage of inoperable vehicles and recycling facilities, and wrecking and towing services and that group of uses must have a minimum of two acres for outdoor storage and be fenced. He added that most of those uses mentioned, one would assume involve a lot of outdoor storage, specifically for inoperable vehicles in many cases, but that isn't the case for Alliance Metal Recycling and the last location they were in was leased warehouse space on Palmer Avenue, where everything was inside the building, was a smaller site, and much smaller building. He said the new site offers a lot more space within the building and that's what staff leaned on when going through the review criteria, that it really didn't have any adverse impacts on the surrounding property owners, that it fit with the character of the area in the M-2 zone district. Staff is supportive of this request because it doesn't fit the stereotypical use identified in the ordinance, where the additional development standards come into play however, they want a condition that all work be performed inside the building.

Chair Hohler asked if there was anyone who wanted to speak in favor of the applicant and there was no one.

He asked if anyone wanted to speak against the applicant and there was no one.

He asked if there were any call-in comments and there were none.

Chair Hohler closed the public hearing and asked if the board had any questions.

Ms. van den Hombergh said what concerns her is that there are supposed to be two acres and what concerns her is the noise and Ms. Woods stated they don't have a large shredder, like Kalamazoo Metal Recyclers, who takes cars and dumps them into it. She said they have a large warehouse of individual bins that has individual parts, but they aren't taking the parts off of cars, and stated that they get their materials two primary ways: they have accounts, such as auto repair shops, larger mechanical contractors, plumbers and electricians, they take items back to the warehouse and sort it and they have accounts that bring materials to them, mostly from tradespeople and the community, but the noise would be moving parts from one bin to another or loading them onto a truck.

Chair Hohler said he's assuming the old address is in a different zoning district which is why they didn't need a variance there and Mr. Eldridge stated that was also in the M-2 zoning as well and there was not variance at the Palmer location because it is a large site with multiple tenants in a warehouse building, but he isn't sure if it's two acres. He said the difference between this request

and Flowers Automotive is that Flowers Automotive was the M-1 zone and this one is in the M-2 zone, so it's not the light manufacturing and this property is already in the heavier manufacturing zone district, M-2, so they are only talking about the acreage minimum. Ms. Harrington asked for clarification and Mr. Eldridge said they are talking about acreage minimums for certain types of land uses that typically involve outdoor storage, inoperable vehicles in most cases or automotive parts storage that in many cases is outdoors, that is the reason he was reading that definition of what falls into this category that calls for the additional requirements of fencing for the facility and the two acre minimum. Ms. Harrington asked if that is for the zone, not for the business and if this type of business is done in this zone, does it have to have two acres? Mr. Eldridge said these types of businesses have two additional development standards they have to meet: one is the two acre minimum and the fencing around it and added that recycling is allowed to be in the M-2 zone district. He said Flowers Automotive had to overcome the hurdle of the use variance first.

For clarity, Ms. van den Hombergh asked if Alliance Metal Recycling is already in an M-2 zone for heavy industrial, and Mr. Eldridge said correct, and they are a permitted use in the M-2 zone, but they are only talking about development standards that apply to this type of use. Ms. Harrington stated that Ms. Woods said they don't need that much space and Mr. Eldridge said yes, because of their recycling operation and Ms. Harrington said that's what she was asking.

FINDING OF FACT

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

- 1) The Finding of Fact for 850 E. Crosstown Parkway shall include all information included in the notice of public hearing dated October 29, 2025, and the agenda packet provided by staff.
- 2) 13 notices of public hearing were sent and there were two responses received: one from Ronald Weiser, owner of 833 East Crosstown Parkway provided a letter in opposition and one from Kevin Howard, or Lewis C. Howard Incorporated, owner of 844 East Crosstown Parkway, provided an email in support.
- 3) A public hearing was held before the board and public comments were accepted and there were none.
- 4) 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:

CMCW Holdings, on behalf of Alliance Metal Recycling, represented by Ms. Chance Woods, who spoke about the organization, the facility and essentially what they do is acquire materials that are no use for recycling, for example trucks, metal parts from remodels and housing. They are requesting a smaller space because the new operation doesn't need to have a full two acres and won't be the traditional scrap yard with acres and acres of broken-down metal trucks and parts. Staff said they meet the requirement

or they could have less than two acres, which is viable for them because their scrap salvage is going to be much smaller and everything that they have is going to be inside. The items that come to them will already be broken down and people will be able to walk in with parts and pieces of copper and metal and won't be broken down trucks that will be taken in and crushed by a machine to pack it down. They will also go to customers, pick up items, and bring them inside to put in bins. Staff recommend if the variance is approved that all sorting be done inside the building. No one spoke in favor or opposed the request and there were no call-ins. This property is already in a heavier industrial usage area.

Mr. Wark seconded the Finding of Fact.

Discussion:

Chair Hohler said he likes the use and thinks it's a perfect example of why a variance should be granted and he agrees with the staff report and because a similar variance was approved a couple of months ago, for consistency's sake he will support.

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

Ms. van den Hombergh made a motion to approve the application for a dimensional variance from Appendix A, Chapter 4.2 Y (1), for a "Recycling Facilities", to be located on a parcel totaling .87 acres, where this type of use is required to have a minimum of two (2) acres of land, seconded by Ms. Haan. Ms. van den Hombergh made a motion to amend the approval of the request with the condition recommended by staff, seconded by Mr. Urban.

Motion was approved unanimously by a roll call vote (Harrington and Urban had both joined the meeting by this point).

Ms. Harrington read the application for 1015 and 1021 E. Michigan Ave./502 and 524 Riverview Dr./1014, 1018, and 1024 Sherwood Ave. into the record.

ZBA#25-11-19: 1015 and 1021 E. Michigan Avenue/502 and 524 Riverview Drive/1014, 1018, and 1024 Sherwood Avenue: An application for variances for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Indian Trails Inc. The applicant is requesting the following variances: 1) a use variance from Chapter 50, 50-4.4(12)(h), to authorize the expansion of the Indian Trails facility and bus storage onto the west half of the property at 524 Riverview Drive, where oversized vehicle related businesses are not permitted. 2) a dimensional variance from Chapter 50, 50-8.5A (3)(a), to authorize installation of new chain-link fence along the property frontages of Riverview Drive and Sherwood Avenue, where chain-link fence in the front yard is prohibited in all zone districts, and 3) a dimensional variance from Chapter 50, 50-8.5C(1)(a), to authorize installation of ten (10) foot tall chain-link fencing along the property frontages of Riverview Drive and Sherwood Avenue, where only six-foot fencing is permitted in the front areas.

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.

Mr. Karl Ruiter, of NF Engineers, appeared with Mr. Chad Cushman, the president of Indian Trails. He stated they reviewed the staff report and as far as item numbered one, in 2015 there was a project done with Indian Trails where they did an expansion to their facility, at that time there was a retail structure on the corner of Sherwood and Riverview Drive that was excluded from the previous variance requests of the several parcels that make up the Indian Trails facility and they found that half of 524 Riverview is within the fenced area, but was excluded from the previous approvals and they would like to bring the whole property into some kind of inclusion and think it's the appropriate thing to do. He said in speaking with planning staff about this they realized that further action may be to combine the parcels into one parcel so they will have an easier in the future. He said they appreciate staff support on items numbered one and two, item number three may or may not be supported by staff at this point for the dimensional variance to allow the 10-foot-high fence. He hoped everyone saw the documentation provided by them. There is currently an existing 10-foot fence that bisects 524 and a 10-foot fence that encompasses the entire Indian Trails property.

Mr. Chad Cushman, the president of Indian Trails, stated this is a family-owned business that operates from multiple locations in Michigan: Kalamazoo, Owosso, and Romulus near Detroit Metro Airport and in all instances their facilities include 10-foot fencing around the perimeter and contractually. Even though they are known as a scheduled service operator, like what Greyhound does, they also are a charter operator who maintains contracts with many types of customers, some of which are professional sports teams. He said part of the contracts with those teams is buses must be secured at all times, even when parked overnight. He said the reason they were awarded the contracts is because after touring the facilities they know that they have exterior lighting, security cameras at all locations, and they have the security fencing, with gates, that only people with employee badges or passes can get through and at this time, the Kalamazoo facility has a 10-foot fence all the way across Riverview, up to the 524 Riverview Drive and on Sherwood, it has the 10-foot fence all the way up to the corner of the 524 Riverview Drive property, he added it would defeat the purpose of what they're trying to do by only allowing them to have the six-foot fencing along that particular property if the staff recommendation were followed. Mr. Cushman said for them, that one variance is the most important of the three and without it, they probably won't proceed with the project, other than the demolition of the building because currently there is a 10-foot fence behind the 524 Riverview building that runs east, west, and north, south and if they look at the plan, they only want to extend the fence up to the property frontage and secure that entire corner. He said in doing this they are adding beautification, additional pervious space that wasn't previously there, in addition to other benefits if allowed to do this but they can't do any of it if they can't maintain the security of the facility.

Chair Hohler asked for staff comments, and they are as follows: Mr. Eldridge wanted to speak to the use variance but first wanted to know how long Indian Trails has been at this site and Mr. Cushman said since 1974 or 1975. Mr. Eldridge spoke about the use variance, regarding the 1000 square foot building on the corner which used to house Metro PCS as a tenant, he believes, and said the use variance is related to removing the building and allowing this use that works with oversized vehicles to expand into that footprint of the corner and what will be in the footprint of the corner will be four additional bus parking spaces along with a substantial amount of green space being added with tree and shrub plantings, which was part of the reason staff was lending support for the use variance and because of the preexisting nature of the facility, the prior approval that was given in 2014 for the last expansion that was done on the bus repair building. He stated a larger apron was put in for better traffic circulation and more parking then, so this is a small

expansion of the site on a very visible corner. As was mentioned there is a 10-foot chain link fence directly behind the building that's being removed that runs north to the 10-foot chain link fence along Sherwood and extends the other direction to the 10-foot chain link fence that runs down Riverview so they would be removing the building, adding the green space and parking spaces, then erecting the fencing along in the frontage. Staff is in support of the variance because they understand the character of the security fencing and the fact that the chain link already wraps around the facility, but there has been no instance in the past where staff has supported putting a 10-foot chain link fence in a front setback like this but they do understand the unique nature of the operation, that the buses are stored outside, which would be another reason for the taller fencing, but that's where staff landed after doing the review.

Chair Hohler asked if anyone wanted to speak in favor and there was no one.

Chair Hohler asked if anyone wanted to speak against the variance and there was no one.

Chair Hohler asked if there were any phone calls and there were none.

Chair Hohler closed the public hearing.

Chair Hohler asked if there were any questions surrounding the finding of fact and Ms. van den Hombergh said she understands they want to shore up things and have some continuity but for clarity she said they aren't supposed to have a chain link fence and now they're asking for a 10-foot-high chain link fence in the front yard but her confusion is it sounds like some parts of the property already have the fencing but the ordinance says they're not supposed to and Mr. Eldridge stated a lot of this goes back to the history of this property and the age of the operation here and before there were limitations on chain-link fencing in the front yard, Indian Trails had 10-foot fencing along the frontage of their property, so this is a preexisting situation He said he believes some of it was replaced, or it was slightly expanded in 2014 when that variance was approved, but a lot of it goes back further than that and the chain link is on the Michigan Avenue, Riverview Drive, and Sherwood Avenue frontages, and that has been run around the site and when staff was looking at this, to require what would now be appropriate for a front yard fence, which would be decorative metal, vinyl or wood fencing it would look out of character to fill in just this corner of the facility with a different type of fencing material.

Ms. Harrington asked if that's all the professional sports teams need for safety and Mr. Cushman stated it goes beyond that, in addition there's security lighting, cameras, security systems on the motor coaches, not to get too detailed but they're all equipped with electronic logging device systems that monitor the coaches at all times and if someone tries to open a door, they have a 24 hour dispatch system that notifies dispatchers if someone is trying to break into that bus. Ms. Harrington asked what aspect of security is the chain link fence, because he said that's the most important aspect and they would scrap it and Mr. Cushman replied what he said is if they weren't able to extend the current chain link fence beyond where it is right now and right now it sits behind the building that's going to be demoed, so if they weren't able to put it up on the frontage of the property, they would have to keep the existing, demolish the building, and not do anything else. He said he has been with the company for 26 years and it was already installed and looking at the property in its entirety, they are only looking to install about 10% more fencing.

FINDING OF FACT

Mr. Wark moved the Finding of Fact as follows:

- 1) The Finding of Fact for 1015 and 1021 E. Michigan Ave./502 and 524 Riverview Dr./1014, 1018, and 1024 Sherwood Avenue shall include all information included in the notice of public hearing dated October 29, 2025, and the agenda packet that staff provided for this request.
- 2) 46 notices of public hearing were sent, and no responses were received.
- 3) A public hearing was held before the board and public comments were accepted and there were none in favor or against, and there were no call ins.
- 4) The Finding of Fact shall include all facts and comments made during the public hearing which are summarized to include, without limitation, the following:

Mr. Karl Ruiter spoke on behalf of Indian Trails and mentioned the facility opened its doors in Kalamazoo in 1974 and there's been a lot of work done but now they want to combine the parcels and turn it into one property. Mr. Chad Cushman also spoke on behalf of Indian Trails and mentioned all their facilities have 10-foot fencing for security purposes and their contracts with clients must ensure security, there are many sports teams that contract with Indian Trails. Staff supports the use variance, they like the green space and the fact that there were prior approvals on this property and this is a small expansion scope of things, but staff doesn't support the 10-foot fence however, there is 10-foot fencing on site that has been grandfathered in and covers the majority of the property and they only need another 10% to completely surrounding the property.

Mr. Urban seconded the Finding of Fact.

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

Mr. Eldridge suggested they make the motion, second the motion, have the discussion, and talk about the justification, or lack of, for that variance, vote on it and repeat the process because with the next one there is a use variance.

Ms. van den Hombergh moved to approve the application a use variance from Chapter 50, 50-4.4(12)(h), to authorize the expansion of the Indian Trails facility and bus storage onto the west half of the property at 524 Riverview Drive, where oversized vehicle related businesses are not permitted, seconded by Mr. Wark.

Discussion:

Chair Hohler asked if they know what the size of this property is because Mr. Cushman said it was about 10% of the overall amount of the fence and said granting the use variance will bring it in line with the use variance they were given in 2014. Mr. Eldridge stated that a rough calculation for

the fence extension, which would be the dimension of the property being absorbed into the property, was 75 feet along Sherwood Avenue and approximately 95 feet along Riverview Drive, so 75 x 95. Chair Hohler said the staff report mentions this spans four zones and asked if by right, can they have this type of facility in any of the four zones and Mr. Eldridge said no, if a new facility like this came into the city of Kalamazoo, it would be directed toward the M-1 or M-2 zone district because of the outdoor storage nature or outdoor parking of all of the buses and the type of operation with the automotive repair of heavy equipment going on, so it would be directed elsewhere in the city but this is grandfathered in and it does provide a solid service to the citizens of Kalamazoo. Chair Hohler asked if this was allowable at some point in any part of this property and Mr. Eldridge said the property south of this, that's closer to the railroad tracks, was formerly in an M-1, which is the limited or light manufacturing zone district so he speculates that if they went back about 40 years, the manufacturing zoning probably extended further north down Riverview Drive.

Motion was approved unanimously by a roll call vote.

Mr. Wark moved to approve the application for a dimensional variance from Chapter 50, 50-8.5A (3)(a), to authorize installation of new chain-link fence along the property frontages of Riverview Drive and Sherwood Avenue, where chain-link fence in the front yard is prohibited in all zone districts, seconded by Ms. Haan.

Discussion:

Chair Hohler stated they're in a weird spot because they have three front yards.

Mr. Wark stated he would vote in support because it's already there and Ms. Harrington agreed.

Motion was approved unanimously by a roll call vote.

Ms. van den Hombergh moved to approve the application for a dimensional variance from Chapter 50, 50-8.5C(1)(a), to authorize installation of ten (10) foot tall chain-link fencing along the property frontages of Riverview Drive and Sherwood Avenue, where only six-foot fencing is permitted in the front areas, seconded by Mr. Wark.

Discussion:

Chair Hohler asked if 10-foot fencing is allowed anywhere in the city and Mr. Eldridge stated the only situation where fencing over eight feet would be allowed would be for uses in the Manufacturing zone district so if it was a scrap and salvage or towing business, they could have up to 12 feet in height, so there are some circumstances where 12 foot fences are permissible and he believes Kalamazoo Metal Recyclers has that around their facility. Chair Hohler asked about the fencing material allowed in the front yard and said that by decorative metal, he's assuming that isn't the steel planks that look more like a wall and is he talking about a wrought iron fencing and Mr. Eldridge said yes, and the aluminum decorative fencing that looks like wrought iron. Ms. Harrington asked if the businesses in the industrial areas had to get variances or were those tall fences by right and Mr. Eldridge stated it was by right and added that on Hatfield and Lake Street there was a variance for taller fencing for the trucking operation that has frontages on three streets,

next door to Juliana's restaurant and Chair Hohler asked if that is the one that has the big metal panels and Mr. Eldridge said yes, it came in for a height variance and is in the Manufacturing zone.

Mr. Wark stated it's grandfathered in and he's voting for it.

Motion was approved unanimously by a roll call vote.

ZBA#25-11-20: 1327 Sherwood Avenue: An application for a variance for the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Isaac Ogola. The applicant is requesting a use variance from Chapter 4, Section 4.1, to increase this Adult Foster Care Group Home from six (6) residents to ten (10) residents, where medium group homes (7-12 residents) are not permitted in this residential zone 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.

Isaac Ogola, representative of the owner of the property, stated they were notified that the zoning ordinance recently changed, but the property was previously used by another operator as an adult foster care home, and is currently set up for 10 beds and has three full bathrooms. He said as an adult foster care home, they have full-time live-in staff who monitor and take care of the residents, plus an administrator who is directly responsible for the safety and wellbeing of the residents and reports directly to LARA and the licensing authority for foster care homes. He stated with the current ordinance of six they will be operating below capacity and the abilities presented by this facility based on the previous owner operations and they know there is a shortage of facilities like this in other communities and this is a problem they are trying to help solve. Mr. Ogola said he walked to each of his neighbors asking if there were any problems with the previous owner's operations, having 10 individuals living there and there were no concerns, he stated that most of the neighbors had lived there for 50 years, 40 years and the least has lived in the area for about 10 years. He said he attached letters of support to his application and added that the facility has a fire alarm system that is monitored by IO and the police department and said he was pleased with the staff report on this facility and he believes that the current and proposed use is in line with the strategic goal of the ordinance and for those reasons he is requesting a variance on the use of the facility to allow them to give this service to the community he added that he also believes the facility presents a very lively outlook for this neighborhood and he believes that's what the neighbors want because they enjoyed the presence of people living in the place because they used to hang out with some of them and when it closed it presented a different atmosphere and he believes that by reopening it will bring back the neighborhood spirit.

Chair Hohler asked for staff comments, and they are as follows: Mr. Eldridge stated as far as the zoning is concerned, the enforcement of the ordinance as written for the RD-19 district would not allow for full use of the facility. It is an eight-bedroom, adult foster care home, and is set up with bathrooms on all levels, kitchen facilities and the fire safety equipment is in place and was one thing staff leaned was the existing floor plan and what it was built out for as a special circumstance. He added that historically, while he was digging for facts on the Indian Trails site, and this property, he stated he found this has been an adult foster care home for the last 35 years and the way the old ordinance reads is that adult foster care was an allowable use, and wasn't specific to small, medium, or large group homes and what was going on was a legal conforming use until 2023, when the former owner allowed the license to lapse and closed the home. He said when he

was contacted about opening it back up for 10 individuals, his thought was the ordinance only allows up to six but not 10. He added this is a use variance and even though they are talking about a numerical standard from six to 10, because those are different use categories in the land use table, that's what makes this a use variance because it's going from a small group home to a medium/large group home which is the next land use category. He wanted to note that because there have been other adult foster care homes before the board that have asked to expand their numbers in the past, this one isn't deep inside a neighborhood like the one in the Burke Acres neighborhood, this one is across the street from an apartment complex and is roughly two blocks from East Main Street which puts it close to a main thoroughfare, which were other supporting items that staff leaned on when looking at the review criteria in order to support this use variance doesn't feel it's out of character with the neighborhood. He added that there are letters of support, which two are from the immediate neighbors, and three other letters were submitted for neighbors that also live in close proximity to this site. Staff is in support.

Chair Hohler asked if anyone wanted to speak in favor and there was no one.

Chair Hohler asked if anyone wanted to speak against the variance and there was no one.

Chair Hohler asked if there were any phone calls and there were none.

Chair Hohler closed the public hearing.

Chair Hohler asked the age range and Mr. Ogola stated 18-80 years old but said they will support anyone who needs support. Chair Hohler said he assumes some of the residents would have aged out of foster care and Mr. Ogola said he believes so.

Chair Hohler asked if there were any questions surrounding the finding of fact and Ms. van den Hombergh

FINDING OF FACT

Ms. Haan moved the Finding of Fact as follows:

- 1) The Finding of Fact for 1327 Sherwood Avenue shall include all information included in the notice of public hearing dated October 29, 2025, and the agenda packet staff provided for this request.
- 2) 40 notices of public hearing were sent, and five responses were received: David Kuhl, owner of 613 Dwight Avenue, Jay Hickener, tenant of 613 Dwight Avenue, apartment #2, Jack Page, owner of 617 Dwight Avenue, Ramone Wogoman, owner of 620 Dwight Avenue, and Maureen M. Bunniss of 1319 Sherwood Avenue, all in support.
- 3) A public hearing was held before the board and public comments were accepted and there were none in favor or against, and there was no call ins.

- 4) The Finding of Fact shall include all facts and comments made during the public hearing which are summarized to include, without limitation, the following:

Mr. Isaac Ogola stated that the facility had been used as a 10-bed facility and has three full baths. and is built out for 10 residents. There are full-time, live-in staff who are responsible for resident safety and well-being, and they are licensed and overseen by the state of Michigan. They want to expand based on the previous capacity of the facility and not doing so would be an underutilization and this building has been an adult foster care home for over 35 years and was historically legally conforming until the previous owner closed it in 2023, and the current ordinance only allows for up to six residents but expanding it will not cause disruptions in the neighborhood or the existing operations.

Mr. Wark seconded the Finding of Fact.

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

Mr. Wark moved to approve the application for a use variance from Chapter 4, Section 4.1, to increase this Adult Foster Care Group Home from six (6) residents to ten (10) residents, where medium group homes (7-12 residents) are not permitted in this residential zone district, seconded by Ms. Haan.

Discussion:

Chair Hohler stated he would be in support but wanted to say the staff report is right on with everything and the criteria the board has to apply is made for this type of situation, but he wanted to highlight in number one where it talks about the literal interpretation enforcement would deprive the applicant for all practical purposes and someone might say “Well, it’s not depriving the applicant of all purposes, they could still put six in there and use it...”, but given that the facility is intended for 10, that is not a practical use of the facility and he would say if they don’t approve it, they are depriving them of the practical purpose that it was made for, and which it operated under for 35 years.

Motion was approved unanimously by a roll call vote.

E. DISCUSSION/ACTION ITEMS:

2. Imagine Kalamazoo 2035 Update as presented by Ms. Haan and Ms. Harrington

Strategic vision for Imagine Kalamazoo 2035, the goal is to establish a strategic vision and municipal plan to guide city policies, investments and development through 2035. The agenda included IK2035 Engagement and Outreach, Analysis and Initial Results of the Input Received through community engagement, Strategic Framework: A Happy, Healthy City and Next Steps.

There are four phases: phase one (Imagine It) started in 2024, Plan It, Design It, and Adopt It, the final phase should happen in spring of 2026, but the municipal plan doesn't expire until October 2027.

The outreach and engagement activities performed in the first two phases included asking big, broad questions such as what was transformative over the last 10 years, what remains an obstacle or challenge, how do we use this information to look forward 10 years? Activities included empowering communities to have meetings on their own and share results with city staff, online version of all of the studies, meetings with the boards, and Imagine Kalamazoo reads. There were public meetings and focus groups designed to make sure the goals and information were enough to create the outcomes and during community engagement there was a total of 4,299 points of contact. The lens used to move from engagement to refinement included data sources, target markets, national community surveys, Safe Street and Road for All Plan, community voices, 4,300+ points of contact, and best practices, and staff expertise in addition to impactful data and what city staff wanted to learn from the community.

Vision, purpose, values and goals: Vision future look and feel of the community. Organizational purpose is why city staff does what it does, organizational values are shared expectations to implement the community's goals, and guiding principles and goals define the future direction.

Vision statement is in 2035, all Kalamazoo neighborhoods are supported by sustainable, responsive, and accessible services that lift people up and bring our community together at every stage of life.

Organizational purpose is to provide essential resources, services, and exceptional customer service to ensure the well-being of our residents and the sustainable growth of our city.

Organizational values include integrity, learning, inclusion, customer service, accountability, teamwork, and safety.

Strategic vision framework: a happy, healthy city, the full document presenting the framework was unavailable.

Engagement to plan implementation will go from raw information and input to comprehensive vision and will use the strategic vision to align all other plans and in 2035 will spend more time internally to set up successful implementation via internal departments working together to achieve the community vision and short-term department plans to achieve community vision. Neighborhood next steps happen through the engagement process and plan alignment.

The five guiding principles and strategic goals include the city's commitment to arts, culture, and placemaking, community trust and safety, economic vitality, effective city operations, environment, housing, transportation, and youth and family.

Adopting the strategic vision will include a presentation of the draft at City Commission, Planning Commission presentation, and final approval of the document in February.

The "Design It" phase starts this winter and includes neighborhood meetings, online activities, focus groups, and Imagine Kalamazoo Reads.

Mr. Eldridge added that Strategic Goals comes into play with many variance requests and there is a header in the staff report that he puts together for each case. A short paragraph identifies the alignment with Strategic Goals if there is a linkage with a variance requested.

REPORTS:

ADJOURNMENT:

The meeting was adjourned at 8:53 p.m.

Submitted By _____ **Date** _____
Recording Secretary

Reviewed By _____ **Date** _____
City Staff

Approved By _____ **Date** _____
Chair



Zoning Board of Appeals Staff Report

Date: **12/11/2025**
Item: **D.1.**

City of Kalamazoo

TO: Zoning Board of Appeals

FROM: Reviewed by: Christina Anderson, AICP, City Planner / Deputy Director of CPED
Prepared by: Pete Eldridge, AICP, Zoning Administrator

DATE: December 11, 2025

SUBJECT: ZBA #25-12-22: 130 Portage Street. The City of Kalamazoo is requesting a dimensional variance from Chapter 50-8.5 D 2(b)[2], to erect a 2.5-foot picket fence around the ground-mounted mechanical units where a solid fence tall enough to screen the mechanical units is required.

BACKGROUND:

The City Administration is working on upgrading public spaces around the downtown. The two sites that design work is underway for at this time are the pedestrian plaza over Arcadia Creek on the west side of N. Rose Street and the pedestrian space between Farmers Alley and Portage Street. During the meetings discussing the site improvements, the screening of the mechanical equipment on the ground between Farmers Alley and Portage Street was brought up. At present, the site is nonconforming as there is no solid screening fence obscuring the view of these mechanical units. The Ordinance states that a screen shall be provided via a fence, wall or vegetation that fully obscures the view of the equipment.

The intention for the Farmers Alley space was to make it feel more inviting, open and improve safety. The area is tucked behind buildings on three sides and quite secluded for being in the middle of the downtown. To accomplish the objectives, the walks will be redesigned, low growth ground vegetation and trees are planned for landscaping. Fencing around the site will all be see-through type fencing. The mechanical equipment location is unique as it extends out into this space, and the pedestrian walks wrap around it. Therefore, to keep the feel of the space open and be able to look across the site, the fencing must be short enough to look over. Second, to eliminate blind spots or blind corners, the see-through type fencing previously mentioned will apply here too. What is proposed to limit access to the mechanical area yet, meet the objectives, is a 2.5-foot picket fence around the ground-mounted mechanical units.

STRATEGIC VISION ALIGNMENT:

Inviting Public Places - Vibrant streets, exceptional parks, and welcoming activities.

Strategic Goal, Master Plan 2025 Impact:

This project touches on the Strategic Goal of Inviting Public Places with the upgrading of the pedestrian space with new walkways, landscaping, lighting and fencing. This location is within the downtown and will provide improved pedestrian access through this block.

COMMUNITY ENGAGEMENT:

Inform (one-way conversation) – the community will be made aware of the project.

Appropriate Depth of Engagement:

A notice was published in the Kalamazoo Gazette on November 26, 2025. A Notice of the public hearing was also mailed out to all property owners within 300 feet of the subject property.

Engagement/Communication Tools:

Newspaper and mailings to property owners.

FINDINGS:

Staff has made the following findings regarding this request:

1. That 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 special circumstances are the unique location of the ground-mounted mechanical equipment, which is obscured from view of public streets on three sides by buildings. Further, safety is a significant concern given that this is city-owned open space intended for public use.

2. That there are special circumstances which are not the result of the actions of the applicant or titleholder of the land.

The special circumstances are not the result of the actions of the applicant. The buildings that surround this site and make it feel secluded / difficult to monitor for KDPS are all privately owned.

3. That 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.

The enforcement of the provisions of the Ordinance would require a minimum of a four to five foot solid barrier to fully screen the view of the mechanical equipment. This would create a situation that would be difficult to monitor from a

safety standpoint and would also make pedestrians feel less comfortable using these walks.

4. That 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.

This request is the minimum action necessary to address the safety concerns for the site. An email has been received from KDPS Deputy Chief Matt Huber stating the short fence would be the best option for aesthetics and safety.

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

The granting of the variance will not adversely impact adjacent properties. The mechanical equipment will be more secure than in the past as there currently is not any fencing around this equipment.

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

The granting of the variance will be consistent with the Ordinance to create an aesthetically pleasing downtown public space that all can safely enjoy.

7. Where the requested dimensional variance involves required landscaping, the Zoning Board of Appeals may grant a variance upon the following additional criteria: 1) existing landscaping, screening or wetlands intended to be preserved meets the intent of this section; 2) the landscape design proposed by the applicant meets the intent of this section; 3) there is a steep change in topography that would limit the benefits of required landscaping; 4) the proposed building and parking lot placement is setback well beyond the minimum required; 5) the abutting or adjacent land is developed or will be developed in the near future with a use other than residential; and 6) similar conditions to the above exist such that no good purpose would be served by providing the landscaping or screening required.

This criterion is not applicable to the requested variance.

RECOMMENDATION:

Staff recommends approval of the dimensional variance as it meets the above criteria.

3D View of Public Space:

130 Portage Street



Picture from Farmer's Alley



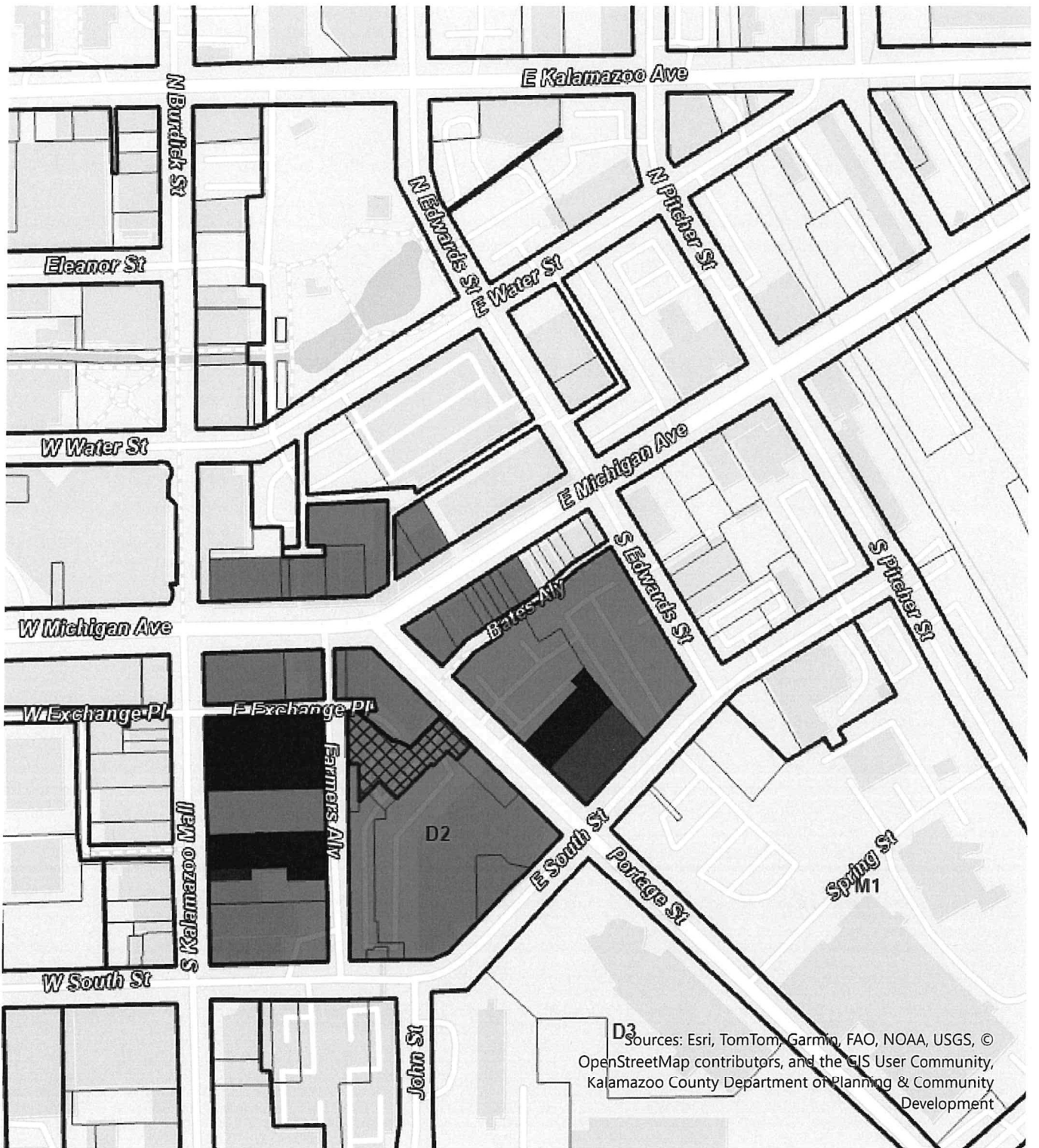
Rendering of Proposed Improvements 1



Rendering Proposed Improvements 2







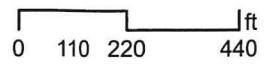
Rendering of Proposed Improvements 3



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Kalamazoo County Department of Planning & Community Development

Parcels within 300' Mailing Radius 130 Portage Street

-  Subject Property
-  Property within 300' Mailing Radius
-  Other Property
-  Zoning District Boundary



From: [Huber, Matthew](#)
To: [Kik, Rebekah](#); [Juday, David](#); [Tibbets, Ryan](#); [Boysen, Dave](#); [Green, Victor](#)
Subject: Re: Farmer's Alley Equipment Screening
Date: Tuesday, October 7, 2025 10:26:58 AM
Attachments: [image001.png](#)

Good morning,

I like the new plans and the concept of opening up the space. Having a shorter fence would be the best in my opinion both aesthetically and for safety as identified in Brandons email. We would be happy to support you with the variance request.

Matt

From: Kik, Rebekah <kikr@kalamazoocity.org>
Sent: Tuesday, October 7, 2025 10:12
To: Huber, Matthew <huberm@kalamazoocity.org>; Juday, David <JudayD@kalamazoocity.org>; Tibbets, Ryan <tibbetsr@kalamazoocity.org>; Boysen, Dave <boysend@kalamazoocity.org>; Green, Victor <greenv@kalamazoocity.org>
Subject: FW: Farmer's Alley Equipment Screening

Good morning Chief Boysen and Team,

I wanted to loop your team in on a project that is happening in Farmer's Alley. You can see in the existing space photo that the landscaping is over grown and people often camp/stay in the bushes there. The proposal is to open the area up so that is less likely. D/C Huber and I have discussed a camera location at the plaza as well and we will have a mount for it installed. Our zoning code isn't quite as savvy however and I would need to get a variance to not have a fence that covers the equipment. I'd like your thoughts on lower fence and if you would support me in going to the zoning board to get the variance – or if you think the taller fence will be okay because we have the camera?

Thank you all for your input!
Kindly,
Rebekah

From: Brandon Woodle <Brandon.Woodle@smithgroup.com>
Sent: Friday, October 3, 2025 3:09 PM
To: Eldridge, Peter <eldridge@kalamazoocity.org>
Cc: Allison Marusic <Allison.Marusic@smithgroup.com>; Kelli Duff <Kelli.Duff@smithgroup.com>; Danfeng Zhang <Danfeng.Zhang@smithgroup.com>; Kik, Rebekah <kikr@kalamazoocity.org>; Szymanski, Emily <szymanskie@kalamazoocity.org>
Subject: Farmer's Alley Equipment Screening

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Pete,

As we discussed on the phone, attached are three views and our documents showing the proposed decorative equipment screen fence for Farmer's Alley. I also included a streetview from June of this year.

Here are some points as to why we are proposing a short fence:

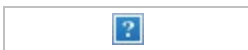
- Safety issues with the current space would continue with a tall opaque fence
 - People have been caught sleeping behind the tall shrubs and living in empty equipment boxes
 - Visibly splits the space in half, reducing visibility and creating a blind corner
- A short, semi-transparent fence increases safety and visibility
 - Provides visibility to see if someone is hiding / sleeping in the equipment area. Visibility also discourages this use of the space.
 - Provides better visibility not just around equipment, but of the entire space, increasing safety and comfort
- Short fence will be decorative and paired with landscape to still make a nice experience
- This area is a back-of-house space for surrounding buildings, which reduces the negative impact of visible equipment boxes on surrounding properties and R.O.W. travelers

Please let us know how we should approach the site plan approval process. We appreciate your help and guidance.

Thanks and happy Friday!
Brandon

BRANDON LARSON WOODLE PLA, ASLA
He/Him/His

Associate | Landscape Architect
T 734.669.2677





ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details (may also provide on a separate sheet):

Review Criteria for Dimensional Variances

ZBA will review all Dimensional Variance requests using the following criteria. Please reach out to staff if you have questions.

Are there conditions, like unusual topography, the shape of the lot or structure that are not commonly found on other lots or structures in the same zone district that make this request unique?

Are there special circumstances which are not the result of the actions of the applicant or property owner of the land that impact the project?

Does the Ordinance deprive the applicant of rights enjoyed by other property owners in the same zone district?



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Is this the minimum action which will make it possible to use the lot or structure in a manner that does not negatively impact the public and meets the spirit of this Ordinance?

Will the granting of the variance negatively affect adjacent land?

Will the granting of the variance be generally consistent with the purpose and intent of this Ordinance?

Additional Criteria for Variance Requests for Required Landscaping

Does existing landscaping, screening or wetlands planned to be preserved meet the intent of the Ordinance?

Does the landscaping proposed by the applicant meet the intent of this section?



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Are there steep changes in topography that would limit the benefits of landscaping?

Are the proposed building and parking lot locations setback beyond the required setback?

Are there abutting lands developed or could be developed in the near future with a use other than residential?

Do similar landscaping conditions exist which would result in no added benefit if additional landscaping or screening was provided?



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ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION		
Name: <i>Rebekah Kik</i>		Mailing Address: <i>241 W. South St.</i>
City: <i>Kalamazoo</i>	State: <i>MI</i>	ZIP Code: <i>49007</i>
Phone: <i>331-8893</i>	Email: <i>kikr@kalamazoo.org</i>	Preferred Contact: <input checked="" type="checkbox"/> Email <input type="checkbox"/> Phone
PROPERTY OWNER INFORMATION		
<i>If the applicant is not the property owner, owner must sign application or provide a letter stating that owner gives consent for the application to be filed.</i>		
Name:		Mailing Address:
City:	State:	ZIP Code:
Phone:	Email:	Preferred Contact: <input type="checkbox"/> Email <input type="checkbox"/> Phone
PROPERTY INFORMATION		
Property Address(s): <i>Within ROW @ Farmers Alley Plaza</i>		
Parcel Identification Number(s):	Zone District (kalamazoo.org/maps):	
TYPE OF REQUEST		
<input checked="" type="checkbox"/> Dimensional Variance from Chapter(s) _____, Section(s) _____	<input type="checkbox"/> Appeal of an Administrative Decision	
<input type="checkbox"/> Use Variance to allow _____	<input type="checkbox"/> Interpretation of Zoning Ordinance, Chapter(s) _____, Section(s) _____	
<input type="checkbox"/> Natural Features Protection Variance	<input type="checkbox"/> Temporary Use Approval	
Reason for Request: <i>For security reasons, reducing the height of the fence.</i>		
ATTACHMENTS		
<input type="checkbox"/> \$ _____ Fee	<input checked="" type="checkbox"/> Type Plan detailing variance request, plat, site plan, sketch plan can all be used.	
<input checked="" type="checkbox"/> Review Sheet for Request Type	Optional: Photos of property, architecture plans, etc.	
<i>Note: 10 days before meeting provide update on outreach to neighbors or provide any letters of support</i>		
SIGNATURE		
Signature of Applicant: <i>R. Kik</i>		Date: <i>10/15/25</i>
Signature of Owner (if different than applicant):		Date:



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

November 26, 2025

**RE: ZBA #25-12-22
130 Portage Street
Parcel #06-15-382-201**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by the City of Kalamazoo for 130 Portage Street in the Downtown -2 District (D-2).

The applicant is requesting a dimensional variance from Chapter 50-8.5 D 2(b)[2], to erect a 2.5-foot picket fence around the ground mounted mechanical units where a solid fence tall enough to screen the mechanical units is required.

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, December 11, 2025, at 7 p.m. in the City Commission Chambers at City Hall, 241 W. South Street. This meeting will also be streamed live on the [City's Facebook page](#) and [YouTube Channel](#).

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,

Peter C. Eldridge, AICP
Zoning Administrator



Zoning Board of Appeals Staff Report

Date: **12/11/2025**

Item: **D.2.**

City of Kalamazoo

TO: Zoning Board of Appeals

FROM: Reviewed by: Christina Anderson, AICP, City Planner / Deputy Director of
Community Development
Prepared by: Pete Eldridge, AICP, Zoning Administrator

DATE: December 11, 2025

SUBJECT: ZBA #25-12-23: 124 Martin Street. Valley Vision Construction & Development, LLC is requesting a dimensional variance from Appendix A, Chapter 5, Section 5.1, of 5 feet from the required 25-foot front yard building setback from Martin Street to authorize the new single-family home to be setback 20 feet from the front property line.

BACKGROUND:

Valley Vision Construction & Development LLC has plans to add several new housing units to the street frontage of Martin Street, which extends from N. Burdick Street to the cul-de-sac abutting this lot, which also faces Krom Street. These properties are all in the Residential – Single Dwelling District along Martin Street and Krom Street. The developer combined 1625 and 1629 Krom Street into one lot combination, which is now 124 Martin Street. 124 Martin Street has a depth of 66 feet and is considered a double frontage lot with frontage on both Krom Street and the cul-de-sac of Martin Street. The developer also has a 20-foot-wide utility easement on the south side of 124 Martin Street, which pushes the development envelope for the house and attached garage further to the north. The shallow depth of the site, double frontage, and the proposed utility easement have made it difficult to comply with the building setbacks.

The average front setback has been evaluated for Krom Street, given the age of the homes on Krom Street. This average front setback is 10 feet, which provides the developer with relief on this frontage. However, the Martin Street frontage requires a 25-foot setback. The developer is requesting relief of five feet from the front setback on Martin Street due to these site constraints.

The Zoning Board of Appeals granted this same dimensional variance on March 9, 2023. During the public hearing, two Krom Street residents spoke in opposition, expressing concerns about what the back of the house would look like from Krom Street. Staff explained to the ZBA that the rear of the structure, which would face Krom Street would be looked at in more detail when the Building Permit was submitted to make sure, aesthetically, the rear of the house blends with the existing homes Krom Street. The developer did include with the Building

Permit a Krom Street elevation view, which is in the packet. It shows windows at the back of the garage and the home. The elevation view also shows landscaping of the Krom Street front yard.

STRATEGIC VISION ALIGNMENT:

Complete Neighborhoods — residential areas that support the full range of people's daily needs

Strategic Vision, Master Plan 2025 and Neighborhood Plan Impact:

This project touches on the Strategic Vision goal of Complete Neighborhoods as it will result in new housing in the Northside Neighborhood. This also aligns with the Future Land Use Plan as this area is identified as 'R1- Low Density Residential'. Lastly, the Northside Neighborhood Plan includes strategies/goals to preserve existing housing and build new housing.

COMMUNITY ENGAGEMENT:

Inform (one-way conversation) – the community will be made aware of the project.

Appropriate Depth of Engagement

A notice was published in the Kalamazoo Gazette on November 26, 2025. Notice of the public hearing was mailed out to all property owners within 300 feet of the subject property. The applicant has reached out to the Northside Association for Community Development and will be reaching out to neighboring property owners.

Engagement/Communication Tools:

Newspaper, mailings to property owners, and outreach to neighborhood associations.

FINDINGS:

Staff has made the following findings regarding this request:

1. That 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 special circumstances are related to the shallow depth of lots at 66 feet, frontage on two public streets, and the 20-foot utility easement for water and sewer across the south side of the site to extend utilities to the cul-de-sac of Martin Street.

2. That there are special circumstances which are not the result of the actions of the applicant or titleholder of the land.

The applicant has not created the current circumstances with this site at 124 Martin Street. These were existing platted lots combined for redevelopment. Further, the new utilities running down Martin Street had to cross the end of the cul-de-sac to link to the lines on Krom Street. There was no alternative location.

3. That 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.

The literal interpretation of the Ordinance would reduce the already shallow building envelope planned by the developer by an additional five feet. It is unusual to have a double frontage lot with such a shallow depth.

4. That 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.

The granting of the variance is the minimum action necessary, which will allow for a slightly larger building envelope for this site given the constraints. The back of the home facing Krom Street will align with the setbacks of the existing homes on this street.

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

The granting of the variance will not adversely affect adjacent properties. This setback variance will be for the Martin Street frontage and this is the only lot at the end of the cul-de-sac.

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

The granting of this variance will be consistent with the intent of the Ordinance with regard to promoting infill development.

7. Where the requested dimensional variance involves required landscaping, the Zoning Board of Appeals may grant a variance upon the following additional criteria: 1) existing landscaping, screening or wetlands intended to be preserved meets the intent of this section; 2) the landscape design proposed by the applicant meets the intent of this section; 3) there is a steep change in topography that would limit the benefits of required landscaping; 4) the proposed building and parking lot placement is setback well beyond the minimum required; 5) the abutting or adjacent land is developed or will be developed in the near future with a use other than residential; and 6)

similar conditions to the above exist such that no good purpose would be served by providing the landscaping or screening required.

These criteria are not applicable to the requested variance.

RECOMMENDATION:

Staff recommends approval of the dimensional variance as it meets the above criteria.



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

November 26, 2025

**RE: ZBA #25-12-23
124 Martin Street
Parcel #06-10-342-161**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by the Valley Vision Construction & Development, LLC for 124 Martin Street located in the Residential – Single Dwelling District (RS-5).

The applicant is requesting a dimensional variance from Appendix A, Chapter 5, Section 5.1, of 5 feet from the required 25-foot front yard building setback from Martin Street to authorize the new single-family home to be setback 20 feet from the front property line.

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, December 11, 2025, at 7 p.m. in the City Commission Chambers at City Hall, 241 W. South Street. This meeting will also be streamed live on the [City's Facebook page](#) and [YouTube Channel](#).

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,

Peter C. Eldridge, AICP
Zoning Administrator



Community Planning & Economic Development

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 (269) 337-8026 • www.kalamazoo.org

ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION		
Name: Darnell Clay		Mailing Address:
City: Kalamazoo	State: Michigan	ZIP Code: 49007
Phone: 26977987093	Email: trustvalleyvision@gmail.com	Preferred Contact: <input checked="" type="checkbox"/> Email <input type="checkbox"/> Phone
PROPERTY OWNER INFORMATION		
<i>If the applicant is not the property owner, owner must sign application or provide a letter stating that owner gives consent for the application to be filed.</i>		
Name: Valley Vision Construction & Development		Mailing Address: 1214 W. Paterson
City: Kalamazoo	State: Michigan	ZIP Code: 49007
Phone: 269 779-8703	Email: trustvalleyvision@gmail.com	Preferred Contact: <input type="checkbox"/> Email <input type="checkbox"/> Phone
PROPERTY INFORMATION		
Property Address(s): 124 Martin St. Kalamazoo, MI 49007		
Parcel Identification Number(s): 06-10 342-161		Zone District (kalamazoo.org/maps):
TYPE OF REQUEST		
<input checked="" type="checkbox"/> Dimensional Variance from Chapter(s) _____, Section(s) _____		
<input type="checkbox"/> Use Variance to allow _____		
<input type="checkbox"/> Natural Features Protection Variance		
<input type="checkbox"/> Appeal of an Administrative Decision		
<input type="checkbox"/> Interpretation of Zoning Ordinance, Chapter(s) _____, Section(s) _____		
<input type="checkbox"/> Temporary Use Approval		
<p>construct 4 bed 2 bath home with some backyard allowance</p>		
ATTACHMENTS		
<input type="checkbox"/> \$ _____ Fee		
<input checked="" type="checkbox"/> Type Plan detailing variance request, plat, site plan, sketch plan can all be used.		
<input type="checkbox"/> Review Sheet for Request Type		Optional: Photos of property, architecture plans, etc.
<i>Note: 10 days before meeting provide update on outreach to neighbors or provide any letters of support</i>		
SIGNATURE		
Signature of Applicant:		Date: 10/22/25
Signature of Owner (if different than applicant):		Date:



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details (may also provide on a separate sheet):

Review Criteria for Dimensional Variances

ZBA will review all Dimensional Variance requests using the following criteria. Please reach out to staff if you have questions.

Are there conditions, like unusual topography, the shape of the lot or structure that are not commonly found on other lots or structures in the same zone district that make this request unique?

Are there special circumstances which are not the result of the actions of the applicant or property owner of the land that impact the project?

Does the Ordinance deprive the applicant of rights enjoyed by other property owners in the same zone district?



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Is this the minimum action which will make it possible to use the lot or structure in a manner that does not negatively impact the public and meets the spirit of this Ordinance?

Will the granting of the variance negatively affect adjacent land?

Will the granting of the variance be generally consistent with the purpose and intent of this Ordinance?

Additional Criteria for Variance Requests for Required Landscaping

Does existing landscaping, screening or wetlands planned to be preserved meet the intent of the Ordinance?

Does the landscaping proposed by the applicant meet the intent of this section?



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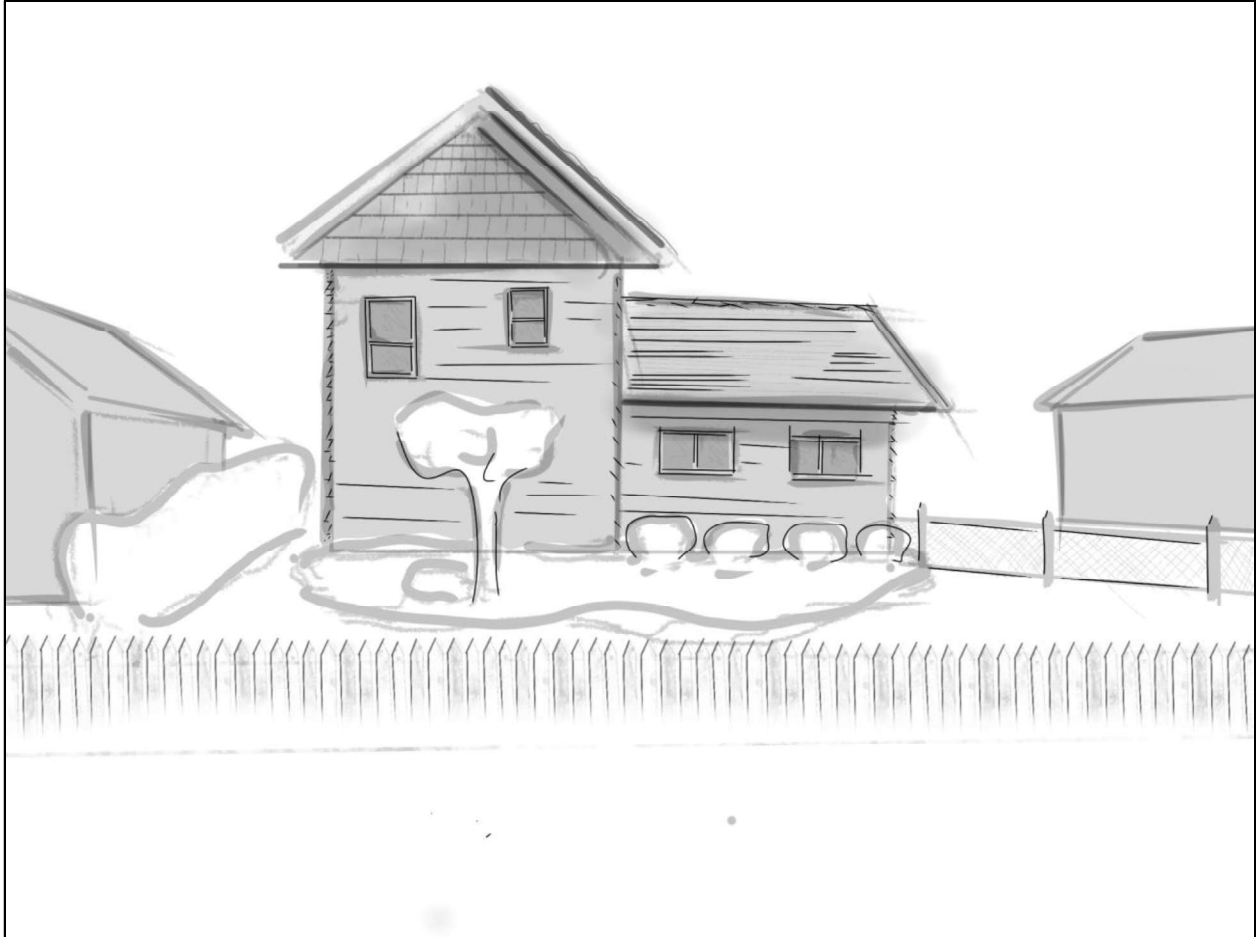
Are there steep changes in topography that would limit the benefits of landscaping?

Are the proposed building and parking lot locations setback beyond the required setback?

Are there abutting lands developed or could be developed in the near future with a use other than residential?

Do similar landscaping conditions exist which would result in no added benefit if additional landscaping or screening was provided?

Elevation View from Kromm Street



From Darnell Clay via email at 3:31 on October 24, 2025...

“Good afternoon Mr Eldridge as promised, we intend to install the garage windows and landscaping in rear of 124 Martin. Please add this to the updated building permit for 2025.”



View From End of Martin Street Cul-de-sac Looking Toward Krom Street

**MINUTES
CITY OF KALAMAZOO
ZONING BOARD OF APPEALS
March 9, 2023 - 7:00 p.m.
CITY COMMISSION CHAMBERS**

Members Present: Beth van den Hombergh, Matt Lager, Jeff Carroll, Jeremy Terpening

Members Absent: Jerrid Burdue, Remi Harrington

City Staff: Pete Eldridge, Zoning Administrator; Charles Bear, Assistant City Attorney; Shelby Donaldson, Recording Secretary

Chair van den Hombergh called the meeting to order at 7:00 p.m.

Chair van den Hombergh asked if there were any changes to the agenda and Mr. Eldridge noted there were none.

Mr. Eldridge performed a roll call of board members present for the meeting.

APPROVAL OF MINUTES:

Mr. Lager moved to approve the minutes of February 9, 2023 as submitted, seconded by Mr. Terpening. The motion was approved by voice vote unanimously.

PUBLIC HEARINGS: Chair van den Hombergh 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 in favor of the application where they will state their name and address and speak for four minutes. Following that those in opposition will be invited to speak for four minutes and afterward, those received via phone will be aired for the panelist and audience. The public can call in to 888-382-9556 to enter a queue to comment live to the board for any property on the agenda then the public hearing will be closed on that request. The Board would then conduct the finding of facts. The Board must approve the Finding of Fact. Therefore, the first vote you hear 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 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 to grant a motion for a non-use or use variance. She explained that since there are only four members present, all four would have to be in favor.

Mr. Lager read the application for 1625 and 1629 Krom Street

ZBA#23-03-04: 1625 and 1629 Krom Street: An application for a dimensional variance to the provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by Valley Vision Construction & Development, LLC for 1625 and 1629 Krom Street, located in the Residential-Single Dwelling District (RS-5). The applicant is requesting a dimensional variance from Appendix A, Chapter 5, Section 5.1 of five feet from the required 25-foot building setback off of Martin Street for these two lots.

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.

Mr. Eldridge pointed out that staff reached out to the applicant prior to tonight's meeting, letting him know there was only quorum present tonight and in order to pass, all four board members must vote in favor, and the applicant was ok to proceed.

Mr. Darnell Clay, of Valley Vision Construction & Development, LLC, who resides at 1214 W Paterson Street in Kalamazoo Michigan, stated he purchased property on Krom, which was originally eight lots. He said after some careful designing and consideration, as far as neighborhood requests and what people want to see in a home, he finalized a development which will now, possibly, consist of four homes. The variance is necessary because there used to be homes on each lot, but one in particular, is a double frontage lot on Krom and Martin Street. There is an anticipated water main extension across the south side of the lot which needs to remain open. The lot is shallow, at 66 feet deep, and the original home on it faced Krom Street. They have changed all of the addresses to Martin Street addresses and are asking that all of the homes be allowed to face Martin Street. He added that for the flow and design aesthetics of the neighborhood and because the entrance of the neighborhood would come in from Martin Street, it would privatize that neighborhood. He added that it would be a benefit to the community, it would add value to the community, and they would be able to provide a home for another family if they could build on the lot. He is asking for a dimensional variance because the lot is so shallow.

Mr. Lager wanted to clarify that on Martin, the required setback is 25 feet and wanted to know if Mr. Clay needed the setback to be 20 feet and Mr. Clay answered that the setback would be 20 feet facing the Martin side, which would be the cul-de-sac, and 10 feet setback from the Krom Street side. Mr. Lager asked if he just needed five extra feet from the Krom side and Mr. Clay said yes. For this site plan, he must keep the south part of that parcel open for anticipated city utility connections, so they are pushed farther north with an allowable setback, but it's shallow on the front and back sides, so what would be considered 25 feet would now be 20 feet and what would be 25 on the rear would now be 10 feet. Mr. Carroll asked if he's requesting two setback changes and Mr. Eldridge asked for permission to clarify the wording of the request. He said what isn't shown on the layout is all of the other homes on Krom Street. The ordinance allows for the averaged front setback to be utilized when 25 percent or more of the lots on the same side of the street are built upon, between two intersecting streets. He said looking at the existing homes on Krom, the averaged front setback is 10 feet, so the home proposed will meet the averaged setback from Krom Street however, on Martin Street, there are no other residences because it's composed of vacant lots, there's no averaging to apply and because it's the RS-5 zone district, it's a 25 foot front yard setback unless you can apply an average, so the 25 foot front yard setback applies from the end of the Martin Street cul-de-sac, so from the cul-de-sac to the front of the house, it's that

distance of 20 feet that's shown on the plan where the required setback would be 25. Chair van den Hombergh asked Mr. Clay if he had more to add and he said no but he's excited about the prospect of putting four families into nice homes in a respectable community.

Chair van den Hombergh asked for comments/questions from the public in favor of the project and there were none.

Chair van den Hombergh asked for comments/questions from the public opposing the project and Mr. Brett Lawrence of 1724 Krom spoke. He asked Mr. Clay if the two houses on Krom Street were going to become backyards to Krom or are they going to be facing forward to Krom and Mr. Clay said it's only one house and the front would be facing Martin. Mr. Lawrence said his concern is that their neighborhood has some owners that have been there for over 50 years, and they don't want a house that is going to have a back yard toward them, even though he understands Mr. Clay is trying to make a cul-de-sac, they have a defined neighborhood in that area and have worked very hard keeping it stable over many generations. He stated his parents bought their house in 1972 or '71, so he's been there for over 50 years. He said he doesn't like the offset of someone coming into the neighborhood with all of these nice, older homes then all of a sudden, you see the back yard of this house. Mr. Lawrence said that is the only downside that he can see because other than that, he is enjoying what Mr. Clay is trying to do in the community, but for him, he is against the variance. He added that if Mr. Clay would change the house to face Krom Street and go along with the flow of the rest of the homes, and nothing against him, but there was a modular home that was allowed on the other end of Krom Street, the rougher part. The city allowed this modular home that runs east and west on a 44 by 130 lot and he said it looks ugly. He said they are trying to hold on to some of the history and look of the neighborhood and added that if Mr. Clay could modify his plan where the house would face Krom Street, he would appreciate it.

Mr. Lager asked if he could get some clarity from Mr. Clay and Chair van den Hombergh allowed it. Mr. Lager asked if Mr. Clay moved the house so that the front would be facing Martin Street, but the side would be on Krom and Mr. Clay said the front would be facing Martin and the rear would be facing Krom and added that in the designing of this house, that was taken into consideration. He added that for anyone questioning the designing of it, he also considered the landscaping in a way that you wouldn't be able to tell but he said the benefits of the privatization of the cul-de sac outweighed this one house facing Krom Street. He said he believes that once they saw the house and how the landscaping would take place, that they would say it turned out much better than they expected. Mr. Lager asked if there were neighbors directly to the north and south of the lot that will have its backyard facing Krom and Mr. Clay affirmed that there are. Mr. Carroll asked if he would need the variance regardless of how the house would face and Mr. Clay said yes. Mr. Eldridge added that from city staff's point of view, when this comes in for building permit, they would look at the windows on the Krom Street side and he's sure it's not proposed to be a blank wall and the only thing missing would be a driveway leading off of Krom because it would be coming off of Martin Street. Mr. Lager asked what the zoning along Krom and Mr. Eldridge replied RS-5 and Mr. Lager asked if a privacy fence along the sidewalk on Krom would be an option and Mr. Eldridge replied no, it would be limited to four feet and would have to be a see-through type of fence. Mr. Eldridge advised, as a sidenote, they needed to finish the public hearing so they could check for call-ins.

Chair van den Hombergh asked for further discussion and she then asked if there were any phone calls and was one.

The caller, Karen Howard, said she is the daughter of a Krom Street resident who has been there for over 50 years but said she wasn't given enough time to research the request because she just buried her husband and wasn't able to get back with Mr. Eldridge in enough time to tell him she needed an extension on this request to get legal representation to find out the effects this request would have on their property. She said she lives in Georgia and has five siblings, and said she knows Mr. Lawrence and remembers when he was born, and she is grateful that he is there to represent Krom Street. She said she's not sure about the house that would be backward facing and that they work hard at keeping the block beautified, and she's grateful for that but she would like more time to look at the variance. She added that she inquired about purchasing the property as well but never got a response and said she wanted to put a garage there. She said she is against this at the moment because she isn't sure of all of the ramifications.

Chair van den Hombergh asked if there was any further discussion and there was none.

Chair van den Hombergh closed the public hearing.

FINDING OF FACT

Mr. Lager moved the Finding of Fact as follows:

- 1.) The Finding of Fact for 1625 and 1629 Krom Street shall include all information included in the notice of public hearing dated February 22, 2023, and the agenda packet provided by city staff.
- 2.) 47 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 as were additional documents, which were shown via the screen, and a telephone message.
- 4.) The Finding of Fact shall include all facts and comments made during the public hearing which are summarized to include without limitation, the following:

Darnell Clay spoke on behalf of the applicant, Valley Vision, who owns eight lots in the Krom and Martin area with the intent to build four houses but because of the placement of utilities, it was determined that it would be most advantageous to have the house at issue facing Martin Street. Since there are no homes on Martin Street at this time, the RS-5 standard of a 25-foot setback applies but because the lot is shallow, to place the house properly the applicant would like a five-foot variance on the 25-foot setback, making the setback 20 feet. No variance is required on any side of Krom because of the averaging principle in the RS-5 and the back of the house facing Krom

would meet that. Brett Lawrence spoke in opposition to the application and is a 50 year resident of Krom Street. He is concerned about the historic preservation and the work that the neighbors have done to create uniformity of appearance in the street and is not in favor in a break of the uniformity of front-facing houses on Krom and is opposed to the rear of a house facing Krom, Karen Howard called in via telephone and stated that due to family circumstances she hasn't had time to properly look at the proposal and would like more time to analyze this but in lieu of having more time she is opposed to this and indicated support of what Mr. Lawrence said.

Mr. Terpening seconded the Finding of Fact.

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

Mr. Lager moved to approve the application for a dimensional variance, made by Valley Vision Construction & Development, LLC, from Appendix A, Chapter 5, Section 5.1, of five feet from the required 25-foot building setback off Martin Street for these two lots, seconded by Jeff Carroll.

Discussion:

Mr. Lager asked about further approval processes for the aesthetic features on the back of the house and Mr. Eldridge replied he was referencing that a building permit with all of the details needs to be submitted with the home positioning and how the house is going to be constructed so city staff would be able to talk with the developer about what the Krom Street side of the structure will look like. He added that, as Mr. Carroll referenced, the variance tonight is for the front yard setback on Martin Street and isn't related to how the house is oriented, and it is planned to be oriented toward Martin Street, but the variance is specific to the footprint of where the home is going to be built on the lot. He said he will definitely take the comments that have been made tonight into regard and talk with the developer. Mr. Lager reiterated whether the house was facing Krom or Martin, the same setback variance would be needed on Martin. Mr. Carroll added that he feels it's the boards job to decide whether the setback is granted, not design or placement and the planning department and staff can take care of the rest.

Mr. Terpening said he is in favor after speaking with other residents on the block and currently with the vacancy of the properties, there have been parties and people hanging out and he believes bringing more residency to the area, while enhancing what may either be vacant or currently unused lots, would be in favor of the neighborhood and with the goal being to decide if the five-foot variance is to be waved, it's an easy yes for him, putting aside that layout of the house and all of the other apportionments of it. Mr. Lager added that he would be in favor as well and believes that there are special circumstances both shallowness of the lots and the placement of the utilities, which are not due to the actions of the applicant. He said considering what Mr. Carroll and Mr. Eldridge said, regardless of where the frontage is, a variance would still be required, and he doesn't see that that would cause any undue hardship on the neighbors with the granting of this variance.

Motion for the dimensional variance was approved by roll call vote unanimously.

Mr. Eldridge wanted to take the time to thank Mr. Carroll and Mr. Lager, who have both assumed various board roles over the years but are now attending their last meeting.

OTHER BUSINESS:

NONE

The applicant asked to speak once more and Chair van den Hombergh allowed it. Mr. Clay wanted to add that his plan is to make the neighborhood proud and that he loves landscaping, designing, and building and it's something that gives him great joy. He added that he was born and raised in Kalamazoo on the Northside and it is still his home. He said that his plan is to make better and he thinks everyone will see the added values that it brings to their homes, the aesthetics and overall care that he is putting into the project. He also wanted to say that from the bottom of his heart he plans on making good on the promise.

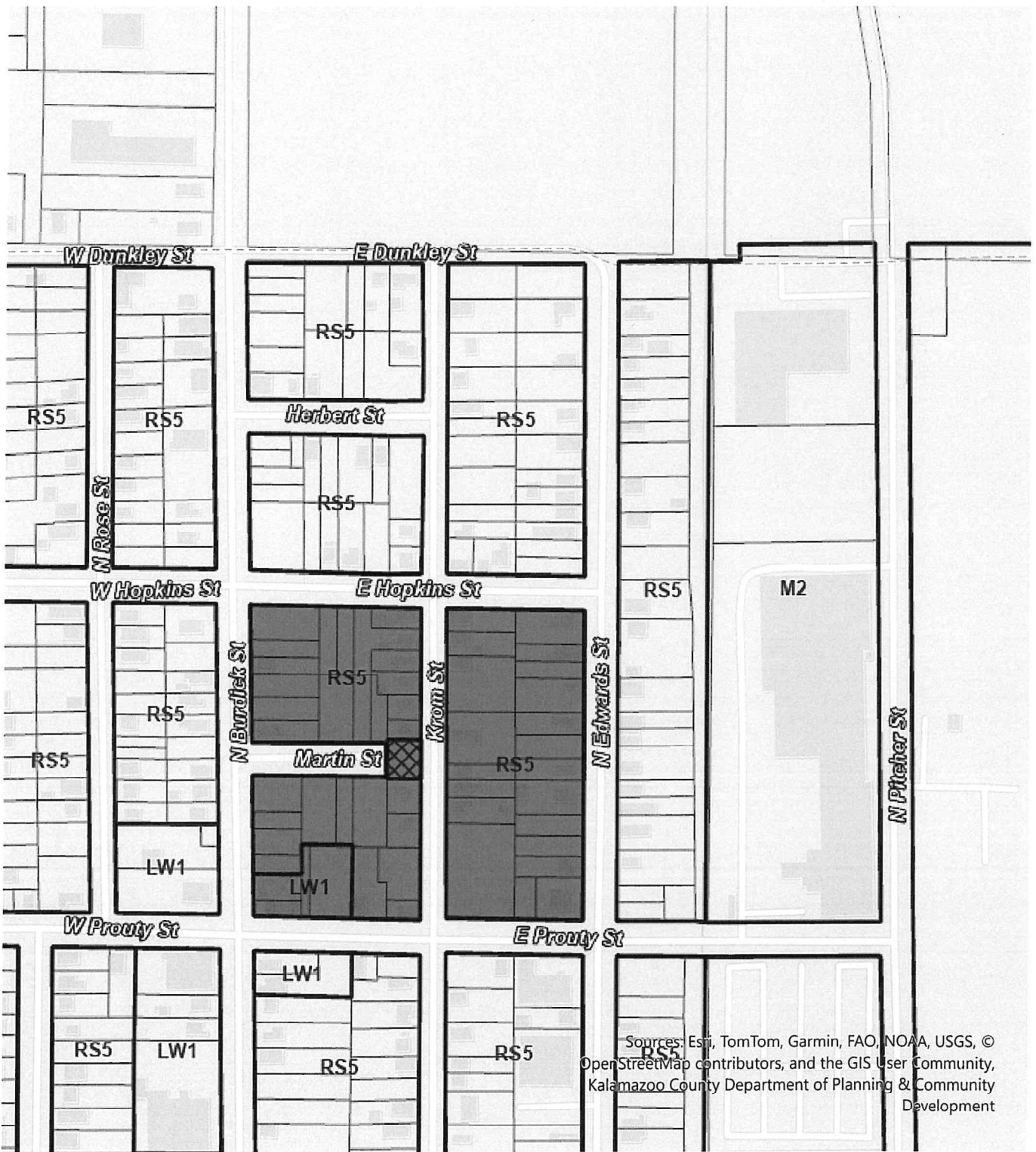
ADJOURNMENT:

The meeting was adjourned at 7:43 p.m.

Submitted By _____ **Date** _____
Recording Secretary





Reviewed By _____ **Date** _____
City Staff

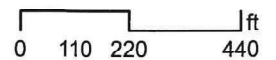
Approved By _____ **Date** _____
Chair



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Kalamazoo County Department of Planning & Community Development

Parcels within 300' Mailing Radius 124 Martin Street

-  Subject Property
-  Property within 300' Mailing Radius
-  Other Property
-  Zoning District Boundary





Zoning Board of Appeals Staff Report

Date: **12/11/2025**
Item: **D.3.**

City of Kalamazoo

TO: Zoning Board of Appeals

FROM: Reviewed by: Christina Anderson, AICP, City Planner / Deputy Director of CPED
Prepared by: Pete Eldridge, AICP, Zoning Administrator

DATE: December 11, 2025

SUBJECT: ZBA #25-12-24: 102 Martin Street. Valley Vision Construction & Development, LLC is requesting a dimensional variance from Appendix A, Chapter 5, Section 5.1, of 5 feet from the required 25-foot front yard building setback from Martin Street to authorize the new single-family home to be setback 20 feet from the front property line.

BACKGROUND:

Valley Vision Construction & Development LLC is constructing all the new homes planned along Martin Street. Two of the homes are finished and occupied. The next two planned for construction are 102 and 124 Martin Street. These properties are all in the Residential – Single Dwelling District along Martin Street. This property at 102 Martin Street is a corner lot with 66 feet of frontage on N. Burdick Street and 95 feet of frontage on Martin Street. The prior home on this lot was demolished in 2013.

The developer staked out the house location and discovered that the southwest corner of the garage would be directly next to the mature tree along the south side of the property. The developer would like to keep the tree and shift the footprint of the home forward toward Martin Street five feet. This would result in a front yard setback of 20 feet remaining from Martin Street. The house will meet all other site development Ordinance requirements.

Staff also noted that the proposed home and the neighboring residence to the south would be quite close together if only a five-foot side yard setback is proposed. The survey shows the neighboring residence is one to two feet off the property line.

STRATEGIC VISION ALIGNMENT:

Complete Neighborhoods — residential areas that support the full range of people's daily needs

Strategic Vision, Master Plan 2025 and Neighborhood Plan Impact:

This project touches on the Strategic Vision goal of Complete Neighborhoods as it will result in

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new housing in the Northside Neighborhood. This also aligns with the Future Land Use Plan as this area is identified as 'R1- Low Density Residential'. Lastly, the Northside Neighborhood Plan includes strategies/goals to preserve existing housing and build new housing.

COMMUNITY ENGAGEMENT:

Inform (one-way conversation) – the community will be made aware of the project.

Appropriate Depth of Engagement

A notice was published in the Kalamazoo Gazette on November 26, 2025. Notice of the public hearing was mailed out to all property owners within 300 feet of the subject property. The applicant has reached out to the Northside Association for Community Development and has talked with neighbors.

Engagement/Communication Tools:

Newspaper, mailings to property owners, and outreach to neighborhood association and neighbors.

FINDINGS:

Staff has made the following findings regarding this request:

1. That 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 special circumstance is the placement of the mature tree along the south property line. It was also noted that the adjacent home is quite close to the property line on this side of the property.

2. That there are special circumstances which are not the result of the actions of the applicant or titleholder of the land.

The applicant did not create the special circumstance. These are existing site conditions.

3. That 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.

Requiring a 25-foot front setback from the Martin Street frontage will result in the building envelope within five feet of the south property line, which will result in the tree needing to be removed and positioning the proposed house close to the adjacent

home. Staff noted that the home on the north corner of Martin Street and N. Burdick Street is only approximately 10 feet from the front property line on Martin Street, so this proposed house placement will not be out of character with the developed corner property to the north.

4. That 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.

This is the minimum action that will allow for the infill project to move forward and keep the mature tree along the south property line and provide improved separation between the new house and adjacent home.

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

This will not adversely affect adjacent properties. This is a corner lot and the proposed building envelope location is not out of character with the older housing stock in the neighborhood.

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

This will be generally consistent with the Ordinance when looking at tree preservation and adequate separation of structures.

7. Where the requested dimensional variance involves required landscaping, the Zoning Board of Appeals may grant a variance upon the following additional criteria: 1) existing landscaping, screening or wetlands intended to be preserved meets the intent of this section; 2) the landscape design proposed by the applicant meets the intent of this section; 3) there is a steep change in topography that would limit the benefits of required landscaping; 4) the proposed building and parking lot placement is setback well beyond the minimum required; 5) the abutting or adjacent land is developed or will be developed in the near future with a use other than residential; and 6) similar conditions to the above exist such that no good purpose would be served by providing the landscaping or screening required.

These criteria are not applicable to the requested variance.

RECOMMENDATION:

Staff recommends approval of the dimensional variance as it meets the above criteria.



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

November 26, 2025

**RE: ZBA #25-12-24
102 Martin Street
Parcel #06-10-346-101**

Dear Property Owner:

An application for a variance for provisions of the Zoning Ordinance has been filed with the Zoning Board of Appeals by the Valley Vision Construction & Development, LLC for 102 Martin Street located in the Residential – Single Dwelling District (RS-5).

The applicant is requesting a dimensional variance from Appendix A, Chapter 5, Section 5.1, of 5 feet from the required 25-foot front yard building setback from Martin Street to authorize the new single-family home to be setback 20 feet from the front property line.

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, December 11, 2025, at 7 p.m. in the City Commission Chambers at City Hall, 241 W. South Street. This meeting will also be streamed live on the [City's Facebook page](#) and [YouTube Channel](#).

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,

Peter C. Eldridge, AICP
Zoning Administrator



Community Planning & Economic Development

245 N. Rose Street, Suite 100 • Kalamazoo, MI 49007

(269) 337-8026 • www.kalamazoo.org

ZONING BOARD OF APPEALS APPLICATION

APPLICANT INFORMATION		
Name: Darnell Clay		Mailing Address:
City: Kalamazoo	State: Michigan	ZIP Code: 49007
Phone: 26977987093	Email: trustvalleyvision@gmail.com	Preferred Contact: <input checked="" type="checkbox"/> Email <input type="checkbox"/> Phone
PROPERTY OWNER INFORMATION		
<i>If the applicant is not the property owner, owner must sign application or provide a letter stating that owner gives consent for the application to be filed.</i>		
Name: Valley Vision Construction & Development		Mailing Address: 1214 W. Paterson
City: Kalamazoo	State: Michigan	ZIP Code: 49007
Phone: 269 779-8703	Email: trustvalleyvision@gmail.com	Preferred Contact: <input checked="" type="checkbox"/> Email <input type="checkbox"/> Phone
PROPERTY INFORMATION		
Property Address(s): 102 Martin St. Kalamazoo, MI 49007		
Parcel Identification Number(s): 06-10-346-101		Zone District (kalamazoo.org/maps):
TYPE OF REQUEST		
<input checked="" type="checkbox"/> Dimensional Variance from Chapter(s) _____, Section(s) _____		
<input type="checkbox"/> Use Variance to allow _____		
<input type="checkbox"/> Natural Features Protection Variance		
<input type="checkbox"/> Appeal of an Administrative Decision		
<input type="checkbox"/> Interpretation of Zoning Ordinance, Chapter(s) _____, Section(s) _____		
<input type="checkbox"/> Temporary Use Approval		
Reason for Request: to eliminate hardships due to closeness of home proximities, potential fire hazards		
ATTACHMENTS		
<input type="checkbox"/> \$ _____ Fee		
<input checked="" type="checkbox"/> Type Plan detailing variance request, plat, site plan, sketch plan can all be used.		
<input type="checkbox"/> Review Sheet for Request Type		Optional: Photos of property, architecture plans, etc.
Note: 10 days before meeting provide update on outreach to neighbors or provide any letters of support		
SIGNATURE		
Signature of Applicant:		Date: 10/22/25
Signature of Owner (if different than applicant):		Date:



ZONING BOARD OF APPEALS

DIMENSIONAL VARIANCE REVIEW SHEET

General Information

Specific Project Details (may also provide on a separate sheet):

Single family new construction homes on martin st. culdesac using an infill lot combined to accomodate the home where a home once existed

Review Criteria for Dimensional Variances

ZBA will review all Dimensional Variance requests using the following criteria. Please reach out to staff if you have questions.

Are there conditions, like unusual topography, the shape of the lot or structure that are not commonly found on other lots or structures in the same zone district that make this request unique?

Yes, location of existing mature tree.

Are there special circumstances which are not the result of the actions of the applicant or property owner of the land that impact the project?

Just need to be able to move the home toward Martin Street to have ample backyard space and accommodate the simple home footprint.

Does the Ordinance deprive the applicant of rights enjoyed by other property owners in the same zone district?

It would deprive us of constructing a home in an infill lot where home was previously which fits same zoning criteria and satisfies City of Kalamazoo housing goals.



Community Planning & Economic Development

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Is this the minimum action which will make it possible to use the lot or structure in a manner that does not negatively impact the public and meets the spirit of this Ordinance?

The home construction is a perfect example of executing a new construction home in a city infill lot that is minimal and meets the goals of the City of Kalamazoo and will abide by same city ordinances for single family residential.

Will the granting of the variance negatively affect adjacent land?

No, this will not negatively affect adjacent properties and it will create more separation between this new home and the existing residence to the south.

Will the granting of the variance be generally consistent with the purpose and intent of this Ordinance?

Yes

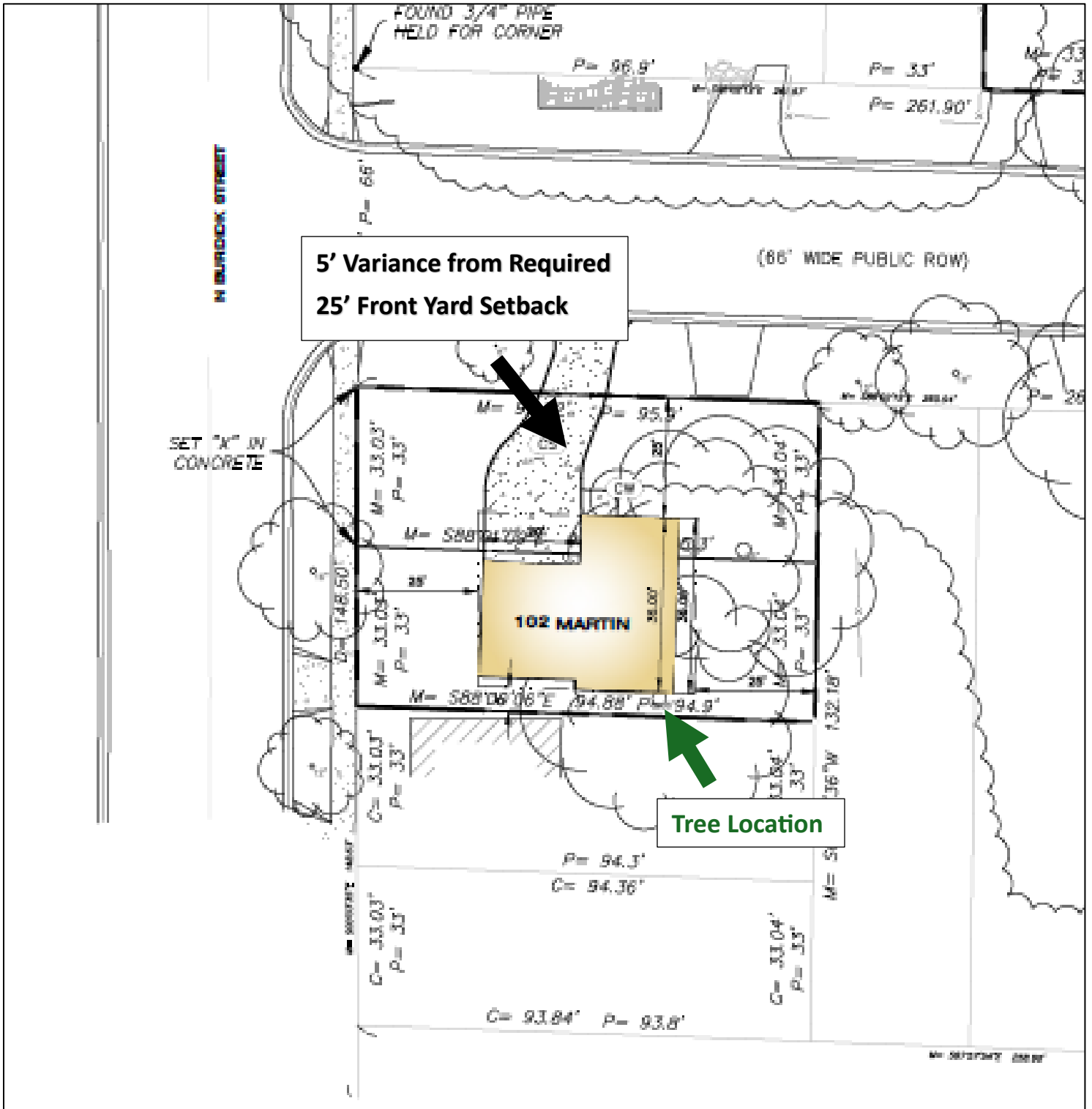
Additional Criteria for Variance Requests for Required Landscaping

Does existing landscaping, screening or wetlands planned to be preserved meet the intent of the Ordinance?

NA

Does the landscaping proposed by the applicant meet the intent of this section?

NA





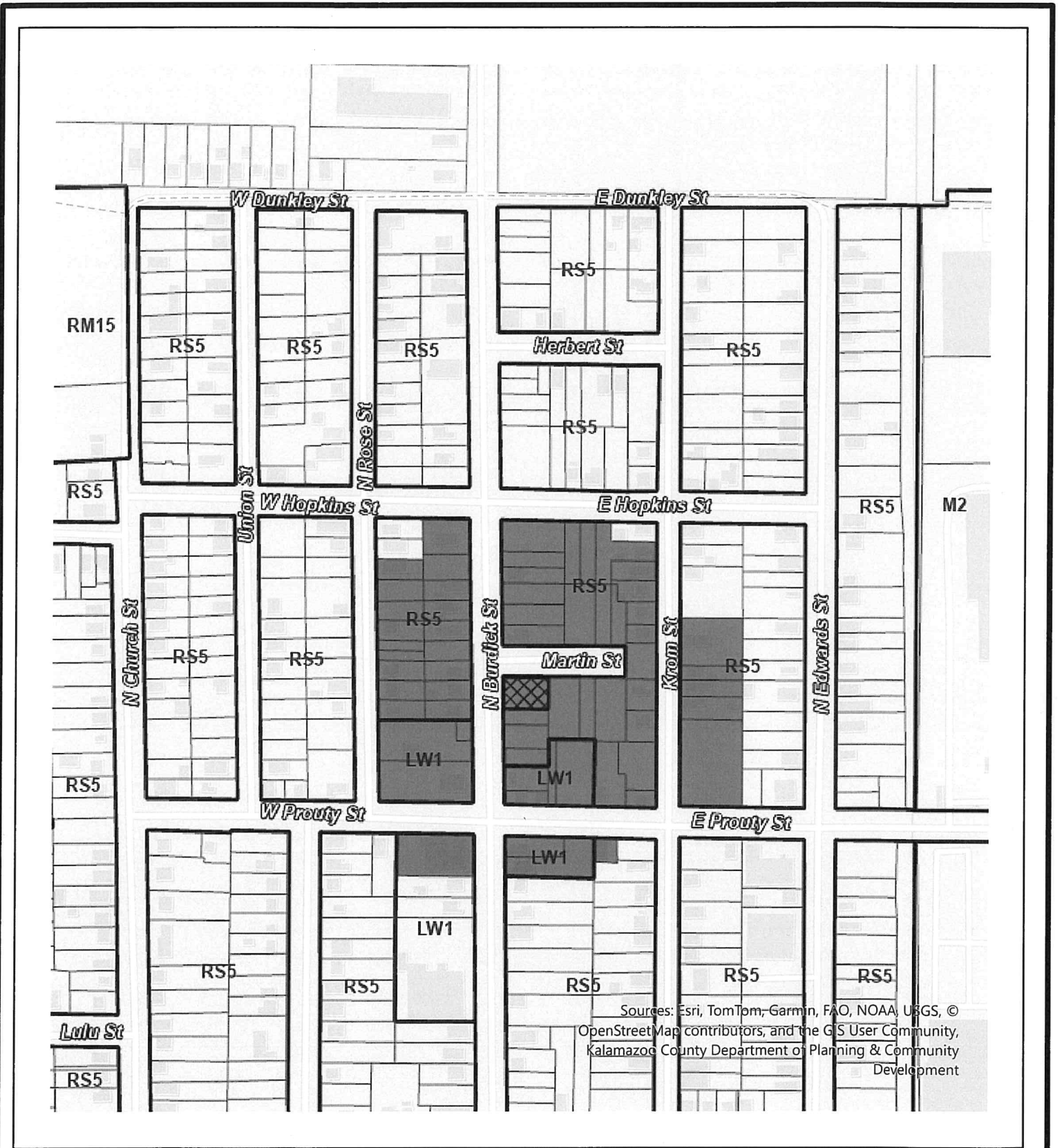
October 29, 2025



December 2, 2025



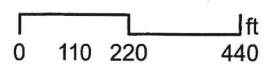
December 2, 2025



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Kalamazoo County Department of Planning & Community Development

Parcels within 300' Mailing Radius 102 Martin St

- Subject Property
- Property within 300' Mailing Radius
- Other Property
- Zoning District Boundary



Zoning Board of Appeals 2026 Meeting Schedule
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<u>Application Deadline:</u>	<u>Meeting Date:</u>
December 11, 2025	January 8, 2026
January 15, 2026	February 12, 2026
February 12, 2026	March 12, 2026
March 12, 2026	April 9, 2026
April 16, 2026	May 14, 2026
May 14, 2026	June 11, 2026
June 11, 2026	July 9, 2026
July 16, 2026	August 13, 2026
August 13, 2026	September 10, 2026
September 10, 2026	October 8, 2026
October 15, 2026	November 12, 2026
November 12, 2026	December 10, 2026
December 17, 2026	January 14, 2027

Note: The meeting dates shown above are for regularly scheduled monthly Zoning Board of Appeals meetings. However, special meetings may also be requested. Board members will be contacted in advance of such special meetings via telephone or email.