

# Memo

**FROM THE DESK OF THE ZONING ADMINISTRATOR**

**To:** Zoning Board of Appeals

**Date:** 1/26/2010

**Re:** Building Height Variance, Soaring Eagle Inn and Water Park

Our Planning Commission has reviewed the project and has given approval contingent upon your decision for building height. Our ordinance allows for 35' Building Height \*. The project calls for 68'. The practical difficulties here relate to what we commonly expect a use of this type to need. While the ordinance does give some flexibility at 8.18\*\* to call this a "similar structure requiring greater height", approval for the variance by this board is appropriate. Mt Pleasant Fire Department has reviewed the plan and the building height is not a concern for them as they have equipment capable of fire and rescue. Mt Pleasant's Duane Ellis has verified the height is not out of conformance to the Mt Pleasant Airport Plan. Please note that the application and special meeting have been paid for, however, the application form has not been turned in at this time, I will pass it out at the meeting. The practical difficulty is the need for height to produce the required effect of a water slide. I recommend approval of the variance.

\*

PRINCIPAL STRUCTURE	<a href="#">B-4</a>	<a href="#">B-5</a>	<a href="#">B-6</a>	<a href="#">B-7</a>	<a href="#">I-1</a>	<a href="#">I-2</a>	<a href="#">OS</a>
Minimum Lot Area (Square Feet)	12,000	16,000	20,000	20,000	43,560	50,000	15,000
Maximum Building Height (Feet)	35	35	35	35	35	35	35
Minimum Front Yard Setback (Feet)(G)	50 (A)	50 (A,B)	15 (E)	15 (E)	75 (A)	75 (A)	30 (F)
Minimum Side Yard Setback (Feet)	20 (B)	20 (B)	10 (E)	10 (E)	30 (C)	20 (C)	20
Minimum Rear Yard Setback (Feet)	25 (B)	25 (A,B)	10 (E)	10 (E)	50 (C)	50 (C)	50
Maximum Lot	30%	30%	30% (D)	30% (D)	40%	---	30%

**\*\* 8.18 HEIGHT LIMITATIONS**

The height limitations elsewhere stipulated in this Ordinance shall not apply to church spires, elevated water tanks, elevator penthouses, fire towers, cooling towers, grain elevators, gas holders, smoke stacks, flagpoles, radio and television towers, masts and aerials, monuments and similar structures requiring a greater height. Notwithstanding these exceptions to height limits, the height of any structure within the Flight Hazard Zone of Mt. Pleasant Municipal Airport shall be governed by regulations as set forth in the Airport Zoning Ordinance.

**CHARTER TOWNSHIP OF UNION**  
**Zoning Board of Appeals**  
**Regular Meeting Agenda**

**Date: February 3, 2010**  
**Time: 7:00 p.m.**  
**Place: Union Township Hall**

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Minutes of December 2, 2009**

**Correspondence**

**Approval of Agenda**

**Public Comment: restricted to three (3) minutes regarding issues on this agenda**

**NEW BUSINESS**

- 1. VRB 1462 – Saginaw Chippewa Indian Tribe 5665 E. Pickard Rd. Request for a 33' Height Variance in a B-7 Zone to Allow for 68'**

**Other Business**

**Extended Public Comment**

**Adjournment**

**CHARTER TOWNSHIP OF UNION**  
**Zoning Board of Appeals**  
**Regular Meeting**

A regular meeting of the Charter Township of Union Zoning Board of Appeals was held on December 2, 2009 at 7:00 p.m.

**Meeting was called to order at 7:00 p.m.**

**Roll Call**

Kaufmann, Partie, Spencer-Noggle, Strachan, Veldhuis and Warner were present.

**Others Present**

Woody Woodruff

**Approval of Minutes**

September 2, 2009 – regular meeting

**Veldhuis** moved **Kaufmann** supported to approve the September 2, 2009 regular meeting minutes as presented. **Ayes: all. Motion carried.**

September 30, 2009 – joint meeting

**Veldhuis** moved **Kaufmann** supported to approve the September 30, 2009 joint meeting minutes as presented. **Ayes: all. Motion carried.**

**Correspondence**

No correspondence was submitted.

**Approval of Agenda**

**Warner** moved **Veldhuis** supported to approve the agenda as presented. **Ayes: all. Motion carried.**

**Public Comment**

No comments were offered.

**UNFINISHED BUSINESS**

- 1.) **VRS 1429 – Betty J. Figg Rev Trust 1313 E. Broomfield Rd., Sign Variance to Allow for an 80 SF Sign, 16 Feet High. A Variance of 68 SF and 10 Feet High from Section 11.8 in an AG Zone Over 10 Acres**

**Kaufmann** moved **Strachan** supported to table this item until the March 3, 2010 regular meeting at the request of the applicant. **Ayes: all. Motion carried.**

**NEW BUSINESS**

- 1.) **VRS 1448 – Developers Diversified Realty and JoAnne Fabrics, 4208 E. Bluegrass Rd. Variance Request to Allow Wall Signs Totaling 327.25 SF, A Variance of 227.25 Applicant**

Mickey Denoyer representing All State Signs stated that they need a 213.25 SF variance for signage at the new JoAnne Fabrics store located in Indian Hills Plaza.

**Public Hearing**

**Opened at 7:24 p.m.**

No comments

**Closed at 7:25 p.m.**

ZBA

**Strachan** moved **Spencer-Noggle** supported to approve VRS 1448 – Developers Diversified Realty and Jo Anne Fabrics, 4208 E. Bluegrass Rd. Variance request to allow wall signs totaling 313.25 SF, a variance of 213.25, because of the distance from the road, it is an anchor store, the speed of traffic and other stores in the plaza have been granted variances. **Ayes: all. Motion carried.**

**2.) VRS 1449 – Developers Diversified Realty, 4208 E. Bluegrass Rd. A Variance To Allow A Temporary Banner of 120 SF, a Variance of 80 SF**

Applicant

Ken Fellows of Developers Diversified Realty requested a variance of 80 SF for a temporary banner at the new JoAnne Fabrics Store located in the Indian Hills Plaza.

Public Hearing

**Opened at 7:32 p.m.**

No comments

**Closed at 7:33 p.m.**

ZBA

**Veldhuis** moved **Spencer-Noggle** supported to approve VRS 1449 – Developers Diversified Realty, 4208 E. Bluegrass Rd. A variance to allow a temporary banner of 120 SF, a variance of 80 SF for a period of 60 days. **Ayes: all. Motion carried.**

Other Business

**1.) 2010 Meeting Schedule**

**Warner** moved **Kaufmann** supported to approve the 2010 meeting schedule as presented. **Ayes: all. Motion carried.**

**2.) Election of Officers**

**Kaufmann** moved **Strachan** supported to retain the 2009 officers for 2010.

The officers are:

Chair – Brian Partie

Vice Chair – James Veldhuis

Secretary – Tim Warner

**Ayes: all. Motion carried.**

Extended Public Comment

No comments were offered.

Adjournment

**Warner** moved **Veldhuis** supported to adjourn the meeting at 7:39 p.m. **Ayes: all. Motion carried.**

**APPROVED BY:**

\_\_\_\_\_  
**Tim Warner, Secretary**

*(Recorded by Kathy Blizzard)*

## **UNION TOWNSHIP PUBLIC HEARING NOTICE -VARIANCE**

NOTICE is hereby given that a Public Hearing will be held on Wednesday, February 3, 2010, at 7:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Zoning Board of Appeals for the purpose of hearing any interested persons in the following request for a Variance from Section 29 of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by Migizi Development, a variance of 33' from the requirements for Building Height to allow for 68' in a B5 zone

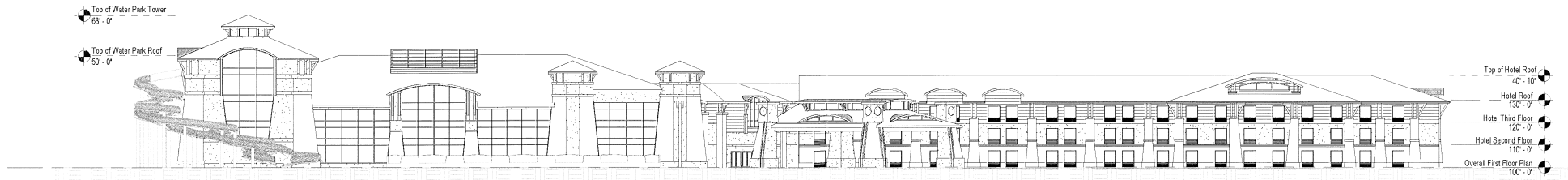
Legal Description of property: T14N R4W, SEC 12; COM S 88D 50M 40S E, 833.13 FT AND N 1D 9M 22S E, 60 FT FROM S 1/4 POST SEC 12; TH N 1D 9M 22S E, 200 FT; N 88D 50M 40S W, 310.74 FT; N 27D 49M 1S W, 260.18 FT; TH N 54D 52M 20S W, 755.5 FT; TH ALG A CURVE TO RT ARC 241.66 FT, RAD 724.48, T 121.96 FT DELTA 19D 6M 42S, LC N 45D 18M 59S W, 240.54 FT; TH ALG A CURVE TO LT ARC 328.9 FT, RAD 1891.35, T 164.8 7, DELTA N 9D 57M 49S, LC N 40D 44M 30S W, 328.49 TO S 1/8 LN; TH S 88D 47M 40S E, 576.08 FT TO N&S 1/8 LN; TH N 0D 55N 19S W, 1321.42 FT TO E&W 1/4 LN; TH S 88D 42M 40S E, 1810.31 FT; TH S 1D 17M 20S W, 177.66 FT; TH S 12D 39M 40S E, 241.75 FT; TH N 84D 20M 20S E, 396.6 FT; TH N 64D 30M 20S E, 138.5 FT; TH N 13D 41M 20S E, 117.6 FT; TH N 0D 17M 20S E, 33.96 FT; TH N 89D 34M 20S E, 184.38 FT; TH S 0D 15M 20S W, 726.33 FT; TH S 4D 27M 4S E, 311.91 FT TO N LINE OF HOLIDAY ESTATES; TH S 50D 2M 20S W, 50.7 FT; TH N 89D 29M 40S W, 248.49 FT; TH N 82D 16M 16S W, 166.3 FT; TH N 84D 44M 20S W, 196.2 FT; TH S 6D 35M 40S E, 692.49 FT; TH S 88D 50M 40S E, 683.22 FT; TH S 0D 25M 40S E, 166 FT; TH N 88D 50M 40S W, 1252.29 FT; TH S 0D 25M 40S E, 535.08 FT; TH N 88D 50M 40S W, 604.91 FT TO POB; EXC COM AT INT 1/4 COR TH S, 1000 FT; TH E, 200 FT; TH N, 1000 FT; TH W, 200 FT TO POB, Union Township, Isabella County, Michigan.

This property is located at 5665 E PICKARD RD.

All interested persons may submit their views in person, in writing, or by signed proxy prior to the public hearing or at the public hearing.

All materials concerning this request may be seen at the Union Township Hall, located at 2010 S. Lincoln Road, Mt. Pleasant, Michigan, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. Phone (989) 772 4600 extension 241.

William Woodruff, Zoning Administrator



2 SOUTH ELEVATION

A500 Scale: 3/64" = 1'-0" A100



1 NORTH ELEVATION

A500 Scale: 3/64" = 1'-0" A100


**MIGIZI** 50% SCHM DESIGN  
 ECONOMIC DEVELOPMENT CO. Exterior Elevations

Date:  
01.07.2010

Scale:  
3/64" = 1'-0"

SAGINAW CHIPPEWA  
Enter address here


**THALDEN • BOYD • EMERY**  
 ARCHITECTS  
 931 American Pacific Drive, Suite 108  
 Las Vegas, Nevada 89014  
(702) 394-4654

Sheet: **A500**

# Affidavit of Publication

STATE OF MICHIGAN

County of Isabella

County of Gratiot

County of Clare

} SS.

Al Frattura being duly sworn, deposes and says that he is Publisher of the MORNING SUN, a public newspaper printed and published by Morning Star Publishing Company, in the Cities of Mt. Pleasant (Isabella County), Clare (Clare County) and Alma (Gratiot County) in said counties and circulated in said cities and counties, that the annexed printed notice was duly printed and published in said newspaper at least 1 in each week for 1 successive week(s), and that the first publication of said notice in said newspapers was on the 19th day of January, 2010 and that last publication of said notice in said newspapers was on the 19th day of January, 2010.

Al Frattura

Subscribed and sworn to before me the 19th day of Jan 2010.

Linda Kunke

Notary Public

LINDA KUNKEL

NOTARY PUBLIC MONTCALM CO., MI

MY COMMISSION EXPIRES Dec 21, 2011

ACTING IN ISABELLA COUNTY, MI

My commission expires \_\_\_\_\_

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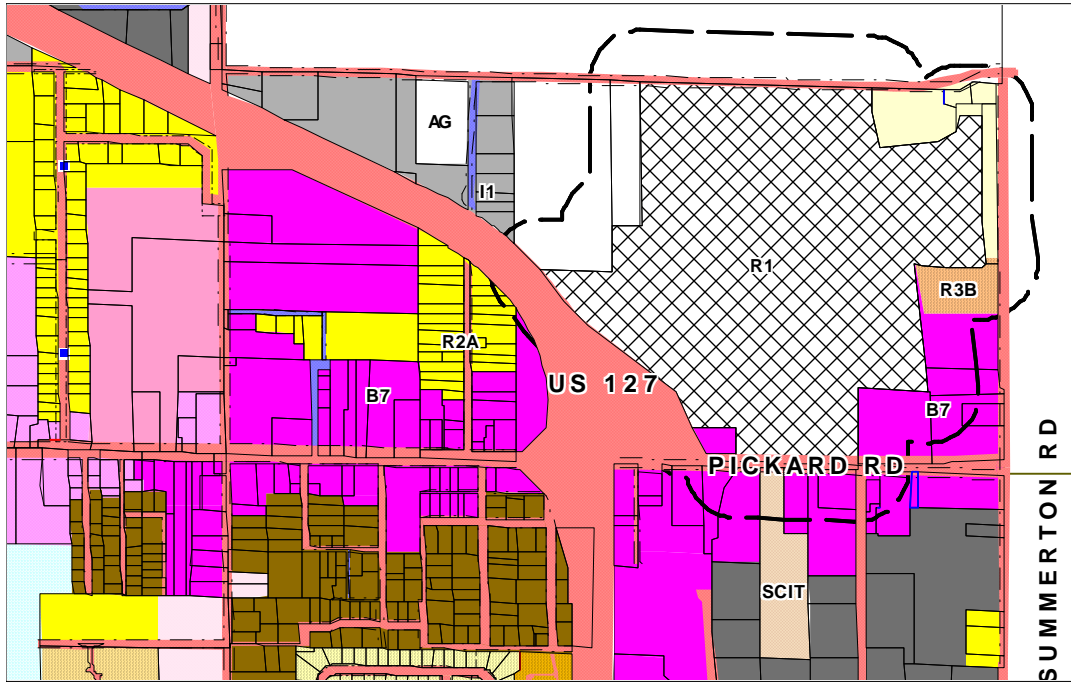
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William Woodruff,  
Zoning Administrator

«PID»  
«Owner»  
«OwnerAddr01» «OwnerAddr02»  
«OwnerCity», «OwnerState» «OwnerZip»

PROPERTY BEING CONSIDERED IS CROSS HATCHED (see notice on reverse side)





PropertyAddress	PID	Owner	ZoningCode	OwnerAddr01	OwnerCity	OwnerState	OwnerZip
E AIRPORT RD	14-130-00-002-00	PANELLA WALTER	R1	5980 AIRPORT RD	MOUNT PLEASANT	MI	48858
E AIRPORT RD	14-012-30-001-00	SAGINAW CHIPPEWA INDIAN TRIBE	AG	7070 E BROADWAY	MOUNT PLEASANT	MI	48858
5050 E AIRPORT RD	14-012-40-002-03	SAGINAW CHIPPEWA INDIAN TRIBE	AG	7070 E BROADWAY	MOUNT PLEASANT	MI	48858
5800 E AIRPORT RD	14-012-40-001-00	STEGMAN HAROLD	R1	5800 E AIRPORT RD	MOUNT PLEASANT	MI	48858
5980 E AIRPORT RD	14-130-00-003-00	PANELLA WALTER	R1	5980 AIRPORT RD	MOUNT PLEASANT	MI	48858
AIRWAY DR	14-145-00-040-00	SCHAFFER JOSEPH P	I1	4830 NATIONAL	MT PLEASANT	MI	48858
1753 AIRWAY DR	14-145-00-035-00	FORBES DIANNE M	R2A	1753 AIRWAY DR	MOUNT PLEASANT	MI	48858
1765 AIRWAY DR	14-145-00-033-00	HABITAT FOR HUMANITY OF ISABELLA CO	R2A	PO BOX 765	MT PLEASANT	MI	48804-0765
1781 AIRWAY DR	14-145-00-032-00	SCHAFFER JOSEPH P	R2A	4830 NATIONAL DR	MT PLEASANT	MI	48858
1791 AIRWAY DR	14-145-00-029-00	REED FLOYD & SHIRLEY	R2A	1791 AIRWAY DR	MT PLEASANT	MI	48858-0000
1805 AIRWAY DR	14-145-00-028-00	FAN-C RENTAL COMPANY LLC	R2A	2670 E BLANCHARD RD	SHEPHERD	MI	48883
ENTERPRISE DR	14-013-20-006-00	ISABELLA BANK	B7	139 E BROADWAY	MOUNT PLEASANT	MI	48858
1105 S ISABELLA RD	14-012-20-002-00	CITY OF MT PLEASANT	AG	401 N MAIN STREET	MT PLEASANT	MI	48858-0000
E PICKARD RD	14-013-20-024-00	UNITED STATES OF AMERICA	SCIT	7070 E BROADWAY	MT PLEASANT	MI	48858-0000
E PICKARD RD	14-012-40-007-05	SAGINAW CHIPPEWA INDIAN TRIBE	MULTIP	7070 E BROADWAY	MOUNT PLEASANT	MI	48858
E PICKARD RD	14-012-40-007-07	MID MICHIGAN COMMUNITY COLLEGE	B7	1375 S CLARE AVE	HARRISON	MI	48625
5365 E PICKARD RD	14-012-30-026-00	CLARK THOMAS E & CHERYL D	B7	5365 E PICKARD RD	MOUNT PLEASANT	MI	48858
5650 E PICKARD RD	14-013-20-033-02	HD DEVELOPMENT OF MARYLAND, INC	B7	PO BOX 105842	ATLANTA	GA	30348-5842
5662 E PICKARD RD	14-013-20-026-00	MADHAV CORP	B7	901 E BENNETT ST	MOUNT PLEASANT	MI	48858
5665 E PICKARD RD	14-012-40-002-04	SAGINAW CHIPPEWA INDIAN TRIBE	MULTIP	7070 E BROADWAY	MOUNT PLEASANT	MI	48858-0000
5670 E PICKARD RD	14-013-20-027-01	BOB EVANS FARMS, INC #429	B7	3776 S HIGH ST	COLUMBUS	OH	43207-0863
5688 E PICKARD RD	14-013-20-025-00	TRACTOR SUPPLY CO	B7	PO BOX 7002	BRENTWOOD	TN	37027
5760 E PICKARD RD	14-013-20-023-00	SSP ASSOC INC	B7	1100 S WASHINGTON, STE 100	SAGINAW	MI	48601
5768 E PICKARD RD	14-013-20-008-00	SOVEREIGN LS II, LLC	B7	125 VILLAGE BLVD STE 320	PRINCETON	NJ	08540
5770 E PICKARD RD	14-013-20-007-00	MAHER SAGAR CORP	B7	1010 S BEACON BLVD	GRAND HAVEN	MI	49417
5800 E PICKARD RD	14-013-20-013-00	ISABELLA BANK	B7	139 E BROADWAY	MOUNT PLEASANT	MI	48858
5805 E PICKARD RD	14-012-40-002-01	MID MICHIGAN COMMUNITY COLLEGE	B7	1375 S CLARE AVE	HARRISON	MI	48625
5858 E PICKARD RD	14-013-20-004-00	MCGUIRK GROUP INC	B7	PO BOX 222	MOUNT PLEASANT	MI	48804-0222
5655 E PICKARD RD	14-012-40-004-02	HURAND GARY J & CAROL S	B7	P O BOX 310289	FLINT	MI	48531-0289
S SUMMERTON RD	14-130-00-001-00	CONSUMERS ENERGY CO	R1	2400 WEISS STREET	SAGINAW	MI	48602
1896 S SUMMERTON RD	14-012-40-007-06	SAGINAW CHIPPEWA INDIAN TRIBE	B7	7070 E BROADWAY	MOUNT PLEASANT	MI	48858
1936 S SUMMERTON RD	14-012-40-006-00	BRYAN F ALLEN & CINDY S	B7	1936 S SUMMERTON RD	MOUNT PLEASANT	MI	48858