

CHARTER TOWNSHIP OF UNION
Zoning Board of Appeals

Date: June 4, 2014

Time: 7:00 p.m.

Place: Union Township Hall

Pledge of Allegiance

Roll Call

Approval of March 5, 2014 Minutes

Correspondence

Approval of Agenda

Public Comment: Restricted to three (3) minutes regarding issues not on this agenda

New Business

- 1.) VRS – 1767: Sign Variance – A variance of 52.64 SF (square feet) and 10'-11" tall from the requirements for signs to allow for a 64.64 SF sign 16'-11" tall in an R3 zone**

Location: 4171 E. Bluegrass Rd.

Owner: Union Square Apartments LLC

Other Business

Extended Public Comment

Adjournment



Memo

FROM THE DESK OF THE ZONING ADMINISTRATOR

To: ZBA

Date: 5/29/14

Re: 6/4/14 Meeting Notes

We have one item to consider, a sign variance at Union Square Apartments. They are requesting a 64.64 (65) Square Foot sign, at 16'11". Apartments are allotted 24 SF at 6' high. The practical difficulty stated by the applicant suggests a larger, higher sign would improve traffic safety by allowing drivers looking for the complex to easily recognize the location in a high traffic area. The speed limit is 45 MPH and the use is close to the turning lanes at Mission and Bluegrass.

The requested height is 11" taller than the limit for commercial signs. I would suggest a height of 16' as the highest you would go. We have given a higher variance for the mall sign, but that is a regional draw and needs to be seen from Business 127.

CHARTER TOWNSHIP OF UNION
Zoning Board of Appeals
Special Meeting

A regular meeting of the Charter Township of Union Zoning Board of Appeals was held on March 5, 2014 at the Township Hall.

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

Roll Call

Present: Warner, McCracken, Darin, Henley, Hauck

Excused: Newland

Others Present

Woody Woodruff

Approval of Minutes

Hauk moved and **McCracken** supported the approval of the January 14, 2014 meeting minutes. **Ayes: All. Motion carried.**

Correspondence - None

Approval of Agenda

Henley moved and **Darin** supported the approval of the agenda as presented.

Ayes: All. Motion carried.

Public Comment - None

EXISTING BUSINESS

1. **VS** – 1738 – Variance to allow existing pool as placed at, or near rear yard lot line.

McCracken moved and **Darin** supported removing the item from the table for discussion. **Ayes: All. Motion carried.**

Mr. Woodruff reviewed the request for variance, and public comment/notification process. Chairman Warner requested the applicant present his case for a variance.

Mr. Harry Guenther, 3851 Green Acre Drive presented his request for variance, stating the pool was installed 28 years ago, admittedly without a building permit, and is located 2' from the property line. He stated that he would be unable to move the pool due to the size/placement of his septic field.

Public Comment -

Mr. Bob McGerry (PO BOX 398, Shepherd 48883), owner of the adjacent property discussed on-going property line disputes with Mr. Guenther, and requested the Board deny the request for variance.

Mr. Woodruff stated that the Township does not have jurisdiction over property line disputes, and they would have to be addressed in Circuit Court.

Further discussion was held by the Board, including requirements for granting a variance, and various scenarios for resolution.

McCracken moved and **Darin** supported the approval of VSB 1738 with the following stipulations:

1. The pool is fully located on Mr. Guenther's property, if not, the pool would have to be removed, or moved to meet setback requirements
2. Any future damage requiring repairs to the pool exceeding 50% of current value of the pool, would require moving the pool to meet setback requirements
3. Any future developments on the adjacent property would require the pool be moved to meet setback requirements, or completely removed.

Ayes: (4); Nays: (1); Motion carried.

Mr. Woodruff stated that there is a 21 day appeal period before the decision becomes final.

Other Business – None

Extended Public Comment - None

Adjournment

Henley moved and **Darin** supported a motion to adjourn at 7:53. **Ayes: All. Motion carried.**

APPROVED BY:

Mary Henley - Secretary

(Recorded by Angela Schofield)

- a. Provision of the Zoning Ordinance from which a variance is sought _____
 11.10 Sign Allotment - All Residential District

DISCRIPTION	REQUIRED	DESIRED (I can only provide X)	VARIANCE (= Required – Desired)
Example – Side Yard	10 feet	8 feet	2 feet
Freestanding Elevated	12 sq ft AREA & 6 ft HEIGHT	64.64 sq ft AREA & 16'11" HEIGHT	52.64 sq ft AREA & 10'11" HEIGHT
see attached drawing			

- b. What are the special conditions and/or circumstances peculiar to this land, structure, or building which are not found belonging to similar properties in the same zoning district in other parts of Union Township?

Location is across from Dick's Sporting Good and next to Target - This sign would

 compliment the neighboring signs and would also be safer for the area as the drivers on

 this high traffic street could better identify our location with hesitation.

- c. Which is any of the above (b) special conditions or circumstances are the direct result from actions taken by the applicant for this variance?

- d. If the Zoning Ordinance were to be strictly enforced in your particular case, what would be the nature and extent of unnecessary hardships or particular difficulties?

Our entrance is difficult for people to identify as our current sign is small and easily

missed due to the heavy traveled Bluegrass Road

- e. If your request for the variance was granted, do you feel that you would have been given any special privileges that others in the same zoning district would not have? _____ If yes, please explain:
-
-

- f. Attach plot plan, showing lot lines, location of existing building, proposed buildings and any additions to existing buildings, plus distance from property lines.

- g. Date property was acquired September 1988
-

II. Appeal for Interpretation

Relating to enforcement of the Zoning Ordinance

- a. Article, section, subsection, or paragraph in question

Section 11.10

- b. Describe if interpretation of district map
-

III. Application for Special Exception or Conditional Use

As required by Zoning Ordinance

- a. Provision of Zoning Ordinance requiring Board Review

Section 11.10 Sign Allotment

- b. Description of type of use and proposed location
-
-

- c. Attach plot plan, drawn to scale, showing lot, location of existing buildings, proposed buildings and any additions to existing buildings, plus distances from property lines.

- d. Justification for granting permit

Improved safety and visibility for all public traffic to our leasing office

IV. Administrative Review

- a. Article, section, subsection, or Decision in question

Section 11.10 Sign Allotment - All Residential Districts

Fees _____

Richard L. McSunk

Signature of Applicant

FOR ZONING BOARD OF APPEALS USE ONLY

Appeals received, date: _____

Public Notice published, date: _____

Public Notice mailed, date: _____

Hearing held, date: _____

Decision of Board of Appeals: _____

Reasons: _____



Sign and Message Center
with 3" reveals
7'-3" X 8'-11" = 64.64 Sq.Ft
Overall Height = 16'-11"

SIGN BROKERS, LLC
Sign Broker & Consulting Service
P.O.Box 134 - Onekama, MI 49675-0134

Tom Baker
Ph 231-889-0140
Fax 231-889-0125
tbaker@signbrokersllc.com



- * Sign with Message center 6'-10" wide x 8' tall
- * 8' Pole cover
- * Total height 16'

SIGN BROKERS, LLC

Sign Broker & Consulting Service

P.O.Box 134 - Onckama, MI 49675-0134

Tom Baker

Ph 231-889-0140

Fax 231-889-0125

tbaker@signbrokersllc.com

Affidavit of Publication

STATE OF MICHIGAN
County of Isabella
County of Gratiot
County of Clare



Rick Mills being duly sworn, deposes and says that he is Online Editor 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 18th day of May, 2014 and that last publication of said notice in said newspapers was on the 18th day of May, 2014.

Rick Mills
Rick Mills

Subscribed and sworn to before me the 22 day of May 2014.

Joyce Baker
Joyce Baker

Notary Public

Joyce Baker
Notary Public of Michigan
Isabella County
Expires 6/15/2019

My commission expires _____

UNION TOWNSHIP PUBLIC HEARING NOTICE-VARIANCE

NOTICE is hereby given that a Public Hearing will be held on Wednesday, June 4, 2014, 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 11 of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by Union Square Apartments, a variance of 52.64 SF (Square Feet) and 10'-11' tall from the requirements for Signs to allow for a 64.64 SF sign 16'-11" tall in an R3 zone

Legal Description of property: T14N R4W, SEC 26; BEG AT A PT ON E-W 1/4 LN WHICH IS E 737 FT FROM W 1/4 COR OF SEC 26 TH E 599.16 FT TH N 770.04 FT TH W 595.69 FT TH S 770 FT TO POB, Union Township, Isabella County, Michigan.

This property is located at 4171 E BLUEGRASS 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

UNION TOWNSHIP PUBLIC HEARING NOTICE -VARIANCE

NOTICE is hereby given that a Public Hearing will be held on Wednesday, June 4, 2014, 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 11 of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by Union Square Apartments, a variance of 52.64 SF (Square Feet) and 10'-11" tall from the requirements for Signs to allow for a 64.64 SF sign 16'-11" tall in an R3 zone

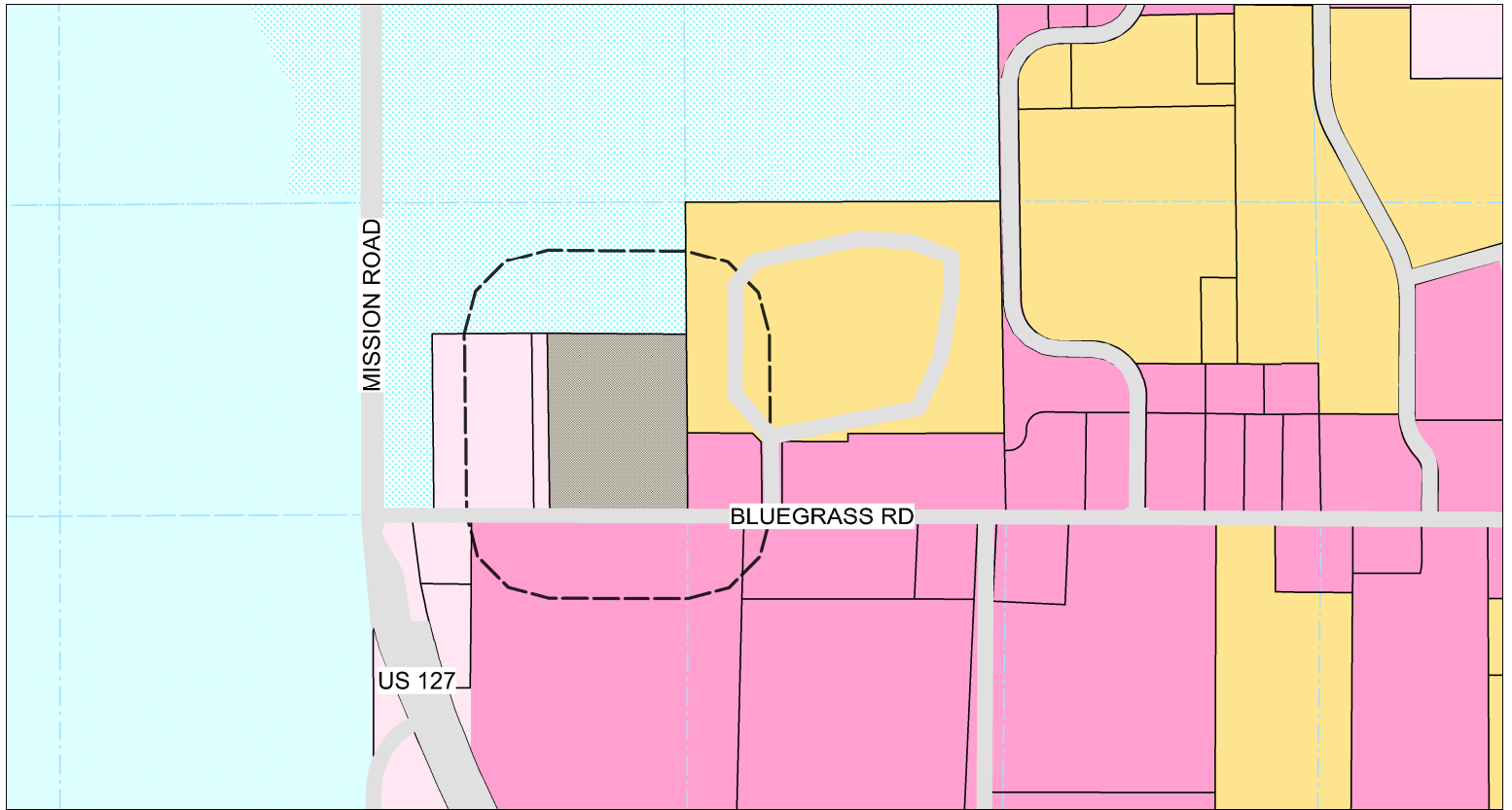
Legal Description of property: T14N R4W, SEC 26; BEG AT A PT ON E-W 1/4 LN WHICH IS E 737 FT FROM W 1/4 COR OF SEC 26 TH E 599.16 FT TH N 770.04 FT TH W 595.69 FT TH S 770 FT TO POB, Union Township, Isabella County, Michigan.

This property is located at 4171 E BLUEGRASS 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



PID	PropertyAddress	Owner	Owner_Line_2	Zoning	OwnerAddr01	OwnerCity	Owner	OwnerZip
14-026-10-005-02	4171 E BLUEGRASS RD	UNION SQUARE APARTMENTS LLC		R3A	P.O. BOX 222	MOUNT PLEASANT	MI	48804-0222
14-026-10-005-06	4310 S STERLING WAY	STERLING WAY ASSOCIATES LLC		R3A	PO BOX 530292	BIRMINGHAM	AL	35253-0292
14-026-10-011-00	4097 E BLUEGRASS RD	TARGET CORPORATION	PROPERTY TAX DEPT T-924	B4	PO BOX 9456	MINNEAPOLIS	MN	55440-9456
14-026-10-012-00	E BLUEGRASS RD	ROSENBERG EDWARD	AGREE LIMITED PARTNERSHIP	B4	31850 NORTHWESTERN HWY	FARMINGTON	MI	48334
14-026-30-002-04	4062 E BLUEGRASS RD	GENERAL MILLS RESTAURANTS INC	DBA RL#690 ATTN: CORP TAX	B4	PO BOX 695019	ORLANDO	FL	32869-9901
14-026-10-005-07	4279 E BLUEGRASS RD	BIOLIFE PLASMA SERVICES LP		B5	ONE BAXTER PARKWAY-DF2-2W	DEERFIELD	IL	60015
14-026-30-001-19	4857 ENCORE BLVD	MOUNT PLEASANT HOLDINGS, LLC		B5	211 E WATER ST, STE 201	KALAMAZOO	MI	49007
14-026-30-002-08	4208 E BLUEGRASS RD	GS II INDIAN HILLS LLC		B5	3300 ENTERPRISE PARKWAY	BEACHWOOD	OH	44122-0000

MsLink	TaxID	Street_Address
6,102	17-000-17110-00	2125 S Mission Street