



ZONING BOARD OF APPEALS

Regular Meeting

March 4, 2015

7:00 p.m.

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES NOVEMBER 20, 2014(special meeting)
5. CORRESPONDENCE
6. APPROVAL OF AGENDA
7. PUBLIC COMMENT: Restricted to (3) minutes regarding issues not on this agenda
8. EXISTING BUISINESS
 - A. VAR 2015-01: Request by Cudd Energy, a variance of a 55' front yard setback in a B6 zone
 - B. Board Assignments
9. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue
10. ADJOURNMENT

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 November 20, 2014 at the Township Hall.

Meeting was called to order at 7:06 p.m.

Roll Call

Present: Warner, Newland, McCracken, Hauck

Excused: Darin

Others Present

Peter Gallinat Twp Planner, Pat DePriest Twp Assessor

Approval of Minutes

Newland moved and **Hauck** supported the approval of the September 3, 2014 minutes

Ayes: All. Motion carried.

Correspondence - None

Approval of Agenda

Hauck moved and **Newland** supported the approval of the agenda as presented.

Ayes: All. Motion carried.

Public Comment - None

EXISTING BUSINESS

1. **VRS – 1768: Sign Variance – Requested by Mt Pleasant Hotels, LLC, a variance of 35’ Building Height, 11’ setback from ROW for parking areas, and 4’ Side Yard Setback to allow for 70’ building height, parking 9’ off Row, and a 6’ West Side in a B7 zone**

Location: 5316 E. Pickard Rd. and 5260 E. Pickard Rd.

James Guler Engineer presented VRS 1768 to the board

Chair Warner opened the floor for public comment on the topic.

Public Comment - Jean Pfeiffer 5385 Palmer St. claimed she did not receive a 2nd notice of the new hearing. Kathy Hendershot 2057 Second St. also did not receive a 2nd notice. She also asked about the value of her property with the proposed hotel.

Mr. Gallinat read the public notification into the minutes, and explained that the request would require a majority of the full board to pass.

Newland moved and **Henley** supported the approval of variance 1768 on the condition that after legal advice tonight's meeting is considered legal and that residents were notified

(Update is was found that all residents were notified except for the two who were present but were able to express their concerns and thus the meeting is legal)

Ayes: All. Motion carried.

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

Other Business – Hauck welcomed Peter Gallinat as the new twp planner

Extended Public Comment - Brian Smith Twp Manager thanked the board the public and apologized for any confusion.

Chair Warner adjourned the meeting at 8:06.

APPROVED BY:

Mary Henley - Secretary

(Recorded by Peter Gallinat)

NOTICE OF APPEAL
Charter Township of Union

ZONING BOARD OF APPEALS

DATE: 1/19/15

I (we) CUDO ENERGY P.O. Box 623 Mt. Pleasant, MI 48804
Name Address

owners of property at 2362 Parkway, Mt. Pleasant, MI 48858

the legal description is: T14N R4W, Sec 13 Enterprise
PARK LOT 4

respectfully request that a determination be made by the Zoning Board of Appeals on the following appeal or application which was denied by the Zoning Inspector because, in the opinion of said inspector, does not comply with the Union Township Zoning Ordinance and therefore must come before the Zoning Board of Appeals:

- I. Variance
- II. Interpretation of Text or Map
- III. Administrative Review

NOTE: Use one section below as appropriate. If space provided is inadequate, use a separate sheet.

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- I. Written application for a zone variance as provided by the Zoning Ordinance Section 5 (c)

a. Provision of the Zoning Ordinance from which a variance is sought SETBACKS

DESCRIPTION	REQUIRED	DESIRED (I can only provide X)	VARIANCE (= Required - Desired)
Example - Side Yard	10 feet	8 feet	2 feet
I-1 FRONT Yard	75 FT.	55 FT.	20 FT.

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?

Corner^{of} Existing Building is located on setback which is curved due to the road curve.

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?

Company would loose its ISO 9001 status.
CNOO Energy also wants to be environmentally concious by reusing wash water with a 100% contained system.

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? NO 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 12/2/13

II. Appeal for Interpretation

Relating to enforcement of the Zoning Ordinance

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

b. Describe if interpretation of district map

III. Administrative Review

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

Fees \$ 150⁰⁰ JBS Contracting
Signature of Applicant [Signature]

FOR ZONING BOARD OF APPEALS USE ONLY

Appeals received, date: 01-30-15

Public Notice published, date: 02-15-15

Public Notice mailed, date: 02-11-15

Hearing held, date: 03-4-15

Decision of Board of Appeals: _____

Reasons: _____

UNION TOWNSHIP OFFICE TO COMPLETE THIS SHEET FOR VARIANCE ONLY

Cudd Energy Mail List

Cudd Pressure Control Inc. 2801 Buford HWY, STE 520 Atlanta, Georgia 303299

Crossing at Broadway, MP LLC 3290 W Big Beaver Rd. STE 510 Troy, MI 48084

Mid Michigan Industries INC. 2374 Park Way Drive Mt Pleasant, MI 48858

Morse Moving and Storage Real Estate 27651 Hildebrandt St. STE 100 Romulus, MI 48174-2699

Pleasant Plaza #1 LLC 950 S. Crawford Rd. Mount Pleasant, MI 48858

REC Investments LLC 5625 Venture Way Mt Pleasant, MI 48858

Asplundh Tree Co. 708 Blair Mill Rd. Willow Grove, PA 19090-0000

HD Development of Maryland, INC P.O. Box 105842 Atlanta, Georgia 30348-5842

Avenue A Properties LLC 1931 Commercial Dr. Mt Pleasant, MI 48858

Affidavit of Publication

STATE OF MICHIGAN

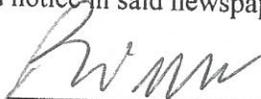
County of Isabella

County of Gratiot

County of Clare

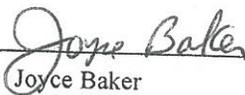
}
} SS.

Rick Mills being duly sworn, deposes and says that he is Executive Editor and 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 15th day of February, 2015 and that last publication of said notice in said newspapers was on the 15th day of February, 2015.



Rick Mills

Subscribed and sworn to before me the 16 day of February 2015.



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, March 04, 2015 at 7:00 PM 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 Sections 29 of the Union Township Zoning Ordinance 1991-5 as amended

Requested by Cudd Energy; a variance of a 55' front yard setback in a B6 zone

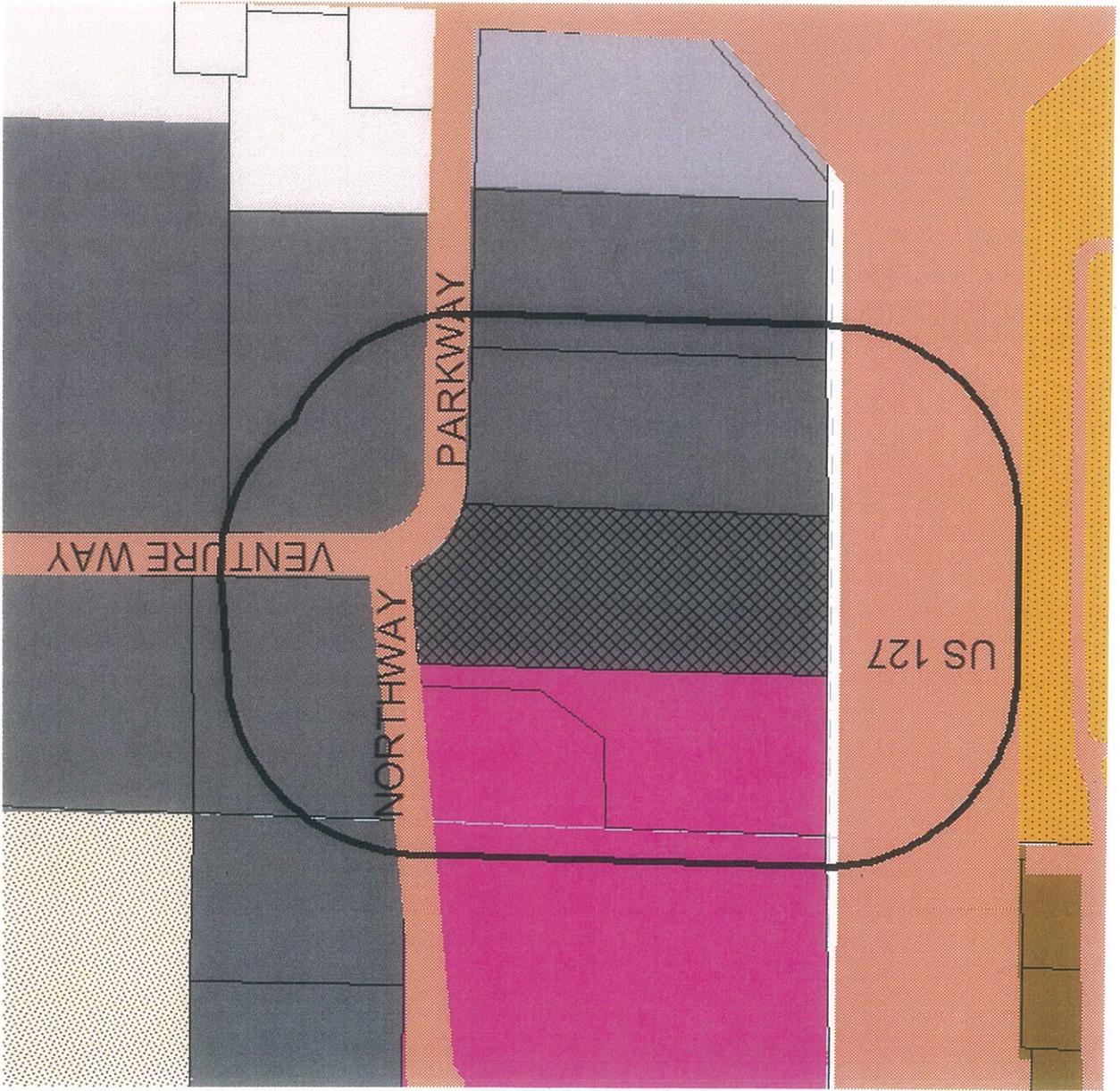
Legal Description of property: T14N R4W, SECTION 13 Enterprise Park Lot 4

This property is located between 2362 PARKWAY DR.

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 number (989) 772 4600 extension 241.

Peter Gallinat, Union Twp Planner



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