



**ZONING BOARD OF APPEALS
Special Meeting
December 14, 2016
7:00p.m.**

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MINUTES DECEMBER 7, 2016

5. CORRESPONDENCE / BOARD REPORTS

- Boards and Commissions Expiration Dates

6. APPROVAL OF AGENDA

7. PUBLIC COMMENT: Restricted to (3) minutes regarding issues not on this agenda

8. NEW BUSINESS

A. Public Hearing Variance: 2016-05 Mid Michigan Health Development

A1. VARIANCE 2016-05: Mid Michigan Health Development: Consider Request
Location: 4851 E. Pickard Rd.

B. Public Hearing Variance: 2016-04 ICCU

B1. Appeal # VARIANCE 2016-04: ICCU: Consider Request
Location: 2100 E Remus Rd.

9. OLD BUSINESS

A. Discussion/ Action (Peter Gallinat) Consider and set the 2017 Zoning Board of Appeals Meeting Dates

10. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue

11. ADJOURNMENT

CHARTER TOWNSHIP OF UNION
Zoning Board of Appeals
Regular Meeting

A regular meeting of the Charter Township of Zoning Board of Appeals was held on December 7, 2016 at 7:00 p.m. at Union Township Hall.

Meeting was called to order at 7:16 p.m.

Roll Call

Present: Jake Hunter, Bryan Mielke, Paul Gross, and Tim Warner
Excused: Mike Darin & Bill McCracken

Gross moved **Hunter** supported to name Mielke as Secretary Pro Tem in the absence of Secretary McCracken for the December 7, 2016 Zoning Board of Appeals Meeting. **Vote: Ayes: 4 Nays: 0. Motion carried.**

Others Present

Peter Gallinat, Jennifer Loveberry

Approval of Minutes

Gross moved **Hunter** supported the approval of the June 1, 2016 minutes with corrections. **Vote: Ayes: 4 Nays 0. Motion carried.**

Correspondence / Board Reports

Peter Gallinat received two phone calls regarding variance: one was a tax question and the other question was on the use.

Approval of Agenda

Gross moved **Mielke** supported to approve the agenda as presented. **Vote: Ayes: 4 Nays 0. Motion carried.**

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

No comments.

New Business

A. Public Hearing Variance 2016-03

Public Notice was read by Township Planner, Gallinat
Public Hearing Open at 7:26 p.m.
No comments.

A1. Variance 2016-03 Casipit Medical
Location: 2245 S. Isabella

Tim Beebe, CMS&D, on behalf of the applicant, presented the request for the variance requesting a 20.44ft variance for the required minimum lot width along with a 305.55 square feet variance for the required

minimum lot area. The current parcel is 79.56 feet wide and has a lot area of 15,694.45 square feet. Section 29 of the zoning ordinance requires the minimum lot width to be 100ft and the minimum lot area to be 16,000 square feet.

P. Gallinat gave a brief history of the property. The parcel was part of a Township rezoning adopted in October 2011 after the Master Plan was finished that was originally zoned R2-B. The applicant had a site plan approved with the condition that a dimensional variance is obtained per section 9.1 and 9.9.

Discussion was held by the board. Section 9.1 states that utilization of existing lots that are non-conforming with dimensional requirements of the zoned district may be permitted provided Section 5 is complied with. And section 9.9 states that utilization of an existing lot not conforming to area, width or other provisions of this ordinance may be permitted provided a variance is obtained.

Mielke moved **Gross** supported to approve variance 2016-03 Casipit Medical, granting a 20.44 feet variance for the required minimum lot width along with a 305.55 square feet variance for the required lot area for the following reasons: a special condition that is peculiar to the land is that the original zoning required a smaller minimum lot width and lot area than the current zoning, a literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance, that special conditions and circumstances do not result from actions of the applicant (this rezone was done by the Township and not the applicant), and that granting the variance will not confer on the applicant any special privilege. **Vote: Ayes: 4 Nays 0. Motion carried.**

Chair Warner stated that there would be a 21 day appeal period before the decision is final. Peter Gallinat read sections 5.4f and 5.11 of the zoning ordinance.

B. Consider and set the 2017 Zoning Board of Appeals Meeting Dates

Hunter moved **Gross** supported to table setting the 2017 Zoning Board of Appeals Meeting Date until the December 14, 2016 special meeting so Gallinat can answer questions that the Board of Appeals has regarding the Open Meetings Act. **Vote: Ayes: 4 Nays 0. Motion carried.**

EXTENDED PUBLIC COMMENT

No comments.

ADJOURNMENT

Chair Warner adjourned the meeting at 7:47 p.m.

APPROVED BY:

Bill McCracken –Secretary

(Recorded by Jennifer Loveberry)



Board Expiration Dates

Planning Commission Board Members (9 Members)			
#	F Name	L Name	Expiration Date
1-Chair	Phil	Squattrito	2/15/2017
2-BOT Representative	Norm	Woerle	11/20/2020
3	Rick	McGuirk	2/15/2016 ¹
4	Brandon	LaBelle	2/15/2017
5	Erik	Robinette	2/15/2018
6	Alex	Fuller	2/15/2017
7	Dwayne	Strachan	2/15/2018
8	Bryan	Mielke	2/15/2018
9	John	Zerbe	2/15/2018
Zoning Board of Appeals Members (5 Members, 2 Alternates)			
#	F Name	L Name	Expiration Date
1-Chair	Tim	Warner	12/31/2016
2-PC Representative	Bryan	Mielke	2/18/2018
3	Bill	McCraken	12/31/2016
4	Mike	Darin	12/31/2016
5	Citizen at Large		12/31/2018
Alt. #1	Jake	Hunter	12/31/2016
Alt. #2	Paul	Gross	2/15/2018
Board of Review			
#	F Name	L Name	Expiration Date
1	James	Thering	12/31/2016
2	Ronald	McIvor	12/31/2016
3	Brian	Neyer	12/31/2016
Citizens Task Force on Sustainability			
#	F Name	L Name	Expiration Date
1	Laura	Coffee	12/31/2016
2	Mike	Lyon	12/31/2016
3	Mike	Walton	12/31/2016
4	Phil	Mikus	11/20/2020
Construction Board of Appeals			
1	Colin	Herron	12/31/2017
2	Richard	Klumpp	12/31/2017
3	Andy	Theisen	12/31/2017

¹ Per section 5.003 of the ordinance, member holds office until successor is appointed

Peter Gallinat, Township Planner
pgallinat@uniontownshipmi.com
2010 South Lincoln
Mt. Pleasant, MI 48858
Phone 989-772-4600 Ext. 241
Fax 989-773-1988

TO: Zoning Board of Appeals
FROM: Township Planner

12/07/2016

SUBJECT: A) VAR 2016-05 Mid Michigan Health Development
(Requires Public Hearing)

Location: 4851 E Pickard Rd. Mt Pleasant, MI 48858

Current Zoning: B-5 Highway Business District

Adjacent Zoning: B-5 to the North, B-5 to the east, R-2B to the West, and B-6 to the South across the road.

Future Land Use/Intent: Commercial: Shopping office and professional services with mixed residential uses

Current Use: Medical Offices

Reason for Request: Current zoning requires planted landscape area of at least 10 feet in width meeting the screening standards specified in Section 8.31. Applicant has applied to replace landscaping requirement with 6' vinyl fence.

History: On 9-15-15 the Charter Township of Union Planning Commission approved site plan Mid Michigan Health Development was reviewed and approved site plan 2015-15. The site plan was an expansion of the already existing medical facility. There existed a buffer of trees on the west side of parcel that provided screening for the residential neighborhood to the west. These trees were taken down as part of the building expansion for construction. A new planted landscape would be installed as part of the approved site plan. The approved site plan comported with section 8.31 planted landscaping standards

Objective of board: To grant or deny the 6'ft vinyl fence in place of planted landscaping required and approved on site plan 2015-15. Applicant has shown periodic landscaping on proposed plan amendment to go along with requested fence.

Recommend denial of Variance 2016-05

- There are no special conditions that are peculiar to the land.
- A literal interpretation of the provisions of this Ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same Zoning District under the terms of this Ordinance

- There are no special conditions and circumstances that do not result from actions of the applicant.
- Other properties in the same district must provide a planted landscape. If Variance is granted it could be viewed as a special privilege that is denied to other properties.

SUBJECT: B) VAR 2016-04 Isabella Community Credit Union
(Requires Public Hearing)

Location: 2100 E. Remus Rd. Mt Pleasant, MI 48858

Current Zoning: B-5 Highway Business District

Adjacent Zoning: B-5 to the North across the road, B-5 to the east, B-5 to the West, R-2A and I-1 to the South.

Future Land Use/Intent: Commercial: Shopping office and professional services with mixed residential uses

Current Use: Credit Union

Reason for Request: Current parcel building frontage is 60ft. Applicant is only allowed 60sqft for free standing signage. Applicant has requested 17 additional sqft to add new tenet sign on existing free standing sign.

History: Before renovations were made to the façade of the building the name Isabella Community Credit Union was on the Front address side of the building.

Objective of board: To grant or deny the 17ft variance for additional freestanding signage.

Recommend denial of Variance 2016-04

- Applicant has not fully exhausted the use of wall signage available to them. These options are described below. The use of wall signage should be exhausted before increasing the size of a free standing sign.
- Applicant is allowed one square foot of wall signage for each lineal foot of building frontage, depth or height, whichever is greater each user occupies on the address side. Signage not to exceed one hundred (100) square feet.
- Where public entrance to the business establishment is also provided at the rear or side of the building from an adjoining off street parking area, one (1) additional attached wall sign will be permitted. The additional signage shall be included in the total allowable square feet for attached wall signs for the frontage address side.

- Where a ground sign is installed in lieu of an elevated sign, the applicant shall be entitled to an additional 32 SF of signage as follows Ord 2002-03. 1) One additional wall sign up to 32 SF. 2) 32SF may be distributed among any or all permitted permanent well signs, no wall sign shall exceed 82 SF. 3) Total aggregate for permanent signs as allowed in 11.11.A may be increased to 232 SF.

SUBJECT: C) Regular Zoning Board of Appeals meeting dates 2017
(Tabled from 12-7-16 meeting)

History: In the past the Zoning Board of Appeals had met quarterly on the first Wednesday of the month at 7pm. This included the first Wednesday of March, June, September, and December. In addition to those (4) regular scheduled meeting dates the ZBA was also scheduled for (1) annual joint meeting. This joint meeting included the Board of Trustees, ZBA, Planning Commission, EDA, and Sustainability Committee.

Objective of board: Adopt the proposed Zoning Board of Appeals meeting schedule for 2017 as presented. This includes meetings on the first Wednesday of the month each month at 7pm for a total of (12) regular scheduled meetings in 2017 and one joint meeting on Wednesday August 30, 2017 at 7:00 p.m.

Recommend adoption of (12) regular scheduled meetings for 2017 with (1) joint meeting on August 30, 2017

- 12 regularly scheduled meetings a year would reduce the need for special ZBA meetings which improves customer service.
- Reduces workload of the board. Instead of one meeting having 4 items on the agenda items could be spread out and moved to next month's meeting.
- If no agenda item is scheduled for a particular meeting. Said meeting will be canceled in accordance with the Open Meetings Act.(See insert on 18 hour notice in your packet)

Peter Gallinat

Twp Planner

NOTICE OF APPEAL
Charter Township of Union

ZONING BOARD OF APPEALS

DATE: 11/16/16

I (we) Mid-Michigan Health Development 4000 Wellness Drive, Midland, MI
Name Address 48670

owners of property at Mid-Michigan Health Mt. Pleasant Health Park,
4851 East Prickard Road, Mt. Pleasant, MI 48858

the legal description is: _____

see attached legal description

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:

- X 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 Section 23.4
§ 8.31

DESCRIPTION	REQUIRED	DESIRED (I can only provide X)	VARIANCE (= Required - Desired)
Example - Side Yard	10 feet	8 feet	2 feet
West Property Boundary Fence	Landscaping Buffer	6' vinyl fence	

- 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?

Very large parking lot serving healthcare facility adjacent to residential neighborhood. Fence would provide safety & security to users, prevent headlight wash to neighbors, and be lower maintenance to facility

- 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?

added safety & security to patients & staff; less headlight wash & disruptions to neighbors; less maintenance to facility

- 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?

less safety/security to patients; more headlight wash
to neighbors; higher maintenance/potential for overgrowth

- 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 Original property - 1999
Property for expansion 2015

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 \$600 
Signature of Applicant

FOR ZONING BOARD OF APPEALS USE ONLY

Appeals received, date: 11-16-16

Public Notice published, date: 11-29-16

Public Notice mailed, date: 11-29-16

Hearing held, date: 12-14-16

Decision of Board of Appeals: _____

Reasons: _____

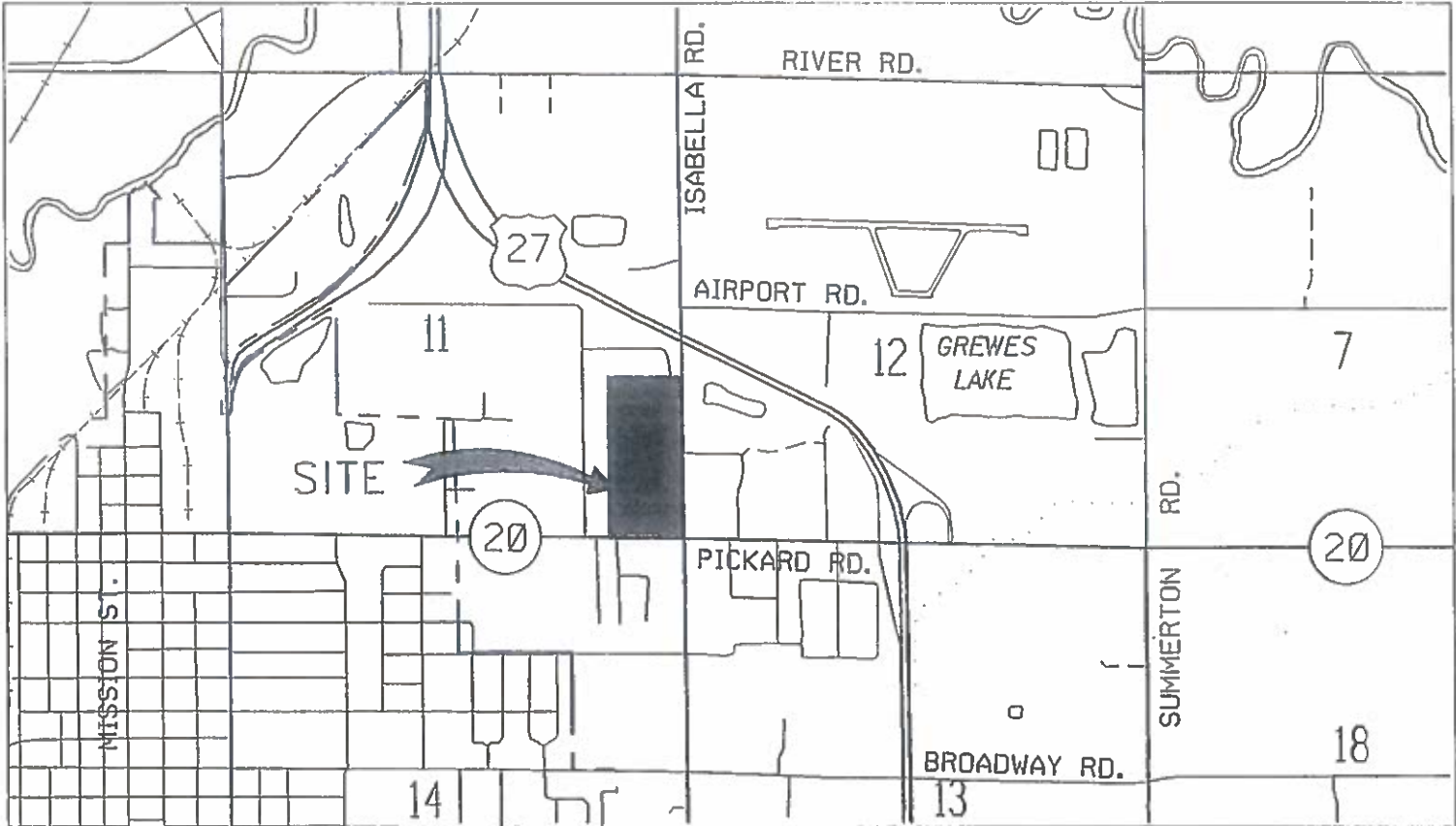
UNION TOWNSHIP OFFICE TO COMPLETE THIS SHEET FOR VARIANCE ONLY

LEGAL DESCRIPTION

VICINITY MAP

NO SCALE

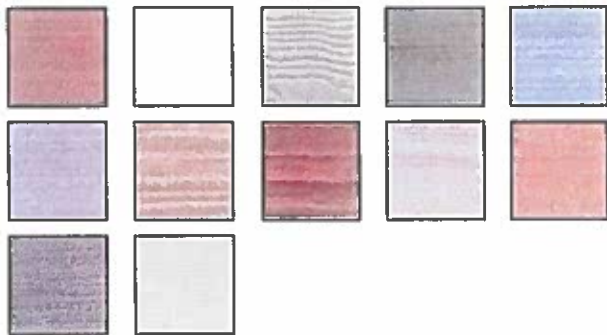
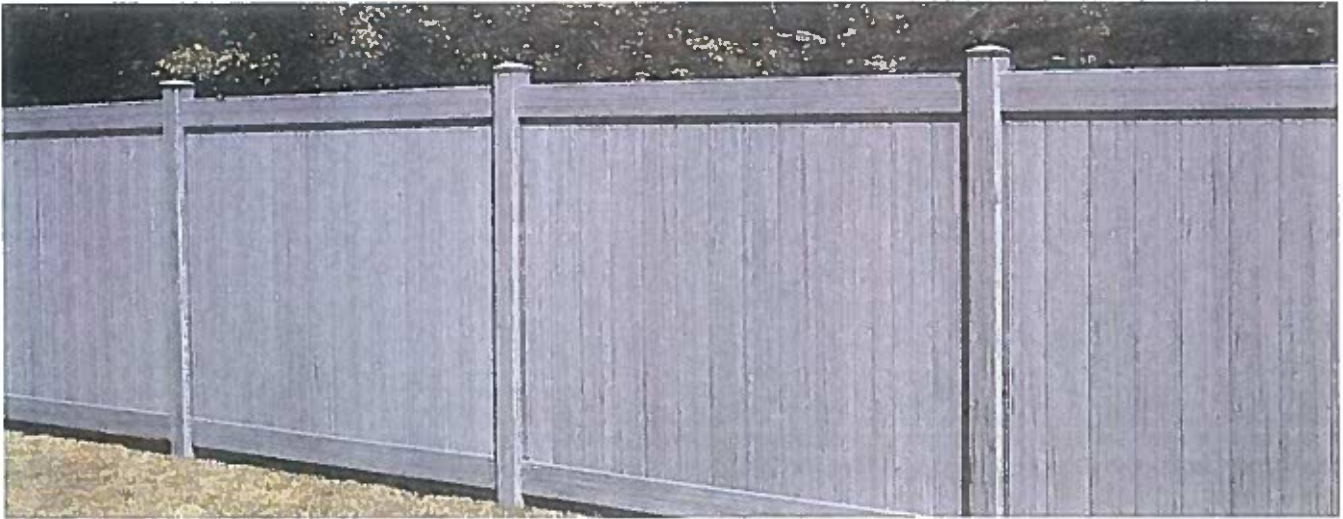
SECTION 11, T14N-R04E, UNION TOWNSHIP, ISABELLA COUNTY, MICHIGAN



LEGAL DESCRIPTION OF PROPERTY BOUNDARY:

PART OF THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 11, T14N, R04W, UNION TOWNSHIP, ISABELLA COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST $\frac{1}{8}$ CORNER OF SAID SECTION 11; THENCE S87°11'10"E 363.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 11 TO THE POINT OF BEGINNING; THENCE N00°35'00"E 60.05 FEET TO THE NORTH RIGHT-OF-WAY LINE OF PICKARD ROAD (120 FEET WIDE); THENCE CONTINUING N00°35'00"E ALONG THE EASTERLY LINE OF "BELMONT PARK" AS RECORDED IN LIBER 4 OF PLATS, PAGE 219, ISABELLA COUNTY RECORDS 1260.66 FEET TO A FOUND MONUMENT AT THE NORTHEAST CORNER OF SAID "BELMONT PARK"; THENCE N00°28'40"E 253.19 FEET ALONG THE EASTERLY LINE OF "EDGEWOOD SUBDIVISION", AS RECORDED IN LIBER 7 OF PLATS, PAGE 397, ISABELLA COUNTY RECORDS; THENCE S87°11'10"E 300.47 FEET PARALLEL WITH THE SAID SOUTH LINE OF SECTION 11; THENCE S00°35'00"W PARALLEL WITH THE EASTERLY LINE OF SAID "BELMONT PARK" 934.84 FEET; THENCE S87°11'10"E PARALLEL WITH THE SAID SOUTH LINE OF SECTION 11 240.00 FEET; THENCE S00°35'00"W PARALLEL WITH THE EASTERLY LINE OF SAID "BELMONT PARK" 161.00 FEET; THENCE S26°37'51"W 65.54 FEET; THENCE N87°11'10"W PARALLEL WITH THE SAID SOUTH LINE OF SECTION 11 211.20 FEET; THENCE S00°35'00"W PARALLEL WITH THE EASTERLY LINE OF SAID "BELMONT PARK" 418.04 FEET TO THE SOUTH LINE OF SAID SECTION 11; THENCE N87°11'10"W 300.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 11 TO THE POINT OF BEGINNING, CONTAINING 12.03 ACRES OF LAND, MORE OR LESS. BEING SUBJECT TO EASEMENTS, RESTRICTIONS, OR COVENANTS, IF ANY.



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[TECHNICAL INFO](#)

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[SUSTAINABILITY](#)

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- 2" x 6" channeled rail
- Steel reinforced bottom rail
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Union Township Public Hearing Notice – Variance

NOTICE is hereby given that a Public Hearing will be held on Wednesday, December 14, 2016, 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 23.4 and 8.31 as required by the Union Township Zoning Ordinance 1991-5 as amended.

Requested by: MID MICHIGAN HEALTH DEV ASSOC, a variance for a 6' vinyl fence in place of planted landscape area in a B-5 zone.

Legal Description of property: PART OF SE 1/4 OF SE 1/4 SEC 11 T14N R4W COM AT THE E 1/8 COR OF SAID SEC 11 TH S 87D 11M 10S E 363 FT TO POB TH N 00D 35M 00S E 60.05 FT TH N 00D 35M 00S E 1260.66 FT TH N 00D 28M 40S E 253.19 FT TH S 87D 11M 10S E 300.47 FT TH S 00D 35M 00S W 934.84 FT TH S 87D 11M 10S E 240 FT TH S 00D 35M 00S W 161 FT TH S 26D 37M 51S W 65.54 FT TH N 87D 11M 10S W 211.20 FT TH S 00D 35M 00S W 418.04 FT TH N 87D 11M 10S W 300 FT TO POB 12.03 A M/L . COMBINATION/SPLIT FOR 2016 COMBINED 40-022-03 & 40-022-05 SPLIT TO 40-022-06 & 40-022-07 & 40-024-01 ALSO 40-024-00 COMBINED FOR 2016 TO 40-024-01

This property is located at 4851 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 Peasant, Michigan, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. Phone number (989) 772-4600 Ext. 241.

Peter Gallinat, Union Twp Planner



Applicant (4851 E. Pickard Rd.) has requested to replace approved planted landscaping with 6' fence on west side of property that abuts a residential neighborhood.





KRUGER MICHAEL & JENNIFER
1666 Belmont Dr
MT PLEASANT, MI 48858

ADAMS MICHAEL
1802 BELMONT DR
MT PLEASANT, MI 48858

KENNEY JASON
1810 BELMONT DR
MOUNT PLEASANT, MI 48858

BERGER BILLY JR & EMMILETT
1816 BELMONT DR
Mt Pleasant, MI 48858

ARTIBEE ROBERT
1824 BELMONT DR
MOUNT PLEASANT, MI 48858

CEG LLC
3139 BRITTANY LN
MOUNT PLEASANT, MI 48858

HUG BRUCE & DIANA
1030 W RIVER RD
MOUNT PLEASANT, MI 48858

MASON LARRY L & JOYCE L REV
TR
1864 BELMONT DR
MT PLEASANT, MI 48858

NOEKER CORY
600 S FRANKLIN ST
MOUNT PLEASANT, MI 48858

MAHAFFEY WILLIAM & KATHLEEN
1896 BELMONT DR
Mt. Pleasant, MI 48858

LUDWIG MICHELE L
1906 BELMONT DR
Mt Pleasant, MI 48858

EISENBERGER Jed Jacob & Jena M
1926 BELMONT DR
Mount Pleasant, MI 48858

WALNUT APARTMENT LLC
5075 S GILMORE RD
MT PLEASANT, MI 48858

SKUDLER JOAN
1948 BELMONT
MT PLEASANT, MI 48858

RHODE LINDSEY
1960 BELMONT DR
Mount Pleasant, MI 48858

FRUIN MARIAN & PAUL
1956 BELMONT DR
MT PLEASANT, MI 48858

HWC, LLC
C/O KYLE HELLER
149 SHORELINE DR
MUSKEGON, MI 49440

BEUTLER JON
c/o Jons Auto Repair
7365 E RIVER RD
MT PLEASANT, MI 48858

VETERANS OF FOREIGN WARS
c/o PO BOX 53
4841 E PICKARD RD
MOUNT PLEASANT, MI 48804-0053

NELSON MICHAEL A
1949 BELMONT DR
MOUNT PLEASANT, MI 48858

VERWEY ANNE
1937 BELMONT DR
MT PLEASANT, MI 48858

MYERS BRENT & LISA TRUST
4995 E PICKARD RD
MT PLEASANT, MI 48858

CHAPMAN RUTH A LIV TRUST
1907 BELMONT DR
MT PLEASANT, MI 48858

FOSTER JESS L ET AL
13377 WOODLAND CT
BIG RAPIDS, MI 49307-9448

VANOMMEREN SANDRA & EDWARD
1887 BELMONT DR
MIDLAND, MI 48858

HAHN DENNIS I & ELSIE M
1877 BELMONT DR
MT PLEASANT, MI 48858

FREDERICKS ARTHUR & KAREN TRUS
1863 BELMONT DR
MT PLEASANT, MI 48858

SCHAFER JAMES R
1847 BELMONT DR
MOUNT PLEASANT, MI 48858

KRCHMAR SUSAN
2968 WELDON DR
HARRISON, MI 48625

GILL CARL & MARY MARGARET
1825 BELMONT DR
MOUNT PLEASANT, MI 48858

POLLARD ROXANN
2095 YATS DR
MT PLEASANT, MI 48858

ANDERSON RICHARD
5065 DAKOTA
WEIDMAN, MI 48893

Michigan Reserves, Inc
PO BOX 329
MOUNT PLEASANT, MI 48804-0329

SCHNEIDER LAURA & NICHOLAS
OTTO
2105 YATS DR
Mt Pleasant, MI 48858

PALMER MARILYN J
2075 BETTY LN
MOUNT PLEASANT, MI 48858

LUNDQUIST PHILIP & PRISCILLA
PO BOX 947
MOUNT PLEASANT, MI 48804-0947

FREEBORN ROY & FOLTZ ELAINE
9668 E REMUS RD
MOUNT PLEASANT, MI 48858

KURT TOLGA & AHSEN TATAR
1030 PINEVIEW CT
ALMA, MI 48801

REAL PICK LLC
PO BOX 510
MOUNT PLEASANT, MI 48804-0510

IRISH JEFFREY R
2055 CARTER ST
Mt. Pleasant, MI 48858

RALSTON NANCY
2045 CARTER ST
Mt Pleasant, MI 48858

REAL PICK LLC
4585 E PICKARD, STE G
Mount Pleasant, MI 48858

TURNWALD CARWASH LLC
7120 S SHEPHERD RD
SHEPHERD, MI 48883

MINDEL HARRY & DIANNE
2056 CARTER ST
MT PLEASANT, MI 48858

SCHROCK KENNETH
1315 N MISSION
Mount Pleasant, MI 48858

CLEAN SCENE INC
c/o CLEAN SCENE LAUNDROMATS
4864 E PICKARD RD
MT PLEASANT, MI 48858

GODWINS FURNITURE
6410 BAY RD
SAGINAW, MI 48604

GFK ENTERPRISES LLC
9635 ABERDEEN CT
STANWOOD, MI 49346

THREE F'S INVESTMENTS LLC
3400 E BLANCHARD RD
SHEPHERD, MI 48883

LIBREN MANAGEMENT LLC
4995 E PICKARD RD
MOUNT PLEASANT, MI 48858

DENTON GLENN & SUZANNE
9909 N VANDECAR RD
FARWELL, MI 48622-0000

MYERS BRENT & LISA TRUST
4995 E PICKARD RD
MT PLEASANT, MI 48858

JACK LOEKS THEATRES INC
c/o JACKSON ENTERTAINMENT MT
PLEASANT
2121 CELEBRATION DR NE
GRAND RAPIDS, MI 49525-9579

MILLER APPLE LP
5084 EXCHANGE DR
FLINT, MI 48507

MID MICHIGAN HEALTH DEV
ASSOC
4000 WELLNESS DR
MIDLAND, MI 48670

GARNER THOMAS
1593 BELMONT DR
MT PLEASANT, MI 48858

BERGLUND STEVEN G
1615 BELMONT DR
MT PLEASANT, MI 48858

NORRIS DAVID
1616 BELMONT DR
MOUNT PLEASANT, MI 48858

White Dennis & Geraldine Fam Trust
1644 BELMONT DR
MT PLEASANT, MI 48858

YOUSSEF RAFFY & CARRIE
1656 BELMONT DR
MOUNT PLEASANT, MI 48858

ELLIOTT ELAINE
1823 BELMONT DR
MT PLEASANT, MI 48858

DART MICHAEL
1807 BELMONT DR
MT PLEASANT, MI 48858

MERCADO CARMEN M
1805 BELMONT DR
MOUNT PLEASANT, MI 48858

JAKUBOWSKI JOHN & DELAINE LVG
1667 BELMONT DR
Mt Pleasant, MI 48858

Haynes Michael & Kennett Jessica L
1645 BELMONT DR
MOUNT PLEASANT, MI 48858

VAUGHT WILLIAM
1635 BELMONT DR
MOUNT PLEASANT, MI 48858

BARKER VANDA
1625 BELMONT DR
MOUNT PLEASANT, MI 48858

I certify that Public Notices for
file # 2016-05 were
mailed on 11-29-16 to all persons listed on
this page. Peter J. Hart (signature)

AFFIDAVIT OF PUBLICATION

48 West Huron Street • Pontiac, MI 48342

Charter Township of Union-Classifieds
2010 S Lincoln

Mount Pleasant, MI 48858
Attention: Peter Gallinat

STATE OF MICHIGAN,
COUNTY OF ISABELLA

John Allport
John Allport

The undersigned _____, being duly sworn the he/she is the principal clerk of Morning Sun, themorningsun.com, themorningsun.com2, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

Charter Township of Union-Classifieds

Published in the following edition(s):

Morning Sun	11/29/16
themorningsun.com	11/29/16
themorningsun.com2	11/29/16



Sworn to the subscribed before me this 1st December 2016

Tina M. Crown

Notary Public, State of Michigan
Acting in County of Isabella

Union Township Public Hearing Notice - Variance

NOTICE is hereby given that a Public Hearing will be held on Wednesday, December 14, 2016, 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 23.4 and 8.31 as required by the Union Township Zoning Ordinance 1991-5 as amended.

Requested by: MID MICHIGAN HEALTH DEV ASSOC, a variance for a 6' vinyl fence in place of planted landscape area in a B-5 zone.

Legal Description of property: PART OF SE 1/4 OF SE 1/4 SEC 11 T14N R4W COM AT THE E 1/8 COR OF SAID SEC 11 TH S 87D 11M 10S E 383 FT TO POB TH N 00D 35M 00S E 60.05 FT TH N 00D 35M 00S E 1280.66 FT TH N 00D 28M 40S E 253.19 FT TH S 87D 11M 10S E 300.47 FT TH S 00D 35M 00S W 934.84 FT TH S 87D 11M 10S E 240 FT TH S 00D 35M 00S W 161 FT TH S 26D 37M 51S W 65.54 FT TH N 87D 11M 10S W 211.20 FT TH S 00D 35M 00S W 418.04 FT TH N 87D 11M 10S W 300 FT TO POB 12.03 A M/L. COMBINATION/ SPLIT FOR 2016 COMBINED 40-022-03 & 40-022-05 SPLIT TO 40-022-06 & 40-022-07 & 40-024-01 ALSO 40-024-00 COMBINED FOR 2016 TO 40-024-01

This property is located at 4851 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 number (989) 772-4600 Ext. 241.

Peter Gallinat, Union Twp Planner

Published November 29, 2016

Advertisement Information

Client Id: 531227

Ad Id: 1191148

PO:

Sales Person: 200315

NOTICE OF APPEAL
Charter Township of Union

ZONING BOARD OF APPEALS

DATE: October 21, 2016

I (we) Isabella Community Credit Union, PO Box 427, Mt. Pleasant, MI 48804-0427

Name

Address

owners of property at 2100 East Remus Road, Mt. Pleasant, MI 48858,

the legal description is: T14N R4W, SEC 21, COM 428 FT E OF NW COR OF SEC
TH E 197 FT TH S 435 FT TH W 533 FT TH N 35 FT TH E 336 FT TH N 400 FT
TO P.O.B. AND S 35 FT OF N 125 FT OF LOT 1 UTTERBACKS SUBDIVISION

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:

xx 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.*

--

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

Credit union would not be able to provide space on its pillar sign for its
new tenant, Shear Color Hair Salon.

- 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 1976

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 \$150.00 Day Anders CEO
Signature of Applicant

FOR ZONING BOARD OF APPEALS USE ONLY

Appeals received, date: 10/24/16

Public Notice published, date: 11-29-16

Public Notice mailed, date: ~~12-14-16~~ 11-29-16

Hearing held, date: 12-14-16

Decision of Board of Appeals: _____

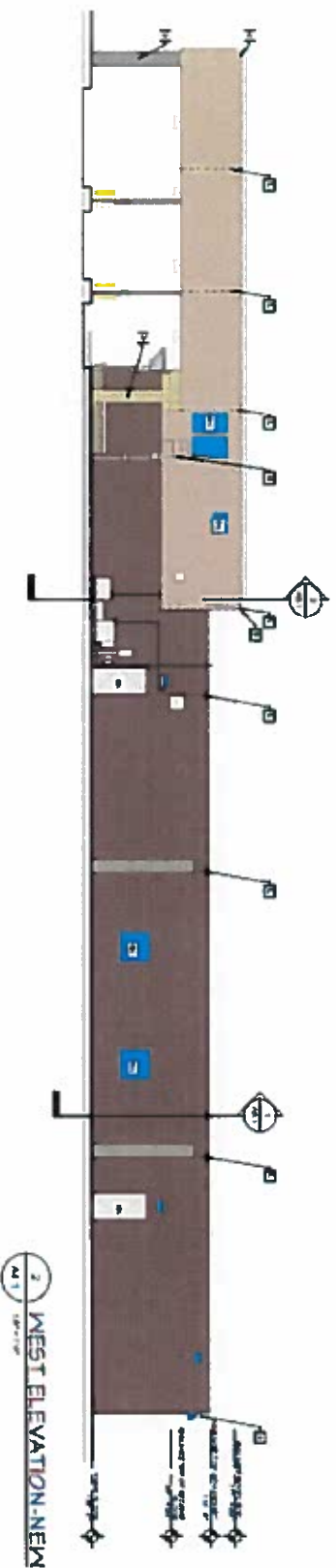
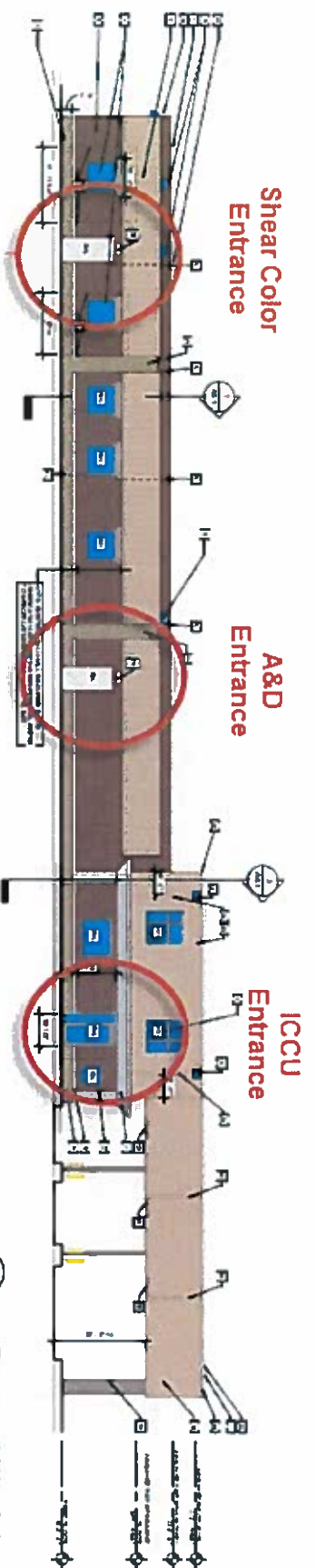
Reasons: _____

UNION TOWNSHIP OFFICE TO COMPLETE THIS SHEET FOR VARIANCE ONLY

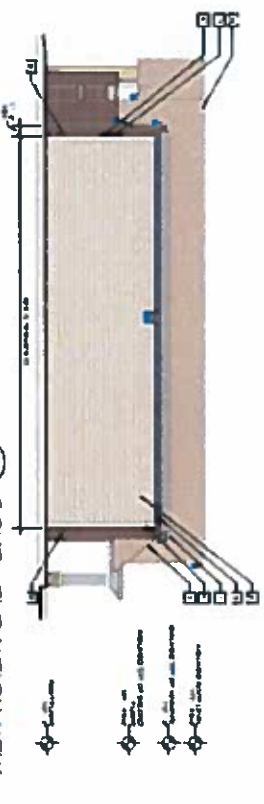
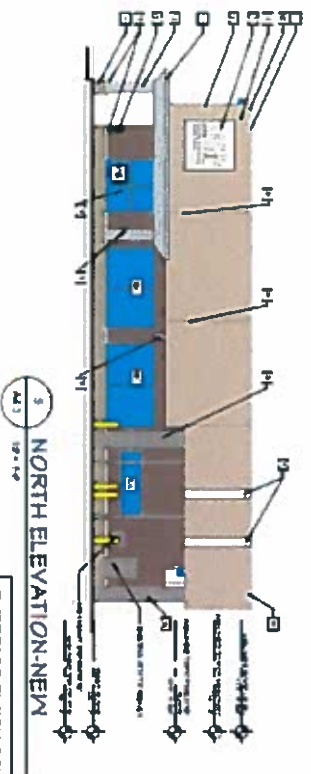


PROPOSED SITE PLAN

RCW (M-20) EAST REMUS RD

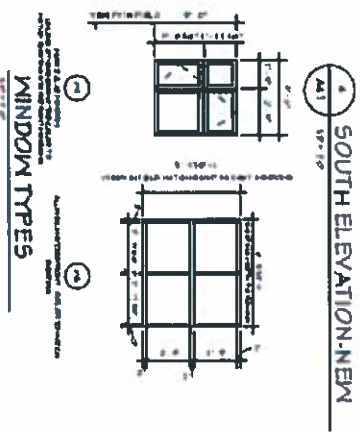


Not to Measurement Scale, notes omitted



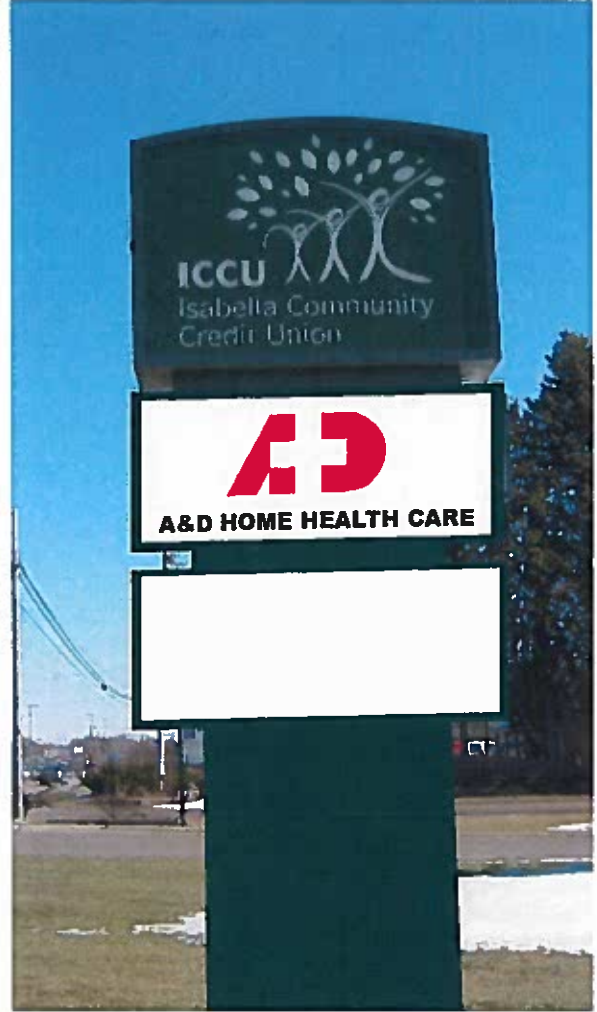
EXTERIOR FINISH SCHEDULE

Case No.	Case Name	Case Type	Case Status	Case Description	Case Outcome
1	Case 1	Case 1	Case 1	Case 1	Case 1
2	Case 2	Case 2	Case 2	Case 2	Case 2
3	Case 3	Case 3	Case 3	Case 3	Case 3
4	Case 4	Case 4	Case 4	Case 4	Case 4
5	Case 5	Case 5	Case 5	Case 5	Case 5
6	Case 6	Case 6	Case 6	Case 6	Case 6
7	Case 7	Case 7	Case 7	Case 7	Case 7
8	Case 8	Case 8	Case 8	Case 8	Case 8
9	Case 9	Case 9	Case 9	Case 9	Case 9
10	Case 10	Case 10	Case 10	Case 10	Case 10
11	Case 11	Case 11	Case 11	Case 11	Case 11
12	Case 12	Case 12	Case 12	Case 12	Case 12
13	Case 13	Case 13	Case 13	Case 13	Case 13
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59	Case 59	Case 59	Case 59	Case 59	Case 59
60	Case 60	Case 60	Case 60	Case 60	Case 60
61	Case 61	Case 61	Case 61	Case 61	Case 61
62	Case 62	Case 62	Case 62	Case 62	Case 62
63	Case 63	Case 63	Case 63	Case 63	Case 63









Option 2: Remove existing sign and pole cover and install Four 3' x 7' new signs and pole covers. Two of the signs decorated with A&D Home Health Care. Two signs blank for new tenant.

SIGN BROKERS, LLC

Sign Broker & Consulting Service

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

Tom Baker

Ph 231-499-8724

tbaker@signbrokersllc.com

- a. Provision of the Zoning Ordinance from which a variance is sought 11.11.F.4

DESCRIPTION	REQUIRED	DESIRED (I can only provide X)	VARIANCE (= Required – Desired)
Example – Side Yard	10 feet	8 feet	2 feet
Pillar Sign	60 square feet	77 square feet	17 square feet

- 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?

Land frontage is 197'. While our building frontage is only 60', the lot frontage far exceeds what would be needed for the above signage. In addition, building is 130' deep, with all three business entrances on the east side.

- 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? Entrances.

Credit union entrance has been on the east side for decades. When tenant space was split out, it was a natural progression for those businesses, too.

- 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?

I certify that Public Notices for
file # 2016-4 were
mailed on 11-27-16 to all persons listed on
this page. Bl. Platt (signature)

CAMPBELL ANNA
2300 19 MILE RD
BARRYTON, MI 49305

MID MICHIGAN PROPERTY GROUP
2060 E REMUS RD
MOUNT PLEASANT, MI 48858

ISABELLA COMM CREDIT UNION
PO BOX 427
2100 E REMUS RD
Mt Pleasant, MI 48804-0427

DREAM KEY DESIGNS LLC
2981 HEALTH MT PLEASANT, MI
48858 PKWY STE B

WOOD KAVANAUGH P &
MARGARET S
2555 W WING RD
MT PLEASANT, MI 48858

ROSLUND MP LLC
2180 E. Remus Rd
Mt Pleasant, MI 48858

CLARE MARVIN & EDITH & CLARE D
P.O. Box 96
Mt. Pleasant, MI 48804-0096

H A BANKS INVESTMENTS LLC
PO BOX 492
MOUNT PLEASANT, MI 48804-0492

REFRIGERATION RESEARCH
P.O. Box 869
Brighton, MI 48116-0869

WIECZOREK STEVEN TRUST
767 S DOE TRL
MT PLEASANT, MI 48858

SWINDLEHURST RICHARD
700 N ISABELLA RD
MT PLEASANT, MI 48858

FIGG RICHARD & BETTY
3860 ST ANDREWS DR
MT PLEASANT, MI 48858

GREENSPACE INC
1982 E REMUS RD
MOUNT PLEASANT, MI 48858

RI CS4 LLC
ATTN: PM DEPT #2500
11995 EL CAMINO REAL
SAN DIEGO, CA 92130

SCOTLAND LEASING CORP
114 GRANT
ALMA, MI 48801

RYAN S INVESTMENTS LLC
PO BOX 753
MOUNT PLEASANT, MI 48804-0753

MILLARD INVESTMENTS LLC
7108 N FORDYCE RD
FARWELL, MI 48622

MJ ENTERPRISES OF MT
PLEASANT
3155 S MERIDIAN RD
MOUNT PLEASANT, MI 48858

SB OPERATIONS/HJ
HOLDING/BLOCK KEN
350 S MERIDIAN RD
Mt. Pleasant, MI 48858

I certify that Public Notices for
file # _____ were
mailed on _____ to all persons listed on
this page. _____ (signature)

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Requested by: Isabella Community Credit Union, a variance of 17 square feet for integrated groups free standing signage in a B-5 zone.

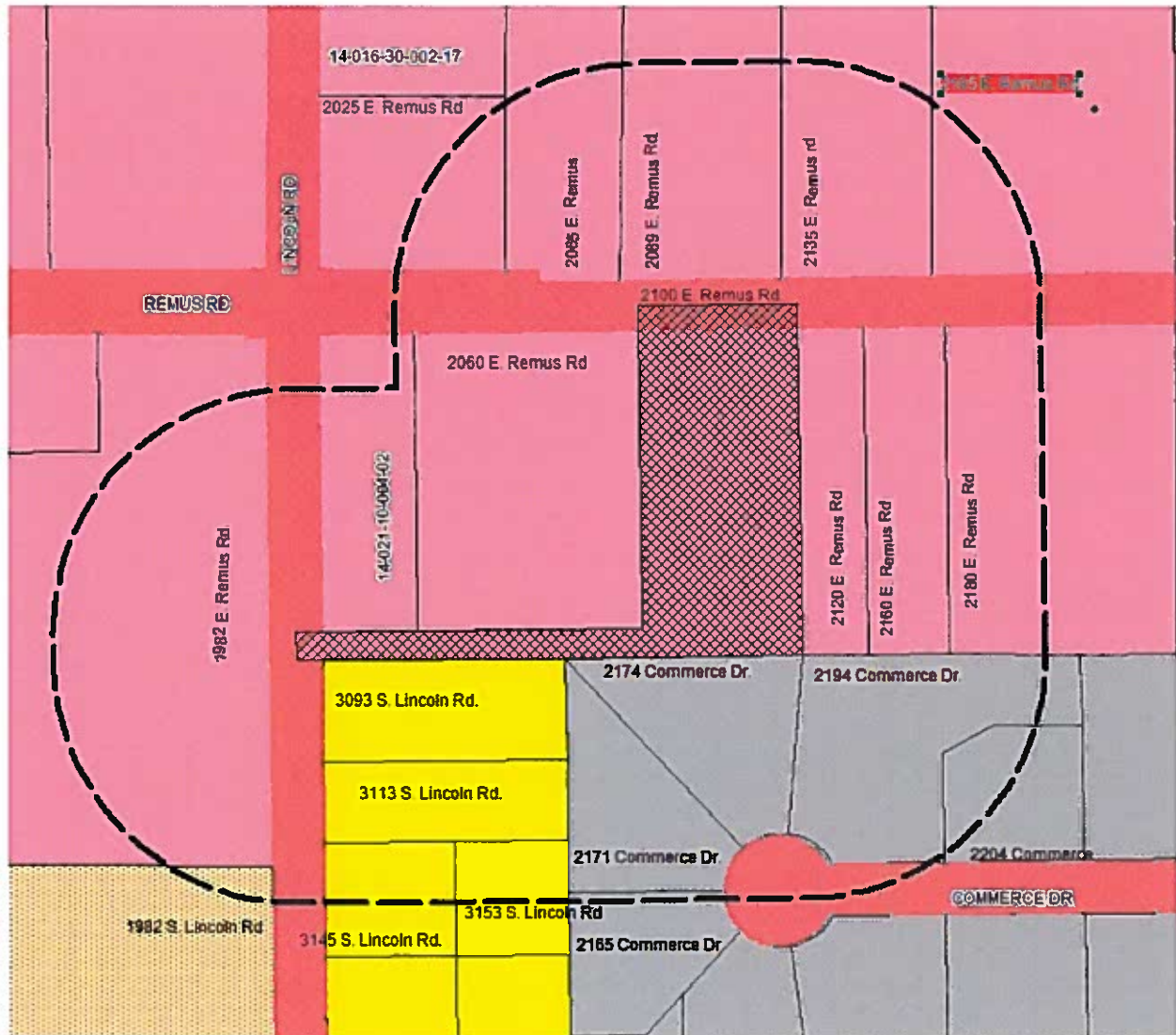
Legal Description of property: T14N R4W, SEC 21, COM 428 FT E OF NW COR OF SEC TH E 197 FT TH S 435 FT TH W 533 FT TH N 35 FT TH E 336 FT TH N 400 FT TO P.O.B. AND S 35 FT OF N 125 FT OF LOT 1 UTTERBACKS SUBDIVISION

This property is located at 2100 E REMUS 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 number (989) 772-4600 Ext. 241.

Peter Gallinat, Union Twp Planner



The checkered parcel is the subject parcel that represents 2100 E. Remus Rd. The request is for a sign variance. The pink colored parcels are B-5 (Highway Business). The yellow parcels are R-2A (One and Two-Family District). The grey parcels are zoned I-1 (Light Industrial District) and the tan colored parcel is zoned R-3A (Multiple-Family Residential).

digitalfirst M E D I A

MICHIGAN GROUP

AFFIDAVIT OF PUBLICATION

48 West Huron Street • Pontiac, MI 48342

Charter Township of Union-Classifieds
2010 S Lincoln

Mount Pleasant, MI 48858
Attention: Peter Gallinat

STATE OF MICHIGAN,
COUNTY OF ISABELLA

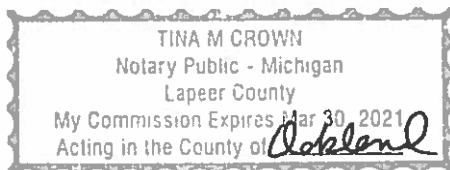
Sam Alpert
Sam Alpert

The undersigned _____, being duly sworn the he/she is the principal clerk of Morning Sun, themorningsun.com, themorningsun.com2, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

Charter Township of Union-Classifieds

Published in the following edition(s):

Morning Sun	11/29/16
themorningsun.com	11/29/16
themorningsun.com2	11/29/16



Sworn to the subscribed before me this 18th December 2016

Tina M. Crown

Notary Public, State of Michigan
Acting in County of Isabella

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Peter Gallinat, Union Twp Planner

Published November 29, 2016

Advertisement Information

Client Id: 531227

Ad Id: 1191154

PO:

Sales Person: 200315



REQUEST FOR TOWNSHIP BOARD ACTION

To: Zoning Board of Appeals

DATE: November 30, 2016

FROM: Peter Gallinat, Township Planner

DATE FOR BOARD CONSIDERATION: December 7, 2016

ACTION REQUESTED: Consider approval of the proposed Zoning Board of Appeals meeting dates for the 2017 calendar year in accordance with the Open Meetings Act.

Current Action ☒ Emergency ☐

Funds Budgeted: If Yes ☐ Account # ☐ No ☐ N/A ☒ N/A ☒

Finance Approval ☐

RESOLUTION

RESOLVED that the regular Zoning Board of Appeals meeting dates for the 2017 calendar year through December 31, 2017, scheduled for 7:00 p.m., on the first Wednesday of each month at Union Township Hall located at 2010 S. Lincoln Road, Union Township, Michigan, are hereby established in accordance with the Open Meetings Act, being MCL15.261, et, Seq., whereas these meetings are conducted and open to the public as follows:

January 4, 2017

February 1, 2017

March 1, 2017

April 5, 2017

May 3, 2017

June 7, 2017

July 5, 2017

August 2, 2017

September 6, 2017

October 4, 2017

November 1, 2017

December 6, 2017

Wednesday August 30, 2017 at 7:00p.m. (Joint Board of Trustees, ZBA, Planning Commission, EDA, and Sustainability meeting)

Resolved by ☐

Seconded by ☐

Yes:

No:

Absent:

OPEN MEETINGS ACT

THE BASICS

The Act – the Open Meetings Act (OMA) is 1976 PA 267, MCL 15.261 through 15.275. The OMA took effect January 1, 1977. In enacting the OMA, the Legislature promoted a new era in governmental accountability and fostered openness in government to enhance responsible decision making.¹

Nothing in the OMA prohibits a public body from adopting an ordinance, resolution, rule, or charter provision that requires a greater degree of openness relative to public body meetings than the standards provided for in the OMA.²

What bodies are covered? – the OMA applies to all meetings of a public body.³ A "public body" is broadly defined as:

[A]ny state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by state constitution, statute, charter, ordinance, resolution, or rule to *exercise governmental or proprietary authority or perform a governmental or proprietary function*; a lessee of such a body performing an essential public purpose and function pursuant to the lease agreement.⁴ [Emphasis added.]

As used in the OMA, the term "public body" connotes a collective entity and does not include an individual government official.⁵ The OMA does not apply to private, nonprofit corporations.⁶

Public notice requirements – a meeting of a public body cannot be held unless public notice is given consistent with the OMA.⁷ A public notice must contain the public body's name, telephone number, and address, and must be posted at its principal office and any other locations

¹ *Booth Newspapers, Inc v Univ of Michigan Bd of Regents*, 444 Mich 211, 222-223; 507 NW2d 422 (1993).

² MCL 15.261.

³ MCL 15.263. When the Handbook refers to a "board," the term encompasses all boards, commissions, councils, authorities, committees, subcommittees, panels, and any other public body.

⁴ MCL 15.262(a). The provision in the OMA that includes a lessee of a public body performing an essential public purpose is unconstitutional because the title of the act does not refer to organizations other than "public bodies." OAG, 1977-1978, No 5207, p 157 (June 24, 1977). Certain boards are excluded "when deliberating the merits of a case." MCL 15.263(7). See also MCL 15.263(8) and (10).

⁵ *Herald Co v Bay City*, 463 Mich 111, 129-133; 614 NW2d 873 (2000) – a city manager is not subject to the OMA. *Craig v Detroit Public Schools Chief Executive Officer*, 265 Mich App 572, 579; 697 NW2d 529 (2005). OAG, 1977-1978, No 5183A, p 97 (April 18, 1977).

⁶ OAG, 1985-1986, No 6352, p 252 (April 8, 1986) – the Michigan High School Athletic Association is not subject to the OMA. See also *Perlango v Iron River Cooperative TV Antenna Corp*, 122 Mich App 433; 332 NW2d 502 (1983).

⁷ MCL 15.265(1). *Nicholas v Meridian Charter Twp*, 239 Mich App 525, 531; 609 NW2d 574 (2000).

the public body considers appropriate.⁸ If a public body is a part of a state department, a public notice must also be posted in the principal office of the state department.⁹

Public notice requirements are specific to the type of meeting:

- (1) For regular meetings of a public body, there shall be posted within 10 days after the first meeting of the public body in each calendar or fiscal year a public notice stating the dates, times, and places of its regular meetings.
- (2) For a change in schedule of regular meetings of a public body, there shall be posted within three days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings.
- (3) For a rescheduled regular or a special meeting of a public body, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting.
- (4) A meeting of a public body which is recessed for more than 36 hours shall be reconvened only after public notice has been posted at least 18 hours before the reconvened meeting.¹⁰

At their first meeting of the calendar or fiscal year, each board must set the dates, times, and places of the board's regular meetings for the coming year. The OMA does not require any particular number of meetings. The board's schedule of regular meetings is not, of course, set in stone. The board is free to cancel or reschedule its meetings.

The minimum 18-hour notice requirement is not fulfilled if the public is denied access to the notice of the meeting for any part of the 18 hours.¹¹ The requirement may be met by posting at least 18 hours in advance of the meeting using a method designed to assure access to the notice. For example, the public body can post the notice at the main entrance visible on the outside of the building that houses the principal office of the public body.¹²

A public body must send copies of the public notices by first class mail to a requesting party, upon the party's payment of a yearly fee of not more than the reasonable estimated cost of printing and postage. Upon written request, a public body, at the same time a public notice of a meeting is posted, must provide a copy of the public notice to any newspaper published in the state or any radio or television station located in the state, free of charge.¹³

⁸ MCL 15.264(a)-(c).

⁹ MCL 15.264(c).

¹⁰ MCL 15.265(2)-(5).

¹¹ OAG, 1979-1980, No 5724, p 840 (June 20, 1980).

¹² OAG No 5724.

¹³ MCL 15.266.