

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 March 1, 2017 at 7:00 p.m. at Union Township Hall.

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

Roll Call

Present: Mike Darin, Jake Hunter, Bryan Mielke, Tim Warner, and Andy Theisen (alt.)

Excused: Paul Gross & Taylor Sheahan-Stahl (alt.)

Others Present

Peter Gallinat and Jennifer Loveberry

Approval of Minutes

Darin moved **Hunter** supported the approval of the February 1, 2017 minutes with minor correction. Vote: Ayes: 4 Nays 0. Motion carried.

Correspondence / Board Reports

Mielke gave Planning Commission updates.

Approval of Agenda

Mielke moved **Hunter** supported to approve the agenda as presented. Vote: Ayes: 5 Nays 0. Motion carried.

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

Open – 7:05 p.m.

No comments.

Public Hearing

Text Interpretation 2017-01: Kuhn Rogers PLC

Public Notice that was published on February 12, 2017, was read by Township Planner, Gallinat. MCL125.3604(5) states “If the zoning board of appeals receives a written request seeking an interpretation of the zoning ordinance or an appeal of an administrative decision, the zoning board of appeals shall conduct a public hearing on the request. Notice shall be given as required under section 103. However, if the request does not involve a specific parcel of property, notice need only be published as provided in section 103(1) and given to the person making the request provided in section 103(3).”

Open 7:05 p.m.

No comments were offered from the audience.

Township Planner stated that he did not receive any written or phone correspondence requesting information regarding the text interpretation.

Gallinat gave the board a brief background of the applicant's request for the interpretation of the zoning ordinance as it relates to principal permitted uses, accessory uses and accessory building size in a B-5 (Highway Business District). The applicant has requested an interpretation of the following:

- Office space of any service company which provides services on or off premises as a permitted use
- Partially enclosed vehicle washing facility not open to the public, but ancillary to the permitted use, for trucks and related equipment used in providing a service off premises as an accessory use if the principal use is permitted.
- Enclosed service garage facility not open to the public, but ancillary to the permitted use, for trucks and related equipment used in providing a service off premises as an accessory use if the principal use is permitted.
- The sale of new or used vehicles, trucks and related equipment as a permitted use.
- An accessory building larger than the principal permitted use building when both the accessory use and principal use are permitted.

*Chair Warner requested alternate, Andy Theisen to the table for a full ZBA Board.

7:09 p.m. - Joe Quandt, representing applicant, addressed the ZBA with his clients request for interpretation. As the applicant's type of business remains confidential at this time, per their request, Mr. Kuhn answered various questions the ZBA Board had for him.

New Business

A. Text Interpretation 2017-01: Kuhn Rogers PLC

Discussion was held by the board.

Hunter moved **Mielke** supported to approve:

- "Office space of any service company which provides services on or off premises as a permitted use" in the B-5 District is a permitted use.
- "Partially enclosed vehicle washing facility not open to the public, but ancillary to the permitted use, for trucks and related equipment used in providing a service off premises as an accessory use if the principal use is permitted" in the B-5 District is a permitted use.
- "Enclosed service garage facility not open to the public, but ancillary to the permitted use, for trucks and related equipment used in providing a service off premises as an accessory use if the principal use is permitted" in the B-5 District is a permitted use.
- "The sale of new or used vehicles, trucks and related equipment as a permitted use" as stated per zoning ordinance section 23.2.d is a permitted use; anything not listed would not be permitted.
- "An accessory building larger than the principal permitted use building when both the accessory use and principal use are permitted" in the B-5 District is a permitted use.

Roll call vote: Ayes: Warner, Darin, Mielke, Theisen, and Hunter 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.

Public hearing closed – 7:52 p.m.

EXTENDED PUBLIC COMMENT

Open 7:52 p.m.

No comments.

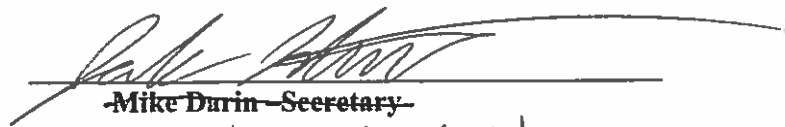
FINAL BOARD COMMENT

Mielke – Commented on uniqueness of meeting and Resolution presented by Kuhn Rogers PLC.

ADJOURNMENT

Chair Warner adjourned the meeting at 7:55 p.m.

APPROVED BY:


~~Mike Durin - Secretary~~
Jake Hunter - Vice Secretary

(Recorded by Jennifer Loveberry)