

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 May 3, 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, Paul Gross (late-7:03p.m.), Bryan Mielke, and Tim Warner

Others Present

Peter Gallinat, Jennifer Loveberry, and Alternate: Andy Theisen

Correspondence / Board Reports

Mielke – Planning Commission updates.

Approval of Minutes

Hunter moved **Gross** supported the approval of the March 1, 2017 minutes as presented. **Vote: Ayes: 5 Nays 0. Motion carried.**

Approval of Agenda

Mielke moved **Darin** 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 – 7:04 p.m.

Jane Wood, 4989 E. Valley Rd. – stated that no size restrictions set in township ordinance to protect rights of adjacent property owners.

Public Hearings

A. VAR 2017-03, 4815 E. Valley Rd, Owner: Jeff Stanton requesting 4' variance accessory building height

Township Planner, Gallinat gave a brief description of the requested variance and read the public notice that was published.

Open – 7:11 p.m.

Jane Ward, 4948 E. Valley Rd. - As an adjacent property owner, she would be facing 134 ft of aluminum wall 15' to her property.

Jeff Stanton, 4815 E. Valley Rd. (applicant) – Gave brief description of reason for requesting variance of 4' for the height of an accessory storage building to store 15' fifth wheel.

Robert Myers, 4572 E. Valley Rd. - Stated that Township Ordinance needs to be looked at regarding height rule as an overall height.

Closed-7:19 p.m.

B. VAR 2017-04 Owner: Phil Hertzler and Jessica requesting 7' variance accessory building location.

Location: 2113 McDonald Rd.

Township Planner, Gallinat gave a brief description of the requested variance and read the public notice that was published.

Open – 7:48 p.m.

No public comments were offered.

Phil Hertzler, 2113 McDonald Rd. (applicant) - Stated that he is requesting a 7ft variance for the placement of an accessory structure.

Closed-7:56 p.m.

New Business

A. VAR 2017-03 Owner: Jeff Stanton requesting 4' variance accessory building height

Location: 4815 E. Valley Rd.

Mielke moved Hunter supported to recommend denying VAR 2017-03, 4815 E. Valley Rd., Owner: Jeff Stanton requesting a 4' variance accessory building height. Stating the following reasons from section 5.8C:

- a. The only special conditions and circumstances existing peculiar to the land, structure, or building involved that are not applicable to other lands, structures or buildings in the same Zoning District is that the current structure has a variance for a setback and the property a variance for lot size.
- b. A literal interpretation of this ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same Zoning District.
- c. The special conditions and circumstances do result from the actions of the applicant

The Zoning Board of Appeals is also adding to recommend that the ordinance be looked at stating an overall size limit. **Vote: Ayes: 5 Nays: 0. Motion carried.**

Gallinat stated that there would be a 21 day appeal period, after the minutes are approved, before the decision is Final.

B. VAR 2017-04, Owner: Phil Hertzler and Jessica requesting 7' variance accessory building location.

Location: 2113 McDonald Rd.

Township Planner, Gallinat gave a brief description of the requested variance and read the public notice that was published.

Hunter moved Mielke supported to table the applicant's request until the June 7, 2017 Zoning Board of Appeals. **Vote: Ayes: 5 Nays: 0. Motion carried.**

Other Business

Mielke – Will address the overall size and height variance of accessory structures in the R1 District with the Planning Commission.

Hunter – Commented on section 8.1.C., distance requirements connecting structures by use of breezeways.

Extended Public Comment

Open 8:13 p.m.

Jane Ward, 4948 E. Valley Rd- Made comments on size requirements regarding accessory structures and gave brief neighborhood history.

Closed 8:18 p.m.

Final Board Comment

Adjournment

Chair Warner adjourned the meeting at 8:18 p.m.

APPROVED BY:



Mike Darin – Secretary
Jake Hunter – Vice Secretary

(Recorded by Jennifer Loveberry)