



ZONING BOARD OF APPEALS
Regular Meeting
July 10, 2018
7:00p.m.

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MINUTES

-June 6, 2018 ZBA regular meeting

5. CORRESPONDENCE / BOARD REPORTS

- Boards and Commissions Expiration Dates
- ZBA Rules and Procedure

6. APPROVAL OF AGENDA

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

9. NEW BUSINESS

A. VAR 2018-03 5278 Pickard Rd. Owner Mt. Pleasant Hotels LLC. A variance for a screening fence instead of a wall from residential uses. *(Action: Grant or deny variance with reasons stated with or without conditions)*

10. OTHER BUSINESS

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

12. FINAL BOARD COMMENT

12. 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 June 6, 2018 at 7:00 p.m. at Union Township Hall.

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

Roll Call

Present: Paul Gross, Jake Hunter Bryan Mielke, Andy Theisen, and Tim Warner

Others Present

Peter Gallinat & Jennifer Loveberry
Alternate John Zerbe

Approval of Minutes

Theisen moved **Mielke** supported the approval of the May 2, 2018 minutes as presented. **Vote: Ayes: 5 Nays 0. Motion carried.**

Correspondence / Board Reports

Mielke – Updates from the Planning Commission

Approval of Agenda

Gross moved **Theisen** 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 – 7:03 p.m.
No comments were offered.

Public Hearings

New Business

A. ZBA Rules/Bylaws

Theisen moved **Hunter** supported to adopt the Rules and Procedures with the proposed corrections. **Vote: Ayes: 5 Nays: 0. Motion Carried.**

Other Business

Extended Public Comment

Open 7:26 p.m.
No comments were offered.

Final Board Comment

Mielke commented that the Planning Commission will be recommending a consultant for the upcoming Zoning Ordinance rewrite to the Board of Trustees.

Adjournment

Vice Chair Mielke adjourned the meeting at 7:28 p.m.

APPROVED BY:

Jake Hunter –Secretary
Paul Gross – Vice Secretary

(Recorded by Jennifer Loveberry)

Board Expiration Dates

| Planning Commission Board Members (9 Members) 3 year term | | | |
|---|-----------|---------------|-----------------|
| # | F Name | L Name | Expiration Date |
| 1-BOT Representative | | | 11/20/2020 |
| 2-Chair | Phil | Squatrito | 2/15/2020 |
| 3- Vice Chair | Bryan | Mielke | 2/15/2021 |
| 4-Secretary | Alex | Fuller | 2/15/2020 |
| 5 - Vice Secretary | Mike | Darin | 2/15/2019 |
| 6 | Stan | Shingles | 2/15/2021 |
| 7 | Ryan | Buckley | 2/15/2019 |
| 8 | Denise | Webster | 2/15/2020 |
| 9 | Doug | LaBelle II | 2/15/2019 |
| Zoning Board of Appeals Members (5 Members, 2 Alternates) 3 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1-Chair | Tim | Warner | 12/31/2019 |
| 2-PC Rep / Vice Chair | Bryan | Mielke | 2/18/2021 |
| 3-Vice Secretary | Jake | Hunter | 12/31/2019 |
| 4 | Andy | Theisen | 12/31/2019 |
| 5 | Paul | Gross | 12/31/2018 |
| Alt. #1 | John | Zerbe | 12/31/2019 |
| Alt. #2 | Taylor | Sheahan-Stahl | 2/15/2021 |
| Board of Review (3 Members) 2 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1 | Doug | LaBelle II | 12/31/2018 |
| 2 | James | Thering | 12/31/2018 |
| 3 | Bryan | Neyer | 12/31/2018 |
| Alt #1 | Mary Beth | Orr | 1/25/2019 |
| Citizens Task Force on Sustainability (4 Members) 2 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1 | Laura | Coffee | 12/31/2018 |
| 2 | Mike | Lyon | 12/31/2018 |
| 3 | Jay | Kahn | 12/31/2018 |
| 4 | Phil | Mikus | 11/20/2020 |
| Construction Board of Appeals (3 Members) 2 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1 | Colin | Herron | 12/31/2019 |
| 2 | Richard | Klumpp | 12/31/2019 |
| 3 | Andy | Theisen | 12/31/2019 |
| Hannah's Bark Park Advisory Board (2 Members from Township) 2 year term | | | |
| 1 | Mark | Stuhldreher | 12/31/2018 |
| 2 | John | Dinse | 12/31/2019 |
| Chippewa River District Library Board 4 year term | | | |
| 1 | Ruth | Helwig | 12/31/2019 |
| 2 | Lynn | Laskowsky | 12/31/2021 |



Board Expiration Dates

| EDA Board Members (11 Members) 4 year term | | | |
|---|---------|-----------|-----------------|
| # | F Name | L Name | Expiration Date |
| 1 | Thomas | Kequom | 4/14/2019 |
| 2 | James | Zalud | 4/14/2019 |
| 3 | Richard | Barz | 2/13/2021 |
| 4 | Robert | Bacon | 1/13/2019 |
| 5 | Ben | Gunning | 11/20/2020 |
| 6 | Marty | Figg | 6/22/2022 |
| 7 | Sarvjit | Chowdhary | 1/20/2022 |
| 8 | Cheryl | Hunter | 6/22/2019 |
| 9 | Vance | Johnson | 2/13/2021 |
| 10 | Michael | Smith | 2/13/2021 |
| 11 | David | Coyne | 3/26/2022 |
| Mid Michigan Area Cable Consortium (2 Members) | | | |
| # | F Name | L Name | Expiration Date |
| 1 | Kim | Smith | 12/31/2020 |
| 2 | Vacant | | |
| Cultural and Recreational Commission (1 seat from Township) 3 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1 | Brian | Smith | 12/31/2019 |
| Sidewalks and Pathways Prioritization Committee (2 year term) | | | |
| # | F Name | L Name | Expiration Date |
| 1 BOT Representative | Phil | Mikus | 7/26/2019 |
| 2 PC Representative | Denise | Webster | 8/15/2018 |
| 3 Township Resident | Sherrie | Teall | 8/15/2019 |
| 4 Township Resident | Jeremy | MacDonald | 10/17/2018 |
| 5 Member at large | | | 8/15/2019 |

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

TO: Zoning Board of Appeals

Meeting 07/10/2018

FROM: Township Planner

NEW BUSINESS

SUBJECT: A) VAR 2018-03 Screening Variance Section 24.4.D

Location: 5278 E. Pickard Rd.

Current Zoning: B-7 (Retail and Service Highway Business District)

Adjacent Zoning: R-2B to the south across the road, B-7/R-2B to the east, R-2A and B-7 to the west and R-1 to the north across the road.

Future Land Use/Intent: Retail/Service This district is intended for the widest variety of retail and service businesses. They could range from apparel shops, auto service, and restaurants through small commercial strip centers and office buildings. This district is not intended for heavy commercial/light industrial uses like landscaping or contractor yards, heavy auto repair, or similar uses that may require some form of outside storage. Locations for this district are based on arterial road frontage and the need for high traffic volumes with convenient, well-managed access.

Current Use: Holiday Inn Hotel under construction

Reason for Request: Replace masonry wall for residential screening with Sim Tek fence

History: In 2014 Mt. Pleasant Hotels LLC began to work with the township in constructing a Holiday Inn. In the last 4 years this project has applied for and been granted a liquor license, a SUP for a transition area needed for a storm water detention pond, 2 SPR approvals, vacating an alley way and variances relating to height, setback, and signage. The project at this time is near completion. The owner now requests a variance with regard to screening from residential uses. The owner does not seek a variance from screening but rather seeks to use a Sim Tek fence in place of a masonry wall.

Objective of board: Grant or deny the variance with reasons stated as to why. After hearing the application the board may adjourn the hearing in order to permit the obtaining of additional information.

At this time I would recommend granting variance 2018-03 on the condition that the fence be between 5-8ft in height and maintained if ever damaged.

- The proposed fence meets the intent of the required wall and therefore does not grant special privilege. It will have no openings and will look similar to a wall. It may aesthetically even look better.
- The project currently a special use not typically used for other properties in the same zoning district.

Township
Planner

NOTICE OF APPEAL
Charter Township of Union

ZONING BOARD OF APPEALS

DATE: 6/14/18

I (we) MT. PLEASANT HOTELS, LLC 2369 FRANKLIN R.D. BLOOMFIELD HILLS
Name Address MI 48302

owners of property at 5278 EAST PIGKARD

the legal description is: NEW HOLIDAY INN + SUITES

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 D.

| DESCRIPTION | REQUIRED | DESIRED (I can only provide X) | VARIANCE (= Required - Desired) |
|----------------------------|--------------|---|---------------------------------|
| Example - Side Yard | 10 feet | 8 feet | 2 feet |
| SCREENING FROM RESIDENTIAL | MASONRY WALL | SEMPER COMMERCIAL ECOSTONE SIMULATED STONE FENCE, MUCH BETTER LOOKING FENCE THAN MASONRY. | |

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?

HOTEL AND RESTAURANTS WILL LOOK AT UNDESIRABLE CONCRETE SCREENING WALL.

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?

ONLY ISSUE IS WITH LOOKS OF REQUIRED SCREENING WALL.

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?

REAR HOTEL PATIO FACES UNDESIRABLE CONCRETE SCREENING WALL.

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

12/24/14

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 \$ 350 Mark Greene
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: _____

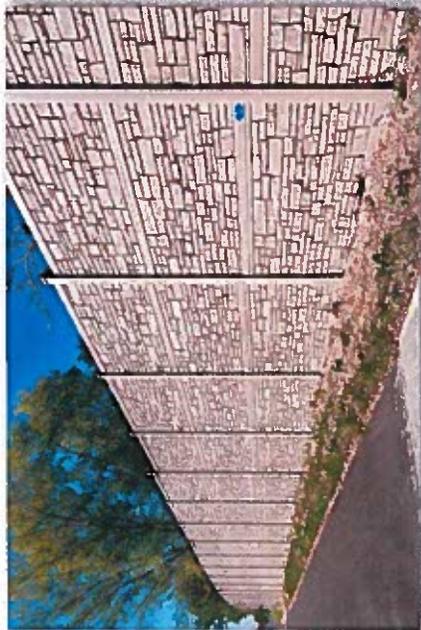
UNION TOWNSHIP OFFICE TO COMPLETE THIS SHEET FOR VARIANCE ONLY

MT PLEASANT HOLIDAY INN & SUITES

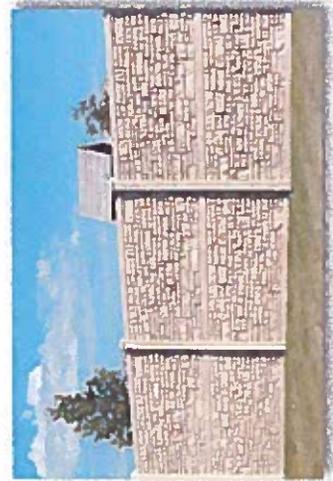
SIM TEK ECOSYSTEM SIMULATED STONE FENCE



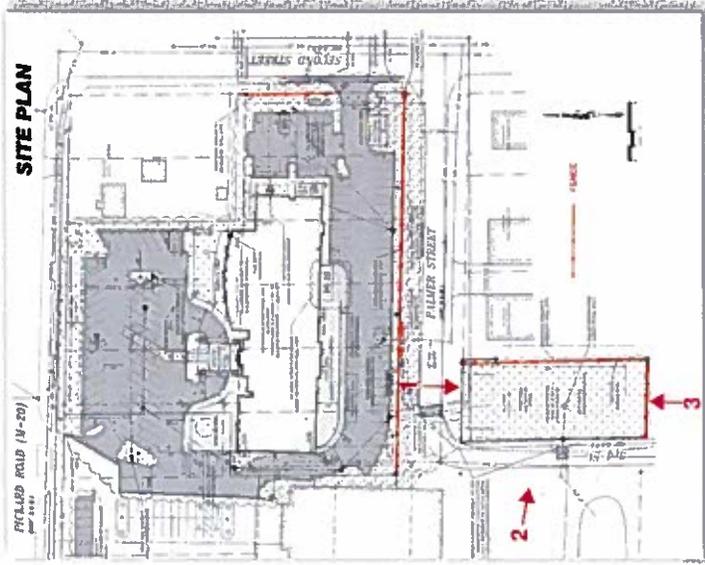
Holiday Inn



PROPOSED HEAVY DUTY PRIVACY FENCE (SIMULATED STONE ON BOTH SIDES)



HURRICANE CERTIFIED—MIAMI DADE



VIEW 1



VIEW 3



VIEW 2



CONCRETE PRIVACY FENCE—RESIDENTIAL VIEW



CONCRETE PRIVACY FENCE—COMMERCIAL PROPERTY VIEW



Union Township Public Hearing Notice – Variance

NOTICE is hereby given that a Public Hearing will be held on Tuesday, July 10, 2018, 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 Sections 24.4.D. as required by the Union Township Zoning Ordinance 1991-5 as amended.

Requested by: MT. Pleasant Hotels, LLC: A variance from section 24.4.D Screening From Residential Uses.

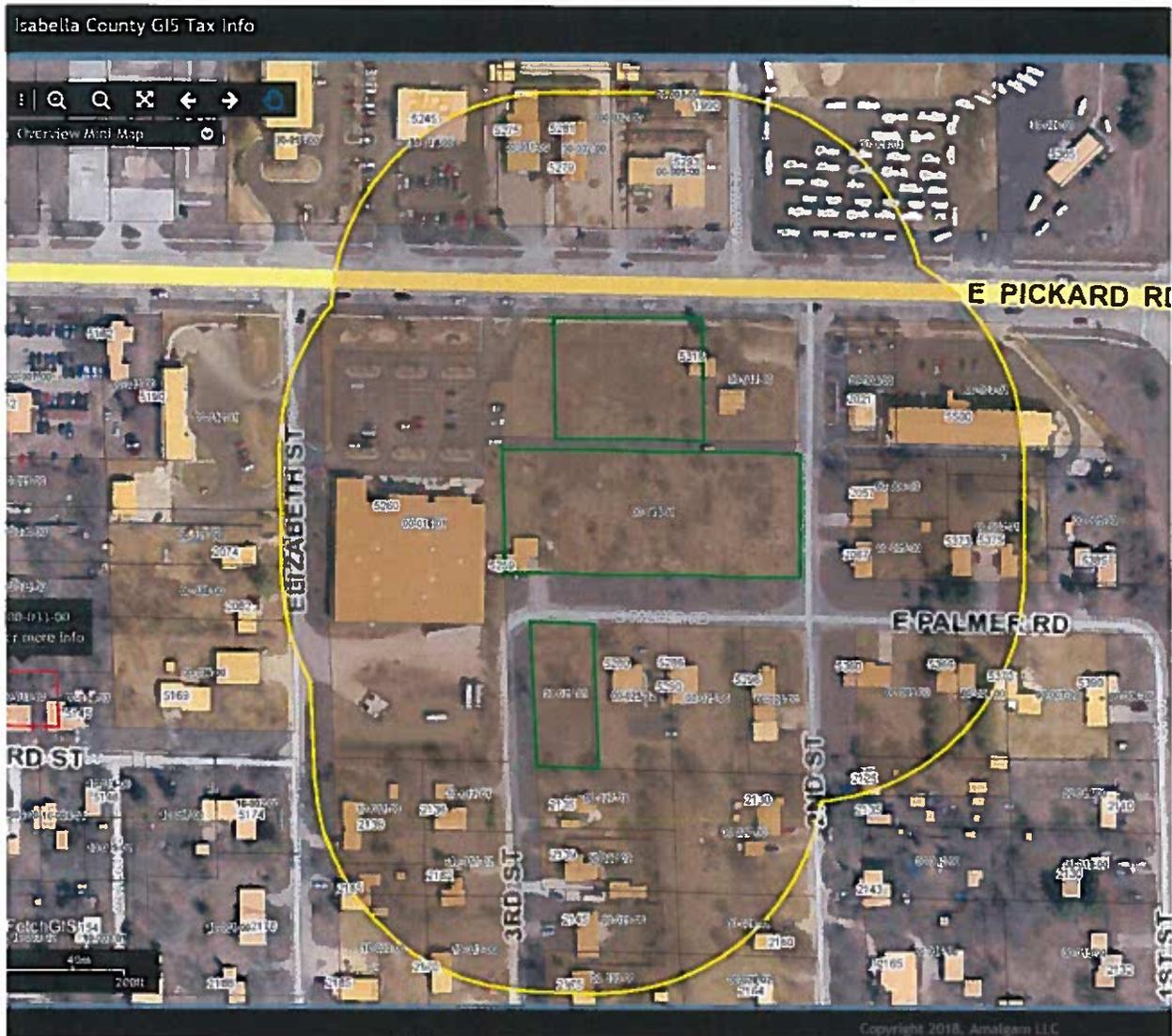
Legal Description of property: T14N R4W SEC 13 GARDEN GROVE LOT 4 BLK 3

This property is located at 5278 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



The parcels outlined in **GREEN** are the subject properties owned by the applicant. The **YELLOW** line around the subject properties represents a 300 ft radius. Property owners within this radius are notified of the public hearing for a variance requested by the owner. The owner is required to construct a wall to screen the Holiday Inn from residential properties. The owner is instead requesting a variance to construct a Semtek commercial ecostone simulated stone fence.

CONEY RAY F
PO BOX 242
MOUNT PLEASANT, MI 48804-0242

DELL DAVID J & DEBORAH I
2250 E REMUS RD
MT PLEASANT, MI 48858

FRANCO BRENDA K
2074 ELIZABETH ST
MT PLEASANT, MI 48858

DSJB IV LLC
3636 BIRCH ST SUITE 260
NEW PORT BEACH, CA 92660

ALPINE HOLDINGS LLC
5205 E PICKARD RD
MT PLEASANT, MI 48858

WEATHERWAX DIANA
2139 ELIZABETH ST
MOUNT PLEASANT, MI 48858

MARTIN SHANNON
2136 THIRD ST
MT PLEASANT, MI 48858

FEDERAL HOME LOAN MORTGAGE CORP
31440 NORTHWESTERN HWY
FARMINGTON HLS, MI 48334-2525

BOURLAND TIMOTHY
2170 THIRD ST
MT PLEASANT, MI 48858

K & B MANAGEMENT LLC &
6509 S HOOVER RD
BEAVERTON, MI 48612

SIMS STEVE
2165 ELIZABETH ST
MOUNT PLEASANT, MI 48858

*Susan Kennedy
2135 2nd st.
MT. Pleasant, MI 48858*

MT PLEASANT INN & SUITES
5370 E PICKARD RD
MOUNT PLEASANT, MI 48858

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

PUNG CODY
2067 SECOND ST
MT PLEASANT, MI 48858

HENDERSHOT KATHLEEN REV TRUST
2057 SECOND ST
MT PLEASANT, MI 48858

RA EST LLC & RP EAST LLC
1028 S MISSION ST
MOUNT PLEASANT, MI 48858

SOS HOLDING COMPANY LLC
PO BOX 845
ALMA, MI 48801

MOUNT PLEASANT HOTELS LLC
2369 FRANKLIN RD
BLOOMFIELD HILLS, MI 48302

BROOKS DAN & EILEDA
3468 E RIVER RD
MT PLEASANT, MI 48858

SIMMER RACHEL & BRANDON
5366 E PALMER ST
MT PLEASANT, MI 48858

DECKER RUTH
5360 PALMER ST
MT PLEASANT, MI 48858

KNOLLENBERG LOIS E ET AL
2125 SECOND ST
MT PLEASANT, MI 48858

SCHAFFER JOSEPH P
4830 NATIONAL DR
MT PLEASANT, MI 48858

MOUNT PLEASANT HOTELS LLC
2369 FRANKLIN RD
BLOOMFIELD HILLS, MI 48302

SCHAFFER JOSEPH P
4830 NATIONAL DR
MT PLEASANT, MI 48858

WHITE MICHAEL & THERESA
5296 PALMER ST
MOUNT PLEASANT, MI 48858

PHILLIPS CARLTON
11050 S WISE RD
SAINT LOUIS, MI 48880

TAYLOR JOYCE
5900 W MILLER RD
SHEPHERD, MI 48883

MIDDLETON DOUGLAS
2135 THIRD ST
MOUNT PLEASANT, MI 48858

MCCOY CHARLES
2160 2ND ST
MOUNT PLEASANT, MI 48858

STEERE KAYLYN I
2164 2ND ST
MOUNT PLEASANT, MI 48858

GURSKI JEFFREY & SONDR A K
2145 THIRD ST
MT PLEASANT, MI 48858

FRANCO GILBERTO
5074 E KAY ST
MOUNT PLEASANT, MI 48858

OLSAFSKY REAL ESTATE INVESTMEN
5275 E PICKARD
MOUNT PLEASANT, MI 48858

DALE KEITH & MARCIA
2223 N JOHNSON RD
WEIDMAN, MI 48893

DALE KEITH & MARCIA
2233 N JOHNSON RD
WEIDMAN, MI 48893

GILL DOUG & MARLENE
5293 E PICKARD RD
MT PLEASANT, MI 48858

B & M MT PLEASANT PROPERTY LLC
5365 E PICKARD RD
MT PLEASANT, MI 48858

GBC HOLDINGS LLC
1970 AIRWAY DR
MOUNT PLEASANT, MI 48858

TURNWALD LAND LLC
5190 E PICKARD RD
MT PLEASANT, MI 48858

LEE DAVID A & LISA M
5260 E PICKARD
MOUNT PLEASANT, MI 48858