



ZONING BOARD OF APPEALS  
Regular Meeting  
July 9, 2019  
7:00 p.m.

1. CALL MEETING TO ORDER
  2. PLEDGE OF ALLEGIANCE
  3. ROLL CALL
  4. APPROVAL OF MINUTES
    - June 5, 2019 Regular ZBA Meeting
  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. **VAR 2019-07** – Public Hearing – 5157 E. Pickard Rd., Mt Pleasant, MI 48858  
Owner: John Bishop - A variance from section 11.3 B Removal Obsolete Signs  
(Conduct a Public Hearing. *Grant or deny Variance Request with reason.*  
*Conditions may apply*)
  9. OTHER BUSINESS
    - B. **VAR 2019-05** 767 Deer Run, Mt Pleasant, MI 48858 Owner: Steve Wieczorek:  
A variance from section 8.1.F Accessory Building Height  
(Tabled 6/5/19 ZBA meeting). *Grant or deny Variance Request with reason.*  
*Conditions may apply*)
10. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue
11. 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 5, 2019 at 7:00 p.m. at Union Township Hall.

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

**Roll Call**

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

Excused: Taylor Sheahan-Stahl

**Others Present**

Peter Gallinat, Jennifer Loveberry, and alternate Liz Presnell

**Chair Warner called Liz Presnell to the table in the absence of Taylor Sheahan-Stahl**

**Approval of Minutes**

**Theisen** moved **Mielke** supported the approval of the May 1, 2019 minutes as presented. **Vote: Ayes: 5 Nays 0. Motion carried.**

**Correspondence / Board Reports**

- Planning Commission updates by Mielke

**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 – 7:04 p.m.

No comments were offered.

**New Business**

**A. VAR 2019-05 Public Hearing – 767 Deer Run, Owner: Steve Wiczorek: A variance from section 8.1.F Accessory Building Height**

Introduction of Variance request by Township Planner, Gallinat

Public Hearing Notice was read for Variance 2019-05, a height variance of 1 ½ feet requested by the applicant to build an accessory building that in their view better fits the characteristics of the neighborhood, closely resembling a neighboring accessory building.

Public Hearing Open 7:08 p.m.

Paul Rogers, 806 Doe Trail – Questioned the reasoning of the additional height needed.

Public Hearing Closed 7:10 p.m.

Discussion was held by the Zoning Board of Appeals, they went through section 5.8.c.1 a-e of the Zoning Ordinance.

**Mielke** moved **Theisen** supported to table VAR 2019-05 to give the applicant time to bring information the Zoning Board of Appeals is requesting prior to a decision being made. **Vote:** Ayes: 5 Nays: 0 Motion Carried.

**B. VAR 2019-06 5172- E. Pickard Rd., Owner: M-5 Holdings: A variance from Section 24.4.1 Outdoor Display Products**

Introduction of Variance request by Township Planner, Gallinat

Public Hearing Notice was read for Variance 2019-06, a 11' variance requested for the required setback for outdoor area displays regarding an already constructed accessory structure for sale that is too close to the road right of way.

Public Hearing Open 7:46 p.m.  
No comments were offered.  
Public Hearing Closed 7:46 p.m.

Applicant, Denny Mitchell, 8699 Lumberjack Rd, Riverdale acknowledged being in violation of the 20' setback of a temporary building on display in his lot.

Discussion was held by the Zoning Board of Appeals, they went through section 5.8.c.1 a-e of the Zoning Ordinance.

**Theisen** moved **Mielke** supported to deny VAR 2019-06 based on section 5.8c.1c. that the conditions exist due to applicants actions and also from section 7 Administration and Enforcement, citing section 7.5 Additional Remedies that the applicant come into compliance with the ordinance by means of moving the structure back to meet the required setbacks, giving the accessory building in question until January 1, 2020 to either be sold and/or removed. **Vote:** Ayes: 5 Nays: 0 Motion carried.

Township Planner, Gallinat stated that there would be a 21-day appeal period before the decision is final. Starting after the minutes are approved at the next scheduled meeting in July 2019.

**C. Consider recommendations from the Township Planner for the upcoming scheduled July 3, 2019 ZBA meeting**

**Theisen** moved **Hunter** supported to move the July ZBA meeting to July 9, 2019 at 7:00 p.m. **Vote:** Ayes: 5 Nays: 0. Motion carried.

**Other Business**

**Extended Public Comment**

Open 8:22 p.m.

## Board Expiration Dates

Planning Commission Board Members (9 Members) 3 year term			
#	F Name	L Name	Expiration Date
1-BOT Representative	Lisa	Cody	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	2/15/2022
6	Stan	Shingles	2/15/2021
7	Ryan	Buckley	2/15/2022
8	Denise	Webster	2/15/2020
9	Doug	LaBelle II	2/15/2022
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-Secretary	Jake	Hunter	12/31/2019
4- Vice Secretary	Andy	Theisen	12/31/2019
5	Taylor	Sheahan-Stahl	12/31/2021
Alt. #1	John	Zerbe	12/31/2019
Alt. #2	Liz	Presnell	2/15/2021
Board of Review (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Doug	LaBelle II	12/31/2020
2	James	Thering	12/31/2020
3	Bryan	Neyer	12/31/2020
Alt #1	Randy	Golden	1/25/2021
Citizens Task Force on Sustainability (4 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Don	Long	12/31/2020
2	Mike	Lyon	12/31/2020
3	vacant seat		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	Jakubiec	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	12/31/2020
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	4/14/2023
2	James	Zalud	4/14/2023
3	Richard	Barz	2/13/2021
4	Robert	Bacon	1/13/2023
5	Ben	Gunning	11/20/2020
6	Marty	Figg	6/22/2022
7	Sarvjit	Chowdhary	1/20/2022
8	Cheryl	Hunter	6/22/2023
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	8/15/2020
3 Township Resident	Sherrie	Teall	8/15/2019
4 Township Resident	Jeremy	MacDonald	10/17/2020
5 Member at large	Connie	Bills	8/15/2019

No comments were offered.

**Final Board Comment**

Mielke – Welcomed Liz Presnell to the Zoning Board of Appeals.

Theisen – Looking forward to seeing the zoning ordinance rewrite, specifically the zoning board of appeals section.

**Adjournment**

Chair Warner adjourned the meeting at 8:27 p.m.

**APPROVED BY:**

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**Jake Hunter – Secretary**  
**Andy Theisen – Vice Secretary**

*(Recorded by Jennifer Loveberry)*

DRAFT

**NOTICE OF APPEAL**  
**Charter Township of Union**

**ZONING BOARD OF APPEALS**

DATE: 6-13-19

I (we) John Bishop 1004 Pueblo Pass, Lake Umbagog  
Name Address

owners of property at 5165 & 5157 E PICKARD,

the legal description is: T14N R4W, Sec 12, CORN 396.5 FT W. OF  
SE CORNER OF SW 1/4 OF SW 1/4 OF SEC 12; TH W 85.5 FT;  
TH N 320 FT; TH E 29 FT; TH N 340 FT; TH E  
56.5 FT; TH S 660 FT TO POB

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 11.3 B

DESCRIPTION	REQUIRED	DESIRED (I can only provide X)	VARIANCE (= Required - Desired)
Example - Side Yard	10 feet	8 feet	2 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?

Currently For Sale  
Sign has been in place for over  
20 years w/ no issues.

c. Which 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?



EXCESSIVE COST TO REMOVE.

POTENTIAL RENTER/BUYER WOULD USE, +  
RAISE PROPERTY VALUE/TAXES.

- 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:

SIGNS IN AREA ARE SIMILAR/LARGER

- 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 prior to 2000

II. Appeal for Interpretation

Relating to enforcement of the Zoning Ordinance

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

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b. Describe if interpretation of district map

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III. Administrative Review

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

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\*\*\*\*\*  
Fees \_\_\_\_\_ John Bishop  
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:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

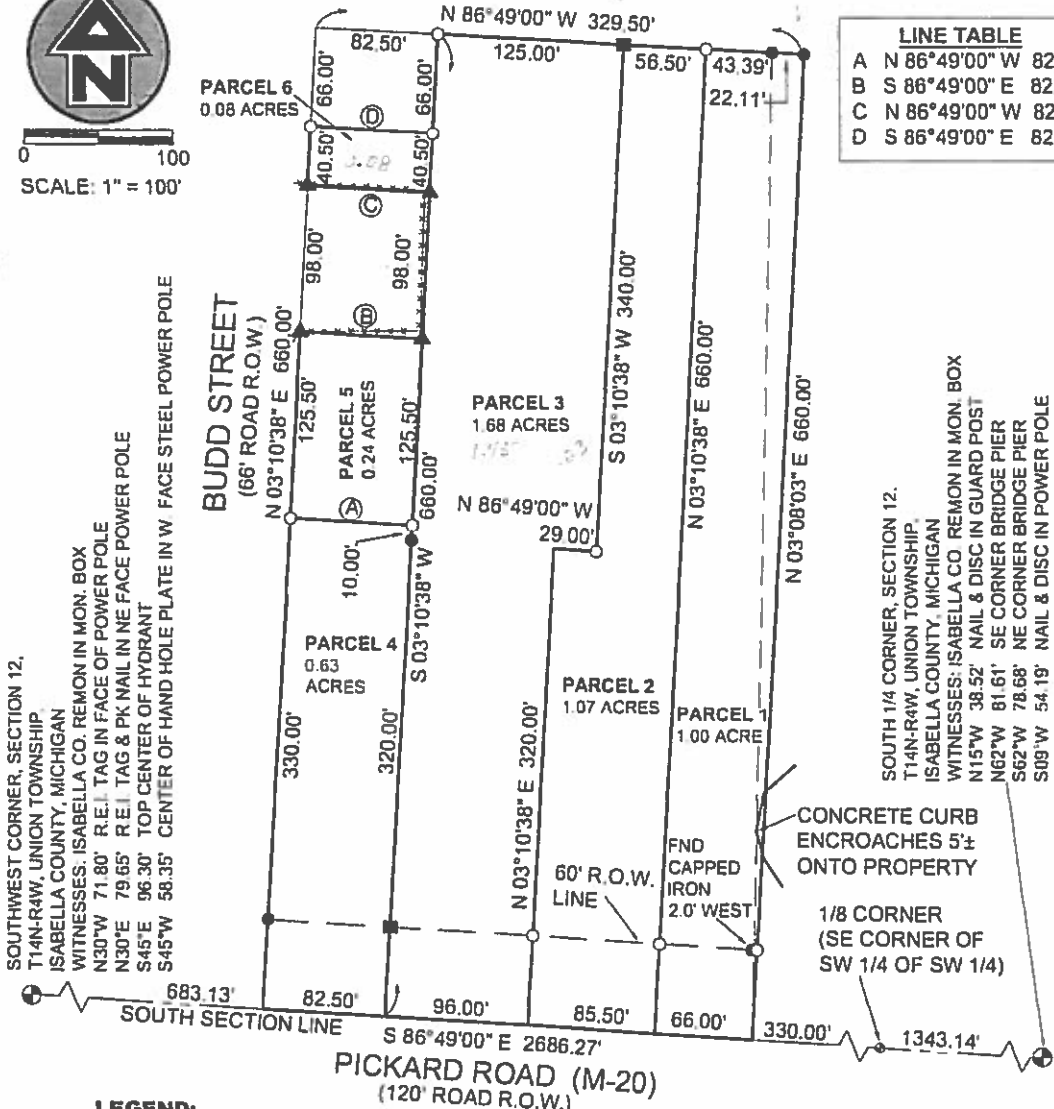
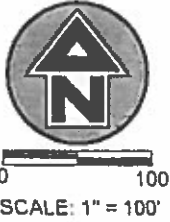
**UNION TOWNSHIP OFFICE TO COMPLETE THIS SHEET FOR VARIANCE ONLY**

# CERTIFICATE OF SURVEY

SECTION 12, T.14N-R.4W., UNION TOWNSHIP, ISABELLA COUNTY, MI  
 I, Scott O. Graham, hereby certify that on November 27, 2015 I surveyed the land described hereon, and that all of the requirements of PA 132 of 1970, as amended, have been met.

**Certified to: Sharon Bishop**  
**Property Description: SEE ATTACHED**

4.70 acres 2.40  
 2.30



LINE TABLE	
A	N 86°49'00" W 82.50'
B	S 86°49'00" E 82.50'
C	N 86°49'00" W 82.50'
D	S 86°49'00" E 82.50'

SOUTHWEST CORNER, SECTION 12,  
 T14N-R4W, UNION TOWNSHIP,  
 ISABELLA COUNTY, MICHIGAN  
 WITNESSES: ISABELLA CO. REMON IN MON. BOX  
 N30°W 71.80' R.E.I. TAG IN FACE OF POWER POLE  
 N30°E 79.65' R.E.I. TAG & PK NAIL IN NE FACE POWER POLE  
 S45°E 96.30' TOP CENTER OF HYDRANT  
 S45°W 58.35' CENTER OF HAND HOLE PLATE IN W. FACE STEEL POWER POLE

SOUTH 1/4 CORNER, SECTION 12,  
 T14N-R4W, UNION TOWNSHIP,  
 ISABELLA COUNTY, MICHIGAN  
 WITNESSES: ISABELLA CO. REMON IN MON. BOX  
 N15°W 38.52' NAIL & DISC IN GUARD POST  
 N62°W 81.61' SE CORNER BRIDGE PIER  
 S62°W 78.68' NE CORNER BRIDGE PIER  
 S09°W 54.19' NAIL & DISC IN POWER POLE

- LEGEND:**
- = SET 1/2"x18" RE-ROD (P.S. CAPPED)
  - = FOUND CAPPED IRON
  - = FOUND PIPE
  - ▲ = FOUND "T" IRON
  - x-x-x- = WOOD PRIVACY FENCE

BEARINGS WERE ESTABLISHED FROM LAPHAM SURVEY M040032

**LAPHAM ASSOCIATES** ENGINEERING PLANNING ENVIRONMENTAL SURVEYING

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Job No. C-150281 Sheet: 1 of 2  
 Scott O. Graham, P.S. No 49107

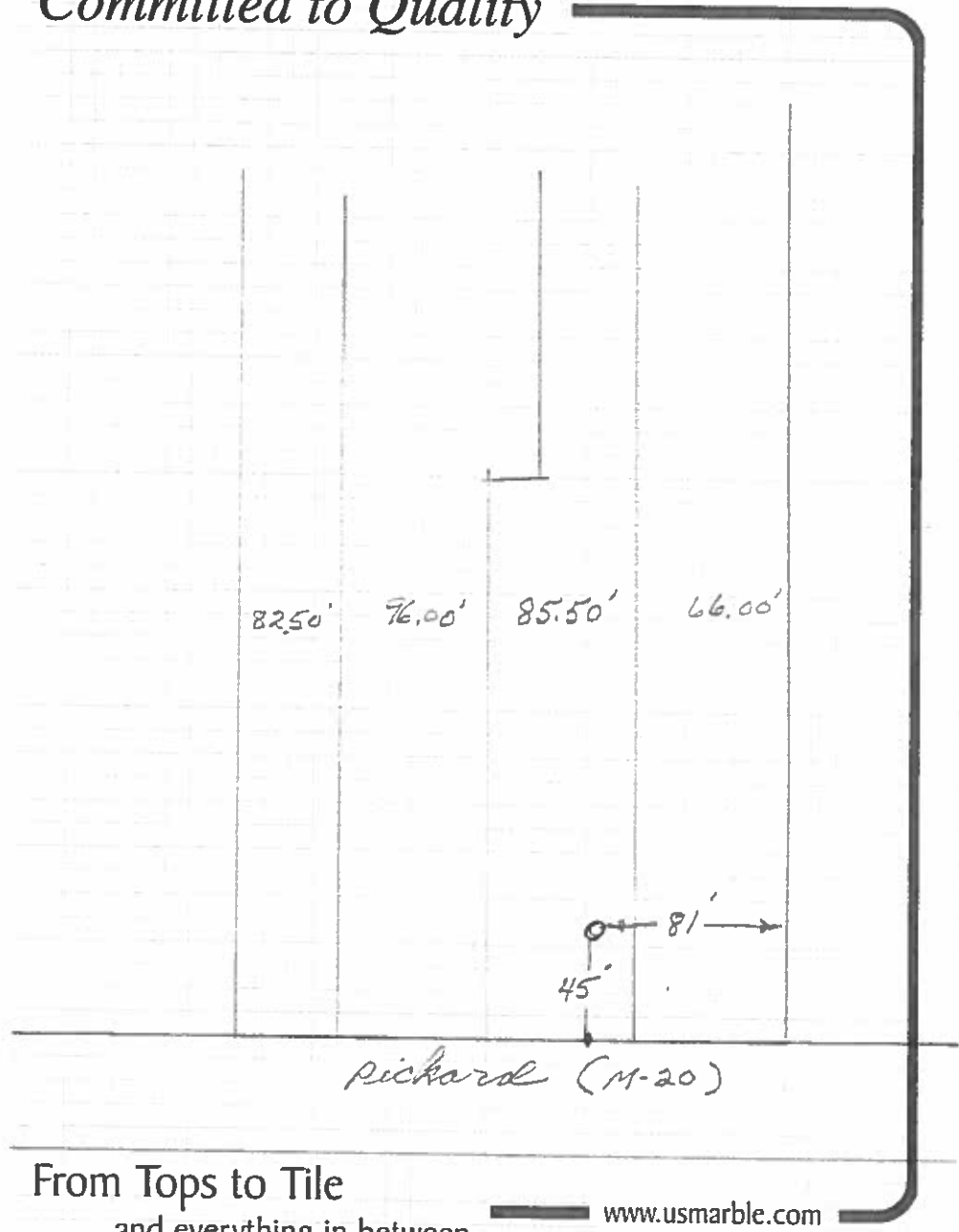
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## Union Township Public Hearing Notice – Variance

NOTICE is hereby given that a Public Hearing will be held on Tuesday, July 9, 2019, 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 11.3.B Removal Obsolete Signs as required by the Union Township Zoning Ordinance 1991-5 as amended.

Requested by: **John Bishop**: A variance from section 11.3.B Removal Obsolete Signs.

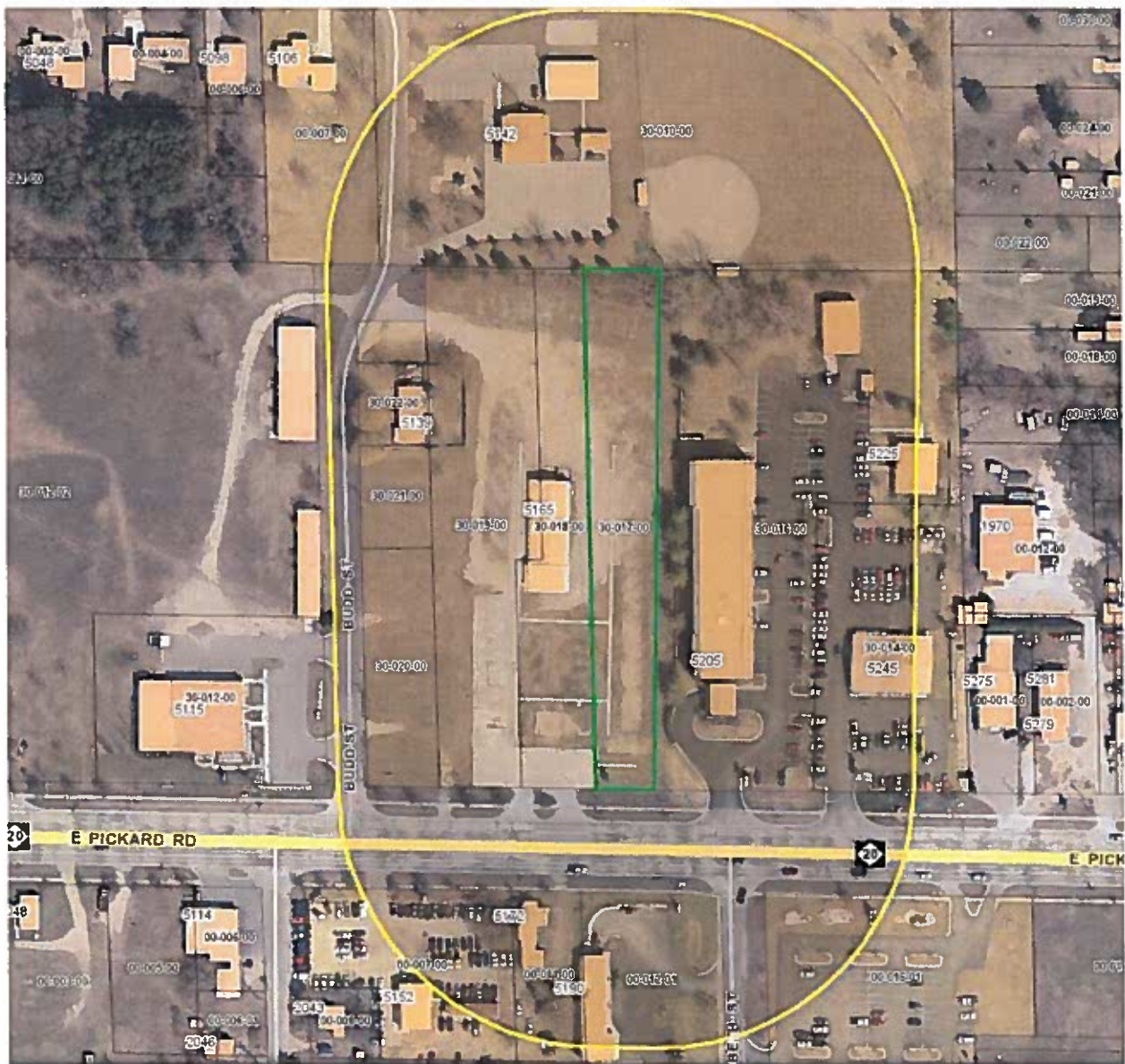
Legal Description of property: T14N R4W, SEC 12 , W 4 RDS OF E 24 RDS OF S 40 RDS OF SW 1/4 OF SW 1/4 , AND BEG S 86D 49M E, 1013.18 FT FROM SW COR SEC ALG SEC LN; TH N 1D 12M 12S E, 660 FT; TH S 86D 49M E, 22.11 FT; TH S 3D 7M 23S W, 659.61 FT TO POB.

This property is located at 5157 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



The parcel outlined in **GREEN** represents the subject parcel located at 5157 E. Pickard Rd. The **YELLOW** line represents a 300ft border around the subject property. Owners within 300ft of the subject property are sent notice of a public hearing for the variance requested.





BLOCK LINDA  
5106 BUD ST  
MOUNT PLEASANT, MI 48858

M5 HOLDINGS LLC  
8699 LUMBERJACK RD  
RIVERDALE, MI 48877

M5 HOLDINGS LLC  
8699 LUMBERJACK RD  
RIVERDALE, MI 48877

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

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

CHARTER TOWNSHIP OF UNION  
2010 S LINCOLN RD  
MT PLEASANT, MI 48858

CHENEGA COMMERCIAL HOLDINGS LLC  
662 WOODWARD AVE  
DETROIT, MI 48226

ALPINE HOLDINGS LLC  
5225 E PICKARD RD  
MT PLEASANT, MI 48858

BISHOP JOHN  
1004 PUEBLO PASS  
WEIDMAN, MI 48893

BISHOP JOHN  
1004 PUEBLO PASS  
WEIDMAN, MI 48893

BISHOP JOHN M  
1004 PUEBLO PASS  
WEIDMAN, MI 48893

BISHOP JOHN  
1004 PUEBLO PASS  
WEIDMAN, MI 48893

BISHOP JOHN M & SHARON L  
1004 PUEBLO PASS  
WEIDMAN, MI 48893

BISHOP JOHN M  
1004 PUEBLO PASS  
WEIDMAN, MI 48893

LATZKO THOMAS W  
5139 BUD ST  
MOUNT PLEASANT, MI 48858

**AFFIDAVIT OF PUBLICATION**  
2125 Butterfield Dr, Suite 102N • Troy MI 48084

**CHARTER TOWNSHIP OF UNION**  
2010 S Lincoln

**Mount Pleasant, MI 48858**  
**Attention: JAMES GILLINAT**

**STATE OF MICHIGAN,**  
**COUNTY OF ISABELLA**

The undersigned Cyndy Slater Cyndy Slater, being duly sworn the he/she is the principal clerk of Morning Sun, morningstarpublishing.com, 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:

**Union Township Public Hearing Notice - Variance**  
NOTICE is hereby given that a Public Hearing will be held on Tuesday, July 9, 2019, 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 11.3.B Removal Obsolete Signs as required by the Union Township Zoning Ordinance 1991-5 as amended.  
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Legal Description of property: T14N R4W, SEC 12, W 4 RDS OF E 24 RDS OF S 40 RDS OF SW 1/4 OF SW 1/4, AND BEG S 86D 49M E, 1013.18 FT FROM SW COR SEC ALG SEC LN; TH N 1D 12M 12S E, 660 FT; TH S 86D 49M E, 22.11 FT; TH S 3D 7M 23S W, 659.61 FT TO POB.  
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Peter Gallinat, Union Twp. Planner  
Published: June 24, 2019

**CHARTER TOWNSHIP OF UNION**

**Published in the following edition(s):**

Morning Sun 06/24/19  
morningstarpublishing.com 06/24/19



Sworn to the subscribed before me this 24<sup>th</sup> June 2019  
Tina M. Crown  
Notary Public, State of Michigan  
Acting in Oakland County

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