

**CHARTER TOWNSHIP OF UNION**  
**Zoning Board of Appeals**  
**Regular Meeting**

A regular meeting of the Charter Township of Union Zoning Board of Appeals was held on December 5, 2012.

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

**Roll Call**

**Lyon, Warner, Newland, Henley present. Strachen absent.**

**Others Present**

**Woody Woodruff**

**Approval of Minutes**

**Lyon** moved, **Newland** supported to approve as presented the September 5, 2012 – regular meeting minutes. **Ayes: All. Motion carried.**

**Correspondence**

No correspondence was offered.

**Approval of Agenda**

**Newland** moved **Henley** supported to approve the agenda. **Ayes: All. Motion carried.**

**Public Comment**

No comments were offered

**OLD BUSINESS**

- 1.) **SCH – 1575: Show Cause Hearing to address owner leaving upper oval portion illuminated after 12 midnight, and to verify the Electronic Center intensity decreases after sunset. Owner Fig Betty J Rev Trust**

At this informal hearing Jeremy Wallace, the manager of Riverwood explained how Riverwood has been having problems with the sign, to the extent of having to have the sign completely replaced. Riverwood is also under the assumption the variance stated the top portion of the sign could be lit past midnight.

**Public Comment**

Robert Whitehead of 1442 E Broomfield Rd commented about how bright the sign is and how obtrusive the illumination of the upper portion of the sign is when it is on after midnight.

Marty Figg of 1313 E Broomfield Rd thought the variance discussed turning off the bottom portion of the sign at midnight but only reducing the illumination from the upper portion of the sign.

Woodruff explained the Show Cause Hearing was just to clarify the intent of the decision of the board about the sign and the hours it is to be illuminated and the consequences of further violation of the variance. The ZBA cannot make a new decision.

**Newland** discussed how the original variance was approved as one sign and Riverwood has two weeks to come into compliance. Compliance includes Riverwood's need to have reasonable illumination during the evening hours and to un-illuminate the entire sign by 12 midnight.

**Lyon** moved that the original variance was for one sign, (the oval and LED portion) and it was to be un-illuminated after 12 midnight. **Newland** supported. **Ayes: Lyon, Newland, Warner.**  
**Nays: Henley. Motion carried.**

**Newland** motioned that to further pursuit of compliance to the variance, the neighbors, Riverwood, and Woodruff will meet to find a reasonable illumination of the LED portion of the sign. **Lyon** supported. **Ayes: All. Motion carried.**

- 2.) **VRS – 1591: Remove from the Table, a variance for a 32 SF second Freestanding Sign on an easement at the northerly service drive from the requirements for number of freestanding signs, and location on the parcel in a B5 Zone. Owner: Firstbank.**

**Newland** moved to take this variance off the table. **Lyon** supported. **Ayes: All. Motion carried.**

- 3.) **VRS - 1592: Sign Variance of 32 SF second Freestanding Sign on an easement at the northerly service drive from the requirements for number of freestanding signs, and location on the parcel in a B5 Zone. Owner: Firstbank.**

Doug Ouellette, President and CEO of Firstbank requested a variance to replace the 2x2 foot sign on the northerly service drive with a 5.5 x 7 foot sign. The owners of the other two properties are in favor of the sign.

#### **Public Comment**

No Public Comment was offered.

**Newland** moved to approve the variance as proposed with the understanding the other tenant(s) have the right to add an additional sign of equivalent quality and not to exceed a 42” in height and not to exceed 82” in width. **Henley** supported. **Ayes: All. Motion carried.**

#### **NEW BUSINESS**

- 1.) **VRS – 1641: A Sign Variance of 149 SF for a total aggregate of 349 SF and 7 signs, which includes variances of 15 SF each for three wall signs to allow for 3) 65 SF wall signs, variance for a Projected Wall Directional Sign of 4.3 SF area and 1.17’ height. Owner: Olive Garden**

Shawn Smith of Site Enhancement Services explained the need for the variance for the signs due to the unique location of the property.

#### **Public Comment**

A CMU student was there for a journalism class.

**Lyon** moved to approve the variance as presented. **Henley** supported. **Ayes: All. Motion carried.**

- 2.) **VSF – 1642: A 30.5 Foot Front Yard variance from Section 21, Schedule of Lot Requirements to allow for a 19.5 Foot Front Yard in a B5 (Highway Business) District. Owner: Olive Garden**

Jack DeGagne of Darden Restaurants requested a variance due to the unique lot shape and location of the property to accommodate the restaurant.

#### **Public Comment**

No public comment was offered.

**Lyon** moved to approve the variance to allow for a setback of 19.5 Foot Front Yard in a B5 District. **Newland** supported. **Ayes: All. Motion carried.**

**Public Comment**

No Public comment was offered.

**Extended Public Comment**

No extended Public comment was offered.

**Other Business**

The election for new offices for 2013 will be held on the first Wednesday in March. An alternate is still needed.

Notification for meeting absences need to be sent to the Administrative Secretary, Kathy Lee via email.

**Adjournment**

**The Chair adjourned the meeting at 9:03 p.m.**

**APPROVED BY:**

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**Mary Henley, Secretary**

*(Recorded by Kathy Lee)*