



ZONING BOARD OF APPEALS
Regular Meeting
November 6, 2019
7:00 p.m.

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES
 - October 2, 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. 2019-02 Show Cause Hearing – Property: 5116 Kay Ave / Owner: Richard Kerr / Property ID 14-064-00-004-00 / Violation regarding Section 8.4 Automobile or vehicle storage
 - B. 2019 ZBA report to the Planning Commission
9. OTHER BUISINESS
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 October 2, 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, Andy Theisen, and Tim Warner

Excused: Bryan Mielke

Absent: Taylor, Sheahan-Stahl

Others Present

Peter Gallinat, Jennifer Loveberry, John Zerbe (Alt. #1), and Liz Presnell (Alt. #2)

- Chair Warner called John Zerbe (Alt. #1) and Liz Presnell (Alt. #2) to the table to make a full board.

Approval of Minutes

Theisen moved **Hunter** supported the approval of the September 4, 2019 minutes as presented.

Vote: Ayes: 5 Nays 0. Motion carried.

Correspondence / Board Reports

Township Planner received an email from applicant Steve Wieczorek to withdraw his application from the ZBA.

Approval of Agenda

Theisen 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 – 7:03 p.m.

No comments were offered.

Closed – 7:03 p.m.

New Business

Other Business

A. Show Cause Hearing Location: 1954 E. River Rd.

Township Planner stated that the issue with the 5th wheel on the property has been resolved; therefore, the show cause hearing is not needed.

B. Discussion/Action: Consider Adopting the 2020 ZBA Scheduled Meeting Schedule

Theisen moved **Hunter** supported to adopt the 2020 ZBA scheduled meeting schedule as presented. **Vote: Ayes: 5 Nays: 0. Motion carried.**

Extended Public Comment

Open 7:05 p.m.

No comments were offered.

Closed 7:05 p.m.

Final Board Comment

Adjournment

Chair Warner adjourned the meeting at 7:05 p.m.

APPROVED BY:

Jake Hunter –Secretary
Andy Theisen – Vice Secretary

(Recorded by Jennifer Loveberry)

DRAFT

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	Denise	Webster	2/15/2020
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	vacant seat		2/15/2021
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	Ryan	Buckley	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- BOT Representative	vacant seat		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	Kimberly	Rice	11/20/2020
2 PC Representative	Denise	Webster	8/15/2020
3 Township Resident	Sherrie	Teall	8/15/2021
4 Township Resident	Jeremy	MacDonald	10/17/2020
5 Member at large	Connie	Bills	8/15/2021



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

TO: Zoning Board of Appeals

Meeting: November 6, 2019

FROM: Township Planner

NEW BUSINESS

SUBJECT: A) Show Cause Hearing for violation located at 5116 KAY AVE MOUNT PLEASANT 48858 Owner: KERR RICHARD

Applicant: Township Planner

Owner: KERR RICHARD

Location: 5116 KAY AVE. MOUNT PLEASANT MI 48858

Current Zoning: R2B

Adjacent Zoning: R-2B One and Two Family, Medium Density Residential District

Future Land Use/Intent: Residential: After agriculture, this category is the township's predominant land use, and is meant to promote single-family homes on a variety of lot sizes. With new development, subdivision design should protect open space and natural features and limit single driveways onto corridors.

Current Use: Vacant Residential Property. Outdoor storage of vehicles and trailers.

Reason for Request: Complaint

History: Owner contacted by mail about violation. No action by owner to remedy the violation has taken place.

Objective of board: Upon completion of the hearing the Zoning Board of Appeals may take whatever action it feels necessary and proper and within the scope of their powers to effect the regulations and intent of the regulations set down in the Zoning Ordinance.

Recommendation from Township Planner

Find owner in violation of the Zoning Ordinance and order that the violation be resolved in a reasonable amount of time.

Twp Planner
Peter Gallinat



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

Richard Kerr
422 N. Arnold St.
Mt. Pleasant, MI 48858

RE: 5116 Kay Ave.
PID 14-064-00-004-00
Zoning District: R-2B (One and Two Family, Medium Density Residential District)

10/23/2019

A show Cause Hearing before the Charter Township of Union Zoning Board of Appeals has been scheduled for November 6, 2019 at 7pm located at the Township Hall 2010 S. Lincoln Rd. Mt. Pleasant MI, 48858. The violation regarding Section 8.4. Automobile or vehicle storage *"Automobile and vehicle storage shall not be permitted in the front yard and shall be permitted in the rear or side yard if locked to prevent access by children. Outdoor storage of three (3) or more inoperable or dismantled motor vehicles is regulated under Subsection 3.39 of this ordinance."*

The purpose of this hearing shall be to allow the violator or his/her agents an opportunity to show cause why the provisions of the Ordinance should not be enforced

The show cause hearing shall be held under the following guidelines:

- Notice shall be served by first class mail upon the violator not less than ten (10) days prior to the hearing date. This notice shall contain the purpose of the hearing, time, date, and place to be held and the rights of the individuals involved.
- At the hearing the Zoning Official or his/her agent shall present the case against the property involved. The Zoning Official or his/her agent has the right to present witnesses and/or evidence to support his/her case.
- The person representing the violation may rebut the case and may present witnesses and/or evidence to support his/her case. He/she may cross-examine previous witnesses and may be represented by counsel.

Upon completion of the hearing the Planning Commission or Zoning Board of Appeals may take whatever action it feels necessary and proper and within the scope of their powers to effect the regulations and intent of the regulations set down in the Zoning Ordinance.

In a decision made by the Zoning Board of Appeals, such decision is appealable to the Isabella County Circuit Court on questions of law or fact.

Twp Planner
Peter Gallinat



Charter Township of Union Planning
Commission
2010 South Lincoln
Mt. Pleasant, MI 48858
Phone 989-772-4600
Fax 989-773-1988

SUBJECT: ANNUAL Zoning Board of Appeals REPORT

December 2019

Dear Planning Commission,

The year 2019 has been an active and fulfilling year for the Charter Township of Union Zoning Board of Appeals. We would like to thank the Planning Commission for taking into consideration our actions at the ZBA as they have worked diligently on the New Zoning Ordinance this year. In accordance with our Zoning Board of Appeals Rules of procedure the ZBA presents its written annual report to the Planning Commission.

In 2019 the Zoning Board of Appeals has worked on the following applications:

- Eight (8) Variance applications
- Two (2) Show Cause Hearings
- One (1) Text Interpretation

Of the eight (8) variance applications two (2) were withdrawn by the applicant (McDonalds Sidewalk on Remus Rd, Accessory building height in R-2A District) four (4) were denied and two (2) were granted. One of the variances granted was a dimensional variance for a group day care home the Township approved and the other a 10' parking lot setback for a medical office that the Planning Commission approved.

The ZBA had two Show Cause Hearings this year. This is something the ZBA has not had in quite some time. The purpose of a Show Cause Hearing shall be to allow the violator or his/her agents an opportunity to show cause why the provisions of the Ordinance should not be enforced. The first Show Cause Hearing regarded a temporary permit. This hearing was canceled upon finding that the issue was resolved ahead of the meeting. The second hearing involves the outdoor storage of automobiles and trailers.

Finally, the Text Interpretation application came from the Isabella County Road Commission. This involved determining if the ICRC would be permitted to operate in a B-5 (Highway Business District) zone. The request was to interpret sections 8.14, 22.2.C and 23.2A. The first section interpreted was section 8.14 (Essential Services). The ZBA determined ICRC an essential service, therefore a permitted use in a B-5 (Business Highway District) zone. Following this determination, the ICRC withdrew the remainder of their application.

The Zoning Board of Appeals looks forward to working with the Planning Commission in 2020 As the Township seeks to adopt a new Zoning Ordinance. Board of Trustees in 2019.

Sincerely,

Tim Warner – Chair of the ZBA