

**CHARTER TOWNSHIP OF UNION**  
**Zoning Board of Appeals**  
**Special Meeting Minutes**

A special meeting of the Charter Township of Zoning Board of Appeals was held on January 20, 2020 at 6:00 p.m. at Union Township Hall.

**Meeting was called to order at 6:16 p.m.**

At the start of the meeting, the three regular ZBA members make a quorum; however, Township Planner explained to the applicant that all three regular members must vote in the affirmative for a motion to pass. The applicant requested the presence of the alternates to make a full board.

**Roll Call**

Present: Ryan Buckley (arrived 6:29 p.m.), Engler (arrived 6:21 p.m.) Judy Lannen, Liz Presnell, and Andy Theisen

Excused: Taylor Sheahan-Stahl

**Others Present**

Rodney Nanney, Community and Economic Director; Peter Gallinat, Township Planner; and Jennifer Loveberry, Administrative Assistant

**Approval of Minutes**

Lannen moved Presnell supported the approval of the January 7, 2019 minutes as presented.

**Vote: Ayes: 3 Nays 0. Motion carried.**

**Correspondence / Board Reports**

Township Planner, Gallinat shared upcoming available MAP Training to the ZBA members, reminding them per the bylaws to attend 1 training per 3-year term and referred to the Nine Golden Rules of Defensible Decision Making written by Rodney Nanney

**Approval of Agenda**

Presnell moved Lannen supported to approve the agenda as presented. **Vote: Ayes: 3 Nays 0. Motion carried.**

**Public Comment: Restricted to (3) minutes regarding issues not on this Agenda**

Open – 6:20 p.m.

No comments were offered.

Closed – 6:20 p.m.

**New Business**

Short break to allow alternate Engler to arrive.

\*Engler arrived 6:21 p.m.

- A. PZA-20-01 Interpretation of Text (Public Hearing) - McGuirk Mini Storage, located at 3046 Jen's Way, 14-020-20-001-01

- B. PZA 20-02 Administrative Review (Public Hearing) - McGuirk Mini Storage, located at 3046 Jen's Way, 14-020-20-001-01
- C. PVAR 20-01 Variance Request (Public Hearing) - McGuirk Mini Storage, located at 3046 Jen's Way, 14-020-20-001-01

**PUBLIC HEARING**

Open 6:26 p.m. for Items A, B, and C

No comments were offered.

Closed 6:27 p.m.

\*Buckley arrived 6:29 p.m.

**A. PZA-20-01 Interpretation of Text (Public Hearing) - McGuirk Mini Storage, located at 3046 Jen's Way, 14-020-20-001-01**

Township Planner introduced and gave background history explaining that the applicant was previously granted a variance for additional freestanding signs and wall signs. The owner was previously permitted to replace two (2) non-conforming Billboards with one new LED Billboard. Lastly, the owner was previously denied a variance for additional freestanding sign (Peterbilt).

Applicant's representative, Marc McKellar, referenced the definition for "lot" found in Section 3.41 of the Zoning Ordinance. He also referenced that each unit has separate ownership and their own tax identification number all having their own different uses and is asking that the board find that each condominium unit is entitled to its own single business freestanding signage that is permitted, not to exceed one hundred (100) square feet.

Discussion was held by the ZBA members focusing on section 3.4.1 and condominium provisions.

Community and Economic Development Director, Nanney made mention to the board that the applicant only referenced part of section 3.4.1 and read the whole section in full to the board members pertaining to the definition of a "lot".

**Engler moved Presnell supported to approve PZA 20-01 Interpretation of Text – McGuirk Mini Storage, located at 2046 Jen's Way, 14-020-20-001-01, determining that the applicant's definition of "lot", based on section 3.4.1 of the zoning ordinance, in the case of division of land on the basis of condominium ownership, "lot" shall also include the portion of the condominium project designed and intended for separate ownership and use as described in the master deed. Vote: Ayes: 4 Nays 1. Motion carried.**

**B. PZA 20-02 Administrative Review (Public Hearing) - McGuirk Mini Storage, located at 3046 Jen's Way, 14-020-20-001-01**

The applicant requested to withdraw PZA 20-02 Administrative Review.

**C. PVAR 20-01 Variance Request (Public Hearing) - McGuirk Mini Storage, located at 3046 Jen's Way, 14-020-20-001-01**

The applicant is seeking a variance from the strict language of the Ordinance which, under the Board of Appeal's text interpretation for the term "lot", allows for, in this case, thirteen separate freestanding signs totaling 941 sf, and thirteen separate wall signs totaling 1294 sf. Specifically, the applicant is requesting that they 1) be allowed to use the 941 sf in six signs instead of thirteen. This would include: a) two multi-sign signs of 300 square feet on M-20, b) two 90 sf freestanding signs on Remus Road, c) one existing 144 sf sign on Jen's Way, and d) one 17 sf sign at the intersection of Jen's Way and Lexi Lane; 2) they are requesting that they be allowed to shift the allocation of the 1294 sf of wall signage to the following locations on the building: a) NE Corner 150 sf, b) NW Corner 1 SO sf, c) SW Corner 150 sf, d) SE Corner 150 sf, e) Remus Road - one at 50 sf and one at 49 sf, f) Jen's Way - two at 200 sf, two at 50 sf, and one at 75 sf, and g) Lexi Lane - two at 50 sf; and 3) that they be granted a 17-foot height variance for the two proposed two multi-sign signs of 300 square feet on M-20.

Discussion was held by the ZBA members, which included reviewing section 5.8.c.1a-e.

Applicant's representative, Marc McKellar, clarified that the future sign is part of the requested variance.

Community and Economic Development Director, Nanney mentioned that there has been a lot of discussion about area and the number of signs; however, there has not been any discussion about the sign height variance they are asking for that is seventeen (17) additional feet and whether or not the additional height meets the criteria for granting this variance.

**Engler moved Presnell supported to grant variance PVAR 20-01, from section 11.11 signage allotment business districts, the ZBA determined the large scale of the condominium development project to be a special condition (5.8.c.1.a) with the following additional conditions: 1) that the applicant use the proposed cluster formation rather than the allowed thirteen (13) free standing signage, not exceeding the sign requirements for the proposed signage and 2) that Township Planner audit allowed square feet of proposed signage that the applicant included in the packet for accuracy. Vote: Ayes: 4 Nays 1. Motion carried.**

**Other Business**

**Engler moved Lannen supported to cancel the February 5, 2020 ZBA meeting, as there are no Agenda Items. Vote: Ayes: 5 Nays 0. Motion carried.**

**Extended Public Comment**

Open 8:05 p.m.

No comments were offered.

Closed 8:06 p.m.

**Final Board Comment**

Buckley commented on zoning rewrite.

**Adjournment**

Chair Theisen adjourned the meeting at 8:08 p.m.

**APPROVED BY:**



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**Taylor Sheahan-Stahl – Secretary**  
**Judy Lannen – Vice Secretary**

*(Recorded by Jennifer Loveberry)*