

CHARTER TOWNSHIP OF UNION
Zoning Board of Appeals
Regular – Electronic Meeting

A regular-electronic meeting of the Charter Township of Zoning Board of Appeals was held on March 3, 2020 at 7:00 p.m. at Union Township Hall.

Meeting was called to order at 7:01 p.m.

Roll Call

Present:

Buckley (location: Union Township, Isabella County, Mt. Pleasant, MI)

Theisen (location: Union Township, Isabella County, Mt. Pleasant, MI)

Lannen (location: Union Township, Isabella County, Mt. Pleasant, MI)

Presnell (location Union Township, Isabella County, Mt. Pleasant, MI)

Others Present

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

Approval of Minutes

Lannen moved **Buckley** supported the approval of the November 4, 2020 minutes as presented.

Vote: Ayes: 4 Nays 0. Motion carried.

Approval of Agenda

Presnell moved **Lannen** supported to approve the agenda as presented. **Vote: Ayes: 4 Nays 0.**

Motion carried.

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

Open – 7:09 p.m.

No comments were offered.

Closed – 7:010 p.m.

New Business

A. Election of Officers (Chair, Vice-Chair, Secretary, and Vice-Secretary)

Lannen moved **Theisen** supported to appoint Theisen as Chair of the ZBA. Vote: Ayes: 4 Nays: 0
Motion carried.

Buckley moved **Lannen** supported to appoint Presnell as Vice-Chair of the ZBA. Vote: Ayes: 4
Nays: 0 Motion carried.

Buckley moved **Presnell** supported to appoint Lannen as Secretary of the ZBA. Vote: Ayes: 4
Nays: 0 Motion carried.

Due to the vacant seat on the ZBA, Chair Theisen held off on appointing a Vice-Secretary until the seat is filled.

B. PVAR 20-02 SOS Holding Company LLC - application for a variance of nine (9) feet from the minimum ten (10) foot setback from roads right-of-way required by Section 11.11.C. of the Zoning Ordinance for a freestanding sign in a business district at 5316 E. Pickard Road.

- 1. Introduction by Staff**
- 2. Public Hearing**
- 3. Updates from staff and the applicant**
- 4. Board of Appeals deliberation and action (approval, denial, approval with conditions, or postpone action)**

Gallinat introduced PVAR 20-02 Application for a variance of nine (9) feet from the minimum ten (10) foot setback from roads right-of-way required by Section 11.11.C. of the Zoning Ordinance for a freestanding sign in a business district at 5316 E. Pickard Road.

Public Hearing Open: 7:20 pm

No comments were offered.

No written correspondence was received.

Public Hearing Closed: 7:28 pm

Nanney commented on the criteria for consideration of variances, development history, and additional information in the staff report. Chris Christensen, the applicant's representative, commented on the sign and variance request.

Buckley moved **Lannen** supported to approve the PVAR 20-02 application from SOS Holding Company, LLC for a variance of nine (9) feet from the minimum ten (10) foot setback from roads right-of-way required by Section 11.11.C. of the Zoning Ordinance for a freestanding sign in a business district at 5316 E. Pickard Road (PID 14-071-00-011-00), after review of the variance criteria in Section 14.4.B.4. of the Zoning Ordinance and finding that:

1. The Board of Appeals determined as part of the 4/3/2019 parking setback variance approval that *"special conditions and circumstances exist (on this lot) that are peculiar to the land, structure, or building involved and that are not applicable to other lands, structures, or buildings in the same Zoning District."*
2. Approval of the requested variance to allow construction of the sign at the proposed location will not create an unsafe condition or conflict with existing utilities.
3. A lesser variance would eliminate one of the minimum required parking spaces for the development.
4. The previous variance approval action by the Zoning Board of Appeals directly contributed to creating the conflict with the Township's sign regulations that resulted in denial of the

applicant's freestanding sign permit application and their subsequent request for a sign setback variance.

Vote: Ayes: 4 Nays: 0. Motion carried.

Other Business

Extended Public Comment: Restricted to 5 minutes regarding any issue

Open: 7:28 p.m.

Barb Yacisen – comment made to staff regarding contacting her for required signatures.

Closed: 7:29 p.m.

Final Board Comment

Director Comments

Adjournment

Chair Theisen adjourned the meeting at 7:31 p.m.

APPROVED BY:

**Judy Lannen –Secretary
– Vice Secretary**

(Recorded by Jennifer Loveberry)