

CHARTER TOWNSHIP OF UNION
Zoning Board of Appeals
Regular Meeting Minutes

A regular meeting of the Charter Township of Union Zoning Board of Appeals was held on January 5, 2022, at 7:00 p.m. at the Union Township Hall.

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

Roll Call

Present:

Buckley, LaBelle, Presnell, and Theisen

Excused:

Lannen

Others Present

Rodney Nanney, Community and Economic Development Department Director; Peter Gallinat, Zoning Administrator; and Tera Green, Administrative Assistant

Approval of Agenda

Presnell moved LaBelle supported to approve the agenda as presented. **Vote: Ayes: 4, Nays 0.**
Motion carried.

Correspondence / Board Reports

N/A

Approval of Minutes

Presnell moved LaBelle supported the approval of the December 1, 2021, minutes as presented. **Vote: Ayes: 4, Nays 0.** **Motion carried.**

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

Open – 7:04 p.m.

Ben Gunning, 2270 E. Broomfield Rd., asked that the minutes be detailed and requested a roll call vote for the agenda item. Encouraged chairman to discuss the importance of filling the ZBA vacant seats with Township Supervisor.

Closed – 7:05 p.m.

New Business

N/A

Other Business

- A. **PVAR21-02 – Applicant request an eight (8) foot setback variance from Section 7.5.C.2.d requirements for a detached accessory building at 2257 E. Broomfield Road, a one (1) acre B-4 (General Business District) Parcel in the SW ¼ of Section 21.**

1. Updates from staff and the applicant
2. Board of Appeals deliberation and action (approval, denial, approval with conditions, or postpone action)

Rodney updated the Board of the one email change to the packet from the December 1st packet. The email addressed questions that were presented about the existing shed structure. The applicant Tim Beebe was available for questions and updates.

Buckley expressed his opposition to consider the variance:

1. Although a permit was previously approved, it is no longer valid once the Zoning Ordinance amendments were adopted.
2. Granting the variance will only do substantial justice for the applicant alone.
3. Feels this is an issue for the Planning Commission to reconsider the Zoning Ordinance setback requirements.

LaBelle moved **Presnell** supported to approve the PVAR 21-02 application from Timothy and Lori Beebe for an eight (8) foot setback variance from the minimum ten (10) feet required from other buildings by Section 7.5.C.2.d of the Zoning Ordinance, to allow for construction of a new detached accessory building on the one (1) acre parcel number 14-021-30-013-01 at 2257 E. Broomfield Road in the B-4 (General Business District) and in the southwest quarter of Section 21, after review of the variance criteria in Section 14.4.B.4. of the Zoning Ordinance and finding that:

1. To require the applicant to pour a new concrete pad or foundation for this new building would constitute a practical difficulty to construction that justifies the requested variance.
2. Granting the variance would do substantial justice to the applicant as would most variance requests for any applicant.
3. There is no other location on the southern portion of the parcel beyond the existing concrete pad where the proposed accessory building could reasonably be located especially with site conditions.
4. The following facts demonstrate that the problem and resulting need for a variance are not the result of the applicant's actions and choices; (1) the slab the applicant wants to use is existing, (2) the existing grade conditions add challenges to the construction process.

Roll Call Vote: Ayes: LaBelle, Presnell, and Theisen. Nays: Buckley. Motion Carried.

B. Adoption of the amended 2022 Zoning Board of Appeals meeting calendar

Nanney updated the commissioners on the changes made by the Board of Trustees to the 2022 Meeting Schedule regarding the Joint Meeting.

LaBelle moved **Presnell** supported to approve the adoption of the amended 2022 Zoning Board of Appeals meeting Calendar. **Vote: Ayes: 4 Nays: 0. Motion carried.**

Extended Public Comment: Restricted to 5 minutes regarding any issue

Open: 7:26 p.m.

Ben Gunning, 2270 E. Broomfield Rd., inquired how to get the review of the sidewalk on the Planning Commissions agenda.

Closed: 7:27 p.m.

Final Board Comment

Theisen – Sent well wishes to Judy for an expeditious recovery.

Director Comments


Peter Gallinat sent an email to ZBA Board members from the Michigan Association of Planning regarding a save-the-date for upcoming trainings.

Union Township is looking at having an in-house training a little later in the spring.


Adjournment

Chair Theisen adjourned the meeting at 7:28 p.m.

APPROVED BY:



Judy Lannen – Secretary
– Vice Secretary


Arley Theisen – Chair

(Recorded by Tera Green)