

**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 December 7, 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, Moeggenberg and Theisen

**Others Present**

Rodney Nanney, Community and Economic Development Department Director; Eric Morris, Braun Kendrick Township Attorney; and Tera Green, Administrative Assistant

**Approval of Agenda**

Presnell moved LaBelle supported to approve the agenda as presented. **Vote: Ayes: 5, Nays 0. Motion carried.**

**Correspondence / Board Reports**

None

**Approval of Minutes**

Presnell moved Buckley supported to approve the January 5, 2022 regular meeting minutes 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**

- A. **PZBA22-0001 -Thrive Community Church request for a Zoning Ordinance text interpretation.**

Mr. LaBelle recused himself from acting on PZBA22-001 due to a conflict of interest and removed himself from the discussion.

Nanney introduced the PZBA22-0001 Thrive Community Church request for Zoning Ordinance text interpretation. Nanney summarized a history of staff interactions with Thrive Church representatives, the allowable uses in various business zoning districts as would apply to the applicant's proposed scope of activities, and the rezoning, text amendment, planned unit

development, and site plan approval options available to the applicant to properly pursue this project through Planning Commission review and action.

Eric Morris from Braun Kendrick and the Township Attorney made reference to his legal memo, summarized the issues to be considered, and invited questions from the Board.

**Public Hearing**

**Open: 7:12 p.m.**

Aileen Leipprandt, Hilger Hammond Attorneys and legal counsel for Thrive Church, spoke in great detail why Thrive Church chose to request a Zoning Ordinance text interpretation verse going before the Planning Commission.

Dave Shephard, 913 E Pickard Street, pastor of Thrive Church, spoke on the mission of the church and the limitation they are faced with that could slow down their ability to expand their space and reach the community.

Deb Schafer, 1596 Belmont Dr., spoke on the outreach programs of the church and the positive outcome it would bring to the community.

Michael Barrett, 806 Doe Trail, spoke on the mission, outreach, history and vision of Thrive Church.

Matt Moore, 711 S. Arnold, worship pastor of Thrive Church, spoke on the mission, vision, and values of the church are to exists for the community.

Janene Chisek, 4870 National Drive, spoke on her observation of the change in the youth over the years and the benefits the church community and outreach would have on adults and the upcoming generations.

**Closed: 7:45 p.m.**

Deliberation by the Board

**Moeggenberg** moved that the summary of proposed uses that Thrive Community Church included in their Statement of Use are fully consistent with the definition of “religious institution” in Section 2.2 (Definitions) and the allowable land uses listed in Section 3.15 (B-7, Retail and Highway Service Business District) of the Zoning Ordinance, and that none of the listed uses are consistent with “Theaters, Assembly Halls, Concert Halls, and Similar Places of Public Assembly” or “(Outdoor) Recreation Facilities” which are not allowable uses in the B-7 District.

**Motion dies due to lack of a second.**

Further deliberation by the Board.

**Buckley** moved that the Union Townships Zoning Board of Appeals adopt the following findings and decision with regard to the pending Zoning Ordinance Interpretation application offered by Thrive Church:

1. Applicant Thrive has sought an interpretation request from the Union Township Zoning Board of Appeals.
2. Thrive's proposed development is the B-7 Retail and Service Highway Business District.
3. Religious institutions are a principal permitted use in the B-7 District.
4. The interpretation request asks the ZBA to interpret the Union Township Zoning Ordinance to allow each of approximately ten uses as "accessory uses" to a Religious Institution in the B-7 District.
5. There are a wide range of proposed uses included in the Application.
6. After reviewing the application, the materials submitted, and the arguments offered by Applicant, it is clear that additional information about the precise scope and nature of each of the proposed uses is necessary to reach a decision on this matter.
7. Given the range of uses and preliminary nature of the proposed use statement, granting it in its entirety could effectively grant an impermissible use variance to Thrive.
8. By the same token, a decision by the ZBA that certain proposed uses are not "accessory" uses under the Zoning Ordinance would likely complicate or even forestall Planning Commission evaluation and approval of the project.

In light of the above factors, after public hearing and after considering the arguments offered by Thrive Church, the Union Township Zoning Board of Appeals neither affirms nor denies the Statement of Use proposed by the applicant. Instead, the Zoning Board of Appeals directs that this matter be referred to the Union Township Planning Commission as is typical in such matters. The Zoning Board of Appeals remains available, as outlined by statute and the Zoning Ordinance, to review any subsequent Planning Commission decision in this matter.

**Motion dies due to lack of a second.**

Further deliberation by the Board.

**Buckley** moved **Presnell** supported that the following proposed uses from the list in the public hearing notice would be consistent with and are acceptable accessory uses under the definition of "religious institution" in Section 2.2 (Definitions) of the Zoning Ordinance, and that the Outdoor Recreation Facilities need to be further vetted by the Planning Commission:

- Worship services in our worship center/assembly hall on a weekly basis
- Classrooms for weekly religious education
- Meeting rooms and church offices
- Kitchen and café
- Host weddings, baptisms, funerals, and other religious and secular ceremonies and celebrations
- Host Christian music artists

- Host religious and secular community gatherings, conferences, meetings, public events, social events, and outreach activities
- Community piano recitals or school graduation ceremonies
- “If the Girl Scouts, members of a yoga or exercise studio or members of a non-profit organization desire to meet or host an event in our space, we would love to accommodate such a request, just as a private school, a fraternal organization, or lodge hall in our zoning district would do.”

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

Mr. LaBelle returned to the meeting and Board table at 8:49p.m.

**B. Adoption of the amended 2023 Zoning Board of Appeals meeting calendar**

**Buckley moved LaBelle supported to approve the adoption of 2023 Zoning Board of Appeals meeting Calendar. Vote: Ayes: 5 Nays: 0. Motion carried.**

**Other Business**

**Extended Public Comment: Restricted to 5 minutes regarding any issue**

Open: 8:52 p.m.

Aileen Leipprandt, Hilger Hammond Attorney and legal counsel for Thrive Church, thanked the Board for their attention to the issues.

Closed: 8:53 p.m.

**Final Board Comment**

Buckley – The Planning Commission has started conversations to begin the Master Plan review for next year.

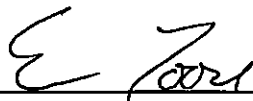
Presnell – Thanked the public that came to the meeting and appreciates their value for the community.

Theisen – Thanked staff, legal counsel and board members for a good discussion and participation. Announced his decision for family reasons not to seek reappointment to another term on the Zoning Board of Appeals.

**Adjournment**

Chair Theisen adjourned the meeting at 8:55 p.m.

**APPROVED BY:**



**Eric Loose –Secretary**

*(Recorded by Tera Green)*