

**PITTSFIELD CHARTER TOWNSHIP  
ZONING BOARD OF APPEALS MINUTES**

---

**Members Present:** Glenn Tarcea, George Ralph, David Holden, Cleveland Chandler.

**Members Absent:** Kay Connelly.

**Others Present:** Antony Anderson, Senior Planner Paul Montagno, Assistant Planner Kelly Koss, and Recording Secretary Marge Burkheiser.

**1.0 Call Meeting to Order/Determination of a Quorum**

Chairperson Chandler called the meeting to order at 6:28 p.m.

Chairperson Chandler led the Pledge of Allegiance.

**ROLL CALL:**

**YES:**

**NO: NONE**

**ABSENT: CONNELLY**

**ABSTAIN: NONE**

**A QUORUM WAS PRESENT.**

**2.0 Approval of Agenda**

**Motion by Member Ralph, support by Member Holden, to add the 2011 Meeting Schedule as item 6.2 to the agenda and approve the agenda, as amended.**

**MOTION CARRIED**

**3.0 Communications and Announcements**

None.

**4.0 Items from the Floor**

None.

**5.0 Old Business**

None.

**6.0 New Business**

**6.1 ZBA 10-03 Anderson Brothers Sign**  
[submitted for a variance]  
(4571 Washtenaw Ave, Section 1)

Planner Koss reviewed her report dated November 9, 2010, stating this was to allow moving a non-conforming sign to a location three (3)-feet north of its current location at 4571 Washtenaw Avenue. She noted the surrounding land uses. She said the site was developed in 1950's and that the Zoning Ordinance then did not include sign regulations. She said the setback requirements were different from our current Zoning Ordinance. She said the parking lot is located in the front yard setback and is directly adjacent to the road right-of-way on Washtenaw Avenue.

She said the Township has received monies from a Community Development Block Grant (CDBG) to complete the sidewalk along Washtenaw Avenue. She noted that with the completion of the sidewalk there would be a continuous sidewalk on the north side of Washtenaw Avenue. The proposed sidewalk design requires the sign be moved north by three (3) feet to accommodate the sidewalk.

Planner Koss reviewed the findings from Section 60.04 B of the Zoning Ordinance with staff comments for the Members to consider.

Member Tarcea asked how much closer to conforming would this make the sign.

Planner Montagno said that staff looked at minimum distances to make the sidewalk work in the area. He said there would be a lost of parking but found that the further back the sign was moved, the more the parking congestion increased. He said the property owners didn't want to lose the sign.

Member Holden asked if the current sign was in compliance in regard to height and size.

Planner Montagno replied no.

Member Holden asked what was the maximum size allowed.

Planner Montagno replied 65 square feet.

Member Holden asked if funds were available to replace the sign and then replace those funds back to the block grant monies.

Planner Montagno said he did not ask, but would say no.

Member Holden said he thought by doing so the Township would be able to correct something that is non-conforming, if this was possible.

Planner Koss commented that “block funds” (CDBG) are used to help improve areas of low income.

Member Holden, speaking to Mr. Anderson, asked if they are happy with their sign and all they wanted to do was move it three feet.

Tony Anderson, of Anderson Paint Co, said yes, they we are happy with the sign as it is now. He said the sign is for the entire strip center.

Planner Montagno noted there are four (4) businesses in the center with four (4) [business] names on the sign.

Chairperson Chandler opened the public hearing

There were no comments.

**Motion by Member Holden, supported by Member Tarcea, to close the Public Hearing.**

**MOTION CARRIED**

Chairperson Chandler reviewed the findings.

- 1. That strict compliance with the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render the conformity with such regulations unnecessarily burdensome.**

Discussion:

All the Members agreed.

- 2. That the granting of a variance would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property and be more consistent with justice to other property owners.**

Discussion:

Member Holden said he agreed and this does do substantial justice and the sidewalk enhances the area.

Member Tarcea said he agreed with Member Holden.

Chairperson Chandler and Members Ralph agreed.

**3. That the plight of the applicant is due to unique circumstances of the property and not to general conditions in the area.**

Discussion:

Chairperson Chandler said he would agree this is due to unique circumstances.

Member Tarcea said he agreed this was due to unique circumstances of the property.

Members Holden and Ralph said they agreed.

**4. That the plight or problem is not self-created.**

Discussion:

Member Holden agreed. He said the site was developed in 1950 and it is what it is.

Members Tarcea, Ralph and Chairperson Chandler also agreed.

**5. That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.**

Discussion:

Member Tarcea said he did not take into account any other uses or structures.

Chairperson Chandler said he did not.

Members Ralph and Holden agreed.

**6. That the variance observes the spirit of the Ordinance, secures public safety, and does substantial justice.**

Discussion:

All the members agreed.

Planner Montagno said the Township attorney suggested that instead of being specific to the three (3) feet that the language be similar to “approve the movement of the non-conforming sign on the site with the exact location to be determined by staff”.

Chairperson Chandler asked the members if anyone did not find the above unacceptable.

All the members agreed.

**Motion by Member Holden, supported by Member Tarcea, to accept the variance with the ultimate approval [for the sign location] from the Planning Department in conjunction with the property owner.**

**ROLL CALL:**

**YES: RALPH, HOLDEN, TARCEA, CHANDLER**  
**NO: NONE**  
**ABSENT: CONNELLY**  
**ABSTAIN: NONE**

**MOTION CARRIED**

Item 6.2 added to follow:

**6.2 2011 Meeting Schedule**

**Motion by Member Ralph, supported by Member Tarcea, to approve the 2011 Meeting Schedule.**

**MOTION CARRIED**

(4 approved with Connelly absent)

**7.0 Zoning Administrator’s Report**

Planner Montagno said Mr. McCullough applicant from the last variance [ZBA 10-02] wanted the members to know that the house was demolished. The Church was not able to able financially to move the building, which since has been demolished.

**8.0 Member's Report**

None.

**9.0 Secretary's Report**

None.

**10.0 Chairperson's Report**

None.

**11.0 Approval of Prior Minutes**

**11.1 Minutes of September 27, 2010**

**Motion by Member Tarcea supported by Member Ralph, to approve the minutes of September 27, 2010, as presented.**

**MOTION CARRIED**

(4 approved with Connelly absent)

**12.0 Adjournment**

**Motion by Member Holden, supported by Member Tarcea, to adjourn the meeting.**

**MOTION CARRIED**

Chairperson Chandler adjourned the meeting at 6:46 p. m.