

Columbia Township Zoning Board of Appeals

April 17, 2014

Chair Robert Willerer called meeting to order at 7 pm. Roll Call: Brad Denning, Barbara Beamish, Bruce Andrews, Robin Tackett, and Robert Willerer. Approval of Agenda. Motion by Tackett seconded by Denning. Ayes: All. Approval of Agenda as presented to Columbia Zoning Board of Appeals.

December 19, 2013 Last Zoning Board of Appeals meeting. Chair Willerer made motion to approve minutes with corrections. 1. Second paragraph change till to until. 2. Third paragraph change last sentence and add full board present. 3. Last paragraph page one, change word from present to presented. 4. Second page paragraph six add the word "to" to second to last sentence. 5. Second page paragraph seven change FOIA to Freedom of Information Act. 6. Second page paragraph nine, to add to Joseph M. Michalsky, P.E., Jackson County Engineer, Jackson County Road Commission. Motion seconded by Andrews with corrections. Beamish, Yes. Denning, Yes. Andrews, Yes. Tackett, Yes. Chairman Willerer, Yes. Motion carried. Minutes of December 19, 2013 approved as amended.

The Columbia Township Zoning Board of appeals will be hearing the following request. 6 Bros LLC for a variance request to construct a sign (already in place) per Jackson County Road Commission application of approval. This hearing is to take it off the table and make a decision.

Chair Willerer started discussion with large audience that if people wanted to speak to please fill out paper work and bring to table. Anyone interested in speaking will be given three minutes.

Steve Dunigan, 5600 Browns Lake Rd, Jackson Mi. Spoke on behalf of seven brothers LLC. They are requesting re-approval of sign variance granted to them on January 12, 2012. (All documentation is on file with Columbia Township) They are looking to finish sign as originally requested. They will be adding lighting and maintaining the 48 square foot that was originally granted if reapproved. They are looking forward to completing the sign.

Darlene Lash, 8782 North Shore Drive, Clarklake, MI 49034. Had comments about another variance. Chair Willerer asked her to please save comments to later in meeting as Sign Variance was on the table. She said that would be fine.

Jeff Willert, 4940 Jefferson Rd, Brooklyn, MI 49230. Stated he had several questions for the board. Why can't the Zoning Board of Appeals grant this variance, because I believe that the zoning ordinance does not allow it. He gave his condolences at this time to the Dunigan family for the loss of their sister. He stated here we go again. This breaks my heart and is not fair. Spending eighteen thousand dollars to make this work. What good does an ordinance do? Asked Chairman Willerer if the ZBA had looked into using another private property owner's property to put signage on that it would be more of a win for everyone. Chairman Willerer stated that the ZBA does not. Lastly he stated the right thing for the ZBA to do to keep there integrity was to vote no and to do the right thing.

Mike Razkowski, 108 Morningside, Brooklyn, MI 49230. Stated it was sad the ZBA had to be put in this position. That the supervisor of Columbia Township is at fault. He is putting the ZBA integrity at risk. Please go with the letter of the law, friend or foe. There are no winners.

Kurt Parker, 7871 North Shore, Clarklake, MI 49234. Stating first he is friends with Dunigans. Nothing has changed except the fact that Mr. Willert does not own the property in question. They applicants have gotten approval from Jackson County Road Commission and then re-approval from Jackson County Administrator/Controller permit number 38-18-05-12. They have done everything that has been asked of them. Please vote to approve so that the Dunigans can move forward.

Jill Bently, 1501 Cottage Grove, Clarklake, MI 49234. Clarklake is my home. I have used the sign/light on the corner as a reference when I give directions to my home. The light of the sign lets me know at night that I have almost made it home. The sign/light is a landmark that has been there for what seems like 100 years. The sign promotes a local business and the business owners are good to our local community they have done so much good. Please allow them to keep the sign and the light.

Sue Creech, 2658 Virginia Ct, Clarklake, MI 49234. As a real estate agent I use to the sign to guide people to Clarklake community. The sign points to the success of our community. Please grant the variance and allow the sign to remain.

Mike Razkowski, spoke again. Agrees that this is a tough issue. Look at the letter of the law. The Zoning Board of Appeals sets precedence.

Kathleen Thorez, 2080 South Shore Drive, Clarklake, MI 49234. In support of granting variance for sign stating it is too bad that we cannot go back and correct all the errors of the past but we are here at this moment to move forward in granting this variance. Do not throw the baby out with the bath water.

Board Closed to public comment at this time.

One new piece of correspondence. Atlas Shipping Ltd. Charles B. Timberlake. Clarklake properties 000-19-21-301-001-08/09. (On file). Chairman Willerer read letter.

Discussion of board at this time. Jackson County owns property and according to correspondence dated November 5, 2013 from Jackson County Administrator/Controllers office that they have issued a permit to allow the sign. (Permit number 38-18-05-12) This is a reaffirmation letter from Michael Overton, Jackson County Administrator/Controller.

Also correspondence from Joseph M. Michalsky, P. E. Jackson County Engineer from Jackson County Road Commission dated February 9, 2012 was discussed and noted by board.

Andrews discussed sign issues and ordinances in Columbia Township referencing sign regulations in Columbia Township Zoning Ordinance (7.2.12.A).

Denning made a motion to approve sign at Jefferson Rd, and Eagle Point as original motion stated. To allow 48 square feet and allow lighting on sign. No higher than 12 feet or existing height of sign as it exists. Siting 10.3 A. 2 and 10.3 D. Seconded by Chairman Willerer. Denning, Yes. Beamish, Yes. Tackett, Yes. Andrews, No. Willerer, Yes. Motion carried. Variance granted.

At this time Darlene Lash 8782 North Shore Drive, Clarklake, MI 49234. Spoke with her concerns over variance granted to her neighbor. She is very upset and feels as if her requests for information have gone unheard. She wants to know who has the power to answer her questions. She is concerned she is getting the run around from Supervisor Elrod and Marty Taylor Columbia Townships Building Inspector. She would like to know how her neighbors remodel turned into a complete demolition and new construction. She would like answers.

Mike Razkowski, spoke again. He at this time is very frustrated.

Jeff Willert spoke again. The sign has enlightened my life. A piece of paper was handed to the board that stated. The Tenth Commandment. Thou shall not covet they neighbor's property.

Final Board Discussion.

Chairman Willerer spoke to the Zoning Board. He has served on many boards and this board has as much integrity as any board he has served on previously. The ZBA can only base decisions from information given to them. Thank you for your service.

Chair made motion to adjourn meeting at 8:20 P.M. Denning seconded motion. Ayes: All. Motion carried. Meeting adjourned.

Respectfully Submitted,

Robin Tackett

Columbia Township Zoning Board of Appeals Secretary