

**CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS MINUTES  
JANUARY 17, 2012**

Chairperson Watkins called the meeting to order at 7:01 p.m. Present: DiPietro, Netro, Jahr, McKenna, Glass, Wardwell, Alternate Grissett and Watkins. Absent-excused: None. Staff present: Director Carroll and Secretary Harman. McKenna and Associates Representatives: Sally Hodges. There were (6) six people in the audience.

**APPROVAL OF THE AGENDA:**

**Motion Wardwell, support Glass to approve the agenda of January 17, 2012 as presented.**

**Motion Carried.**

**MINUTES:**

**Motion Jahr, support Glass to approve the minutes of April 12, 2011 with corrections made to Item #1 paragraphs 5 and 6.**

**Motion Carried.**

**NEW BUSINESS:**

**ITEM #1**

**CASE #       BZA 11-004**

**LOCATION: Parcel Number V125-83-093-99-0002-700 also known as 39555 South I-94 Service Drive. The subject site is located west of Hannan Road and south of the I-94 Service Drive.**

**ARTICLE XVIII, Section 17.02 Schedule of Regulations Maximum Building Height Maximum height permitted for a building in an M-1 zoning district.**

**ARTICLE XVIII, Section 17.02 Schedule of Regulations Minimum Side Setback Minimum side setback permitted for a building in an M-1 zoning district.**

**ARTICLE XVIII, Section 17.02 Schedule of Regulations Minimum Side Setback Minimum side setback permitted for a building in an M-1 zoning district.**

Wayde Hoppe of Orchard, Hiltz & McCliment gave a presentation on behalf of the Client, Wellington Industries. Wellington Industries secured an auto parts contract and in order to produce the parts needed must acquire a 4200-ton press. The press extends 34 feet above the floor and 26 feet below the floor. A required 30-ton bridge crane must be able to travel over the top of the equipment, which will sit 40 feet above ground and maintain the minimum clearance required to the underside of the steel frame. The building can have no columns and will have a 112-pitch roof for water runoff. The client has made the building as tall as needed to produce operation. The adding of the press will potentially add 50 jobs to the community. The client owns both this parcel and the neighboring AB Myr parcel. The Wellington property will be for manufacturing and the AB Myr property for assembly. Hoppe displayed flow process of work.

The request is for side yard setback and height restriction variances in order to have a building that exceeds these restrictions for production of auto parts with the required press. The side yard setback for a canopy to run across the property line is for Hilo transportation of products.

BZA members inquired about the securing of the contract without the press in place. Blaise Flack, CFO at Wellington informed that they procured the work based on the commitment to bring the press on and has a 3-year contract with the customer. He identified that the press will also benefit other projects as well. The press is already in the process of being railed here, the last piece is scheduled to arrive March 30<sup>th</sup> and be erected by May 1<sup>st</sup> with production of parts scheduled to start June 1<sup>st</sup>.

BZA members have concerns with the side yard setback variance for the canopy. In the event one of the properties is sold it would need to be taken down. If a variance is granted the properties would need to be connected. Members also have concerns with the side yard setback for the building addition, and inquired if it would be possible to tear down the shed on the AB Myr property and move the lot line since the client owns both properties. Hoppe stated the client is willing to move the lot line, but desires to keep the shed on the property as for it is currently in use for storage.

Sally Hodges gave the recommendation from McKenna Associates. The need for all of the variances could be eliminated if the applicant were to combine the two parcels into a single sight. However, as proposed and based on the analysis by McKenna Associates, they recommend the BZA approve Variance #1 (the height variance) and Variance #2 (the building addition setback variance) and deny Variance #3 (the canopy setback variance).

BZA members asked Flack if the client is willing to combine the properties into a single parcel. The challenge for Wellington is the concept, difficulty in re-dividing the parcels, and the auto industry. At this time Wellington has no intention of selling, however in the event they need to in the future, would like to keep the parcels separate for that reason. BZA members revisit the thought of moving the property line to avoid the need for the building setback variance. The client requests a five-minute break.

8:19 p.m. Chairperson Watkins grants a 10 minute recess

8:25 p.m. meeting called back to order.

Hoppe proposed on behalf of the client to move the property line the sufficient amount of feet for the side setback with the inclusion of the shed on the Wellington property; have it recorded that if the properties are ever sold separately that the shed is to be torn down; and to withdraw the request for canopy setback variance to come back at a later date with both properties.

**Motion Jahr, support Wardwell to grant the requested height variance of 28 feet because it is reasonable and necessary to accommodate changed technology, the size of the press is a practical difficulty, and granting the variance will do substantial justice to the applicant; acknowledge the withdrawal of the side yard variance request, with the understanding that the applicant will pursue moving the west lot line so that the side yard setback complies with the ordinance, and with the understanding that the nonconforming structure on the**

**AB Myr lot will become part of the Wellington lot and may continue as a nonconforming structure until such time as the two lots are no longer under common ownership, and further that the lot line will be straightened out at the time of such future sale to separate owners; and acknowledge the withdrawal of the canopy variance request.**

**Roll Call:**

**Yeas: Wardwell, Glass, DiPietro, Netro, Jahr, McKenna, and Watkins**

**Absent/Excused: None**

**Motion Carried.**

**ITEM #2 ELECTION OF OFFICERS**

**Motion McKenna, support Jahr to keep the present officers in place: Chairperson Laurie Watkins, Vice Chairperson Terresa Wardwell, and Secretary Karren Glass.**

**Motion Carried.**

**GENERAL DISCUSSION:**

A BZA training session is scheduled for Tuesday, March 20, 2012 at 7:00 p.m. Notices will be sent to BZA members in advance.

**ADJOURNMENT:**

**Meeting adjourned at 8:57 p.m. by Chairperson Watkins.**

Respectfully submitted,

Christina Harman  
Recording Secretary