

**CHARTER TOWNSHIP OF VAN BUREN
BOARD OF ZONING APPEALS
Tuesday - July 11, 2017**

The Meeting was called to order at 7:01pm in the Board of Trustees room by Chairperson McKenna.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: McKenna, Barnabei, Martin, Boynton, Senters

Absent Excused: Kelley, Grissett, Miller

Staff: Best, Halstead

Audience: 3

ACCEPTANCE OF AGENDA:

Motion to accept agenda as presented Boynton, Seconded by Barnabei.

Motion Carried

APPROVAL OF MINUTES: Motion to approve minutes from February 14, 2017 Boynton, Seconded by Martin. Motion Carried

CORRESPONDENCE: None

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS

1.) MEIJER INC.

Case # BZA 17-002

Location: Parcel Number V-125-83-058-99-0006-705 (9701 Belleville.) The site is located on the east side of Belleville Road between Tyler Road to the north and I-94 to the south.

The applicant is requesting a variance from the following sections of the Charter Township of Van Buren Zoning Ordinance:

- **Article 8, Section 8.105(c): Height.** The height of light fixtures shall be measured from the finished grade to the top of the fixture. All lighting fixtures in non-industrial districts shall not exceed twenty-five (25) feet in height. In industrial districts and the OT, Office Technology District, the Planning Commission may approve lighting fixtures up to a maximum height of thirty-five (35) feet if the proposed lighting over twenty-five (25) feet in height has no adverse impacts on the surrounding land uses and on the natural environment. The proposed height

of the lighting fixtures will be 32.5 feet.

Best gave the staff recommendation for approval of the requested variances by Meijer Inc.

Representative, Matt Levitt, from Meijer Inc. gave a presentation of their request for variances. Also, stating this is a continued effort to update all their store's appearance and function. The LED lighting they are looking to use would improve the safety of the parking lot in increasing visibility.

Motion to open Public Hearing Boynton, Seconded by Senters. Motion Carried. Public hearing opened at 7:27.

Question from audience asking if the variances are approved at this meeting how soon would the project start and how long would it take to complete. Matt Levitt, Representative from Meijer, answered stating they had all the materials ready, assuming the variance were to be approved, and they expect the construction to be done within a month or two.

Motion to close Public Hearing Senters, Seconded by Boynton. Motion Carried. Public hearing closed at 7:30

Senters motioned, seconded by Boynton to approve the following...

Approve the requested variance from Section 8.105(c), **All Lighting fixtures in non-industrial districts shall not exceed twenty-five (25) feet in height**, to allow for the height of 32.5 feet which reduces the non-conformity, keeps safe lighting levels and reduces light pollution in the area.

Based on the information submitted, the following findings are pertinent to the motion:

1. The applicant has demonstrated practical difficulties or unique circumstances for the requested variance as summarized in the staff comments.
2. The granting of the requested variance would do substantial justice to other property owners in the district who will be required to comply with the Zoning Ordinance in the future.
3. The granting of the requested variance would decrease the existing legal non-conformity.
4. Granting of the requested variance would not reduce the supply of the light and air to the site and adjacent lots. In fact, it would maintain safe lighting levels and reduce light pollution off site.

Motion carried with five votes. Variances Approved.

ANNOUNCEMENTS, COMMENTS, AND OPEN DISCUSSION: Deputy Director Best recognized audience member, Davis, and the work he is doing in the REAL program for Van Buren Twp.

Motion Grissett, seconded by Sellers to adjourn at 7:40 p.m.

Motion Carried

Respectfully submitted,

Anna Halstead, Recording Secretary