

**PITTSFIELD TOWNSHIP ZONING BOARD OF APPEALS MINUTES**

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**Members Present** Gerald Krone, Stephanie Atkinson, Scott Fisher, Ann Harris,

**Members Absent:** George Cook

**Others Present:** Derik Leary, Andrea Gotcher, Belinda Kingsley, Zoning & Code Enforcement Administrator, and Allan Hare, Recording Clerk

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

Chairperson Fisher called the meeting to order at 6:32 p.m. A quorum was present.

**2.0 Approval of Agenda**

**Motion by Member Harris, supported by Member Krone, to move Item 7.1 to follow Item 5.1, move Item 7.2 to follow Item 5.2 and to approve the agenda as recommended.**

**MOTION CARRIED**

**3.0 Communications and Announcements**

Belinda Kingsley, Zoning & Code Enforcement Administrator, reported Allan Hare, Recording Clerk, will be transferring to the Clerk's Office.

**4.0 Items from the Floor**

None

**5.0 Public Hearings**

**5.1 ZBA 18-03 Target – Carpenter Road**  
[Submitted for a sign variance]  
(3749 Carpenter Road, Section 12)

Ms. Kingsley presented the ZBA Review for ZBA 18-03 Target – Carpenter Road (Copy on file.)

Derik Leary, Kimley-Horn & Associates, stated Target's objective is to have a one-style beacon sign for all their stores.

There was discussion on:

- Other similar type signs in the Township

- Height and square footage of the proposed sign
- One-style beacon signs for all Target stores

**Motion by Member Harris, supported by Member Krone, to close the public hearing.**

**MOTION CARRIED**

Item 7.1 of New Business to follow Item 5.1 of the Public Hearing.

Member Fisher read the findings for ZBA 18-03 Target – Carpenter Road in the Staff Report:

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.*

Member Harris disagreed with the finding.  
Member Krone disagreed with the finding.  
Member Atkinson disagreed with the finding.  
Member Fisher disagreed with the finding.

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.*

Member Krone agreed with the finding.  
Member Atkinson agreed with the finding.  
Member Fisher agreed with the finding.  
Member Harris agreed with the finding.

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

Member Harris disagreed with the finding.  
Member Krone disagreed with the finding.  
Member Fisher disagreed with the finding.  
Member Atkinson disagreed with the finding.

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

Member Atkinson disagreed with the finding.  
Member Fisher disagreed with the finding.  
Member Harris disagreed with the finding.  
Member Krone disagreed with the finding.

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.*

Member Fisher agreed with the finding.  
Member Atkinson agreed with the finding.  
Member Harris agreed with the finding.  
Member Krone agreed with the finding.

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

Member Harris disagreed with the finding.  
Member Atkinson disagreed with the finding.  
Member Krone disagreed with the finding.  
Member Fisher disagreed with the finding.

**Motion by Member Harris, supported by Member Atkinson, to approve petition ZBA 18-03 Target-Carpenter Road to allow a variance to place an up to 8' directional sign in the parking lot that exceeds the height allowance of 4' permitted in the Zoning Ordinance.**

#### **ROLL CALL**

**YES: HARRIS, ATKINSON, KRONE, FISHER**  
**NO: None**  
**ABSENT: COOK**  
**ABSTAIN: None**

#### **MOTION CARRIED**

- 5.2 ZBA 18-04 6123 Carpenter Road**  
[Submitted for a setback variance]  
(6123 Carpenter Road, Section 25)

Ms. Kingsley presented the ZBA Review for ZBA 18-04 6123 Carpenter Road (Copy on file.)

Andrea Gotcher, applicant, provided photos (copies on file) and explained her water and mold problems.

**Motion by Member Harris, supported by Member Krone, to close the public hearing.**

#### **MOTION CARRIED**

Item 7.2 of New Business to follow Item 5.2 of the Public Hearing.

Member Fisher read the findings for ZBA 18-04 6123 Carpenter Road in the Staff Report:

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.*

Member Harris agreed with the finding.  
Member Krone agreed with the finding.  
Member Atkinson agreed with the finding.  
Member Fisher agreed with the finding.

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.*

Member Krone agreed with the finding.  
Member Atkinson agreed with the finding.  
Member Fisher agreed with the finding.  
Member Harris agreed with the finding.

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

Member Harris agreed with the finding.  
Member Krone agreed with the finding.  
Member Fisher agreed with the finding.  
Member Atkinson agreed with the finding.

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

Member Atkinson agreed with the finding.  
Member Fisher agreed with the finding.  
Member Harris agreed with the finding.  
Member Krone agreed with the finding.

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.*

Member Fisher agreed with the finding.  
Member Atkinson agreed with the finding.  
Member Harris agreed with the finding.  
Member Krone agreed with the finding.

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

Member Harris agreed with the finding.  
Member Atkinson agreed with the finding.  
Member Krone agreed with the finding.  
Member Fisher agreed with the finding.

**Motion by Member Atkinson, supported by Member Harris, to approve petition ZBA 18-04 6123 Carpenter Road to allow variance for a roof addition with a setback of 11' to be retained, that is not in compliance with the Zoning Ordinance setback requirements of a 20' setback from the property line.**

**ROLL CALL**

**YES: HARRIS, ATKINSON, KRONE, FISHER**  
**NO: None**  
**ABSENT: COOK**  
**ABSTAIN: None**

**MOTION CARRIED**

**6.0 Old Business**

None

**7.0 New Business**

- 7.1 ZBA 18-03 Target – Carpenter Road**  
[Submitted for a sign variance]  
(3749 Carpenter Road, Section 12)

Item 7.1 of New Business moved to follow Item 5.1 of the Public Hearing.

- 7.2 ZBA 18-04 6123 Carpenter Road**  
[Submitted for a setback variance]  
(6123 Carpenter Road, Section 25)

Item 7.2 of New Business moved to follow Item 5.2 of the Public Hearing.

**8.0 Zoning Administrator's Report**

Ms. Kingsley announced there will be a July 23, 2018 ZBA meeting.

**9.0 Member's Report**

None

**10.0 Secretary's Report**

None

**11.0 Chairperson's Report**

None

**12.0 Approval of Prior Minutes**

**12.1 Minutes of April 23, 2018**

**Motion by Member Harris, supported by Member Krone, to approve the April 23, 2018 minutes.**

**MOTION CARRIED**

**13.0 Adjournment**

Chairperson Fisher adjourned the meeting at 7:46 p.m.

8/27/2018

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s/Ann Harris, Secretary

Date