

**PITTSFIELD TOWNSHIP ZONING BOARD OF APPEALS MINUTES**

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

**Members Absent:** None

**Others Present:** Chris Zombor, Kris Enlow, Belinda Kingsley, Zoning & Code Enforcement Administrator, and Zoe Crowley, Recording Clerk.

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

Chairperson Fisher called the meeting to order at 6:34 p.m. A quorum was present.

**2.0 Approval of Agenda**

**Motion by Member Cook, supported by Member Krone, to move Item 7.1 to follow 5.1, and approve the Agenda as recommended.**

**MOTION CARRIED**

**3.0 Communications and Announcements**

Member Harris suggested Members look at cheat sheet for meeting before making a motion.

**4.0 Items from the Floor**

None.

**5.0 Public Hearings**

**5.1 ZBA 20-08 Ann Arbor Welding**

Submitted for variance for relief from paving a storage lot, and bike rack requirements.

4811 Carpenter Road, Section 13

Ms, Kingsley summarized her report. The applicant is requesting variances from Section 12.07.C.4 and Section 12.05.K.2. Section 12.07.C.4 requires a bike rack for sites with ten or more parking spaces to enhance safety and convenience, and promote bicycling as an alternative means of transportation. Section 12.05.K.2 requires that all driveways and parking lots be hard surfaced with concrete or asphalt and have concrete curbing on all sides.

The applicant has used the site to conduct an existing business, Ann Arbor Welding Supply, for many years. The business has expanded, and an updated site plan was requested to bring the site into compliance with the Zoning Ordinance. Planning

Commission has reviewed a preliminary site plan, and will consider formal approval of the site plan once the request for two variances has been completed.

The requirement to provide bicycle parking can be conceded; this is not the type of business that generates bicycle traffic.

The second variance requested, to permit an unapproved storage lot to continue to remain unpaved is not desirable on this site. The parcel to the north is zoned Low Density Multiple Family (R-2), and will be developed with apartments or condos. The use of an unpaved gravel lot will generate dust and noise that is not compatible adjacent to a residential zone.

Chairperson Fisher opened the Public Hearing.

**Motion by Member Atkinson, supported by Member Harris, to close the Public Hearing for ZBA 20-08 Ann Arbor Welding.**

### **MOTION CARRIED**

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

#### **7.1 ZBA 20-08 Ann Arbor Welding**

Submitted for variance for relief from paving a storage lot and bike rack requirements.

4811 Carpenter Road, Section 13

Discussion was held on:

- 1) Portion of the site already being paved
- 2) Curbing in front
- 3) Conditional variance with timeframe
- 4) Applicant attempting to be in compliance with ordinances
- 5) Items being stored on site
- 6) Previous fire and rebuild
- 7) Possibly allow up to 9,000 sq feet of gravel

Chairperson Fisher read the findings for **ZBA 20-08 Ann Arbor Welding, regarding Section 12.07.C.4, relief from a bicycle rack:**

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 Cook disagrees with the finding.

Member Harris agrees with the finding.

Member Krone agrees with the finding.

Member Atkinson agrees with the finding.

Member Fisher agrees with the finding.

2. *That the granting of a variance would do substantial justice to the applicant as well as to the 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 disagrees with the finding.  
Member Atkinson agrees with the finding.  
Member Fisher agrees with the finding  
Member Cook agrees with the finding.  
Member Harris agrees with the finding.

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

Member Harris disagrees with the finding.  
Member Krone disagrees with the finding.  
Member Cook disagrees with the finding.  
Member Fisher disagrees with the finding  
Member Atkinson agrees with the finding.

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

Member Atkinson agrees with the finding.  
Member Fisher disagrees with the finding  
Member Harris agrees with the finding.  
Member Krone disagrees with the finding.  
Member Cook agrees 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 the variance.*

Member Fisher agrees with the finding  
Member Atkinson agrees with the finding.  
Member Harris agrees with the finding.  
Member Krone agrees with the finding.  
Member Cook agrees with the finding.

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

Member Atkinson agrees with the finding.  
Member Krone agrees with the finding.  
Member Cook agrees with the finding.  
Member Harris agrees with the finding  
Member Fisher agrees with the finding.

Chairperson Fisher read the findings for **ZBA 20-08 Ann Arbor Welding, regarding Section 12.05.K.2, relief from paving storage lot:**

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 Cook disagrees with the finding.  
Member Harris disagrees with the finding.  
Member Krone agrees with the finding.  
Member Atkinson agrees with the finding.  
Member Fisher disagrees with the finding.

2. *That the granting of a variance would do substantial justice to the applicant as well as to the 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 agrees with the finding.  
Member Atkinson disagrees with the finding.  
Member Fisher disagrees with the finding.  
Member Cook disagrees with the finding.  
Member Harris disagrees with the finding.

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

Member Harris disagrees with the finding.  
Member Krone disagrees with the finding.  
Member Cook disagrees with the finding.  
Member Fisher disagrees with the finding.  
Member Atkinson disagrees with the finding.

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

Member Atkinson disagrees with the finding.  
Member Fisher disagrees with the finding.  
Member Harris disagrees with the finding.  
Member Krone disagrees with the finding.  
Member Cook disagrees 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 the variance.*

Member Fisher agrees with the finding.

Member Atkinson agrees with the finding.  
Member Harris agrees with the finding.  
Member Krone agrees with the finding.  
Member Cook agrees with the finding.

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

Member Harris disagrees with the finding  
Member Atkinson disagrees with the finding.  
Member Krone disagrees with the finding.  
Member Cook disagrees with the finding.  
Member Fisher disagrees with the finding.

**Motion by Member Krone, supported by Member Harris, to approve petition ZBA 20-08 Ann Arbor Welding to grant a variance from Section 12.07.C.4 which would provide relief from a bike rack.**

**ROLL CALL**

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

**MOTION CARRIED**

**Motion by Member Atkinson, supported by Member Harris, to approve petition ZBA 20-08 Ann Arbor Welding to grant a variance from Section 12.05.K.2, which would provide relief from paving a storage lot.**

**ROLL CALL**

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

**MOTION DENIED**

**6.0 Old Business**

None.

**8.0 Zoning Administrator's Report**

Ms. Kingsley informed the Board that there will be a meeting on October 26, 2020.

**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 June 22, 2020**

**Motion by Member Krone supported by Member Cook,  
to approve the amended Minutes of June 22, 2020.**

**MOTION CARRIED**

**13.0 Adjournment**

Chairperson Fisher adjourned the meeting at 8:42 p.m.

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**Ann Harris, Secretary**

**October 26, 2020**