

# Memo

FROM THE DESK OF THE ZONING ADMINISTRATOR

To:

Date: 8/29/2012

Re:

---

Old Business –

First Bank will return with a design for their requested sign at Office Parkway and Lincoln Rd.

VAR 1624 Variance to allow a pool in a front yard. Zoning Ordinance provisions concerning pool location:

8.25.E. The swimming pool shall not be closer than twenty (20) feet to any side or rear lot line of the premises, provided on corner lots no part of any pool shall be constructed within the front yard of either street.

Please see the attached aerial photo of the home. The dimensions are to the sidewalls assuming a 12" overhang, greater overhangs decrease the non conformance. Also of note is the lot lines as drawn are not survey quality, and may vary up to 5' from real world conditions. The pool and deck as constructed is 24' wide x 36' long. The pool itself is 15' wide x 30' long. The setback of 20' applies to the pool itself and not the deck, which could go to within 10' of the side yard property line. As a corner lot, it has 2) front yards and 2) side yards. The way corner lots work out is there are no rear yards. I have attached an informational sheet from our website concerning setbacks in general. It is my conclusion that there is room in the 19' deep east side yard for a 4' deck and 15' of pool, totaling 19', with the reaming portion of deck extending up to within 10' of the East property line (approximately 9' of deck). The northerly side yard is less accommodating, and would not have room for the pool itself.

Also of note is there are court decisions indicating you may not deny a variance on the sole fact work was began and /or completed without a permit. While this works to the applicants favor, you should not give undue consideration to the hardship of having to tear it out and install it in an approved location. In other words, treat it as if it were not there. Your reasons to approve would be a finding that there is insufficient room in the proper place, or that moving it to the proper location is an undue hardship. Your reason to deny would be a finding that there is adequate room in a legal location.

VAR 1625 – Lot Width variance to allow for a duplex. The required lot width for a duplex is 90'; the applicant's width is 79', lacking 11'. The plan is to convert an existing area of the home to an apartment, creating a duplex. The lot has ample depth, and open areas can be provided in that area. The neighborhood is predominantly rental housing. I would recommend the variance for approval.

**CHARTER TOWNSHIP OF UNION**  
**Zoning Board of Appeals**

**Date: September 5, 2012**  
**Time: 7:00 p.m.**  
**Place: Union Township Hall**

**Pledge of Allegiance**

**Roll Call**

**Approval of June 6, 2012 Minutes**

**Correspondence**

**Approval of Agenda**

**Public Comment: restricted to three (3) minutes regarding issues not on this agenda**

**NEW BUSINESS**

- 1.) VRS - 1591 – Remove from the Table, a variance for a 32SF second Freestanding Sign on an easement at the northerly service drive from the requirements for number of freestanding signs, and location on the parcel in aB5 Zone.**
- 2.) VAR - 1624 – Request for a variance from the requirements for Private Swimming Pools to be placed in a front yard of a corner lot.**
- 3.) VRL – 1625 – A Variance of 1” from the requirements f Lot Width to allow for a Duplex on a 79” wide lot**

**Other Business**

**Extended Public Comment**

**Adjournment**

**CHARTER TOWNSHIP OF UNION**  
**Zoning Board of Appeals**  
**Regular Meeting**

A regular meeting of the Charter Township of Union Zoning Board of Appeals was held on June 6, 2011.

**Meeting was called to order at 7:00 p.m.**

**Roll Call**

**Lyon, Kaufman, Warner, Newland, Henley present. Strachen absent**

**Others Present**

**Woody Woodruff**

**Approval of Minutes**

**Newland** moved, **Wagner** supported to approve as presented the February 7, 2011 – regular meeting minutes. **Ayes: All. Motion carried.**

**Correspondence**

A reminder there will be a special Zoning Board of Appeals meeting scheduled June 18, 2012 at 7pm.

**Approval of Agenda**

There was a request by applicant Richard Figg to move his variance to be first. Tim Bebee conceded.

**Newland** moved **Lyon** supported to approve the amended agenda. **Ayes: All. Motion carried.**

**Public Comment**

No comments were offered

**NEW BUSINESS**

**1.) VSb 1567 – A variance to allow for an illuminated sign/Electronic Message Center in a Residential (R-1) Zone**

There was a request by Richard Figg to allow for an illuminated sign/Electronic Message Center to be put up on his business property, Riverwood Recreation Center.

Tom Baker from Sign Brokers, LLC explained what the sign will look like, passed out a diagram of the projected sign, and how it would be programmable.

**Public Comment**

Robert Whitehead of 1442 E Broomfield expressed concern of the illumination, size and location of the sign.

David Whitehead of 1402 E Broomfield expressed concern of the height and time the sign would be on.

**Newland** recommended granting approval for the variance to be approved with the limitations of the top oval on the sign to have back masking, thus making it dark at night, and the sign cannot be illuminated after midnight. **Henley** supported the approval. **Ayes: All. Motion carried.**

**2.) VSb – 1567 – a front yard variance of 33 feet to allow for a 17 foot front yard.**

Tim Bebee of Central Michigan Survey and Development representing Heikenhout recommended a front yard setback reduction of 17 feet, leaving a front yard of 33 feet to accommodate a relocation of a relocated building at the property.

**Public Comment**

No Public comment was offered.

**Newland** moved to grant the approval for the variance. **Lyon** supported the approval. **Ayes: All.**  
**Motion carried.**

**Extended Public Comment**

No extended public comment offered.

**New Business**

No new business offered.

**Adjournment**

**The Chair adjourned the meeting at 8:27 p.m.**

**APPROVED BY:**

---

**Mary Henley, Secretary**

*(Recorded by Kathy Lee)*

NOTICE OF APPEAL  
Charter Township of Union

ZONING BOARD OF APPEALS

DATE: 6/8/12

I (we) Fred Attilaps 939 DEER RUN  
Name Address

owners of property at 939 DEER RUN

the legal description is: \_\_\_\_\_

T14N R4W SEC 3 DEER RUN MEADOWS LOT 20

respectfully request that a determination be made by the Zoning Board of Appeals on the following appeal or application which was denied by the Zoning Inspector because, in the opinion of said inspector, does not comply with the Union Township Zoning Ordinance and therefore must come before the Zoning Board of Appeals:

- I. Variance
- II. Interpretation of Text or Map
- III. Special Exception or Conditional Use
- IV. Administrative Review

**NOTE:** Use one section below as appropriate. If space provided is inadequate, use a separate sheet.

- 
- I. Written application for a zone variance as provided by the Zoning Ordinance Section 5 (c)

a. Provision of the Zoning Ordinance from which a variance is sought SET BACK

| DISCRIPTION         | REQUIRED     | DESIRED (I can only provide X) | VARIANCE (= Required - Desired) |
|---------------------|--------------|--------------------------------|---------------------------------|
| Example - Side Yard | 10 feet      | 8 feet                         | 2 feet                          |
| Pool Location       | Side or Rear | Front                          | Allow                           |
|                     |              |                                |                                 |
|                     |              |                                |                                 |

b. What are the special conditions and/or circumstances peculiar to this land, structure, or building which are not found belonging to similar properties in the same zoning district in other parts of Union Township?

CORNER LOT - 2 FRONT YARDS? NO OTHER  
PART OF LOT IS LARGE ENOUGH FOR DECK  
+ POOL

c. Which is any of the above (b) special conditions or circumstances are the direct result from actions taken by the applicant for this variance?

NOT ENOUGH ROOM IN BACK OR SIDE LOT TO  
CONSTRUCT

d. If the Zoning Ordinance were to be strictly enforced in your particular case, what would be the nature and extent of unnecessary hardships or particular

difficulties? I WOULD NOT BE ABLE TO MOVE  
DECK, SO I WOULD NEED TO TAKE IT DOWN  
LOSS OF DECK - NO PLACE FOR KIDS - OR  
NEIGHBOR KIDS -

---

---

e. If your request for the variance was granted, do you feel that you would have been given any special privileges that others in the same zoning district would not have? No If yes, please explain:

---

---

f. Attach plot plan, showing lot lines, location of existing building, proposed buildings and any additions to existing buildings, plus distance from property lines.

g. Date property was acquired 1999

---

II. Appeal for Interpretation

Relating to enforcement of the Zoning Ordinance

a. Article, section, subsection, or paragraph in question

---

b. Describe if interpretation of district map

---

III. Application for Special Exception or Conditional Use

As required by Zoning Ordinance

- a. Provision of Zoning Ordinance requiring Board Review

SET BACK

- b. Description of type of use and proposed location

15 X 30 POOL + SURROUNDING DECK

- c. Attach plot plan, drawn to scale, showing lot, location of existing buildings, proposed buildings and any additions to existing buildings, plus distances from property lines.

- d. Justification for granting permit

QUALITY CONSTRUCTION - ASSET TO PROPERTY VALUE.

IV. Administrative Review

- a. Article, section, subsection, or Decision in question

\*\*\*\*\*  
Fees \_\_\_\_\_ [Signature]  
Signature of Applicant  
\*\*\*\*\*



**FOR ZONING BOARD OF APPEALS USE ONLY**

**Appeals received, date:** \_\_\_\_\_

**Public Notice published, date:** \_\_\_\_\_

**Public Notice mailed, date:** \_\_\_\_\_

**Hearing held, date:** \_\_\_\_\_

**Decision of Board of Appeals:** \_\_\_\_\_

\_\_\_\_\_

**Reasons:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## UNION TOWNSHIP PUBLIC HEARINGS NOTICE -VARIANCE

NOTICE is hereby given that the following Public Hearings will be held on Wednesday, September 5, 2012 at 7:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Zoning Board of Appeals for the purpose of hearing any interested persons in the following requests for a Variance.

1. A variance from Section 8.23.E of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by PHILLIPS, FREDERICK T & KELLY L, a variance from the requirement that on corner lots no part of any pool shall be constructed within the front yard of either street, to allow for a pool in the front yard of Fawn St.

Legal Description of property: T14N R4W SEC 3 DEER RUN MEADOWS LOT 20

This property is located at 939 DEER RUN DR.

2. A variance from Section 21 of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by WASHBURN, DAWN, a variance of 11 feet from the requirements for Lot Width to allow for a Duplex in an R2B Zone

Legal Description of property: T14N R4W SEC 13 WARDS VIEW SUB LOT 23.

This property is located at 2086 FLORENCE ST.

All materials concerning these requests may be seen at the Union Township Hall, located at 2010 S. Lincoln Road, Mt. Pleasant, Michigan, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. Phone (989) 772 4600 extension 241.

William Woodruff, Zoning Administrator

# Affidavit of Publication

STATE OF MICHIGAN

County of Isabella

County of Gratiot

County of Clare



Rick Mills being duly sworn, deposes and says that he is Executive Editor of the MORNING SUN, a public newspaper printed and published by Morning Star Publishing Company, in the Cities of Mt. Pleasant (Isabella County), Clare (Clare County) and Alma (Gratiot County) in said counties and circulated in said cities and counties, that the annexed printed notice was duly printed and published in said newspaper at least 1 in each week for 1 successive week(s), and that the first publication of said notice in said newspapers was on the 19th day of Aug. 2012 and that last publication of said notice in said newspapers was on the 19th day of Aug. 2012.

Rick Mills

Subscribed and sworn to before me the 20 day of Aug 2012.

Ryan Knight

Notary Public

Ryan Knight  
Notary Public of Michigan  
Isabella County  
Expires 1/6/2018

My commission expires \_\_\_\_\_

## UNION TOWNSHIP

### PUBLIC HEARINGS NOTICE-VARIANCE

NOTICE is hereby given that the following Public Hearings will be held on Wednesday, September 5, 2012 at 7:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Zoning Board of Appeals for the purpose of hearing any interested persons in the following requests for a Variance.

1. A variance from Section 8.23.E of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by PHILLIPS, FREDERICK T & KELLY L, a variance from the requirement that on corner lots no part of any pool shall be constructed within the front yard of either street, to allow for a pool in the front yard of Fawn St.

Legal Description of property: T14N R4W SEC 3 DEER RUN MEADOWS LOT 20

This property is located at 939 DEER RUN DR.

2. A variance from Section 21 of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by WASHBURN, DAWN, a variance of 11 feet from the requirements for Lot Width to allow for a Duplex in an R2B Zone

Legal Description of property: T14N R4W SEC 13 WARDS VIEW SUB LOT 23


This property is located at 2086 FLORENCE ST.

All materials concerning these requests may be seen at the Union Township Hall, located at 2010 S. Lincoln Road, Mt. Pleasant, Michigan, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. Phone (989) 772 4600 extension 241.

William Woodruff,  
Zoning Administrator



| PID              | PROPERTY ADDRESS | OWNER                             | ZNG     | OWNER ADDRESS      | OWNER CITY     | ST | ZIP        |
|------------------|------------------|-----------------------------------|---------|--------------------|----------------|----|------------|
| 14-003-30-001-00 | 3401 E RIVER RD  | ZION LUTHERAN CHURCH              | MULTIPL | 3401 E RIVER RD    | MOUNT PLEASANT | MI | 48858      |
| 14-003-30-001-01 | 3483 E RIVER RD  | DICKY THOMAS & CLUTE CHRISTI      | R2A     | 3483 E RIVER RD    | MOUNT PLEASANT | MI | 48858      |
| 14-010-10-001-02 | 3468 E RIVER RD  | BROOKS DANIEL & EILED A           | R2A     | 3468 E RIVER RD    | MOUNT PLEASANT | MI | 48858      |
| 14-010-20-003-00 | 3338 E RIVER RD  | BISHOP KAREN                      | R2A     | 3338 E RIVER RD    | MOUNT PLEASANT | MI | 48858      |
| 14-010-20-004-00 | 3520 E RIVER RD  | HANSEN LEROY & BETTY JEAN         | R2A     | 3520 E RIVER RD    | MOUNT PLEASANT | MI | 48858      |
| 14-010-20-005-00 | 3500 E RIVER RD  | EGGERS MARK B                     | R2A     | 3500 E RIVER RD    | MT PLEASANT    | MI | 48858-0000 |
| 14-061-00-001-00 | FAWN DR          | JJH LC                            | R2A     | 1101 N FRANKLIN ST | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-002-00 | FAWN DR          | JJH LC                            | R2A     | 1101 N FRANKLIN ST | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-003-00 | 3602 FAWN DR     | SIMMONS PAUL BOYD & JANET LOUISE  | R2A     | 3602 FAWN DR       | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-004-00 | 943 DOE TRAIL    | CASTELLON ORLANDO & JOYCE L       | R2A     | 943 DOE TRAIL      | MOUNT PLEASANT | MI | 48858-8815 |
| 14-061-00-005-00 | 917 DOE TRAIL    | EPPLE FRANK E REV LIVING TRUST    | R2A     | PO BOX 768         | MOUNT PLEASANT | MI | 48804-0768 |
| 14-061-00-006-00 | 893 DOE TRAIL    | DEYOUNG H PAUL & MARILYN          | R2A     | 893 DOE TRAIL      | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-007-00 | 865 DOE TRAIL    | YOON SUNG K & JULIE B             | R2A     | 865 DOE TRAIL      | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-016-00 | 866 DOE TRAIL    | SLATER CHAD M                     | R2A     | 866 DOE TRAIL      | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-017-00 | 890 S DOE TRAIL  | JURIS STEPHEN J                   | R2A     | 890 S DOE TRAIL    | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-018-00 | 914 DOE TRAIL    | MCCOY DIANA LYNN                  | R2A     | 914 DOE TRAIL      | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-019-00 | 940 DOE TRAIL    | ROBISON BETTY & TRACIE TICE TRUST | R2A     | 940 DOE TRAIL      | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-020-00 | 939 DEER RUN DR  | PHILLIPS FREDERICK T & KELLY L    | R2A     | 705 S ADAMS ST     | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-021-00 | 915 DEER RUN DR  | BROWN DAMON & KEISHA Y            | R2A     | 915 DEER RUN DR    | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-022-00 | 891 DEER RUN DR  | GILLINGHAM DAVID R & LINDA M      | R2A     | 891 DEER RUN DR    | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-023-00 | 869 DEER RUN DR  | WEILAND KELLI S & REX SCOTT D     | R2A     | 869 DEER RUN DR    | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-029-00 | 978 DEER RUN DR  | JJH LC                            | R2A     | 1101 N FRANKLIN ST | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-030-00 | 954 DEER RUN DR  | TRISEL SUSAN                      | R2A     | 954 DEER RUN DR    | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-031-00 | 932 DEER RUN DR  | TELFOR LARRY C & KRISTEN M        | R2A     | 932 DEER RUN DR    | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-032-00 | 908 DEER RUN DR  | GRAKAUSKAS JACOB L & BRANDI D     | R2A     | 908 DEER RUN DR    | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-033-00 | 886 DEER RUN DR  | MANDOKA KAMIE K                   | R2A     | 886 DEER RUN DR    | MOUNT PLEASANT | MI | 48858      |
| 14-061-00-034-00 | 864 DEER RUN DR  | VERMEIRE PETER & DEMEYER LISA     | R2A     | 864 DEER RUN DR    | MOUNT PLEASANT | MI | 48858      |
| 14-010-20-002-01 | 3580 E RIVER RD  | MCDOWELL MARY J                   | R2A     | 3584 E RIVER RD    | MOUNT PLEASANT | MI | 48858      |
| 14-010-20-002-02 | 3584 E RIVER RD  | MCDOWELL MARY J                   | R2A     | 3584 E RIVER RD    | MOUNT PLEASANT | MI | 48858      |

VAR #1624 939 Deer Run  
mailed 8/21/12  




08/29/2012





## SETBACK REQUIREMENTS

While the term Setback occurs numerous times within the zoning ordinance, the terms Setback or set back are not defined within the ordinance. Terms not defined within the ordinance are to be construed from Webster's New World Dictionary, Third College Edition (see 8.32). Setback (one word) has no land use definitions and set back (two words) is not defined.

The following citations provide insight to the setback requirements and what the term means.

### **3.13.Y. Frontage, Yard:**

A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street or place line and the main building or any projection of permitted uncovered steps, unenclosed balconies or unenclosed porches. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension. (*NOTE: from the definitions associated with Signs and Billboards*)

### **3.16 BUILDING LINE**

A line defining the front, side, and rear yard requirements outside of which no building or structure may be located. It will be that line that coincides with any portion of the building nearest the lot line that includes sun porches, porches, and foundations, but not steps.

### **3.70 STRUCTURE**

Anything constructed or erected, the use of which requires permanent location on the ground or anything attached to something having permanent location on the ground.

### **3.78 YARD**

A required open space unoccupied and unobstructed by any structure or portion thereof from the ground upward, provided, however, that fences and walls may be permitted in any yard subject to height limitations as indicated herein.

A. Front Yard: A yard extending across the full width of the lot, the depth of which is the distance between the front lot line and the main wall of the building, excepting steps and unenclosed porches.

B. Rear Yard: A space unoccupied, except for an accessory building, extending across the full width of the lot, the depth of which is the distance between the rear lot line and the rear wall of the main building.

C. Side Yard: A yard between a main building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured from the nearest point of the side lot line toward the nearest part of the main building.

## Conclusions

The ordinance refers to three types of setbacks; Front, Side, and Rear. Setback areas are synonymous with Yards, and the Building Line is also synonymous with setback and establishes the front, side and rear yards. In general, setbacks are measured to any point on the structure. 3.78 establishes a yard as an “unoccupied and unobstructed” open space. Structures are defined to include anything with permanent location on the ground or anything attached to it. The “Building Line” includes porches, sun rooms and foundations, but not steps. Therefore, in general eaves and overhangs and any portion of the structure are to be setback from.

There are exceptions to this, and in fact only one yard, the side yard, is subject to anything attached to the structure. At 3.78.A, the front yard specifically excludes steps and unenclosed porches even though these features would be considered as part of the structure per 3.70. Furthermore, the eaves and overhangs are essentially excluded at the front yard as 3.78.A specifies the front yard is the distance between the front lot line and “the main wall of the building.” In a similar fashion, 3.78.B indicates the rear yard setback is measured from rear lotline to “the rear wall.”

This analysis pertains to the Union Township Zoning Ordinance 1991-5 as amended prior to March 27, 2012



## SWIMMING POOLS

Swimming Pools are governed by both the Union Township Zoning Code and the Michigan Building code, appendix G. Both codes recognize above ground pools and in ground pools as swimming pools. Exempt from the definition in the zoning code is a temporary structure holding less than 300 gallons, and the building code exempts any structure holding a depth of less than 24 ". Both codes require a 48" high minimum barrier to prevent uncontrolled accesses to the pool. The height is measure from grade, outside the pool. If the pool is partially below grade it may not meet the required 48" on the "side of the barrier facing away from the pool." The Michigan Building Code allows above ground pools with side walls of at least 48" above grade to count as the control of access.

Decks and or fences are commonly used to satisfy the controlled access requirement. Where above ground pools are less than 48" high, a deck or fence must be installed. When installing a pool with a deck, a building and zoning permit are required, when installing a pool with only a fence, only a zoning permit is required. When installing an above ground pool with a side wall of 48", the building code indicates the sides are an appropriate fence. The Union Township Zoning Code shall be deemed to be complied with if the side walls are of substantial construction (meets ANSI/NSPI – 4) and are installed 48" above grade on the outside of the pool.

Permits for pools without a deck or other construction associated are issued a zoning permit only. Permits for pools with a deck or other construction are issued a Building permit with zoning approval.

All decks and pools must conform to the zoning code for location on the property. A plan showing the lot, home, pool, means to control access, and streets will be required with the permit application.

Please review the following codes for additional requirements and explanations.

## ZONING CODE EXCERPTS

### 3.72 SWIMMING POOL

A constructed basin or structure for the holding of water for swimming and aquatic recreation. Swimming pool does not include plastic, canvas, or rubber portable pools temporarily erected upon the ground and holding less than three hundred (300) gallons of water.

### 3.78 YARD

A required open space unoccupied and unobstructed by any structure or portion thereof from the ground upward, provided, however, that fences and walls may be permitted in any yard subject to height limitations as indicated herein.

A. Front Yard: A yard extending across the full width of the lot, the depth of which is the distance between the front lot line and the main wall of the building, excepting steps and unenclosed porches.

### 8.2 ACCESSORY USE

C. Permanent swimming pools, exclusively for the use of residents, shall be permitted, provided it shall not be less than twenty (20) feet from the property line of the property on which it is located, shall be so walled, fenced or screened as to prevent uncontrolled access from the street or adjacent properties.

### 8.25 PRIVATE SWIMMING POOL (D, AMENDED, 1991-16 ORDINANCE)

Private swimming pools are permitted in all AG and R Districts, provided all of the following regulations are complied with.

A. The pool shall be equipped with filtration, circulation, and chlorination systems adequate to maintain the water in a clean and healthful condition in accordance with the health requirements of the County.

B. Discharge pipe leading from any private swimming pool shall be composed of a durable material and size as approved by the Zoning Official. No private swimming pool shall be wholly or partially emptied on another property, unless written permission is first obtained from the adjacent property owner.

C. A proper plumbing permit is obtained when the system is to be connected to a potable water supply.

D. Every private swimming pool shall be completely enclosed with a permanent substantial fence with gate or gates no less than four (4) feet in height above the ground level. No opening in such fence or gate shall be so designed or maintained as to permit access to the pool except under the supervision of the possessor or by his permission.

E. The swimming pool shall not be closer than twenty (20) feet to any side or rear lot line of the premises, provided on corner lots no part of any pool shall be constructed within the front yard of either street.

F. No lighting or electrical wiring shall overhang the surface of the water or be so located as to present the possibility of falling into the water. All lighting of the pool or the surrounding area shall not be so located as to reflect on adjacent property or upon adjacent buildings.

G. The provisions of this section shall apply to any basin or structure for the holding of water for swimming, diving, and other aquatic recreation, provided, however, that these regulations do not apply to any plastic, canvas, or rubber pools temporarily erected upon the ground holding less than three hundred (300) gallons of water.

## APPENDIX G

# SWIMMING POOLS, SPAS AND HOT TUBS

*(The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.)*

### SECTION AG101 GENERAL

**AG101.1 General.** The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the *lot* of a one- or two-family dwelling.

**AG101.2 Pools in flood hazard areas.** Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools and in-ground pools that involve placement of fill, shall comply with Sections AG101.2.1 or AG101.2.2.

**Exception:** Pools located in riverine flood hazard areas which are outside of designated floodways.

**AG101.2.1 Pools located in designated floodways.** Where pools are located in designated floodways, documentation shall be submitted to the *building official*, which demonstrates that the construction of the pool will not increase the design flood elevation at any point within the *jurisdiction*.

**AG101.2.2 Pools located where floodways have not been designated.** Where pools are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool will not increase the design flood elevation more than 1 foot (305 mm) at any point within the *jurisdiction*.

### SECTION AG102 DEFINITIONS

**AG102.1 General.** For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

**ABOVE-GROUND/ON-GROUND POOL.** See "Swimming pool."

**BARRIER.** A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

**HOT TUB.** See "Swimming pool."

**IN-GROUND POOL.** See "Swimming pool."

**RESIDENTIAL.** That which is situated on the premises of a detached one- or two-family dwelling or a one-family *townhouse* not more than three stories in height.

**SPA, NONPORTABLE.** See "Swimming pool."

**SPA, PORTABLE.** A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating *equipment* are an integral part of the product.

**SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water over 24 inches (610

mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

**SWIMMING POOL, INDOOR.** A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

**SWIMMING POOL, OUTDOOR.** Any swimming pool which is not an indoor pool.

### SECTION AG103 SWIMMING POOLS

**AG103.1 In-ground pools.** In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG108.

**AG103.2 Above-ground and on-ground pools.** Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG108.

**AG103.3 Pools in flood hazard areas.** In flood hazard areas established by Table R301.2(1), pools in coastal high hazard areas shall be designed and constructed in conformance with ASCE 24.

### SECTION AG104 SPAS AND HOT TUBS

**AG104.1 Permanently installed spas and hot tubs.** Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG108.

**AG104.2 Portable spas and hot tubs.** Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG108.

### SECTION AG105 BARRIER REQUIREMENTS

**AG105.1 Application.** The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

**AG105.2 Outdoor swimming pool.** An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above *grade* measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of

the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a  $2\frac{1}{4}$ -inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than  $1\frac{3}{4}$  inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than  $1\frac{3}{4}$  inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
  - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and
  - 8.2. The gate and barrier shall have no opening larger than  $\frac{1}{2}$  inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
9. Where a wall of a *dwelling* serves as part of the barrier, one of the following conditions shall be met:
  - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or
  - 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and *labeled* in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or
  - 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are *approved* by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:
  - 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
  - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

**AG105.3 Indoor swimming pool.** Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

**AG105.4 Prohibited locations.** Barriers shall be located to prohibit permanent structures, *equipment* or similar objects from being used to climb them.

**AG105.5 Barrier exceptions.** Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in section AG107 of the code, shall be exempt from the provisions of sections AG105.2, AG105.3, and AG105.4 of the code.

R 408.30547

## SECTION AG106 ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS

**AG106.1 General.** Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

**CHARTER TOWNSHIP OF UNION**

2010 S. Lincoln Road  
Mt. Pleasant, MI 48858  
(989) 772-4600 Ext. 227

**FIELD CORRECTION NOTICE**

LOCATION 939 DEER RUN PERMIT NO. TBD

ISSUED TO FRED PHILLIPS  
PERMIT HOLDER AND/OR ALL RESPONSIBLE PARTIES.

NOTICE DELIVERED TO IN PERSON

Upon inspection, violations of the MBC-2009 Sec. \_\_\_\_\_ were in evidence.

The following orders are hereby issued for their correction: \_\_\_\_\_

A LEGAL NOTICE WAS ISSUED TO STOP WORK  
A ZBA REQUEST WAS REQUESTED TODAY

THE LEGAL NOTICE WILL BE REVOKED UNTIL  
THE TIME OF THE ZBA MEETING.

IF POOL HAS TO BE MOVED IT SHALL BE RETURNED  
TO A GRASS CONDITION AS REQUIRED.

PLEASE CALL FOR INSPECTION WHEN CORRECTIONS HAVE BEEN COMPLETED. ACCEPTANCE AND APPROVAL BY AN INSPECTOR OF THIS DEPARTMENT IS REQUIRED AND MUST BE CORRECTED ON OR BEFORE A.S.A.P.

DATE 060812

BY   
INSPECTOR

WHITE - FILE CANARY-FIELD COPY



2010 South Lincoln Road  
Mt. Pleasant, MI 48858

Phone (989) 772 4600  
Fax (989) 773 1988  
E Mail [www.uniontownshipmi.com](http://www.uniontownshipmi.com)

**Building Department**  
**Isabella County, Michigan**

**May 31, 2012**

**TO: Property Owner**

**SUBJECT: Working without a permit**

**RE: 939 Deer Run**

It has come to the attention of this department that you have installed an above ground pool and are constructing a poolside deck without any permits being issued by this department.

In accordance with Public act 230 of 1972 and the Michigan Residential Code – 2009 Section R-105.1: Permits required.


Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

This is your first notice. You will need to provide zoning approval and submit construction documents in accordance with the Michigan Residential Code, Section 106.1: Construction documents.

All approvals must be completed by June 8, 2012. You are proceeding at others expense and your project may or may not be approved pending a review of your construction documents as required.

If your construction documents are not approved by June 11, 2012, you will be issued a legal notice to stop all work at this address.

Thank you in advance for your cooperation in this matter. If you have any questions, please contact me at 989-772-4600 x227.

  
Randy Robinson  
Building Official  
Charter Township of Union

0531/12

Date

cc: Township Manager, Township Attorney, Township Zoning Administrator, File

**Building Permit Application**  
**Charter Township of Union Township**  
**2010 S. Lincoln, Mt Pleasant MI 48858**  
**989-772-4600 x 227**  
**Uniontownshipmi.com**

Applicant to Complete All Items in Section I, II, III, IV, V and VI

|   |                                     |   |   |
|---|-------------------------------------|---|---|
| <b>I. Identification</b>  |                                     |   |   |
| <b>A. Owner or Lessee</b>   |                                     |   |   |
| NAME: <i>Fred Phillips</i>  |                                     | ADDRESS: <i>939 Deer Run</i>                |   |
| CITY: <i>Mt Pleasant</i>  | STATE: <i>MI</i>                    | ZIP: <i>48858</i>                           | TELEPHONE: <i>989-560-8767</i>              |
| PROPERTY TAX ID#  |                                     |   |   |
| <b>B. Architect or Engineer</b>   |                                     |   |   |
| NAME:   |                                     | ADDRESS:                                    |   |
| CITY:   | STATE:                              | ZIP:  | TELEPHONE:                                  |
| LICENSE NUMBER:   |                                     | EXPIRATION DATE:                            |   |
| <b>C. Contractor</b>  |                                     |   |   |
| NAME: <i>Fred Phillips</i>  |                                     | ADDRESS:                                    |   |
| CITY:   | STATE:                              | ZIP:  | TELEPHONE:                                  |
| LICENSE NUMBER:   |                                     | EXPIRATION DATE:                            |   |
| FEDERAL EMPLOYER ID NUMBER OR REASON FOR EXEMPTION  |                                     |   |   |
| WORKERS COMP INSURANCE CARRIER OR REASON FOR EXEMPTION  |                                     | EXPIRATION DATE:                            |   |
| MESC EMPLOYER NUMBER OR REASON FOR EXEMPTION  |                                     |   |   |
| <b>II. Type of Improvement and Plan Review</b>  |                                     |   |   |
| <b>A. Type of Improvement</b>   |                                     |   |   |
| <input type="checkbox"/> New Building   | <input type="checkbox"/> Alteration | <input type="checkbox"/> Demolition         | <input type="checkbox"/> Foundation         |
| <input checked="" type="checkbox"/> Addition  | <input type="checkbox"/> Repair     | <input type="checkbox"/> Mobile Home Set Up | <input type="checkbox"/> Pre-manufactured   |
|   |                                     | <input type="checkbox"/> Relocation         | <input type="checkbox"/> Special Inspection |
| <b>B. Plan Review Required</b>  |                                     |   |   |
| <p><b>Plans must be submitted</b> with an Application for a Plan Review and the appropriate fee before permits can be issued, except as listed below.</p> <p><b>Plans are not required</b> for alterations and repair work determined by the building official to be of a minor nature.</p> <p>Plans and specifications are required for all other building types and shall be prepared by or under the direct supervision of an architect or engineer licensed pursuant to 1980 PA 299 and shall bear that architect's or engineer's seal and signature.</p> |                                     |   |   |
| Plan Review Submitted: _____  |                                     | Plan Review Completed: _____                |   |





**V. Application Information**

**APPLICANT IS RESPONSIBLE FOR THE PAYMENT OF ALL FEES AND CHARGES APPLICABLE TO THIS APPLICATION AND MUST PROVIDE THE FOLLOWING INFORMATION:**

|                            |                  |                              |                                |
|----------------------------|------------------|------------------------------|--------------------------------|
| NAME: <u>FRED PHILLIPS</u> |                  | ADDRESS: <u>939 DEER RUN</u> |                                |
| CITY: <u>NIT PLEASANT</u>  | STATE: <u>MI</u> | ZIP: <u>48858</u>            | TELEPHONE: <u>984-560-8767</u> |

I HEARBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS TO THE STATE OF MICHIGAN. ALL INFORMATION SUBMITTED ON THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE.

Section 23a of the state construction code act of 1972, 1972 PA 230, MCL 125.1523A prohibits a person from conspiring to circumvent the licensing requirements of this state related to person who are to perform work on a residential building or a residential structure. Violators of section 23a are subject to civil fines.

**Signature of Applicant**

*[Handwritten Signature]*

**DATE**

6/4/12

**VI. Local Government Agency to Complete this Section**

**ENVIRONMENTAL CONTROL APPROVALS**

|                       | REQUIRED   | APPROVED | DATE | BY |
|-----------------------|--|----------|------|----|
| A - Zoning            | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |
| B - Fire District     | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |
| C - Pollution Control | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |
| D - Energy Code       | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |
| E - Soil Erosion      | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |
| F - Flood Zone        | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |
| G - Water Supply      | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |
| H - Septic System     | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |
| I - Variance Granted  | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |
| J - Other             | <input type="checkbox"/> Yes <input type="checkbox"/> No |          |      |    |

**VII. Validation - For Department Use Only**

Use Group R Type of Construction 5B

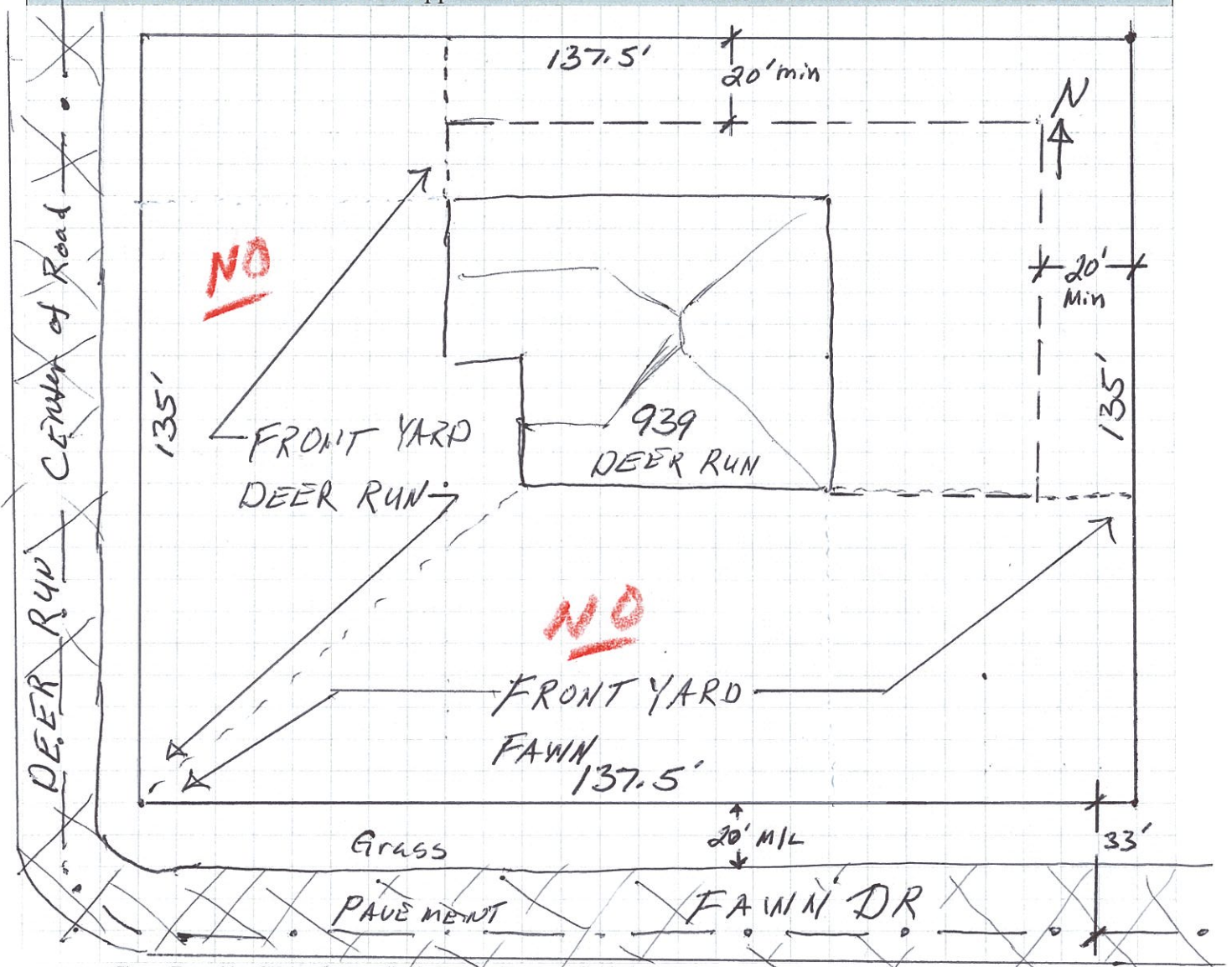
Square Feet \_\_\_\_\_ Total Value 4K

Zoning Fee \_\_\_\_\_ Building Fee 50.00 Total Due \$ \_\_\_\_\_

Receipt Number \_\_\_\_\_ Check Number \_\_\_\_\_

**APPROVAL SIGNATURE** **DATE**

*Deck requires an approved set back*



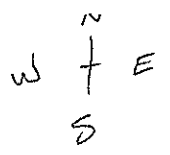
Charter Township of Union does not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need help with reading, writing, hearing, etc., under the American Disabilities Act, you may make your needs known to this agency.

OFFICE USE ONLY

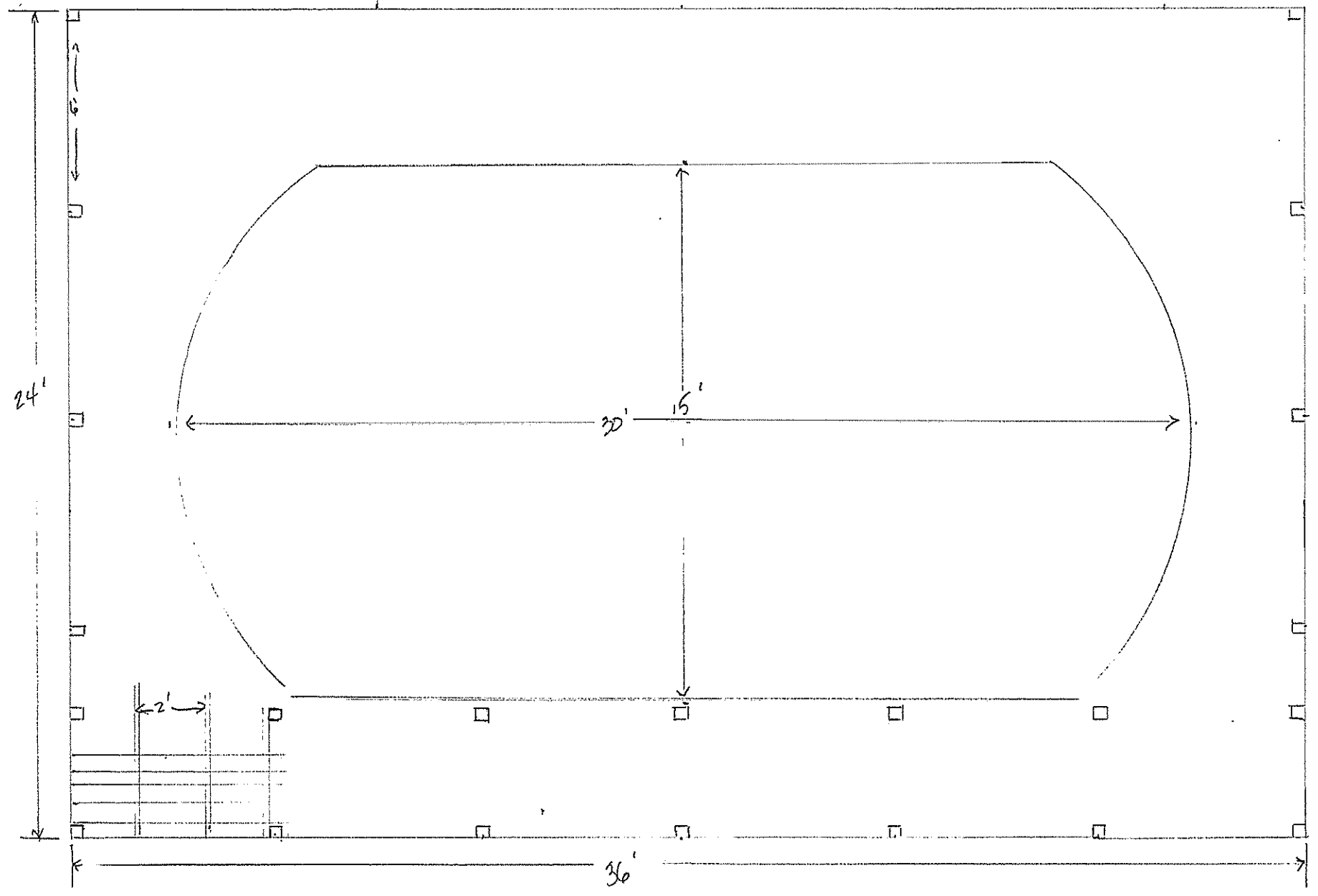
Blank area for office use only.

JARED MILLER  
939 DEER RUN

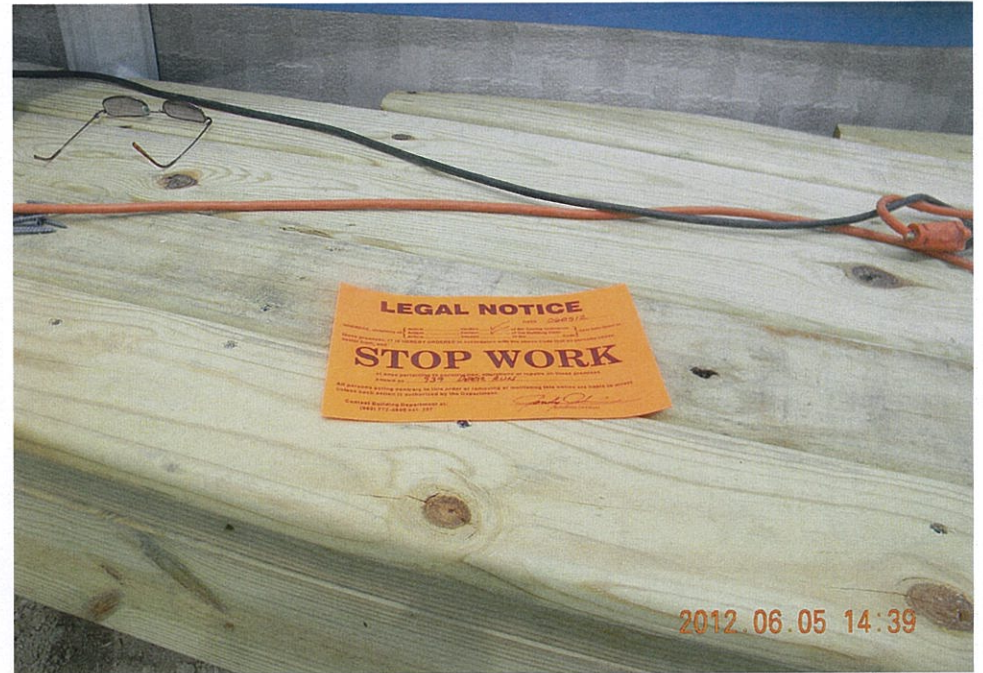
989-560-8767



EX<sup>1</sup>.  
DECK











NOTICE OF APPEAL  
Charter Township of Union

ZONING BOARD OF APPEALS

DATE: 8/15/2012

I (we) Dawn Washburn 2086 Florence  
Name Address

owners of property at 2086 Florence,

the legal description is: T14N R4W SEC 13

WARDSVIEW SUB. LOT 23

respectfully request that a determination be made by the Zoning Board of Appeals on the following appeal or application which was denied by the Zoning Inspector because, in the opinion of said inspector, does not comply with the Union Township Zoning Ordinance and therefore must come before the Zoning Board of Appeals:

- I. Variance
- II. Interpretation of Text or Map
- III. Special Exception or Conditional Use
- IV. Administrative Review

**NOTE:** Use one section below as appropriate. If space provided is inadequate, use a separate sheet.

- 
- I. Written application for a zone variance as provided by the Zoning Ordinance Section 5 (c)

a. Provision of the Zoning Ordinance from which a variance is sought \_\_\_\_\_

| DISCRIPTION          | REQUIRED | DESIRED (I can only provide X) | VARIANCE (= Required - Desired) |
|----------------------|----------|--------------------------------|---------------------------------|
| Example - Side Yard  | 10 feet  | 8 feet                         | 2 feet                          |
| LOT WIDTH FOR DUPLEX | 90 feet  | 79 feet                        | 11 feet                         |
|                      |          |                                |                                 |
|                      |          |                                |                                 |

b. What are the special conditions and/or circumstances peculiar to this land, structure, or building which are not found belonging to similar properties in the same zoning district in other parts of Union Township?

FEW LOTS IN NEIGHBORHOOD MEET MINIMUM WIDTH

c. Which is any of the above (b) special conditions or circumstances are the direct result from actions taken by the applicant for this variance?

NONE

d. If the Zoning Ordinance were to be strictly enforced in your particular case, what would be the nature and extent of unnecessary hardships or particular

difficulties? NEED EXTRA INCOME. HOME IS SET-UP WITH AN APARTMENT IN ADDITION, THERE IS ANOTHER DUPLEX RENTAL IN NEIGHBORHOOD, COMMERCIAL PROPERTY IS DIRECTLY WEST OF LOT & ALSO ONE LOT AWAY FROM COMMERCIAL JUST NORTH OF PROPERTY, THERE IS SUFFICIENT AREA FOR TWO FAMILIES 19,017 SF. 10,800 SQ. REQUIRED THEREFORE THERE IS AN EXCESS OF 8,217 SF

---

---

e. If your request for the variance was granted, do you feel that you would have been given any special privileges that others in the same zoning district would not have? \_\_\_\_\_ If yes, please explain:

---

---

f. Attach plot plan, showing lot lines, location of existing building, proposed buildings and any additions to existing buildings, plus distance from property lines.

g. Date property was acquired \_\_\_\_\_

II. Appeal for Interpretation

Relating to enforcement of the Zoning Ordinance

a. Article, section, subsection, or paragraph in question

---

b. Describe if interpretation of district map

---



III. Application for Special Exception or Conditional Use

As required by Zoning Ordinance

- a. Provision of Zoning Ordinance requiring Board Review

\_\_\_\_\_

- b. Description of type of use and proposed location

\_\_\_\_\_

\_\_\_\_\_

- c. Attach plot plan, drawn to scale, showing lot, location of existing buildings, proposed buildings and any additions to existing buildings, plus distances from property lines.

- d. Justification for granting permit

\_\_\_\_\_

IV. Administrative Review

- a. Article, section, subsection, or Decision in question

\_\_\_\_\_

\*\*\*\*\*  
Fees \_\_\_\_\_  
Signature of Applicant  
\*\*\*\*\*

**FOR ZONING BOARD OF APPEALS USE ONLY**

**Appeals received, date:** \_\_\_\_\_

**Public Notice published, date:** \_\_\_\_\_

**Public Notice mailed, date:** \_\_\_\_\_

**Hearing held, date:** \_\_\_\_\_

**Decision of Board of Appeals:** \_\_\_\_\_

\_\_\_\_\_

**Reasons:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



VAR 1625 - 2086 FLORENCE ST

## UNION TOWNSHIP PUBLIC HEARINGS NOTICE -VARIANCE

NOTICE is hereby given that the following Public Hearings will be held on Wednesday, September 5, 2012 at 7:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Zoning Board of Appeals for the purpose of hearing any interested persons in the following requests for a Variance.

1. A variance from Section 8.23.E of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by PHILLIPS, FREDERICK T & KELLY L, a variance from the requirement that on corner lots no part of any pool shall be constructed within the front yard of either street, to allow for a pool in the front yard of Fawn St.

Legal Description of property: T14N R4W SEC 3 DEER RUN MEADOWS LOT 20

This property is located at 939 DEER RUN DR.

2. A variance from Section 21 of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by WASHBURN, DAWN, a variance of 11 feet from the requirements for Lot Width to allow for a Duplex in an R2B Zone

Legal Description of property: T14N R4W SEC 13 WARDS VIEW SUB LOT 23.

This property is located at 2086 FLORENCE ST.


All materials concerning these requests may be seen at the Union Township Hall, located at 2010 S. Lincoln Road, Mt. Pleasant, Michigan, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. Phone (989) 772 4600 extension 241.

William Woodruff, Zoning Administrator

| PID              | PROPERTY ADDRESS   | OWNER                          | ZNG | OWNER ADDRESS          | OWNER CITY         | ST | ZIP        |
|------------------|--------------------|--------------------------------|-----|------------------------|--------------------|----|------------|
| 14-013-10-004-00 | 5130 WARD ST       | ZILESKI CAROL J                | R2B | 801 W MEADOWBROOK DR   | MIDLAND            | MI | 48640      |
| 14-013-10-005-00 | 2122 S KENNEDY RD  | DELONG WALTER                  | R2B | 2122 S KENNEDY RD      | MOUNT PLEASANT     | MI | 48858      |
| 14-013-10-006-00 | 5134 WARD ST       | TURNER JENNIFER R              | R2B | 5134 WARD ST           | MOUNT PLEASANT     | MI | 48858      |
| 14-013-10-006-01 | 5140 WARD ST       | BABCOCK JEFFREY S & MARILYN J  | R2B | 5140 WARD ST           | MOUNT PLEASANT     | MI | 48858-0000 |
| 14-013-10-008-00 | 2139 S ISABELLA RD | FISCHER RALPH                  | R2B | 2139 S ISABELLA RD     | MOUNT PLEASANT     | MI | 48858-0000 |
| 14-013-10-009-00 | 2165 S ISABELLA RD | D & D REAL ESTATE INVEST LLC   | B4  | 5770 CARRIAGE LANE     | MOUNT PLEASANT     | MI | 48858-0000 |
| 14-013-10-014-00 | 5146 WARD ST       | CHAMBERLAIN-VASQUEZ JULIE A    | R2B | 6445 E TOMAH / RESERVE | MOUNT PLEASANT     | MI | 48858-0000 |
| 14-013-10-019-00 | MYERS RD           | CHAMBERLAIN-VASQUEZ JULIE A    | R2B | 6445 E TOMAH / RESERVE | MOUNT PLEASANT     | MI | 48858-0000 |
| 14-014-20-004-00 | 2056 S ISABELLA RD | MICHIGAN RESERVES INC          | B7  | PO BOX 329             | MOUNT PLEASANT     | MI | 48804-0329 |
| 14-014-20-006-00 | 2094 S ISABELLA RD | FOLTZ JOE                      | B7  | 2094 S ISABELLA        | MOUNT PLEASANT     | MI | 48858      |
| 14-014-20-024-00 | 2120 S ISABELLA RD | MICHIGAN RESERVES INC          | B7  | PO BOX 329             | MOUNT PLEASANT     | MI | 48804-0329 |
| 14-014-20-025-00 | 2140 S ISABELLA RD | MICHIGAN RESERVES INC          | B7  | PO BOX 329             | MT PLEASANT        | MI | 48804      |
| 14-146-00-001-00 | 5014 E PICKARD RD  | JEDS PROPERTIES INC            | B7  | 471 CEDAR              | MOUNT PLEASANT     | MI | 48858      |
| 14-146-00-003-00 | 5048 E PICKARD RD  | ROY MARGUERITE                 | B7  | 5048 E PICKARD         | MT PLEASANT        | MI | 48858-0000 |
| 14-146-00-005-00 | 5082 E PICKARD RD  | UNITED COMMERCIAL-UII, LLC     | B7  | P.O. BOX 222           | MT PLEASANT        | MI | 48804-0222 |
| 14-146-00-006-00 | 5114 E PICKARD RD  | LOS KEN S & TAING NGY          | B7  | 5114 E PICKARD RD      | MT PLEASANT        | MI | 48858-0000 |
| 14-146-00-006-01 | 2046 FLORENCE ST   | ACTON CYNTHIA                  | B7  | 831 E NORTH ST         | ITHACA             | MI | 48847      |
| 14-146-00-007-00 | 5152 E PICKARD RD  | SISSON ROBT. & JANICE REV TRST | B7  | 5680 N LITTLEFIELD RD  | WEIDMAN            | MI | 48893      |
| 14-146-00-008-00 | 2043 FLORENCE ST   | PAUL AND CARME INVESTMENTS LLC | B7  | 810 NEYER              | MT PLEASANT        | MI | 48858-0000 |
| 14-146-00-011-00 | 5172 E PICKARD RD  | ELM HILL LLC                   | B7  | 5680 N LITTLEFIELD RD  | WEIDMAN            | MI | 48893      |
| 14-146-00-020-00 | 2075 S ISABELLA RD | A&G FLOORS INC                 | B7  | 2065 S ISABELLA DR     | MT PLEASANT        | MI | 48858-0000 |
| 14-146-00-021-00 | S ISABELLA RD      | GILRAY GORDON                  | R2B | 805 W 27TH AVE #A8     | SAULT SAINTE MARIE | MI | 49783-9445 |
| 14-146-00-022-00 | 2107 S ISABELLA RD | GILRAY ROBERT & STEVEN         | R2B | PO BOX 742             | MOUNT PLEASANT     | MI | 48804-0742 |
| 14-146-00-023-00 | 2129 S ISABELLA RD | PACKER ANITA                   | R2B | 3115 W BROOMFIELD RD   | MT PLEASANT        | MI | 48858      |
| 14-146-00-024-00 | 2116 FLORENCE ST   | SCHLEDER MARTIN G & ELISA JANE | R2B | 2116 FLORENCE ST       | MT PLEASANT        | MI | 48858-0000 |
| 14-146-00-025-00 | 2106 FLORENCE ST   | COX JIMMY A & JANET L          | R2B | 2106 FLORENCE ST       | MT PLEASANT        | MI | 48858-0000 |
| 14-146-00-026-00 | 2086 FLORENCE ST   | WASHBURN DAWN                  | R2B | 2086 FLORENCE          | MT. PLEASANT       | MI | 48858-0000 |
| 14-146-00-027-00 | 2074 FLORENCE ST   | BABCOCK MICHELLE M             | R2B | 2074 FLORENCE ST       | MT PLEASANT        | MI | 48858-0000 |
| 14-146-00-029-00 | 2059 FLORENCE ST   | DEAN DAN C                     | R2B | 1111 S MISSION         | MOUNT PLEASANT     | MI | 48858      |
| 14-146-00-030-00 | 2075 FLORENCE ST   | HYDE DAVID                     | R2B | 2075 FLORENCE ST       | MOUNT PLEASANT     | MI | 48858      |
| 14-146-00-031-00 | 2085 FLORENCE ST   | JACKSON MITCHELL               | R2B | 1006 1/2 BRUCE ST      | MT PLEASANT        | MI | 48858      |
| 14-146-00-032-00 | FLORENCE ST        | JACKSON MITCHELL               | R2B | 2085 FLORENCE ST       | MOUNT PLEASANT     | MI | 48858      |
| 14-146-00-033-00 | 5143 WARD ST       | FABIANO TODD L                 | R2B | 1416 W MICHIGAN ST     | MT PLEASANT        | MI | 48858      |



|                  |                   |                          |     |                   |                |    |            |
|------------------|-------------------|--------------------------|-----|-------------------|----------------|----|------------|
| 14-146-00-034-00 | 5145 WARD ST      | DOWNING ELAINE           | R2B | P.O. BOX 616      | MT PLEASANT    | MI | 48804-0616 |
| 14-146-00-035-00 | 5131 WARD ST      | LEHMKUHLE DAVID          | R2B | 5131 WARD ST      | MOUNT PLEASANT | MI | 48858      |
| 14-146-00-036-00 | 5169 WARD ST      | CONEY RAY F              | R2B | PO BOX 242        | MOUNT PLEASANT | MI | 48804-0242 |
| 14-146-00-038-00 | 2082 ELIZABETH ST | DELL DAVID J & DEBORAH I | R2B | 2250 E REMUS RD   | MT PLEASANT    | MI | 48858-0000 |
| 14-146-00-039-00 | 2074 ELIZABETH ST | FRANCO BRENDA K          | R2B | 2074 ELIZABETH ST | MT PLEASANT    | MI | 48858-0000 |
| 14-146-00-012-01 | 5190 E PICKARD RD | TURNWALD LAND LLC        | B7  | 5190 E PICKARD RD | MT PLEASANT    | MI | 48858      |

VAR 1625 2086 Florence  
mailed 8/21/12  


# Affidavit of Publication

STATE OF MICHIGAN

County of Isabella

County of Gratiot

County of Clare



Rick Mills being duly sworn, deposes and says that he is Executive Editor of the MORNING SUN, a public newspaper printed and published by Morning Star Publishing Company, in the Cities of Mt. Pleasant (Isabella County), Clare (Clare County) and Alma (Gratiot County) in said counties and circulated in said cities and counties, that the annexed printed notice was duly printed and published in said newspaper at least 1 in each week for 1 successive week(s), and that the first publication of said notice in said newspapers was on the 19th day of Aug., 2012 and that last publication of said notice in said newspapers was on the 19th day of Aug., 2012.

Rick Mills

Subscribed and sworn to before me the 20 day of Aug 2012.

Ryan Knight

Notary Public

Ryan Knight  
Notary Public of Michigan  
Isabella County  
Expires 1/6/2018

My commission expires \_\_\_\_\_

## UNION TOWNSHIP

### PUBLIC HEARINGS NOTICE-VARIANCE

NOTICE is hereby given that the following Public Hearings will be held on Wednesday, September 5, 2012 at 7:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Zoning Board of Appeals for the purpose of hearing any interested persons in the following requests for a Variance.

1. A variance from Section 8.23.E of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by PHILLIPS, FREDERICK T & KELLY L, a variance from the requirement that on corner lots no part of any pool shall be constructed within the front yard of either street, to allow for a pool in the front yard of Fawn St.

Legal Description of property: T14N R4W SEC 3 DEER RUN MEADOWS LOT 20

This property is located at 939 DEER RUN DR.

2. A variance from Section 21 of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by WASHBURN, DAWN, a variance of 11 feet from the requirements for Lot Width to allow for a Duplex in an R2B Zone

Legal Description of property: T14N R4W SEC 13 WARDS VIEW SUB LOT 23

This property is located at 2086 FLORENCE ST.

All materials concerning these requests may be seen at the Union Township Hall, located at 2010 S. Lincoln Road, Mt. Pleasant, Michigan, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. Phone (989) 772 4600 extension 241.

William Woodruff,  
Zoning Administrator