

**MINUTES
MARSHALL CITY ZONING BOARD OF APPEALS
THURSDAY, DECEMBER 14, 2023**

In a regular session, Thursday, December 14, 2024, 2023 at 7:00 p.m. held at City Hall, Council Chambers, 323 West Michigan Avenue, Marshall, Michigan, the Marshall Zoning Board of Appeals meeting was called to order by Chair Fisher-Short.

ROLL CALL

Members Present: Members Byrne, Fisher-Short, Hill, Karnes, and Wolfersberger
Members Absent:

Staff Present: Eric Zuzga, Director of Community Services

AGENDA

MOTION by Karns, supported by Byrne, to accept the agenda for December 14, 2023 regular meeting as presented. On a voice vote; **MOTION CARRIED.**

PUBLIC COMMENTS ON AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

1. APPEAL #23.05 – Consumers Credit Union, 1114 West Michigan Avenue, for a use variance to allow a drive through financial institution in B-4 Zoning District and a dimensional variance from ordinance 5.1 (signs) to allow for a larger LED sign.

CASE ANALYSIS

The applicant, Consumers Credit Union, is seeking relief from requirement section: 3.1.10 B-4 Regional Commercial District Uses. The owner is seeking a Use Variance to develop this property for the development of a 1,185 sq ft. Financial Institution with a drive-through ITM. Currently, banks and financial institutions with accessory drive-through facilities are only allowed as a special land use in the POSD zoning district.

Staff feels rezoning this property is not a favorable option and would create more of a spot zoning issue; therefore, feels the requesting a Use variance is the best route to pursue. Staff feels a Financial Institution is directly in line with the intent of the B-4 zoning district. The intent of the B-4 Zoning District is as follows:

The B-4 Regional Commercial district is intended to alleviate undue traffic congestion, promote efficient traffic flow, and provide an appropriate location for commercial and service-oriented uses which serve the needs of persons traveling and to a lesser extent the community's immediate population

This is a similar request that was approved by the ZBA in 2022 for another credit union. At that time, the ZBA requested that the Planning Commission work on this issue. As they have not been able to fix this issue, staff is recommending approval of the use variance.

MOTION by Hill, supported by Byrne to approve APPEAL #23.05 – Consumers Credit Union, 1114 West Michigan Avenue, for a use variance to allow a drive through financial institution in the B-4 Zoning District. On a roll call vote; ayes- Byrnes, Fisher-Short, Hill, Karns, and Wolfersberger; nays- N/A; **MOTION CARRIED.**

Consumers Credit Union requested a dimensional variance for a larger LED sign ordinance. Staff is recommending that the Planning Commission review the sign ordinance and update as necessary. ZBA members indicated that they were not comfortable approving a variance prior to the ordinance being updated. The applicant was given the opportunity to withdraw the application until the zoning ordinance was updated, but requested a vote on the issue.

Motion by Wolfersberger, with support by Karns to approve the sign variance request: ayes N/A; nays Byrnes, Fisher-Short, Hill, Karns, and Wolfersberger. **MOTION DEFEATED**

PUBLIC COMMENTS ON NON-AGENDA ITEMS

None

REPORTS

The board asked for the Board portal signup to be resent.

ADJOURN

The Zoning Board of Appeals adjourned at 7:50p.m.

Submitted by,

Eric Zuzga