

Birch Run Township Zoning Board Meeting
Mini Storage classified as M1 – special use
April 23, 2002

It is the opinion of the ZBA that the use Mini Storage could be allowed under a special use permit under M1. Including it in M1 under the special use category would resolve the issues of retail sales of space and customers visiting the place of business. "Mini storage" is comparable to the amount of retail traffic that Section 1503 (1) Junk/Salvage Yards would receive. Furthermore this is consistent with the precedent set by the existing Mini storage facility in M1 (Fents Mini Storage).

Section 1501. Intent and Purpose (M1)

"It (M1) is intended to prohibit residential uses and intensive retail enterprises as being incompatible with the primary industrial and related uses permitted; however, under the "Special Use" provision certain retail and wholesale activities may be allowed when the permit standards are met."

Section 1503 – Uses permitted by special use permit would need to be altered to list 'Mini storage' by the Birch Run Township Planning Commission and the Township Board.

Regulations regarding "Mini Storage" would have to be added to Chapter 16 Special Use Permit Requirements by the Birch Run Township Planning Commission and the Township Board.

Section 1704 Board of Appeals (4) Duties and powers (B) interpretations

Gives the ZBA the authority to "classify a use which is not specifically mentioned as part of the use regulations of any zone district so that it conforms to a comparable permitted or prohibited use in accordance with the purpose and intent of each district."

Therefore the Birch Run Township Board of Appeals make the following ruling:

The Birch Run Township Zoning Board of Appeals hereby classifies "Mini Storage" as a use allowed by special use permit in M-1.

This ruling will take effect on May 1, 2002. This will enable The Birch Run Planning Commission in conjunction with the Birch Run Township board to draft and adopt adequate zoning provisions to regulate the use "Mini Storage" appropriately. A failure to adopt adequate zoning provisions by the Birch Run Planning Commission and the Birch Run Township Board will not affect the effective date or the permanence of this ruling.

This ruling was approved by a unanimous vote of the Birch Run Township Zoning Board of appeals on April 23, 2002.