

**MINUTES OF THE BIRCH RUN TOWNSHIP
ZONING BOARD OF APPEALS
APRIL 30, 2002
VARIANCE REQUEST 2002-01**

Meeting was called to order at 7:00 pm

In attendance

David Hinds-Chairman

Eric Vorwerck-Vice Chairman

Dennis Bronner-Secretary

David Stewart-Township Board Representative

Guests:

Dale Muehlfeld

Don Shaff

Erna Shaff

It was the board's opinion that the following applies to this situation because the sign was destroyed by wind (an act of God).

Chapter 3-section 301 non-conforming uses (5) Reconstruction and Restoration

"Any lawful non-conforming use damaged by fire, explosion, an act of God, or by any other causes may be restored, rebuilt, or repaired.....provided that said use be the same or more nearly conforming with the provisions of the district in which it is located."

Further more the applicant has graciously agreed to bring the sign closer to the Birch Run Township zoning regulations by voluntarily agreeing to the following restrictions:

The maximum height will be 35 ft (was 40).

The maximum square footage will be 728 square feet (was 756).

A motion to allow the applicant to rebuild the sign with the preceding restrictions was made by Dennis Bronner and seconded by Eric Vorwerck.

The Birch Run Township Zoning Board of Appeals approved the motion by a unanimous vote.