

CALL TO ORDER

The Meeting was held on Wednesday, November 20th, 2024 of the Benton Charter Township Zoning Board of Appeals was called to order at 5:00 pm.

Members Present: Chairperson Michael McCausland, Matt Davis, Larry Nielsen and Arnold Leonard
Members Absent:
Staff Present: Loyall Bennett, Caleb O'Toole and Deeann Scalf
Also present: Applicant, Kalamazoo Flag, Chris & Julie Daniels
Signature Toyota Owner, Bill Riley

SILENT INVOCATION: None.

APPROVAL OF MINUTES: No Minutes to be approved at this time.

AGENDA AMENDMENTS: None.

MOTION TO OPEN A PUBLIC HEARING: Mr. McCausland motioned and support of approval by Mr. Davis. Motion passed.

NEW BUSINESS:

1. Applicant Signature Auto Holdings LLC., 3175 SW 10th St. Deerfield Beach, FL. 33442 is seeking a Variance from the current max height of 40'. The request is to erect a 50" max height Flagpole located at Signature Toyota Building located at 680 E. Napier Avenue in Benton Harbor, MI 49022. (Property ID# 11-03-0031-0035-00-8 and 11-03-0031-0035-12-0) (PUBLIC HEARING).

APPLICANT COMMENTS: Kalamazoo Flag, Chris Daniels is looking to install a 50' max height American Flag Pole at Signature Toyota off E. Napier Avenue in Benton Harbor. No other flags or signage will be on this pole at this time. Bill Riley, Owner of Signature Toyota advised he has no interest in mixing a logo or anything with the American Flag now or ever.

BUILDING DEPARTMENT COMMENTS: Mr. Bennett advised Signature Toyota is requesting a Height Variance for an American Flag Pole, as the current height only allows for a max height of 40'. If in the future they decided to put up a Signature Toyota Flag they would then become out of compliance, that is why it came to the Board tonight. We already have numerous signs over the max height, and we are in the process of changing the Zoning Ordinance for this with Rebecca Harvey, Zoning Consultant which we discussed last night at the Planning Commission Meeting.

BOARD MEMBER COMMENTS/CONCERNS: Board Member, Larry Nielsen also mentioned that if they ever sold in the future, that we would want to make sure the new Owners would stay compliant. Mr. Nielsen motioned that we grant the Variance. Mr. Davis supported. Motion passed.

Mr. Davis advised the MTA (the Michigan Township Association) is hosted a (1) one evening Training Session held on May 28th, 2025 (in Kalamazoo, MI) regarding Enabling Acts and Laws for Planning Commission and What are the Roles of Planning Commission Members. He mentioned it was very valuable and appreciates the Township letting a bunch of them go to this event. He suggests offering a Written Decision Form at the Meetings here forward with Appeal (21 days after a written decision is made, or 30 days after Meeting Minutes are approved) timeframes, since the Board does not meet often enough to approve prior Meeting Minutes with the Chairs signature and possibly a Notary Signature. Mr. Bennett will look into this Document further.

AUDIENCE COMMENTS: None.

ADJOURNMENT: Moved to adjourn Mr. Davis, supported by Mr. McCausland. Public Hearing is now adjourned at 5:45 p.m..

ADJOURNMENT: There being no further business before the ZBA, the Meeting was adjourned:
Minutes: Deeann Scalf the Secretary of the Zoning Board of Appeals.

Loyall Bennett, Building Inspector