



## CITY OF CHELSEA

### ZONING BOARD OF APPEALS AGENDA JANUARY 21, 2015, 5:00 P.M. COUNCIL CHAMBERS, 311 SOUTH MAIN ST. CHELSEA, MI 48118

#### CALL TO ORDER

#### ROLL CALL

#### APPROVAL OF MINUTES

Approval of the Minutes for August 20, 2014

#### NEW BUSINESS

#### VARIANCE 15-1:

**Chelsea Milling Company:** An application has been filed by **Chelsea Milling Company** of **201 W. North Street**, for a variance from the requirements of **Section 3.088** Ordinance No.166 (Zoning Ordinance), to **increase the maximum height of buildings or structures from 40 ft to 115 ft-6 inch** to allow the construction of a new mixing tower on the following described parcel of land: 201 W. North Street, Chelsea, Michigan, (Tax Code: # 06-06-12-170-002).

#### APPROVAL OF 2015 CALENDAR

#### ADJOURNMENT



## CITY OF CHELSEA

*Charles H. Schauer*  
*Marcia White*

**Zoning Board of Appeals Meeting Minutes  
January 21, 2015  
Council Chambers  
311 S. Main Street, Chelsea, MI**

**Members Present:** Tom Osborne (Chairman), Charles Schauer, Jasen King and Marcia M. White

**Others Present:** Utpal Patel (Chelsea Milling Company), John Powers (Chelsea Milling Company), Brian Harper (Chelsea Milling Company), George Bachnivsky (MSKTD & Associates), Jim Myles (City Council Liason), Robert Ponte (Resident), and Christine Linfield (City Staff)

Chairman Osborne called the meeting to order at 5:00 pm.

Chairman Osborne read the draft minutes from the August 20, 2014 ZBA meeting.

Motion by White, seconded by Schauer, to approve the minutes of August 20, 2014 as read. Motion passed all ayes.

**Item 15-01:**

**Section 3.08** – An application was filed by Chelsea Milling Company for a variance to increase the maximum height of buildings from (40 feet) to (115 feet-6 inch) to allow the construction of a new mixing tower. The tower is to be located at the Chelsea Milling Company facility located at 201 W. North Street.

Chairman Osborne opened the public hearing. Robert Ponte expressed his concerns over the ability of the Chelsea Area Fire Authority to fight fires at this height due to the ladder truck only being 105 ft tall. He also expressed concerns over dust and combustibility of grain. Chairman Osborne, based on his years of experience as a Chelsea fire fighter, clarified that the height of the equipment along with the reach of the water stream is more than adequate to reach the top of the structure.

George Bachnivsky presented the mixing tower information on behalf of Chelsea Milling Company. Mr. Bachnivsky clarified that the mixing tower is not a grain silo and that there is not a combustibility problem because the grain is mixed internally in an enclosed system that is fully sprinklered and because it is a self-contained system there is no dust.

Mr. Bachnivsky also reported to the Board that the increase in height is needed due to the change in technology of commercial mixing which uses vertical operations as an industry standard. The new technology works more efficiently with gravity, improves employee safety and produces a better product.

Motion by White, Second by King, to grant Chelsea Milling Company the variance to increase the maximum building height from (40 feet) to (115 feet- 6 inch) for the proposed mixing tower located at 201 W. North Street. All Ayes. Motion Passed.

Motion by White, Second by Schauer, to set the ZBA 2015 meeting schedule for the 3<sup>rd</sup> Wednesday of each month, as needed, at 5:00 pm with all meetings being held located in the City Municipal Building (City Council Chambers) at 311 S. Main Street.

Motion by White, second by King to adjourn the meeting at 5:30 p.m.

Respectfully submitted,



Christine Linfield  
Planning, Engineering, Zoning & Community Dev. Dir.





## CITY OF CHELSEA

### **Zoning Board of Appeals Meeting Minutes August 20, 2014 Council Chambers 311 S. Main Street, Chelsea, MI**

Members Present: Tom Osborne (Chairman), Charles Schauer, Jasen King, Charles Burgess, and Marcia M. White

Others Present: Mike Bergmand (Speedway), Christopher Jolley (EXP), Christine Linfield

Chairman Osborne called the meeting to order at 5:00 pm.

Chairman Osborne read the draft minutes from the June 18, 2014 ZBA meeting.

Motion by Burgess, seconded by King, to approve the minutes of June 18, 2014 as read. Motion passed all ayes.

#### **Item 14-05:**

**Article 5, Section 16(E)(1a)** – Speedway was denied a variance on 5/21/14 to increase the required maximum light levels for a gas station canopy lighting from 20 foot-candles to 30 foot-candles. Per Section 12.08 (F) – No application for a variance which has been denied by the Zoning Board of Appeals shall be resubmitted for a period of 365 days from such denial, except on ground of new evidence or proof of changed conditions which are found by the Zoning Board of Appeals to be valid.

EXP submitted a letter dated July 18, 2014, which was presented as new evidence that other gas stations in Chelsea have higher light levels than what is required in the ordinance. Discussion ensued regarding how this is not a change in site conditions and that these gas stations were in operation prior to the new lighting ordinance going into effect. It was recommended by staff, that the Zoning Board of Appeals make a motion to determine if the letter from EXP contains valid evidence that would then allow the applicant to reapply for a variance without having to wait 365 days.

Motion by White, second by Burgess that per Section 12.08(F) the applicant has provided to the Zoning Board of Appeals new additional information that is valid for review. Ayes (1), Nays (4). Motion fails.

**Article 5, Section 16(E)(1c)** – Speedway has requested a variance to be allowed to use LED for all site lighting instead of metal halide lighting.

Motion by Schauer, second by King, to approve the use of LED lighting due to increased energy efficiency and recommends that the Planning Commission amend this section of the Zoning Ordinance to allow LED lighting. All Ayes. Motion Passed.

**Article 4, Section 36(E)(5a)** – Speedway has requested a variance to the Gateway Overlay District requirement for a minimum front facade of 50% windows and doors be reduced to 38%.

Motion by White, Second by Schauer, that the applicants request to reduce the minimum front facade of 50% windows and doors be reduced to 38% due interior equipment heights and proposed floor plan layout. All Ayes. Motion Passed.

Motion by Schauer, second by White to adjourn the meeting at 5:45 p.m.

Respectfully submitted,

Christine Linfield  
Planning, Engineering, Zoning & Community Dev. Dir.

# CHELSEA MILLING COMPANY

## "JIFFY" *mixes*

201 W. North Street - P.O. Box 460 - Chelsea, MI 48118-0460

[www.jiffymix.com](http://www.jiffymix.com)

December 16, 2014

Zoning Board of Appeals  
City of Chelsea  
305 S. Main Street,  
Suite 100,  
Chelsea, MI 48118

Re: Variance Request for 201 W North Street

Members of the Board,

Chelsea Milling Company is requesting a variance for the height of a proposed addition to its facility. The addition will house new mixing tower to increase its production and introduce new ingredients / products. The location is nearly centered on the property which causes the least disruption to current processes and maximizes efficiency in integrating with the existing systems that it will interface with. Attaching to this tower will be a crosswalk to facilitate access to the mixing tower when the elevator is being serviced.

The height, 115' 6", is necessitated in large part by the nature of the current technology of commercial mixing operations. Vertical integrated mixing operations are the industry standard and operate based on the efficiency of working with gravity rather than against it. The storage bins, which contribute to the height of the building, are housed at the 4<sup>th</sup> floor level and above. This allows them to be filled in bulk and then gravity fed to the mixers. This design improves employee safety by reducing the number of individual bags employees must lift by hand as well as food safety by minimizing the number of times the ingredients must be relocated and potential of foreign material getting into product stream when added manually.

Ph: (734) 475-1361



Fax: (734) 475-4630

# CHELSEA MILLING COMPANY

## "JIFFY" mixes

201 W. North Street - P.O. Box 460 - Chelsea, MI 48118-0460

[www.jiffymix.com](http://www.jiffymix.com)

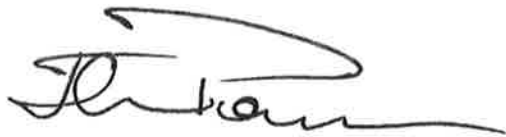
Although the proposed height well exceeds the 40'-0" limit, it blends well with the other vertical elements on the site. It will be shorter than the 120' silos and, because it is set further back than the other vertical elements, its visual impact on the site will be very minimal. Additionally, the material, painted slip formed concrete, will match the silo towers currently on the site and maintain the current uniform aesthetic.

This variance request is not intended, or even likely, to set a precedent for other parts of the city, as it results from issues unique to the baking mix industry. This addition will allow Chelsea Milling Company to remain competitive in its market.

We would welcome an opportunity to answer any questions in advance of the ZBA meeting on January 21, 2015.

Thank you for considering our request.

Sincerely,



John Powers  
Vice President & CFO

Ph: (734) 475-1361



Fax: (734) 475-4630

# CHELSEA MILLING COMPANY

## "JIFFY" *mixes*

201 W. North Street - P.O. Box 460 - Chelsea, MI 48118-0460

[www.jiffymix.com](http://www.jiffymix.com)

### Legal Description of the Property

#### 201 W. North Street Chelsea, MI 48118 Legal Description

TWP REQUEST CV 1-61D-2A BEG AT NW COR LOT 22, BLK 6, ORIGINAL PLAT OF THE VILLAGE CHELSEA, TH N 20-00-00 W 24.75 FT TO C/LNORTH ST, TH S S 70-00-00 W 667.80 FT, TH S 20-00-00 E 24.75 FT, TH S 70-00-00 W 171.6 FT, TH S 20-00-00 E 249.42 FT, TH N 70-00-00 E 171.6 FT, TH S 20-00-00 E 60.00 FT TO N LN MICHIGAN CENTRAL R.R., TH CONT ALNG N LN, N 70-00-00 E APPROX 799.80 FT, TH S 20-00-00 E 10.00 FT, TH N 69-13-25 E 104.00 FT, TH E'LY PARALLEL WITH C/L RR APPROX 280.00FTTH N'LY IN LN AT RIGHT ANGLES TO C/L RR 72.39 FT, TH N 65-48-10 E 113.00 FT, TH N 19-41-50 W 62.00 FT, TH N 70-18-10 E 16.00 FT, TH N 19-41-50 W 54.00 FT, TH S 70-18-10 W TO THE SE COR LOT 15, TH N'LY TO NE COR LOT 15, TH SW'LY TO POB. BEING LOTS 15 THRU 25 ORIGINAL PLAT, & PT OF N 1/2 SEC 12, T2S-R3E. SPLIT ON 11/05/1999 FROM FC-06-12-170-001;

Ph: (734) 475-1361



Fax: (734) 475-4630





## CITY OF CHELSEA

### **Draft Schedule**

**ZONING BOARD OF APPEALS**, holds meetings (*as needed*) the third Wednesday of each month at 5:00 pm. in the Chelsea City Municipal Building's Council Chambers located at 311 S. Main Street, Chelsea, MI . The dates for 2015 are as follows:

### **2015 Meeting Dates**

January 21

February 18

March 18

April 15

May 20

June 17

July 15

August 19

September 16

October 21

November 18

December 16



## CITY OF CHELSEA

*Sample motion:*

*Motion to set the Zoning Board of Appeals 2015 meeting schedule for the 3<sup>rd</sup> Wednesday of the each month, as needed, at 5:00 pm with all meetings to be located in the City Municipal Building (City Council Chambers) at 311 S. Main Street.*

**PLEASE SIGN IN**

**City of Chelsea**

**Sign in Sheet**

**January 21, 2015**

**NAME**

**BUSINESS**

UTPAL FATEL

CMC

JOHN POWERS

CMC

BRIAN HARPER

CMC

GEORGE BACHNIVSKY

TASKITD

JIM MYLES

LINSON