

SECTION 14.04**VARIANCE REQUESTS AND PROCEDURES**
(08-07 Eff. July 20, 2008)

1. That there are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions may include:
 - (a) Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Article or amendment.
 - (b) By reason of exceptional topographic or environmental conditions or other extraordinary situation on the land, building or structure.
 - (c) By reason of the use or development of the property immediately adjoining the property in question.

The wireless communications facility and proposed tower location are due to the nature of wireless communications, the topography, traffic and the population density in the area. The proposed tower would be used to help off load over capacity on the existing tower along highway 127 as well as improve service to traffic and residences along Beal City Road and the surrounding area.

Based on the coverage and capacity needs explained in the attached propagation maps, Verizon and Skyway found a willing landlord to lease property. This is the only property we found that meets the ordinance requirements and is inside the specified search area. Unfortunately, there is nowhere outside of the 3- mile radius from the existing tower (tower separation requirement), where Verizon is currently located, that a new tower can be built and the service needs be met therefor Verizon is asking for a 0.72 mile variance to meet the 3-mile separation rule which is the minimum needed

2. That the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same Zoning District and in the vicinity. The possibility that compliance with this Ordinance may prove to be more expensive or otherwise inconvenient shall not be part of the consideration of the Zoning Board of Appeals.

The proposed tower will have no effect on preservation and enjoyment of any substantial property right of any landowner in Denver Township or in Isabella County. If anything, the tower will improve the preservation and enjoyment of property by providing increased communication over most of the properties in the area.

3. The variance will not be detrimental to adjacent property and the surrounding neighborhood.

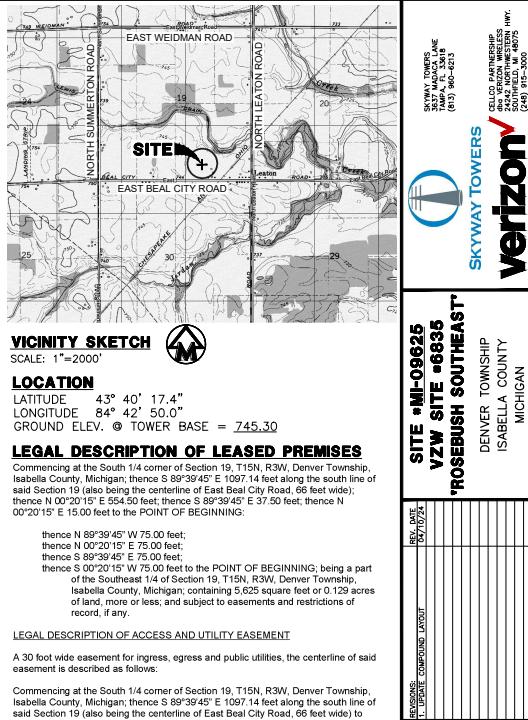
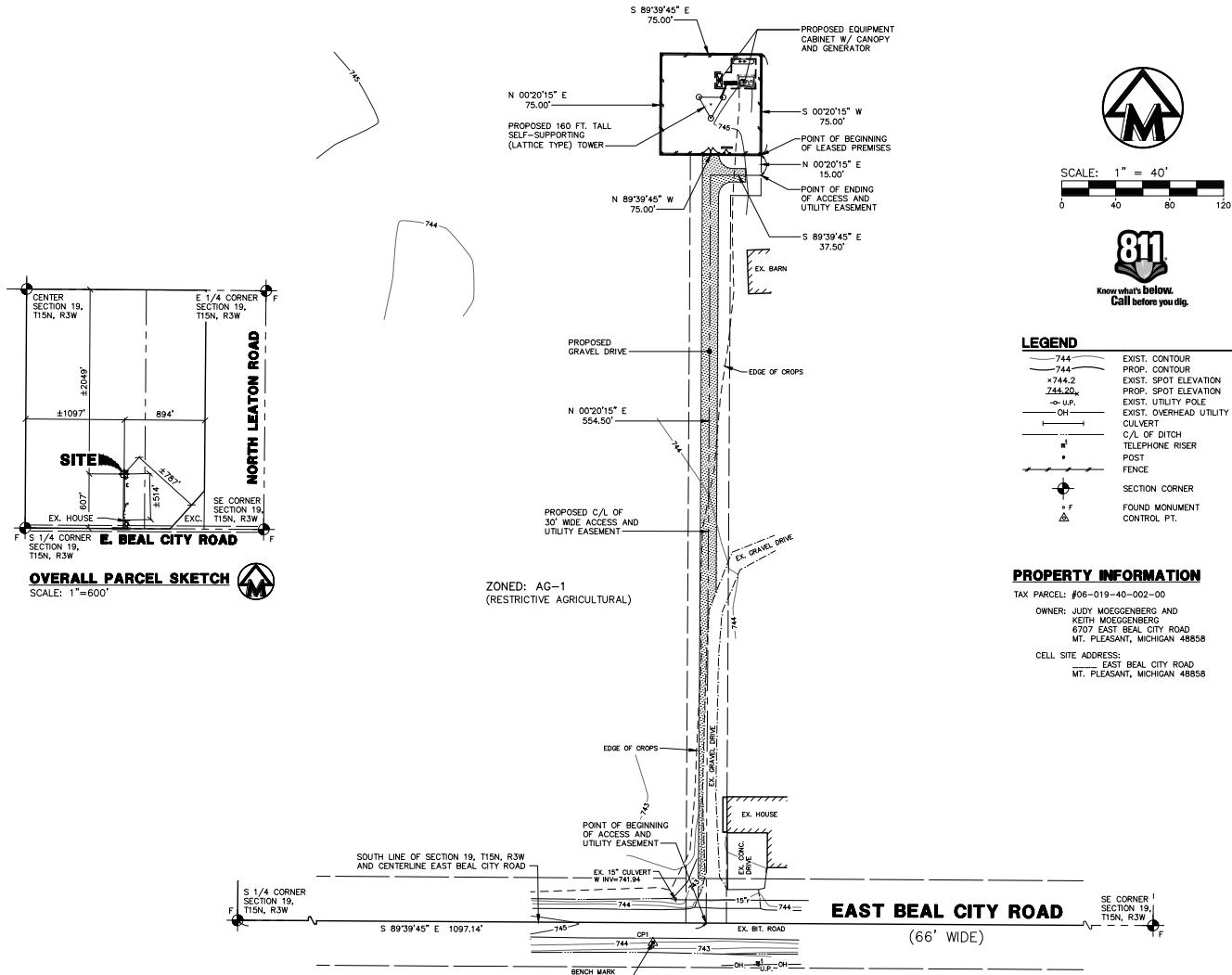
The wireless communications facility is self operating and unmanned, there will be no pollution emitted and no detrimental effects to the land or any uses in the township or county.

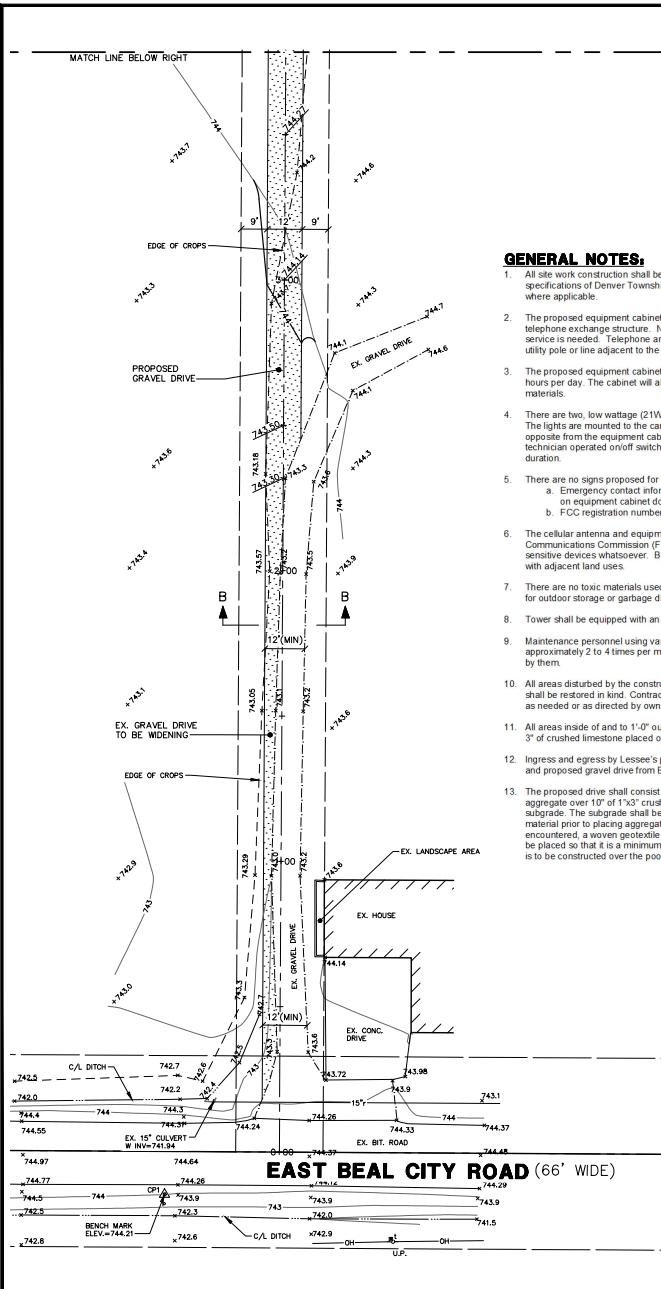
4. The variance will not materially impair the intent and purpose of this Ordinance or the provision from which the variance is requested.

The separation distance is to limit the proliferation of towers. However cellular technology continues to grow and become more of a necessity in daily life. While there will be areas of the county where a 3-mile separation may be sufficient for the provision of service needs, in more populated and well traveled areas variances will be required. This request is needed for the specific purpose of proving service to a particular area of the county with a communications gap and will not materially impair the intent and purpose of this Ordinance.

5. That the immediate practical difficulty causing the need for the variance request was not created by the applicant.

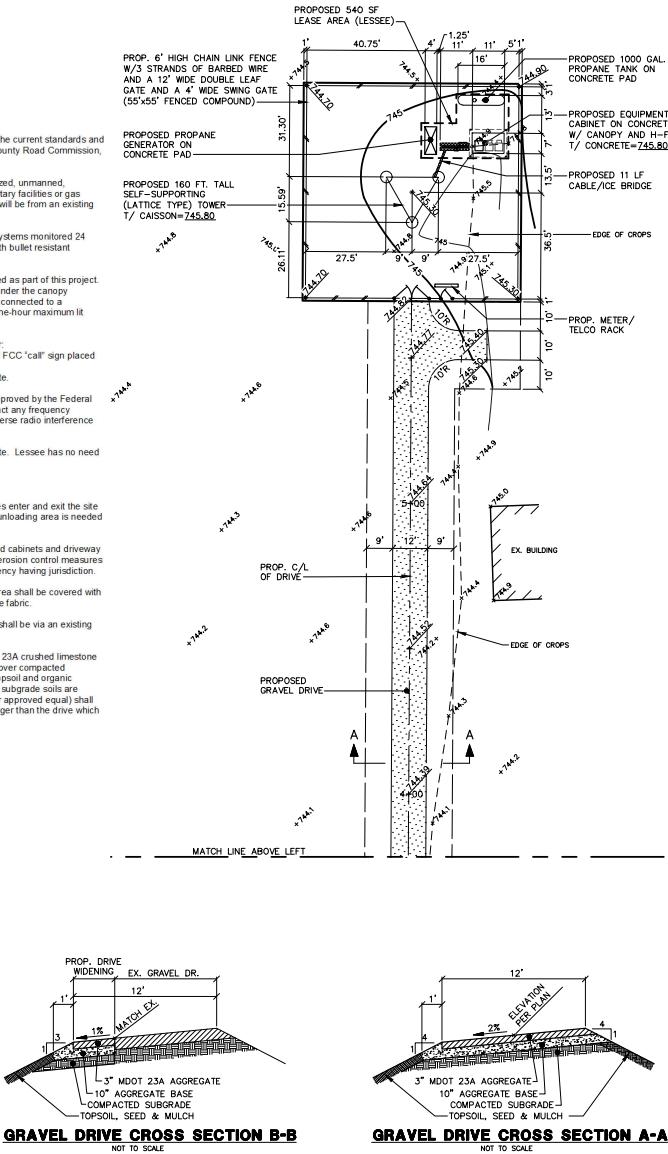
The need is caused by the use of wireless communications technology by the people in Isabella County. Verizon Wireless tries its best to service customers where they are and has no role in creating practical difficulties requiring the need for a variance.





GENERAL NOTES:

- All site work construction shall be in accordance with the current standards and specifications of Denver Township and the Isabella County Road Commission, where applicable.
- The proposed equipment cabinet is to be a computerized, unmanned, telephone exchange structure. No water service, sanitary facilities or gas service is required. Telephone and electrical services will be from an existing utility pole or line adjacent to the site.
- The proposed equipment cabinet is to have security systems monitored 24 hours per day. The cabinet will also be constructed with bullet resistant materials.
- There are two, low wattage (21W), LED lights proposed as part of this project. The lights are mounted to the canopy support posts, under the canopy opposite the equipment cabinets. Lights shall be connected to a technician operated on/off switch with a timer with a one-hour maximum lit duration.
- There are no signs proposed for this project except for:
 - Emergency contact information purposes and FCC "call" sign placed on equipment cabinet door.
 - FCC registration number located on fence gate.
- The cellular antenna and equipment cabinet will be approved by the Federal Communications Commission (FCC) and will not impact any frequency sensitive devices whatsoever. Buyer warrants no adverse radio interference with adjacent uses.
- There are no toxic materials used by Lessee on the site. Lessee has no need for outdoor storage or garbage disposal and pick-up.
- Tower shall be equipped with an anti-climbing device.
- Maintenance personnel using van type service vehicles enter and exit the site approximately 2 to 4 times per month. No loading or unloading area is needed by them.
- All areas disturbed by the construction of the tower and cabinets and driveway shall be restored in kind. Contractor is to provide soil erosion control measures as needed or as directed by owner or government agency having jurisdiction.
- All areas inside of and to 1'-0" outside of the fenced area shall be covered with 3" of crushed limestone placed over "Typar" landscape fabric.
- Ingress and egress by Lessee's personnel to the site shall be via an existing and proposed gravel drive from East Beal City Road.
- The proposed drive shall consist of 3" of MDOT Class 23A crushed limestone aggregate over 10" of 1x3 crushed concrete or slab over compacted subgrade. The subgrade shall be stripped free of all topsoil and organic material prior to placing aggregate base. Where poor subgrade soils are encountered, a woven geotextile fabric (Mirafi 500X or approved equal) shall be placed so as to immediately widen and lengthen the drive which is to be constructed over the poor soils.



SCALE: 1" = 20'
0 20 40 60



Know what's below.
Call before you dig.

LEGEND

EXIST. CONTOUR	744.14
PROPOSED DRIVE	744.22
EXIST. SPOT ELEVATION	744.20
PROPOSED SPOT ELEVATION	744.20
EXIST. UTILITY POLE	→ U.P.
EXIST. OVERHEAD UTILITY LINE	OH
CULVERT	—
C/L OF DITCH	—
TELEPHONE RISER	—
POST	—
FENCE	—
SECTION CORNER	—
FOUND MONUMENT	•
CONTROL PT.	△



JOB No.	DATE	REVISIONS	COMMENTS
15154-09625	4/12/23	1. UPDATE LAYOUT	Proposed gravel drive Area 15' Culvert Inv#741.94 www.midwesternconsulting.com

DATE:	CAUD:	ENG:	TECH:	FILE:
11/02/23	BLF	SIF	KMW	15154-09625-SP1 1525P7

SITE PLAN DETAIL

2

SHEET 2 OF 2



SKYWAY TOWERS
811
verizon

SKYWAY TOWERS
811
verizon

Received
ISABELLA COUNTY, MI
06-29-2012 10:52 AM

Received
ISABELLA COUNTY, MI
06-25-2012 09:40 AM

201200005630
Filed for Record in
ISABELLA COUNTY, MI
SHARON A BROWN, REGISTER OF DEEDS
06-25-2012 At 10:12:52 am.
QUIT C DEED 14.00
Liber 1594 Page 281 - 281
201200005630
FIRST NATIONAL BANK
SASE

QUIT CLAIM DEED

The Grantor(s) : Elenor Moeggenberg, a/k/a Eleanor Moeggenberg, a single woman, survivor of herself and Paul E Moeggenberg, deceased

whose address is : 6707 E. Beal City Rd., Mt. Pleasant, MI 48858

quit claim(s) to : Judy Moeggenberg and Keith Moeggenberg, wife and husband

whose address is : 6707 E. Beal City Rd., Mt. Pleasant, MI 48858

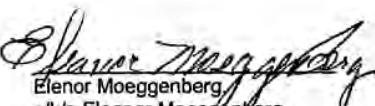
the following described premises situated in the Township of Denver, Isabella County, State of Michigan:

THE WEST 1/2 OF THE SOUTHEAST 1/4 AND THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 3 WEST, EXCEPT THAT PART LYING SOUTH AND EAST OF THE CENTERLINE OF THE FORMER RAILROAD RIGHT OF WAY, DENVER TOWNSHIP, ISABELLA COUNTY, MICHIGAN.

Commonly known as: 6707 E. Beal City Rd., Mt. Pleasant, MI 48848
P.P. 06-019-40-002-00

For conveyance to remove the life estate interest of Paul E. Moeggenberg and Eleanor Moeggenberg, husband and wife

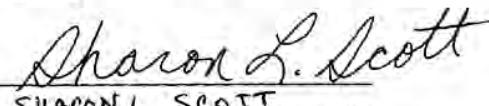
for the sum of less than \$100.00 (One Hundred and NO/100) this deed is exempt from transfer tax pursuant to MCLA 207.505(A) and MCLA 207.526(A).


Elenor Moeggenberg

a/k/a Eleanor Moeggenberg

STATE OF MICHIGAN)
County of ISABELLA)

The foregoing instrument was acknowledged before me this 1ST day of JUNE, 2012 by
Elenor Moeggenberg, a/k/a Eleanor Moeggenberg, a single woman.


SHARON L. SCOTT
Notary Public
ISABELLA County, Michigan

Acct. #200086

Acting in ISABELLA County, MI
My commission expires: 2013 JAN 21

When Recorded Return To:
First National Bank of America
P.O. Box 980

Drafted By: Laura Wesley
First National Bank of America
241 E. Saginaw Hwy.