

BEDFORD TOWNSHIP BOARD OF ZONING APPEALS  
REGULAR MEETING MINUTES  
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN  
JULY 12, 2016

**PRESENT:**

RICK STEINER, TOWNSHIP BOARD LIAISON  
BOB POTTER, VICE-CHAIR  
GEORGE WELLING, CITIZEN AT LARGE  
ARVID SHAH, ALTERNATE

**EXCUSED:**

BRAD GREELEY, CHAIR  
TOM ZDYBEK, PLANNING COMMISSION LIAISON

**ALSO PRESENT:**

DENNIS KOLAR, BUILDING OFFICIAL  
KAREN M. KINCAID, PLANNING AND ZONING ADMINISTRATOR  
JODIE L. RECTOR, PLANNING AND ZONING ASSISTANT, RECORDING SECRETARY

Potter called the Bedford Township Board of Zoning Appeals meeting to order at 7:06 p.m. The Pledge of Allegiance was said. Kincaid called the roll. Quorum present.

***APPROVAL OF THE AGENDA***

**Motion by Welling, supported by Steiner, to approve the agenda. Motion carried.**

***APPROVAL OF THE MINUTES***

**Motion by Steiner, supported by Welling, to approve the minutes of June 6, 2016. Motion carried.**

***PUBLIC COMMENT (LIMIT 3 MINUTES)***

None

***NEW BUSINESS***

***A) 7:13 P.M. OPEN THE PUBLIC HEARING REGARDING THE APPEAL OF LARRY NELSON, 3022 RAUCH ROAD, TEMPERANCE, MI 48182, REQUESTING A 5.5 +/- FOOT SEPARATION VARIANCE BETWEEN AN EXISTING GARAGE AND A STRUCTURE PER SECTION 400.1903, "ACCESSORY BUILDING", IN AN R-2B, SINGLE FAMILY RESIDENTIAL ZONING, ON LAND DESCRIBED AS 5802-640-047-00, OTHERWISE KNOWN AS, 2500 THUNDERBIRD TRAIL, LAMBERTVILLE, MI 48144.***

Kincaid reviewed the analysis stating the applicant is seeking a structure to structure setback variance to allow construction of a roof over an existing concrete porch. Per Section 400.1903, "Accessory Buildings", in an R-2B, Single Family Residential zoning district, accessory structures require a minimum placement of 5' from the property line and 10' between structures. The applicant has indicated in his submitted letter that he is restoring the home, and due to the angle of the house on the property, the corner of the existing garage encroached 5.5' into the separation requirement between the garage and the proposed roof structure on the existing open cement porch. Pictures were included in the packet showing the location of the existing open porch, and a rendering of the proposed roof structure, as a roof has been constructed on the front porch of the dwelling to match. No letters or calls of objection were received.

**Sandra K. Nelson- 3022 Rauch Road- representative for Larry E. Nelson-** Ms. Nelson presented seven letters of no objection and was available to answer any questions the Board may have.

Kolar stated when Mr. Nelson originally submitted for a building permit, the home was shown square with the garage, however when Kolar went out for the footer inspection of the porch, it was clarified to Mr. Nelson the setback requirement is 10' from the detached garage. Kolar advised Mr. Nelson he could pour the slab for the porch but would need a variance if moving forward with the roof on the porch. Kolar informed the board the Michigan Building Code requires 3' from the property line and 6' from structure to structure before some fire rating on the structure is required, but the ordinance requires a 10' separation. Kolar said technically it would meet the requirements of the Michigan Residential Building Code without being fire rated. Board Members continued to discuss the distance requirements and the involvement of requirements regarding fire rating the proposed roof structure.

**Motion by Steiner, support by Welling, to close public hearing at 7:18 p.m. Motion carried.**

Potter advised the applicant she would need a majority vote to approve if wanting to move forward, or she could reschedule with a full board. The applicant's representative waived the right to defer and requested to move forward.

*Motion by Shah, supported by Welling, to grant the appeal of the Larry Nelson, 3022 Rauch Road, Temperance, MI 48182, requesting a 5.5' separation variance between an existing garage and a structure per Section 400.1903, "Accessory Buildings", in an R-2B, Single Family Residential Zoning District, on land described as 5802-640-047-00, otherwise known as 2500 Thunderbird Trail, Lambertville, MI 48144 with the practical difficulty being location and orientation of the home to the existing garage and renovating the home with conditions the gable and columns of the proposed porch provide for a one hour fire separation.*

**Roll call as follows: Voting Aye: Shah, Welling, Steiner and Potter. Voting Nay: None. Excused: Zdybek and Greeley. Motion carried.**

**A) 7:28 P.M. OPEN THE PUBLIC HEARING REGARDING THE APPEAL OF JOHN C. KREUCHAUF AND VICKI J. KREUCHAUF, 10212 JACKMAN ROAD, TEMPERANCE, MI 48182, JAMES A. SALTER, 9783 RAVENSHIRE DRIVE, YPSILANTI, MI 48198, JAMES A. COYNE AND JUNE E. COYNE, 226 SCOTT, MONROE MI 48161, REQUESTING A 200' FRONTAGE VARIANCE PER SECTION 400.1800, "SCHEDULE OF REGULATIONS", FOR A PROPOSED LAND DIVISION, IN AN AG, AGRICULTURAL ZONING DISTRICT, ON LAND DESCRIBED AS 5802-010-038-30, A VACANT PARCEL LOCATED ON JACKMAN ROAD, SOUTH OF M-151.**

Kincaid reviewed the analysis stating the existing parcel consists of approximately 14.184 +/- acres with 469.50' of frontage on Jackman Road. A Consumer's Energy easement diagonally traverses the property from east to west. Kincaid said the applicant is seeking to split the 14.184 +/- acre parcel into two parcels and per Section 400.1800 "Schedule of Regulations" in an AG, Agricultural Zoning District, a minimum of 5 acres and 330' frontage is required for each parcel. The applicant has indicated the design layout for the proposed splits will satisfy the required 5 acres with one resulting parcel maintaining 339.5' of frontage and 5.120 acres. However, the second resulting parcel will have 130' frontage and 9.064 acres, thus requiring a 200' frontage variance. Kincaid stated the applicant has indicated the proposed 200' frontage variance request is an ingress/egress to Lennard Farms (Kim Lennard, President) to allow equipment passage on the north side of existing woods and for Agricultural Preservations, as the property is currently being farmed. Should the variance request be granted, the variance required is a 200' frontage variance. Kincaid stated at this time no letters or calls of objection have been received, however four letters and two more submitted today to the Planning Department of no objection have been received. Kincaid advised the applicant had submitted an amended survey referencing the most northerly parcel was adjusted to 5 acres.

**John Kreuchauf- 10212 Jackman Road, Temperance, MI 48182-** Mr. Kreuchauf referred to the submitted letter regarding agricultural preservation. Mr. Kreuchauf added the proposed frontage variance is to allow Mr. Lennard to have ingress/egress to access the entire 28 acres of land in question. Mr. Kreuchauf explained it would be for ingress/egress only as the irrigation would not reach the proposed access area.

Potter inquired if Lennard Farms had any other means of access to the land. Mr. Kreuchauf explained there is a narrow access to the east of the 20 +/- acres. Mr. Lennard requested this parcel be deeded separately requiring the parcel to maintain frontage. Discussion continued on the access availability to the east parcel currently owned by Mr. Lennard and maintaining of the irrigation. Mr. Kreuchauf added there is no intent to build on this parcel, however, there will be enough area on the resulting 5 acre parcel north of the Consumers Energy Easement for a buildable lot. Board Members continued discussion of different options for the resulting parcel. Mr. Kreuchauf advised this is the best option for all the property owners and satisfying the needs of Mr. Lennard. Mr. Lennard explained the irrigation system would be prevented from watering as the existing pivot radius will not reach the proposed area designated for ingress/egress off Jackman Road; saying it will be used for accessibility purpose only to preserve farm land in Bedford.

**Motion by Steiner, support by Welling, to close public hearing at 7:45 p.m. Motion carried.**

Steiner complimented the applicant on the submitted request and Mr. Kreuchauf stated he appreciated the help he receives when coming into the Township.

Potter advised the applicant he would need a majority vote to approve if wanting to move forward, or he can reschedule with full board. The applicant waived the right to defer and requested to move forward.

*Motion by Steiner, support by Shah, to grant the appeal of the John C. Kreuchauf and Vicki J. Kreuchauf, 10212 Jackman Road, Temperance, MI 48182, James A. Salter, 9783 Ravenshire Drive, Ypsilanti, MI 48198, James A. Coyne and June E. Coyne 226 Scott, Monroe, MI 48161, requesting a 200' frontage variance per Section 400.1800 "Schedule of Regulations" for a proposed land division, in an AG, Agricultural Zoning District, on land described as 5802-010-038-30, a vacant parcel located on Jackman Road, south of M- 151 as the remaining parcels have one parcel maintaining 339.5 frontage 5.12 acres, second parcel for the variance will maintain 130' frontage and 9.046 acres, with the practical difficulty being a Consumers Energy Easement that traverses the property, proposed 200' frontage variance to preserve agricultural land by Lennard Farms with and six letters of no objection submitted.*

**Roll call as follows: Voting Aye: Steiner, Shah, Welling and Potter. Voting Nay: None. Excused: Zdybek and Greeley. Motion carried.**

***PUBLIC COMMENT –None***

***COMMISSION / STAFF COMMENT –***

***Kincaid advised there is an item scheduled for the August 1, 2016 agenda.***

***ADJOURNMENT –***

***The meeting was duly adjourned at 7:50 p.m.***

***Respectfully submitted, Jodie L. Rector, Recording Secretary***