

BEDFORD TOWNSHIP BOARD OF ZONING APPEALS
REGULAR MEETING MINUTES
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
August 5, 2019

PRESENT:

GEORGE WELLING, CHAIRMAN
TOM ZDYBEK, PLANNING COMMISSION LIAISON
JAKE LAKE, VICE-CHAIRMAN
KYLE DERSCH, CITIZEN AT LARGE
RICK STEINER, TOWNSHIP BOARD LIAISON

EXCUSED:

NONE

ALSO PRESENT:

PHIL GOLDSMITH, LEGAL COUNSEL, LENNARD, GRAHAM & GOLDSMITH
JODIE L. RECTOR, PLANNING AND ZONING ASSISTANT, RECORDING SECRETARY

Rector called the Bedford Township Board of Zoning Appeals meeting to order at 7:00 p.m. The Pledge of Allegiance was said. Rector called the roll. Quorum present.

APPROVAL OF THE AGENDA

Motion by Steiner, supported by Dersch, to approve the agenda. Motion carried.

APPROVAL OF THE MINUTES

Motion by Lake, supported by Dersch, to approve the minutes of July 1, 2019 Motion carried.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

- A. Open the public hearing regarding the appeal of Norman and Pamela Fisher, 7004 Maplewood, Temperance, MI 48182, requesting a +/- 1'8" side yard setback variance to construct a garage addition to an existing dwelling in an R-2B, Single Family Residential Zoning District, per Section 400.1800, "Schedule of Regulations", on land described as 5802-475-026-00, otherwise known as 7004 Maplewood, Temperance, MI 48182***

Motion by Steiner, supported by Zdybek, to open the public hearing at 7:02 p.m. Motion carried.

Rector stated the applicant is seeking a +/- 1'8" side yard setback variance to construct a 22' X 24' attached garage to an existing dwelling. The property consists of .560 acre with 80 feet of frontage on Maplewood. Per Section 400.1800 "Schedule of Regulations" a side yard setback in an R-2B, Single Family Residential Zoning District requires one side yard setback a minimum of 8 feet for a total of 20 feet. Rector noted while the rear of the proposed attached garage meets the 8 feet due to the angle of the home on the property, the front of the garage encroaches and only provides for a 6'4" side yard setback, thus requiring the 1'8" side yard setback variance to meet the required 8 feet on one side yard setback.

Rector noted at this time no letters or calls of objection have been received.

Motion by Steiner, supported by Zdybek, to close the public hearing at 7:03 p.m. Motion carried.

Norman Fisher-7004 Maplewood-Temperance- Mr. Fisher spoke on the layout of the property and that he even tried to move the proposed garage forward, however that would then cover two of the upstairs windows which could cause further safety or building violations.

Steiner inquired on how the home was angled on the property. Mr. Fisher advised they did not own the home when it was built, but believed the builder followed the existing building footprint.

A lengthy discussion commenced regarding the angle of the home, layout of the property, required side yard setbacks and the request not being self-created by the current property owner. Board Members discussed relocating the proposed addition to the south side of the existing home, however it would still require a variance to construct the proposed addition as there is only 16 feet. Discussion continued on the setback requirements of a detached accessory building compared to an attached building to the main structure.

Motion by Steiner, supported by Zdybek, to grant the appeal of Norman and Pamela Fisher, 7004 Maplewood, Temperance, MI 48182, a +/- 1'8" side yard setback variance to construct a 22' X 24' garage addition to an existing dwelling in an R-2B, Single Family Residential Zoning District, per Section 400.1800, "Schedule of Regulations", on land described as 5802-475-026-00, otherwise known as 7004 Maplewood, Temperance, MI 48182 as the home was built in 1985 and does not follow parallel to the side lot lines on either side, due to the practical difficulty of the angle of the home, not being self-created by the current property owner, to move the proposed location would block two windows that could cause ingress/egress issues with safety/building code, and there is not enough area to build on the south side of the home.

Roll call as follows: Voting Aye: Steiner, Zdybek, Dersch, Lake and Welling

Voting Nay: None

Excused: None

Motion carried.

PUBLIC COMMENT-None

COMMISSION / STAFF COMMENT-None

ADJOURNMENT – The meeting was duly adjourned at 7:15 p.m.

Respectfully submitted,
Jodie L. Rector
Recording Secretary