

**BEDFORD TOWNSHIP BOARD OF ZONING APPEALS (virtual)
REGULAR MEETING MINUTES
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
SEPTEMBER 8, 2020**

PRESENT:

JAKE LAKE, CHAIRMAN
KYLE DERSCH, VICE CHAIRMAN
RICK STEINER, TOWNSHIP BOARD LIAISON
DENNIS JENKINS, PLANNING COMMISSION LIAISON
JEFF WILSON

EXCUSED:

NONE

ALSO PRESENT:

DENNIS KOLAR, BUILDING OFFICIAL
KAREN KINCAID, PLANNING/ZONING ADMINISTRATOR, RECORDING SECRETARY

Lake called the Bedford Township Board of Zoning Appeals meeting to order at 7:05 p.m. The Pledge of Allegiance was said. Kincaid called the roll. Quorum present.

APPROVAL OF THE AGENDA

Motion by Steiner, supported by Jenkins, to approve the agenda as presented. Motion carried.

APPROVAL OF THE MINUTES

Motion by Wilson, supported by Dersch, to approve the minutes of August 17, 2020. Steiner abstained due to meeting absence. Motion carried.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

- A) OPEN THE PUBLIC HEARING REGARDING THE APPEAL OF TREVOR GENTRY, 7706 SUMMERFIELD ROAD, LAMBERTVILLE, MI 48144, REQUESTING A +/- 16 FOOT FRONT YARD SETBACK VARIANCE (PER SECTION 400.1800, "SCHEDULE OF REGULATIONS) TO CONSTRUCT A 24' X 32' ACCESSORY BUILDING WITHIN A FRONT YARD SETBACK AND A VARIANCE TO ALLOW AN ACCESSORY BUILDING TO BE CONSTRUCTED WITHIN A FRONT YARD ON A CORNER PARCEL (PER SECTION 400.1903, "ACCESSORY BUILDINGS"), IN AN R-2B, SINGLE FAMILY RESIDENTIAL DISTRICT, ON LAND DESCRIBED AS 5802-435-052-00, 7706 SUMMERFIELD ROAD, LAMBERTVILLE, MI 48144.**

Motion by Dersch, supported by Steiner, to open the public hearing at 7:09 p.m. Motion carried.

Kincaid reviewed the analysis, stating the applicant is seeking a variance to construct a 24' X 32' pole barn to be located within the front yard on a corner lot. The property consists of .264 acres having 181.22 feet of frontage on Summerfield Road and approximately 66 feet of frontage on Maplewood Road. Per Section 400.1903 "Accessory Buildings", accessory buildings shall not be erected in any minimum side yard setback nor in any front yard pursuant to the Schedule of Regulations of the Bedford Township Zoning Ordinance. Kincaid further said, the

applicant noted, due to the parcel being a corner lot and the location of the home, there is inadequate room to construct an accessory building behind the front building line of the home. Per Section 400.1800, "Schedule of Regulations", a front yard setback in a Single-Family Residential District requires 30 feet from the road right-of-way. While the proposed accessory structure meets the setbacks for Summerfield Road, a 14-foot front yard setback is proposed on Maplewood Drive where 30 feet is required. Therefore, a 16-foot front yard setback variance is required due to a corner lot and having two front yards. A variance is also required to allow an accessory building to be located in the front yard.

Kincaid said at this time no letters of objection have been received, and the applicant submitted two letters of no objection from adjacent neighboring properties. Kincaid further stated a call inquiring the intended use of the accessory structure was received in the Planning Department, where the caller expressed concern the structure would be utilized for commercial use.

Trevor Gentry, 7706 Summerfield, applicant, was present to answer questions. When asked, Mr. Gentry said he is seeking a variance to place the accessory structure within the front yard, as the configuration of his parcel, in conjunction with being a corner lot with two front yards, does not offer any other option for building placement.

When asked by Lake, it was confirmed the home was constructed prior to the May 5, 1977 adoption of the zoning ordinance, which stipulates the setback requirements. Jenkins asked the intended use for the accessory structure. Mr. Gentry said he has a very small garage and would like to be able to have his wife park inside, further utilizing the proposed structure to house lawn equipment/materials and a few older vehicles he has. Jenkins asked if there is any intent to use the structure for commercial use. Mr. Gentry said the structure will not be utilized for commercial use.

Steiner commented on the lack of ability to place a structure behind the home, questioned the building height, and asked if there is a possibility to locate the structure farther north closer to the home. Kolar stated there is a 10-foot structure to structure setback requirement. Mr. Gentry said he needs the space to store his lawn equipment and vehicles, and does not require an increased height. Kolar calculated the structure height and said it is well within the stipulations of the ordinance. Mr. Gentry added the proposed barn location is to allow enough space to maneuver his mower between the existing fence and the proposed structure. Steiner asked if the flooring would be poured or gravel. Mr. Gentry said the intent is for a pole barn with concrete flooring.

Seeing there was no public comment, motion by Steiner, supported by Jenkins to close the public hearing at 7:16 p.m. Motion carried.

Lake asked how and why the proposed location was determined. Mr. Gentry said he has no other options for placement and the area is sandy and not suitable for other uses. Wilson said the configuration of the parcel leaves little option for other placement, asking for setback clarification. Kolar explained setbacks are measured from the road right-of-way. When asked by Lake, Kincaid confirmed the proposed structure does not exceed the square footage allowed by ordinance. Lake said, due to the conformation of the parcel, there are no other location options where a structure of this size could be placed. Steiner asked if the structure could be moved north closer to the home to increase the setback from the road right of way. Wilson said the requested structure size does not exceed what is typical of a three-vehicle garage. When asked, Kolar said the only requirement for flooring in a garage is non-combustible material.

Motion by Jenkins, supported by Steiner, to approve the variance for Trevor Gentry, 7706 Summerfield Road, Lambertville, MI 48144, for a +/- 16-foot front yard setback variance to construct a 24' x 32' accessory structure within a front yard (side yard) on a corner parcel. The structure shall not be utilized for any commercial use, and shall be permitted due to a unique lot configuration that limits an option to construct the structure behind the home.

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Roll call as follows:

Voting Aye: Jenkins, Steiner, Dersch, Wilson and Lake

Voting Nay: None.

Excused: None

Motion carried.

PUBLIC COMMENT-None

COMMISSION / STAFF COMMENT- None

ADJOURNMENT – The meeting was duly adjourned at 7:26 p.m.

Respectfully submitted,

Karen M. Kincaid
Recording Secretary