

THETFORD TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF PUBLIC HEARING AND REGULAR MEETING
February 27, 2013

The meeting was called to order at 6:30 PM by Chairman Dennis Bloss.

Chairman Bloss lead the group in the Pledge of Allegiance.

MOTION by John Congdon, supported by Greg Bryan to appoint Dennis Bloss to act as both Chairman, and acting Secretary, for today's meeting. All ayes, motion carried.

ROLE CALL:

Present: Dennis Bloss, Liz Helms, John Congdon, Greg Bryan, and alternate Clyde Howd

Absent: Dan Case, excused.

MOTION by Greg Bryan, supported by Clyde Howd, to open the Public Hearing at 6:35 PM. All ayes, motion carried.

PUBLIC HEARING

Mr. Dan Case described he has lived at the 9328 N. Saginaw Road address since 1977, and the deck he wants to enclose was built in 1990. He explained that he recently lost the shade on his deck when he had to remove a large maple tree. He described his intent to enclose the deck, and that he felt his application for permits was complete. He felt the Building Inspector fully understood his plans, and allowed him to proceed by giving him the appropriate permit(s).

Mrs. Lorraine and Mr. Joseph Stanislaw, 9336 N. Saginaw Rd., asked if the board members received their information package. Mrs. Stanislaw read portions of materials she said were from Township, County, and State publications, proposing that improvements on a residence, in a General Commercial Zone, should not be allowed. She further stated that allowing improvements at the Dan Case property would raise safety concerns and negatively affect their business. Mr. and Mrs. Stanislaw requested that the permit be denied.

Attorney Robert Swartwood stated that any improvement, in a residence located in a General Commercial Zone, would require a variance, and that the Zoning Board of Appeals is authorized to approve such variances.

Ms. Lucy Thorrington, 3388 E. Wilson Rd., was concerned about the work on the deck enclosure being started before a variance was requested and approved. She felt it set a bad example and could lead to further code violations within the Township.

Mr. Martin Cousineau, Township Trustee, stated that he holds himself to a higher standard when doing personal business with the township, and would ask that anyone connected to Township business do the same.

MOTION by Greg Bryan, supported by Clyde Howd, to close the Public Hearing at 7:02 PM.
All ayes, motion carried.

MOTION by Clyde Howd, supported by Greg Bryan, to open the regular ZBA meeting at 7:02.
All Ayes, motion carried.

MINUTES OF PREVIOUS MEETING, JANUARY 23, 2013.

MOTION BY John Congdon, supported by Liz Helms, to accept minutes of the January 23, 2013 ZBA meeting, as published. All ayes, motion carried.

CHANGES TO AGENDA None

OLD BUSINESS: Case 011613, Dan Case, 9328 N. Saginaw Rd., to complete an enclosed “Michigan Room”, in a General Commercial Zone.

John Congdon reviewed ZBA and Township procedures and guidelines, relative to applications for variance.

Clyde Howd and Greg Bryan discussed issues with the availability of the former Building Inspector, to clarify details in the building permit(s) he issued.

Dennis Bloss discussed the overlap of maintenance and improvement to a residence. He felt the deck enclosure did not significantly add to the non-conformance of a residence in a General Commercial Zone, and that the enclosure would not negatively impact the area or the Township.

MOTION by Greg Bryan, supported by John Congdon, to approve the request, pending the applicant meets all current building code requirements. All ayes, motion carried.

NEW BUSINESS: 021213, Benjamin Meadow, 12030 Lewis Rd., to have a separate building for one family housing.

Ms. Katherine Meadow outlined the history of the outbuilding they wish to use as a second residence on their property. The building was first used by their church to store furniture and household goods, to be given to individuals and families in need. Later, church volunteers did some finishing work in the building, adding electrical service and bathroom facilities. The space was used for temporary housing for people needing housing, and most recently as a rental unit. The Meadows are now asking for a variance to allow Multiple Family Dwelling in a RE Zone.

Board comments included commending the Meadow’s efforts to help people in need. The dwelling construction was done without proper permits. Board members also expressed hesitation at allowing a Multiple Family variance in any zone permitting Single Family Dwellings.

Ms. Meadow asked if the second dwelling would be allowed, if the parcel was divided into two parcels, with their house on one and outbuilding, converted to a house, on the other. Board

members responded that it could be done, if both resulting parcels met all requirements for frontage, size and setbacks.

Motion by Liz Helms, supported by Clyde Howd, to deny the request for a second residence, on a single parcel, in a RE Zone. All ayes, motion carried.

OTHER BUSINESS: None

AUDIENCE COMMENTS: Some audience members expressed disappointment in the approval of Case No. 011613, based on their interpretation of ordinances and planning documents, concern for more residents ignoring getting proper permits, and the appearance of favoring applicant's who have connections to Township business.

BOARD COMMENTS: Board members re-stated their commitment to treat all applicants fairly and without regard to their connection to any Township business. Clyde Howd repeated his concern over not being able to communicate with the former Building Inspector, to shed light on past building permit issues.

MOTION by Clyde Howd, supported by Liz Helms, to adjourn the meeting at 7:41 PM. All ayes, motion carried.