

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS

August 15, 2019

The meeting was called to order by Chairman J. Horen at 7 p.m.

Members present: J. Horen, G. Brandt, W. Sinke and J. Krueger, T. Miller, A. Lyday, Alternate
Members absent: None
Also in Attendance: Jeff & Sue Tithof, Dave & Kerri Haugh, Ted Jezewski, Aron Petrosky, BJ
Weaver, Ken Malkin-Supervisor, Richard Sheppard-Attorney

The pledge of allegiance was recited by all present.

Motion by G. Brandt, seconded by T. Miller to adopt the agenda as presented.

Motion carried.

**Motion by T. Miller, seconded by G. Brandt to approve the minutes of June 20, 2019
regular meeting as presented.**

Motion carried.

Public Input

Public input was opened and closed at 7:02 p.m. with no one present from the public wishing to speak.

Items for Consideration

09-100-024-400-340-04

Tithof Construction-Jeff Tithof
4853 Baxman

J. Horen read the letter sent out to surrounding property owners for D. & K. Haugh & J. Tithof Construction item of consideration 09-100-024-400-340-04 4853, Baxman Road. A variance of seven (7) feet nine (9) inches to allow the proposed expanded dwelling from the existing accessory building.

J. Tithof, 9100 Gratiot, Saginaw MI presented a drawing for the proposed addition to the dwelling and that 25 feet rule to keep accessory building from the house.

J. Tithof stated he will need an eleven (11) feet variance.

J. Tithof explained that D. Rochow, Zoning Administrator said he measures from overhang to overhang. J. Tithof told the Zoning Committee that the overhang measurement will come into effect too, regarding the exact variance he will need.

J. Horen told J. Tithof that from the plans submitted it appears that there is a six (6) inch overhang.

Charter Township of Monitor

Regular Zoning Board of Appeals Meeting of August 15, 2019

R. Sheppard reviewed the ordinance and by definition the measurement is taken from the walls, not overhang.

R. Sheppard mentioned that the notice sent to the public was seven (7) feet nine (9) inch variance request. He continued to explain that the request can be decreased from the original request but it cannot be increased without notifying the public.

J. Tithof asked the Zoning Board how to expedite the process, since it has already been over two months from the first application.

T. Miller asked if J. Tithof could make the changes and bring it into conformity.

D. Haugh replied, "We would prefer not to.....I would prefer not to make changes to the plan."

T. Miller said D. Haugh will have to meet some fairly rigorous standards to get a variance.

S. Haugh said she doesn't want to make the addition smaller.

D. Haugh stated he would wait a month, have all his neighbors re-noticed and come back to the Zoning Board next month.

R. Sheppard explained that the board needs reasonable justification for granting the variance. As example: Consumer Energy easement, septic field, etc.

J. Krueger confirmed that the Consumer Energy easement is in the front and south side of the property. A letter found in the 2016 Harrington Variance file, confirmed the easement.

J. Krueger believes the existing accessory building was built incorrectly due to the size. It is much larger than the house, accessory building is 1200 square feet and the house is 1001 square feet.

K. Malkin asked J. Tithof about the footings that have been put in and asked if the building inspector approved it.

J. Tithof stated, "yes." When the building permit for the garage was approved and issued, the back area was planned in as a porch-concrete slab. He explained that he built the garage with a concrete porch that will also act as a foundation for the addition.

J. Horen asked J. Tithof if he could take three (3) feet off the accessory building.

J. Tithof said that it would be possible.

D. Haugh explained that he would rather wait a month to have the option to get the variance approved verses changing the plans to conform to something he does not want.

J. Tithof said they will work on finishing the garage, there is plenty of work to be done, until they come back next month for the variance.

J. Horen suggested to table the variance.

J. Horen asked if a special meeting could be called to expedite the variance.

K. Malkin said a special meeting requires a fee and there could be deadline notice problem. He suggested J. Tithof come back in to amend the variance.

J. Horen opened public comment.

J. Krueger asked the neighbors present if they had any problems with the proposed addition. No one objected to the addition.

J. Horen closed public comment, with no one wishing to speak.

Motion by G. Brandt seconded by T. Miller to table the variance until September 19, 2019, with all fees waived except fee of publication.

Roll call vote:

Yes: J. Krueger, G. Brandt, J. Horen, W. Sinke, T. Miller

No: None

Absent: None

Motion carried.

Communications

Motion by T. Miller supported by W. Sinke to acknowledge receipt of Communications.

Motion carried.

Motion by J. Horen supported by G. Brandt to adjourn.

Motion carried.

Meeting was adjourned at 8 p.m.

Respectfully submitted,

Joy Krueger
Secretary
JK/djp

Charter Township of Monitor

Regular Zoning Board of Appeals Meeting of August 15, 2019