

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS

June 18, 2020

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

Members present: J. Horen, G. Brandt, J. Krueger, C. Schweitzer, D. Zube
Members absent: A. Lyday (excused)
Others absent: None
Also, in Attendance: Jim Marter, Eric & Nicole Marter, Julie & Tom Kernstock, Rodger & Carol Roszatycki, R. Sheppard-Attorney

The pledge of allegiance was recited by all present.

**Motion by Krueger, seconded by Brandt to adopt the agenda as presented.
Motion carried.**

**Motion by Brandt, seconded by Schweitzer to approve the minutes of May 21, 2020 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

Public Hearing
09-100-019-400-020-02
270 Midland Road
Residential dwelling addition setback variance
Eric Marter

Horen read the letter sent to adjacent property owners for 09-100-019-400-020-02, 270 Midland Road, Eric and Nicole Marter. They are asking for a variance of five (5) foot, two (2) inches to allow an addition to their home and twenty-five (25) foot requirements in Ordinance 67 would not/could not be met.

Krueger pointed out that the current garage is a block building. Block is considered fire retardant.

Horen pointed out that a fire truck could get in behind the house and was not restrictive.

Brandt pointed out that the house is mature and not many options are available.

Krueger stated practical difficulty with the roof line becomes a problem.

Discussion among the members continued.

Horen opened public input.

Tom and Julie Kernstock, 222 Midland Road, told the members they have no issues with the planned addition.

Horen closed public input.

Motion by Krueger, supported by Schweitzer to approve the five (5) foot two (2) inch variance as requested by the Marter family. 18.10 (a) (b) and (c) have been met. Practical difficulty exists because of the existing placement of the original structure and the existing placement of the block accessory building. Safety is secured because the fire department has ample access and the accessory building is a block structure. The original structure placement on the 140-foot-wide lot causes practical difficulty and this is not so reoccurring in nature.

Roll call vote:

Yes: Horen, Brandt, Krueger, Schweitzer, Zube

No: None

Absent: Lyday

Motion carried

Public Hearing

09-100-017-400-060-00

4370 Fraser Road

Accessory building setback variance

Rodger Roszatycki

Horen read the Roszatycki request for property 09-100-017-400-060-00, 4370 Fraser requesting a variance for a proposed addition to his existing accessory building.

Rodger Roszatycki, 4370 Fraser asked for a five (5) foot variance of the setback rule which requires twenty-five (25) feet under Ordinance 67. Current accessory building is twenty-two (22) foot from the property line.

Roszatycki stated his house is one (1) foot lower than what the Bay County Drain Commission originally wanted; he did this so no water would drain onto the neighbor's property.

No neighbors were present at the meeting.

Roszatycki said the original accessory building is 60 to 75 foot from the gas line that runs through his property. (Lake Head Pipeline)

Roszatycki stated he will add more drainage to the North.

Horen opened and closed for public comment with no one present from the public wishing to speak.

Motion by Krueger, supported by Zube to approve the three (3) to five (5) foot variance which is necessary to align the existing and proposed accessory buildings. The hardship exists because Roszatycki is too close to the Lakeside Pipeline to allow for expansion. The buildings will be connected and the walls will be aligned. Safety regarding the pipeline is a concern. Proper drainage already exists for runoff and Roszatycki will add more drainage. The Zoning Board of Appeals requires that the drainage be conditional and be maintained to ensure no runoff on the neighbor's property. 18.10 (a) (b) and (c) have been met and are not likely to be repeated.

Roll call vote:

Yes: Horen, Brandt, Krueger, Schweitzer, Zube

No: None

Absent: Lyday

Motion carried

Motion by Horen supported by Brandt to adjourn.

Motion carried.

Meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Joy Krueger
Secretary

JK/djp