

BEDFORD TOWNSHIP BOARD OF ZONING APPEALS
REGULAR MEETING AMENDED MINUTES
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
JANUARY 6, 2025

PRESENT:

BOB POTTER, CHAIR
MIKE BASSINGER, VICE CHAIR
PAT MAHONEY, PLANNING COMMISSION REPRESENTATIVE
JOE GORE, TOWNSHIP BOARD LIAISON
JEFF WILSON, ALTERNATE

EXCUSED:

NONE

ALSO PRESENT:

DAVID PARIS, LEGAL COUNSEL, LENNARD, GRAHAM & GOLDSMITH
JODIE RECTOR, PLANNING/ZONING ADMINISTRATOR
KATRINA INGRAM, PLANNING/ZONING, RECORDING SECRETARY

Potter 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 Gore, supported by Bassinger, to approve the agenda. Motion carried.

ELECTION OF BOARD OF ZONING APPEALS OFFICERS FOR 2025

Motion by Gore, supported by Bassinger, to nominate Mr. Potter as Chairman. There were no further nominations. Mr. Potter accepted the nomination.

Roll Call as Follows:

Voting Aye: Gore, Bassinger, Mahoney, Wilson and Potter

Voting Nay: None

Excused: None

Motion carried.

Motion by Gore, supported by Potter, to nominate Mr. Bassinger as Vice-Chairman. There were no further nominations. Mr. Bassinger accepted the nomination.

Roll Call as Follows:

Voting Aye: Gore, Potter, Wilson, Mahoney and Bassinger

Voting Nay: None

Excused: None

Motion carried.

APPROVAL OF THE AMENDED BOARD OF ZONING APPEALS MEETING SCHEDULE 2025

Motion by Gore, supported by Mahoney, to approve the amended meeting schedule for 2025. Motion carried.

APPROVAL OF THE MINUTES

Motion by Wilson, supported by Gore, to approve the minutes of December 2, 2024. Motion carried.

NEW BUSINESS

- A. Open the public hearing regarding the appeal of Timothy & Stephanie Steinman, 8095 Douglas Rd, Temperance, MI 48182, requesting a reapproval to construct a 40' x 80' accessory building, with a 10' x 56' lean-to and covered porch, to be located in the front yard, per Section 400.1903.4, "Accessory Buildings", in an R-2B, Single Family Residential District, on land described as 5802-029-009-02, 8095 Douglas Rd, Temperance, MI 48182.

Motion by Gore, supported by Bassinger, to open the public hearing at 7:04 p.m. Motion carried.

Rector read the analysis stating the applicant is requesting a reapproval of a variance that was granted on September 12, 2022 to construct an accessory building in the front yard in conjunction with building a new dwelling on the vacant parcel. The applicant has since built the home (PB220541) and submitted for the building permit for the accessory building, however; the variance has since lapsed as construction was not initiated.

Rector noted the subject site consists of approximately 2.586 acres with +/-195.05 feet of frontage on Douglas Road. Due to irregularity of the parcel, the applicant built the dwelling on the northwest side of the property and intends to build a 40' x 80' accessory building with a 10' x 56' lean-to to the northeast, thus to provide a buffer to the rear of the two parcels with existing homes on Douglas Road, however; by ordinance this proposed location is considered a front yard from the section line road. Per Section 400.1903.4, "Accessory Building Table" accessory buildings shall not be erected in any minimum side yard setback nor in any front yard, thus requiring the variance to allow an accessory building to be constructed in the front yard.

There is a flood zone area located on the front of the parcel on Douglas Road which runs on the south side of the parcel to the west, then north.

The applicant has indicated in his submitted letter, the proposed accessory building will have no adverse impact on any of the neighboring properties, due to the irregular shape of the property, flood zone area, close proximity to the neighboring homes, in their opinion this is the best location for the accessory structure.

At this time no letters or calls of objection have been received.

Should the variance reapproval be granted, the variance required is:

- A variance to construct a 40' x 80' accessory building with a 10' x 56' lean-to to be built in the front yard

Rector stated a building permit was pulled however the time lapsed and the structure has been reduced from the original proposed structure.

Karen Rideout-8112 Douglas Rd- Ms. Rideout questioned if there would be septic or water ran to the structure.

Tim Steinman- 8095 Douglas Rd- Applicant- Mr. Steinman stated there is no intent to run water or septic to the structure.

Motion by Mahoney, supported by Gore, to close the public hearing at 7:09 p.m. Motion carried.

Potter questioned if the home was on well and septic. Mr. Steinman stated the home is on city water and sewer. Gore questioned the reduction in structure size. Mr. Steinman stated the home needed to be built first and cost prohibited from moving forward and reduced the structure to reduce cost. Potter questioned the overhang orientation. Mr. Steinman stated it would face the home. Mahoney stated he had no objection to reapproving the request.

Motion by Gore, supported by Bassinger, to grant the appeal of Timothy & Stephanie Steinman, 8095 Douglas Rd, Temperance, MI 48182, requesting a reapproval to construct a 40' x 80' accessory building, with a 10' x 56' lean-to and covered porch, to be located in the front yard, per Section 400.1903.4, "Accessory Buildings", in an R-2B, Single Family Residential District, on land described as 5802-029-009-02, 8095 Douglas Rd, Temperance, MI 48182 due to practical difficulty of the irregular shape of the property and flood zone area on the parcel.

Roll call as follows:

Voting Aye: Gore, Bassinger, Mahoney, Wilson and Potter

Voting Nay: None.

Excused: None.

Motion carried.

- B. Open the public hearing regarding the appeal of Miller Family Trust (Brian & Carrie Miller), 8040 Monroe Rd, Lambertville, MI 48144, requesting a +/-3-foot height variance and a +/-5-foot side yard setback variance to construct a 32' x 70' accessory building, per Section 400.1903, "Accessory Buildings", in an R-2A, Single Family Residential District, on land described as 5802-030-001-86, 8040 Monroe Road, Lambertville, MI 48144.

Motion by Wilson, supported by Gore, to open the public hearing at 7:12 p.m. Motion carried.

Rector read the analysis stating the applicant is seeking to construct a 32' x 70' accessory building. The subject site consists of approximately 1.006 acres with +/-268 feet of frontage on Monroe Road. The applicant's intent is to build the accessory building on the north side of the property, however; due to the existing septic system there is no other viable location to the rear of the home (plot plan from building permit from home included). Per Section 400.1903.4, "Accessory Building Table" accessory buildings shall not be erected in any minimum side yard setback nor in any front yard, due to the proposed height variance (17'), the accessory building will encroach +/- 5' into the required 15' side yard setback (10' provided), thus requiring the +/- 5' side yard setback variance to allow the accessory building to be constructed in the proposed location with the limitation of the lot.

The applicant has indicated in his submitted letter, the proposed accessory building would be utilized for storage of a trailer and due to the required overhead door clearance of 10', 12' walls are needed, therefore overall height of 17' where 14' is permitted. The applicant noted the height and roof pitch will provide visual consistency as it will match the existing home's roofline. The applicant noted in his opinion the requested variances will benefit this project and will contribute to a visually appealing and functional addition to the property.

At this time six letters of objection have been received.

Should the variance request be granted, the variances required are:

- A +/- 3' height variance
- A +/- 5' side yard setback variance

Toni Blochowski- 3472 Shadywood Circle- Mrs. Blochowski stated she has been a resident for over 30 years and spoke in opposition to the request due to the unsightly nature of the large accessory building being requested. Ms. Blochowski stated the building will reduce the value of the neighboring properties and encouraged the Board to take into consideration the concerns of the neighboring properties.

Gary Blochowski- 3472 Shadywood Circle- Mr. Blochowski stated he has served on the HOA for Springbrook Subdivision and spoke in opposition of the requested accessory building as it appears to be a farm utility building which does not fit and would decrease the appeal and value of the surrounding properties. Mr. Blochowski stated he believes the structure would be used to house commercial materials and vehicles and referred to the ordinance code stating in no case should an accessory building be used for commercial business or operations.

Chad Prielipp-8066 Monroe Rd- Mr. Prielipp stated there have been multiple changes in the neighborhood and spoke in opposition of the request as the structure seems to be serving for commercial operation. Mr. Prielipp further stated the requested structure is quite large and is supportive of the applicant building a structure that complies, however; does not support the variance.

Brian and Carrie Miller- Applicant- Mr. Miller stated the building is being requested to house the trailers on the property and move them indoors. Mr. Miller stated one trailer is over 9' tall which requires over a 10' door and 12' walls, requiring the additional height. Mr. Miller stated the additional height is driving the additional side yard setback required.

Motion by Mahoney, supported by Gore, to close the public hearing at 7:24 p.m. Motion carried.

Mrs. Miller stated the structure will not be a farm structure and instead would be designed to match the aesthetics of the home. Rector referred to the sketch of the structure that was provided by the applicant and stated the intended building materials were not provided on the sketch. Mrs. Miller stated the accessory building will match the aesthetic of the home and will be shorter than the dwelling on the property. Mrs. Miller further stated if the structure was reduced in height to comply, the structure could be 5 feet from the property line. Mrs. Miller further stated she had spoken with the neighbors previously as to their intent to build the home and store the trailers on the property. Mr. Miller stated he is a self-employed carpenter and has a trailer that is utilized for work and the structure is being requested to locate the trailers inside and reduce risk of theft. Mr. Miller stated there are no meetings held, employees reporting or materials stored at the property. Mr. Miller stated he has been renting storage units to house the trailer's previously, however; renting cost has increased and the local storage units do not have sufficient sized units to be able to store the trailers. Mrs. Miller stated she had also explored renting the existing pole barn on the neighboring property, however; the owner was not interested.

Gore questioned the accessory building matching the home. Mrs. Miller stated the intent is to match the home, however; if the structure is built to comply it would not have to match the home. Bassinger questioned if the property was located within the Springbrook subdivision. Mr. Miller stated the property is not within the subdivision. Discussion continued on the type of truss for the structure and structural design to reduce the height variance. Bassinger stated there is a stipulation typically provided with the motion that no commercial use is permitted. Mrs. Miller stated there is no business being conducted at the home and the trailer is hitched to do work offsite. Bassinger questioned since there is a septic on site would there be area maintained to replace the septic if needed. Mrs. Miller stated on the south side of the property an area is reserved for additional septic if needed. Mrs. Miller stated as their parcel is pie shaped there is road frontage on Monroe Road which reduces the usable area on the parcel. Mahoney questioned when the property was purchased and if the residential zoning was known at the time. Mrs. Miller stated the property was purchased in 2022 and the intent is for residential use. Mahoney stated a commercial use is not permitted on the property and a variance is being requested to allow a structure to serve for commercial trailers. MAHONEY REFERRED TO THE APPLICANTS LETTER WHICH STATES "THE OUTBUILDING IS PRIMARILY INTENDED TO BE A STORAGE STRUCTURE TO ACCOMMODATE SEVERAL WORK TRAILERS THAT ARE CRITICAL FOR BUSINESS OPERATIONS".

Attorney Paris stated if the structure is aiding or promoting commercial use on the residential lot the Board does not have the authority to grant the use variance. Rector stated commercial uses are not permitted on residential property. Rector noted, ordinance does provide for specific home occupations, however; some home occupations require additional conditions such as; must be within the home and not within an accessory structure. Rector stated if business is being conducted or employees are locating on site for commercial uses that would not be permitted. Wilson stated the ordinance does not allow for commercial activity regardless of granting the variance for the structure. Rector stated if the building is built in compliance and a complaint is filed, ordinance enforcement would follow through with the compliant. Potter questioned if the trailers are solely stored on site would that be permitted. Rector stated the trailers cannot be stored on site if used for commercial purposes on a residential property. Bassinger stated the applicant stated in their letter the structure is being utilized to assist the business and a structure could be built that complies with the ordinance. Bassinger stated to approve the variance may set a precedence. Wilson stated the ordinance does not allow commercial use regardless, however if the structure was built to comply there would be no variance required and the applicant could proceed. Rector stated should the desire be to grant the variance the Board may want to consider including a condition that the structure is built aesthetically as described by the applicant. Mahoney stated there are instances where a commercial vehicle may be parked on a residential lot however this request is for multiple commercial trailers to be stored on a residential lot. Mahoney stated when he drove by the site, there was multiple trailers on the site and questioned how many would be utilized and questioned renting a structure to store the trailers. Mr. Miller stated the Township does not allow for an accessory building on a vacant lot and renting has not been feasible to maintain. MAHONEY STATED THEIR WAS NO PRACTICAL DIFFICULTY PROVIDED FOR THE HEIGHT VARIANCE REQUESTED AS THE VARIANCE MUST BE RELATED TO THE PROPERTY AND NOT PERSONAL SITUATION.

Attorney Paris stated there are parameters to build an accessory building on the lot that comply, however; the applicant as well as the letters of objection state the intent is for commercial use which would not be permitted. Gore stated if the variance is denied the applicant can build an accessory building that complies with the ordinance. Bassinger stated the requested building is more ideal than the trailers being visible in the yard. Wilson stated the requested building is a larger structure, however; providing a further setback from the property line, matching the aesthetic of the home and to include in the motion the structure must be used for personal uses. Bassinger agreed with including the language within the motion of the aesthetic matching the home. Mahoney stated the neighboring properties should not have to see the business operation. Rector stated if there is no further discussion, a motion should be made.

Motion by Wilson, supported by Gore, to grant the appeal of Miller Family Trust (Brian & Carrie Miller), 8040 Monroe Rd, Lambertville, MI 48144, requesting a +/-3-foot height variance and a +/-5-foot side yard setback variance to construct a 32' x 70' accessory building, per Section 400.1903, "Accessory Buildings", in an R-2A, Single Family Residential District, on land described as 5802-030-001-86, 8040 Monroe Road, Lambertville, MI 48144 due to the practical difficulty of the odd shape of the lot and the location of the septic field on the property and conditioned upon the structure shall not be used for commercial operations and the accessory building shall match aesthetically with the home on the property as proposed.

Potter questioned if the applicant looked into scissor truss for the structure. Mr. Miller stated the change to a scissor truss would require different materials and add to the cost. Mahoney questioned if the accessory building would be required if the commercial trailers were not being stored on site. Mr. Miller stated he has a camper and a pontoon boat and trailer which would require the additional height as well. Mahoney questioned if the trailers and camper and pontoon would be stored on site. Mr. Miller stated the intent is to store as much on site as feasible.

Roll call as follows:

Voting Aye: Wilson, Gore and Bassinger

Voting Nay: Mahoney and Potter

Excused: None.

Motion carried.

- C. Open the public hearing regarding the appeal of Joshua & Crystal Beasley, 731 W Dean Rd, Temperance, MI 48182, requesting a variance to construct a 24' x 30' accessory building to be located in the front yard, per section 400.1903.4, "Accessory Buildings", in a R-2B, Single Family Residential District, on land described as 5802-026-032-10, 731 W Dean Rd, Temperance, MI 48182.

Motion by Gore, supported by Bassinger, to open the public hearing at 8:08 p.m. Motion carried.

Rector read the analysis stating the applicant is seeking to construct a 24' x 30' accessory building to be located in the front yard. The subject site consists of approximately 3.57 acres with +/-150 feet of frontage on Dean Road. The applicant's intent is to build the accessory building to the northeast of the dwelling, however; by ordinance this proposed location is considered a front yard. Per Section 400.1903.4, "Accessory Building Table" accessory buildings shall not be erected in any minimum side yard setback nor in any front yard, thus requiring the variance to allow an accessory building to be constructed in the front yard.

Rector further stated the applicant has indicated in his submitted letter, the proposed accessory building would be utilized for storage of various equipment and tools. The applicant further stated, the proposed accessory building will have no adverse impact on the neighboring properties, as there is an existing tree line buffer of arborvitae to the homes to the north as well as existing dense woods on the east side of the property. The applicant further stated due to the existing septic and leach fields located on the east side of the dwelling, the McClanathan drain on the west side of the property and the limited accessibility to the south of the dwelling, the proposed location is the best location for the accessory building.

At this time no letters or calls of objection have been received however the applicant has provided seven letters of no objection.

Should the variance request be granted, the variance required is:

- **A variance to construct a 24' x 30' accessory building in the front yard**

Joshua and Crystal Beasley - Applicant- Mr. Beasley stated the lot is odd shaped and the front yard is to the rear of the neighboring properties to the north and approached the neighbors who would be able to see the structure and the property owners signed letters of no objection.

There was no public comment.

Motion by Bassinger, supported by Gore, to close the public hearing at 8:13 p.m. Motion carried.

Bassinger questioned how far the home is located from the road. Mr. Beasley stated over 300 feet from the road and stated the property is an odd shape and is hidden from the neighboring properties by dense wooded area and plantings. Wilson agreed the property is an odd shaped lot and the location of the septic and leech field as well as the county drain on the property restricts the location for the accessory building. Wilson further stated the requested structure is small compared to what is permitted on the parcel. Mahoney questioned the metal structure proposed versus stick built structure as the metal structure does not fit the residential area. Mr. Beasley stated the use for the structure is storage of camper and other equipment and the structure will not be visible to many neighbors. Mahoney stated the proposed structure is not similar to the surrounding properties. Bassinger stated the structure is so far off the road, the proposed location doesn't seem to be front yard. Rector stated due to the location of the home, anything in front of the front building line is considered front yard.

Motion by Gore, supported by Wilson, to grant the appeal of Joshua & Crystal Beasley, 731 W Dean Rd, Temperance, MI 48182, requesting a variance to construct a 24' x 30' accessory building to be located in the front yard, per section 400.1903.4, "Accessory Buildings", in a R-2B, Single Family Residential District, on land described as 5802-026-032-10, 731 W Dean Rd, Temperance, MI 48182 due to the practical difficulty of the shape of the lot and the location of the leech field and McClanathan County drain on the property.

Roll call as follows:

Voting Aye: Gore, Wilson, Bassinger, Mahoney and Potter

Voting Nay: None

Excused: None

Motion carried.

PUBLIC COMMENT- None

COMMISSION / STAFF COMMENT-

Rector thanked Mr. Wilson for serving and stated the deadline for the February 3, 2025 meeting is Monday, January 13 by noon and would email the members if any applications are received.

Attorney Paris thanked the Board and hoped to work with them more in the future.

Potter questioned how the height for accessory buildings is defined in the ordinance.

Bassinger stated the height is calculated by a formula for mean height. Rector stated the mean height is calculated by a formula that is provided on a handout to the applicant with the accessory building information.

ADJOURNMENT – The meeting was duly adjourned at 8:23 p.m.

Respectfully submitted,

Bedford Township Board of Zoning Appeals
Regular Meeting
January 6, 2025
Page 6

Katrina Ingram, Recording Secretary