

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS
August 20, 2015

The meeting was called to order by Chairman Horen at 7:00 p.m.

The Pledge of Allegiance was recited by those present.

Members present: J. Horen; D. Darland; J. Gwizdala; W. Sinke; J. Krueger, Alternate Member
Members absent: T. Miller
Also present: None

Also in Attendance Were: Mark Mahlberg, Michael Duperon, Lowell Provoast

Motion by W. Sinke, seconded by D. Darland to adopt the agenda with the addition of election of Vice-Chairman position.

Motion carried.

Election of Vice-Chairman was held.

D. Darland moved to re-elect W. Sinke as Vice-Chairman supported by J. Krueger.

Roll call vote:

Yes: Darland, Gwizdala, Sinke, Krueger, Horen

No: None

Absent: T. Miller

Motion carried.

Motion by J. Krueger seconded by D. Darland to approve the minutes of June 18, 2015 as presented.

Motion carried.

Public Input

Public input was opened and closed at 7:05 p.m. with no one wishing to speak.

New Business

Michael Duperon, 1948 Midland Rd., 09-100-022-400-050-00, two residences on one parcel

Chairman Horen read the letter sent out to surrounding property owners. Two letters were received and read; one from John Libera and the other from LeRoy Harvey.

Mark Mahlberg of 715 Court St., Saginaw, presented Mr. Duperon's case. Mr. Duperon bought this property about a year ago and spent a lot of money upgrading both houses on the property. Since the small house had been used as a house, a rental, and an office in the past, the applicant feels that it wouldn't change the character of the neighborhood to allow it to be used as a residence again. Mr. Duperon presented pictures of the upgrades that he made to the small house.

Mr. Duperon stated that the sewer and water came into the smaller house. The smaller house was identified by Consumers as 1950 Midland Rd.; the bigger house is 1948 Midland Rd. The Township has no record of a 1950 Midland Rd. This property was purchased from the bank on a reverse mortgage.

D. Darland noted that the small house was 528 sq. ft. which is smaller than is allowed by ordinance. W. Sinke and J. Gwizdala noted that property loses its approved non-conforming status if it doesn't maintain its use for more than a year.

The small house is currently not rented out.

The electrical permit at 1948 Midland was discussed. No other permits were issued.

Much discussion occurred. The property can't be split because there is not enough frontage.

J. Krueger quoted Section 18.02 of Ordinance 52. W. Sinke quoted Section 18.11--"No variance granted under this ordinance shall permit a use not otherwise permitted within the zoning district wherein the subject property is located."

Motion by D. Darland supported by W. Sinke to deny the variance request to allow two residences to be maintained on a parcel at 1948 Midland Rd, 09-100-022-400-050-00, based on Ordinance 52 Section 18.11, being that no variance granted under this Ordinance shall permit a use not otherwise permitted within the zoning district wherein the subject property is located. The subject property is zoned single family residential; the proposed use is multiple family, and, therefore, doesn't meet the qualifications of a variance.

Roll call vote:

Yes: Horen, Darland, Gwizdala, Sinke, Krueger

No: None

Absent: T. Miller

Motion carried to deny the variance request.

Communications

Communications were accepted.

The meeting was adjourned at 8:10 p.m.

Respectfully,

J. Krueger
Acting Secretary