

MINUTES

**THOMAS TOWNSHIP ZONING BOARD OF APPEALS
THOMAS TOWNSHIP PUBLIC SAFETY BUILDING
8215 SHIELDS DRIVE, SAGINAW, MICHIGAN
OCTOBER 8, 2024
4 O'CLOCK P.M.**

Members Present

R. Iamurri
M. Lenczewski
D. Milne
R. Desander
M. Thayer

Members Absent

Others Present

D. Sika, Dir. Of Community Dev.
A. Bicigo, Planning Asst./Code Enf.

Iamurri called the meeting to order at 4:00 p.m.

Approval of Minutes:

Motion by Desander, supported by Lenczewski, to approve the minutes of December 12, 2023 as presented.

VOTE 5 YEAS 0 NAYS 0 ABSENT MOTION CARRIED

New Business:

A. Approve 2025 Meeting Dates

Motion by Thayer, supported by Milne to approve the 2025 meeting schedule as presented.

VOTE 5 YEAS 0 NAYS 0 ABSENT MOTION CARRIED

**Thomas Township
Zoning Board of Appeals
Meeting Schedule
2025**

**Thomas Township Public Safety Building,
8215 Shields Drive, Saginaw, MI 48609
4:00 p.m.**

Meetings will be posted.
Meetings, **when needed**, are normally scheduled for
the fourth Tuesday of the month.

January 28, 2025
February 25, 2025
March 25, 2025
April 22, 2025
May 27, 2025
June 24, 2025
July 22, 2025
August 26, 2025
September 23, 2025
October 28, 2025
November 25, 2025
December 16, 2025*

*Date moved to the third Tuesday in December; the fourth Tuesday is the day before Christmas Eve.

Hearings:

A. Side Yard Setback Variance Request at 135 S River Rd, Saginaw, MI 48609. Parcel # 28-12-4-30-3033-001.

Iamurri opened the public hearing at 4:03 pm.

There was no public comment. The applicant was not present at the meeting.

Milne stated that the lot is very large, and there is adequate space available to build the desired structure within the setbacks required by the ordinance. Additional discussion took place between Iamurri and the other members.

Iamurri closed the public hearing at 4:07 pm at which time the board began its deliberations. Iamurri explained the use of the checklist to ensure that all applicants for a variance are treated the same and a variance is truly needed. Iamurri read the questions and discussion took place on each and a vote was taken after the discussion of each question. The checklist and the results of the vote on each question are listed below, along with an explanation:

ZONING BOARD OF APPEALS CHECKLIST

(A variance will only be granted if all of the following Basic Condition questions are answered "yes")

BASIC CONDITIONS

The Zoning Board of Appeals shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements, provided that all of the Basic Conditions listed below are answered "YES" and one (1) of the Special Conditions listed thereafter can be satisfied;

1. Has the Applicant demonstrated that this variance is not contrary to the intent and purpose of the Zoning Ordinance? Explain.

YES___0___ NO___5___

The board agreed that the setbacks in the ordinance are not arbitrary, and exist for a reason. They felt the applicant did not sufficiently demonstrate that the variance would align with the intent of the ordinance.

2. Has the Applicant proven that a variance will not adversely impact adjacent properties? Explain.

YES___0___ NO___5___

There was no evidence given showing that there would be no negative impact to the neighboring property.

3. Has the Applicant proven that a variance would not produce a nuisance condition to nearby premises? Explain,

YES___0___ NO___5___

Because the garage would be so close to the property line if the variance were granted, the board members felt that it would create a nuisance.

4. Is the basis for the proposed variance unique and not shared by other properties in the same Zoning District throughout the Township? (If the Board of Appeals finds that the hardship is not unique, but common, then an amendment to the zoning ordinance or a re-zoning should be pursued.)

YES___0___ NO___5___

Milne stated that there was no hardship in this situation.

5. Has the Applicant shown that a variance will not otherwise impair the public health, safety, or general welfare of the residents of Thomas Township?

YES___0___ NO___5___

The members of the board agreed that the applicant did not adequately demonstrate that the variance would not impact the safety of the neighboring structure.

SPECIAL CONDITIONS

When all of the foregoing Basic Conditions can be satisfied, a variance may be granted when any one of the following Special Conditions can be demonstrated:

Because none of the basic conditions were meant, the board did not address any of the special conditions.

1. Are there non-economic practical difficulties or unnecessary hardships, which prevent carrying out the strict letter of this Ordinance? Explain.

YES_____ NO_____

2. Are there unique or extraordinary physical conditions that do not apply to other properties or uses in the same zoning district and were not caused by an act of the applicant? Explain.

YES_____ NO_____

3. Is the variance necessary to preserve a substantial property right possessed by other properties in the same zoning district? Explain.

YES_____ NO_____

Motion by Desander, supported by Lenczewski to deny the request for a variance of 4 feet from the required side yard setback for an accessory building at 135 S River Rd, Parcel # 28-12-4-30-3033-001, due to the fact that the variance request did not meet the standards set forth in the Zoning Board of Appeals Checklist and the Thomas Township Ordinance.

ROLL CALL VOTE:

YEAS: Milne, Iamurri, Lenczewski, Desander, Thayer

NAYS:

ABSENT:

MOTION CARRIED

Adjournment:

Motion by Milne, supported by Thayer, to adjourn the meeting at 4:13 pm.

VOTE	5 YEAS	0 NAYS	0 ABSENT	MOTION CARRIED
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