

MINUTES

DRAFT

**THOMAS TOWNSHIP ZONING BOARD OF APPEALS
THOMAS TOWNSHIP PUBLIC SAFETY BUILDING
8215 SHIELDS DRIVE, SAGINAW, MICHIGAN
SEPTEMBER 23, 2025
4:00 P.M.**

Members Present

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

Members Absent

C. Monahan

Others Present

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

Iamurri called the meeting to order at 4:00 pm.

Approval of Minutes:

Motion by Desander, supported by Milne, to approve the minutes of the May 27, 2025 meeting as presented.

VOTE 3 YEAS 0 NAYS 2 ABSENT MOTION CARRIED

Election of Officers:

Motion by Milne, supported by Lenczewski, to retain Iamurri as chairperson, and Milne as Vice-Chairperson of the Zoning Board of appeals.

VOTE 3 YEAS 0 NAYS 2 ABSENT MOTION CARRIED

Hearings:

A. Variance Requests at 7305 McCliggott Rd, Saginaw, MI 48609. Parcel # 28-12-3-25-1037-000.

Iamurri opened the public hearing at 4:01 pm.

Sika explained the ordinance requires a depth to width ratio of 4:1 or less, which mirrors the Michigan Land Division act. The parcel in question is approximately 654 feet deep and 198 feet, and the applicant is requesting to divide it into two lots; one 100 ft x 654 ft and the other 98 ft x 654 ft. Both proposed lots exceed the maximum depth to width ratio.

Desander joined the meeting at 4:03 p.m.

Millicent Shek of 8420 Herbert St spoke on behalf of the applicant. She explained that they have worked with a title company to provide legal descriptions for lots at 113 ft x 654 ft and 85 ft x 654 ft instead of the original widths. The proposed splits would be to allow a two-family dwelling on the wider parcel, and a single-family dwelling on the narrower parcel.

Marilyn Ramirez of 7280 McCliggott Rd spoke in opposition of the request. Joe Harris of EXP Realty explained that both lots exceed the zoning requirements for lot width, and serve to increase the amount of available housing in the Township. Ramirez stated the property has not been maintained as a vacant lot, and she has filed complaints every year to have it mowed.

Sika explained there are several existing lots in the surrounding area that exceed the 4:1 ratio requirement, but were created before the law was enacted and are therefore legally nonconforming.

Ramirez expressed further concerns regarding the properties being used as rental properties and the upkeep of the parcels. Sika explained that the properties could legally be used for rentals or owner-occupied dwellings.

Discussion took place regarding the large number of existing lots in the Township that exceed the 4:1 ratio and predate the law.

Sika explained that any past-due mowing invoices or back taxes would need to be paid before the lot could be split. He also explained that the ordinance requires a width of 100 ft at the road for a two-family dwelling, and 80 ft at the road for a single-family dwelling.

Iamurri clarified that the variance that was requested is for one lot to be 100 ft x 654 ft, and the other lot to be 98 ft x 654 ft, even though different potential layouts were discussed during the hearing.

Iamurri closed the public hearing at 4:23 pm.

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 ___4___ NO ___0___

Milne stated the ordinance provides the ability to grant an exception to the 4:1 ratio if it is characteristic with surrounding parcels. In this case there are several parcels in the surrounding area that already exceed the 4:1 ratio.

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

YES ___4___ NO ___0___

Iamurri stated the neighboring parcels are similar in depth and width, so there would be no adverse impact.

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

YES ___4___ NO ___0___

Desander explained that, by allowing the split, the existing nuisance conditions would be lessened, as the current complaints center around the maintenance of the vacant lot.

- 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 ___4___ NO ___0___

The parcel is wide enough to be split into lots that are wide enough to be used in accordance with the ordinance, while others in the area are already too narrow to be used in such a manner.

- 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 ___4___ NO ___0___

The ZBA felt that the addition of two new dwellings would improve the condition of the neighborhood.

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:

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

YES ___3___ NO ___1___

Based on the distance between Gratiot Rd and McCliggott Rd, a 4:1 depth to width ratio would not be realistic without creating landlocked parcels.

- 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 _____

Having demonstrated that the requests meet all of the Basic Conditions and one of the Special Conditions of the Zoning Board of Appeals Checklist, motion by Desander, supported by Lenczewski to approve the request to exceed the 4:1 depth to width ratio and split the property at 7305 McCliggott Rd, Parcel # 28-12-3-25-1037-000 into two parcels; one 100 ft x 654 ft, and the other 98 ft x 654 ft. The following contingencies will be required:

- a) The parcel must be maintained by the owner in accordance with the ordinance.
- b) Any and all outstanding mowing invoices must be paid.
- c) Any and all past-due taxes must be paid.

ROLL CALL VOTE:

YEAS: Milne, Iamurri, Lenczewski, Desander

NAYS:

ABSENT: Monahan

MOTION CARRIED

Adjournment:

Motion by Lenczewski, supported by Milne, to adjourn the meeting at 4:34 pm.

VOTE

5 YEAS

0 NAYS

0 ABSENT

MOTION CARRIED