

Draft

**SAGINAW CHARTER TOWNSHIP BOARD OF APPEALS
SAGINAW CHARTER TOWNSHIP HALL
OCTOBER 10, 2007
7:00 P.M.**

Members Present

P. Brucker
J. Dambro
M. Faerber
S. Gerhardt
A. Brady

Members Absent

Others Present

B. Smith, Planner
M. Mahlberg, Attorney
C. Edlinger
Recording Secretary

Mr. Brucker called the meeting to order at 7:00 p.m.

Minutes:

Motion by Mr. Gerhardt, supported by Mrs. Dambro, to approve the minutes of June 13, 2007.

VOTE: 5 Yeas 0 Nays 0 Absent Motion Carried

New Business:

- A. **A-2007-06** – T-Mobile of Livonia, Michigan is requesting a variance from Section 2219.2.b.i.b of the Saginaw Charter Township Zoning Ordinance pertaining to setbacks for personal wireless communication towers that abut A-2, R-1A, R-1 or R-2 zoned parcels. The applicant is seeking to erect a 150' monopole tower within ninety feet (90') of a residential district where one hundred fifty feet (150") is required. (12-4-20-1001-000)

Mr. Ken Kuszpit, a representative for T-Mobile was present to answer any questions.

The Board of Appeals members asked questions of Mr. Kuszpit regarding the proposed cell tower's location, height restrictions, and battery back-up power supply.

Mr. Peter Brucker than asked for public comments regarding this proposed variance.

There being no public comments, the public hearing portion of this proposed variance was closed.

Discussion followed among the Board of Appeals members.

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Motion by Mr. Brady, supported by Faerber, to DENY variance request A-2007-06 as the applicant has not demonstrated the existence of any practical difficulties, the applicant is able to construct a personal wireless tower in accordance with the zoning ordinance, and the staff analysis is a finding of fact.

VOTE: 5 Yeas 0 Nays 0 Absent Motion Carried

- B. **A-2007-07** – Mr. and Mrs. Dave Terrian of Saginaw, Michigan are requesting a variance from Section 305.4.c of the Saginaw Charter Township Zoning Ordinance to construct a 560 sq. ft. accessory structure five feet (5') from the side yard where an eight foot (8') side yard setback is required. (12-4-09-3001-100)

Mr. Bennett Arnst, a representative and contractor for the Terrian's, was present to answer any questions.

The Board of Appeals members asked questions of Mr. Arnst regarding the proposed location of the accessory structure and what practical difficulty or unique characteristic the property had. Mr. Arnst stated the Terrian's wanted to put the proposed 20 x 28' garage three feet (3') closer to the lot line for cosmetic reasons. It was a personal preference of the Terrian's.

Mr. Brucker than asked for public comments regarding this proposed variance.

There being no public comments, the public hearing portion of this proposed variance was closed.

Discussion followed among the Board of Appeals members.

Motion by Mr. Faerber, supported by Gerhardt, to DENY variance request A-2007-07 as the applicant has not demonstrated the existence of any practical difficulties, the applicant is able to construct a detached accessory structure in accordance with the zoning ordinance, and the staff analysis is a finding of fact.

VOTE: 5 Yeas 0 Nays 0 Absent Motion Carried

Receive and File All Correspondence:

- A. A copy of the June 20, July 18, August 1, August 15 and September 19, 2007 minutes from the Planning Commission.
- B. A copy of the June, July, August, and September 2007 issues of Planning & Zoning News.

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Other New Business:

The Board discussed the best way to deliver packets. It will remain to be delivered by U.S. postal mail.

Adjournment:

Motion by Mr. Faerber, supported by Mr. Brady, to adjourn the meeting at 7:27 p.m.

VOTE: 5 Yeas 0 Nays 0 Absent Motion Carried