

CHARTER TOWNSHIP OF MONITOR
ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

TO: THE RESIDENTS AND PROPERTY OWNERS OF MONITOR CHARTER TOWNSHIP

Notice is Hereby Given that the Monitor Charter Township Zoning Board of Appeals will hold a public hearing on **Thursday, March 16, 2023, at 7:00 p.m.** in the meeting room at the Monitor Township Hall, located at 2483 East Midland Road, Bay City, Michigan 48706, to consider the request of Black River Bells, LLC authorized Agent for Menard, Inc of property described within the application as being between Lucky's Steakhouse on the west and Cracker Barrel Restaurant on the east (and immediately adjoining an entry way into the Menards store. (Directions appear opposite from reality but that was in the Application). There is no property address described with this parcel of property, but it is a part of parcel 09-100-013-200-010-11 and is still part of an overall 38.789 acre parcel begin legally described as:

COM @ PT ON N-S 1/4 LN S04°42'50" W 114.31 FT FROM N 1/4 POST SEC 13, TH ALG S'LY I-75 R/W S53°34'06"W 268.67 FT, TH S02°55'29"W 1033.42 FT, TH ALG N 1/8 LN S86°08'30"E 170.23 FT TO N-S 1/4 LN, TH CONT ALG N 1/8 LN S86°09'27"E 1187.27 FT, TH N04°42'31"E 1258.47 FT, TH ALG S'LY 66 FT WILDER RD R/W N86°18'12"W 241.88 FT, TH S03°41'48"W 30.96 FT, TH N86°18'12"W 69.50 FT, TH S03°41'48"W 89 FT, TH S86°18'12"E 64.50 FT, TH S03°41'48"W 231.64 FT, TH N86°18'12"W 324.65 FT, TH N03°41'48"E 351.60 FT, TH ALG S'LY 66 FT WILDER RD R/W N86°18'12"W 91.84 FT, TH S03°28'29"W 22.46 FT, TH ALG S'LY 80 FT WILDER RD R/W N86°31'31"W 31.57 FT, TH S03°28'29"W 340 FT, TH N86°31'31"W 385 FT, TH N03°28'29"E 340 FT, TH ALG WILDER RD R/W N86°31'31"W 80 FT, TH ALG S'LY I-75 R/W S53°34'06"W 37.10 FT TO POB, SEC 13 T14N R4E, 33.29 AC +/-

The request of the Zoning Board of Appeals is to interpret and determine the Application of the certain section of the Zoning Ordinance being Section 3.14 regarding "minimum continuous frontage". The Applicant requests the opportunities to reconstruct a commercial business on a parcel that is located immediately east of the Menard right-of-way or westerly driveway and immediately west of Lucky's Steakhouse which per the survey, has a frontage line on the highway right-of-way of only 91.84 feet but the Applicant is stating that with an additional 31.57 feet which has a drop down for the right-of-way line and includes a portion of the drive access easement into the sewer, it should be determined that it satisfies the minimum continuous lot frontage requirement.

The above property is zoned Commercial. The question is whether said parcel meets the intent and requirement of the Zoning Ordinance of having a minimum of 100 foot of lot with on the front lot line as defined within the Ordinance. The Ordinance may need interpretation pursuant to State Law and the Ordinance itself specifically Section 18.02, the Zoning Board of Appeals is vested with the decision making authority regarding any question involving the interpretation without any provisions of this Ordinance.

All documents are available at the Monitor Township Hall, 2483 East Midland Road, Bay City, Michigan, between the hours of 9:00 a.m. to 11:00 a.m. and 1:30 p.m. to 3:30 p.m., Monday through Friday, excluding holidays. You are more than welcome to attend the Hearing. During those hours, written comments will be received at the Monitor Township Office prior to the time of the hearing.

The Charter Township of Monitor will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and readers for printed materials being considered at the hearing, to individuals with disabilities who are present at the hearing, upon ten (10) days notice. Individuals requiring auxiliary aids or services should contact the Township by writing or calling: Linda Ferguson, Clerk, ADA Coordinator, Charter Township of Monitor, 2483 East Midland Road, Bay City, Michigan 48706; Telephone: (989) 684-7203, Fax: (989) 684-9234.

MONITOR TOWNSHIP ZONING BOARD OF APPEALS
James R. Horen, Chairperson