

**SAGINAW CHARTER TOWNSHIP
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Their salesmen deliver five days a week (Monday, Tuesday, Thursday, Friday and Saturday). They would leave from the facility at or around 6:00 a.m. and return in the mid afternoon between 2:00 – 3:00 p.m. The branch bulk order is delivered by one or two semi tractor trailers in the evening between 6:00 and 10:00 p.m. After delivering their loads; they leave. There are no refrigerated vans or tractor trailers. Retail spaces are open usually from 9:00 a.m. to 6:00 p.m., Monday through Saturday.

This particular use could be classified in two different districts: B4 or M1. The use could potentially be classified as a truck terminal, which is permitted in M-1, Science and Industry zoning districts. The issue that complicates this request is that the potential bread company plans to establish retail sales in this location as well. Retail sales are not permitted in an M-1 district. The use may also be permitted in the B-4 district if it were found to be similar to service establishments provided the conditions contained in the ordinance are met.

Ms. Dambro then 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. Members discussed and were concerned on what type and how large the delivery trucks will be, what time the delivery would be in the evening, and which district they felt this would be a better fit. Attorney Mark Mahlberg stated that a B-4 district already allows wholesale and retail uses. He further stated that wholesale uses, by their nature, rely on deliveries and distribution of some sort, including trucks. Mr. Gerhardt stated there was already a similar use by Schaefer Bakery on Bay Road.

Motion by Mr. Gerhardt, supported by Mr. Baldwin, to render an interpretation, based upon the specific information provided by Staff and Perfection Bakeries, using Schaefer Bakery on Bay Road with the same B-4 zoning as an example, that this is a permitted use in a B-4, General Commercial district by right.

VOTE:	3 Yeas	0 Nays	2 Absent Brucker Faerber	Motion Carried
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Receive and File All Correspondence:

- A. A copy of the February 18 and March 18, 2009 minutes from the Planning Commission.

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- B. A copy of the January, February and March 2009 issues of Planning & Zoning News.

Other New Business:

- A. The Board of Appeals meeting schedule was approved for 2009.
- B. Officers will be re-elected at the May 13, 2009 meeting.

Adjournment:

Motion by Mr. Baldwin, supported by Mr. Gerhardt, to adjourn the meeting at 7:28 p.m.

VOTE:	3 Yeas	0 Nays	2 Absent Brucker Faerber	Motion Carried
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