

MINUTES
REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS
CITY OF OWOSSO
November 21, 2017 AT 9:30 A.M.
CITY COUNCIL CHAMBERS

CALL TO ORDER: The meeting was called to order by Secretary Daniel Jozwiak at 9:35 a.m.

ROLL CALL: Was taken by Tanya Buckelew.

MEMBERS PRESENT: Chairman Randy Horton (arrived at 9:40 a.m.), Secretary Daniel Jozwiak, Board Member Thomas Taylor, Kent Telesz, and Alternate John Horvath

MEMBERS ABSENT: Vice-Chairman Christopher Eveleth and Alternate Matthew Grubb.

OTHERS PRESENT: Ms. Susan Montenegro, Assistant City Manager and Trevor Langdon, Owner of 1203 W Main Street, Owosso.

AGENDA: IT WAS MOVED BY ALTERNATE HORVATH AND SUPPORTED BY BOARD MEMBER TELESZ TO APPROVE THE AGENDA FOR THE NOVEMBER 21, 2017 REGULAR MEETING AS PRESENTED.

YEAS: ALL. MOTION CARRIED.

MINUTES: IT WAS MOVED BY ALTERNATE HORVATH AND SUPPORTED BY BOARD MEMBER TELESZ TO APPROVE THE MINUTES OF JUNE 20, 2017 AS PRESENTED.

YEAS: ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum
2. ZBA minutes from June 20, 2017
3. Class A Designation request application – 1203 W Main
4. Public notice – 1203 W Main

COMMISSIONER/PUBLIC COMMENTS: None.

PUBLIC HEARINGS:

1. 1203 W MAIN - CLASS A DESIGNATION – (RESOLUTION)

The applicant has submitted a Class A Designation request for this parcel to allow light mechanical repairs to be performed on automobiles, such as alignments, oil changes, shocks and struts. Current zoning of parcel is B-4 General Business District, which does not allow these uses.

Ms. Montenegro stated no comments, letters of concern, phone calls, or emails were received regarding the request at 1203 W Main.

Trevor Langdon, Owner of 1203 W Main explained his need for a Class A Nonconforming Use designation. He is currently approved for car sales but would like to add light auto repair for additional revenue. His future intentions are to remodel the building.

MOTION BY BOARD MEMBER TELESZ, SECONDED BY BOARD MEMBER TAYLOR, TO APPROVE THE REQUEST FOR A CLASS A NONCONFORMING USE DESIGNATION AT 1203 W MAIN TO ALLOW LIGHT AUTO REPAIR IN A B-4 GENERAL BUSINESS DISTRICT AS THE FOLLOWING FINDINGS, CONCLUSIONS, DECISION AND CONDITIONS WERE MET:

- **SECTION 38-378 B (4). THE CONTINUANCE OF THE USE WOULD NOT BE CONTRARY TO THE PUBLIC HEALTH, SAFETY OR WELFARE OR THE SPIRIT OF THIS CHAPTER.**
- **SECTION 38-378 B (5). THE USE OF STRUCTURE DOES NOT AND IS NOT LIKELY TO SIGNIFICANTLY DECREASE THE VALUE OF NEARBY PROPERTIES.**

- **SECTION 38-378 b (6). THE USE OR STRUCTURE WAS LAWFUL AT THE TIME OF ITS INCEPTION AND THAT NO USEFUL PURPOSE WOULD BE SERVED BY STRICT APPLICATION OF THE PROVISIONS OR REQUIREMENTS OF THIS CHAPTER WITH WHICH THE USE OR STRUCTURE DOES NOT CONFORM.**

ROLL CALL VOTE WAS TAKEN:

AYES: ALTERNATE HORVATH, SECRETARY JOZWIAK, BOARD MEMBER TAYLOR, TELESZ AND CHAIRMAN HORTON.
NAYS: NONE.
ABSENT: VICE-CHAIRMAN EVELETH, ALTERNATE GRUBB

BUSINESS ITEMS: None

COMMISSIONER/PUBLIC COMMENTS: None.

There will be a webinar on Thursday November 30, 2017, at City Hall, for Planning Commission, Council and Zoning Board of Appeals members. This webinar is presented by MSU and covers the new Medical Marihuana Facilities Licensing Act.

ADJOURNMENT:

MOTION BY BOARD MEMBER TELESZ AND SUPPORTED BY BOARD MEMBER HORTON TO ADJOURN AT 10:15 A.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING ON TUESDAY, DECEMBER 19, 2017, IF ANY REQUESTS ARE RECEIVED.

YEAS: ALL. MOTION CARRIED.

Dan Jozwiak, Secretary