

MINUTES
REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS
CITY OF OWOSSO
OCTOBER 21, 2014 at 9:30 AM
CITY COUNCIL CHAMBERS

The meeting was called to order by Chairman Randy Horton at 9:31 a.m.

Roll call was taken by Recording Secretary Marty Stinson.

MEMBERS PRESENT: Chairman Randy Horton, Board Member William Wascher, and Alternate John Horvath.

MEMBERS ABSENT: Vice-Chairman Christopher Eveleth, Secretary Daniel Jozwiak, and Board Member Kent Telesz, Alternate Matt Grubb.

OTHERS PRESENT: Ms. Susan Montenegro, Assistant City Manager and Director of Community Development; Mrs. Laura Strachan, Mr. David Strachan, owners of 1000 N. Chipman St.

AGENDA: IT WAS MOVED BY BOARD MEMBER HORVATH, AND SUPPORTED BY BOARD MEMBER WASCHER TO APPROVE THE AGENDA OF THE MEETING OF OCTOBER 21, 2014.
YEAS: ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum
2. Variance request application & materials – 1000 N. Chipman Street
3. Correspondence
4. Affidavit of notice

COMMISSIONER/PUBLIC COMMENTS: None.

PUBLIC HEARINGS: VARIANCE REQUEST – 1000 N. Chipman, # 2014-03

Public hearing began at 9:34 a.m.

Applicant Mrs. Laura Strachan of 1000 N Chipman spoke regarding their desire to install a fence to contain their dogs. She showed the board members pictures of the area where she wanted the fence installed which would be ten feet into the 25 foot front yard setback. She didn't know she had two front yards on her corner property. This variance will be located on the side of the house that abuts Harding Street. Mrs. Strachan stated that anyone who came to house loved the idea and said it was a nice looking fence. They want to contain their dogs and keep them from running the neighborhood. They staked the yard to demonstrate where the fence would go.

Public hearing ended at 9:42

Ms. Susan Montenegro, Assistant City Manager and Director of Community Development, received four letters / e-mails in support of this variance. No negative comments were received at city hall.

Board Member Wascher commented that this variance could set a precedent – the planning commission won't want to do this. This is not a good idea. There are a lot of corner lots where this is not a good idea.

Discussion about this being an extra-large lot; this area for the variance is the farthest from the corner; and this has the neighbors' consent.

MOTION BY BOARD MEMBER WASCHER, SUPPORTED BY BOARD MEMBER HORVATH THAT AFTER REVIEWING THE CASE FOR 1000 N. CHIPMAN STREET, PARCEL NUMBER 050-590-000-012-00, HEREBY MAKES THE FOLLOWING FINDINGS:

- 1 THIS IS A UNIQUE SITUATION**
- 2 THIS AREA OF VARIANCE IS SET FAR ENOUGH BACK FROM THE CORNER**

- 3 THIS FENCE CAN'T BE HIGHER THAN 4 FEET
- 4 THE ORDINANCE FOR AT LEAST 50% SEE THROUGH FENCE IS WAIVED,
- 5 THIS VARIANCE WILL INCLUDE THE PREVIOUSLY INSTALLED FENCE FACING HARDING STREET AROUND THE PATIO.

BASED UPON THESE FINDINGS, THE OWOSSO ZBA HEREBY APPROVES THE PETITION TO PERMIT THE TEN FOOT SETBACK VARIANCE.

**AYES: ALL
NAYS: NONE
MOTION CARRIED.**

Chairman Horton was pleased that the neighbors were interested in the project and expressed their positive support of the fence.

COMMISSIONER/PUBLIC COMMENTS:

Ms. Montenegro asked if the board wanted to bring this to planning commission. Board Member Wascher prefers to leave it alone. Chairman Horton prefers to look to each individual case as they come along. Ms. Montenegro wonders about a certain size corner lot. Mr. Wascher talked about houses facing one way and addressed or drives being on a different street. Consumers Energy addresses another direction. It would be difficult to set up a standard.

ADJOURNMENT:

MOTION BY BOARD MEMBER HORVATH, SUPPORTED BY BOARD MEMBER WASCHER TO ADJOURN AT 10:10 A.M.

YEAS: ALL. MOTION CARRIED.

Dan Jozwiak, Secretary

m.m.s