

MINUTES
REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS
CITY OF OWOSSO
August 21, 2012

The meeting was called to order by Chairman Randy Horton at 9:30 a.m.

Roll call was taken by Recording Secretary, Marty Stinson.

MEMBERS PRESENT: Chairperson Randy Horton, Vice-Chairperson Christopher Eveleth, Commissioners Kent Telesz, William Wascher, and Alternate Matt Grubb.

MEMBERS ABSENT: Secretary Daniel Jozwiak. Vacancy remains for second alternate.

OTHERS PRESENT: Adam Zettel, Assistant City Manager and Director of Community Development; Charles Rau, Building Official; Petitioners Mr. & Mrs. Kenneth H. Kirby, 912 E. North Street.

AGENDA: IT WAS MOVED BY BOARD MEMBER TELESZ AND SUPPORTED BY BOARD MEMBER WASCHER TO APPROVE THE AGENDA AS PRESENTED FOR AUGUST 21, 2012
AYES: ALL. MOTION CARRIED.

MINUTES: IT WAS MOVED BY BOARD MEMBER TELESZ AND SUPPORTED BY BOARD MEMBER EVELETH TO APPROVE THE MINUTES OF THE MEETING OF JULY 17, 2012.
AYES: ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum
2. ZBA minutes from July 16, 2012
3. Variance request materials – 912 E. North Street

COMMISSIONER/PUBLIC COMMENTS: None.

PUBLIC HEARINGS:

1. Variance Request – 912 E North St. #2012-02

Chairman Horton opened the Public Hearing at 9:33 am.

Mrs. Kenneth Kirby of 912 E. North Street states that they want to put in a 16 x 32' pool in their back yard. The yard is narrow and long. They have a signed statement from Josh Shook dated 8-19-12 that he did not object to Kenneth & Sandra Kirby installing a 16 x 32' in-ground pool in their back yard at 912 E. North Street. Mr. Shook lives south of the Kirby's at 1409 N. Gould St.

Mr. Zettel, Director of Community Development, commented that the memo he sent out earlier was complete. This particular lot is quite different from other corner lots.

Commissioner Grubb noted there is a covered patio, two feet open space, and then there would be the pool, then seven feet open space and then the fence. He asked if it was possible to get a smaller pool to fit the yard. Mrs. Kirby answered they have nine grandchildren, a large family, and they also want a diving board.

Mr. Zettel said this particular lot is shallow – less than 100 feet. The yard is fenced in and secured for the in-ground pool.

There being no public comments, Chairman Horton closed the public hearing and brought it back to the board at 9:40 am.

Motion by Board Member Eveleth, supported by Board Member Telesz:
The Owosso Zoning Board of Appeals, after reviewing the case for 912 E. North Street, parcel number 050-197-000-015-00, hereby makes the following findings:

1. **The depth of the corner lot, at less than 95', constitutes a unique circumstance and undue hardship**

2. The petition meets all basic conditions and the required special conditions for a variance

1. Based upon those findings, the Owosso ZBA hereby approves the petition to permit the construction of a pool with a 7' setback on the south (rear) property line as applied for.

AYES: ALL. MOTION CARRIED.

ADJOURNMENT:

**MOTION BY BOARD MEMBER EVELETH, SUPPORTED BY BOARD MEMBER WASCHER TO
ADJOURN AT 9:47 A.M.**

AYES: ALL. MOTION CARRIED.

Dan Jozwiak, Secretary

m.m.s.