

Zoning Board of Appeals
September 8, 2015

I. Call To Order

The September 8, 2015 ZBA meeting was called to order by Chairperson Zblewski at 5:30 p.m. and a quorum declared.

II. Roll Call of the Board

R Rice, B Branche, D Ruff, M Tymkew, J Tazzi, H Zblewski

Also Present: S Mitchell, City Manager; J Tracy, Director, Planning/Building/Code Enforcement; S MacGeorge, Recording Secretary

III. Approval Prior Meeting Minutes

Tymkew moved, Branche supported, CARRIED, to approve the July 14, 2015 minutes as presented.

IV. Correspondence – None

V. Order of Business

A. Variance Request – 901 N Monroe, Albion, Michigan

A variance is requested from Section 30-104 Accessory Structures, to allow accessory structure/shed to remain in area it was built before and without first obtaining a zoning permit to do so. Accessory structure/shed was built within two (2) feet of principle structure.

The ZBA Chair opened the hearing at 5:30 p.m. and summarized the process.

J Tracy, Planning/Building/Code Enforcement Director, noted that the original structure was built in that spot without first obtaining a building permit and does not meet the required setbacks. Section 30-104 Accessory Structures, requires a minimum distance of ten feet between accessory structure and principal (dwelling) structure. The accessory structure does not meet this requirement.

The principal structure is a rental property. One anonymous complaint has been received. Tracy noted that there is sufficient area to locate the accessory structure in the rear yard on the south side of the principal (dwelling) structure.

The Planning Department recommends that the board deny the request for variance.

There was no correspondence to be read into the record.

Individuals who spoke in support of the variance: Brian Mull, 24772 J Drive, Albion; Cheryl Mull, 24772 J Drive, Albion; Alicia Botello, 300 S Eaton Street; Andrew French, Council Member.

There were no individuals in opposition present.

Comments/questions were received by Ruff, Zblewski, Rice, and Tymkew.

The public speaking portion of the hearing was closed at 5:44 p.m.

Rice moved, Branche supported, CARRIED, to open the finding of the facts and the board began deliberations.

Rice moved, Tymkew supported, CARRIED, that based on Section 30-104 Accessory Structures, to disapprove the request for variance because the structure does not meet minimum distance/setback. (6-0 rcv)

Rice moved, Tymkew supported, CARRIED, that the structure be torn down and moved to an area in the rear yard where it would meet setback requirements. (6-0 rcv)

VI. Miscellaneous Items

A. Update – Welcome To Albion Sign

J Tracy and A French met with MDOT regarding the Welcome To Albion Sign. They received approval for the proposed signage that was presented. MDOT will address the Cooper Tire sign that is also located on the sign. A government sign may only have "welcome" or "welcome to (city name)" on it.

French distributed a rough sketch of the proposed Welcome to Albion sign.

Comments were received by Tazzi, Zblewski, Rice, Tymkew and Tracy.

VII. Excuse Absent Members

All members were present.

VIII. Citizen Comments & General Discussion – None

IX. Adjournment

Tymkew moved, Rice supported, CARRIED, to adjourn the meeting. Meeting adjourned at 6:14 p.m.

Recorded By: Sandee MacGeorge, Recording Secretary