

MINUTES
REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS
CITY OF OWOSSO
FEBRUARY 21, 2006

The meeting was called to order by Chairman Mike Dvorak at 9:30 a.m.

Roll call was taken by Acting Secretary, Martha Stinson.

MEMBERS PRESENT: Larry Cook, Mike Comeau, Mike Dvorak, Elizabeth Frazier, Dan Jozwiak, Randy Horton (arrived 9:34 a.m.) and Mike Rohde.

MEMBERS ABSENT: Ronald Baker.

MINUTES:

It was moved by Board Member Cook and supported by Board Member Jozwiak to approve the minutes of the meeting of December 20, 2005, as presented.

AYES: All. Motion carried.

NAYS: None.

PUBLIC HEARINGS:

#2006-01
FRONT AND REAR SETBACKS
120 E. NORTH STREET
THE MEMORIAL HOSPITAL - APPLICANT

Community Development Director, Phil Hathaway, explained the particulars of the case: The building would be 8' from the front lot line instead of 25'; and 26' from the rear lot line instead of 35'.

Lance Omer, representative for The Memorial Hospital, discussed the request for the front and rear setbacks. Mr. Omer stated that the applicant wants to keep the structure as income property; no other sites are available on the north side of the city; and to maintain the tax base.

Arthur Matzkanin, 1304 N. Washington, brought a petition signed by 22 people to deny the requested variance.

Linda Thorsby, 1324 N. Washington, stated that the duplex would be placed next to her home. The duplex is offensive and the lot too small for the placement.

Shirley Blossom, 204 E. North, commented about the purchase agreement terms. Phil Hathaway stated there was not a clause regarding the placement of the structure on the lot.

Dan Davis, 1319 N. Washington, spoke about the rental degrading the neighborhood and overcrowding. He is very much opposed to moving the duplex to 120 E. North. Is there any tax relief for this situation?

Ireen Telfer, 206 E. North, remarked that the front lot line looked too close. She is very much opposed.

Phil Hathaway commented that the side lot line requirement is 8 feet. This house with the proposed positioning would have 31 feet on each side. The front wall would be 8 feet off the sidewalk. He also stated that the building could be turned around. It would have all legal conforming setbacks, and could continue as a rental without any variances. Side yard setbacks would then be 11 feet on each side.

Drew Thorsby, 1324 N. Washington, immediately to the west, stated that he has invested a lot and has pride in his home. The duplex is an eyesore.

Phil Hathaway noted that conditions can be set with a variance such as landscaping and fences to make it fit the neighborhood more appropriately.

Linda Thorsby asked if Dan Davis's question had been answered.

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Board Member Larry Cook, also the City Assessor, stated there could be a functional obsolescence.

Richard Renius, 1310 N. Washington, asked who the owner of the building was. Lance Omer answered that Mr. Skinner, who is currently renting on N. Shiawassee St.

Chairman Dvorak read messages in the file folder that were received prior to the meeting. There were four phone calls and four correspondences all opposing the variance. Those included Carol Van Remortel, 1315 N. Washington Street; Drew and Linda Thorsby, 1324 N. Washington Street; Kent Francis, 1300 N. Washington Street; Shirley Blossom, 204 E. North Street; Richard and Elizabeth Renius, 1310 N. Washington Street; and Danny and Alice Blagg, 1318 N. Washington Street.

Dan Davis stated that if the house was turned the other way it would be legal. If it has to be there, it's too bad, (i.e., not a hardship), if it has to be turned and restructured.

Richard Renius commented that if a 68% variance was granted, it would open a can of worms for future variance requests about the city.

Board Member Dan Jozwiak, asked what the hardship was for the applicant? No comment was received. He concluded that there was no hardship.

Board Member Cook stated that the move couldn't be stopped if it was set across the lot, and we have no control over a rental as the lot is already zoned for a duplex.

It was moved by Board Member Rhode and supported by Board Member Compeau to deny the variance on the basis of all the criteria listed in Section 38-507 (3) a. and b.

AYES: All. Motion carried.

NAYS: None

ADJOURNMENT:

It was moved by Board Member Jozwiak and supported by Board Member Cook to adjourn the meeting.

AYES: All. Motion carried.

NAYS: None.

The meeting was adjourned at 10:08 a.m.

Martha Stinson, Acting Secretary