

**MINUTES
SPECIAL MEETING OF THE OWOSSO ZONING BOARD OF APPEALS
CITY OF OWOSSO
MAY 5, 2008**

The meeting was called to order by Chairman Michael Dvorak at 9:33 a.m.

Roll call was taken by Recording Secretary, Marty Stinson.

MEMBERS PRESENT: John C.M. Davis, Michael Dvorak, Elizabeth Frasier, Randy Horton, and Dan Jozwiak.

MEMBERS ABSENT: none

MINUTES:

It was moved by Board Member Davis and supported by Board Member Frasier to approve the minutes of the meeting of April 15, 2008, as presented.

AYES: All. Motion carried.

NAYS: None.

PUBLIC HEARINGS:

**CONDITIONAL USE PERMIT 2008-03
PETTING ZOO AND CAR SHOW
PARKING LOT AT SOUTHWEST CORNER OF S. GOULD & CORUNNA AVENUE
REQUESTED BY HI TEMP HEATING AND COOLING
SUNDAY, MAY 11, 2008**

A public hearing was conducted for a special use permit for Sunday, May 11, 2008 at the city owned lot at the southwest corner of S. Gould & Corunna Avenue. Brent Morgan, Economic Development Coordinator, stated there were no deviations from the previous year's request and no calls were received either pro or con. John Archer, Building Official & Zoning Administrator, stated that previous provisions involved positioning the zoo to the southwest area of the lot to keep children from being hurt near street traffic. The car show would be positioned at the perimeter of the lot.

It was moved by Board Member Davis, with support from Board Member Jozwiak, to issue the conditional use permit with the provision that the petting zoo be located away from street traffic in the southwest corner of the lot with the vehicles at the perimeter.

AYES: All. Motion carried.

NAYS: None

**VARIANCE #2008-01
SIGN VARIANCE
721 N. SHIAWASSEE ST.
REQUESTED BY BRIAN WHITE, MEMORIAL HEALTHCARE**

John Archer explained that the hospital is requesting a new boulevard style main entrance sign off of Shiawassee Street. The proposed sign would be 16' x 5.25 average height with 84 square feet requested. The sign setback is 15' (required setback is 1'). This 15' is comprised of 2' grass from the property line to the east edge of the public walk. The sidewalk is 5' (Note: The sidewalk has been pulled back out of the MDOT right-of-way onto the Memorial Healthcare property) and then an 8' setback from the west edge of the sidewalk. There will be a stop sign before the sidewalk to give way to pedestrians. The hospital sign will be internally lit.

Dennis Meyer, 514 Elizabeth Street, spoke in opposition of the big sign and felt its an accident waiting to happen. He called this sign "massive overkill".

No calls were received by either John Archer or Brent Morgan either pro or con regarding the sign.

Board Member Davis mentioned that his oldest daughter was in upper management at the hospital and wanted the board to be aware of this before any voting occurred. Chairperson Dvorak asked if he received any financial benefit. Board Member Davis stated no. Davis would be allowed to vote on this issue.

Discussion followed regarding if this was to be an interpretation that might set a precedence or if this was a variance for this sign only. Discussion continued regarding billboards; whether the sign should be reduced in size; whether this was to be considered a structure by definition with a wall mounted sign; or just a sign by definition; whether vegetation would reduce the sign size. Mr. Archer explained that to be a structure it had to have frost free foundation; have a 35 pound per square foot snow load; and a wind load of 110 miles per hour according to the 2003 Building Code. Mr. Archer also read the definition of a structure to the Board.

Motion by Board Member Horton supported by Board Member Frasier that the Board interpret that this is a structure which meets the 2003 Building Code standards with a frost free foundation, wind load of 110 miles per hour, and snow load of 35 pounds per square foot; and interpret that this is an internal way finding sign (directional sign) which presents itself to the public way and exceeds minimum setbacks. Being it is located well onto Memorial Healthcare property, thereby this is a wall mounted sign which is in compliance with the present City of Owosso sign ordinance and a variance is not required.

AYES: All. Motion carried.

NAYS: None

ADMINISTRATIVE INTERPRETATION #2008-01
DROP-IN CENTER ZONING
REQUESTED BY THE HOMELESS COALITION

John Archer stated the Michigan Zoning Enabling Act states that all activities have to be allowed. The Board is requested to interpret what zoning district would be best suited for this proposed use. At present a number of sites have been considered, but due to our zoning ordinance's lack of listing such a use, a definite site has not been chosen. The site most preferred by the Homeless Coalition is in a B-3 zoning district.

Sara Warren-Riley, Director of the Habitat for Humanity and member of the Homeless Coalition stated that the connection center (drop-in center) was closely related to a services description. It would allow for a community telephone message center; shower and laundry facilities. It would not be open 24 hours a day and there would be no overnight amenities. It would be used as social services during set business hours.

Discussion followed regarding zoning districts. John Archer talked about the city ordinance not stating specifically about "adult homeless persons". The code talks about housing for adult foster care and child care. It was mentioned the closest similar use is the Child Advocacy Center on W. Main Street which is zoned OS-1, Office Service District. Numerous zoning districts intent statements were read with the OS-1 seeming to be the best choice.

Motion by Board Member Jozwiak to allow the proposed use of a drop-in center in OS-1 District. Discussion continued regarding zoning with several questions raised. Board Member Jozwiak withdrew his motion. The Board directed Brent Morgan and John Archer to develop further plans for the board's review at the next meeting on May 20, 2008.

ADJOURNMENT:

It was moved by Board Member Davis, supported by Board Member Jozwiak to adjourn the meeting.

AYES: All. Motion carried.

NAYS: None

The meeting was adjourned at 11:08 a.m.