

MINUTES
REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS
CITY OF OWOSSO
DECEMBER 17, 2013 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: Chairperson Randy Horton, Secretary Daniel Jozwiak, Board Members Kent Telesz, William Wascher and Alternate Matt Grubb.

MEMBERS ABSENT: Vice-Chairperson Christopher Eveleth.

OTHERS PRESENT: Adam Zettel, Assistant City Manager and Director of Community Development; Petitioner Mr. Kirk T. Preston, 1227 Adams; Mr. Ronald Brooks, 1228 Adams Street; Mr. Charles P. Rau, Building Official; Mr. John Horvath, Alternate Board Member.

MINUTES: IT WAS MOVED BY BOARD MEMBER TELESZ AND SUPPORTED BY BOARD MEMBER JOZWIAK TO APPROVE THE MINUTES OF THE MEETING OF SEPTEMBER 17, 2013.
YEAS: ALL. MOTION CARRIED.

AGENDA: IT WAS MOVED BY BOARD MEMBER WASCHER AND SUPPORTED BY ALTERNATE BOARD MEMBER GRUBB TO APPROVE THE AGENDA WITH THE ADDITIONAL TWO ATTACHMENTS DISTRIBUTED IMMEDIATELY BEFORE THE MEETING.
YEAS: ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum
2. ZBA minutes from September 17, 2013
3. Variance request materials – 1227 Adams Street
4. Site map
5. Affidavit of notice

COMMISSIONER/PUBLIC COMMENTS: None.

PUBLIC HEARINGS: VARIANCE REQUEST – 1227 Adams Street, # 2013-04

Recent submission by William and Tamela Nielsen, 209 Osburn, and owners of properties of both sides of 1227 Adams Street was silently read by the board.

Public Hearing began at 9:40 am. Mr. Ron Brooks of 1228 Adams concurred with the applicant, Mr. Kirk Preston of 1227 Adams Street, about the fence, and because of the location there was no possibility of changes on N. M-52. It was wisely done.

Board Members and Mr. Preston discussed glare being more of a problem in the last three to five years, and that a handyman installed the fence.

Mr. Preston presented his variance as applied. Mr. Brooks noted there have been more police cars in recent years next door at the rental unit.

Public hearing ended at 9:55 a.m. Board members discussed several issues including that headlight glare is not usually a problem with six foot fences as can be seen all around the city; curvature of the driveway with headlights jumping may be more unique; screening could be done with vegetation without changing the height restriction; and the angle of these three houses and their driveways make this a unique situation.

MOTION BY BOARD MEMBER JOZWIAK, SUPPORTED BY BOARD MEMBER GRUBB, WHEREAS, THE OWOSSO ZONING BOARD OF APPEALS, AFTER REVIEWING THE CASE FOR 1227 ADAMS, PARCEL NUMBER 050-390-003-015-00 HEREBY MAKES THE FOLLOWING FINDING:

- 1. THERE IS A UNIQUENESS OF THE PROPERTY WITH THE ANGLE OF THE HOUSES AND THE DRIVEWAYS.**

**BASED ON THIS FINDING, THE OWOSSO ZBA HEREBY APPROVES THE PETITION TO PERMIT THE FENCE VARIANCE WITH THE HEIGHT OF 86" AS DESCRIBED AND PHOTOGRAPHED IN THE ATTACHED PETITION. ROLL CALL VOTE:
AYES: JOZWIAK, WASCHER, GRUBB, HORTON
NAYS: TELESZ
MOTION CARRIED.**

Mr. Zettel commented to Mr. Preston that he now needed to get a building permit for his fence.

COMMISSIONER/PUBLIC COMMENTS:

Chairman Horton thanked Mr. Zettel for his time with the Zoning Board of Appeals; that he has learned a lot about zoning from him. The board shared general agreement as Chairman Horton continued to express his appreciation for his service to the city. Applause ensued. Mr. Zettel introduced Ms. Susan Montenegro who will be taking his place. Mr. Zettel continued that this was the most fun group to work with. Chairman Horton wished everyone a Merry Christmas.

ADJOURNMENT:

**MOTION BY BOARD MEMBER TELESZ, SUPPORTED BY BOARD MEMBER WASCHER TO ADJOURN AT 10:12 A.M.
YEAS: ALL. MOTION CARRIED.**

Dan Jozwiak, Secretary

m.m.s