

ZONING BOARD OF APPEALS

March 11, 2003

Chairman Raymond called the regular meeting of the Zoning Board of Appeals to order at 6:05 P.M. on Tuesday, March 11, 2003.

Present: Chairman Raymond, ViceChairman Crandall, Boardmember Abent, Alternate Nelson.

Absent: Boardmember Robison, Foster (excused) and Alternate Manning.

Also Present: Building Inspector Hummel and Deputy Clerk Royston.

Invocation was given by Chairman Raymond.

Boardmember Abent moved to approve the minutes of the regular meeting of February 11, 2003 as presented.

Supported by Crandall. 4 Yeas. 0 Nays.

Deputy Clerk Royston read the extension request for Consumers Energy, 750 Island Hwy, requesting a one year extension to continue to conduct 3 to 4 auctions yearly to sell used equipment and vehicles belonging to Consumers Energy.

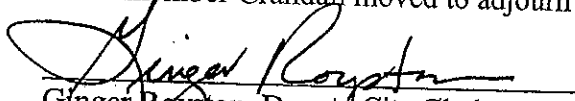
There were no calls or letters received on this extension request. No one was present to represent Consumers Energy.

Boardmember Abent moved to grant the one year extension to Consumers Energy but would encourage utilizing the entire parking area that was intended for parking at the sales to cut down on the parking along the roadways.

Supported by Crandall. 4 Yeas. 0 Nays.

There was no public comment.

Boardmember Crandall moved to adjourn at 6:20 P.M.


Ginger Royston, Deputy City Clerk

ZONING BOARD OF APPEALS

April 9, 2002

Chairman Foster called the regular meeting of the Zoning Board of Appeals to order at 6:00 P.M. on Tuesday, April 9, 2002.

Present: Boardmembers Chairman Foster, Crandall, Abent, and ViceChairman Raymond, Alternates Nelson and Manning.

Absent: Boardmember Robison.

Also Present: Building Inspector Hummel and Deputy Clerk Royston.

Alternate Nelson will be voting.

Boardmember Abent moved to approve the minutes of the meeting of March 12, 2002 as presented.

Supported by Crandall. Carried. 5 Yeas. 0 Nays.

Deputy Clerk Royston read the appeal of Richard & Adrene Wilford, 432 Horatio, requesting a 1' sideyard setback variance and a 1% lot coverage variance to be allowed to build a replacement garage within 2' of the property line.

Deputy Clerk Royston reported that there were no letters or calls received on the appeal.

Adrene Wilford was present and read a letter from owners of 436 Horatio in support of the appeal being granted. She explained that there would be a 2' area between the eaves on the garages.

Chairman Foster asked if there would be any fire issues with the garages being that close.

Building Inspector Hummel explained that they would need to put fire rated drywall on that wall.

Boardmember Crandall moved to approve the 1' sideyard setback variance and the 1% lot coverage variance due to the circumstances with a narrow lot and shared driveway situation.

Supported by Abent. Carried. 5 Yeas. 0 Nays.

ViceChairman Raymond stated that he is concerned with cutting down on yard sizes however this is a narrow lot so unfortunately green space has to be lost to make improvements to the property.

Chairman Foster explained that Consumers Energy would like to extend zoning approval for the purpose of holding their equipment auctions.

Boardmember Crandall stated that he is concerned with the stuff that is accumulating along the west fence line. There may need to be some outdoor screening considered for that area.

It should either be cleaned up or screen that storage area.


Boardmember Crandall moved to approve the one year extension at 750 Island Hwy. with the condition that the outside storage be either cleaned up or provide some type of screened area for barrels, etc.

Supported by Raymond. Carried. 5 Yeas. 0 Nays.

ViceChairman Raymond questioned the reason Pop's Towing has signs sitting on the ground.

Building Inspector Hummel stated that they have indicated that they are going put the signs up and haven't done so yet.

Boardmember Crandall moved to adjourn at 6:12 P.M.



Ginger L. Royston
Deputy City Clerk

ZONING BOARD OF APPEALS

July 10, 2001

Vice Chairman Foster called the regular meeting of the Zoning Board of Appeals to order at 6:00 P.M. on Tuesday, July 10, 2001.

Present: Vice Chairman Foster, Boardmembers Raymond, Crandall, Abent, and Alternates Grimwood. and Schueller.

Absent: Chairman Robison.

Also Present: Building Inspector Hummel and Deputy Clerk Royston.

Chairman Robison arrived at 6:02 P.M.

Boardmember Raymond moved to approve the minutes of the meeting of June 12, 2001 as presented.

Supported by Crandall. Carried. 5 Yeas. 0 Nays.

Deputy Clerk Royston read the appeal from Beverly (Johnson) Nighbert, 501 E. Henry, requesting a 4 ft. variance to place a detached garage 6 ft. from the main building.

There were no letters or calls received on this appeal.

Mrs. Nighbert was present and stated that the proposed garage would be for 501 ½ E. Henry tenants, as 501 E. Henry is an apartment house.

There is a walnut tree on the property line which causes damage to the vehicles.

Discussion was held on either adding on to the existing garage or attaching to the house.

Boardmember Crandall commented that he is concerned with granting an appeal to an already non-conforming use as this is a two-unit apartment in a R1 residential zone.

Boardmember Crandall moved to deny the appeal on the grounds that it doesn't meet the criteria for a hardship.

Seconded by Abent. Carried. 5 Yeas. 0 Nays.

Deputy Clerk Royston read the appeal of Andy & Amy Smith, 120 Pleasant St., requesting a 4% lot coverage variance to add on a 10' x 16' addition to kitchen area and also construct a 10' x 18.5' deck addition.

Andy Smith explained addition and deck area to be added.

Discussion was held on lot size and existing structure.

Vice Chairman Foster moved to grant the 4% lot coverage variance as written on the grounds that the lot size creates a hardship and that it will be a nice addition to the home. Also to waive the 21 day waiting period.

Seconded by Crandall. Carried. 5 Yeas. 0 Nays.

Deputy Clerk Royston read the extension request for Consumers Energy, 750 Island Hwy., to allow the 14' x 70' office trailer to remain on grounds and continue to hold 3 to 4 auctions yearly to sell used equipment and vehicles belonging to Consumers Energy.

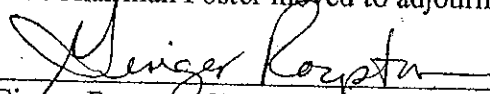
Boardmember Crandall stated that he is concerned with the weeds that have grown up around the trailer and along the fence area.

Boardmember Raymond suggested that the City contact them to make them aware that we would like the weeds cut and maintained in the future. He stated that they have been very cooperative in the past and doesn't feel that they would have a problem with this request.

Boardmember Crandall moved to grant the extension request with the stipulation that during the summer months the weeds need to be sprayed along the fence and around the trailer to keep the area looking nice.

Seconded by Abent. Carried. 5 Yeas. 0 Nays.

ViceChairman Foster moved to adjourn at 6:30 P.M.


Ginger Royston, Deputy Clerk

ZONING BOARD OF APPEALS

Date: March 9, 1999

Boardmembers Raymond, Pruden & Tubbs, Deputy Clerk Royston and Building Inspector Hummel left City Hall at 5:40 P.M. to view the three sites to be appealed.

First stop was at 517 S. Cochran. Discussion was held on porch and where it would be wrapping around the house.

We then proceeded to 750 Island Hwy. & Crandell Bros. property. Discussion was held on the location of the trailer and fencing.

Next stop was at 124 E. Stoddard. Discussion was held on the width of the carport and the roof on the back of the house.

Chairman Pruden called the regular meeting of the Zoning Board of Appeals to order at 6:00 P.M. on Tuesday, March 9, 1999.

Present: Chairman Pruden, ViceChairman Hewitt, Boardmembers, Raymond, Crandall and Alternate Tubbs.

Absent: Boardmembers Robison and Alternate Barrett.

Also Present: Deputy Clerk Royston and Building Inspector Hummel.

Invocation was given by Alternate Tubbs.

Vice Chairman Hewitt moved to approve the minutes of February 9, 1999 as written.

Supported by Raymond. Carried. 5 Yeas. 0 Nays.

Deputy Clerk Royston read the appeal of J.J. Kane Investment Recovery Auctioneers requesting an exception to use the Crandell Bros. property at 750 Island Hwy. To hold auctions three to four times per year to sell used vehicles and equipment belonging to Consumers Energy.

Deputy Clerk Royston reported that there were no phone calls or letters received on this appeal.

Joe Kane was present to discuss their plans for the property at 750 Island Hwy.

Chairman Pruden questioned the appearance of the trailer.

Discussion was held on improving the appearance of the trailer with skirting and painting.

Joe Kane explained that they would be using the trailer for their computers to do their title work and will generate 300 to 400 people of traffic throughout the trailer on auction day. He also indicated that they had started to put fencing up to secure the property. The parking would be accessed off from The Pike on a 1.15 acre area. J.J.Kane Auctioneers provide their own security and personnel on auction day.

Joe Kane explained that Randy Crandell has some concerns with the project also. He explained that if they were allowed to use this area for the auction that Crandall's have agreed to improve the lot area for parking.

Vice Chairman Hewitt questioned the zoning allowed on this property.

Building Inspector Hummel explained that the property is currently zoned as Light Industrial.

Boardmember Crandall explained that the Planning Commission had more concern with the traffic on The Pike than zoning issues.

Discussion was held on clarification of granting exceptions. Exceptions are not to exceed a twelve month period.

Discussion was held on the location of the trailer.

Joe Kane stated that the trailer was setting in excess of 60' from the edge of Island Hwy. at this time.

Chairman Pruden questioned the property being vacated after the sale. He indicated that the Mikesell lot was never vacated.

Joe Kane explained that in the worst case scenario it would be one to two weeks before the lot was cleared.

Boardmember Raymond asked how many people and cars they would expect at this auction.

Joe Kane indicated that it generally draws 300 to 400 people on auction day, generating 200 to 300 vehicles.

Boardmember Crandall expressed that the Planning Commission had concerns with it not becoming a junk yard.

Discussion was held on Island Hwy. Right-of-way and the trailer location.

Building Inspector Hummel checked the right-of-way for Island Hwy. and found it to be a 66' right-of-way. The normal setback would be 73'.

Joe Kane explained that the temporary fence that they are installing at this time would be changed

to a chain link fence at a later date if they were allowed to continue the auctions on this site after the twelve month period.

Discussion was held on traffic issues.

Vice Chairman Hewitt moved to approve a one year exception for the use of the property at 750 Island Hwy., to hold the auctions for Consumers Energy to be reevaluated at that time. Parking should be on a gravel base lot, temporary fencing installed and reevaluated for normal fencing after the first twelve months if extended, trailer to be skirted and painted. Also to reevaluate on the issue of how long the vehicles are stored on the property after the auction. This exception to be valid on a one year temporary basis with the above items to be reevaluated at that time. Also to waive the 21 day waiting period.

Supported by Crandall. 5 Yeas. 0 Nays.

Deputy Clerk Royston read the appeal of Alan C. Durham, 124 E. Stoddard, requesting a 519 sq. Ft. lot coverage variance, a 15 ft. Front yard setback variance, 28 ft. 6 in. rear yard setback variance, and a 3 ft. sideyard setback variance.

Deputy Clerk Royston reported that there were no calls or letters received on this appeal.

Mr. Durham was not present.

Discussion was held on property lines & drainage from carport onto neighbors property.

Boardmember Raymond moved to approve the variances as requested to construct the carport and replacement of the back porch roof with the stipulation that the carport remain open with 14' to the eaves and no overhang. Back porch roof to be replaced with wood. Gutter to be put on the west side of carport and to waive the 21 day waiting period. Reason being that the lot is extremely small and the owner did not create the hardship.

Supported by Crandall. Carried. 5 Yeas. 0 Nays.

Deputy Clerk Royston read the appeal of Michael Shirley, 517 S. Cochran, requesting a 10'6" front yard setback variance to construct a front porch and wrap the porch around the south side of the house.

Deputy Clerk Royston reported that there were no phone calls or letters received on this appeal.

Mike Shirley was present and stated that he is remodeling the house and would like to add to the porch area.

Boardmember Hewitt stated that he had looked at the house and noted that it is in line with the neighboring houses in that block.

Planning Commission

11/11/17

Ordinance to set a limit on the length of time an approved site plan would be effective for.

Commissioners discussed the proposed ordinance amendment to limit the length of time a site plan is in effect for. Commissioners discussed limiting the number of 12 month extensions allowed and the ability of the Planning Commission to change conditions required with extensions.

Commissioner Crandall moved to amend the proposed ordinance by restricting the number of extensions allowed for site plans to two (2), which would be three years total, and that the Planning Commission may make changes if ordinances affecting the plan have changed.

Supported by Wirt. Carried. 6 Yeas. 0 Nays.

Joe Kane, representing J. J. Kane Auctioneers, appeared to explain a request to use 750 Island Hwy to hold auctions for excess Consumers Energy equipment three or four times a year.

Mr. Kane explained that they plan on holding three auctions a year, four at the most. Two auctions would be held in the summer. The auction would draw up to 400 people and there is 1.15 acres parking plus Mr. Crandall's facility. The auctioneers provide security and they will assist with parking and directing traffic.

The auctions hours will be from 9:30 a.m. to 2:30 p.m. and the site will be open for inspections and removal from 8 a.m. to 4 p.m. two days prior to the sale and after the sale. Everything gets sold. A five foot fence will be installed for security purposes to keep people from wandering in and out.

Building Official Fullerton explained that this is a temporary use request that was brought to the Zoning Board of Appeals who has requested input from the Planning Commission before making a decision to allow the auctions at this site. City Manager Berchtold has noted that if there is a lot of traffic on Pike Street, this may not be the place to enter from. Vehicles should be removed within a week and should not be brought in more than two weeks before the sale.

Commissioner Bullock questioned if the driveway was the only entrance and exit and would this be a problem when they are moving equipment out.

Mr. Kane stated that traffic control is provided by the security firm on the day of the sale. There will be no heavy trucks on the Pike, there is another drive across the Crandall property that they can use.

Commissioner Bullock moved to recommend that the Zoning Board of Appeals address the following items in making their decision: Traffic on Pike Street, How long the trucks and equipment will be stored on the site and traffic control through security coordination with the Police department. And that the Planning Commission expresses appreciation to the Board of Appeals for working with the Planning commission on this issue.

Supported by Wallace. Carried. 6 Yeas. 0 Nays.