

**CITY OF MASON
ZONING BOARD OF APPEALS MEETING
MINUTES OF DECEMBER 8, 2010**

Jenkins called the meeting to order at 5:35 p.m. in the 2nd Floor Training Room at 201 W. Ash Street, Mason, Michigan.

Board Member(s) Present: Crips, Curtis, Harbach, Jenkins, McCormick, Richards, Maddix
(alternate)
Board Member(s) Absent: Shattuck
Also present: David Haywood, Zoning and Development Director

APPROVAL OF MINUTES: November 10, 2010

The Meeting Minutes of the November 10, 2010 meeting were approved as presented.

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Variance – 209 Valley Court – Front Yard Setback

Jenkins invited comments from the applicant and asked him to present any new information relative to the request.

Kerry Minshall (applicant), 808 Cindy St, introduced himself to the Board and provided the following comments:

- Revised site plans were provided
- Plans now show an east-west ramp orientation
- He has nothing further to add

MOTION by Harbach, second by Richards,
to remove from the table and consider Resolution 2010-03 as having been read.

MOTION APPROVED UNANIMOUSLY

Discussion among board members ensued making the following points:

- Concerned that there is not a practical difficulty
- Support for the request
- The Resolution has been amended by staff to reflect the revised site plan and setback

Resolution No. 2010-03 was introduced by Harbach and seconded by Richards.

**CITY OF MASON
ZONING BOARD OF APPEALS RESOLUTION NO. 2010-03**

**A RESOLUTION GRANTING A VARIANCE OF 12 FEET FROM THE FRONT YARD SETBACK
REQUIREMENT ON PROPERTY LOCATED AT 209 VALLEY COURT**

December 8, 2010

WHEREAS, a request has been received from the Kerry Minshall, owner of record of parcel 33-19-10-04-302-011, commonly known as 209 Valley Court, for a variance of 12 feet from the minimum front yard setback requirement; and

WHEREAS, the subject property is further described as: Lot 53, Devon Hill No. 1, Sec 4, T2N R1W, City of Mason; and

WHEREAS, the subject property is located in the RS-3 (Single Family Residential) zoning district; and

WHEREAS, Section 94-121(c)(1) and Table 100-1 of the Mason zoning ordinance requires a minimum 25 foot front yard setback; and

WHEREAS, the variance request complies with the five conditions of approval listed in Section 94-365(c) of the Mason Code; and

WHEREAS, a public hearing on the request was noticed and held at the Zoning Board of Appeal's regular meeting of November 10, 2010, with testimony given and public comment solicited in accordance with Section 94-101 of the Mason Code.

NOW THEREFORE BE IT RESOLVED, that the City of Mason Zoning Board of Appeals does hereby approve the request for a 12 foot variance to the minimum front yard setback standard for the construction of a porch and wheelchair ramp at 209 Valley Court as based on the plans received by the Zoning and Development Department on December 3, 2010.

Yes (6) Curtis, Crips, Harbach, Maddix, McCormick, Richards

No (1) Jenkins

RESOLUTION APPROVED

UNFINISHED BUSINESS

Board members discussed the City Council's Rules of Order for Boards and Commissions distributed by Haywood. Haywood reported that he is investigating as to whether the Board has bylaws. Although they have not been located, he will continue to explore all avenues until they are found or determined to not exist.

NEW BUSINESS

Board members discussed the findings of fact forms created by Jenkins. Discussion was held that Haywood would continue to research findings of fact and develop the forms consistent with recent training and case law presented by Jenkins.

CORRESPONDENCE

- Jon Jenkins, January 15, 2010 and February 19, 2010 distributed.

ADMINISTRATOR'S REPORT

Haywood gave a brief report of Zoning and Development business.

PEOPLE FROM THE FLOOR

None.

ADJOURNMENT

By consensus, the meeting adjourned at 6:11 p.m.

Deborah J. Cwierniewicz, City Clerk