

# CITY OF MASON

201 West Ash St.  
Mason, MI 48854-0370

City Hall 517-676-9155  
Fax 517-676-1330

## ZONING BOARD OF APPEALS MEETING – 2<sup>ND</sup> FLOOR TRAINING ROOM Wednesday, October 12, 2011

5:30 p.m.

### Agenda

1. Call to Order
2. Roll Call
3. Approval of Minutes: September 14, 2011
4. People from the Floor
5. Announcements
6. Public Hearing
  - A. 307 S. Rogers St. – Variance – Front Setback and Building Separation  

Resolution No. 2011-06 – A Resolution Approving Two Variances From The Front Yard Setback And Building Separation Requirements For A Building Addition On Property Located At 307 S. Rogers St.
7. Regular Business
8. Unfinished Business
  - 461 Raindrop Ct. – Pool
9. New Business
10. Correspondence
  - Robert & Karin Manes, 448 Raging River
11. Administrator Report
12. Adjournment

**CITY OF MASON  
ZONING BOARD OF APPEALS MEETING  
MINUTES OF SEPTEMBER 14, 2011**

Jenkins called the meeting to order at 5:30 p.m. in the 2<sup>nd</sup> Floor Training Room at 201 W. Ash Street, Mason, Michigan.

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

**APPROVAL OF MINUTES: August 10, 2011**

The minutes of the August 10, 2011 meeting were approved as presented.

**PEOPLE FROM THE FLOOR**

None.

**REGULAR BUSINESS**

**Variance – 448 Raging River – Rear Yard Setback**

Jenkins opened the public hearing at 5:34pm. Jenkins informed the applicant that a full board was not present, indicating that it takes four positive votes to grant a variance, and offered the applicant the opportunity to adjourn to another time where a full board would be present. The applicant declined the offer to adjourn to a full board.

Jenkins invited comments from the applicant and asked to present information relative to the request and address the standards of approval.

Karin Manes (applicant), 448 Raging River, introduced herself to the Board and provided the following comments:

- They built house and have lived at the residence for 12 years
- They would like to stay in the community and be able to teach their grandkids how to swim
- There are seven other pools in the subdivision, one with a 10 foot rear yard setback at 461 Raindrop Ct.
- The homeowner's association did not object to the proposal
- The site backs up to a common area at the rear of the property
- There have not been flooding issues in the rear yard
- The Drain Commissioner was contacted and did not object to the proposal
- The pool will have a steel and liner type surface
- The proposed pool house can be five feet from side and rear lot line
- The side walls of the pool will be greater than 42 inches and will be fenced

Commissioners asked the applicant to demonstrate if they have a practical difficulty related to the proposal. The applicant (Mrs. Manes) provided the following response:

- They cannot move to a location that would permit the proposed pool given the state of the economy.

- They can't have the pool if they cannot put it in the rear yard.
- The pool will be an improvement to the neighborhood
- The pool will be attractive and include landscaping
- The pool will be enclosed with and aluminum (iron style) fence.
- The request complies with Section 94-365 #4.

Don Gailey, 452 Raging River, spoke in support of the variance request and felt the pool will be well maintained by the Manes.

Mr. Jenkins read into the record the letter from Lynda Inman of 449 Raging River which offered no objections to the proposal.

Being there were no other public in attendance to provide comments, the public hearing was closed at 5:50pm.

MOTION by Jakeway, second by Richards,  
to introduce and consider Resolution 2011-06 as having been read.  
MOTION APPROVED UNANIMOUSLY

**CITY OF MASON  
ZONING BOARD OF APPEALS RESOLUTION NO. 2011-05**

**A RESOLUTION APPROVING A 24.71 FOOT REAR YARD VARIANCE FOR AN IN-GROUND POOL ON PROPERTY LOCATED AT 448 RAGING RIVER**

**September 14, 2011**

**WHEREAS**, a request has been received by Robert and Karin Manes, the owner of record of parcel 33-10-10-05-227-003, for a variance to the rear yard setback requirement to construct an in-ground pool on property located at 448 Raging River; and

**WHEREAS**, the subject property is further described as: Lot 25, Riverwalk Meadows, Sec 5, T2N R1W, City of Mason, Ingham Co (1997); and

**WHEREAS**, the subject property is located in the RS-2: Residential Single Family zoning district; and

**WHEREAS**, Section 94-173(e) requires that pools meet the applicable setback requirement for principle structures for the zoning district in which they are located; and

**WHEREAS**, Table 100-1 of the Mason Code requires a 35 foot rear yard setback for principle structures within the RS-2: Single Family Residential zoning district; and

**WHEREAS**, upon compliance with the conditions of approval listed herein, the variance request will comply with the conditions of approval in Section 94-365 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 September 14, 2011, 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 variance to the rear yard setback requirements to allow the construction of an 16 foot by 36 foot in-ground pool in the rear yard behind the existing residential structure that would be 10.29 feet from the east property line on property located at

McCormick stated that there appears to be more than enough distance between the subject lot and the neighbors on Windjammer.

Richards stated that she agreed with McCormick's comment.

Jenkins countered that he does not see a practical difficulty on the lot.

Jakeway stated that denying this request doesn't make sense in this case.

Kirk Lapham, 4540 Misty Wood Dr., Okemos, (Karen and Robert Manes' son-in-law) was allowed to speak on the issue and stated setbacks are intended to protect neighbors and that the common area behind the lot meets the intent of the setback requirement. He also mentioned that the setback standard may be currently under reconsideration by the Planning Commission. The vast majority of lots in the neighborhood present a similar constraint relative to pools and setbacks.

Yes (3) McCormick, Jakeway, Richards

No (1) Jenkins

VARIANCE DENIED

### **Zoning Board of Appeals Bylaws**

Haywood reported that after considerable searching of City records and consulting with the City Attorney he had concluded that bylaws do not exist for the ZBA. He further stated that zoning ordinance and the rules of order should be sufficient for the ZBA to recommend Council remove a member for various reasons and that pursuing bylaws may be more effort than they were worth. The Board agreed to not pursue the issue at this time.

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

The Board requested staff to research the claims made by the Manes regarding the pool at 461 Raindrop Ct.

### **CORRESPONDENCE**

None.

### **ADMINISTRATOR'S REPORT**

Haywood gave a brief report of Zoning and Development business.

**ADJOURNMENT**

By consensus, the meeting adjourned at 6:16 p.m.

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Deborah J. Cwierniewicz, City Clerk

# City of Mason

201 W. Ash St.  
P.O. Box 370  
Mason, MI 48854-0370  
www.mason.mi.us



City Hall 517 676-9155  
Police 517 676-2458  
Fax 517 676-1330  
TDD 1-800-649-3777

## MEMORANDUM

TO: Zoning Board of Appeals

FROM: David E. Haywood, Zoning & Development Director 

SUBJECT: Variance Request – 307 S. Rogers Street (William Sainz)

DATE: October 6, 2011

### REQUESTED ACTION:

The applicant is requesting approval for a front yard variance and building separation to be allowed to construct a building addition on the north of the existing structure. The addition would be five feet from the existing garage and 16 feet 8 inches from the Maple Street right-of-way line (property line).

Required Front Yard Setback: 25 feet per Section 94-121(c)(1) and Table 100  
Variance Request– (North side): 8 feet 4 inches  
Required Building Separation: 10 feet  
Variance Request: 5 feet

### LAND USE AND ZONING PATTERN:

	<b>Current Land Use</b>	<b>Zoning</b>	<b>Future Land Use</b>
<b>North</b>	Residential	R2F (Two Family Residential)	Residential
<b>East</b>	Residential	R2F (Two Family Residential)	Residential
<b>South</b>	Residential	R2F (Two Family Residential)	Residential
<b>West</b>	Undeveloped	O-1 (Office)	Residential

### INTENT:

Section 94-121 of the Zoning Ordinance indicates that the general intent and purpose of zoning district regulations is to “accommodate permitted uses and structures in a manner that minimizes negative impacts on abutting properties and complements the unique character and identity of the city through appropriate architectural design including building size, building

height, building materials, building location, signage, landscaping, buffering, safe circulation of vehicular and pedestrian traffic, and other pertinent development features”.

**NOTIFICATION:**

Seventy-two letters were sent out notifying the public of this request. As of the writing of this report, no responses have been received.

**ANALYSIS:**

Table 100-1 requires a 25 foot front yard setback for uses located in the R2F Two Family Residential zoning district. Section 94-173(g)(1) requires a ten foot separation between structures. If approved, the proposed porch will encroach the required front yard 8 feet 4 inches on the west side of the house. The attached site plan shows the dimensions of the proposed addition.

**VARIANCE STANDARDS:**

Section 94-365 gives the Zoning Board of Appeals the authority to grant variances to structures, and states that, “A variance may be granted only when the variance application and other factual evidence demonstrate all of the following:”

1. *The variance must be granted in order to avoid practical difficulties not created by the applicant that would result from strict application of the letter of this chapter.*
2. *A variance will not permit the establishment within a zoning district of any use not permitted within the district.*
3. *A variance will not cause a substantial adverse effect to property or improvements in the zoning district and the immediately surrounding neighborhood.*
4. *A variance will not be contrary to the public interest and will insure that the spirit and intent of this chapter will be observed, public safety secured, and substantial justice done.*
5. *There is no lesser variance than that applied for which would give substantial relief to the applicant.*

**Attachments:**

1. Resolution 2011-06
2. Application
3. Site Plan & Elevation Drawing

Introduced:  
Seconded:

**CITY OF MASON  
ZONING BOARD OF APPEALS RESOLUTION NO. 2011-06**

**A RESOLUTION GRANTING A VARIANCE OF 8 FEET 4 INCHES FROM THE NORTH  
FRONT YARD (EAST MAPLE ST) SETBACK REQUIREMENT AND 5 FEET FROM  
THE BUILDING SEPARATION REQUIREMENT ON PROPERTY LOCATED AT 307  
SOUTH ROGERS STREET**

**OCTOBER 12, 2011**

**WHEREAS**, a request has been received from the William Sainz, owner of record of parcel 33-19-10-09-109-001, commonly known as 307 South Rogers Street, for a variance of 8 feet 4 inches on East Maple Street and 5 feet from the building separation requirement; and

**WHEREAS**, the subject property is further described as: N1/2 of Lots 1 and 2, Block 11, Sec 9, T2N R1W, City of Mason, Ingham Co; and

**WHEREAS**, the subject property is located in the R2F (Two Family Residential) zoning district; and

**WHEREAS**, Section 94-121(c)(1) and 94-173(g)(1) of the Mason zoning ordinance requires a minimum 25 foot front yard setback and a 10 foot building separation, respectively; 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 October 12, 2011, 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 variance request of 8 feet 4 inches from the front yard setback standards and 5 feet from the minimum building separation requirement as based on the plans received by the Zoning and Development Department on September 20, 2011.

Yes ( )

No ( )

**CLERK'S CERTIFICATION:** I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Zoning Board of Appeals at its regular meeting held Wednesday, October 12, 2011, the original of which is part of the Zoning Board of Appeals minutes.

\_\_\_\_\_  
Deborah J. Cwierniewicz, Clerk  
City of Mason  
Ingham County, Michigan



**APPLICATION – BOARD OF APPEALS**

**City of Mason**

Planning Department • 201 W. Ash Street • Mason, MI 48854

Phone: 517/676-9155 • Fax: 517/676-1330

www.mason.mi.us

Applicant– Please check one of the following:	
<input checked="" type="checkbox"/>	Variance
<input type="checkbox"/>	Appeal of Administrative Decision
<input type="checkbox"/>	Interpretation of Ordinance Text
<input type="checkbox"/>	Zoning District Boundary Interpretation
<input type="checkbox"/>	Temporary Permit

PLANNING DEPARTMENT USE ONLY	
Application Received:	9/20/11
Case #:	
Tax ID:	09-109-001
Fee:	250.00
Receipt #:	10011787

**I. APPLICANT INFORMATION**

Name BILL SAINZ

Organization \_\_\_\_\_

Address 307 SOUTH ROGERS WORK 517 663-7403

Telephone Number 676-9045 <sup>MOBILE</sup> Facsimile Number 977-2585

Interest in Property (owner, tenant, option, etc.) OWNER

**Note: If applicant is anyone other than owner, request must be accompanied by a signed letter of authorization from the owner**

**II. PROPERTY INFORMATION**

Owner BILL SAINZ Telephone Number 676-9045

Property Address 307 SOUTH ROGERS

Legal Description: If in a Subdivision: Subdivision Name \_\_\_\_\_ Lot Number \_\_\_\_\_

If Metes and Bounds (can be provided on separate sheet):  
N 1/2 OF LOTS 1 & 2, BLK 11, SEC 9 T2N R1W  
CITY OF MASON, INGHAM COUNTY

**RECEIVED**

SEP 20 2011

CITY OF MASON  
PLANNING DEPT.

**APPLICANT CERTIFICATION**

By execution of this application, the person signing represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the person signing represents that he or she is authorized and does hereby grant to City officials a right of entry for the purpose of inspecting the premises to verify compliance with conditions precedent to issuing Board of Appeals approval.

Signature William H. Sainz Date SEPT. 19, 2011

**III. REQUEST DESCRIPTION**

Please use this section to describe your request. Feel free to include additional pages and/or drawings, maps, photographs, and other documentation that might aid the Board of Appeals in its determination.

- **Variations:** fill in the appropriate boxes in the following table, as shown in the EXAMPLE, and use the blank lines that follow the table to provide a detailed description and reasons for the variance. The Board of Appeals will review a request for variance subject to the standards listed in Sections 94-365(c) and (d) of the Mason Code. Your written response should address these standards.
- **All other requests:** please describe your request in complete detail using the blank lines. Requests are reviewed under the standards listed in Article XI of Chapter 94, Zoning, of the Mason Code. Your written response should address the appropriate standards.

**A. Variance Table**

	Variance Type	Ordinance Requirement	Applicant Proposal*
X	Rear Setback <b>EXAMPLED</b>	45 feet	43 feet
	Front Setback	25'	16' 8"
	<del>Side Setback</del> <b>SPACE BETWEEN</b>	<del>10'</del> 10'	5' 0"
	<del>Rear Setback</del> <b>GARAGE &amp; HOUSE</b>		
	Height		
	Lot Coverage		
	Lot Size		
	Parking Spaces		
	Other (describe):		

\* Example: If the ordinance requires a rear yard setback of 45 feet, and you propose an addition that would be 43 feet from the rear property line, you would write or type "43 feet" under "Applicant Proposal."

**B. Written Description** (Attach additional pages, if necessary)

REBUILD EXISTING EAST ENCLOSED PORCH. SEE BOTH PERMIT DRAWINGS FOR SITE MAP AND EXISTING NON CONFORMING SET BACK DIMENSIONS

① 16' 8" FROM EAST PORCH TO INSIDE OF SIDE WALK

② 5' 0" FROM EAST PORCH TO GARAGE

#### IV. APPLICATION MATERIALS

The following information must be submitted with this completed application form:

1. **VariANCES:** Variance requests must be accompanied by a basic site plan drawn to a readable scale showing the location of property lines, existing and proposed structures and parking areas, setback dimensions from property lines and other buildings, easements, existing roads, utility connections, floodplain and topography (where it has a bearing on the request), and any other information necessary to adequately show the nature of the request.
2. **Temporary permits:** Temporary requests must be accompanied by a basic site plan drawn to a readable scale showing the location of property lines, existing and proposed structures and parking areas, setback dimensions from property lines and other buildings, easements, existing roads, utility connections, and any other information necessary to adequately show the nature of the request.
3. **All requests** must be accompanied by a fee, as established by City Council (Effective February 1, 2005). The fee for requests to the Board of Appeals is \$100.00 (\$150.00 if noticed in the Lansing State Journal).
4. **All requests** must be accompanied by any additional information deemed necessary by the Planning Department Staff.
5. Feel free to include written descriptions, elevation or other drawings, maps, photographs, and/or any other documentation that might aid the Board of Appeals in making a determination. Applicants are encouraged to review Article XI of Chapter 94, Zoning, of the Mason Code, which describes the procedures and standards that the Board of Appeals will use to evaluate a request.

Note: The applicant must submit 13 copies of any documents that are larger than 11" by 17".

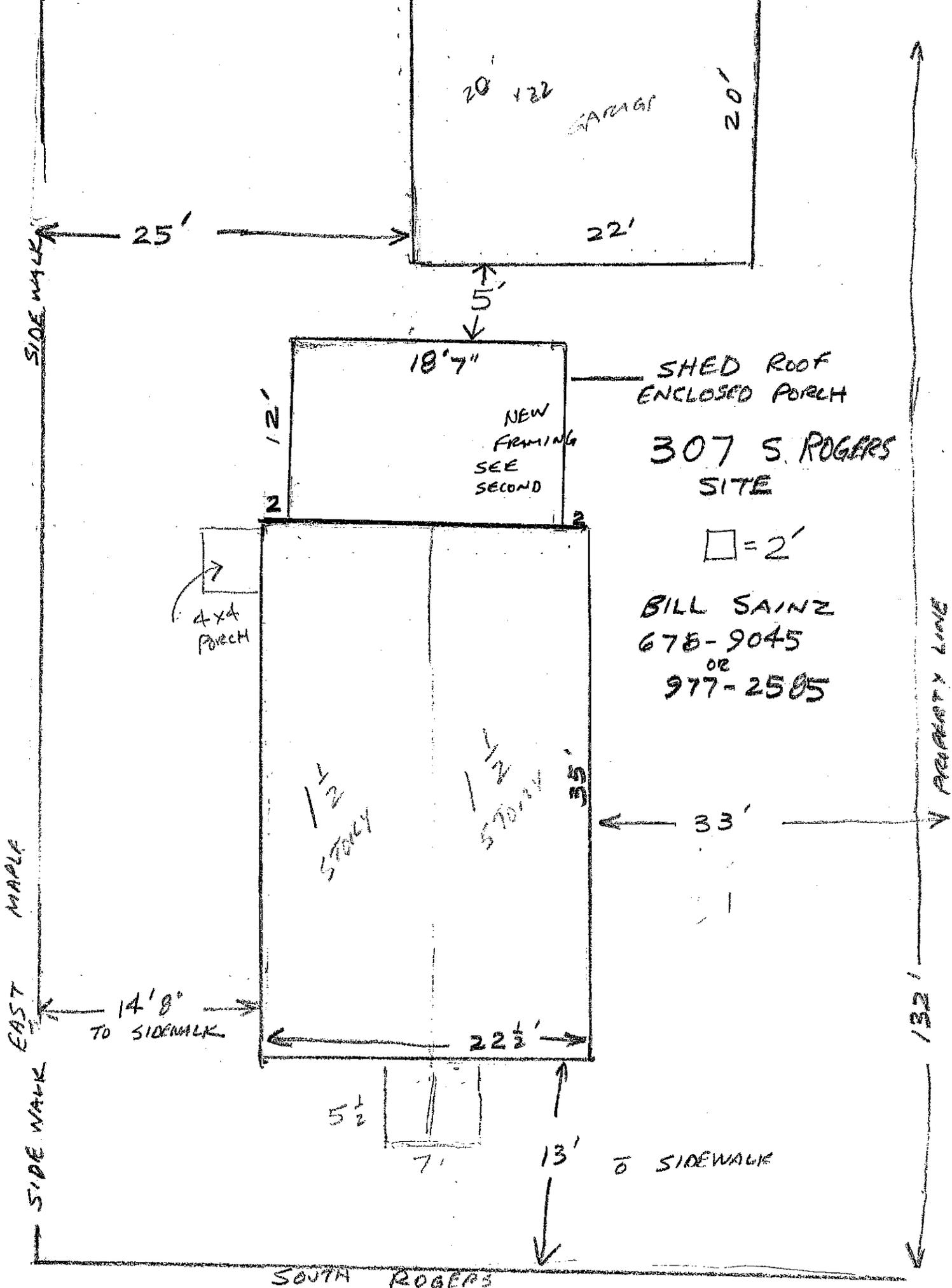
#### V. APPLICATION DEADLINES

Regular meetings of the Board of Appeals are held on the second Wednesday of every month, at 5:30 p.m. To be placed on the meeting agenda, all Application Materials must be received at least 4 weeks in advance of the meeting.

**The Board of Appeals will not take action on the request unless the applicant or his/her duly authorized representative is present at the public hearing.**

#### VI. STAFF REPORT

The Planning Department Staff will prepare a report to the Board of Appeals regarding your request. The report will explain the request to the Board and review whether it complies with the standards in the Zoning Ordinance. Staff will present the findings of that report during the Board of Appeals meeting. An applicant who wishes to obtain one (1) copy of that report, at no cost, prior to the meeting must provide a written request to the Planning Department. The report is generally complete on the Friday before the meeting and can be mailed to the applicant or picked up by the applicant in the Planning Department.



GARAGE

SHED ROOF  
ENCLOSED PORCH

307 S. ROGERS  
SITE

□ = 2'

BILL SAINZ  
678-9045  
OR  
977-2585

NEW  
FRAMING  
SEE  
SECOND

4x4  
PORCH

1/2  
STORY

1/2  
STORY

35'

33'

22 1/2'

5 1/2'

7'

13'

0 SIDEWALK

SOUTH ROGERS

SIDE WALK

EAST MAPLE  
SIDE WALK

PROPERTY LINE

132'

25'

14'8"

TO SIDEWALK

5'

12'

2

18'7"

22'

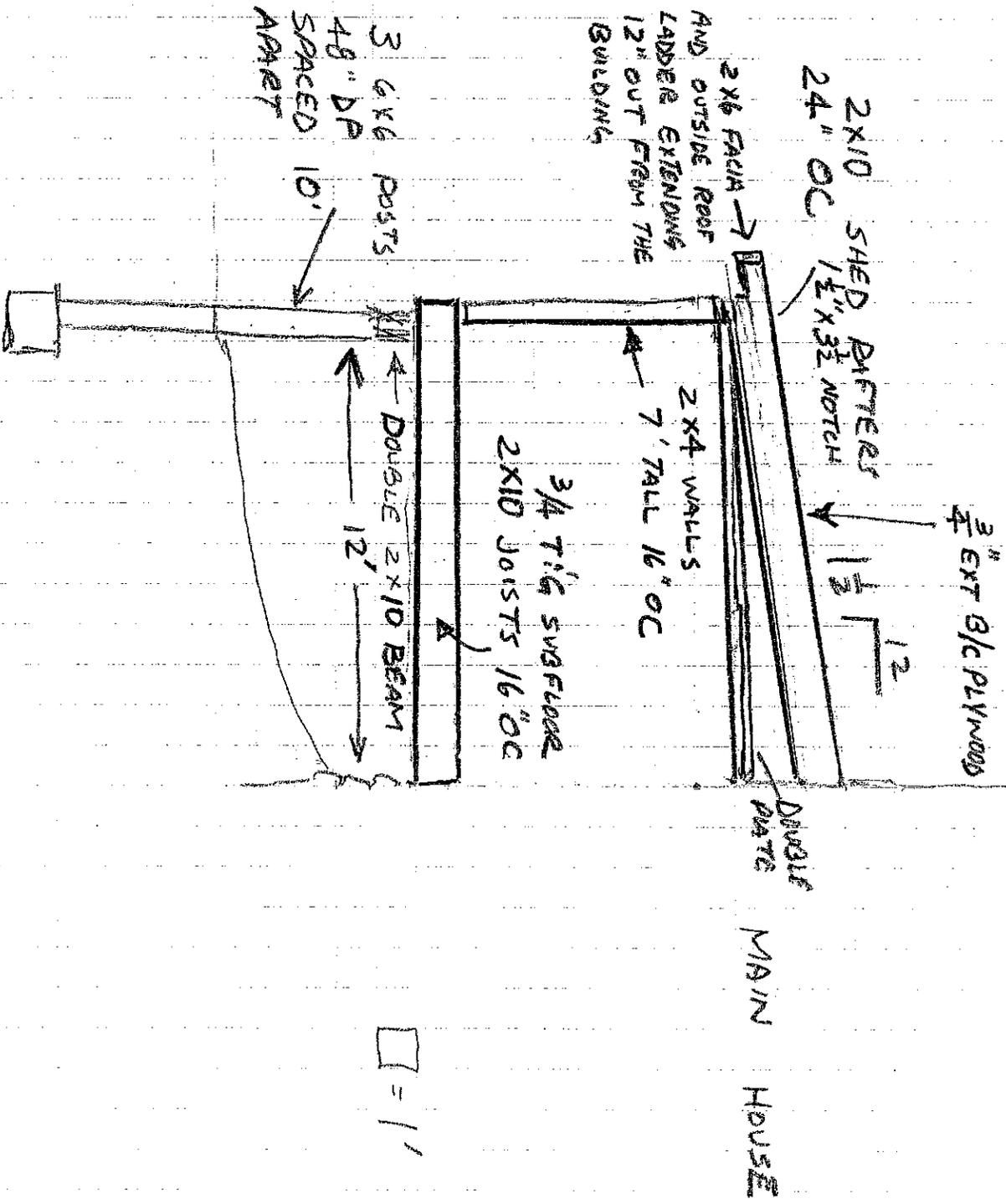
20' x 22'

20'

PROPERTY LINE

BILL SAWZ

307 S. ROGERS  
676-9045 or 977-2585



□ = 1'

# City of Mason

201 W. Ash St.  
P.O. Box 370  
Mason, MI 48854-0370  
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City Hall 517 676-9155  
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Fax 517 676-1330  
TDD 1-800-649-3777

## MEMORANDUM

TO: Zoning Board of Appeals

FROM: David E. Haywood, Zoning & Development Director 

RE: 461 Raindrop Ct. – Pool

DATE: October 7, 2011

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At the September 14, 2011 meeting ZBA members requested staff to investigate the claims made by Karin Manes that the pool at 461 Raindrop Ct does not meet the standards for pool setbacks. Staff found that there was a building permit issued on June 29, 2006 for a pool at that address. Attached is a copy of the permit, application, site plan and soil erosion permit for your convenience. Also attached is a copy of the inspection report showing that the permit has expired and no inspections have been performed. Staff will contact the owner to schedule the necessary final inspection for the pool and report any findings.

I am available if you have questions or concerns.

# City of Mason

Building Permit No: PB06-0095



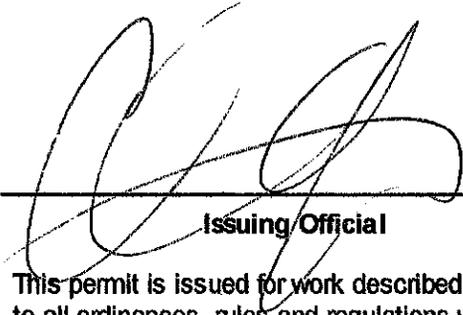
Building Dept. 201 W. Ash Mason, MI 48854  
Phone: (517) 676 9155 Fax: (517) 676 1330 Hours: Monday-Friday 8 am - 5:00 pm

461 RAINDROP 33-19-10-05-278-010	Location	PITLANISH JOHN & JANICE 461 RAINDROP MASON MI 48854 48854	Owner Phone: (517) 646 8770
Issued: 06/29/06 Expire Date: 12/26/06  <b>PLEASE CALL (517) 676 9155 FOR AN INSPECTION 24 HOURS IN ADVANCE</b>		R&D RENOVATIONS 257 NUTMEG DIMONDDALE MI 48821	
		Contractor	

Work Description: NEW INGROUND POOL

Stipulations: COMPLIANCE WITH MRC/MBC 2003 AND CITY OF MASON ORDINANCE REQUIRED

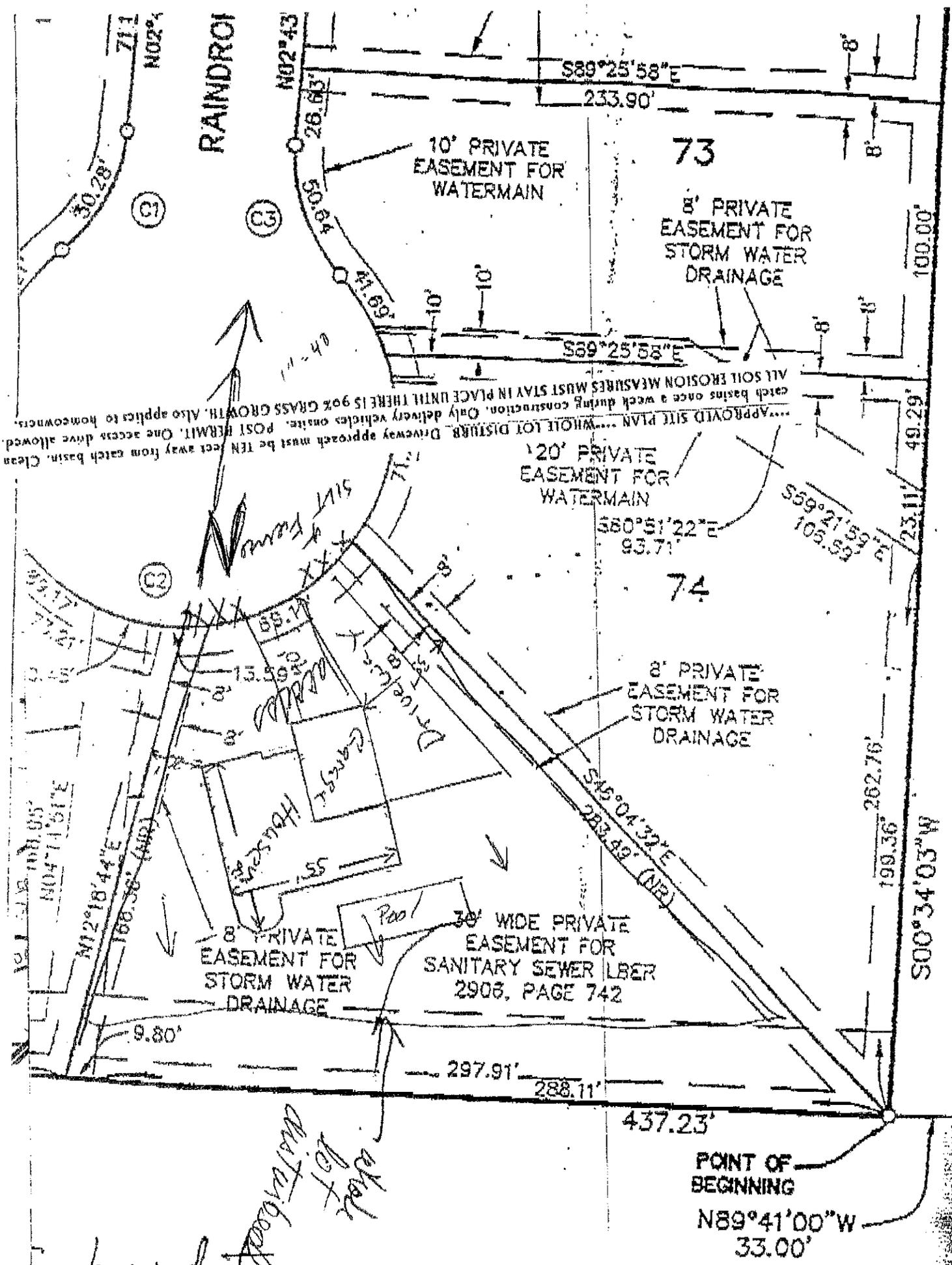
Permit Item	Work Category	No. of Items	Item Total
Building Cost Schedule	Standard Item	33,000.00	\$180.00



\_\_\_\_\_  
Issuing Official

Fee Paid: \$0.00

This permit is issued for work described in the cited application to be performed at the address listed above. All work is subject to all ordinances, rules and regulations which may be adopted by the jurisdiction issuing the permit or other jurisdictions with appropriate legal authority. If the work has not commenced within 6 months, then this permit will be null and void and a new permit will have to be obtained before beginning to work. This permit expires after one year from the date of issue.



APPROVED SITE PLAN...WHOLE LOT DISTURB. Driveway approach must be TEN feet away from catch basin. Clean catch basins once a week during construction. Only delivery vehicles onsite. POST PERMIT. One access drive allowed. ALL SOIL EROSION MEASURES MUST STAY IN PLACE UNTIL THERE IS 90% GRASS GROWTH. Also applies to homeowners.

*Handwritten notes:*  
 to have d...  
 what lot...  
 approved...

**BUILDING PERMIT APPLICATION**  
 City of Mason  
 201 W. Ash, Mason, MI 48854  
 Office: 517-676-9155 Fax: 517-676-1330

Description of Work <b>Inground Pool</b>			
Project Name <b>Janice L. Pitlanish</b>		Project Address <b>461 Raindrop ct. Mason</b>	
Legal Description	Lot No. <b>75</b>	Subdivision <b>Riverwalk meadows</b>	
Owner Name <b>Janice Pitlanish</b>		Mailing Address if different than job address <b>461</b>	Telephone <b>449-6464</b>
Contractor Name <b>Robert Richardson</b>		Contractor Phone <b>646-8770/282-9367</b>	Contractor License # <b>2102176686</b>
Contractor Street Address, City, State, Zip <b>257 Nutmeg Dimondale MI 48821</b>			
Engineer/Architect	Street Address, City, State, Zip, Phone, Registration Number		
Size of Structure	Valuation of Work \$ <b>33,000</b>	Permit Fee \$	

NOTICE: This permit becomes null and void if work or construction is not commenced within six months, or if work or construction is suspended or abandoned for a period of six months at any time after work is commenced.

A true copy of the plans of said building is attached. It is understood that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

"Section 23a of the state construction code act of 1972, 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subjected to civil fines."

Applicant Signature *[Signature]*  
 Authorized Agent

Date 6/27/06

**OFFICE USE ONLY**

Sidwell No. <b>05-0072-016</b>	Zoning District <b>R52</b>	Occupancy Group <b>R3</b>	Code <b>MBC/MRC 2002</b>
Water/Sewer: Private Public Permit No.		Storm Drain: Approved Denied	
Driveway Permit No.		Township Engineer:	
Soil Erosion Permit No. <b>05-1267</b>			
Existing Structure or Use Conforming Non Conforming		Proposed Structure Conforming Non Conforming	
If Non Conforming Assessed Value of Structure \$		Variance Granted/Date	

Application accepted by <u><i>[Signature]</i></u>	Date <u>6/29/06</u>	Building Permit Number <b>06-0095</b>
Fee Received <b>180-</b>	Receipt No	By <u><i>[Signature]</i></u>
Approved Denied Building Official <u><i>[Signature]</i></u>	Date <u>6/29/06</u>	

Special Conditions  
Compliance with MBC/MRC 2003 Required

INGHAM COUNTY DRAIN COMMISSIONER  
PATRICK E. LINDEMANN

707 BUHL STREET P. O. BOX 220 MASON MI 48854 PH. (517) 676-8395 FAX (517) 676-8364

SOIL EROSION AND SEDIMENTATION POLLUTION CONTROL PERMIT

Permit Code  
 R  RMD  C  CMD  W  AG

Date Issued: 12/2/2005  
Expiration Date: 8/2/2006

Inspector: HATTIE J. DAVIS

Permit No.

05-1264

PERMITTEE:

Name: GOODALL CONSTRUCTION  
Address: 6181 HORSTMEYER  
City: LANSING State: MI Zip: 48911  
Phone #: (517) 887-8584 Fax #: (517) 887-6622

ON-SITE:

On-Site Responsible Person: MIKE GOODALL  
On-Site Company: GOODALL CONSTRUCTION  
Contact Phone #: 204-5587

PROJECT LOCATION:

Township: CITY OF MASON Section #: 5  
Subdivision: RIVERWALK Lot No: 75  
Street Address: 461 RAINDROP COURT

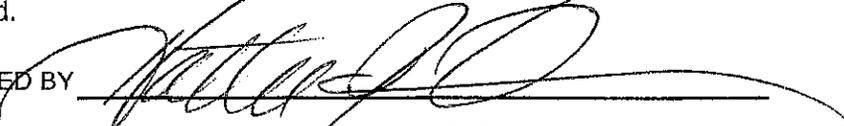
PERMITTED ACTIVITY:

Proposed Earth Change: SINGLE FAMILY DWELLING / POOL ADDED BY R AND D  
RENOVATIONS

PERMIT CONDITIONS:

1. The permitted activity shall be completed in accordance with the approved plans and specifications, and the attached general conditions and responsibilities.
2. Initiation of work approved under this permit confirms the permittee's acceptance and agreement to comply with the terms and conditions of this permit.
3. This permit does not waive the necessity for obtaining all other required federal, state, or local permits.
4. Permit must be posted visibly on-site. (Post permit near entrance to site)
5. Failure to comply with the conditions of this permit may subject the permittee to revocation of the permit and other action as cited by Part 91, Act 451 of the Public Acts of 1994, as amended, under which this permit is granted.

APPROVED BY



Approval Date

6/27/06

THIS PERMIT MUST BE POSTED AT THE PROJECT SITE. Updated 5/23/03

PERMIT # 05-1264

**BUILDING Permit | PB06-0095****Property Information**

33-19-10-05-278-010	461 RAINDROP MASON, MI. 48854	<b>Subdivision:</b> <b>Lot:</b>	<b>Block:</b>
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**Name Information**

<b>Owner:</b>	PITLANISH JOHN & JANICE	<b>Phone:</b>	
<b>Occupant:</b>		<b>Phone:</b>	
<b>Applicant:</b>	R&D RENOVATIONS	<b>Phone:</b>	(517) 646 8770
<b>Contractor:</b>	R&D RENOVATIONS	<b>Phone:</b>	(517) 646 8770
<b>Licensee:</b>	R&D RENOVATIONS	<b>Phone:</b>	(517) 646 8770
<b>Lic Issued:</b>			
<b>Lic Expires:</b>			

**Permit Information**

<b>Date Issued:</b>	06/29/2006
<b>Date Expires:</b>	12/26/2006
<b>Status:</b>	EXPIRED

**Work Description:**

NEW INGROUND POOL

**Stipulations:**

COMPLIANCE WITH MRC/MBC 2003 AND CITY OF MASON ORDINANCE REQUIRED

**Fee Information**

Standard Item	Building Cost Schedule	33,000.00
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Honorable Mayor Leon Clark,

We are writing to inform you of our disappointment with the handling of our application for a rear yard variance to the Zoning Board of Appeals on Wednesday, Sept. 14, 2011. We feel it was unfair to us and to the committee members present to only have 4 members in attendance to hear and vote on our variance request.

We presented to the committee our request for a variance of the 35 ft. rear setback so we could put an in-ground swimming pool in our back yard. The variance was denied on a vote of 3 yes and 1 no.

As background, we started the request process at the beginning of July with Zoning and Development Director David Haywood. He walked us through the application process and informed us the soonest we could get on the Zoning Board of Appeals schedule was the Sept. 14<sup>th</sup> meeting.

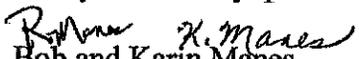
We worked during this time with a pool contractor who assisted us with planning the project along with other contractors with an understanding the project could commence this fall and be finished before inclement weather. We submitted our application and plans to Mr. Haywood in early August along with the \$250.00 application fee.

After anxiously waiting over 9 weeks to present our case on Sept. 14<sup>th</sup>, Karin was told after the meeting was called to order that only 4 members of the committee were present and we could proceed or wait for a later meeting to present. At that time we knew our plans could not go forward this fall if more time elapsed so we agreed to proceed with the meeting, answered all questions, and our application was denied as noted.

We would like to thank the committee members who were present and voice our understanding to those who were not present for whatever reasons but we feel the process was unfair. We could have been informed before hand that a full committee may not, or will not, be in attendance, thus allowing us time to consider alternatives.

In fairness to all, we feel we should be given another opportunity to apply for this variance with minor revisions and present it to a full board of seven members and the \$250.00 application fee should be waived.

Thank you in advance for your attention to this matter. We respectfully await your response and if you have any questions please contact us at 676-4991.

  
Cordially, Bob and Karin Manes  
448 Raging River Mason, MI 48854

cc: City Council members / Zoning and Development Director

