

CITY OF MASON

201 West Ash St.
Mason, MI 48854-0370

City Hall 517-676-9155
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ZONING BOARD OF APPEALS MEETING – 2ND FLOOR TRAINING ROOM

Wednesday, April 9, 2014

5:30 p.m.

Agenda

1. Call to Order
2. Roll Call
3. Approval of Minutes: July 30, 2013
4. Unfinished Business
5. Election of Chair and Vice Chair
6. People from the Floor
7. Announcements
8. Public Hearing
 - A. 640 W. Ash St. – Variance – Side Yard Setback
9. Regular Business
10. Unfinished Business
11. New Business
12. Correspondence
13. Administrator Report
14. Adjournment

**CITY OF MASON
ZONING BOARD OF APPEALS SPECIAL MEETING
MINUTES OF JULY 30, 2013**

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

Board Member(s) Present: Ackerson, Crips, Curtis, Sabbadin, Schaffer (alternate)
Board Member(s) Absent: Maddix (excused), McCormick, Richards (excused)
Also present: David Haywood, Zoning and Development Director

MOTION by Sabbadin, second by Curtis,
to revise the agenda to reflect a special meeting by striking all items except item
numbers 1, 2, 6, 8 and 14 and renumber accordingly.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Variance – 307 S. Rogers St. – Front Yard Setback

Crips opened the public hearing at 5:33 p.m. and invited the applicant to speak.

Bill Sainz introduced himself as the owner and occupant of 307 South Rogers Street. With questions from the Board, he provided the following statements:

- Eighteen additional inches are needed due to an error in his measurements in his 2011 variance request
- Needs additional depth on the porch to make it symmetrical
- Additional depth will make the porch more accessible
- He would like to have the porch and house fixed up for the sesquicentennial

Being there were no other questions for the applicant or public in attendance to provide additional comments the public hearing was closed at 5:40 p.m.

MOTION by Sabbadin, second by Curtis,
to introduce Resolution 2013-01 and consider read.
MOTION APPROVED UNANIMOUSLY

**CITY OF MASON
ZONING BOARD OF APPEALS RESOLUTION NO. 2013-01**

**A RESOLUTION GRANTING A VARIANCE OF 17 FEET FROM THE NORTH FRONT
YARD (EAST MAPLE ST) SETBACK REQUIREMENT ON PROPERTY LOCATED AT 307
SOUTH ROGERS STREET**

July 13, 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 17 feet from the minimum front yard setback requirement on East Maple Street; 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 Table 100-1 of the Mason zoning ordinance requires a minimum 25 foot front yard setback where a lot is located; 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 special meeting of July 30, 2013, 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 17 feet from the minimum front yard setback requirement on East Maple Street as based on the plans received by the Zoning and Development Department on June 19, 2013.

VARIANCE GRANTED

ADJOURNMENT

By consensus, the meeting adjourned at 5:45 p.m.

Deborah J. Cwierniewicz, City Clerk

City of Mason


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MEMORANDUM

TO: Zoning Board of Appeals

FROM: David E. Haywood, Zoning & Development Director 

SUBJECT: Variance Request – 640 W. Ash St. – Side Yard Setback

DATE: April 4, 2014

The City is in receipt of a variance request from Dr. Timothy Zielinski for a building expansion at 640 West Ash Street. At the time of application it was thought that the subject property abutted residentially zoned property to the north. As a result, the notice of public hearing was published in the Community News as required by law. The subject property is located in the O-1 Office zoning district. The side yard setback requirement between office and residentially zoned property is 20 feet. Therefore, the applicant petitioned for a setback of ten feet.

Since that time, staff has discovered that the property does in fact not abut residential property, it abuts property zoned O-1 Office. The setback requirement between O-1 zoning districts is ten feet. Therefore, there is no need to require/grant a variance request relative to this project.

Mr. Zielinski was informed of this situation and promptly refunded his application fee.

Since a public hearing was published in the Community News, we are obligated to have the business listed on our agenda.

Recommended Action:

No action is required. The Chairperson should simply state that the public hearing for this item of business is cancelled as new information has arisen that negates the need for a variance.