

**CITY OF MASON
ZONING BOARD OF APPEALS MEETING
MINUTES OF APRIL 8, 2015**

Maddix called the meeting to order at 5:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan.

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

APPROVAL OF MINUTES

The minutes of the April 9, 2014 special meeting were approved as presented.

ELECTION OF CHAIR AND VICE-CHAIR

Haywood opened the floor for nominations for Chairperson.

Nomination by Maddix,
to elect Doug Crips as Chairperson.

As there were no other nominations for Chairperson, Haywood closed the nominations.

DOUG CRIPS ELECTED CHAIRPERSON UNANIMOUSLY

Haywood opened the floor for nominations for Vice-Chairperson.

Nomination by Richards,
to elect Jim Maddix as Vice-Chairperson.

As there were no other nominations for Vice-Chairperson, Haywood closed the nominations.

JIM MADDIX ELECTED VICE-CHAIRPERSON UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

Variance – 368 S. Park St.

Maddix opened the public hearing at 5:37pm. Maddix 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.

Maddix invited comments from the applicant and asked to present information relative to the request.

Don Burt of Harmon Management, 417 Coppersmith Dr., Mason, and Tammy Foster of Ziemnick Foster Engineering, 12350 Oneida Rd., Grand Ledge, MI, introduced themselves to the Board. Together and with the Board, the following issues were identified and discussed:

- The 24 foot parking lot maneuvering lane width will be maintained
- The only deviation is parking space dimension
- The project will utilize low impact design to reduce run-off
- Building and site will be built to LEED standards, environmentally friendly
- Concerns that granting variance will vehicle damage & liability to City
- No legal opinion on file with the City regarding City liability
- Zoning Ordinance allows 20% of parking spaces to be reduced to 9'x20' where 40 or more parking spaces are required
- A Chevrolet Tahoe is 17 feet long
- The maximum vehicle width is eight feet wide
- Possible requirement to designate spaces for larger vehicles
- Options
 - Table for attorney opinion regarding liability for vehicle damage
 - Conditional approval with attorney opinion in favor of City protection from liability

Being there were no other questions for the applicant or public in attendance to provide additional comments the public hearing was closed at 6:14 p.m.

MOTION by Spenny, second by McCormick, to table the request to April 16, 2015 to afford staff time to obtain a legal opinion that would answer the question as to whether the City would be liable for any damages to vehicles by granting a variance allowing parking spaces to be 9 feet wide by 18 feet deep.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

Board members expressed interest in a workshop in May for training purposes.

NEW BUSINESS

None.

CORRESPONDENCE

None.

ADMINISTRATOR'S REPORT

Haywood gave a brief report of Zoning and Development business.

ADJOURNMENT

By consensus, the meeting adjourned at 6:30 p.m.

Deborah J. Cwierniewicz, City Clerk