

**CITY OF IONIA**  
**Zoning Board of Appeals**  
**December 13, 2012**  
**Meeting Minutes**

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**CALL TO ORDER**

The meeting was called to order by Chairperson Mike Kirgis at 12:05 PM, Thursday, December 13, 2012 in the basement conference room of City Hall.

**ROLL CALL**

Roll call revealed Board Members Jim Denny, Joe Dunn, Mike Kirgis and Jeff Winters present. Board Member Mark Jennings was excused. City Manager Jason Eppler was also present.

Members of the public present included Christy White, David and Laurie White, John Dinehart, Bev Anderson and Lowell Swartz.

**PUBLIC HEARING**

Chairperson Kirgis called the Public Hearing to order. He stated that the purpose of the Public Hearing was to receive comments on the request from Lowell Swartz/Beverly Anderson regarding 524 West Main Street for variances from Section 1282.02(b) of the City Code regarding minimum widths for driveways serving off-street parking areas and from Section 1282.02(f) of the City Code regarding the minimum distance between a driveway to serve an off-street parking area and an adjacent single-family zoned property.

The City Manager reported that notice of the Public Hearing was published in the Thursday, November 29, 2012 edition of the *Sentinel-Standard*. He further stated that notice of the Public Hearing was mailed to those residing or owning property within 300' of the locations where the signs are proposed to be installed. He indicated that the City had received one letter regarding the request from Mr. and Mrs. Daniel White, 530 West Main Street. They expressed concerns regarding the request.

The City Manager provided an overview of the request. He reported that the purpose of the meeting was for the Board to receive comments on the variance requests and then act on them. He stated that the Planning Commission has already approved the site plan for the project subject to the Board approving the variances and the City Council approving the rezoning of the property. He stated that the City Council will be acting on the ordinance to rezone the property at its January 8, 2013 regular meeting.

Laurie White, mother-in-law of Christy White who resides at 530 West Main Street, expressed concerns regarding the safety of her grandchildren based on the additional traffic that will be generated in the driveway at 524 West Main Street should the office use be approved. She stated that the property should not be rezoned since this area of West Main Street is residential with the majority of the buildings located along the north side of West Main Street being residences. She requested that the Board uphold the standards contained in the City Code and deny the variance requests. There was a lengthy discussion among those present regarding the fence proposed for the west side of the Swartz property.

John Dinehart reviewed the site plan with the Board. He stated that the variance requests should be approved based on the fact that the driveway to be utilized for the off-street parking area is existing and that there are only five off-street parking spaces, thus no need for a wider, two-lane access driveway.

Dave White, father-in-law of Christy White who resides at 530 West Main Street, expressed concerns regarding the proposed project, the driveway configuration, the off-street parking area (ie snow storage) and requested that the Board deny the variance requests.

Hearing no additional comments, Chairperson Kirgis close the Public Hearing at 12:38 PM.

PUBLIC COMMENTS

None.

BUSINESS

Request for Zoning Variances for 524 West Main Street – Swartz/Anderson: The City Manager reviewed the variance request with the Board. He noted that pursuant to the City's Zoning Ordinance at least four of the members of the Board must vote in the affirmative to grant the variances. He suggested that the Board deliberate and act on each request separately. He also reviewed with the Board the November 30, 2012 Memorandum prepared by Tim Johnson, Main Street Planning Company, regarding the requests.

*Variance Request – Section 1282.02(b) – Driveway Width:* After discussion, it was moved by Member Winters, seconded by Member Dunn to grant the request from Lowell Swartz/Beverly Anderson for

a variance from Section 1282.02(b) of the City Code thereby permitting the existing driveway at 524 West Main Street, which measures approximately 10 feet in width (rather than the required 25 feet in width), to be utilized to serve an off-street parking lot to service this address based on a finding that the request complies with the standards contained in Section 1244.05 of the City Code based on the driveway being an existing driveway which is specific to this particular property, that the granting of the variance is necessary for the preservation and enjoyment of the property, that the granting of the variance will not be detrimental to the neighborhood and adjacent properties, that the need for the variance is not self-created and that the granting of the variance will not impair the intent and purpose of the Zoning Ordinance.

ROLL CALL	Dunn	Yes	
	Denny	Yes	
	Winters	Yes	
	Kirgis	Yes	MOTION CARRIED.

*Variance Request – Section 1282.02(f) – Driveway Setback:* It was moved by Member Winters, seconded by Member Dunn to grant the request from Lowell Swartz/Beverly Anderson for a variance from Section 1282.02(f) of the City Code thereby permitting the existing driveway at 524 West Main Street, which sits approximately 6 inches (rather than the required 25 feet) from the neighboring residentially zoned property located to the west (530 West Main Street), to be utilized to serve an off-street parking lot to service this address based on a finding that the request complies with the standards contained in Section 1244.05 of the City Code based on the driveway being an existing driveway which is specific to this particular property, that the granting of the variance is necessary for the preservation and enjoyment of the property, that the granting of the variance will not be detrimental to the neighborhood and adjacent properties, that the need for the variance is not self-created and that the granting of the variance will not impair the intent and purpose of the Zoning Ordinance.

ROLL CALL	Denny	Yes	
	Winters	Yes	
	Dunn	Yes	
	Kirgis	Yes	MOTION CARRIED.


MEMBER COMMENTS

Members Dunn, Kirgis and Winters all advised that the next step in the approval process for the Swartz/Anderson proposal to convert the residence at 524 West Main Street from residential to office rests with the City Council as it considers the rezoning of the property from R-1 Single Family Residential District to O Office District.

ADJOURNMENT

Upon a motion by Member Dunn, seconded by Member Winters, the meeting was adjourned at 1:00 PM. MOTION CARRIED.

Respectfully Submitted,



Jason Eppler, Recording Secretary  
for Joe Dunn, Secretary