

CITY OF IONIA
Zoning Board of Appeals
September 19, 2017
Meeting Minutes

CALL TO ORDER

The meeting was called to order by City Manager Jason Eppler at 7:00 PM, Tuesday, September 19, 2017 at City Hall.

The City Manager advised that since this is the first meeting of the Board for 2017, a Chairperson and Secretary need to be selected per the City Code.

It was moved by Member Denny seconded by Member Jennings to select the following officers for 2017:

Chairperson:	Member Kirgis
Vice-Chairperson	Member Denny
Secretary	Member Jennings

MOTION CARRIED.

As in the past, the City Manager or his designee will serve as the Recording Secretary.

Chairperson Kirgis assumed the Chair.

ROLL CALL

Roll call revealed Members Jim Denny, Mark Jennings, and Mike Kirgis present. Member Paul Lentz was excused.

Applicant Tom O'Connor and the City's Planning Consultant, Janis Johnson, were also present.

APPROVE AGENDA

Chairperson Kirgis reviewed the agenda. After review, it was moved by Member Denny, seconded by Member Jennings to approve the agenda as presented. MOTION CARRIED.

APPROVE MINUTES

The Board reviewed the minutes of the August 25, 2015 Zoning Board of Appeals meeting. After review, it was moved by Member Jennings, seconded by Member Kirgis to approve the minutes as presented. MOTION CARRIED.

PUBLIC HEARING

Chairperson Kirgis opened the Public Hearing to receive comments on the request from Tom O'Connor for a non-use variance from Section 1278.03 4(f) of the Nonconforming Lots, Structures and Uses Chapter (Zoning) of the City Code pertaining to 441 North Dexter Street.

Mr. O'Connor reviewed with the Board his request. He stated that the residence at this location is non-conforming and potential buyers of the property (to be used for residential purposes) are having difficulty securing financing based on the portion of this Section that states that a "nonconforming use located in a conforming building or structure shall not be re-established if the building or structure is damaged by fire, wind, act of God or other calamity to the extent that the replacement cost of the building or structure exceeds 60% of the fair market value of the building or structure prior to such damage or destruction.

Mr. O'Connor has requested that if the replacement cost of the building or structure at 441 North Dexter Street exceeds the 60% contained in Section 1278.03 4(f) that the property owner be permitted to rebuild.

OLD BUSINESS:

None.

NEW BUSINESS:

Non-Use Variance Request – O'Connor, 441 North Dexter Street:
Chair Kirgis introduced Mrs. Johnson to review the request with the Board.

After discussion, it was moved by Member Jennings, seconded by Member Denny to grant the request submitted by Tom O'Connor for a non-use variance from Section 1278.03 4(f) of the Nonconforming Lots, Structures and Uses Chapter (Zoning) of the City Code based on the request meeting the standards of approval of a non-use variance as contained in the Memorandum prepared by the City's Planning Consultant and subject to the following conditions:


1. The variance shall apply only to the re-establishment of the single-family residential use of the parcel, and not to any other non-conforming uses as may be established on the parcel.
2. The current non-conforming residential use and re-establishment of a residential non-conforming use shall be subject to all other requirements of Chapter 1278 of the City Code, including, but not limited to, Section 1278.03.
3. The variance shall apply only to the re-establishing of the residential use of the property if such residential structure is damaged by fire, wind, act of God or other calamity, and not to the intentional demolition of the residential structure.

MOTION CARRIED.

MEMBER COMMENTS: None

ADJOURNMENT: It was moved by Member Jennings, seconded by Member Denny, to adjourn the meeting at 7:43 PM. MOTION CARRIED.

Respectfully submitted,



Jason Eppler, Recording Secretary