

Approved: 3/13/08
Clerk: 3/18/08

**MINUTES OF THE REGULAR MEETING
BOARD OF ZONING APPEALS
February 14, 2008 7:30 P.M.
CITY COUNCIL CHAMBERS, 10TH FLOOR CITY HALL**

I. ROLL CALL

The meeting was called to order by Chairman Burgess at 7:30 p.m. Chairman Burgess read the BZA introduction. Roll call was taken.

Present:

B. Burgess A. Frederick G. Swix B. McGrain G. Hilts

Absent: M. Mayberry E. Horne

Staff: S. Stachowiak

A. A quorum of five members was present, allowing voting action to be taken at the meeting.

II APPROVAL OF AGENDA

A. Frederick moved, seconded by G. Hilts to approve the agenda with the addition of “Meeting Location” under new business.

On a voice vote, the motion carried 5-0.

III. HEARINGS/ACTION

A. BZA-3921.07, 3924 Hillborn Lane

This is a variance request by Adrien Nicolas Jr. to construct an enclosed porch addition on the front of the house at 3924 Hillborn Lane that will have a front yard setback of 18 feet. Section 1248.07 of the Zoning Ordinance requires a front yard setback of 26 feet in the “A” Residential district. A variance of 8 feet to the front yard setback requirement is therefore, being requested. Staff recommended approval of the request on a finding that the variance would be consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application, with the condition that the enclosed porch is compatible with the remainder of the house in terms of color, materials and design.

Adrien Nicolas, Jr. spoke in support of his request. He stated that his mother lives at 3924 Hillborn Lane and the enclosure and roof extension is to protect the porch and handicap ramp from the elements to make it safer.

Mr. Burgess asked if anyone else wished to address the Board. Seeing none, the Board

moved into the Committee of the Whole.

Mr. Frederick stated that the practical difficulty is obvious. Since the houses on Hillborn Lane are perfectly in line with one another, there is no flexibility in the ordinance to allow a reasonable improvement such as the one being requested.

Mr. Frederick stated that the reduced setback will not provide much flexibility to the other neighbors who may want to make front porch improvements. He stated that staff should have some administrative ability to permit these types of projects.

G. Hilts moved to approve BZA-3921.07, a variance of 6 feet to the required front yard setback to permit an enclosed front porch at 3924 Hillborn Lane, on a finding that the variance would be consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application, with the condition that the porch be compatible with the remainder of the house in terms of color, materials and design. Seconded by A. Frederick.

VOTE	YEA	NAY
Burgess	X	
McGrain		X
Swix	X	
Hilts	X	
Frederick	X	

Motion carried, 4-1, BZA-3921.07, was approved.

VI. OLD BUSINESS

- A. Rules of Procedure - No action
- B. BZA-3817.04, 1014 S. Pennsylvania Avenue - No action

VII. PUBLIC COMMENT - None

VIII. APPROVAL OF MINUTES

- A. Minutes of Regular Meeting held December 13, 2007

A. Frederick moved, seconded by B. McGrain to approve the minutes of December 13, 2007, as printed.

On a voice vote, the motion carried unanimously (7-0).

IX. NEW BUSINESS

A. Meeting Location

Ms. Stachowiak stated that the City Administration would like to move the evening Board meetings to another location in an effort to save money on security. She stated that the Planning Board has discussed several possible locations for its meetings such as the Library, Scott House, and the neighborhood centers. Ms. Stachowiak stated that an alternative would be to meet much earlier in the day so that security does not have to stay so late. She said that she is not looking for a decision at this meeting. She just wanted to mention it and get some feedback from the Board members.

Mr. McGrain stated that he works during the day and therefore, it would have to be an evening meeting. He also said that he is not sure if the Scott House is barrier free.

Mr. Swix stated that older people may prefer an earlier time so that they do not have to be out after dark.

Mr. Burgess stated that the Board holds public hearings and therefore, the meetings need to be held in the evenings when most people are not working.

Mr. Hilts stated that it is very important to select a facility that is handicap accessible, has ample parking and is centrally located in the city.

Mr. Frederick stated that the Library has a good meeting room. He said that the only issue is that they close at 9:00.

Lansing Community College was mentioned as a possible meeting location.

Ms. Stachowiak said that this matter would be discussed again at the next meeting.

X. ADJOURNMENT AT 8:00 p.m.

Respectfully submitted,

Susan Stachowiak, Zoning Administrator