

**Albion BZA Meeting – Minutes**  
**May 17, 2006**  
**7:00 PM Albion Town Hall**  
**124 S. Orange Street**

**Members Present:** Charles Elser, Stanley Strater, Larry Ellet, and John E. (Jack) Robinson. Also in attendance were Beth Shellman, Town Manager; and Greg DeVille from Better Living Patio and Sunrooms. Absent was member Terry Dazey.

Meeting called to order by Chairman Robinson at 7:00 PM, after recognizing a quorum by roll call.

**Approval of Minutes:** Minutes from the February 15, 2006 regular meeting were approved as received.

**New Business:** BZA Variance Number 2006-03 Elaine Zack, requesting a Variance from Albion Zoning Ordinance Section 5.5 Standard Setbacks and Village of White Oaks plat restrictions, to allow a patio room to be constructed onto the existing residence with a rear setback of 25 feet from the lot line, instead of the minimum required setback of 30 feet; real estate located Lot 11 Village of White Oaks, Section 13, Albion-York Township; common location 716 Taylor Lane.

Proof of legal publication, advertised on May 3, 2006, was presented as was verification of notification to surrounding property owners. A Letter of Authorization was filed by Elaine Zack authorizing Greg Deville to act on her behalf. Jack opened the public hearing at 7:05 p.m. Beth reported letters in support of the Variance were received from Marilyn Morr, Mike Rush and Bud Barton (on file). No written remonstrance was received and no interested parties were in attendance.

Greg DeVille explained there were no utilities in the area they proposed the 5' encroachment into the building setback. The utilities have all been located and will not be near the proposed patio. The Variance is necessary due to the way the house was constructed at an angle and because of the steep hill limiting the useable area of Elaine's back yard. The patio room will replace an existing deck and will not block visibility from any neighboring property.

There being no further comment, the public hearing was closed at 7:12 p.m. and members considered the Findings of Fact. After finding in favor of each finding, Stan Strater made a motion, seconded by Larry Ellet, to approve the Variance as requested. Voice vote determined the motion carried by a 4-in favor, 0-opposed margin. Findings were signed and made a part of the permanent record.

With no further business, Stan Strater moved, seconded by Charlie Elser, to adjourn at 7:17 p.m. Voice vote determined the motion carried by 4-in favor, 0-opposed margin.

---

John (Jack) E. Robinson, Chairman

---

Beth A. Shellman, Secretary