

ALBION BOARD OF ZONING APPEALS REGULAR MEETING MINUTES
April 16, 2014 – Albion Municipal Building

ROLL CALL AND DETERMINATION OF QUORUM: Upon determining a quorum was present, the meeting was called to order at 6:02 p.m. Members present were Scott Cole; Mark Hunter; David Dunn; and Tim Kiebel. Also present were Beth Shellman; Scott Mosley, Max Weber and Bob Braley. Member David Bremer was attending an awards banquet for his son Riley.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the U.S. Flag was recited by all present.

OATH OF OFFICE: For D. Bremer was continued until the next called meeting.

MINUTES FROM PREVIOUS MEETING: A motion was made and seconded (Dunn, Hunter) to approve the August 21, 2013 regular meeting minutes as submitted. Motion carried 4-0 voice vote.

NEW BUSINESS: Variance 2014-01 Grace Christian Church, by Pastor Scott Mosley, requesting a Variance from Section 5.13C., Minimum Off-Street Parking Requirements, Albion Zoning Ordinance, review of conditions imposed on Variance #2010-04 regarding the church holding worship services and other occasional small group meetings with no off-street parking available, instead of the required one off-street parking space for every four seats in the main auditorium; requesting the use to continue without time conditions; real estate located part of Lot 86, Original Plat to Town of Albion, 100 N Orange Street.

Public hearing was opened at 6:04 p.m. Pastor Scott Mosley explained the church is very happy in this location and it is working well. They presently hold Wednesday evening services and Sunday morning services. No parking complaints have been registered since the initial approval in 2010.

No interested parties were in attendance. Three written comments were received prior to this hearing from Tina Craft, Chris Magnuson, and Steve Hagen (all on file). All three letters supported the continuation of the Variance which allows existing on-street parking to be used to meet minimum required parking specifications, as long as the church continues to operate in the evenings and on Sundays. It was stated that church activities between the hours of 8 a.m. and 5 p.m., Monday-Friday would adversely interfere with commercial business parking available in the downtown area.

S. Mosley is requesting Variance approval without a time for review. The church hopes to continue holding services here and is agreeable to conditions restricting them from having daytime activities that interfere with on-street parking for businesses in the downtown area.

There being no further questions, the hearing was closed at 6:09 p.m. Chairman Cole asked members to complete the Findings of Fact (on file). A motion was made and seconded (Hunter, Kiebel) to approve the Variance without time constraints requiring a renewal Variance on the condition that services are not held Monday – Friday between 8 a.m. and 5 p.m. A roll call vote determined the motion carried 4-0 by voice vote.

Special Use 2014-01 Noble Co Properties, by Max Weber, requesting a Special Use from Section 4.1, Authorized Primary Uses; Albion Zoning Ordinance, to allow one apartment on the first floor (west end) of a retail building in a Central Business (CB) Zoning District and to continue using the upstairs for one apartment and first floor (east end) as retail; real estate located part of Lot 113, Original Plat to Town of Albion, 201 S Orange Street.

No interested parties were in attendance and no written comments were filed prior to this hearing. The public hearing was opened at 6:20 p.m. Max Weber explained the first floor of the building has been commercial and the upstairs is one apartment. He proposes to split the first floor into a commercial office on the east end and a 1-bedroom apartment on the west end of the building. He has found the last few tenants never utilized the entire first floor and the large space is not attractive for tenants because they are paying for unused space they don't need.

He has a prospect for the commercial area (201 S Orange St - Suite A), the existing renter will stay in the upstairs apartment (201 S Orange St – Suite B) and he has an interested renter for the 1 bedroom apartment (201 S Orange St – Suite C). All uses have access to a 55' x 66' off-street parking lot with 10 – 12 parking spaces. There are also 3 parking spaces along the north side of the building that can be used.

R. Adair inspected the building and approved the proposed lay-out. The water dept. has approved the installation of a third meter in the building if the zoning is approved.

There being no further discussion, the hearing was closed at 6:29 p.m., board members completed Findings of Fact sheets, and a motion was made and seconded (Hunter, Kiebel) to approve the Special Use. Voice vote determined the motion carried by a vote of 4-0.

Election of Officers for 2014 – Chairman, Vice Chairman and Secretary

A motion was made and seconded (Hunter, Kiebel) to retain Scott Cole as Chairman and to close nominations. Motion carried by 4-0 voice vote.

A motion was made and seconded (Dunn, Kiebel) to elect Mark Hunter as Vice Chairman and to close nominations. Motion carried by 4-0 voice vote.

A motion was made and seconded (Hunter, Dunn) to retain David Bremer as Secretary and to close nominations. Motion carried by 4-0 voice vote.

With no further business, a motion was made and seconded (Dunn, Hunter) to adjourn at 6:36 p.m. and the meeting adjourned.

Scott Cole, Chairman

Dave Bremer, Secretary