

ALBION BOARD OF ZONING APPEALS REGULAR MEETING MINUTES
July 17, 2013

CALL TO ORDER: The Albion Board of Zoning Appeals met at 6:00 p.m. Wednesday July 17, 2013 in the Albion Municipal Building.

ROLL CALL AND DETERMINATION OF QUORUM: Upon determining a quorum was present, the meeting was called to order at 6:00 p.m. Members present were Scott Cole; Mark Hunter; David Dunn; Dave Bremer; and Tim Kiebel. Also present were Beth Shellman; Terry Dazey; petitioner Keith Leatherman; and Leslie Coe.

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

OATH OF OFFICE: Tim Kiebel was sworn in as a member of the Albion BZA (on file at town hall)

ANNOUNCEMENTS: BZA members welcomed Tim Kiebel and presented Terry Dazey with a plaque for his 18 yrs of service to the Albion BZA. It was noted Terry was one of the founding board members and has served the community well during his term.

CONSIDERATION OF MINUTES: A motion was made and seconded (Dunn, Hunter) to approve the June 19, 2013 regular meeting minutes as submitted. Motion carried by a 5-0 voice vote.

NEW BUSINESS: Monarch Development, Inc., requesting to amend Special Use 2012-01 by allowing 5 additional duplex units [10 living units] in a Central Business (CB) Zoning District; Lots 10 & 12 in North Ridge Village Section 2, common location 751 thru 767 Trail Ridge Rd (odd addresses only), Albion. (Note: 9 duplex units [18 living units] approved in 2012)

Cole opened the public hearing at 6:09 p.m. Interested Party Les Coe submitted written comments to the Plan Commission (on file in petitioners file). Les was present but chose not to add any additional comments at this hearing. It was noted the Plan Commission considered the request on July 10th and determined the use fits with the Comprehensive Plan for the area. They unanimously recommend final approval to the Board of Zoning Appeals with the following conditions being addressed before a Building Permit is issued by the Town Manager:

- 1.) Earth work is performed as discussed to divert surface water away from the Coe property by placing a mound along the southern property line of the petitioners and Victoria Lindsey's lots which diverts the water into the proposed detention area. (Lots 7 & 12).
- 2.) Petitioner must satisfy the Albion Water Utility Department in reference to the construction of a detention area as proposed on the northwest portion of Lot 12.
- 3.) Petitioner must satisfy the Albion Street Department in reference to the repair of curbing and the installation of a catch basin on Trail Ridge Rd near the proposed driveway site.

Keith explained his proposed request as Phase 2. Phase 1 was approved in 2012 and consisted of 9 duplex units (18 living units) which will mainly be located on Lot 10. He hopes to complete Phase 2 yet this fall before he starts on Phase 1. Phase 2 will be on the southern portion of Lot 12 with 20' driveway access off Trail Ridge Rd alongside the new asphalt walking path. The walking path was placed over the driveway cut/utility easement installed in 2003 by Monarch Development.

Since the Plan Commission meeting, Keith has decided he may add a 1 car garage to the duplex units. Each unit will remain a 1 bedroom unit with a 1 car attached garage. There will be a brick exterior below the windows on the dwelling units that complies with the covenants of North Ridge.

Keith looked at the dead trees Mr. Coe talked about at the Plan Commission meeting and he noted the trees that are dying are Ash Trees that are affected with the Emerald Ash Borer. Keith will remove the dead trees.

Tim asked why 1 bedroom and who will maintain the grounds and buildings. Keith replied he will maintain the units and properties. Also, he has a waiting list of retired and single people looking for 1 bedroom units to rent. The monthly rental cost for 1 bedroom is quite a bit lower than 2 or 3 bedroom units.

Infrastructure to support this request was installed in 2003 when the North Ridge development started. Phase 2 will consist of 5 duplex units (10 living units) with a private no-outlet drive, approximately 600 square feet per living unit and will rent for \$450 a month to start out. The private drive will access the site off Trail Ridge Rd. A 4" perforated drainage tile installed around the lawn area of the duplex units will outlet ground water into the proposed detention area.

Keith will address drainage concerns of neighbor Les Coe when he starts Phase 2. It is possible for him to mound and reshape the adjacent land to help divert the natural water drainage towards the south. Keith will not increase any water run-off towards Fairhaven/North Woods or Trinity Church. He will install a detention area to the north end of Lot 12 to capture run-off water before it enters the existing 12" tile that leaves Fairhaven and dumps into a 24" tile that crosses under State Rd 9 and then into an open county ditch.

Beth presented a report from the town utility departments. The town has a couple of concerns about the proposed development that need to be addressed prior to a building permit being issued. First item was the drainage from the site. This concern will be satisfied with the proposed plan for the detention area as shown on the plans that is on the northwest area of Lot 12. The other concern is that the walking path be kept open and that the catch basin and curb work be completed on Trail Ridge Rd as discussed with the street crew. The catch basin will be near the proposed driveway access. There is an area of curb in this same vicinity along Trail Ridge Rd that needs to be raised to catch surface water. Keith agreed to address all of these concerns.

There being no further discussion, the public hearing was closed at 6:25 p.m. After adopting Findings of Fact in support of the request, a motion was made and seconded (Bremer, Hunter) to approve with the following conditions being addressed before a Building Permit is issued by the Town Manager:

- 1.) Earth work is performed as discussed to divert surface water away from the Coe property by placing a mound along the southern property line of the petitioners and Victoria Lindsey's lots which diverts the water into the proposed detention area. (Lots 7 & 12).
- 2.) Petitioner must satisfy the Albion Water Utility Department in reference to the construction of a detention area as proposed on the northwest portion of Lot 12.
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Voice vote determined the motion carried by a vote of 5-0.

A motion was made and seconded (Hunter, Bremer) to adjourn. Meeting adjourned at 6:30 p.m.

Scott Cole, Chairman
7-17-13 PC minutes
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Dave Bremer, Secretary