

**Alma Zoning Board of Appeals  
June 27, 2022**

A special meeting of the Alma Zoning Board of Appeals was called to order at 5:02 p.m. by Chairperson David Justin in the Alma Municipal Building. A quorum of the Board was present.

Present: Josh Cromer, Tadd Godfrey, Bill Gorton, David Justin, and Russ Wight.  
Absent: Nina Guerrero.

Also present: Aeric Ripley and Walt Rolston.

**Motion by Godfrey, seconded by Cromer, to approve the minutes of December 21, 2021, as presented.  
Motion carried.**

**Yes: Cromer, Godfrey, Gorton, Justin, and Wight.  
No: none.  
Absent: Guerrero.**

*Variance Request for 211 & 219 Grafton Avenue*

Chairperson Justin noted a public hearing had been called to consider a request for a variance from the front yard setback for the property located at the southeast corner of Grafton Avenue and Austin Street, Alma, parcel #51-032-829-00. The applicant, Real Alliance, LLC is proposing a front yard setback of five feet (5') from Grafton Avenue and an eleven-foot (11') front yard setback from Austin Street at 211 Grafton Avenue. Also, a front yard setback of seventeen feet (17') from Grafton Avenue at 219 Grafton Avenue. The property is zoned R-1, Single Family Residential. R-1 Districts allow single family residential homes as a permitted use. The requested variance will allow the splitting of the parcel to create two new parcels for the two (2) existing homes.

The public hearing was officially opened at 5:05 p.m.

City Manager/Zoning Administrator Aeric Ripley provided background information about the requests for variance. Ripley said this is the second instance of finding two homes on one parcel, which is non-conforming. The parcel split being requested would create non-conforming parcels (in terms of the setbacks); the remaining portion parcel would need to be combined with the adjacent parcel to the south to be a new building lot. If the requests for setback variances are approved by the Zoning Board of Appeals, the request for property splits will move forward to the Planning Commission on July 11, 2022. If setback variances are not granted, the requests to split the parcels cannot be approved. Ripley explained that splitting the parcels would make them easier to sell. If not split, the homes would likely remain as rentals. If both requests are met, the third parcel created would also become a buildable lot.

Chairperson Justin called for public comment. Ripley said he had only received two phone calls asking why they had received notice of the hearing. He explained to both callers the requirements for notice to nearby property owners, and neither caller had further comment.

Gorton asked about the logic for setting setbacks as they are now.

Ripley explained they are standards in most municipalities. Current zoning went into effect in the mid-60's but most homes were built before then, so hardship variances are necessary.

Cromer asked about the third parcel. Ripley explained the third parcel would be comprised of Lots 7 and the remainder of Lot 8 to meet required minimum frontage. Godfrey mentioned rights-of-way would also create an issue.

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Aeric introduced Walt Rolston, Operating Manager, Real Alliance, LLC, to answer additional questions about the request.

Cromer asked how the new lot lines were determined. Rolston explained they met the required criteria of creating new parcels within the available space on an exciting site and the new parcel lines satisfied the LLC.

Additional brief discussion followed. No other comments were offered or received.

**Motion by Godfrey, seconded by Wight, to approve two variances; a five foot (5') front yard setback from Grafton Avenue and an eleven foot (11') front yard setback from Austin Street for 211 Grafton Avenue, and one variance; a seventeen foot (17') front yard setback from Grafton Avenue for 219 Grafton Avenue, the approval is based on the unique circumstance of two existing residential homes on one parcel of property, also based on the following six points included for granting of variances:**

- 1. A parcel division has been requested and will be heard by the Planning Commission on July 11, 2022. Currently there are two homes on one parcel. It is in the public interest and from a zoning standpoint that each home set on its own parcel and have its own parcel identification number. Once the parcels are split the remaining 49.5' of Lot 8 will be combined with Lot 7 to create a new buildable lot in the neighborhood.**
- 2. Single-family dwellings are a permitted use in the R-1 Single Family Zoning District. Only one single family structure is permitted on a parcel in a R-1 Zoning District.**
- 3. The residential homes at 211 and 219 Grafton are currently located on a single parcel. The parcel is a permitted non-conforming parcel. Once the parcel is divided, the two residences will be constant with the other homes in the neighborhood. The requested setbacks will be similar to those in the district.**
- 4. The homes are existing and have been there for many years, they do not conform to today's zoning. Relief from the setbacks is needed to allow for the parcel division, the requested variance from the setbacks is required so the parcels can function as separate parcels and be in compliance with zoning.**
- 5. There are no records as to how two homes were built on one parcel. The sale of the property and the long-term use of the homes is better served as separate parcels. The proximity to Grafton Avenue and Austin Street makes it impossible for the two new parcels (homes) to comply with the zoning requirements, therefore a variance is needed.**
- 6. Without the variance the parcel division is not possible since the existing home will not meet the current setback requirements. The homes have been located on the single parcel for many years, well before current zoning requirements. The sale and sustainability of the parcels is difficult without the parcel division. Without the division the homes will most like stay as rentals.**

**Motion to approve variance requests carried.**

**Yes: Cromer, Godfrey, Gorton, Justin, and Wight.  
No: none.  
Absent: Guerrero.**

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*Other Business*

Ripley noted there will be another request for a variance for the proposed storage units behind the Sun-Up Market. He explained the parcel of property involved used to be a driveway. A variance would create the opportunity for a good use of property that otherwise wouldn't likely be buildable.

**Motion by Cromer, seconded by Gorton, to adjourn the meeting at 5:20 p.m. Motion carried.**

**Yes: Cromer, Godfrey, Gorton, Justin, and Wight.  
No: none.  
Absent: Guerrero.**

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Sara Anderson, Alma City Clerk

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Date of Approval

DRAFT