

**Alma Zoning Board of Appeals
September 6, 2022**

A special meeting of the Alma Zoning Board of Appeals was called to order at 5:00 p.m. by Chairperson David Justin in the Alma Municipal Building. A quorum of the Board was present.

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

Also present: Nick Harrier, Dean Pybus, and Aeric Ripley.

Motion by Godfrey, seconded by Guerrero, to approve the minutes of July 25, 2022, as presented. Motion carried.

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

Variance Request for Parcel 304 Washington Avenue

Chairperson Justin explained a public hearing had been called for consideration of a request for a variance from the front yard setback for 304 Washington Avenue, parcel no. 29-51-344-254-00. The applicant, Nick Harrier, proposes construction of a 1,288 sq. ft. attached garage with a proposed front yard setback of ten (10) feet from Washington Avenue, to match the setback for the existing home.

Justin opened the public hearing at 5:03 p.m.

City Manager/Zoning Administrator Aeric Ripley provided the following background information: garages are permitted if there is already a home on the parcel. The proposed garage meets setback requirements on both sides, and at the back of the lot, and does not exceed the maximum lot coverage for structures of 30%. A building permit will be required before construction can begin.

Ripley noted an email had been received from Dean Pybus with questions about the variance request. Pybus was present at the meeting to review questions not previously answered by Ripley.

Pybus asked about the number of structures allowed on a parcel, saying there were already three or four outbuildings there. Discussion followed about the number of outbuildings and types. Ripley said, in his review, he had only included three (3) outbuildings and wasn't aware of a fourth, but that could have an impact on the maximum lot coverage. Harrier explained one of the buildings was temporary while he worked on a vehicle. There are trailers on the lot but they are not being used for storage. Pybus asked the purpose of the proposed garage, and Harrier responded they would be parking a vehicle there.

Additional discussion followed Cromer's question about measuring the setbacks. Ripley explained they are measured from the property line. Cromer asked for the size of the fourth, temporary, structure, saying it would have to be over 1275 sq. ft. to exceed the 30% restriction. Harrier gave dimensions of the building, and it was determined that the building measured 521 sq. ft. and would not exceed the 30% restriction.

As there were no additional public comments, Chairperson Justin closed the public hearing at 5:11 p.m.

Motion by Gorton, seconded by Godfrey, to grant a request for a front-yard setback variance at 304 Washington Avenue for construction of a garage with a front yard setback of ten (10) feet to match the front yard setback of the existing home. Motion carried.

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

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Variance Request for Parcel 1559 Michigan

Chairperson Justin explained a public hearing had been called for consideration of a request for a variance from the east side yard setback located at 1559 Michigan Avenue, parcel no. 29-51-352-004-00. The applicant, Paul Lux, is proposing construction of a 40' x 80' pole barn to replace an existing 20' x 30' barn. The owner proposed to place the barn on the east property line. The property is zoned R1, single Family Residential. R1 Districts allow garages as a permitted accessory use.

The public hearing was officially opened at 5:14 p.m.

Ripley provided the following information: the proposed barn replaces an existing barn and is a permitted use as there is already a home on the parcel. Setback requirements in front and back are satisfied. The parcel size is five (5) acres, and the new construction would not exceed the 30% maximum lot coverage restriction for structures on the parcel. The owner is proposing the new building be set directly on the lot line and is requesting a variance of the setback requirement. Ripley said the smallest setback he could remember being granted was two (2) feet. He said the setback requirement of five (5) feet on each parcel is meant to meet Fire Code which requires structures to be placed ten (10) feet from other structures.

Wight asked if any comments had been received from neighbors. Ripley said no calls or comments had been received.

Cromer asked if the request was to allow for a driveway. Ripley said there was some space to expand the driveway, but the owner was requesting approval for placing the building on the lot line.

Justin explained there is a fence on the property five (5) feet away from the existing barn. Guerrero asked if the existing fence would be removed. Discussion followed. Godfrey said there were other alternatives to placing the building on the lot line, and he was concerned about setting precedent. Guerrero and Cromer agreed.

Ripley told the group if the request was denied, the property owner wouldn't be prohibited from bringing other plans for approval.

Justin called for final comments. As no other comments were received, the public hearing was closed at 5:25 p.m.

Motion by Godfrey, seconded by Guerrero, to deny the request for a setback variance for proposed construction of a 40' x 80' barn on the east lot line at 1559 Michigan Avenue. Motion to deny the request carried.

Yes: Cromer, Godfrey, Gorton, Guerrero, and Justin.

No: none.

Absent: Wight.

Other Business

No new business was presented, and no public comment was offered or received.

Chairperson Justin adjourned the meeting at 5:28 p.m.

Sara Anderson, Alma City Clerk

Date of Approval