

Zoning Board of Appeals Minutes
June 27, 2007

Chairman John Debrabander called the meeting to order at 7:00 p.m. in the City Hall Council Chambers.

Members present: Randy Gregg, David Rhodabeck and John Debrabander.
Members excused: Steven Laux. There is currently one vacancy on this board.

Also present: Peter Preston, Trinity Engineering and Surveying Services, Inc. Zoning Consultant for the City of Laingsburg.

Moved by Rhodabeck , seconded by Gregg to approve the minutes of May 9, 2007, as presented. Motion carried.

The Zoning Board of Appeals met to consider a variance request from SPS Enterprises, LLC, Haslett, Michigan. The petitioner's variance request: Due to the proposed geometry of cul-de-sac and the narrowness of the parent parcel, Lot 4 and Lot 6 of the proposed Plat of Bates Pointe Subdivision requires a variance in the rear yard setback distance from 35 feet to 25 feet to increase the available buildable area on the lots.

Chairman Debrabander opened the public hearing to receive public input regarding the variance request. There was no public present. The applicant was also absent.

Open discussion was held among the members of the Zoning Board of Appeals and the zoning consultant concerning the petitioned variance for reduction of the rear yard setback for Lots 4 and 6 of the proposed plat. Peter Preston also provided the Zoning Board a description of the history of the proposed plat and where in the process the plat is before the Planning Commission. A staff report outlining the facts of the petition was also provided.

Moved by Rhodabeck, seconded by Gregg to deny the variance request of SPS Enterprises, LLC, as there appears to be no practical difficulties due to unique circumstance of physical conditions of the property. It is understood that a rear yard setback of 35 feet would create a very narrow buildable area on Lots 4 and 6, but other alternatives, such as redesigning the cul-de-sac to the east or west on the existing parcel have not been explored to attain conformity with the Ordinance. Also, being that no practical difficulty or unique circumstance was determined to be present, possible precedent would be set for other future developments utilizing cul-de-sacs if this variance were to be approved. The motion carried unanimously.

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Moved by Rhodabeck, seconded by Debrabander to adjourn. The motion was unanimous and the meeting adjourned at 7:40 p.m.

Lana Kaiser
City Clerk