

Council Chamber
Henry L. Brown Municipal Bldg.
One Grand Street
Coldwater, Michigan



June 21, 2023
4:30 p.m.
(517) 279-9501
www.coldwater.org

**Zoning Board of Appeals Minutes
Regular Meeting**

ATTENDANCE

MEMBERS PRESENT: The meeting was called to order by Chairman Gordon Swan at 4:30 p.m. with the following members present: Dave Sattler, Joseph Hayes and Alternate Member Jim Bilsborrow.

MEMBERS ABSENT: Vice Chair Mike Eddy, Alt Member Jeff Holbrook and Member David Cole.

OTHERS PRESENT: Administrator Jake VanBoxel and Shauna Chávez.

MINUTES

1. Regular Meeting of March 15, 2023.

Board Action: Motion by Member Sattler, and seconded by Member Bilsborrow, to approve the Regular Meeting minutes of March 15, 2023 as presented.

Ayes: 4

Nays: 0

Motion carried.

PUBLIC COMMENTS

- None.

PUBLIC HEARING

Chairman Swan called the public hearing to order at 4:35 p.m.

2. **ZBA23-01** A request from **Brandon & Kyleigh Kafer** located at 82 Western Ave. to consider a dimensional variance from Section 5.13.C.1 and a characteristic variance from Section 5.13.D.1 to install a privacy fence at a height of six ft. (6') in a residential front yard in the A-1 One-Family Residential District.

PUBLIC COMMENTS:

- None.

Notices were sent to all property owners within 300 ft. of the subject parcel and published in the July 30, 2022 edition of the Coldwater Daily Reporter. No comments have been received by City of Coldwater Neighborhood Services Department Staff as of the drafting of this report.

Chairman Swan closed the public hearing at 5:00 p.m.

An affirmative vote of a majority (3/5) of ZBA members is necessary to approve this variance request.

Board Action: Motion by Member Hayes, and seconded by Member Sattler to allow a Dimensional Variance request from Section 5.13.C of the Coldwater Zoning Code to allow a six ft.-tall (6') privacy fence to be placed on the south residential front yard at least three feet north of the feet of the right of way of 82 Western Ave as it meets the following guidelines listed below, as presented.

- A. Special conditions and circumstances do exist which are peculiar to the land.
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. Those rights are keeping his family safe.
- C. The authorization of such variance will not be of substantial detriment to adjacent property and will not naturally impair the intent and purpose of the Zoning Code or the public interest.
- D. The granting of the variance will not confer on the applicant a special privilege.
- E. That the reasons set forth do justify the granting of the variance and the variance is the minimum variance that will make possible the reasonable use of the land.

Ayes: 4

Nays: 0

Motion Carried

OLD BUSINESS

- None.

NEW BUSINESS

- None.

PUBLIC COMMENT

- None.

ADMINISTRATOR'S REPORT

- None.

ADJOURNMENT – Next meeting 4:30 p.m. July 19, 2023.

Noting no other business to come before this Board, Chairman Swan, adjourned the meeting at 5:10 p.m.

A handwritten signature in blue ink that reads "Shauna Chávez". The signature is written in a cursive, flowing style.

Shauna Chávez
City Clerk,CMC