

CITY OF BATTLE CREEK
ZONING BOARD OF APPEALS
10 North Division, Battle Creek, MI 49014
MINUTES FOR MEETING OCTOBER 10, 2023

MEETING CALLED TO ORDER: By Chairperson Moreno at 4:00 p.m.

BOARD MEMBERS PRESENT:

Comm. James Moreno, present
Comm. Michael Delaware, present
Comm. Bill Hanner, present
Comm. Noris Lindsey, present
Comm. Chris Rogers, absent
Comm. Janine Reed, absent
Comm. Reagan Smith, present
Alternate Comm. Jack McCulley, absent

STAFF PRESENT: Melody Carlsen, Administrative Assistant, Travis Sullivan, Planning and Zoning Administrator, Darcy Schmitt, Planning Supervisor, Marcel Stoetzel, Deputy City Attorney.

ATTENDANCE: Chair Moreno asked for attendance to be noted.

ADDITIONS OR DELETIONS: Additions: Proposed 2024 Meeting Dates and Deadlines.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

A) Z08-23 ZONING VARIANCE REQUEST:

Petition from Jim Fish for property located at 31 E Kingman Ave., Battle Creek, MI. Requesting a dimensional (non-use) variance allowing for the paving of more than 40% of the front yard area for the purpose of creating sufficient parking space for two vehicles on an improved driveway. Pursuant to Sections 1261.02 and 1280.03 for Parcel #6810-18-021-0.

Staff Presentation: Travis Sullivan gave the staff report for 31 E Kingman Ave. The applicant, Jim Fish, is petitioning the Zoning Board of Appeals to keep the paved portion of the front yard of the subject property (31 E Kingman Ave., Parcel #6810-18-021-0) in excess of 40% as it currently exists. Planning staff has reviewed these conditions and believes that each condition can be justified in an affirmative manner. Rationale for each condition is provided below and planning staff recommends that the Zoning Board of Appeals approve the dimensional variance (Z-08-23) request allowing for a driveway covering in excess of 40% of the front yard area at 31 E Kingman Ave. to remain as is.

Correspondence: Yes. Correspondence were submitted in favor of the request.

Applicant Presentation: Jim Fish was present to speak and answer questions from commissioners.

Questions from Commission:

James Moreno asked the applicant if he was aware of the limited parking area prior to the purchase of this property.

Public Comment: None.

Internal Board Discussion: None.

MOTION MADE BY MICHAEL DELAWARE FOR THE APPROVAL OF APPEAL #Z08-23. SECONDED BY BILL HANNER.

ROLL VOTE:

Comm. James Moreno	YES
Comm. Michael Delaware	YES
Comm. Bill Hanner	YES
Comm. Noris Lindsey	YES
Comm. Reagan Smith	YES

ALL IN FAVOR, NONE APPOSED. MOTION APPROVED.

APPROVAL OF MEETING MINUTES: September 12, 2023.

MOTION MADE BY BILL HANNER TO APPROVE THE SEPTEMBER 12, 2023 MEETING MINUTES. SECONDED BY MICHAEL DELAWARE.

All in favor signify by saying “eye”.

ALL IN FAVOR, NONE APPOSED. MOTION APPROVED.

2024 PROPOSED MEETING DATES AND DEADLINES

Questions from Commission: None.

MOTION MADE BY MICHAEL DELAWARE TO APPROVE THE 2024 MEETING DATES AND DEADLINES. SECONDED BY BILL HANNER.

All in favor signify by saying “eye”.

ALL IN FAVOR, NONE APPOSED. MOTION APPROVED.

COMMENTS BY THE PUBLIC: None.

COMMENTS BY STAFF AND COMMISSION MEMBERS:

Commissioner James Moreno explained his concern about the applicant purchasing the house and knowing that parking would be limited. As well as safety concerns that could arise with having concrete so close the front door/step.

Bill Hanner thanked staff for their work in helping residents with paving and driveway issues.

Michael Delaware asked if there was a way we could educate the public more about when a permit is needed.

James Moreno reminded the body about the training opportunity presented by staff.

ADJOURNMENT: Chairperson Moreno adjourned the meeting at 4:27 p.m.

Submitted by: Melody Carlsen, Administrative Assistant, Planning and Zoning