

ACME TOWNSHIP
Zoning Board of Appeals
July 10, 2003

Thursday, 7:30 p.m.
Acme Township Hall
Acme, Michigan

Meeting called to Order at 7:05 p.m.

Members present: H. Smith (Vice Chair), L. Belcher, P. Collins, N. Knopf

Members excused: J. Kuncaitis

1. **Review and approval of the agenda, inquiry as to conflicts of interest:** no conflicts noted

Motion by Knopf, support by Belcher to approve the agenda as presented. There being no objection, the Chair cast an unanimous ballot.

2. **Correspondence:** None

3. **Reports:** None

4. **Hearings:**

- a) **Public Hearing on Application #2003-8Z by Bryan Roth, 4222 Circleview Drive for a Change in Use of a Nonconforming Structure and a non-use Variance of Section 7.5.4(1), Off Street Parking Requirements to allow conversion of an existing single family residential structure to professional office use on property currently zoned B-1S. Shoreline District and located at 5251 US 31 North:** Mr. Roth was present in support of his application. Belcher read the hearing notice into the record

Public hearing opened and closed at 7:37 p.m., there being no public comment.

Mr. Roth stated that he will operate only his own office on the subject property. He is a geophysicist for the oil and gas industry. He would like to return the structure to a commercial use; apparently it used to be the office for the Surfside motel before it became the Townsend residence. Belcher asked long it has been since the structure has been used for a full-time residence; it may have been around 3 to 4 years that the property has been under occasional use only. Belcher recalls that when this property was split from the motel into the non-conforming lot there was significant controversy. A home on the south side of the motel became part of the motel, so he sees a trade-off in that one residence became commercial and vice versa. At the time, Mrs. Ruth Townsend pleaded to have the home split off from the motel because it had been her home for a very long time, and she wanted it to be her home forever. Soon after the approval, she stopped living there, so to some extent Belcher feels the township has been "had." Belcher and Knopf both feel that it would be beneficial to have this property, currently an eyesore, be redeveloped.

Knopf asked if it is his intention to take down the building at some point and build fresh; he replied that for now he intends to stop renting property for his business and gain the benefits of ownership. He is in the process of remodeling the existing structure. Belcher asked if the garage will remain, as a parking space is shown within it. Mr. Roth plans to use the indoor parking space; he has made only some minor site revisions to reflect suggestions at the Planning Commission level on June 30.

Belcher asked if Mr. Roth has considered the ability for cars to back out of the parking spaces without backing into US 31. Mr. Roth is confident that the space in front of the garage is sufficient for this purpose; and has done so several times himself. His UPS driver is able to enter and exit the property as well. He has little or no traffic to his office; his primary area of operations is in the Appalachian mountains in the eastern states.

Belcher asked what conditions might be placed by the Planning Commission on the application. Mr. Roth responded that he was asked to widen the handicapped parking space and to remove some asphalt on the south side of the property and create a landscaped area that meshes with Mike Srdjak's plans for redevelopment of the Surfside Motel into condominiums and the landscaping that surrounds it. Belcher would like to ascertain that the building itself will be made to look better, since that is one of the primary considerations in favor of plan approval. Mr. Roth stated that a new roof will be placed on the house next week, including amendments to the roofline to improve the overall appearance.

Motion by Knopf, support by Belcher to approve Application #2003-8Z as presented, all Basic Conditions and Special Condition A having been met. Motion carried unanimously.

5. Other Business:

a) Distribution of new Per Diem payment policy and claim forms: information received and filed.

b) Request for determination of parking requirements: Corpe needs an interpretation of appropriate parking requirements regarding the former Hobart's building, now the Highlite building, at 5700 US 31 N. Each new proposed tenant for the building must be reviewed per the Special Use Permit to ensure that adequate parking and sewer benefits exist for the overall combined usage. Specifically, a fitness center use is proposed, and the parking requirements for this type of use are not specifically defined in the Ordinance. The ZBA suggested using a formula of 1 space for each two people allowed by fire code. Regular retail parking rules will apply to the Acme Christian Thrift Store, which has also recently moved into the building.

6. Approval of minutes from the June 12, 2003 regular meeting:

Motion by Belcher, support by Knopf to approve the minutes of the June 12, 2003 meeting. Motion carried unanimously.

Meeting adjourned at 8:15 p.m.