

# Otsego County Zoning Board of Appeals

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Approved Minutes for April 30, 2019

**Call to Order:** 6:00 pm by Chairperson Sagasser

**Roll Call:**

Present: Chairperson Sagasser, Vice-Chairperson Hoffman, Ms. Bono, Mr. Brown, Mr. Colosimo, Mr. Glasser, Mr. Switalski (*Alternate*)

Absent: Secretary McCarthy

Staff Present: Mr. Churches, Ms. Boyak-Wohlfeil

Public Present: None

**Approval of Minutes from:** September 25, 2018

Motion made to approve minutes as presented by Mr. Glasser; Seconded by Mr. Hoffman.

Motion approved unanimously.

**Citizen Comment Regarding Items not on the Agenda:** None

**Public Hearing:** None

**New Business:**

**1. Interpretation:** Multiple Family Dwellings

Mr. Churches stated Multiple Family Dwellings has been interpreted in the past as allowing multiple residences less than 720 sq ft each on one parcel and he did not interpret the Ordinance that way. He was requesting an interpretation of that section because there has been some interest from a couple different parties and he wanted clarification on the intent of the use. He interpreted a multiple family dwelling as more of an apartment or duplex with more than one dwelling under one roof as opposed to individual structures. He had presented the members with sections of the Ordinance along with definitions not defined in the Ordinance from other state agencies.

Chairperson Sagasser questioned what specifically needed interpretation.

Mr. Churches stated whether multiple single family dwellings less than 720 sq ft each occupying a single parcel was considered a multiple family dwelling.

Vice Chairperson Hoffman questioned if there was a limit to the number of these dwellings on a parcel.

Mr. Churches stated Article 17 set limits on the number of bedrooms in relation to the square footage of the parcel and setbacks for the district.

Mr. Colosimo stated there were specific criteria that had to be met according to that section.

Mr. Churches stated there were and approval from the health department was also required. One such project of this nature had already been approved in Bagley Township and the Township had concerns about the maintenance of the shared septic and future sale of the property. They were currently under one owner and being rented.

Chairperson Sagasser stated just one structure less than 720 sq ft would not be allowed; there would have to be multiple structures.

Vice Chairperson Hoffman stated they would also have to meet required distances between the structures.

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Mr. Churches stated it was essentially a multiple of tiny houses on one parcel and he did not interpret the Ordinance that way.

Mr. Brown stated he did not see it that way either but tiny houses were becoming very popular.

Mr. Switalski stated there was a subdivision of tiny houses near Alanson that resembled a mobile home park but looked very nice.

Ms. Bono questioned if other ordinances had written language for these tiny houses and stated something more specific needed to be added to the Ordinance for that to be allowed.

Mr. Churches stated other ordinances did have language pertaining to them and he had no objection to them; he just did not interpret the current Ordinance as allowing them. The Planning Commission would have to discuss if language were to be added.

Chairperson Sagasser questioned if the project in Bagley Township set precedence or if there were others.

Mr. Churches stated as far as he knew, it was the only one; a site plan for the project was presented for reference.

Mr. Colosimo stated the owners were proposing the same type of project on multiple parcels in the area.

Mr. Glasser questioned Bagley Township's concerns.

Mr. Churches stated they had concerns with the multiple shared septic systems; he had concerns with approval but did not get into them because he had not been around at that time.

Mr. Brown questioned if tiny houses were allowed in the Master Plan.

Mr. Churches stated they were not specifically.

Mr. Brown stated since the Master Plan was being reviewed, it should be discussed and possible language added to the Ordinance.

Chairperson Sagasser questioned if this was permitted in all zoning districts.

Mr. Churches stated it was a permitted use in a R2 Zoning District and a permitted use subject to special conditions in a R3.

Mr. Colosimo stated there was a need for something like this although he did not consider these tiny houses.

Chairperson Sagasser stated they could be compared to apartments divided into separate units.

Vice Chairperson Hoffman stated he recommended the Planning Commission set up a committee to discuss language to coincide with the Master Plan update.

Mr. Glasser stated he was fine with how it had been interpreted; this was not something they could legislate.

Motion made by Mr. Hoffman to interpret Article 17 of the Otsego County Zoning Ordinance allowing multiple single family dwellings less than 720 sq ft to occupy a single parcel until further defined by the Planning Commission; Seconded by Mr. Glasser.

Motion approved unanimously.

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## 2. ZBA By-Laws -Amend

Mr. Churches stated there were a few minor amendments that needed to be made to the Zoning Board of Appeals By-Laws related to section additions and numbering.

Motion made by Mr. Glasser to amend the ZBA By-Laws as presented; Seconded by Mr. Hoffman.

Motion approved unanimously.

## 3. Elections

Motion made by Mr. Brown to nominate Mr. Sagasser for another term as Chairperson; Seconded by Mr. Hoffman.

Motion approved unanimously.

Motion made by Ms. Bono to nominate Mr. Hoffman for another ~~term~~ term as Vice Chairperson; Seconded by Mr. Brown.

Motion approved unanimously

Motion made by Ms. Bono to nominate Mr. McCarthy for another ~~term~~ term as Secretary; Seconded by Mr. Brown.

Motion approved unanimously.

Chairperson:	Mr. Sagasser
Vice Chairperson:	Mr. Hoffman
Secretary:	Mr. McCarthy

## 4. Expiring Terms:

### a. Colosimo – 2018

Motion made by Mr. Hoffman to recommend reappointment of Mr. Colosimo to another Zoning Board of Appeals term; Seconded by Ms. Bono.

Motion approved unanimously.

### b. Bono – 2019

Ms. Bono stated she was declining reappointment to the Zoning Board of Appeals; she was planning on moving in the near future.

### c. McCarthy – 2019

Motion made by Ms. Bono to recommend reappointment of Mr. McCarthy to another Zoning Board of Appeals term; Seconded by Mr. Hoffman.

Motion approved unanimously.

## 5. New Member (*Alternate*) – Recommendation

Mr. Churches stated Tim Miller had applied to the Zoning Board of Appeals as an alternate member but since Ms. Bono was resigning, he would become a regular member.

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Motion made by Mr. Glasser to recommend appointment of Mr. Miller to the Zoning Board of Appeals; Seconded by Mr. Brown.

Motion approved unanimously.

**Old Business:** None

**Communications:** None

**ZBA Member Items:** None

Motion made by Mr. Glasser to adjourn the meeting; Seconded by Ms. Bono.

Motion approve unanimously.

**Adjournment:** 6:55 pm by Chairperson Sagasser

Mike McCarthy, ZBA Secretary

Christine Boyak-Wohlfeil, Recording Secretary