

MANISTEE CITY ZONING BOARD OF APPEALS

70 Maple Street
P.O. Box 358
Manistee, MI 49660

MEETING MINUTES

September 15, 1998

A meeting of the Manistee City Zoning Board of Appeals was held on Tuesday, September 15, 1998 at 5:30 p.m. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 5:32 p.m. by Chair Ed Grabowski who introduced new member Ray Rutkowski.

MEMBERS PRESENT: Ed Grabowski, Mary Ann Johnson, Ray Rutkowski, John Serocki

MEMBER ABSENT: None

ALTERNATE ABSENT: Robert Johnson

OTHERS PRESENT: Kendra Thompson Architect, Rick Scharick (CC&P Developers), and Jon Rose (Community Development Officer)

PUBLIC HEARING:

Kendra Thompson Architect - Shipwatch Phase II

Kendra Thompson is the Architect who is representing CC&P Developers, Inc. requesting variances for the construction of Shipwatch Phase II Condominiums (parcel code #51-51-211-130-00). Six variances are requested and they are as follows:

1. Increase the allowable height from 30 feet to 32 feet.
2. Reduction in waterfront set-back from 50 feet to 15 feet.
3. Reduce the east side-yard set-back from 10 feet to 1' 4".
4. Reduce the west side-yard set-back from 10 feet to 0.
5. Variance to eliminate the requirement for public street frontage.
6. Variance to reduce the density requirements from 2,700 square feet of parcel area per unit to 1,884 square feet of parcel area per unit.

Public hearing closed at 5:51 p.m.

BUSINESS SESSION:

Minutes

MOTION by M. Johnson, seconded by R. Rutkowski that the minutes of the September 3, 1998 Zoning Board of Appeals Meeting be approved. Minutes were approved unanimously.

Kendra Thompson Architect - Shipwatch Phase II

A public hearing was held earlier regarding the request for six variances from Kendra Thompson Architect on behalf of CC&P Developers, Inc. each variance is handled separately.

Height Limitation

Ms. Thompson is requesting a variance to increase the allowable height from 30 feet to 32 feet for the construction of Phase II Shipwatch Condominiums.

MOTION by J. Serocki seconded by M. Johnson that a variance be granted to increase the allowable height from 30 feet to 32 feet to construct Phase II of Shipwatch Condominiums. This motion was made with the following findings of fact:

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands structures, or buildings in the same Land Use District.

The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the Land Use District under the terms of this Ordinance.

The special conditions and/or circumstances are NOT the result of actions taken by the applicant or the previous property owner since adoption of the current Ordinance.

Granting of the variance would be in harmony with the general purpose and intent of the Ordinance and would NOT be injurious to the neighborhood, or otherwise detrimental to the public welfare?

MOTION WAS PASSED UNANIMOUSLY

Waterfront Set-Back

Ms. Thompson is requesting a variance for a reduction in the waterfront set-back from 50 feet to 15 feet for the construction of Phase II Shipwatch Condominiums.

MOTION by R. Rutkowski, seconded by J. Serocki that a variance be granted to reduce the waterfront set-back from 50 feet to 15 feet to construct Phase II of Shipwatch Condominiums. This motion was made with the following findings of fact:

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands structures, or buildings in the same Land Use District.

The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the Land Use District under the terms of this Ordinance.

The special conditions and/or circumstances are NOT the result of actions taken by the applicant or the previous property owner since adoption of the current Ordinance.

Granting of the variance would be in harmony with the general purpose and intent of the Ordinance and would NOT be injurious to the neighborhood, or otherwise detrimental to the public welfare?

MOTION WAS PASSED UNANIMOUSLY

East Side-Yard Set-Back

Ms. Thompson is requesting a variance to reduce the east side-yard set-back from 10 feet to 1'4" for the construction of Phase II Shipwatch Condominiums.

MOTION by R. Rutkowski, seconded by M. Johnson that a variance be granted to reduce the east side-yard set-back from 10 feet to 1' 4" to construct Phase II of Shipwatch Condominiums. This motion was made with the following findings of fact:

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands structures, or buildings in the same Land Use District.

The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the Land Use District under the terms of this Ordinance.

The special conditions and/or circumstances are NOT the result of actions taken by the applicant or the previous property owner since adoption of the current Ordinance.

Granting of the variance would be in harmony with the general purpose and intent of the Ordinance and would NOT be injurious to the neighborhood, or otherwise detrimental to the public welfare?

MOTION WAS PASSED UNANIMOUSLY.

West Side-Yard Set-Back

Ms. Thompson is requesting a variance to reduce the west side-yard set-back from 10 feet to 0 for the construction of Phase II Shipwatch Condominiums.

MOTION by R. Rutkowski seconded by J. Serocki that a variance be granted to reduce the west side-yard set-back from 10 feet to 0 to construct Phase II of Shipwatch Condominiums. This motion was made with the following findings of fact:

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands structures, or buildings in the same Land Use District.

The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the Land Use District under the terms of this Ordinance.

The special conditions and/or circumstances are NOT the result of actions taken by the applicant or the previous property owner since adoption of the current Ordinance.

Granting of the variance would be in harmony with the general purpose and intent of the Ordinance and would NOT be injurious to the neighborhood, or otherwise detrimental to the public welfare?

MOTION WAS PASSED UNANIMOUSLY

Requirement for Public Street Frontage

Ms. Thompson is requesting a variance to eliminate the requirement for public street frontage for the construction of Phase II Shipwatch Condominiums.

MOTION by M. Johnson, seconded by J. Serocki that a variance be granted to eliminate the requirement for public street frontage to construct Phase II of Shipwatch Condominiums. This motion was made with the following findings of fact:

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands structures, or buildings in the same Land Use District.

The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the Land Use District under the terms of this Ordinance.

The special conditions and/or circumstances are NOT the result of actions taken by the applicant or the previous property owner since adoption of the current Ordinance.

Granting of the variance would be in harmony with the general purpose and intent of the Ordinance and would NOT be injurious to the neighborhood, or otherwise detrimental to the public welfare?

MOTION WAS PASSED UNANIMOUSLY.

Reduce Density Requirement

Ms. Thompson is requesting a variance to reduce the density requirement from 2,700 square feet of parcel area per unit to 1,884 square feet of parcel area per unit for the construction of Phase II Shipwatch Condominiums.

MOTION by J. Serocki seconded by M. Johnson that a variance be granted to reduce the density requirement from 2,700 square feet of parcel area per unit to 1,884 square feet of parcel area per unit for the construction of Phase II Shipwatch Condominiums. This motion was made with the following findings of fact:

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands structures, or buildings in the same Land Use District.

The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the Land Use District under the terms of this Ordinance.

The special conditions and/or circumstances are NOT the result of actions taken by the applicant or the previous property owner since adoption of the current Ordinance.

Granting of the variance would be in harmony with the general purpose and intent of the Ordinance and would NOT be injurious to the neighborhood, or otherwise detrimental to the public welfare?

MOTION WAS PASSED UNANIMOUSLY.

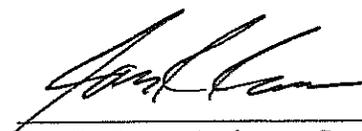
ADJOURNMENT

There being no further business a motion to adjourn was made by M. Johnson, seconded by R. Rutkowski.

APPROVED UNANIMOUSLY.

Meeting adjourned at 6:03 p.m.

Respectfully Submitted



Jon R. Rose, Acting as Secretary