

**MANISTEE CITY ZONING BOARD OF APPEALS**  
70 Maple Street  
P.O. Box 358  
Manistee, MI 49660

**MEETING MINUTES**

July 22, 1999

A meeting of the Manistee City Zoning Board of Appeals was held on Thursday, July 22, 1999 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 5:30 p.m. by Chairman Ed Grabowski.

**MEMBERS PRESENT:** Ed Grabowski, Mary Ann Johnson, John Perschbacher, and John Serocki,

**ALTERNATE PRESENT:** Mark Wittlief

**OTHERS PRESENT:** Mrs. Lois Misico (510 Kosciusko Street), Mark Niesen (Building Inspector) and Jon Rose (Community Development)

**PUBLIC HEARING:**

**John & Lois Misico**

John & Lois Misico, 510 Kosciusko Street are requesting a variance to the accessory structure height limitation from 14 feet to 19 feet and a variance to the sidewall height limitation from 10 feet to 12 feet for the construction of a detached garage.

Jon Rose read a fax received from John Dingeman who owns the property east of 219 Fifth Street. Mr. Dingman objects to the increase in height for the garage if it is going to block the billboards of Lamar Advertising located on his property.

Mr. Niesen stated that the new construction would not interfere with viewing the billboard.

There being no further discussion the public hearing closed at 5:36 p.m.

**BUSINESS SESSION:**

**Minutes**

**MOTION** by Mary Ann Johnson, seconded by John Perschbacher that the minutes of the June 15,

1999 Zoning Board of Appeals be approved. Minutes were approved unanimously.

John & Lois Misico - Accessory Height

A public hearing was held earlier in response to a request from John & Lois Misico, 510 Kosciusko Street for a variance to accessory structure height limitation from 14 feet to 19 feet to construct a detached garage.

MOTION by John Serocki, seconded by Mary Ann Johnson that a variance to accessory structure height limitation of 14 feet to allow construction of a detached garage with a height of 19 feet be granted. 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 PASSED UNANIMOUSLY.

John & Lois Misico - Sidewall Height/Accessory Structure

A Public Hearing was held earlier regarding the request from John & Lois Misico for variance to the sidewall height limitation from 10 feet to 12 feet for the construction of a detached garage.

MOTION by John Perschbacher, seconded by Mark Wittlief that a variance to increase the sidewall height limitation from 10 feet to 12 feet for the construction of a detached garage be granted. 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 PASSED UNANIMOUSLY.

**ADJOURNMENT:**

There being no further business a motion to adjourn was made by Mary Ann Johnson, seconded by John Serocki

MOTION APPROVED UNANIMOUSLY.

Meeting adjourned at 5:43 p.m.

Respectfully Submitted



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Jon R. Rose, Acting as Secretary