

MANISTEE CITY ZONING BOARD OF APPEALS

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

MEETING MINUTES

November 18, 1999

A meeting of the Manistee City Zoning Board of Appeals was held on Thursday, November 18, 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, John Serocki, Mark Wittlief

MEMBERS ABSENT: None

ALTERNATE PRESENT: Brenda Alfred- Birks

ALTERNATE ABSENT: None

OTHERS PRESENT: Sharon Monnot, Floyd Yoder and Mark Niesen (Building and Zoning)

Members welcomed new Alternate Member Brenda Alfred-Birks to the Board.

PUBLIC HEARING:

Sharon Monnot

Sharon Monnot, 489 Water Street would like to construct a detached garage with a storage space above. The request is for a variance to height limitation of accessory structure from 14 feet to 21 feet.

Ms. Monnot said she wished to make the garage higher for storage purposes. She has spoken to the neighbor who has a rental to the east who has no objection and submitted a letter from her other neighbor Mr. & Mrs. Richard Franckowiak which said they had no objection.

Members were given a copy of a letter received from David S. Vavra owner of 478 - 480 First Street who is opposed to the request.

John Serocki stated that the house and garage could not be connected unless another variance were obtained. Ms. Monnot agreed.

Mark Niesen spoke of the proposed ordinance amendment to the height requirement of accessory structures that the Planning Commission has approved and forwarded to City Council for adoption. This amendment would change Section 1070.C.1 Location of Accessory Buildings and Structures to read:

“shall not be higher than fourteen (14) feet tall unless a higher roof is approved by Historic Overlay Design Review Committee to achieve architectural compatibility with the principal building, and side walls shall not be more than ten (10) feet tall,”

The roof pitch of Ms. Monnot’s home would under the amended ordinance have allowed her to go to the Historic Overlay Design Review Committee for approval for architectural compatibility. If approve this would allow the storage area.

There being no further discussion the public hearing closed at 5:38 p.m.

BUSINESS SESSION:

Minutes

MOTION by John Serocki, seconded by Mary Ann Johnson that the minutes of the October 7, 1999 Zoning Board of Appeals be approved. Minutes were approved unanimously.

John Perschbacher apologized for missing the last meeting.

Sharon Monnot

A Public Hearing was held earlier regarding the request from Sharon Monnot, 489 Water Street for a variance to height limitation of accessory structure from 14 feet to 21 feet to construct a detached garage with storage space above.

MOTION by Mark Wittlief, seconded by John Perschbacher that a variance to allow height increase from 14 feet to 21 feet to construct a detached garage be approved. 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 APPROVED UNANIMOUSLY.

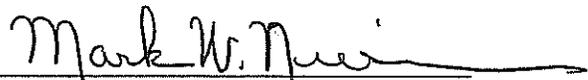
ADJOURNMENT:

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 5:48 p.m.

Respectfully Submitted


Mark W. Niesen, Acting as Secretary