

MANISTEE CITY ZONING BOARD OF APPEALS

70 Maple Street, P.O. Box 358

Manistee, MI 49660

MEETING MINUTES

November 19, 2001

A meeting of the Manistee City Zoning Board of Appeals was held on Monday, November 19, 2001 at 5:30 p.m. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

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

ALTERNATE ABSENT: Marlene McBride

ALTERNATE PRESENT: Bill Kracht

OTHERS PRESENT: Ray Fortier, Alex Zielnski (132 Ford Street), Rick Lonsbury (Builder), Jon Rose, Dominic Rose and Mark Niesen (Building and Zoning)

The meeting was called to order at 5:30 p.m. by Chairman Ed Grabowski

Welcome new Alternate Member Bill Kracht.

Jon Rose explained to the Members of the Zoning Board of Appeals the role of the Historic Overlay Review Committee. Mr. Rose showed members the Historic Overlay District and explained that any project within that area is required to have approval by the Historic Overlay Review Committee even if a variance is received from the ZBA.

Mr. Rose clarified that in the event a person is building an accessory structure to match the existing roof pitch of the primary structure they have the option to ask for approval from the Historic Overlay Review Committee for approval to waive the 14 foot height requirement. **This only applies to applicants for aesthetic purposes.**

In the event that a person is building an accessory structure higher than the 14 foot height limitation and this is NOT for aesthetic purposes they would need to apply for a variance from the Zoning Board of Appeals.

If a person needs additional variances other than the height variance they can waive the option to go before the Historic Overlay Review Committee and make a request to the ZBA for all the variances necessary to

proceed with the project. They are NOT required to ask the Historic Overlay Review Committee for approval. The Zoning Board of Appeals is the "last stop" for requests.

PUBLIC HEARING:

Alex Zielinski, 132 Ford Street

Alex Zielinski is requesting a variance to the side-yard set-back from 10 feet to 4 feet to construct an attached garage. If approved Mr. Zielinski will demolish an existing shed that is located in the area the proposed garage will be built.

Rick Lonsbury is the contractor for Mr. Zielinski. Mr. Lonsbury explained the garage addition is be used for off street parking and storage. Ed Grabowski asked how they would tie the roof into the existing structure. Mr. Lonsbury said that they would remove some of the existing roof that is in poor condition and replace with new lumber. Bill Kracht asked about the roof line. Mr. Lonsbury said that they would continue the existing lines. Mark Niesen explained the fire code required by the building code for separation between the primary structure and the garage. John Serocki asked if they would have room to construct the garage on the south side of the home. Mr. Lonsbury said that there was not enough room.

There being no further discussion the public hearing closed at 5:50 p.m.

BUSINESS SESSION:

Minutes

MOTION by John Perschbacher, supported by Mary Ann Johnson that the minutes from the October 26, 2001 meeting be approved.

MOTION APPROVED UNANIMOUSLY.

Alex Zielinski, 132 Ford Street

A public hearing was held earlier in response to a request from Alex Zielinski for a variance to the side-yard set-back from 10 feet to 4 feet to construct an attached garage.

MOTION by John Serocki, seconded by John Perschbacher that the request from Mr. Zielinski for a variance to the side-yard set-back from 10 feet to 4 feet to construct an attached garage be approved. with the following condition:

1. A fire wall must be provided on the West Side of the Garage, from sill plate to deck underlayment as required by the Building Inspector.

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

OTHER BUSINESS:

None

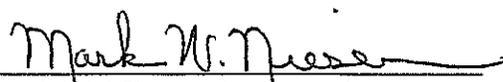
ADJOURNMENT:

There being no further business MOTION by Mary Ann Johnson, seconded by Mark Wittlief that the meeting be adjourned.

MOTION PASSED UNANIMOUSLY.

There being no further business meeting adjourned at 5:55 p.m.

Respectfully Submitted


Mark W. Niesen, Acting as Secretary