

MANISTEE CITY ZONING BOARD OF APPEALS

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

MEETING MINUTES

December 13, 2001

A meeting of the Manistee City Zoning Board of Appeals was held on Thursday, December 13, 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 PRESENT: Bill Kracht

ALTERNATE ABSENT: Marlene McBride

OTHERS PRESENT: Portia Smith, and Mark Niesen (Building and Zoning)

The meeting was called to order at 5:31 p.m. by Chairman Ed Grabowski

PUBLIC HEARING:

Portia Smith - 337 First Avenue

Portia Smith owns the house at 337 First Avenue. Ms. Smith would like to construct a porch onto the front of the existing house. In order to construct the porch Ms. Smith requires a variance from the Zoning Board of Appeals to reduce the front-yard set-back from 58 feet from the centerline of the street to 37 feet.

Ed Grabowski asked Portia Smith to explain her plans. Ms. Smith stated that the existing upper floor was being raised to make the front of the house a full two story. She said that the back may be raised some also. Mr. Serocki said that she would need a variance to the to do the back portion of the house. Mr. Serocki said that she may also need a variance to the side-yard set-back if the west side of her house encroached into that set-back now. Ms. Smith said she wanted the porch to extend to the front west corner of the house and wrap around the east side of the house. The board discussed the close proximity of some of the neighboring houses to the sidewalk.

There being no further discussion the public hearing closed at 5:46 p.m.

BUSINESS SESSION:

Minutes

MOTION by John Perschbacher, supported by Mary Ann Johnson that the minutes from the November 19, 2001 meeting be approved.

MOTION APPROVED UNANIMOUSLY

Portia Smith - 337 First Avenue

A public hearing was held earlier in response to a request from Portia Smith for a variance to reduce the front-yard set-back from 58 feet from the centerline of the street to 37 feet to construct a porch.

MOTION by John Serocki, seconded by John Perschbacher that the request from Ms. Smith for a variance to the front-yard set-back from 58 feet to 37 feet from the centerline of the street to construct a porch be approved with the condition that the west end of the porch remain in line with the west side of the house.

Mark Niesen read a letter received from James & Marilyn Galer, 329 Monroe Street stating they had no problem with the proposed variance request.

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

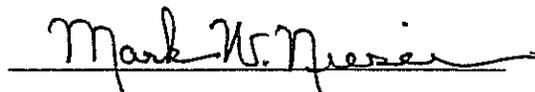
ADJOURNMENT:

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

MOTION PASSED UNANIMOUSLY.

There being no further business meeting adjourned at 6:02 p.m.

Respectfully Submitted



Mark W. Niesen, Acting as Secretary