

**CITY OF MANISTEE
ZONING BOARD OF APPEALS**

City Hall
70 Maple Street
Manistee, MI 49660

There will be a meeting of the City of Manistee Zoning Board of Appeals to be held on Monday, July 27, 1998 at 5:30 p.m. in the Council Chambers, 70 Maple Street, Manistee, Michigan.

AGENDA

- I. Roll Call

- II. Matters Pertaining to the General Citizenry:
 - A. Public Hearing:
 - 1. Dave Yonkman
 - 2.
 - B. Questions, Concerns of Citizens in Attendance:
 - 1.
 - 2.

- III. Business Session:
 - A. Approval of Minutes (6/11/98)
 - B. Unfinished Business:
 - 1. Dave Yonkman
 - 2.
 - C. Other Business:
 - 1.
 - 2.

- IV. Work/Study Session:

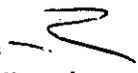
- V. Adjournment

cc: Zoning Board of Appeals Members
Lori Donnan, Administrative Assistant
Jon R. Rose, Community Development Officer
Julie A. Beardslee, City Assessor
R. Ben Bifoss, City Manager
Bruce Gockerman, City Attorney

CITY OF MANISTEE

MEMORANDUM

TO: Board of Appeals Members

FROM: Jon R. Rose 
Community Development Officer

DATE: July 20, 1998

RE: Board of Appeals Meeting Monday, July 27, 1998

We have scheduled a Zoning Board of Appeals Meeting on Monday, July 27, 1998 at 5:30 p.m. in the Council Chambers.

The Board of Appeals Meeting is being held in response to a request from Dave Yonkman, 340 Sixth Street. Mr. Yonkman has re-built a porch at his residence and discovered that he needed a building permit and a variance. Enclosed is his request for a variance to the side-yard set-back from 10 feet to 3 feet six inches. The north wall of Mr. Yonkman's home is closer to the property line than the porch that he is requesting a variance for. A copy of his request is enclosed for your review.

Rick Tetsworth is unable to make the meeting because of his work schedule. If you are unable to attend the meeting please call Denise at 723-2558. See you at the meeting!

JRR:djm

Enclosures

REQUEST FOR APPEAL

CITY OF MANISTEE
ZONING BOARD OF APPEALS

David Yonkman

Name

340 6th St

Address

Manistee Mi 49660

City, State and Zip Code

Phone Numbers (Work) _____

(Home) 616 723 4988

FOR OFFICE USE ONLY

Appeal Number 9809

Date Received 7.17.98

Tax Parcel Number 51-51-647-706-09

Fee Received (Amt & Date) 150.00 7.17.98

Receipt Number 1879

Hearing Date _____

Board of Appeals Action _____

FEE FOR APPEAL \$150.00

PLEASE NOTE: All questions must be answered completely. If additional space is needed, number and attach additional sheets.

I. ACTION REQUESTED:

I. (We), the undersign request a hearing before the Manistee City Zoning Board of Appeals for the purpose indicated below:

- Ordinance or Map Interpretation
- Appeal from Administrative Decision
- Variance
- Other Authorized Review

II. PROPERTY INFORMATION:

A. Legal description of property affected by this appeal: _____

Tax Roll Parcel Code #: 51-51-647-706-09

B. List of all deed restrictions (attach additional sheets if necessary): None

C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land: WWSavings & Trust

D. This area is: Not platted, Platted, Will be Platted

If Platted, Name of Plat: _____

E. Attach a site plan drawn to the scale of one (1) inch equals ten (10) feet, showing all existing structures on the property, all proposed structures and marking those structures that will be removed or razed. Also the general shape, size and location of all existing structures within 100 feet of the property along with their uses shall be depicted on the site plan, along with all abutting roads, streets, alleys or easements.

- F. Present use of property is: Residential
- G. Present zoning district classification of the property is: _____
- H. A previous appeal (~~has~~/has not) been made with respect to these premises in the last _____ years. If a previous appeal, re-zoning or special use permit application was made, state the date, nature of action requested and the decision:
Date: _____ Action Requested: _____
- Decision (approved/ denied) other: _____

III. DETAILED REQUEST AND JUSTIFICATION

- A. Interpretation of Zoning Ordinance or Map
- ~~The appellant respectfully requests the Board of Appeals make an interpretation of:
 (A) The location of district boundaries on the _____ Zoning District map as applied to the property described in the application.
 (B) The provisions of article _____ Section _____ of the Manistee City Zoning Ordinance.
 (C) Other, (specify) _____~~
 - ~~Please describe in detail the nature of the problem to be interpreted and the reason for the request: _____~~

- B. Variance from the requirements of the Zoning Ordinance.
The appellant respectfully requests the Board of Appeals grant a variance on the above described property.
- Indicated below are the Ordinance requirement(s) which are the subject of the variance request.

<input type="checkbox"/> Setback	<input checked="" type="checkbox"/> Side Yard	<input type="checkbox"/> Off-street Parking
<input type="checkbox"/> Lot Coverage	<input type="checkbox"/> Placement	<input type="checkbox"/> Height
<input type="checkbox"/> Signs	<input type="checkbox"/> Area Requirements	<input type="checkbox"/> Other _____
 - State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Ordinance. Rebuild Original Porch that rotted off many years ago
 - Describe the characteristics of your property which require the granting of a variance (include dimensional information).

<input checked="" type="checkbox"/> Too Narrow	<input type="checkbox"/> Elevation	<input type="checkbox"/> Soil
<input type="checkbox"/> Too Small	<input type="checkbox"/> Slope	<input type="checkbox"/> Subsurface
<input type="checkbox"/> Too Shallow	<input type="checkbox"/> Shape	<input type="checkbox"/> Other (Specify)

4. Justification for granting the requested variance. The appellant must show that strict application of the provisions of the Zoning Ordinance to his property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the ordinance. In order for the Board of Appeals to determine whether unnecessary hardship exists, the appellant should provide answers to each of the following questions:
- a. Can the property in question be used in a manner permitted by the Zoning Ordinance if a variance is not granted? yes no
If no, what unnecessary hardship or practical difficulty will result if the variance is not made? _____
- b. To the best of your knowledge, can you affirm that the hardship or practical difficulty described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance or applicable part thereof became law? yes no
If no, explain why the hardship or practical difficulty should not be regarded as self-imposed (Self-imposed hardships are not entitled to variances). _____
- c. Are the conditions on your property the result of other man-made changes (such as relocation of a road or highway?) yes no
If yes, describe _____
- d. Will strict application of the terms of the ordinance deny use of the property for any purpose to which its reasonably adapted? yes no
If yes, how? _____
- e. Is the variance applied for due to unique circumstances presented on your property or to the general conditions in the area? yes no
If yes, explain any peculiar or unique conditions, and how many other properties in your area are similarly affected Rebuild of
Remodal existing houses
- f. Would granting the variance change the essential character of the area?
 yes no. If yes, how? _____
- g. Would granting the variance be contrary to any county development plans?
 yes no. or to any local government development plans?
 yes no. Explain _____
- h. Would granting the variance be contrary to the intent and purpose of the Zoning Ordinance? yes no. If yes, explain _____
- i. Other Comments in support of the application. _____

C. Appeal from Administrative decision.

The appellant respectfully requests the Board of Appeals to (reverse/modify) the Zoning Administrator's decision (copy attached) on application number _____ dated _____. It is alleged the Zoning Administrator erred in (the interpretation of article _____ section _____ / his order/his requirement/ his decision/ his determination) regarding the issuance of a _____ permit and that (reversal/modification) of said decision should be granted because _____

Specify decision sought: _____

D. Other authorized reviews

The appellant respectfully petitions the Board of Appeals to grant the following: _____

According to the conditions and provisions of article _____ section _____ granting this authority to the Board of Appeals. Specifically state the problem, decision sought and the justification for the request. _____

IV. IMPACT ON SURROUNDING LANDS

If your request is granted:

A. What are likely to be the positive and negative impacts of this decision on the surrounding land and neighbors? Fast improvement, more

people/owners should do this.

B. How do you propose to minimize any potential negative impacts which your proposed activity may cause? _____

V. AFFIDAVIT

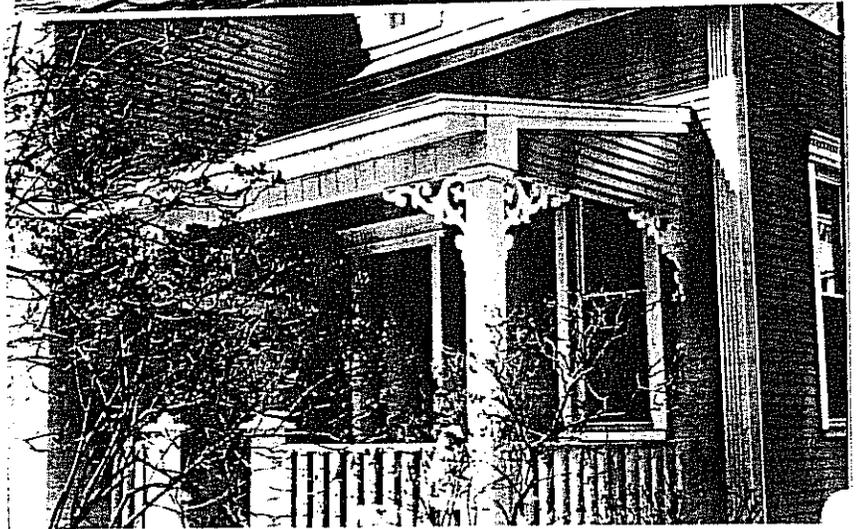
The undersigned acknowledges that if a variance is granted or other decisions favorable to the undersigned is rendered upon this appeal, the said decision does not relieve the applicant from compliance with all other provisions of the City of Manistee Zoning Ordinance; the undersigned further affirms that he/she or they is (are) the (owner/lessee/authorized agent for the owner) involved in the appeal and the answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his, her or their knowledge and belief.

Signature [Handwritten Signature]

Date Jul 16 98

Signature _____

Date _____

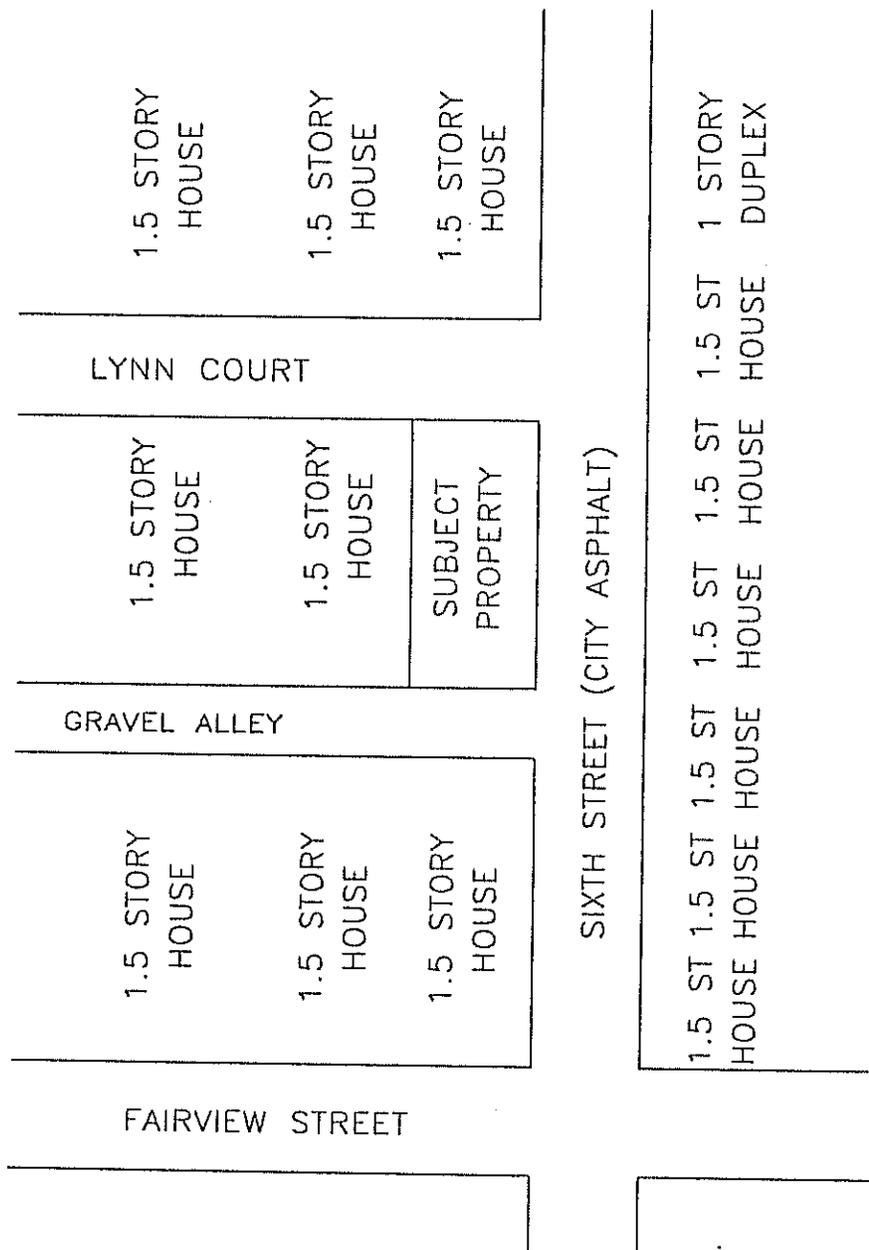


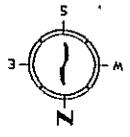
MAP

File No. 1504

Borrower/Client	Yonkman, David & Michelle		
Property Address	340 Sixth Street		
City	Manistee	County	Manistee
		State	MT.
Lender	Northwestern Savings Bank & Trust		
		Zip Code	49660

NORTH





I hereby certify that I have inspected the property hereon described; that there are improvements located as shown; that said improvements are within property lines; and that there are no visible encroachments upon the land and property described, unless otherwise noted. All utilities and easements may / or may not be shown. This inspection is for mortgage purposes only.

R.L.S. No. 25850
Paul J. Yonkman

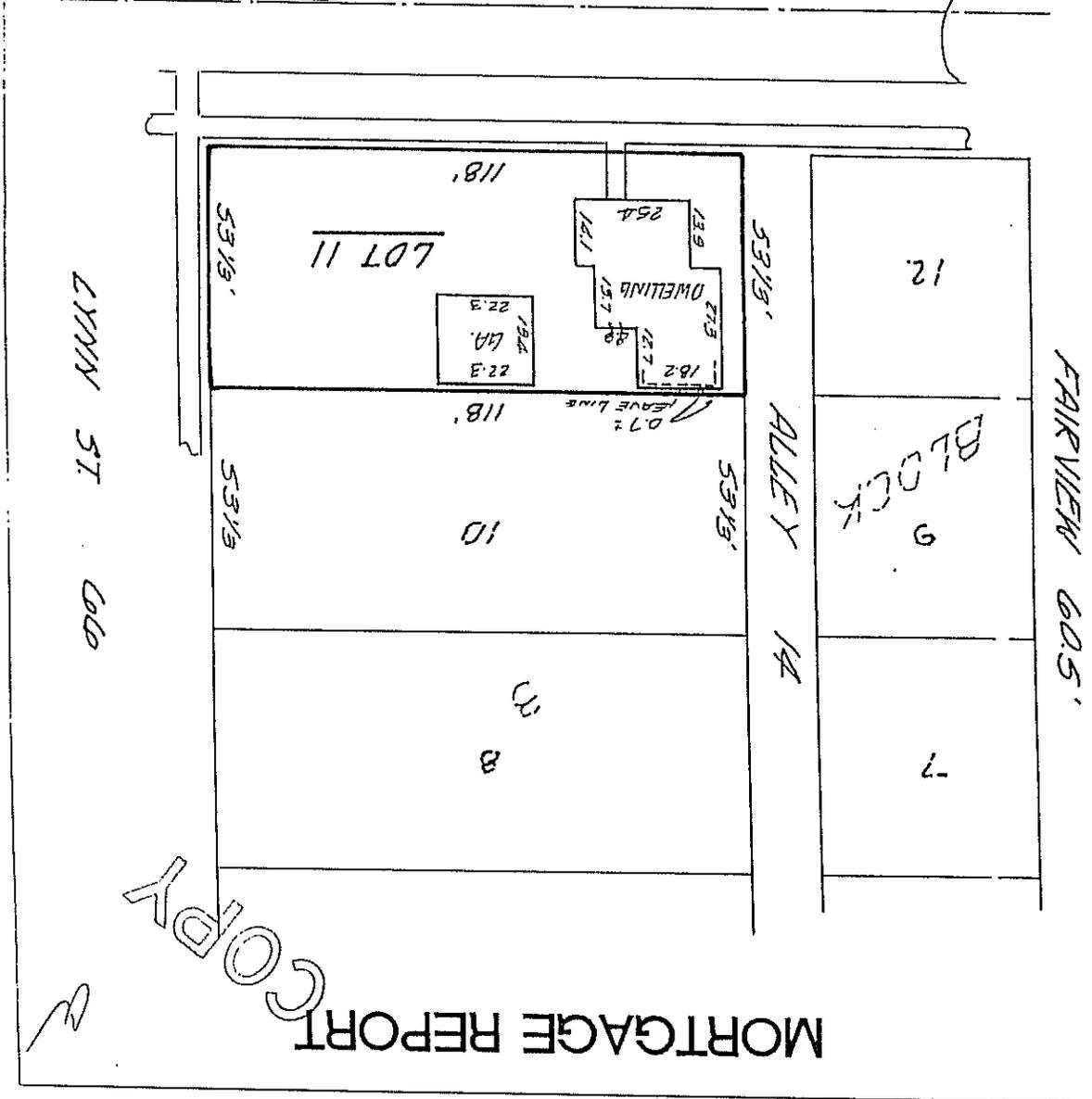
LEGEND
 ● MONUMENT FND. ALL BOUNDARY & EASEMENT DIMENSIONS ARE RECORDED UNLESS OTHERWISE NOTED.
 ● IRON FND.

SCALE 1"=50'
 0'

DESCRIPTION: Lot 11, Block 3, Englewood Addition to the City of Manistee, Manistee County, Michigan.
ADDRESS: 340 Sixth Street, Manistee, MI. 49660

REGISTERED LAND SURVEYOR
 STATE OF MICHIGAN
 JENEMA
 LAND SURVEYOR
 No. 25850

SIXTH ST 60'
 FAIRVIEW 60.5'
 ALLEY 14'
 LYNN ST 60.0'



MORTGAGE REPORT
 COPY

Awards given for historic restoration

By **CONNIE ROSSMAN**
Staff Writer

MANISTEE — Twenty local property owners of historic buildings both residential and commercial were recognized and commended for their efforts at the fourth annual Building Recognition Program awards luncheon held Wednesday in the Golf and Country Club, as part of Manistee's celebration of National Historic Preservation Week.

Residential properties were given either the Robert J.B. Newcombe Award or a certificate of commendation in the categories of historic preservation, restoration, reconstruction and rehabilitation. In the commercial section, there was one winner of the Gore A. Brownrigg Award. Both major awards were named after prominent local builders of the Victorian era, who built many of the structures in Manistee at that time.

Residents receiving Newcombe Awards were: Mrs. and Mrs. David Stewart for 532 Fourth St., Jim and Jodi Picardat for their home at 471 Fourth St., Mr. and Mrs. Patrick Brady for 355 Second Street, and Mr. and Mrs. Harry Dutton for 329 Sixth

Street, and the home of David Yonkman at 340 Sixth Street.

The Picardat home was on the Christmas Tour of Homes last year.

Certificates of Commendation for private homes went to 410 and 414 Cedar Street, owned by Mr. and Mrs. Michael Reines and Mr. and Mrs. Jeff Glasglow respectively. Both houses were originally one home, built in 1877 and owned by John Canfield, a prominent local lumberman.

The Brownrigg Award is given to commercial property, and this year's winner was The Smith Block, 358-360 River Street, at the intersection of River and Greenbush. In the past year, Mr. and Mrs. Robert Smith of Lakewood, Ohio, have preserved the character of the building, adding new canopies and painting both structures.

Certificates of Commendation for commercial buildings were awarded to: City Drug Store, 401 River; Mr. and Mrs. John Kaser, owners; Jerry Lewis Photographers, 342 River St., Mr. and Mrs. Jerry Lewis, owners; Manistee Vacuum, 340 River St., Mr. and Mrs. Robert Lapp, owners; Manistee Variety, 435 River, Mr. and

Mrs. John Smith, owners; and the Village Professional Building, 72 Filer, owned by Drs. Michael Reines and Kimiko Snider.

Special merit awards were given to two properties which for different reasons were either not built during the historical period, or owned by municipalities.

Snyder's Shoes, 397 River St., owned by Mr. and Mrs. James Snyder received one of these merit awards; and the Manistee City Hall received the second one, recognizing its interior painting done this year.

The Building Recognition Awards program is sponsored by the Uniqueness Committee, part of the Manistee Economic Council and Chamber Alliance, (MECCA), and Northwestern Savings Bank & Trust.

Art Southerton of Northwestern Bank introduced the program and nominees, and told the audience to let the public know that the committee is also receptive to suggestions from local citizens about homes and businesses which they know are being redone.



1998
WINNER

Robert J. B. Newcombe Award

HISTORIC REHABILITATION CATEGORY
BUILDING RECOGNITION PROGRAM

UNIQUENESS COMMITTEE
OF
MANISTEE AREA CHAMBER OF COMMERCE

