

**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 Thursday, June 29, 2000 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:

1. Pat Marquardt

2.

B. Questions, Concerns of Citizens in Attendance:

1.

2.

III. Business Session:

A. Approval of Minutes (6/22/00)

B. Unfinished Business:

1. Pat Marquardt

2.

C. Other Business:

1.

2.

V. Work/Study Session:

VI. Adjournment

cc: Zoning Board of Appeals Members
Mark W. Niesen, Building Inspector
Jon R. Rose, Community Development
Julie A. Beardslee, City Assessor
R. Ben Bifoss, City Manager
Bruce Gockerman, City Attorney

CITY OF MANISTEE

MEMORANDUM

TO: Zoning Board of Appeals Members

FROM: Mark W. Niesen
Building/Zoning

DATE: June 20, 2000

RE: Zoning Board of Appeals Meeting

We have scheduled a Zoning Board of Appeals meeting for Thursday, June 29, 2000 at 5:30 p.m.,

A request has been received from Pat Marquardt, 719 Engelmann Street. The request is to enlarge and cover an existing front porch. The proposed enlarged porch will be 3 feet from the front-yard set-back instead of the required 25 feet. A copy of the request is enclosed.

The minutes from the June 22, 2000 meeting will be forwarded as soon as they are completed.

If you are unable to attend the meeting please call Denise at 723-2558. See you there!

MWN:djm

M.W.N.

Enclosures

REQUEST FOR APPEAL

CITY OF MANISTEE
ZONING BOARD OF APPEALS

PAT MARQUAROT

Name

719 ENGEMAN

Address

MANISTEE, MI 49660

City, State and Zip Code

Phone Numbers (Work)

231-723-7677

(Home)

231-723-9569

FOR OFFICE USE ONLY

Appeal Number

20005

Date Received

6-19-00

Tax Parcel Number

51-51-748-714-09

Fee Received (Amt & Date)

250.00 6-19-00

Receipt Number

4230

Hearing Date

Board of Appeals Action

FEE FOR APPEAL \$250.00

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 #: 51-51-748-714-09

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: _____

NONE

D. This area is: Not platted, Platted, Will be Platted
If Platted, Name of Plat: _____

E. Present use of property is: Residents

F. Present zoning district classification of the property is: RS

G. 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

1. 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) _____

2. 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.

1. Indicated below are the Ordinance requirement(s) which are the subject of the variance request.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Setback | <input 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 _____ |

2. State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Ordinance. Building a COVERED

Front Porch

3. Describe the characteristics of your property which require the granting of a variance (include dimensional information).

- | | | |
|--------------------------------------|------------------------------------|--|
| <input 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) |

Wish To INCREASE THE SIZE
OF THE Previous Front Porch

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? TOO SMALL OF A

FRONT PORCH

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? _____

WOULD NOT BE ABLE TO
ADD A FUNCTIONAL FRONT PORCH

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 _____

TWO OTHER HOUSE ON THE BLOCK
ARE CLOSER TO THE SIDEWALK THAN OURS

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: Reduce Front Yard Setback to allow Front Deck to be functional
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? Beautify the neighborhood

B. How do you propose to minimize any potential negative impacts which your proposed activity may cause? None

V. AFFIDAVIT

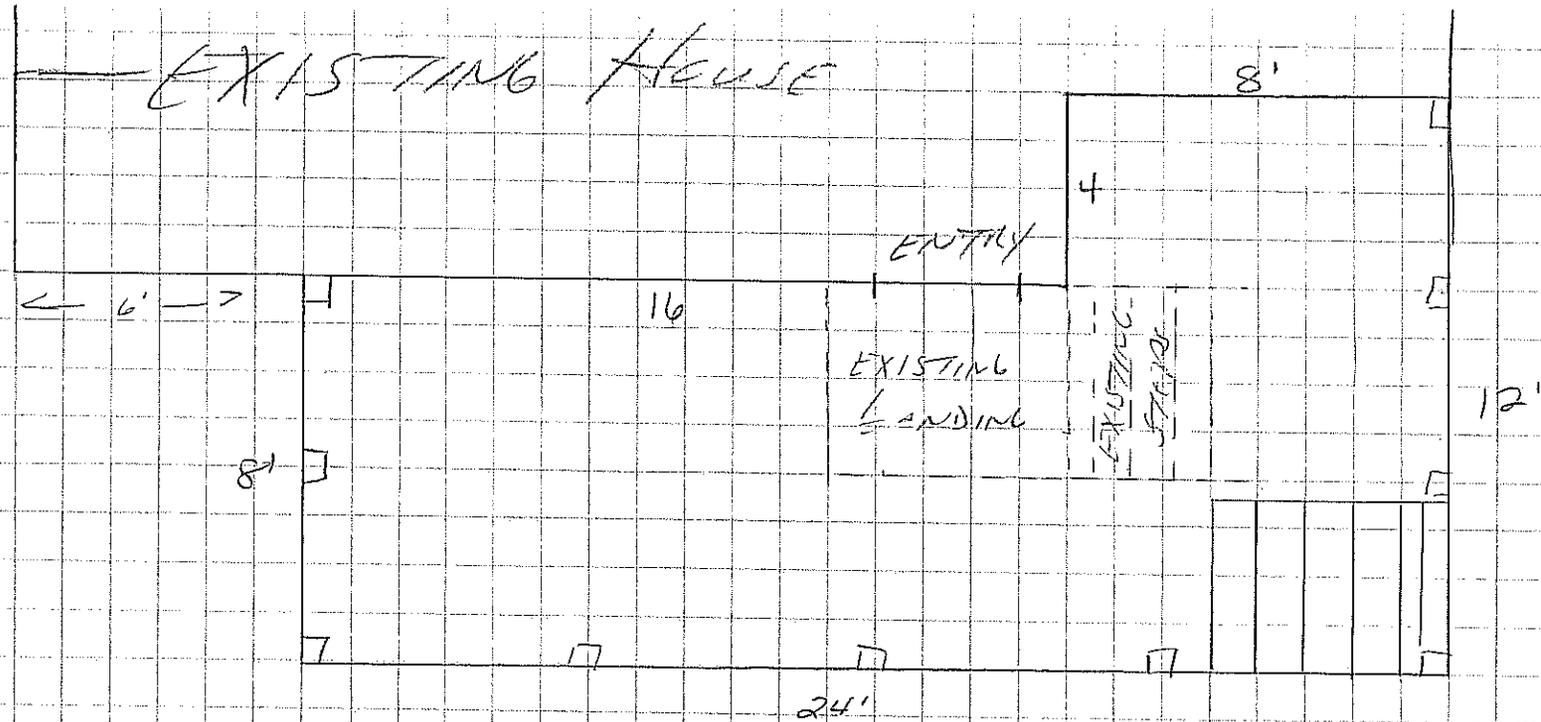
The undersigned acknowledges that if a variance is granted or other decisions favorable to the undersigned is rendered upon this appeal, the said decision does not relieve the applicant from compliance with all other provisions of the City of Manistee Zoning Ordinance; the undersigned further affirms 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 Shawn H. Morgan Sr

Date 06/20/00

Signature _____

Date _____



4x6 WOLMANDED POST 6' O.C.
 2x8 " JOIST 16 O.C.
 5/4x6 " DECKING
 DECORATIVE SPINDLES / RAILINGS

2 2x6 LEDGER
 LAGGED TO HOUSE

EXISTING HOUSE

11 1/2 FT

4/12 PITCH

2x8 RAFTERS 24" O.C.
 1/2" OSB DECKING
 DOUBLE LAMINATE STRIP

2 2x8 HEADS
 ANCHORED TO 4x6

8'