

**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, September 7, 2000 at 5:30 p.m. in the Council Chambers, 70 Maple Street, Manistee, Michigan.

**AGENDA**

- I. Roll Call
- II. Public Hearing:
  - 1. Marvin Chick
- III. Business Session:
  - A. Approval of Minutes (8/3/00)
  - B. Unfinished Business:
    - 1. Marvin Chick
  - C. Other Business:
- IV. Questions, Concerns of Citizens in Attendance
- V. Adjournment

## MEMORANDUM

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TO: Zoning Board of Appeals Members

FROM: Mark W. Niesen *M.W.N.*  
Building/Zoning

DATE: August 29, 2000

RE: Zoning Board of Appeals Meeting, September 7, 2000

Our next Zoning Board of Appeals Meeting has been scheduled for 5:30 p.m., Thursday, September 7, 2000 in the Council Chambers at City Hall.

We will be hearing a request from Marvin Chick, 345 Fourth Avenue. Mr. Chick would like to construct a detached garage on his property at 345 Fourth Avenue. The existing garage would be removed to construct a 676 sq foot detached garage with storage space above. Mr. Chick is requesting a variance to increase the height from 14 feet to 19 feet 4 inches and a variance to the rear-yard set-back from 3 feet to 2 feet. A copy of the request is enclosed for your review.

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

REQUEST FOR APPEAL

CITY OF MANISTEE  
ZONING BOARD OF APPEALS

Marvin Chick J

Name

345 4th Ave

Address

Manistee Mi. 49660

City, State and Zip Code

Phone Numbers (Work) ~~723~~

(Home) 723-5404

FOR OFFICE USE ONLY

Appeal Number 20007

Date Received 8-23-00

Tax Parcel Number 51-51-274-720-11

Fee Received (Amt & Date) \_\_\_\_\_

Receipt Number \_\_\_\_\_

Hearing Date Sept 7, 2000

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: LAT 6 BLOCK K

THORPE'S ADDITION TO THE CITY OF MANISTEE

Tax Roll Parcel Code #: 51-51-274-720-11

B. List of all deed restrictions (attach additional sheets if necessary): \_\_\_\_\_

C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land: NATIONAL CITY BANK

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

If Platted, Name of Plat: THORPE'S ADDITION

E. Present use of property is: RESIDENTIAL SINGLE STORY  
SINGLE FAMILY HOME

F. Present zoning district classification of the property is: \_\_\_\_\_

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: \_\_\_\_\_  
\_\_\_\_\_ To 17'-4"

#### 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 type="checkbox"/> Setback      | <input type="checkbox"/> Side Yard         | <input type="checkbox"/> Off-street Parking |
| <input type="checkbox"/> Lot Coverage | <input type="checkbox"/> Placement         | <input checked="" 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. BUILD A 26x26 FT GARAGE  
& STORAGE BUILDING WITH ATTIC STORAGE.  
EXISTING HOME (1072 SQ FT) IS SMALL WITH LITTLE  
STORAGE SPACE AND ONLY A PARTIAL BASEMENT.

3. 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) |

LOT SIDE NARROW AND GARAGE MUST BE  
LOCATED NEAR WEST PROPERTY LINE TO  
MAKE DRIVEWAY ACCESS TO GARAGE POSSIBLE

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? WOULD NOT BE ABLE TO BUILD GARAGE WITH AN ACCESSABLE DRIVEWAY

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). EXIST? HOME LOCATED ON SMALL LOT MANY YEARS AGO

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? STORAGE SPACE WOULD BE SEVERELY LIMITED FOR FULL USE WITH SPACE

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 PROPERTY IN AREA CONSISTS OF SMALL PLOTTED LOTS

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? NO NEGATIVE IMPACTS POSITIVE IMPACTS ARE NO PARKING ON STREET, COULD INCREASE PROPERTY VALUES BECAUSE OF INCREASED STORAGE.
- B. How do you propose to minimize any potential negative impacts which your proposed activity may cause? NO NEGATIVE IMPACTS

#### 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.

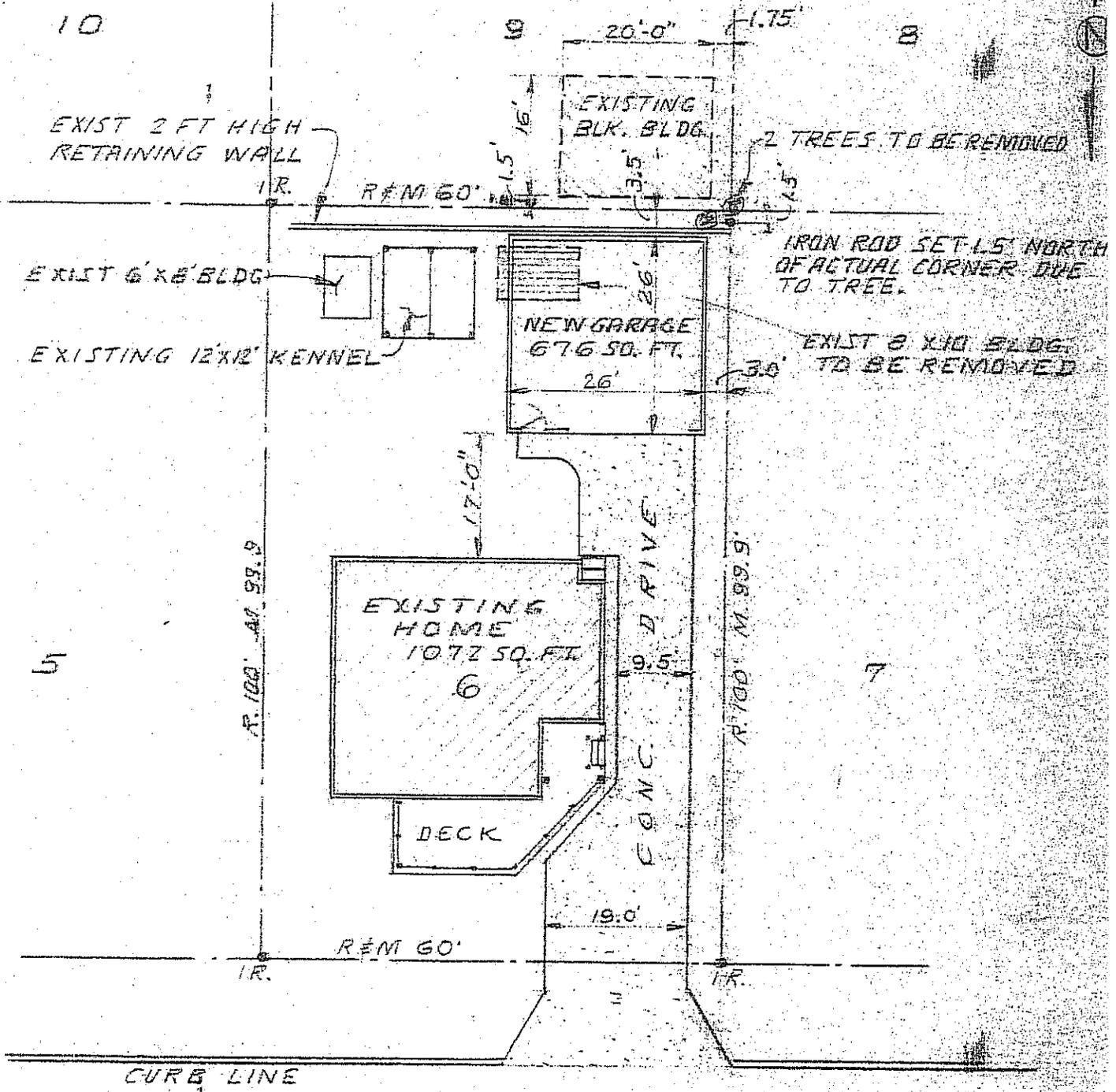
Signature Marvin Chick Jr.

Date 8/23/00

Signature \_\_\_\_\_

Date \_\_\_\_\_

LOT 6 OF BLOCK K OF THORPE'S ADDITION  
 TO CITY OF MANISTEE, MANISTEE COUNTY MICHIGAN



4TH AVENUE (60' WIDE)

MR. & MRS. MARVIN CHICK JR.

345 4TH AVENUE

MANISTEE MICH.

SCALE 1" = 20'-0"