

City of Manistee
Zoning Board of Appeals
City Hall
70 Maple Street
Manistee, Michigan

There will be a meeting of the City of Manistee Zoning Board of Appeals to be held on Monday, February 12, 2004 at 5:30 p.m. in the Conference Room, City Hall, 425 Sixth Street, Manistee, Michigan (Old Middle School).

AGENDA

- I Roll Call

- II Public Hearing:
 - 1. Mr. & Mrs. John Kaser, 605 Browning Avenue
 - 2.

- III Business Session:
 - A. Approval of Minutes (8/18/03)
 - B. Unfinished Business:
 - 1. Mr. & Mrs. John Kaser, 605 Browning Avenue
 - 2.
 - C. Other Business:
 - 1. Election of Officers
 - 2. By-Law Review

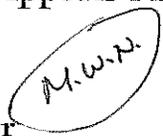
- IV Questions, Concerns of Citizens in Attendance

- V Adjournment

cc: Zoning Board of Appeals Members
Bruce Gockerman, City Attorney
Mark W. Niesen, Building Inspector
Mitch Deisch, City Manager
Julie Beardslee, City Assessor

MEMORANDUM

TO: Zoning Board of Appeals Members

FROM: Mark W. Niesen 
Building Inspector

DATE: January 28, 2004

RE: Zoning Board of Appeals Meeting, February 12, 2004

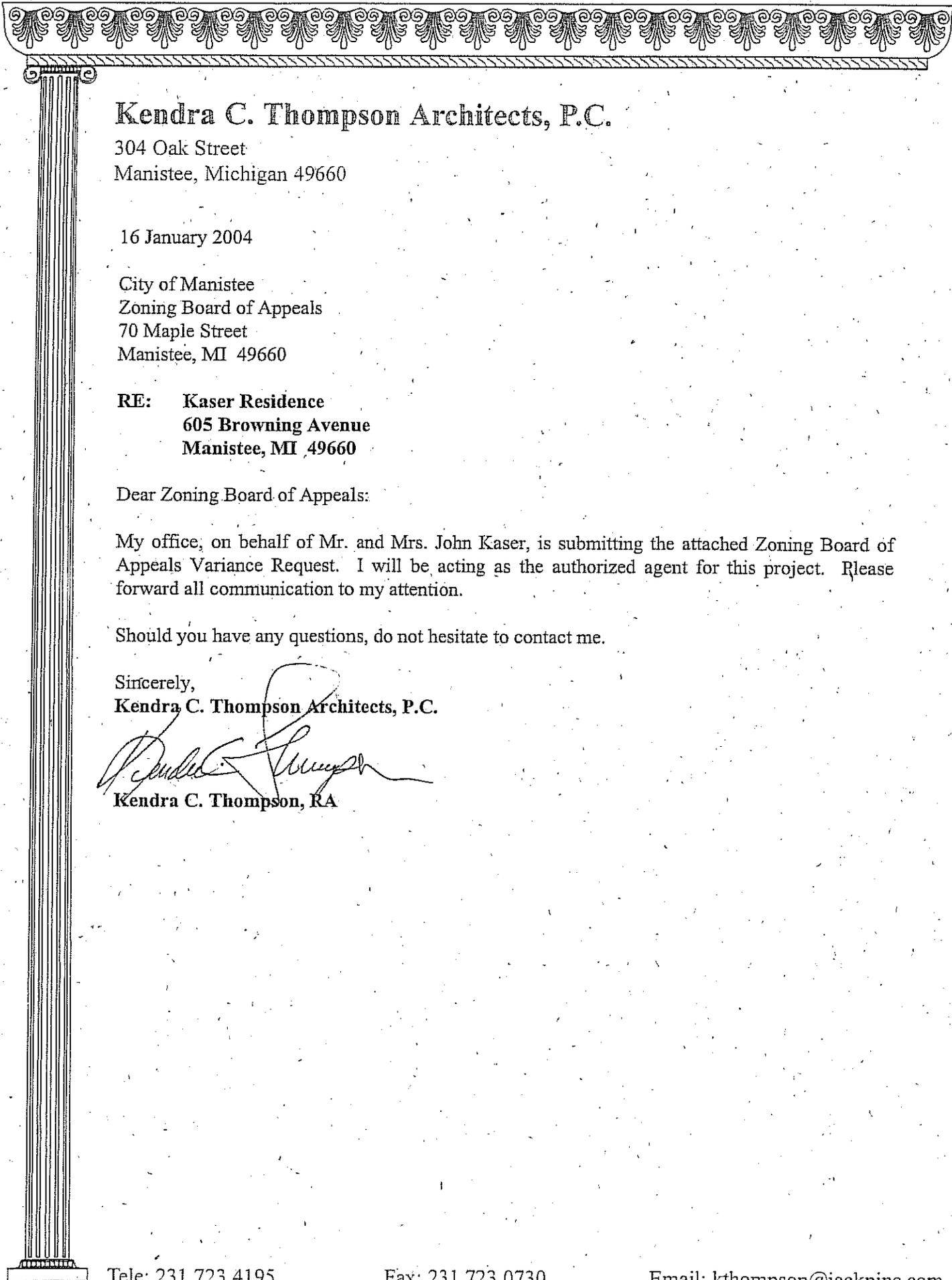
The Zoning Board of Appeals will be meeting on Thursday, February 12, 2004 at 5:30 p.m. for the following requests:

1. Mr. & Mrs. John Kaser, 605 Browning Avenue. Mr. & Mrs. Kaser wish to remodel their residence at 605 Browning Avenue. The Site Plan submitted requires a variance to the front yard set back from 63 feet to 55 feet. The variance is necessary to construct an addition and planter into the front yard set back.
2. Election of Officers. At the January Meeting the annual election of officers is held. The By-Laws provide for the election of a Chair, Vice Chair, and Secretary. These positions are for a term of one year and all officers are available for re-election.
3. By-Law Review. During the January Meeting we have an annual review of the By-Laws. A copy of the By-Laws are enclosed for your review.

With renovations scheduled for the City Hall Building on Maple Street and the relocation of City Hall we will be meeting in the Conference Room at the temporary City Hall, 425 Sixth Street (Old Middle School). The Parks Commission will be meeting in the main conference room at 7:00 p.m. and we will be using the side conference room (down the short hall).

There is a possibility that two more requests may be received in time to be added to the agenda for this meeting. In the event that a request is received in time, information will be forwarded to you and the agenda amended.

If you have any questions or are unable to attend the meeting, please call me at 723-2558.



Kendra C. Thompson Architects, P.C.

304 Oak Street
Manistee, Michigan 49660

16 January 2004

City of Manistee
Zoning Board of Appeals
70 Maple Street
Manistee, MI 49660

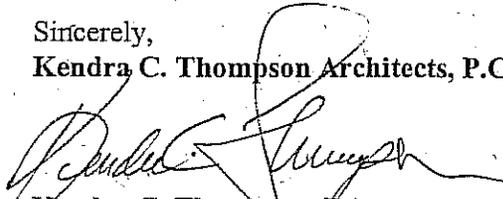
**RE: Kaser Residence
605 Browning Avenue
Manistee, MI 49660**

Dear Zoning Board of Appeals:

My office, on behalf of Mr. and Mrs. John Kaser, is submitting the attached Zoning Board of Appeals Variance Request. I will be acting as the authorized agent for this project. Please forward all communication to my attention.

Should you have any questions, do not hesitate to contact me.

Sincerely,
Kendra C. Thompson Architects, P.C.



Kendra C. Thompson, RA

REQUEST FOR APPEAL CITY OF MANISTEE ZONING BOARD OF APPEALS

Name: Mr. and Mrs. John Kaser

Address: 605 Browning Avenue

City, State, Zip Code: Manistee, MI 49660

Phone Numbers: (work) 723.2586 (home) 723.5320

Agent Name & Phone Number if applicable: Kendra C. Thompson Architects, P.C.
304 Oak Street
Manistee, MI 49660 723.4195

FEE FOR APPEAL \$250.00

OFFICE USE ONLY	
Appeal Number: _____	Date Received: <u>1-26-04</u> <i>Complete information</i>
Receipt Number/Fee Amt: <u>4982 - 250.00</u>	Hearing Date: <u>2-12-04</u>
Zoning District for Property: <u>R-3</u>	Parcel Code Number: <u>51-51-362-714</u> <i>05</i>
Type of Request: <input checked="" type="checkbox"/> Variance Request	
<input type="checkbox"/> Ordinance or Map Interpretation	
<input type="checkbox"/> Appeal from Administrative Decision	
<input type="checkbox"/> Other Authorized Review	

PLEASE NOTE: All questions must be answered. Incomplete applications will be returned to be completed before processing. If additional space is needed, number and attach additional sheets.

State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Board of Appeals:

The project consists of renovations and additions to the existing single-family dwelling unit. Refer to the attached site plan and building elevations for further information.

Request for Appeal
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PROPERTY INFORMATION:

Tax Roll Parcel Code# 51-51- _____

Property Address: 605 Browning Avenue

Names & Addresses of all other persons, firms or corporations having a legal or equitable interest in the land. None known.

Present use of parcel: Single- family dwelling

List of all deed restrictions (attache additional sheets if necessary): None known.

Has a previous appeal been made with respect to this property? Yes No

If a previous appeal, re-zoning or special use permit application was made state the date, nature of action requested and the decision: _____

DETAILED REQUEST AND JUSTIFICATION:

Please identify each requested variance:

		Required by Zoning	Requested by Appellant
<input checked="" type="checkbox"/>	Front- Yard Set-Back	from <u>63 ft.</u>	to <u>55 ft. (Building* 61 ft.)</u> <u>(Planter = 55 ft.)</u>
<input type="checkbox"/>	Side-Yard Set-Back	from _____	to _____
<input type="checkbox"/>	Side-Yard Set-Back	from _____	to _____
<input type="checkbox"/>	Rear-Yard Set-Back	from _____	to _____
<input type="checkbox"/>	Waterfront Set-Back	from _____	to _____
<input type="checkbox"/>	Height	from _____	to _____
<input type="checkbox"/>	Area Requirements	from _____	to _____
<input type="checkbox"/>	Off-street Parking	from _____	to _____
<input type="checkbox"/>	Other	_____	_____

Request for Appeal
Page 3

Please mark all characteristics of your property which require the granting of a variance.

Dimensional information

- Too Narrow _____
- Too Small _____
- Too Shallow _____
- Elevation (height) _____
- Slope _____
- Shape _____
- Soil _____
- Subsurface _____

Other (Specify) The existing dwelling unit placement on the site results in the need for the variance request.

Justification

The Zoning Board of Appeals must answer yes to the following four questions to grant an appeal. Please list your justification to each question for the Zoning Board of Appeals.

1. Do 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 special conditions which exist are the fact that the property has an existing structure that would limit the ability to improve the property in a reasonable manner. The request includes upgrading the property to current residential design in keeping with an R-3 zoning district. Without the variance the Owner will be limited in the ability to develop an attractive design.

2. Would the literal interpretation of the provisions of this Ordinance deprive the applicant of rights commonly enjoyed by other properties in the same Land Use District under the terms of this Ordinance?

Yes. An unnecessary hardship would be placed upon the Owner due to the existing conditions and the ability to enhance the property in a reasonable fashion that would be an asset to the neighborhood.

3. 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?

No. The structure is as originally constructed in the 1960's and has not been altered since.

Request for Appeal
Page 4

- 4. Would granting of the variance 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?

Yes, the granting of the variance will be in keeping with the purpose of the ordinance and would allow for the continuation of this zoning district as originally intended. No, granting of the variance will not be injurious to the neighborhood or public welfare. In fact, it is thought that by granting of this variance, the project may serve as a catalyst for other neighborhood enhancements, thus reclaiming this residential area as a
 List any other comments in support of the application. more upscale area as originally intended.

Refer to attachments.

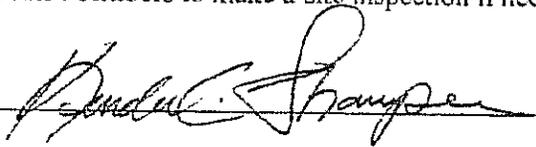
IMPACT ON SURROUNDING LANDS

If your request is granted what would the positive and/or negative impacts of this decision be on the surrounding land and neighbors?

No negative impacts to the surrounding lands is anticipated. The positive impact will be tremendous in the increased property value and potential to positively influence the neighborhood.

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. By signing this affidavit permission is given for Zoning Board of Appeals Members to make a site inspection if necessary.

Signature  Date 19 JAN 2004
 Signature _____ Date _____

Representation at the Public Hearing by either the applicant or agent is encouraged.

Attachment

Zoning Board of Appeals
Mr. and Mrs. John Kaser
January 2004

Item 4 – Other Comments

The proposed project consists of renovations and additions to the existing single story ranch style dwelling unit. The Owner of the property was raised in this home and desires to make the necessary renovations to make it suitable for her and her husband to relocate to this property. Included in the scope of work will be modifications of the existing single car garage to a bedroom, kitchen upgrading and additions to create a "great room" area, a new two-car garage and an upper level bedroom area.

In order to achieve a tastefully designed street facade, it is proposed to create additions to both the east and west portion of the existing straight gable roof line. This will allow for gable end treatment detailing and a front entrance porch that will provide excellent curb appeal. While the Owner is prepared to make a sizable investment in the property, in order to develop this project in a cost effective manner, it is imperative that wherever possible the existing structure be utilized. Thus, the existing front facade is intended to remain as is with the new wing additions extending to the north of the existing facade. The resultant is an encroachment on the front yard setback regulation.

The adjacent residence to the west is placed such that the structure is north of this proposal. The adjacent residence to the east is approximately in line with the existing facade of this property. Both side yard property lines have vegetation that currently serve as a screen between the properties, therefore minimizing any visual impact to adjacent properties.

It is felt that the proposed project would be an excellent attribute to the neighborhood without destroying the areas character. It is hoped that an investment of this nature in the property will inspire others to revitalize this neighborhood as one of Manistee's premier residential districts.

ht = 118'0"

level floor = 110'0"
19 = 109'0"

level floor = 100'0"
= 96'5"

flush gable end
cultured stone
veneer



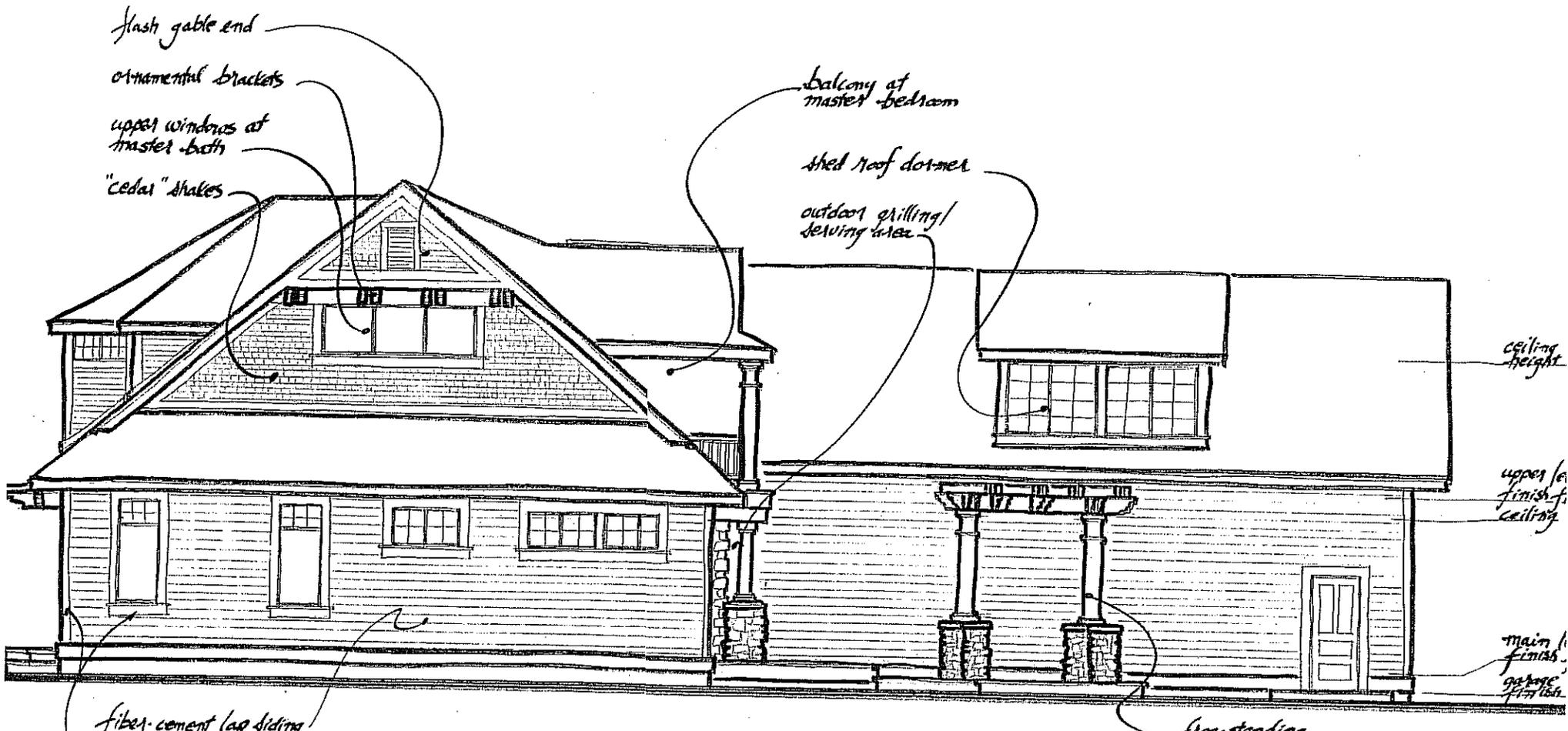
outdoor grilling/
seating area

balcony @
master bedroom

free-standing arbor
in foreground
(not shown)

hide entry porch

SOUTH ELEVATION



flash gable end
ornamental brackets
upper windows at master bath
"cedar" shales

balcony at master bedroom
shed roof dormer
outdoor grilling/sewing area

ceiling height

upper finish ceiling

main finish garage finish

fire-standing arbor at deck area

fiber-cement lag siding
fiber-cement casing

WEST ELEVATION



NORTH ELEVATION

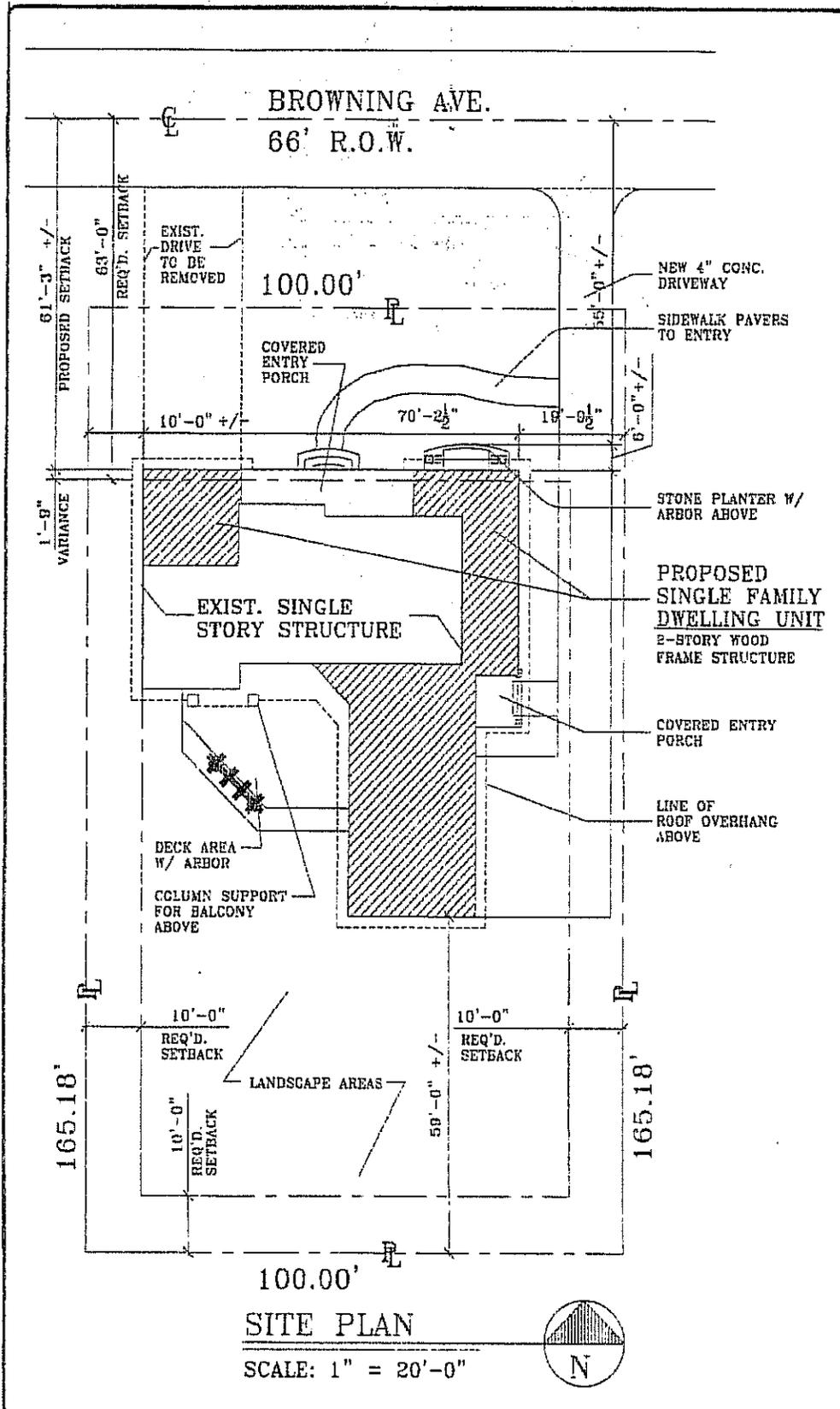
ceiling height elev. = 118'-0"

upper level finish floor = 110'-0"
ceiling height = 109'

main level finish floor = 100'-0"
grade = 98'-3"

window head arbor
ornamental columns

deets



Proposed Addition For:
KASER RESIDENCE
 605 Browning Ave. Manistee, MI 49860

Kendra E. Thompson Architects, P.C.
 304 Oak Street
 Manistee, MI 49860
 (231) 723-4185
 January 17, 2004

SKETCH NO.
SK-1
 JOB NO.: KCT-2332

CITY OF MANISTEE ZONING BOARD OF APPEALS BY LAWS AND RULES OF PROCEDURE

Section 1.0 Purpose

The following rules of procedure are hereby adopted by the City of Manistee Zoning Board of Appeals (hereinafter known as Appeals Board) to facilitate the performance of its duties as outlined in the Manistee City Zoning Ordinance.

Section 2.0 Officers

- 2.1 **Selection.** At the first scheduled meeting of each year, the Appeals Board shall select from its membership a Chairman, Vice Chairman, and Secretary. All officers are eligible for reelection.
- 2.2 **Tenure.** The Chairman, Vice Chairman, and Secretary shall take office at the next meeting after their selection and shall hold office for a term of one year or until their successors are selected and assume office.
- 2.3 **Duties. The Chairman** shall preside at all meetings, and perform such other duties as may be ordered by the Appeals Board. Appoint an acting Secretary for a meeting at which the Secretary is absent.
- 2.4 **Duties. The Vice Chairman** shall act in the full capacity of the Chairman in the absence of the Chairman and in the event the office of the Chairman becomes vacant, the Vice-Chairman shall succeed to this office for the unexpired term and the Appeals Board shall select a successor to the office of Vice-Chairman for the unexpired term.
- 2.5 **Duties. The Secretary** shall execute formal documents in the name of the Appeals Board. The Secretary or his or her designee shall perform the duties hereinafter listed and shall perform such other duties as the Appeals Board may determine. The Secretary shall be responsible for the record and minutes of each meeting. The Secretary shall be responsible for copies of the minutes being distributed to each member of the Appeals Board, prepare an Agenda for each meeting, be responsible for all communications, petitions and reports addressed to the Appeals Board. The Secretary shall keep attendance records and shall notify the City council whenever any member of the Appeals Board is absent from three consecutive regularly scheduled meetings so the City Council can take further action pursuant to Section 4.2 of these rules of procedure and by laws.

Section 3.0 Notice of Appeal

- 3.1 **Filing.** Any interested person, or the person's authorized agent, may appeal or seek a variance in writing on a form provided by the Zoning Administrator at any time, and upon payment of a fee as may be established from time to time by the governing body. A meeting will be scheduled within 30 days of receipt of the appeal.

3.2 Notification.

- A. The Secretary or his or her designee shall schedule a meeting date with the Zoning Administrator and the members of the Appeals Board. Members of the Appeals Board will be mailed a notice no later than five (5) days before the scheduled meeting date. The Secretary or his or her designee shall prepare copies of the following for inclusion in the package sent to Appeals Board members:
- (1) copies of the Notice of Appeal or request for a variance form;
 - (2) relevant contents of the Zoning Administrator's file, and/or other file(s) on the case;
 - (3) other relevant correspondence, permits by other applicable enforcement agencies;
 - (4) previous zoning permits and record of appeals board actions concerning the property in question; and
 - (5) anything else which is relevant.
- B. Notice of such meeting shall be delivered in person or by first class mail to:
- (1) the Manistee City Manager's office,
 - (2) any other interested persons,
 - (3) the landowner,
 - (4) adjacent landowners and occupants,
 - (5) and a notice sent by first class mail to the person and/or agent seeking the appeal or variance.

3.3 Deadline for Action. The above notwithstanding, the Appeals Board shall hear the case and render and file its decision with a statement of reasons for the decision with the Zoning Administrator not more than 30 days after receipt of the case, unless a longer period of time is mutually agreed upon by the petitioner and Appeals Board.

3.4 Site Inspection. The Appeals Board, if the chairman considers it necessary, may conduct a site inspection at the site at issue. In such instance, the site inspection shall be posted as part of the public meeting/hearing. A quorum of the Appeals Board shall not ride in the same vehicle to or from a site inspection or to or from a meeting. The site inspection, if posted as part of the same meeting/hearing shall always be held the same day and as the part of the same meeting as the start of the public hearing on the case. Nothing in this paragraph shall prevent members of the Appeals Board from individually and separately visiting a site in question at their own expense and time. A quorum of the Appeals Board shall not make site inspections or otherwise discuss a Notice of Appeal except during posted open meetings of the Appeals Board.

3.5 Notice of Decision. The Secretary, or his or her designate, shall cause to have notices of the Appeals Board decision delivered in person or by first class mail to the Zoning Administrator; and to anyone else requesting a copy in writing. Further, notice of the decision to the petitioner, or his agent, filing the case shall be sent by first class mail.

Section 4.0 Meetings.

- 4.1 Regular Meetings.** Meetings of the Appeals Board will be called as needed in response to receipt of a Notice of Appeal, so long as the meeting is scheduled within 30 days of the Notice of Appeal. The meeting can be called by the Zoning Administrator of the City of Manistee, the Chairman of the Appeals Board, or, in his absence, the Vice-Chairman.
- 4.2 Attendance.**
- A. If any member of the Appeals Board has unapproved absences from three consecutive meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the City Council to remove any member of the Appeals Board for nonperformance of duty or misconduct of office, or both.
 - B. When a petitioner or their agent fails to appear at a properly scheduled meeting of the Board of Appeals, the Chairman may entertain a motion from the Board to dismiss the case for want of prosecution. In the absence of a motion by the Board, the chair shall rule. In cases which are dismissed for want of prosecution, the petitioner will be furnished written notice of the action by the Secretary of the Board or his or her designee.
- 4.3 Other meetings.** Meetings shall be called by delivering meeting notice by first class mail or by personal delivery to members of the Appeals Board at least five days prior to such meeting and shall state the purpose, time, location of the meeting and shall be posted at the City Hall not more than fifteen (15) days/not less than five (5) days prior to such meeting.
- 4.4 Public.** All meetings, hearings, records and accounts shall be open to the public, and posted in compliance with P. A. 267 of 1976, being the Michigan Open Meetings Act.
- 4.5 Quorum.** Three (3) members shall constitute a quorum for the transaction of business and the taking of official action for all matters. Whenever a quorum is not present at a meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless and until ratified and confirmed at a subsequent meeting when a quorum is present by acting to approve the minutes of the meeting at which the quorum is not present.
- 4.6 Order of Business.** Agenda. The Secretary or his designate shall prepare an agenda for each meeting and the order of business therein shall be as follows:
- A. Call to order and roll call.
 - B. Site inspection, then recess (optional, if the meeting is posted to include a site inspection).
 - C. Reconvene and roll call (if following a site inspection).
 - D. Election of officers, if necessary.
 - E. Public Hearings.
 - F. Recess to another night as provided in Section 4.9 of these rules of procedure (optional).
 - G. Approval of Minutes
 - H. Business Session.

- (1) Action on pending case
 - (2) Old Business
 - (3) Other business of the Appeals Board.
- I. Adjournment.

- 4.7 Speaking at Meetings.** The following order shall be followed for speaking during meetings:
- A. The petitioner --through himself, his agent, his lawyer-- may present his case, including presenting witnesses on his behalf. No time limit will be imposed on the petitioner.
 - B. Members of the Appeals Board shall report on their site inspection and any conversations with the petitioner they may have had.
 - C. Members of the public who support the petitioner speak and correspondence is read. At the chairman's option he may:
 - (1) may recess the meeting for a short time to allow those in support to caucus in order to have one speak on their behalf for an unlimited period of time if there are a large number of people present on an issue.
 - (2) may allow many to speak in favor of the petitioner and can impose a time limit for the speaker that is three (3) minutes or more per speaker.
 - D. Members of the public who oppose the petitioner speak and correspondence is read. At the chairman's option he may:
 - (1) may recess the meeting for a short time to allow those in opposition to caucus in order to have one speak on their behalf for an unlimited period of time if there are a large number of people present on an issue.
 - (2) may allow many to speak in opposition of the petitioner and can impose a time limit for the speaker that is three (3) minutes or more per speaker.
 - E. Rebuttal. Any member of the public may ask the Chairman questions on presentations or speeches given at this hearing. The Chairman will seek an answer to the question. Answers shall be given to the Chairman. No discussion, questioning or answering shall take place between any two or more members of the public except between the Chairman and the individual who has the floor.
- 4.8 Comments Out of Order.** The chairman shall rule out of order any irrelevant remarks; remarks which are personal, about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or any other remarks which are not about land use.
- 4.9 Recesses.** The Chairman may recess a public hearing and/or meeting to another time if the meeting (not including site inspections) has been in session over three hours, or for other reasons. In order for a recess to be in order, the time, day, month, date, year and location to reconvene shall be stated as part of the action to recess. If a meeting and/or public hearing reconvenes over 36 hours after the action to recess, the reconvened meeting shall be posted at least 18 hours before the time of the reconvened meeting, to comply with Section 4.4 of these rules of procedure. Upon reconvening, a roll call vote shall be taken as the first order of business.

- 4.10 Parliamentary Procedure.** Meetings shall be conducted in a formal manner, and parliamentary procedure shall be governed by Roberts Rules of Order if not specifically dealt with in these rules of procedure.
- 4.11 Motions.** Motions shall be reiterated by the Chairman before a vote is taken.
- 4.12 Voting.** Voting shall be by voice or shall be by roll call and each vote recorded in the minutes. Roll call votes shall only be done upon request of a member or by ruling of the Chairman. A quorum of three (3) regular or alternate members, with a maximum of five (5) members, must be present to take any action. A Motion is only adopted if three or more of the members of the Appeal Board casts their votes in favor of the motion. Members must be present to cast a vote.
- 4.13 Conflict of Interest.** As used here a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
- A. A member of the Appeals Board issuing, deliberating, voting or reviewing a case where he/she is:
 - (1) an applicant, or
 - (2) has a direct interest in the case, or
 - (3) chooses to intervene in a case and is done in such a manner that the appeals member feels, in his/her judgement, that his/her job, scope of duties and/or position may be a risk, pending the outcome of the permitting process.
 - B. A member of the Appeals Board issuing, deliberating, voting or reviewing a case:
 - (1) involving a corporation, company, partnership, or other entity in which he is a part owner, or any other relationship where he may stand to have a financial gain or loss, or
 - (2) which is an action which results in a pecuniary benefit to himself, or
 - (3) concerning his spouse, children, step-child, grandchildren, parents, brother, sister, grandparents, parents in-law, grandparents in-law or member of his household.
 - C. The Planning Commission Representative to the Appeals Board will abstain from any case where as a member of the Planning Commission he or she made a decision which resulted in the appeal.
 - D. When a member of the Appeals Board determines a conflict of interest exists he or she shall do the following immediately:
 - (1) notify staff and Chair to allow opportunity to contact an alternate member, and
 - (2) declare a conflict exists at the beginning of the meeting where the case appears on the agenda, or when the topic brought up so such declaration is recorded in the minutes, and
 - (3) refrain from participating in the discussion, site inspection or review of the case, except where specific information has been requested by the commission, and
 - (4) refrain from casting a vote on any motion having to do with the case.

Section 5.0 Records

- 5.1 Preparation.** A record of each meeting, including hearings and site inspections, shall be prepared by the Secretary, or his or her designate.
- 5.2 Content/Retention.**
- A. The original minutes from the meeting shall be kept on file by the City Clerk.
 - B. The following items will be placed into the property record file in the City Assessors office:
 - (1) The original request for a variance or notice of appeal, whichever is applicable, including any maps drawings, site plans or other information submitted by the applicant
 - (2) A copy of the meeting posting
 - (3) A copy of the notice of publication to the newspaper
 - (4) A copy of the mailing list, and Affidavit of Mailing
 - (5) Copy of the minutes from the meeting
 - (6) Copy of any correspondence received or sent in regard to the case.
 - (7) A copy of any follow-up correspondence to or from the petitioner regarding the decision.
 - C. The following items will be placed on file in the Zoning Administrators Office:
 - (1) A copy of the meeting agenda
 - (2) A copy of the meeting minutes
 - (3) A copy of the memo sent to the members of the Appeals Board
 - (4) A copy of the variance or notice of appeal, whichever is applicable, including any maps drawings, site plans or other information submitted by the applicant
 - D. Copies of the minutes shall be distributed to each member of the Appeals Board prior to their next meeting.
 - E. A copy of the minutes shall be available to the public within seven days of the meeting by posting a copy in the lobby of City Hall.

Section 6.0 Per Diem and Mileage

Mileage and per diem may be paid to members of the Appeals Board at rates established by the Manistee City Council for attending Appeals Board meetings, and other authorized meetings and trips, if those members submit a bill for the same. Only mileage may be paid for attendance at site inspection meetings, if those members submit a bill for the same. No mileage or per diem is paid to any members unless authorized and budgeted by the Manistee City Council.

Section 7.0 Other Duties

The Appeals Board may also formulate and provide advice and may advise policy to the planning commission or any committee thereof, on issues dealing with administration, text, map and enforcement of the zoning ordinance.

Section 8.0 Adoption and Repeal

Upon adoption of these rules of procedure by the Appeals Board all previous rules of procedure, as amended, shall be repealed.

Section 9.0 Amendments

These rules may be amended at any regular or special meeting by a majority vote of the total members of the Appeals Board, so long as such amendment does not result in a conflict with state law, zoning ordinance or court decision.

ADOPTED BY CITY OF MANISTEE ZONING BOARD OF APPEALS - JANUARY 9, 2003

NOTICE OF PUBLIC HEARING

City of Manistee Zoning Board of Appeals

The City of Manistee Zoning Board of Appeals will hold a Public Hearing in the Conference Room, City Hall, 425 Sixth Street, Manistee, Michigan (Old Middle School) to consider a request from:

NAME: Mr. & Mrs. John Kaser
605 Browning Avenue
Manistee, MI 49660

LOCATION OF REQUEST: 605 Browning Avenue

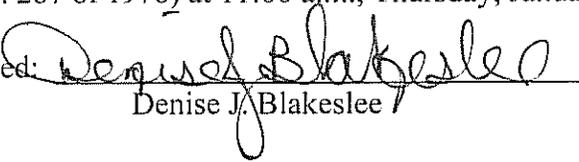
ACTION REQUESTED: Variance to reduce the front-yard set-back from 63 feet (from center line of street) to 55 feet to construct an addition including attached planter box.

DATE/TIME OF HEARING: Thursday, February 12, 2004, 5:30 p.m.

Interested parties are welcome to attend the hearing, or can comment in writing to: Mark W. Niesen, City of Manistee, P.O. Box 358, Manistee, MI 49660, (231) 723-2558.

This notice was posted by Denise J. Blakeslee to comply with Sections 4 & 5 of the Michigan Open Meetings Act (P.A. 267 of 1976) at 11:00 a.m., Thursday, January 29, 2004 on the door at the north entrance to City Hall.

Signed:


Denise J. Blakeslee