

**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 Thursday, June 10, 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 Site Inspection:
  - 1.
- III Public Hearing:
  - 1. Robert Gault, Vacant Property East of Cherry Street and North of the undeveloped portion of Twelfth Street
  - 2. Stephen & Cynthia Peterson, 490 Fourth Street
  - 3.
- IV Approval of Minutes:
  - 1. Approval of Minutes (4/21/04)
- V Business Session:
  - A. Action on Pending Case:
    - 1. Robert Gault, Vacant Property East of Cherry Street and North of the undeveloped portion of Twelfth Street
    - 2. Stephen & Cynthia Peterson, 490 Fourth Street
    - 3.
  - B. Old Business:
    - 1.
  - C. Other Business of the Appeals Board:
    - 1.
- VI Questions, Concerns of Citizens in Attendance
- VII Adjournment

cc: Zoning Board of Appeals Members  
Bruce Gockerman, City Attorney  
Mitch Deisch, City Manager  
Julie Beardslee, City Assessor

# MEMORANDUM

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TO: Zoning Board of Appeals Members

FROM: Denise Blakeslee   
Administrative Assistant

DATE: May 27, 2004

RE: Zoning Board of Appeals Meeting, June 10, 2004

We would like to welcome new member Mark Hoffman and new alternates Craig Schindlbeck and Linda Albee to the Zoning Board of Appeals.

A meeting has been scheduled for Thursday, June 10, 2004 at 5:30 p.m. for the following requests:

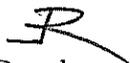
1. Robert Gault, Vacant Property East of Cherry Street and North of the undeveloped portion of Twelfth Street. For a variance to Parcel Width requirement of the R-3 Zoning District. This request would allow parcel #51-51-311-375-08 to be split into four parcels with three of the parcels having a parcel width of 90.5 feet rather than the required 100 feet.
2. Steve & Cindy Peterson, 490 Fourth Street. For a variance to reduce the 25 foot front-yard set-back (from undeveloped portion of Third Street) to 10 feet for the construction of an accessory structure.

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

:djb

# MEMO

TO: Zoning Board of Appeals Members

FROM: Jon R. Rose   
Community Development Director

DATE: May 21, 2004

RE: Robert Gault - Variance Request

Members, as Zoning Administrator for the City of Manistee it is my responsibility to uphold the requirements of the Zoning Ordinance. You have received a request from Robert Gault asking for a reduction in the parcel frontage requirement of the R-3 Residential Zoning District. Mr. Gault claims that an error on the parcel record card is justification for a reduction from 100 feet to 90.5 feet.

The property in question is currently a vacant parcel. Mr. Gault wants to split the parcel into four lots, building on the larger lot and selling the three remaining smaller lots. Mr. Gault has the option of creating two larger lots to sell instead of the three smaller lots that do not meet the requirements of the R-3 Residential Zoning District.

JRR:djb

**REQUEST FOR APPEAL**  
**CITY OF MANISTEE**  
**ZONING BOARD OF APPEALS**

Name: ROBERT GAULT

Address: 579 RAMSDALE RD #16

City, State, Zip Code: MANISTEE, MI 49660

Phone Numbers: (work) 586-306 0467 (home) 231-398 2637

Agent Name & Phone Number if applicable: \_\_\_\_\_

**FEE FOR APPEAL \$250.00**

OFFICE USE ONLY	
Appeal Number: <u>ZBA-2004-</u>	Date Received: <u>5.19.04</u>
Receipt Number/Fee Amt: <u>5942 \$250-</u>	Hearing Date: <u>6.10.04</u>
Zoning District for Property: <u>R-3</u>	Parcel Code Number: <u>SI-51-311-375.08</u>
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:**

I INTEND TO BUILD A HOME ON LOT 1 OF THE PARCEL.  
BECAUSE OF THE R P 3 LOT WIDTH REQUIREMENT, LOTS 2, 3, & 4  
MUST BE A MINIMUM OF 100 FEET WIDE, THIS DIMINISHES  
LOT # 1'S DEPTH ON CHERRY STREET FROM 117 FEET DEEP  
TO 88.6 FEET DEEP. THE HOME I HAD DESIGNED FOR THIS LOT  
WILL NOT FIT WITHIN THE SETBACKS. ANY HOME DESIGN WILL  
NOT HAVE A REASONABLY LIZED BACK YARD. IT WILL RUIN MY  
RETIREMENT HOME PLANS.

**PROPERTY INFORMATION:**

Tax Roll Parcel Code #51-51- 311-375-08

Property Address: NORTH EAST CORNER OF 12<sup>th</sup> STREET & CHERRY ST.

Names & Addresses of all other persons, firms or corporations having a legal or equitable interest in the land.

ROBERT GAULT  
579 RAMSDIELL RD #16, MANISTEE MI 49660

Present use of parcel: VACANT LAND

List of all deed restrictions (attache additional sheets if necessary): \_\_\_\_\_

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 type="checkbox"/> Front- Yard Set-Back	from _____	to _____
<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 checked="" type="checkbox"/> Other	<u>100 FOOT WIDTH</u>	<u>90.5 FOOT WIDTH ON LOTS 2, 3 &amp; 4</u>

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

Dimensional information

- Too Narrow \_\_\_\_\_
- Too Small \_\_\_\_\_
- Too Shallow LOT 1 IS TOO SHALLOW (DEPTH)
- Elevation (height) \_\_\_\_\_
- Slope \_\_\_\_\_
- Shape \_\_\_\_\_
- Soil \_\_\_\_\_
- Subsurface \_\_\_\_\_
- Other (Specify) \_\_\_\_\_

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?

YES - THIS PROPERTY WAS CREATED AT THE CONVICTION OF THE CITY AS PART OF A SPLIT AGREEMENT TO OBTAIN PROPERTY FOR A FUTURE ROAD, THE PROBLEM AROSE OUT OF THIS SPLIT VIA MISUNDERSTANDING AND ERRORS

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 - I WILL NOT BE ABLE TO BUILD THE HOUSE I HAD DESIGNED AND I WILL NEVER BE ABLE TO HAVE A NEAR BACKYARD TO ENJOY.

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?

YES - THE PROBLEM EXISTS BECAUSE OF MISUNDERSTANDINGS AND MISTAKES MADE BY THE APPLICATOR'S DOCUMENTATION

- 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 - ALL REQUIREMENTS OF THE RD 3 ZONING WILL STILL  
BE MET. THE LOT SIZE WILL REMAIN ABOVE 10,000 SQ FT.  
THE PROPERTY IS ADJACENT TO RD 4 ZONED APARTMENT  
ON IS PARTIALLY ZONED RD 4

List any other comments in support of the application.

THIS VARIANCE IS THE RIGHT THING TO APPROVE BECAUSE IT ELIMINATES  
THE DAMAGES DONE TO ME AND HAS NO DETRIMENTAL EFFECT ON  
THE SURROUNDING AREA OR THE COMMUNITY

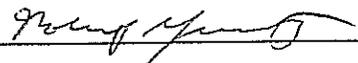
**IMPACT ON SURROUNDING LANDS**

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

4 FUTURE HOMES WILL BE EVENTUALLY BUILT, ALL ON WELL  
PROPORTIONED LOTS,

**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 MAY 19, 2004

Signature \_\_\_\_\_ Date \_\_\_\_\_

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

City Zoning Commission,

The following is background information concerning the parcels submitted for lot width variance:

On August 19, 2002 I purchased parcel # 5151-311-375-08 from Delores B. Spencer. She owned a larger parcel of land in the city of Manistee that was split into three parcels by the city to accommodate a future need to extend 12<sup>th</sup> street west to Cherry Street because of the new high school. The southerly parcel of the three was sold to the school system for the north half of the future 12<sup>th</sup> street. I purchased the northwest parcel and Mrs., Spencer retained the northeast parcel. It was agreed that this split, done at the convenience of the city, would not affect the ability to split the property again in the future or the RD-4 zoning of the property. It was Mrs. Spencer's understanding that all of her property would be RD-4 property. She then listed the property with a local real estate firm as an RD-4 parcel with four splits remaining.

I checked with the city assessor to get information, pertinent to the property, prior to purchase and it was assessed as an RD-4 parcel. The property was re-assessed that winter after I purchased it with an increase in taxes as RD-4 property. In early 2003 I came across a zoning map that diagramed all but the east 36 feet or so of the property as being in the RD-3 zone. This upset me and I spoke with John Rose about this and was told that the zoning map was valid and the assessor's information was incorrect. I asked him to have the assessors information corrected if indeed it was inaccurate. He had it changed to RD-3. This error caused Mrs. Spencer, the real estate firm and I to believe that the parcel I purchased was zoned RD-4.

I purchased the parcel with intent to split the parcel into four lots and build my home on the Cherry street portion of the split. For my purposes I did not require the RD-4 minimum parcel size to be less the RD-3 requirement of 10,000 Sq Ft. I also did not require a dwelling restriction to be less than the RD-3 requirement of 1200 sq ft. RD-3 zoning was fine with me except for the RD-3 requirement of 100 foot parcel width on a public street.

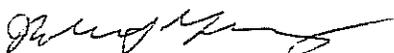
When I submitted my parcel for a property split, this RD-3 restriction caused me to split property in such a way as to make the Cherry street lot very shallow in depth. It also makes the lot lines less friendly. The Cherry street parcel is the one I want to build my home on. As the property lines are presently dimensioned I can not build the home that I had designed for this lot. It won't fit within the setbacks. Any home design facing Cherry Street will not have a reasonably sized back yard depth.

I have attached a diagram of the Existing Lot Split Dimensions of the 4 lots. I have also attached a diagram of the Requested Lot Split Dimensions that I will need a variance to obtain. Without some type of deviation from the strict RD-3 lot width requirement. I will be forced to scrap my home plans for Lot1 the (Cherry street lot) and redesign a home for the lot that will not be what I wanted to build and have a back yard with no reasonable distance from the neighboring Lot 2. If I am granted a lot width variance, all of the lots will be of adequate size (over ¼ acre 11,765 sq ft) and I will have a normal back yard depth on the Cherry street lot. It will meet all of the RD-3 zoning requirements with the exception of the minimum 100 feet in width. That would now be a minimum of 90.5 with the variance. This variance will allow another 28.4 feet to be added to the Cherry lot #1 as shown in the diagram Requested Lot Split Dimensions, thus giving me 28.4 feet more back yard.

Please review the information I enclosed and allow me the requested lot width variance on lot 2, 3, & 4 to 90.5 feet minimum. If you grant the variance, I will be able to adjust the lot lines and build the home I planned to build and also have a reasonably sized yard. I believe my requested variance is the right way to adjust the parcels in all respects. With the adjacent RD4 zoned apartment complex, I do not believe that this requested variance will have any negative affects on the community and it will help me from being hurt by the previous misunderstandings and assessors documentation error.

Thank you.

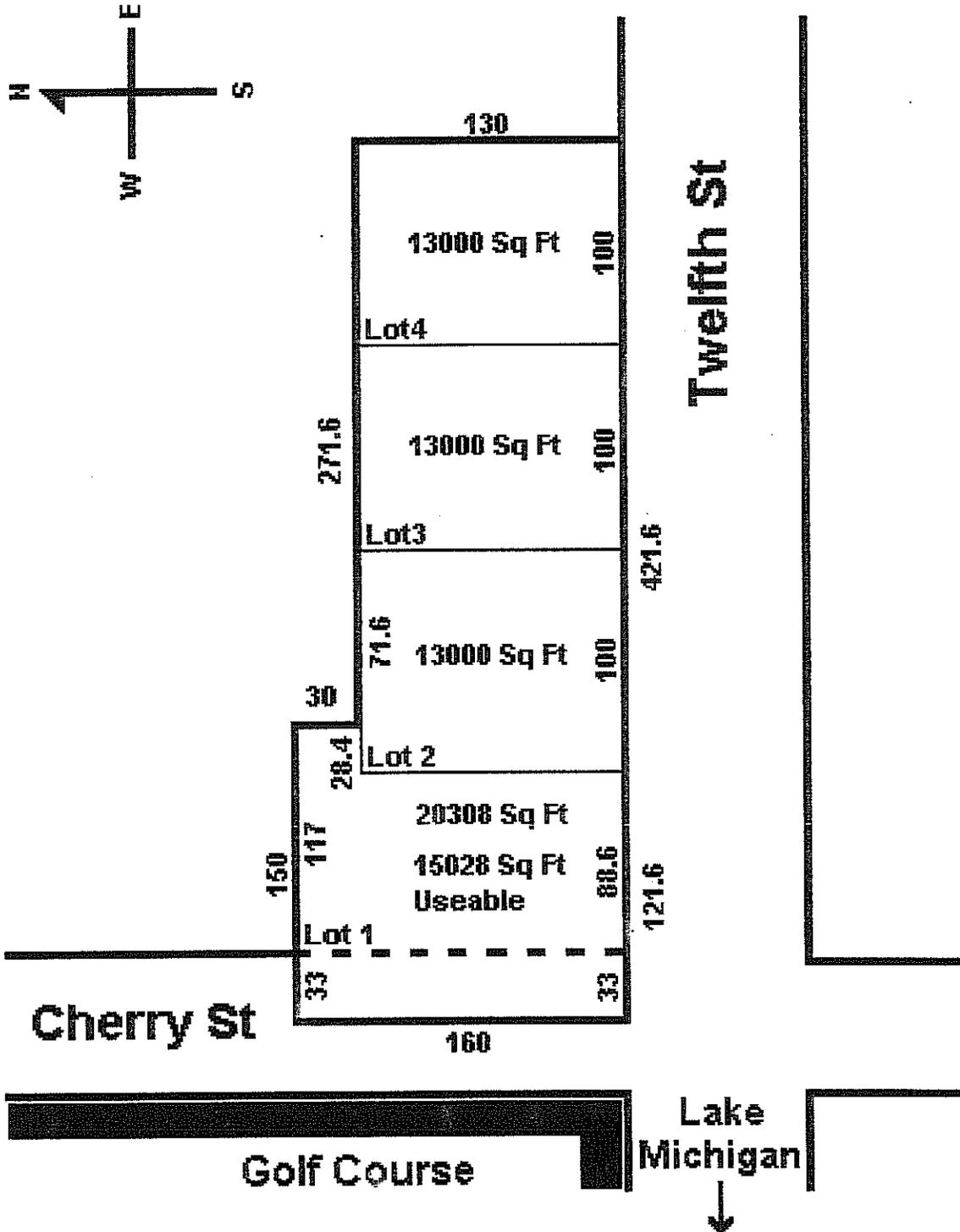
Sincerely,



Robert Gault

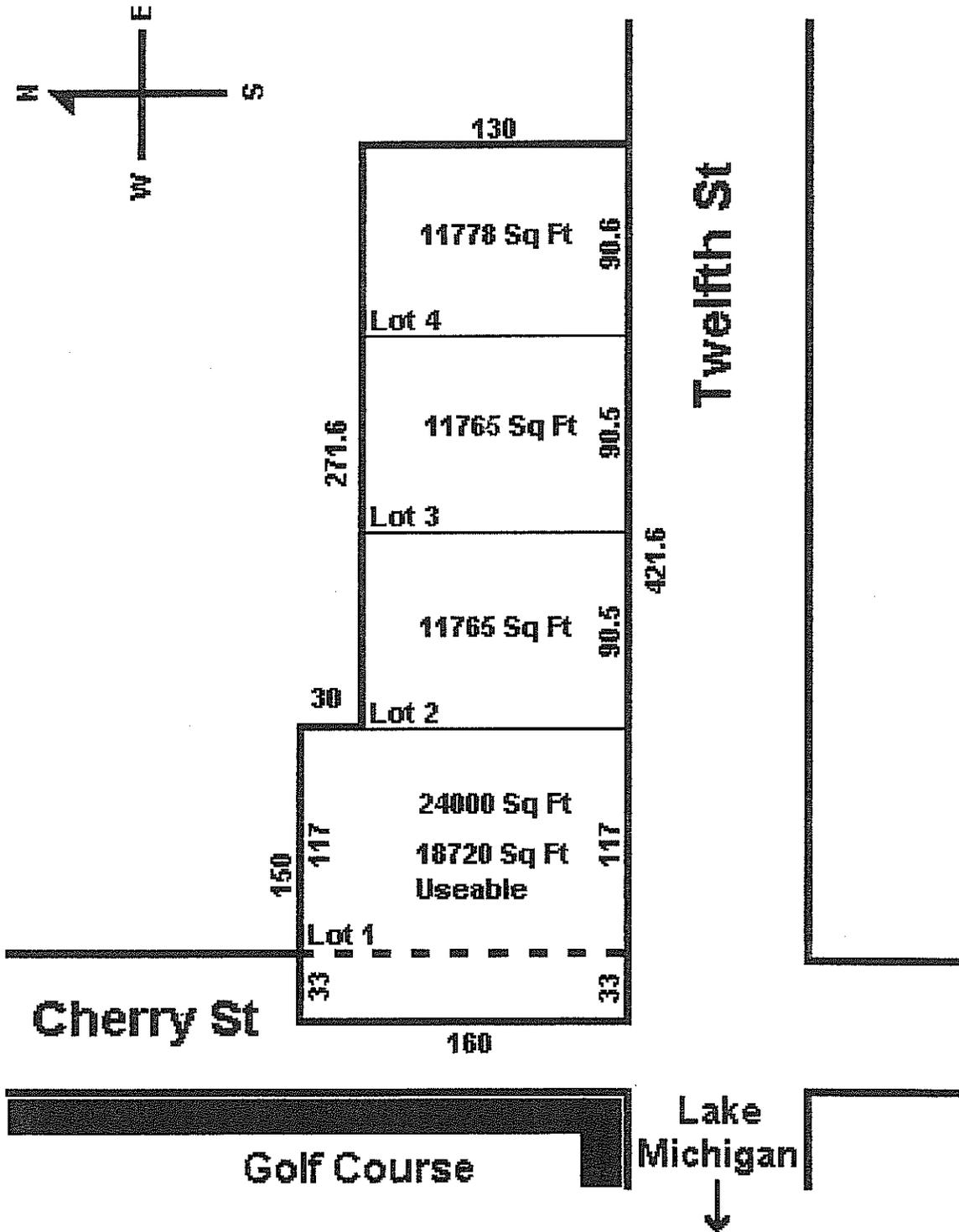
# Parcel # 5151-311-375-08

## Existing Lot Split Dimensions



# Parcel # 5151-311-375-08

## Requested Lot Split Dimensions



# LEGAL DESCRIPTION

## REQUESTED RD3 ZONING W/ FRONTAGE VARIANCE

### LOTS SPLIT TO FOUR PARCELS (90.5 FT MINIMUM FRONTAGE) ZONING RD3 W/VARIANCE

#### **LOT 1**

PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4), SECTION ELEVEN (11), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE SEVENTEEN (17) WEST, COMMENCING AT THE SOUTHWEST CORNER THEREOF; THENCE NORTH 33 FEET TO POINT OF BEGINNING; THENCE NORTH 160 FEET; THENCE EAST 150 FEET; THENCE SOUTH 160 FEET; THENCE WEST TO POINT OF BEGINNING.

#### **LOT 2**

PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4), SECTION ELEVEN (11), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE SEVENTEEN (17) WEST, COMMENCING AT THE SOUTHWEST CORNER THEREOF; THENCE NORTH 33 FEET; THENCE EAST 150 FEET TO POINT OF BEGINNING; THENCE NORTH 130 FEET; THENCE EAST 90.5 FEET; THENCE SOUTH 130 FEET; THENCE WEST TO POINT OF BEGINNING.

#### **LOT 3**

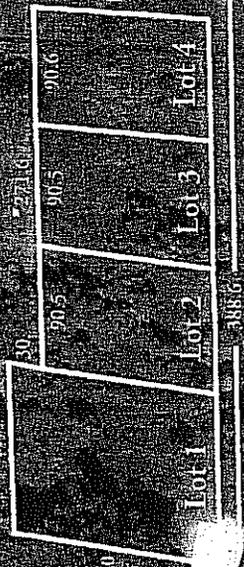
PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4), SECTION ELEVEN (11), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE SEVENTEEN (17) WEST, COMMENCING AT THE SOUTHWEST CORNER THEREOF; THENCE NORTH 33 FEET; THENCE EAST 240.5 FEET TO POINT OF BEGINNING; THENCE NORTH 130 FEET; THENCE EAST 90.5 FEET; THENCE SOUTH 130 FEET; THENCE WEST TO POINT OF BEGINNING.

#### **LOT 4**

PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4), SECTION ELEVEN (11), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE SEVENTEEN (17) WEST, COMMENCING AT THE SOUTHWEST CORNER THEREOF; THENCE NORTH 33 FEET; THENCE EAST 331 FEET TO POINT OF BEGINNING; THENCE NORTH 130 FEET; THENCE EAST 90.6 FEET; THENCE SOUTH 130 FEET; THENCE WEST TO POINT OF BEGINNING.

Cherry Street

12th Street



# MEMO

TO: Zoning Board of Appeals Members

FROM: Jon R. Rose   
Community Development Director

DATE: May 27, 2004

RE: Stephen & Cynthia Peterson - Variance Request

Members, you have received a request from Stephen & Cynthia Peterson for a variance to the front-yard set-back for an accessory structure (shed). Mr. & Mrs. Peterson's property runs the length of Elm Street between Fourth Street and the undeveloped portion of Third Street. This property has three front-yards and the Zoning Ordinance requires a 25 foot front-yard set-back from each.

They would like to locate the proposed shed 10 feet from the undeveloped portion of Third Street for a 15 foot reduction in the front-yard set-back.

A possible option would be that Mr. & Mrs. Peterson request to vacate the undeveloped portion of Third Street adjacent to their property.

JRR:djb

**REQUEST FOR APPEAL**  
**CITY OF MANISTEE**  
**ZONING BOARD OF APPEALS**

Name: Steve & Cindy Peterson  
Address: 490 4th St.  
City, State, Zip Code: Manistee, MI 49660  
Phone Numbers: (work) 723-6213 (home) 723-8461  
Agent Name & Phone Number if applicable: \_\_\_\_\_

**FEE FOR APPEAL \$250.00**

OFFICE USE ONLY	
Appeal Number: <u>ZBA-2004-05</u>	Date Received: <u>5-26-04</u>
Receipt Number/Fee Amt: _____ \$ <u>250.00</u>	Hearing Date: <u>6-10-04</u>
Zoning District for Property: <u>B-1</u>	Parcel Code Number: <u>51-51-364-7200</u>
E11	
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:**

We would like to build a 12'x12' garden shed out-building at the back of our property 10'-11' in from the back property line. The shed has been designed to architecturally duplicate, as closely as possible, the existing house in order to enhance the historical integrity of the home & surrounding neighborhood. To that end, it would include a restored, original <sup>shed</sup> casement window from the house & duplicate the house roof pitch & copper cap.

**PROPERTY INFORMATION:**

Tax Roll Parcel Code # 51-51- 364-720-~~00~~ ~~(00000000)~~

Property Address: 490 4th St. Manistee, MI 49660

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

Present use of parcel: Home

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

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: Extension of garage, out 12' to build a covered masonry porch. 2001. Earned us a "Merit Award" from the Uniqueness Committee. In May of 2002 for maintaining the historical integrity of the house.

**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>25'</u>	to <u>10'</u>
<input type="checkbox"/>	Side-Yard Set-Back	from _____	to _____
<input type="checkbox"/>	Side-Yard Set-Back	from _____	to _____
<input checked="" type="checkbox"/>	Rear-Yard Set-Back	from <u>25'</u>	to <u>7'</u>
<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	_____	_____

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) City claims the lawn we maintain at the back of our yard is actually an unused extension of Third St.

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?

Yes, our back yard backs up to what is supposed to be the Third St extension. This has not been used as a road since at least before 1935 & is covered with a lawn, maintained by all the owners, past & present, saving the City a few payers money. Because it has never been officially vacated, it affects our set back rights.

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. Other home owners are allowed to build out-buildings 10' from their back property line. We do not want this building in the middle of our back yard.

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?

Yes - The ravine & existing cement pond prevent us from moving this building further south or east. The lay of the land restricts us.

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, It would not affect the use or looks of this property. This "Road" dead ends at the top bank of the ravine. It has never been used for anything but a grassy area since this house was built in 1935 & possibly for many years before that. The grass has been cut & maintained by all the owners of this property from 1935 until the present. List any other comments in support of the application.

We do not believe the city has or will ever use this road extension as an actual road. We believe building this out building would be much nicer than purchasing a metal or plastic building to set in this location.

**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?

The building would look very nice & would keep the lawn tractor & other garden supplies out of sight. It will be landscaped around & will be very pleasing to 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 to the Zoning Board of Appeals Members to make a site inspection if necessary.

Signature [Signature] Date 5/25/04  
Signature [Signature] Date 5/25/04

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

← North

Steve & Cindy Peterson  
ZBA Request

Ravine LOT 5

EDGE OF TREE TYPICAL  
(AT BASE)

NOTE: TOPOGRAPHIC EXTENTS OF THIS SURVEY  
IS THE TOP OF BANK.

Unbuildable Ravine  
Peterson's Own  
slope

NOTE: POND WALL IS 8" CONCRETE  
← 10" STONES ARE ENCASED ON THE  
WALL TOP.

LOT 6

LOT 7

BLOCK 12

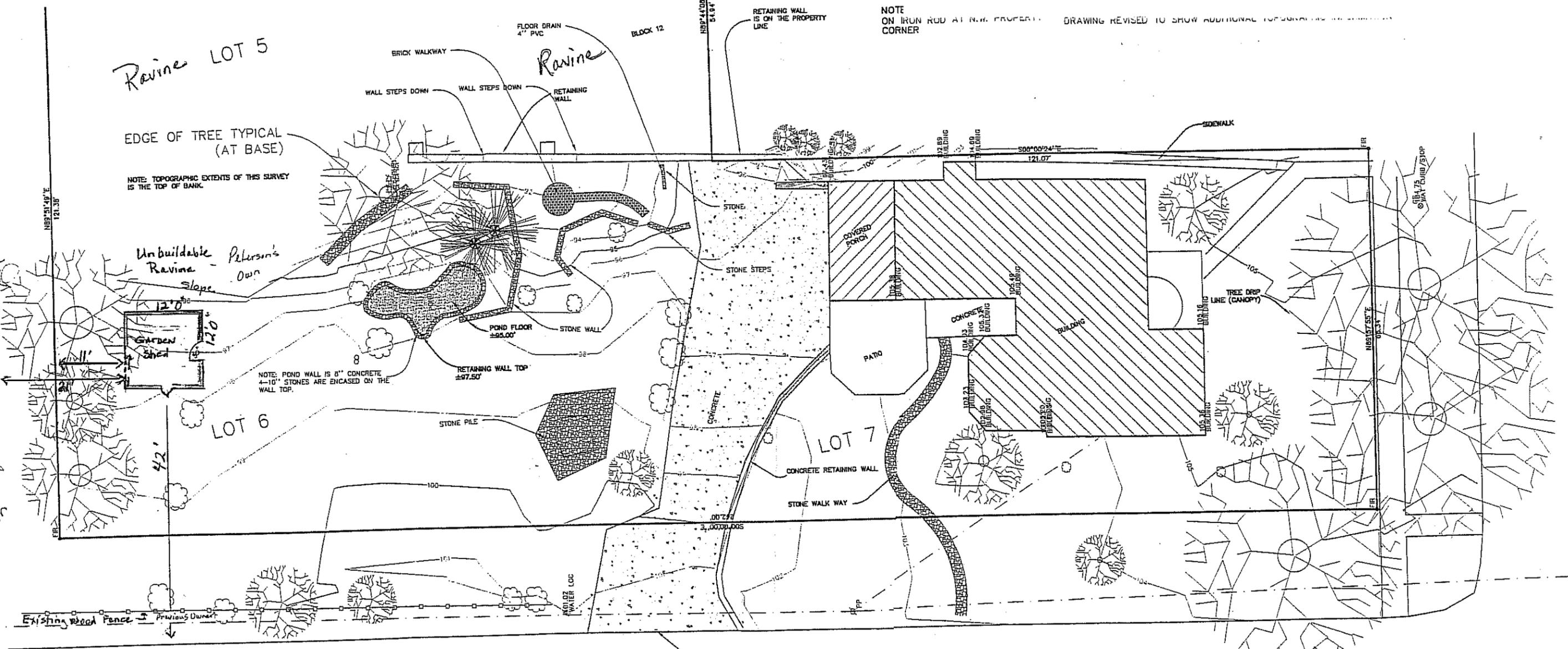
FOUND 1/2 ROD  
W/CAP (ROSS)

RETAINING WALL  
IS ON THE PROPERTY  
LINE

NOTE  
ON IRON ROD AT N.W. PROPERTY  
CORNER

DRAWING REVISED TO SHOW ADDITIONAL TOPOGRAPHY

Slope  
Trees  
Edge of Bad St. Elevation



FOURTH STREET (66' R.O.W.)

ELM STREET (66' R.O.W.)

PETITION TO CITY OF MANISTEE  
ZONING BOARD OF APPEALS

Proposal: Build an out-building 12' x 12' garden shed 10' from our property line.

Problem: City zoning defines our back property line as a 'front yard property line' because the grassy area behind our property is zoned as "a road, Third St.", thereby requiring a 25' setback from the property line. Because of the lay-of-the land, i.e. the ravine cutting through and an existing pond, the building cannot set further into the yard.

The undersigned neighbors surrounding this area have no objections to the variance request:

<u>Name:</u>	<u>Address:</u>	<u>Phone:</u>
<u>Rena A. Edens</u>	<u>504 Third St</u>	<u>723-7439</u>
<u>Polly Schluff</u>	<u>506 Third St.</u>	<u>723-9021</u>
<u>Wendy Hoerw</u>	<u>489 4th St</u>	<u>723-9947</u>
<u>Nancy C. Jones</u>	<u>512 4th St.</u>	<u>398-0779</u>
<u>Tara P. Cole</u>	<u>488 Fourth St.</u>	<u>723-3426</u>
<u>Jeannie Hunted</u>	<u>500 3rd St</u>	<u>723-0712</u>
<u>Sally Dexter</u>	<u>500 3rd St</u>	<u>723-0712</u>
<u>Wendy B. Mill</u>	<u>503 4th St.</u>	<u>723-8936</u>
_____	_____	_____