

MANISTEE CITY ZONING BOARD OF APPEALS

70 Maple Street
P.O. Box 358
Manistee, MI 49660

MEETING MINUTES

August 26, 1996

A special meeting of the Manistee City Zoning Board of Appeals was held on Monday, August 26, 1996 at 7:00 p.m. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 7:03 p.m. by Chairman, Denis Johnson.

MEMBERS PRESENT: D. Johnson, E. Grabowski, E. Gutowski, E. Budnik, M. Johnson

ALTERNATE PRESENT: R. Johnson

OTHERS PRESENT: Jon Rose (Code Administrator)

A public hearing was held on a request from Kay Wagner and Steven Mellot for a variance to reduce side-yard set-back from 10 feet to five feet at 523 Second Street. K. Wagner presented her request for a reduction to the side-yard set-back to allow a stairway for access to the upstairs. She also presented a new request for a variance to the East side-yard to allow an addition to the South of the house. Jon Rose stated that he thought the additional request could not be handled without proper notice to the public that it was being requested so should be postponed until a future meeting. Mr. Parr of 105 Tamarack spoke in favor of the proposal as long as the home was intended to be owner occupied.

A motion was made by Budnik with support by Grabowski to grant a variance to the West side-yard set-back for a reduction from ten feet to five feet. The motion included the consideration that the house is currently condemned and the proposal would improve the neighborhood. Motion also included the following findings of fact:

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 literal interpretation of the provisions of this ordinance would NOT deprive the applicant of rights commonly enjoyed by other properties in the same Land Use District under the terms of this Ordinance.

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.

Granting of the variance would 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.

MOTION PASSED UNANIMOUSLY.

Motion by Gutowski with support from M. Johnson that fees for the appeal requested by K. Wagner to the back of the building be waived as long as her appeal was held in conjunction with another appeal and the appeals board did not have to hold a special meeting.

MOTION APPROVED UNANIMOUSLY

A public hearing on a request from Mr. Al Thomas of 529 Maple Street for a reduction of the front-yard setback on Sophia Street from 25 feet to 1 ½ feet was introduced at 7:30 p.m.

There was a motion by Grabowski with support from Gutowski to approve a reduction in the front-yard setback on Sophia Street to three feet from the property line with the consideration that the property is on a high hill so deck will have little impact on people traveling on the sidewalk, and with the required condition that the plan be reviewed by the Department of Public Safety for clear vision at the intersection and the following findings of facts:

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 literal interpretation of the provisions of this ordinance would NOT deprive the applicant of rights commonly enjoyed by other properties in the same Land Use District under the terms of this Ordinance.

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.

Granting of the variance would 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.

MOTION PASSED UNANIMOUSLY.

Motion by Budnik with support from M. Johnson that the minutes of the July 1, 1996 meeting be approved.

APPROVED UNANIMOUSLY.

There being no further business meeting adjourned at 7:45 p.m.

Respectfully Submitted


Ed Grabowski