

**MANISTEE CITY ZONING BOARD OF APPEALS**

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

**MEETING MINUTES**

**October 14, 1996**

A special meeting of the Manistee City Zoning Board of Appeals was held on Monday, October 14, 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 7:05 p.m. by Chairman, Denis Johnson.

**MEMBERS PRESENT:** D. Johnson, E. Budnik,

**ALTERNATE PRESENT:** R. Johnson

**MEMBERS ABSENT:** E. Grabowski, E. Gutowski, M. Johnson

**OTHERS PRESENT:** Jon Rose (Code Administrator)  
Michael Ellison

A public hearing was held on a request from Michael Ellison, Contractor for Family Video, 113 Cypress Street. Mr. Ellison made a presentation for a variance to 14 foot height limit for accessory structures to allow construction of a 25 foot light tower.

The site plan was approved at the October 3, 1996 Planning Commission subject to the following:

1. Approval by the Director of Public Safety needs to be obtained.
2. Variance from the Zoning Board of Appeals - height exceeds the fourteen foot limitation.
3. Recommendation that the Appeals Board add a condition to their motion that requires the owner within thirty days of closing to dismantle and remove the structure.

The Director of Public Safety, Robert Hornkohl has looked at the proposal and has no objections.

There was a motion by Budnik with support from R. Johnson to approve a variance to height limit for accessory structures from 14 feet to 25 feet to allow construction of a light tower. With the condition that in the event that Family Video closes the store, the tower shall be dismantled and removed within 30 days of vacating. 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.

The reasons set forth in the application justify the variance and is the requested variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

MOTION PASSED UNANIMOUSLY.

Motion by R. Johnson with support from E. Budnik that the minutes of the October 7, meeting be approved.


APPROVED UNANIMOUSLY.

There being no further business a motion by R. Johnson with support by E. Budnik that the meeting be adjourned

APPROVED UNANIMOUSLY.

Meeting adjourned at 7:30 p.m.

Respectfully Submitted



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Jon R. Rose  
Code Administrator