

MANISTEE CITY ZONING BOARD OF APPEALS

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

MEETING MINUTES

November 25, 1997

A special meeting of the Manistee City Zoning Board of Appeals was held on Tuesday, November 25, 1997 at 5:00 p.m. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 5:00 p.m. by Chair Grabowski.

MEMBERS PRESENT: E. Grabowski, M. Johnson, J. Serocki

MEMBERS ABSENT: E. Budnik

ALTERNATE PRESENT: R. Johnson, R. Tetsworth

OTHERS PRESENT: Jon Rose (Community Development Officer), Raymond Rutkowski (400 Spruce Street), Denise Mikula (City Staff),

Chair Grabowski called the meeting to order at 5:00 p.m.

PUBLIC HEARINGS:

No public hearing on the agenda

BUSINESS SESSION:

MINUTES

MOTION by R. Johnson, support by J. Serocki that the minutes of the November 18, 1997 Zoning Board of Appeals Meeting be amended to reflect a vote item #1 and item #4 of the following findings of facts as follows:

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? Voting as follows:
Yes - E. Grabowski, M. Johnson, J. Serocki, R. Tetsworth
No - R. Johnson

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? All voting yes.

Minutes were approved with corrections unanimously

Raymond Rutkowski

Chair Grabowski opened the floor to discussion on the matter of Raymond Rutkowski's request to amend variance received December 4, 1995 to add a 13 foot 6 inch garage door to carport. A public hearing was held on November 18, 1997 for Mr. Rutkowski's Request. That meeting was adjourned for further deliberation to November 25, 1997.

The following required findings of facts were discussed with voting as follows:

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 - E. Grabowski, M. Johnson, R. Tetsworth
No - B. Johnson, J. Serocki
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 - E. Grabowski, M. Johnson, J. Serocki, R. Tetsworth
No - B. Johnson
5. Do the reasons set forth in the application justifying the variance and is the requested variance the minimum variance that will make possible the reasonable use of the land, building or structure?
All voting yes.
6. Does the requested variance include the allowance for a use which is not permitted in the Land Use District in questions?
All voting no.
7. Are there any conditions, safeguards or guarantees, in conformity with the Ordinance, that the Board feels are necessary if a variance is granted?
All voting no.

The sides of the carport will remain transparent. If there is a need for repair or maintenance they will be repaired and maintained with transparent materials.

MOTION by Serocki, supported by M. Johnson to grant a variance to Raymond Rutkowski to add a 13 foot 6 inch garage door to the carport with the condition that the sides will remain transparent.

MOTION APPROVED UNANIMOUSLY.

ADJOURNMENT

There being no further business a motion to adjourn was made by R. Johnson supported by M. Johnson.

APPROVED UNANIMOUSLY.

Meeting adjourned at 5:28 p.m.

Respectfully Submitted



Jon R. Rose, Acting as Secretary