

MANISTEE CITY ZONING BOARD OF APPEALS

City Hall, 70 Maple Street
Manistee, MI 49660

MEETING MINUTES

August 30, 2022

A meeting of the Manistee City Zoning Board of Appeals was held on August 30, 2022, at 6:00 pm, Chamber of Commerce Room, 70 Maple Street, Manistee, Michigan.

MEMBERS PRESENT: Duane Jones, Linda Cihlar, John Veach, Glenn Zaring Denis Johnson alternate

MEMBER ABSENT: Shelly Memberto

OTHERS Katie Mehl (Planner 1/City Zoning Administrator) and Nancy Baker (Recording Secretary)

The meeting was called to order at 6:03 p.m. by Chair Zaring.
Denis Johnson, alternate, sat on the Zoning Board of Appeals in the absence of Shelly Memberto.

APPROVAL OF AGENDA:

MOTION by Duane Jones, seconded by Linda Cihlar to approve the agenda as prepared.
With a voice vote this MOTION PASSED UNANIMOUSLY

APPROVAL OF MINUTES:

MOTION by John Veach, seconded by Denis Johnson to approve the January 12, 2022 and July 13, 2022 meeting minutes as printed.
With a voice vote this MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING:

Request for Variance—Parcel ID #51-51-574-726-02, 313 Maple Street & 311 Maple Street

Opened at 6:07 pm

Applicant Chad Whitman:

- ✓ Duplex on property
- ✓ Current R2 zoning does not allow use of existing grounds to construct new accessory structure
- ✓ Requesting to construct useful accessory garage closer to the home allowing for larger backyard use
- ✓ Construction of garage to fit closer to architectural style of home
- ✓ Not attaching garage to current home structure; extremely difficult to intergrade into existing structure entry points, plan to put footings down same level as existing structure

Ms. Mehl: two (2) letters of support were received from neighbors.

Closed at 6:15 pm.

BUSINESS SESSION:

Action on Pending Cases

Request for Variance—Parcel ID #51-51-574-726-02, 313 Maple Street & 311 Maple Street

Property owner commended for wanting to improve the parcel by having the structure look more fitting to the area. There is support from the neighbors.

Basic Conditions:

1. The requested variance is not contrary to the public interest or to the intent and purpose of this Ordinance. No.
Reasoning: new use same as current use, more pleasing to neighborhood, to fit architectural style of main structure
Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.
2. The requested variance does not establish a use that is not permitted by right or by a special use permit in the zoning district. No.
Reasoning: garage being proposed is a permitted accessory structure in the residential community with nothing special being provided
Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.
3. The requested variance does not create an adverse effect upon properties in the immediate vicinity or in the district. No.
Reasoning: neighbors are in favor of this variance
Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.
4. The requested variance is not of a recurrent nature to require a change in the Zoning Ordinance. No.
Reasoning: not going to be a reoccurrence, garage will be built once
Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.
5. The requested variance is for property under the control of the applicant. Yes.
Reasoning: applicant owns the property
Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.
6. The requested variance was not self-created by the applicant or property owner. No.
Reasoning: situation not created by the applicant, has created a solution to the problem, substandard size lot that contributes to his need, variance needed to build an improved garage and demo the poor looking garage
Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.
7. There is not an alternative that would allow the improvement to the property without the requested variance. No.
Reasoning: alternatives discussed and determined to be unable to do anything but what is

planned

Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.

8. The requested variance is the minimum amount necessary to still permit the reasonable use of the land. Yes.

Reasoning: applicant not asking for anything more than what is needed

Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.

Special Conditions

Is there an exceptional or extraordinary circumstance or physical condition (narrowness, shallowness, shape or topography) of the property or to the proposed use that does not apply to other properties or uses in the same zoning district? Yes.

Justification: documentation and mapping presented show the exceptional/extraordinary circumstances

Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.

MOTION by Denis Johnson, seconded by Duane Jones to approve the requested variance as applied for parcel 51-51-574-726-02, 313 Maple Street & 311 Maple Street.

Roll call vote: Yes; Johnson, Jones, Veach, Cihlar, Zaring. No; none. MOTION PASSED UNANIMOUSLY.

PUBLIC COMMENTS AND COMMUNICATIONS:

None

OTHER COMMENTS FROM MEMBERS OR STAFF

Mr. Veach: good presentation on the variance.

Mr. Johnson: glad past minutes issues were resolved.

Mr. Zaring: pleased with ease of the presented variance project, congratulations to the applicant.

ADJOURNMENT:

The meeting was adjourned by Call of the Chair.

Meeting adjourned at 6:28 p.m.

Respectfully Submitted

Nancy Baker

Nancy Baker, Recording Secretary