

MANISTEE CITY ZONING BOARD OF APPEALS

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

MEETING MINUTES

January 6, 2000

A meeting of the Manistee City Zoning Board of Appeals was held on Thursday, January 6, 2000 at 5:30 p.m. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 5:30 p.m. by Chairman Ed Grabowski.

MEMBERS PRESENT: Ed Grabowski, Mary Ann Johnson, John Serocki, Mark Wittlief

MEMBERS ABSENT: John Perschbacher

ALTERNATE PRESENT: Brenda Alfred-Birks

OTHERS PRESENT: Donald & Sandy Pelarski, Jon Rose (Community Development), Mark Niesen (Building and Zoning)

PUBLIC HEARING:

Donald & Sandy Pelarski and Edwin & Helen Alfred

Mr. & Mrs. Pelarski are selling their home at 284 Fifth Street. A survey revealed the Pelarski's home encroaches into the Mr. & Mrs. Alfred's property at 280 Fifth Street. A variance is requested to reduce the side-yard set-back from 10 feet to 8 feet on the Alfred's property to correct the encroachment problem.

The Planning Commission has received a Lot Split and Combination Request from Mr. & Mrs. Pelarski who are acquiring 3.5 feet of property from Mr. & Mrs. Alfred. The Planning Commission would not be able to approve the request without a variance the Zoning Board of Appeals since the request would not meet the set-back required in the Zoning Ordinance without the variance.

Mrs. Pelarski said it was basically a paperwork situation.

Chairman Grabowski explained to the board that it was the Alfred Property that needed the variance. The Pelarski's will benefit from this and improve the encroachment problem while the Alfred's will have their setback reduced thus requiring a variance. All members understood the request.

There being no further discussion the public hearing closed at 5:37 p.m.

BUSINESS SESSION:

Minutes

MOTION by John Serocki, supported by Mark Wittlief that the minutes from the November 18, 1999 and December 16, 1999 meetings be approved.

MOTION PASSED UNANIMOUSLY.

Donald & Sandy Pelarski and Edwin & Helen Alfred

A Public Hearing was held earlier regarding the request from Donald & Sandy Pelarski and Edwin & Helen Alfred. The request is for a variance to the side-yard set-back from 10 feet to 8 feet to correct an encroachment problem.

MOTION by Mark Wittlief, seconded by Mary Ann Johnson that a variance to the side-yard set-back from 10 feet to 8 feet to correct an encroachment problem be granted. Motion was made with 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 deprive the applicant of rights commonly enjoyed by other properties in the 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 with Brenda Alfred-Birks Abstaining

OTHER BUSINESS:

Election of Officers:

Chair

Meeting was turned over to Jon Rose who asked for nominations to the position of Chair.

Jon Rose asked for nominations to the position of Chair.

Ed Grabowski nominated John Serocki to the position of Chair, Mary Ann Johnson seconded the nomination.

There being no further nominations

John Serocki was nominated as Chair to the Board of Appeals for the year 2000.

Vice-Chair/Secretary

Jon Rose asked for nominations to the position of Vice-Chair/Secretary.

John Serocki nominated Ed Grabowski to the position of Vice-Chair/Secretary, Mary Ann Johnson seconded the nomination.

There being no further nominations

Ed Grabowski was nominated as Vice-Chair/Secretary to the Board of Appeals for the year 2000.

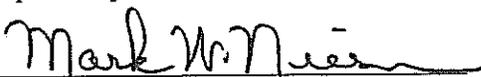
ADJOURNMENT:

There being no further business MOTION by Mary Ann Johnson seconded by Ed Grabowski that the meeting be adjourned.

MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 5:44 p.m.

Respectfully Submitted


Mark W. Niesen, Acting as Secretary