

**CITY OF MANISTEE
ZONING BOARD OF APPEALS**

City Hall
70 Maple Street
Manistee, MI 49660

There will be a meeting of the City of Manistee Zoning Board of Appeals to be held on Monday, August 23, 1999 at 5:30 p.m. in the Council Chambers, 70 Maple Street, Manistee, Michigan.

AGENDA

- I. Roll Call

- II. Matters Pertaining to the General Citizenry:
 - A. Public Hearing:
 - 1. Good Shepherd Lutheran Church
 - 2.
 - B. Questions, Concerns of Citizens in Attendance:
 - 1.
 - 2.

- III. Business Session:
 - A. Approval of Minutes (7/2299)
 - B. Unfinished Business:
 - 1. Good Shepherd Lutheran Church
 - 2.
 - C. Other Business:
 - 1.
 - 2.

- V. Work/Study Session:

- VI. Adjournment

cc: Zoning Board of Appeals Members
Mark W. Niesen, Building Inspector
Jon R. Rose, Community Development
Julie A. Beardslee, City Assessor
R. Ben Bifoss, City Manager
Bruce Gockerman, City Attorney

CITY OF MANISTEE

MEMORANDUM

TO: Zoning Board of Appeals Members

FROM: Mark Niesen
Building and Zoning

DATE: August 13, 1999

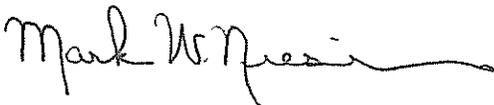
RE: Zoning Board of Appeals Meeting Monday, August 23, 1999

We have scheduled another Zoning Board of Appeals meeting for 5:30 p.m., Monday, August 23, 1999.

A request has been received from Good Shepherd Lutheran Church, 521 Cypress Street for a variance to height restriction from 7 feet to 14 feet 2 inches and variance from front-yard set-back from 10 feet to 3 feet 6 inches from property line (making it 5 feet from sidewalk) to construct a sign.

Dave Bachman, Chief of Police reviewed the proposed location of the sign and recommended that the sign be a minimum of 6 feet off the ground, maintain a 5 foot set-back from the sidewalk and any landscaping around the base of the sign be kept to a height not to interfere with a line of vision for vehicular traffic. A copy of their application is enclosed for your review.

If you are unable to attend the meeting please call Denise at 723-2558. See you there!



JRR:djm

Enclosures

REQUEST FOR APPEAL
CITY OF MANISTEE
ZONING BOARD OF APPEALS

GOOD SHEPHERD LUTHERAN CHURCH

Name

521 CYPRESS ST.

Address

MANISTEE, MI 49660

City, State and Zip Code

TOM ANDRA JR - ANDRA SEN STUBBS

Phone Numbers (Work)

723-8361

(Home)

723-7825

FOR OFFICE USE ONLY

Appeal Number 9912

Date Received 8-11-90

Tax Parcel Number 51-51-654-702-01

Fee Received (Amt & Date) 150.00

Receipt Number 3135

Hearing Date 8-23-99

Board of Appeals Action _____

FEE FOR APPEAL \$150.00

PLEASE NOTE: All questions must be answered completely. If additional space is needed, number and attach additional sheets.

I. ACTION REQUESTED:

I, (We), the undersign request a hearing before the Manistee City Zoning Board of Appeals for the purpose indicated below:

- | | |
|--|--|
| <input type="checkbox"/> Ordinance or Map Interpretation | <input checked="" type="checkbox"/> Variance |
| <input type="checkbox"/> Appeal from Administrative Decision | <input type="checkbox"/> Other Authorized Review |

II. PROPERTY INFORMATION:

A. Legal description of property affected by this appeal: Hart & Chutcheons Sub
of Lots 12 thru 19 of W Magills Add Lots 9, 10, 11 & 12 Block 1
 Tax Roll Parcel Code #: 51-51-654-702-01

B. List of all deed restrictions (attach additional sheets if necessary): —

C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land: —

D. This area is: Not platted, Platted, Will be Platted

If Platted, Name of Plat: Hart & Chutcheons Subdivision

E. Present use of property is: CHURCH

F. Present zoning district classification of the property is: R-4

- G. A previous appeal (has/has not) been made with respect to these premises in the last ? years. If a previous appeal, re-zoning or special use permit application was made, state the date, nature of action requested and the decision:
Date: _____ Action Requested: _____
Decision (approved/ denied) other: _____

III. DETAILED REQUEST AND JUSTIFICATION

A. Interpretation of Zoning Ordinance or Map

1. The appellant respectfully requests the Board of Appeals make an interpretation of:
 (A) The location of district boundaries on the _____ Zoning District map as applied to the property described in the application.
 (B) The provisions of article _____ Section _____ of the Manistee City Zoning Ordinance.
 (C) Other, (specify) _____

2. Please describe in detail the nature of the problem to be interpreted and the reason for the request: SEEKING A VARIANCE FOR THE SETBACK AND OVERALL HEIGHT OF A PROPOSED SIGN.

B. Variance from the requirements of the Zoning Ordinance.

The appellant respectfully requests the Board of Appeals grant a variance on the above described property.

1. Indicated below are the Ordinance requirement(s) which are the subject of the variance request.
 Setback Side Yard Off-street Parking
 Lot Coverage Placement Height
 Signs Area Requirements Other _____
2. State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Ordinance. _____

3. Describe the characteristics of your property which require the granting of a variance (include dimensional information).
 Too Narrow Elevation Soil
 Too Small Slope Subsurface
 Too Shallow Shape Other (Specify)
A 10 SETBACK OF THE SIGN WILL PUT IT BEHIND THE CHURCH BUILDING, PREVENTING READERSHIP. FOR CLEAR VISION AT OPERNER, A VARIANCE IN HEIGHT IS REQUESTED.

4. Justification for granting the requested variance. The appellant must show that strict application of the provisions of the Zoning Ordinance to his property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the ordinance. In order for the Board of Appeals to determine whether unnecessary hardship exists, the appellant should provide answers to each of the following questions:
- a. Can the property in question be used in a manner permitted by the Zoning Ordinance if a variance is not granted? yes no
If no, what unnecessary hardship or practical difficulty will result if the variance is not made? SIGN WILL NOT BE READ.
- b. To the best of your knowledge, can you affirm that the hardship or practical difficulty described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance or applicable part thereof became law? yes no
If no, explain why the hardship or practical difficulty should not be regarded as self-imposed (Self-imposed hardships are not entitled to variances). _____
- c. Are the conditions on your property the result of other man-made changes (such as relocation of a road or highway?) yes no
If yes, describe _____
- d. Will strict application of the terms of the ordinance deny use of the property for any purpose to which its reasonably adapted? yes no
If yes, how? EXISTING SIGN COULD NOT BE REPLACED.
- e. Is the variance applied for due to unique circumstances presented on your property or to the general conditions in the area? yes no
If yes, explain any peculiar or unique conditions, and how many other properties in your area are similarly affected THIS IS A BLOCK OF HISTORICALLY COMMERCIAL PROPERTY IN THE MIDDLE OF A RESIDENTIAL DISTRICT.
- f. Would granting the variance change the essential character of the area?
 yes no. If yes, how? _____
- g. Would granting the variance be contrary to any county development plans?
 yes no. or to any local government development plans?
 yes no. Explain _____
- h. Would granting the variance be contrary to the intent and purpose of the Zoning Ordinance? yes no. If yes, explain _____
- i. Other Comments in support of the application. _____

C. Appeal from Administrative decision.
The appellant respectfully requests the Board of Appeals to (reverse/modify) the Zoning Administrator's decision (copy attached) on application number _____ dated _____. It is alleged the Zoning Administrator erred in (the interpretation of article _____ section _____ / his order/his requirement/ his decision/ his determination) regarding the issuance of a _____ permit and that (reversal/modification) of said decision should be granted because _____

Specify decision sought: _____

D. Other authorized reviews
The appellant respectfully petitions the Board of Appeals to grant the following: _____

According to the conditions and provisions of article _____ section _____ granting this authority to the Board of Appeals. Specifically state the problem, decision sought and the justification for the request. _____

IV. IMPACT ON SURROUNDING LANDS

If your request is granted:

A. What are likely to be the positive and negative impacts of this decision on the surrounding land and neighbors? LIKE FLOWERS ON BEDSOM BOULEVARD, THE SIGN WILL CREATE PRIDE IN THE COMMUNITY AND EXTEND GOD'S WILL.

B. How do you propose to minimize any potential negative impacts which your proposed activity may cause? A HINGED LEXAN COVER WILL PREVENT VANDALS FROM CHANGING COPY ON MESSAGE BOARD.

V. AFFIDAVIT

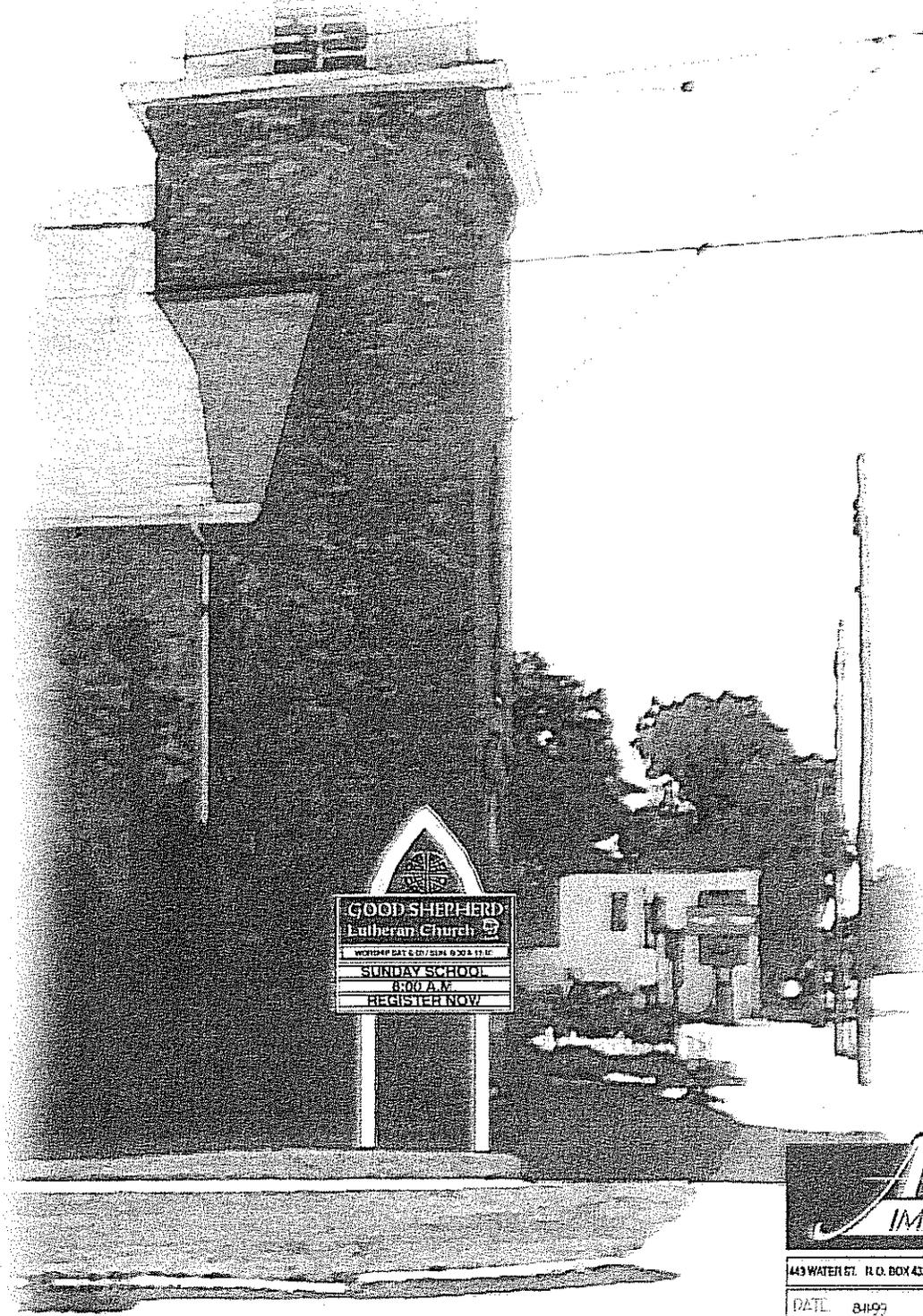
The undersigned acknowledges that if a variance is granted or other decisions favorable to the undersigned is rendered upon this appeal, the said decision does not relieve the applicant from compliance with all other provisions of the City of Manistee Zoning Ordinance; the undersigned further affirms that he/she or they is (are) the (owner/lessee/authorized agent for the owner) involved in the appeal and the answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his, her or their knowledge and belief.

Signature Thomas H. Amode

Date 8/11/99

Signature _____

Date _____



443 WATER ST. P.O. BOX 433 MANISTEE, MI 49620 815-723-8361

DATE	8/1/99	SCALE	None
REVISED		W/O	
CALLS INC		QUOTES	BALK
FILE NAME	GOODSHEPHERD 01 0999 PAGE 5		
USER	SERVER/CUSTOMER		

AMOR SIGN STUDIOS, INC. reserves the exclusive right to all an unregistered design. This design/invention is protected by U.S. Federal Copyright Laws. REPRODUCTION in all of part is STRICTLY FORBIDDEN. AMOR SIGN STUDIOS, INC. retains the right to be brought redressed from a violation occur, or to be suit against violator/violator in a Federal Court of Law.

GOODSHEPHERD

APPROVED CUSTOMER APPROVED

Authorized Signature _____

Date _____



GOOD SHEPHERD

Lutheran Church



WORSHIP SAT. 6:00 / SUN. 8:30 & 11:00

SUNDAY SCHOOL

8:00 A.M.

REGISTER NOW

14'-2"

6'-0"

4'-0"

6'-0"

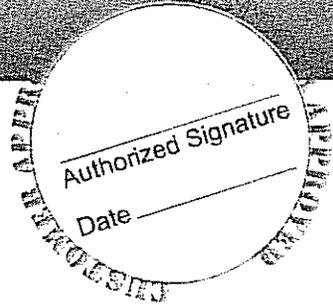
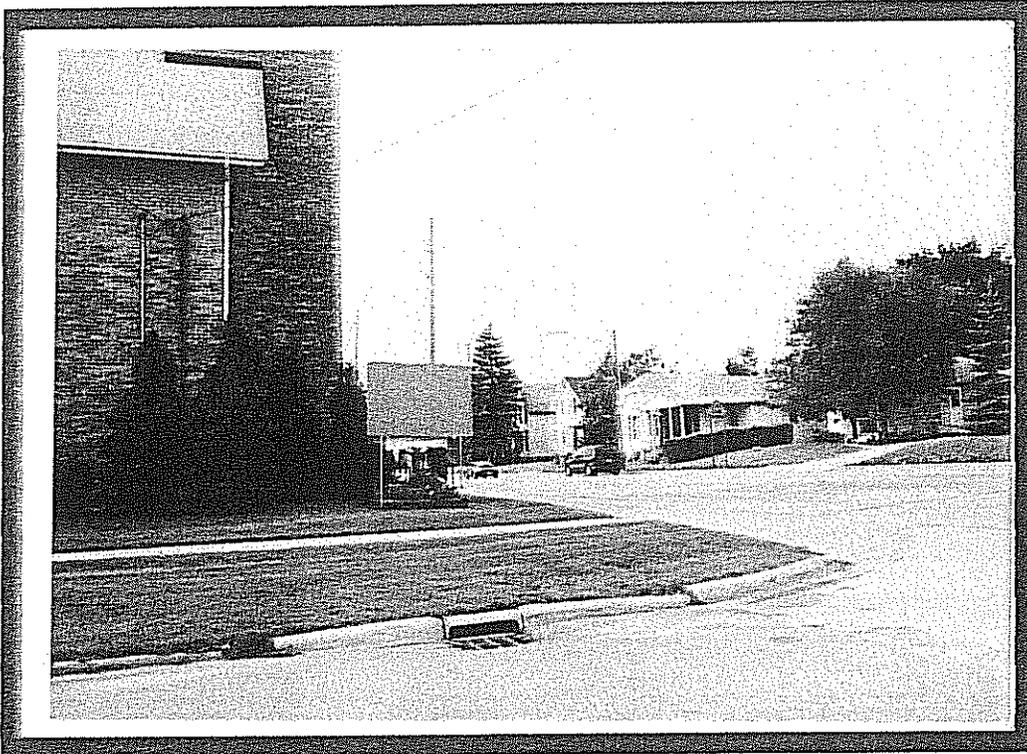


PHOTO CARD

The IMAGEPROfessionals
P.O. Box 433 Manistee, MI 49660

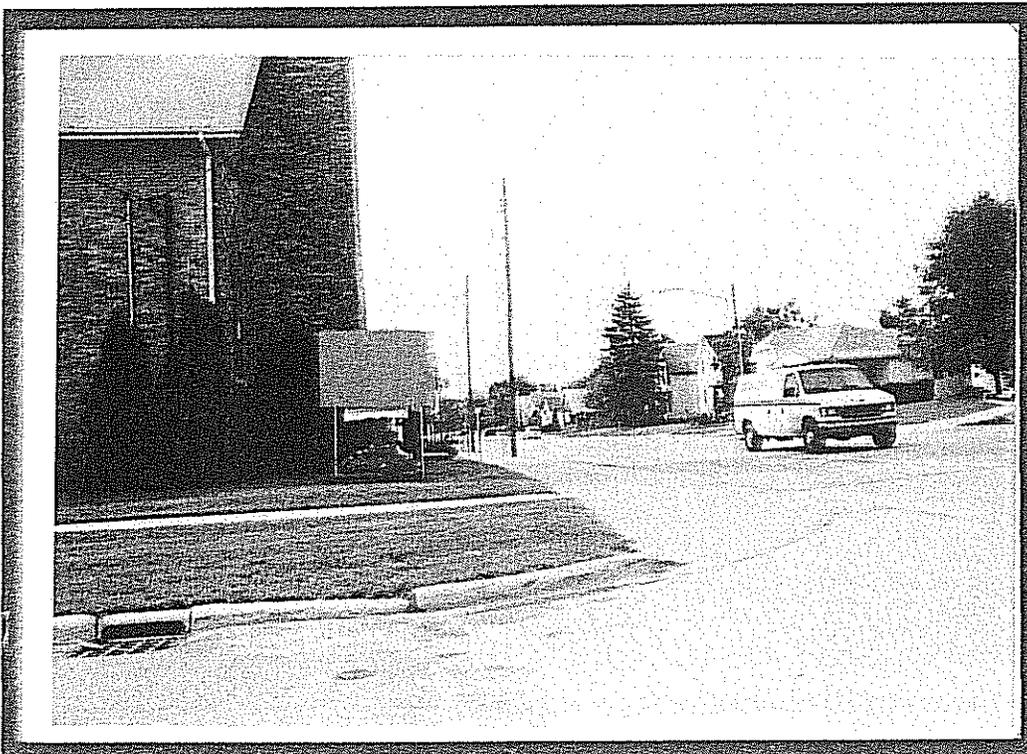
(616) 723-8361 800-922-AMOR
FAX: (616) 723-9365

DATE 8/12/99
CLIENT GOOD SHEPHERD LUTHERAN
LOCATION 521 CYPRESS ST.
MANISTEE, MI



(A) COMMENTS

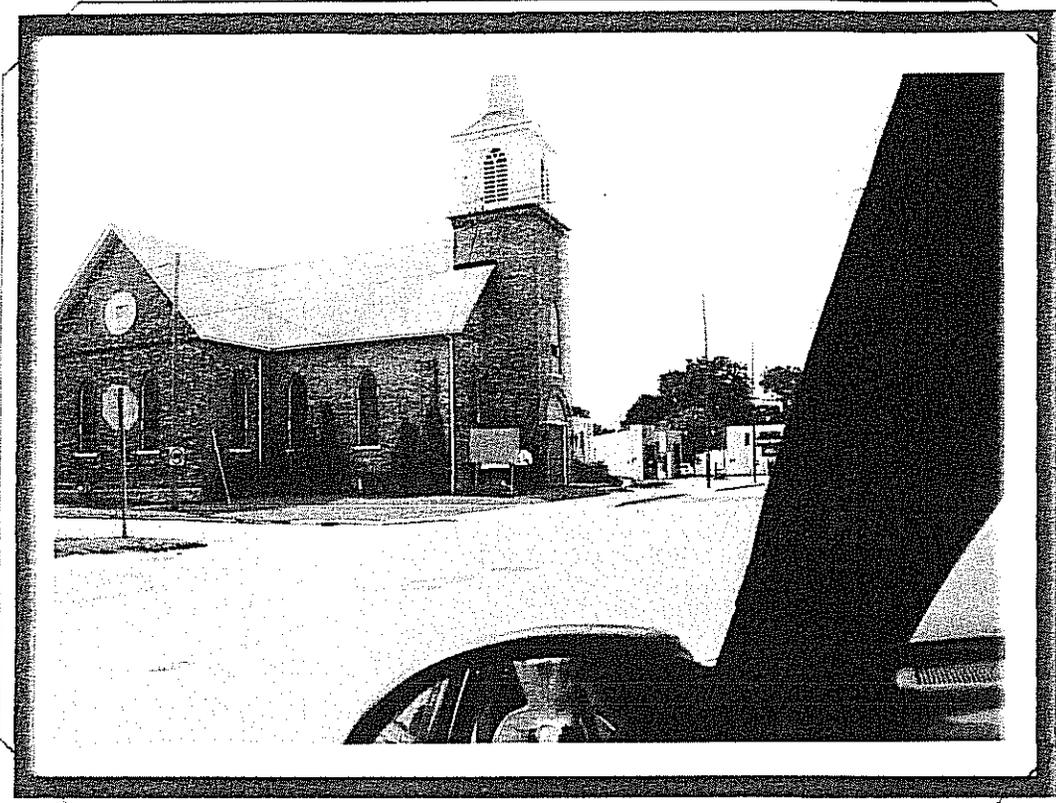
VIEW FROM CAR
AT MCGILL ST.
"MOCK-UP" IS 4'X6'.
SET BACK IS 5' FROM
SIDEWALK. HEIGHT
ABOVE GROUND LEVEL
IS 4'. POLICE OFFICER
BACHMAN'S RECOMM-
ENDATION IS A
6' H.A.S.L.



(B) COMMENTS

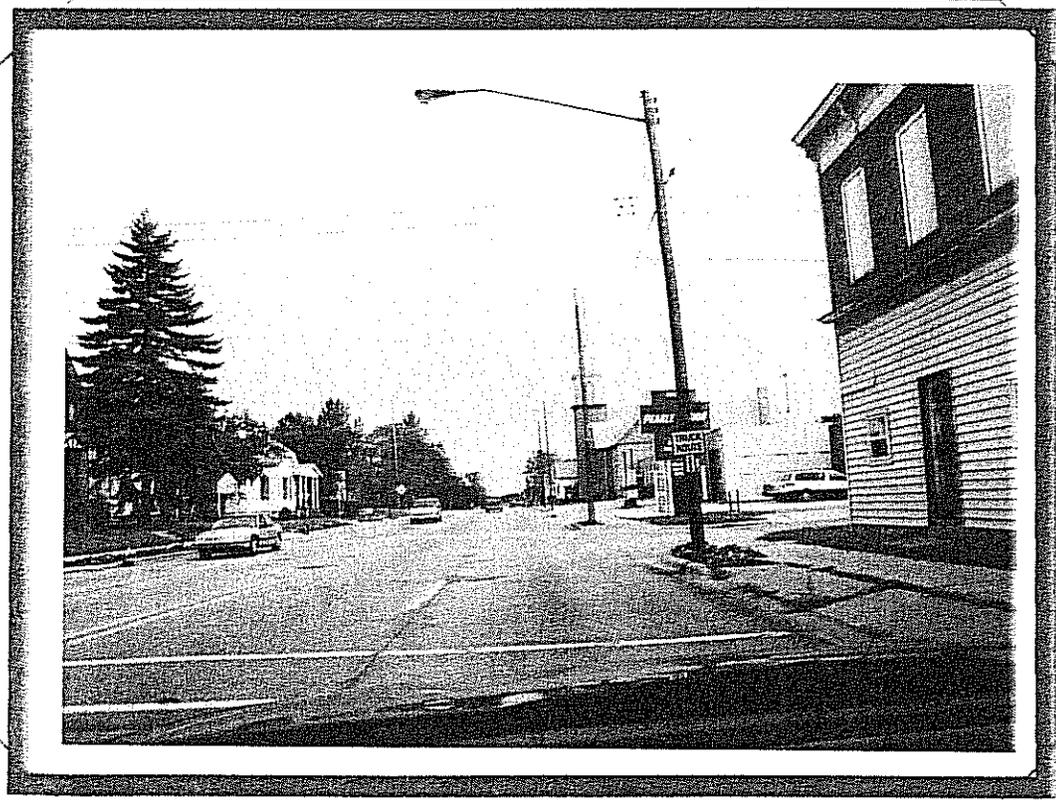
ANOTHER VIEW
FROM CAR,
ONLY CLOSER
TO INTERSECTION.

CLIENT GOOD SHEPHERD LUTHERAN



(C) COMMENTS

VIEW FROM CAR
HEADING SOUTH-
BOUND ON US-31



(D) COMMENTS

VIEW FROM
CAR HEADING
NORTHBOUND ON
US-31.