

**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 Thursday, April 5, 2001 at 5:30 p.m. in the Council Chambers, 70 Maple Street, Manistee, Michigan.

**AGENDA**

- I. Roll Call
  
- II Public Hearing:
  - 1. Richard Robinson, 719 Kosciusko Street
  - 2.
  
- III Business Session:
  - A. Approval of Minutes (3/22/01)
  - B. Unfinished Business:
    - 1. Richard Robinson, 719 Kosciusko Street
    - 2.
  - C. Other Business:
    - 1. Election of Officers
  
- IV Questions, Concerns of Citizens in Attendance
  
- V. Adjournment

cc: Zoning Board of Appeals Members  
Bruce Gockerman, City Attorney  
Jon R. Rose, Community Development  
Mark W. Niesen, Building/Zoning  
Ken Oleniczak, Interim City Manager  
Julie Beardslee, City Assessor

# MEMORANDUM

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TO: Zoning Board of Appeals Members

FROM: Mark W. Niesen  
Building/Zoning *M.W.N.*

DATE: March 27, 2001

RE: Zoning Board of Appeals Meeting, April 5, 2001

A Zoning Board of Appeals Meeting has been scheduled for Thursday, April 5, 2001 at 5:30 p.m. This meeting is in response to a request from Richard Robinson, 719 Kosciusko Street. Mr. Robinson purchased the building at 719 Kosciusko Street to use for an Auto Glass Building. He is renovating the building and the renovations would require two variances. The variances are as follows:

Variance to reduce south side-yard set-back from 10 feet to six feet 9 inches to construct a garage inline with south wall of existing building.

AND Variance to allow an encroachment into public right-of-way of a mansard roof with 4 foot overhang which replaces existing 3 foot overhang.

A copy of the request is enclosed.

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



G. A previous appeal (has/has not) been made with respect to these premises in the last None 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) Variance to set backs

2. Please describe in detail the nature of the problem to be interpreted and the reason for the request: Keep garage in line with existing building. Keep front of building visually appealing and the same as neighbors.

#### 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.

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Setback | <input type="checkbox"/> Side Yard         | <input type="checkbox"/> Off-street Parking |
| <input type="checkbox"/> Lot Coverage       | <input type="checkbox"/> Placement         | <input type="checkbox"/> Height             |
| <input type="checkbox"/> Signs              | <input type="checkbox"/> Area Requirements | <input type="checkbox"/> Other _____        |

2. State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Ordinance. ① Keep new garage in line with south wall of existing building.

② Make property more appealing

3. Describe the characteristics of your property which require the granting of a variance (include dimensional information).

- |  |                                    |  |
|--|------------------------------------|--|
| <input checked="" type="checkbox"/> Too Narrow | <input type="checkbox"/> Elevation | <input type="checkbox"/> Soil            |
| <input checked="" type="checkbox"/> Too Small  | <input type="checkbox"/> Slope     | <input type="checkbox"/> Subsurface      |
| <input type="checkbox"/> Too Shallow           | <input type="checkbox"/> Shape     | <input type="checkbox"/> Other (Specify) |

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? Property too small

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? Too narrow, Too small

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 Existing Building is in the setback

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. \_\_\_\_\_

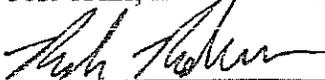
IV. IMPACT ON SURROUNDING LANDS

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? I see no negative impacts  
Positive - It will look really sharp and  
give the area a more positive appearance.
- B. How do you propose to minimize any potential negative impacts which your proposed activity may cause? —

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.

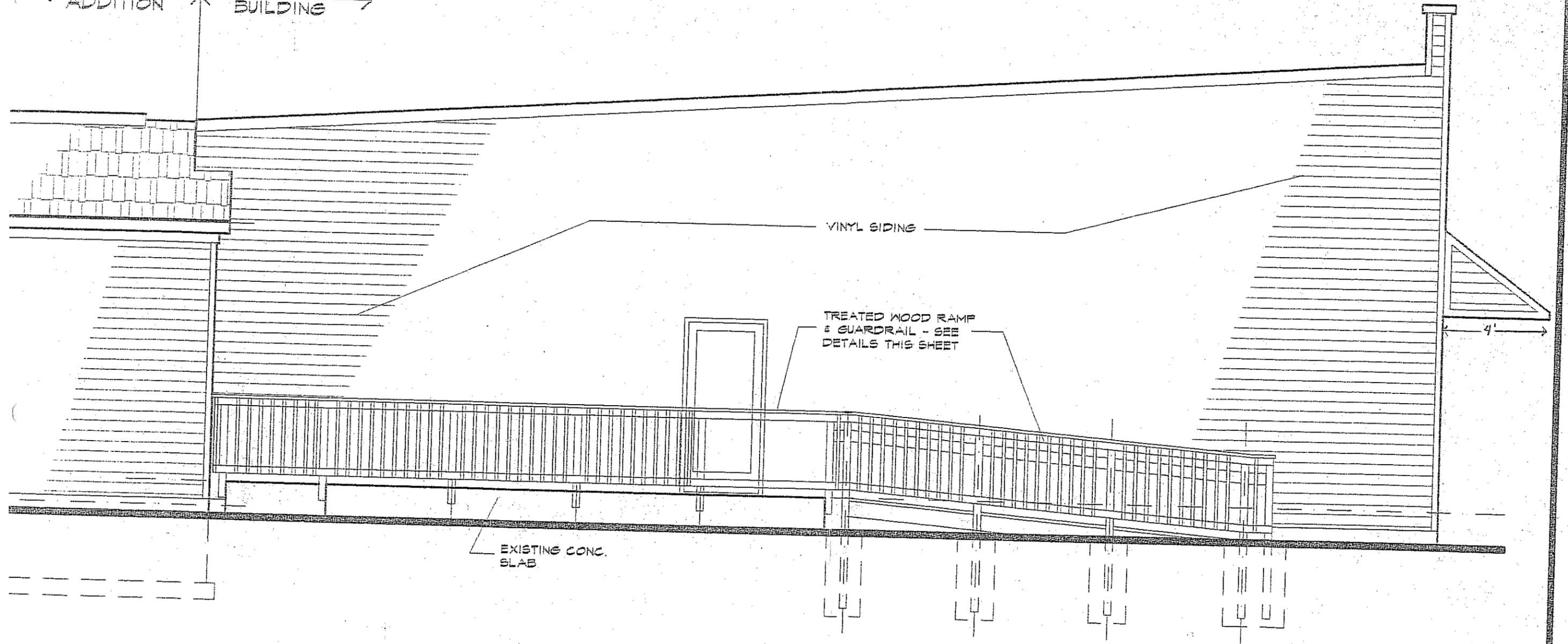
Signature 

Date 4-26-01

Signature \_\_\_\_\_

Date \_\_\_\_\_

← PROPOSED ADDITION \* EXISTING BUILDING →

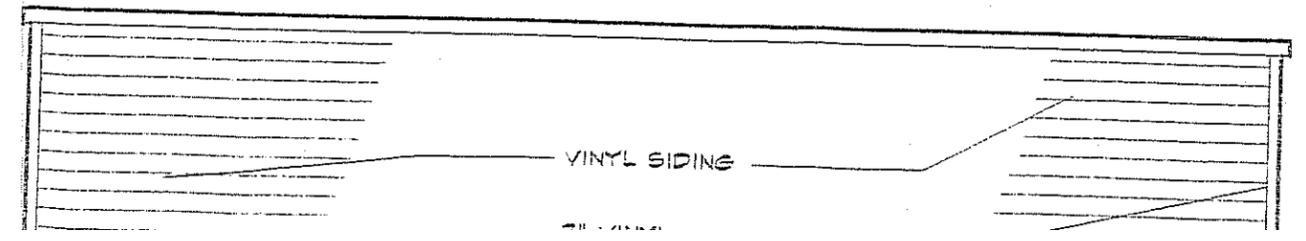


1  
A-2

# NORTH ELEVATION

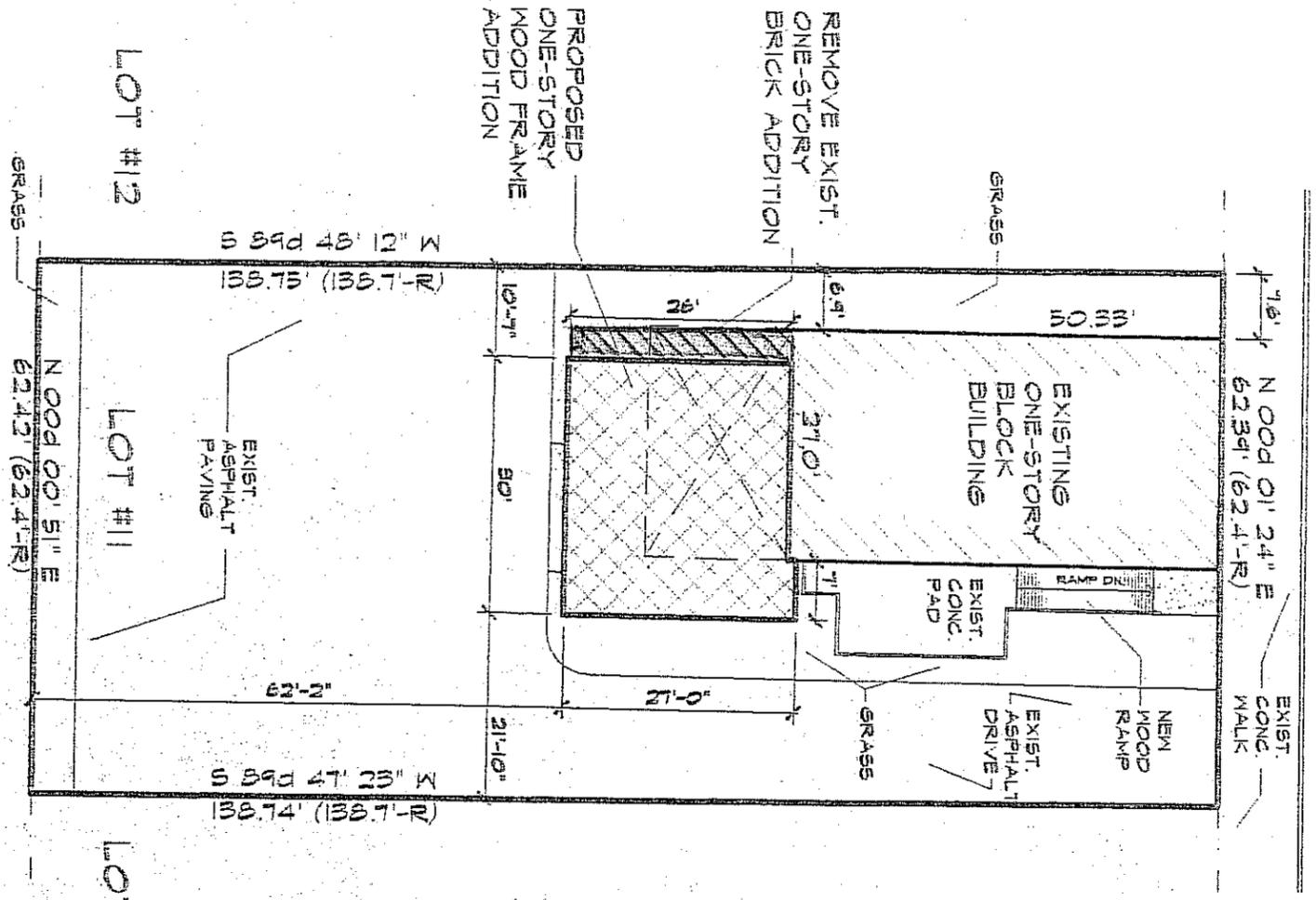
SCALE: 1/4" = 1'-0"

CONT. RIDGE VENT  
ASPHALT SHINGLES

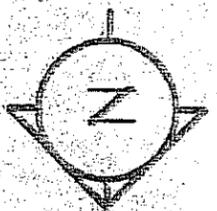


1, BLOCK 10, FREELAND ADDITION TO THE  
 OF MANISTEE, MANISTEE COUNTY, MICHIGAN

KOSCUISKO STREET  
 (66' WIDE)



- R5  
 K9  
 0'  
 10'



SCALE: 1" = 20'

BUILDING AREA	
EXISTING	1354 SF
NEW	810 SF
TOTAL	2164 SF

*John G. New*  
*of*

Proposed Addition to:  
**GREAT LAKES AUTO GLASS**  
 719 Koscuisko Street  
 Manistee, Michigan

DRAWN RJM	CHECKED KCT	DATE 03 NOV 00	JOB NO. 151-2014
SCALE AS NOTED		SHEET ONE	
A-1			