

MANISTEE CITY ZONING BOARD OF APPEALS

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

MEETING MINUTES

SEPTEMBER 22, 1997

A special meeting of the Manistee City Zoning Board of Appeals was held on Monday, September 22, 1997 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 5:42 p.m. by Chair Grabowski.

MEMBERS PRESENT: E. Budnik, E. Grabowski, M. Johnson,

MEMBERS ABSENT: E. Gutowski, D. Jones,

ALTERNATE ABSENT: R. Johnson, R. Tetsworth

OTHERS PRESENT: Jon Rose (Community Development Officer), Kendra Thompson (Kendra Thompson Architect), Ron Muszynski, Fred MacDonald, Dennis & Linda Dunlap, Ray Fortier,

Chair Grabowski opened the public hearings at 5:43 p.m.

PUBLIC HEARINGS:

Ron Muszynski

Ed Grabowski introduced a request from Ron Muszynski, for a variance to the side-yard set-back and parcel width for the houses located at 712 & 714 High Street. These two homes are located on one parcel. Mr. Muszynski has a buyer for one of the homes and would like to get the necessary variances to submit a lot split request to the Planning Commission.

Dennis & Linda Dunlap

Kendra Thompson introduced requests from Dennis & Linda Dunlap for a variance to the 30 foot height limitation to allow a height of 35 feet six inches and a variance from the 50 foot waterfront set-back to 15 feet. The variance s are fore a 22 unit condominium project with boat slips on Manistee Lake at 45 Arthur Street. A Zoning Amendment and a Special Use Permit have been granted by the Planning Commission and City Council. Variances from the Zoning Board of Appeals are needed to begin the project.

Chair Grabowski closed the Public Hearings.

BUSINESS SESSION:

Ron Muszynski

After discussion MOTION was made by E. Budnik, with support from M. Johnson that a variance to reduce the side-yard set-back of 712 High Street and to allow a parcel width of 45 feet at 712 High Street and 48.6 feet at 714 High Street. Motion also included 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 same 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.

The reasons set forth in the application justify the variance and is the requested variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

MOTION PASSED UNANIMOUSLY.

Dennis & Linda Dunlap

After discussion a MOTION by Budnik, with support by M. Johnson that a variance to the 30 foot height limitation to allow a height of 35 feet six inches and a variance from the 50 foot waterfront set-back to 15 feet be granted. The Motion also included 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 same 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.

The reasons set forth in the application justify the variance and is the requested variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

MOTION PASSED UNANIMOUSLY.

MINUTES

MOTION by E. Budnik, support by M. Johnson that the minutes of the July 14, 1997 Zoning Board of Appeals Meeting be approved with a correction. In section 2 "The literal interpretation..." of the finding of facts the word "NOT" should be deleted in all three motions . Minutes were approved with the correction.

APPROVED UNANIMOUSLY.

ADJOURNMENT

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

APPROVED UNANIMOUSLY.

Meeting adjourned at 6:05 p.m.

Respectfully Submitted



Jon R. Rose, Acting as Secretary