

**MANISTEE CITY ZONING BOARD OF APPEALS**

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

**MEETING MINUTES**

December 16, 1999

A meeting of the Manistee City Zoning Board of Appeals was held on Thursday, December 16, 1999 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, John Perschbacher, John Serocki, Mark Wittlief

**MEMBERS ABSENT:** Mary Ann Johnson

**ALTERNATE PRESENT:** Brenda Alfred - Birks

**OTHERS PRESENT:** Ken & Carolyn Witter, Mark Niesen (Building and Zoning)

**PUBLIC HEARING:**

Ken & Carolyn Witter

Ken & Carolyn Witter, 349 Eighth Street would like a variance to the side-yard set-back from 10 feet to 1 foot 6 inches to allow the construction of a garage addition to the primary structure.

Ken Witter said that it is the logical location for the garage with the basement entrance there.

John Serocki asked if the roof was as high as the house. Mr. Witter said it was. John Serocki asked to amend the vote to include a variance to the height limitation from 14 feet to 18 feet. The Board Agreed.

There being no further discussion the public hearing closed at 5:42 p.m.

**BUSINESS SESSION:**

Minutes

Minutes were not distributed from the last meeting. They will be voted on at the next meeting.

Ken & Carolyn Witter

A Public Hearing was held earlier regarding the request from Ken & Carolyn Witter, 349 Eighth Street for a variance to the side-yard set-back from 10 feet to 1 foot 6 inches and a variance to the height from 14 feet to 18 feet to allow the construction of a garage addition to the primary structure.

MOTION by John Serocki, seconded by Mark Wittlief that a variance to the side-yard set-back from 10 feet to 1 foot 6 inches to allow the construction of a garage addition to the primary structure 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 UNANIMOUSLY**

MOTION by Mark Wittlief, seconded by John Perschbacher that a variance to the height limitation from 14 feet to 18 feet to allow the construction of a garage addition to the primary structure 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.

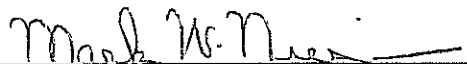
**MOTION PASSED UNANIMOUSLY**

**ADJOURNMENT:**

There being no further business MOTION by John Perschbacher seconded by John Serocki that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 5:58 p.m.

Respectfully Submitted

  
Mark W. Niesen, Acting as Secretary