

MANISTEE CITY ZONING BOARD OF APPEALS

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

MEETING MINUTES

November 20, 2002

A meeting of the Manistee City Zoning Board of Appeals was held on Wednesday, November 20, 2002 at 5:30 p.m. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

MEMBERS PRESENT: Marlene McBride, Ed Grabowski, John Perschbacher, Mark Wittlief

MEMBER LATE: John Serocki

ALTERNATE PRESENT: Tom Bramble and Bill Kracht

OTHERS PRESENT: Mark Krauskopf (Studio One Architects), John Ball (Pail Face L.L.C.), Phil Celistino, Douglas & Judy Piotrowski (543 Fairview Avenue), Jon Rose (Community Development) and Mark Niesen (Building and Zoning)

The meeting was called to order at 5:30 p.m. by Chair John Perschbacher.

PUBLIC HEARING:

John Ball, Pail Face L.L.C., 217 Arthur Street

John Ball owns the car wash located at 217 Arthur Street and would like to convert the Car Wash into an eight unit motel. Mr. Ball is requesting a variance to *reduce the front yard set back from 30 feet to 16 feet.*

Mark Krauskopf, Studio One Architects explained the reason for the variance. Mr. Ball would like to use the existing structure (4 bay carwash) and convert into an eight unit motel.

John Perschbacher asked how many stories would the building be? Mr. Krauskopf said that a second story would be constructed with 4 units on the first floor and 4 units on the second floor.

Bill Kracht asked what the height of the building would be. Mr. Krauskopf said he was not sure what the final height would be, but it would meet the 30 foot height restriction when completed.

Marlene McBride and Ed Grabowski asked about the balconies. Mr. Krauskopf said that there will be a balcony constructed on the North and South side of the building. The balcony will provide a walkway to the four units on the second floor and provide an overhang for the four lower units.

John Perschbacher asked if there were any plans for expansion? Mr. Ball said there were no plans in the near future.

There being no further discussion the public hearing closed at 5:47 p.m.

Douglas & Judy Piotrowski, 543 Fairview Avenue

Mr. & Mrs. Piotrowski constructed a detached garage on their property last year and now would like to construct a breezeway to connect the garage and residence. They are requesting a variance to *reduce the side-yard set-back from 10 feet to 4 feet.*

John Serocki asked why the garage was not attached when constructed. Mr. Piotrowski said that at the time they did not have the money to attach the garage and recently they have acquired the money necessary.

Mark Niesen explained that the residence is within the set-back and that Mr. Piotrowski is trying to follow the existing lines of the home.

There being no further discussion the public hearing closed at 5:48 p.m.

BUSINESS SESSION:

Minutes

MOTION by Ed Grabowski, supported by John Serocki that the minutes from the September 26, 2002 meeting be approved.

MOTION APPROVED UNANIMOUSLY

John Ball, Pail Face L.L.C., 217 Arthur Street

John Ball owns the car wash located at 217 Arthur Street and would like to convert the Car Wash into an eight unit motel. Mr. Ball is requesting a variance to *reduce the front yard set back from 30 feet to 16 feet*

MOTION by Ed Grabowski, seconded by Marlene McBride that the request from John Ball, Pail Face L.L.C., 217 Arthur Street for a variance to reduce the front-yard set-back from 30 feet to 16 feet to convert the existing car wash into an eight unit motel be approved with the **condition that the motel must be constructed using the existing foundation and four existing exterior walls.**

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 APPROVED UNANIMOUSLY.

Douglas & Judy Piotrowski, 543 Fairview Avenue

Mr. & Mrs. Piotrowski are requesting a variance *to reduce the side-yard set-back from 10 feet to 4 feet* to construct a breezeway to connect the existing detached garage and residence.

MOTION by John Serocki, seconded by Mark Wittlief that the request from Douglas & Judy Piotrowski, 543 Fairview Avenue for a variance to reduce the side-yard set-back from 10 feet to 4 feet to construct a breezeway to connect the existing detached garage and residence be approved.

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 APPROVED UNANIMOUSLY

OTHER BUSINESS:

By-Law Update

Members of the Zoning Board of Appeals held a workshop on October 24, 2002. The workshop was held to review and update the existing by-laws. Members were mailed an updated draft of the By-Laws which included the items noted during the workshop.

Additional changes were recommended. Updated copies will be distributed to members for additional review.

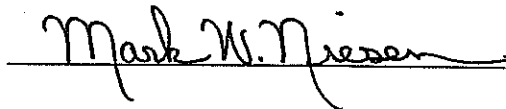
Miscellaneous

Members will schedule a meeting for a request for a variance from the Masonic Temple at their meeting of November 26, 2002. ~~Tom Bramble noted that he is a neighbor to the petitioner.~~ Tom Bramble noted that he is the neighbor of Sharon Anderson, the petitioner for the November 26, 2002 meeting.

ADJOURNMENT:

There being no further business meeting motion by John Serocki, seconded by Ed Grabowski that the meeting be adjourned. Meeting adjourned at 7:30 p.m.

Respectfully Submitted

A handwritten signature in black ink that reads "Mark W. Niesen". The signature is written in a cursive style and is positioned above a horizontal line.

Mark W. Niesen, Acting as Secretary