

**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, September 13, 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. James L. Kott
 - 2.
 - B. Questions, Concerns of Citizens in Attendance:
 - 1.
 - 2.

- III. Business Session:
 - A. Approval of Minutes (8/2399)
 - B. Unfinished Business:
 - 1. James L. Kott
 - 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 31, 1999

RE: Zoning Board of Appeals Meeting Monday, September 13, 1999

We have scheduled another Zoning Board of Appeals meeting for 5:30 p.m., Monday, September 13, 1999.

A request has been received from James L. Kott, 534 Ninth Street for a variance to the front-yard set-back from 30 feet to 17 feet 6 inches to construct a foyer. A copy of the request is enclosed.

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



MWN:djm

Enclosures

REQUEST FOR APPEAL
CITY OF MANISTEE
ZONING BOARD OF APPEALS

Name James H. Kott

Address 534 - NINTH ST.

City, State and Zip Code MANISTEE MI. 49660

Phone Numbers (Work) 723-7040
(Home) 723-4944

FOR OFFICE USE ONLY

Appeal Number 9913
Date Received 8-27-99
Tax Parcel Number 51-51-358-714-09
Fee Received (Amt & Date) 150⁰⁰ 8-27-99
Receipt Number 3205
Hearing Date September 13, 1999
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: JEFFERSON ADD. LOT 76

B. Tax Roll Parcel Code #: 515135871409
List of all deed restrictions (attach additional sheets if necessary): NONE

C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land: NONE

D. This area is: Not platted, Platted, Will be Platted
If Platted, Name of Plat: _____

E. Present use of property is: HOME STEAD

F. Present zoning district classification of the property is: RESIDENTIAL R-3

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:

ADD NEW FRONT PORCH + ENCLOSED ADDITION
ENLARGE FROM 4X5' TO 6'X9'

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)

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? WANT FOLLO
- 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? _____
- 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 _____
- 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? NONE

B. How do you propose to minimize any potential negative impacts which your proposed activity may cause? N/A

V. AFFIDAVIT

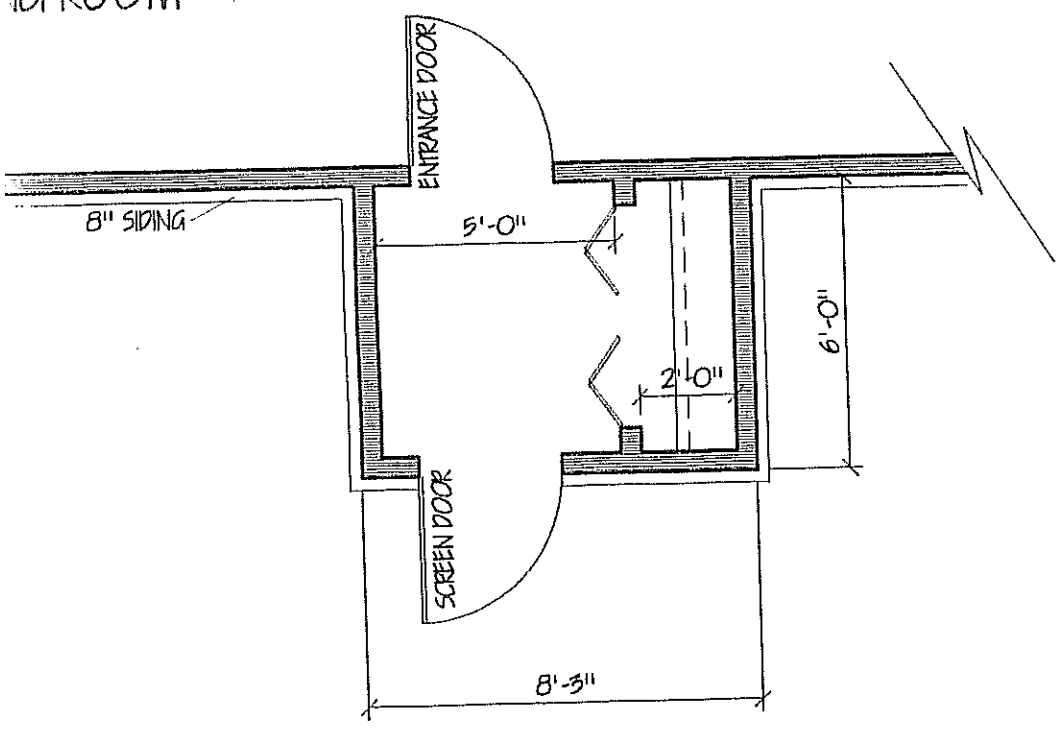
The undersigned acknowledges that if a variance is granted or other decisions favorable to the undersigned is rendered upon this appeal, the said decision does not relieve the applicant from compliance with all other provisions of the City of Manistee Zoning Ordinance; the undersigned further affirms 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 James J. Kott

Date 8-27-99

Signature _____

Date _____

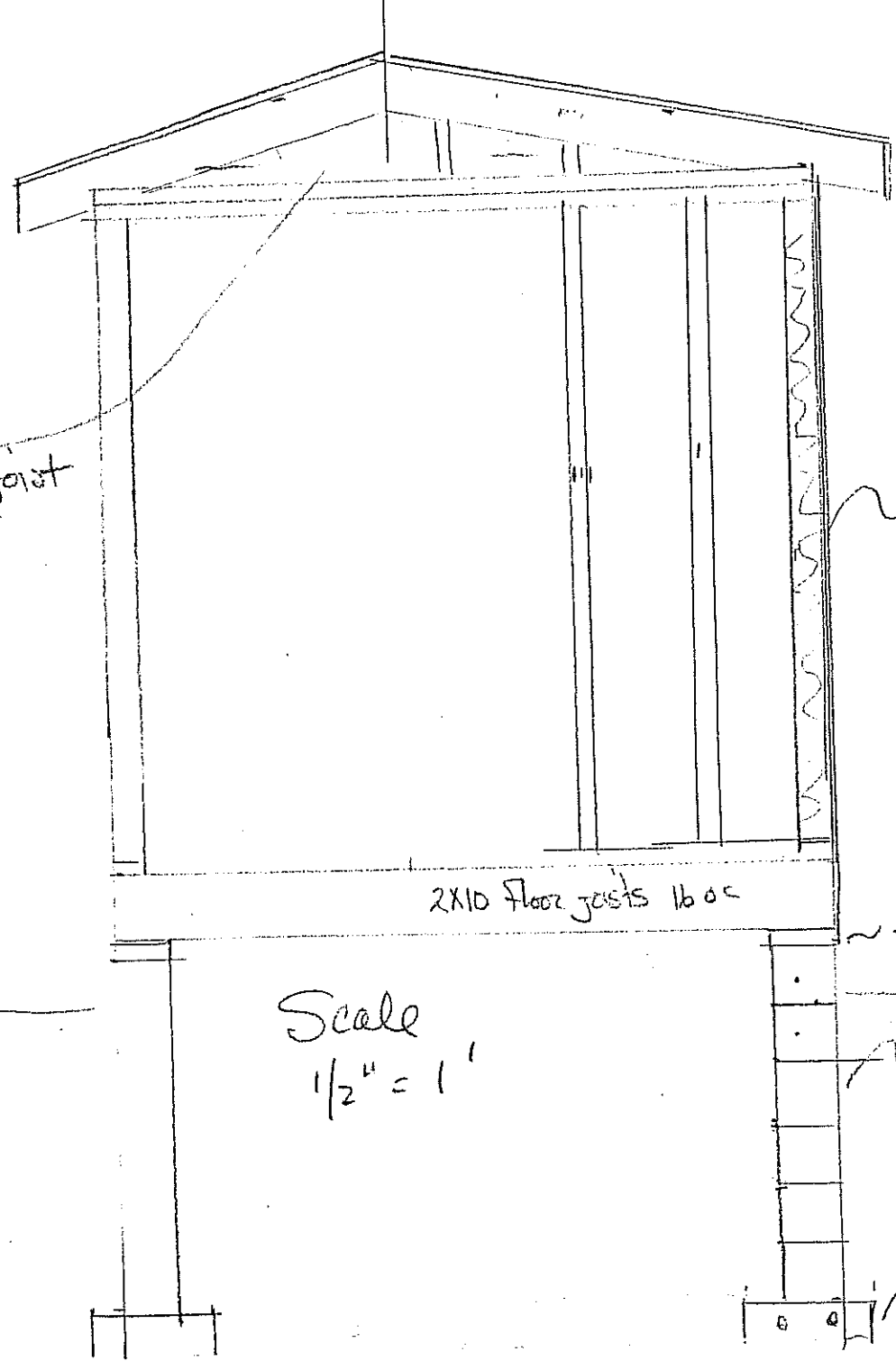


Visual Impact Studio
 15091 13 Mile RD.
 Warren, Michigan 48093
 Architectural Rendering
 & Design Services

PRELIMINARY ADDITION

SCALE: 1/4" = 1'0"

SCALE: 1/4" = 1'0"



2x6 roof rafters
 match pitch of house
 soffit + fascia to
 match house

2x6 ceiling joist

2x4 framing 16" OC
 w solid sheathing + siding
 to match house
 • R-13 Insulation
 • House wrap

2x10 floor joists 16 OC

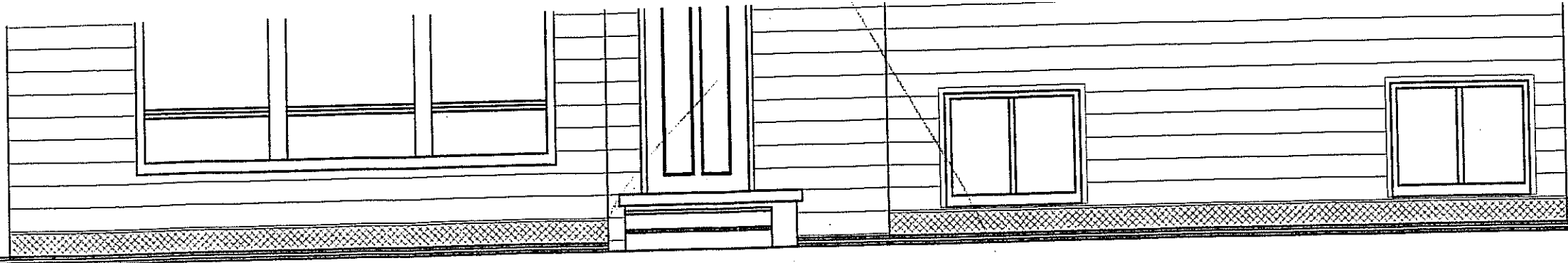
Scale
 1/2" = 1'

~ treated 2x8 plate
 6 block foundation
 dual walls + coating
 8" block

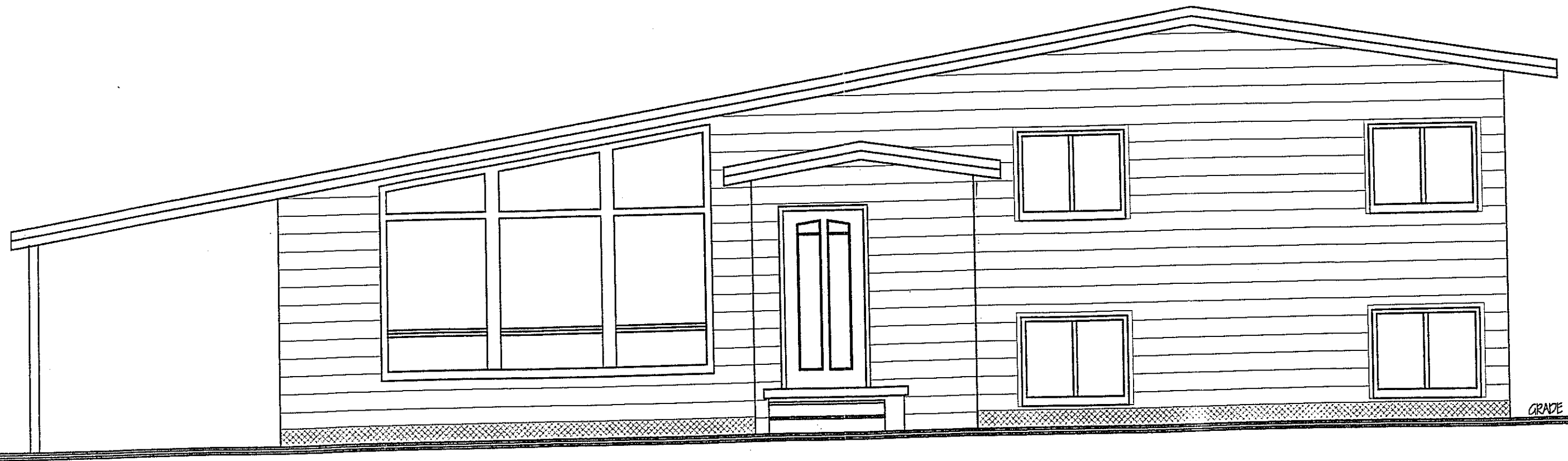
6x16 footing reinforced
 w/ #3 rebar

SCALE: 1/4" = 1'0"

REVISIONS:



FRONT



FRONT