

MANISTEE CITY ZONING BOARD OF APPEALS

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

MEETING MINUTES

September 23, 1996

A special meeting of the Manistee City Zoning Board of Appeals was held on Monday, September 23, 1996 at 7:00 p.m. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 7:00 p.m. by Chairman, Denis Johnson.

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

ALTERNATE PRESENT: R. Johnson

OTHERS PRESENT: Jon Rose (Code Administrator)
Ray Fortier (City Council)
William & Joyce Potton
Bill Seng (Seng's Crane & Excavating)
Jim Nordlund (Nordlund & Associates)
Richard Lovas (Ambar Chemical Inc.)

A public hearing was held on a request from William & Joyce Potton for a variance to reduce the side-yard set-back from ten feet to seven feet to build attached garage. Chairman D. Johnson read two letters that were received in support of the request.

There was a motion by Gutowski with support from M. Johnson to approve a reduction in the side-yard set-back from ten feet to seven feet to build attached garage. The motion included the consideration that the land to the West is wet and unsuitable for building. 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 NOT 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.

A public hearing on a request from Ambar Chemical, Inc. 1501 Main Street was presented. Jim Nordlund of Nordlund and Associates made a presentation for a variance to 30 foot height limitation to construct a 103 foot high building for Calcium Chloride manufacturing. Bill Seng an adjacent property owner who was in attendance had no objections to the request.

A motion by Grabowski with support by Budnik to grant a variance to increase the 30 foot height limitation to 103 feet. The motion included a condition that fire suppression be installed. 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 NOT 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.

A public hearing on a request from Kay Wagner and Steven Mellott, 523 Second Street was presented.

Chairman D. Johnson introduced a request on behalf of Kay Wagner and Steven Mellot to reduce the side-yard set-back from ten feet to one foot nine inches to allow extension of existing line of house approximately four feet. A letter in support of the project was read by Chairman D. Johnson.

A motion was made by Budnik with Support by Gutowski to grant a variance to reduce the side-yard set-back from ten feet to one foot nine inches to allow extension of existing line of house approximately four feet. 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 NOT 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.

Motion by Budnik with support from Gutowski that the minutes of the August 26, 1996 meeting be approved.

APPROVED UNANIMOUSLY.

There being no further business a motion by M. Johnson with support by Grabowski that the meeting be adjourned

APPROVED UNANIMOUSLY.

Meeting adjourned at 7:50 p.m.

Respectfully Submitted

Ed. Grabowski

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