

**MANISTEE CITY ZONING BOARD OF APPEALS**

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

**MEETING MINUTES**

**JULY 14, 1997**

A special meeting of the Manistee City Zoning Board of Appeals was held on Monday, July 14, 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 5:30 p.m. by Chair Grabowski.

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

**MEMBERS ABSENT:** E. Gutowski, D. Jones,

**ALTERNATE PRESENT:** R. Johnson, R. Tetsworth

**OTHERS PRESENT:** Jon Rose (Community Development Officer), R. Ben Bifoss (City Manager), Dave Hoffman (Harbor Village), Art Southerton (Northwestern Savings Bank & Trust), Tammy Bonzehiem, Mike Ellison (Solid Concrete & Building), Chris Cook (Abonmarche), Jeff Mikula (Abonmarche)

Chair Grabowski opened the public hearings at 5:30 p.m.

**PUBLIC HEARINGS:**

**Don Bonzehiem**

Mike Ellison introduced a request from Donn Bonzehiem, 477 Fourth Street for a variance to the 14 foot accessory building height limitation to allow construction of an 18 foot high roof over the proposed garage.

**Northwestern Savings Bank & Trust**

Art Southerton introduced a request from Northwestern Savings Bank and Trust, 325 First Street for a variance to the access drive requirement for the C-1 Zoning District to allow the access drive to be perpendicular to U.S. 31. The proposed site plan has been reviewed and approved by the Planning Commission pending a variance by the Zoning Board of Appeals.

Harbor Village

Dave Hoffman introduced a request from Harbor Village for a variance to the set-back requirements to allow the installation of a sign on U.S. 31 South of Railroad tracks across from Monroe Street. A Special Use Permit has been approved by the Planning Commission pending a variance by the Zoning Board of Appeals. Harbor Village has obtained a lease from Consumer Power Company to allow the installation of the sign on Consumer Power Company Property located across from the intersection of U.S. 31 and Monroe Street.

Chair Grabowski closed the Public Hearings.

**BUSINESS SESSION:**

Donn Bonzheim

After discussion MOTION was made by E. Budnik, with support from R. Johnson that a variance to the 14 foot accessory building height limitation to allow construction of an 18 foot high roof over the proposed garage be granted. 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.

Northwestern Savings Bank & Trust

After discussion a MOTION by Budnik, with support by M. Johnson that a variance to the access drive requirement for the C-1 Zoning District to allow the access drive to be perpendicular to U.S. 31 be granted. The Motion included a review by the Director of Public Safety who will look at the plan to evaluate if a right turn only should 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.

#### Harbor Village

After discussion MOTION by R. Johnson, with support by M. Johnson that a variance to set-back requirements to allow the installation of a sign on property that Harbor Village has leased from Consumers Power Company across from Monroe Street be granted. The motion included the condition that the sign must be removed in a timely manner if property lease expires. 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.

**MINUTES**

MOTION by M. Johnson, support by E. Budnik that the minutes of the June 9, 1997 Zoning Board of Appeals Meeting, the minutes from the June 9, 1997 Construction Board of Appeals Meeting and the June 16, 1997 Board of Appeals Meeting be approved.

APPROVED UNANIMOUSLY.

**ADJOURNMENT**

There being no further business a motion to adjourn was made by R. Johnson.

APPROVED UNANIMOUSLY.

Meeting adjourned at 6:20 p.m.

Respectfully Submitted



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Jon R. Rose, Acting as Secretary