

**CITY OF CHARLEVOIX
ZONING BOARD OF APPEALS MINUTES
Wednesday, July 17, 2013 - 6:00 p.m.**

210 State Street, City Hall, 2nd Floor Council Chambers, Charlevoix, MI

I. CALL TO ORDER

The meeting was called to order by Chair Greg Withrow at 6:01 p.m.

II. ROLL CALL/PLEDGE OF ALLEGIANCE

Members Present: Greg Withrow, Greg Bryan (alt.), Ann Gorney, Gary Anderson, and Art Nash
Members Absent: Patricia Miller and Larry Sullivan (alt.)
Staff Present: City Planner Michael Spencer

III. INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST

None.

IV. APPROVAL OF AGENDA

The agenda was approved as presented.

V. APPROVAL OF MINUTES

The Board reviewed the June 12, 2013 minutes.

Motion by Member Nash, second by Member Anderson, that the June 12, 2013 minutes be approved as presented. Motion approved by unanimous voice vote.

VI. NEW BUSINESS

A. Public Hearing for Project 2013-02 ZBA: Variance Request.

Applicants: William Vogel

Subject Property: 215 W. Lincoln Avenue

(1) Staff Presentation

City Planner Mike Spencer reported that the applicant is requesting a dimensional variance from the City of Charlevoix Zoning Ordinance for the construction of an addition at 215 W. Lincoln Avenue. The proposed addition would be a 12' x 5' addition on the west side of the home for the expansion of a bedroom. The proposed addition does not meet the rear yard setback requirements for the R2 district. Planner Spencer noted that the proposed addition will not change the existing setback: the addition will come no closer to the property border than the existing structure.

(2) Presentation by Applicant: William Vogel

Mr. Vogel presented his proposed addition. The existing bedrooms in the home are very small. The proposed expansion to the master bedroom will allow more furniture than just the bed, and expands the structure by 5 feet on the west side; however, it will not reduce the existing setback on the north side.

(3) Call for Public Comment

The Chair opened the public hearing on Project 2013-01 ZBA at 6:08 p.m.

There were no comments.

The Chair closed the public hearing at 6:08 p.m.

The Chair noted that one letter, in favor of the project, had been submitted and was included in the agenda packet.

(4) ZBA Determination of Findings of Fact

The Board reviewed the proposed findings of fact. Member Nash suggested that the verbiage for granting a variance be changed from "... to construct an addition ..." to read "... to construct a *master bedroom* addition ...". The Board generally agreed to the Variance General Standards, Findings of Fact for Granting a Variance with the revision recommended by Member Nash.

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The Board addressed each findings of fact individually and agreed that staff had properly prepared the findings. In the section for Special Findings, the Board generally agreed to the Findings for Granting a Variance, with verbage change to read "... to construct a *master bedroom* addition..." as in the General Standards findings section.

Upon questioning, the property owner stated that he had attempted to contact the property owner on the north side, and had been unsuccessful in getting a return phone call.

(5) Motion

Motion by Member Anderson, second by Member Gorney, to approve project 2013-02 ZBA without conditions based on the Findings of Fact contained herein.

Yeas: Bryan, Gorney, Anderson, Nash, Withrow

Nays: None

Motion passed 5-0

VII. CALL FOR PUBLIC COMMENT ON NON-AGENDA ITEMS

The Chair called for public comment on non-agenda items at 6:14 p.m.

There were no comments.

The Chair closed public comment at 6:14 p.m.

VIII. ADJOURNMENT

Chair Withrow stated that if there were no objections, the meeting would adjourn. There were no objections.

The meeting was adjourned at 6:14 p.m.

Stephanie C. Brown

Deputy City Clerk

Greg Withrow

Chair