

CITY OF CHARLEVOIX
ZONING BOARD OF APPEALS MINUTES
Wednesday, March 22, 2017 - 6:00 p.m.
210 State Street, City Hall, Charlevoix, MI

A) CALL TO ORDER

The meeting was called to order by Chair Withrow at 6:00 p.m.

B) ROLL CALL/PLEDGE OF ALLEGIANCE

Members Present: Greg Bryan, Ann Gorney, Greg Withrow
Members Absent: Gary Anderson, Bob Bergmann, Pat Miller, Art Nash
Staff Present: Interim City Planner Zach Panoff

Chair Withrow indicated that there was a quorum present.

C) INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST

Member Bryan disclosed that he had business dealings with Stuart Kaufman on Park Avenue and presently has some of his property listed, but he did not have any direct impact with this decision on the Park Avenue property.

D) APPROVAL OF AGENDA

No changes.

E) APPROVAL OF MINUTES

Motion by Member Gorney, second by Member Bryan, to approve the November 2, 2016 meeting minutes as presented.
Motion passed by unanimous voice vote.

F) OLD BUSINESS

1. Second Public Hearing for Project 2016-12 ZBA: Variance Request from Tom Heckman and Linda Sawyer – 201 E. Lincoln Avenue

a. Staff Presentation

Interim Planner Panoff presented background of the project and stated that the owners were requesting dimensional and rear lot coverage variances for a new detached garage at 201 E. Lincoln Avenue. The application was altered since the first hearing in November 2016 and now includes just a 24' x 27' detached garage in the rear yard.

b. Applicant Presentation

None.

c. Call for Public Comments

None.

d. ZBA Determination of Findings of Fact

Member Gorney questioned if the garage was going to be a two-story structure. Ms. Sawyer responded that there would be an upstairs to the garage serving as a guest bedroom. Interim Planner Panoff stated that sleeping quarters above an accessory building are allowed as long as there are no full living facilities such as a kitchen.

e. Motion

Motion by Member Bryan, second by Member Gorney, to approve Project 2016-12 ZBA without conditions based on the findings of fact contained in the staff report.

Yeas: Bryan, Gorney, Withrow

Nays: None

G) NEW BUSINESS

1. Public Hearing for Project 2017-03 ZBA: Variance Request from Stuart Kaufman – 221 Park Avenue

a. Staff Presentation

Interim Planner Panoff stated that the property owner, Stuart Kaufman, represented by Al Shindorf, was requesting a dimensional variance for the construction of an accessory building on property located at 221 Park Avenue. The owner wishes to construct a 12' x 20' garage on the west side of the lot in the side yard to replace an existing accessory structure (shed) which will be removed. The proposed structure does not meet the setbacks required for side yards in the R2 Residential Medium Density Zone (Section 5.27).

b. Applicant Presentation

Mr. Shindorf stated that the reason for the variance was that the back half of the subject lot was at a 60% slope down to Palmer Court and that portion of the property was totally unusable. He indicated that Mr. Kaufman currently can park two vehicles at the top of his single-car driveway. If the variance was granted and they could keep the garage over to one side, then they would still maintain two parking spots. The only variance is for the side yard setback. Mr. Shindorf stated that the existing shed that is 3' off the property line will be removed. He stated that the back edge of the garage would be in the same location as the back edge of the existing shed. Mr. Shindorf noted that they were also planning to do some bank reinforcement with railroad ties.

c. Call for Public Comments

None.

d. ZBA Determination of Findings of Fact

None.

e. Motion

Motion by Member Bryan, second by Member Gorney, to approve Project 2017-03 ZBA without conditions based on the findings of fact contained in the staff report.

Yeas: Bryan, Gorney, Withrow

Nays: None

H) CALL FOR GENERAL PUBLIC COMMENT

None.

I) ADJOURNMENT

Motion by Member Gorney, second by Member Bryan, to adjourn the meeting. Motion passed by unanimous voice vote.

The meeting adjourned at 6:12 p.m.

Greg Withrow, Chair

Joyce Golding/fgm, City Clerk