

CITY OF MUSKEGON
ZONING BOARD OF APPEALS
REGULAR MEETING
MINUTES

November 14, 2017

Chairman R. Hilt called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: R. Hilt, S. Warmington, B. Larson, W. German, J. Witmer

MEMBERS ABSENT: E. Fordham, excused

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: F. Glancy, 1370 Ridge Ave.

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of October 10, 2017 be approved was made by S. Warmington, supported by B. Larson and unanimously approved.

PUBLIC HEARING

Hearing; Case 2017-07: Request for a variance from Section 2311 of the zoning ordinance to allow a shed to be expanded in a front yard at 1370 Ridge Avenue, by Fred Glancy. M. Franzak presented the staff report. The property owner would like expand the shed in the back of the home; however, the property has two front yards and no back yard because it is located between Ridge Ave and Glen Ave. This is the only home with frontage on Glen Ave that doesn't face the street. Sheds cannot be located in front yards per the zoning ordinance. The existing shed is considered legally, non-conforming and cannot be expanded. The variance request is for the expansion of the shed only. Neighbors within 300 feet of this property were notified; at the time of this writing, staff had not received any comments. Staff considers there to be a valid hardship on the property, as it is has frontage on two streets which makes it difficult to place a shed on the property.

M. Franzak stated that he had searched for a previous variance for this property to allow the current shed but he did not locate one; therefore, ZBA approval was required for the proposed addition. The shed would be located behind the house on the Glen Ave. frontage, which was the home's back yard. F. Glancy stated that he had spoken to all affected neighbors and none noted any objections to his request, as long as the shed was not in the front yard on the Ridge Avenue side. He confirmed that he planned to attach the new shed to the current shed on the property.

A motion to close the public hearing was made by S. Warmington, supported by B. Larson and unanimously approved.

The following findings of fact were offered: a) that there are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or class of uses in the same zoning

district, i.e. that the ordinance defines this property as having two front yards; b) that the dimensional variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and in the vicinity, c) that the authorizing of such dimensional variance will not be of substantial detriment to adjacent properties, d) that the alleged difficulty is caused by the ordinance and not by any person presently having an interest in the property, or by any previous owner, e) that the alleged difficulty is not founded solely upon the opportunity to make the property more profitable or to reduce expense to the owner, and f) that the requested variance is the minimum action required to eliminate the difficulty.

A motion that the variance request to allow the expansion of the current shed fronting Glen Avenue, at 1370 Ridge Avenue be approved, based on the review standards in Section 2502 of the Zoning Ordinance and with the condition that any necessary permits are obtained, was made by S. Warmington, supported by W. German and unanimously approved, with R. Hilt, S. Warmington, B. Larson, W. German, and J. Witmer voting aye.

OLD BUSINESS

None

OTHER

None.

There being no further business, the meeting was adjourned at 4:15 p.m.

DR