

# CITY OF HARBOR SPRINGS

## Zoning Board of Appeals

May 12, 2004

Chairperson Stephen Dart called the May 12, 2004 meeting of the Harbor Springs Zoning Board of Appeals (ZBA) to order at 5:30 p.m., at the City Council Chambers, 160 Zoll Street, Harbor Springs, MI.

### 1. Roll Call and Verification of Quorum

Present: Nancy Kenyon, Stephen Dart, Donna Neiderstadt,  
Ann Burrows, Bob Thoma

Absent: Henry Pfeifer, Charles Baldwin

Also Present: Tim Grimm, Michael and Madeline Heinz, Marcia O'Connor, John Kenyon.

### 2. Approval of Minutes and Decision from the April 14, 2004 Meeting.

Motion by Burrows, second by Kenyon, to approve the minutes and decision of the April 14, 2004 meeting as read.

Ayes – Kenyon, Burrows, Thoma, Neiderstadt, Dart.

Nays – None

Motion carried

### 3. Consideration of the Variance Request from Marcia O'Connor 106 Fairview St.

Chairperson Dart read the request.

Letters from Linda Gasco and Mary Ketvirtis were in opposition to the request.

Ms. O'Connor explained her request for a garage and house addition stating the house was placed on the lot about four years ago to the best of her ability. A variance is now needed to place a garage in the best and most practical location on the west side of the existing house. Ms. O'Connor stated she was also requesting a variance to construct a house addition and porch on the south side of the house.

Chairman Dart stated they would consider each variance request separately.

The ZBA asked if the garage door could be placed on the south side of the proposed garage, shorten the width of the garage to 21 feet and increase the depth of the proposed garage so a variance would not be required.

ZBA  
May 12, 2004  
Page 2

Ms. O'Connor stated she had looked at that possibility and did not think it would be practical due to the existence of a utility pole guy wire and mailboxes located where the driveway would have to be.

Motion by Dart, second by Kenyon to table the garage variance request until the June meeting of the ZBA to allow Ms. O'Connor to look at other ways to configure the garage.

Ayes – Kenyon, Dart, Neiderstadt, Burrows, Thoma

Nays – None

Motion carried.

Chairman Dart then called for the issue of the house addition and porch variance request.

Motion by Kenyon, second by Thoma to approve the variance as proposed on the plan submitted to the ZBA.

Ayes – Thoma, Kenyon

Nays – Dart, Burrows, Neiderstadt.

Motion denied.

Chairman Dart suggested that Ms. O'Connor bring back a different plan for the house/porch addition to the ZBA's June meeting.

4. Consideration of a variance request from Michael and Madaline Heinz, 545 E. Lake St.

Chairman Dart read the request.

Michael Heinz stated they were constructing a new front porch and needed the variance for a handicap access ramp.

The ZBA asked if the Zoning Code could be modified to exempt access ramps from the setback requirements in the code.

Motion by Dart, second by Kenyon to approve the variance as presented in the plan to the ZBA.

ZBA  
May 12, 2004  
Page 3

John Kenyon urged the ZBA to approve the request.

Ayes – Kenyon, Dart, Thoma, Neiderstadt, Burrows.

Nays – None  
Motion approved.

### 5. Adjournment

With no further business, Chairman Dart adjourned the meeting at 6:15 p.m.

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Stephen Dart, Chairman

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Tim Grimm, Zoning Administrator