

# CITY OF HARBOR SPRINGS

## Zoning Board of Appeals

July 12, 2006

Chairperson Bob Thoma called the July 12, 2006 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: Bob Thoma, Cecelia Johnston (alternate), Henry Pfeifer, Donna Niederstadt, Dennis Wiggins (alternate), Jim Grogan, Nancy Kenyon.

Absent: Ann Burrows.

Also Present: Tim Grimm, Jeff Ford, Jean Jardine.

### 2. Approval of Minutes and Decision from the June 14, 2006 meeting.

Kenyon noted the June 2006 minutes should be amended to indicate she was absent.

Motion by Kenyon, second by Pfeifer to approve the minutes of the June 14, 2006 meeting, as corrected.

Motion carried.

### 3. Consideration of a variance request from Walter and Sandra Pfander at 305 E. Third St.

Chairperson Thoma read the request.

Jeff Ford, representing the Pfanders, stated the owners of the property were requesting a variance so they could construct needed living space for visits by their children and grandchildren.

Pfeifer asked if there were other areas against the house where an addition could be built.

Neiderstadt enters at 5:38 pm. *and is seated.*

Ford stated the owners had considered alternatives to the proposed living space above the existing garage such as adding to the home but they found the alternatives would be impractical due to the poor foundation of the existing building, the placement of any addition and the size of the rear yard.

ZBA

July 12, 2006

Page 2

Grimm pointed out the balcony drawn on the plan would need consideration for a variance also.

Ford stated the balcony would be removed from the plan.

Pfeifer stated he was concerned that the owners were overbuilding on this property because the garage/living space are so close to the main structure and the space between is paved with no rear yard.

Neiderstadt stated that for the most part you don't notice the existing garage now. The bluff and the boardwalk buffer the existing garage.

Wiggins asked what the current and the proposed heights are.

Ford replied the current height is 13 feet and the proposed height is 24 feet.

Wiggins pointed out that the proposed structure would not have 8-foot walls set on the existing garage walls and therefore it would not be a large addition.

Grogan asked Grimm if there were any negative comments from the public.

Grimm stated no letters had been received.

Chairperson Thoma asked for a motion.

Motion by Neiderstadt, second by Grogan to approve the request as presented on the plan to the ZBA. The practical difficulty being the placement of the existing garage before zoning and the garage is against the bluff and cannot be moved and other options are not practical.

Pfeifer asked if other locations were impractical. Pfeifer also stated that cost is not a factor for ZBA decisions.

Chairperson Thoma called for the vote.

Ayes: Kenyon, Neiderstadt, Grogan

Nays: Pfeifer, Thoma, Johnston

Motion denied.

Ford asked the ZBA if he could have an explanation from those members who voted no.

Pfeifer stated he thought the proposed addition would be an overbuild of the parcel.

Thoma stated he thought there would be too much building on the property and that the request was not a critical issue.

Johnston stated there would be too much on the property and that she thought there were other options besides granting a variance for this parcel.

#### 4. Other Business.

Grimm asked the ZBA if they would prefer a time of day to schedule a meeting with Larry Nix, City Planner. The ZBA requested a morning meeting if possible. Grimm said he would let them know when Nix could meet with them.

Jim Grogan presented the proposed R-1-D zoning change to the ZBA stating that there was still work to be done before the change would be in effect.

#### 6. Adjournment

With no further business, Chairperson Thoma adjourned the meeting at 6:25 p.m.

---

Bob Thoma Chairperson

---

Tim Grimm, Zoning Administrator