

CITY OF HARBOR SPRINGS

Zoning Board of Appeals

July 13, 2005

Chairperson Bob Thoma called the July 13, 2005 meeting of the Harbor Springs Zoning Board of Appeals (ZBA) to order at 5:30 p.m., at the City Council Chambers, 170 Zoll Street, Harbor Springs, MI.

1. Roll Call and Verification of Quorum

Present: Nancy Kenyon, Donna Neiderstadt, Bob Thoma
James Grogan, Henry Pfeifer, Laura Kors, Alternate.

Absent: Anne Burrows

Also Present: Tim Grimm, Jean Jardine, Nancy Rondel, Jennifer Racine, Gerry Racine, Jim Dika, Dennis Wiggins.

2. Approval of Minutes and Decision from the May 11, 2005 Meeting.

Jean Jardine pointed out the date of approval in the minutes was incorrect and should be amended to read May 11, 2005 not May 11, 2004.

Motion by Kenyon, second by Neiderstadt to amend the minutes to correct the date and approve the May 11, 2005 minutes as amended.

Ayes – Kenyon, Kors, Neiderstadt, Thoma, Grogan, Pfeifer.

Nays – None

Motion carried

3. Consideration of a Variance Request from Jennifer Racine 300 Perry St.

Chairperson Thoma read the request.

Tim Grimm noted correspondence had been received from Richard Kappler, Michael Smelt and David Price all indicating they were in favor of approving the request.

Ms. Racine explained her request for a deck extending from the entry door to the west side of her home.

Kenyon asked if the deck would end at the west end of the house. Ms. Racine stated it would.

Grogan stated that if the deck were reduced in size the variance would only be needed to connect the front stoop to the deck.

Pfeifer asked what the practical difficulty would be in this case.

Kors stated corner lots are a problem because of the larger required corner side-yard setback.

Kenyon stated porches and decks are a great asset.

Motion by Kenyon, second by Neiderstadt, to approve the request as presented on the plan, the practical difficulty being the construction of the house up to the corner side yard setback prior to zoning.

Ayes – Kenyon, Neiderstadt, Thoma, Kors

Nays – Pfeifer, Grogan

Motion carried.

4. Consideration of a Variance Request from Jim and Mary Ann Dika, 382 W. Third St.

Chairperson Thoma read the request.

Tim Grimm noted no correspondence had been received regarding the request.

Jim Dika presented his request stating the home was built prior to zoning and that almost any construction on this lot requires ZBA approval due to the lots size. Dika also stated the proposed deck would be 38 feet from the existing pavement of Harrison St.

Kors asked if the deck would be in line with the side of the existing house and garage. Dika stated it would be in line with these buildings and be entirely at the rear of the house.

Pfeifer asked if the previously approved porch was being enclosed. Dika stated that it was not.

Pfeifer asked what the height of the deck would be from ground level. Dika stated the deck would be about 30 inches above the ground.

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Motion by Kors, second by Kenyon to approve the request as presented on the plan, the practical difficulty noted was the combination of the site being a corner lot, placement of the house on the lot prior to zoning and the size of the lot.

Ayes – Kors, Kenyon, Neiderstadt, Grogan, Thoma, Pfeifer.

Nays – None

Motion carried.

5. Consideration of a Variance Request from Mark and Nancy Rondel 181 Zoll St.

Chairperson Thoma read the request.

Tim Grimm noted letters from Madge Kosequat and Bill Waldron in favor of the request.

Nancy Rondel explained the request, pointing out the house was built with an 18-foot rear yard setback before zoning. The variance is needed so they can build a roof over an existing one-story area that has had a continual rainwater problem. Rondel also pointed out that they would not be adding to the footprint of the building, just enclosing the second story area with the roof problem.

Kors asked why a variance was needed.

Grimm stated the request for a variance is required because the petitioners would be expanding a non-conformity.

Pfeifer asked what the additional second floor space would be used for. Rondel stated the additional space would be storage.

Motion by Grogan, second by Kenyon to approve the variance as presented on the plan. The practical difficulty noted was the location of the home on the lot prior to zoning with an eighteen-foot rear yard setback and the layout of the second floor of the house.

Ayes – Grogan, Kenyon, Kors, Neiderstadt, Pfeifer, Thoma.

Nays – None.

Motion carried.

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6. Adjournment

With no further business, Chairperson Thoma adjourned the meeting at 6:30 p.m.

Bob Thoma, Chairperson

Tim Grimm, Zoning Administrator