

# CITY OF HARBOR SPRINGS

## Zoning Board of Appeals

September 8, 2004

Vice Chairperson Nancy Kenyon called the September 8, 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, Donna Neiderstadt, Laura Kors, Bob Thoma  
Ann Burrows, Henry Pfeifer.

Absent: Stephen Dart

Also Present: Tim Grimm, John Kenyon, Jim Dika, Cecelia Johnston (alternate)

### 2. Approval of Minutes and Decision from the August 11, 2004 Meeting.

Motion by Burrows, second by Pfeifer, to approve the minutes and decision of the August 11, 2004 meeting as read.

Ayes – Kenyon, Burrows, Neiderstadt, Pfeifer, Kors, Thoma

Nays – None

Motion carried

### 3. Consideration of the tabled Variance Request from Jim and Mary Ann Dika, 382 W Third St.

Vice Chairperson Kenyon read the request.

Jim Dika explained the requested variance was needed because the existing home was placed too close to the south and west property line when it was built in the 1890s.

Mr. Dika pointed out that other homes and porches on the street were constructed with similar non-conforming set backs and provided pictures to illustrate his point.

Pfeifer stated he was concerned, and thought the proposal was too close to the setback.

Dika pointed out the site plan measurements included the porch overhang and that by his measurements the deck of the porch would be at least 8 feet from any extension of the existing sidewalk to the east.

Kors pointed out a letter from the Fred and Kay Geuder that stated no opposition to the request but did request that the porch be constructed only as an open porch with no screens or windows.

John Kenyon spoke from the audience and stated he was in support of the variance request, suggesting that porches were important and would preserve the character of the city.

Motion by Thoma, second by Niederstadt, to approve the request as presented on the plan to the ZBA, with the condition that the porch be constructed and remain open with no screens or windows installed at any time. The practical difficulty being the location of the existing home on the lot.

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

Nays – None

Motion Approved

In other business the ZBA approved a meeting with Larry Nix, City Planner, October 20, 2004, 6pm.

#### 4. Adjournment

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

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Nancy Kenyon Vice Chairperson

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Tim Grimm, Zoning Administrator