

# CITY OF HARBOR SPRINGS

## Zoning Board of Appeals

December 14, 2005

Chairperson Bob Thoma called the December 14, 2005 meeting of the Harbor Springs Zoning Board of Appeals (ZBA) to order at 5:35 p.m., at the City Council Chambers, 170 Zoll Street, Harbor Springs, MI.

### 1. Roll Call and Verification of Quorum

Present: Bob Thoma, Nancy Kenyon, Ann Burrows, James Grogan, and Henry Pfeifer, Donna Neiderstadt.

Absent: None

Also Present: Tim Grimm, Jean Jardine, Dennis Wiggins, Dan Episcopo, Cliff Benington, Pat Daniels, Tim Waugh.

### 2. Approval of Minutes and Decision from the November 9, 2005 meeting.

Burrows pointed out a spelling error on page two, paragraph 10. The spelling was corrected from "like" to "likes". Burrows pointed out a spelling error on page three, paragraph 11. The spelling was corrected from "propose" to "proposed". Pfeifer also noted that on page one and page 4 his name was misspelled, corrections were made from "Pfeifer to Pfeifer. Pfeifer also noted that on page 2, paragraph 12, the motion should have read "The practical difficulty noted was the sharp slope in the rear yard and the depth of the lot, *for the request of the sized deck.*"

Motion by Kenyon, second by Thoma to approve the minutes of the November 9, 2005 meeting, as corrected.

Motion carried.

### 3. Consideration of a variance request from Todd Suzor, 451 E. Bay St.

Chairperson Thoma read the request. Tim Grimm noted there were letters in opposition to the request from Charlene Bremer, Lawrence & Debra Borrusch and Kathleen & James Carey.

Dan Gorman, spokesman, explained that the owners were making the request because the site is smaller than zoning requires. Gorman also stated the owner could construct a home with a detached garage without a variance but it would move the garage closer to the rear property line. Gorman noted the proposed footprint of the new home would be smaller than the existing home and would be within the required setbacks on the side and front yards.

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Kenyon asked if the garage was built detached would there be living above it?

Gorman said it would.

Pfeifer asked if the garage was built detached would it need to be approved by the planning commission.

Grimm said it would need approval.

Grogan stated he did not see a practical difficulty.

Kenyon suggested that the garage be built smaller, requiring a smaller variance.

Pat Daniel asked what the height of the home would be.

Thoma stated thirty-four feet.

Gorman asked if there were any questions regarding the fact that a detached accessory building could be constructed without a variance.

There were no questions.

Motion by Pfeifer, second by Burrows, to approve the variance as drawn on the plan.

Ayes – Kenyon, Thoma.

Nays – Burrows, Pfeifer, Neiderstadt, Grogan.

Motion denied.

#### 4. Consideration of a variance request from Carl Woodcock, 966 Arbor St.

Chairperson Thoma read the request.

Dan Episcopo represented the owners.

Episcopo referred to his letter to the ZBA stating the reason for the request was the house was small which would result in a garage that would be too small using the formula and or the minimum size for detached garages with living above.

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Episcopo also stated that attaching the garage would not be practical because it would result in blocking existing windows and require expensive alterations to the home as well as requiring the removal of some desirable trees on the property.

Grogan stated that the size of the garage could be reduced but it would be impractical.

Grogan also stated there seems to be a practical difficulty in observing the ordinance because the house is small.

Grimm stated there were no letters for or against the proposed plan.

Motion by Grogan, second by Neiderstadt, to approve the variance as presented on the plan, the practical difficulty being the size and construction of the existing home.

Pfeifer stated he did not think there was a practical difficulty.

Thoma called the question.

Ayes – Kenyon, Thoma, Grogan, Neiderstadt.

Nays – Burrows, Pfeifer.

Motion carried.

## 5. Adjournment

With no further business, Chairperson Thoma adjourned the meeting at 6:35 p.m.

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Bob Thoma Chairperson

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Tim Grimm, Zoning Administrator