

CITY OF NORTON SHORES
ZONING BOARD OF APPEALS
April 20, 2022

A regular meeting of the Norton Shores Zoning Board of Appeals held at Norton Shores Branch Library Community Room was called to order on Wednesday, April 20, 2022 at 5:30 p.m.

Present: Chairperson Hill; Board Members Philips, Maniates, Parker, White, Munski and Wisniewski; also, Doug Hughes, Ted Woodcock and Sarah Romine.

Absent: None.

22-A03 Minutes

Board Member Munski noted a spelling error in the fourth paragraph of the Variance request for 27 Lakeview. Board Member Philips moved to approve the minutes as corrected for the February 21, 2022 Zoning Board of Appeals meeting. The motion was supported by Board Member Maniates and carried unanimously.

22-A04 Variance Request – 4025 Hess Street, Kaley Residence

The Recording Secretary certified the April 8, 2022 mailing and publishing of the notice.

City Planner Ted Woodcock gave the board a brief overview of the request stating that the applicant is requesting to construct an attached garage that will be 24 feet from the front yard setback along Airline Road, a deviation of one (1) foot. Mr. Woodcock explained that his lot is pie shaped and faces both Airline Road and Hess Street, which is a private road.

A public hearing was held. The applicant, Eric Kaley, informed the board that this Variance will allow him to construct a garage for extra storage space and that the garage won't infringe on Airline Road in any way considering his house sits above the road, with a steep hill down to the road. Mr. James Blaschke, 1201 Shettler Road, spoke in favor of Mr. Kaley's request and stated that Hess is a private street that he maintains every year. He saw no issue with allowing Mr. Kaley to build the attached structure where he wants to.

Board Member Philips made a motion to approve the Variance to allow Eric Kaley to construct an attached garage that will be 24 feet from the front yard setback along Airline Road, a deviation of one foot per City ordinance, at his home at 4025 Hess Street, based on, B.) That there are practical difficulties in carrying out the strict letter of the Ordinance in that the home sits on a pie shaped lot and the rear lot line is on a hill down to the road. C.) The Variance is not substantial as it relates to the zoning requirements, because it's only one foot., D.) That the Variance will not cause an increased population density to be generated on available governmental facilities, because it will remain a single-family residence. The motion was supported by Board Member Maniates. Board Member Munski asked the applicant where the door will

be located on the garage and Mr. Kaley stated it will face Hess Street. Board Member Parked asked why not just build the garage one foot smaller and the applicant stated that due to the shortage and cost of supplies that he has already purchased. Hearing no more questions, Chair Hill called for a roll call vote. The motion was carried 6-1 with Board Member Wisniewski against.

22-A05

Variance Request – 528 E. Farr Road, Lynn Residence

The Recording Secretary certified the April 8, 2022 mailing and publishing of the notice.

City Planner Ted Woodcock gave the board a brief overview of the request stating that the applicant is requesting to construct an accessory structure 400 square feet over the permitted 2,000 square feet allowable per City Ordinance. Mr. Woodcock also explained that the applicant would also like to construct the accessory structure in the front yard, which is not permissible per City Ordinance. Due to soil and high-water conditions in the rear yard and two ponds, placing the structure in the rear yard would be difficult.

A public hearing was held. The applicant, Mark Lynn, who resides at 528 E. Farr Road, stated that he is looking to construct a 2,400 square foot building to house all of his equipment. He stated that the extra 400 feet would allow him space to move around comfortably. Mr. Lynn also explained his request to have the structure in his front yard. He stated that a report from Soils and Structures shows that the soil type and groundwater levels would not be conducive with constructing in the rear yard. He also pointed out that the structure would be barely visible from the road due to the distance that the home sits back on the property.

Board Member Philips made a motion to deny the Variance to allow Mark Lynn to construct a detached accessory structure to be 2,400 square feet, a deviation of 400 square feet from the maximum allowed per City ordinance, at his home at 528 E. Farr Road, based on, A.) The Variance is not in harmony with the general purposes and intent of the Ordinance, because it exceeds the 2,000 square foot maximum, and B.) That there are not practical difficulties in carrying out the strict letter of the Ordinance in that the extra 400 feet would solely be based on added space to move around in. The motion was supported by Board Member Wisniewski. The board explained to the applicant that the size requirements for accessory structures were just updated a couple years ago, because of resident complaints. That the sizes allowed were actually increased and now this request goes far beyond that. Hearing no more questions, Chair Hill called for a roll call vote. The motion was carried unanimously.


Board Member Philips made a motion to approve the Variance to allow Mark Lynn to construct a detached accessory structure to be constructed in the required from yard at his home at 528 E. Farr Road, based on; A.) The Variance is in harmony with the general purposes and intent of the Ordinance, because there will be no view of it from the road, B.) That there are practical difficulties in carrying out the strict letter of the

Ordinance in that the rear yard has soil and high-water table issues, D.) That the Variance will not cause an increased population density to be generated on available governmental facilities, because it will remain a single-family residence. The motion was supported by Board Member White. Hearing no more questions, Chair Hill called for a roll call vote. The motion was carried unanimously.

General Comments

None.

Meeting adjourned at 5:59 p.m.



Sarah Romine, Recording Secretary