

CITY OF NORTON SHORES
ZONING BOARD OF APPEALS
December 15, 2021

A regular meeting of the Norton Shores Zoning Board of Appeals held at Norton Branch Library Community Room was called to order on Wednesday, December 15, 2021 at 5:30 p.m.

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

Absent: None

21-A11 Minutes

Board Member Maniates moved to approve the minutes of the October 20, 2021 and November 17, 2021 Zoning Board of Appeals meetings. The motion was supported by Board Member Philips and carried unanimously.

21-A12 ZBA Training with Doug Hughes, City Attorney

City Attorney Doug Hughes went over training materials from the Michigan Association of Planning and Michigan State University. Mr. Hughes emphasized the importance of what a “self-created issue” is when people apply for Variances and what board members should take into consideration when deciding.

21-A13 Variance Request – 1252 Circle Place, Kuhlman Residence

The Recording Secretary certified the December 3, 2021 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 a home that is 17’ 11” from the front property line. He stated that the cul-de-sac had been laid out decades ago and that the circular drive is not what is there currently. He also read to the board from the application regarding the hardships that moving the home back on the property would cause the applicant, mainly the increase in utility installation costs. Chair Hill asked if they even needed to apply for a variance considering the road is private and the circular drive does not even exist. Mr. Woodcock stated that they did, because the road was platted to be a cul-de-sac even though it does not look that way today.

A public hearing was held. The applicant, Megan Kuhlman, who resides at 4033 Buck Street, stated that due to the original plat for the road and surrounding properties it was difficult to place the home anywhere else on the property. Ms. Kuhlman stated that the curve that was platted into the cul-de-sac is what makes it hard to meet the front yard setback for the home. She also explained how the utilities would all be coming into the house at the same location and the utility room would be the front eastern corner, which allows them to cut utility installation costs. Board Member Philips asked the applicant why they couldn’t just move the home north on the

property so that it could meet the front yard setback. The applicant stated that they would not be able to meet the rear yard setback, which Mr. Woodcock confirmed is 35 feet. Ms. Kuhlman stated they are using a set house plan and they didn't want to try and figure out a new house design. Board Member Maniates asked why they couldn't build within the building envelope and build out, which would allow them to meet all setback requirements. Member Maniates also expressed concern about emergency services being able to access the homes due to the road conditions and building within the already tight roundabout area. The applicant stated that the area is already narrow and she's not sure how much the extra couple feet that her garage will stick out will even matter. There was continued talk about the option of moving the home back on the property and encroaching on the rear yard setback versus the front. Member Maniates asked Mr. Woodcock what the applicant would have to do to change to requesting a rear yard setback, which he stated would require a new Variance request/application. Board Member's discussed the downside to allowing the front yard setback deviation.

Board Member Maniates made a motion to approve the variance to allow Todd and Megan Kuhlman, on behalf of the property owner, to construct a single-family residence to be 17' 11" from the front property line, a deviation based on, B.) That there are practical difficulties in carrying out the strict letter of the Ordinance., E.) The Variance will not substantially change or affect the character of the neighborhood., and G.) The plight of the landowner is not due to circumstances or conditions unique to the property because the land was platted that way over 50 years ago. The motion was supported by Board Member White. Chair Hill called for a vote which was approved 4/3 by a roll call vote with Board Member Wisniewski, Philips and Munksi against.

Election of Chairperson

Board Member Maniates nominated Board Member Steve Hill to the position of Chairperson. The motion was supported by Board Member Philips and carried 6/0 on a roll call vote with Board Member Hill abstaining.

Election of Vice Chairperson

Board Member White nominated Board Member Philips to the position of Vice Chairperson. The motion was supported by Board Member Maniates and carried unanimously.

General Comments

None.

Meeting adjourned at 6:09 p.m.


Sarah Romine, Recording Secretary