

CITY OF NORTON SHORES  
ZONING BOARD OF APPEALS  
April 19, 2023

A meeting of the Norton Shores Zoning Board of Appeals held at Norton Shores Branch Library Community Room was called to order on Wednesday, April 19, 2023 at 5:30 p.m.

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

Absent: Board Members Maniates and Routt.

23-A04 Minutes

Board Member White moved to approve the minutes for the February 15, 2023 Zoning Board of Appeals meeting. The motion was supported by Board Member Wisniewski and carried unanimously.

23-A05 Variance Request – 3 Lakeview Avenue, Robert Kemp

The Recording Secretary certified the March 31, 2023 mailing and publishing of the notice.

City Planner Ted Woodcock gave the board a brief overview of the request stating that the applicant would like to construct a detached accessory structure that encroaches on the 50-foot setback from the high-water mark.

A public hearing was held. Jill Vanderwall, 9 Lakeview Avenue, spoke in opposition to allowing this Variance to go forward.

Board Member Parker made a motion to approve the Variance to allow Robert Kemp, the property owner, to construct a detached accessory structure that encroaches on the 50-foot setback from the high-water mark at 3 Lakeview Avenue. The Zoning Board of Appeals in the exercise of its discretion, is convinced after receiving substantial evidence that there are “practical difficulties” in carrying out the strict letter of the Ordinance because:

The Variance is in harmony with the general purposes and intent of the Ordinance because it’s still protected during high-water.

There are practical difficulties in carrying out the strict letter of the Ordinance in that all the lots in that area are of similar shape.

The Variance will not cause an increased population density to be generated on available governmental facilities because it’s a garage.

The Variance will not be a substantial detriment created for adjoining property owners because everyone in the area is similar.

It is not a difficulty that can be obviated by some feasible method other than the granting of the Variance because there are property restrictions. The plight of the landowner is due to circumstances or conditions unique to the property because of how the original properties were laid out.

The circumstances or conditions that are unique to the property are shared by neighboring properties in the same zone.

The motion was supported by Board Member Philips and carried 4-1 by a roll call vote, with Board Member Wisniewski against.

23-A06 Variance Request – 1807 Manitou Boulevard, Kevin Wright

The Recording Secretary certified the March 31, 2023 mailing and publishing of the notice

City Planner Ted Woodcock gave the board a brief overview of the request stating that the applicant would like to construct a single-family residence that encroaches on the required setbacks.

A public hearing was held. Lisa Chester, 1805 Manitou Boulevard and Margaret Chester, 3571 Roosevelt Road, spoke in opposition to the Variance request.

Board Member Wisniewski made a motion to approve the Variance to allow Kevin Wright, the purchasing party, to construct a single-family residence that encroaches on the required setbacks at 1807 Manitou Boulevard. The Zoning Board of Appeals in the exercise of its discretion, is convinced after receiving substantial evidence that there are “practical difficulties” in carrying out the strict letter of the Ordinance because:

There are not practical difficulties in carrying out the strict letter of the Ordinance in that similar Variance was given to another property in the City.

It is not a difficulty that can be obviated by some feasible method other than the granting of the Variance because the lot is limited and the City would benefit from using it for development.

The motion was supported by Board Member Philips and carried unanimously.

23-A07 Election of Officers

Board Member White made a motion to elect Board Member Philips to the position of Chair. The motion was supported by Chair Hill and carried unanimously.

Board Member White made a motion to elect Board Member Parker to the position of Vice Chair. The motion was supported by Chair Hill and carried unanimously.

General Comments

None.

Meeting adjourned at 6:05 p.m.

  
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Sarah Romine, Recording Secretary