

CITY OF NORTON SHORES  
ZONING BOARD OF APPEALS  
June 26, 2019

AGENDA 3a  
DATE 7-24-19

A regular meeting of the Norton Shores Zoning Board of Appeals was called to order on Wednesday, June 26, 2018, at 3:30 p.m. in the Large Conference Room, Norton Shores City Hall, 4814 Henry Street.

Present: Chairperson Hegarty, Board Members Carroll, Hill, Maniates, Otto, Philips, and White; also Ted Woodcock, Shelly Stibitz and Doug Hughes

Absent: None

19-A04 Minutes

Board Member Otto moved to approve the minutes of the April 24, 2019 Zoning Board of Appeals meeting. The motion was supported by Board Member White and carried unanimously.

19-A05 Variance Request – 814 Katie Court, Kling

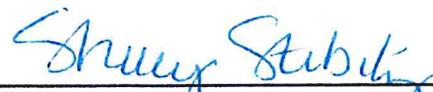
The City Clerk certified the June 14, 2019 publishing and mailing of the public notice.

A public hearing was held. Property owner, Mark Kling, described his current deck that is low to the ground with steps leading up to the main floor slider doors. Mr. Kling would like to have the deck level with the main floor that you step directly onto from the slider which is consistent with the rest of the decks in the neighborhood.

Board Member Hill moved to grant a Variance to allow Mark and Lori Kling to locate a deck on the premises at 814 Katie Ct., 31 feet from the rear property line as opposed to the minimum 40 feet required by Ordinance based on the following: 1) The Variance is in harmony with the general purposes and intent of the Ordinance; 2) The Variance is not substantial as it relates to the zoning requirements because the structure will be closer to conformance than the one presently in place; 3) The Variance will not have an effect on the population; and 4) The Variance will not substantially change or affect the character of the neighborhood because decks similar to the one proposed are already in place. The motion was supported by Board Member Otto and carried unanimously.

General Comments: None

Meeting adjourned at 3:36 p.m.

  
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Shelly Stibitz, City Clerk

## RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Zoning Board of Appeals hereby grants the following Variance:

A Variance to allow Mark and Lori Kling to construct a deck on the premises at 814 Katie Court with a rear yard setback of 31 feet as opposed to the minimum 40 feet required by Ordinance.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Zoning Board of Appeals in the exercise of its discretion, is convinced after receiving substantial evidence that there are/are not "practical difficulties" in carrying out the strict letter of the Ordinance because:

- 1) The Variance is in harmony with the general purposes and intent of the Ordinance;
- 2) The Variance is not substantial as it relates to the zoning requirements because the structure will be closer to conformance than the one presently in place;
- 3) The Variance will not have an effect on the population; and
- 4) The Variance will not substantially change or affect the character of the neighborhood because decks similar to the one proposed are already in place.

At a regular meeting of the Zoning Board of Appeals of the City of Norton Shores, held at the Norton Shores Municipal Building, 4814 Henry Street, on the 26<sup>th</sup> day June, 2019, the foregoing resolution was moved for adoption by Board Member Hill. The motion was supported by Board Member Otto.

Ayes: Board Members Carroll, Hill, Maniates, Otto, Philips, White and Chairperson Hegarty

Nays: None

Absent: None

Resolution declared adopted.

  
Shelly Stibitz, City Clerk