city of Norton Shores 50th Anniversary 1968-2018

4814 Henry Street Norton Shores, Michigan 49441 www.nortonshores.org

AGENDA 5A
DATE 4-24-19

April 17, 2019

Zoning Board of Appeals Meeting April 24, 2019
SUBJECT: Variance Request - 5065 Pine Ridge Drive
Article VI Accessory Uses
Section 48-1081(3)

Chairman and Members
of the
Zoning Board of Appeals

Ladies and Gentlemen:

John Gappa has requested a variance to construct a detached accessory building on his property at 5065 Pine Ridge Drive. While the building would be located next to the house on the property, it technically would be located in the front yard of the house and be set back from the road right-of-way 23 feet. The Zoning Ordinance for the R-3 district requires a minimum front yard setback of 30 feet and requires that all detached accessory buildings be located in side or rear yards only. Mr. Gappa has noted in his application that his lot is unique shaped making the proposed location natural for garage placement. Additionally, this area of the property is already being used for parking and the setback reduction from 30 feet to 23 feet is not substantial. He has also indicated that it would be impractical to locate the garage behind his residence due to the topography of the land in this area and cost of adding fill, tree removal, and running utilities this distance.

A prepared resolution is attached for the Board's use.

Sincerely,

Robert W. Bilkie
Planning and Zoning Administrator

RWB/sr
Attachment

RESOLUTION

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

A Variance to allow John Gappa to construct a detached accessory building in the front yard of his residence at 5065 Pine Ridge Drive with a front yard setback of 23 feet as opposed to the minimum 30 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:

A. The Variance is/is not in harmony with the general purposes and intent of the Ordinance because;

B. That there are/are not practical difficulties in carrying out the strict letter of the Ordinance in that;

C. The Variance is/is not substantial as it relates to the zoning requirements, because;

D. That the Variance will/will not have an effect upon increased population density and thus generated on available governmental facilities because;

E. The Variance will/will not substantially change or affect the character of the neighborhood because;

F. The Variance will/will not be a substantial detriment created for adjoining property owners because;

G. Is/is not a difficulty that can be obviated by some feasible method other than the granting of the Variance because;

H. The interests of justice will/will not be served by allowing the Variance in viewing all of the circumstances and manner in which the difficulty arose because;

I. The plight of the landowner is/is not due to circumstances unique to the property owner created by the landowner because;

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 24th day of April, 2019, the foregoing resolution was moved for adoption by Board Member. The motion was supported by Board Member.

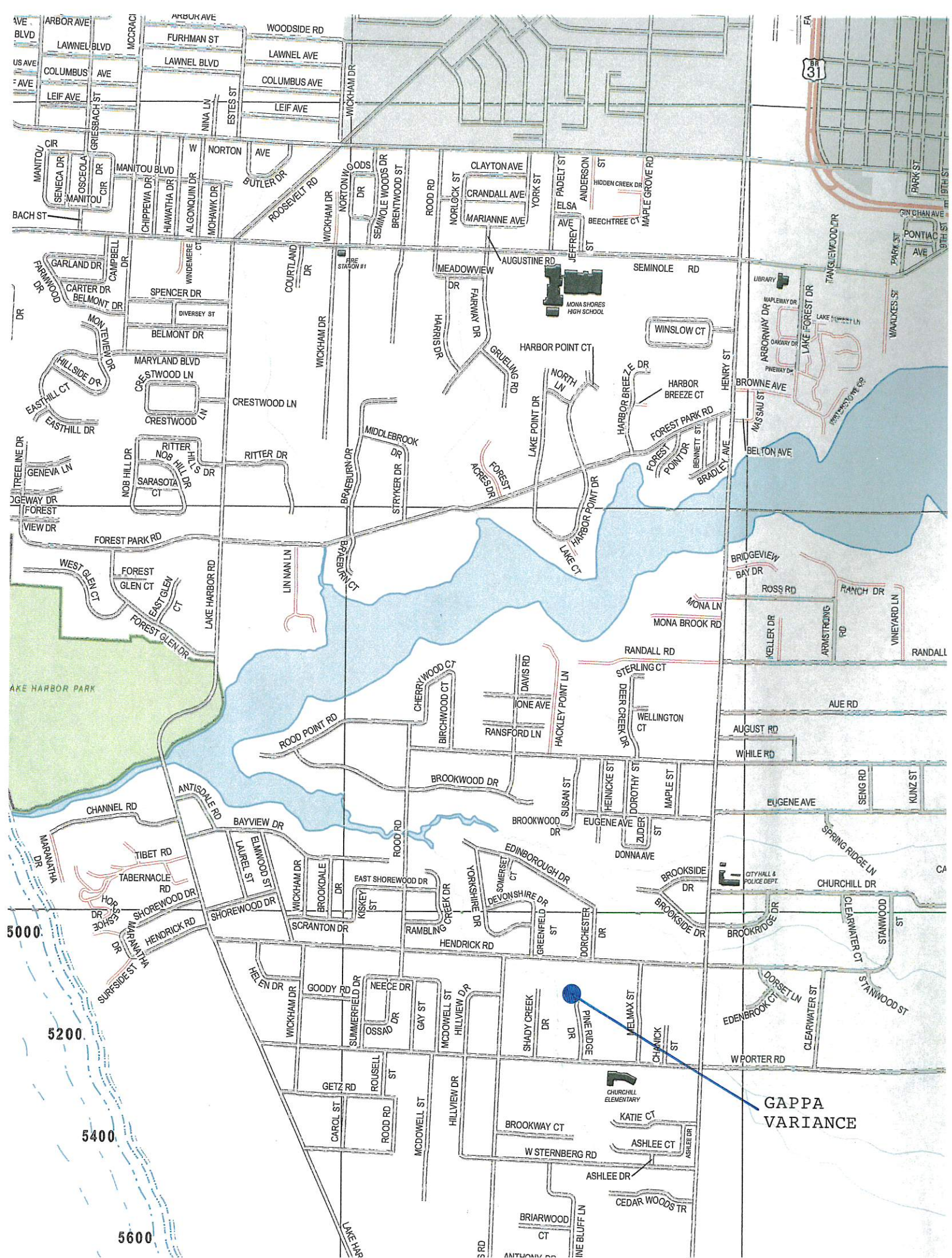
Ayes: _____

Nays: _____

Excused: _____

Resolution declared adopted/denied.

_____
Shelly Stibitz, City Clerk


GAPPA
VARIANCE
ARBOR AVE
WOODSIDE RD
FURHMAN ST
LAWNEL BLVD
LAWNEL AVE
COLUMBUS AVE
LEIF AVE
NORTON AVE
MANITOU BLVD
BUTLER DR
ROOSEVELT RD
CLAYTON AVE
CRANDALL AVE
MARIANNE AVE
ELSA AVE
BEECHTREE CT
HIDDEN CREEK DR
MAPLE GROVE RD
AUGUSTINE RD
SEMINOLE RD
MEADOWVIEW DR
MONA SHORES HIGH SCHOOL
FIRE STATION #1
LIBRARY
GIN CHAN AVE
PONTIAC AVE
GARLAND DR
CARTER DR
BELMONT DR
SPENCER DR
DIVERSEY ST
MARYLAND BLVD
CRESTWOOD LN
EASTHILL CT
EASTHILL DR
HILLSIDE DR
MONTEVIEW DR
WINSLOW CT
HARBOR POINT CT
HARBOR BREEZE CT
BROWNE AVE
BELTON AVE
FOREST PARK RD
FOREST POINT DR
BENNETT ST
BRADLEY AVE
MIDDLEBROOK DR
RITTER DR
RITTER HILLS DR
NOB HILL DR
SARASOTA CT
GENEVA LN
FOREST VIEW DR
FOREST ACRES DR
LAKE POINT DR
HARBOR POINT DR
LAKE CT
BRADBURN DR
BRADBURN CT
STRYKER DR
WEST GLEN CT
FOREST GLEN CT
EAST GLEN CT
FOREST GLEN DR
LAKE HARBOR RD
LIN NAN LN
BRIDGEVIEW
BAY DR
ROSS RD
RANCH DR
MONA LN
MONA BROOK RD
KELLER DR
ARMSTRONG RD
VINEYARD LN
RANDALL RD
STERLING CT
DEER CREEK DR
WELLINGTON CT
HACKLEY POINT LN
DAVIS RD
IONE AVE
RANSFORD LN
CHERRYWOOD CT
BIRCHWOOD CT
ROOD POINT RD
AUE RD
AUGUST RD
WHILE RD
BROOKWOOD DR
SUSAN ST
HEINICKE ST
DOROTHY ST
MAPLE ST
EUGENE AVE
SENG RD
KUNZ ST
ZUDER ST
DONNA AVE
SPRING RIDGE LN
CHANNEL RD
ANTISDALE RD
BAYVIEW DR
TIBET RD
TABERNACLE RD
MARANATHA DR
LAUREL ST
ELMWOOD ST
WICKHAM DR
BROOKDALE DR
EAST SHOREWOOD DR
SHOREWOOD DR
KISKEY ST
SCRANTON DR
RAMBLING CREEK DR
YORKSHIRE DR
SOMERSET CT
DEVONSHIRE DR
EDINBOROUGH DR
GREENFIELD ST
DORCHESTER DR
BROOKSIDE DR
CITY HALL & POLICE DEPT.
CHURCHILL DR
BROOKRIDGE DR
CLEARWATER CT
STANWOOD ST
HENDRICK RD
SURFSIDE ST
HELEN DR
GOODY RD
NEECE DR
OSSAD DR
SUMMERFIELD DR
GAY ST
MCDOWELL ST
HILLVIEW DR
SHADY CREEK DR
PINE RIDGE DR
MELMAX ST
CHANICK ST
DORSET LN
EDENBROOK CT
W PORTER RD
GETZ RD
ROUSELL ST
CAROL ST
CHURCHILL ELEMENTARY
KATIE CT
BROOKWAY CT
ASHLEE CT
ASHLEE DR
W STERNBERG RD
CEDAR WOODS TR
BRIARWOOD CT
5000
5200
5400
5600

FOR CITY USE

Planning Commission Date —
Z.B.A. Date 4/24/19
Date and Time Received 4/1/19

CITY OF NORTON SHORES, MICHIGAN
VARIANCE REQUEST

NOTE TO APPLICANT

Meetings of the Planning Commission are scheduled on the second Tuesday of each month at the Norton Shores Library, 705 Seminole Road, at 5:30 p.m. The Zoning Board of Appeals Meetings are held on the fourth Wednesday of each month in the Municipal Building, 4814 Henry Street, at 3:30 p.m.

GENERAL REQUIREMENTS

The Zoning Board of Appeals (ZBA) is created to offer reviews and decisions when an interpretation of the Zoning Ordinance or zoning district boundary is questioned, when an order or decision of an administrative official or body is questioned, when the Zoning Ordinance empowers the ZBA to hear specific uses, or when a variance from the strict interpretation of the ordinance is sought to avoid a specific hardship. A hardship must involve a unique situation rather than one that represents a minor inconvenience. The ZBA is not a legislative body, it does not have the power to rezone or change uses. Any decision of the ZBA must comply with the basic spirit (intent) of the ordinance while maintaining the public health, safety and welfare of the area and the community at large. If the request represents a significant change from the established intent, then an amendment to the Zoning Ordinance may be the proper solution.

In order to expedite a request, certain basic information must be submitted to allow ZBA members the opportunity to properly understand and consider the request. When providing the required information, the applicant may attach additional or supplemental information if deemed useful.

REQUIRED INFORMATION

I. Name of Applicant requesting ZBA Review and Opinion

Name(s) JOHN GAPPA

Address(s) 5065 PINE RIDGE DRIVE

Phone(s) 231-329-6567

PAID
APR 1 - 2019
CITY OF NORTON SHORES

III.

This lot is located in an R-3 Single Family Residential District. The property owner is seeking a variance for Sec. 48-1018-2 to build a garage in front of the house. Also the setback on the north side of proposed garage changed form 8' to 5' and the setback in the front of the garage reduced to 23' from 30' as directed in Sec. 48-805 and any others that may apply.

IV.

The lot has a very unique shape. The proposed site of the garage has always been used for parking and will always be used for parking. That fact will not change so the question is why not park inside? Looking at the shape of the lot it is almost as if the lot was designed for this purpose. The expense of running utilities, a concrete driveway, removing trees and having to buy sand to fill the sloped area to bring the existing land up to grade would be extensive.

V1.

The variance is not that substantial to the zoning requirements. The front offset being changed from 30' TO 23' still leaves a space of 13' from the 10' easement which I consider being the most important. The offset on the east side of the proposed building would be met at 8', but the north offset I would seek to change to 5' from the proposed 8' to avoid having to move utilities.

V2.

Do not see how this applies.

V3.

Most cul-de-sacs have 3-5 houses surrounding them. The proposed building would enhance the appeal of the street which should increase my homes value and increase the values of the homes on Pine Ridge. Aging subdivisions need to be upgraded or else they may fall into a less than desirable state.

V4.

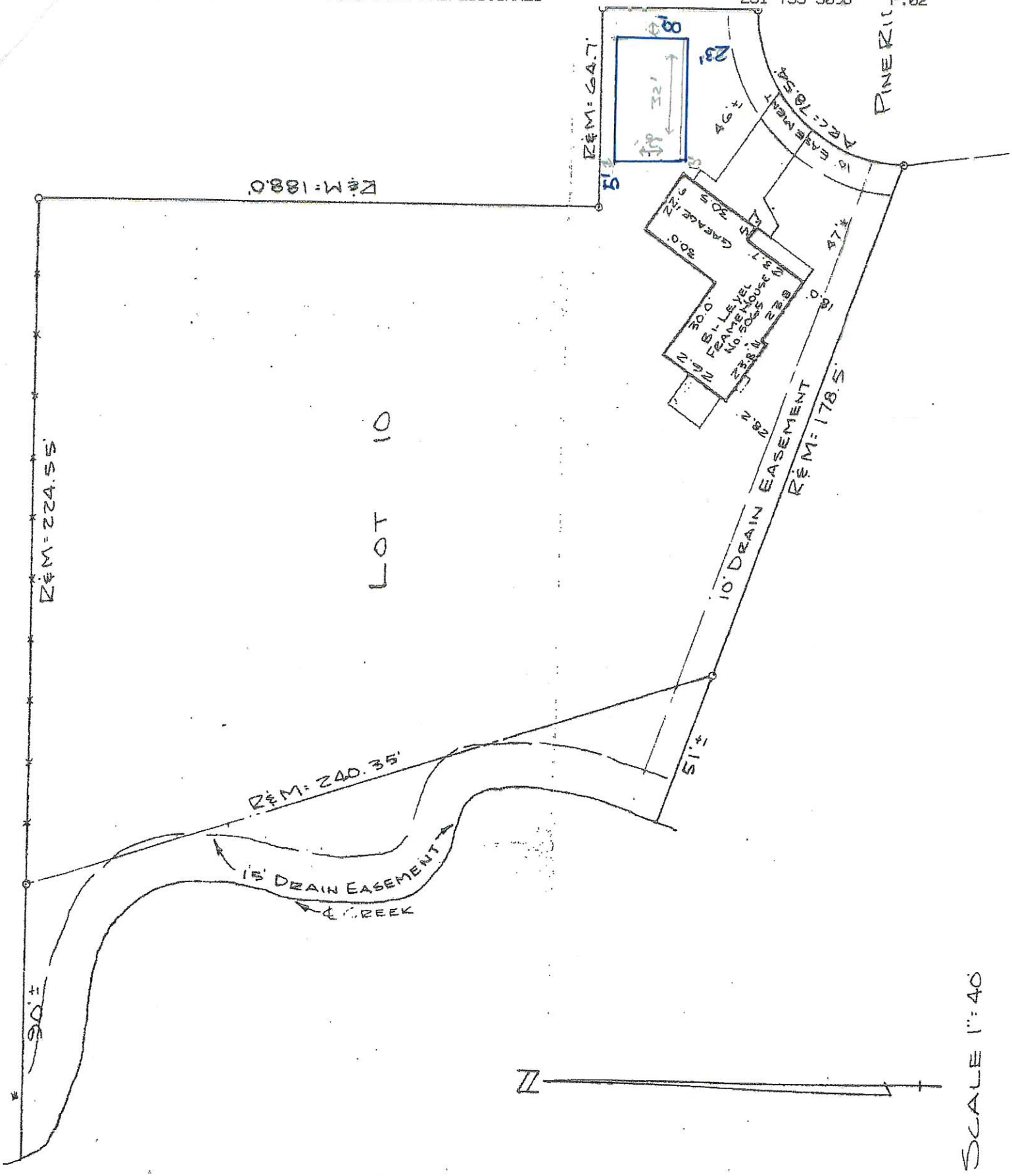
Not in any reasonably affordable way.

V5.

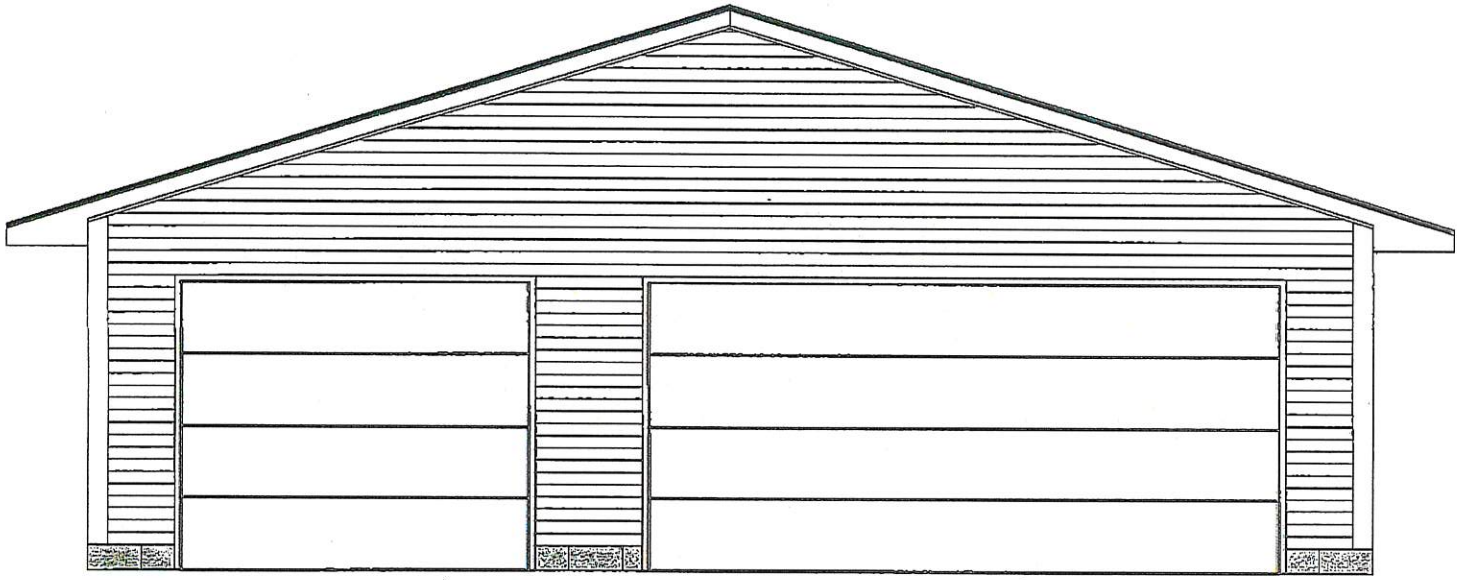
Absolutely.

V6.

The shape of the lot is odd which I have no control over. Just trying to make the best use of space in a reasonable manner.


R&M: 64.7'
R&M: 188.0'
R&M: 224.55'
R&M: 240.35'
R&M: 178.5'
LOT 10
10' DRAIN EASEMENT
15' DRAIN EASEMENT
℄ CREEK
BI-LEVEL FRAMEHOUSE No. 5065
GARAGE
PINE RI
SCALE 1":40'

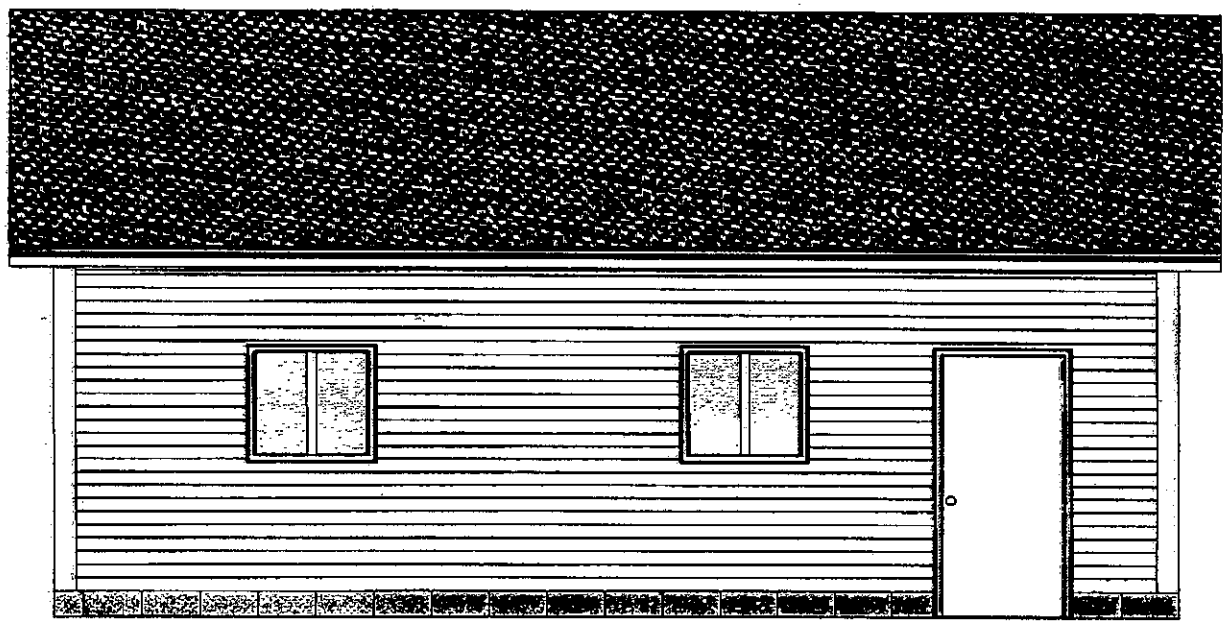
SOUTH SIDE-GABLE SIDE 1 ELEVATION



BNB siding on front
Darrel @ Keene Lumber
(231) 726-2706

"John Goppa
Estimate Number: 1938
3/18/2019"

WEST SIDE-EAVE SIDE 1 ELEVATION



"John Goppa
Estimate Number: 1938
3/18/2019"