

Zoning Board of Appeals

Brian Tideswell, Chair

Chuck Bayly
Michael Bembas
John Bolf

Judith Gulliver
Chari Lawton
Ron Schwark

CITY OF ALGONAC
ZBA MEETING MINU
Thursday, January 16, 2020
7:00 p.m.

City Council Chambers, 805 St. Clair River Drive
Algonac, MI 48001

Meeting called to Order

Chair Tideswell called the meeting to order at 7 p.m.

Roll Call

Present: Bayly, Bolf, Bembas, Gulliver, Lawton, Schwark, Tideswell

Absent: None

Others: City Clerk Sam Boelke, Marv Stone, Melissa Majchrzak, Robert Majchrzak, Bonnie Bell-Rubico, Elizabeth Szmrecsanyi, Mike Rasnick, Preston Rasnick, Noah Rasnick, Angela Gutt, Butch Suppon, Bard Davidson

Pledge of Allegiance

Chair Tideswell led the Pledge of Allegiance

Motion by Bayly; supported by Gulliver to amend the agenda to add "Citizens to be Heard." Motion carried.

Citizens to be Heard

None

Approval of Minutes

Motion by Bayly; supported by Bembas to approve the ZBA Meeting minutes of 10.17.19. Motion carried.

Communications and Notices

- 1) Mary Jo and Richard Steffes, 2234 Elm Street, wrote supporting the denial of variances at 2310 Algonac
- 2) Kathy Williams, 2304 Algonac Ct, wrote requesting denial of variances at 2310 Algona Court.

Unfinished Business

None

New Business

ZBA Case #2020-01, 2310 Algona Court

Motion by Bayly; supported by Gulliver to open the public hearing at 7:03 p.m.
Motion carried.

- Marv Stone, presented his case for the variances.
- Mike Rasnick spoke on behalf of Kathy Williams, his mother-in-law, who lives next door to the south. Mrs. Williams fears her view would be obstructed. Mrs. Williams is also worried about runoff from the new house flooding her yard. The board acknowledged that could be a problem and the building official will enforce drainage.
- Robert Majchrzak, speaking on behalf of Bonnie Bell-Rubico, said he was against the variances.

Motion by Gulliver; supported by Bayly to close the public hearing at 7:16 p.m.
Motion carried.

Motion by Bayly; supported by Schwark in the case of #2020-01, 2310 Algona Court, to **approve** the six foot setback from the road, the 22 foot setback from the river and the lot coverage of 38.25%.

- (1) Allowing this variance will not be contrary to public health, safety or welfare because the proposed garage will be proportionate for the site.
- (2) The proposed residence will not likely depress the value of nearby properties.

This motion includes the following conditions:

- a. The variance shall expire, without need for action by this Board, if the appropriate approvals are not sought and obtained within one (1) year.
- b. The approval of this variance shall not be rationale for any future variance requests.
- c. Any additional variance requests may be grounds for revocation or revision of any variance that is granted.
- d. Any violation of the terms and conditions of the ZBA decision or of any requirements of the City's Ordinances may be ground for revocation of the variance.
- e. The appropriate permits must be applied for and obtained prior to installation.

ZBA Case #2020-02, 2036 E. Park

Motion by Gulliver; supported by Bayly to open the public hearing at 7:25. Motion carried.

No citizen comments

Motion by Bayly; supported by Gulliver to close the public hearing at 7:27 p.m. Motion carried.

Motion by Bayly; supported by Bembas in the case of #2020-02, 2036 E. Park Drive, to **approve** the requested variance to construct a garage in a front yard because no rear yard exists and to approve the setbacks from the road of five feet and 12 feet.

- (3) Allowing this variance will not be contrary to public health, safety or welfare because the proposed garage will be proportionate for the site.
- (4) The proposed residence will not likely depress the value of nearby properties.

This motion includes the following conditions:

- f. The variance shall expire, without need for action by this Board, if the appropriate approvals are not sought and obtained within one (1) year.
- g. The approval of this variance shall not be rationale for any future variance requests.
- h. Any additional variance requests may be grounds for revocation or revision of any variance that is granted.
- i. Any violation of the terms and conditions of the ZBA decision or of any requirements of the City’s Ordinances may be ground for revocation of the variance.
- j. The appropriate permits must be applied for and obtained prior to installation.

Adjournment

Motion by Gulliver; supported by Bembas to adjourn the meeting at 7:31 p.m. Motion carried.

Signed _____; respectfully submitted _____
Chair Brian Tideswell City Clerk Sam Boelke