

CITY OF MUSKEGON
ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
November 12, 2024

Acting Chairman Gallavin called the meeting to order at 4:01 p.m. and roll was taken.

MEMBERS PRESENT: M. Gallavin, V. Taylor (4:06 pm arrival), R. King, D. Crockett, J. Montgomery-Keast, and W. German (4:07 pm arrival)
MEMBERS ABSENT: None
STAFF PRESENT: M. Franzak, S. Romine
OTHERS PRESENT: None.

APPROVAL OF MINUTES

A motion that the minutes of the special meeting of May 14, 2024, be approved was made by J. Montgomery-Keast, supported by R. King, and unanimously approved.

NEW BUSINESS:

None.

PUBLIC HEARINGS

Hearing, Case 2024-06: Request for variances from Section 404 of the Zoning Ordinance to construct a new home on a 2,500-square-foot lot, with a rear setback of 7 feet, at 2125 Beidler Street.

SUMMARY

1. The property is zoned R-2, Medium Density Single-Family Residential. The lot is considered non-conforming because it does not meet the minimum lot size requirement of 4,000 sf. The lot measures 2,500 sf (62.5'x 40'). The house is considered non-conforming because it does not meet the minimum setback requirement of 15 feet. The lot is described as the north half of lot 13, Block 5.
2. The applicant would like to demo the existing house on-site and rebuild it. Please see the enclosed site plan. The plan would need a variance from the minimum lot size requirement and the rear setback requirement. The minimum rear lot setback requirement is 15 feet, this plan proposes a 7-foot rear setback. All other setbacks and zoning requirements would be met.
3. Please see the responses to the zoning questionnaire on the following pages.
4. Notice was sent to everyone within 300 feet of the property. At the time of this writing, staff had not received any public comments.

Due to the applicant not being in attendance, board members moved on to the next hearing.

Hearing, Case 2024-07: Request for a variance from Section 2316 of the zoning ordinance to allow a parking area in the front yard, at 1002 W. Forest Avenue by Thomas Serio.

SUMMARY

1. The property is zoned R-2, Medium Density Single-Family Residential. The building is considered non-conforming because it does not meet the minimum rear lot setback requirement of 15 feet. The house is setback nearly 100 feet from the front property line.
2. The applicant would like to add off-street parking spaces, but there is no room for parking in the rear. The applicant is proposing a 24'x 24' concrete parking pad in the front yard. Please see the enclosed site plan.
3. The lot measures 6,405 sf. The zoning ordinance allows up to 15% (960 sf) of the lot to be paved. The proposed parking pad measures 576 sf. The parking pad could provide up to three parking spaces.
4. Section 2316.1 of the zoning ordinance states: "Residential parking areas for boats, trailers, motor vehicles, and recreation equipment shall not be located in any front yard. This section shall not prohibit direct access drive parking of automobiles on paved, established driveways."
5. Please see the responses to the zoning questionnaire on the following pages.
6. Notice was sent to everyone within 300 feet of the property. At the time of this writing, staff had not received any public comments.

MOTION TO CLOSE PUBLIC HEARING

A motion to close the public hearing was made by J. Montgomery-Keast, supported by D. Crocket, and unanimously approved.

VARIANCE REVIEW STANDARDS

Questions to consider when reviewing a variance request:

- a. Are there exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or classes of uses in the same zoning district?
- b. Is the dimensional variance necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and in the vicinity?
- c. Will the authorizing of such dimensional variance be of substantial detriment to adjacent properties?
- d. Is the alleged difficulty caused by the ordinance and not by any person presently having an interest in the property, or by any previous owner?
- e. Is the alleged difficulty founded solely upon the opportunity to make the property more profitable or to reduce expense to the owner?
- f. Is the requested variance the minimum action required to eliminate the difficulty?

DETERMINATION

A motion was made by R. King, supported by J. Montgomery-Keast, the request for a variance from Section 2316 of the zoning ordinance to allow a 24' x 24' paved parking pad in the front yard at 1002 W. Forest Avenue be approved based on the review standards in Section 2502 of the Zoning Ordinance.

ROLL CALL VOTE

V. Taylor: Yes	D. Crockett: Yes	W. German: Yes
R. King: No	M. Gallavin: Yes	J. Montgomery-Keast: Yes

MOTION PASSES

MOTION TO TABLE HEARING CASE 2024-06

A motion to table the public hearing for Case # 2024-06, 2125 Beidler Street, was made by M. Gallavin, supported by W. German, and unanimously approved.

OLD BUSINESS

None

OTHER

None

ADJOURN

There being no further business, the meeting was adjourned at 4:15 p.m.