

CITY OF MUSKEGON
ZONING BOARD OF APPEALS
REGULAR MEETING

DATE OF MEETING: Tuesday, August 8, 2023
TIME OF MEETING: 4:00 p.m.
PLACE OF MEETING: Conference Room 204, 2nd Floor, Muskegon City Hall

AGENDA

- I. Roll Call
- II. Approval of Minutes of the Regular Meeting of April 11, 2023.
- III. Public Hearings
 - A. Hearing; Case 2023-04: Request for a variance from Section 2316 of the zoning ordinance to allow a driveway in the front yard at 1564 Hoyt St.
- IV. New Business
 - A. Training
- V. Old Business
- VI. Other
- VII. Adjourn

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS
OF THE CITY OF MUSKEGON AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

To give comment on a live-streamed meeting the city will provide a call-in telephone number to the public to be able to call and give comment. For a public meeting that is not live-streamed, and which a citizen would like to watch and give comment, they must contact the City Clerk's Office with at least a two-business day notice. The participant will then receive a zoom link which will allow them to watch live and give comment. Contact information is below. For more details, please visit: www.shorelinecity.com

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting with twenty-four (24) hours' notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or by calling the following:

Ann Marie Meisch, MMC
City Clerk
933 Terrace Street
Muskegon, MI 49440
231-724-6705
clerk@shorelinecity.com

CITY OF MUSKEGON
ZONING BOARD OF APPEALS
STAFF REPORT

Tuesday, August 8, 2023

Hearing; Case 2023-04: Request for a variance from Section 2316 of the zoning ordinance to allow a driveway in the front yard at 1564 Hoyt St.

SUMMARY

1. The property is zoned R-3, High Density, Single Family Residential.
2. The property measures 5,145 sf (39 x 131) and contains a 1,216 sf house.
3. The applicant only has about 14 feet of clearance in the back for a parking space, measured from the alley right-of-way to the house. This is not long enough for a standard parking space (typically 8' x 18').
4. The ordinance prohibits parking in the front of the house. However, you can have a driveway in the front yard if it extends past the house, long enough for a car to park (minimum of 18 feet long). The property does not have enough clearance on either side of the house to achieve the requirement.
5. All properties within 300 feet of the applicant were notified, at time of this writing staff had not received any comments from the public.

1564 Hoyt St



Aerial Map



REVIEW STANDARDS

Questions to consider when reviewing a variance request:

- a. Are there are 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 class 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:

The following motion is offered for consideration:

I move that the request for a variance from Section 2316 of the zoning ordinance to allow a driveway in the front yard at 1564 Hoyt St be (approved/denied) based on the review standards in Section 2502 of the Zoning Ordinance.

City of Muskegon Planning & Zoning Application
These questions are ONLY for Zoning Board of Appeals requests

1. Why should your property be unique compared to others in the neighborhood?

My home is set further back on the plot of land compared to all other homes on the street. I do not have much room to park behind my home in the alley.

2. What property rights do your neighbors enjoy that you can't because of the nature of your property?

everyone has a backyard to park or a driveway to park in but my home does not have that luxury.

3. Will granting a variance to you negatively affect your neighbors or the public?

No, others around me have their own parking space for themselves which won't or shouldn't cause any issue.

4. Who or what is the cause of the difficulty with the current ordinance?

My property does not have the size on both sides of my home to allow a driveway to surpass the front of the house by 18 feet.

5. Do you have reasons, other than financial gain, for asking for the variance?

People sometimes drive a bit fast in the alley and kids play back there, I would hate it if my car got damaged and with little space to park it is difficult to have people over like family.

6. Could you get by with less of a variance from the ordinance requirement(s)?

if I didn't need 18ft of the driveway past the front of my home it would be a problem which is the only thing preventing me from getting a driveway.

7. Will this variance alter the essential character of the area?

No, since everyone else on the street has a driveway.

8. Is your preferred property use specifically mentioned in the ordinance as not being allowed in your zoning district?

No, I don't believe so.

A complete description of zoning variances can be found in Article XXV of the City of Muskegon Zoning Ordinance
 Visit www.shorelinecity.com for more information

Information contained in this application, as well as supporting documentation, may be subject to review by the public if a Freedom of Information Act Request is filed