

CITY OF MUSKEGON
ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
August 8, 2023

Vice-Chairman J. Witmer called the meeting to order at 4:10 p.m. and roll was taken.

MEMBERS PRESENT: J. Witmer, V. Taylor, J. Montgomery-Keast, R. King
MEMBERS ABSENT: W. Bowman, W. German & M. Gallavin, excused.
STAFF PRESENT: M. Franzak, S. Pulos
OTHERS PRESENT: None.

APPROVAL OF MINUTES

A motion that the minutes of the meeting of April 11, 2023, be approved was made by J. Montgomery-Keast, supported by R. King, and unanimously approved.

PUBLIC HEARINGS

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.

PUBLIC COMMENTS

1. Marvin Holman and Evelyn Loveless, adjacent neighbors at 1564 Hoyt, support the and are in favor of the request.
2. Randy Vanderweit, President of McLaughlin Neighborhood Association, along with the association's board members, also support and are in favor of the request.

MOTION TO CLOSE PUBLIC HEARING

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

VARIANCE 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

A motion 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 based on the review standards in Section 2502 of the Zoning Ordinance, was made by J. Montgomery-Keast, supported by V. Taylor and was unanimously approved.

OLD BUSINESS

None

OTHER

None

ADJOURN

There being no further business, the meeting was adjourned at 4:50 p.m.