

# CITY OF MUSKEGON

## ZONING BOARD OF APPEALS

### MEETING

**June 9, 2026 @ 4:00 PM**

**MUSKEGON CITY COMMISSION CHAMBERS  
933 TERRACE STREET, MUSKEGON, MI 49440**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF MINUTES:**

**A. Approval of the minutes from the regular meeting of June 10, 2025.**  
Planning

**OLD BUSINESS:**

**NEW BUSINESS:**

**A. Election of Officers** Planning

**ANY OTHER BUSINESS:**

**PUBLIC HEARINGS:**

**A. Case 2026-01: Request for a variance from Article IV, Section 404 of the zoning ordinance to construct a 242 square foot attached garage that is less than 5 feet from the side property line at 1382 Lakeshore Drive.**  
Planning

**PUBLIC COMMENT:**

**ADJOURNMENT:**

#### **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](http://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 St. Muskegon, MI 49440. (231)724-6705.  
[clerk@shorelinecity.com](mailto:clerk@shorelinecity.com)

CITY OF MUSKEGON  
**ZONING BOARD OF APPEALS**  
REGULAR MEETING MINUTES  
**June 10, 2025**

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

MEMBERS PRESENT: V. Taylor, R. King, M. Gallavin, W. German (arrived at 4:12 pm), J. Hite, and J. Montgomery-Keast.  
MEMBERS ABSENT: D. Crockett  
STAFF PRESENT: M. Franzak, S. Romine  
OTHERS PRESENT: None.

**APPROVAL OF MINUTES**

A motion that the minutes of the regular meeting of May 13, 2025, be approved was made by J. Montgomery-Keast, supported by M. Gallavin, and unanimously approved.

**NEW BUSINESS:**

None.

**PUBLIC HEARINGS**

**Hearing, Case 2025-05: Request for variances from Section 2311 of the zoning ordinance to construct a 144 square foot shed that is less than 3 feet from the side property line and 1.5 feet from the home, at 1423 Lakeshore Drive.**

**SUMMARY**

1. The property is zoned R, Neighborhood Residential. The parcel measures 6,600 sf and is located on a relatively historic portion of Lakeshore Drive, with homes dating back into the late 1800s/early 1900s.
2. A single-family house has been sited on the lot for many years that later transitioned into a two-unit home. The house sits to the rear of the property, leaving very little space in the rear yard for any potential accessory structures. Prior to recent renovation work, the house included a one-stall attached garage which was built up to the side property line, deeming the house a non-conforming structure.
3. The applicant purchased the property in the October 2024, and several renovations have taken place since then. During the storm in June 2024, a tree fell onto the single-stall attached garage. The garage was deemed to be beyond repair and was demolished in November. The applicant was informed that they could not rebuild the garage due to the nonconforming status per Article XXII of the zoning ordinance.
4. The applicant is requesting to add a 144sf shed/garage that would sit 1.5 feet from the principal structure and approximately one-foot from the side yard lot line to the northeast. There are two violations of the ordinance with the addition of the detached 144sf shed/garage. The side yard setback requirement of at least three feet cannot be met, nor can the setback to the principal structure requirement of at least six feet.
5. The applicant has also obtained a Development Permit to install a six-foot white vinyl privacy fence, which was approved.
6. Staff became aware at the time of this writing that the applicant has already installed the foundation for the requested accessory structure.

7. Please see the enclosed denied site plan as well as a copy of a recent sketch from the Assessing Department that shows the current layout of the structures on the property.
8. Notification was sent to every property within 300 feet of this address. At the time of this writing, staff had not received any public comments.

**PUBLIC COMMENT**

J. Sanocki, 1417 Lakeshore Drive: Spoke in support of the variance.

**MOTION TO CLOSE PUBLIC HEARING**

A motion to close the public hearing was made by J. Montgomery-Keast, supported by M. Gallavin, 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, that the request for variances from Section 2311 of the zoning ordinance to construct a 144 square foot shed that is less than 3 feet from the side property line and 1.5 feet from the home, at 1423 Lakeshore Drive, be approved based on the review standards in Section 2502 of the Zoning Ordinance.

**ROLL CALL VOTE**

V. Taylor: Yes	J. Montgomery-Keast: Yes	J. Hite: Yes
M. Gallavin: Yes	R. King: Yes	W. German: Yes

**MOTION PASSES**

**OLD BUSINESS**

None

**OTHER**

None

**ADJOURN**

There being no further business, the meeting was adjourned at 4:17 p.m.



## Agenda Item Review Form

### Muskegon Zoning Board of Appeals

<b>Commission Meeting Date:</b> June 9, 2026	<b>Title:</b> Election of Officers
<b>Submitted by:</b> Mike Franzak, Planning Director	<b>Department:</b> Planning
<b>Brief Summary:</b> We must elect a Chair and Vice-Chair for 2026.	
<b>Recommended Motion:</b> I move to elect _____ for Chair and _____ for Vice-Chair.	



## Agenda Item Review Form

### Muskegon Zoning Board of Appeals

<b>Commission Meeting Date:</b> June 9, 2026	<b>Title:</b> Case 2026-01: Request for a variance from Article IV, Section 404 of the zoning ordinance to construct a 242 square foot attached garage that is less than 5 feet from the side property line at 1382 Lakeshore Drive.							
<b>Submitted by:</b> Mike Franzak, Planning Director	<b>Department:</b> Planning							
<b>Brief Summary:</b> Request for a variance from Article IV, Section 404 of the zoning ordinance to construct a 242 square foot attached garage that is less than 5 feet from the side property line at 1382 Lakeshore Drive.								
<b>Detailed Summary &amp; Background:</b> The house at 1382 Lakeshore Dr is considered legally, non-conforming because part of the house was built over the side property line to the north. The owner is proposing to demolish the non-conforming portion of the house and put a conforming addition onto the rear of the house.  The owner is also proposing a new attached garage on the south side of the house. However, the site plan was denied because the side setback is just under three feet, but the requirement is a minimum of five feet. The owner could place a detached garage in the rear of the property, but any addition in this location would diminish their view of the lake, as well as their neighbors' view of the lake.  If the variance is granted and the garage is placed under five feet from the property line, the Inspections Department will require the walls to be fire-rated. This is because the vacant lot to the south is considered buildable and the distance between the two houses would most likely be under 10 feet.								
<b>Goal/Action Item:</b>								
<b>Is this a repeat item?:</b> <b>Explain what change has been made to justify bringing it back to Commission:</b>								
<b>Amount Requested:</b> N/A	<b>Budgeted Item:</b> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">No</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;"><input checked="" type="checkbox"/></td> <td style="width: 25%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<b>Fund(s) or Account(s):</b> N/A	<b>Budget Amendment Needed:</b> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">No</td> <td style="width: 25%;"><input type="checkbox"/></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;"><input checked="" type="checkbox"/></td> <td style="width: 25%;"><input type="checkbox"/></td> </tr> </table>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<b>Recommended Motion:</b> I move the request for a variance from Article IV, Section 404 of the zoning ordinance to construct a garage with side setback of 2.95 feet at 1382 Lakeshore Drive be approved.								

**Approvals:**

Immediate Division Head	X	
Information Technology		
Other Division Heads		
Communication		
Legal Review		

**Name the Policy/Ordinance Followed:**









The following questions are for Zoning Board of Appeals requests only and must be answered (if applicable) as part of a complete application package.

A complete description of zoning variances can be found in Article XXV of the Zoning Ordinance.

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

The current shown solution with allow the neighbors to keep their current view of the waterfront without blocking the view.

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

3. Will granting a variance to you negatively affect your neighbors or the public?  
No, It will allow them to maintain their views of the waterfront without affecting anything.

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

The 5ft sideyard setback and the enforcement of removing an existing built home that we had no control of.

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

Wanted to keep the neighbors happy without affecting thier newly built homes and additions.

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

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

No, It will maintain it.

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

No