

MINUTES
THE CITY of the VILLAGE OF DOUGLAS
ZONING BOARD OF APPEALS (ZBA)
DOUGLAS CITY HALL
86 W. CENTER STREET, DOUGLAS, MI
August 25, 2015, 7:00 P.M.

1. **Call to Order** The meeting was called to order at 7:04 P.M. by Chairperson Schumacher.\
2. **Roll Call** Members present- Schumacher, Pullen, Kutzel, Burdick, Greenwood
Members absent- none
Also present- Lynee Wells, city planner
3. **Approval of Minutes**
Motion by Burdick with support from Pullen to approve the minutes of October 28, 2014 as amended. Motion carries unanimous voice vote.

Amended item:

Section 5 New Business, 1. iii. Motion will be changed to state: Motion by Greenwood with support from Burdick to approve the request for variance at 24 Chestnut Street due to the fact that the change does not significantly affect the existing nonconformity of setback and meets variance standards.

4. **Agenda Changes/Additions/Deletions**
Motion by Pullen with support from Burdick to approve the ZBA agenda of August 25, 2015 as presented.
5. **New Business**
 - A. **Election of Officers**
Wells explained the election to members.

Motion by Greenwood with support from Burdick to reappoint the existing members as currently seated. Motion carries unanimous roll call vote.
 - B. **Public Hearing and Decision:** Ms. Marjorie Virdin on behalf of Ms. Janet Tomlinson, 270 Wiley Road has requested a variance from the minimum floor area requirements of the R-1 zoning district for purpose of building a new house of 900 square feet. (PP# 03-59-016-083-00) in the City of the Village of Douglas.

Schumacher opened public hearing.

Marjorie Virdin explained Ms. Tomlinson's current house conditions and what is necessary for Ms. Tomlinson's living conditions. She also explained what she plans to build and the need for a smaller square footage.

Barb Kelly, 499 Amity, stated she had no objection to the variance and she believed 900 square feet was adequate. Will Gervais, 484 Union, also supports the variance. Nan Campaun, friend of Marjorie, showed the members a picture of what the house is proposed to look like.

Schumacher closed public hearing.

Members discussed reasons for granting the variance. Burdick explained that conditions of ADA, section 32-210, require nondiscrimination and reasonable accommodations. Members agree that based on ADA section 32-210, all variance standards apply. Members also agree that other properties in the neighborhood are similar in size.

Motion by Greenwood with support from Pullen to vote to approve the variance for 270 Wiley Road from 1200 square feet to 900 square feet based on,

1. Reasonable modification to avoid discrimination based on a disability per applicant per section 32-210 of the ADA.
2. Replacing existing 900 square feet structure that is a legally nonconforming structure.
3. The home will be sized with other properties in the neighborhood.
4. All other zoning standards will be applied other than the minimum square footage of structure.

Motion carries a 4 to 1 roll call vote. Greenwood-yes, Pullen- yes, Schumacher-yes, Burdick-yes, Kutzel-no.

6. Public Comment: Lynee explained the next steps to Marjorie.

7. Adjournment

Motion by Greenwood with support from Pullen to adjourn meeting. Meeting adjourned at 7:47 P.M.

ZONING BOARD OF APPEALS (ZBA)

DOUGLAS CITY HALL

86 W. CENTER STREET, DOUGLAS, MI

October 28, 2014, 7:00 P.M.

- 1. Call to Order:** The meeting was called to order at 7:00 P.M. by Chairperson Schumacher.
- 2. Roll Call:** Members Present: Schumacher, Pullen, Greenwood, Burdick.
Members Absent: Kutzel
Also Present: Lynee Wells, City Planner
- 3. Approval of Minutes:** ZBA Meeting of September 23, 2014
Motion by Pullen with support from Greenwood to approve the September 23, 2014 minutes as amended. Motion carries unanimous voice vote.
Amended Items:
Change spelling of Schumacher
- 4. Agenda Changes/Additions/Deletions**
Motion by Greenwood with support from Pullen to approve the ZBA agenda of October 28, 2014 as presented. Motion carries unanimous voice vote.
- 5. New Business**
 1. Public Hearing to discuss an application for variance at the property located at 24 Chestnut Street (pp# 03-59-100-051-00). The applicant requests a variance from Section 6.02 (C), front setback requirements.
 - i. Open Public Hearing by Schumacher at 7:03 P.M.
Wells began the discussion by explaining the applicant's request. Applicant would like to reconstruct porch with a 2" variance to be in line with the home. There is one letter of support from Frederick Royce.
 - ii. Public Comment
Applicant Barry Harrison, 441 Benaville, Birmingham, MI, began by explaining the reasoning for the request to reconstruct the porch. Applicant would like to have a masonry front porch and believes it would change the aesthetics of the home. Schumacher read over the Williams & Works standards and discussed with members. Members agreed that a 2" variance is not very noticeable and would make the home aesthetically look better. The plan is consistent with other homes in the neighborhood. Members also agree that encouraging a functional porch benefits the neighborhood.
 - iii. Close Public Hearing
Motion by Greenwood with support from Burdick to approve the request for variance at 24 Chestnut Street due to the fact that the change does not significantly affect the existing nonconformity of setback and meets all other variance standards. Motion carries unanimous roll call vote.
- 6. Public Comment:** None
- 7. Adjournment:**
Motion by Burdick with support from Pullen to adjourn the meeting. Meeting adjourned at 7:24 P.M. Motion carries unanimous voice vote.

MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
ZONING BOARD OF APPEALS (ZBA)
DOUGLAS CITY HALL
86 W CENTER ST, DOUGLAS, MI
December 22, 2015, 7:00 P.M.

- 1. Call to Order: Chairperson Shumacher called the meeting to order at 7:00 P.M.**
- 2. Roll Call:** Members present- Shumacher, Pullen, Kutzel, Greenwood
Members absent- Burdick
Also present- Lisa Imus, city planner
- 3. Approval of Minutes**
Motion by Kutzel with support from Pullen to table the approval of the ZBA meeting minutes of August 25, 2015 until the next meeting to research ADA section 32.210.
Motion carries unanimous voice vote.
- 4. Agenda Changes/Additions/Deletions**
Motion by Pullen with support from Kutzel to approve the ZBA agenda for December 22, 2015 as presented.
Motion carries unanimous voice vote.
- 5. New Business**
 - A. Public Hearing and Decision:** Mr. David Bryson on behalf of Ms. Karen Lavine, 927 Center Street, has requested a variance from the minimum Rear Setback of the R-3 zoning district for purpose of moving an existing shed and for a 384 sq foot addition on the rear of the home. (PP# 03-59-210-004-00) in the City of the Village of Douglas.

Bryson explained what the addition will look like and what it will entail. The variance would include the foundation for a chimney. Bryson also explained where they want to move the shed. He explained that if this were not approved then they would more than likely build an accessory building but it would be closer to the property line. Members discussed different options for the positioning of the addition. Bryson stated that it was not an option to put it on a different side of the home.

Members discussed the ZBA Memorandum from Lisa Imus.

The variance does not meet the standards for section 29.05.1a. as there is no practical difficulty. Motion by Greenwood, with support from Pullen, to deny the application for variance from the minimum rear set-back requirements of the R-3 District so that the existing home at 927 Center may add an addition to the rear of the home, with a variance of 9' from the required 25' set-back in the R-3 District because we do not see the difficulties as practical according to section 29.05.1a.

Motion carries unanimous roll call vote.

Members also discussed moving the shed and concluded that there was no practical difficulty for this and it does not meet the standards for section 29.05.1a of the variance standards.

Motion by Greenwood, with support from Pullen, to deny the 6' variance for the shed movement from the lot line as there are no practical difficulties according to section 29.05.1a.

Motion carries unanimous roll call vote.

6. Public Comment

None

Kutzel thanked Lisa for the complete packets for the ZBA meeting. Members all agreed.

7. Adjournment

Motion by Pullen with support from Greenwood to adjourn meeting. Meeting adjourned at 8:20 P.M.