

ZONING BOARD OF APPEALS
CITY OF GRAND HAVEN
MEETING MINUTES

May 19, 2021

An electronic meeting of the Grand Haven Zoning Board of Appeals was called to order by Chair Jerry Klukos at 7:00 p.m. via Zoom. Chair Klukos stated that the meeting was being held electronically due to the coronavirus pandemic. On roll call, the following members were:

Present: Kerry Bridges, Amy Kozanecki, Kevin McLaughlin, Field Reichardt (joined at the beginning of Case 21-06), Melanie Riekels, Chair Jerry Klukos.

Absent: None

Each board member stated their location (City and State) for the record. All members in attendance were located in Grand Haven, MI.

Also present was Jennifer Howland, Community Development Manager and Ashley Latsch, Assistant to the City Manager.

Call to Audience – First Opportunity

Howland informed the ZBA that Eric Brenberger resigned earlier this week.

Approval of Minutes

Motion by Riekels, seconded by Kozanecki, to approve the April 21, 2021 minutes passed unanimously by roll call vote.

Case 21-05: A request by Peter Wilson for two variances related to a proposed 8-foot lot line adjustment between 1320 Washington Ave (parcel #70-03-21-480-005) and 1322 Washington Ave (parcel #70-03-21-480-006): 1) a variance from Sec. 40-409.02.C to allow for a lot width of 36 feet at 1320 Washington Ave (currently 44 feet) and a lot width of 30 feet at 1322 Washington Ave (currently 22 feet) where 44 feet is the district minimum; and 2) a variance from Sec. 40-409.02.C to allow for a lot area of 4,460 sq. ft. (currently 5,452 sq. ft.) at 1320 Washington and 3,717 sq. ft. (currently 2,726 sq. ft.) at 1322 Washington Ave where 5,800 sq. ft. is the district minimum.

Howland provided an overview of the request. Peter Wilson was present to answer questions related to his request. The primary reason for his request is to have the existing walkway on the lot and to allow access from the front to the back of the lot in a reasonable manner.

Klukos said that this neighborhood reminds him of an older residential neighborhood like a company town.

Kozanecki asked when the 22 feet was split off of the lot. Howland was not sure. Wilson said that there was a 3-flat on the vacant lot and the dimensions are not out of character with the neighborhood.

Kozanecki asked why Wilson didn't create an 8-foot easement. She stated that this option would avoid creating a nonconforming lot width. Wilson said that any owner should reasonably be able to walk past their building and stay on their property. The result of the proposed lot line adjustment is 36 and 30 feet width lots, which is similar to others in the neighborhood.

Kozanecki asked would stop someone down the street from requesting the same thing. Howland said the request needs to be evaluated on its own merit and should be unique to the particular situation.

McLaughlin asked Wilson what his goal was for the property. Wilson stated that he intends to convert the Artisan building back into a single-family home which is consistent with the neighborhood. He would likely sell it or live in it. The second lot would be eventually developed with a single-family home but he has no immediate plans.

Riekels asked if the main purpose was just to put a walkway there, since the main access to the property is via the alley to the rear. She thought an easement would make more sense than adjusting the lot line. Wilson said the walkway already exists and it is 7.97 feet onto the vacant lot. He's not trying to create a new condition. He thinks it makes more sense to shift the lot line rather than an easement. It's not inconsistent in the neighborhood. It behooves the neighborhood to have two single-family homes in character with the neighborhood.

Riekels asked if the Artisan would lose its nonconforming status when it closes. Howland stated they have 12 months before the use would be considered abandoned.

Kozanecki asked Wilson if he bought both lots at the same time. She pointed out the proposed easement for the walkway was shown on the survey of the property. Wilson said they were bought at the same time. He can't explain the proposed easement. Howland suggested that the seller was likely setting up the proposed easement for the potential of two separate buyers. It's not in place at this time.

Chair Klukos opened the public hearing for the case.

Public Comments:

Denny Dryer, 220 1/2 Washington Ave said that the lot line adjustment would allow the applicant to add windows to the side of building, which would be helpful. With a property line less than 3 feet off, it's not possible. He may need windows for egress.

Motion by Kozanecki, seconded by Bridges, to close the public hearing was carried unanimously by roll call vote.

The board considered the seven basic conditions.

A. Bridges said that it will make the small lot look more normal. Klukos stated that in this case with two relatively small parcels, it's not contrary to the intent and purpose of the ordinance. The applicant is trying to make each a stand-alone property in order to enjoy the use of this property. Motion by Riekels, seconded by

McLaughlin, to approve Basic Condition A **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Riekels, Klukos. Nays: none.

B. Kozanecki said it would make it conforming by converting it into two single family homes. All members agreed. Motion by Bridges, seconded by Kozanecki, to approve Basic Condition B **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Riekels, Klukos. Nays: none.

C. McLaughlin said a lot of lots in this area are about the same size and the request would not have an adverse effect. Riekels said it would have an adverse effect on the adjacent lot by making it smaller. Bridges stated that it will make the properties look more similar to other properties and will improve the immediate area. Kozanecki said it meets this condition. Klukos stated that a lot line adjustment is preferred over an easement. Riekels said it meets it if she looks at it in a different way. Motion by McLaughlin, seconded by Kozanecki, to approve Basic Condition C **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Riekels, Klukos. Nays: none.

D. Bridges said there are only a few narrow lots in the area so it seems unique, and the existing building is so close. Klukos said that there are not many lots quite as small as this one so it shouldn't be recurrent. Motion by Bridges, seconded by Riekels, to approve Basic Condition D **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Riekels, Klukos. Nays: none.

E. Riekels doesn't think its self-created because the building has been in existence for many years. Klukos was on the zoning board when this property was made into the cooking school. It was a residential property prior to that. Small properties like this are limited on what can be done. Motion by Kozanecki, seconded by Bridges, to approve Basic Condition E **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Riekels, Klukos. Nays: none.

F. Bridges sees no reasonable alternative. The variance would give the owner access to the backyard. Kozanecki says there is an alternative (an easement) but it's not reasonable in the eyes of the applicant. If we shift the lot line, it allows the owner more options which is acceptable. Riekels believes there is an alternative but this is the minimum request so it is acceptable. Klukos said there is no reasonable alternative. Motion by McLaughlin, seconded by Kozanecki, to approve Basic Condition F **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Riekels, Klukos. Nays: none.

G. Riekels said it is the minimum but she has a problem with changing the adjacent lot to a nonconforming width. That being said, it's minimal so it is acceptable. Kozanecki said the shift isn't going further than necessary to include the walkway. Klukos said it would eliminate the need for an easement. Motion by Bridges, seconded by McLaughlin, to approve Basic Condition G **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Riekels, Klukos. Nays: none.

Motion by McLaughlin, seconded by Riekels, to **APPROVE** the requested variance, **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Riekels, Klukos. Nays: none. The variance was approved.

Field Reichardt joined the meeting.

Case 21-06: A request by Dennis Dryer of Dryer Architectural Group on behalf of property owner Crescent Building LLC for one variance related to a proposed 130 sq. ft. building addition at 1103 Washington Ave (parcel #70-03-21-453-013): a variance from Sec. 40-411.02.C to allow for a lot coverage of 96.9 percent (currently 94.9 percent) where 70 percent is the district maximum.

Howland provided an overview of the request.

Denny Dryer asked the board members to allow them to put the corner back on the building. He has no recollection of that part of the building being in place since at least the mid 1970's when he moved into town. The owner wants the look to be as close to the original as possible. Repurposing the building is paramount to making the building work again.

Kozanecki asked if it was covering the same space as the existing concrete. Dryer confirmed.

McLaughlin asked Howland about parking and whether a new user would require a parking variance. Howland evaluated the parking for the last use compared to the proposed use and she doesn't expect a variance will be necessary.

Riekels wants to go on record that she doesn't want to be recused but she is a neighbor of the property owner. Bridges is also a neighbor. No one felt that there was a conflict of interest.

Chair Klukos opened the public hearing for the case.

Public Comments:

Liza Dora, HCDC Chair and Eastend resident. We are very happy to see this building being brought back to its original façade. It will enhance the neighborhood and keep GH history alive.

Howland referenced two letters that were received in advance of the meeting and shared with the board members and applicant (Dwayne Bloemers and Heather Methany of 1113-1125 Washington Ave; Michael Byington of 1121 Washington Ave). Both expressed concerns about parking.

Motion by Kozanecki, seconded by McLaughlin, to close the public hearing was carried unanimously by roll call vote.

The board considered the seven basic conditions.

- A. Reichardt said it was not contrary to the public interest. Riekels supports it. Kozanecki confirmed they are enclosing the concrete area already in place. Klukos said bringing it back to original design is a good thing. Motion by Reichardt, seconded by Kozanecki, to approve Basic Condition A **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Reichardt, Riekels, Klukos. Nays: none.

- B. Kozanecki said the use will remain commercial and meets this condition. McLaughlin said it's an allowable use in the NMU District. Motion by Kozanecki, seconded by McLaughlin, to approve Basic Condition B **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Reichardt, Riekels, Klukos. Nays: none.
- C. Bridges said it will be an improvement to an existing area of the building so there will be no adverse effect. Kozanecki said 130 feet is already there; they are just boxing it in. Klukos said it is a corner lot, they are going back to the original condition and it won't create any problems for the street or sidewalk. Motion by Riekels, seconded by Bridges, to approve Basic Condition C **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Reichardt, Riekels, Klukos. Nays: none.
- D. Bridges said it is a unique little corner that needs improvement. Kozanecki doesn't think there is another building like it in Grand Haven. Klukos said they are proposing to use the original footprint and bring it back to its original condition. Motion by Bridges, seconded by Kozanecki, to approve Basic Condition D **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Reichardt, Riekels, Klukos. Nays: none.
- E. Kozanecki said it was there at one time and they just want to put it back. All members agreed it was not self-created. Klukos noted that it is nice they will restore it to its original condition. Motion Reichardt, seconded by Kozanecki, to approve Basic Condition E **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Reichardt, Riekels, Klukos. Nays: none.
- F. McLaughlin said there is no reasonable alternative, so it meets this condition. Bridges said it already exceeds maximum lot coverage and they are improving what is there. Klukos said the staircase is already covering that portion of the property so it meets this condition. Motion by Bridges, seconded by McLaughlin, to approve Basic Condition F **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Reichardt, Riekels, Klukos. Nays: none.
- G. Bridges said it is the minimum. They need to improve this area as part of the overall plan for the building. Kozanecki said they are trying to replicate what was there so this is the minimum. Klukos said they are following the existing footprint. Motion by McLaughlin, seconded by Kozanecki, to approve Basic Condition G **passed** on the following roll call vote: Ayes: Bridges, McLaughlin, Kozanecki, Reichardt, Riekels, Klukos. Nays: none.

Motion by Kozanecki, seconded by McLaughlin, to **APPROVE** the requested variance, **passed**; on the following roll call vote: Ayes: Bridges, Kozanecki, McLaughlin, Reichardt, Riekels, Klukos. Nays: none.

Call to the Audience – Second Opportunity

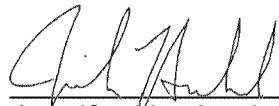
Howland informed the board members that the June meeting, if held, will be in person at the Community Center.

Robyn Vandenberg, 1006 S Harbor Dr, said thank you.

Peter Wilson is very excited to see that theater space be a part of the Eastend neighborhood.

Adjournment:

Motion by Kozanecki, seconded by McLaughlin, to adjourn was unanimously approved by roll call vote. The meeting adjourned at 8:22 p.m.



Jennifer Howland, Community Development Manager