

**City of Howell Board of Zoning Appeals
Wednesday, May 4, 2016
City Council Chambers
611 E. Grand River
Howell, MI 48843**

The meeting of the Board of Zoning Appeals was called to order by Chairman Munsey at 7:02 pm.

Present: Sean Munsey, Ken Keith, William Flattery, David Holmes, Victoria Hertrich, Randall Mattson, City Attorney Dennis Perkins, Community Development Director Timothy Schmitt, and Recording Secretary Deanna Robson.

Absent: None.

Guests: Douglas and Debra Mitchell, Mike and Linda Dinoff.

APPROVAL OF MINUTES OF AUGUST 25, 2015

MOTION by Flattery, SUPPORTED by Mattson to approve the minutes of the August 25, 2015 meeting. MOTION CARRIED (6-0).

#16-011 1167 LAKESIDE DRIVE - SIDE YARD SETBACK VARIANCE REQUEST FOR ACCESSORY STRUCTURE (3' REQUIRED V. 1' PROPOSED)

Chairman Munsey opened the public hearing at 7:03 pm and invited the applicant to address the Board.

Mike Dinoff, 1167 Lakeside, stated that the request is for a carport to store his secondary vehicle. Deborah Mitchell, 1145 Lakeside, informed the Board that she attended the meeting because she is concerned with runoff from the structure onto her property. Mr. Dinoff responded that gutters will be installed on both sides of structure in order to direct the water flow. Discussion followed regarding the overhang and its proximity to the property line, and the Board determined that there will be no adverse impact on the neighboring property.

City Attorney Perkins addressed Linda Dinoff because her name was not listed on the request and asked her if she also owns the property and joins her husband in seeking the variance. Mrs. Dinoff conferred.

There were no comments from the public.

Chairman Munsey closed the public hearing at 7:05 pm.

MOTION by Mattson, SUPPORTED by Flattery to approve the request of a side yard setback variance to allow construction of a carport located 1' from the property line at 1167 Lakeside Drive based on the following findings of fact:

- A. That the restrictions of this Zoning Ordinance unreasonably prevent the owner from using the property for a permitted purpose of would render conformity unnecessarily burdensome;**

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- B. That the variance would do substantial justice to the applicant as well as to other property owners in the district and a lesser relaxation than that requested would not give substantial relief to the owner of the property or be consistent with the justice to other property owners;
 - C. That the plight of the landowner is due to the unique circumstances of the property.
 - D. That the alleged hardship has not been created by any person presently having an interest in the property.
- MOTION CARRIED (6-0).**

SET DATE AND TIME FOR JUNE MEETING

The Board set the June meeting for Wednesday, June 1st at 7:00 pm.

ADJOURN

MOTION by Mattson, SUPPORTED by Flattery, “To adjourn the meeting at 7:08 p.m.”
MOTION CARRIED (6-0).

Deanna Robson, Recording Secretary