

**City of Howell Board of Zoning Appeals
September 13, 2018
City Hall 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 7:00 p.m.

Present:, Sean Munsey, Ken Keith, Victoria Hertrich, Jacob Schlittler, David Holmes (arrived at 7:01 p.m.), Randall Mattson, City Attorney Dennis Perkins, Community Development Director Timothy Schmitt, and Recording Secretary Deanna Robson.

Absent: None.

Guests: Sally Jo Friday and Aaren Currie.

APPROVAL OF MINUTES OF AUGUST 8, 2018

MOTION by Mattson, SUPPORT by Hertrich, “To approve the minutes of the August 8, 2018 meeting.” MOTION CARRIED (5-0).

#18-16 – 313 LAKE STREET (PID #4717-36-103-036) – BUILDING SETBACK

Chairman Munsey opened the public hearing at 7:01 p.m.

Sally Jo Friday, 313 Lake Street, informed the Board that a few months after moving into the home, a mortgage survey was completed with the intention of building a carport and increasing the driveway area. Although the property is completely fenced, as a result of the survey the property owners learned that the property line is not within the fence; the property does not close on the far east side; and it is undetermined to which property half of the approach to the residence belongs. Based on this information, the property owners decided to submit a request for the carport only.

Aaren Currie, 420 Higgins, offered his support for the request.

Community Development Director Timothy Schmitt noted that the proposed carport would not encroach on any neighboring property, regardless of the outcome of the property line issue, and would not cause any conflict with potential future property owners.

City Attorney Dennis Perkins added that the proposed carport would be located within the property boundaries.

Chairman Munsey closed the public hearing at 7:04 p.m.

MOTION by Mattson , SUPPORT by Hertrich, “To approve the requested variance to allow for the construction of a carport adjacent to the existing single-family detached home at 313 Lake Street to be built as proposed; and allow the construction of the attached carport within

one foot of the side property line where a minimum of three feet is required and within one foot of the main house where a minimum of ten feet is required, based on the findings of fact below:

- 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;
- 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).

ADJOURN

MOTION by Mattson, SUPPORT by Keith, “To adjourn the meeting at 7:05 p.m.”

MOTION CARRIED (6-0).

Deanna Robson, Deputy City Clerk