

ZONING BOARD OF APPEALS
CITY OF GRAND HAVEN
MEETING MINUTES

June 26, 2024

A regular meeting of the Grand Haven Zoning Board of Appeals was called to order by Chair Hills at 7:00 p.m. in the Grand Haven Council Chambers. On roll call, the following members were:

Present: Vice-Chair Kerry Bridges, Chair Mark Hills, Amy Kozanecki, Brendan Pool, Tyler Berg, Richard Norton

Absent: None

Also present: Brian Urquhart, City Planner

Approval of Minutes

Motion by Kozanecki, seconded by Berg, to approve the May 15, 2024 minutes as written. Passed unanimously with a voice vote.

Approval of Agenda

Motion by Bridges, seconded by Pool, to approve the agenda as written. Passed unanimously with a voice vote.

Call to the Audience – None

Case 24-05: A request by Jeanne Fricano for a variance related to a new single family dwelling at 540 Lake Ave. (parcel #70-03-29-203-015): a variance from Sec. 40-404.02.C to allow a corner front yard setback of 17.5 feet where 20 feet is the minimum in the Moderate Density Residential District.

Chair Hills opened the public hearing at 7:05pm

Urquhart introduced the case. He said Ms. Fricano was denied a variance in April 2023 for a request to have a 15.5 ft. setback on the same lot. Ms. Fricano has since revised her home plans to provide for a narrower home, but increased the corner front setback to 17.5 feet. Ms. Fricano is also not asking for a variance against lot coverage. Urquhart noted the after a year of receiving a denial, the applicant may apply to the ZBA again.

Joe Maskas, 220 Williams, spoke in favor of the variance.

Sandy Kay Stevens, 534 Lake, spoke in favor of the variance.

Jeanne Fricano, 540 Lake, said she was forced to tear down her home in 2022. She did not know the ramifications after demolishing the home the current footprint could not be

rebuilt upon. Hills asked what work was needed to correct the home to bring into compliance. Fricano said she did not want to complete the work because the home was in too much disrepair.

Motion by Bridges, seconded by Kozanecki, to close the public hearing was carried unanimously by voice vote. Public hearing closed at 7:18pm.

The board considered the seven basic conditions.

- A. Kozanecki felt approving the variance would be contradictory to public interest of intent of the ordinance. Berg, Pool, Norton, Hills, and Bridges agreed allowing a 2.5 ft. variance for a corner front yard setback would not compromise the intent of the ordinance. Motion by Pool, seconded by Bridges, to approve Basic Condition A. Yeas: Pool, Bridges, Hills, Norton, Berg. Nays: Kozanecki. Condition A **passed**.
- B. All members agreed a single family dwelling is permitted in the MDR District. Motion by Bridges, seconded by Pool, to approve Basic Condition B. Condition B **passed** unanimously on roll call vote.
- C. All members agreed allowing a home to be built within the required corner front yard setback would not create a detrimental effect on neighboring properties. Motion by Bridges, seconded by Norton, to approve Basic Condition C. Condition C **passed** unanimously on roll call vote.
- D. Pool, Bridges, Berg and Norton believed the lot was unique with respect to other lots in the MDR district. The lot was on a corner with a very small building envelope. Hills and Kozanecki felt there was nothing unique about 540 Lake. Motion by Pool, seconded by Norton, to approve Basic Condition D. Yeas: Bridges, Pool, Norton, Berg. Nays: Hills, Kozanecki. Condition D **passed**.
- E. Pool, Berg, Hills, Bridge, and Norton felt the exceptional conditions of requiring home to be rebuilt without full knowledge of the ramifications of demolishing the home apply. Kozanecki felt Ms. Fricano did know what she was purchasing, and should conform to the rules of the zoning district. Motion by Bridges, seconded by Berg, to approve Basic Condition E. Yeas: Hills, Bridges, Pool, Berg, Norton. Nays: Kozanecki. Condition E **passed**.
- F. All members agreed there is no reasonable alternative location to place the home on the lot. Motion by Pool, seconded by Norton, to approve Basic Condition F. Condition F **passed** unanimously on roll call vote.
- G. Berg, Hills, Norton, Bridges and Pool felt the variance of 2.5 ft. was the minimum necessary to make possible the building of a home on the lot. Kozanecki felt the location of the home is not in compliance and the rules should be followed. Motion by Bridges, seconded by Bridges, to approve Basic Condition G. Yeas: Bridges, Pool, Hills, Norton, Berg. Nays: Kozanecki. Condition G **passed**.

Motion by Pool, seconded by Bridges, to approve a variance single family dwelling at 540 Lake Ave. (parcel #70-03-29-203-015), a variance from Sec. 40-404.02.C to allow a corner front yard setback of 17.5 ft. where 20 ft. is the minimum in the Moderate Density Residential District based on the fact all basic conditions A through G are met.

Yeas: Hills, Bridges, Norton, Pool, Berg. Nays: Kozanecki. The variance was **APPROVED**

on a 5-1 vote.

City Planner Report

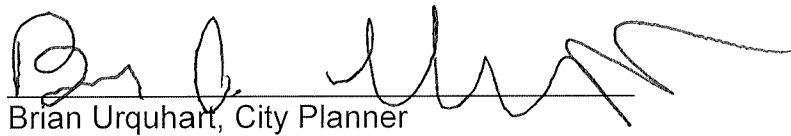
Urquhart said there would be no meeting in July.

Call to the Audience – Second Opportunity

None

Adjournment:

Motion by Bridges, seconded by Kozanecki, to adjourn. Unanimously approved by voice vote. Meeting adjourned at 7:42 pm.



Brian Urquhart, City Planner

