



City Hall
208 North First Avenue
Alpena, Michigan 49707
www.alpena.mi.us

Planning, Development, & Zoning

City of Alpena Zoning Board of Appeals

Regular Meeting

Wednesday April 26, 2023, @ 5:00 p.m.

This meeting will be held in Council Chambers as well as virtually.

Please join my meeting from your computer, tablet, or smartphone.

<https://www.gotomeet.me/CityofAlpena/zoning-board-of-appeals>

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United States: +1 (571) 317-3122

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AGENDA

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Meeting March 29, 2023

PUBLIC HEARING AND ZBA ACTION:

Case # ZBA23-0002 – 402 Washington Ave – Sign Variance

BUSINESS:

UNFINISHED: none

NEW: none

COMMUNICATIONS OR REPORTS: none

CONTINUING EDUCATION: none

PUBLIC COMMENT:

MEMBERS COMMENTS:

ADJOURNMENT:

MINUTES
City of Alpena Zoning Board of Appeals
Regular Meeting (Council Chambers and Virtual)
March 29, 2023

CALL TO ORDER:

The regular meeting of the Zoning Board of Appeals was called to order at 5:10 pm by Secretary Guest.

ROLL CALL: ZONING BOARD OF APPEALS

PRESENT: Guest, Lewis, Keller, Kostelic

ABSENT: Bray, Lewis

STAFF: Montiel Birmingham (Planning, Development and Zoning Director), Kathleen Sauve (Recording Secretary)

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: The Agenda was approved with a correction to the Dimensional Variance request address, from 205 to 206, and removal of the Marihuana Ordinance Update under Communications or Reports.

APPROVAL OF MINUTES: Minutes were approved as printed.

PUBLIC HEARING AND BOARD ACTION: Case # ZBA23-0001 – Sara and Mike Booth, property owners of 206 Helen Street, are requesting two dimensional variances for a reduced side setback along Third Avenue to fifteen feet for an attached garage, and reduced visibility triangle for a four-foot-high aluminum fence setback two feet from the sidewalk.

Birmingham presented the Finding of Fact report.

FAVOR: Sara Booth, homeowner, stated that they are trying to make the property more functional and safer for today's uses; taking the driveway off of Third Avenue and moving it to Oliver Street will help with that. She said that they are requesting the fence variance because they have pets, future homeowners may have pets or children, it is a very busy street, and that is why they want their lot fenced in. Booth also stated that they had the exact same fence at their previous home on First Avenue.

Guest asked Booth what a certain line on her drawing meant. She explained that there will be a temporary fence going in near the existing driveway, until the garage is built, so that their dog would still have a yard; it would be moved next to the new garage when that is completed.

They would then remove the current concrete driveway and reclaim it as green space for the yard.

OPPOSITION: None.

Public hearing closed at 5:30 pm for deliberation.

Guest stated that the proposed garage looks like it would not be any closer to the sidewalk than some of the other neighboring structures already there. Guest suggested that the motion be made with the stipulation that the visibility triangle be kept clear of vegetation, such as grape vines, so that the visibility triangle stays visible through the fence.

Keller ***motioned*** to approve the variance requests as presented, with the stipulation that the visibility triangle be kept clear of vegetation.

Broers ***seconded*** the motion to approve.

Motion ***approved*** by unanimous vote.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

COMMUNICATIONS: None.

REPORTS: None.

PUBLIC COMMENT: None.

MEMBERS COMMENTS: None.

ADJOURNMENT: With no other business to discuss, Secretary Guest adjourned the meeting at 5:35 pm.

Alan Guest, Secretary

Dennis Bray, Chairman



FINDINGS OF FACT
DIMENSIONAL VARIANCE REPORT

APPLICANT: HABITAT FOR HUMANITY – TED FINES
REQUEST: DIMENSIONAL VARIANCE – TEMPORARY SIGN
LOCATION: 402 W WASHINGTON
DISTRICT: R-2
REVIEW DATE: 4/14/2023
REPORT: ZBA23-0002

Summary of Request: Applicant requests an increase in size for a temporary sign; the requested sign size is 6’ x 9’, or 54 square feet. Ordinance maximum on a residential lot is 12 square feet with a single sign maximum of 4 square feet. Sign will be removed after home is constructed.

VARIANCE STANDARDS: SECTION 8.5

DIMENSIONAL VARIANCE STANDARDS: The ZBA may grant dimensional variances when the applicant demonstrates in the official record of the hearing that the strict enforcement of this Ordinance would result in practical difficulty. To establish practical difficulty, the applicant must establish all of the following:

1. The need for the requested variance is due to unique circumstances or physical conditions of the property involved that do not apply generally to other properties in the surrounding area, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant’s personal or economic hardship;

ZA Response: The property is a vacant lot that is being developed; sign will showcase the development for the neighborhood.

2. Strict compliance with the regulations governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome;

ZA Response: If sign is approved, placement should meet general sign standards, which for temporary signs require them to be on the interior lot, not within the lawn extension, and should not block the clear vision area on the corner, which is 25’ from inside the sidewalk.

3. Whether granting the requested variance would do substantial justice to the applicant as well as to other property owners in the district, or whether granting a lesser variance than requested would give substantial relief to the property owner and be more consistent with justice to other property owners;

ZA Response: Sign is temporary for a future purpose of the property to inform property owners of coming development.

4. The need for the requested variance is not the result of action of the property owner or previous property owners (self-created).

ZA Response: N/A

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5. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district and will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Alpena

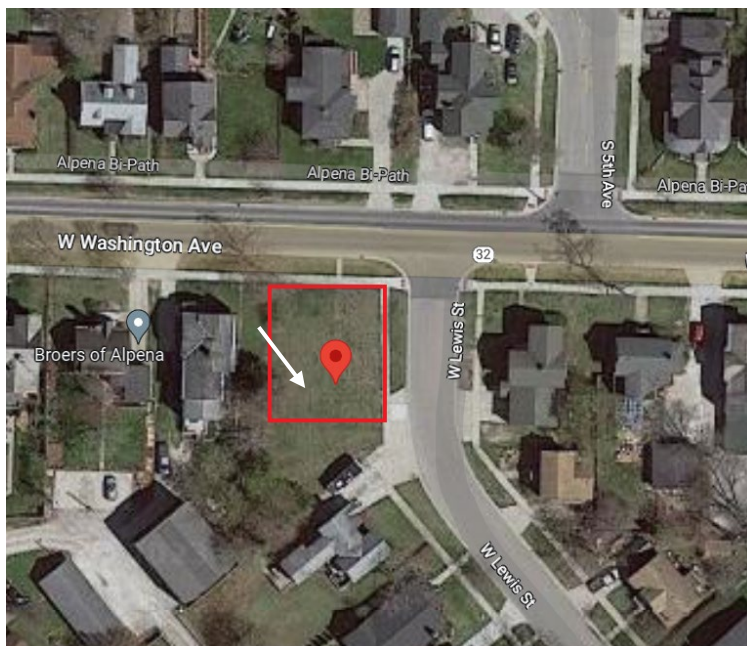
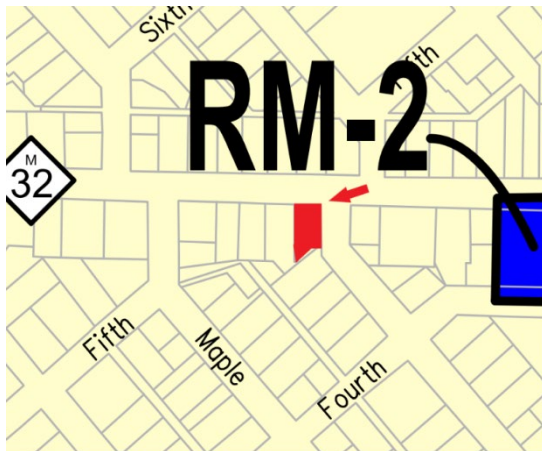
ZA Response: No adverse impact; purpose is to educate and inform prior to construction.

ADDITIONAL NOTES

Objections Received:

No objections to the variance request have been received.

Photos:





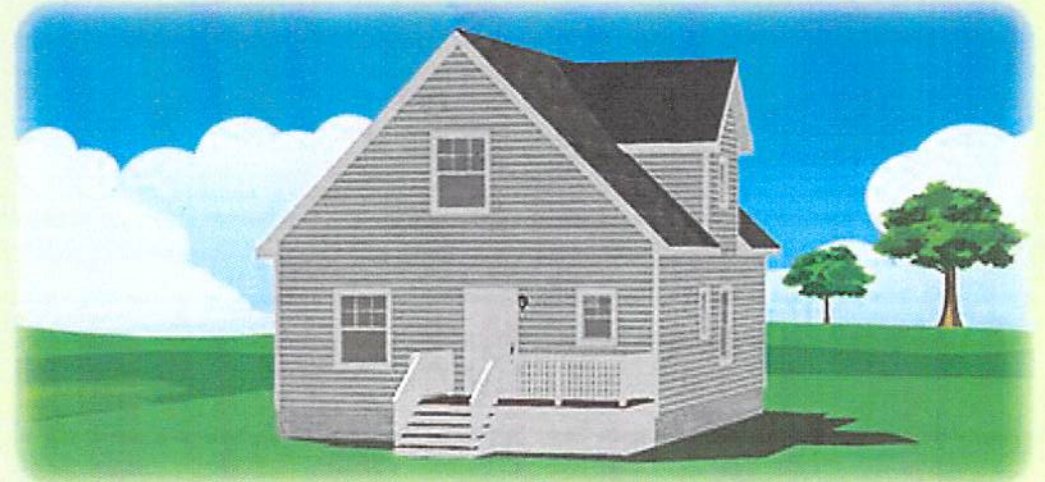


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