



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

Planning & Development

City of Alpena Zoning Board of Appeals

Regular Meeting

Wednesday May 25, 2022, @ 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>

You can also dial in using your phone:

United States: **+1 (571) 317-3122**

Access Code: 788-887-717

AGENDA

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Meeting April 27, 2022

PUBLIC HEARING AND ZBA ACTION:

Case # ZBA 22-02 – 218 S Fourth Ave – Dimensional Variance Request

BUSINESS:

UNFINISHED:

NEW: Meeting Schedule Change – Change to Paperwork Deadline Only

COMMUNICATIONS OR REPORTS:

CONTINUING EDUCATION:

PUBLIC COMMENT:

MEMBERS COMMENTS:

ADJOURNMENT:

MINUTES
City of Alpena Zoning Board of Appeals
Regular Meeting (Council Chambers and Virtual)
April 27, 2022

CALL TO ORDER:

The regular meeting of the Zoning Board of Appeals was called to order at 5:00 pm by Chairman Bray.

ROLL CALL: ZONING BOARD OF APPEALS

PRESENT: Bray, Guest, Lewis, Broers, Kostelic

ABSENT: Keller

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

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

Bray explained the duty of the Zoning Board of Appeals and the purpose of the meeting.

APPROVAL OF AGENDA: Agenda was approved as printed.

APPROVAL OF MINUTES: Minutes of the February 23, 2022 were approved as printed.

PUBLIC HEARING AND BOARD ACTION: Case # ZBA 22-01 – 800 S. First Avenue – Thomas Turri, applicant, has requested a ten-foot dimensional variance to construct a 16 foot by 30-foot attached garage to an existing home for storage of vehicles and lawn equipment; a rear setback of 15 feet is requested, while 25 feet is required.

Notices were sent to all property owners within 300 feet of the subject property.

Birmingham presented the board with the Findings of Fact report.

FAVOR: Thomas Turri, subject property owner, addressed the board stating that he and his wife also own and live at the home next door at 726 S. First Avenue, which is 2700 square feet. When they purchased the property at 800 S. First Avenue, it was ready to go into foreclosure and they intended to fix it up to use as a rental. He explained that he is a licensed contractor and residential builder; he gutted the house, renovated it and everything in it is new, inside and out. He stated that it did not have a garage on it, just a single lane driveway without enough adequate parking. After renovations, he and his wife liked it better than the current one they live in. With only 1200 square feet, it would be much less square footage with no outside storage, and they would need the storage space for yard equipment and such.

Guest inquired about the vacant lot behind Mr. Turri's property in question. Turri said that the back of the proposed new garage would face the back of the vacant lot.

Broers asked Gilmet for clarification on property line setbacks. Gilmet stated that the back yard setback is 25 feet, and the side lot setbacks are 14 feet in total – 7 feet and 7 feet, or 8 feet and 6 feet. Broers then asked if the closest would be 5 feet. Gilmet said that the Zoning staff are allowed to give a one-foot variance on any dimension without ZBA approval, but anytime someone builds within 5 feet of the property line, they must have fire blocking; front yard setback is 20 feet.

Turri gave history on what he has done to the house; he essentially tore everything out and started new with all new windows, floors, footings, rewired, and replumbed. He said that he would not be able to sell it for the amount of money he has put into it.

OPPOSITION: None.

Public hearing closed at 5:17 pm.

Lewis ***motioned*** to approve the dimensional variance as requested.

Guest ***seconded*** the motion.

Motion ***passed*** by unanimous vote.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

COMMUNICATIONS OR REPORTS: None.

CONTINUING EDUCATION: None.

PUBLIC COMMENT: None.

MEMBERS COMMENTS: None.

ADJOURNMENT:

With no other business to discuss, Chairman Bray adjourned the meeting at 5:19 pm.

Alan Guest, Secretary

Dennis Bray, Chairman

FINDINGS OF FACT DIMENSIONAL VARIANCE REPORT

APPLICANT: JAMIE MURPHY – 218 S FOURTH AVE
REQUEST: DIMENSIONAL VARIANCE - REDUCED
REAR SETBACK
DISTRICT: R-2
REVIEW DATE: 5/11/2022
REPORT: ZBA 22-02



Summary of Request: Applicant would like to construct a 20x26 attached garage to existing home for storage of outdoor equipment. A rear setback of 5' is requested, while 25' is required on an interior lot and 20' is required on a corner lot which is addressed along the longest street frontage – 20' requirement applies for this property.

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 rectangular in shape, is a corner lot, and is 70' x 66' with 70' along Fourth Ave and 66' along Sable Street. Home was built in 1942 and sits on the rear property line. Current setbacks in the zoning ordinance are based on most common rectangular lot width, depth, and zoning standards.

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: Typical two stall garage size is 18x20. Applicant has maintained the required 6' set back from the side yard and will be demolishing the current breezeway in order to maximize the lot space and reduce the need for outdoor storage. Proposed length is 26' and would align with the rear of the current breezeway.

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;

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ZA Response: Setback request is not substantial in nature and granting it would have no effect regarding relief or injustice.

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: Need for variance is due to placement of home and driveway on the lot in 1942; no other location on the lot for the garage is feasible. Moving the garage forward to increase the rear setback may be possible, however it would not align with current placement of the home and would protrude beyond the front façade. A reduction in depth would also be possible; however, a variance would still be required and would reduce the amount of storage available.

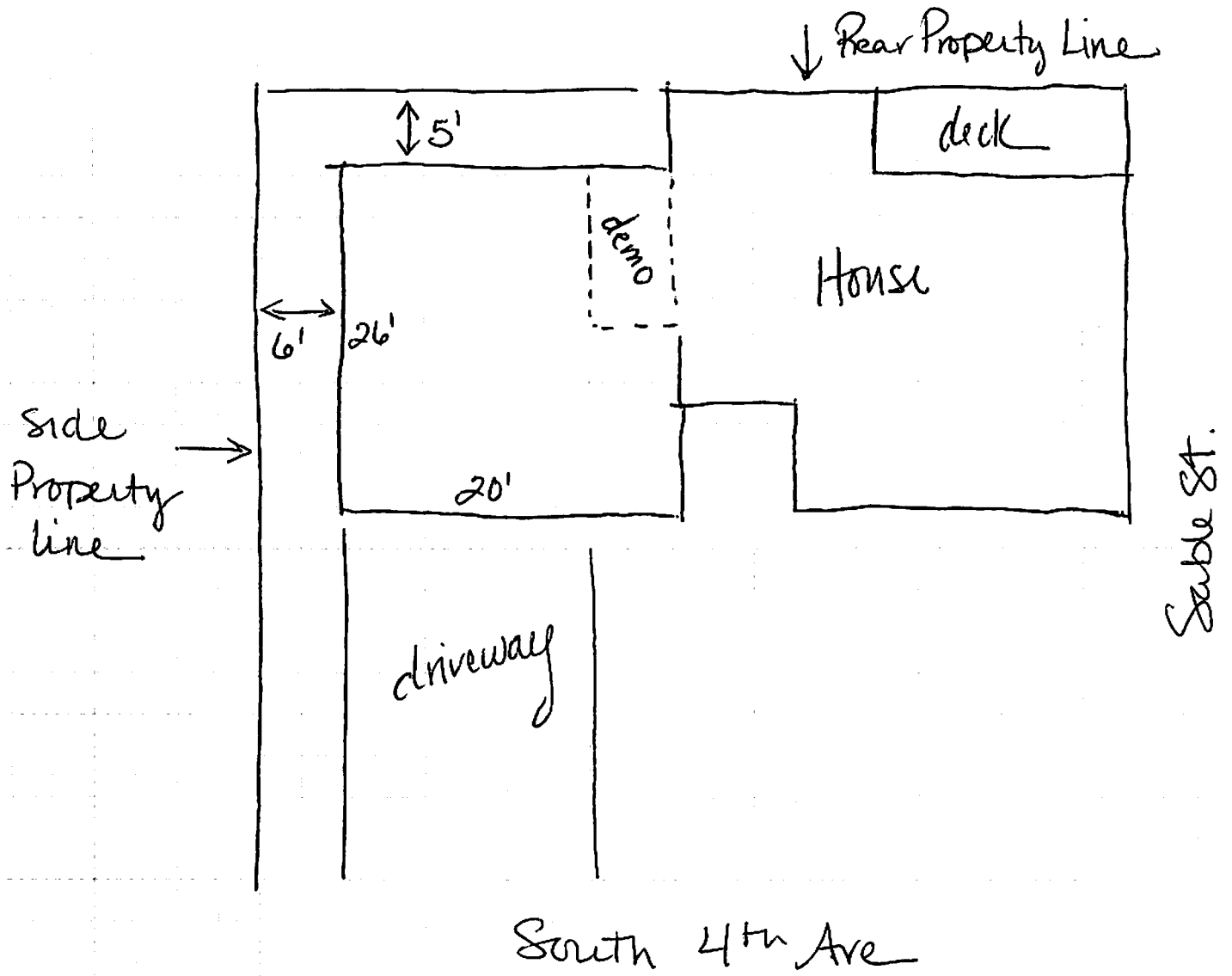
5. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district and will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion in public 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 anticipated; addition of attached garage will increase the property value and will enhance the site due to limiting outdoor storage and removal of current tent frame.

ADDITIONAL NOTES

Objections Received:

No objections to the variance request have been received.

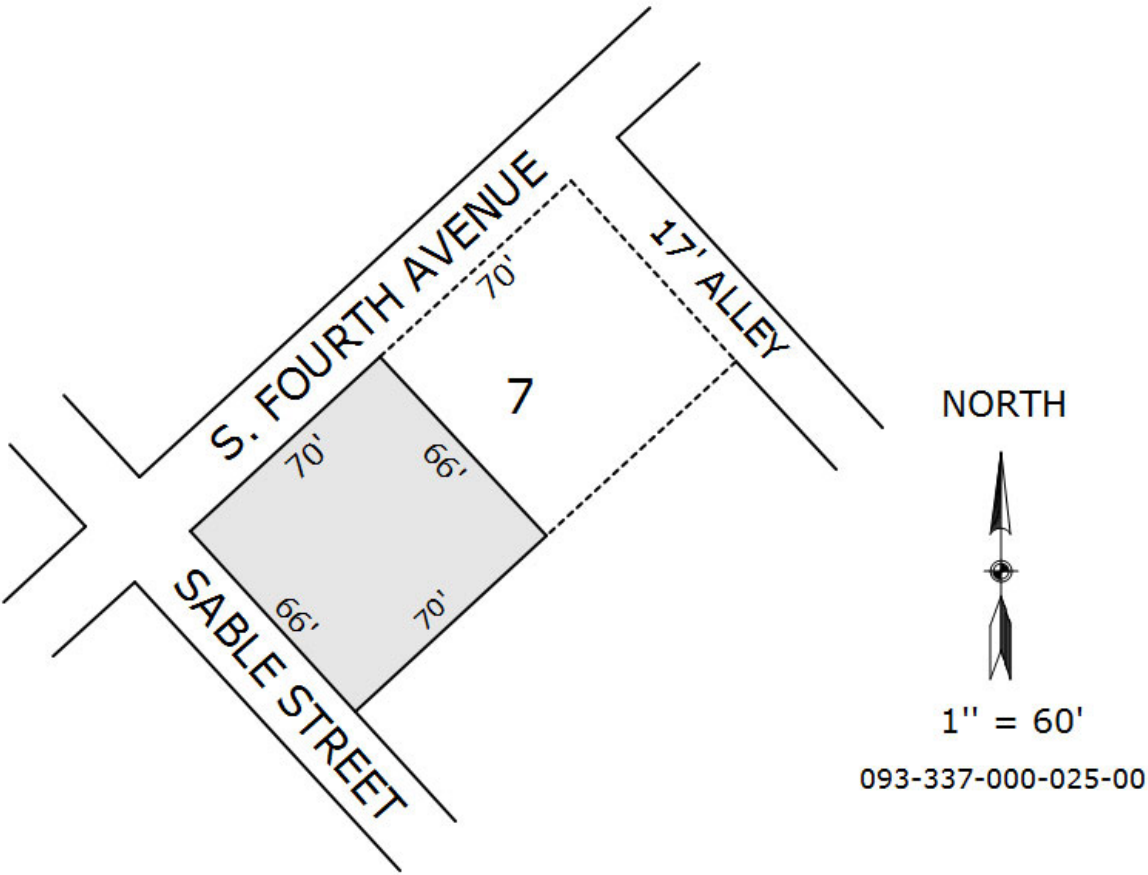


Garage 2' monopour with 1 course of Block

Photos:







Sketch by Apex Sketch

*** Information herein deemed reliable but not guaranteed***



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CITY OF ALPENA ZONING BOARD OF APPEALS

2022 Schedule

Regular meetings of the ZBA are held the last Wednesday of each month at 5:00 P.M. in Council Chambers at City Hall, unless otherwise indicated (*).

| MEETING DATE | COMPLETE APPLICATION DEADLINE | NEWSPAPER PUBLICATION DEADLINE |
|------------------------|-------------------------------|--------------------------------|
| Wednesday January 26 | Wednesday January 5 | Tuesday January 11 |
| Wednesday February 23 | Wednesday February 2 | Tuesday February 8 |
| Wednesday March 23* | Wednesday March 2 | Tuesday March 8 |
| Wednesday April 27 | Wednesday April 6 | Tuesday April 12 |
| Wednesday May 25 | Wednesday May 4 | Tuesday May 10 |
| Wednesday June 29 | Monday May 30 | Tuesday June 14 |
| Wednesday July 27 | Monday June 27 | Tuesday July 12 |
| Wednesday August 31 | Monday August 1 | Tuesday August 16 |
| Wednesday September 28 | Monday August 29 | Tuesday September 13 |
| Wednesday October 26 | Monday September 26 | Tuesday October 11 |
| Wednesday November 30 | Monday October 31 | Tuesday November 15 |
| Wednesday December 21* | Monday November 21 | Tuesday December 6 |

Approved by the City of Alpena ZBA at its regular meeting on May 25th, 2022.



Dennis Bray, Chairman