

**CITY OF KEEGO HARBOR
ZONING BOARD of APPEALS MEETING MINUTES
Thursday, July 20, 2023**

CALL TO ORDER

Mayor Pro Tem Attisha called the meeting to order at 6:00 pm.

ROLL CALL

Present: Mayor Pro Tem Attisha, Council Member Karson, Council Member Shimansky, Council Member Lampl

Absent: Mayor Kalman

Motion by Mayor Pro Tem Attisha, supported by Council Member Lampl to excuse Mayor Kalman

Unanimous Vote Ayes: 4 Nays: 0 Motion carries

Staff Present: City Manager/City Clerk Tammy Neeb, City Attorney Tony Chubb, City Planner Stephanie Osborn

APPROVAL OF MINUTES

Motion by Council Member Shimansky, supported by Council Member Lampl to approve the Zoning Board of Appeals meeting minutes from April 20, 2023.

Unanimous Vote: Ayes: 4 Nays: 0 Motion carries

PUBLIC COMMENTS

No one addressed the Board Members

NEW BUSINESS

2959 Glenbroke St. – Case #ZBA 23-003

The applicant is requesting a variance from the requirements of Section 4.08(4). The owner, Justin Scull addressed the Board Members with the proposed plan to add a second-story bedroom and bathroom.

1. Variance from Section 4.08(4) to permit the side yard setback to be the existing side yard setback of 2.70' instead of the required setback of 3.80' (10% of the lot width). This variance request is for 1.10'.

- a. Strict compliance with restrictions governing area, setback, frontage, height, bulk, or density will unreasonably prevent the owner from using the property for a permitted purpose or will render ordinance conformity unnecessarily burdensome.**

Yes, the variance is justified because the existing structure is already non-conforming and does not meet the required setbacks. Strict adherence to these restrictions would unreasonably prevent the owner from using the property for a permitted purpose. The proposed construction, although requiring a variance, will not exacerbate the existing non-conformity. It will maintain the current level of non-conformity and allow the owner to improve the value of the property.

- b. A grant of the variance will do substantial justice to the applicant as well as to other property owners in the district, and a lesser variance will not give substantial relief to the applicant as well as be more consistent with justice to other property owners in the zoning district.**

The addition of a bedroom and a bathroom does do substantial justice for the applicant and will increase property values which will help other property owners in the district. This does not appear to infringe on the rights of any neighboring property owners and does not disrupt the character of the neighborhood. The neighbors to the east and west of the property have expressed no objections to the proposed construction.

- c. The plight of the applicant is due to the unique circumstances for the property.**

The home was built in 1935 and was already a non-conforming structure. This was inherited and approval will not exacerbate the non-conformity.

- d. The problem is not self-created.**

This is not self-created. The home was built in 1935 and was already a non-conforming structure.

- e. The spirit of this ordinance will be observed, public safety and welfare secured, and substantial justice done.**

Yes. This will be within the spirit of the ordinance.

Resolution by Mayor Pro Tem Attisha; supported by Council Member Shimansky to approve a variance of section 4.08(4), a variance of 1.1 feet from the minimum required side setback of 10 percent of the lot width which is 3.8 feet for the property located at 2959 Glenbroke.

Roll Call: Mayor Pro Tem Attisha, yes, Council Member Karson, yes, Council Member Shimansky, Yes

Motion Carries

ADJOURNMENT

Mayor Pro Tem Attisha adjourned the meeting at 6:17 pm.

Robert Kalman
[Robert Kalman \(Sep 7, 2023 11:13 EDT\)](#)

Robert Kalman
City of Keego Harbor, its Mayor

Stacy Goodall
Stacy Goodall
City of Keego Harbor, its
Deputy Clerk

July 20, 2023 ZBA Meeting Minutes

Final Audit Report

2023-09-07

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"July 20, 2023 ZBA Meeting Minutes" History

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