



VILLAGE OF SUTTONS BAY
ZONING BOARD OF APPEALS
MEETING MINTUES OF MAY 17, 2023

The meeting was called to order at 5:35 p.m. by Chairperson Popke.

Present: Bahle, Hassevoort, Perkins (arriving at 5: 38 p.m.), Popke and Smith
Staff present: Fay and Patmore

Approval of Agenda

Smith moved, Bahle seconded, CARRIED, to approve the agenda as presented.
Ayes: 5, No: 0.

Approval of Meeting Minutes

Bahle moved, Smith seconded, CARRIED, to approve the April 19, 2023, Zoning Board of Appeals meeting minutes as presented. Ayes: 5, No: 0.

Public Hearing – Variance Request: The Applicant, The Friendship Community Center, is seeking a variance request for property located at 201 Broadway, Parcel ID #043-825-019-00, located in the New Village Residential District. Specifically, the request is for a variance from the side yard setback from 15 feet to 3.8 feet, and a variance from the max coverage from 30% to 55%, and a variance of the max impervious coverage from 40% to 55%.

Chairperson Popke advises of the majority requirement found in the ZBA Bylaws Section 2G.6. Applicant advises to move forward with the public hearing.

Applicant Rebekah Tenbrink, on behalf of the Friendship Community Center, provided a handout (The Center) to board members, and stated the variance request was to extend bathrooms and make them ADA compliant, relocate the kitchen, create a community room, update the building and move the offices in the basement to the main level, and demo the basement adding insulation and waterproofing. The current unusable crawlspace will be updated as support for the addition and provide additional storage. The plan is to remove the outside steps on the northeast side. The Center will be pursuing grant funding.

Zoning Administrator Steve Patmore stated the proposed addition will line up with the structure already there and will be no closer to the lot line than it already is. The property is located in the Newer Village Residential zoning district, which allows for civic buildings so it is currently conforming. The variance is for a dimensional expansion. Patmore reviewed the General Findings of Facts found in the Zoning report.

The public hearing opened at 5:50 p.m.

Mary Kropp, next door neighbor to the Center, stated her and her husband support the proposed project.

Eric Gerstner, neighbors, stated he and Rose also support the project.

The public hearing closed at 5:54 p.m.

Patmore reviewed the Specific Dimensional Variance Requests found in the packet and further noted the front (Broadway Ave.) setback is already non-conforming. Patmore recommends that if an approval is decided for the Specific Dimensional Variance, that the approval is of the site plan, and not the building coverage, and if the Impervious Surface Coverage is approved, the impervious surface coverage is approved per the site plan. Patmore stated that a Water and Sewer permit, a Soil Erosion permit, a Construction permit and a Building code permit would all be required.

Bahle moved, Smith seconded, CARRIED, to accept the Findings of Facts in the Zoning Administrators Zoning Report found in the packet. Ayes: 5, No: 0.

STANDARDS FOR DIMENSIONAL VARIANCES:

Section 17-6. A

- a. The need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and not due to applicant's personal or economic hardship.

The Village of Suttons Bay ZBA finds the following:

- The need for the variance is primarily due to the need for ADA accessibility in the existing old building.
- The relatively small narrow lot predates modern zoning for a building of this type.
- The need is not due to personal or economic hardship.

By consensus, the Village of Suttons Bay ZBA finds that the Application meets this standard.

- b. That the need for the requested variance is not the result of actions of the property owner.

The Village of Suttons Bay ZBA finds the following:

- The need for the variance is not the result of actions of the property owner.

By consensus, the Village of Suttons Bay ZBA finds that the Application meets this standard.

- c. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

The Village of Suttons Bay ZBA finds the following:

- It is reasonable for the owner to provide ADA accessible facilities for this civic building.
- Strict compliance with the regulations would be unnecessarily burdensome.

By consensus, the Village of Suttons Bay ZBA finds that the Application meets this standard.

- d. 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.

The Village of Suttons Bay ZBA finds the following:

- The proposed addition will not extend any further towards the property line than the existing building.
- During the Public Hearing there was no concern expressed by other property owners in the district.

By consensus, the Village of Suttons Bay ZBA finds that the Application meets this standard.

- e. 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.

The Village of Suttons Bay ZBA finds the following:

- During the Public Hearing there was no concern expressed by other property owners in the district.
- There will be no adverse impact on surrounding property.

By consensus, the Village of Suttons Bay ZBA finds that the Application meets this standard.

Smith moved, Perkins seconded, CARRIED, to approve the request from the Friendship Community Center for the dimensional variances listed below pertaining to 201 W. Broadway Street, Suttons Bay. This decision is based upon the Application, Architectural Plans dated 3/27/23, General Findings of Fact, Public Hearing, and the Standards for Dimension Variances listed below. The Zoning Administrator shall sign the approved Site Plan to be included in the record. Ayes: 5, No: 0.

Announcements – The next ZBA meeting will be held on June 21, 2023, at 5:30 p.m.

The meeting adjourned at 6:18 p.m.

Meeting minutes submitted by Shar Fay, Village Clerk.