

CITY OF SYLVAN LAKE
ZONING BOARD OF APPEALS
AUGUST 12, 2009

A Meeting of the Zoning Board of Appeals, was held on Wednesday, August 12, 2009, opening at 6:30 p.m. at the Sylvan Lake Community Center, 2456 Pontiac Drive, with Vice Chairman Galacz presiding.

Present: MacGillis, Galacz, Harrop, Holly
Absent: Menuck, Storrie

Also Present: City Manager Martin and Clerk Clippert

APPROVAL OF AGENDA

Moved by Harrop, seconded Holly, to approve the Zoning Board of Appeals Agenda for August 12, 2009, as presented.

Yes: All
No: None

MOTION CARRIED

VARIANCE REQUEST

Z-002-09

Property: 2242 Garland
Petitioner: Gerry and Christine Arrowood
Zoning Ordinance Sections: 78-609 Minimum distance between residential buildings

In accordance with the provisions of the Zoning Ordinance, a Public Hearing was held by the Zoning Board of Appeals at the request of the petitioners, to grant a variance from the zoning ordinance to allow the construction of a new home at 2242 Garland.

All property owners within 300 feet of the parcel in question having been duly notified of the hearing and the hearing published as required by PA 110 of 2006; Vice Chairman Galacz opened the hearing. Proof of mailings and required proof of application are in the file.

City Manager Martin explained the zoning ordinance requires 13 feet between primary residential structures. During the review stage, it was found that the existing house to the west (2250 Garland) is only 2.72 feet from the property line. The petitioner's proposed new structure would be 10.72 feet from the existing house to the west, requiring a variance of 2.28 feet between houses. Martin noted the petitioner's parcel is a vacant lot and their proposed site plan has met all the required setbacks, heights and area requirements.

Todd Bergsman, builder for the property, stated they designed the house to be aesthetically pleasing to the street. He provided a new survey and proposed elevations. Their practical difficulty is the neighbor built over the required setbacks and the Arrowood's didn't want to

create an elevation with just the garage on the front. The State Construction Standard is 10 feet between houses. In the future if the house to west was modified they would be required to comply to code.

Vice Chairman Galacz opened the meeting to the public.

Al Payson, 2260 Garland, lives three houses west of the property. He has no problem with the variance and feels it will improve the neighborhood. He stated Marvin Lloyd at 2250 Garland, couldn't make the meeting and asked Payson to speak on his behalf. Payson stated Lloyd doesn't have a problem with the variance.

Pete Peters, 2234 Garland, stated they do not have a problem with the requested variance.

Galacz asked if Lloyd had submitted a written letter. Martin stated he did not receive one. He received only one letter, from Eric Wiegand; he approves the request.

Harrop asked for clarification on the garage and where the variance is required.

Moved by MacGillis, seconded Holly, approving the application for 2242 Garland for a 2.28 feet variance between houses. The practical difficulty being the neighbor's foot print was built to close to the property line.

Yes: Galacz, Harrop, Holly, Macgillis
No: None

MOTION CARRIED

ADJOURNMENT

Moved by MacGillis, seconded Harrop, to adjourn the meeting.

Yes: All
No: None

MOTION CARRIED

The meeting adjourned at 6:43 p.m.

Nicole Menuck, Secretary

Dennise Clippert, City Clerk