

These minutes are subject to formal approval by the Wyoming Zoning Board of Appeals at their regular meeting on September 3, 2013.

MINUTES OF THE WYOMING BOARD OF ZONING APPEALS
HELD AT WYOMING CITY HALL

August 19, 2013

The meeting was called to order at 1:30 P.M. by Chairman VanderSluis.

Members present: Beduhn Dykhouse Lomonaco Palmer
VanderSluis

Members absent: Burrill Postema

Other official present: Tim Cochran, City Planner

A motion was made by Beduhn, and seconded by Palmer to approve the minutes of the July 15, 2013 Board of Zoning Appeals meeting.

Motion carried: 5 Yeas 0 Nays

PUBLIC HEARING:

Appeal #V130031 P.P. #41-17-23-279-003
West Michigan Construction
Attn: Lewis Withey946 Iowa St. S.W.
Zoned R-2

The application was read by Secretary Lomonaco. Zoning Code Section 90-891 Residential Districts specifies a minimum 35 foot rear yard setback in this R-2 Single Family Residential District. The petitioner proposes to construct a 480 sq. ft. sun room addition in the rear yard that would have a 30 foot rear yard setback. The petitioner requests a variance of five feet to the required 35 foot rear yard setback for the proposed addition.

Chairman VanderSluis opened the public hearing.

Kathleen Bush, 946 Iowa St. S.W., are planning for a future addition to the house to make it bigger for their growing family. She believed the new construction would increase property values. She noted there is another house in the neighborhood that has a reduced rear yard setback.

There being no further remarks, Chairman VanderSluis closed the public hearing.

Cochran remarked other houses in the neighborhood that have reduced rear yard setbacks. City staff looks at how a proposed variance will affect the character of the neighborhood. This variance would not have any bearing on adjacent properties. The homes in the area are modest in size. Cochran displayed photos of the house, and pointed out the proposed site for

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the addition. Staff supported the variance request, and formulated finding of facts for the Board’s consideration.

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or class of use in the same vicinity and district because the property has a modest home of 720 square feet. The proposed 480 square foot sun room addition would bring the living area to 1200 square feet. The minimum house size required under the current Zoning Code is 1040 square feet. The setback of the addition from the rear property line would be in alignment with that of the adjacent detached garage. The addition will maintain the same building lines as the residence.
2. That such variance is necessary for the preservation and enjoyment of substantial property rights because the addition will allow for greater living area of the home and thereby provides for greater enjoyment of the property.
3. That the granting of such variance will not diminish the marketable value of adjacent land and improvements, or unduly increase congestion in the public streets because the proposed addition will be in alignment with the adjoining detached garage so it will not result in an impact on adjoining properties. The investment for the addition will benefit nearby properties. There are several nearby properties with a rear yard setback of less than 35 feet. No increase to traffic will occur.
4. That the condition or situation of a specific piece of property, or the intended use of said property, for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation because the development characteristics of this particular neighborhood does not lend itself to amending the ordinance to allow a reduced rear yard setback community wide.

A motion was made by Palmer and seconded by Lomonaco that the request for a variance in application no. V130031 be granted, accepting staff’s Finding of Facts. vides for greater enjoyment of the property.

Motion carried: 5 Yeas 0 Nays (Resolution #5541)

There were no public comments at the meeting.

The new business items were discussed by Cochran and the Board members.

Canda Lomonaco
Secretary

CL:cb