CITY OF LUDINGTON
BOARD OF ZONING APPEALS
Minutes –April 16, 2002

A regular meeting of the Ludington Board of Zoning Appeals was held on April 16, 2002 at the Ludington Municipal Building, 400 S Harrison St., Ludington, MI, and was called to order by Tom Tyron, Chairperson at 5:30 p.m.

PRESENT: Tom Tyron, Kaye Holman, Ken Vanderbilt, John Markov, Kathy Saxton, Bonnie Vaught, Brian Purtee and Leon Vandawater

ABSENT: Val Gorzynski

ALSO PRESENT: Building Inspector, John Healy and Recording Secretary Carol Ann Foote

ROLL CALL: The roll call gave the above results.

AGENDA APPROVAL: A motion was made by Bonnie Vaught to approve the agenda, seconded by Kaye Holman. Motion carried unanimously.

MINUTES: A motion was made by Ken Vanderbilt to approve the minutes of January 15, 2002, seconded by Kaye Holman. Motion carried unanimously.

PUBLIC HEARING:
None

NEW BUSINESS:

Sweikhardt Appeal:

Bonnie Vaught made a motion to go into closed session at 5:40 p.m., seconded by Ken Vanderbilt. Motion carried unanimously.

Brian Purtee made a motion to go back into open session at 6:10 p.m., seconded by Kaye Holman. Motion carried unanimously.

Tom Tyron made a motion to accept the proposed settlement with conditions, seconded by Kaye Holman.

Bonnie Vaught asked about the exact line of the property split. She stated that the line had been moved from the original request. Attorney Anderson said that the line had been moved at Larry Nix's and his request trying to maintain a 7-½-side setback on each parcel. However, there is only eleven feet between structures, and moving the line would gain nothing.

Tom Tyron asked if anyone had problems with condition number 2 besides him. Kaye Holman said that she thought that having an owner occupied dwelling on each proposed lot would be to their advantage. Attorney Anderson said that they needed to decide if the proposed settlement was worse that it is today.

Bonnie Vaught was concerned about a neighbor that had opposed the original variance request. In reading the original letter, they learned that the neighbor wanted a split like that in the proposed settlement.

John Markov said that he wanted to make sure that all the conditions were buttoned down. Brian Purtee stated that if the land was ever sold that someone would likely check on the split. Bonnie Vaught said that the conditions would show up in a title search.

The Board voted, unanimously, to accept the proposed settlement, copy attached to official minutes (on file), with the five conditions.

Alternate, Leon Vandawater, ~~sustained~~ abstained from discussion and voting due to a full Board.

PUBLIC COMMENT:
None

ADJOURNMENT:
Ken Vanderbilt made a motion to adjourn the meeting at 6:25 p.m., seconded by Brian Purtee. Motion carried unanimously.

Respectfully submitted,
Carol Ann Foote, Recording Secretary