



# CITY OF MARINE CITY

## Planning Commission Meeting Agenda

Marine City Fire Hall, 200 South Parker Street

Regular Meeting: Monday, October 8, 2018 7:00 PM

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**1. CALL TO ORDER**

**2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

**3. ROLL CALL:** Commissioners Graham Allan, William Beutell, Jacob Bryson, Keith Jenken, Joseph Moran, Brian Ross; City Commissioner William Klaassen; Building Official Susan Wilburn; City Manager Elaine Leven

**4. COMMUNICATIONS**

A. City of St. Clair Planning Commission

**5. PUBLIC COMMENT** *Anyone in attendance is welcome to address the Planning Commission. Please state name and address. Limit comments to five (5) minutes.*

**6. APPROVE AGENDA**

**7. APPROVE MINUTES**

A. September 10, 2018 Meeting Minutes

**8. UNFINISHED BUSINESS**

**9. NEW BUSINESS**

A. Site Plan Review (Lot Split) ~ Michael Thomas - 1242 South Belle River Road

**10. ADJOURNMENT**



September 14, 2018

Elaine Leven  
City of Marine City  
303 S Water Street  
Marine City MI 48039

Dear Sir or Madam:

In accordance with the guidelines of Public Act 33 of 2008, being the Michigan Planning Enabling Act, this communication is serving as notification to your organization that the City of St. Clair Planning Commission intends to update the *City of St. Clair Master Plan*, which was adopted in 2012.

The City of St. Clair respectfully requests your cooperation during the Master Plan update process and, furthermore, welcomes any comments you may have regarding the preparation of the updated master plan. Comments or questions may be sent to the following address:

Terry Beier, Chairman  
City of St. Clair Planning Commission  
547 N. Carney  
St. Clair, MI 48079

In addition, the City of St. Clair requests permission to submit electronically all draft documents, correspondence, and other items pertinent to the coordinated Plan review provisions as required in Section 39, Subsections (2) and (3) of Public Act 33 of 2008. If your preference is to not receive the aforementioned materials electronically, such information will be submitted in writing by first-class mail or personal delivery.

You can contact the City of St. Clair by telephone at (810) 329-7121 or by fax at (810) 329-7997 Monday through Friday, from 7:30 a.m. to 4:30 p.m.

Sincerely,

*Annette Sturdy*  
Annette Sturdy, CMC  
City Clerk

RECEIVED  
OCT 01 2018

City of Marine City

**City of Marine City  
Planning Commission Meeting  
September 10, 2018**

A regular meeting of the Marine City Planning Commission was held on Monday, September 10, 2018, in the Fire Hall, 200 South Parker Street, Marine City, Michigan, and was called to order by Chairperson Moran at 7:00pm.

After observing a moment of silence, the Pledge of Allegiance was led by Chairperson Moran.

**Present:** Chairperson Joseph Moran; Commissioners Graham Allan, William Beutell, Jacob Bryson, Brian Ross (arrived at 7:03pm); City Commissioner William Klaassen; Building Official Susan Wilburn; City Manager Elaine Leven; Deputy Clerk Elizabeth McDonald

**Absent:** Commissioner Keith Jenken

**Also in Attendance:** City Attorney Robert Davis

Motion by Commissioner Allan, seconded by Commissioner Beutell, to excuse Commissioner Jenken from the meeting. All Ayes. Motion Carried.

**Communications**

Received:

- Metropolitan Planning Commission Fall 2018 Workshop

City Manager Leven stated that this was a save the date notification and that a registration form would be provided to the board members at a later date.

**Public Comment**

No residents addressed the Board.

**Approve Agenda**

Motion by Commissioner Beutell, seconded by City Commissioner Klaassen, to approve the Agenda. All Ayes. Motion Carried.



## **Approve Minutes**

Motion by Commissioner Allan, seconded by Commissioner Beutell, to approve the August 13, 2018 meeting minutes of the Planning Commission. All Ayes. Motion Carried.

## **Unfinished Business**

None.

## **New Business**

### ***City Code Amendments – Rental Housing Inspections: Chapter 155***

Chairperson Moran stated that he would like to get any revisions completed at this meeting in order to forward the recommendations onto the City Commission for approval at their next meeting. He said that the following needed to be discussed:

- The registration of rental property owners
- What the definition of a unit was as stated within the Code
- Determine when rental inspections would be required

City Attorney Davis reported that with the current Code, the timeframe that a rental was occupied and required an inspection was not clearly stated. He said the Board needed to clarify that, moving forward, as well as what the definition of a unit was. He stated that he knew this was a hot topic, but that emergency services needed to be aware of where rental properties were located.

Commissioner Allan said he was concerned about the six month timeframe that was currently stated in the Code and said he recommended that all rental properties receive an inspection when new tenants moved in.

The Board discussed the definition of a unit and decided it should be changed to read: A structure or part of a structure that is used as a home, residence, or sleeping place by one or more persons.

Commissioner Bryson questioned what promptly complying meant as stated on Page 4 (A) 2 under Enforcement and Appeals.

Building Official Wilburn responded and said that not identifying a timeframe for complying was a better option as the Code had not been enforced for a long time.



Tenant and landlord responsibilities were discussed by the Board. City Attorney Davis said that the property owners would ultimately be responsible and it was up to the property owners to go to the tenants and work through any issues. He reminded the Board that the City could not force entry to any property for inspections.

Building Official Wilburn stated that once a Rental Property Registration Form was received, along with any applicable fees, that an inspection would be scheduled. She suggested the City be divided into zones in order for her to enforce the approved Code effectively.

City Manager Leven recapped the changes discussed, which were as follows:

- Added the definition of a dwelling unit as: a structure or part of a structure that is used as a home, residence, or sleeping place by one or more persons
- Removed any reference of the six month time period within the Code
- Removed the word promptly from Page 4 A (2) under Enforcement and Appeals

Motion by Commissioner Beutell, seconded by Commissioner Bryson, to accept the proposed Rental Housing Inspections Code with the revisions discussed and send the recommendations to the City Commission. All Ayes. Motion Carried.

### **Adjournment**

Motion by Commissioner Beutell, seconded by Commissioner Allan, to adjourn at 8:16pm. All Ayes. Motion Carried.

Respectfully submitted,

Elizabeth McDonald  
Deputy Clerk

Kristen Baxter  
City Clerk



City of Marine City  
Building Department  
303 S. Water St.  
Marine City, MI 48039  
(810) 765-9011  
buildingdepartment@marinecity-mi.org

# SITE PLAN REVIEW APPLICATION AND SUBMITTAL CHECKLIST FOR PLANNING COMMISSION

Cash Receipting Code: Plan Com

**Application Fees:** \$200.00 **Single & Multi-Family (up to 3 units)**  
\$300.00 **Commercial, Industrial, Subdivisions, Condos, Multi-Family (4 or more units)**  
\$200.00 **Special Use Application**  
~~\$100.00~~ **LOT SPLIT**

When this completed application is filed in conjunction with the site plan for the proposed development, it will serve to initiate processing of the plans in accordance with the review procedure as described in the City of Marine City Zoning Ordinance. The engineer, architect, planner and/or designer retained to develop the site plan shall be responsible for securing a copy of the City of Marine City Zoning Ordinances, which are available on the City's website at [www.cityofmarinecity.org](http://www.cityofmarinecity.org), and complying with the various requirements therein. Further, these professionals shall make themselves aware of all master plan requirements including, major thoroughfares, land use, recreation, etc. Be sure to complete each applicable section of this application, omission of any required information will delay the review process. **Applicant will reimburse the City of Marine City for all planning Consultant fees and Engineering Consultant fees associated with this application prior to being placed on the agenda.**

Applicant Name(s): Michael T Thomas  
Applicant Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_  
Property Owner Name(s): PATRICK THOMAS  
Property Owner Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_  
Name of Proposed Development: 1  
Address of Development: 1242 S. Belle River Rd Marine City, MI 48039

Parcel No.: 74-028750001-001 Description of Development: ☐ New ☐ Addition

☒ Copy of Legal Description Attached

Proposed Use: VACANT LAND

**PAID**  
SEP 11 2018

City of Marine City

I (We) hereby attest that all of the information provided in this application and attachments submitted, are true and correct to the best of my (our) knowledge and belief.

Applicant's Signature: MT Thomas POA Date: 9/11/18

Owner's Signature: MT Thomas POA Date: 9/11/18

Site Plan Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If petitioner is not the owner, state the basis for representation (i.e. Attorney, Representative, Option-to-Buy, etc.): \_\_\_\_\_





City of Marine City  
Building Department  
303 S. Water St.  
Marine City, MI 48039  
(810) 765-9011  
[buildingdepartment@marinecity-mi.org](mailto:buildingdepartment@marinecity-mi.org)

# SITE PLAN REVIEW APPLICATION AND SUBMITTAL CHECKLIST FOR PLANNING COMMISSION

## Site Plan Review Process for Applicant

- Applicant contacts Marine City Building Department for an appointment to discuss zoning, permitted uses, and special land uses (if applicable), and the review process.
  - If a variance is required, applicant may be directed to complete application for the Zoning Board of Appeals.
  - Planning Commission Approval is required for the following:
    - Division of Parcels of land & splitting lots.
    - For any & all uses in the following zoning districts: RM Multi Family Residential, WM Waterfront Recreation & Marina, MHP Mobile Home Park, B-1 General Business District, B-2 General Business District, I-1 Light Industrial, I-2 Heavy Industrial, P-1 Vehicular Parking.
    - For special uses in single family districts – will require notice be sent to all properties within 300 ft, no less than 15 days prior to meeting
    - Where special or changes of use approval is requires as stated in each individual zoning district list in the ordinance – will require notice be sent to all properties within 300 ft, no less than 15 days prior to meeting.
    - Any addition to an existing principal or accessory building within districts listed above where the proposed addition constitutes an increase of 1000 sq ft or 10% more of the existing building, whichever is less – will require notice be sent to all properties within 300 ft, no less than 15 days prior to meeting.
- Applicant contracts with engineer to prepare site plan based on discussions with the Marine City Building Department.
- Applicant submits **completed application, fee and three (3) sets of signed and sealed site and landscape plans** to the City of Marine City for review by the Marine City Building Department, City Manager and Wade Trim Engineering Firm.
  - Upon review from Wade Trim Engineering Firm, a plan review identifying site plan violations will be forwarded to the applicant indicating the necessary and advisable site plan revisions.
  - Upon review, Wade Trim may require a Zoning variance. The applicant will be directed to complete the application for the Zoning Board of Appeals.
- After the initial review, applicant will revise site plans in accordance with Wade Trim Engineering Firm recommendations and resubmit revised plans to the Planning Commission. **Applicant will need to submit ten (10) copies of signed & sealed revised site and landscape plans at least Twenty One (21) calendar days prior to the next Planning Commission meeting (second Monday of each month).**
  - Each re-visit of plans due to deficiencies or tabling of the original site plan will incur a charge of 75% of the original cost and may incur additional fees assessed by City Planning and/or Engineering Consultants (ie a re-submission of a Commercial Site Plan will be charged an additional \$225.00, minimum)

**NOTE: APPLICANT WILL BE RESPONSIBLE FOR REIMBURSING THE CITY OF MARINE CITY FOR ALL PLANNING CONSULTANT FEES AND ENGINEERING CONSULTANT FEES ASSOCIATED WITH THIS APPLICATION PRIOR TO BEING PLACED ON THE AGENDA.**



### POWER OF ATTORNEY (BORROWER)

KNOW ALL MEN BY THESE PRESENTS, that Patrick John Thomas of 338 Avalon Beach Marine City, MI 48039, do hereby constitute and appoint Michael T. Thomas, whose address is 338 Avalon Beach, Marine City, MI 48039 my/our true and lawful attorney for me/us, in my/our stead and on my/our behalf, to do all things as I/we might if personally present, to-wit:

1. To buy, purchase, procure, acquire, mortgage, rent or lease certain property, more fully described as follows:  
SEE ATTACHED EXHIBIT "A"  
More commonly known as: 1242 S Belle River Ave, Marine City, Michigan 48039  
For such price and on such terms and conditions as he/she shall deem proper.
2. To act for me/us and execute all documents, including but not limited to deeds, land contracts, leases, mortgages, promissory notes, settlement papers, purchase agreements and all other related documents necessary for the purchase of said property.
3. To collect rents, land contract payments, sale proceeds, mortgage proceeds and all other proceeds that derive from my/our interest as set forth above.
4. Giving and granting unto my/our said attorney full power and authority to do and perform all and every act and thing whatsoever to all intents and purposes requisite and necessary to be done and about the premises as fully as I/we might or could do if personally present, and hereby ratify and confirm all that my/our said attorney shall lawfully do or cause to be done by virtue of the presents.

Dated:

P. J. Thomas  
Patrick John Thomas

**POWER OF ATTORNEY (BORROWER)**

STATE OF FLORIDA  
COUNTY OF Broward

The foregoing instrument was acknowledged before me on 7/19/18 by Patrick John Thomas

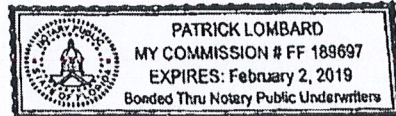
(Notary Signature) : [Signature]

(Notary Name Printed): Patrick Lombard

Notary Public                                 , Florida

Acting in County                                 

My commission expires: 2/2/19



Drafted By:  
Patrick John Thomas and Kevin Leo Thomas,  
338 Avalon Beach  
Marine City, MI 48039

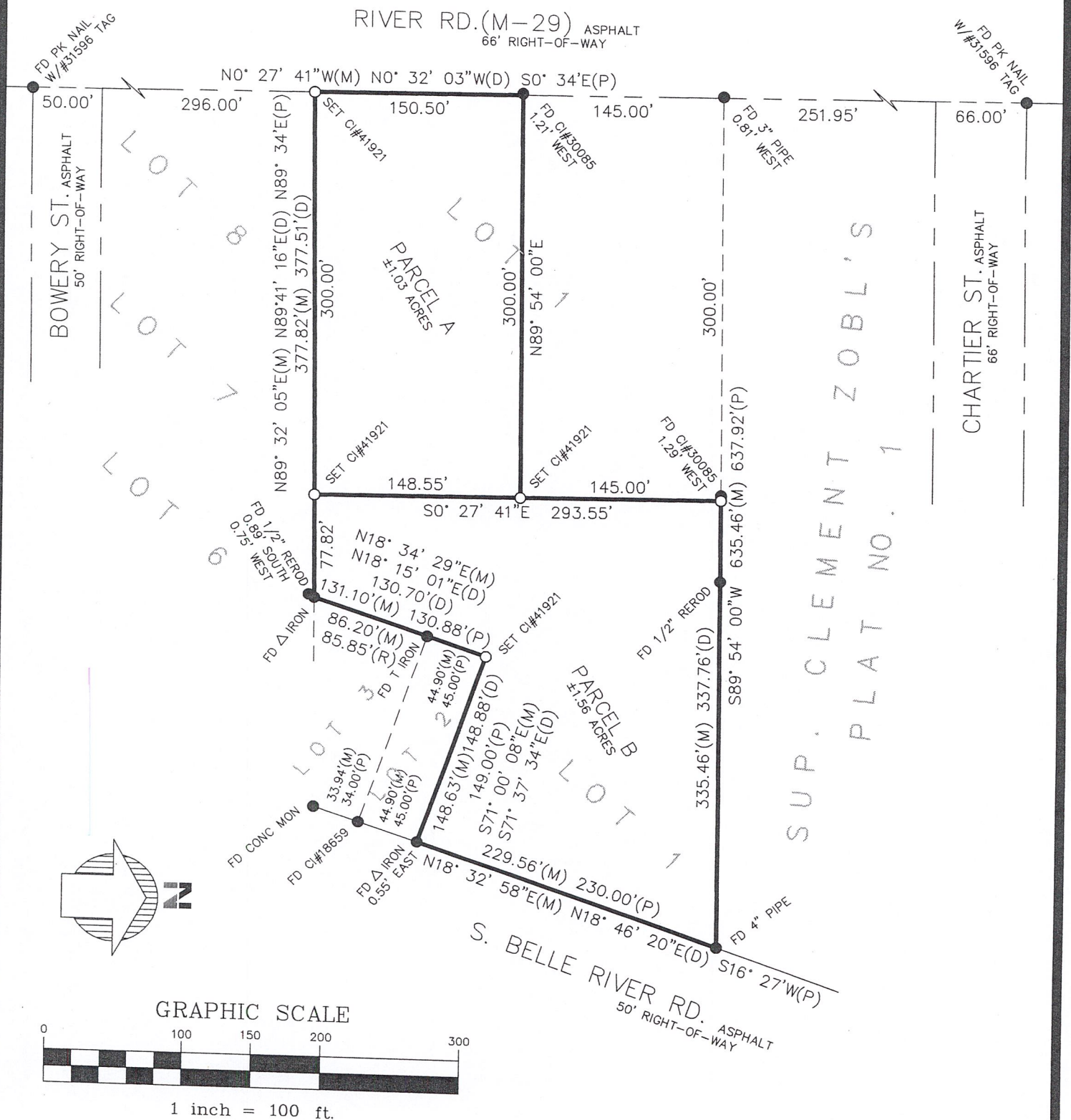
Return to:  
Patrick John Thomas

Exhibit "A"

Part of Lot 1, Supervisor's Wonsey Plat, according to the plat thereof as recorded in Liber 53 of Plats, page 61, St. Clair County Records and more particularly described as: Beginning at a point located distant North 89 degrees 54 minutes 00 seconds East 300.00 feet from the Northwest corner of said Lot 1; thence North 89 degrees 54 minutes 00 seconds East along the North line of said Lot 1, 337.76 feet; thence South 18 degrees 46 minutes 20 seconds West along the East line of said Lot 1, 230.00 feet; thence North 71 degrees 37 minutes 34 seconds West 148.88 feet; thence South 18 degrees 50 minutes 01 second West 130.70 feet; thence South 89 degrees 41 minutes 16 seconds West along the South line of said Lot 1, 337.51 feet; thence North 00 degrees 32 minutes 03 seconds West along the West line of said Lot 1, 150.50 feet; thence North 89 degrees 54 minutes 00 seconds East 300.00 feet; thence North 00 degrees 32 minutes 03 seconds West 145.00 feet to the point of beginning.



# CERTIFICATE OF SURVEY



CERTIFIED TO: MIKE THOMAS

I, James M. Goringac, a Professional Surveyor in the State of Michigan do hereby  
 Certify that the parcel of land described and delineated hereon has been surveyed  
 under my supervision, that the plat hereon is a true representation of the survey as  
 performed and that there are no encroachments other than as shown hereon, that  
 said survey was performed with an error of closure no greater than 1 in 5000 and  
 that I have fully complied with the requirements of Section 3, Public Act 132 of 1970.

JAMES M. GORINAC  
PROFESSIONAL SURVEYOR, 41921

BOUNDARY SURVEY OF PART OF LOT  
SUPERVISOR'S WONSEY PLAT (L53:P61)  
MARINE CITY, ST. CLAIR CO., MICHIGAN

LEGEND

- FOUND IRON  
○ SET IRON  
⊕ SECTION CORNER  
(M) MEASURED BEARING/DISTANCE  
(P) PLATTED BEARING/DISTANCE  
(D) DEEDED BEARING/DISTANCE  
————— PROPERTY LINE  
- - - - - RIGHT OF WAY LINE  
——//—— FENCE LINE  
- - - - - SECTION LINE  
- - - - - LOT LINE
- JOB NO.: 18-054

DATE: 8/20/2018

REVISION DATE:

DRAWN BY: J.G.

SCALE: 1" = 100'

FIELD BOOK: 7. PAGE: 62

PAGE: 1 OF 2

JOB NO.: 18-054

James M. Gorinac Surveyors P.L.L.C.  
5249 Robinwood Dr. Clyde, MI 48049 (810)300-9915

5249 Robinwood Dr. Clyde, MI 48049 (810)300-9915



CERTIFICATE OF SURVEY

PARENT PARCEL LEGAL DESCRIPTION

PART OF LOT 1, SUPERVISOR'S WONSEY PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 53 OF PLATS PAGE 61, ST. CLAIR COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT LOCATED DISTANT NORTH 89° 54' 00" EAST 300.00 FEET FROM THE NORTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° 54' 00" EAST ALONG THE NORTH LINE OF SAID LOT 1, 337.76 FEET; THENCE SOUTH 18° 46' 20" WEST ALONG THE EAST LINE OF SAID LOT 1, 230.00 FEET; THENCE NORTH 71° 37' 34" WEST 148.88 FEET; THAT SOUTH 18° 15' 01" WEST 130.70 FEET THENCE SOUTH 89° 41' 16" WEST ALONG THE SOUTH LINE OF SAID LOT 1, 337.51 FEET; THENCE NORTH 0° 32' 03" WEST ALONG THE WEST LINE OF SAID LOT 1, 150.50 FEET THENCE NORTH 89° 54' 00" EAST 300.00 FEET; THENCE NORTH 0° 32' 03" WEST 145.00 FEET TO THE POINT OF BEGINNING.

PARCEL A LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN LOT 1, SUPERVISOR'S WONSEY PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 53 OF PLATS, PAGE 61, ST. CLAIR COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 0° 27' 41" WEST 150.50 FEET ALONG THE WEST LINE OF RIVER ROAD RIGHT-OF-WAY; THENCE NORTH 89° 54' 00" EAST 300.00 FEET; THENCE SOUTH 0° 27' 41" EAST 148.55 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE SOUTH 89° 32' 05" WEST 300.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.03 ACRES MORE OR LESS AND IS SUBJECT TO ALL RIGHT WAYS EASEMENTS RESTRICTIONS AND RESERVATIONS OF RECORD.

PARCEL B LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN LOT 1, SUPERVISOR'S WONSEY PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 53 OF PLATS, PAGE 61, ST. CLAIR COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 0° 27' 41" EAST ALONG THE SOUTH LINE OF LOT 1, 300.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 89° 32' 05" EAST 77.82 FEET TO THE WEST LINE OF LOT 3; THENCE NORTH 18° 34' 29" EAST ALONG THE WEST LINE OF LOTS 2 AND 3, 131.10 FEET; THENCE SOUTH 71° 00' 08" EAST ALONG THE NORTH LINE OF LOT 2, 148.63 FEET TO THE WEST LINE OF S. BELL RIVER RD. RIGHT-OF-WAY; THENCE NORTH 18° 32' 58" EAST 229.56 FEET TO THE NORTHEAST CORNER OF LOT 1; THENCE SOUTH 89° 54' WEST ALONG THE NORTH LINE OF SAID LOT 1. 335.46 FEET THENCE SOUTH 0° 27' 41" EAST 293.55 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

SAID PARCEL CONTAINS 1.56 ACRES MORE OR LESS AND IS SUBJECT TO ALL RIGHT WAYS EASEMENTS RESTRICTIONS AND RESERVATIONS OF RECORD.

CERTIFIED TO: MIKE THOMAS

I, James M. Gorinac, a Professional Surveyor in the State of Michigan do hereby Certify that the parcel of land described and delineated hereon has been surveyed under my supervision, that the plat hereon is a true representation of the survey as performed and that there are no encroachments other than as shown hereon, that said survey was performed with an error of closure no greater than 1 in 5000 and that I have fully complied with the requirements of Section 3, Public Act 132 of 1970.

JAMES M. GORINAC  
PROFESSIONAL SURVEYOR, 41921

BOUNDARY SURVEY OF PART OF LOT 1  
SUPERVISOR'S WONSEY PLAT (L53:P61)  
MARINE CITY, ST. CLAIR CO., MICHIGAN  
James M. Gorinac Surveyors P.L.L.C.  
5249 Robinwood Dr. Clyde, MI 48049 (810)300-9915

DATE: 8/20/2018  
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DRAWN BY: J.G.  
SCALE: 1" = 100'  
FIELD BOOK: 7, PAGE: 62  
PAGE: 2 OF 2

LEGEND  
● FOUND IRON  
○ SET IRON  
⊕ SECTION CORNER  
⊘ UTILITY POLE  
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(R) RECORDED BEARING/DISTANCE  
— — — — — PROPERTY LINE  
- - - - - RIGHT OF WAY LINE  
- // - - - FENCE LINE  
- - - - - SECTION LINE  
- - - - - LOT LINE  
JOB NO.: 18-054

# CITY OF MARINE CITY

303 S WATER ST.  
MARINE CITY, MI 48039  
PHONE (810) 765-8846 • FAX (810) 765-1040

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**To:** Chairman and Members of the Marine City Planning Commission  
**From:** Susan Wilburn, Building Official  
**Date:** September 11, 2018  
**Subject:** Lot split of 1242 S. Belle River Rd.

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The referenced 2.59 acre parcel with 2 frontages. The frontage on S. Belle River Rd. is zoned Waterfront Recreation and Marine. The S. Parker frontage is zoned General Business.

The City's ordinance requires 15,000 s.f. minimum for Waterfront and Recreational Marine zoning. After the split, the parcel zoned Waterfront and Recreational Marine will be 67,953.6 s.f. There is no minimum lot size requirement listed in the ordinance for General Business. After the split, this parcel will be 44,866.8 s.f.

The property owner would like to split the property into 2 separate parcels along the zoning change line.