



CITY OF MARINE CITY

Zoning Board of Appeals Meeting Agenda

Marine City Hall, 260 South Parker Street

Regular Meeting: Wednesday, December 7, 2022 7:00 PM

Public Hearing: Variance Request 22-01

-
1. **TRAINING SESSION** - Conducted by City Attorney Robert Davis
 2. **CALL TO ORDER**
 3. **PLEDGE OF ALLEGIANCE**
 4. **ROLL CALL:** Chairperson Kim Weil; Commissioners Mark Bassham, James Turner; Planning Commissioner Graham Allan; City Commissioner Roehrig; City Manager Holly Tatman
 5. **COMMUNICATIONS**
 6. **APPROVE AGENDA**
 7. **PUBLIC COMMENT** *Anyone in attendance is welcome to address the Zoning Board of Appeals. Please state name and limit comments to five (5) minutes.*
 8. **APPROVE MINUTES**
 - A. Zoning Board of Appeals Regular Meeting – March 4, 2020
 9. **UNFINISHED BUSINESS**
 10. **NEW BUSINESS**
 - A. Public Hearing – Variance Request 22-01
 - David Papin & Marilyn Papin, 452 S. Market Street
 11. **ADJOURNMENT**

**City of Marine City
Zoning Board of Appeals
March 4, 2020**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, March 4, 2020 in the Fire Hall, 200 South Parker Street, Marine City, and was called to order by Chairperson Weil at 7:00 pm.

The Pledge of Allegiance was led by Chairperson Weil.

Present: Chairperson Kim Weil; Commissioners Mark Bassham (left at 7:01 pm), James Turner; Planning Commissioner Graham Allan; City Commissioner Cheryl Vercammen; City Manager Elaine Leven, City Clerk Kristen Baxter

Also in Attendance: City Attorney Robert Davis

Appoint Chairperson

Motion by Commissioner Turner, seconded by Chairperson Weil, to appoint Kim Weil as Chairperson. All Ayes. Motion Carried.

Communications

No Communications were received by the Board.

Approve Agenda

Motion by Planning Commissioner Allan, seconded by Commissioner Turner, to approve the Agenda. All Ayes. Motion Carried.

Approve Minutes

Motion by Commissioner Turner, seconded by Planning Commissioner Allan, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held October 2, 2019. All Ayes. Motion Carried.

Public Comment

None.

Unfinished Business

None.

New Business

Public Hearing – Variance #20-01 – 536 South Water & 533 South Market

Chairperson Weil announced that the Zoning Board of Appeals would conduct a Public Hearing to receive public comments for and against the proposed Variance request by Vincent Cataldo/JGM Properties, 536 South Water Street and 533 South Market Street.

Chairperson Weil opened the Public Hearing at 7:05 pm.

Applicant Cataldo addressed the Board and stated he was requesting a side yard variance to the south of the mixed-use building. He further said that the easement would ensure that no building could be built within the ten foot setback. Mr. Cataldo said that he had an agreement with the adjacent land owner who also said he could take down the existing fence. He said he also had taken care of the DTE and sewer requirements.

City Attorney Davis questioned Mr. Cataldo if the easement would be recorded with the two properties and Mr. Cataldo responded that they would.

Commissioner Turner stated that he was concerned about it being such an ambitious project on a very narrow lot and asked why it couldn't meet the requirements. Mr. Cataldo responded that if it did not meet requirement, no one could build within the ten feet setback with the requested variance.

Chairperson Weil closed the Public Hearing at 7:13 pm.

Motion by City Commissioner Vercammen, seconded by Commissioner Allan, to grant the variance for JGM Property Group for new construction at 536 South Water Street and 533 South Market Street, based on the following criteria:

- All requirements have been met
- Utilities going underground
- Property owners on both sides have discussed and agreed to project
- Two separate recordings for the easement on south side in between both properties regarding the ten foot variance

Commissioner Allan added a friendly amendment that the fire safety issued seemed to be presented well and the risk for fire was mitigated by the quality of the materials.

Ayes: Weil, Allan, Vercammen. Nays: Turner. Motion Carried.

Board Member Training

City Attorney Davis spoke about the importance of the Zoning Board of Appeals and reviewed the following:

- The Zoning Board of Appeals is the judicial branch of City which interprets its ordinances
- A record must be made because it is a judicial Board
- Applicants must demonstrate why they should be approved for a variance; the approval deviates from the hard work of other governing bodies
- When granting a variance, the Board is overruling the existing ordinance
- Importance of motions
- Decisions made by the Zoning Board of Appeals are final except appeals to the Circuit Court

Other Business

None.

Adjournment

Motion by Commissioner Turner, seconded by City Commissioner Vercammen, to adjourn at 7:55 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter
City Clerk



CITY OF MARINE CITY

303 S. Water Street
MARINE CITY, MICHIGAN 48039
(810) 765-8846 • Fax (810) 765-4010

11/03/2022

PAPIN MARILYN JEAN
452 S MARKET ST
MARINE CITY, MI 48039

RE: 452 S MARKET ST

Dear Property Owner:

Your recent application to rebuild the accessory structure in the South West corner of your back yard has been denied. Reasons for the denial are as follows:

§160.212

(2) Should such structure be destroyed by any means to an extent of more than 60% of its replacement cost, exclusive of the foundation at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this chapter. This provision shall not apply to nonconforming residential structures provided the residential structure is rebuilt in the exact location and manner in which it was originally constructed as determined by the Building Official. If the Building Official determines the proposed reconstruction is substantially different than that of the original structure, all applicable requirements of the ordinance shall be met. If the structure was located within the existing dedicated public right-of-way or easement, the structure shall not be reconstructed in that location.

(D) No detached accessory building shall be located closer than 10 feet to any main building nor shall it be located closer than 3 feet to any side or rear lot line. In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building shall not be closer than 2 feet to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right-of-way.

The South foundation of the original garage was poured 1.52' from the lot line as found by James M. Gorinac, Surveyors. The document was part of the records submitted for a project at 202 Union. The submitted plot plan shows 3 feet, which is not correct. The rear of the proposed garage on the plot plan shows 3 feet, which is relatively accurate as per 202 Union's professionally supplied site plan, but the issue here, is DTE has a 6 foot easement, on each side of the power line, putting the previous and proposed garage in the utilities R.O.W.

On June 17th, 1999, David R Papin signed an affidavit stating that structure that was destroyed by fire was for the sole use of Mr. & Mrs Papin. Accessory structures cannot be occupied as a place to live, and the Marine City Fire Authority can attest that a woman was at the

"In the Heart of Blue Water District"

time of the fire living above the garage. What assurances does the city have that this will not happen again with the gambrel styled trusses being proposed?

I also want to bring to your attention that in the summer of 2022 you illegally erected a plastic shed in the rear yard, placed exposed aggregate concrete in the rear yard, leaving little if no pervious surface for rain runoff, and erected a four riser step and landing to the rear door. These would have required permits: Zoning and Building there by these constitute existing violations of Marine City Ordinances.

Thank you for your anticipated cooperation in this matter.

Sincerely,



*Tracy Kallek
Building Official
City of Marine City*



City of Marine City
 Building Department
 260 S. Parker St.
 Marine City, MI 48039
 (810) 765-9011
 buildingdepartment@cityofmarinecity.org

Building Permit Application

Authority: 1972 PA230
 Completion: Mandatory to obtain permit
 Penalty: Permit cannot be issued

Authority: 1972 PA 230	The city of Marine City is an equal opportunity employer/program. Auxiliary services and other reasonable accommodations are available upon request to individuals with disabilities.
Penalty: Failure to provide the information may result in denial of your request.	

Project or Facility Information			
PROJECT NAME Garage	ADDRESS 452 S. MARKET ST.		
NAME OF CITY, VILLAGE OR TOWNSHIP IN WHICH JOB IS LOCATED <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Township OF:		CITY MARINE CITY	ZIP CODE 48039
COUNTY ST. CLAIR	BETWEEN UNION ST.	AND ST. CLAIR ST.	

Applicant			
NAME SAME AS OWNER		E-MAIL	
ADDRESS	CITY	STATE	TELEPHONE NUMBER (Include Area Code)

Owner or Lessee			
NAME MARILYN J. PAPIN		ADDRESS 452 S. MARKET ST.	
CITY MARINE CITY	STATE MI.	ZIP CODE 48039	TELEPHONE NUMBER (include Area Code)

Signature

I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT, AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE STATE OF MICHIGAN. ALL INFORMATION SUBMITTED ON THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE.

Section 23a of the state construction code act of 1972, 1972 PA 230, MCL 125.1523a, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subjected to civil fines.

SIGNATURE OF OWNER (Required)	TYPE OR PRINT
SIGNATURE OF OWNER'S AGENT <i>David F. Papin</i>	TYPE OR PRINT DAVID F. PAPIN
BUILDING PERMIT FEE ENC. \$ _____	OR STATE ACCOUNT NUMBER _____

Validation - For Department Use Only	VALIDATION AREA
USE GROUP _____	
TYPE OF CONSTRUCTION _____	
SQUARE FEET _____	
APPLICATION FEE (non-refundable) \$ _____	
CERTIFICATE OF OCCUPANCY <input type="checkbox"/> YES <input type="checkbox"/> NO \$ _____	
NUMBER OF INSPECTIONS _____ \$ _____	
TOTAL PERMIT FEE \$ _____	
APPROVAL SIGNATURE _____	

Building Data			
A. Type of Mechanical			
WILL THERE BE FIRE SUPPRESSION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
B. Type of Construction			
<input type="checkbox"/> 1A - Non Combustible (Protected Structural Elements) 3HR	<input type="checkbox"/> 1B - Non Combustible (Rated Structural Elements) 2HR	<input type="checkbox"/> 2A - Non Combustible (Rated Structural Elements) 1HR	
<input type="checkbox"/> 2B - Non Combustible (Non Rated Structural Elements)	<input type="checkbox"/> 3A - Non Combustibles (Exterior Walls Only)	<input type="checkbox"/> 3B - Non Combustible (Beaming Walls Rated)	
<input type="checkbox"/> 4 - Heavy Timber	<input type="checkbox"/> 5A - Combustible (Structural Elements Rated) 1HR	<input type="checkbox"/> 5B - Combustible (All Elements Not Rated)	
C. Dimensions / Data			
FLOOR AREA:	EXISTING	ALTERATIONS	NEW
BASEMENT	_____	_____	_____
1ST & 2ND FLOOR	_____	_____	_____
3RD - 10TH FLOOR	_____	_____	_____
11TH - ABOVE	_____	_____	_____
TOTAL AREA	_____	_____	_____
D. Number of Off Street Parking Spaces			
ENCLOSED	0	OUTDOORS	1

Local Governmental Agency to Complete This Section					
ENVIRONMENTAL CONTROL APPROVALS					
	REQUIRED?	APPROVED	DATE	NUMBER	BY
A - Zoning	<input type="checkbox"/> Yes <input type="checkbox"/> No				
B - Fire District	<input type="checkbox"/> Yes <input type="checkbox"/> No				
C - Pollution Control	<input type="checkbox"/> Yes <input type="checkbox"/> No				
D - Noise Control	<input type="checkbox"/> Yes <input type="checkbox"/> No				
E - Soil Erosion	<input type="checkbox"/> Yes <input type="checkbox"/> No				
F - Flood Zone	<input type="checkbox"/> Yes <input type="checkbox"/> No				
G - Water Supply	<input type="checkbox"/> Yes <input type="checkbox"/> No				
H - Sewer	<input type="checkbox"/> Yes <input type="checkbox"/> No				
I - Variance Granted	<input type="checkbox"/> Yes <input type="checkbox"/> No				
J - Other	<input type="checkbox"/> Yes <input type="checkbox"/> No				

CITY OF MARINE CITY

260 S PARKER
MARINE CITY, MI 48039
(810) 765 9011
(810) 765 4010

Invoice For Permit: PB220084
Print Date: 10/04/2022


Pay by Account In Full



Pay by Account In Full

\$ 175.00

PAPIN MARILYN JEAN
452 S MARKET ST
MARINE CITY MI 48039

	Invoice No	Invoice Date	Permit Number	Address	Amount Due
	00004621	10/13/22	PB220084	452 S MARKET ST	\$ 175.00
Fee Details:	Quantity	Description		Amount Cost	Balance
	1.000	APPLICATION FEE		\$75.00	\$ 75.00
	1.000	PLAN REVIEW RESIDENTIAL UP TO \$100,000		\$100.00	\$ 100.00
Total Amount Due					\$ 175.00

Point Export Drawings Line Feet (ft) Feet² (ft²) Disable Snapping Select Snapping Layers Plot Coordinates Erase Clear All

Draw Measure Coordinates Edit

Helper

Click or tap to draw a measurement line. Double-click/tap to finish.

Welcome!

An approximation of the TaxParcel is now highlighted and added to results for quick actions.

Additional information on this and neighbor tax parcels are always available using a left click [touch: short tap] or more expanded options using a right click [touch: long press]. These actions are specific to both the exact location clicked and any Layers checked for display on your unique map.

Select a button below for site use tips. Enjoy exploring St. Clair County, Michigan tax maps.

[Learn More](#) [Change Map Layers](#)
[Mark-up and Measure](#) [Print](#) [Exit Helper](#)



WEST AREA 39.62' x 38.37' = 1,520
 SOUTH AREA 20.7' x 7.81' = 162
 North AREA 11.2' x 5.94' = 67

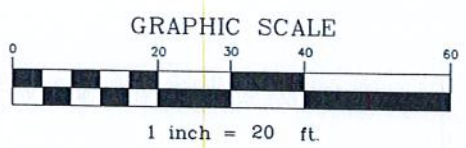
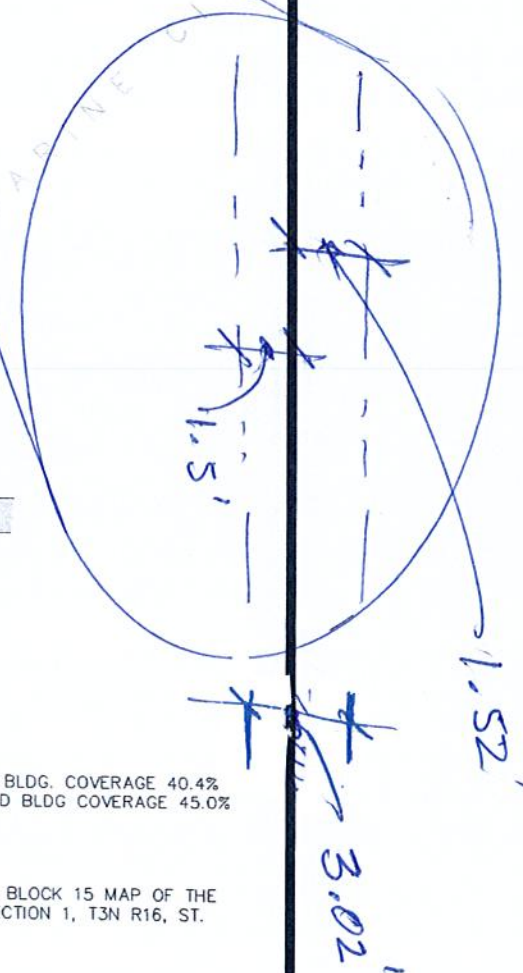
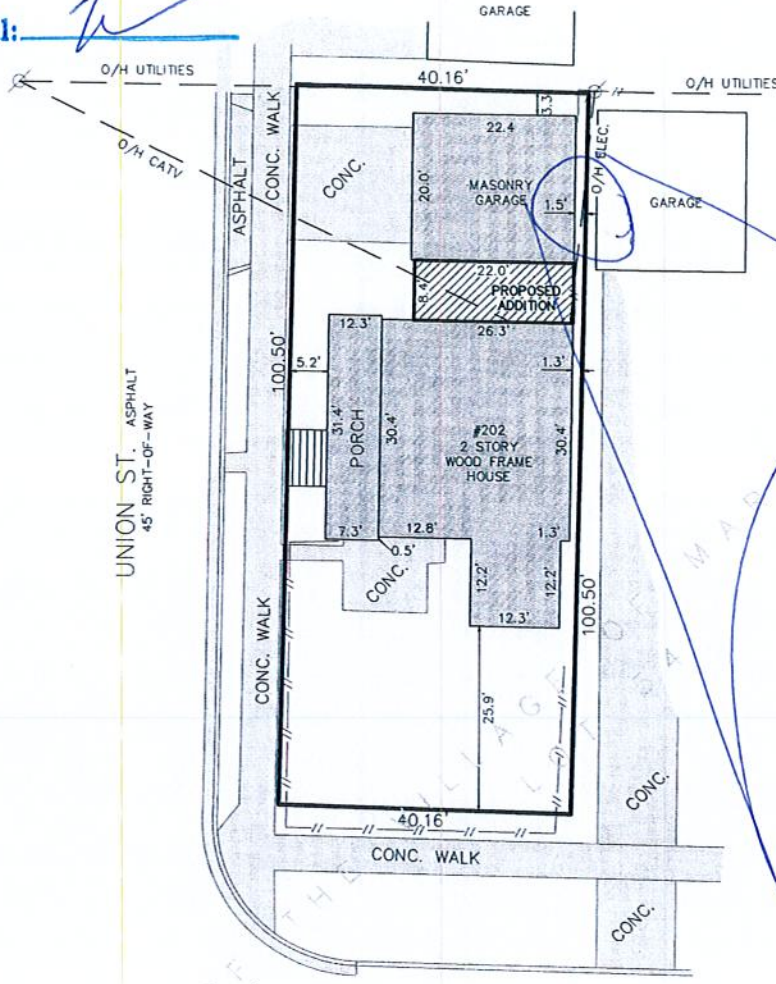
1,749 BACK YD. SQ FT.
 440 PROPOSED BLDG.
 25.15% COVERAGE

SCANNED

SITE PLAN

NOV 03 2022

Initial: *[Signature]*



EXISTING BLDG. COVERAGE 40.4%
 PROPOSED BLDG. COVERAGE 45.0%

LEGAL DESCRIPTION
 THE SOUTH 1/2 OF LOT 54 BLOCK 15 MAP OF THE VILLAGE OF MARINE CITY SECTION 1, T3N R16, ST. CLAIR COUNTY MICHIGAN.

PREPARED FOR: CHRIS...
 THIS IS NOT A BOUNDARY SURVEY. NO PROPER CORNERS HAVE BEEN SET. HOUSE LOCATION IS FROM EXISTING MONUMENTATION AND HAVE NOT BEEN VERIFIED. THIS DOCUMENT IS FOR BUILDING PERMIT PROPOSES ONLY.

JAMES M. GORINAC
 PROFESSIONAL SURVEYOR, 41921
 SITE PLAN OF SOUTH 1/2 OF LOT 54 BLOCK 15 MAP OF THE VILLAGE OF MARINE, T3N R16, ST. CLAIR COUNTY, MICHIGAN
 DATE: 8/31/2015
 REVISION DATE:
 DRAWN BY: J.G.

- LEGEND**
- FOUND IRON
 - SET IRON
 - ⊙ SECTION CORNER
 - ⊕ UTILITY POLE
 - (M) AS-BUILT BEARING/DISTANCE
 - (P) PLANNED BEARING/DISTANCE
 - PROPERTY LINE
 - - - RIGHT OF WAY LINE
 - - - UTILITY LINE
 - - - FENCE
 - - - LOT LINE

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

SCALE: 1" = 30'
 FIELD BOOK: 3, PAGE: 52
 PAGE: 1 OF 1

JOB NO.: 15-028

Top chord 2x4 SPF #1/#2
 Bol chord 2x10 SP 2400F-2.0E B2 2x4 SPF 1650F-1.5E;
 Webs 2x4 SPF #1/#2

SCANNED

OCT 04 2022

Initial: [Signature]

In lieu of structural panels or rigid ceiling use purlins to laterally brace chords as follows:

CHORD	SPACING(IN OC)	START(FT)	END(FT)
TC	120	17.25	20.70
BC	75	0.27	19.73
BC	75	2.71	17.29

Apply purlins to any chords above or below fillers at 24" OC unless shown otherwise above.

Live loads applied in combination per ASCE 7 sec. 2.4.1 use 0.75 factor for multiple live loads.

Truss designed for unbalanced snow load based on Pg=25.00 psf, Ct=1.10, Ce=1.00, CAT II (Is=1.00) & Pf=19.25 psf.

(**) 2 plate(s) require special positioning. Refer to scaled plate plot details for special positioning requirements.

115 mph wind, 15.00 ft mean hgt, ASCE 7-10, CLOSED bldg, Located anywhere in roof, RISK CAT II, EXP C, wind TC DL=4.2 psf, wind BC DL=4.8 psf.

Wind loads and reactions based on MWFRS with additional C&C member design.

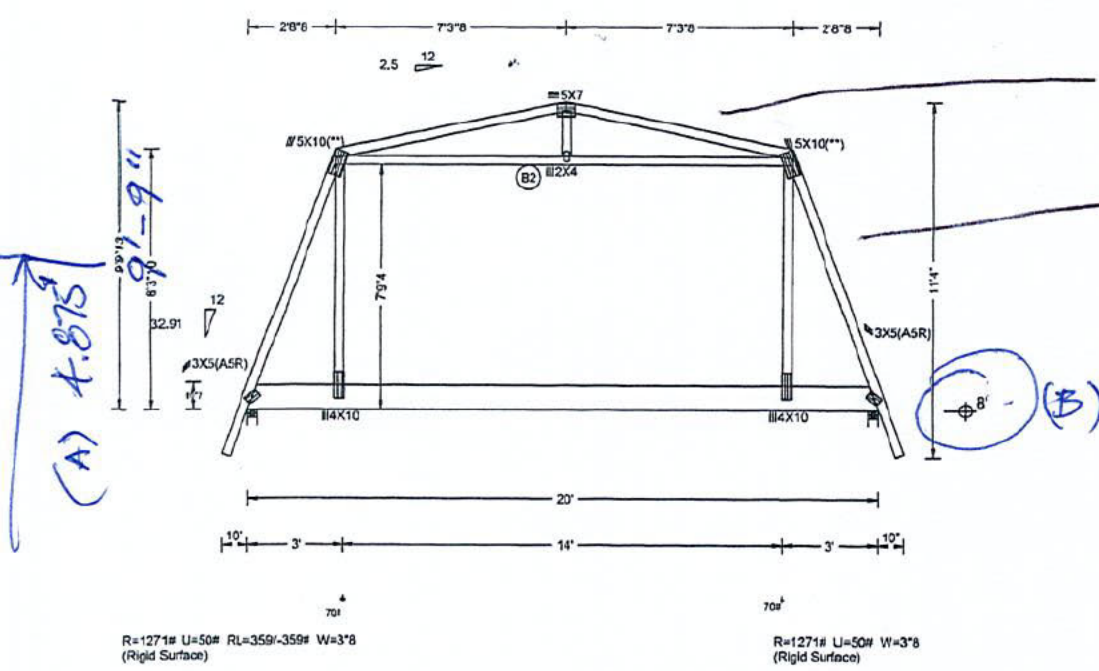
Collar-tie braced with continuous lateral bracing at 24" oc. or rigid ceiling.

Attic room loading from 3-0-0 to 17-0-0: Live Load: 30 PSF, Dead Load: 5 PSF Ceiling: 5 PSF, Kneewalls: 5 PSF

Truss designed for sleeping room only. No waterbeds permitted. Provide information to contractor, architect, and bldg owner. Trusses to be visibly stamped to indicate 30.00 psf MAX LL.

Deflection meets L/360 live and L/240 total load. Creep increase factor for dead load is 2.00.

Handing stresses not considered for plates. Handing of this truss requires special care by truss manufacturer and installation contractor to prevent plate damage.



1/2" OSB + METAL

1/2" OSB + METAL ROOF

A 4.875'
 B 8.0

MEAN HGT. 12.875'

14' ALLOWED
 OK

OH LEFT RAKE = 17°9

DESC. ≈ T1 14ft room
 PLT, TYP.-WAVE

DESIGN CRIT=IBC2015TP4-2014 FT(R)T= (N)G(L)V(S)D)

QTY= 12 TOTAL= 12

REV. 21.01.01.0429.14

SEQ = 662058
 SCALE = 0.1945

****WARNING** READ AND FOLLOW ALL NOTES ON THIS DRAWING!
 IMPORTANT FURNISH THIS DRAWING TO ALL CONTRACTORS INCLUDING THE INSTALLERS.**

Trusses require extreme care in fabrication, handling, shipping, installing and bracing. Ruler to and follow the latest edition of BCSP (Building Component Safety Information, by TPI and WTC) for safety practices prior to performing these functions. Installers shall provide temporary bracing per BCSP. Unless noted otherwise, top chord shall have properly attached structural sheathing and bottom chord shall have a properly attached rigid ceiling. Locations shown for permanent lateral restraint of webs shall have bracing installed per BCSP sections B3, B7 or B10, as applicable. Apply plates to each face of truss and position as shown above and on the Joint Details, unless noted otherwise.

Refer to drawings H04-2 for standard plate positions.

ITW Building Components Group Inc. shall not be responsible for any deviation from this drawing.

Any failure to build this truss in conformance with ANSI/TPI 1, or for handling, shipping, installation & bracing of trusses.

A seal on this drawing or cover page listing this drawing, indicates acceptance of professional engineering responsibility solely for the design shown. The suitability and use of this drawing for any structure is the responsibility of the Building Designer per ANSI/TPI 1 Sec.2.

For more information see this job's general notes page and these web sites:
 ITW BCG www.itwbcg.com; TPI www.tpiinc.org; WTC www.abnindustry.com; ICC www.iccsafe.org



TCLL	20.0psf
TCDL	7.0psf
BC DL	8.0psf
BCLL	0.0psf
TOT.LD.	35.0psf
DUR.FAC.	1.15
SPACING	24.0"

REF	
DATE	09-21-2022
LS	
O/A LEN.	20
JOB #:	LS-05-22-5742
TYPE	GBRLATIC

Brick

452 S Market





AFFIDAVIT
CITY OF MARINE CITY, MICHIGAN

The undersigned, DAVID R. KAPLAN, under penalty to
(owner's name - print)

perjury, affirms that he/she is the owner of the following
described lot or parcel of land in the City of Marine City,
St. Clair County, Michigan, located at

452 S. MARINE ST MARINE CITY MI 48051
(street address)

and that the dwelling, which is proposed to be constructed,
remodeled or altered, at the above described property, is
intended to be a single-family residence for himself/herself
and is intended to be used for no other purpose, including,
but not limited to, speculation, rental and/or resale of
property.

[Signature]
(Owner's signature)

7-19
(Date)

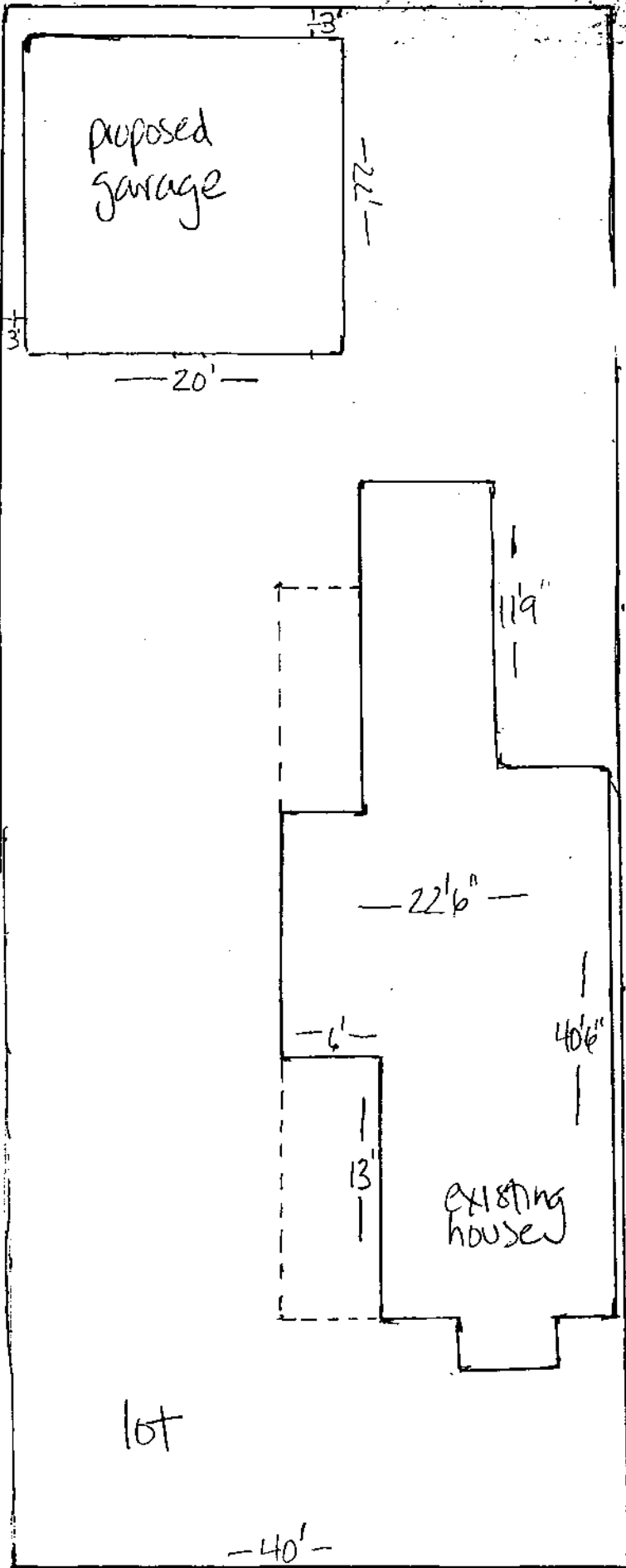
Subscribed and sworn to, before me, this 17th day of
June, 1999.

[Signature]
(Notary name)

Notary Public, St. Clair County, State of Michigan.

My Commission expires: 12/24/01

452 S. MANUET ST.



lot = 4200 sq. ft.

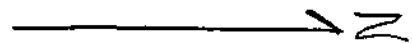
house = 950 sq. ft. (lower level only)

proposed garage = 440 sq. ft.

house = 23% of lot

proposed garage = 9.5% of lot

total coverage = 32.5% of lot



Var. Req
22-01



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

Zoning Board of Appeals Application

Application Fees:
Residential - \$500.00 Commercial/
Industrial - \$1000.00 (Receipt Code:
ZBAFEE)

NOTE: Additional fees may be assessed by City Planning and/or Engineering Consultants

The Zoning Board of Appeals meets on the first Wednesday of each month. Applications must be filed at least thirty (30) days prior to a scheduled meeting. The City must notify the surrounding property owners within a 300-foot radius from the address on this application.

Please submit the following documents:

RECEIVED
OCT 31 2022

1. Completed Zoning Board of Appeals application
2. 9 copies of the plot plan of the subject property drawn to scale depicting (if applicable):
 - A. Shape and dimensions of the property
 - B. All existing and proposed structures to be erected, altered, or use changed
 - C. Building-to-building and building-to-property line relationships
 - D. Location of any trees in the affected area measuring at least 6" in diameter
3. Proof of ownership
 - * If the applicant is not the owner of the land, please provide a document (land contract, purchase agreement, option to purchase, etc.) that indicates the applicant's interest in the property as well as a notarized letter from the property owner indicating no objection to the request.
4. Any other information which the applicant feels will aid the City in its review

City of Marine City

Your application will not be considered unless all required information is provided at the time of submission, and all required fees have been paid.

Building permits must be obtained within one year of approval of your variance

Address of property where variance is being requested:

452 S. MARKET ST 74-02-475-0171-000
Number Street Parcel #

Applicant/Owner Information:

Applicant(s) Name: DAVID PAPIN

Address: 452 S. MARKET ST. MARINE CITY MI 48039
Street City State Zip

Phone: [REDACTED] Email: _____

Owner Name (if different from Applicant): MARILYN JEAN PAPIN

Address: 452 S. MARKET ST. MARINE CITY MI 48039
Street City State Zip

Phone: [REDACTED] Email: _____

CITY OF MARINE CITY
260 S PARKER
MARINE CITY, MI 48039
Phone : (810) 765-8847
WWW.CITYOFMARINECITY.ORG

Received From:
PAPIN, DAVID

Date: 10/31/2022 Time: 4:17:17 PM
Receipt: 207003
Cashier: SINGER

452 S MARKET
ZONING BOARD OF APPEALS
VARIANCE REQUEST - PUBLIC HEARING

ITEM REFERENCE	AMOUNT
ZBA FEE ZONING BOARDS OF APPEAL FEE ZONING BOARDS OF APPEAL FEE 101-000.000-633.000	\$500.00
SUB-TOTAL	\$500.00
Total Tendered:	\$500.00
ORDER #: 123521144	
Credit Card Type MasterCard	
CC Processing Fee	\$15.00
CREDIT CARD XXXXXXXXXXXX4276	
Grand Total:	\$515.00
Change:	\$0.00



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

Zoning Board of Appeals Application

Application Fees:
 Residential - \$200.00
 Commercial/Industrial - \$300.00
 (Receipt Code: ZBAFEE)

NOTE: Additional fees may be assessed by City Planning and/or Engineering Consultants

Variance Request Information:

Type of Review Requested: Appeal: X
 Interpretation: _____ (only need to complete project description section)

Current Property Status:

Subject property is zoned: RESIDENTIAL

Total Square Footage of property: 4200 Sq.ft Circle One: Corner Lot Interior Lot Waterfront Lot

Number of Structures on property: 2 Percentage of lot coverage by structure/s: _____%

Type/Use/Size of Each Structure: HOME 23% of LOT, PROPOSED GARAGE 9.5% of LOT. TOTAL COVERAGE 32.5% of LOT
HOUSE 950 Sq.ft., PROPOSED GARAGE 440 Sq.ft.

Project Description: For an appeal describe the proposed project and variance requested, and include details about each structure affected. For an interpretation provide the specific section of the ordinance and the request:

REQUESTING VARIANCE TO REBUILD GARAGE DUE TO GARAGE BURNING DOWN DUE TO ARSON.
ATTACHED IS PLOT PLAN + EXISTING 4" CONCRETE FLOOR PLAN. THERE IS A VARIANCE ON FILE BUT IT CAN NOT BE LOCATED BY THE CITIES OFFICE STAFF.

Percentage of lot coverage by structure/s, including proposed variance: 32.5 %

Proposed Overall Building Height (if applicable): _____



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

Zoning Board of Appeals Application

Application Fees:
 Residential - \$200.00
 Commercial/Industrial - \$300.00
 (Receipt Code: ZBAFEE)

NOTE: Additional fees may be assessed by City Planning and/or Engineering Consultants

**For a variance to be granted, the Applicant must prove a practical difficulty exists
 RESPONSES TO ALL OF THE FOLLOWING MUST DEMONSTRATE A PRACTICAL DIFFICULTY**

- 1) Strict enforcement of the provisions of the Zoning Ordinance would cause practical difficulties and deprive the owner of rights enjoyed by all other property owners owning property within the same zoning district or render conformity with such restrictions unnecessarily burdensome

Explain: DUE TO NO BASEMENT OR ATTIC IN HOUSE I HAVE NO STORAGE SPACE LIKE OTHER RESIDENCES IN MY ZONING DISTRICT.

- 2) Conditions and circumstances are unique to the property and are not similarly applicable to other properties in the same zoning district

Explain: The conditions & circumstances are unique and not similarly applicable to other properties because the building was destroyed by fire in 12/21. It had been built →

- 3) Conditions and circumstances unique to the property were not created by the owner, or his predecessor in title, within the time following the effective date of the provisions alleged to adversely affect such property

Explain: The conditions & circumstances unique to the property were not created by the owner. The owner was not at home at the time of the fire

- 4) The requested variance will not confer special privileges that are denied other properties similarly situated and in the same zoning district

Explain: The requested permit & variance will not confer special privileges to us because our structure will be more compliant with the zoning ordinance than the →

- 5) The requested variance will not be contrary to the spirit and intent of this Zoning Ordinance

Explain: Our request is not contrary to the spirit and intent of the zoning ordinance because we are duplicating a building that was built within the framework →

2.) cont. - in 1996 with full permits and variances obtained from the city building inspector at the time. We only wish to duplicate what had originally granted at that time

4.) cont. - garages of the neighbors to the north & south
These structures are, in fact, located directly on our shared property lines

5.) cont. - of the zoning ordinance with appropriate permit and variances ~~or~~ obtained at the time of that build.



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

Zoning Board of Appeals Application

Application Fees:
Residential - \$200.00
Commercial/Industrial - \$300.00
(Receipt Code: ZBAFEE)

NOTE: Additional fees may be assessed by City Planning and/or Engineering Consultants

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

[Handwritten Signature] 10-31-22
Applicant's Signature Date

[Handwritten Signature] 10-31-22
Property Owner's Signature Date

CITY OFFICE USE ONLY

Appeal #: _____

Fee Amount Paid: \$ _____

Date Paid: _____

Reviewed By: _____

Building Official

City Manager

452 S. MANUET ST.

lot = 4200 sq. ft.

house = 950 sq. ft. (lower level only)

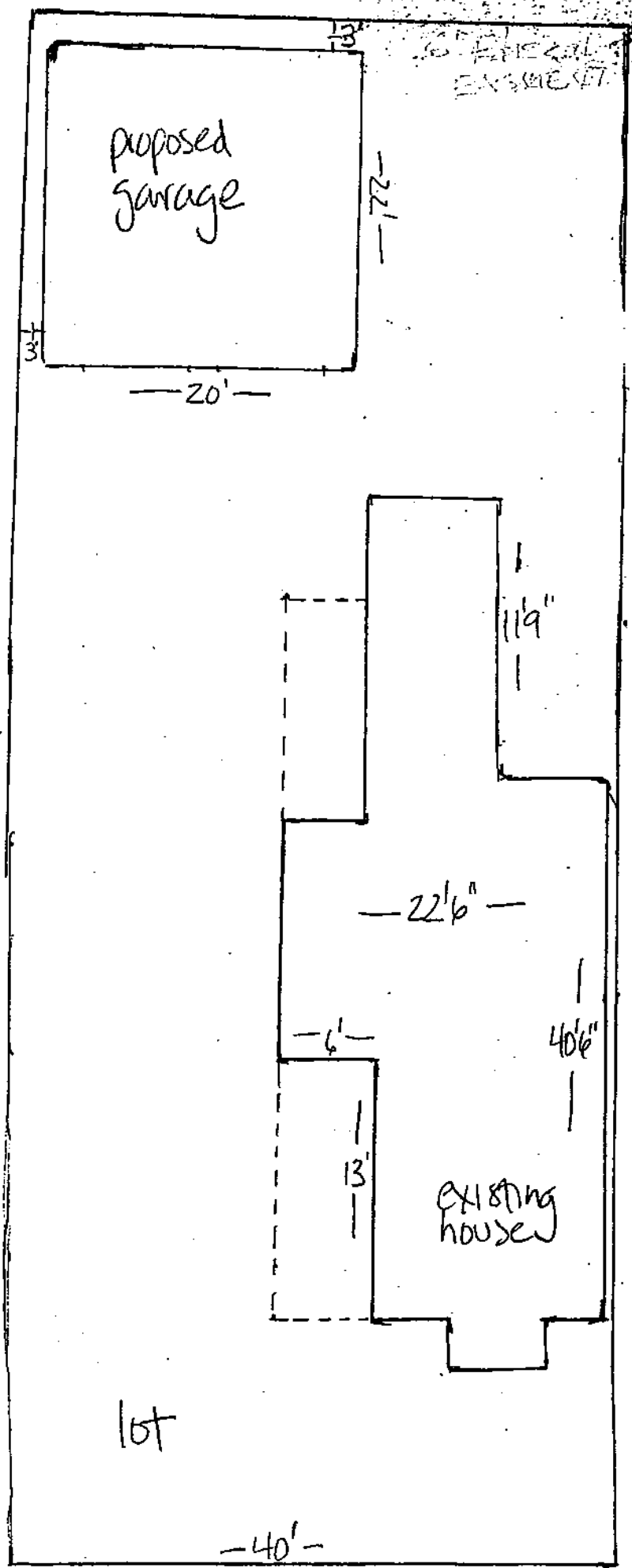
proposed garage = 440 sq. ft.

house = 23% of lot

proposed garage = 9.5% of lot

total coverage = 32.5% of lot

105'

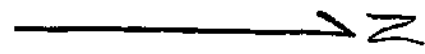


proposed garage

EXISTING HOUSE

existing house

lot



Garage at,
452 S. Market St.
Marine City, MI. 48039

angles

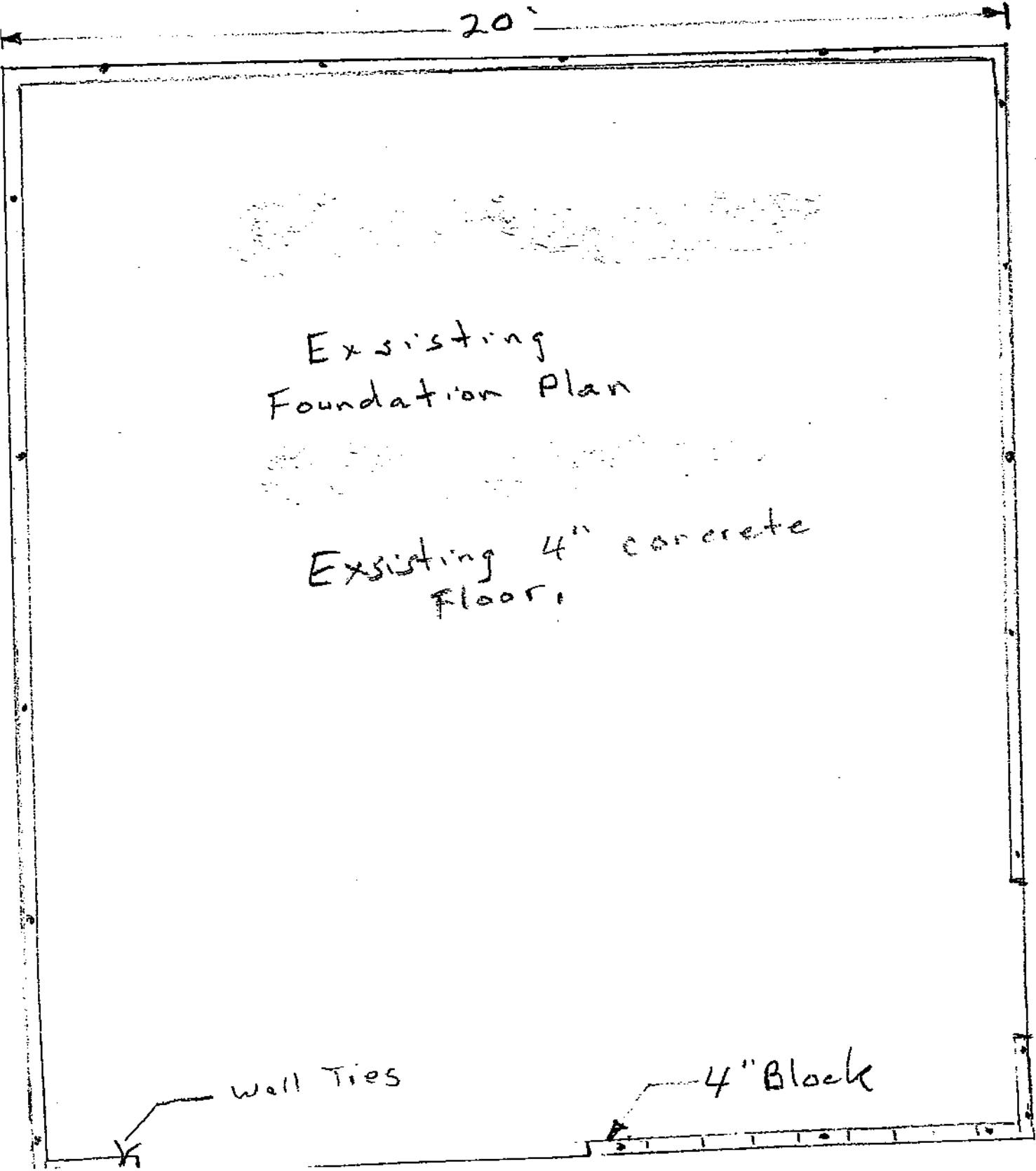
20'

Existing
Foundation Plan

Existing 4" concrete
Floor.

Wall Ties

4" Block



7014 0510 0001 1135 0197

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Sent To _____

Street, Apt. No.,
or PO Box No. David & Marilyn Papin _____

City, State, ZIP+4 452 S Market _____

Marine City, MI 48039 _____

*Mailed 11-21-22
Certified mail.*

CONFIRMATION

TIMES HERALD

PART OF THE USA TODAY NETWORK

P.O. Box 23430,
Green Bay,
WI 54305

MARINE CITY CITY OF
260 S PARKER ST STE 1
MARINE CITY MI 48039-

PO#:

<u>Account</u>	<u>AD#</u>	<u>Ordered By</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
LSJ-186500PT	0005489857	shannon	\$0.00	\$106.00	Invoice	\$0.00	\$106.00

Sales Rep: RLewis

Order Taker: RLewis

Order Created 11/15/2022

Product	Placement	Class	# Ins	Start Date	End Date
LSJ-PTH-The Times Herald Onlin	LSJW-Public Notices	Legal Notices	7	11/18/2022	11/24/2022
LSJ-PTH-The Times-Herald	LSJ-BP-Public Notice	Legal Notices	1	11/18/2022	11/18/2022

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 11/15/2022

**PUBLIC NOTICE
CITY OF MARINE CITY
ZONING BOARD OF APPEALS**

In compliance with Michigan Zoning Enabling Legislation, the General Ordinances of the City of Marine City, and the Rules and Regulations of the Marine City Zoning Board of Appeals, please take notice that on Wednesday, December 7, 2022, at 7:00 PM at Marine City Municipal Offices, 260 South Parker Street, Marine City, Michigan, the Marine City Zoning Board of Appeals will hold a Public Hearing to consider a Zoning Variance Application, as follows:

ZBA Appeal No. 22-01

Applicants David & Marilyn Papin are requesting the following variance for 452 S. Market Street, Marine City:

To rebuild a garage which burned down on 9.5% of the lot at 440 sq. ft. where it will be located in an existing dedicated public right-of-way easement; within 3 feet of a rear or side lot line.

The legal description of the subject property, zoned in the R-1 (Single Family Residential), is currently shown on the tax roll, as follows:

Parcel # 74-02-475-0171-000

N 1/2 OF LOT 54 BLK 15 MAP OF THE VILLAGE OF MARINE AS RECORDED IN LIBER E OF PLATS PGS 41, 42 & 43 ST CLAIR COUNTY REGISTER OF DEEDS

Citizen comments are welcome and may be given in person at the Public Hearing. Written comments will also be received at the Marine City Offices, Zoning Board of Appeals, 260 South Parker Street, Marine City, Michigan 48039, until 5:00 pm on December 6, 2022. The application is on file at the City Offices and may be inspected during regular business hours.

Shannon M. Adams
City Clerk
November 15, 2022
PH-5489857

11/18/2022

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