

**City of Marine City
Zoning Board of Appeals
September 4, 2019**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, September 4, 2019 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, James Turner; Planning Commissioner Graham Allan; City Commissioner Cheryl Vercammen; Building Official Susan Wilburn; City Manager Elaine Leven, City Clerk Kristen Baxter

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 Commissioner Bassham, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held June 5, 2019. All Ayes. Motion Carried.

Public Comment

None.

Unfinished Business

None.

New Business

Public Hearing – Variance 19-03: Thomas Vertin, 560 South Water Street

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 Thomas Vertin for a pole mounted projection sign.

Chairperson Weil opened the Public Hearing at 7:03 pm.

Steven Kuhr addressed the Board and spoke in support of the proposed variance request.

Rebecca Godin of Phillips Sign & Lighting stated that the applicant had a hardship due to the lack of adequate signage, the size, shape and location of building, and the need for increased visibility so the entrance could be identified.

Building Official Wilburn stated that the applicant was asking for a sign attached to a post, not a building. She said that the ordinance stated that projection signs were allowed on buildings only.

Commissioner Bassham questioned if the sign would protrude over the sidewalk and Rebecca Godin answered that it would, but at a height of 9'4".

Thomas Vertin commented that the hotel opened with minimal signage and that they were having a struggle with people knowing what the building was. He said the lighted sign would assist them with this.

Chairperson Weil closed the Public Hearing at 7:09 pm.

Motion by City Commissioner Vercammen, seconded by Planning Commissioner Allan, to approve Variance 19-03 for a pole mounted projection sign due to:

- 1) Conditions and circumstances that are unique to the property.
- 2) There is no other place to put the sign in front of the building. Existing signs are too low, cars are parking in front of them and they aren't visible.
- 3) The need to draw attention to that part of town.
- 4) Unique to property due to sidewalk in front, only this type of sign will work.
- 5) There is another projection sign on a post across the street from location.

Roll Call Vote. Ayes: Weil, Allan, Bassham, Turner, Vercammen. Nays: None.
Motion Carried.

Public Hearing – Variance 19-04: Douglas & Lanora Hauke, 572 Woodworth

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 Douglas and Lanora Hauke for installation of a fence on Belle River frontage of a residential property.

Chairperson Weil opened the Public Hearing at 7:16 pm.

Douglas Hauke stated that the fence had been in place for nearly 40 years and, for safety reasons, it needed to be replaced.

Building Official Wilburn stated that the fence ordinance had been changed in 2016; previously waterfront fences were allowed.

Victor Roberts, 563 Mabel, said he was against anyone fencing in waterfront property because of emergency purposes, as well as setting a precedent allowing fencing along a the water.

Planning Commissioner Allan stated that he had read the ordinance and said he didn't see undue hardship and was against allowing replacement of the fence on the waterfront.

Commissioner Bassham commented that he had viewed the existing fence and said it had been there for over 30 years. He asked how the Board could penalize the property owners for wanting to maintain their property, when the ordinance was changed just three years ago.

Commissioner Turner agreed and said that the fence was grandfathered in because it was there prior to the ordinance.

Building Official Wilburn reminded the Board that the ordinance said that you cannot increase an existing non-conformity.

Chairperson Weil closed the Public Hearing at 7:26 pm.

Motion by Commissioner Turner, seconded by Commissioner Bassham, to approve Variance 19-04 and allow the applicants to install new fencing based on:

- 1) Testimony presented and special conditions that exist.
- 2) The fact that it is an existing fence that was there prior to the new ordinance.

Roll Call Vote. Ayes: Weil, Bassham, Turner, Vercammen. Nays: Allan.
Motion Carried.

Other Business

None.

Adjournment

Motion by Chairperson Weil, seconded by Commissioner Turner, to adjourn at 7:42 pm.
All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter
City Clerk