



CITY OF MARINE CITY

Zoning Board of Appeals Meeting Agenda

Marine City Fire Hall, 200 South Parker Street

Regular Meeting: Wednesday, August 1, 2018, 7:00 PM

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Chairperson Kim Weil; Commissioners Mark Bassham, Cheryl Vercammen; Planning Commissioner Graham Allan; City Commissioner James Turner; Building Official Susan Wilburn; City Manager Elaine Leven
4. **COMMUNICATIONS**
5. **APPROVE AGENDA**
6. **APPROVE MINUTES**
 - A. Zoning Board of Appeals Regular Meeting – June 6, 2018
7. **PUBLIC COMMENT** *Anyone in attendance is welcome to address the Zoning Board of Appeals. Please state name and address. Limit comments to five (5) minutes.*
8. **UNFINISHED BUSINESS**
9. **NEW BUSINESS**
 - A. Public Hearing ~ Appeal #18-05 – Mike Thomas, 1242 South Belle River Road
10. **OTHER BUSINESS**
11. **ADJOURNMENT**

**City of Marine City
Zoning Board of Appeals
June 6, 2018**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, June 6, 2018 in the Fire Hall, 200 South Parker Street, Marine City, and was called to order by Chairperson Weil at 7:00pm.

The Pledge of Allegiance was led by Chairperson Weil.

Present: Chairperson Weil; Commissioners Bassham, Cottrell, Vercammen; City Commissioner Turner; Building Official Wilburn; City Manager Leven; and Deputy Clerk McDonald

Absent: Planning Commissioner Allan

Approve Agenda

Motion by City Commissioner Turner, seconded by Commissioner Bassham, to approve the Agenda, as presented. All Ayes. Motion Carried.

Approve Minutes

Motion by Commissioner Bassham, seconded by City Commissioner Turner, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held May 2, 2018, as presented. All Ayes. Motion Carried.

Public Comment

None.

Unfinished Business

None.

New Business

Public Hearing ~ Appeal #18-04 – Lynn Watson, 180 Degurse Avenue

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 Lynn Watson, for property located at 180 Degurse Avenue. The Variance Request was to increase the allowable height for an accessory structure from 14' to 16' (measured to the average height between the rafter heel and ridge).

Chairperson Weil opened the Public Hearing at 7:02pm.

Building Official Wilburn stated that the applicant had requested a variance to increase the allowable height for their garage from 14' to 16'. She said that, based on the location, she did not have any issues with the request.

The applicant said that they applied for the variance due to their need for a taller garage door.

City Commissioner Turner began the discussion and stated that there were no neighbors close by that would be affected by the proposed garage height increase. The Board members all agreed with that statement.

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

Motion by City Commissioner Turner, seconded by Commissioner Bassham, to approve Appeal #18-04 based on the record as a whole including the application, Building Official Wilburn's report, the applicant testimonial, the fact that no feedback was received from the notified property owners, and the unique circumstance presented.

Roll Call Vote.

Ayes: Weil, Bassham, Cottrell, Vercammen, Turner

Nays: None

Motion Carried.

Other Business

None.

Adjournment

Motion by City Commissioner Turner, seconded by Chairperson Weil, to adjourn at 7:08pm. All Ayes. Motion Carried.

Respectfully submitted,

Elizabeth McDonald
Deputy Clerk

Kristen Baxter
City Clerk

Zoning Board of Appeals Application



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

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

The Zoning Board of Appeals meets on the first Wednesday of each month in which there are appeals for consideration. Applications must be filed at least thirty (30) days prior to a scheduled meeting. Application fee must be paid in full before your application is added to the Agenda. The City must notify the surrounding property owners within a 300-foot radius from the address on this application.

Site Plan requirements for all dimensional variance requests must include the following:

- 1) Minimum site plan submittal shall be based on a land survey prepared and sealed by a registered land surveyor or registered engineer.
- 2) The plan must be drawn to scale.
- 3) The plan must include property lines and dimensions, all structures and buildings (existing and proposed), all setback dimensions, driveways, and all adjacent uses and structures of adjoining lots.

Your application will not be considered unless all required information is provided at the time of submission, and any/all required fees are paid for prior to the meeting date.

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

Address of property where variance is being requested:

1242 S. Belle River Rd 74-02-815-0001-001
Number Street Parcel #

Applicant/Owner Information — (Prospective Buyer)

Applicant(s) Name: Mike Thomas

Address: _____
Street City State Zip

Phone: _____ Email: _____

~~Owner~~ Name (if different from Applicant): Property for Sale

Address: _____
Street City State Zip

Phone: _____ Email: _____



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Variance Request Information

Subject property is zoned: Marina / Commercial Size of Lot: 300' x 600' est.

Total Square Footage: 2.6 Acre 113,256.54 Sq Ft Circle One: Corner Lot Interior Lot Waterfront Lot

Number of Buildings on lot now: 0

Percentage of lot coverage by building/structure now: 0 %

Type/Use/Size of Each Building:

SPLIT Property behind Dollar General PARKER ST LOT TBD
Belle River LOT - OUTSIDE RV STORAGE, BOATS, MOTORHOMES,
TRAILERS

Describe Proposed Building/Structure, Addition, Fence, Sign, Etc.:

32-22 BARN STOCKAD Fence on Belle River 1/2 of Property
Sign "Veterans Landing" Belle River side, Electronic
Marquee on Parker Rd

Complete as it pertains to each situation; e.g. complete all for buildings, height & length for fence, etc.

Height: 16' Width: 22" Length: 32" Sq. Footage: 704

Height: 6' Fence Width: 4" Length: 1070 Sq. Footage: 1070 Linear ft

Height: 5' Marquee Width: 6' one' Length: 6' Sq. Footage: 30'

Percentage of lot coverage with proposed building/structure, addition, fence, etc.: 50 %

Setbacks after completion of proposed project:

Front: code Rear: code Side: code Side: code

REASON FOR APPEAL: (E2)
Section 160.111 Paved off ST PARKING IS "NOT"
recommended. Request solid surface crushed Aggregate Substitute.
Request occupying 12 months per year TO Include BOATS
TRAILER, RV, MOTORHOMES, other vehicles as Required
- All other OUTSIDE storage lots ARE CROSS AND allow
storage 12 months per year. Also Add Electronic
MARQUEE TO Lot on PARKER ST (sign)



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For a variance to be granted, the Applicant must prove a unique circumstance or an undue hardship relating to his/her situation by answering the questions below and providing supporting evidence

- 1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not generally applicable to other land, structures or buildings in the same zoning district

NO _____ YES X

If yes, explain: Other Marine City storage lots are grass
not paved surface which would cost in excess of \$282,000
Boats & RV's are stored 12 months per year

- 2) A strict enforcement of the zoning ordinance would cause a practical difficulty and literal interpretation of the provisions of the zoning ordinance would deprive me of rights commonly enjoyed by other properties in the same zoning district under the terms of the zoning ordinance

NO _____ YES X

If yes, explain: see ABOVE

- 3) The special conditions and circumstances do not result from the actions of me, the applicant, or my predecessor

NO _____ YES X

If no, explain: see ABOVE

- 4) Granting the variance requested will not bestow upon me, the applicant, any special privileges that are denied by the zoning ordinance to other lands, structures or buildings in the same zoning district

NO _____ YES X

If no, explain: _____



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- 5) Will approval of this appeal change the character of your immediate neighborhood and/or the zoning district in which the property is located?

NO X YES _____

If yes, explain: _____

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.

MT Helmas 7/9/18
Applicant's Signature Date

MT Helmas 7/9/18
Owner's Signature - Prospective Buyer Date

CITY OFFICE USE ONLY

Appeal #: 18-05

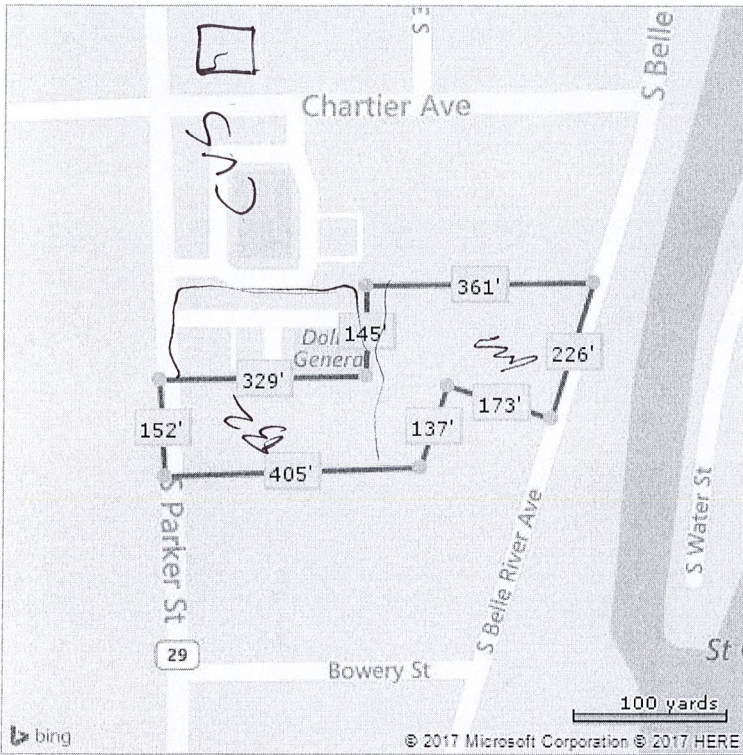
Fee Amount Paid: \$ 300.00

Date Paid: 7-9-2018

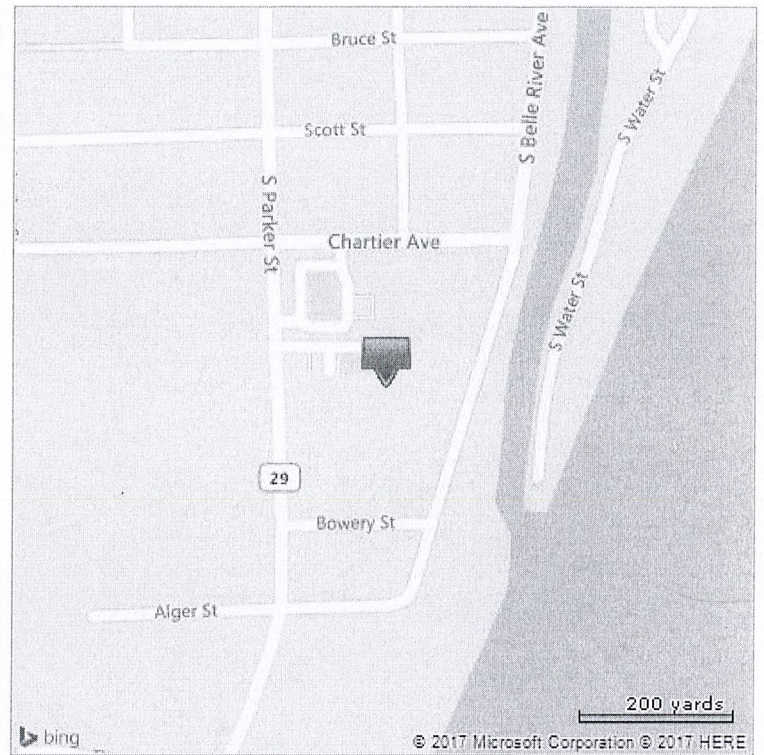
Reviewed By: [Signature] 7/18/18
Building Official

City Manager

Property Map



*Lot Dimensions are Estimated



S. Belle River Road



S Belle River Rd

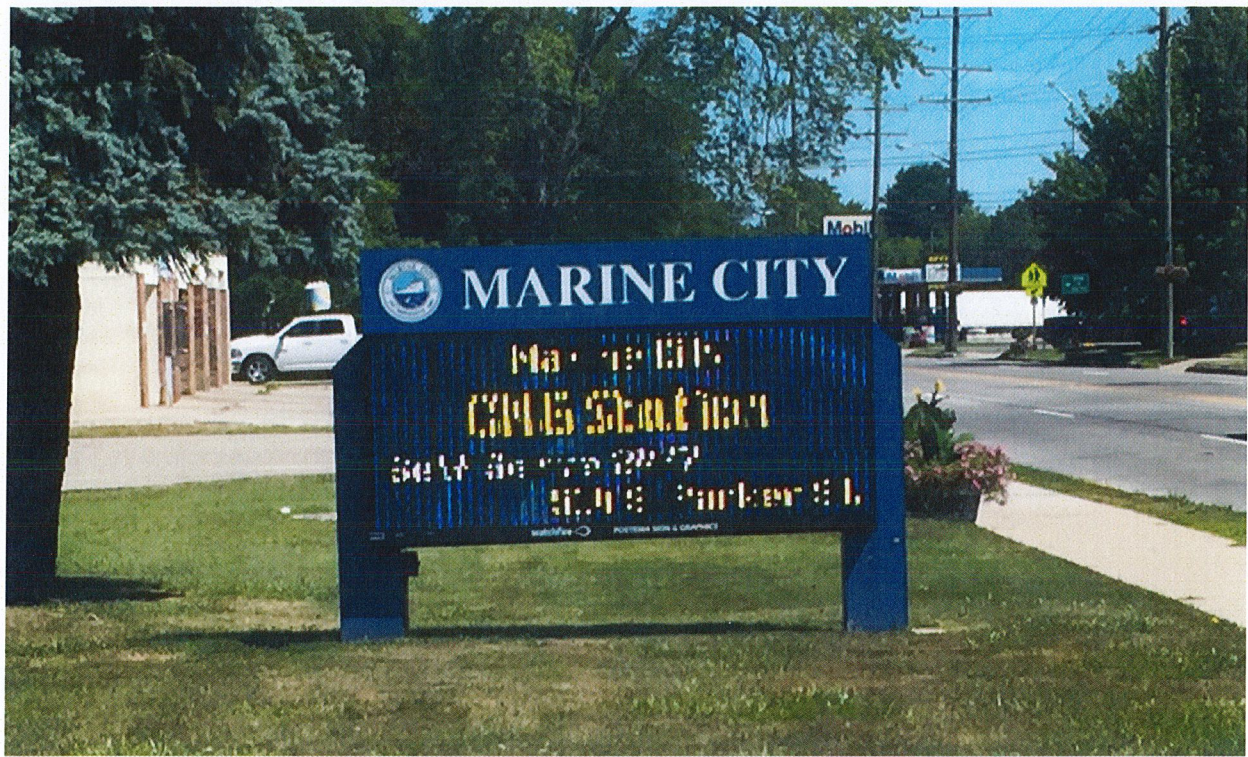




60155 July 9th



Parker St



Parker St

CITY OF MARINE CITY

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

To: Chairman and Members of the Marine City Zoning Board of Appeals

From: Susan Wilburn, City of Marine City Building Official

Date: July 10, 2018

Project Location: 1242 S. Belle River Rd.

Subject: A prospective owner is requesting variances to develop vacant property.

This is a 2.6 acre parcel with 2 frontages, S. Belle River, which is zoned W-M, Waterfront Recreation and Marina and S. Parker, which is zoned B-2, General Business. The S. Belle River frontage is the section referred to in the variance request. This project will require site plan approval by both Wade Trim and Planning Commission

VARIANCE.

(a) A modification of the literal provisions of the Zoning Ordinance granted when strict enforcement of the Zoning Ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

(b) The crucial points of ***VARIANCE*** are:

1. Undue hardship;
2. Unique circumstances; and
3. Applying to property.

(c) A ***VARIANCE*** is not justified unless all 3 elements are present in the case.

VARIANCE REQUESTED:

A prospective owner is requesting variances for:

- "Solid surface" storage area rather than "paved"
- Year around storage
- Storage of RV's as well as boats

UNIQUE CIRCUMSTANCE OR UNDUE HARDSHIP AND CIRCUMSTANCES:

"Other Marine City storage lots are grass, not paved surface which would cost in excess of \$282,000. Boats and RVs are stored 12 months per year."

ORDINANCE:

W-M, WATERFRONT RECREATION AND MARINA DISTRICT

160.110 INTENT.

The waterfront of the City of Marine City is a limited community resource; therefore, it is the intent of the Waterfront Recreation and Marina District, aside from residential use, to allow only those recreational, public and business uses which are related to the waterfront and which, therefore, cannot feasibly be located elsewhere. Such districts are intended to encourage safe and efficient development of waterfront areas and facilitate navigation.

(Prior Code, App., § 800) (Ord. 98-3, passed 3-19-1998)

§ 160.111 PRINCIPAL USES PERMITTED.

- (A) Public or private facilities for the berthing, launching, handling or servicing of recreational boats, except as otherwise provided in this subchapter;
- (B) Public beaches and recreation areas directly related to the waterfront;
- (C) Retail businesses which supply products primarily and directly for persons using the facilities of the district, such as sale of boats, equipment and accessories, fishing equipment and bait and other similar items;
- (D) Indoor storage of boats in a permanent structure;
- (E) Accessory uses and buildings as follows:
 - (1) Private launching ramps;
 - (2) Outdoor storage of recreational boats on the paved off-street parking surface required herein. No parking lot shall be occupied by stored boats during the months of June, July and August. All such storage shall be arranged in an orderly manner and at least 1/2 of the parking area shall be conveniently available for customer parking by May 15;
 - (3) Other approved accessory uses and buildings when located on the same lot as a principal use, provided that such accessory use or building shall be clearly incidental to the permitted use; and
 - (4) Temporary buildings and uses for construction purposes for a period not to exceed 1 year.

REVIEW:

Enclosed with this memo is a copy of the Zoning Board of Appeals Application along with applicants' explanation, site plan, photos of proposed style of signage, and photos of existing storage facilities.

GC_OWNER	PROP_ADDRESS_COMBINED	OWNER_ADDRESS	OWNER_CITY	OWNER_ZIP
0 WESTRICK JAMES, WESTRICK ANNE MARIE	1242 S BELLE RIVER AVE VACANT LOT	3604 CHARTIER RD	MARINE CITY	MI 48039
1 HATCHER DERIAN	1159 S WATER ST	1159 S WATER ST	MARINE CITY	MI 48039
2 SIMONS WILLIAM/CATHY	1154 S BELLE RIVER AVE	1154 S BELLE RIVER AVE	MARINE CITY	MI 48039-2306
3 ZEKES PROPERTIES LLC	1239 S PARKER ST	1239 S PARKER ST	MARINE CITY	MI 48039
4 GOULETTE LAWRENCE/LINDA	1106 S THIRD ST	18700 GREY	ALLEN PARK	MI 48101
5 ZOBL FRANCIS J	142 CHARTIER ST	142 CHARTIER ST	MARINE CITY	MI 48039
6 RIVERSIDE SPLINE & GEAR	1390 S PARKER ST	1390 S PARKER ST	MARINE CITY	MI 48039-2334
7 KLINGLER HOLDINGS LLC	1295 S PARKER ST	7075 S RIVER RD	MARINE CITY	MI 48039
8 WEBER MICHAEL J, WEBER PATRICIA A	1225 S WATER ST	1225 S WATER ST	MARINE CITY	MI 48039-3600
9 HEIDEBREICHT WILLIAM	1285 S BELLE RIVER AVE	1285 S BELLE RIVER AVE	MARINE CITY	MI 48039-0158
10 HINKLEY ANDREW L	1284 S BELLE RIVER AVE	1284 S BELLE RIVER RD	MARINE CITY	MI 48039-
11 KEEVER DANIEL, KEEVER JAIME	1298 S BELLE RIVER AVE	1298 S BELLE RIVER AVE	MARINE CITY	MI 48039
12 DUPINE MICHAEL F	1276 S BELLE RIVER AVE	1276 S BELLE RIVER AVE	MARINE CITY	MI 48039-2307
13 STATE OF MICHIGAN	S PARKER ST			
14 JENKS DALE/DIANE	1380 S PARKER ST	1380 S PARKER ST	MARINE CITY	MI 48039-2334
15 SCOTT FAUCHER HOLDINGS LLC	321 CHARTIER ST	321 CHARTIER ST	MARINE CITY	MI 48039
16 PAPIN DAVID R	1190 S WATER ST	1190 S WATER ST	MARINE CITY	MI 48039-
17 MC GLYNN KATHLEEN	CHARTIER ST VL	336 CHARTIER	MARINE CITY	MI 48039-0595
18 DECKER BRIAN M, DECKER JEANNE C	1275 S WATER ST	3814 SLEEPY FOX	ROCHESTER HILLS	MI 48307
19 MARINE CITY MARINE AND SERVICE LLC	1115 S BELLE RIVER AVE	1030 S BELLE RIVER AVE	MARINE CITY	MI 48039
20 DUNN WALTER L, DUNN MARILYNN D	CHARTIER ST VL	1215 S BELLE RIVER AVE	MARINE CITY	MI 48039-2307
21 FAUCHER GREG, FAUCHER CHARLENE	1241 S WATER ST	1241 S WATER ST	MARINE CITY	MI 48039-3600
22 DUNN WALTER L/PATRICK D	1226 S BELLE RIVER AVE	1226 S BELLE RIVER AVE	MARINE CITY	MI 48039-2307
23 KLINGLER HOLDINGS LLC	374 BOWERY ST	7075 S RIVER RD	MARINE CITY	MI 48039
24 KLINGLER HOLDINGS LLC	1300 S PARKER ST	837 DEGURSE AVE	MARINE CITY	MI 48039
25 WEC 2000B-CSF-11 LLC	1229 S PARKER ST	ONE CVS DRIVE	WOONSOCKET	RI 2895
26 PAGE RICHARD/SUSAN	1335 S WATER ST	1335 S WATER ST	MARINE CITY	MI 48039
27 HENSON RONALD/ROSEANN	1325 S WATER ST	1325 S WATER ST	MARINE CITY	MI 48039-3606
28 ISRAEL ARTHUR/WANDA	1294 S BELLE RIVER AVE	1294 S BELLE RIVER	MARINE CITY	MI 48039
29 BUKOWSKI GEORGE S/MARY KAY	318 CHARTIER ST	318 CHARTIER	MARINE CITY	MI 48039-2314
30 WEND DENNIS J/DIANA L	1315 S WATER ST	1315 S WATER ST	MARINE CITY	MI 48039-3606
31 LEVY INDIANA SLAG CO	1326 S BELLE RIVER AVE	9300 DIX	DEARBORN	MI 48120-1528
32 BLUE WATER PIZZA PROPERTY LLC	159 CHARTIER ST	37 GRATIOT	MARYSVILLE	MI 48040

33 BEAUCHAMP H CAROL TRUST	1345 S WATER ST	1345 S WATER ST	MARINE CITY	MI 48039
34 DUNN WALTER L/PATRICK D	1206 S BELLE RIVER AVE	1206 S BELLE RIVER AVE	MARINE CITY	MI 48039-2307
35 DUNN WALTER L/PATRICK D	1215 S BELLE RIVER AVE	1226 S BELLE RIVER AVE	MARINE CITY	MI 48039-2307
36 MUSSON WILLIAM L/RACHEL	1268 S BELLE RIVER AVE	1268 S BELLE RIVER RD	MARINE CITY	MI 48039
37 DEL-DOT HARBOR MARINA	INFORMATION REFERENCE	1900 PRODUCTION DR	ROCHESTER	MI 48063
38 CORNER LOT APARTMENTS LLC	156 CHARTIER ST	7350 MEISNER RD	CHINA	MI 48054
39 DRUGACH MICHAEL, DRUGACH DIANE	PARKER ST	5177 MARSH	CHINA TWP	MI 48054
40 ADOLPHSON HARLAN TRUST	329 CHARTIER ST	329 CHARTIER	MARINE CITY	MI 48039-2321
41 HATCHER DERIAN/HEATHER	1191 S WATER ST	1191 S WATER ST	MARINE CITY	MI 48039
42 KLINGLER HOLDINGS LLC	326 BOWERY ST	837 DEGURSE AVE	MARINE CITY	MI 48039
43 KLINGLER HOLDINGS LLC	509 CHARTIER ST	837 DEGURSE	MARINE CITY	MI 48039-0600

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, August 1, 2018, at 7:00 PM in the Marine City Fire Hall, 200 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. 18-05

Applicant Mike Thomas, is requesting the following variance for **1242 South Belle River Road, Marine City**:

- ❖ A variance for a "solid surface" storage area rather than "paved" for the use of year round boat and RV storage.

The legal description of the subject property, zoned in the W-M (Waterfront Recreation and Marina), is currently shown on the tax roll, as follows:

Parcel # 74-02-875-0001-001

PART OF LOT 1 SUPERVISOR'S WONSEY PLAT, BEG N 89D 54M 0S E 300' FROM NW COR OF SAID LOT 1, TH N 89D 54M 0S E 337.76', TH S 18D 46M 20S W 230', TH N 71D 37M 34S W 148.88', TH S 18D 50M 1S W 130.7', TH S 89D 41M 16S W 377.51', TH N 0D 32M 3S W 150.5', TH N 89D 54M 0S E 300', TH N 0D 32M 3S W 145' TO BEG SUPERVISOR'S WONSEY PLAT SPLIT ON 02/26/2007 FROM 02-875-0001-000;

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, 303 South Water Street, Marine City, Michigan 48039, until 5:00 pm on August 1, 2018. The application is on file at the City Offices and may be inspected during regular business hours.

Kristen Baxter
City Clerk
July 16, 2018