



CITY OF MARINE CITY

Zoning Board of Appeals Meeting Agenda

Marine City Fire Hall, 200 South Parker Street

Regular Meeting: Wednesday, September 4, 2019, 7:00 PM

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Chairperson Kim Weil; Commissioners Mark Bassham, James Turner; Planning Commissioner Graham Allan; City Commissioner Cheryl Vercammen; Building Official Susan Wilburn; City Manager Elaine Leven
4. **COMMUNICATIONS**
5. **APPROVE AGENDA**
6. **APPROVE MINUTES**
 - A. Zoning Board of Appeals Regular Meeting – June 5, 2019
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. **UNFINISHED BUSINESS**
9. **NEW BUSINESS**
 - A. Public Hearing – Variance Request 19-03 – Thomas Vertin
560 South Water Street
 - B. Public Hearing – Variance Request 19-04 – Douglas & Lanora Hauke
572 Woodworth Avenue
10. **OTHER BUSINESS**
11. **ADJOURNMENT**

**City of Marine City
Zoning Board of Appeals
June 5, 2019**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, June 5, 2019 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 Kim Weil; Commissioners Mark Bassham, Terry Filo, James McDonald, James Turner; City Commissioner Cheryl Vercammen; Building Official Susan Wilburn; City Manager Elaine Leven, City Clerk Kristen Baxter

Also Present: City Attorney Robert Davis

Absent: Planning Commissioner Allan

Communications

No Communications were received by the Board.

Approve Agenda

Motion by City Commissioner Vercammen, seconded by Commissioner Bassham, to approve the Agenda. All Ayes. Motion Carried.

Approve Minutes

Motion by Commissioner Filo, seconded by Commissioner Turner, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held March 6, 2019. All Ayes. Motion Carried.

Public Comment

None.

Unfinished Business

None.

New Business

Prior to opening the Public Hearing, City Attorney Davis addressed the Board and explained the importance of their role on the Zoning Board of Appeals, reviewed how motions are found on facts of the hearing and instructed them to state the particular reasons why they were granting or denying a variance.

Public Hearing – Tamikia & Charles Brodeur, 158 North Fifth 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 Tamika and Charles Brodeur for property located at 158 North Fifth Street. The Variance Request was for a reduced front setback to add a covered front porch.

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

Building Official Wilburn stated that the applicants were asking for a reduced front setback to construct an 8' x 20' covered front porch. She stated the lot size was 50' x 100' and the depth of the property qualified it for a reduced front setback of 20'. Since the applicants were asking for an 18' setback, it would be a reduction of 2'.

Joe Boardman, contractor for the applicants, passed out drawings of the porch for the record and discussed the porch steps with the Board.

Applicant Tamikia Brodeur stated that she needed sufficient space for her mobility-limited mother and daughter to get in and out of the house with protection from the weather.

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

Motion by Commissioner Turner to approve Appeal #19-02 to approve a 2' front setback variance based on testimony presented and special conditions that exist due to the reduced size of yard, the need for limited mobility access with family members, and the fact the extruded porch would be common with other homes in the area. Chairperson Weil seconded the motion and stated that increasing the setback to 8' would make it much easier to push a wheelchair through the door opening, than the 6' that was allowed. Commissioner Turner accepted the friendly amendment.

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

Board Member Training – City Attorney Davis

The Board received training from City Attorney Robert Davis regarding the proper procedures and practices of being a Zoning Board of Appeals member.

Other Business

None.

Adjournment

Motion by Planning Commissioner Turner, seconded by City Commissioner Vercammen, to adjourn at 8:10 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter
City Clerk

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 22, 2019

Project Location: Inn on Water Street, 560 S. Water St.

Subject: Variance request for pole mounted projection sign
This property is zoned B-1, General Business

160.004 CONSTRUCTION OF LANGUAGE.

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: The variance request is for a pole mounted projection sign. The ordinance allows wall mounted projection signs in the Nautical Mile District only.

GENERAL PROVISIONS

160.005 DEFINITIONS

SIGN. The use of any words, numerals, figures, devices, designs or trademarks by which anything is made known such as are used to show an individual firm, profession or business, and are visible to the general public.

(d) ***PROJECTING SIGN.*** A sign which is affixed to any building or part thereof, or structure, which extends beyond the building wall or parts thereof, or structures, by more than 12 inches. A ***PROJECTING SIGN*** shall not include a ground sign as herein defined.

ORDINANCE:

NAUTICAL MILE DISTRICT

§ 160.182 PERMITTED, SPECIAL USE SIGNAGE.

(A) The requirement for signage is intended to protect public safety, maintain quality in the visual appearance of the Nautical Mile, protect the value and economic stability of adjacent land use and allow for the conduct of competitive commerce. The intent of this section is to regulate the height, area, number, location and style of signs within the Nautical Mile District. It is also the intent to encourage signs erected in the District to be designed in a nautical concept.

(B) Application of sign requirements:

(1) No sign may be erected or altered without the issuance of a zoning compliance permit.

(2) When a site plan is required by this chapter, a scaled drawing illustrating sign details, including design, color, area and height shall be submitted. The location of all signs shall be illustrated on the site plan. Sign details and location shall be considered part of site plan review and approval.

(3) When a site plan is not required by this chapter, the Building Inspector shall require a zoning compliance permit for signs erected or altered in the Nautical Mile District. The application for the zoning compliance permit shall be accompanied by a scaled drawing illustrating sign details, including design, color, area and height. The Building Inspector shall submit the application and scaled drawing to the Planning Commission for review and approval. The Planning Commission shall follow the same procedure as required for site plan review.

(C) General provisions:

(1) No sign, except those established and maintained by the city, county, state or federal governments, shall be located in, project into or overhang a public right-of-way or dedicated public easement, except as established in this section.

(2) All directional signs required for the purpose of orientation, when established by the city, county, state or federal government shall be permitted.

(3) Signs used for advertising land or buildings for rent, lease or sale shall be permitted, provided such signs are located on the property intended to be rented, leased or sold. Such signs shall conform to height and area provisions.

(4) The repainting and preventive maintenance of signs shall not be considered an alteration requiring a zoning compliance permit.

(5) **Projecting signs shall be permitted within the Nautical Mile Overlay District for all structures other than single-family detached dwellings, subject to the following requirements:**

(a) **Projecting signs shall not extend more than 4 feet from the wall of the building, and shall not be closer than 3 feet from the back of curb line.**

(b) **Minimum height. No portion of any sign which extends over the public right-of-way shall be less than 8 feet from the surface below.**

(c) **All projecting signs shall be safely and securely attached to structural members of the building** by means of metal anchors, bolts or expansion screws. In no case shall any projecting sign be secured with wire, strips of wood or nails. The method of attachment shall be stated on the permit application. All plans for the erection of signs shall be submitted to the Building Inspector for review and approval and shall be further subject to all codes and ordinances of the city.

(D) Sign requirements for all structures except single-family detached dwellings:

(1) Each structure shall be permitted 1 accessory or monolith sign and 1 of the following additional accessory sign types: Wall-mounted, projecting or graphic (on private property). For multiple uses, such as shopping centers, office complexes and mixed-use developments, the Planning Commission may permit 1 wall-mounted, projecting or graphic accessory sign for each individual use within the development.

(2) Structures which abut more than 1 public street shall be permitted 1 additional accessory ground or monolith sign located along such abutting public street.

(E) **Prohibited signs:**

(1) Flashing, animated or moving signs, other than those signs which convey noncommercial information, such as time and temperature requiring periodic change;

(2) Exterior spinners, streamers or string lights, except those used for holiday decorations;

(3) **Any sign not permanently anchored to the ground or building**, except those signs used to temporarily advertise land or buildings for rent, lease or sale; and

(4) Any sign which is not electrically or structurally safe.

300 FOOT NOTICES ATTACHED



City of Marine City
Building Department
303 S. Water St.
Marine City, MI 48039
(810) 765-9011

buildingdepartment@marinecity-mi.org

RECEIVED
JUL 22 2019
City of Marine City

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

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:

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

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:

560 S WATER STREET 02 940 0001 000
Number Street Parcel #

Applicant/Owner Information:

Applicant(s) Name: IOWS VENTURES LLC

Address: 560 S. WATER STREET MARINE CITY MI 48039
Street City State Zip

Phone: 810-676-5200 Email: info@innonwaterstreet.com

Owner Name (if different from Applicant): THOMAS VERTIN

Address: 6535 GREEN DRIVE HARSENS ISLAND MI 48028
Street City State Zip

Phone: 586-764-2761 Email: Kvertin@gmail.com



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Zoning Board of Appeals Application

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

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Variance Request Information:

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

Current Property Status:

Subject property is zoned: B-1

Total Square Footage of property: 18,000 SQ FT

Circle One: Corner Lot Interior Lot Waterfront Lot

Number of Structures on property: _____

Percentage of lot coverage by structure/s: _____ %

Type/Use/Size of Each Structure: _____

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:

SEEKING POLE MOUNTED PROJECTING SIGN.

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

Proposed Overall Building Height (if applicable): _____



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Building Department
303 S. Water St.
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: BEING DENIED FOR THE SIGN WOULD CAUSE DIFFICULTIES ON THE BUSINESS
AS WELL AS THE TOWN BY NOT BRINGING PEOPLE IN. VISABILITY IS CRUCIAL TO THE
GROWTH OF THE BUSINESS.

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

Explain: BUILDING IS RIGHT ON THE PROPERTY LINE ON BOTH SIDES.

- 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: PLEASE SEE ABOVE

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

Explain: CIRCUMSTANCES ARE UNIQUE TO THE PROPERTY.

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

Explain: N/A



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Zoning Board of Appeals Application

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Residential - \$200.00
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(Receipt Code: ZBAFEE)

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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.

[Signature] - Inn on Water Street 7/13/19
Applicant's Signature Date

[Signature] 7/13/19
Property Owner's Signature Date

CITY OFFICE USE ONLY

Appeal #: 19-03

Fee Amount Paid: \$ 300.00

Reviewed By: _____
Building Official

Date Paid: 7/22/2019

City Manager

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, September 4, 2019, 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. 19-03

Applicant Thomas Vertin, is requesting the following variance for **560 South Water Street, Marine City**:

- ❖ A variance for a pole mounted projection sign.

The legal description of the subject property, zoned in the B-1 (General Business), is currently shown on the tax roll, as follows:

Parcel # 74-02-940-0001-000

UNIT 1 CONSISTING OF - EXISTING BUILDING, HOTEL ROOMS (1-5 FIRST FLOOR),(6-27 SECOND FLOOR) LOUNGE AND RETAIL SPACE THE INN ON WATER STREET CONDOMINIUM ST CLAIR CONDOMINIUM PLAN NO 231 MASTER DEED RECORDED IN LIBER 4814 PAGE 70-131

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 September 4, 2019. The application is on file at the City Offices and may be inspected during regular business hours.

Kristen Baxter
City Clerk
August 12, 2019

Item #1

TOTAL SIGN AREA: 22.5 Sq. Ft.

Pole Mounted Projection Sign Qty: (1)

Lead #: 1903068 Job #: 36121

PROJECT: Inn on Water Street-Marine City

FILE: Inn on Water Street-Inn Kitchen-
Projecting Sign-PERMIT

SITE ADDRESS:
560 S Water St., Marine City, 48039

LEAD: RG

LAYOUT: DM

Date:
4-12-19

REVISION:
DM 5-24-19
DM 6-21-19

- 1 INTERNALLY LIT CABINET
Double Sided
Aluminum Cabinet
Polycarbonate Face
Internally Lit w/LEDs
Vinyl Graphics
- 2 6" STEEL POLE
Decorative Aluminum Cap

Designs, details and plans represented herein are the sole property of Phillips Sign & Lighting, Inc. All or any part of these designs (except registered trademarks) are protected. Attempts to duplicate designs without written consent may result in Legal Repercussions.

phillips SIGN & LIGHTING inc.

PS&L

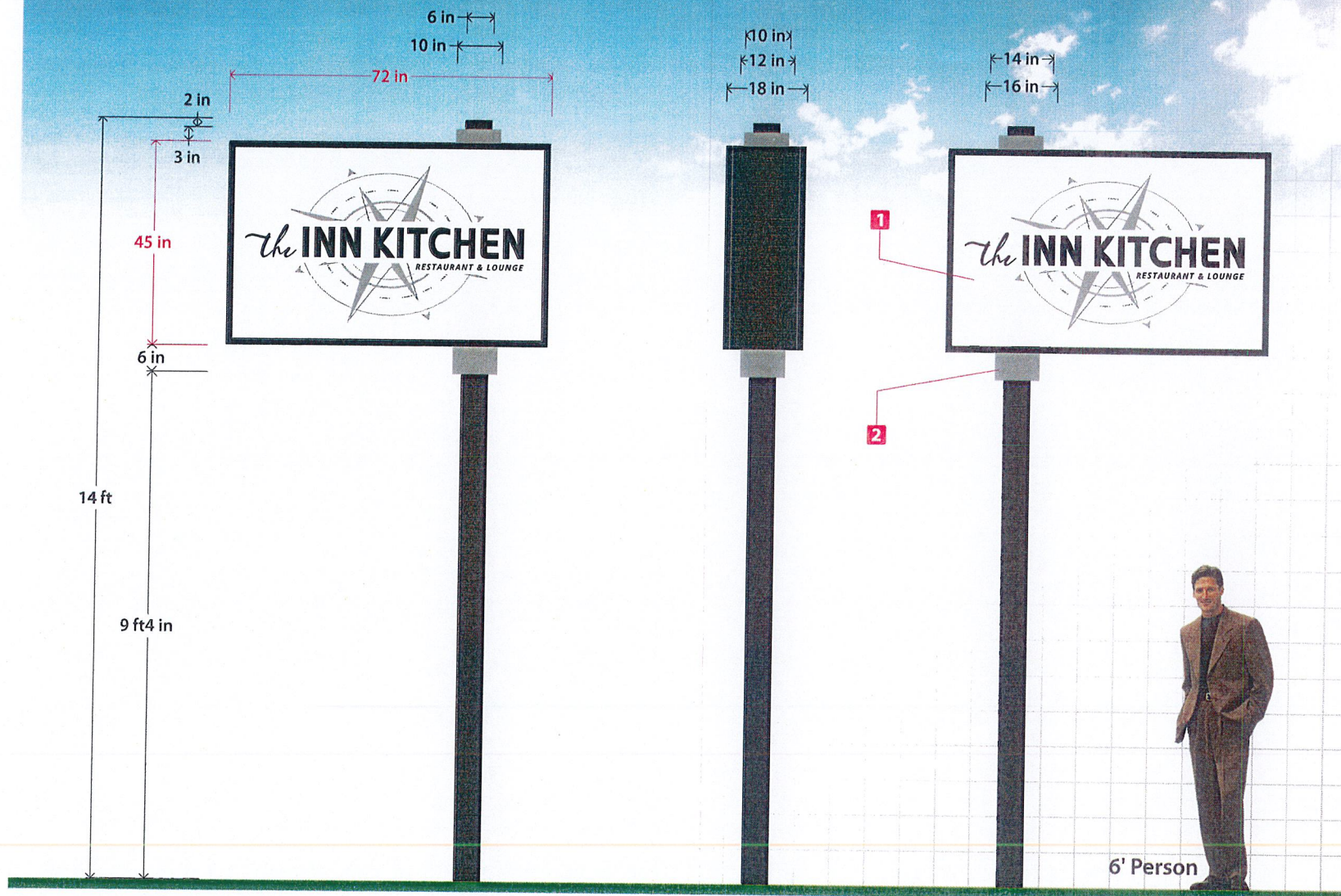
Ph: 586.468.7110

40920 Executive Drive
Harrison Twp., MI
48045-1363

SIDE A

END VIEW

SIDE B



visit us at: **phillipssign.com**

Approved: _____ Date: _____

Permit: DM - 6-26-19

SIMULATED ELEVATION VIEW



SIMULATED NIGHT VIEW



EXISTING AT SITE



Item #1

TOTAL SIGN AREA: 22.5 Sq. Ft.

**Pole Mounted
Projection Sign
Qty: (1)**

Lead #: 1903068 Job #: 36121

PROJECT: Inn on Water Street-Marine City

FILE: Inn on Water Street-Inn Kitchen-
Projecting Sign-PERMIT

SITE ADDRESS:
560 S Water St., Marine City, 48039

LEAD: RG

REVISION:

LAYOUT: DM

DM 5-24-19

Date:
4-12-19

DM 6-21-19

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phillips SIGN & LIGHTING inc.

PS&L

Ph: 586.468.7110

40920 Executive Drive
Harrison Twp., MI
48045-1363

visit us at: **phillipssign.com**

Approved: Rb

Date: 6-27-19

Permit: DM - 6-26-19

Item #1

TOTAL SIGN AREA: 22.5 Sq. Ft.

**Pole Mounted
Projection Sign
Qty: (1)**

Lead #: 1903068 Job #: 36121

PROJECT: Inn on Water Street-Marine City

FILE: Inn on Water Street-Inn Kitchen-
Projecting Sign-PERMIT

SITE ADDRESS:
560 S Water St., Marine City, 48039

LEAD: RG

LAYOUT: DM

Date:
4-12-19

REVISION:
DM 5-24-19
DM 6-21-19

- 1** INTERNALLY LIT CABINET
Double Sided
Aluminum Cabinet
Polycarbonate Face
Internally Lit w/LEDs
Vinyl Graphics
- 2** 6" STEEL POLE
Decorative Aluminum Cap

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PS&L

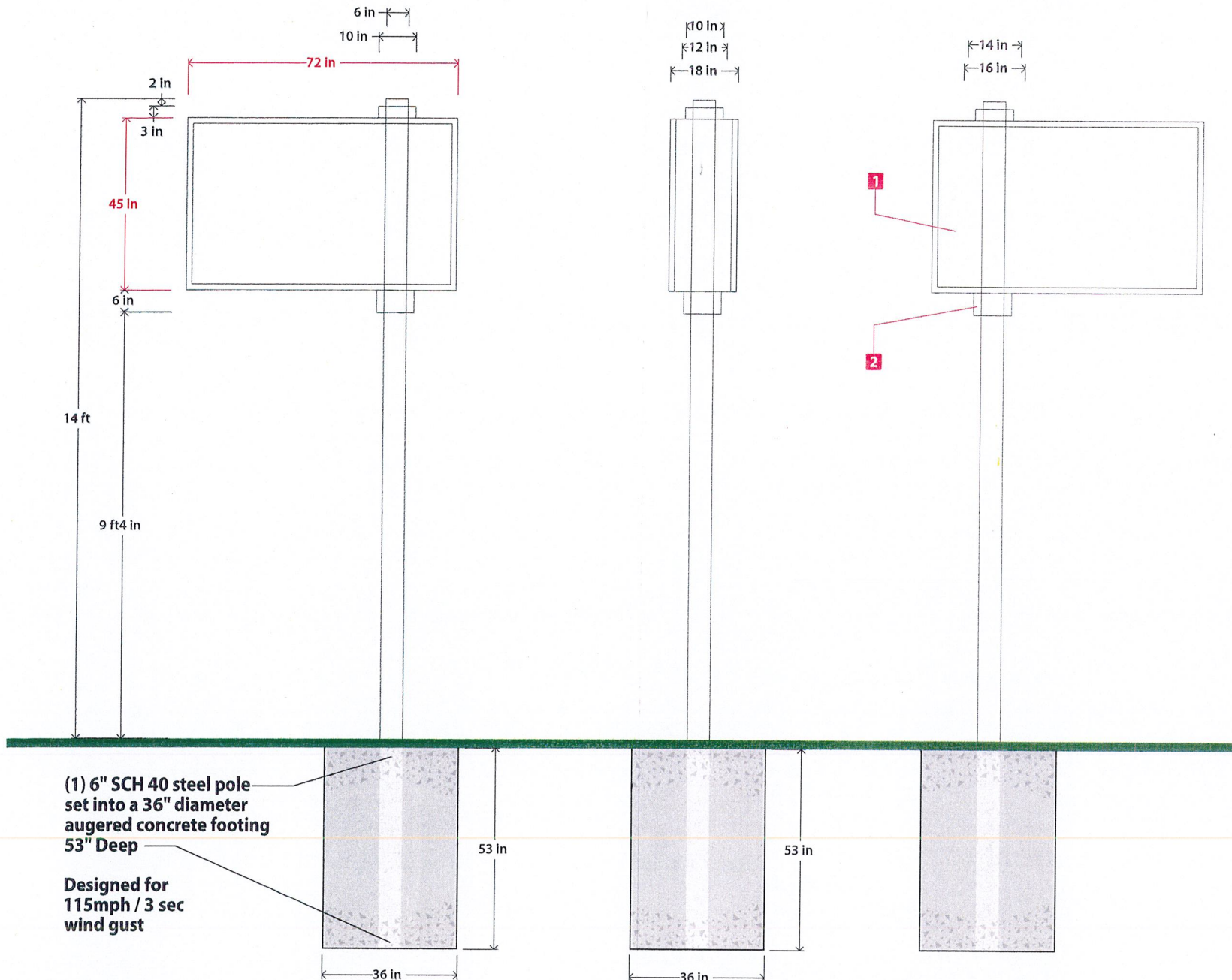
Ph: 586.468.7110

40920 Executive Drive
Harrison Twp., MI
48045-1363

SIDE A

END VIEW

SIDE B



visit us at: **phillipssign.com**

Approved: RG

Date: 6-27-19

Permit: DM - 6-26-19



SITE PLAN

560 S Water Street

Lead #: 1903068 Job #: 36121

PROJECT: Inn on Water Street-Marine City

FILE: Inn on Water Street-Inn Kitchen-
Projecting Sign-PERMIT

SITE ADDRESS:
560 S Water St., Marine City, 48039

LEAD: RG

LAYOUT: DM

Date:
4-12-19

REVISION:
DM 5-24-19
DM 6-21-19

- 1 Location of proposed pole mounted projection sign to be installed per the elevation drawings

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phillips SIGN & LIGHTING inc.

PS&L

Ph: 586.468.7110

visit us at: **phillipssign.com**

Approved: _____ Date: _____

Permit: DM - 6-26-19

40920 Executive Drive
Harrison Twp., MI
48045-1363

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: August 12, 2019

Project Location: 572 Woodworth, Marine City

Subject: Variance request to install a fence on Belle River Frontage of a residential property.
This property is zoned R-1, Single Family Residential

160.004 CONSTRUCTION OF LANGUAGE.

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: The variance request is install a fence on Belle River frontage of a residential property.

CHAPTER 156: FENCES

156.05 CORNER CLEARANCE AND VISIBILITY.

(B) For purpose of this chapter, an unobstructed view bordering the waterfront of the St. Clair River and/or the Belle River, shall include an unobstructed view 90 degrees out from the corners of the main exterior wall most parallel to the water. Fences, walls, or similar barriers may be permitted by the Zoning Board of Appeals.

(Ord. 2016-02, passed 3-3-2016) Penalty, see § 10.99

300 FOOT NOTICES ATTACHED

Zoning Board of Appeals Application

City of Marine City
Building Department
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. 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:

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

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:

572 Woodworth 02-950-0061-000
Number Street Parcel #

Applicant/Owner Information:

Applicant(s) Name: Douglas AND LARORA HAUKE

Address: 572 Woodworth MARINE CITY, MI 48039
Street City State Zip

Phone: 810-765-4320 Email: doughauke@gmail.com

Owner Name (if different from Applicant): _____

Address: _____
Street City State Zip

Phone: _____ Email: _____



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(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: ✓
Interpretation: _____ (only need to complete project description section)

Current Property Status:

Subject property is zoned: RESIDENTIAL

Total Square Footage of property: APPROX 9500 SQ FT Circle One: Corner Lot Interior Lot Waterfront Lot

Number of Structures on property: 2 Percentage of lot coverage by structure/s: APPROX 20 %

Type/Use/Size of Each Structure: HOUSE 1196 SQ FT - MAIN RESIDENCE
GARAGE 720 SQ FT - STORAGE

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:

REPLACE EXISTING CHAIN LINK FENCE (THAT HAS BEEN IN PLACE FOR
ALMOST 30 YEARS) WITH NEW FENCING ALONG SIDE YARD AND
WATERFRONT. BACKYARD FENCING WOULD BE PARTIALLY REPLACED
WITH 6' PRIVACY FENCE BECAUSE OF NEW HOUSING BEING BUILT
THERE.

Percentage of lot coverage by structure/s, including proposed variance: APPROX 20 %

Proposed Overall Building Height (if applicable): 4 FOOT CHAIN LINK AND 6 FOOT PRIVACY FENCINGS



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Zoning Board of Appeals Application

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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: THE PRIMARY PURPOSE OF THE FENCE WAS FOR SAFETY.

ORIGINALLY IT WAS FOR OUR CHILDREN, NOW IT IS FOR OUR GRANDCHILDREN. WE ARE TRYING TO KEEP THEM FROM FALLING IN THE RIVER.

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

Explain: THERE IS DEEPER WATER OFF THE SEAWALL THAN ADJACENT PROPERTIES IN THE REAR

- 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 FENCING HAS BEEN IN PLACE SINCE THE LATE 1980's

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

Explain: OTHER ADJACENT PROPERTIES ARE SITE CONDOS OR MULTI FAMILY DUPLEXES

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

Explain: THE ZONING ORDINANCE MAINTAINS THAT "ALL FENCES SHALL BE ~~CON~~ MAINTAINED SO AS NOT TO ENDANGER LIFE OR PROPERTY"



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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.

Douglas K. Hask
Applicant's Signature

8-8-19

Date

Property Owner's Signature

Date

CITY OFFICE USE ONLY

Appeal #: 19-04

Fee Amount Paid: \$ 200.00

Date Paid: 8-8-2019

Reviewed By: _____

Building Official

City Manager

**FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM**

O.M.B. No. 3067-0077
Expires July 31, 2002

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1 - 7.

SECTION A - PROPERTY OWNER INFORMATION

BUILDING OWNER'S NAME DOUGLAS HAUKE		For Insurance Company Use: Policy Number
BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 572 Woodworth Avenue		Company NAIC Number
CITY Marine City	STATE Michigan	ZIP CODE 48039
PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Lots 88 & 89 and the W. 25' of Lot 86, Map of Woodworth Addition to the City of		
BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc. Use a Comments area, if necessary.) Residential		Marine City"
LATITUDE/LONGITUDE (OPTIONAL) (##° - ##' - ##.###" or ##.#####)	HORIZONTAL DATUM: <input type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983	SOURCE: <input type="checkbox"/> GPS (Type): _____ <input type="checkbox"/> USGS Quad Map <input type="checkbox"/> Other: _____

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP COMMUNITY NAME & COMMUNITY NUMBER Marine City 260200		B2. COUNTY NAME St. Clair County	B3. STATE Michigan
B4. MAP AND PANEL NUMBER 260200 . 0005	B5. SUFFIX B	B6. FIRM INDEX DATE n/a	B7. FIRM PANEL EFFECTIVE/REVISED DATE 8/1/79
B8. FLOOD ZONE(S) A4, C		B9. BASE FLOOD ELEVATION(S) (Zone AO, use depth of flooding) 582'	

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9.
☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other (Describe): _____

B11. Indicate the elevation datum used for the BFE in B9: ☒ NGVD 1929 ☐ NAVD 1988 ☐ Other (Describe): _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
 Designation Date: _____

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.

C2. Building Diagram Number 2 (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

C3. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO
 Complete Items C3.a-i below according to the building diagram specified in Item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion.
 Datum NGVD 29 Conversion/Comments _____

Elevation reference mark used RM 4 Does the elevation reference mark used appear on the FIRM? ☒ Yes ☐ No

<input type="checkbox"/> a) Top of bottom floor (including basement or enclosure) <u>579</u> . <u>51</u> ft.(m) <input type="checkbox"/> b) Top of next higher floor <u>586</u> . <u>62</u> ft.(m) <input type="checkbox"/> c) Bottom of lowest horizontal structural member (V zones only) _____ . _____ ft.(m) <input type="checkbox"/> d) Attached garage (top of slab) _____ . _____ ft.(m) <input type="checkbox"/> e) Lowest elevation of machinery and/or equipment servicing the building (Describe in a Comments area.) <u>579</u> . <u>51</u> ft.(m) <input type="checkbox"/> f) Lowest adjacent (finished) grade (LAG) <u>583</u> . <u>5</u> ft.(m) <input type="checkbox"/> g) Highest adjacent (finished) grade (HAG) <u>584</u> . <u>01</u> ft.(m) <input type="checkbox"/> h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade <u>0</u> <input type="checkbox"/> i) Total area of all permanent openings (flood vents) in C3.h <u>n/a</u> sq. in. (sq. cm)	<div style="border: 1px solid black; padding: 10px; min-height: 150px;"> <p style="text-align: center;">License Number, Embossed Seal, Signature, and Date</p> </div>
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SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.
 I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available.
 I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME Carolyn R. Hunter	LICENSE NUMBER 46670
TITLE Professional Surveyor	COMPANY NAME James Land Surveying
ADDRESS 2801 Gratiot Blvd.	CITY Marysville
SIGNATURE	STATE Michigan
	ZIP CODE 48040
	DATE July 25, 2002
	TELEPHONE 810-364-5333

IMPORTANT: In these spaces, copy the corresponding information from Section A.			For Insurance Company Use:
BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 572 Woodworth Avenue			Policy Number
CITY Marine City	STATE Michigan	ZIP CODE 48039	Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

COMMENTS The lowest piece of machinery is a water heater that rests on the basement floor. There is also a furnace located 0.25' above the basement floor.

☐ Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zone AO and Zone A (without BFE), complete Items E1. through E4. If the Elevation Certificate is intended for use as supporting information for a LOMA or LOMR-F, Section C must be completed.

- E1. Building Diagram Number _____ (Select the building diagram most similar to the building for which this certificate is being completed – see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)
- E2. The top of the bottom floor (including basement or enclosure) of the building is ☐ ft.(m) ☐ in.(cm) ☐ above or ☐ below (check one) the highest adjacent grade. (Use natural grade, if available.)
- E3. For Building Diagrams 6-8 with openings (see page 7), the next higher floor or elevated floor (elevation b) of the building is ☐ ft.(m) ☐ in.(cm) above the highest adjacent grade. Complete Items C3.h and C3.i on front of form.
- E4. For Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, C (Items C3.h and C3.i only), and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, C, and E are correct to the best of my knowledge.*

PROPERTY OWNER'S OR OWNER'S AUTHORIZED REPRESENTATIVE'S NAME

ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE	DATE	TELEPHONE	
COMMENTS			

☐ Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below.

1. ☐ The information in Section C was taken from other documentation that has been signed and embossed by a licensed surveyor, engineer, or architect who is authorized by state or local law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
3. ☐ The following information (Items G4-G9) is provided for community floodplain management purposes.

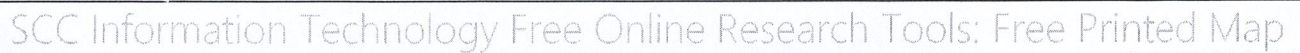
G4. PERMIT NUMBER	G5. DATE PERMIT ISSUED	G6. DATE CERTIFICATE OF COMPLIANCE/OCCUPANCY ISSUED
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7. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement
8. Elevation of as-built lowest floor (including basement) of the building is: _____ ft.(m) Datum: _____
9. BFE or (in Zone AO) depth of flooding at the building site is: _____ ft.(m) Datum: _____

LOCAL OFFICIAL'S NAME	TITLE
COMMUNITY NAME	TELEPHONE
SIGNATURE	DATE
COMMENTS	

COPY

☐ Check here if attachments



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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, September 4, 2019, 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. 19-04

Applicants Douglas and Lanora Hauke are requesting the following variance for **572 Woodworth Avenue, Marine City:**

- ❖ To install a fence on Belle River frontage of a residential property

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 # 74-02-950-0061-000

**LOTS 88 & 89 & W 25' OF LOT 86 WOODWORTH ADDITION TO THE CITY OF MARINE
CITY T3N R16E SEC 01**

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 September 4, 2019. The application is on file at the City Offices and may be inspected during regular business hours.

Kristen Baxter
City Clerk
August 16, 2019