

CITY OF MARINE CITY

ZONING BOARD OF APPEALS AGENDA

Regular Meeting: Wednesday, June 3, 2015 @ 7:00 PM

Marine City Fire Hall: 200 South Parker Street, Marine City, Michigan

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
Commissioners Kim Weil; Planning Commissioner Rudy Menchaca; City Commissioner James Turner; Building Inspector Brian Bayly; and, Acting City Manager Donald Tillery
- 4. APPROVE AGENDA (Additions / Deletions)**
- 5. APPROVE MINUTES**
 - A. Zoning Board of Appeals Meeting ~ November 5, 2014
- 6. COMMUNICATIONS**
- 7. PUBLIC COMMENT** *Residents are 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 #15-01 ~ Gary Kohs
- 10. OTHER BUSINESS**
- 11. ADJOURNMENT**

**City of Marine City
Zoning Board of Appeals
November 5, 2014**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, November 5, 2014, in the Fire Hall, 200 South Parker Street, Marine City, and was called to order by Chairperson Thomas Filo at 7:00 pm.

The Pledge of Allegiance was led by Chairperson Filo.

Present: Chairperson Filo; Commissioners Menchaca, McGeachy and Weil; City Commissioner Turner; Building Inspector Bayly, and, City Clerk Baxter

Absent: City Manager Gabor

Approve Agenda

Motion by Commissioner Menchaca, seconded by Commissioner Weil, to approve the Agenda, as presented. All Ayes. Motion Carried.

Approve Minutes

Motion by Commissioner Menchaca, seconded by Commissioner Weil, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held April 2, 2014, as presented. All Ayes. Motion Carried.

Communications

No Communications were presented to the Board.

Public Comment

No residents addressed the Commission.

Unfinished Business

None

New Business

Public Hearing ~ Appeal #14-03 - Mitchell Gadzinski

Chairperson Filo announced that the Zoning Board of Appeals would conduct a hearing to receive public comments for and against the proposed variance request by Mitchell Gadzinski, the owner of property located at 259 S. Main Street (parcel #02-475-0203-000). The variance request is to build a front porch to the home with two front yard setbacks; one at 6' on S. Main Street and the other at 6' 8" on Washington Street.

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

Building Inspector Bayly said the proposed new porch isn't any deeper than the original porch, but is longer. He said he does not see a problem with the variance request.

Commissioner McGeachy said the new porch will be an improvement to the home and the neighborhood.

Chairperson Filo closed the Public Hearing at 7:07 pm.

Motion by City Commissioner Turner, seconded by Commissioner Menchaca, to approve the Applicant's 9' variance request for a front yard setback on S. Main Street; Appeal #14-03. All Ayes. Motion Carried.

Motion by City Commissioner Turner, seconded by Commissioner Menchaca, to approve the Applicant's 8' 4" variance request for a front yard setback on Washington Street; Appeal #14-03. All Ayes. Motion Carried.

Public Hearing ~ Hearing #14-04 - Michael Tomlanovich

Chairperson Filo announced that the Zoning Board of Appeals would conduct a hearing to receive public comments for and against the proposed variance request by Michael Tomlanovich, the owner of property located at 575 S. Water Street (parcel #74-02-12-2009-000). The variance request is to build an accessory building 15 ft. in the front yard setback.

Chairperson Filo opened the Public Hearing at 7:08 pm.

Building Inspector Bayly said, per the Ordinance, a 30 foot setback is needed, but it would put the accessory building too close to the house.

A brief discussion ensued about the “aesthetics” of the accessory building as it would be highly visible from S. Water Street. The Applicants said the accessory building would have the same siding and finishes as the house. Commissioner Weil inquired about the height of the building, as it was not listed on the application. The Applicants replied that the building would be 9’ in height.

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

Motion by Commissioner Weil, seconded by Commissioner Menchaca, to approve the Applicant’s 15’ variance request for a front yard setback on S. Water Street; Appeal #14-04. All Ayes. Motion Carried.

Adjournment

Motion by Commissioner Menchaca, seconded by Commissioner Weil, to adjourn at 7:14 PM. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter
City Clerk

Appeal # _____

#15-01

PAID

MAY 07 2015

City of Marine City

9-A

ZONING BOARD OF APPEALS APPLICATION

CITY OF MARINE CITY, MICHIGAN

303 S. Water Street, Marine City, Michigan 48039

RECEIVED
MAY 05 2015
City of Marine City

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 twenty (20) days prior to a scheduled meeting. Application fee must be paid in full before your application is added to the Agenda. Applicant will reimburse the City of Marine City for all Planning Consultant fees and publication costs, if required, prior to being placed on the Agenda. The City must notify the surrounding property owners within a 300-foot radius from the address on this application.

Application fees: \$150.00 – Residential \$200.00 – Commercial / Industrial

Nine copies of a sketch or plan showing what is being proposed must be attached to this application. Your application will not be considered unless all required information is provided at the time of submission, and any / all required fees are paid 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:

430 S. Water St. 02-475-0219-000
Number Street Parcel #

Applicant(s) Name: Gary Kohs

Address: 430 S. Water St. Marine City, Mi 48039
Street City State Zip

Phone: 810-765-5155 Fax: 810-765-5151 Email: GK@fineartmodels.com

Owner Name (if different from Applicant): _____

Address: _____
Street City State Zip

Phone: _____ Fax: _____ Email: _____

Appeal # _____

Variance Request Information

Subject property is zoned: 201 Commercial Size of Lot: 60 x 100

Total Square Footage: 6000 Circle One: Corner Lot Interior Lot Waterfront Lot

Number of Buildings on lot now: 1

Percentage of lot coverage by buildings / structures now: 99%

Type / Use / Size of Each Building:

Commercial

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

The building will remain Commercial. The desire is to return the facade to its historical appearance when built in 1927.

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

Height: _____ Width: _____ Length: _____ Sq. Footage: _____

Height: _____ Width: _____ Length: _____ Sq. Footage: _____

Height: _____ Width: _____ Length: _____ Sq. Footage: _____

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

Setbacks after completion of proposed project:

Front: _____ Rear: _____ Side: _____ Side: _____

REASON FOR APPEAL: See attached.

For a variance to be granted, the Applicant must prove a unique circumstance or an undue hardship relating to his / her situation.

Appeal # _____

Explanation of above stipulation: See attached. #2

Will approval of this appeal change the character of your immediate neighborhood and / or the zoning district in which the property is located? NO _____ YES X

If yes, explain: We see these changes as a positive benefit to the continued restoration of downtown Marine City.

I (We) hereby 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.

Applicant's Signature: [Signature]

Dated: 5/5/15

Owner's Signature: [Signature]

Dated: 5/5/15

Return to: City of Marine City
303 South Water Street
Marine City, Michigan 48039

OFFICE USE	
Fee Amount Paid: _____	Date Paid: _____
Reviewed by: _____ <i>Building Official</i>	_____ <i>City Manager</i>

Attachment #1 – Gary Kohs Variance Request

The building in question is the Mariner Theater built in 1927. The current owner is Gary Kohs, President of Marketing Corporation of America and Fine Art Models. The owner has moved his corporate offices to this building and is in the process of renovating the building to become the home of the builder's model of Titanic. Limited access will be made to the public to view the model with net proceeds to be used for charitable purposes within the community.

Mr. Kohs wishes to restore the façade to its original design of 1927 that will require a variance in two areas. The first is the restoration of the marquee. The current zoning allows for a maximum four-foot overhang for a marquee. The present marquee has a five-foot overhang. The original marquee had an eight-foot overhang and this is the variance Mr. Kohs requests so that it restores the appearance of the theater to its 1927 appearance.

The second variance requested is to allow the original ticket booth to extend into the sidewalk 36" as it did in 1927. Presently there are four flowerbed extensions off the face of the building into the sidewalk measuring 53" wide by 36" deep. Mr. Kohs wishes to remove the two inner flowerbed extensions and replace the entire facade with a new mahogany façade featuring the original ticket booth measuring 44" wide and extending into the sidewalk 36", the present extension of the flowerbeds.

Attachment #2 – Gary Kohs Variance Request

The purpose of these variance requests is 100% for historical reasons. The city of Marine City is being revitalized and we wish to lend our efforts to restoring the city to its original charm. The interior of the Mariner Theater is being renovated to the character of 1927 with the original vaudeville stage reclaimed to feature the builder's model of Titanic. The interior will be complete with 58 original theater seats from the 1920's. All lighting will be period-restored fixtures. No expense is being spared to make this building a world-class facility to accommodate the thousands of people that will be drawn to Marine City to see it.

The request for the eight-foot marquee is actually an improvement over the current five-foot marquee. With the five-foot marquee rain and snow are deposited in the middle of the 11' 6" wide sidewalk. With the requested eight-foot marquee the snow and rain is deposited at curb's edge. The walkway remains dry.

The ticket booth creates the original character of the 1927 theater and actually consumes less space than the two flowerbeds that are being removed.

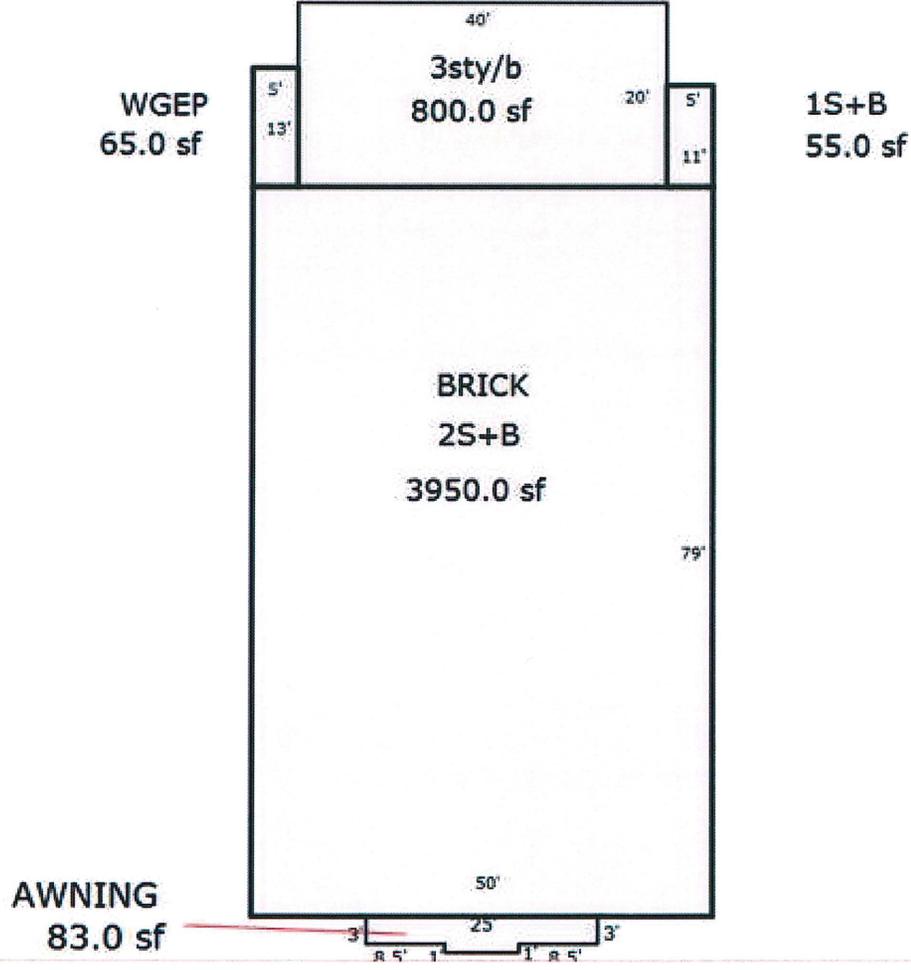
This applicant can see no adverse effect this request will create as in reality it is a theater and is being restored for that purpose. Further, we feel this level of restoration being undertaken can be seen as the standard for all future restoration in the city. And this is particularly important as the Mariner Theater sits in the middle of the "nautical mile."

Mr. Kohs respectfully asks for the approval of these requests to enable the restoration to be completed in time for the Marine City Maritime Days. As the Mariner is the named sponsor for the Marine City Maritime Days it is our desire to have the Mariner Theater grand opening in conjunction with this event.

[[Back to Non-Printer Friendly Version](#)] [[Send To Printer](#)]

Caption: No caption found

Sketch by Apex Sketch

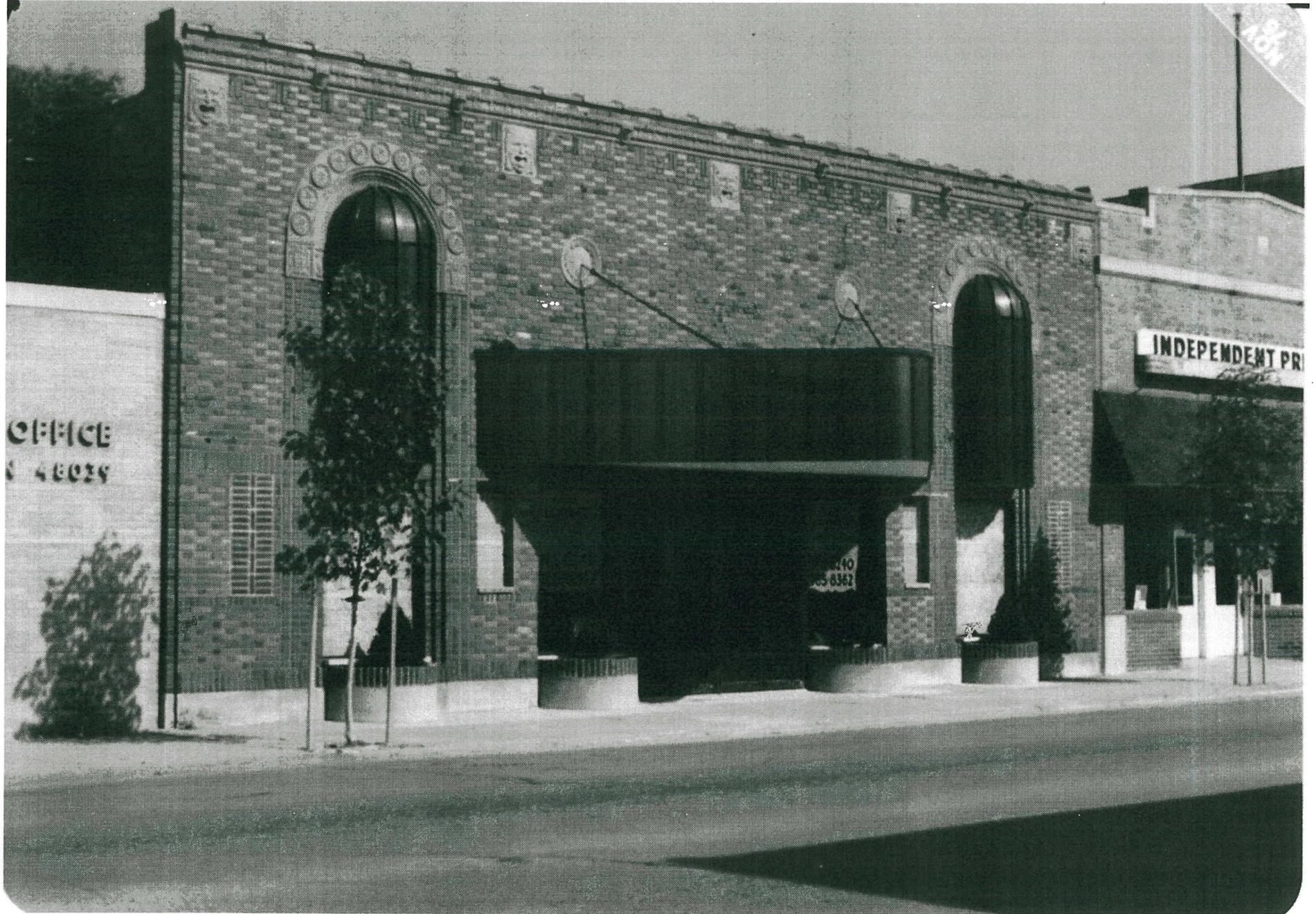


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1927

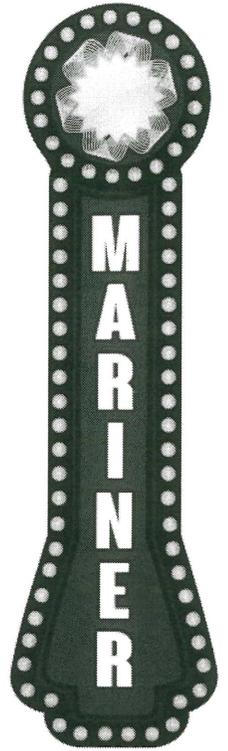
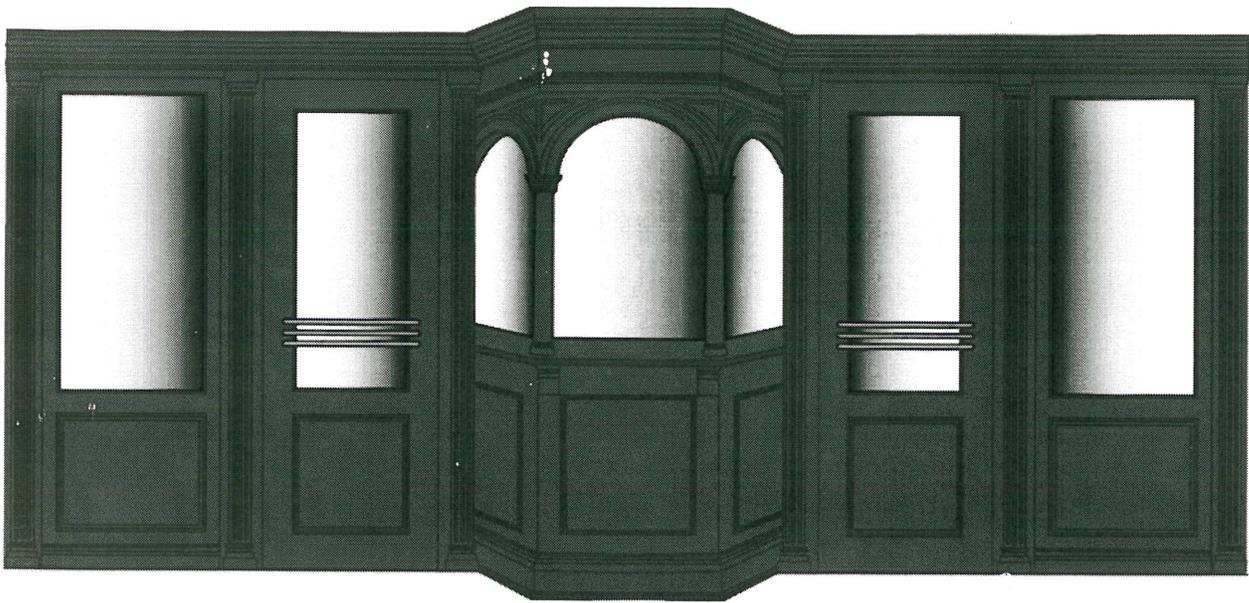


1960



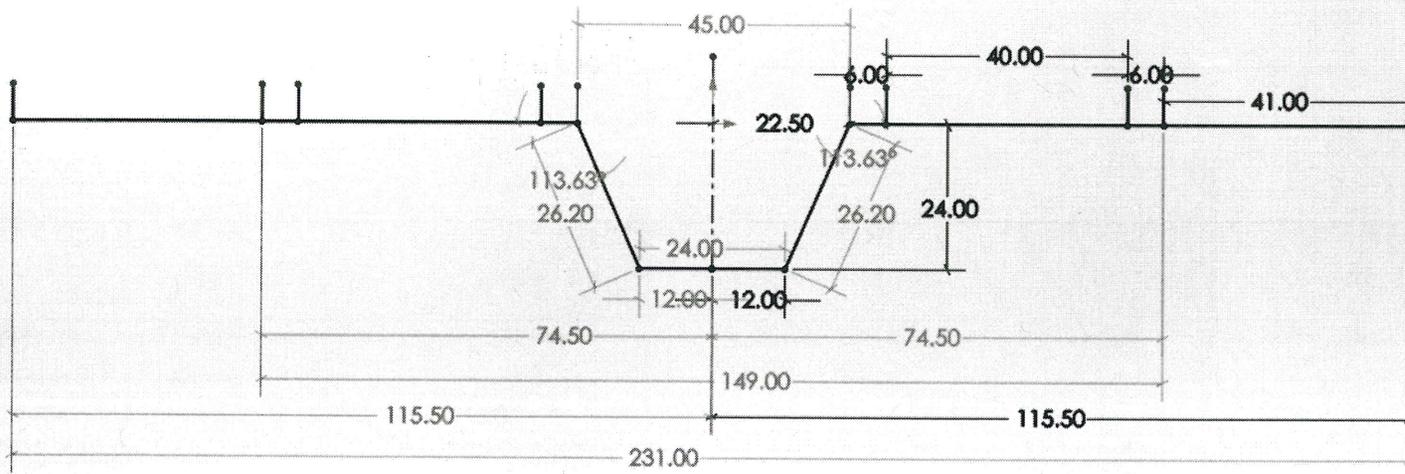
Present





Proposed

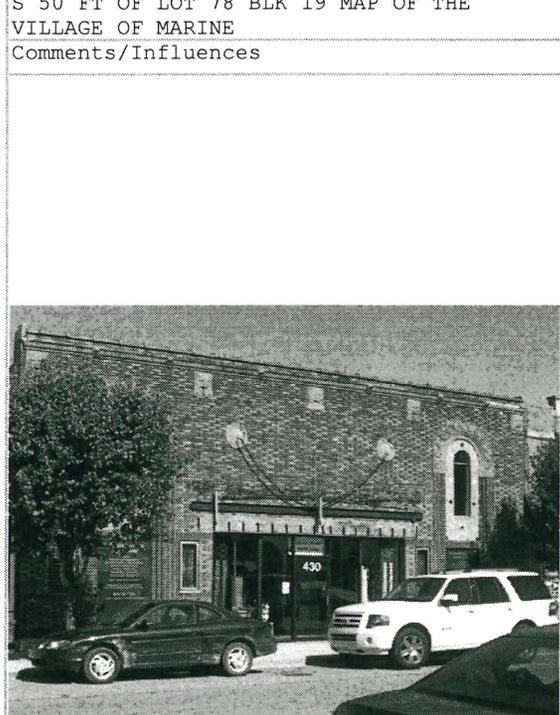




Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
PAXTON INCORPORATED	MARINER LLC	200,000	01/21/2015	WD	ARMS LENGTH	4579-602	PROP TRANS AFF	100.0
		125,000	12/15/1993	WD	ARMS LENGTH	1313/0249	PROP TRANS AFF	0.0

Property Address	Class: 201 COMMERCIAL IM	Zoning:	Building Permit(s)	Date	Number	Status
430 S WATER ST	School: District 74050		Commercial, Add/Alter/Repa	02/24/2012	PB120007	COMPLETE
Owner's Name/Address	P.R.E. 0%			07/14/2003	03-065	
MARINER LLC	MAP #:			04/12/1996	671	
430 S WATER ST	2016 Est TCV 143,799 TCV/TFA: 29.66					
MARINE CITY MI 48039	X Improved	Vacant	Land Value Estimates for Land Table SWATR.S WATER COMMERCIAL			

Tax Description	Public Improvements	Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value	
S 50 FT OF LOT 78 BLK 19 MAP OF THE VILLAGE OF MARINE	Dirt Road	SWC530	60.00	100.00	0.9221	0.9129	530 100		26,768	
Comments/Influences	Gravel Road	60 Actual Front Feet, 0.14 Total Acres							Total Est. Land Value =	26,768
	Paved Road									
	Storm Sewer									
	Sidewalk									
	Water									
	Sewer									
	Electric									
	Gas									
	Curb									
	Street Lights									
	Standard Utilities									
	Underground Utils.									



Topography of Site	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Level	2016	13,400	58,500	71,900			71,900S
Rolling	2015	13,400	59,700	73,100			69,596C
Low	2014	8,800	59,700	68,500			68,500S
High	2013	8,800	70,900	79,700			79,700S
Landscaped							
Swamp							
Wooded							
Pond							
Waterfront							
Ravine							
Wetland							
Flood Plain							

The Equalizer. Copyright (c) 1999 - 2009. Licensed To: City of Marine City, County of St Clair, Michigan

Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
KS	09/08/2010	REVIEWED 2	2015	13,400	59,700	73,100			69,596C
IMP	04/20/1994	INSPECTED	2014	8,800	59,700	68,500			68,500S
			2013	8,800	70,900	79,700			79,700S

*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: MARINERS PLAZA Calculator Occupancy: Shopping Center, Enclosed				<<<<< Calculator Cost Computations >>>>>																											
Class: C Floor Area: 4,849 Gross Bldg Area: 4,849 Stories Above Grd: 1 Average Sty Hght Bsmnt Wall Hght				Class: C Quality: Average Percent Adj: +0 Base Rate for Upper Floors = 53.15																											
Depr. Table : 2% Effective Age : 37 Physical %Good: 47 Func. %Good : 100 Economic %Good: 95				Construction Cost <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">High</td> <td style="width:15%;">Above Ave.</td> <td style="width:15%; text-align: center;"><input checked="" type="checkbox"/> Ave.</td> <td style="width:15%;"></td> <td style="width:15%;"></td> <td style="width:15%;">Low</td> </tr> </table> ** ** Calculator Cost Data ** ** Quality: Average Adj: %+0 \$/SqFt:0.00 Heat#1: Complete H.V.A.C. 100 Heat#2: Ventilation only, Ducts/Blow 0% Ave. SqFt/Story: 4849 Ave. Perimeter: 300 Has Elevators:				High	Above Ave.	<input checked="" type="checkbox"/> Ave.			Low																		
High	Above Ave.	<input checked="" type="checkbox"/> Ave.			Low																										
Year Built 1979 Remodeled				Area: Perimeter: Type: Finished/Office (No Rates) Heat: No Heating or Cooling																											
Overall Bldg Height				* Mezzanine Info * Area #1: Type #1: Office (No Rates) Area #2: Type #2: Office (No Rates)																											
Comments:				* Sprinkler Info * Area: Type: Low																											
(1) Excavation/Site Prep:				(7) Interior:																											
(2) Foundation: Footings <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;"><input checked="" type="checkbox"/> Poured Conc</td> <td style="width:15%;"><input type="checkbox"/> Brick/Stone</td> <td style="width:15%;"><input type="checkbox"/> Block</td> <td style="width:15%;"></td> <td style="width:15%;"></td> <td style="width:15%;"></td> </tr> </table>				<input checked="" type="checkbox"/> Poured Conc	<input type="checkbox"/> Brick/Stone	<input type="checkbox"/> Block				(8) Plumbing: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;"></td> <td style="width:15%;">Many Above Ave.</td> <td style="width:15%;">Average Typical</td> <td style="width:15%;"></td> <td style="width:15%;">Few None</td> <td style="width:15%;"></td> </tr> </table>					Many Above Ave.	Average Typical		Few None													
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	Many Above Ave.	Average Typical		Few None																											
(3) Frame:				Total Fixtures 3-Piece Baths Urinals 2-Piece Baths Wash Bowls Shower Stalls Water Heaters Toilets Wash Fountains Water Softeners																											
(4) Floor Structure:				(9) Sprinklers:																											
(5) Floor Cover:				(10) Heating and Cooling: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;"><input checked="" type="checkbox"/> Gas</td> <td style="width:15%;"><input type="checkbox"/> Coal</td> <td style="width:15%;"><input type="checkbox"/> Hand Fired</td> <td style="width:15%;"></td> <td style="width:15%;"></td> <td style="width:15%;"></td> </tr> <tr> <td style="width:15%;"><input type="checkbox"/> Oil</td> <td style="width:15%;"><input type="checkbox"/> Stoker</td> <td style="width:15%;"><input type="checkbox"/> Boiler</td> <td style="width:15%;"></td> <td style="width:15%;"></td> <td style="width:15%;"></td> </tr> </table>				<input checked="" type="checkbox"/> Gas	<input type="checkbox"/> Coal	<input type="checkbox"/> Hand Fired				<input type="checkbox"/> Oil	<input type="checkbox"/> Stoker	<input type="checkbox"/> Boiler															
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	Typical			Typical																											
(13) Roof Structure: Slope=0				(39) Miscellaneous:																											
(14) Roof Cover:				(40) Exterior Wall: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;"></td> <td style="width:15%;">Thickness</td> <td style="width:15%;"></td> <td style="width:15%;">Bsmnt Insul.</td> <td style="width:15%;"></td> <td style="width:15%;"></td> </tr> </table>					Thickness		Bsmnt Insul.																				
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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, June 3, 2015, 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. 15-01

Applicant Gary Kohs, the owner of property located at **430 South Water Street, Marine City**, is requesting variance #1 to build a projecting sign that will project 8' from the building, and variance #2 to build a ticket booth 2' in front of the building, thus requiring:

- (1) A 4' variance for the sign
- (2) A 2' variance for the ticket booth

The legal description of the subject property, zoned B-1 in Nautical District, is currently shown on the tax roll, is as follows:

South 50 feet of Lot 78, Block 19 Map of the Village of Marine.

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 the close of business on June 3, 2015. The application is on file at the City Offices and may be inspected during regular business hours.

Kristen Baxter
City Clerk
May 13, 2015