

CITY OF MARINE CITY

ZONING BOARD OF APPEALS AGENDA

Regular Meeting: Wednesday, November 5, 2014 @ 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 Thomas Filo, Lloyd McGeachy and Kim Weil; Planning Commissioner Rudy Menchaca; City Commissioner James Turner; Building Inspector Brian Bayly; and, City Manager John Gabor

4. APPROVE AGENDA (Additions / Deletions)

5. APPROVE MINUTES

A. Zoning Board of Appeals Meeting ~ April 2, 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 #14-03 ~ Mitchell Gadzinski
- Appeal #14-04 ~ Michael Tomlanovich

10. OTHER BUSINESS

11. ADJOURNMENT

5-A

**City of Marine City
Zoning Board of Appeals
April 2, 2014**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, April 2, 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; City Manager Gabor, and, City Clerk Baxter

Absent: Building Inspector Bayly

Motion by Commissioner Menchaca, seconded by Commissioner Weil, to excuse Building Inspector Bayly from meeting. All Ayes. Motion Carried.

Approve Agenda

Motion by Commissioner Menchaca, seconded by City Commissioner McGeachy, 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 March 5, 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 #14-02 – Ron Furtah

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 Ron Furtah, the owner of property located at 509 N. Belle River Road (parcel #02-001-2015-000). The variance request is to build an accessory building with total square footage of 2,320 feet. The variance, if granted, would be contingent on the property owner combining vacant lot (parcel #02-225-0010-000) with 509 N. Belle River Road.

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

Commissioner Weil reiterated that the additional property was contingent upon approval of the variance.

City Manager Gabor said that he was in favor of granting the variance and the combination of Mr. Furtah's property with the land-locked vacant property.

Mr. Furtah said that he collected tractors and needed more room to store them.

Chairperson Filo closed the Public Hearing at 7:06 PM.

Motion by City Commissioner Menchaca, seconded by Commissioner Weil, to approve the Applicant's variance request with a contingency the vacant lot be combined with 509 N. Belle River Road; Appeal #14-02. All Ayes. Motion Carried.

Adjournment

Motion by Commissioner Menchaca, seconded by Commissioner Weil, to adjourn at 7:06 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

9-A
(#1403)

To: Chairman and Members of the Marine City Zoning Board of Appeals
From: Brian W Bayly, Building Official
Date: September 22, 2014
Subject: Variance request regarding front yard setbacks for a Porch.
259 S. Main

REVIEW

Enclosed with this memo is a copy of a sketch of the variance that is being requested for the construction of a front porch to the existing residence. The site is located in the R1A, One Family Residential District.

The variances being requested are to build a front porch to the home with two front yard setbacks, one at 6' on S. Main and the other at 6' 8" on Washington S. In section 160.196 (notes to schedule) (O)(1) for lots having a depth of less than 120 feet, and for corner lots having widths less than 75 feet, the minimum required front yard setback may be reduced to 20% of the average depth of the lot provided that:

- (a) It shall not be less than the average of the front setbacks of the principal structures on the adjacent lots fronting on the same street (or the average front setbacks of principal structures in the block fronting on the same street).
- (b) In no instance shall it be less than 15 feet.

Thus requiring,

- (1) A 9' variance for the front yard setback on S. Main St..
- (2) A 8'4" variance for the front yard setback on Washington St.

SUMMARY

Please note any concerns that you may have regarding the above issues. The main reasons for approval or denial should always be listed and the applicant only needs to show practical difficulty for the granting of the variance.

Appeal # _____

PAID

SEP 15 2014

ZONING BOARD OF APPEALS APPLICATION

City of Marine City

CITY OF MARINE CITY, MICHIGAN

303 S. Water Street, Marine City, Michigan 48039

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. 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

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

- a) Minimum site plan submittal shall be based on a land survey prepared and sealed by a registered land surveyor or registered engineer.
- b) The plan must be drawn to scale
- c) 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 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:

259	S. MAIN	02-475-0203-000
Number	Street	Parcel #

Applicant(s) Name: MITCHELL GADZINSKI

Address:	259	S. MAIN	MARINE CITY	MI.	48039
	Street	City	State	Zip	

Phone: 710-765-5318 Fax: _____ Email: MICK.ANTONELLI@LANDSCAPE.COM

Appeal # _____

Owner Name (if different from Applicant): _____

Address: _____
Street City State Zip

Phone: _____ Fax: _____ Email: _____

Variance Request Information

Subject property is zoned: _____

Size of Lot: 80 x 100

Total Square Footage: 7,000

Circle One: Corner Lot Interior Lot Waterfront Lot

Number of Buildings on lot now: 1

Percentage of lot coverage by buildings / structures now: 21 %

Type / Use / Size of Each Building:

RESIDENTIAL / 40'x37'

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

FRONT PORCH. NO DEEPER THAN EXISTING PORCH,
EXTENDING LEFT TO RIGHT 2' SHORT OF SIDE CORNERS
OF HOUSE FRONT. COVERED ROOF ON PROPOSED PORCH.

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

Height: 28" Width: 8' Length: 33' Sq. Footage: 264

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

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

Percentage of lot coverage with proposed building / structure, addition, fence, etc.: 23 %

Setbacks after completion of proposed project: FROM SIDEWALKS / PROPERTY LINE

Front: 6' Rear: — Side: 6'8" Side: 40'4"

REASON FOR APPEAL: ASKING TO EXTEND PORCH LEFT TO RIGHT, KEEPING
THE EXISTING DEPTH.

Appeal # _____

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

Explanation of above stipulation: AESTHETICALLY CHANGE PORCH TO MORE OF A HISTORICAL & TRADITIONAL APPEARANCE IN WHICH MATCHES THE APPEARANCE OF SUCH A HOME & TIME PERIOD. EXISTING/NEWER PORCH DOES NOT.

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 _____

If ^{NO} yes, explain: MOST, IF NOT ALL HOMES BUILT PRE-1900 IN THE NEIGHBORHOOD / CITY ALL HAVE WALK-OUT PORCHES W/CANOPY, AS THE ONE PROPOSED.

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: _____

Mitchell Gadyjinski

Dated: _____

9/11/2014

Owner's Signature: _____

Mitchell Gadyjinski

Dated: _____

9/11/2014

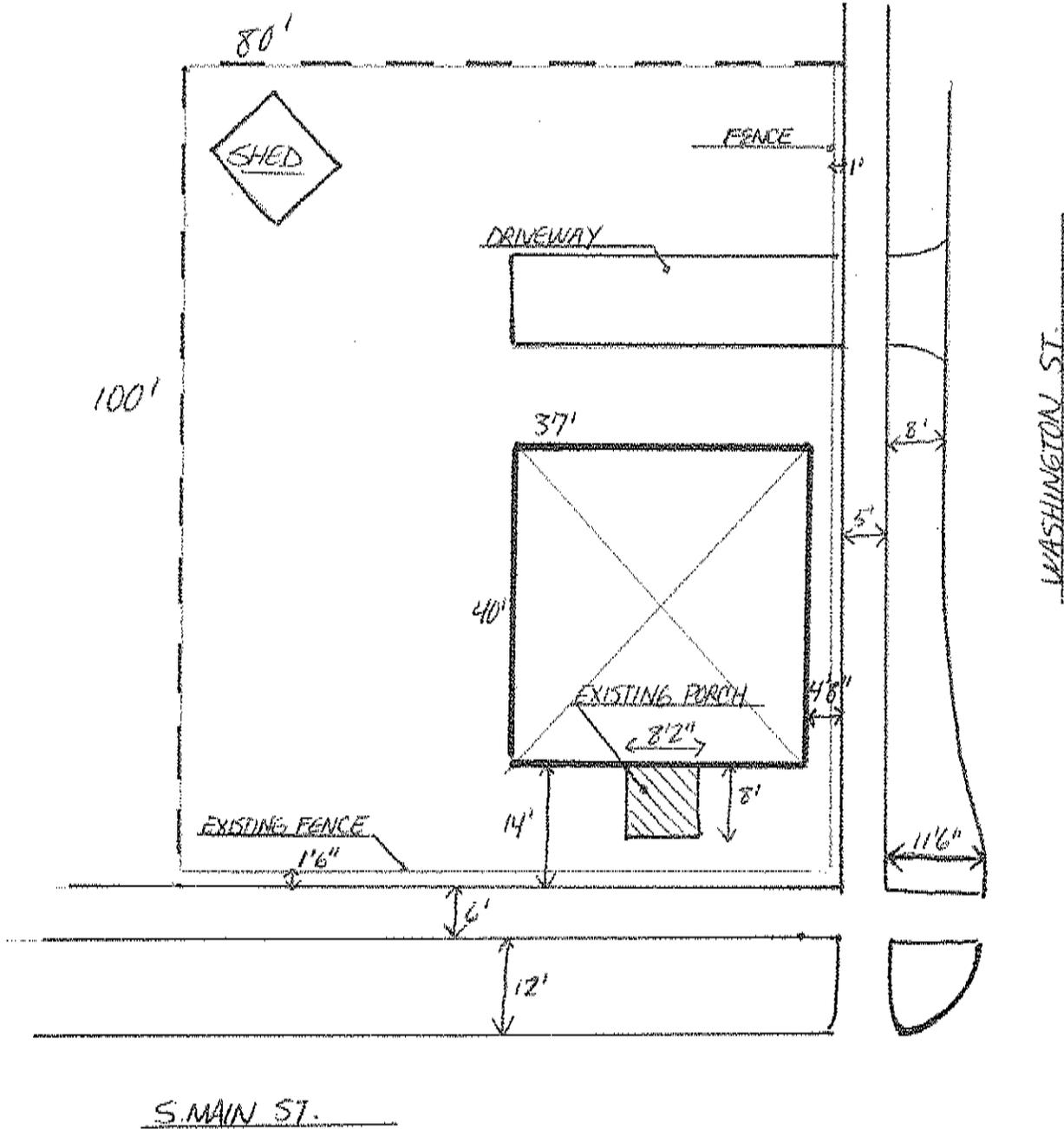
Return to: City of Marine City
303 South Water Street
Marine City, Michigan 48039

Appeal # _____

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

PLOT PLAN

MARINE CITY, MI
LOT 8 / BLOCK 17

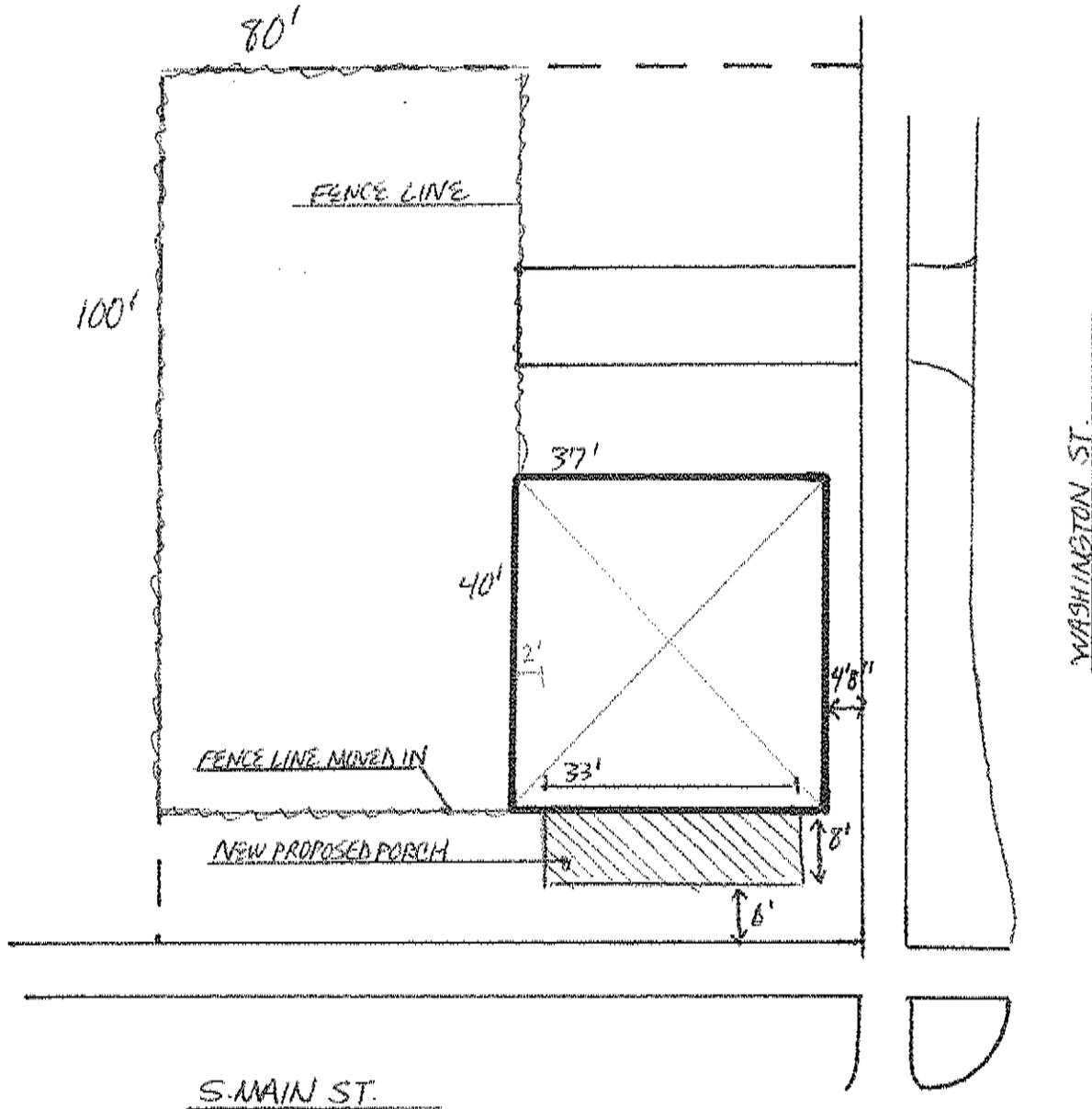


SCALE 1/20" = 1'

PROPOSED PORCH DESIGN

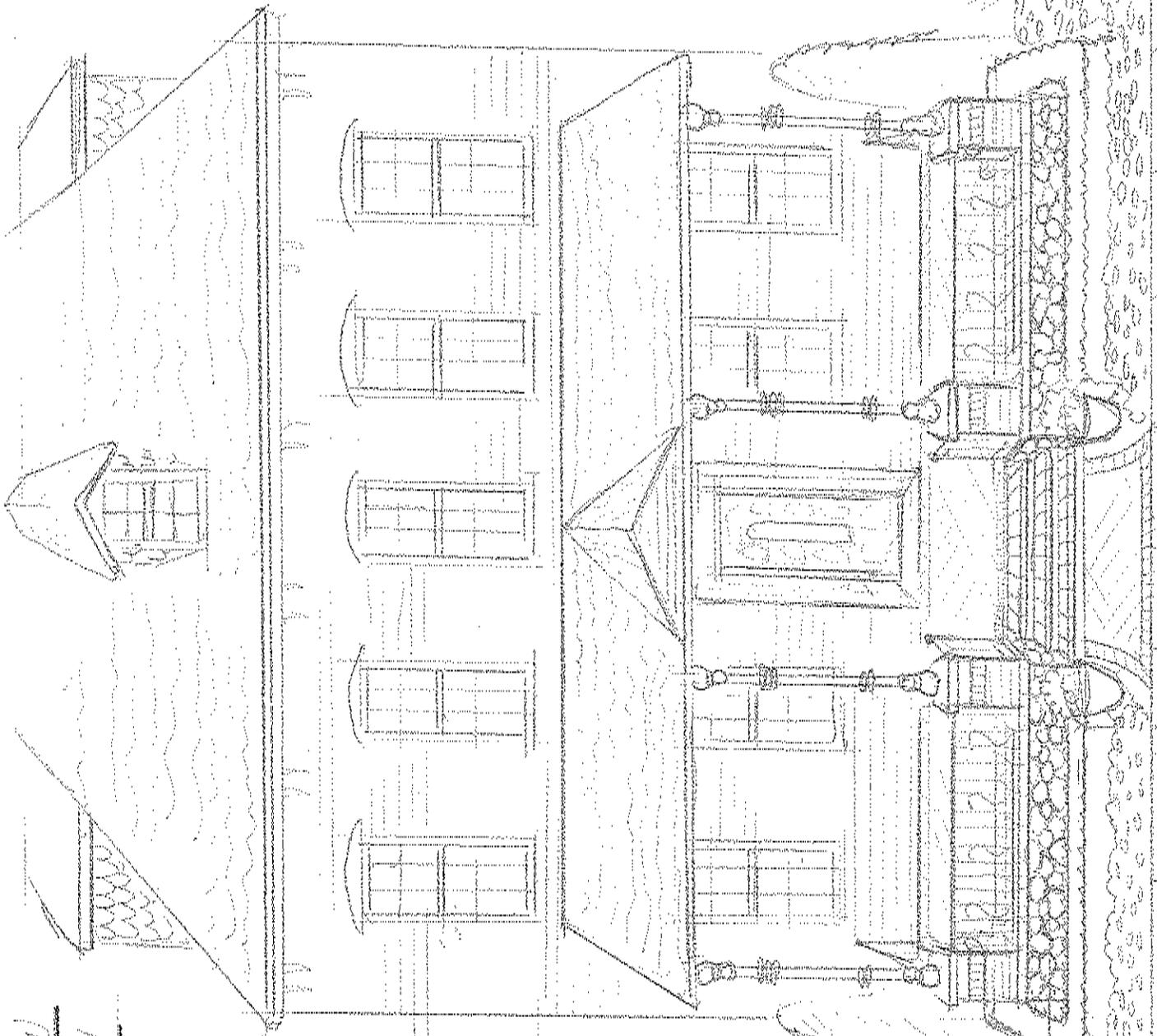
MARINE CITY, MI

LOT 8 / BLOCK 17



SCALE 1/20" = 1'

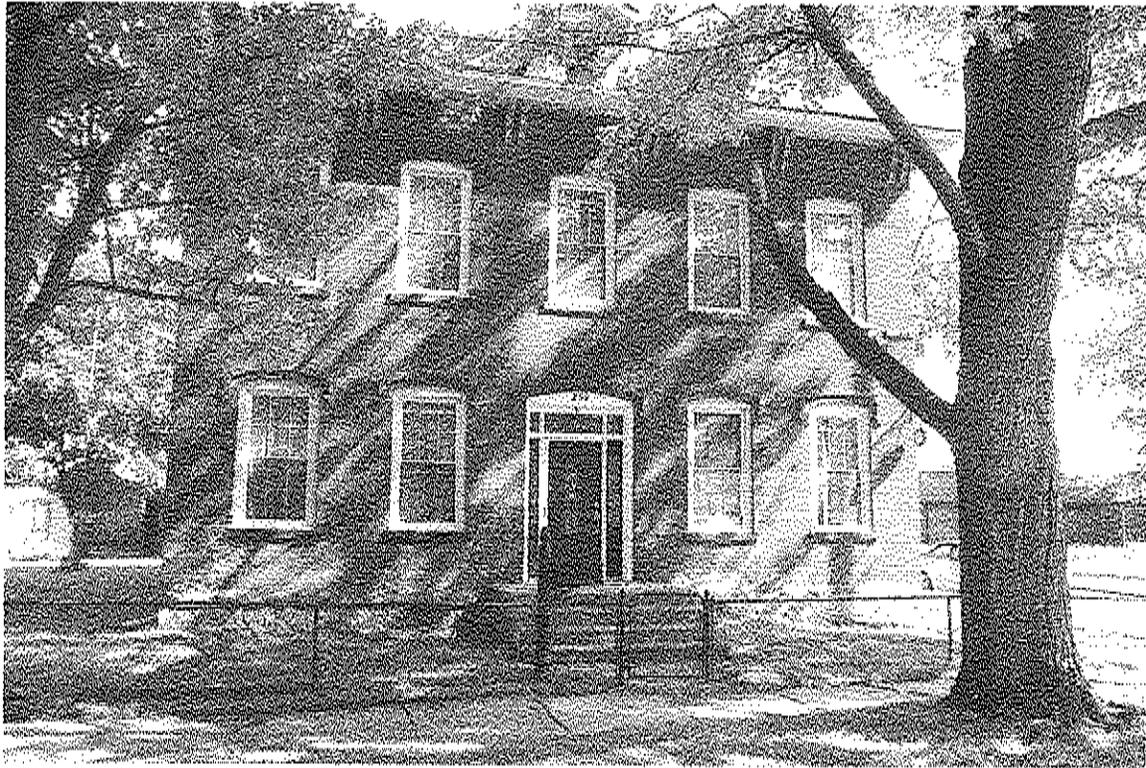
DIMENSIONAL VIEW
OF PROPOSED PORCH



9'2" x 22'2" x 22'11"

CULTURED STONE FLOE
"MICHIGAN RIVER ROCK"

COLLIERED STONE TO EXTEND AROUND
ENTIRE HOUSE OVER 1'-6" HIGH FOUNDATION TO MATCH





Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

09/25/2014 3:42 PM

Parcel:	02-475-0203-000	Current Class:	401.401 RESIDENTIAL IMPROVED
Owner's Name:	GADZINSKI MITCHELL & SANDOR THER	Previous Class:	401.401 RESIDENTIAL IMPROVED
Property Address:	259 S MAIN ST MARINE CITY, MI 48039	Gov. Unit:	02 CITY OF MARINE CITY
Liber/Page:	3866-650	MAP #	
Split:	//	School:	74050 District 74050
Public Impr.:	Paved Road, Storm Sewer, Water, Sewer, Electric, Gas, Curb	Neighborhood:	475 VILLAGE OF MARINE
Topography:	None		
Mailing Address:		Description:	
GADZINSKI MITCHELL & SANDOR THERESA 259 S MAIN ST MARINE CITY MI 48039-1626		LOT 8 BLK 17 MAP OF THE VILLAGE OF MARINE	

Most Recent Sale Information

Sold on 07/22/2008 for 65,600 by THE BANK OF NEW YORK TRUST.

Terms of Sale: BANK/FORCED SALE

Liber/Page: 3866-650

Most Recent Permit Information

None Found

Physical Property Characteristics

2015 S.E.V.:	38,000	2015 Taxable:	31,089	Lot Dimensions:	
2014 S.E.V.:	35,600	2014 Taxable:	31,089	Acreage:	0.18
Zoning:	R1	Land Value:	17,411	Frontage:	80.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	100.0

Improvement Data

of Residential Buildings: 1
Year Built: 1886
Occupancy: Single Family
Class: C
Style: 2 Story
Exterior: Brick
% Good (Physical): 28
Heating System: Forced Hot Water
Electric - Amps Service: 100
of Bedrooms: 5
Full Baths: 1 Half Baths: 0
Floor Area: 2,880
Ground Area: 1,440
Garage Area: 0
Basement Area: 720
Basement Walls:
Estimated TCV: 58,489

Image



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, November 5, 2014, 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. 14-02

Applicant Mitchell Gadzinski, the owner of property located at **259 South Main Street, Marine City**, is requesting a variance for construction of a new front porch to the existing residence with (2) front yard setbacks, one at 6' on S. Main Street and the other at 6' 8" on Washington Street; thus requiring:

- (1) A 9' variance for the front yard setback on S. Main Street
- (2) A 8' 4" variance for the front yard setback on Washington Street

The legal description of the subject property, zoned R1A – One Family Residential District, is currently shown on the tax roll, is as follows:

Lot 8 BLK 17 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 November 5, 2014. The application is on file at the City Offices and may be inspected during regular business hours.

Kristen Baxter
City Clerk
September 25, 2014



CITY OF
MARINE CITY

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

9-A
(#14-04)

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

From: Brian W Bayly, Building Official

Date: October 5, 2014

Subject: Variance request regarding the front yard setback of a proposed accessory building.
575 S. Water St.

REVIEW

Enclosed with this memo is a copy of a sketch of the variance that is being requested for the construction of a new accessory building. The site is located in the R1A, One Family Residential District.

The variance being requested is to build an accessory building 15 ft. in the front yard setback. In section 160.196 (C) In residential districts where lots border on a lake, river, or canal, the established water or shoreline may be considered the front of such lots. A setback of 30 feet for all principal and accessory structures shall be provided on the street side of any lot or parcel of land. The setback from the water or shoreline shall equal the average setback of those buildings on abutting properties or where no building exists on abutting properties the setback shall equal the average of those existing in the block or as established by the Board of Appeals.

Thus requiring, a 15' variance for the front yard setback

SUMMARY

Please note any concerns that you may have regarding the above issue. The main reasons for approval or denial should always be listed and the applicant only needs to show practical difficulty for the granting of the variance.

Appeal # _____

PAID

OCT 03 2014

Nov 6

City of Marine City

ZONING BOARD OF APPEALS APPLICATION

CITY OF MARINE CITY, MICHIGAN

303 S. Water Street, Marine City, Michigan 48039

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. 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

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

- a) Minimum site plan submittal shall be based on a land survey prepared and sealed by a registered land surveyor or registered engineer.
- b) The plan must be drawn to scale
- c) 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 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:

575 S. Water St. 74-02-012-2009-000
 Number Street Parcel #

Applicant(s) Name: Michael Tomlanovich

Address: 500 Willard Algonac, MI 48001
 Street City State Zip

Phone: 810-841-2362 Fax: _____ Email: mtomlan1@yahoo.com

Appeal # _____

Owner Name (if different from Applicant): Same

Address: Same
Street City State Zip

Phone: same Fax: _____ Email: _____

Variance Request Information

Subject property is zoned: residential Size of Lot: 50 x 145

Total Square Footage: 7,567 Sq. Ft. Circle One: Corner Lot Interior Lot Waterfront Lot

Number of Buildings on lot now: 1

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

Type / Use / Size of Each Building:

House

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

Storage shed - 8x12 - Gable, shingled roof and matching vinyl siding.

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

Height: _____ Width: 8 Length: 12 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: 15' street side Rear: _____ Side: 3' Side: _____

REASON FOR APPEAL: We can't put it in the back because it is frontage for the river; therefore,

Appeal # _____

*we need to put it on the street side
closer to the street because it is too
close to the house.*

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

Explanation of above stipulation: _____

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 _____

If yes, explain: _____

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: *Michael Tonlarovich*

Dated: 10/3/14

Owner's Signature: *Michael Tonlarovich*

Dated: 10/3/14

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

Appeal # _____

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

PUBLIC NOTICE

**CITY OF MARINE CITY
ZONING BOARD OF APPEALS**

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ZBA Appeal No. 14-03

Applicant Michael Tomlanovich, the owner of property located at **575 South Water Street, Marine City**, is requesting a variance for construction of a new accessory building, thus requiring:

- (1) A 15' variance for the front yard setback

The legal description of the subject property, zoned R1A – One Family Residential District, is currently shown on the tax roll, is as follows:

Beginning on the east line of Water Street, 50.66 feet south of the northwest corner of lot 17, block 22, map of the Village of Marine City, thence east with the north lot line to river; thence south along river 50.00 feet; thence west with south lot line to a point on the east line 50.00 feet to the point of beginning. Section 12, T.3.N, R.16E.

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 November 5, 2014. The application is on file at the City Offices and may be inspected during regular business hours.

Kristen Baxter
City Clerk
October 6, 2014