



# CITY OF MARINE CITY

## Zoning Board of Appeals Meeting Agenda

Marine City Fire Hall 200 South Parker Street

Regular Meeting: Wednesday, September 7, 2016 7:00 PM

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**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL:** Chairperson Kim Weil; Commissioners Mark Bassham, Gary Gabler; Planning Commissioner Rudy Menchaca; City Commissioner James Turner; Building Official Susan Wilburn; City Manager Elaine Leven; City Clerk Kristen Baxter

**4. APPROVE AGENDA**

**5. APPROVE MINUTES**

A. Zoning Board of Appeals Regular Meeting ~ July 6, 2016

**6. PUBLIC COMMENT** *Residents are welcome to address the Zoning Board of Appeals. Please state name and address. Limit comments to five (5) minutes.*

**7. UNFINISHED BUSINESS**

**8. NEW BUSINESS**

A. Public Hearing

- Appeal #16-06 ~ Michael Frank, of Frank Real Estate, on behalf of Larry & Cheryl Koehn, 213 N. Parker Street

B. Public Hearing

- Appeal #16-07 ~ Scott Smith, 1965 S. Parker Street

**9. OTHER BUSINESS**

**10. ADJOURNMENT**

**City of Marine City  
Zoning Board of Appeals  
July 6, 2016**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, July 6, 2016 in the Fire Hall, 200 South Parker Street, Marine City, and was called to order by Chairperson Kim Weil at 7:00 pm.

The Pledge of Allegiance was led by Chairperson Weil.

**Present:** Chairperson Weil; Commissioners Bassham, Gabler, Sugameli-Jarfes (Alternate); Building Inspector Wilburn, City Manager Leven, and, City Clerk Baxter

**Absent:** Commissioner Menchaca and City Commissioner Turner

**Approve Agenda**

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

**Approve Minutes**

Motion by Commissioner Gabler, seconded by Commissioner Bassham, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held April 6, 2016, as presented. All Ayes. Motion Carried.

**Communications**

None.

**Public Comment**

No residents addressed the Commission.

**Unfinished Business**

None.

**New Business**

***Public Hearing ~ Appeal #16-03 – Larry Nichols, 1390 S. Parker Street***

Chairperson Weil announced that the Zoning Board of Appeals would conduct a hearing to receive public comments for and against the proposed variance request by Larry Nichols, on behalf of Riverside Spline and Gear, Inc., for property located at 1390 South Parker Street (LOT 28 AND PARTS OF LOTS 29 & 41 Map of the Village of Marine, Parcel #02-875-0033-100). The variance request was for an addition to the existing structure and eliminating the need for additional parking, as required by Ordinance 160.161.

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

Applicant, Larry J. Nichols, addressed the Board, and said the addition was added without increasing manufacturing or employees and, therefore, no additional parking was necessary. He further explained that the existing parking at the northwest corner of the building was adequate. And, if the number of employees expanded more than anticipated, there was ample property to add additional parking.

Building Official Wilburn stated that it was her opinion that Riverside Spline and Gear had adequate parking for what they needed. She said it was a big expense that was unnecessary at this point.

Motion by Commissioner Gabler, seconded by Commissioner Bassham, to approve the applicant's variance request; Appeal #16-03, as presented. All Ayes. Motion Carried.

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

***Public Hearing ~ Appeal #16-04 – Phillip Perkowski, 1001 S. Belle River Avenue***

Chairperson Weil announced that the Zoning Board of Appeals would conduct a hearing to receive public comments for and against the proposed variance request by Phillip Perkowski, the owner of property located at 1001 S. Belle River Avenue (I-1 Light Industrial District; Parcels #02-200-0007-000 and 02-125-0028-999). The applicant was requesting a variance for a masonry wall requirement around parking area, elimination of sidewalk requirement, and elimination of landscaping requirement.

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

Applicant Phillip Perkowski addressed the Board and said that the proposed plans included 132 climate controlled mini storage units in the existing building. He said the building would

have directional LED lighting on the walls and directional beams in the outdoor area. Mr. Perkowski asked the Board to allow a berm with landscaping in lieu of solid wall requirement, along the Belle River. In addition, he asked that the requirement for a sidewalk on the property be eliminated, as well as elimination of the landscaping requirement for entire property.

A discussion took place on the sidewalk requirement and the Board ultimately decided that, due to the garage bays' proximity to the road, it would be safer for citizens to use the sidewalk on the west side of South Belle River Avenue.

Due to the lack of physical changes in the property, the Board decided that a complete landscaping plan was not necessary.

Connie Tremini, Marine City Marine and Service, said her property was located next door to proposed mini-storage units and said she was concerned about what was going to be stored in the units and what the future plans for the property were.

Tony Tremini, Marine City Marine and Service, suggested that the city have an environmental study completed on the property which may have an impact on the drainage of water.

Robert Joachim, 824 S. Main Street, announced that he was speaking for his mother who resides at 824 S. Main Street. Mr. Joachim said he was concerned for the residents on the east side of the river and asked that the property be improved for those residents.

Because the property fit the intent of the ordinance and, to make the property more ascetically pleasing, the Board agreed to waive the solid wall requirement to be replaced with a berm that would include landscaping.

Chairperson Weil closed the Public Hearing at 8:20 pm.

Motion by Commissioner Bassham, seconded by Commissioner Gabler, to approve the Applicant's variance request for the following, Appeal #16-04:

- Elimination of sidewalk requirement across entire property.
- Elimination of landscape requirement for entire property (not including berm area).
- Replace the solid-wall requirement with a berm to include landscaping.

All Ayes. Motion Carried.

***Public Hearing ~ Appeal #16-05 – Chafic Kadouh, 126 & 134 N. Water Street***

Chairperson Weil announced that the Zoning Board of Appeals would conduct a hearing to receive public comments for and against the proposed variance request by Chafic Kadouh, for property located at 126 N. Water Street, LOTS 2 THRU 4. BLOCK 38 OF "MAP OF THE VILLAGE OF MARINE", Parcel #02-475-0424-000. The variance request was to change the required front setback, for a public restroom facility, from 25 feet to 8 feet.

Chairperson Weil opened the Public Hearing at 8:20 pm.

Building Official Wilburn reported that the applicant wished to waive the 25 foot setback due to the following:

- Restroom facility would be closer to the road for the handicapped.
- The existing water service line would have to be extended further than necessary.
- The structure would closely align with existing neighboring garage to help with site lines.

Keith Jenken, speaking on behalf of the applicant, reiterated the benefits to amending the setback:

- Easy access for handicapped.
- Water/sewer hook-ups from former houses could be used (located close to the corner of property).
- Saving mature trees from being cut down on property.
- The building site won't spoil the site lines.

Building Official Wilburn said the plans worked well with the site and the request was a feasible setback with the least invasive location.

Steve Hoerr, 125 N. Water Street, said he was concerned about the setback affecting public safety with the foot traffic possibly being pushed out into the street. He also said he was concerned about long-term maintenance for the facility.

Tony Tremini, Marine City Marine and Service, said the plan was very thoughtfully executed and the development would put the city in a positive light.

David Malcolm, 102 Broadway, said he mainly objected to the setback site line interfering with his business and blocking his view of the river. He asked that the structure be built as close to the river as possible.

Motion by Commissioner Gabler, seconded by Commissioner Bassham, to approve the applicant's variance request; Appeal #16-05, as presented. All Ayes. Motion Carried.

Chairperson Weil closed the Public Hearing at 8:52 pm.

**Adjournment**

Motion by Commissioner Gabler, seconded by Commissioner Bassham, to adjourn at 8:53 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter  
City Clerk



Appeal # \_\_\_\_\_

Owner Name (if different from Applicant): MR & MRS. LARRY KOEHN

Address: 213 N PARKER MARINE CITY MI 48039  
Street City State Zip

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**Variance Request Information**

Subject property is zoned: 213 N. PARKER GARAGE ON KATHERINE  
R-1A / B-2 Size of Lot: 1RR x \_\_\_\_\_

Total Square Footage: \_\_\_\_\_ Circle One: Corner Lot Interior Lot Waterfront Lot

Number of Buildings on lot now: 2

Percentage of lot coverage by buildings / structures now: \_\_\_\_\_ %

**Type / Use / Size of Each Building:**

GARAGE ON KATHERINE STREET IS B-2 ZONING  
AND HOME 213 N. PARKER IS R-1A

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

TO UNDO THE COMBINING OF THE TWO LOTS WHICH WAS  
COMBINED IN 1998

**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: \_\_\_\_\_

\_\_\_\_\_

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: SEE ATTACHED LETTER FROM OWNER

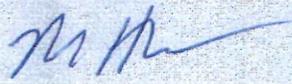
\_\_\_\_\_  
\_\_\_\_\_

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:** 

**Dated:** 7-12-16

**Owner's Signature:** \_\_\_\_\_

**Dated:** \_\_\_\_\_

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



**Frank Real Estate**

*"Your Realtor for Life"*

6614 S. River Road  
Marine City, MI 48039

Phone: (810) 765-4005  
Fax: (810) 765-3572  
www.FREhomes.com

07-13-2016

Marine City Zoning  
303 Water  
Marine City MI 48039

RE: 213 N. Parker, Marine City MI

Dear Zoning Board

I have been hired by the owners Larry & Cheryl Koehn, to split their property. And my first step in this process is to get the Zoning Boards Blessing. As you can see from the letter supplied from th owners they do in fact have a financial hardship. This property in 1998 was combined and now they would like to undo that.

The home is located at 213 N. Parker which is Residential and the Garage is located behind the house is zoned B-2 facing Katherine street. The Lot Line in back of the house and in back of the house is we would like the separate these two like it was prior to 1998. No frontages on either street are changing.

Thank You,

Michael Frank, Frank Real Estate

LARRY & CHERYL KOEHN  
213 N. PARKER ST., MARINE CITY, MI 48039

July 13, 2016

Dear Zoning Board Members:

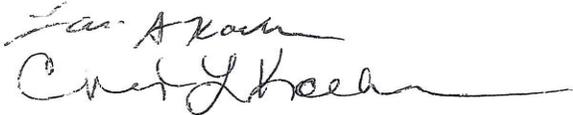
This letter is to explain the reason why we find it necessary to separate and sell a portion of our property at 213 N. Parker St., Marine City, MI. It is a heartbreaking decision, but is our only option to be able to continue living in our home.

Our home is paid for; however we have a lot of back debt that needs to be paid. We have no other assets, monetary or liquid to clear this debt. Our current monthly income is approximately before taxes. This basically covers our current household expenses (utilities, insurance, etc.) with nothing left to pay on our back debt.

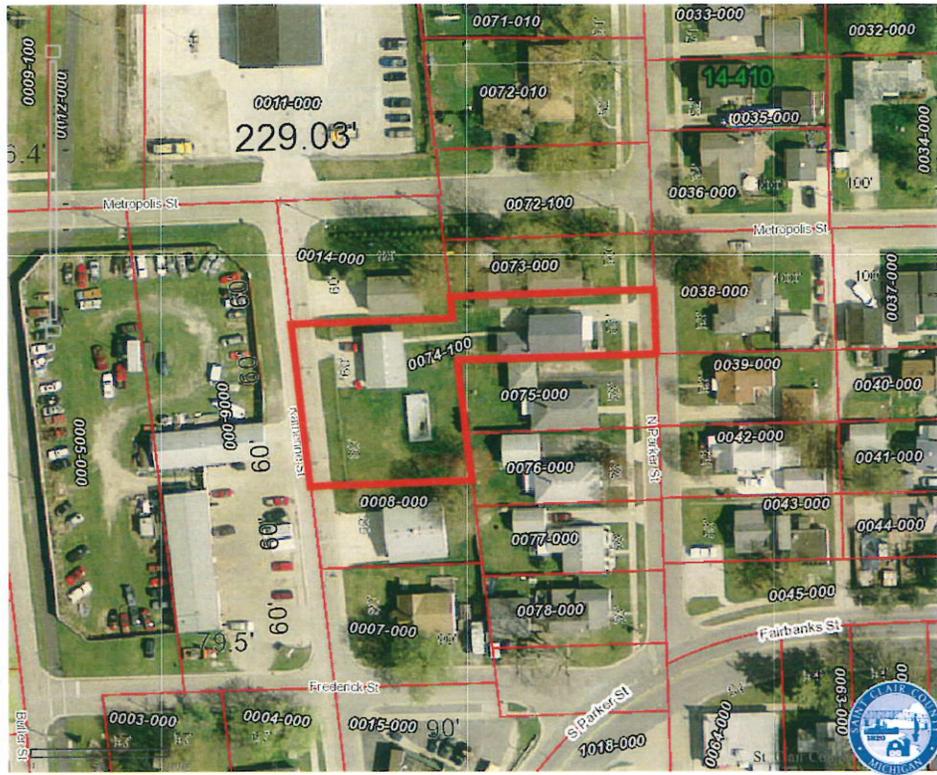
We have sought legal advice and have been told we cannot file bankruptcy because we own our home and will be forced to sell it under a Chapter 7, and we do not have enough income to pay back any amount that would be required under a Chapter 13. Therefore, our only option is to split and sell the back portion of our property (garage and empty lot) to be able to clear the debts and remain in our home. Selling the property as a whole would not generate enough funds to pay off debt and relocate into a new home.

We love Marine City and want to stay in our current home in Marine City. We sincerely appreciate your time and attention in considering our request.

Very Respectfully,

Handwritten signatures of Larry and Cheryl Koehn. The signature for Larry is on top and Cheryl's is below it, both in cursive.

Larry & Cheryl Koehn



- Parcel owner search
- Parcel ID search
- Parcel address search
- Measure
- Identify
- Buffer
- Spatial selection
- Generate CSV
- Layers

Print

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Prints the page. For best results use landscape. Or, print by choosing Print Preview from your browser menu and adjusting the print layout as needed.

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Parcel No.	Owner	Address	Legal
	KOENIG LARRY		LOT 9 EXCEPT N 16' THEREOF BLK 9 DEMONTS ADDITION TO WEST MARINE CITY. ALSO LOTS 15 & 18 STRIPPER

Tax Number of Parcel to be split 74- 02-375-0074-100

Signature Applicant 

Date 6/23/2016

MICHAEL FRANK

**Municipality Review**

           Zoning Compliance for intended use (depth X width, acreage, access)

Municipality Signature \_\_\_\_\_ Date   /  /  

**St. Clair County Review for P.A. 591 Compliance, Ownership and Delinquent Taxes**

▶ must provide a survey or drawing to scale with dimensions at time of review Reference #

Parent Parcel Tax Number(s) 74- \_\_\_\_\_

Total acreage of parcels \_\_\_\_\_ Number of available splits \_\_\_\_\_

           Platted Parcel existing divisions on parcels \_\_\_\_\_ requested divisions \_\_\_\_\_

           Tract of Land

           New Taxable Parcel being created requesting number of divisions \_\_\_\_\_

           Combination/ Adjustment of property lines with tax number \_\_\_\_\_

           Owner Note: \_\_\_\_\_

           Delinquent Taxes

Reviewer Signature \_\_\_\_\_ Date   /  /  

           Approved            Disapproved w/notes

Notes: \_\_\_\_\_

The above review is for the compliance of P.A. 591 only.  
Review and approval of property splits/combinations by the Municipality is still required.

**\*\*\*\*\* THIS REVIEW EXPIRES AFTER A PERIOD OF ONE YEAR \*\*\*\*\***

*MCL 560.109 Municipality shall approve/disapprove proposed division within 45 days after filing completed application of the proposed division with assessor or other municipality designated official.*

**Municipality Review and Approval**

           Adequate and Accurate legal descriptions (must be provided & attached)

           Accessibility. Driveway or existing easement provides vehicular access to existing roads or streets.

           Public Utility Easements. (gas, electricity, water, sewer, telephone)

           Taxes Current (responsibility of municipality)

           Courtesy Bill to be issued – turn into Township Treasurer

           Approved            Disapproved

Notes: \_\_\_\_\_

Municipality Signature \_\_\_\_\_ Date   /  /  

▶ The above signature authorizes for new parcel splits/combinations to be added to roll

# Property Record for CITY OF MARINE CITY

Local Assessing Officer: St. Clair County Equalization Dept.  
(810) 765-8846

Parcel Number: 74-02-375-0074-100  
Parcel Address: 213 N PARKER ST

Tax Payer:	KOEHN LARRY, KOEHN CHERYL L 213 N PARKER ST MARINE CITY, MI 48039-1554	2016 State Equalized Value	54,800
		2016 Taxable Value	29,989
		Homestead	100%
		School District	EAST CHINA SCHOOLS

Tax Description: LOT 9 EXCEPT N 16' THEREOF BLK 9 DEMONTS ADDITION TO WEST MARINE CITY; ALSO LOTS 15 & 18 STRURMER ADDITION TO THE CITY OF MARINE CITY (COMBINED FOR 1998)

[Tax Rolls](#)

[Map this Parcel](#)

[Delinquent Taxes](#)

(Silverlight is no longer supported by this website.)

[Drain Assessments](#)

Go to [City of Marine City](#) website

To view any document listed below, enter the information on the [Property Records Search](#) or contact the [Registrar of Deeds](#) with the document references.

Sale Date	Sale Price	Type	Grantor	Grantee	Liber Page
12/20/1989	\$0	O	SMITH ELEANOR A ESTATE	SMITH LOUIS S/JUDITH L	4130:052
1/18/2005	\$0	QC	PHILLIPS RICHARD L	PHILLIPS RICHARD L/MARGARET M	3263:648
5/25/2011	\$35,000	WD	PHILLIPS MARGARET M, PHILLIPS RICHARD	VANSLAMBROUCK JOSEPH	4163:044
8/12/2011	\$80,000	WD	VANSLAMBROUCK JOSEPH, VANSLAMBROUCK	KOEHN LARRY, KOEHN CHERLY L	4175:988

Parcel: 02-375-0074-100 Unit: CITY OF MARINE CITY

**Property Address** [collapse]

213 N PARKER ST  
MARINE CITY, MI 48039

**Owner Information** [collapse]

KOEHN LARRY & CHERYL L  
213 N PARKER ST  
MARINE CITY, MI 48039-1554

Unit: 02

**Taxpayer Information** [collapse]

SEE OWNER INFORMATION

**General Information for Tax Year 2016** [collapse]

<b>Property Class:</b>	401 - 401 RESIDENTIAL IMPROVED	<b>Assessed Value:</b>	\$54,800
<b>School District:</b>	74050 - District 74050	<b>Taxable Value:</b>	\$29,989
<b>State Equalized Value:</b>	\$54,800	<b>Map #</b>	
<b>USER NUM IDX</b>	0	<b>Date of Last Name Chg:</b>	08/14/2012
		<b>Date Filed:</b>	08/12/2011
		<b>Notes:</b>	N/A
<b>Historical District:</b>	N/A	<b>Census Block Group:</b>	N/A

<b>Principal Residence Exemption</b>	<b>June 1st</b>	<b>Final</b>
		-
2015	100.0000 %	100.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$29,900	\$29,900	\$29,900
2014	\$32,100	\$32,100	\$32,100

**Land Information** [collapse]

	<b>Frontage</b>	<b>Depth</b>
Lot 1:	37.00 Ft.	115.00 Ft.
Lot 2:	120.00 Ft.	90.00 Ft.
Lot 3:	0.00 Ft.	0.00 Ft.
<b>Total Frontage:</b>	157.00 Ft.	<b>Average Depth:</b> 95.89 Ft.

<b>Total Acreage:</b>	0.35	
<b>Zoning Code:</b>	R1	
<b>Total Estimated Land Value:</b>	\$39,250	<b>Mortgage Code:</b>
<b>Land Improvements:</b>	\$0	<b>Lot Dimensions/Comments:</b>
<b>Renaissance Zone:</b>	NO	
<b>Renaissance Zone Expiration Date:</b>		
<b>ECF Neighborhood Code:</b>	WBLVD - SUBS ALONG WEST BLVD	

**Legal Information for 02-375-0074-100** [collapse]

LOT 9 EXCEPT N 16 FT THEREOF BLK 9 DEMONTS ADDITION TO WEST MARINE CITY; ALSO LOTS 15 & 18 STURMER ADDITION TO THE CITY OF MARINE CITY (COMBINED FOR 1998)

Land Divison Act Information

[collapse]

Date of Last Split/Combine:	10/29/1997	Number of Splits Left:	0
Date Form Filed:		Unallocated Div.s of Parent:	0
Date Created:	10/29/1997	Unallocated Div.s Transferred:	0
Acreage of Parent:	0.00	Rights Were Transferred?	YES
Split Number:	0	Courtesy Split?	NO
		Parent Parcel:	

Sales Information

3 sale record(s) found.

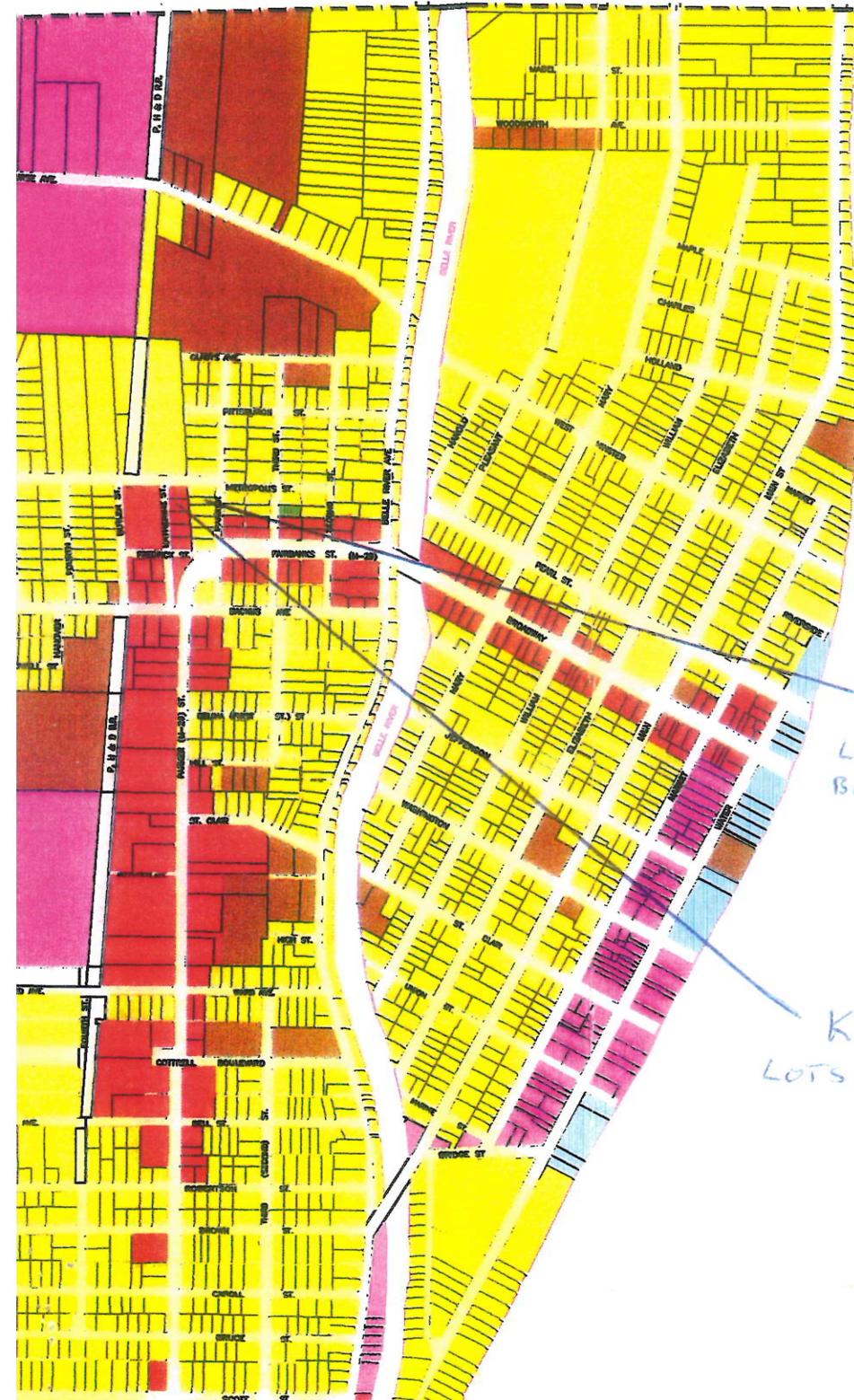
Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
08/12/2011	\$80,000.00	WD	VANSLAMBROUCK JOSEPH	KOEHN LARRY & CHERYL L	ARMS LENGTH	4175-988
05/25/2011	\$35,000.00	WD	PHILLIPS RICHARD L & MARGARET M	VANSLAMBROUCK JOSEPH	ARMS LENGTH	4163-044
01/18/2005	\$0.00	QC	PHILLIPS RICHARD L/MARGARET	PHILLIPS RICHARD L & MARGARET M	BAD SALE-EQ	3263-648

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# City of Marine City OFFICIAL ZONING MAP

Includes all amendments up to  
Ordinance #97-6, Effective 10-15-97



213 N. PARKER  
LOT 9 EXCEPT N 16' THEREOF  
BLK 9 DEMONTS ADDITION

KATHERINE ST.  
LOTS 15 & 18 STRUMEL ADDITION

-  R-1A One-Family Residential
-  R-1B One-Family Residential
-  R-M Multiple-Family Residential
-  B-1 Central Business District
-  B-2 General Business District
-  W-M Waterfront Recreation and Marina
-  I-1 Light Industrial



# CITY OF MARINE CITY

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

**To:** Chairman and Members of the Marine City Zoning Board of Appeals  
**From:** Susan Wilburn, City of Marine City Building Official  
**Date:** July 14, 2016  
**Subject:** Variance request regarding 213 N. Parker, Marine City.

**REVIEW:**

Enclosed with this memo is a copy of the Zoning Board of Appeals Application along with applicants' explanation and site plan.

This residential property's address is 213 N. Parker. This property has 2 separate street frontages. The section located on the N. Parker front is zoned R -1A. The section Katherine front is zoned B-2.

The request refers to the N. Parker (R-1A) frontage. The below table shows required width of the property to be a minimum of 60'. 213 N. Parker's width is 37'.

**s160.195 SCHEDULE.** Table follows below.

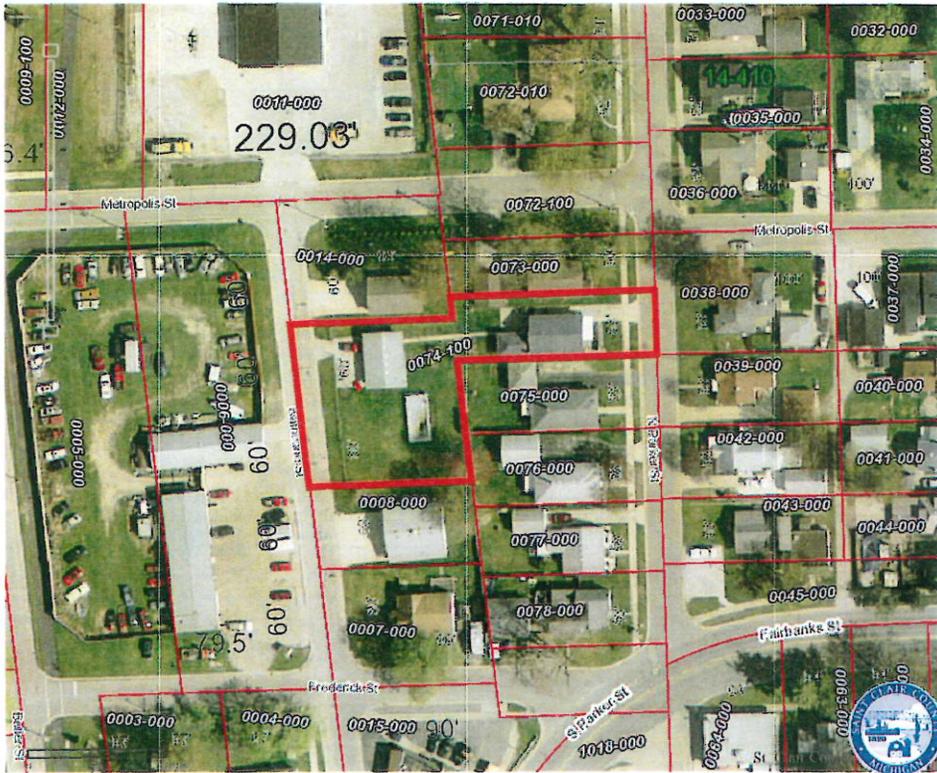
**SCHEDULE LIMITING HEIGHT, BULK DENSITY AND AREA BY ZONING DISTRICT**

Minimum Zoning Lot Size Per Unit	Maximum Height of Structures		Minimum Yard Setback (per lot in feet)			Minimum Floor Area Per Unit (sq. ft.)		Max. % of Lot Area Coverage by All Buildings	
	Area in sq. ft.	Width in feet	In Stories	In Feet	Front	Each Side	Rear		
R-1A One-family Res.	7,200(a)	60(B)	2	25	25 (c,o)	8(d,0)	40(o)	(e)	35%

R-1B One-family Res.	9,600(a)	80	2	25	30(c)	10(d)	40	(e)	35%
R-1D Duplex Res.	9,600	80	2	25	30(c)	10(d)	40	(e)	35%
R-M Multiple-family Res.	(a,f)	(f)	2	25	30(g)	30(g)	30(g)	1 BR=500	35%
								2 BR=700	
								3 BR=900	
								4 BR=1,100	
B-1 Central Business	—	—	3	40	—	(h)	(i)	—	—
B-2 General Business	—	—	3	40	25(j)	(j,h)	(j,i)	—	—
W-M Waterfront and Recreational Marina	15,000	100	3	40	25(j)	(j,h,m)	(j,k,n)	—	—
I-1 Light Industrial	—	—	—	40	50(j)	20(j,l)	(j,l,i)	—	—
I-2 Heavy Industrial	—	—	—	60	50(j)	20(j,l)	(j,l,i)	—	—

**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.



- Parcel owner search
- Parcel ID search
- Parcel address search
- Measure
- Identify
- Buffer
- Spatial selection
- Generate CSV
- Layers

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- Legend
- About

Parcel No.	Owner	Address	Legal
	KOENIG LARRY		LOT 9 EXCEPT N 16' THEREOF BLK 9 DEMONTS ADDITION TO WEST MARINE CITY; ALL SO LOTS 15 & 18 STRIPPER

August 19, 2016

Marine City Offices, Zoning Board of Appeals

303 South Water Street

Marine City, MI 48039

RE: **ZBA Appeal No. 16-06**

Michael Frank, of Frank Real Estate on behalf of

Larry and Cheryl Koehn

213 N. Parker Street, Marine City, MI

To Whom it may concern:

I am writing in concern of the application for a variance to separate two lots in regards to the above mentioned appeal. I am the homeowner directly behind the property in relation to this appeal.

I am **strongly opposed** to any variance or change made to separate the two lots. The change would result in an adverse change of the use and view to my property. It would not only change the aesthetics but would obstruct my view. In addition, I can't begin to imagine the diminished value of my property, and the effect it will have on its marketability in the future.

Thank you for considering my thoughts and views on this application.

Sincerely,

Mary Jane Shoebottom

211 North Parker

Marine City, MI 48039

*Mary Jane Shoebottom*

RECEIVED  
AUG 24 2016

City of Marine City

**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 7, 2016, 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. 16-06**

**Applicant Michael Frank, of Frank Real Estate**, hired on behalf of, Larry & Cheryl Koehn, the owners of the property located at **213 N. Parker Street, Marine City**, is requesting a variance to separate two lots, thus requiring:

- ❖ A variance to separate two lots, one of which does not meet minimum width requirements as required by Ordinance 160.195.

The legal description of the subject property, N. Parker frontage zoned R-1A, One-Family Residential, and the Katherine frontage zoned B-2, General Business District, is currently shown on the tax roll, as follows:

**LOT 9 EXCEPT N 16' THEREOF BLK 9 DEMONTS ADDITION TO WEST MARINE CITY;  
ALSO LOTS 15 & 18 STRURMER ADDITION TO THE CITY OF MARINE CITY (COMBINED  
FOR 1998)**

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 September 7, 2016. The application is on file at the City Offices and may be inspected during regular business hours.

Kristen Baxter  
City Clerk

Published: August 17, 2016

Appeal # 16-07

PAID

JUL 21 2016

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:**                                      **\$250.00 - Residential**                                      **\$500.00 - 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:

1965                                      S. PARKER                                      74-02-875-0058-000  
 Number                                      Street                                      Parcel #

Applicant(s) Name: SCOTT SMITH

Address: \_\_\_\_\_  
    Street                                      City                                      State                                      Zip

Phone: 313 15      Fax: \_\_\_\_\_      Email: \_\_\_\_\_

Appeal # \_\_\_\_\_

Owner Name (if different from Applicant): \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**Variance Request Information**

Subject property is zoned: RESIDENTIAL Size of Lot: 65' x 290'

Total Square Footage: 14,850 Circle One: Corner Lot Interior Lot Waterfront Lot

Number of Buildings on lot now: 4

Percentage of lot coverage by buildings / structures now: 14 % 2600 SQ

Type / Use / Size of Each Building:

HOUSE 1900 SQ TWO SHEDS 200 SQ TOTAL  
EXISTING GARAGE 500 SQ TO BE REMOVED  
AFTER NEW GARAGE BUILT

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

30 X 40 X 12 GARAGE

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

Height: ~~30~~ 12 Width: 30 Length: 40 Sq. Footage: 1200

Height: \_\_\_\_\_ Width: \_\_\_\_\_ Length: \_\_\_\_\_ Sq. Footage: \_\_\_\_\_

Height: \_\_\_\_\_ Width: \_\_\_\_\_ Length: \_\_\_\_\_ Sq. Footage: \_\_\_\_\_

Percentage of lot coverage with proposed building / structure, addition, fence, etc.: 17.5 % 3300 SQ

Setbacks after completion of proposed project:

Front: \_\_\_\_\_ Rear: 10' Side: 3' Side: 30'

REASON FOR APPEAL: TO CHANGE THE REAR SET BACK N/AK  
ROAD FROM 30' TO 10' OR ? THIS IS A  
WATER FRONT LOT

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: WITH WATERFRONT LOTS BEING UNIQUE,  
30' REAR SET BACK FOR GARAGE WASTES WAY TO MUCH

IS OUBLE SPACE FOR BACKYARD. THERE ARE 3 HOMES WITHIN 1/2 MILE TO  
THE NORTH THAT HAVE REAR GARAGE SETBACKS RANGING FROM 10' - 20'.

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: HOMES WITH THESE SETBACKS  
ARE 1847, 1859, 1875, S. PARKER JUST  
8 HOUSES DOWN

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: [Handwritten Signature]

Dated: 7-18-16

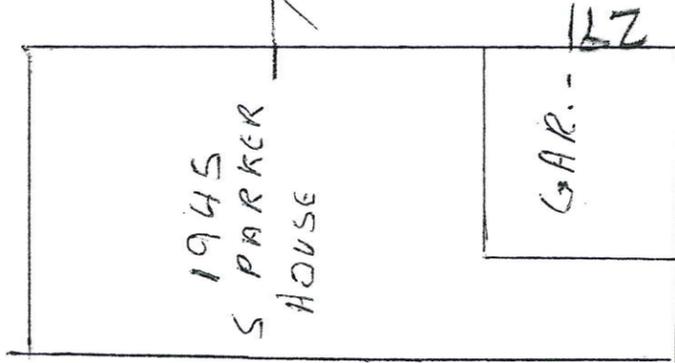
Owner's Signature: [Handwritten Signature]

Dated: 7-18-16

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

ST - CHALK RIVER

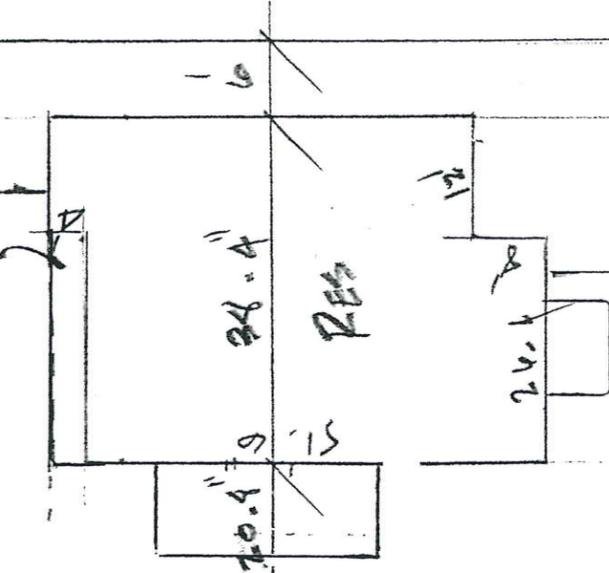
50'



NEIGHBORS DRIVE

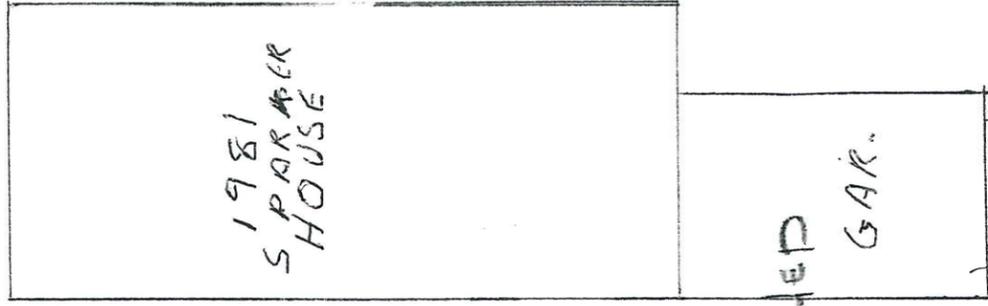
65'

10L



NEIGHBORS DRIVE

50'



PROPERTY LINE

S - PARALLEL



# CITY OF MARINE CITY

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

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**To:** Chairman and Members of the Marine City Zoning Board of Appeals  
**From:** Susan Wilburn, City of Marine City Building Official  
**Date:** July 25, 2016  
**Subject:** Variance request regarding road side set back on a river front property.  
**Project Location:** 1965 S. Parker - Parcel #74-02-875-0058-000

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**REVIEW:**

Enclosed with this memo is a copy of the Zoning Board of Appeals Application along with applicants' explanation and site plan.

The home is located in R1-A zoning. Per REGULATIONS SCHEDULE 160.195,

**160.196 NOTES TO SCHEDULE.**

(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.

**SUMMARY:**

The property owner cites several neighboring properties that do not maintain the required 30' road setback.

*"In the Heart of Blue Water District"*

**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 7, 2016, 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. 16-07**

**Applicant Scott Smith**, the owner of the property located at **1965 S. Parker, Marine City**, is requesting a variance to build a garage, thus requiring:

- ❖ A variance to build a garage, which does not meet the setback requirements as required by Ordinance 160.196.

The legal description of the subject property, zoned R-1A, One-Family Residential, is currently shown on the tax roll, as follows:

**BEG AT SW COR OF LOT 49, TH N 37D 19 1/2M E 133.87', TH S 64D 57 1/2M E 270.13' TH S 25D 48 1/2M W 125', TH N 66D 4 1/2M W 298.2' TO BEG EX NE 60' MEAS AT RT ANG TO NE LINE. SUPERVISOR S WONSEY PLAT T3N R16E SEC 01**

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