

CITY OF MARINE CITY

ZONING BOARD OF APPEALS AGENDA

Regular Meeting: Wednesday, March 2, 2016 @ 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

Chairperson Kim Weil; Commissioners Mark Bassham, Gary Gabler; Planning Commissioner Rudy Menchaca; City Commissioner James Turner; Building Inspector Arthur Garbarino; and, City Manager Elaine Leven

4. APPROVE AGENDA (Additions / Deletions)

5. APPROVE MINUTES

A. Zoning Board of Appeals Meeting ~ November 4, 2015

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 #16-01 ~ Daniel Griffin – 102 N. Main Street

10. OTHER BUSINESS

11. ADJOURNMENT

**City of Marine City
Zoning Board of Appeals
November 4, 2015**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, November 4, 2015 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 Gabler, Menchaca, City Commissioner Turner; Building Inspector Garbarino, City Manager Leven, and, Deputy Clerk McDonald

Absent: Commissioner Bassham

Motion by Commissioner Menchaca, seconded by City Commissioner Turner, to excuse Commissioner Bassham from the meeting. All Ayes. Motion Carried.

Approve Agenda

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

Approve Minutes

Motion by Commissioner Menchaca, seconded by Commissioner Gabler, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held August 5, 2015, as presented. All Ayes. Motion Carried.

Communications

- *Neighbor Support of Variance Applicants (Christopher & Suzanna Deveny)*

Motion by Commissioner Gabler, seconded by Chairperson Weil, to accept and file the communication. All Ayes. Motion Carried.

Public Comment

No residents addressed the Commission.

Unfinished Business

None.

New Business

Public Hearing ~ Appeal #15-03 – Christopher & Suzanna Deveny

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 Christopher and Suzanna Deveny, the owners of property located at 202 Union Street (parcel #02-475-0170-000). The variance request is to build a breezeway thereby enlarging the nonconformity of the existing structure.

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

Building Inspector Garbarino said the variance was requested to erect a breezeway connecting the main structure, (2 story wood frame house) to an accessory structure, (masonry garage). The review, completed by Building Inspector Arthur Garbarino, said the site is located in the R1A, One Family Residential District.

No residents addressed the Commission.

Chairperson Weil closed the Public Hearing at 7:04 pm.

Motion by Commissioner Menchaca, seconded by Commissioner Gabler, to approve the Applicant's variance request to build a breezeway connecting the main structure to a secondary structure; Appeal #15-03. All Ayes. Motion Carried.

Adjournment

Motion by Chairperson Weil, seconded by Commissioner Menchaca, to adjourn at 7:04 pm.
All Ayes. Motion Carried.

Respectfully submitted,

Elizabeth McDonald
Deputy Clerk

Kristen Baxter
City Clerk

9-A



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: Arthur Garbarino, City of Marine City Building Official

Date: February 1, 2016

Subject: Variance request regarding 102 N Main Ground Sign location.

REVIEW:

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

This business is located in the B-1 Central Business District.

Per the Sign Ordinance 160.220(B).1.3.(b).1,

- g. A ground sign shall be at least 10 feet from a building wall.
- h. The minimum required setback for a ground sign from the property line separating the lot from the street shall be as follows:

Height of ground sign	Setback
Less than 2 feet	3 feet
At least 2 feet but less than 3 feet	6 feet
At least 3 feet but less than 4 feet	9 feet
At least 4 feet but less than 5 feet	12 feet
<i>At least 5 feet but less than 6 feet</i>	<i>15 feet</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.

Note:

This variance is not an approval for the existing non-conforming structure presently erected in this location. A Building Permit for the existing non-conforming structure is pending a seal engineering drawing for the structure.

PAID

JAN 25 2016

City of Marine City

Appeal # _____

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:

102 N. MAIN (old Methodist Church)

 Number Street Parcel #

Applicant(s) Name: Daniel GRIFFIN

Address: P.O. Box 130 Marine City MI 48039

 Street City State Zip

Phone: 810.434.7792 Fax: 810.420 0180 Email: GRIFFIN 003 @ comcast.net.

Appeal # _____

Owner Name (If different from Applicant): _____

Address: _____
Street City State Zip

Phone: _____ Fax: _____ Email: _____

Variance Request Information

Subject property is zoned: Comm.

Size of Lot: _____ 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:

sked - 10x15'
church - 3500 sq ft

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

Sign

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

Height: 6 Width: ~~12~~ 2 Length: 48 Sq. Footage: 80-90

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: 3 1/2' Rear: _____ Side: _____ Side: _____

REASON FOR APPEAL: NOT ENOUGH room between side walk and CHURCH to meet both setbacks.

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: IN FRONT OF BUILDING IS ONLY PLACE TO PUT SIGN OTHER THAN ON THE 162 year old church - NOT FEASIBLE - (see attached letter)

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

If yes, explain: IT ENHANCES THE BUSINESS DISTRICT.

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: 1/25/16

Owner's Signature: [Signature]

Dated: _____

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

Appeal # _____

OFFICE USE	
Fee Amount Paid: <u>200⁰⁰</u>	Date Paid: <u>1/25/16</u>
Reviewed by: _____ <i>Building Official</i>	_____ <i>City Manager</i>

Explanation:

According to the ordinance, there should be a certain setback for any sign from the public easement and the building.

I can only qualify for one of the 2 setbacks because of the lack of space.

I keep the sign 10' off the church, and can only get 3' off the sidewalk.

However, the sign is setback inside the existing concrete steps.

This is the only location to put the sign other than on the 162 year old church, which is unfeasible.

PARKING Lot

CHURCH

setback
10'

STAIRS

STAIRS
ON
PROPERTY
LINE

SIGN →

SIDEWALK

setback 3'

ONLY 3' setback, but further in the property
than the STAIRCASE.

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, March 2, 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. 16-01

Applicant Daniel Griffin, the owner of the property located at **102 N. Main Street, Marine City**, is requesting a variance for a non-conforming sign location:

- ❖ A variance to approve a proposed sign location for a ground sign that is 5-6 feet in height. The sign location does not meet zoning requirements, per the sign ordinance 160.220 (B).1.3.(b).1, (g), (h).

The legal description of the subject property, zoned Commercial, is currently shown on the tax roll, is as follows:

LOTS 6-7 AND 8 BLK 36 MAP OF THE VILLAGE OF MARINE 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 March 2, 2016. The application is on file at the City Offices and may be inspected during regular business hours.

Kristen Baxter
City Clerk

Published: February 10, 2016