

**City of Marine City
Zoning Board of Appeals
September 7, 2016**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, September 7, 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, Menchaca; City Commissioner Turner; Building Inspector Wilburn, City Manager Leven, and, City Clerk Baxter

Absent: None

Approve Agenda

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

Approve Minutes

Motion by Commissioner Menchaca, seconded by Commissioner Bassham, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held July 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 #16-06 – Larry & Cheryl Koehn, 213 N. 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 Michael Frank, on behalf of Larry & Cheryl Koehn, for property located at 213 North Parker Street (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*). The variance request was to separate two lots, one of which does not meet minimum width requirements, as required by Ordinance 160.195.

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

Michael Frank, representing Larry & Cheryl Koehn, addressed the Board and reported that the applicant was requesting the variance to split the lots, due to financial hardship. He explained that the lots were originally split, but were combined in 1998.

Building Official Wilburn reported that the property had two separate street frontages (Kaherine & North Parker). She stated that, if split, the North Parker frontage of 37' would not meet the minimum frontage requirement of 60', per our ordinance.

Brenda Mahle spoke on behalf of Mary Jane Shoebottom, who has a home located at 211 North Parker. She said Mrs. Shoebottom's home was located directly behind the subject property. Brenda stated that the change would have an adverse change to her view from her home, which may affect its marketability in the future.

Commissioner Gabler said the variance request should be approved because the zoning did not have to be change. He also noted that there were no houses on Katherine Street, only garages.

Due to not having to rezone and restoring the lots back to what they were in 1998, City Commissioner Turner said he had no objection to granting the request. He pointed out that many homes were non-conforming, due to the age of the city.

Commissioner Bassham agreed, due to the split zoning.

Chairperson Weil closed the Public Hearing at 7:27 pm.

Motion by Commissioner Menchaca, seconded by Commissioner Gabler, to approve the applicant's variance request; Appeal #16-06, as presented. All Ayes. Motion Carried.

Public Hearing ~ Appeal #16-07 – Scott Smith, 1965 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 Scott Smith, the owner of property located at 1965 South Parker (BEG AT SW COR OF LOT 49, TH N 37D 19 ½ M 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. SUPERVISORS WONSEY PLAT T3N R16E SEC 01). The applicant was requesting a variance for a roadside set back on a river-front property.

Chairperson Weil opened the Public Hearing at 7:28 pm.

Applicant Scott Smith addressed the Board and said that he was requesting to change the rear set back from the required 30' to 10' to build a garage.

Chairperson Weil pointed out that there were sewer and water lines under the proposed site, as well as electrical lines over head.

Applicant Smith said that the utility lines could not be avoided due to them running the length of the property. He also pointed out that he would bear the expense of moving the electrical lines, if necessary.

Commissioner Gabler said he didn't see how the request could be denied due to the location of water and sewer lines. He pointed out that other homes in the area had garages built on utility lines.

Building Official Wilburn stated that she needed letters of clearance from utilities prior to issuing building permits.

City Commissioner Turner stated that he had no problem in granting a 20 foot variance.

Chairperson Weil closed the Public Hearing at 7:53 pm.

Motion by Commissioner Bassham, seconded by Commissioner Gabler, to approve the Applicant's variance request (at 15' feet, in lieu of the requested 10'); Appeal #16-07. All Ayes. Motion Carried.

Adjournment

Motion by Commissioner Gabler, seconded by City Commissioner Turner, to adjourn at 7:55 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter

Kristen Baxter
City Clerk