

**City of Marine City
Zoning Board of Appeals
December 6, 2017**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, December 6, 2017 in the Fire Hall, 200 South Parker Street, Marine City, and was called to order by Chairperson Kim Weil at 7:00pm.

The Pledge of Allegiance was led by Chairperson Weil.

Present: Chairperson Weil; Commissioner Bassham; Planning Commissioner Allan; City Commissioner Turner; Building Official Wilburn; City Manager Leven; and Deputy Clerk McDonald

Absent: Commissioner Gabler

Communications

Received:

- Resignation Letter – Commissioner Gary Gabler

The Communication was read aloud by Chairperson Weil.

Approve Agenda

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

Approve Minutes

Motion by Commissioner Bassham, seconded by Planning Commissioner Allan, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held November 1, 2017, as presented. All Ayes. Motion Carried.

Public Comment

None.

Unfinished Business

Withdrawal Request for Appeal #17-06 – William & Amy Tranchemontagne, 330 North Market Street

Motion by Commissioner Bassham, seconded by Planning Commissioner Allan, to accept and file the request. All Ayes. Motion Carried.

New Business

Appeal #17-07 – William & Amy Tranchemontagne, 330 North Market Street

Applicants, William and Amy Tranchemontagne, 330 North Market Street, requested the side setback requirements be reduced from five feet to one foot to construct an attached carport. The following information was stated by the applicants:

- The proposed carport gutters would be connected to their home's existing drainage system.
- The carport would protect their neighbor at 326 North Market Street from snowdrifts.
- The proposed carport would not obstruct the owner of 331 North Market Street from a three river view.
- An appraiser's and real estate agent's opinions were included in the meeting packet, which stated that they felt the appraised values would not decrease should the carport be built.
- Past Zoning Board of Appeals' meeting minutes were included to show previous variances that were granted.
- Pictures of other existing nonconformities within the City were provided.

Building Official Wilburn questioned where the applicants measured the proposed one foot setback from.

The applicants responded that it was measured from the house, and that the proposed carport would extend ten feet from the house.

The Board briefly discussed the proposed drainage system and the requirements that would need to be met to comply with storm water regulations.

Planning Commissioner Allan stated that he was concerned about the location of the lot line and the use of superimposed photos within the packet to depict the proposed carport as it did not give an accurate depiction of the request.

Building Official Wilburn stated that some of the existing nonconformity photos submitted by the applicants as examples were detached accessory structures, which had different setback requirements than residential homes.

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 William and Amy Tranchemontagne, for property located at 330 North Market Street. The Variance Request was to reduce the side setback requirements from five feet to one foot (per Ordinance 160.195) to construct a carport attached to their home.

Chairperson Weil opened the Public Hearing at 7:23pm.

Kayla Emery, 331 North Market Street, approached the Board and distributed a photo of her home that depicted the view she currently had of the river and where the proposed carport would be built. She spoke in opposition of approving the variance due to crowding and a decrease in property values and felt that another nonconformity should not be approved solely because there were past nonconformities granted. She noted that there were inconsistencies within the applicant-provided information and that the proposed carport was not a true rendering. She stated that the applicants purchased the home knowing what it had to offer.

The following letters were received and read aloud by Chairperson Weil:

- Jay Saph, 344 North Market Street, spoke in opposition of approving the variance requested.
- Mike and Robin Stone, 336 North Market Street, were in favor of approving the request due to drainage plans being addressed and the fact that the proposed carport had no impact on their riverfront view.

Commissioner Bassham stated that the referenced nonconformities in the applicant packet did not apply and variance request decisions should be made by viewing each request as an individual situation.

Chairperson Weil closed the Public Hearing at 7:34pm.

At this time, applicants, Amy and William Tranchemontagne requested that the Board table the item until the next meeting in order to have the opportunity for a full board decision.

The Board decided to table Appeal #17-07 until the January 3, 2018 meeting at the applicant's request.

Other Business

None.

Adjournment

Motion by Planning Commissioner Allan, seconded by Commissioner Bassham, to adjourn at 7:42pm. All Ayes. Motion Carried.

Respectfully submitted,



Elizabeth McDonald
Deputy Clerk



Kristen Baxter
City Clerk