

**City of Marine City  
Zoning Board of Appeals  
March 7, 2018**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, March 7, 2018 in the Fire Hall, 200 South Parker Street, Marine City, and was called to order by City Commissioner Turner at 7:00pm.

The Pledge of Allegiance was led by City Commissioner Turner.

**Present: Commissioners Bassham, Vercammen; Planning Commissioner Allan; Alternate Commissioners Cottrell and Filo; City Commissioner Turner; Building Official Wilburn; City Manager Leven; and Deputy Clerk McDonald**

**Absent: Chairperson Weil**

**Also in Attendance: City Attorney Robert Davis**

**Approve Agenda**

Motion by Planning Commissioner Allan, seconded by Commissioner Bassham, 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 January 3, 2018, as presented. All Ayes. Motion Carried.

**Public Comment**

None.

**Unfinished Business**

None.

**New Business**

***Public Hearing ~ Appeal #18-01 – Melissa Fisher, 240 South Water Street***

City Commissioner Turner announced that the Zoning Board of Appeals would conduct a Public Hearing to receive public comments for and against the proposed Variance Requests by Melissa Fisher, for property located at 240 South Water Street. The Variance Requests were to reduce the side setback requirements from ten feet to six feet (per Ordinance 160.195) to construct a stairwell on the side of the proposed addition and to extend the proposed front balcony two feet over the sidewalk.

City Commissioner Turner opened the Public Hearing at 7:02pm.

Applicants Melissa and Jeremy Fisher approached the Board and stated that the reason they requested the variances was due to the fact that they had to turn business away in the winter months and were running out of space at the current business. They said that expansion of the business was the next step for their business venture.

Commissioner Bassham questioned whether the current cement slab under the patio was footed for the proposed addition and whether drainage and other potential issues were considered. In addition, he asked if the neighbors on the north end of the proposed addition were far enough away to allow for the setback.

The applicants responded by stating that everything was up to code and ready for the proposed addition; they had hired an engineer for the project to ensure that all requirements had been met. They said that they were in good standing with the north end neighbors and the proposed addition would be eight feet away from them.

Commissioner Vercammen questioned whether the upstairs egress was for emergencies and if the proposed mezzanine would be seasonal. She also expressed concern about the possibility of someone dropping something from the proposed balcony onto the sidewalk due to the two foot overhang.

The applicants confirmed that the egress was for emergencies only and the mezzanine would be for seasonal use. Additionally, they said they were going to utilize a railing on the balcony to address the concern of items dropping onto the sidewalk below.

City Commissioner Turner closed the Public Hearing at 7:10pm.

Building Official Wilburn said that the proposed stairwell on the side of the building was six feet from the property line and the ordinance required a ten foot side setback. She stated that there were no front setbacks required by the ordinance and the proposed balcony overhung the sidewalk by two feet.

Commissioner Bassham stated that he appreciated the effort that was put towards properly submitting the application and request by the applicants.

Motion by Planning Commissioner Allan, seconded by Commissioner Bassham, to approve Appeal #18-01 based on the record as a whole including the application, Building Official Wilburn's report, the applicant testimonial, and the fact that no public comments were received. Further, it was believed that this was an adequate remedy that would not harm the adjacent neighbors and, in addition, similar variances had been approved.

Roll Call Vote.

Ayes: Allan, Bassham, Vercammen, Turner

Nays: None

Motion Carried.

### **Training – City Attorney Robert Davis**

The Board received training from City Attorney Robert Davis regarding the proper procedures and practices of being a Zoning Board of Appeals member.

### **Other Business**

None.

### **Adjournment**

Motion by Commissioner Bassham, seconded by Commissioner Vercammen, to adjourn at 8:13pm. All Ayes. Motion Carried.

Respectfully submitted,



Elizabeth McDonald  
Deputy Clerk



Kristen Baxter  
City Clerk