

**City of Marine City
Zoning Board of Appeals
December 5, 2018**

A regular meeting of the Marine City Zoning Board of Appeals was held on Wednesday, December 5, 2018 in the Fire Hall, 200 South Parker Street, Marine City, and was called to order by Chairperson Weil at 7:00pm.

The Pledge of Allegiance was led by Chairperson Weil.

Present: Chairperson Weil; Commissioners Bassham, Filo; Planning Commissioner Allan; City Commissioner Vercammen; Building Official Wilburn; City Manager Leven; and City Clerk Baxter

Absent: None

Communications

No Communications were received in time for the Agenda, however City Manager Leven announced that the City had recently received an Appeal on Variance #18-06 and would be working with the City Attorney on it.

Approve Agenda

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

Approve Minutes

Chairperson Weil reported that a statement made by Commissioner Vercammen during Appeal #18-06 had been omitted in the minutes and asked that it be added:

- Commissioner Vercammen stated that she had received a 300 foot notice, however had no financial interest in the project.

City Clerk Baxter also reported that she was contacted by Phil Oleksiak who spoke during Appeal #18-06. Mr. Oleksiak stated that the draft minutes of the meeting were incorrect. He requested that his statement regarding his concern about the environmental impact of a leaking oil tank underneath the property be amended to read a leaking underground

storage tank. Deputy Clerk Desmarais listened back to the audio recording of the meeting, verified the comment, and made the requested amendment to the minutes.

Motion by Planning Commissioner Allan, seconded by Commissioner Bassham, to approve the Minutes of the Regular Meeting of the Zoning Board of Appeals held November 7, 2018, as amended. All Ayes. Motion Carried.

Public Comment

None.

Unfinished Business

Public Hearing ~ Appeal #18-07 – Whittlesey Development, Ltd., 827 Degurse Avenue

Chairperson Weil announced that the Zoning Board of Appeals would conduct a Public Hearing to receive public comments for and against the proposed Variance Request by Whittlesey Development, Ltd., for property located at 827 Degurse Avenue. The Variance Request was to reduce the side setback from 20' to 10'.

Chairperson Weil opened the Public Hearing at 7:05 pm.

Mr. Whittlesey, applicant, stated that he had contacted his neighbor, Bob Klingler, by phone and asked him if he had any issues with the variance to contact him. He said he, to date, had not heard back from him.

Chairperson Weil stated that he had walked the property and said he was impressed with the project and did not see anything that would hamper or intrude on Mr. Klingler's property.

Commissioner Allan stated for the record that Mr. Klingler chose not to be in attendance this evening to oppose the variance request.

Chairperson Weil closed the Public Hearing at 7:06 pm.

Commissioner Bassham stated he had several questions about the location of the chain link fence, the layout of the property and the setback. Mr. Whittlesey supplied a large drawing of the property and was able to demonstrate where the fence was located, how the addition would be situated on the property, and the location of the requested setback.

Motion by City Commissioner Vercammen, seconded by Commissioner Filo, to approve Appeal #18-07 based on the fact the building runs parallel to the road and the property is not square and, by approving the Appeal, the Board is not granting special privileges to the applicant.

Roll Call Vote.

Ayes: Weil, Allan, Bassham, Filo, Vercammen

Nays: None

Motion Carried.

New Business

None.

Other Business

None.

Adjournment

Motion by Commissioner Bassham, seconded by Commissioner Filo, to adjourn at 7:15 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter

Kristen Baxter
City Clerk