

**CITY OF MARQUETTE
BOARD OF ZONING APPEALS
OFFICIAL PROCEEDINGS
April 1, 2021**

MEETING CALLED TO ORDER

A regular meeting of the Marquette City Board of Zoning Appeals was called to order at 7:00 p.m. on Thursday, April 1, 2021, by remote means (due to the COVID-19 pandemic).

ROLL CALL

It was moved by Mr. Vasseau, seconded by Ms. Wright, and carried 5-0 to excuse Ms. Perhach, Mr. Neumann, and Mr. Constance.

Present: Chair Mr. Ottaway, Ms. Wright, Mr. Vasseau, Mr. Dunn, and Vice-Chair Ms. Dombrowski.

Excused Absent: Ms. Perhach, Mr. Neumann (alternate), and Mr. Constance (alternate).

ELECTION OF OFFICERS

It was moved by Ms. Wright, seconded by Mr. Vasseau, and carried 5-0 to elect Mr. Ottaway as Chair.

It was moved by Ms. Dombrowski, seconded by Mr. Vasseau, and carried 5-0 to elect Ms. Wright as Vice-Chair.

MINUTES

It was moved by Mr. Vasseau, seconded by Ms. Dombrowski, and carried 5-0 to adopt December 3, 2020 minutes as presented.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

It was moved by Mr. Vasseau, seconded by Ms. Wright, and carried 5-0 to adopt the agenda with the addition of one piece of correspondence added to item 2.A. 01-VAR-04-21.

PUBLIC HEARINGS

01-VAR-04-21 – 317 E. Crescent St. (PIN: 0360450): Gregory and Katrina Borzick are seeking an 8-ft side yard variance from the City of Marquette Land Development Code to allow a 24-ft x 12-ft and 4.5-ft x 7.3-ft basement addition with first-floor deck above and a 5.1-ft x 7.3-ft basement and first-floor addition to the existing duplex located at 317 E. Crescent St.

A. Landers stated the Board of Zoning Appeals is being asked to review an application

for an 8-ft side yard variance from the City of Marquette Land Development Code to allow a 24-ft x 12-ft and 4.5-ft x 7.3-ft basement addition with a first-floor deck above and a 5.1-ft x 7.3-ft basement and first-floor addition to the existing duplex located at 317 E. Crescent St. She referenced the staff report and attachments, and visuals from the agenda packet were shown. The additional piece of correspondence from the applicant, Greg Borzick, was read into the record.

Greg Borzick, the applicant, stated that his name is Greg Borzick, address 317 E. Crescent St. in Marquette, and as he mentioned in the letter, they are looking to build a workshop off the north side of their house. He stated the workshop would be 12 feet wide which would be north-south and 24 feet long that would be east-west. He also stated if you look at page 1 of 5, you will see that the workshop would be in the ground just a little bit to allow a walk-out deck from their first-floor dining room. He stated as he discussed in the letter, their house is currently 2 feet off the property line, and to make this work, the workshop would also have to be 2 feet off the property line. He also stated for a normal residential house he thinks the required setback is 13 feet total with 8 feet on one side and 5 feet on the other side, but this is a duplex, so they have a 10-ft setback from the side yards. He stated therefore, they would require an 8-ft side yard variance.

Ms. Wright asked if they had to comply with the rules now, would they just have to move the whole addition over 8 feet. Mr. Borzick stated it would not work because if you are looking at page 1 of 5, there are those double doors and that would be a walk-out from their dining room, and right next to that is a bathroom, so to move it over 8 feet kind of blows up the whole plan. Ms. Wright stated sure.

Mr. Dunn asked Mr. Borzick if in his conversations with the neighbor, did the neighbor get a look at these plans and they did not have any issues with the sunlight being blocked and things like that.

Mr. Borzick stated that did not come up. He stated their neighbor's name is Betty Belic, and they talked about what they would be doing. He also stated they did not talk about the sunlight, but there is a fence on that side of the property line, and he guesses the proposed addition could come up a little bit higher than the fence, but they did not talk about sunlight. He stated that she just said that in the future, if she had to get a variance, would we support her, and we said we would.

Mr. Dunn asked if there is a way that this whole addition could be continuous with the west side of the house rather than the east side, so he guesses it would be moving it over, but he guesses that is kind of the same question.

Mr. Borzick stated they looked at that and asked if everybody can see what is called page called page 1 of 5 from the architect. This page was shown on the screen. Mr. Borzick pointed out the double doors on the left side of the drawing. He stated there are 2 patio doors and those are proposed. He also stated immediately to the right of those, they will see a square window which is their bathroom. He stated it would help if they could see it if they were standing in his house, but to move everything 8 feet over, they would basically have to demolish the bathroom to have a walk-out onto the deck.

Mr. Dunn asked what is on the other side of the window.

Mr. Borzick stated that is their kitchen. He asked for page 3 of 5 to be shown. This page was shown on the screen. He stated it shows the existing bathroom and if they look on the top left, they will see the existing house, and then they will see a notation showing the dining room. He also stated then keep following it down and they will see something that says extended dining area and removed wall. He stated that would be what they would do in order to access the deck. He also stated if they could recognize moving those patio doors all the way to the right, they can see the bathroom is right there, so it just takes the bathroom away.

Mr. Dunn stated okay, got it, and now he understands.

Chair Ottaway opened the public hearing. No one wished to comment. Chair Ottaway closed the public hearing.

Ms. Dombrowski stated she cannot have her camera on and look at the thing at the same time, but she would say that she agrees with what the board members were asking that moving it the 8 ft, especially this it is a duplex, she thinks is an unreasonable ask when you can go off the same side and just continue the house down. She stated it is close, but it is where the existing house is situated on the land, which is not necessarily their problem, but as she said, she cannot go through all of them, so at this point, she is in favor of approving their request.

Mr. Ottoway stated as he looks at it, it is striking to him that it seems to be a very minimal request, given where the home is on that side lot. He stated it is already obviously intruding. He also stated as the applicant has kind of shown us, to move that addition somewhere else would be a pretty tall task, so he can say that at this point, he is in support of this as well.

Mr. Vasseau stated he is in favor of this too. He stated he concurs with the applicant's written response, so when it is all put together, he thinks they satisfy a. through j. of the Land Development Code, and he can support the request.

Mr. Dunn stated his primary concern was the impact to the neighbor to the east, thinking if there was a garden or something that that neighbor wanted to put in that the proposed addition was going to block some of the sunlight there. He stated but going on the additional information that the applicant submitted and indicating that they talked with the neighbor and the neighbor did not have any problems with it, public notice was given, and the neighbor is not here to oppose anything, so he is okay with this request as well.

It was moved by Ms. Wright, seconded by Mr. Vasseau, and carried 5-0 that after conducting a public hearing and review of the STAFF REPORT/ANALYSIS for 01-VAR-04-21, the Board of Zoning Appeals finds that the request demonstrates the standards found in Section 54.1404(B)(5) (a. through j.) of the Land Development Code and hereby approves 01-VAR-04-21 as presented.

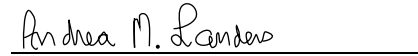
BOARD MEMBER COMMENT

Mr. Dunn stated this is probably more a comment for the Planning Commission, and he will say it there too, but we are just finishing up with the ski season, and he has serious concerns about people crossing the street there at the ski area. He stated there are an awful lot of very close calls, and he does not want to wait until somebody dies before we do something about it, so as he said, he will bring it up at the next Planning Commission meeting on Tuesday, but he just wanted to kind of put that out there too for them to give their two cents worth.

ADJOURNMENT

The meeting was adjourned at 7:27 p.m.

Respectfully Submitted,



Andrea Landers

Zoning Official

Community Development Department,

For Board of Zoning Appeals

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