

**CITY OF MARQUETTE
BOARD OF ZONING APPEALS
OFFICIAL PROCEEDINGS
April 7, 2022**

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 7, 2022, located in Room 103 of the Municipal Service Center, 1100 Wright St.

ROLL CALL

Present: Chair Mr. Ottaway, Mr. Vasseau, Ms. Perhach, Ms. Dombrowski, and Mr. Frischkorn.

Absent: Vice-Chair Ms. Wright (excused)

MINUTES

It was moved by Mr. Vasseau, seconded by Ms. Dombrowski, and carried 4-0 (Mr. Frischkorn abstained) to approve the minutes of November 4, 2021, as presented.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

It was moved by Mr. Vasseau, seconded by Mr. Frischkorn, and carried 5-0 to approve the agenda as presented.

PUBLIC HEARINGS

01-VAR-04-21: 944 Sherman St. (PIN: 0281460): Herman and Lisa Eleby are seeking an 8.7-ft side yard variance from the City of Marquette Land Development Code to allow a 12-ft x 20-ft open carport accessory structure

A. Landers stated the Board of Zoning Appeals is being asked to review an application for an 8.7-ft side yard variance from the City of Marquette Land Development Code to allow a 12-ft x 20-ft open carport accessory structure located at 944 Sherman Street. She referenced the staff report and attachments, and visuals from the agenda packet were shown.

Herman Eleby stated open-air carport and design dependent on what the board will allow. He stated the existing garage foundation has been there since 1959, and the garage was moved across the street and was placed close to the side lot line, just as it was on this lot. He also stated the last few years he has been contemplating building something there again due to issues with sheltering our high utility vehicle from the snow, as it is hard to remove from the top of it. He stated he has vertigo issues and cannot safely use a ladder or footstool to reach the top of the vehicle to remove the snow. He also stated this request is minimal as it is an open carport and not asking for an enclosed garage. He stated he wants to remain in this house and the next time he moves it will be down the street to the cemetery. He also stated due to the topography of his property, this location is really the only place to put the carport as the rear yard has a steep incline and drops off considerably. He stated in the picture in the agenda packet there is a car behind the house, but the only

way to do that is to ask the neighbor if he can use their property to drive the car to the rear of the house to park, and he had family visiting so that is why a car was parked back there.

Mr. Frischkorn asked if in the picture where there are small pylons, is that where the proposed carport is to be placed. Mr. Eleby stated yes.

Mr. Ottaway asked if the proposed roof type is shingles or metal. Mr. Eleby stated shingles. Mr. Ottaway asked if he plans on adding a gutter on the west side to meet the Land Development Code regarding stormwater run-off. Mr. Eleby stated he hates gutters but will meet the city's requirements.

Chair Ottaway opened the Public Hearing.

William Jarvis, 1009 Sherman Street, stated the applicants are seniors now and they get the north/northwest wind trying to shovel the snow at the top of the hill.

No one else wished to comment. Chair Ottaway closed the Public Hearing.

Mr. Vasseau stated this would meet item (g) substantial justice, as the applicant is alluding to long-term homeownership. He stated the relaxation would give substantial relief and be more just. He also stated the request meets the other standards. He stated in relation to the lot size area and width, this lot is ½ the size of the required 100-ft width and is comprised of a greatly reduced area of 6,500 square feet compared to the required 15,000 square feet for this zoning district. He also stated he agreed there are topography issues in the rear yard as he saw during his site visit.

Mr. Frischkorn stated that this lot's width of 50-ft compared to the required 100-ft makes it hard to do anything with this lot without requesting a variance, because of how narrow it is. He stated he agrees he supports the variance with the requirement of the gutter.

Ms. Dombrowski stated regarding no special conditions, there is nowhere else to place this structure on his lot, and we live in the U.P. where we all should have somewhere to protect our vehicle. She stated this is a minimal request and is an open structure, not a huge enclosed garage.

Ms. Perhach stated the foundation is already on the site, and the request is not restricting any airflow. She stated she would support this if the gutter was added.

Mr. Ottaway stated he also supports the request and the applicant has demonstrated that all the standards are being met with this request.

It was moved by Mr. Vasseau, seconded by Ms. Dombrowski, and carried 5-0 that after conducting a public hearing and review of the STAFF REPORT/ANALYSIS for 01-VAR-04-22, 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-04-22 as presented with the condition that a gutter be placed on the west side of the structure.

NEW BUSINESS

Election of Officers

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

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

BZA Presentation to the CC

The BZA discussed and completed the presentation.

Training Article: “Zoning Reform Goes Mainstream” from *Planning*, Winter 2022

The BZA and staff discussed the article.

ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Respectfully Submitted,



Andrea Landers
Zoning Official
Community Development Department,
For Board of Zoning Appeals