

CITY OF ST. CLAIR
ZONING BOARD OF APPEALS
WEDNESDAY - MAY 18, 2011- 7:00 P.M.
CITY HALL - 547 N. CARNEY DR.

CALL TO ORDER

The meeting was called to order by Chairman Jim Bier at 7:05 P.M.

ROLL CALL

Present:	Chairman	Jim Bier
	Members	Vice Chairman Phil Pokriefka, Roy Kolberg, Art Wimmer, Chris Robbins, Ralph Gizowski
	Absent	Bill Klieman, JoAnn Westrick
	Administration	D J Boulier, City of St Clair Building Inspector

APPROVAL OF AGENDA

Roy Kolberg made a motion to Amend the proposed May 18, 2011 ZBA Agenda by removing the "Election of Officers" from the Agenda and by placing the "Public Hearing" on the Variance Requests for 1819 Fred Moore Hwy (74-07-055-0034-100) as Item #2 under "New Business" and to approve the May 18, 2011 ZBA Agenda as amended. Supported by Art Wimmer. All approved, opposed none. Motion carried.

APPROVAL OF MINUTES

Roy Kolberg had some changes to the Minutes of March 23, 2011, starting with eliminating the paragraph on Page 4 at the top as that paragraph and language already appears on Page 3 about two thirds of the way down. On Page 4 under Paragraph 3 in Line 9 add the word "a" between the words "in" and "total". On Page 5 in the paragraph that begins with the words "The Variances", in the 7th line down, delete the word "other" and then capitalize the first letters of the words "Side Yard Setback" that appear immediately thereafter. In the last sentence of that paragraph insert the word "of" between the words "granting" and "these".

Art Wimmer made a motion to approve the Minutes of March 23, 2011 as amended. Supported by Ralph Gizowski. All approved, opposed none. Motion carried.

CORRESPONDENCE

None

UNFINISHED BUSINESS

None.

NEW BUSINESS

1. 1819 Fred Moore Hwy 74-07-055-0034-100
Petitioner is requesting a variance on Section 6.4 Sign Regulations on height and square footage of new pylon sign

2. PUBLIC HEARING

Variance Requests for 1819 Fred Moore Hwy 74-07-055-0034-100 Petitioner is requesting a variance on Section 6.4 Sign Regulations on height and square footage of new pylon sign.

Chairman Jim Bier asked D. J. Boulier to give a brief summary of the Variance.

DJ Boulier stated Universal Sign Systems/Storage Pros Self Storage has requested a variance to install a 12' 6" high pylon sign. This 97" x 60" sign will be a doubled faced sign and will be internally illuminated. The proposed signage as shown is to be installed just inside the existing fence. The ZBA is deciding on granting a variance to allow for a pylon sign at a height of 12' 6" and with a sign area of 40.4 sq ft. Maximum sign area allowed per Section 6.4 Sign Regulations in the Zoning Ordinance is 32 sq ft.

St Clair Sign Ordinance considers a pylon sign, as listed in the application, as a ground sign. Section 6.4 Schedule of Sign regulations sets a maximum height of six (6) feet. A sign height of twelve feet six inches (12' 6") is being requested. A six foot, six inch (6' 6") variance is required.

The maximum permitted sign area in a C-2 Zoning District is thirty-two (32) square feet. The total proposed area of this sign is forty point four (40.4) square feet. A variance of eight point four (8.4) square feet is required per sign side.

A set back of twenty five (25) feet is required from the Fred Moore Highway curb. As proposed, this sign is located twenty eight feet (28 ft.) from the curb and twelve feet (12 ft.) from the bike path.

The Building Department recommends approval of the variance request proposed by the owner. The rationale is that due to this business requiring an eight (8) foot high fence to secure this site, it would be impossible to see the six (6) foot ground sign that is allowed by Ordinance. This requires the new sign be elevated above the existing fence to allow better visibility to traffic traveling Fred Moore Hwy and pedestrians and bikers using the bike path.

D. J. Boulier had told the petitioner, Rob McPherson, (on behalf of Storage Pros), he didn't think he would have to come to the meeting tonight as he would be coming from Lansing. He told the members Rob was available by phone if they wanted to talk to him.

Chairman Jim Bier stated he would like to have Rob McPherson on the phone for the record before he opens the Public Hearing. A telephone call was then placed to Rob McPherson and Mr. McPherson was placed on "speaker phone" so that he could participate in the discussion and other aspects of the ZBA Meeting and Public Hearing concerning the Variance Requests and so that Members of the ZBA could hear him and ask him questions.

Chairman Jim Bier entertained a motion to open the Public Hearing.

Christopher Robbins made a motion to open the Public Hearing. Roy Kolberg supported. All approved, opposed none. Motion carried.

PUBLIC HEARING:

Chairman Jim Bier stated he was glad Mr. McPherson could be at the meeting via the phone and asked that he give his name and address and state a little about the variance request for the record.

Rob McPherson, 500 Falcon View, Grand Rapids MI 49512, indicated he was speaking on behalf of Storage Pros at 1819 Fred Moore Hwy. He stated he has been working with the owner and needs to get a sign that would be above the fence and away from the bike path, pedestrians and/or cars entering and leaving the lot. "We feel that a pylon sign would be the best if it is allowed."

Chairman Jim Bier asked if this is a new business and what would be done with the existing signage that is already there?

Rob McPherson stated that the existing signage is basically attached to the front of the fence and that would be removed. The signage on the office building has been replaced and it is 36" x 36".

D. J. Boulier stated that the U-Haul sign could stay as it is a separate business.

Chairman Bier asked Rob McPherson about the size of the pylon sign. What is the rationale to exceed the 32 sq ft limit?

Rob stated they wanted to maximize the sign as much as they possibly could, but if it needs to change it definitely isn't an issue.

Chairman Jim Bier asked each of the members if they had any questions for Rob.

Roy Kolberg doesn't have a real problem with the pylon sign itself, but does question the size of the sign and the need to exceed the square footage limitations of the Ordinance. He would like to see all the other signage eliminated except for the U-Haul sign. He asked if the color of the proposed sign is "locked in stone"; he is not real crazy about the proposed color. He also asked Mr. McPherson if the proposed sign would be illuminated all night long or only during certain hours.

Rob McPherson stated it is the color of the business and is being used at other locations. The sign would be lit from dusk to dawn as customers can get in by card access.

Phil Pokriefka stated he doesn't really have any questions, just has an issue about it being so tall and so much square footage. He sees the need for a six foot pole, but if the size of the sign could be scaled down to 32 sq ft he could live with it.

Ralph Gizowski stated a ground sign 8' x 5' should be sufficient enough if you remove the bushes and set it back towards the fence. If they go with the pylon sign he agrees with Phil that it should be scaled down.

Rob McPherson stated they had looked at the site off the bike path and didn't know what kind of set back was needed either from there or the road. They just thought the pylon sign would be better hanging over the fence.

D. J. Boulier stated he didn't know if the Council would approve the sign in the R-O-W.

Chairman Jim Bier reviewed what D. J. stated about Riverview Credit Union. They did not have enough room on their property for the sign and for them to go in the R-O-W, it had to be approved by Council.

Christopher Robbins stated the square footage needs to be brought in line with the Ordinance. The second point is we should take the opportunity to clean up the other signage on the security fence.

Art Wimmer asked if this is a new owner and if the owner is working with the DDA and the Master Plan for the City. He has the same issues as the rest of the members, he understands that there is a challenge there to try and secure the lot with the barbwire and fencing. He also feels it takes away from the gateway into the City. Doesn't feel it fits in with the other businesses like the banks.

D. J. Boulier reminded the members the DDA district boundary is only to the car dealerships and this business is outside that boundary.

Phil Pokriefka stated he feels everyone does like the ground sign.

Chairman Jim Bier stated to wrap up the comments, if they were to act on it tonight he would be looking for no greater than 32 sq ft and elimination of all the other signage, banners, U-Haul sign and the 36" sign at the door. He can understand the new owner would like new signage; agrees with the comments concerning the aggressive cluttering along this corridor and the need to have it really attractive. If there is the possibility that Rob's client could live with the ground sign, Chairman Bier thinks it's worth exploring with D. J., whether that would fly by the Council and whether that would meet all the requirements you have. To comply with the Ordinance you need to tell your client that the sign on the trailer has to be eliminated. If you want to come back and ask for that sign you would need to pay another fee, as we would have to advertise again. If it is the pleasure of the Board, I would suggest that we table action on this tonight and you can come back at a later date with a revised plan that you could place a ground sign there.

Rob McPherson stated that sounded reasonable to him.

D J Boulier brought up the fact that if there are utilities there, this is what happened with the Credit Union which required the Credit Union to move their sign into a clear area of the road right of way. He feels Council would rather see a pylon sign there instead of a ground sign in the road right of way. He will have to check with Miss Dig about the gas line because that is why they couldn't drop the grade on the approaches at the Credit Union.

Chairman Jim Bier stated that petitioner is willing to take more time and we need to

explore this more thoroughly. If the options are bad with the ground sign then they will take a look at this and see what relief we can provide to the petitioner, but we would really like to take a closer look at sticking to the Ordinance if we can.

D J Boulier stated he has no problem with that, it is their call.

Chairman Jim Bier entertained a motion to close the Public Hearing.

Art Wimmer made a motion to close the Public Hearing. Ralph Gizowski supported. All approved, opposed none. Motion carried.

Roy Kolberg stated that Mr. McPherson should be asked if he wanted to proceed tonight with the ZBA formally acting on the Variance Requests or if Mr. McPherson was requesting that the matter be tabled by the ZBA at this time.

Rob McPherson asked that the Board table any further action on this request.

Chairman Jim Bier asked to have it put in the form of a motion.

Art Wimmer made a motion to table the request of 1819 Fred Moore Hwy. Phil Pokriefka supported. All approved, opposed none. Motion carried.

D J Boulier asked Rob McPherson if he would call in Miss Dig and he would get with the DPW about the water and sewer. If it looks like it is going to be a problem with utilities, he will get back with Rob McPherson and if not, he will run it by Council. They will meet in 2 weeks. He'll have Diane call you with the status.

Chairman Jim Bier stated to Rob McPherson to convey to his client that they are glad to have him as a new business in St. Clair and thanked him for being there via the phone

ADJOURNMENT

Chairman Jim Bier entertained a motion to adjourn. Christopher Robbins made a motion to adjourn. Supported by Ralph Gizowski. All approved, opposed none. Motion carried.

Meeting adjourned at 8:30 P.M. The next meeting will be June 15, 2011 at 7:00 P.M.

**CITY OF ST. CLAIR
ZONING BOARD OF APPEALS
WEDNESDAY - JUNE 22, 2011- 7:00 P.M.
CITY HALL - 547 N. CARNEY DR.**

CALL TO ORDER

The meeting was called to order by Chairman Jim Bier at 7:10 P.M.

ROLL CALL

Present:	Chairman	Jim Bier
	Members	Art Wimmer, Chris Robbins, Ralph Gizowski, Roy Kolberg, Bill Klieman
	Absent	Vice Chairman Phil Pokriefka, JoAnn Westrick
	Administration	D J Boulter, City of St Clair Building Inspector

APPROVAL OF AGENDA

An amended Agenda for the June 22, 2011 ZBA meeting was printed and presented to the ZBA Board Members present at the June 22, 2011 ZBA Meeting prior to the ZBA's approval of the Agenda.

Art Wimmer made a motion to approve the June 22, 2011 agenda as amended. Supported by Chris Robbins. All approved, opposed none. Motion carried.

APPROVAL OF MINUTES

Roy Kolberg had a correction on page 3, paragraph 3 from the bottom of the page last sentence to change the word signed to read sign.

Roy Kolberg made a motion to approve the Minutes of May 18, 2011 as corrected. Supported by Chris Robbins. All approved, opposed none. Motion carried.

CORRESPONDENCE

A letter from Loren Sibilia was handed out for the members.

UNFINISHED BUSINESS

- 1. Variance Request - 1819 Fred Moore Hwy
Tabled from May 18, 2011**

D J Boulter stated Rob McPhearson is here to represent Storage Pros and would like him to speak to the Board. D J also stated at last month's meeting it was suggested by the Board if at all possible maybe they could put their sign in the ROW. D J checked and they can't because of utilities.

Chairman Jim Bier asked Rob McPherson if he would like to speak to the Board.

Rob McPherson, 500 Falcon View, Grand Rapids, MI of Universal Signs, representing Storage Pros at 1819 Fred Moore Hwy., stated to the Board they would like to get the

pylon sign approved as they stated last month. The changes from last month would be under 32 sq ft. and removal of all existing signs off the fencing. He had some pictures of the changes of the signs for the Board. Rob also stated that the office sign can go 2' x 2' to meet compliance.

Chairman Jim Bier asked about the U-Haul Rental space.

Peter Spickenagel, 2078 West Windhaven Hills Dr # 202, Grand Rapids, MI 48050 stated that they just got the word from the sealing company that the driveway is all set and the trucks can go back on it. They plan to add U-Haul on the bottom of the pylon sign under Storage Pros.

Chairman Jim Bier asked for comments from the Board.

Bill Klieman stated that they have done what the Board asked by putting the one 2' x 2' sign on the building and adding U-Haul on the bottom of the Pylon sign, which will be less than 32 sq ft. He has no problem with it.

Art Wimmer stated that the banks and surrounding properties have changed their signage, landscaping and what not, do they plan on keeping their property up with the rest?

Mr. Spickenagel stated absolutely, they want to stay uniform with the surrounding properties for better visual coming into the City.

Art Wimmer stated it is definitely a challenge to come up with a solution because of the bike path and the ROW. He just doesn't want to see the sign over the fence.

Ralph Gizowski asked how many feet between the driveway with the asphalt and the grass around the storage area, 20 ft or 30 ft?

Mr. Spickenagel stated he wasn't really sure, maybe a car or ½ a car.

Ralph Gizowski stated it could go on the ground inside the fence and you could still see it through the fence as you come into town.

Chris Robbins stated as long as the square footage is reduced, and it looks like it is just less than 32 sq ft, and the remaining signage on the fence is cleaned up, he doesn't have an objection.

Roy Kolberg stated he is happy with the way the sign proposal has been modified to the reduced square footage aspect of it so that it is now in compliance with the square footage limitations under the City's Ordinance and he has no objection to the pylon part of it. He would like to see the other signs gone and has no problem with a 2' x 2' directional sign to be located on the side of the office/trailer directing people to the office location.

Chairman Jim Bier stated he appreciates the fact they cleaned the signage up as it is important. He talked about CVS and Bill MacDonald cleaning up their signage. For them, the Board, it is helping them clean up the signage on their property.

Art Wimmer asked if the owner was out of state and if it is a national chain.

Peter Spickenagel stated yes.

Chairman Jim Bier stated it is modified a little bit from the original request. The size of the sign they are presenting tonight is about 31.875 sq ft. That is more conforming to the size limitation and it is not a ground sign, it is a pylon sign that requires a variance from us. He stated DJ has suggested that the sign on the trailer which identifies the office he considers to be a directional sign but the size 2 'x 2' exceeds by two (2) square feet, the square footage allowed by the City's Ordinance so that would require a variance also if they choose to do so.

Chairman Jim Bier entertained a motion.

Roy Kolberg made the following Motion, Supported by Chris Robbins:

I move that the City of St. Clair Zoning Board of Appeals approve and grant a Variance to Storage Pros (also known as Storage Pros Self Storage) to permit the construction, location and erection of a Pylon Sign at the property located at 1819 Fred Moore Highway, St. Clair, Michigan (Property ID #07-055-0034-100) with said Pylon Sign to be no higher than 144" (12 feet) in height with the signage aspect of the Pylon Sign to have the dimensions of 54" by 85" (31.875 square feet). The Pylon Sign permitted pursuant to this Variance shall be installed, constructed, located and erected with a set back of at least twenty-five (25) feet from the Fred Moore Highway curb and at least twelve (12) feet from the existing Bike Path.

In addition to the Variance granted hereunder permitting said Pylon Sign, the City of St. Clair Zoning Board of Appeals also approves and grants a two (2) square ft. Variance to Storage Pros (also known as Storage Pros Self Storage) to permit one "Directional Sign" with the dimensions of 2' by 2' [with a maximum total square footage of four (4) Square Feet] to be located and displayed on the side of the existing trailer/office located at the subject property at 1819 Fred Moore Highway, St. Clair, Michigan, said "Directional Sign" to be used to direct people to the office location of Storage Pros (also known as Storage Pros Self Storage) in the trailer located on the subject property. This permitted "Directional Sign" shall strictly be used only as a "Directional Sign" and shall not be used for any other use or purpose whatsoever.

The Variances approved and granted hereunder are approved and granted by the ZBA expressly contingent upon the Pylon Sign and the signage aspect of said Pylon Sign and the permitted "Directional Sign" being installed, constructed, located and erected in strict accordance with the final Plans, Specifications and Drawings, as amended, submitted by the Applicant and Property Owner to the City of St. Clair and as said final Plans, Specifications and Drawings are reviewed by and approved by the

City of St. Clair Building Inspector in accordance with the Variances approved, specified and granted hereunder and the limitations, restrictions and provisions set forth herein and hereunder.

The Variances approved and granted hereunder are further expressly contingent upon the Pylon Sign and the signage aspect of said Pylon Sign and the "Directional Sign" being constructed, located and erected in strict accordance with and in compliance with all City of St. Clair Codes, Ordinances, Rules and Regulations (except to the extent the Variances approved and granted hereunder affect such compliance) and in strict accordance with and in compliance with all applicable State, County and Federal Laws, Statutes, Ordinances, Rules and Regulations, if any.

The Variances approved and granted hereunder are further expressly contingent upon all other signage and all further signage being permanently removed and eliminated from the subject property, including but not limited to any and all signs and signage located on the fence currently erected at and along the front of the subject property along Fred Moore Highway and any and all other signs and signage on the trailer/office located on the subject property with the exception of the "Directional Sign" permitted hereunder. No additional signs or signage shall be installed, constructed, located, erected or displayed on or at the subject property except as may be permitted by the Codes, Ordinances, Rules and Regulations of the City of St. Clair, Michigan.

The Variances approved and granted hereunder are further expressly contingent upon all materials and supplies used and the construction, installation and location of and work performed relative to the construction, installation and location of all Signs permitted hereunder being done and performed and completed in a manner satisfactory to and approved by the Building Inspector of the City of St. Clair.

Chairman asked for a roll call vote.

Jim Bier	yes
Art Wimmer	yes
Chris Robbins	yes
Ralph Gizowski	no
Roy Kolberg	yes
Bill Klieman	yes

Motion carried.

NEW BUSINESS

1. **208 S Ninth Street - Variance Request
Size Variance for Accessory Structure**

PUBLIC HEARING

1. **208 S Ninth Street - Variance Request
Size Variance for Accessory Structure**

Chairman Jim Bier asked D J Boulier to give a brief summary of the variance.

The applicant and property owner, Kevin Zimmerman, has applied for a variance to construct a 30' x 40' 1200 square foot accessory structure with 10' high sidewalls with a 7/12 pitch roof.

This building will be located in the rear yard of this 0.61 acre lot which has 108' of frontage and an average depth of 255'.

All proposed setbacks meet Section 5.33, Schedule of Accessory Structure. The proposed building will be located 10' south of the north property line and 12' east of the rear property line and approximately 111' from the main structure.

The petitioner has requested a size variance to add an additional 300 square feet to the proposed structure. The Ordinance allows a structure to be 65% of the ground floor of the main structure or 900 square feet, whichever is less. The main floor of this residence has 2252 square feet and 65% of this would be a structure of 1463.8 square feet.

Although this structure of 1200 square feet is larger than allowed by Ordinance, it still is well below the allowed rear yard coverage of 30% for a detached Accessory Structure. The height of this building is approximately 20' 4" in total height. Although Section 5.33 states the maximum height allowed is 1½ story or 16' 0", please note that Section 5.33 footnote B allows for the roof pitch to be increased to match the existing pitch of the main structure but not to exceed the ridge height of the main building.

Because of the size of this lot, size of the main structure and rear yard the Building Department feels this structure will blend nicely on this lot.

Chairman Jim Bier entertained a motion to open the Public Hearing.

Roy Kolberg made a motion to open the Public Hearing. Art Wimmer supported. All approved, opposed none. Motion carried.

Kevin Zimmerman, 208 S Ninth St, St Clair, MI, stated he is looking to put up a garage because the existing structure doesn't have one. As D J stated, the pitch of the roof is 7/12. There may be a little bit of a change on the setbacks. The drawing shows 10' from the east, it could possibly go to 17' and from the north it could go from 10' to 12'.

Chairman Jim Bier stated they received a letter from his neighbor referencing the drainage.

Kevin Zimmerman stated he had spoken with his neighbor and he is concerned the drainage would run on his property. Kevin would make sure that would not happen and take proper drainage control.

Larry Simons, 1580 Meisner Rd, East China, MI owns property at 917/919 Jay St, St Clair. His concern is about how the building is going to be because of the elevation. It

wasn't too many years ago that there were ducks swimming there and they put a drain line in and it has been working pretty well. He doesn't know where the property lines are and would like to have them identified.

Bob Grumbling, 3459 St Clair Shores Blvd, East China, MI 48054 asked if they could tap into the drain on Jay St.

Larry Simons stated it just goes to the catch basin.

D J Boulter stated he wouldn't recommend that, they should just do their own drainage plan.

Loren Sibila, 915 Jay St, St Clair, MI, read the letter he handed out to the Board. He stated he is here because Mr. Zimmerman would like to build a garage and driveway behind his property. He has some questions about that. He would like to have Mr. Zimmerman's driveway and garage 15' from his property. Mr. Sibila's biggest concern is the drainage. He doesn't like anything going behind his lot because he has a small lot. He is concerned about electrical wires.

Mr. Zimmerman stated that the existing drains they put in years ago won't be disturbed where they are and any grading that needs to be done they can be raised.

Chairman Jim Bier asked if Loren Sibila had a survey.

Mr. Sibila stated he did not have a copy of the survey and D J mentioned that Mr. Sabotka would know where those stakes are.

Chairman Jim Bier stated that the drainage on new construction is with the City.

Mr. Sibila wants a variance to keep him from building close to his property.

Chairman Jim Bier stated he has heard Mr. Sibila's concerns and will take them into consideration during the Public Hearing and ask if any members had questions.

Art Wimmer asked Mr. Sibila if he had a problem with the garage.

Mr. Sibila repeated the drainage issue again.

Chris Robbins stated he understands Mr. Sibila's concerns but it is the problem of the Engineer/Building Department and they need to stick to the venue that is before them.

Roy Kolberg asked Mr. Zimmerman if he had a problem with the removal of his shed.

D J Boulter stated he is allowed to have his 10x12 foot shed by Ordinance.

Chairman Jim Bier entertained a motion to close the Public Hearing.

Motion made by Art Wimmer to close the Public Hearing. Chris Robbins supported. All approved, opposed none. Motion carried.

Chairman Jim Bier then requested that the individual Members of the ZBA state for the record their personal positions, comments and any concerns they may have relative to the Applicant's proposal(s) currently before the ZBA.

Roy Kolberg stated he doesn't have a problem with the proposal at all even with it as originally submitted. Mr. Zimmerman has suggested that he will be willing to modify the rear yard setback from 12' up to 17' and the side yard setback from 10' to 12'. He went out and looked at the property and the size of the garage will fit nicely in his big back yard. The drainage problem, if there is one, will be dealt with by the City's Building Inspector and I am sure it will be taken care of. The existing shed (as long as it does not exceed 120 sq ft) can be moved to another location on the property. He has no problem with the proposal.

Chris Robbins stated the proposal is sound and the only issue is the variance of the square footage being larger than what is allowable by percentage of the Ordinance. The property owner has a big back yard and the building should fit substantially. No problem with it.

Ralph Gizowski stated he has no objection.

Art Wimmer stated that the neighbors are willing to work with Mr. Zimmerman and if they can work it out it is just fine. He is in favor of it.

Bill Klieman stated if they can work things out, he agrees with everyone else, he has no problem with it.

Chairman Jim Bier stated the variance is limited to square footage and encouraged Mr. Zimmerman to take Mr. Sibila's concerns into account to maintain good neighbors.

Chairman Bier entertained a motion.

Roy Kolberg made the following Motion. Supported by Chris Robbins:

I move that the City of St. Clair Zoning Board of Appeals approve and grant a square foot Variance of 300 square feet to Kevin Zimmerman, the Applicant herein and the Owner of the subject property located at 208 South 9th Street, St. Clair, Michigan (Parcel ID #74-07-410-0027-000), to permit the construction, erection and location of a 1200 square ft. Detached Accessory Structure to be constructed, erected and located in the rear yard of the Applicant's/Owner's subject property at 208 9th Street, St. Clair, Michigan, said Detached Accessory Structure permitted hereunder to have the dimensions of 30' by 40' (total of 1200 Square Feet) with a Sidewall Height of 10'-0", a Roof Pitch of 7/12 and a total height of 20'-4" in accordance with the modified and amended Plans, Specifications and Drawings to be filed and submitted by the Applicant/Owner, Kevin Zimmerman, to the City of St. Clair pursuant to the requirements

and provisions of this Motion. The rear yard set back for the Detached Accessory Structure shall be at least twelve (12) feet and may be up to seventeen (17) feet from the rear yard (N/W) property line and the side yard set back shall be at least ten (10) feet and may be up to twelve (12) feet from the side yard (North) property line of the subject property. The Applicant/Owner shall submit modified and amended Plans, Specifications and Drawings to the City of St. Clair for the proposed Detached Accessory Structure and the location/re-location of the existing "shed" before any construction and erection of the proposed Detached Accessory Structure shall be permitted and such modified and amended Plans, Specifications and Drawings shall be consistent with and in accordance with the dimensions, limitations, requirements and provisions of this Motion by the Zoning Board of Appeals.

The Zoning Board of Appeals finds and determines that the Applicant's/Owner's subject property at 208 South 9th Street, St. Clair, Michigan is more than adequate and sufficient in size, dimension and configuration to easily and safely accommodate the Applicant's/Owner's proposed 1200 square ft. Detached Accessory Structure.

The Zoning Board of Appeals further finds and determines that the existing "shed" currently located on the subject property does not exceed the 120 square feet permitted for a "shed" under the applicable City of St. Clair Ordinance(s) and that, therefore, the Applicant/Owner is permitted to keep and retain said "shed" on the subject property in addition to the Detached Accessory Structure permitted under this Motion. The Zoning Board of Appeals further finds and determines, however, that the "shed" will have to be re-located to a different location on the subject property if the Detached Accessory Structure is constructed and erected. The location of said "shed" shall be in and at a location on the subject property as may be permitted by the Codes, Ordinances, Rules and Regulations of the City of St. Clair, Michigan and as approved by the Building Inspector of the City of St. Clair.

The Variance approved and granted hereunder is approved and granted by the ZBA expressly contingent upon the proposed Detached Accessory Structure being constructed, located and erected in strict accordance with the final modified and amended Plans, Specifications and Drawings to be prepared and filed by the Applicant/Owner, Kevin Zimmerman, with the City of St. Clair as required hereunder and as said final modified and amended Plans, Specifications and Drawings are reviewed by and approved by the City of St. Clair Building Inspector in accordance with the Variance approved, specified and granted hereunder and the limitations, restrictions and provisions set forth herein and hereunder.

The Variance approved and granted hereunder is approved and granted by the ZBA expressly contingent upon the proposed Detached Accessory Structure being constructed, located and erected in strict accordance with and in compliance with all City of St. Clair Codes, Ordinances, Rules and Regulations (except to the extent the Variance approved and granted hereunder affects such compliance) and in strict accordance with and in compliance with all applicable State, County and Federal Laws, Statutes, Ordinances, Rules and Regulations, if any.

The Variance approved and granted hereunder is approved and granted by the ZBA expressly contingent upon the Applicant/Owner of the subject property, Kevin Zimmerman, constructing, erecting and locating said proposed Detached Accessory Structure with proper and safe grades, elevations and drainage as reviewed by and as approved by the City of St. Clair Building Inspector to protect the health, safety and welfare of the public and, in particular, surrounding residents, property owners and properties.

The Variance approved and granted hereunder is approved and granted by the ZBA expressly contingent upon all materials and supplies used and the construction, installation and location of and the work performed relative to the construction, installation and location of the proposed Detached Accessory Structure and all matters incident thereto being done and performed and completed in a manner satisfactory to and approved by the Building Inspector of the City of St. Clair.

Roll call vote.

Jim Bier	yes
Art Wimmer	yes
Chris Robbins	yes
Ralph Gizowski	yes
Roy Kolberg	yes
Bill Klieman	yes

Motion carried.

Chairman Jim Bier stated that the Motion carried.

Chairman Jim Bier would like to add the topic of "The Proper Way to Make a Motion" to the next agenda for the July meeting.

ADJOURNMENT

Chris Robbins made a motion to adjourn. Supported by Jim Bier. All approved, opposed none. Motion carried.

Meeting adjourned at 8:30 P.M. The next meeting will be July 20, 2011 at 7:00 P.M.