

**CITY OF ST. CLAIR
ZONING BOARD OF APPEALS MEETING
WEDNESDAY, JUNE 17, 2020
ST. CLAIR CITY HALL
547 N. CARNEY, ST. CLAIR**

CALL TO ORDER: Jim Bier – 7:00 p.m.

ROLL CALL: Chairman: Jim Bier Secretary: Joann Westrick
Member: Doug Vernier Vice Chair: Doug Glassford
Member: Bill Klieman Member: Diane Ives
Member: Ralph Gizowski

Audience: Nicholas Coventry – Resident
Nancy Beaudua – Planning Commission

APPROVAL OF AGENDA:

Jim Bier entertained a motion to approve the agenda. JoAnn Westrick made a motion to approve the agenda, supported by Doug Vernier. All in favor, none opposed.

APPROVAL OF MINUTES:

Jim Bier entertained a motion to approve the minutes from the June 3, 2020 meeting. Doug Glassford made a motion to approve the minutes. Supported by Doug Vernier. All in favor, none opposed.

CORRESPONDENCE: None

OLD BUSINESS: None

PUBLIC HEARING: 830 S. Tenth
74-07-706-0006-000
Section 5.2 Accessory Building & Uses
Section 5.33 Schedule of Accessory Structure – Side yard setback

Jim Bier entertained a motion to open the Public Hearing at 7:02 p.m. Doug Vernier made the motion to open the Public Hearing. Supported by JoAnn Westrick. All in favor, none opposed.

Dee Boulter – Nicholas Coventry, 830 S. Tenth is requesting two variances tonight for Accessory Structure. The applicant is proposing the construction of a 24'x50' steel

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frame building, 1200 square feet, 10' tall. The property lot is 81x150; 12,150 square feet. The rear yard is 81x91; 7371 square feet which would allow this building.

The variances that he needs are two dimensional variances. One being Section 5.33 Schedule of Accessory Structure – Side yard setback: the square footage of his house is 1247 square feet so 65 percent of that only allows him to build an accessory building of 811 square foot. The proposed square footage is 1200 square feet; this would require a variance of 389 square feet.

The set back from his north property line, according to his drawing, is 5'. The proposed building is 50' long. Section 5.33 states that for anything over 25' for every 2' of length over you need an additional 1' of setback. He would need 12 ½' extra of setback plus the 3' for an R1A property, this puts it at 15'6". The proposed northside setback is 5', which will require a variance of 10'6". All other setbacks are fine.

Jim Bier - We will certainly come back to you Dee if we have any questions. Will the petitioner approach the podium and tell why you are making the request? Please state your name and address first.

Nicholas Coventry – I am the petitioner and the one making the request. My name is Nick Coventry. I have been in St. Clair for 14 years. Basically, we don't have a basement and we only have a single car garage so with two kids in the wintertime we are like claustrophobic. We wanted to build a garage and figured we would go bigger so that the kids would have somewhere to play in the winter. Obviously, nobody ever complains that their garage is too big. I have already talked to all of my neighbors; nobody has any issues. I am just needing more space and I really don't want to move outside of the city. We like where we are and we have excellent neighbors.

Jim Bier – Any questions before we close the public hearing?

Doug Vernier – What hardship requires you to have a 1200 square foot commercial building in a residential area?

Nicholas Coventry – I really don't have anything particular that I am doing with it. I will have a truck to put in it. Originally, the reason that we were doing the longer distance structure is that I do U-tube videos and I needed more room to get the truck in frame. After I did all of the math it was decided to just make an area for the kids to play too. Our driveway is a single driveway, on a hill, and there is no sidewalk. It's not safe basically as my kids are age 2 and 4 so we are always in the back yard. There is nowhere to ride bikes, nowhere to do anything so I thought I had this big open area that is clean and safe. Especially in the wintertime it's basically a fun area for the kids. It's really not that expensive the way I am doing it.

Jim Bier – Dee is the type of structure acceptable?

Dee Boulier – It's a steel building which is fine. I presume he will be getting metal siding and metal roof.

Nicholas Coventry – Yes.

Dee Boulier – It is similar to a pole barn other than it is a steal frame structure.

Jim Bier – So there are no restrictions on that type of material?

Dee Boulier – No.

Ralph Gizowski – What about the pitch of the house versus the garage/pole barn?

Dee Boulier – It's pretty close. I think he was proposing a 6/12 pitch and I told him if he went to a 5/12 it would hit the 16' height, which is allowed.

Ralph Gizowski – What is the pitch of the house?

Nicholas Coventry – The pitch of the house runs in a different direction.

Dee Boulier – What the ordinance says is that you can exceed 16' height if you match the pitch of the main structure. There again you can't do 12' side walls and then put a roof on. I won't let him do that.

Doug Glassford – You have to look at each case. If you put this up and it doesn't match the house it just sticks out.

Nicholas Coventry – I think the house and the structure are pretty close to the same height.

Dee Boulier – Just due to the grade it will be higher than his house but he is proposing 17' setback there.

Jim Bier – One of the things that I noticed as I looked at your neighborhood on *google earth* is that the houses are all built about the same time and are similar in style. I don't know if others have basements, possibly. A lot of your neighbors have accessory structures at the rear of their yards. Yours is different though again, just scaling off of *google earth* I am seeing a 22x32 (736 sq ft), a 24x28 (672 sq ft), a 22x32 (704 sq ft), a 21x27 (567 sq ft), and a 25x31 (775 sq ft). All of those existing structures that are located similar to what you want to do are smaller than what you are proposing. They are probably within what is acceptable by Code currently. I am looking at that and questioning why would we grant the variance to go that much larger when Code allows a 65 percent or 900 square feet, whichever is less. Would you be able to live with 900 square feet?

Nicholas Coventry – Possibly, I would have to reconfigure a few things. There are a few buildings in my area that are pretty large too. My yard is bigger than most. Plus, the reason why I am going long and narrow is that it still leaves the yard pretty big for the kids. Obviously, it is a weird shape but that was mainly to optimize the yard.

Jim Bier – The neighbor directly behind you has a big pool in their back yard?

Nicholas Coventry – Yes, Mrs. Cornish does. That's why we don't want to move, we get to use it a lot. Even my neighbor to my south has a large 3 car garage. It is just difficult without a basement. This would basically double my space. I am paying almost \$200 per month for a storage unit in Marysville. With two kids there is just no room for anything. We don't even have an attic. If we move, we would have to do a zillion things to make it the way we want. We have been here so long and we really just like the neighborhood. If we had a bigger driveway it might be different. It would be somewhere for the kids to play. I definitely could reconsider.

Jim Bier – Does anyone have anything else to question?

Diane Ives – Have you considered the siding of the garage to be more compatible with the siding of your house? You said the siding of this structure would be metal.

Nicholas Coventry – It will be behind the existing garage 17 feet.

Diane Ives – It would look less industrial if you changed the siding.

Nicholas Coventry – The siding on the house is aluminum. The way we are designing this is not to look like a pole barn. We are going to have overhangs on the front and the sides. I believe the siding runs horizontally. We may even put stone on the front. We are going to be putting lights on the building. I don't want it to look like we are out in the middle of the country. I almost didn't do this structure because it has trusses so when you are inside the building you can see the trusses and it makes it seem industrial. It isn't going to look like a pole barn. I had examples.

Joann Westrick – The structure isn't in question but the material is permissible.

Nicholas Coventry – You are correct. I want it to look like a garage. I don't want it to look like a pole barn.

Jim Bier – We can always put conditions on a variance that we grant. That was one reason I asked if that type of construction was permissible.

Doug Glassford – At this point, the concern is the size of the structure.

Jim Bier – We don't really seem to have a problem with the setback variance. It is really the size.

Bill Klieman – I have a question on the setbacks. On the northside where you want 10'6" variance, what would be the hardship if you moved the building over 15 feet, which is what Code calls for?

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Nicholas Coventry – It could be moved but it was mainly to keep the yard open. The further you move it to the center there is a lot of wasted space.

Bill Klieman – Other than to keep your yard space, what is the reasoning that you don't want to move it further over than 5 feet off the property line.

Ralph Gizowski – If you make it smaller you wouldn't have that issue either.

Jim Bier – You have to give and take here.

Nicholas Coventry – Part of our problem is that we have a pretty big slant in our yard. It is a pretty significant grade. That area isn't really usable but you are right you could make it smaller.

Doug Glassford – Either move it or make it smaller.

Jim Bier – One concern I would have also Bill is that if you are going to use your driveway to get a vehicle into the structure the further south you move it the doors wouldn't line up with the access.

Bill Klieman - On the west end, rear set back it is 24', what does he need on the rear set back?

Dee Boulier – With it being R1 he only needs 3 feet.

Bill Klieman – So he could move it back 21'?

Nicholas Coventry – There is a telephone pole there.

Bill Klieman – You could move it over and back and there wouldn't be such an issue.

Nicholas Coventry – The telephone pole and electrical lines are part of my issue about not being able to move it back any further. If I move the garage to the south side of the house then I will have to run a driveway all the way over. Currently my plan is to run the new driveway along side of my existing driveway.

Dee Boulier – Have you considered putting it across the lot? You could hold it right to 3 feet if you had the 24' at the north line. Then you are quite away off the back-property line.

Nicholas Coventry – So the building would go north and south?

Doug Glassford – Can you get a door on the side of it versus the end? The size of the building is a big concern in a neighborhood. I understand what you are trying to do but I am also concerned about how big that variance is. It is almost 400 square feet over what is allowed.

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Nicholas Coventry – I have talked to my neighbors and none of them have an issue. Most of the garage will be behind the existing garage.

Jim Bier – The yard is deep so I don't have a problem with that. My issue is that it is significantly larger than other structures in the neighborhood. The ordinance allows 900 square feet. You would still need a variance to allow for the 900 square feet but at least we would be looking at what the ordinance considers appropriate to residential zoning. I am struggling to see a legitimate reason or hardship to go to a 1200 square foot structure.

Would it work for you to basically position where you want it at the 5' variance but shrink it down to about 37 ½ feet. You would be losing about 12 ½ feet in length.

Nicholas Coventry – So if the house was bigger, then I would be allowed a bigger structure?

Dee Boulier – You would still need a variance no matter how big your house is. The Code states you can have an outbuilding at 65 percent of your ground flood square footage up to 900 square feet. Whichever is less.

Jim Bier – Code says in residential zoning an outbuilding, up to 900 square feet, is allowable without a variance. To give you a variance we need a compelling hardship reason as to why that would be granted. We frequently do what we are doing now to try to work with you to see what may work to satisfy your needs but also respect what the Code says and what appears appropriate for your neighborhood. Certainly, your neighbors aren't complaining but at the same time this a significant increase over and above what is allowed and maximum allowable.

Doug Glassford – I think we are all on the same page with that. Even though the neighbors are not complaining now we are also here to protect the next set of neighbors and the next. Just because no one cares now doesn't mean that down the line someone in the future may have an issue. Possibly when they are either buying or selling a home in your neighborhood. I understood your rationale for the 50 foot in length but I just think it is too big. I think it exceeds our standards by so much. If we could get it down to the 37 ½ foot length that puts us right on the money.

Dee Boulier – We would still be looking for a variance of anything over 900 square feet.

Jim Bier – Would it work at 912 square feet?

Nicholas Coventry – I will have to map it out and see.

Jim Bier – You have a couple of options before we proceed:

1. We can table while you reconsider your options
2. We can vote on it now. If we vote and grant you a variance of less than 1200 square feet that is where you will be.

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Once we vote you would have to wait a year to bring the same issue back to us again. If you are uncertain whether this works or not, we can table it and come back in a month. Then you can come back and let us know what you have found or changed to your request.

Nicholas Coventry – I will have to talk with the builder to see what options they may have available. I would like to table this for now.

Bill Klieman – If he cuts 13 feet off the back could he put a lean-to roof on it?

Dee Boulter – No, it would still be part of the structure. Let's talk about the side-yard setback so that Nick understands what you are looking at.

Jim Bier – Let's just go down the table and see if any one has an issue with the side-yard setback:

- Bill Klieman – No issues with either of the setbacks
- Ralph Gizowski – I don't have a problem with setback, my problem is the size of the structure
- Jim Bier – I don't have an issue with the side-yard setback, size is the issue
- Doug Glassford – Issue is the square footage of structure, no problem with setback
- Doug Vernier – I feel the same. I know it isn't part of our normal thing but you may want to consider sometime when you go to sell. Some people may not be interested in purchasing solely because of the size of the structure
- Joann Westrick – I concur with what has been said
- Diane Ives – I feel the same

Jim Bier – Square footage is the issue. I will entertain a motion to close the public hearing. Doug Vernier made the motion to close the public hearing, Doug Glassford supported. All in favor, none opposed.

Jim Bier – Entertained a motion to table. Doug Glassford made a motion to table until the next meeting, supported by Joann Westrick. All in favor, none opposed.

Jim Bier – Entertained a motion to adjourn. Doug Vernier made the motion to adjourn. Joann Westrick supported. All in favor, none opposed.

Meeting adjourned at 8:15 p.m.