

**CITY OF ESCANABA
ZONING BOARD OF APPEALS
Official Proceedings – July 11, 2023**

CALL TO ORDER

A meeting of the Escanaba Zoning Board of Appeals was held on Tuesday, July 11, 2023, at 6:00pm in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

Chair Hannemann called the meeting to order at 6:01 PM.

ROLL CALL

Chair Mark Hannemann:	Present	Don Curran:	Present
Vice Chair Jon Liss:	Present	Brian Thorsen:	Present
Christopher Renner:	Present	Richard Clark:	Present

With six in attendance, a quorum of the Zoning Board of Appeals was present.

ALSO PRESENT

City Administration:

Tyler Anthony, Planning & Zoning Admin.

Heather Calouette, Administrative Assistant

Ronald Beauchamp, Council Liaison

Others:

Gerald LaMarche, MI Conf. of 7th Day Adventists

Three other unnamed individuals were present.

AGENDA

A motion was made by Liss, seconded by Curran to approve the meeting agenda as presented. MOTION PASSED unanimously.

CONFLICT OF INTEREST DECLARATIONS

None.

PUBLIC COMMENT

None.

PUBLIC HEARINGS

PH1: Dimensional Variance Request – 2305 1st Avenue South

Hannemann described the nature and process of public hearings before the Board.

Anthony introduced the variance request by the Michigan Conference of Seventh Day Adventists (SDA). The applicant had requested a variance of 17.5 feet from the required rear setback for a proposed building addition. A minimum rear setback of 20 feet was required per City of Escanaba Zoning Ordinance sec. 505.2.1.

Chair Hannemann opened the public hearing.

With no comments or written correspondence, Chair Hannemann closed the public hearing.

LaMarche, the representative for SDA, explained that the food pantry has outgrown the building within the last three to four years. They had hoped to construct a new building for this use, but they did not have the funds to do so. Instead, they had decided to seek approval for and build an addition to the current building. That addition was expected to provide SDA with enough space for their function as a community food pantry.

Before opening discussion, Hannemann explained that the Board could ask further questions of the applicant if they wished. Clark asked a series of questions relating to the land's use. Anthony confirmed that the property was then located in zoning district A, explained that a place of worship was held to the same setbacks as dwellings, and added that a place of worship was required to obtain a special land use permit in that district. He then noted that a place of worship was a use allowed by-right in zoning district E.

Anthony described this case as a strange one; permits and approvals had been granted for 40+ years in conflict with the Zoning Ordinance. He stated that, if zoning had indeed been enforced correctly from the start, no building would have been erected on this lot. Anthony indicated that the Board had more than one course of action which they could have taken. He added that none of the options were straightforward, as two of them would have involved the Planning Commission's cooperation.

The Board discussed an option which included requiring a lot combination; SDA owned several contiguous lots, including the one in question. They further explored what that combination would have caused, and how that action would have worked with a variance if granted. Staff explained that lot combinations were handled through the Assessing Department. SDA needed to contact staff at that department to request such a combination. Anthony reviewed the Michigan Zoning Enabling Act (MCL 125.3101 *et seq.*) to verify if the Board could recommend a lot combination; he found no reference to such action.

A motion was made by Renner to approve the variance unless and until all contiguous properties owned by the Michigan Conference of 7th Day Adventists in the City bounded by 1st Avenue South & South Lincoln Road are combined into one parcel. Supported by Curran.

**A roll call vote was taken with the following results:
Yes: Hannemann, Thorsen, Liss, Clark, Curran, Renner
No: None
MOTION PASSED.**

GENERAL PUBLIC COMMENT

None.

BOARD/STAFF COMMENT

Anthony announced that the next regular Zoning Board of Appeals meeting was scheduled for October 3, 2023.

HOUSEKEEPING BUSINESS

HK1: Approval/Correction to Minutes

A motion was made by Thorsen, seconded by Clark, to approve the May 16, 2023 minutes as presented. **MOTION PASSED.**

UNFINISHED BUSINESS

None.

NEW BUSINESS

NB1: Training Updates

Clark completed the ZBA Online Certificate Course as offered by the MSU extension.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

ADJOURNMENT

A motion was made by Liss to adjourn the meeting. Supported by Hannemann. **MOTION PASSED.**

The meeting adjourned at 6:40 PM.

APPROVAL

These minutes approved at the _____ meeting. ____

Mark Hannemann, Chair
Escanaba Zoning Board of Appeals

Tyler Anthony, Planning and Zoning Admin.
City of Escanaba