

Zoning Board of Appeals

Brian Tideswell, Chair

Chuck Bayly
Michael Bembas
Rick Erdmann

Scott Krall
Chari Lawton
Adam Ragsdale

CITY OF ALGONAC AGENDA FOR ZBA MEETING Thursday, July 16, 2026 6:00 p.m.

City Council Chambers, 805 St. Clair River Drive
Algonac, MI 48001

- 1) Meeting called to Order
- 2) Roll Call
- 3) Pledge of Allegiance
- 4) Citizens to be Heard
- 5) Approval of Minutes
 - a. ZBA Meeting Minutes of January 15, 2026
- 6) Communications and Notices
- 7) Unfinished Business
- 8) New Business
 - a. ZBA Case #2026-02, 1516 St. Clair River Drive
 - b. To review and approve Zoning Board of Appeals By-Laws.
 - c. To elect the ZBA Chairperson.
 - d. To elect the ZBA Vice Chairperson.
- 9) Adjournment

You may be called to order by the chair or a board member if you:

- Attempt to engage the board or any member in debate
- Fail to address the board on matters germane to city business
- Use vulgarity
- Make personal attacks on persons or institutions
- Disrupt the public meeting

If you are called to order, you will be required to take your seat until the chair determines whether you will be permitted to continue

This notice is posted in compliance with PA267 of 1976 as amended (Open Meetings Act), MCLA 41.72a (2) (3) and the Americans with Disabilities Act. Individuals with disabilities requiring auxiliary aids or services should contact the City of Algonac City Clerk at P.O. Box 454, Algonac, Michigan 48001 or (810) 794-9361 x6 or cityclerk@cityofalgonac.org.



Business of the city of Algonac Zoning Board of Appeals

Item No: 5
Meeting: 7.16.2026

Agenda Statement

Item Title: To approve ZBA meeting minutes.

Submitted by: Lisa Borgacz, City Clerk

Summary

ZBA Minutes from January 15, 2026 are attached for your review.

Suggested Action:

Motion by _____; supported by _____ to approve ZBA meeting minutes as presented.

APPROVED/Denied

ZONING BOARD OF APPEALS

Brian Tideswell, Chair

Chuck Bayly
Michael Bembas
John Bolf

Chari Lawton
Rick Erdmann
Adam Ragsdale

**CITY OF ALGONAC
Zoning Board of Appeals Meeting
Council Chambers, 805 St. Clair River Drive
Algonac, MI 48001
Thursday, January 15, 2026
6:00 p.m.
PROPOSED MINUTES**

Meeting called to Order

Chairman Tideswell called the meeting to order at 6:00 p.m.

Roll Call

Present: Bayly, Bembas, Erdmann, Lawton, Ragsdale, Tideswell

Absent: None

Others: Lisa Borgacz, City Clerk and applicant Scott Krall.

Pledge of Allegiance

Chairman Tideswell led the Pledge of Allegiance.

Citizens to be Heard

There were none.

Approval of Minutes

Motion by Bayly, supported by Lawton to approve ZBA Meeting Minutes of September 25, 2025. Motion carried.

Communications and Notices

Letter of resignation from Mrs. Patricia Meldrum-Bolf on behalf of her husband, John Bolf received January 5, 2026.

Three (3) emails opposing request of case #2026-01 received from Shelagh & Sam Kromberg, 456 Willard (2 emails) and Melissa Merkau, 412 Lathrop.

Unfinished Business

There was no unfinished business.

New Business

ZBA Case #2026-01, 444 Lathrop

Motion by Bayly, supported by Lawton to open the public hearing at 6:01 p.m. Motion carried.

Scott Krall, 444 Lathrop, applicant, said he is fairly new to Algonac and is looking to add additional storage for boating accessories. His architect and builder were present as well.

The property is an adjacent lot across the street but it is all one parcel.

Chairman Tideswell explained that this is a unique configuration. The home has a 6-car garage already. He questioned the parcel and whether there is a utility easement that's been accounted for, because it doesn't look like sufficient space for the easement. Mr. Krall didn't know if there is a utility easement, but any lines would have to go underground. Chairman Tideswell also questioned the seawall tiebacks, and why the plans show a door opening to the canal. Mr. Krall stated the door would open up access for jet skis, and he would add a sitting area; he has a lot of stuff.

Public Comment:

1. David Klebba, 454 Willard, told a story about a garage he built 20 years ago but wasn't allowed to park anything in it. He's not sure if rules are the same today.
2. The builder mentioned the garage meets the size and height requirements, but it's a third accessory building. The boat well has a covered structure but was built back in the 1990's.
3. Mary Adkins, 448 Willard, asked where the garage was going to be built. She is not happy with another structure blocking her view, but just came to ask where it would be built.
4. Emails from Shelagh & Sam Kromberg, 456 Willard in opposition of the request.
5. Email from Melissa Merkau, 412 Lathrop in opposition of the request.

Motion by Bayly, supported by Erdmann to close the public hearing at 6:12 p.m. Motion carried.

The Board further discussed the variance request. It was noted that while the lot has a unique configuration, it does not constitute a hardship. The proposed garage is generally consistent with other homes along the street; however, Chairman Tideswell expressed concerns regarding the electrical utility, tie-backs, and footing requirements on the lot.

Councilman Bembas commented on the boathouse, stating that it is not truly a boathouse but rather a covered boat well. He questioned whether the matter would be before the Board if the structure had been removed or incorporated into the garage plan. The City's ordinance classifies the covered boat well as a structure and clearly limits properties to two accessory structures.

Commissioner Erdmann questioned the proposed garage's distance from the road, even though it lines up with existing structures. Commissioner Ragsdale pointed out the letter from the building official says its too close to the road, but the distance isn't being considered in this variance request. It was noted that no properties on that side of Lathrop meet the required setback.

Motion by Bembas, supported by Erdmann in the case of #2026-01, 444 Lathrop, to APPROVE the request for variances for 444 Lathrop with the following conditions:

- 1) That the petitioner agrees to abide by and comply with all applicable rules and regulations and orders of every lawful agency or governing authority having jurisdiction; and
- 2) That the decision of the board will remain valid and in force only as long as the facts and information presented to the board in public hearing are found to be correct and that the conditions upon which the motion is based are maintained as presented to the board. In addition:
 - (1) Such variances will not be detrimental to adjacent property or the surrounding neighborhood;
 - (2) Such variances will not impair the intent and purpose of this article;
 - (3) Circumstances create a practical difficulty because of unique physical conditions;
 - (4) Such variances are necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity;
 - (5) This situation is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation;
 - (6) This situation is not the result of actions of the property owner;
 - (7) That strict compliance with ordinances would unreasonably prevent the owner from using the property for a permitted purpose;
 - (8) That the variances requested mitigate the hardship;
 - (9) That the variances will relate only to property under the control of the applicant.

This motion includes the following conditions:

- a. The variance shall expire, without need for action by this Board, if the appropriate approvals are not sought and obtained within one (1) year.

- b. The approval of this variance shall not be rationale for any future variance requests.
- c. Any additional variance requests may be grounds for revocation or revision of any variance that is granted.
- d. Any violation of the terms and conditions of the ZBA decision or of any requirements of the City's Ordinances may be grounds for revocation of the variance.
- e. The appropriate permits must be applied for and obtained prior to installation.

Roll Call Vote:

Ayes: Bembas, Erdmann

Nays: Bayly, Lawton, Ragsdale, Tideswell

Absent: None

Motion FAILED.

Adjournment

Motion by Bayly, supported by Erdmann to adjourn the meeting at 6:25 p.m.

Motion carried.

Signed: _____; respectfully submitted _____
Chairman Brian Tideswell City Clerk Lisa Borgacz



Business of the city of Algonac Zoning Board of Appeals

Item No: 8a
Meeting: 7.16.2026

Agenda Statement

Item Title: ZBA Case #2026-02, 1516 St. Clair River Drive

Submitted by: Artie Bryson, City Manager; Tracy Kallek, Building Official

Summary

Applicant currently owns 1516 St. Clair River Drive. The proposed structure is located in the yard area between the existing residence and the roadway. The existing residence is seven (7) feet off the river. Detached accessory buildings are not permitted within the required front yard without approval. The request is also to exceed the height limit by 8 inches to allow for a 4/12 pitch roof. A 10x12 storage shed is proposed to be removed. Two variances are requested.

Property Owner Request	
1. Allow pole-style accessory building to be built in front yard	1. Sec 50-449 (2) In residential districts, detached accessory buildings shall not be erected in any required yard, except a rear yard.
2. Allow a height variance of eight (8) inches.	2. Sec 50-449 (5) limits detached accessory buildings in residential districts to a maximum height of fourteen (14) feet.

Per Ordinance, the ZBA may only approve a variance if ALL the following conditions are met:

- (1) Such variance will not be detrimental to adjacent property and the surrounding neighborhood.
- (2) Such variance will not impair the intent and purpose of this article.
- (3) Exceptional or extraordinary circumstances or conditions apply to the property in question or to the intended use of the property that do not apply generally to other properties in the same zoning district. Such circumstances shall create a practical difficulty because of unique circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property.
- (4) Such variance is necessary for the preservation and enjoyment of a substantial property right like that possessed by other properties in the same zoning district and vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.
- (5) The condition or situation of the specific piece of property or of the intended use of said property, for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.
- (6) The condition or situation of the specific piece of property or of the intended use of said property, for which the variance is sought, shall not be the result of actions of the property owner. In other words, the problem shall not be self-created.
- (7) That strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity unnecessarily burdensome.
- (8) That the variance requested is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the hardship.

(9) That the variance will relate only to property under the control of the applicant.
(Ord. No. 96-5, § 1907, 3-5-1996; Ord. No. ZOA-2015-03, § 1907, 4-21-2015)

Suggested Option #1:

MOVED BY:

SUPPORTED BY:

RESOLVED, in the case of #2026-02, 1516 St. Clair River Drive, to deny the requested variances because the conditions of ordinance variance have not been met.

APPROVED/Denied

Suggested Option #2:

MOVED BY:

SUPPORTED BY:

RESOLVED, in the case of #2026-02 to approve the request for variances for 1516 St. Clair River Drive with the following conditions: 1) that the petitioner agrees to abide by and comply with all applicable rules and regulations and orders of every lawful agency or governing authority having jurisdiction; and 2) that the decision of the board will remain valid and in force only as long as the facts and information presented to the board in public hearing are found to be correct and that the conditions upon which the motion is based are maintained as presented to the board. In addition:

- (1) Such variances will not be detrimental to adjacent property or the surrounding neighborhood.
- (2) Such variances will not impair the intent and purpose of this article.
- (3) Circumstances create a practical difficulty because of unique physical conditions.
- (4) Such variances are necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and vicinity.
- (5) This situation is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.
- (6) This situation is not the result of actions of the property owner.
- (7) That strict compliance with ordinances would unreasonably prevent the owner from using the property for a permitted purpose.
- (8) That the variances requested mitigate the hardship.
- (9) That the variances will relate only to property under the control of the applicant.

This motion includes the following conditions:

- a. The variance shall expire, without need for action by this Board, if the appropriate approvals are not sought and obtained within one (1) year.
- b. The approval of this variance shall not be rationale for any future variance requests.
- c. Any additional variance requests may be grounds for revocation or revision of any variance that is granted.
- d. Any violation of the terms and conditions of the ZBA decision or of any requirements of the City's Ordinances may be grounds for revocation of the variance.
- e. The appropriate permits must be applied for and obtained prior to installation.

APPROVED/Denied

ZBA Application

RECEIVED
MAY 27 2026

Appeal No. 2026-02

BY: LN

1. APPLICANT

is the owner has an option to purchase is buying on land contract

Name James Bottorff Street Address 1516 Saint Clair River Dr.

City Algonac State MI Zip Code 48001 Cell Phone (219) 617-8902

Home Phone None Email Address Jacubottorff@gmail.com

2. PROPERTY DESCRIPTION

Corner Lot Interior Lot Waterfront Lot

Property Address: 1516 Saint Clair River Dr Sidwell No: 74-01-165-0005-000 Size: 3,176

Square footage of lot 389,970 # of buildings on lot 2 % of lot covered by buildings .82%

Describe Type/Use/Size of each building House with attached garage, and (10X12 Storage shed to be removed)

3. EXPLAIN REASONS FOR APPEAL

Reason for appeal, unique hardship, why such change will not be detrimental to public welfare nor the property of any other persons in the vicinity.

My home is 7 ft off the river. Making the entire lot my front Yard. I am asking for permission th place a building in my front yard. I am also asking for Permission to exceed the hight limit by 8 inches. This would allow me to use a 4/12 pitch roof. Most of the building would be hidden by the water towers.

4. DESCRIBE APPEAL

Describe proposed project Utility shed for Motorhome, Boat, equipment storage, and hobby shop

Dimensions: Height 14.66 Width: 48 Length: 40 Setbacks after project completion: Front 40 Side 10 Rear 10

% of lot that will now be covered by buildings 1.31% Project Timeline: Start Date July 1 Completion Date July 30

5. LEGAL OWNER, IF NOT APPLICANT

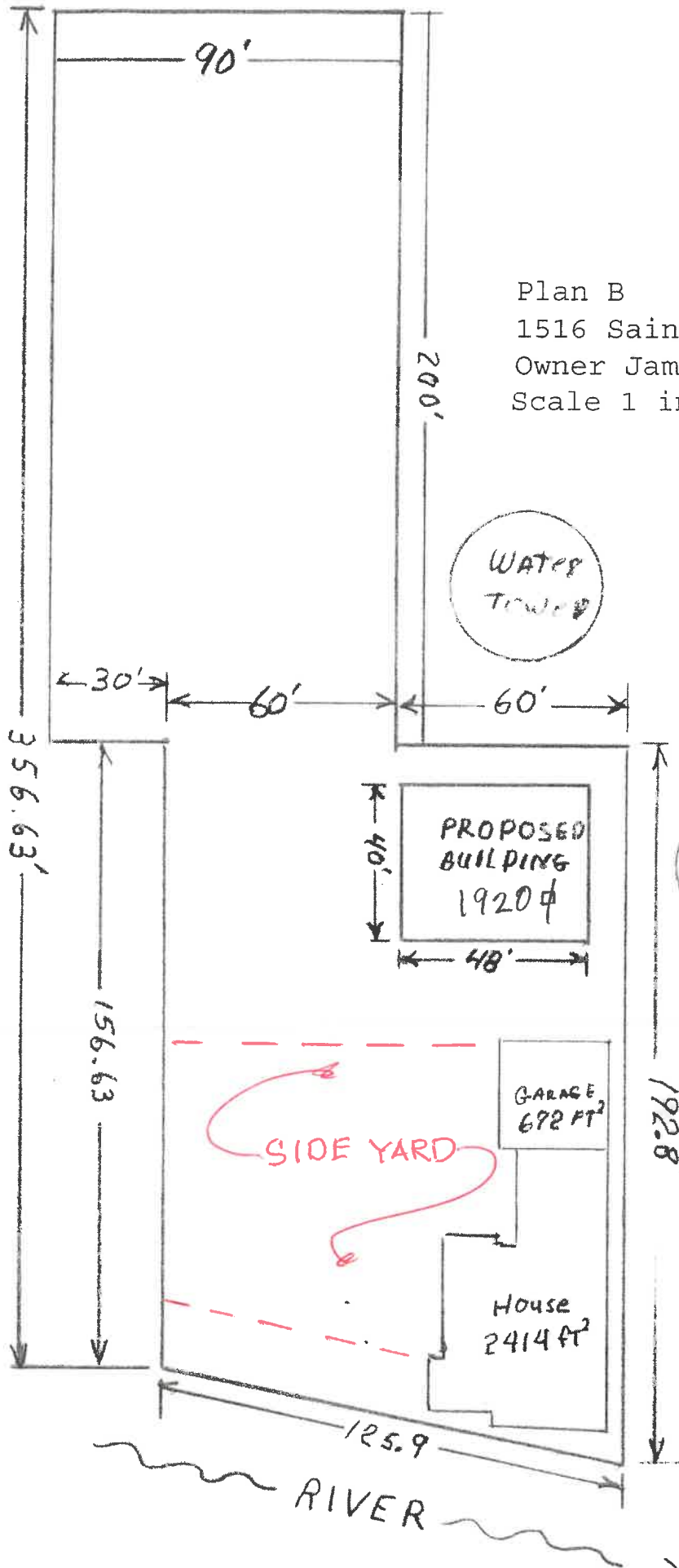
Name _____ Street Address _____

City _____ State _____ Zip Code _____ Cell Phone _____

Home Phone _____ Email Address _____



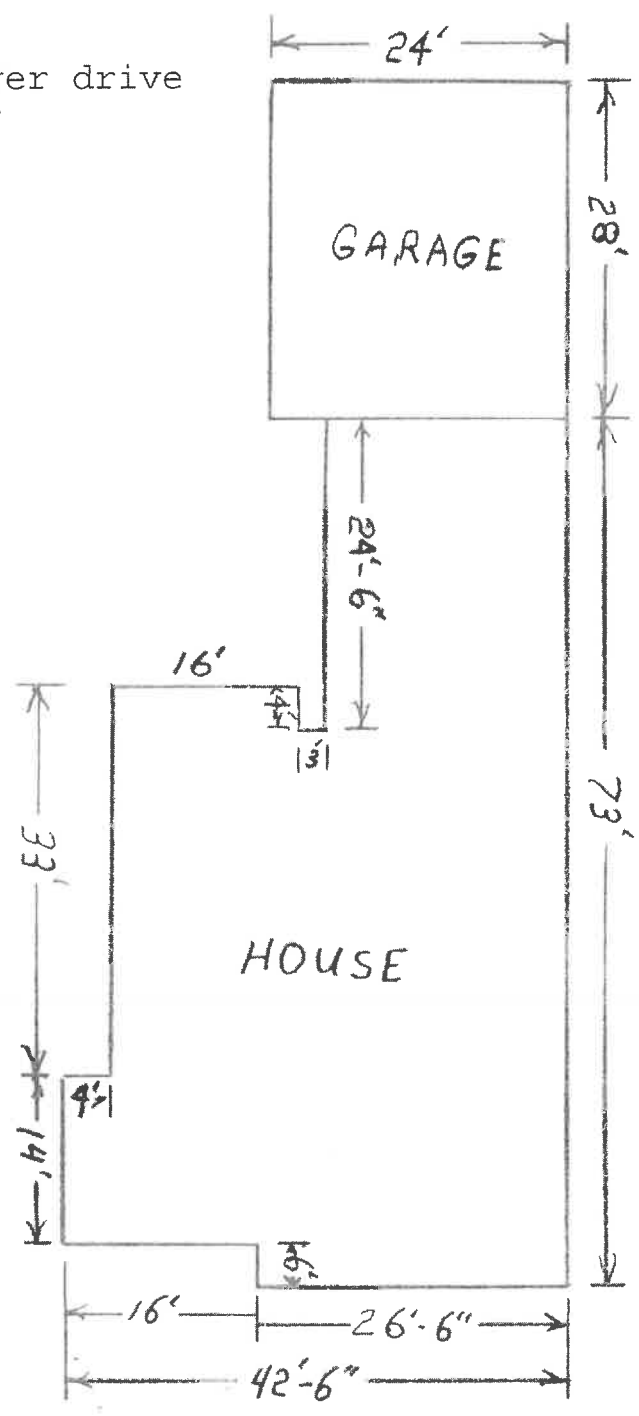
Plan B
1516 Saint Clair River Dr.
Owner James Bottorff
Scale 1 inch = 40 feet



James Bottorff
6-17-2026



House Dimensions
1516 Saint Clair River drive
Owner James Bottorff
Scale 1/16"=1"



ZBA Application

Appeal No. _____

6. MAY ZBA MEMBERS VISIT SITE? Yes No

7. ATTACHMENTS REQUIRED

8 1/2" x 11" legible and reasonably accurate location sketch TO SCALE. North shall point up.

8. SIGNATURES REQUIRED

I hereby depose that all the information provided with this application are true and correct, to the best of my knowledge and belief.

Applicant Signature: *James Rottorf* Date: 5-27-2024

Subscribed and sworn to before me this 27th day of May, 2024. My commission expires 11/10/2027.

Notary Public in Algonac, acting in St. Clair County, MI.

Selena M. Osterland
Printed Name of Notary

Selena M. Osterland
Signature of Notary

SELENA M. OSTERLAND
NOTARY PUBLIC, STATE OF MI
COUNTY OF ST. CLAIR
MY COMMISSION EXPIRES Nov 10, 2027
ACTING IN COUNTY OF St. Clair

9. INFORMATION

- ZBA meetings are held the 3rd Thursday of the month when necessary.
- Incomplete applications will not be considered. A legal survey may be required by the Building Official.
- Complete applications with \$225 application fee must be submitted at least 20 business days prior to meeting date.
- Applicant will be required to reimburse the city for any consultant fees plus an administrative charge.
- All property owners within a radius of 300 feet of the subject property will be notified by the city of the ZBA meeting.
- The request for appeal must be published by the city in a qualified newspaper at least ten (10) days prior to the ZBA meeting.
- If the appeal is granted, a building permit must be obtained within one year.
- More information about the Zoning Board of Appeals can be found online at https://library.municode.com/mi/algonac/codes/codes_of_ordinances?nodeId=PTIICOOR_CH50ZO_ARTXIXBOAP.

RE: Variance Request Review – 1516 St. Clair River Drive, Algonac, MI

To the Members of the Zoning Board of Appeals:

The property owners, James and Susan Bottorff, have submitted an application for the construction of a detached pole-style accessory building at 1516 St. Clair River Drive, Algonac, Michigan.

Based on the submitted site plan, the proposed structure is located in the yard area between the existing residence and the roadway. Under the City's zoning ordinance, this area is considered the front yard. As detached accessory buildings are not permitted within the required front yard without approval, the applicant is requesting a dimensional variance for the proposed location of the structure.

In addition, the applicant is requesting a height variance of eight (8) inches. Section 50-449(5) of the Zoning Ordinance limits detached accessory buildings in residential districts to a maximum height of fourteen (14) feet. The proposed building exceeds this requirement by eight inches and therefore requires approval from the Zoning Board of Appeals.

Relevant ordinance language is provided below:

Section 50-449 – Accessory Building Structures and Uses

(1) Where an accessory garage or building is structurally attached to a main building, it shall be subject to and must conform to all yard regulations of this article applicable to main buildings.

(5) No detached accessory building in any residential district shall exceed one story or 14 feet in height. Such accessory building shall be constructed of exterior building materials compatible with the character of the neighborhood. A review by the planning commission of building material compatibility may be requested by the building inspector. Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in such districts.

Attached is the applicant's site plan illustrating the proposed location of the accessory building, situated within the approximately 60-foot offset area south of the City's water tower.

This matter is respectfully submitted to the Zoning Board of Appeals for consideration and action.

Sincerely,

Tracy Kallek
Building Official
City of Algonac

ZBA Application

Appeal No. 2026-02

FOR CITY OF ALGONAC USE ONLY


Property Address: 1516 St. Clair River Dr

Current Zoning Classification: RM-2 → RM-1 → Conforming Non-Conforming

Zoning Ordinance (s) being Appealed:

Section Number	Article Number	Ordinance
50-449	XV (5)	HEIGHT LIMIT, NEED 8" ABOVE 14' LIMIT.
50-449	XV (1)	FRONT YARD, NO ACCESSORY STR IN FRONT YARD

Additional Comments/Information

Building Official:  Date: 6-18-2026

Routing	Approval	Comments
Building		
City Clerk		
DPW		
Fire		
Sheriff		
Water		
City Manager		



City of Algonac Zoning Board of Appeals

June 30, 2026

Dear Resident:

This is to notify you that the Algonac Zoning Board of Appeals will meet on **Thursday, July 16, 2026 at 6:00 p.m.** at city hall located at 805 St. Clair River Drive, Algonac, Michigan, to hold a public hearing regarding Zoning Board of Appeals case **#2026-02**. This meeting is open to the public.

Notice of this public hearing has been sent via first class mail to all property owners of record within the 300-foot radius of **1516 St. Clair River Drive, Algonac, Michigan** to give them an opportunity to attend the hearing where pertinent information will be presented regarding the consideration of the following request:

The applicant requests the following variance(s) from the Code of Ordinances:

Property Owner Request:	Ordinance:
1. Allow pole-style accessory building to be built in front yard.	1. Sec. 50-449 (2) In residential districts, detached accessory buildings shall not be erected in any required yard, except a rear yard.
2. Allow a height variance of eight (8) inches.	2. Sec 50-449 (5) limits detached accessory buildings in residential districts to a maximum height of fourteen (14) feet.

Anyone wishing to comment on this request may do so at the meeting during public comment, or in writing prior to the meeting. Written comments can be emailed to the City Clerk at cityclerk@cityofalgonac.org, or delivered to City Hall at 805 St. Clair Drive, Algonac, MI 48001, to the attention of the City Clerk.

If you have any questions, please contact the City Clerk at the email above, or by calling 810.794.9361 x6.

Lisa Borgacz
City Clerk

74-01-165-0001-000
SKLUT GREGORY/KATHLEEN
1422 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-165-0004-000
RIVERFRONT ESTATES LLC
7901 COLONY DRIVE
ALGONAC, MI 48001

74-01-165-0007-000
MARTIN RAYMOND/MARY ANNE
1602 ST CLAIR RIVER DR
ALGONAC, MI 48001-1346

74-01-165-0010-000
PHILLIPS LAWRENCE J JR
4762 N VERITY
SANFORD, MI 48657

74-01-105-0434-000
GILBERT JUDSON S II/JOHN R
1405 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-105-0437-000
BRADD DANIEL
321 ORCHARD ST
ALGONAC, MI 48001-1333

74-01-105-0440-001
MOREE WILLIAM
1506 MICHIGAN ST
ALGONAC, MI 48001

74-01-105-0441-001
STEFAN CHRISTOPHER
7681 SMALE
WASHINGTON, MI 48094

74-01-105-0443-000
SCHUMAN BETSY ANN
321 GREEN ST
ALGONAC, MI 48001

74-01-105-0447-000
ROGGEMAN DENNIS J
1609 ST CLAIR RIVER DR
ALGONAC, MI 48001-1345

74-01-165-0002-000
HOWLAND MARK, LEMERISE AMANDA
1426 ST CLAIR RIVER DR
ALGONAC, MI 48001-1342

74-01-165-0005-000
BOTTORFF JAMES/SUSAN
1516 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-165-0008-000
MASCAGNI JONATHAN/ASHLEY
1608 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-167-0001-000
CAIMI DELORES A TRUST
1706 ST CLAIR RIVER DR
ALGONAC, MI 48001-1348

74-01-105-0435-000
YOUNG INVESTMENT PROPERTIES LLC
1405 ST CLAIR RIVER DR
ALGONAC, MI 48001-1341

74-01-105-0438-000
CAMPBELL KENNETH, CAMPBELL TARA
315 ORCHARD ST
ALGONAC, MI 48001

74-01-105-0440-010
HUNT ROBERT J
316 ORCHARD ST
ALGONAC, MI 48001

74-01-105-0441-010
KISCHUK RANDOLPH K/SANDRA
1507 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-105-0444-000
1523 SAINT CLAIR RIVER LLC
1840 ENTERPRISE DRIVE
ROCHESTER HILLS, MI 48309

74-01-105-0449-000
DUNLAP PATRICIA L
321 MILL ST
ALGONAC, MI 48001

74-01-165-0003-000
SKLUT GREGORY, SKLUT KATHLEEN
1422 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-165-0006-000
CITY OF ALGONAC
805 ST CLAIR RIVER DR
ALGONAC, MI 48001-1555

74-01-165-0009-000
UPTON ROBERT JR
1616 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-105-0433-000
YOUNG INVESTMENT PROPERTIES LLC
1405 ST CLAIR RIVER DR
ALGONAC, MI 48001-1341

74-01-105-0436-000
CICALO SHANNON
1413 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-105-0439-000
ATHERTON JENNIFER/TODD ET-AL
1423 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-105-0440-020
KISCHUK SANDRA V/RANDOLPH
1507 ST CLAIR RIVER DR
ALGONAC, MI 48001-1343

74-01-105-0442-000
BENJAMIN DILO
579 FOX RIVER DR
BLOOMFIELD HILLS, MI 48304

74-01-105-0446-000
CHURCH OF CHRIST
1601 ST CLAIR RIVER DR
ALGONAC, MI 48001-1345

74-01-105-0450-000
ZAKRZEWSKI ALLAN A
2845 FRUIT ST
ALGONAC, MI 48001

74-01-105-0451-000
CARR DANIEL J
1617 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-978-0002-000
CRAWFORD JOHN A/C TRUST
1412 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-165-0004-000
RIVERFRONT ESTATES LLC
1500 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-105-0444-000
RESIDENT
1523 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-167-0024-000
LINDSAY JOHN TRUST
1686 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-978-0003-000
CARMICHAEL NEIL/TAMMIE
1414 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-165-0006-000
ALGONAC WATER PLANT
1530 ST CLAIR RIVER DR
ALGONAC, MI 48001-1555

74-01-105-0450-000
RESIDENT
1621 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-978-0001-000
STANCZAK STANLEY/COLLEEN
1410 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-978-0041-000
BERES MARTIN/JANITH
1416 ST CLAIR RIVER DR
ALGONAC, MI 48001

74-01-165-0010-000
RESIDENT
1618 ST CLAIR RIVER DR
ALGONAC, MI 48001

Ad Preview

**SPECIAL MEETING
CITY OF ALGONAC
Zoning Board of Appeals**

A public hearing of the Algonac Zoning Board of Appeals will be held on **Thursday, July 16, 2026** in the Algonac City Council Chambers at 805 St. Clair River Drive, Algonac, Michigan 48001 at 6:00 p.m. This meeting is open to the public.

The purpose of the meeting is to hear **ZBA Case #2026-02, 1516 St. Clair River Drive**, Algonac, Michigan, requesting two (2) variances to Zoning Ordinance Article XIV-Schedule of Regulations, Sec. 50-449: 1) allow pole-style accessory building to be built in the front yard (Sec 50-449 (2)); 2) allow a height variance of eight (8) inches (Sec 50-449 (5)).

Anyone wishing to comment on this request may do so at the meeting, or may do so in writing prior to the meeting. Written comments can be emailed to **cityclerk@cityofalgonac.org** or delivered to City Hall at 805 St. Clair Drive, Algonac, MI 48001.

Lisa Borgacz, City Clerk
PTH-12446827 07/01/2026



Business of the city of Algonac Zoning Board of Appeals

Agenda Statement

Item Title: To review and approve Zoning Board of Appeals By-Laws.

Submitted by: Artie Bryson, City Manager

Summary

The most recent By-Laws of the Zoning Board of Appeals were approved in October 2016.

This is an opportunity for the Board to review and consider any necessary updates to the By-Laws. One item needing review is with Article IV. Election of Officers, Section 1, "officers will be nominated annually at the annual organization meeting held at the first meeting on or after September of each year".

Suggested Action

MOVED BY:

SUPPORTED BY:

Resolved, to approve the Zoning Board of Appeals By-Laws, as presented or amended.

APPROVED/Denied

**CITY ALGONAC
ZONING BOARD OF APPEALS BYLAWS
OCTOBER 2016**

ARTICLE I. OBJECTIVES AND PURPOSE

The objectives and purpose of the City of Algonac Zoning Board of Appeals, hereinafter “ZBA” are set forth in P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq*) hereinafter “Zoning Act” and those powers delegated to the ZBA by the Zoning Ordinance, City of Algonac.

ARTICLE II. MEMBERSHIP

Members of the ZBA are appointed by the City Council pursuant to the Zoning Act. The Board shall consist of seven (7) members, one (1) of whom shall be a member of the City Council, one (1) of whom shall be a non-city council member of the Planning Commission; with appointment by the Council coinciding with his/her Planning Commission term, and five (5) members who shall be appointed by the Council. Each member shall be appointed to hold office for a full three-year term. No elected officer, other than the council member, or employee of the City shall be a member of the Board.

ARTICLE III. OFFICERS AND THER DUTIES

Section 1. The officers of the ZBA shall consist of a Chairperson and a Vice Chairperson, A ZBA member who is also on the City Council shall not be a Chairperson or Vice-Chairperson of the ZBA.

Section 2. The Chairperson shall preside at all meetings and hearings of the ZBA and shall have the duties normally conferred by parliamentary rules on such officers.

Section 3. The Vice Chairperson shall act on behalf of the Chairperson in his/her absence.

Section 4 The Chairperson and Vice-Chairperson shall execute documents in the name of the ZBA.

Section 5 The City Clerk shall not be a member of the ZBA but shall:

Prepare the agenda of meetings, provide notice of meetings to ZBA members, arrange proper and legal notice of hearings and attend to correspondence of the ZBA and such other duties as may be necessary.

ARTICLE IV. ELECTION OF OFFICERS.

Section 1. Annual nomination of officers shall be made from the floor at the annual organization meeting which shall be held at the first meeting on or after September of each year and the elections shall follow immediately thereafter.

Section 2. A candidate receiving a majority vote of a quorum or more of the members present of the ZBA shall be declared elected and shall serve for one year or until his/her successor shall take office. Vacancies in offices shall be filled immediately by regular election procedure.

ARTICLE V. POWERS AND DUTIES

Section 1. The ZBA shall have powers and duties described in Michigan Zoning Enabling Act (Public Act 110 of 2006) as amended and further described in the Algonac Zoning Ordinance, Article XIX, "Board of Appeals".

Section 2. A majority of the total membership of the ZBA shall vote on every matter (no abstentions) unless a member has a conflict of interest. A member of the ZBA shall request to be disqualified from a vote in which the member has a conflict of interest. The member shall state the nature of the conflict of interest and the ZBA shall vote whether to excuse the member from participation because of a conflict of interest. Failure to raise an issue of conflict of interest prior to discussion and vote on a matter before the ZBA shall constitute misconduct in office for which the member may be removed, following a hearing. A conflict of interest shall, at a minimum, include the following:

- Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.
- Issuing, deliberating on, voting on, or reviewing a case concerning a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
- Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a monetary benefit to him or her.
- Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, stepchildren, grandchildren, parents, brothers, sisters, grandparents, parent in law, grandparent's in-law, or members of his or her household.
- Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is an applicant or agent for an applicant or has a direct interest in the outcome.

Section 3. When a conflict of interest exists, that member of the ZBA, shall do all of the following immediately, upon first knowledge of the case and determining that conflict exists:

- Declare a conflict exists at the meeting
- Cease to participate at the meeting, or in any other manner, or represent one's self before the ZBA, its staff, or others, and
- During deliberation of the agenda item before the ZBA, leave the meeting or remove one's self from the front table where members of the Commission sit, until that agenda item is concluded.

Section 4. The ZBA shall have the power to subpoena and require the attendance of witnesses, administer oaths, compel testimony and the production of books, papers, files, and other evidence pertinent to the matters before it, to the extent allowed by law. All findings of the ZBA shall be in writing, with a record of its proceedings showing the action of the ZBA and the vote of each member of each question considered.

Determinations and findings of the ZBA shall be made in a reasonable time period. The ZBA shall file a record of its proceedings in the office of the City Clerk. The record of proceedings shall be a public record. The ZBA may not conduct any business unless a majority of its membership is present. A majority vote of the total membership being four (4) affirmative votes is necessary to reverse any administrative decision or grant a dimensions (no-use) variance or make a decision in favor of an applicant.

ARTICLE VI. MEETINGS

Section 1. A majority of the membership of the ZBA shall constitute a quorum and the number of votes necessary to transact business shall be a majority of the entire membership.

Section 2. Voting shall be by voice vote as to Ayes or Nays, although a roll call vote may be requested by any member of the ZBA. A record of the roll call vote shall be kept as part of the Minutes.

Section 3. Meetings shall be held at the call of the City Clerk, Chairperson, Vice-Chairperson, or any three (3) members of the ZBA with eighteen (18) hours written notice of the time and place of the meeting. Whenever possible meetings shall be held on the 3rd Thursday of the month at 7:00 p.m. Notice of all meetings shall be published in accordance with the Open Meetings Act of 1967, Public Act 267, as amended. The notice of meeting shall specify the purposes of such a meeting and no other business may be considered except by unanimous consent of the ZBA as allowed by law. The City Clerk shall notify all members of the ZBA of a meeting not less than seven (7) days in advance of each meeting whenever possible.

Section 4. All meetings at which official action is taken and all records and accounts of such meetings shall be open to the general public.

Section 5. Absences of a member totaling three (3) unexcused absences of the last six (6) meetings shall result in a recommendation to City Council of dismissal from the ZBA. An excused absence shall be affirmatively voted upon by the members of the ZBA.

ARTICLE VII. ORDER OF BUSINESS.

Section 1. The order of business at regular meetings shall be.

- a. Roll Call
- b. Pledge of Allegiance
- c. Citizens to Be Heard
- d. Approval of Minutes
- e. Communications and Notices
- f. Unfinished Business
- g. New Business
- h. Adjournment

At meetings of the ZBA, business shall be conducted in accordance with the Open Meetings Act of 1976, Public Act 267, as amended and the most current edition of Robert's Rules of Order.

Section 2. All meetings, hearing, records, and accounts shall be open to the public.

All citizens participating in Public Comment shall state their name and address. Citizens will be allocated a time span of five (5) minutes, and are not allowed to pass their five (5) minutes on to another person; the ZBA, by consensus, may waive the time limit as it sees fit.

Section 3. The agenda and accompanying material shall be delivered to ZBA members at least three (3) days prior to the meeting date.

Section 4 The City Clerk shall keep, or cause to be kept, a record of ZBA meetings, pursuant to P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act, M.C.L. 15.261 *et seq.*)

Section 5. The records of the ZBA will be available to the public as provided by the State of Michigan F.O.I.A. act.

ARTICLE VIII. STANDARDS FOR EVALUATION

The ZBA shall take care to consider the merit of each case according to the criteria outlined in Section 1910 of the Zoning Ordinance. Each case before the ZBA shall be considered as an individual case and shall conform to the detailed application of the standards outlined in Section 1910 in a manner appropriate to the particular circumstances of such case. All uses as listed in any district requiring Board approval

for a permit shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts.

ARTICLE I X. AMENDMENTS

These by-laws will be reviewed on an annual basis by the ZBA at or the next meeting thereafter the month of September each year.. Changes to the by-laws will require a majority vote of the membership of the ZBA.

ARTICL XI. ADOPTION

These By-laws were adopted at the **October 20, 2016** ZBA meeting and will take immediate effect and supercede all previous bylaws.

Zoning Board of Appeals Chair

I
CERTIFICATION

The foregoing is a true and complete copy of Algonac Zoning Board of Appeals By-Laws as adopted by ZBAO 10-03-16 by the ZBA of the City of Algonac, County of St. Clair, State of Michigan, at a Special Meeting held on October 20, 2016 and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act; and the Minutes of said meeting are available as required said Act.

Members Present: Bayly, Bolf, Lawton, Riecke, Thompson, Tideswell

Members Absent: Gulliver

Members Voting Yes: Bayly, Bolf, Lawton, Riecke, Thompson, Tideswell

Members Voting No: None

This ZBA Order was declared adopted by the ZBA Chairman and has been recorded in the minute book.

Cynthia L. Greenia, City Clerk
City of Algonac



Business of the city of Algonac Zoning Board of Appeals

Agenda Statement

Item Title: To elect the ZBA Chairperson.

Submitted by: Artie Bryson, City Manager

Summary

The current Chairperson, Brian Tideswell, who also serves as the Planning Commission representative, has chosen not to renew his terms on ZBA and Planning Commission.

According to the By-laws, officers are to be elected annually at a meeting on or after September of each year as follows:

1. The current vice-chairperson asks for chairperson nominations.
2. A commissioner must state "I nominate _____ for the office of chairperson."
3. Another commissioner must second the motion (without support, the motion dies).
4. A vote is taken on a supported motion and if a majority of those present vote yes, the nominee is elected.
5. If the motion is defeated, the vice-chairperson asks again for nominations until a chairperson is elected.

In accordance with Article III. Officers and their Duties Section 1, a ZBA member who is also on the City Council shall not be a Chairperson or Vice-Chairperson of the ZBA.

Suggested Action

MOVED BY:

SUPPORTED BY:

Resolved, to elect _____ chairperson of the City of Algonac Zoning Board of Appeals for a term beginning immediately, effective for one year.

APPROVED/Denied



Business of the city of Algonac Zoning Board of Appeals

Agenda Statement

Item Title: **To elect the ZBA Vice Chairperson.**

Submitted by: Artie Bryson, City Manager

Summary

The current Chairperson, Brian Tideswell, who also serves as the Planning Commission representative, has chosen not to renew his terms on ZBA and Planning Commission.

According to the By-laws, officers are to be elected annually at a meeting on or after September of each year as follows:

1. The current chairperson asks for vice-chairperson nominations.
2. A commissioner must state "I nominate _____ for the office of vice-chairperson."
3. Another commissioner must second the motion (without support, the motion dies).
4. A vote is taken on a supported motion and if a majority of those present vote yes, the nominee is elected.
5. If the motion is defeated, the chairperson asks again for nominations until a vice-chairperson is elected.

In accordance with Article III. Officers and their Duties Section 1, a ZBA member who is also on the City Council shall not be a Chairperson or Vice-Chairperson of the ZBA.

Suggested Action

MOVED BY:

SUPPORTED BY:

Resolved, to elect _____ vice chairperson of the City of Algonac Zoning Board of Appeals for a term beginning immediately, effective for one year.

APPROVED/Denied