

## AGENDA REPORT

TO: Mayor & City Commission  
FROM: Jeremy Howard, City Manager  
DATE: February 13, 2025  
RE: Private Well Request – Juan Gauna

For the Agenda of February 17, 2025

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Background. Section 46-312 of the Ordinance Codes (*copy of extract att'd*) of the City of Clare requires that a permit be approved by the City Commission for any private well drilled within the City's boundaries.

Mr. Juan Gauna, the owner of the residential property located at 505 Witbeck Drive in Clare, had an existing private well to supply drinking water to his residential property. Mr. Gauna resides in the residence, and the well failed, thus leaving him without a potable water source. The City cannot supply public water to this residence for a reasonable cost, as we must extend the water main to do so. Consequently, he was authorized permission to drill a new private well on an emergency basis, but Mr. Gauna was informed that he would have to apply to the City Commission to obtain a permit (*copy of request att'd*). The City Commission is asked to approve the permit request.

Issues & Questions Specified. Should the City Commission approve the private well permit of Mr. Juan Gauna?

Alternatives.

1. Approve the permit.
2. Disapprove the permit.
3. Set aside the matter for further discussion and consideration at a subsequently scheduled public meeting.

Financial Impact. The permit fee is \$25. Extending the City's current water main to this property far exceeds the cost to replace this private well. Requiring the property owner to connect to the City's public system in these circumstances would be exceptionally fiscally onerous, not to mention that requiring him to do so would deny him the use of his property until such time that the City could extend the public water main.

Recommendation. I recommend that the City Commission approve the private well permit by adoption of Resolution 2025 -013 (*copy att'd*).

Attachments.

1. Extract of 46-312 City Ordinance Code.
2. Private Well Permit Request.
3. Resolution 2025-013.

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**Sec. 46-312. Permit required.**

No person shall dig or drill a private well upon any land within the city without having first secured a permit from the city commission, nor shall any private well be extended or enlarged without having first secured a permit under this article.

(Code 1985, § 2.132)



# PRIVATE WELL REQUEST

202 West 5<sup>th</sup> Street, Clare Michigan 48617  
(989) 386-7541 phone (989) 386-4508 fax  
[www.cityofclare.gov](http://www.cityofclare.gov)

A REQUEST FOR INSTALLATION OR ENLARGEMENT OF A PRIVATE WATER WELL AS DEFINED IN CHAPTER 46 OF THE CLARE CITY CODE.

NAME OF PROPERTY OWNER: JUAN S. GAUNA DATE: 2-11-25

PHONE: 575-704-0546 EMAIL: J.GAUNA57@gmail.com

PROPERTY OWNER ADDRESS: 505 Witbeck Dr.

ADDRESS OF WELL REQUEST: 505 WITBECK DR.  
(IF DIFFERENT FROM ABOVE)

PROPERTY ID# OF WELL REQUEST: 015-580-010-00 PURPOSE: Need WATER

APPROXIMATE WELL DEPTH (25' MINIMUM): 62' DIAMETER (1-1/4" MINIMUM): ~~4~~ 2"

DESCRIPTION OF APPROXIMATE PROPOSED LOCATION OF REQUESTED WELL: \_\_\_\_\_  
SW CORNER FROM House

[Signature]  
SIGNATURE OF PROPERTY OWNER

2-11-25  
DATE

See the current fiscal year's fee and rate schedule for the fee amount

DATE FEE RECEIVED: 02/11/2025 CASH - CC - CHECK # 8172 BY: [Signature]  
(CIRCLE ONE)

PERMIT APPROVED \_\_\_\_\_ PERMIT DENIED \_\_\_\_\_

DATE APPROVED/DENIED \_\_\_\_\_

CITY CLERK OR AUTHORIZED REPRESENTATIVE \_\_\_\_\_

**RESOLUTION 2025-013**

**A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING A PRIVATE WELL PERMIT.**

**WHEREAS**, the private well at the residence located at 505 Witbeck Drive in the City of Clare failed; and

**WHEREAS**, said private well is the sole source of potable water at said residence; and

**WHEREAS**, the City's public water system does not service said residential property; and

**WHEREAS**, extending the City's public water system to service this residence is not currently economically feasible; and

**WHEREAS**, it is clearly in the best interests of the property owner and the City to grant permission to drill a new private well at said residential location.

**NOW THEREFORE BE IT RESOLVED THAT** the City Commission of the City of Clare hereby approves the private well request of Mr. Juan Gauna to drill a new private well at 505 Witbeck Drive in Clare.

**ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INSOFAR AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.**

The Resolution was introduced by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_.  
The Resolution declared adopted by the following roll call vote:

**YEAS:**

**NAYS:**

**ABSENT:**

Resolution approved for adoption on this 17<sup>th</sup> day of February, 2025.

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Diane M. Lyon, City Clerk