



**CITY OF JONESVILLE  
ZONING BOARD OF APPEALS AGENDA  
NOVEMBER 5, 2020 – 6:00 P.M.  
JONESVILLE FIRE DEPARTMENT, 114 W. CHICAGO STREET**

- 1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**
- 2. DECLARATION OF A QUORUM**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES** – September 24, 2020
- 5. PUBLIC COMMENTS**
- 6. PUBLIC HEARING AND SUBSEQUENT BOARD ACTION**
  - A. Request from Briner Oil Co. for a variance to allow the front and rear setback and the minimum lot size to be less than required in a HC (Highway Commercial) district. The property is located at 325 Beck Street.
    - i. Public Hearing
    - ii. Action on Request **[Action Item]**
- 7. OTHER BUSINESS**
  - A. Staff Updates
- 8. ADJOURNMENT**

In order to encourage public participation while protecting the health and safety of all participants during the COVID-19 pandemic, the following protocols will be observed for the conduct of this meeting:

- ❖ Individuals who are sick or who have experienced symptoms of illness are asked to refrain from attending the meeting.
- ❖ Distancing between attendees will be observed.
- ❖ All attendees must wear a face covering.
- ❖ Written public comments will be accepted in advance of the meeting and may be delivered to City Hall, 265 E. Chicago Street or via email to [jgray@jonesville.org](mailto:jgray@jonesville.org). Written comments received prior to noon on the day of the meeting will be incorporated into the public record for the meeting.

**CITY OF JONESVILLE**  
**ZONING BOARD OF APPEALS**

**MINUTES – September 24, 2020**

**The Zoning Board of appeals met at Wright Street Park, 416 Wright Street, Jonesville, MI.**

**Present:** Todd Shroats, George Humphries Jr., Larry Jose, Christine Bowman and David Steel. Manager Jeff Gray and Supt. of Public Works Mike Kyser.

**Absent:** None

**Guests:** Alex Stemme and Lorelei Stemme

The meeting was called to order at 6:00 p.m. by Chairperson Todd Shroats.

Todd Shroats led the Pledge of Allegiance.

A quorum was declared.

A motion was made by George Humphries Jr. and supported by Christine Bowman to approve the agenda as presented. All in favor. Motion carried.

A motion was made by George Humphries Jr. and supported by Larry Jose to approve the minutes of August 27, 2020. All in favor. Motion carried.

Due to a conflict of interest with ZBA member David Steel since he is on the Session Board of the Jonesville Presbyterian Church, 300 E Chicago Street, Jonesville, Mr. Steel asked to be recused from this specific ZBA meeting.

George Humphries Jr. made a motion to recuse David Steel from this ZBA meeting. Larry Jose supported the motion. All in favor. Motion carried.

After a brief discussion regarding a potential conflict of interest with board member Christine Bowman, as she was a realtor involved with the sale of the Episcopal Church located at 360 E. Chicago Street, it was determined that she is under no contract or obligation with the new owner and the decision of the ZBA would have no effect on her financially or otherwise.

George Humphries Jr. made a motion to allow Christine Bowman to remain as a voting member of the ZBA for this specific meeting. Larry Jose supported the motion. All in favor. Motion carried.

David steel excused himself from the meeting at 6:05 p.m.

The Public Hearing for the request of a variance to allow the use of the rear of the building located at 360 E. Chicago Street be used for lodging in a R-2 (Single Family Residential) District was opened at 6:06 p.m.

Alex Stemme, owner of 360 E. Chicago Street, spoke briefly regarding the necessity of the variance request being approved allowing for lodging in the rear of the building while renovations to the front of the building are being completed. Mr. Stemme stated that some of the renovations will include repairs to the sanctuary, foundation, roof, bell tower and painting of the siding. A long-term plan for the property will include use for events. The area to be used for lodging will include two (2) queen beds and a pull-out couch, full kitchen and one (1) bathroom.

The ZBA Board asked various questions regarding the request.

Public Hearing closed at 6:20 p.m.

Christine Bowman made a motion to approve the requested use variance for the property located at 360 E. Chicago Street to allow lodging in the rear of the building in an R-2 (Single Family Residential) zoning district, and that the applicant will comply with the terms of Section 14.09(G) of the Zoning Ordinance regarding bed and breakfast dwellings, except that owner occupancy shall not be required and as many as six (6) adult guests may be permitted lodging in the suite. George Humphries Jr. supported the motion. All in favor. Excused: David Steel. Motion carried.

A motion was made by George Humphries Jr. and supported by Larry Jose to give immediate effect to the approval of the use variance for the property located at 360 E. Chicago Street to allow lodging in an R-2 (Single Family Residential) zoning district, as necessary for the preservation of property rights and hereby certified on record. All in favor. Excused: David Steel. Motion carried.

The meeting was adjourned at 6:22 p.m.

Submitted by,

Cynthia D. Means  
Clerk



To: Jonesville Zoning Board of Appeals  
From: Jeffrey M. Gray, City Manager *JMG*  
Date: March 6, 2018  
Re: Manager Report – January 18, 2018 Zoning Board of Appeals Meeting

**6. A. i. Public Hearing –Variance Request for 325 Beck Street**

This is the time reserved on the agenda to hear public comments regarding the request from Briner Oil Company regarding the construction of new office building. The applicant proposes the construction of a 40-foot by 60-foot building with a rear covered patio. The building would replace the existing offices that were recently damaged as a result of a fire.

The property is located in the HC (Highway Commercial) zoning district. The Zoning Ordinance requires a minimum 40 foot front setback and a 25 foot rear setback. These setback requirements leave no buildable area on the west end of the property. Relocating the building to the east end of the property is not feasible, as the existing gas pumps and tank farm are located there. The previous office was nonconforming to the ordinance, but was located nearer the rear property line than the proposed building. At 0.52 acres, the lot is also less than the 1 acre minimum required by ordinance.

**6. A. ii. Variance Request for 325 Beck Street**

**[Action]**

This is the subsequent action item related to the request for variance.

In order to help see the proposed construction in context, staff has overlaid the applicant's proposed addition onto a Google Earth map, below.

**Aerial Photograph/Site Plan Overlay**



The site plan drawing shows the proposed building to be 10 feet from the front property line; it would be 9.41 feet from the rear property line, with the covered patio 7.56 feet from the rear line. The property backs up to the City's Russell Trail property. Building floor plans and elevations are also attached.

Staff is working with the applicant to shift the proposed building to the east in an effort to align the front to match the setback of the former laundromat, to the south. That would have the building 15 feet from the front property line. I apologize that we do not have revised drawings to show this at the time of the writing of this report. We hope to have those amendments prior to the ZBA meeting.

There is sufficient paved area on the property for parking of vehicles.

ZBA members may find a visit to the neighborhood prior to the meeting beneficial. A copy of Section 17.08A of the Zoning Ordinance, the standards for non-use variances, is attached.

The request for variances appears consistent with the character of the neighborhood, does not appear to be contrary to the public interest, nor would it cause a substantial adverse effect to properties in the area, particularly if the building can be relocated slightly to make the front setback consistent with others in the area. In addition, the shape of the lot makes construction impossible without a variance. That difficulty is unique to this property. A motion is necessary to take action on the application. The motion should state the basis for the decision.

The Planning Commission has a stated goal of amending the HC (Highway Commercial) district to address smaller lots like this that cannot meet the requirements of the ordinance. Other priorities have prevented an overall review of the district at this time. It is appropriate for the ZBA to consider a variance where the proposal is consistent with other properties in the area.

Following action on the variance, the ZBA should consider a motion to certify the decision, giving immediate effect to the action as follows:

A motion that the ZBA give immediate effect to the [approval or denial] of the variance for the property located at 325 Beck Street to allow a front setback of less than 40 feet and a rear setback of less than 25 feet and a minimum lot area of less than 1 acre, for the construction of a 40-foot by 60-foot building in the HC (Highway Commercial) zoning district, as necessary for the preservation of property and hereby certified on the record.

Otherwise, the decision will not take effect until the ZBA holds another meeting to approve the minutes.

*Please refer to the attached application, ordinance excerpt, public notice, and building plan drawings.*

**City of Jonesville  
Zoning Board of Appeals  
VARIANCE PETITION FORM**

265 E. Chicago Street  
Jonesville Michigan 49250  
Phone: 517-849-2104 Fax: 517-849-9037

Date of Petition Form: 10/13/20

**Property Owner.**

Name <u>Molly Bruner</u>		Business Name <u>Bruner Oil Co.</u>	
Street Address <u>325 Beck St. W</u>		Email Address	
Cell Phone Number	Fax Phone Number	Phone Number	

**Applicant (If Not Owner)**

Name <u>Dale Beckman</u>		Email Address <u>Sales@BrunerOil.Com</u>	
Address (Street No. and Name) <u>325 Beck St.</u>		City <u>Jonesville</u>	State <u>MI</u>
Zip Code <u>49250</u>		Cell Phone Number <u>517-425 1512</u>	Fax Phone Number
Phone Number		Applicant's Interest in the Property (Land Contract, Lease, Etc.) <u>Operation Mgr.</u>	

Zoning District: HC

VARIANCE FEE: \$250.00

Property Address: 325 Beck St.

Property ID #: 30-21-105-001-071

Date of Denial of Zoning Permit: \_\_\_\_\_

Reason of Denial: FRONT & REAR YARD SETBACKS  
ACREAGE

Purpose of Request (Specify exactly what is being requested): Rebuild Building damaged due to fire. Due to size of property, and shape, a new building cannot be set to provide setbacks that are required of city.

Explain Nature of Practical Difficulty or Hardship: Business Office needs to continue w/ daily procedures to remain in business.

Dale Beckman  
Signature of Applicant

10/13/2020  
Date:

Mary E Bruner  
Signature of Property Owner

10-14-2020  
Date:

Cynthia D Means  
Signature of City Clerk

10/14/20  
Date:

Official Use Only	
Fee Paid	<u>250.00</u>
Date Paid	<u>10-13-20</u>
Receipt #	<u>123599</u>
Date of Hearing:	<u>11-5-20</u>

Special Mtg. Request  
#250 -  
Receipt #

Zoning Ordinance Excerpt: Section 17.08(A)

- A. Non-Use Variance: A non-use or dimensional variance may be allowed by the Board of Appeals only in cases where there is reasonable evidence of practical difficulty in the official record of the hearing and that ALL of the following conditions are met:
1. Granting the variance will not be contrary to the public interest and will ensure that the spirit of this Ordinance is observed.
  2. Granting the variance will not cause a substantial adverse effect to property or improvements in the vicinity or in the district in which the subject property is located.
  3. The variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for such conditions reasonably practicable.
  4. That there are practical difficulties in the way of carrying out the strict letter of these regulations which are caused by exceptional or extraordinary circumstances or conditions applying to the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the vicinity in the same zoning district. Exceptional or extraordinary circumstances or conditions include:
    - a. exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance;
    - b. exceptional topographic conditions;
    - c. by reason of the use or development of the property immediately adjoining the property in question; or
    - d. any other physical situation on the land, building or structure deemed by the Board of Appeals to be extraordinary.
  5. That granting such variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity in the same zoning district.
  6. That the variance is not necessitated as a result of any action or inaction of the applicant.

**PUBLIC NOTICE**  
**CITY OF JONESVILLE**  
**NOTICE OF PUBLIC HEARING**

The Jonesville Zoning Board of Appeals will meet at 6:00 p.m., Thursday, November 5, 2020, at the Jonesville Fire Station, 114 W. Chicago Street, Jonesville, MI 49250.

The Board will meet to consider the following request:

A Variance to allow a Front Yard and Rear Yard Setback be less than required, and the Minimum Lot Area to be less than required in a HC (Highway Commercial) District to construct a new building. The property is located at 325 Beck Street, Jonesville, MI 49250.  
Property ID #30-21-105-001-071.

Attendance at the ZBA Hearing is welcomed, but not required. Written comments may be submitted to the Jonesville City Hall, prior to the hearing. Those attending the hearing are asked to wear a face covering and practice social distancing from others.

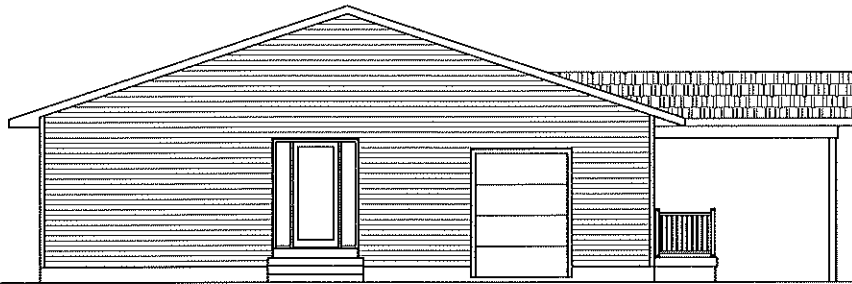
A copy of the application materials can be viewed in the Jonesville City Hall during normal business hours, 8:00 a.m. to 4:30 p.m., Monday thru Friday.

Individuals with disabilities requiring auxiliary aids or services should contact the City of Jonesville by writing or call the following:

City of Jonesville  
265 E. Chicago Street  
Jonesville MI 49250  
517-849-2104



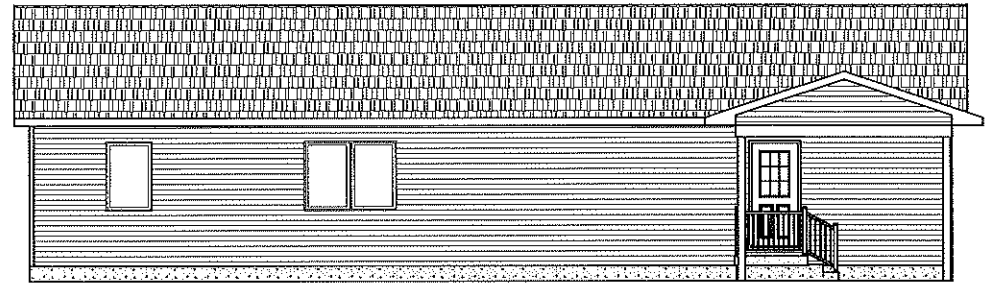




FRONT ELEVATION

12" HEEL  
8" WALL PLATE HEIGHT  
6'-11" HEADER HEIGHT

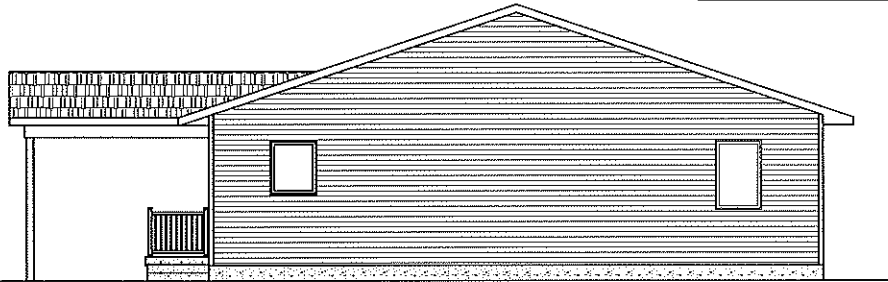
TOP OF 11 7/8" FLOOR  
TOP OF 9' POUR



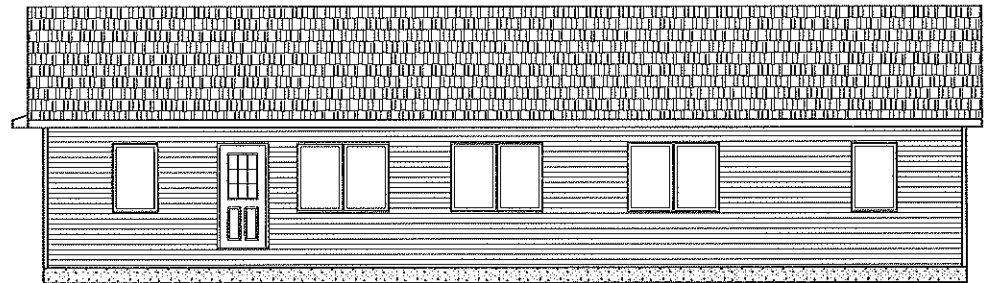
RIGHT ELEVATION

12" HEEL  
8" WALL PLATE HEIGHT  
6'-11" HEADER HEIGHT

TOP OF 11 7/8" FLOOR  
TOP OF 9' POUR



REAR ELEVATION



LEFT ELEVATION

BRNER OIL

MCNAIR CONSTRUCTION

ELEVATIONS

REVISIONS

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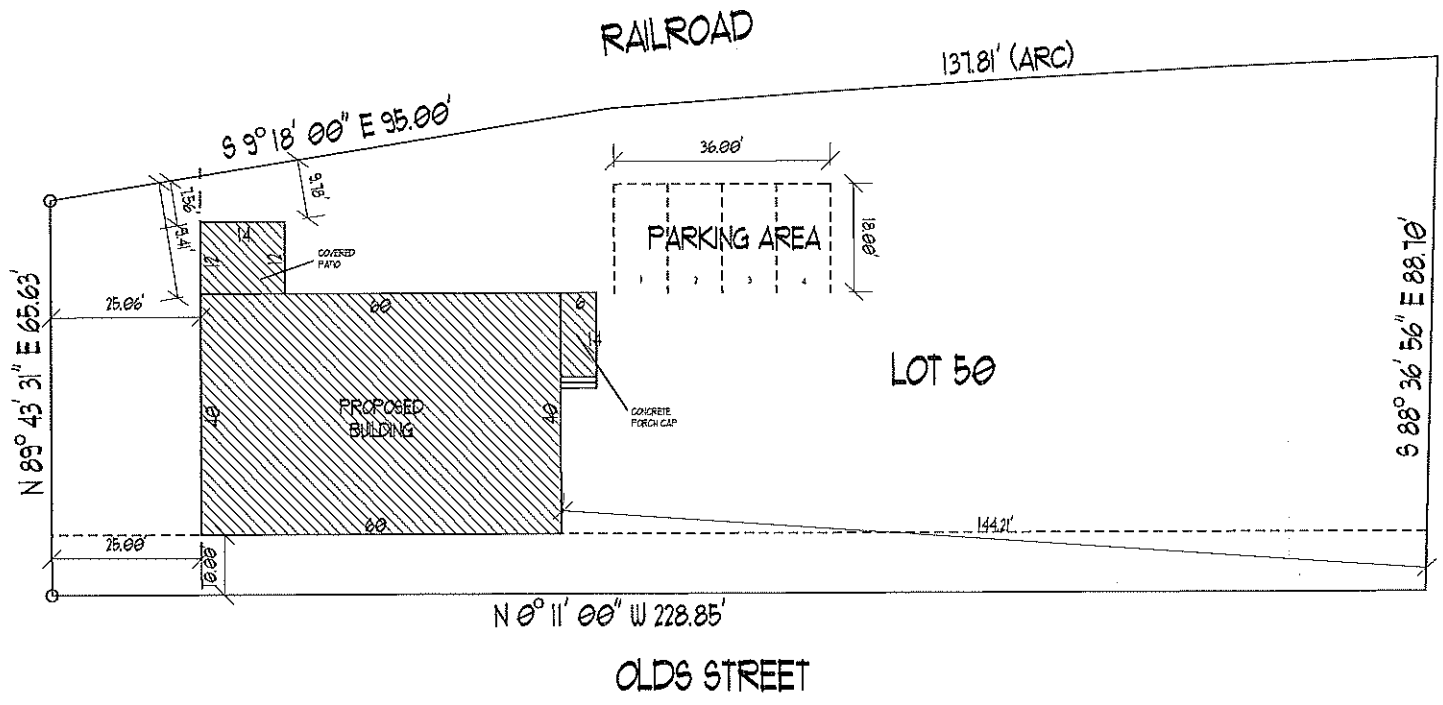
BY

DATE

BY

DATE





LOT 49