



City of
Jonesville

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**CITY OF JONESVILLE
ZONING BOARD OF APPEALS AGENDA
JULY 19, 2016 – 6:30 P.M.
CITY HALL**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
- 2. DECLARATION OF A QUORUM**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES – October 29, 2015**
- 5. PUBLIC COMMENTS**
- 6. PUBLIC HEARING AND SUBSEQUENT BOARD ACTION**
 - A. Request from Terry Stephens Jr. to allow an automotive business use in a Highway Commercial (HC) District located at 126 W Chicago Street.
 - i. Public Hearing
 - ii. Action on Request
- 7. OTHER BUSINESS**
- 8. ADJOURNMENT**



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To: Jonesville Zoning Board of Appeals
From: Jeffrey M. Gray, City Manager *JMG*
Date: July 15, 2016
Re: Manager Report – July 19, 2016 Zoning Board of Appeals Meeting

6. A. i. Public Hearing –Request from Terry Stephens, Jr. for the property at 126 W. Chicago Street

This is the time reserved on the agenda to hear public comments regarding the request from Terry Stephens, Jr. for approval to operate a vehicle service station on the property located at 126 W. Chicago Street.

6. A. ii. Request for 126 W. Chicago Street

[Action]

This is the subsequent action item related to the request.

The subject property is the former location of the Don Holmes Muffler shop. The property is located in the HC (Highway Commercial) zoning district. The applicant is proposing to utilize the large building on the property for vehicle service. Specifically, the applicant intends to perform automobile detailing, installing vehicle window tinting, remote starts, and mobile audio and video.

Vehicle Service Stations are typically permitted in the HC zoning district by Special Land Use, subject to the conditions of Section 14.09 TT of the Zoning Ordinance (see attached). However, the former muffler shop use was nonconforming to a number of these standards; the new vehicle service station would also be nonconforming to many of these same standards.

Section 2.28(C)(5) of the Zoning Ordinance allows the Zoning Board of Appeals to consider changing one nonconforming use to another, provided that the three conditions listed in that section are met. A copy of those conditions is attached. In short, the conditions are intended to assure that the new use will be as compatible, or more compatible, with the surrounding neighborhood than the previous use, and that there will be no enlargement of the use. The ZBA is also permitted to impose appropriate conditions on the approval to assure that the intent of the Zoning Ordinance will be met.

In staff's view, the nature of the vehicle service proposed by the applicant would be less intensive than the former muffler repair shop and, therefore, more compatible with the surrounding neighborhood. Vehicle cleaning and installation of accessories will, by nature, be quieter than vehicle repair. Initially, the applicant and his wife would be the only employees of the business. He hopes to be able to add an employee in the future.

The aerial photograph, below, illustrates the property and the planned use.



Employee parking would take place on the west side of the Vehicle Service building. Customers would access the business via the east driveway on Chicago Street. Due to the size of the building, the applicant intends to keep customer vehicles in the building, with only occasional outdoor parking for an after-hours pickup.

As you can see from the aerial photograph, and will be confirmed if you visit the site prior to the meeting, the property is unique in its layout and is limited in potential uses. The building is large and parking options are limited. The proposed use seems suited to the characteristics of the property, in that the intended use would fit well within the building and is not anticipated to have significant outdoor parking needs.

The request seems consistent with the conditions of Section 2.28(C)(5) of the Zoning Ordinance, as the use is more compatible with the prior automobile repair use and the use would occupy the same area as the prior use. A motion is necessary to act on the request. The motion should include the basis for the decision, and the ZBA may want to consider adding conditions related to the representations of the applicant, like a condition that overnight outdoor storage of vehicles will not be permitted, or that the use is limited to automobile detailing and accessory installation.

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 request from Terry Stephens, Jr. to operate a vehicle service station for automobile detailing and installation of vehicle accessories on the property located at 126 W. Chicago Street, 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 supporting documentation, ordinance excerpts and public notice.