



City of  
Jonesville

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**CITY OF JONESVILLE  
ZONING BOARD OF APPEALS AGENDA  
AUGUST 26, 2015 – 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 – June 18, 2015**

**5. PUBLIC COMMENTS**

**6. PUBLIC HEARING AND SUBSEQUENT BOARD ACTION**

A. Request from Wayne P. and Shirley A. Swander to allow a lot to be divided into two lots with each lot being less than the one (1) acre minimum area requirement, each lot being less than the required minimum width of 220 feet, and to allow an accessory building on its own parcel in a HC (Highway Commercial) zoning district. The property is located at 421 W. Chicago Street/422 Harley Street.

i. Public Hearing

ii. Action on Request

**7. OTHER BUSINESS**

**8. ADJOURNMENT**



To: Jonesville Zoning Board of Appeals  
From: Jeffrey M. Gray, City Manager  
Date: August 18, 2015  
Re: Manager Report – August 26, 2015 Zoning Board of Appeals Meeting

**8. A. i. Public Hearing – Variance Request for 421 W. Chicago Street/422 Harley Street**

This is the time reserved on the agenda to hear public comments regarding the request from Wayne and Shirley Swander regarding the division of the subject property into two lots. The division would create two lots, with each lot being less than the one (1) acre minimum area requirement, each lot being less than the required minimum width of 220 feet, and to allow an accessory building on its own parcel in a HC (Highway Commercial) zoning district.

**6. A. ii. Variance Request for 421 W. Chicago Street/422 Harley Street [Action]**

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

The subject property was originally platted as two separate parcels. Sometime prior to the current owners' purchase of the property in 1987, the two lots were combined into a single lot. A home exists on the Chicago Street frontage of the property and a freestanding garage was built on the rear portion of the property. The property has frontage on Chicago Street, Noe Street, and Harley Street.

The current owners have attempted to sell the property. They have two separate buyers; one is interested in purchasing the home, the other is interested in the garage. The owners would, therefore, like to split the lot back into the original two parcels.

Although the property is used for single family residential purposes, it is located in the HC (Highway Commercial) zoning district. The minimum standards of that district apply in considering the land division. In order for the lot to be divided, the following three variances are required:

- A variance to the 1 acre minimum lot size. The home parcel (421 W. Chicago Street) would be approximately 0.36 acres and the garage parcel (422 Harley Street) would be approximately 0.45 acres.
- A variance to the minimum 220 feet of lot width. Each parcel would have approximately 165 feet of frontage on Noe Street. 421 W. Chicago Street also has 82.5 feet of frontage on Chicago; 422 Harley has 132 feet of frontage on Harley.
- A variance to allow the garage to be the primary structure on the lot. It has been an accessory structure to the home previously. It is our understanding that it would be used for personal storage. Since it is not being used for either a residential use or a primary commercial use, it would be an accessory building without a primary structure, and require a use variance.

While the property is zoned for HC (Highway Commercial) use, it is in an area that is Master Planned for Medium Density Residential use. The proposed divided lots would meet the minimum width and area requirements for the corresponding R-2 (Residential) zoning district.

The construction date of the garage is unknown. Based on appearance and anecdotal information, it has been in existence on the property for many years and has been utilized for various uses. It may be suitable for use for storage and other personal uses, the property size and location will make long term commercial use challenging.

The local area is a mix of commercial and residential uses. ZBA members may find a visit to the neighborhood prior to the meeting beneficial. A copy of Chapter 17 is attached. The standards for non-use variance (which relate to the lot area and width variances) and use variances (which relates to allowing the accessory building as the primary structure on the lot) are included.

A motion to approve or deny the variances to create two lots, with each lot being less than the one (1) acre minimum area requirement, each lot being less than the required minimum width of 220 feet, and to allow an accessory building on its own parcel in a HC (Highway Commercial) zoning district is necessary to take action on the application. The motion should state the basis for the decision.

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 variances for the property located at 421 W. Chicago Street/422 Harley Street to allow the creation of lots that are less than the minimum lot size requirement, have less than the minimum width and to allow a garage as a primary structure, 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 excerpt and public notice.*