

**CITY OF JONESVILLE  
ZONING BOARD OF APPEALS  
Minutes of January 18, 2018**

A meeting of the City of Jonesville Zoning Board of Appeals was held on Thursday, January 18, 2018 at the Jonesville City Hall. Chair Todd Shroats called the meeting to order at 6:00 p.m.

Present: Todd Shroats, Tim Bowman, George Humphries, Jr., Larry Jose, Mike Venturini,

Absent: None.

Also Present: Manager Jeff Gray, Supt. of Public Works Mike Kyser, Greg Bailey.

Todd Shroats led the Pledge of Allegiance.

A quorum was declared.

A motion was made to approve the agenda by Mike Venturini and supported by Larry Jose.  
All in favor. Motion carried.

Motion by Mike Venturini, second by Tim Bowman, to approve the minutes of October 4, 2017.  
All in favor. Motion carried.

The Public Hearing for the request to allow construction of an office building requiring the following variances: a rear setback of less than 50 feet; a lot size of less than one (1) acre; a lot width of less than 220 feet; and construction on an existing lot with no frontage on a public street in the HC (Highway Commercial) zoning district, on the property located at 479 E. Chicago Street was opened at 6:02 p.m.

Property owner Greg Bailey stated that he intends to build and occupy a new office building to the rear of his existing building located on E. Chicago Street. The property that he owns is actually two lots, one behind the other. The northern lot is his intended building site and does not have frontage on a public street. He wishes to keep the two lots separate, as he intends to sell the existing building to an established office user.

Mr. Bailey addressed the fact that the variances are required of two previously existing lots of record and noted that other ordinance requirements can be met on the two properties, including all minimum parking requirements for the planned office uses. He provided an aerial photograph noting the character of the property to the north of the subject property, which is wooded. There are no homes in the vicinity of the property line and a Consumers Energy line makes it unlikely that residential development would come close to the subject parcel.

Manager Gray stated that no calls or inquiries have been received from surrounding property owners regarding the application.

Storm drainage was discussed, with the ZBA noting that water currently pools at the rear of the existing parking lot. Mr. Bailey noted that the construction project will allow the drainage to be properly directed to the rear of the property to the naturally occurring drainage.

Discussion followed regarding the potential impacts of construction on a lot with no frontage on a public street. Manager Gray noted that this is rarely an issue for the first owners of such properties, but can become an issue with subsequent owners, particularly when costs have to be shared in an easement area for parking and access improvements. Gray stated that the issue was presented by staff to assure that there was full disclosure of the issue. Often property owners with easement disputes will contact the City for assistance. However, the easement will be an agreement the property owners. The City will not be a party to the easement, nor will it have authority to interpret or enforce the terms. Any disagreements will have to be resolved between the property owners, possibly with assistance from the courts.

The property value and sale implications of the lot configuration were discussed. Alternate property ownership scenarios were considered, as well. Condominium ownership was discussed, where two separate owners could own each building, but own the property and parking in common. Manager Gray clarified that if the ZBA approved the variances, as proposed, Mr. Bailey would still have the option to consider a condominium ownership scenario. That change would bring the property into greater compliance with the Zoning Ordinance and would not require additional approval by the ZBA.

The Public Hearing was closed at 6:30 p.m.

Mike Venturini made a motion to approve the requested variances to allow construction of an office building requiring the following variances: a rear setback of less than 50 feet; a lot size of less than one (1) acre; a lot width of less than 220 feet; and construction on an existing lot with no frontage on a public street in the HC (Highway Commercial) zoning district, on the property located at 479 E. Chicago Street. The Zoning Board of Appeals strongly encourages the owner to consider property ownership options that would allow the two parcels to be combined together. The motion was seconded by Larry Jose. All in favor. Motion carried.

A motion was made by Mike Venturini to give immediate effect to the approved variances, as necessary for the preservation of property and hereby certified on the record. The motion was supported by Larry Jose. All in favor. Motion carried.

The meeting was adjourned at 6:48 p.m.

Submitted by,

Jeffrey M. Gray, City Manager/Recording Secretary