

**CITY OF JONESVILLE
ZONING BOARD OF APPEALS
Minutes of July 12, 2018**

A meeting of the City of Jonesville Zoning Board of Appeals was held on Thursday, July 12, 2018 at the Jonesville City Hall. Chair Todd Shroats called the meeting to order at 6:00 p.m.

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

Absent: Tim Bowman.

Also Present: Manager Jeff Gray, and Ron Gow.

Todd Shroats led the Pledge of Allegiance.

A quorum was declared.

Motion by George Humphries, second by Larry Jose to approve the agenda, as presented.

Motion by George Humphries, second by Mike Venturini, to approve the minutes of June 7, 2018.
Motion carried.

There were no public comments on non-agenda items.

The Public Hearing for the request to allow construction of a new commercial storage warehouse in an HC (Highway Commercial) zoning district without paved parking, on the property located at 607 E. Chicago Street was opened at 6:01 p.m. Chair Todd Shroats invited comments from the applicant.

Ron Gow explained that the intent was to build a new storage building on the property. He noted that there are two existing buildings on the property and that they are served by a paved driveway. However, the circulation around each of the buildings is gravel. Because the existing site is gravel, he feels it is reasonable to continue the gravel. He noted that it would be difficult to compete with other facilities that are surfaced in gravel.

The Board of Appeals asked whether there are other facilities inside the City that are surfaced in gravel. Mr. Gow stated that the others are in Hillsdale, as his other facility near Downtown is paved. He stated that if the site were constructed new, he could see the value in paving.

Discussion followed regarding the location of the subject property in the City, and that perhaps its location on the edge of town warranted a different consideration than a warehouse near Downtown. The surface of parking lots on properties in the vicinity was also discussed, including the gravel lot on the school property north of the site on Concord Road.

Manager Gray noted that the school property is not subject to the City's Zoning Ordinance, by State Statute. He stated that the property is for sale and a potential purchaser was advised that a change in use would require paved parking, or a variance from the Zoning Board of Appeals, under the Zoning Ordinance.

The Board discussed the subject property and application and discussed possible distinctions of the site from other potential requests, including the geographic location in the City, the volume and frequency of visits to the site, and proximity of residences to the property.

Mr. Gow stated that there were probably less than 10 customers per day to the property. He also stated that the cost to pave around the new building with concrete would be approximately \$20,000. The gravel that was placed approximately a year ago cost about \$5,000.

Tim Bowman was unable to attend the meeting but submitted written comments that were shared with the Zoning Board of Appeals, and are attached to these minutes and made a part of the public record.

The public hearing was closed at 6:30 p.m.

The Board of Appeals discussed the nature of practical difficulty and unique hardships that exist on the property. Mr. Gow offered to pave the portion of the site that is visible from US-12/Chicago Street. Discussion followed regarding those portions of the site that are visible from US-12.

Motion by Mike Venturini, second by George Humphries, to grant a variance to allow construction of a commercial storage warehouse building on the property of less than 2 acres located at 607 E. Chicago Street, provided the applicant pave the existing gravel area that is visible from US-12/Chicago Street south and west of the existing south building and connect pavement with the existing paved driveway. The variance is granted on the basis that the construction is proposed on an existing un-paved property and the applicant would reduce the amount of nonconforming parking and circulation on the site. Motion carried.

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

Manager Gray provided a brief update regarding ongoing projects around the City.

The meeting was adjourned at 6:57 p.m.

Submitted by,

Jeffrey M. Gray, City Manager/Recording Secretary

Tim Bowman

7/12/2018

Mr. Todd Shroats

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Chairman Shroats,

My apologies to you and the other members of the ZBA as I am out of town for the upcoming ZBA meeting.

With respect to the Board of Appeals, the applicant Mr. Gow, and the general public, I am offering my comments regarding the request for a variance at 607 East Chicago Street.

These comments will become part of the public record and I understand that my absence will not allow me to cast a vote.

This request is much different from those of the recent past. As I recall, most requests stem from setback requirements and perhaps height restrictions.

With regard to this request the Zoning Ordinance is very clear in two separate places. See Section 16.03(A) and the Special Land Use conditions stated in Section 14.09(R). Stating that "All driveways, parking, loading, storage, and vehicular circulation areas shall be paved".

I did not receive plans for the parking requirements listed in 14.09 for Commercial storage warehouses.

The proposed construction is an expansion of the property which (in my mind) triggers the requirement for paving of the property.

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Attachment

Even though this is an existing facility, the new construction requires that the Ordinance be followed.

I don't find that the cost to pave is an undue hardship. Other variances that have been granted by the ZBA contain hardships such as physical barriers, topography issues and the like. This may be a monetary hardship that should not be addressed by the board.

Neighborhood businesses continue to pave existing lots and also plan on paving upcoming expansions. Whether seen from a public street or not, a gravel lot is inconsistent with the neighborhood.

According to plans given to me I see a total of 32 new units. I'm assuming there is a need for expansion and also hoping that business is booming for Mr. Gow.

Thank you for allowing my comments.

Regardless of the outcome I thank you all for your work and wish you well.

Tim Bowman

City of Jonesville- Mayor pro tem

Council representative to the Zoning Board of Appeals