



City of
Jonesville

265 E. Chicago Street • Jonesville • MI 49250

(517) 849-2104 Ph
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www.jonesville.org
manager@jonesville.org

**CITY OF JONESVILLE
ZONING BOARD OF APPEALS AGENDA
JUNE 18, 2015 - 7:00 P.M.
CITY HALL**

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. OATH OF OFFICE – New Member Annette Sands

3. ELECTION OF CHAIR

4. DECLARATION OF A QUORUM

5. APPROVAL OF AGENDA

6. APPROVAL OF MINUTES – October 21, 2014

7. PUBLIC COMMENTS

8. PUBLIC HEARING AND SUBSEQUENT BOARD ACTION

A. Request from Bryan Paige for a use variance to allow portions of the building to be used for a small manufacturing business and a residential apartment. The property is located at 204 Olds Street in the HC (Highway Commercial) zoning district.

i. Public Hearing

ii. Action on Request

9. OTHER BUSINESS


10. ADJOURNMENT



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To: Jonesville Zoning Board of Appeals
From: Jeffrey M. Gray, City Manager 
Date: June 12, 2015
Re: Manager Report – June 18, 2015 Zoning Board of Appeals Meeting

2. Oath of Office – New Member Annette Sands

Staff will administer the Oath of Office for our newest member at the meeting. Annette is filling the vacancy on the board that was created when Dana Kyser accepted an appointment to the assessment Board of Review.

3. Election of Chair

It will be necessary for the Board to elect a new chair from its membership to replace Dana Kyser. Staff will assist with taking nominations and entertaining a motion to elect the chair. By State statute, Tim Bowman is not eligible to serve as chair, since he is a representative of the City Council. All other members are eligible.

8. A. i. Public Hearing – Use Variance Request for 204 Olds Street

This is the time reserved on the agenda to hear public comments regarding the request from Bryan Paige to allow the property at 204 Olds Street to be used for a small manufacturing facility and a residential apartment. The property is located in the HC, Highway Commercial zoning district. A variety of commercial and retail uses are allowed in the HC zoning district. However, manufacturing and residential uses are not permitted.

6. A. ii. Use Variance Request for 204 Olds Street

[Action]

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

The applicant wishes to use the property for his business assembling guitar capos. For more information on the business and what a capo is, you can visit his website, www.paigecapo.com.

It is a very light manufacturing business, as most of the assembly is done by hand. There is some machinery involved, including a small punch. The applicant advises that the loudest equipment is an air compressor. At this time, he does not plan to sell the capos on site. Deliveries would generally be handled by UPS or FedEx box truck. The applicant reports that he occasionally will receive a pallet of merchandise via a semi-truck.

In addition, the applicant is considering dividing a portion of the building for a residential apartment that he might consider living in. The applicant may make some space available to a small commercial tenant, as well.

It has been challenging to find a commercial or retail user for the building. The property is small in size and, therefore, limited in parking. This light manufacturing use would have a lower parking demand than a full commercial use of the building.

The surrounding properties are a mix of commercial, office and residential uses. This particular manufacturing use would seem to be of little impact on the surrounding area. The applicant has proposed that it would be acceptable to place a condition on the use of the property that all exterior doors be closed during the operation of any machinery if there is any concern about noise impacts on nearby homes.

Section 17.08 (B) provides the standards of approval for use variances. A copy of these conditions is attached. Staff would note that the physical size of the property has made it difficult to find a reasonable commercial use of the property. In addition, the size is uniquely small when compared to other commercial and office properties in the area. The low impact of the proposed manufacturing should not change the character of the property or area. The unique conditions on site are not result of actions of the applicant.

Should the ZBA approve the variance, it would apply to the proposed use only. It would not approve general manufacturing on the property, other than the capo manufacturing proposed by the applicant.

Staff is supportive of the proposed use of the building.

A motion to approve or deny the use variance for capo manufacturing and a residential apartment should state the decision, as well as the basis for the decision. It may be beneficial to visit the property prior to the meeting.

If the variance is granted, the ZBA may want to consider a condition requiring that exterior doors be closed during the use of any machinery.

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 use variance for the property located at 204 Olds Street to allow guitar capo manufacturing and a residential apartment, 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 aerial map.

City of Jonesville
Zoning Board of Appeals
Minutes – October 21, 2014

Present: Dana Kyser, Tim Bowman, Mike Venturini, Larry Jose, Todd Shroats, Manager Jeff Gray, Asst. to the Manager Tim McLean, and Supt. of Public Works Mike Kyser.

Absent: None

Guests: Clint and Cyndi Barrett, Matthew Collison, Isaac Collison, Ryan Conkley, Michael Brown and Scott Peterson.

The meeting was called to order at 6:00 p.m. by Chairperson Dana Kyser at the Jonesville City Hall.

Todd Shroats led the Pledge of Allegiance.

A quorum was declared.

The agenda was approved as written with no changes.

A motion was made by Mike Venturini and supported by Todd Shroats to accept the minutes of April 15, 2014 with one noted addition (location of meeting/Jonesville Fire Station). All in favor. Motion carried.

Michael Brown, Boy Scout Leader of Troop 4238, advised that the boy scouts attending the meeting were in the process of earning their Citizenship Badges.

The Public Hearing for a variance request to allow installation of a driveway on Walnut Street within the 150 foot setback from Chicago Street in a Highway Commercial district (HC) located at 124-126 W. Chicago Street was opened at 6:03 p.m.

Clint and Cyndi Barrett, who requested the variance, addressed the board regarding the proposed driveway location being changed to Walnut Street, the inconvenience of their corner lot with the current driveway's location for entrance/exit off of US-12, and the safety of everyone concerned (drivers/pedestrians).

Manager Gray gave a brief synopsis of the variance request brought before the Zoning Board of Appeals, advising that the variance would appear to be in keeping with the intent of the ordinance as the relocated driveway would improve the overall traffic safety of the property and intersection with it being moved from US-12 (W. Chicago Street) to a location near the rear property line along Walnut Street. The lot shape poses a practical difficulty in meeting the strict setback requirement listed in the ordinance.

After further discussion, a motion was made by Mike Venturini and supported by Todd Shroats to allow the driveway be placed less than the required 150' setback on Walnut Street, as far back as practical due to current location of utilities. All in favor. Motion carried.

A motion was made by Tim Bowman and supported by Larry Jose for the ZBA to give immediate effect to the approval of the variance for the property located at 124-126 W. Chicago Street, as necessary for the preservation of property and hereby certified on record. All in favor. Motion carried.

The meeting was adjourned at 6:25 p.m.

Submitted by,

Cynthia D. Means
Clerk

**Village 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:

5/29/15

Property Owner

Name <u>Robert Glass</u>		Business Name	
Street Address <u>5322 GAY RD HILLSDALE</u>		Email Address	
Cell Phone Number <u>517-320-9322</u>	Fax Phone Number	Phone Number <u>517-437-3754</u>	

Applicant (If Not Owner)

Name <u>Bryan Paige</u>		Email Address <u>bryan@paigecapo.com</u>	
Address (Street No. and Name) <u>4491 W. Sterling Rd. / PO Box 209</u>		City <u>Jonesville</u>	State <u>MI</u>
Cell Phone Number <u>517-610-8745</u>		Fax Phone Number <u>NA</u>	Zip Code <u>49250</u>
Applicant's Interest in the Property (Land Contract, Lease, Etc.) <u>Will buy if this is Approved</u>		Phone Number <u>517-849-2202</u>	

Zoning District: _____

VARIANCE FEE: \$250.00

Property Address: 204 Olds Street.

Property ID #: 06-090-001-030

Date of Denial of Zoning Permit: _____

Reason of Denial: _____

Purpose of Request (Specify exactly what is being requested): ① To manufacture Guitar Capos / Also store & ship by UPS or FedEx. ② option to rent space for Offices & Small retail or service businesses ③ option to rent a Section for residential Apartment.

Explain Nature of Practical Difficulty or Hardship:

The building has been sitting empty for some time. I need something happening in it.

Bryan Paige
Signature of Applicant

5/29/15
Date:

Robert Glass
Signature of Property Owner

5/29/15
Date:

Official Use Only	
Fee Paid	<u>250.00</u>
Date Paid	<u>5/29/15</u>
Receipt #	<u>61885</u>
Date of Hearing:	

Signature of Village Clerk

Date:

VARIANCE APPLICATION REVIEW

What circumstances are unique to the property, which give rise to the request?

① The property has limited parking. we wouldn't require much parking. ② It has 3-Phase power + the perfect square footage of shop space. ③

What would be the impact to adjacent property owners by granting the variance?

I believe there wouldn't be any impact. There wouldn't be a lot of traffic in + out. The noise from our small machines is minimal + wouldn't hardly be heard by the property owners.

What undue hardship would be created if strict enforcement of the zoning regulations is required?

The property may sit unused with limited up-keep.

What effect would granting the variance have on public health, safety, morals, convenience, order, prosperity and general welfare?

It may ~~have~~ ^{add} a few jobs + tax base for the city. Having the property occupied will make it safer + will help the appearance.

Would granting the variance oppose the general spirit and intent of the zoning regulations?

I believe that this property is more suited for light industrial because of the lack of parking + the shop space with 3-Phase power.

Recommended conditions or restrictions:

Maybe keep door shut if running a machine that could be heard outside with the door open.



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CITY OF JONESVILLE

NOTICE OF PUBLIC HEARING

The Jonesville Zoning Board of Appeals will meet at 7:00 p.m., Thursday, June 18, 2015 at the Jonesville City Hall, 265 E. Chicago Street, Jonesville, MI 49250.

The board will meet to consider the following Variance:

To allow a small manufacturing company and a residential apartment use in a Highway Commercial (HC) District at 204 Olds Street, Jonesville, MI, 49250.
Property ID #30-21-090-001-030

Attendance at the ZBA Hearing is welcomed, but not required.

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 calling the following:

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517-849-2104

Zoning Ordinance Excerpt: Section 17.08(B)

- B. Use variance: A use variance may be allowed by the Board of Appeals only in cases where there is reasonable evidence of unnecessary hardship in the official record of the hearing and that ALL of the following conditions are met:
1. That the building, structure, or land cannot yield a reasonable return if required to be used for a use allowed in the zone district in which it is located;
 2. That there are unnecessary hardships 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;
 3. That the proposed use will not alter the essential character of the neighborhood.
 4. That the variance is not necessitated as a result of any action or inaction of the applicant.



Google earth

feet
meters

