



City of
Jonesville

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**CITY OF JONESVILLE
ZONING BOARD OF APPEALS AGENDA
JUNE 7, 2018 – 6:00 P.M.
CITY HALL**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
- 2. DECLARATION OF A QUORUM**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES – March 22, 2018**
- 5. PUBLIC COMMENTS**
- 6. PUBLIC HEARING AND SUBSEQUENT BOARD ACTION**
 - A. Request from Michele Calvin, to allow construction of a covered front porch to encroach 10 feet into the required front setback in an R-3 (Single Family Residential) District for the property located at 416 Drake Street.
 - i. Public Hearing
 - ii. Action on Request
- 7. OTHER BUSINESS**
- 8. ADJOURNMENT**

**CITY OF JONESVILLE
ZONING BOARD OF APPEALS
Minutes of March 22, 2018**

A meeting of the City of Jonesville Zoning Board of Appeals was held on Thursday, March 22, 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., and Larry Jose.

Absent: Mike Venturini.

Also Present: Manager Jeff Gray, Supt. of Public Works Mike Kyser, Mitch Spangler, and Skip Forbes.

Todd Shroats led the Pledge of Allegiance.

A quorum was declared.

A motion was made to approve the agenda by Larry Jose and supported by George Humphries.
Motion carried.

Motion by Tim Bowman, second by George Humphries, to approve the minutes of January 18, 2018.
Motion carried.

The Public Hearing for the request to allow construction of an addition with a setback of less than 40 feet from the right-of-way of Concord Road in the HC (Highway Commercial) zoning district, on the property located at 601 E. Chicago Street was opened at 6:02 p.m.

Property owner Mitch Spangler stated that the variance is needed to allow the construction of an addition to the kitchen at the former Cedars Restaurant. He has considered building to the north; however the grade slopes toward the building in that location and significant grading would be required. The proposed addition would continue the existing roof line and be located east of the existing dumpster enclosure.

He stated that he intends to move the existing Spangler's Restaurant to the location. The current location will be used for some other food service, to be determined after the new location is open.

The Board of Appeals discussed the grade and roof lines of the building. Questions included the grade at the rear of the building. DPW Superintendent Kyser noted that there is likely a former private well and septic field in that location. No issues or concerns are anticipated regarding storm drainage with the proposed addition.

The Public Hearing was closed at 6:13 p.m.

Tim Bowman made a motion to approve the variance to allow construction of a 12-foot by 22-foot addition with a setback of less than 40 feet from the right-of-way of Concord Road in the HC (Highway Commercial) zoning district, on the property located at 601 E. Chicago Street. The variance is approved on the basis that the variance is not contrary to the public interest and is consistent with the spirit of the Zoning Ordinance; there would be no adverse effects on surrounding properties; and there are

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March 22, 2018 Meeting Minutes
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exceptional topographic conditions that prevent carrying out the strict requirements of the ordinance. The motion was seconded by Larry Jose. Motion carried.

A motion was made by Todd Shroats 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 George Humphries. Motion carried.

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

The meeting was adjourned at 6:30 p.m.

Submitted by,

Jeffrey M. Gray, City Manager/Recording Secretary



To: Jonesville Zoning Board of Appeals
From: Jeffrey M. Gray, City Manager
Date: May 31, 2018
Re: Manager Report – June 7, 2018 Zoning Board of Appeals Meeting

6. A. i. Public Hearing –Variance Request for 416 Drake Street

This is the time reserved on the agenda to hear public comments regarding the request from Michelle Calvin regarding the construction of a roof over an existing front porch. The existing porch may encroach into the front setback. The roof supported by columns is subject to the same setback as an enclosed building. The porch would encroach 10 feet into the minimum required setback from the street right-of-way for the Multiple Family Residential (R-3) zoning district.

6. A. ii. Variance Request for 416 Drake Street

[Action]

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

The applicant is proposing the construction of a roof over the existing porch on the south side of the home located at 416 Drake Street. The required setback is 30 feet from the edge of the road right-of-way (or 63 feet from the center of the road). The proposed covered porch would be 20 feet from the edge of the right-of-way, encroaching 10 feet into the minimum setback requirement. The covered porch is subject to the same setback requirement as an enclosed portion of the building.

The applicant has supplied a rendering of the proposed porch and a written basis for the variance request. She notes the recent investment that she has made in the property, the aesthetics of the a finished porch, and the benefits of a covered entry.

ZBA members may find a visit to the neighborhood prior to the meeting beneficial. A copy of Section 17.08A of the Zoning Ordinance, the standards for non-use variances, is attached.

Should the ZBA concur with the applicant that the request for variance is consistent with the character of the neighborhood, does not appear to be contrary to the public interest, nor would it cause a substantial adverse effect to properties in the area, a motion to approve may be considered. 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 variance for the property located at 416 Drake Street to allow a 10-foot by 25-foot covered front porch to encroach 10 feet into the required front setback of the R-3 (Multiple Family Residential) zoning district, 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.

VILLAGE OF JONESVILLE
ZONING BOARD OF APPEALS

PETITION FORM

Applicant Name Michelle Calvin Phone # 517-414-9424
Address 416 Drake St

Property Owners Name SAME Phone # SAME
Address _____

If Applicant is not Property Owner what is applicants interest in the property? (Land Contract, Lease, Option, etc.) _____

Property Address _____
Sidwell # _____

Date of Denial of Building Permit _____
Reason for Denial _____

Purpose of request (specify exactly what is being requested).
Setback for porch roof is less than required

If your request is for a Variance, please explain nature of practical difficulty or hardship. Porch roof needed for weather protection & dry entrance to house on South side (front)

Signature of Property Owner/Representative Michelle Calvin
Signature of City Clerk _____

Date of Hearing _____

Disposition of Zoning Board of Appeals _____

VARIANCE APPLICATION REVIEW

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

This was a rundown property. I completely renovated this home, including a new roof. The final phase is the porch roof to make the home look welcoming.

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

The porch roof will enhance the look of my home. The enhancement will add value & curb appeal, impacting the neighbors in a positive way.

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

The front entryway will be uncovered & expose the front entry to excess snow, rain, & sun. It will also leave the front of the home less complete.

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

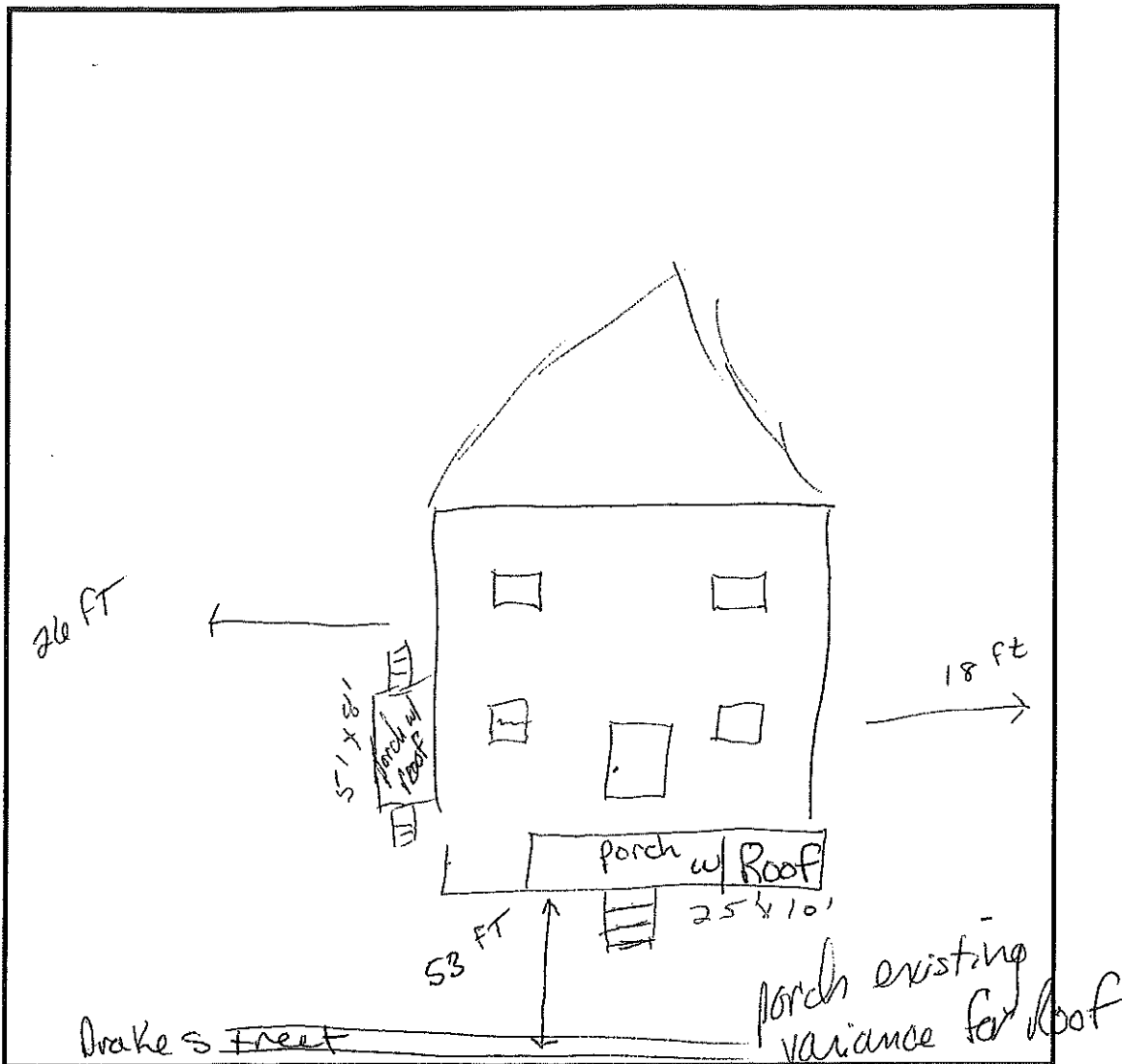
Safety & well being will be enhanced by providing a covered entryway into the home. The neighborhood will have a higher valued home.

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

No, it would not cause adverse intent.

Recommended conditions or restrictions:

SITE OR PLOT PLAN:



A Zoning Compliance Permit for the proposed use of said property is hereby:

<input type="checkbox"/>	Granted
<input checked="" type="checkbox"/>	Refused

for the following reason(s): FRONT YARD SET BACK IS 30' ROW IS 33
TOTAL OF 63', FRONT NEEDS 10' VARIANCE

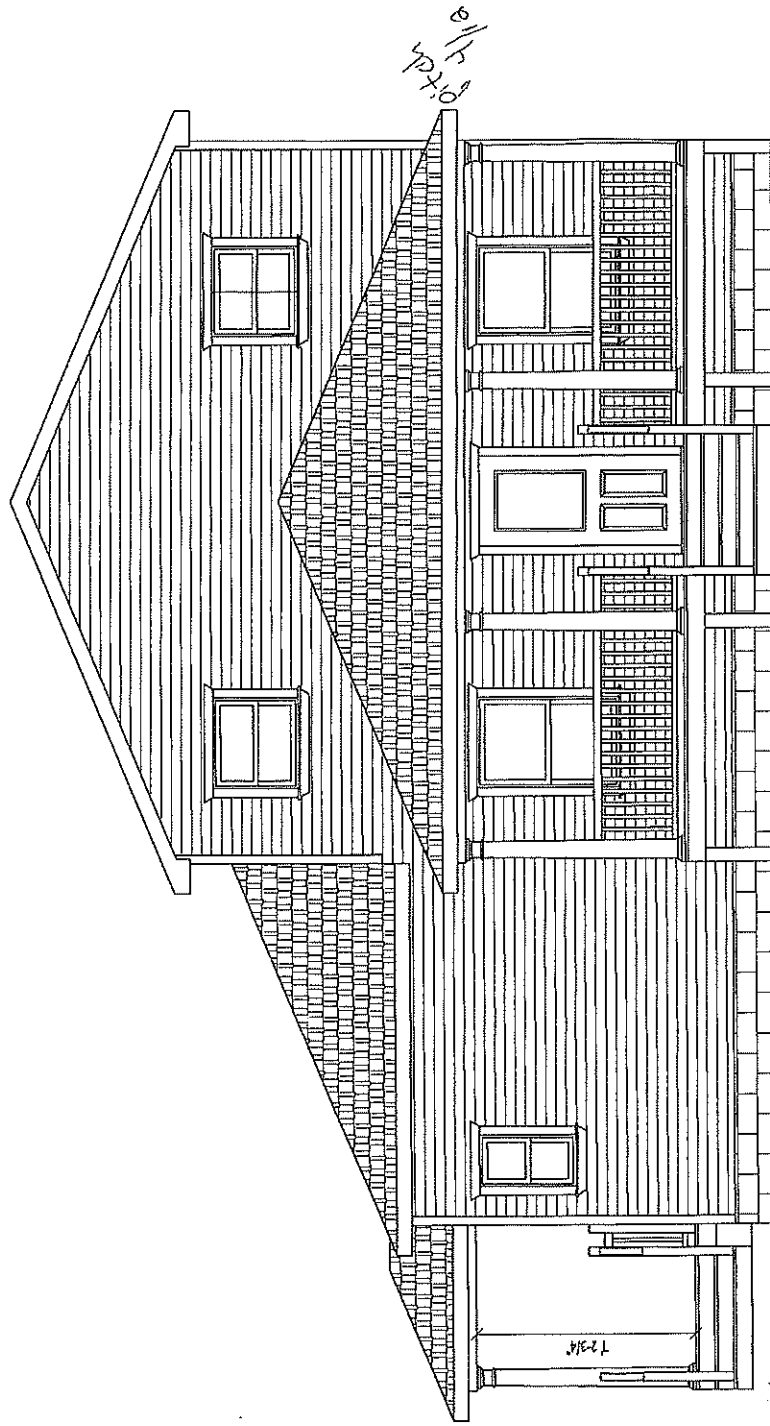
[Signature]
 Zoning Administrator Signature

4-12-18
 Date of Approval

☐ Special Conditions - Requires Final Approval from Zoning Administrator

☐ Special Conditions Approved: _____
 Zoning Administrator Signature Date

NOTE: Approval contingent upon all requirements to local ordinances, local, township and county building codes and state laws pertaining to the requirements being completed during construction and before habitation.



Representation of finished front porch

Zoning Ordinance Excerpt: Section 17.08(A)

- A. Non-Use Variance: A non-use or dimensional variance may be allowed by the Board of Appeals only in cases where there is reasonable evidence of practical difficulty in the official record of the hearing and that ALL of the following conditions are met:
1. Granting the variance will not be contrary to the public interest and will ensure that the spirit of this Ordinance is observed.
 2. Granting the variance will not cause a substantial adverse effect to property or improvements in the vicinity or in the district in which the subject property is located.
 3. The variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for such conditions reasonably practicable.
 4. That there are practical difficulties 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.
 5. That granting such variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity in the same zoning district.
 6. That the variance is not necessitated as a result of any action or inaction of the applicant.

AFFIDAVIT OF PUBLICATION

CITY OF JONESVILLE

265 East Chicago Street
Jonesville, MI 49250
517-849-2104

STATE OF MICHIGAN]
] SS
COUNTY OF HILLSDALE]

Cynthia D. Means, being first duly sworn, says that she is the Clerk for the City of Jonesville, a governmental agency in Hillsdale County, Michigan.

I hereby certify that the attached was advertised in a newspaper of our choice for the following dates, to wit:

Saturday, May 19, 2018 – Hillsdale Daily News

Public Notice – Notice of Public Hearing
ZBA – Variance Request – 416 Drake St.

Cynthia D. Means
Cynthia D. Means, City Clerk

Subscribed and sworn to before me this 22nd day of May, 2018.

Lenore M. Spahr
Notary Public for Hillsdale County, Michigan

My commission expires _____
LENORE M. SPAHR
NOTARY PUBLIC - STATE OF MICHIGAN
County of Hillsdale
My Commission Expires 01/24/2024
Acting in the County of _____

Legals

PUBLIC NOTICE
CITY OF JONESVILLE
NOTICE OF PUBLIC HEARING

The Jonesville Zoning Board of Appeals will meet at 6:00 p.m., Thursday, June 7, 2018, at the Jonesville City Hall, 265 E. Chicago Street, Jonesville, MI 49250.

The board will meet to consider the following request:

To allow Front Yard Setback to be less than 63 feet; for the construction of a covered front porch in an R-3 (Single Family Residential) District. The property is located at 416 Drake St, Jonesville, MI. Property ID #30-21-080-001-012

Attendance at the ZBA Hearing is welcomed, but not required. Written comments may be submitted to the Jonesville City Hall, prior to the hearing.

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:

City of Jonesville
265 E. Chicago Street
Jonesville MI 49250
517-849-2104

5-19-18