

Zoning Board of Appeals

Kevin Gentner – Chair
Bob Craig - City Commissioner
Anne Rademacher
Keith Peterson
Curtis Keck
Tom Hutton
Craig Bishop

Dave J. Kudwa, P.E.
Community
Development Director



ZONING BOARD OF APPEALS

MEETING AGENDA

MEETING DATE: OCTOBER 21st, 2020

The St. Johns Zoning Board of Appeals will hold a public hearing at 5:30 pm on October 21st, 2020. In order to maintain compliance with social distancing guidelines and in compliance with the Open Meetings Act, the meeting will be held virtually, using an online video call platform.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/878577517>

United States (Toll Free): 1 866 899 4679

Access Code: 878-577-517

AGENDA

1. Call to Order (5:30 pm)
2. Public Comment on non-agenda items (5:30 pm – 5:32 pm)
3. Old Business (5:32 pm – 5:33 pm)
 - A. Approval of August 19th, 2020 meeting minutes (ACTION REQUIRED)
4. New Business (5:33 pm – 5:45 pm)
 - A. Zoning variance request – 210 Morton Street (ACTION REQUIRED)
5. Adjournment (5:45 pm)

100 East State Street, P.O. Box 477, St. Johns, Michigan 48879-0477
(989) 224-8944 Fax (989) 224-2204
E-mail: dkudwa@ci.saint-johns.mi.us

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MEMORANDUM

To: St. Johns Zoning Board of Appeals

From: Dave J. Kudwa, P.E. Community Development Director

Subject: Zoning variance request

ZONING VARIANCE APPLICATION

Purpose: To request a variance for a side yard setback reduction from 20 feet to 17.2 feet

Property Owner: Consumers Energy

Property Address: 210 S. Morton Street

Property land area: 0.284 acres

Current Zoning: R1 (Low density residential)

Date: October 14th, 2020

Variance Request – 210 S. Morton Street

The applicant is requesting a variance to the side yard setback for the addition of a garage.

City Code Section 155.170 (Table of Dimensional Requirements) requires that principle structures in the R-1 district have a minimum street-side setback of 20-feet. The existing building currently meets this requirement.

As you can see from the included drawing, the new building that's being proposed by Consumers Energy reduces the McConnell Street setback from 20 feet to 17.2 feet.

Please remember the following guidelines for granting variances:

1. That compliance of the strict letter of the ordinance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily.

Staff Comment: The compliance of the strict letter of the ordinance would not unreasonably prevent the owner from using the property. The previous building met the 20-foot setback. Moving the building 2.8 feet north to meet this requirement seems reasonable.

2. That a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, and that a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

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Staff Comment: Relaxing this requirement for 201 S. Morton Street does not do substantial justice to the district.

3. That the plight of the landowner is due to the unique circumstances of the property.

Staff Comment: The parcel has a non-conforming lot size of 50 feet. All lots within the R-1 District must have a minimum lot width of 75 feet. However, given the scope of the project, the uniqueness of the lot width is less relevant.

4. That the problem is not self-created.

Staff Comment: The problem is self-created because the building could be shifted 2.8 feet north and meet the city standards.

5. In granting a non-use variance, the Zoning Board of Appeals shall ensure that the spirit of the ordinance is observed, public safety secured, and substantial justice done.

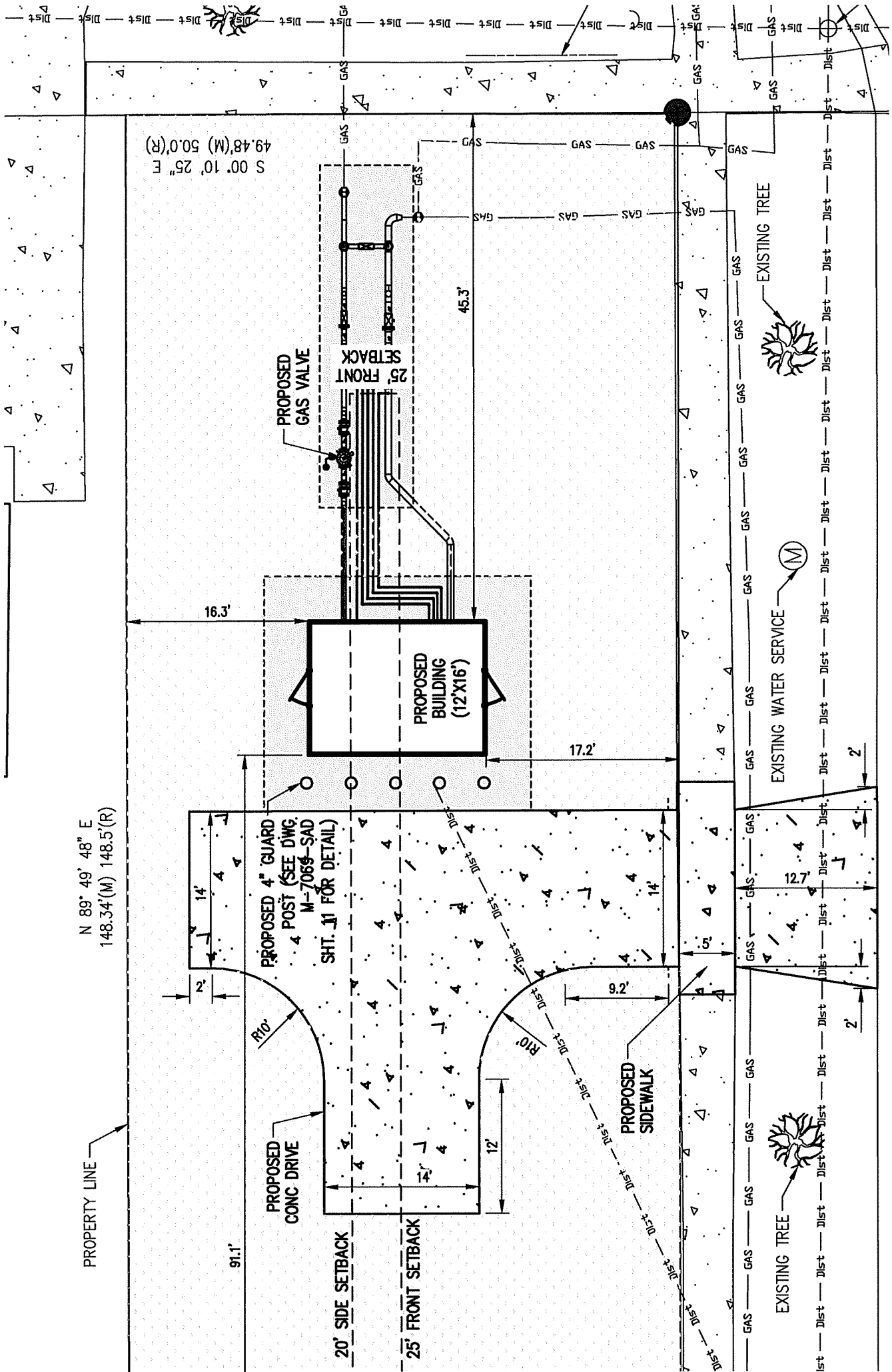
Staff Comment: No comment.



EXISTING SOUTH SIDE YARD – FACING NORTH OFF OF MCCONNELL STREET



EXISTING FRONT YARD – FACING WEST OFF OF MORTON STREET



[illegible]

Consumers Energy
GAS ENGINEERING
GAS DISTRIBUTION DESIGN SECTION
JACKSON, MICHIGAN

REFERRAL				
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ALDRICH KLINTON & PATRICIA
601 W CASS ST
ST JOHNS, MI 48879

KOHAGEN TRACY
204 S EMMONS ST
ST JOHNS, MI 48879

CRESSMAN BRENDA & JAMES
210 S EMMONS ST
ST JOHNS, MI 48879

SPINNER ERIN
PO BOX 273
ST JOHNS, MI 48879

MONTAGUE KRISTEN
209 S MORTON ST
ST JOHNS, MI 48879

VENICE CAPITAL LLC
905 W GENEVA DR
DEWITT, MI 48820

SPANGLER LONNIE & REBECCA
205 S MORTON ST
ST JOHNS, MI 48879

RUESTMAN JEAN
201 S MORTON ST
ST JOHNS, MI 48879

MILLER THELMA
605 W CASS ST
ST JOHNS, MI 48879

PLOWMAN JACQUELINE & LARRY
605 W MCCONNELL ST
ST JOHNS, MI 48879

GRUBAUGH ANNETTE
304 S EMMONS ST
ST JOHNS, MI 48879

DELISO CHRISTOPHER M & BRENDA K
703 GREENGATE DR
ST JOHNS, MI 48879

SCHULTZ JENEE & TIMOTHY L
608 W BALDWIN ST
ST JOHNS, MI 48879

PAYNE RYAN
609 W MCCONNELL ST
ST JOHNS, MI 48879

LORENC JOSEPH II
607 W MCCONNELL ST
ST JOHNS, MI 48879

DICKENSON LISA
705 W MCCONNELL ST
ST JOHNS, MI 48879

ERFOURTH LINDA M
706 W BALDWIN ST
ST JOHNS, MI 48879

KIRSCHENBAUER ERIC A & TAMARA
709 W MCCONNELL ST
ST JOHNS, MI 48879

KNIGHT LORENE K
200 S MORTON ST
ST JOHNS, MI 48879

POST DAVID
206 S MORTON ST
ST JOHNS, MI 48879

CONSUMERS ENERGY
ONE ENERGY PLAZA
JACKSON, MI 49201-9938

NIHART RUTH
218 N CLINTON AVE
ST JOHNS, MI 48879

PAGE JEANETTE
202 S MORTON ST
ST JOHNS, MI 48879

DUSH BETTY J & GEORGE
704 W MCCONNELL ST
ST JOHNS, MI 48879

HURST CLYDE & LISA
705 W CASS ST
ST JOHNS, MI 48879

SEHLKE LARRY & MARILYN
706 W MCCONNELL ST
ST JOHNS, MI 48879

MALONEY DENISE & MICHAEL
709 W CASS ST
ST JOHNS, MI 48879

BURK OLGA
707 W CASS ST
ST JOHNS, MI 48879

KUSENDA DANIEL & KAREN
302 S MORTON ST
ST JOHNS, MI 48879

RUEHLE MICHAEL & HUFNAGEL VICKY
306 S MORTON ST
ST JOHNS, MI 48879

ARMSTRONG ANGELA & GLENN
308 S MORTON ST
ST JOHNS, MI 48879

SCHMOYER PATRICIA & RICHARD
702 W BALDWIN ST
ST JOHNS, MI 48879

BAST MARJORIE E
704 W BALDWIN ST
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ARCHAMBAULT CATRINA & JOHN
703 W MCCONNELL ST
ST JOHNS, MI 48879

EMMONS MEAGAN & PHILLIPS III
701 W MCCONNELL ST
ST JOHNS, MI 48879