

City of Plainwell



Brad Keeler, Mayor
Lori Steele, Mayor Pro-Tem
Todd Overhuel, Council Member
Roger Keeney, Council Member
Randy Wisnaski, Council Member

Department of Administration Services
211 N. Main Street
Plainwell, Michigan 49080
Phone: 269-685-6821 Fax: 269-685-7282
Web Page Address: www.plainwell.org

“The Island City”

AGENDA

Plainwell Zoning Board of Appeals

Monday, December 27, 2021

7:00PM

Plainwell City Council Chambers

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes** – 11/12/2018 Regular Meeting
4. **New Business:**
 - A. **Public Hearing – Variance Request 627 West Bridge Street**
The Board will consider a setback variance in the R-1A District.
5. **Unfinished Business:**
6. **Public Comments:**
7. **Member Comments:**
8. **Adjournment**

Note: All public comment limited to two minutes, when recognized please rise and give your name and address
The Island City

The City of Plainwell is an equal opportunity provider and employer

**City Council Acting as
Zoning Board of Appeals
Minutes
November 12, 2018**

1. Regular meeting was call to order by Chairman Steele at 7:00PM.
2. Present: Steele, Brooks, Keeler, Overhuel, Keeney
Absent: None
3. Approval of 07/14/2014 Minutes:
A motion by Brooks, supported by Overhuel to approve the 07/14/2014 Minutes. On a voice vote, all in favor. Motion carried.
4. New Business:
 - A. **A motion by Overhuel, seconded by Brooks to open the Public Hearing at 7:01pm. All in favor, Motion Carried.**

Community Development Manager Denise Siegel presented the application for a setback variance at 133 South Sherwood to allow for the erection of a lean-to on the existing garage within the ordinance limits regarding the property line.

No public comment

A motion by Overhuel seconded by Brooks to close the Public Hearing at 7:04pm. All in favor, Motion Carried.

A motion by Keeler, supported by Keeney to approve the setback variance for 133 South Sherwood as requested to allow for the erection of a lean-to on the existing garage structure as presented. On a voice vote, all in favor. Motion carried.
5. Unfinished Business: None
6. Public Comment: None
7. Board Comments: None
8. Adjournment:
The meeting was adjourned at 7:05PM by Chairman Steele.

Respectfully submitted by
Brian Kelley
City Clerk



"The Island City"

City of Plainwell Zoning Variance Application

Fee: \$100.00

Plainwell City Hall
211 N. Main Street
Plainwell, MI 49080
Phone: 269-685-6821
Fax: 269-685-7282
www.plainwell.org

Date of Application: 11/23/2021
Property Address: 627 W. Bridge St. Parcel Number: 55-160-116-00
Owner's Name: Jae Guetschow (buyer) Phone #: (517) 605-9535
Owner's Mailing Address: 196 S. Grand Pointe Dr.
Brooklyn MI 49230

In order to grant a variance, the applicant must satisfy one or more of the following conditions, please circle the applicable number(s):

1. There are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this chapter. Where hardships or difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land;
2. A genuine hardship exists because of unique circumstances or physical condition such as narrowness, shallowness, shape or topography of the property involved or to the intended use of the property, that do not generally apply to other property uses in the same zoning district and shall not be recurrent in nature;
3. The hardship or special conditions or circumstances do not result from actions of the applicant;
4. The variance will be in harmony with the general purpose and intent of this chapter and will not cause a substantial adverse effect upon surrounding property, property values and the use and enjoyment of property in the neighborhood or district;
5. Granting the variance will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures or buildings in the same district;
6. The variance requested is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the hardship; and/or
7. The variance shall not permit the establishment, within a district, of any use which is not permitted by right within the zoning district or any use for which a special use permit or a temporary use permit is required.

Please describe variance request: Secondary front yard setback variance. Please see attached description.

Attach an accurate drawing of the site showing:

- (a) property boundaries (b) existing and proposed buildings (c) distance from the lot lines of each existing or proposed building (d) unusual physical features of the site (e) abutting streets.

The above criteria have been explained to me and I understand that I must demonstrate that I satisfy one or more of these criteria in order to be granted a variance from the City of Plainwell's Zoning Ordinance. Additionally, I understand that if the requested variance is granted, I am in no way relieved from all other applicable requirements of the City of Plainwell Zoning Ordinance.

Signature of Applicant(s):  Date of Signature(s): 11/23/21

Administrative Use Only:	
Filing Date: _____	Date of Hearing: _____
Fee Paid: _____	Action Taken: _____

November 23, 2021

City of Plainwell
Attn: Denise Siegel
211 N. Main St.
Plainwell MI 49080

**Re: Zoning Variance Application
627 W. Bridge St. ~ Parcel #55-160-116-00**

To Whom It May Concern:

The above referenced parcel is reportedly a nonconforming, buildable lot since the R-1A residential zoning district would typically require a minimum of 80 feet of frontage along W. Bridge St. This parcel is just 66 feet in width and 183 feet in depth.

Based on the city's tax and assessing records, it appears the house that was originally located on this parcel was built in 1880. It was apparently demolished in 2013. It is apparent that the original parcel predates the Walnut Wood Ct. development. In other words, when originally platted, the parcel did not have frontage on two streets. The current side yard setbacks are a minimum of 8 feet on side one and 15 feet combined for side two.

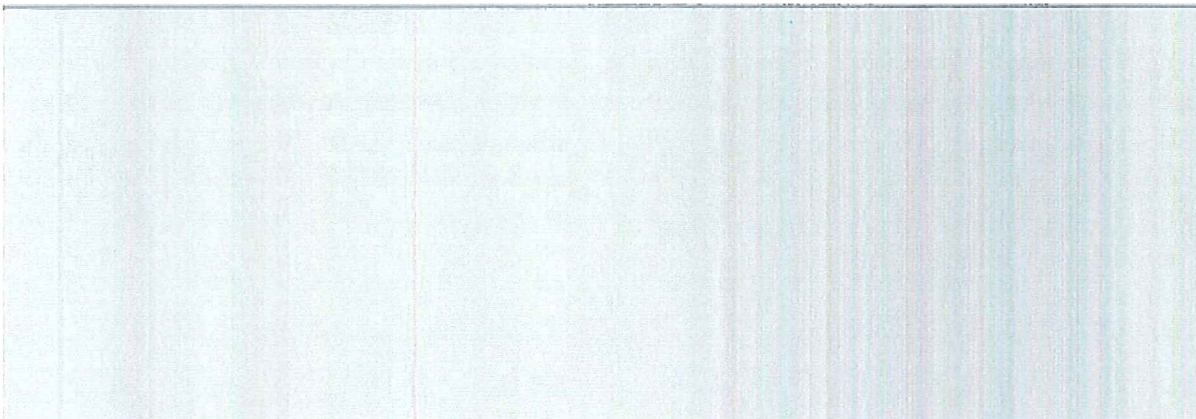
Assuming an acceptable purchase agreement is negotiated with the seller, it is my intent to build an owner-occupied, single-story home of approximately 2048 square feet of living area plus an attached, two-car garage. Though architectural plans have not yet been obtained, the anticipated dimensions would be 32 feet facing W. Bridge St. and 88 feet facing Walnut Woods Ct. (64 feet of dwelling space plus 24 feet of garage).

My understanding of the zoning ordinance would require a minimum of a 30-foot front yard setback from W. Bridge St., a minimum of an 8-foot setback from the east property line, a minimum of a 20-foot rear yard setback, and a minimum of a 30-foot secondary front yard setback from Walnut Woods Ct. Given these setback requirements, the maximum east-west width of a structure would be 28 feet. This would only be suitable for a manufactured home or a very small home.

I would request a 10-foot variance from the secondary front yard setback, reducing the required setback to 20 feet, which would allow some flexibility in the architectural design. This would still allow a minimum of 20 feet for off-street parking from Walnut Woods Ct., which is where the driveway is planned. This would also allow for greater than an 8-foot side setback from the east property line since the neighboring house is rather close to that property line.

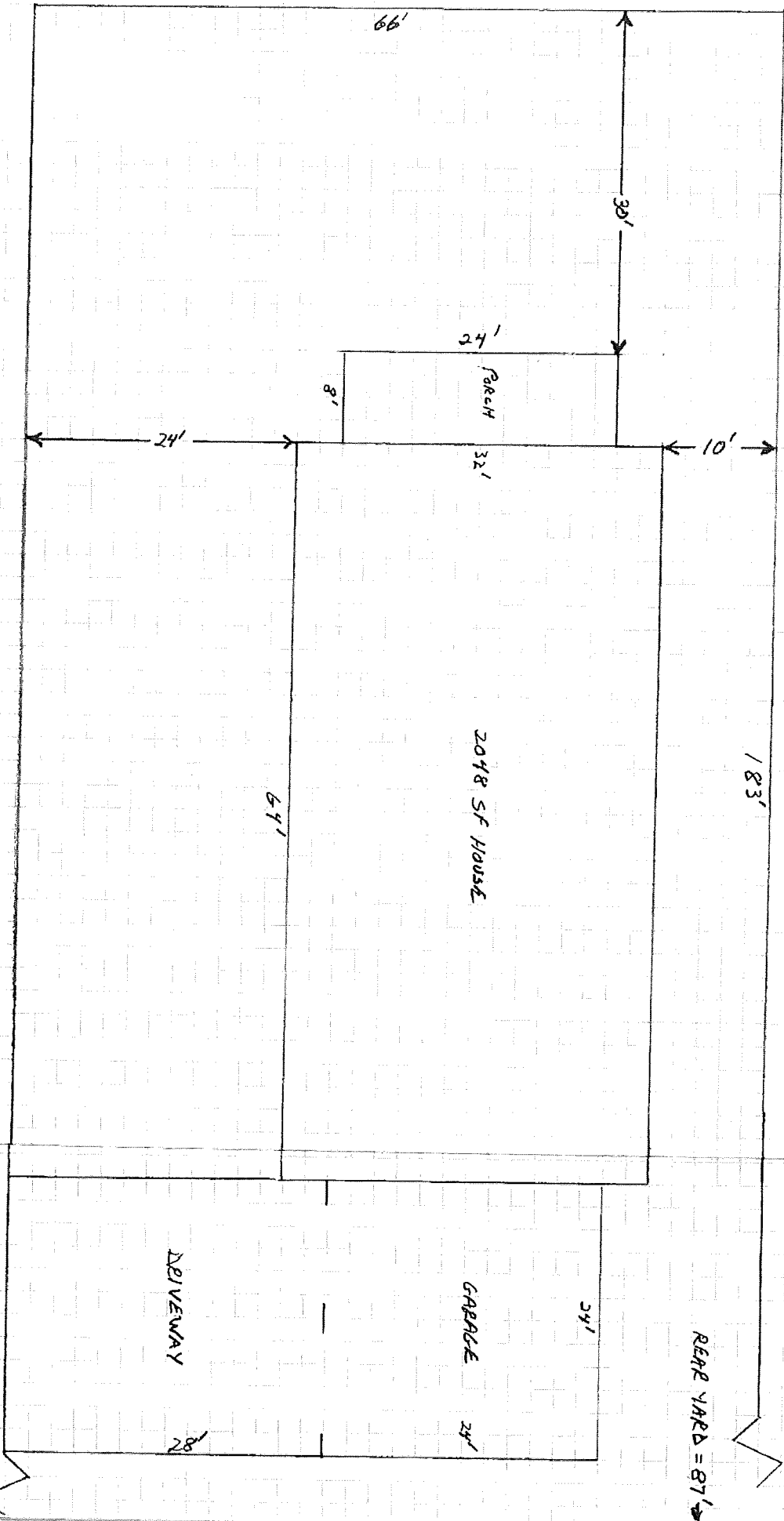
The purchase of the parcel is contingent upon receipt of a variance.

Sincerely,
Jae Guetschow 
196 S. Grand Pointe Dr.
Brooklyn MI 49230
(517) 605-9535



W BRIDGE ST

WALNUT WOODS CT



williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Plainwell Zoning Board of Appeals
Date: December 21, 2021
From: Nathan Mehmed, AICP
Whitney Newberry
RE: **627 W. Bridge Street Variance Review**

Jae Guetschow has submitted a variance application for property located at 627 W. Bridge Street (PPN 55-160-116-00). The purpose of this memorandum is to evaluate the request pursuant to the City of Plainwell Zoning Ordinance.

Background. The subject property is approximately 0.34 acres in the R1-A Single Family Residential zoning district. All adjacent properties are also in the R1-A zoning district, while parcels across Bridge Street are in the R1-B Single Family Residential zoning district. The subject property is currently vacant and the applicant is proposing to construct an approximately 2,048 square foot single family home on the site.



The lot is legally nonconforming, as it is 66 feet wide and Section 53-88 of the Zoning Ordinance requires a minimum lot width of 80 feet in the R-1A district. It is also a corner lot, which results in two required front yard setbacks (Section 53-89 D). The applicant noted that the original house was built in 1880 (demolished in 2013) and the parcel predates the Walnut Wood Ct. development, which later introduced the second road and front yard. The applicant is requesting a 10-foot variance from the secondary front yard setback, reducing the second setback along Walnut Woods Ct. to 20 feet rather than 30 feet as required in Section 53-88. The applicant has indicated that this would provide for architectural/siting flexibility and a more reasonably sized dwelling.

Practical Difficulty

When reviewing a request for a variance, the ZBA must find that a practical difficulty exists which prevents the applicant from being able to conform to the standards of the Zoning Ordinance. A practical difficulty in the context of a dimensional variance results from the physical characteristics of the land. Physical characteristics may be lot size, lot shape, or natural features such as slopes, water features, unbuildable soil, wetlands, etc., which causes an unreasonable burden to the applicant or property owner.

Variance Review Standards

To approve a dimensional variance, the ZBA must find that all of the standards presented in Section 53-185 A(3) are met. Following are each of those standards, followed by our remarks on each as they pertain to the request.

- a. There are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this chapter. Where hardships or difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land;

Remarks: The subject property is legally nonconforming in its width, being 14 feet narrower than required by the Zoning Ordinance. The parcel was also likely created before Walnut Wood Ct. was constructed (and before zoning), which allowed the original home on the property to be built with small side yard setbacks. The addition of Walnut Wood Ct. has since resulted in a required 30-foot setback. In order to meet all setbacks as currently required, the buildable area is reduced on the west side of the lot and a new building width cannot exceed 28 feet. The lot width and later creation of Walnut Wood Ct. appear to provide a potential practical difficulty that prevents the applicant from building a house similar in size to others in the area. Subject to any discussion, the ZBA may find this standard met.

- b. A genuine hardship exists because of unique circumstances or physical condition such as narrowness, shallowness, shape or topography of the property involved or to the intended use of the property, that do not generally apply to other property uses in the same zoning district and shall not be recurrent in nature;

Remarks: The subject property's nonconformity results in a lot that is 14 feet narrower than the minimum width required in the Ordinance. While other lots along Bridge Street also appear to have a narrower 66-foot width similar to the subject property, these other lots are not adjacent to a second road that would require a secondary front yard setback. Only the parcel across Walnut Woods Ct. would encounter the same situation as the subject property. This lot has an existing house that does not meet the 30-foot secondary front yard setback. Therefore, the applicant's situation appears to be unique in that the secondary front yard setback creates a limited physical condition for building a new home on a vacant lot. The ZBA may find this standard met.

- c. The hardship or special conditions or circumstances do not result from actions of the applicant;

Remarks: The applicant's purchase of the property is contingent upon receiving the variance. The limited buildable area does not result from any actions of the applicant. The ZBA may find this standard met.

- d. The variance will be in harmony with the general purpose and intent of this chapter and will not cause a substantial adverse effect upon surrounding property, property values and the use and enjoyment of property in the neighborhood or district;

Remarks: Surrounding land uses and the general character of the area is residential. The applicant is proposing to build an approximate 2,048 square foot single-family home, which is comparable in size to other homes in the area. Almost all other homes in the area on similar narrow lots are not adjacent to a secondary road that would limit the buildable area. Further, the applicant's request to reduce the secondary front yard lot line by 10 feet appears reasonable given the 14-foot discrepancy between the existing lot width and Zoning Ordinance requirement. A 20-foot setback on Walnut Woods Ct. is not expected to create any substantial adverse effects on surrounding property, as most other homes in the area contain small side yard setbacks. Further, the dwelling located across the street at 641 W Bridge Street does not comply with the 30-foot setback along the Walnut Woods frontage. The variance would still require a larger setback than what currently exists at 641 W Bridge and what existed on the property previously. The request is also expected to align with the purpose of the Zoning Ordinance "to promote and protect the public health, safety, comfort, convenience and general welfare." The ZBA may find this standard met.

- e. Granting the variance will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures or buildings in the same district;

Remarks: The reduction for a secondary front yard setback is unique to this property, as there are no other nonconforming, vacant lots that have a secondary front yard in the surrounding area or in the R1-A district. Further, the dwelling located across the street at 641 W Bridge Street does not comply with the 30-foot required setback along the Walnut Woods frontage. Therefore, granting the variance would not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. The ZBA may find this standard met.

- f. The variance requested is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the hardship; and/or

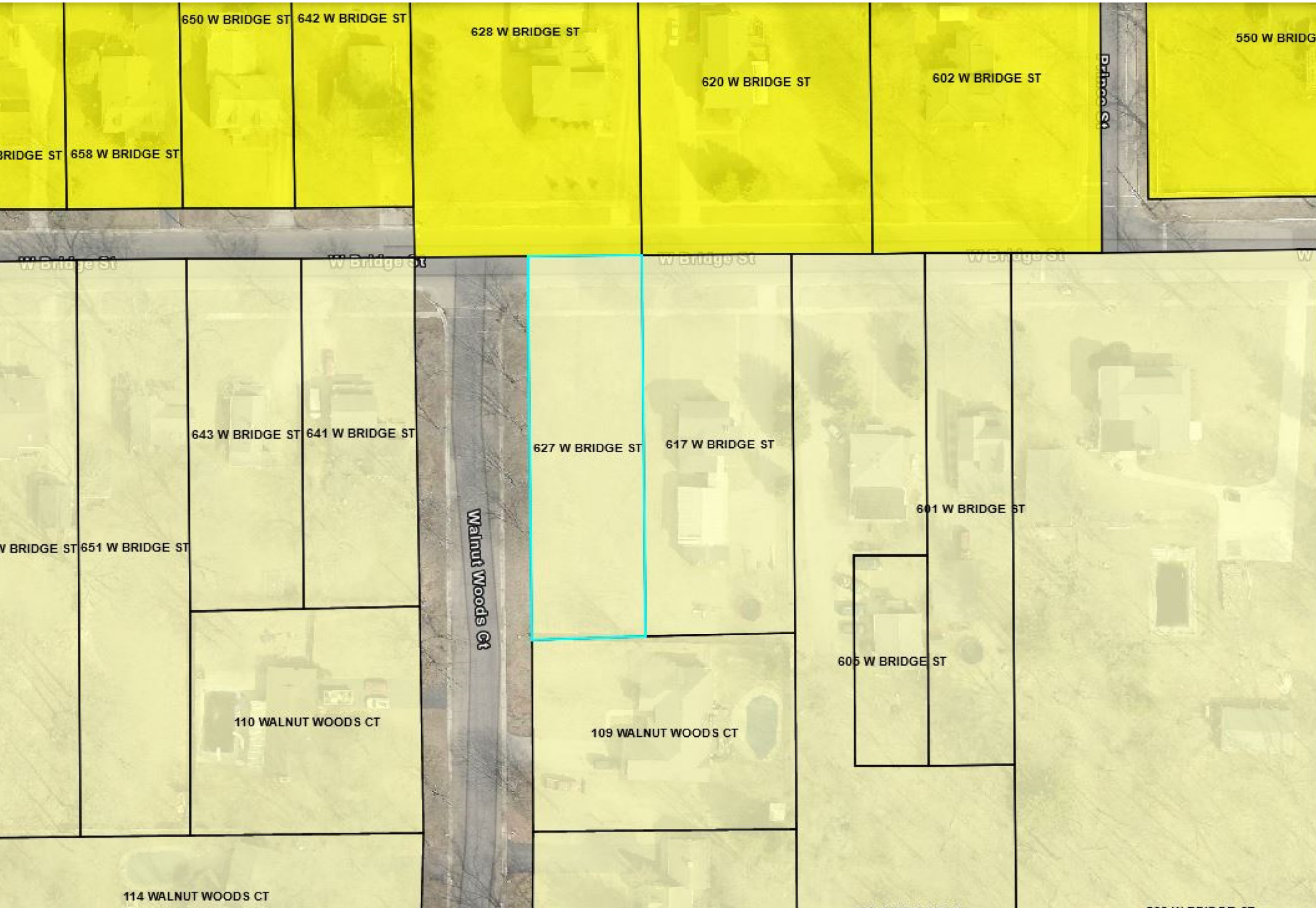
Remarks: The lot width is 14 feet narrower than the Ordinance requirement and the applicant is requesting a reduction of the secondary front yard setback by 10 feet. Retaining a 20-foot secondary front yard setback would still allow the applicant to distance off-street parking from Walnut Wood Ct. It should be noted that the applicant could build a 28-foot wide dwelling instead of a 32-foot wide dwelling and comply with the existing setback requirements; however, this is likely not be reasonable given the existing conditions on adjacent lots and the common size of dwellings in the District. The

ZBA may discuss the minimum necessary variance needed with the applicant. Pending this discussion, the ZBA may find this standard met.

- g. The variance shall not permit the establishment, within a district, of any use which is not permitted by right within the zoning district or any use for which a special use permit or a temporary use permit is required.

Remarks: The applicant is proposing to construct a single family residence, which is permitted by right in the R1-A zoning district. The ZBA may find this standard met.

Recommendation. At the December 27th meeting, the ZBA should consider the documents submitted and carefully listen to comments by the applicant, as well as the public. If in the judgment of the Board, all of the above standards are met and a practical difficulty exists, the Board may approve the variance. The discussion contained in this memorandum may be used as a basis for your decision.



650 W BRIDGE ST

642 W BRIDGE ST

628 W BRIDGE ST

620 W BRIDGE ST

602 W BRIDGE ST

550 W BRIDGE ST

BRIDGE ST 658 W BRIDGE ST

Dr: hoo St

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Walnut Woods Ct

110 WALNUT WOODS CT

109 WALNUT WOODS CT

605 W BRIDGE ST

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600 W BRIDGE ST