

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, July 22, 2024 7:00PM Plainwell City Council Chambers

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes** – 12/27/2021 Regular Meeting
4. **New Business**
 - A. **Public Hearing – Variance Request for 627 W. Bridge St.**
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

**Plainwell City Council Acting as
Zoning Board of Appeals
Meeting Minutes
December 27, 2021**

1. Regular meeting was call to order by Chairman Steele at 7:00PM.

2. Present: Steele, Keeler, Overhuel, Keeney, Wisnaski
Absent: None

3. Approval of 11/12/2018 Minutes:

A motion by Overhuel, supported by Wisnaski to approve the 11/12/2021 Minutes. On a voice vote, all in favor. Motion carried.

4. New Business:

A. **A motion by Keeler, seconded by Keeney, to open the Public Hearing at 7:01pm. On a voice vote, all in favor. Motion Carried.**

Clerk Kelley introduced Planner Nathan Mehmed from Williams & Works who discussed an application for Zoning Variance from Jae Guetschow for setbacks at 627 West Bridge Street. He gave a background of the property, the zoning requirements and the practical difficulties with the subject property. The applicant gave a report on the history of the property and confirmed he's asking for a 10' setback variance only on the west side of the property to allow for construction. Planner Mehmed confirmed that "practical difficulties" as required for zoning variances have been met.

Public comments

- *Resident at 628 W. Bridge asked questions of applicant regarding back yard and planned façade*
- *Councilmember Wisnaski asked the applicant where the driveway would be located.*
- *Jeannie Killick at 628 W. Bridge wanted to confirm the house would not be modular.*
- *Resident Sandy Lamorandier asked the application when he would be building.*

A motion by Keeney, seconded by Wisnaski, to close the Public Hearing at 7:20pm. On a voice vote, all in favor. Motion Carried.

A motion by Keeney, seconded by Wisnaski, to approve the setback variance for 627 West Bridge Street as requested to allow for the construction of an approximately 2,048 square foot single family home on the site 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 7:22PM by Chairman Steele.

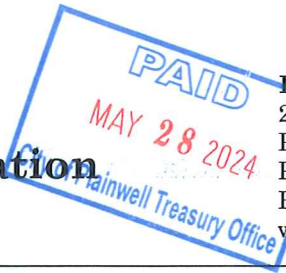
Respectfully submitted by
Brian Kelley
City Clerk



"The Island City"

City of Plainwell Zoning Variance Application

Fee: \$150.00



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

Date of Application: 05/28/24
Property Address: 627 W. Bridge St Parcel Number: 55-100-110-00
Owner's Name: Hunter Gordon & Charles Engner Phone #: 269-298-4772
Owner's Mailing Address: 10603 CORA DRIVE
PORTAGE MI
49002

In order to grant a variance, the applicant must satisfy all of the following conditions:

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 conditions 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: Adjustments to required
Setbacks. (rear yard)

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): Hunter Gordon Date of Signature(s): 05/28/24

Administrative Use Only:	
Filing Date: <u>5/28/24</u>	Date of Hearing: _____
Fee Paid: <u>5/28/24</u>	Action Taken: _____

May 28, 2024
211 N.Main St.
Plainwell MI 49080

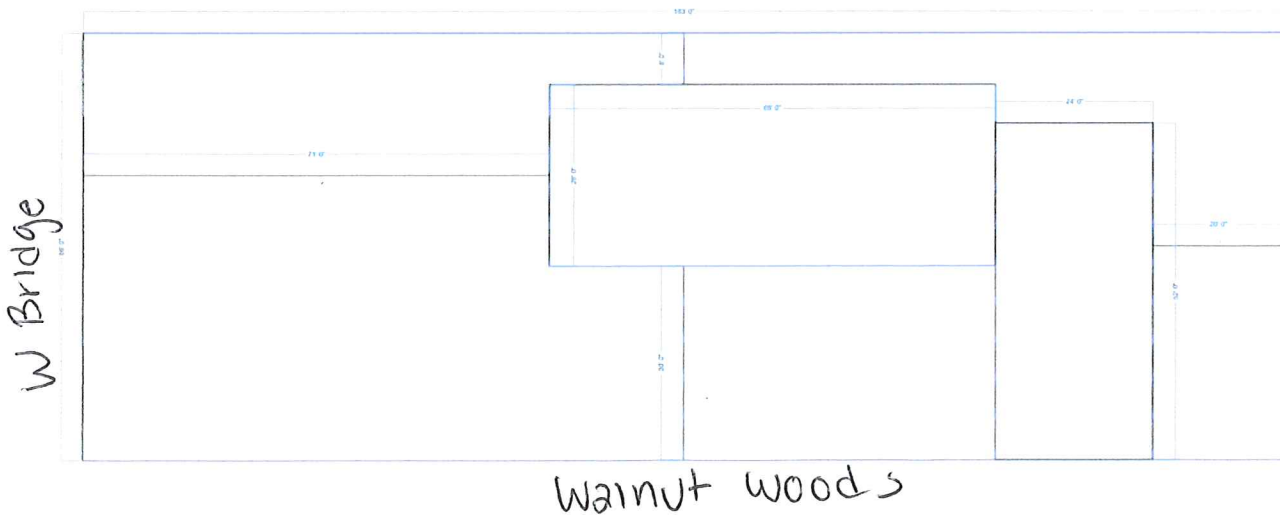
Zoning Variance Application
627 W Bridge St Plainwell MI 49080

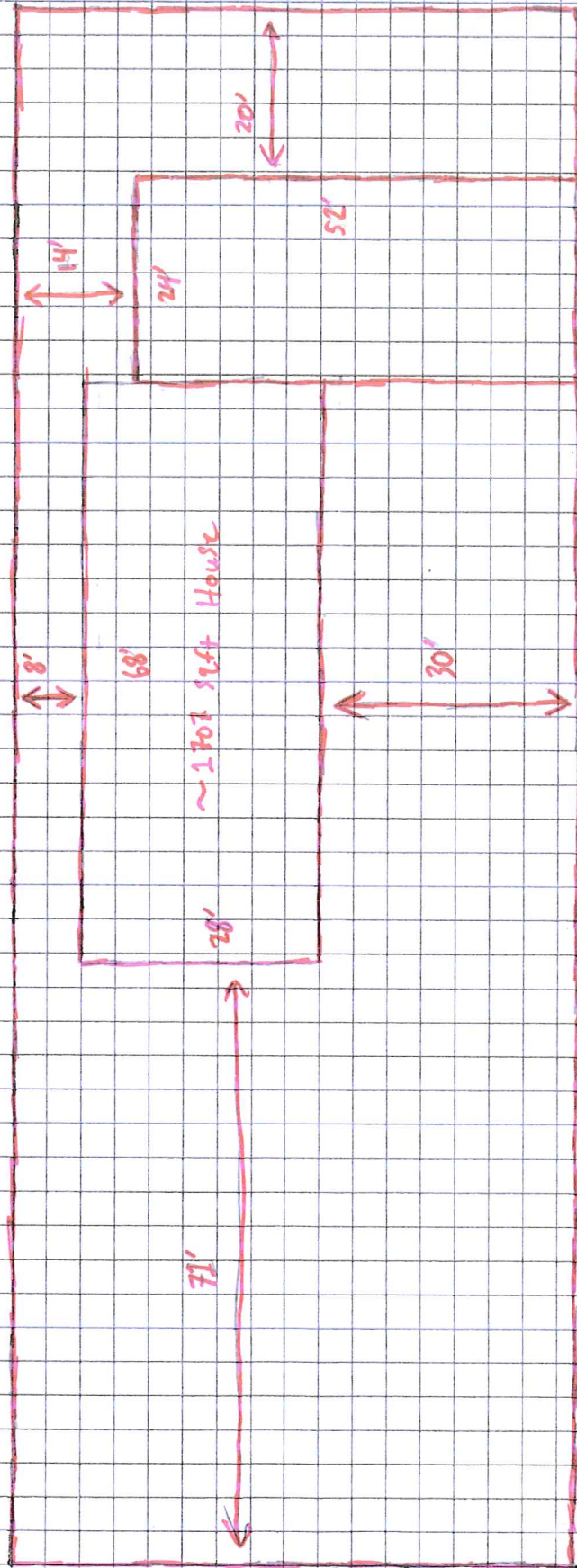
We are currently under contract for the vacant lot housed on the corner of W Bridge ST and Walnut Woods CT and are hoping to build a home. The lot itself is 66 feet in width and 183 feet in depth. This makes it nonconforming to the R-1A ordinance requiring a minimum of A 80 foot frontage and a 25 foot rear yard.

Based upon previous variance requests and documentation provided by the seller, the lot previously had a house which was demolished in 2013. That house had been constructed in 1880 and predated the Walnut Woods Ct developments, meaning the parcel has not always had two streets of frontage and two rear yards

With hopes that this variance request is accepted, we intend to put a one story 1707 sq ft. owner occupied home with a small driveway. I have attached architectural plans where we have made effort to comply to the R-1A ordinance to the best of our ability, accounting for the size of the lot. We have taken in consideration of the required 30ft setback from W.Bridge St which was a challenge faced by the previous variance request, that we however do meet. We are requesting that the rear yard setback be reduced to that of a side yard at 8ft to accommodate the home.

Sincerely,
Hunter Gordon & Charles Rhyner
10603 Cora drive
Portage MI 49002
2692984772





Bridge

Walnut Woods

71'

66'

183'

~1707 sqft House

28'

68'

30'

8'

14'

24'

20'

25'

45.75'

4'

4'

16.5'

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Plainwell Zoning Board of Appeals
Date: June 14, 2024
From: Nathan Mehmed, AICP
Geoffrey Batterbee
RE: **627 W. Bridge Street Variance Review**

Hunter Gordon & Charles Rhyner have 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 1,707 square foot single family home on the site, with a driveway providing access to Walnut Woods Ct.



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. It should be noted that a previous variance request, which was approved, reduced the front yard setback on Walnut Woods from 30 feet to 20 feet; however, the current proposed dwelling would comply with the R-1A standard of 30 feet. The applicant is instead requesting a 17-foot variance from the secondary rear yard setback (so that it is similar to the side yard requirement), reducing the rear setback opposite Walnut Woods Ct. to 8 feet rather than 25 feet as required in Section 53-88. The applicant indicates that they view this as their best effort to comply with R-1A standards to accommodate their home.

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 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 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 two front setbacks and two rear 25-foot setbacks. In order to meet all setbacks as currently required (and as permitted through previously approved variance departure) the building could be no wider than 21 feet across the nonconforming width on W Bridge Street. The Zoning Ordinance requires a width through the entire length of a dwelling of 24 feet, which cannot be met. The lot width and later creation of Walnut Wood Ct. appear to provide a practical difficulty that prevents the applicants from feasibly building a house in size similar to others in the area and in accordance with Zoning Ordinance requirements. 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 Zoning 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 street 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, nor does it meet the 25-yard secondary rear setback. As a result of the narrow lot width and secondary street, conforming with all setback

requirements and dwelling widths appears to create a unique hardship for the applicant. 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 limited buildable area does not result from any actions of the applicant. The lot and its circumstances are a long-standing condition. 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 approximately 1,707 square foot single-family home, which is comparable in size to most 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 prohibitively limit the buildable area by creating additional front and rear setbacks. Further, the applicant's request to reduce the rear yard setback to 8 feet aligns with the side yard setback requirement for the district, maintaining a reasonable setback distance between the building and the adjacent property boundary to 617 W Bridge Street. As such, the reduction in the rear setback is not expected to create substantial adverse effects on surrounding properties. However, comments from the immediately adjacent property owners should be considered in this regard before making a determination.

- 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 of a secondary rear yard setback is unique to this property, as there are no other nonconforming, vacant lots with a secondary front yard in the surrounding area or R1-A district. Other lots with driveway access on Walnut Woods Ct. have significantly greater depths than the applicant's lot, allowing them to reasonably comply with the setback standards. 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 or the 25-foot required rear setback opposite 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 on W Bridge Street is 14 feet narrower than the Ordinance requirement and the applicant is requesting a reduction of the rear yard setback by 17 feet. An 8-foot rear yard setback would still provide a reasonable distance between the applicant's property and its neighboring property at 617 W Bridge Street, as this distance

would comply with required side yard setbacks for the district. As previously noted, to comply with the setback standards set in Section 53-88 of the Zoning Ordinance, the building would be limited to 21 feet in width (accounting for the previously approved variance), which is not wide enough to meet the 24-foot minimum dwelling width requirement. The requested variance would also enable the applicant to comply with the required front yard zoning standards for a corner lot, for which previous variance had been granted. The ZBA should discuss the minimum necessary variance needed with the applicant. Since there is 10 feet of additional space allotted on the Walnut Woods side (due to the previous variance), the house could be shifted toward Walnut Woods, reducing the need for the rear-yard request.

- 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 June 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.

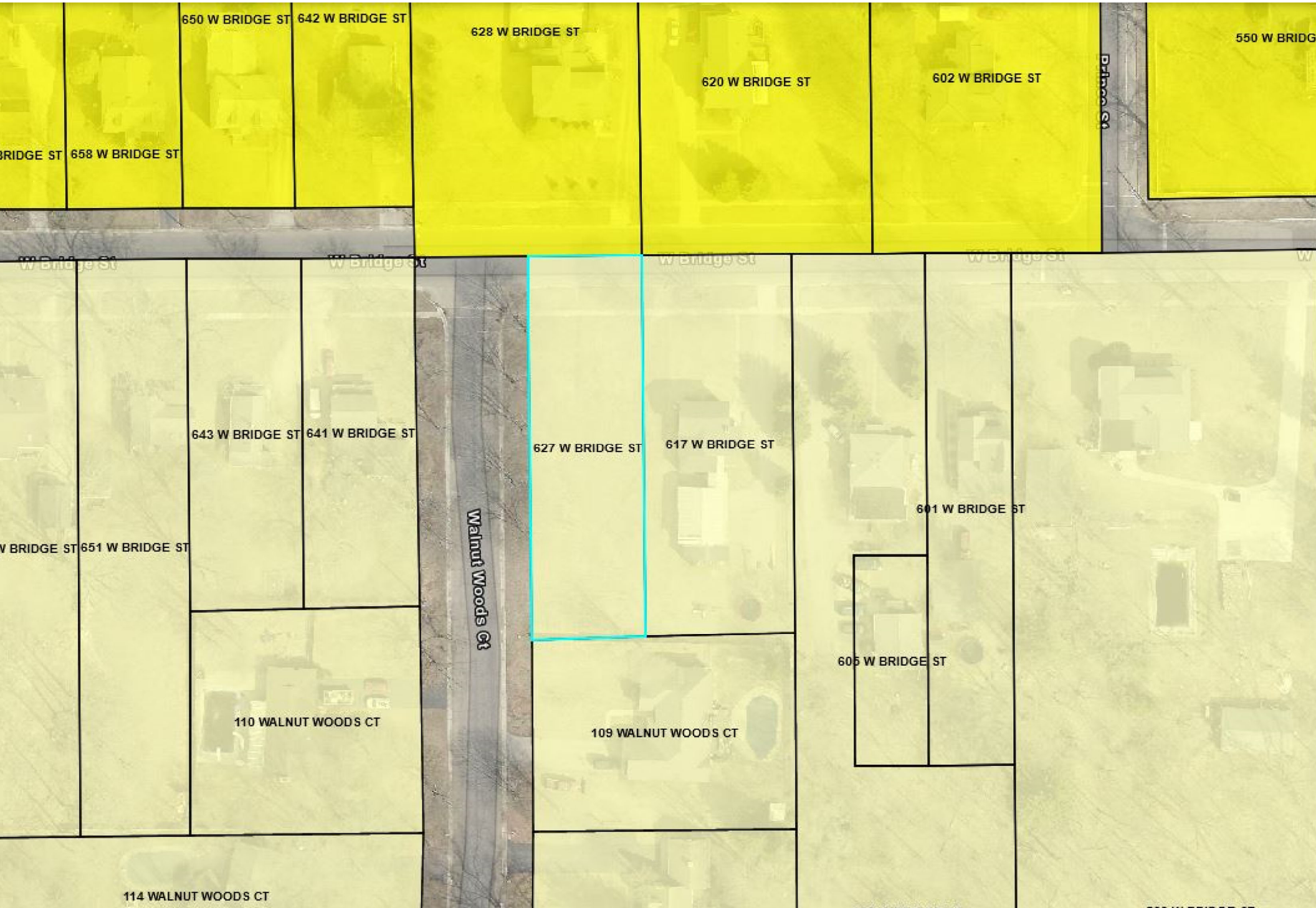
CITY OF PLAINWELL
MINUTES
Planning Commission
Wednesday, June 19, 2024

1. Call to Order at 6:31 pm by Steele
2. Pledge of Allegiance
3. Roll Call:
Present: Jay Lawson, Stephen Bennett, Kevin Hammond, Lori Steele,
Motion to Excuse Rachel Collingsworth (7:17 pm) and Gary Sausaman was made by Steele and seconded by Hammond. All in favor Vote. Motion passed
4. Approval of Minutes: 05/15/2024
Motion to approve minutes and place them on file was made by Lawson and seconded by Hammond. All in favor vote. Motion passed.
5. Chairperson's Report: None
6. New Business:
 - a. Variance request for 627 W. Bridge rear lot line. A motion was made to move the request to the Zoning Board of Approval by Lawson and seconded by Hammond. All in favor vote. Motion Passed. The Planning Board would like the ZBA to consider the 10 ft of additional space allotted on the Walnut Woods side (due to previous variance) the house could be shifted towards Walnut Woods, reducing the need for the rear yard setback.
7. Old Business:

Discussion on amending the Chicken Ordinance.
After a review of a draft ordinance, a motion was made to continue with the next steps of amending the existing ordinance by Lawson and seconded by Steele. All in favor Vote. Motion passed.

Next Steps: Ordinance created; Public Hearing; Final Vote to approve or not approve in sending to City Council
8. Reports and Communications: 4/22/24 and 5/13/24 minutes were reviewed and placed on file.
9. Public Comments: None
10. Staff Comments: Updates on city events, businesses, and development projects in the Industrial Park and Downtown.
11. Commissioner Comments:

Hammond mentioned the Pickleball Courts and how can the city help with repair and upkeep of them.
12. Adjournment: Colingsworth adjourned the meeting at 7:24 p.m.



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

W Bridge St

W Bridge St

W Bridge St

W Bridge St

W

643 W BRIDGE ST

641 W BRIDGE ST

627 W BRIDGE ST

617 W BRIDGE ST

601 W BRIDGE ST

W BRIDGE ST 651 W BRIDGE ST

Walnut Woods Ct

110 WALNUT WOODS CT

109 WALNUT WOODS CT

605 W BRIDGE ST

114 WALNUT WOODS CT

600 W BRIDGE ST