



**ZONING BOARD OF APPEALS**

**Thursday, December 4, 2025 at 5:30 PM**

**City Hall, 2nd Floor Council Chambers**

**AGENDA**

- 1. PLEDGE OF ALLEGIANCE**
- 2. CALL TO ORDER**
- 3. ROLL CALL**
- 4. ADOPTION OF AGENDA DECEMBER 4, 2025**
- 5. APPROVAL OF MINUTES**
  - A. Minutes of October 23, 2025
- 6. PUBLIC COMMENTS COMMUNICATION (NON-AGENDA ITEMS)**  
(3-Minute Limit)
- 7. PUBLIC HEARINGS**
  - A. Use Variance Request for 130 N. Horton Street (Parcel #7-128200000)
  - B. Use Variance Request for 728 W. Franklin Ave. (Parcel #3-0310.2000)
- 8. NEW BUSINESS**
- 9. BOARD MEMBER ANNOUNCEMENTS**
- 10. NEXT MEETING REMINDER, JANUARY 22, 2026**

## 11. ADJOURNMENT

## MINUTES – ZONING BOARD OF APPEALS MEETING

5:30 PM October 23, 2025

**I. Call to Order**

Vice Chairperson Mulhearn called October 23, 2025, Zoning Board of Appeals meeting to order at 5:32 pm.

**II. Pledge of Allegiance**

**III. Roll Call**

PC Member	Present	Absent	Excused
Clyde Mauldin	X		
Karl Grieve	X		
Bob VanSumeren	X		
Peter Mulhearn	X		

**Staff Present:**

**IV. Adoption of Agenda**

Board Member Mauldin moved, with support from Board Member Mulhearn to approve October 23, 2025, Zoning Board of Appeals meeting agenda.

Revised floor to 2<sup>nd</sup> floor (10<sup>th</sup> floor noted on agenda)

**Motion passed by voice vote.**

**V. Review and Approval of Zoning Board of Appeals Meeting Minutes**

**A. Zoning Board of Appeals Meeting Minutes**

Board Member Grieve moved, with support from Board Member VanSumeren to approve August 28, 2025, Zoning Board of Appeals meeting minutes.

**VI. Public Comment and Correspondence –**

**A. None**

**VII. Public Hearings**

**A. Consideration of Dimensional Variance request for 1825 Grovedale Avenue (Parcel # 3-287300000)**

*Board Member Mauldin moved, with support from Board Member VanSumeren to enter the Staff Report into the record as if read in whole.*

**Motion passed by voice vote.**

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Staff (Cory Mays) summarized that the residential area will not be negatively impacted by the approval of this variance. The tree canopy provided a greater restriction of shade than will the proposed new garage.

Public Hearing Opened at 5:37 pm

**APPLICANT/PUBLIC COMMENT**

None

Public Hearing Closed at 5:43 pm

**BOARD COMMENTS**

Clarification of one vs. two variances (determined to be just one)  
Fits with the general feel of the neighborhood

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Board Member Grieve moved, with support from Board Member Mauldin, to approve Dimensional Variance request at 1825 Grovedale Ave.

PC Member	Yea	Nay	Abstained
Clyde Mauldin	X		
Karl Grieve	X		
Bob VanSumeren	X		
Peter Mulhearn	X		

**Motion passed 4-0 by roll call vote.**

**B.** Consideration of Dimensional variance for 609 Seventh Street (Parcel # 3-039100000)

Board Member Grieve moved, with support from Board Member Mulhearn, to enter the Staff Report into the record as if read in whole.

**Motion passed by voice vote.**

Staff summarized the variance request, reminding board members that this is to provide approval for a fence that is already there, in the same location, and a basic rebuild of the old fence without changing the overall footprint.

Public Hearing Opened at 5:46 pm

**APPLICANT/PUBLIC COMMENT**

Public Hearing Closed 5:50 pm

**BOARD COMMENTS**

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Board Member Mauldin moved, with support from Board Member Grieve, to approve dimensional variance request for 609 Seventh Street.

PC Member	Yea	Nay	Abstained
Mauldin	X		
Karl Grieve	X		
Bob VanSumeren	X		
Peter Mulhearn	X		

**Motion passed 4-0 by roll call vote.**

**C. Consideration of Dimensional variance for 414 S Blackstone Street (Parcel # 4-0307.0100)**

Board Member VanSumeren moved, with support from Board Member Mauldin, to enter the Staff Report into the record as if read in whole.

**Motion passed by voice vote.**

Staff summarized the variance request.

Public Hearing Opened at 5:54 pm

**APPLICANT/PUBLIC COMMENT**

AR Engineering (Andrew Rosselle): additional 2 feet on the front façade is only relative to the vestibule entrance, not the rest of the building. Impacts the rear playground space.

Covalle Architects (Jason Covalle): additional 2 feet for front setback allows for greater playground space and necessary separation of the adult vs. family spaces. Vestibule is not just an entry. It is for security, reception, office. We need all the space we can get.

Interfaith Shelter (Steve Castle): additional 2 feet allow for better playground space and seems like a minimal disruption.

Public Hearing Closed 6:05 pm

**BOARD COMMENTS (accessory structure)**

Would like to treat each variance request separately

Drawings and additional explanations appreciated

Neighborhood conformance = a strength

No issues with the height variance

Board Member VanSumeren moved, with support from Board Member Mulhearn, to approve dimensional variance request for 414 S Blackstone Street (accessory structure height variance only)

PC Member	Yea	Nay	Abstained
Mauldin	X		
Karl Grieve	X		
Bob VanSumeren	X		
Peter Mulhearn	X		

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Motion passed 4-0 by roll call vote.

**BOARD COMMENTS (front setback)**

Would like to treat each variance request separately

Does not hear a great objection persuasive enough to deny the request, especially considering the overall campus and the lack of existing structures on which to base a decision

What will the impact really be, both from the perspective of the City AND the Shelter, in moving the building back 2 feet?

Can the vestibule be made shorter?

The angled parking is what really impacts the sidewalk, not the vestibule

Additional 2 feet does not impact pedestrian traffic (safety)

Board Member Mauldin moved, with support from Board Member VanSumeren, to approve dimensional variance request for 414 S Blackstone Street (front setback only)

PC Member	Yea	Nay	Abstained
Mauldin	X		
Karl Grieve	X		
Bob VanSumeren	X		
Peter Mulhearn	X		

Motion passed 4-0 by roll call vote.

**VIII. Old Business**

A. None

**IX. New Business**

A. None

**X. Board Comments-None**

**XI. Next Meeting Reminder**

Vice Chairperson Mulhearn reminded the Board that the next regular ZBA meeting is scheduled for December 4, 2025, at 5:30 pm.

**10. Adjournment**

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Board Member Mauldin moved, with support from Board Member Mulhearn, to adjourn the meeting at 6:25 pm.

**Motion passed by voice vote**

Respectfully,

A handwritten signature in black ink, appearing to read 'R. John O'Connor', with a long horizontal flourish extending to the right.

R. John O'Connor  
Planning Director, City of Jackson

**Use Variance**  
**130 N Horton Street**  
**City of Jackson, Michigan**

**GENERAL INFORMATION**

**Applicant:** Xavier Martines  
  
906 S Bowen  
  
Jackson, MI, 49203

**Subject Location:** 130 N. Horton Street (Parcel #7-128200000)  
**Received Date:** February 26, 2025  
**Current Zoning:** I-2, General Industrial

**Action Required:** The zoning board of appeals shall hear and decide only such matters as the board is specifically authorized to hear, as provided in this chapter (Chapter 28). The board has the power to grant variances, decide appeals on administrative decisions, and to interpret the boundary lines of the zoning map. The board shall not have the power to alter or change the zoning district classification of any property, nor to make any changes in the terms of this article (Article VIII).

**SITE/PROPERTY DESCRIPTION**



The subject property, located between E. Ganson Street and E. Michigan Avenue, On N. Horton Street is 0.08 acres with approximately Fifty-Six (56) foot of road frontage on N. Horton Street.

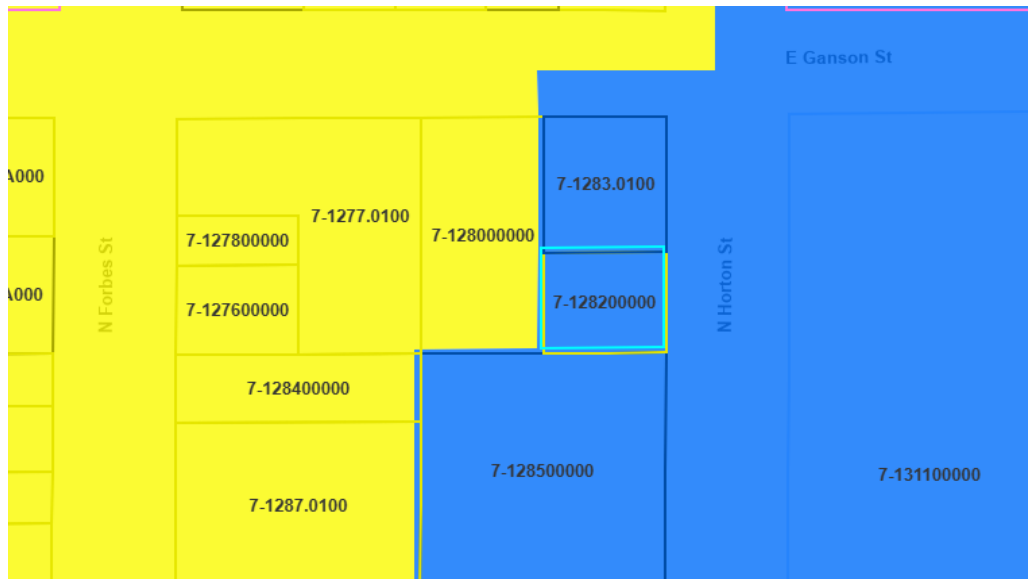
Review of the City of Jackson assessing records show the site contains a one-story home. The Home is listed at 710 Square-foot, built in 1920. The most recent use was a single-family home. The Current zoning designation is I-2.

Neighborhood Commercial. Review of the oldest available zoning map, adopted by City Commission October 10, 1961, shows the subject property’s zoning designation as M, Industrial.

The property has been vacant since December of 2022 (based on utility billing water records) and lost its legally non-conforming status after 12 months of vacancy.

**NEIGHBORING ZONING AND LAND USE**

The subject property is currently I-2, General Industrial. The table below identifies the surrounding zoning designations and current land uses.



	North	South	East	West
<b>Zoning</b>	I-2 General Industrial	I-2 General Industrial	R-2, One and Two Family Residential	I-2 General Industrial
<b>Land Use</b>	Vacant	Vacant	Residential	Industrial

**ESSENTIAL FACILITIES AND SERVICES**

The subject property is currently served, or has access to, essential city facilities and services.

**TRAFFIC IMPACT AND SITE ACCESS**

Traffic volume will not increase if a use variance is approved for the subject property.

The site has frontage on N Horton Street and is accessible via driveway.

**USE VARIANCE STANDARDS**

Per Section 28-238(d) the zoning board of appeals may grant a use variance only upon finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of the following:

- (1) The property cannot be reasonably used for any purpose permitted in the zoning district. There must be financial proof of the applicant's inability to realize any reasonable return; speculation or a qualitative assessment is inadequate;

**Staff Comment:** Per City Assessor's records, the property was originally designed for residential use when built. Due to the lot dimensions, setback requirements, and lack of contiguous parcels for sale, it is unlikely to that an industrial developer could redevelop this parcel.

- (2) The need for variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must demonstrate that there are certain features that make it impossible to earn a reasonable return without some adjustment. In those situations where others share the difficulty, the zoning board of appeals may find that relief should be accomplished by an amendment to the zoning ordinance, not a variance;

**Staff Comment:** The future land use map should reflect this side of Horton Street as residential in use, and once completed staff will rezone to make this consistent with the R-2 zoning designation to the East.

- (3) The problem and resulting need for the variance has not been self-created by the applicant;

**Staff Comment:** The problem and resulting need for the variance has not been self-created by the applicant.

*As previously mentioned, the existing structure was built in 1910 as a single-family residential home. The property sold on November 20, 2024, with the only interested party's intended use were that of residential use.*

*Additionally, the zoning designation of the subject property at the time of construction is unknown.*

- (4) The variance will not alter the essential character of the area. In determining whether this criteria has been met, the established type and pattern of land uses in the area and the natural characteristics of the site and surrounding area shall be considered.

**Staff Comment:** Approval of the requested use variance will not alter the essential character of the area or affect traffic patterns.

## RECOMMENDATIONS

Based on the following findings of fact, staff recommends the approval of the requested use variance property at 728 W Franklin Ave. (Parcel #3-0310.2000) to allow the applicant to use the existing structures for single-family and multifamily residential use.

1. The current use is the highest and best use of the subject property.
-

2. Much of the surrounding neighborhood to the East is residential in use.
3. The problem and resulting need for the variance has not been self-created by the applicant.
4. The existing structure was built in 1910 as a single-family residential home.
5. Approval of the requested use variance will not alter the essential character of the area.



Respectfully,  
R. John O'Connor  
Planning Director, City of Jackson

cc: Applicant

**Application for Variance**

*Requires a public hearing before Zoning Board of Appeals.*

*The variance fee of \$500.00 must be submitted with the application.*

Instructions and additional information on Page 2 and Page 3

Type/Nature of Appeal:  Dimensional  Supplemental  Use  Interpretation of Code/Map

**APPLICANT**

Name: Xavier Martines  
Address: 906 S. Bowen  
City: Jackson State: MI Zip: 49203  
Phone: ( 517 ) 240-7864  
Email: xaviermartines@icloud.com

**PROPERTY OWNER**

Same as applicant

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: ( \_\_\_\_\_ ) \_\_\_\_\_  
Email: \_\_\_\_\_

**ADDRESS SUBJECT TO VARIANCE REQUEST**

Property Identification #: 7-128200000  
Address: 130 N. Horton  
City: Jackson State: MI Zip: 49202  
Nearest Intersection: Michigan and Ganson

Current Zoning Designation: I-2  
Current Use:  Residential  Commercial  
 Industrial  Mixed

**VARIANCE INFORMATION** (Attach additional pages as needed, use separate form for each code section being appealed)

- List Code Section number(s) from which a variance is requested from: Sec. 28-130
- Explain reason/purpose for variance (paraphrasing code language, attach additional pages if necessary):  
Property is a residential home and always has been. Variance requested to assure conformability for the Sale of the property.

Is/will an attorney be representing your variance appeal:  YES  NO

If yes will the attorney be present at the ZBA meeting:  YES  NO

I hereby attest that I/we have read and understand the application form, that the information submitted is true and accurate, and agree to all the terms, conditions, and other City of Jackson Code requirements. I also give permission to the ZBA members and staff reviewers to enter my property to review aspects of the variance appeals request on the site.

Xavier Martines 10/24/25 \_\_\_\_\_  
Signature of Applicant Date Signature of Owner Date  
*(If different than applicant)*

If the owner cannot sign this form, the applicant shall submit a letter of consent from the property owner with this application.

OFFICE USE ONLY	
CASE: _____	Application Accepted By: _____
Materials Submitted with Application: <input type="checkbox"/> Plans <input type="checkbox"/> Letter <input type="checkbox"/> Other _____	
Total Pages Submitted: _____	Amount of Fee Paid: \$ _____ <input type="checkbox"/> Cash <input type="checkbox"/> Check Check #: _____

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**A. INSTRUCTIONS TO APPLICANTS FOR VARIANCE OR APPEALS.**

1. Separate application forms and added fees shall be submitted for each individual, unrelated type of variance.
2. For dimensional, supplemental, or use variance requests, the applicant shall submit an 8.5" x 11" sketch plan showing: dimensions from street/property lines, sidewalks, buildings on site and on adjoining property, utility easements, and other existing facilities and structures.
3. If the owner cannot sign this form, the applicant must submit a letter from the owner, requesting the variance.

**B. THE FOLLOWING ITEMS MUST BE ADDRESSED.**

Your application will be considered incomplete and will not go before the Zoning Board of Appeals until Section C and/or Section D is complete; attach additional pages if necessary.

**C. FOR DIMENSIONAL OR SUPPLEMENTAL VARIANCE** – Provide responses for subsections 1 through 7.

In authorizing a variance with conditions, the board shall require such evidence and bond as it may deem necessary to ensure that the conditions are being and will be complied with. No variance in the provisions or requirements of this chapter shall be authorized by the board unless the board finds, by a preponderance of the evidence that all of the following facts and conditions exist:

1. There are exceptional or extraordinary conditions applying to the property that do not apply to other properties or classes of uses in the same zoning district. \_\_\_\_\_

WE HAVE MADE NO ALTERATIONS TO THE EXTERIOR DIMENSIONS OF THE HOME

2. The exceptional or extraordinary conditions do not result from the actions of any person with a current interest in the property. \_\_\_\_\_

3. Strict compliance with this chapter would unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter. \_\_\_\_\_

4. The authorizing of such variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest. \_\_\_\_\_

5. The variance is the minimum variance possible for reasonable use of the property. \_\_\_\_\_

6. The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area. \_\_\_\_\_

7. Such variance shall in no manner or guise be construed to allow a change of use but shall allow only a variation or modification from the provisions of this chapter. \_\_\_\_\_

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**D. FOR USE VARIANCE** – Provide responses for subsections 1 through 4.

The zoning board of appeals may grant a use variance only upon finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of the following:

1. The property cannot be reasonably used for any purpose permitted in the zoning district. There must be financial proof of the applicant's inability to realize any reasonable return; speculation or a qualitative assessment is inadequate. This property was built in 1910 as a residential house and has always been used as such. There are no Industrial properties on this side of the street and never have been. There is another residential property. This issue came up due to the property being vacant renovations were being completed without knowledge of a zoning issue. The property has been improved immensely.
2. The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must demonstrate that there are certain features that make it impossible to earn a reasonable return without some adjustment. In those situations where others share the difficulty, the zoning board of appeals may find that relief should be accomplished by an amendment to the zoning ordinance, not a variance.

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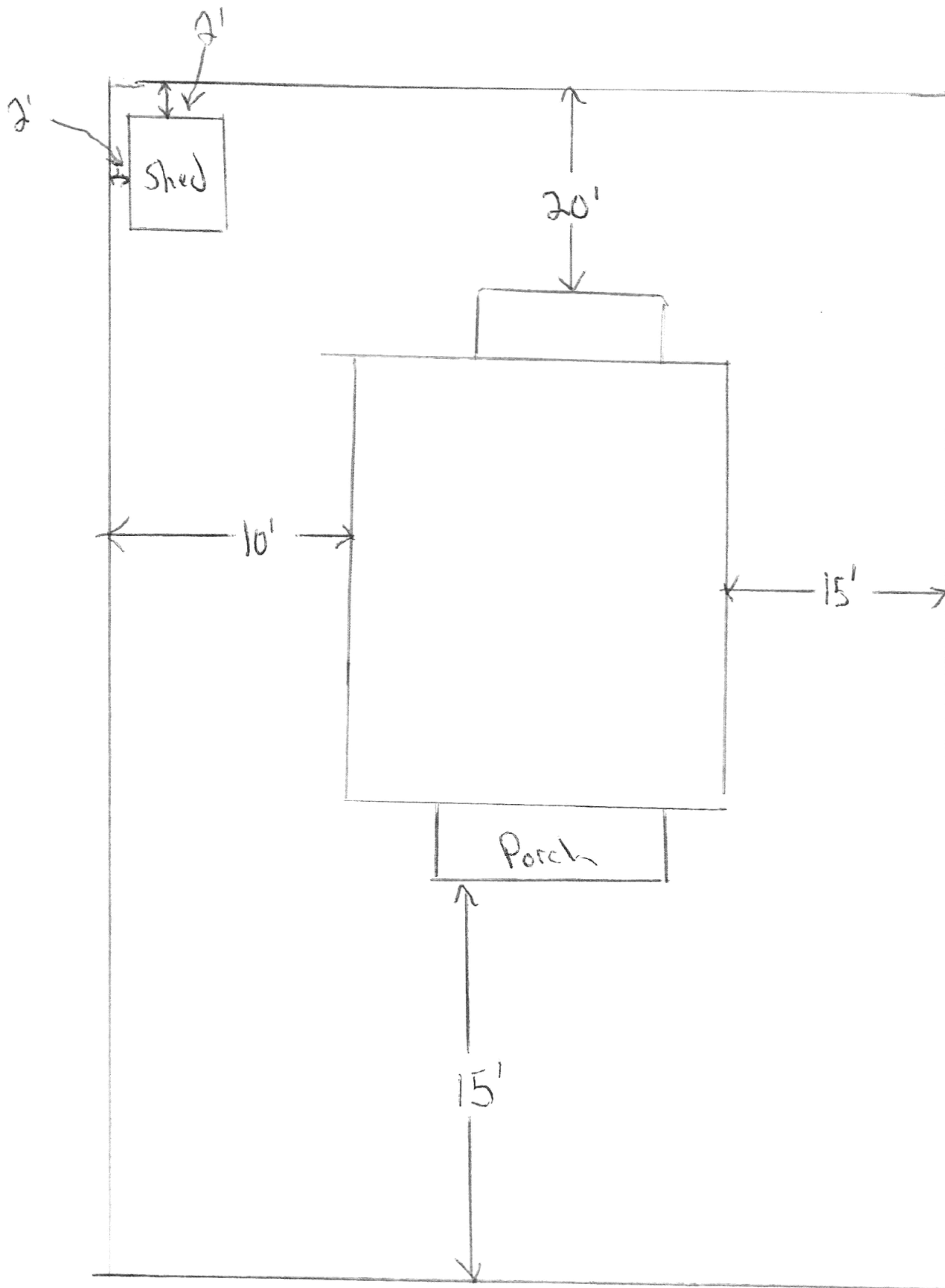
This home has always been a residential property. There are no Industrial properties on this side of the street. There are other residential home and vacant property.

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3. The problem and resulting need for the variance has not been self-created by the applicant. No, this has been a continuous residential home since it was built in 1910. It has only been vacant for the time needed for repairs and renovations
4. The variance will not alter the essential character of the area. In determining whether this criteria has been met, the established type and pattern of land uses in the area and the natural characteristics of the site and surrounding area shall be considered. No, it is not changing anything at all.

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130 N. Horton St.

MLive Media Group  
169 Monroe Ave NW Suite 200  
Grand Rapids, MI 49503



# Jackson Citizen Patriot

CITY OF JACKSON COMMUNITY DEVELOPMENT  
DEPARTMENT  
161 W MICHIGAN AVE  
JACKSON, MI 49201

AD#: 0011043986

Sales Rep: Russ Mackowski  
Account Number:1000937675  
AD#: 0011043986

Remit Payment to:  
MLive Media Group  
Dept 77571  
P.O. Box 77000  
Detroit, MI 48277-0571

Page 1 of 2

Date	Position	Description	P.O. Number	Ad Size	Costs
11/09/2025	Public Notices MI	CITY OF JACKSON ZONING BOARD OF APPEALS NOTICE OF PUBLIC	Parcel #7-128200000	1 x 84 L	
				Affidavit Notary Fee - 11/09/2025	\$15.00
				Basic Ad Charge - 11/09/2025	\$180.46
				Total	\$195.46

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL 616-254-2030 or 877-222-5423

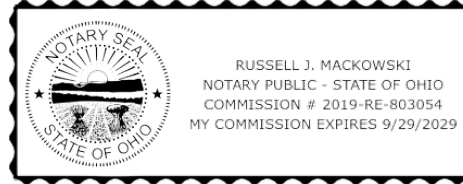


AD#: 0011043986

State of Ohio,) ss  
County of Cuyahoga)

Joe Rosa being duly sworn, deposes that he/she is principal clerk of MLive Media Group; that Jackson Citizen Patriot is a public newspaper published in the city of Jackson, with general circulation in Jackson county, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

**Jackson Citizen Patriot 11/09/2025**



\_\_\_\_\_  
Principal Clerk of the Publisher

Sworn to and subscribed before me this 10th day of November 2025

\_\_\_\_\_  
Notary Public

**CITY OF JACKSON  
ZONING BOARD OF  
APPEALS  
NOTICE OF PUBLIC  
HEARING**

**NOTICE IS HEREBY GIVEN** the City of Jackson Zoning Board of Appeals will hold a public hearing to hear a request for use variance pursuant to Section 28-244 of the City of Jackson Zoning Ordinance and as detailed below.

**Applicant:**  
Xavier Martines  
906 S Bowen  
Jackson, MI, 49203

**Subject property:**  
130 N. Horton Street (Parcel #7-128200000)

**Variance Request:**  
The applicant requests a use variance from Section 28-71 of the zoning ordinance which does not permit residential use in the I-2, General Industrial Zoning District.

**Effect of request:**  
Approval of the use variance request will permit residential use of an existing structure in the I-2, General Industrial Zoning District.

**YOU ARE FURTHER NOTIFIED** that the City of Jackson will hear all oral and written objections and comments regarding the use variance request at:

**5:30 PM on  
December 04, 2025, in  
City Hall Council  
Chambers, 2nd Floor  
161 W. Michigan Avenue  
Jackson, MI 49201**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request you may attend the public hearing or contact John O'Connor at 517-768-6426 or Joconnor@cityofjackson.org with comments. Written comments may be mailed to 161 W. Michigan Avenue, Jackson, MI 49201, c/o John O'Connor. All comments and/or questions must be received no later than 12:00PM on December 04, 2025.

# CITY OF JACKSON

## ZONING BOARD OF APPEALS

### NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** the City of Jackson Zoning Board of Appeals will hold a public hearing to hear a request for use variance pursuant to Section 28-244 of the City of Jackson Zoning Ordinance and as detailed below.

**Applicant:**

Xavier Martines  
906 S Bowen  
Jackson, MI, 49203

**Subject property:**

130 N. Horton Street (Parcel #7-128200000)

**Variance Request:**

The applicant requests a use variance from Section 28-71 of the zoning ordinance which does not permit residential use in the I-2, General Industrial Zoning District.

**Effect of request:**

Approval of the use variance request will permit residential use of an existing structure in the I-2, General Industrial Zoning District.

**YOU ARE FURTHER NOTIFIED** that the City of Jackson will hear all oral and written objections and comments regarding the use variance request at:

**5:30 PM on December 04, 2025, in  
City Hall Council Chambers, 2<sup>nd</sup> Floor  
161 W. Michigan Avenue  
Jackson, MI 49201**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request you may attend the public hearing or contact John O'Connor at 517-768-6426 or [Joconnor@cityofjackson.org](mailto:Joconnor@cityofjackson.org) with comments. Written comments may be mailed to 161 W. Michigan Avenue, Jackson, MI 49201, c/o John O'Connor. All comments and/or questions must be received no later than 12:00PM on December 04, 2025.

**NOTICE OF PUBLIC HEARING**

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**Applicant:**

Xavier Martines  
906 S Bowen  
Jackson, MI, 49203

**Subject property:**

130 N. Horton Street (Parcel  
#7-128200000)

**Variance Request:**

The applicant requests a use variance from Section 28-71 of the zoning ordinance which does not permit residential use in the I-2, General Industrial Zoning District.

**Effect of request:**

Approval of the use variance request will permit residential use of an existing structure in the I-2, General Industrial Zoning District.

**YOU ARE FURTHER NOTIFIED** that the City of Jackson will hear all oral and written objections and comments regarding the use variance request at:

You are invited to attend the public hearing to be held:

**5:30PM on December 04, 2025, in  
City Hall Council Chambers, 2<sup>nd</sup> Floor  
161 W. Michigan Avenue  
Jackson, MI 49201**

You received this notice because you own or occupy property within three hundred (300) feet of the property above outlined in purple. **If you are not the applicant, you are not required to attend the public hearing or respond to this notice.**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request, you may attend the public hearing or contact John O'Connor at 517-768-6426 or [joconnor@cityofjackson.org](mailto:joconnor@cityofjackson.org) with comments. Written comments may be mailed to 161 W. Michigan Avenue, Jackson, MI 49201, c/o John O'Connor. All comments and/or questions must be received no later than 12:00PM on December 04, 2025.



**Use Variance**  
**728 W. Franklin Ave.**  
**City of Jackson, Michigan**

**GENERAL INFORMATION**

<b>Applicant:</b>	Karl Coppage 8309 Fox Haven Sturtevant, WI, 53177
<b>Subject Location:</b>	728 W Franklin Ave. (Parcel #3-0310.2000)
<b>Received Date:</b>	February 26, 2025
<b>Current Zoning:</b>	C-1, Neighborhood Commercial
<b>Action Required:</b>	The zoning board of appeals shall hear and decide only such matters as the board is specifically authorized to hear, as provided in this chapter (Chapter 28). The board has the power to grant variances, decide appeals on administrative decisions, and to interpret the boundary lines of the zoning map. The board shall not have the power to alter or change the zoning district classification of any property, nor to make any changes in the terms of this article (Article VIII).

**SITE/PROPERTY DESCRIPTION**

The subject property, located between Fourth and Fifth Street on W. Franklin Avenue, is 0.46 acres with approximately Sixty-Eight (68) feet of road frontage on W Franklin Avenue. Review of the City of Jackson assessing records show the site contains two, two-story homes. The first listed at 1,624 square-foot single-family residential structure located in the front of the parcel, built in 1920. This home was used most recently for mental health counseling. The second, located in the rear of the parcel, listed at 2540 square-foot was built in 1900 as single family home but was converted to office space. The most recent use was a medical office.



The current zoning designation is C-1,

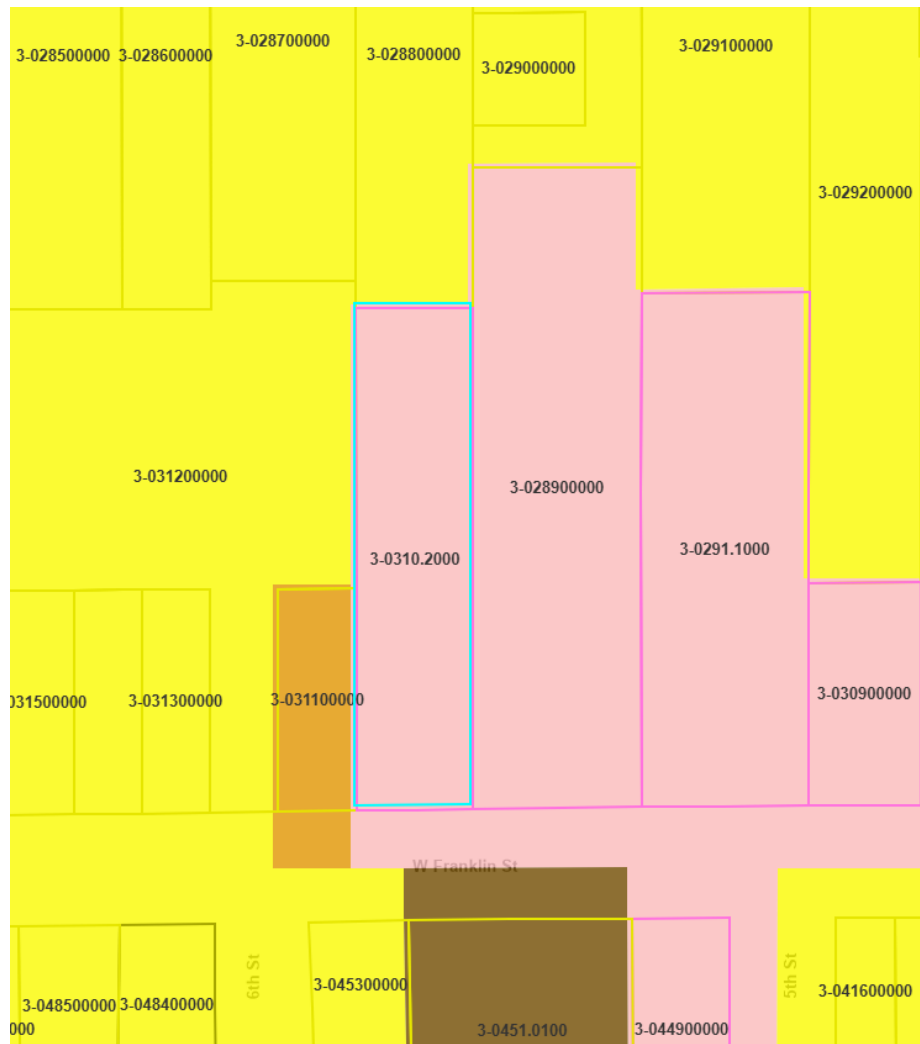


Neighborhood Commercial. Review of the oldest available zoning map, adopted by City Commission October 10, 1961, shows the subject property's zoning designation as R-2, One and Two Family Residential.

The property has been vacant and lost its legally non-conforming status after 12 months.

#### NEIGHBORING ZONING AND LAND USE

The subject property is currently C-1, Neighborhood Commercial. The table below identifies the surrounding zoning designations and current land uses.



	North	South	East	West
Zoning	R-2, One and Two Family Residential	R-6, Residential and Low Intensity Office with R-2, One and Two Family Residential	C-1, Neighborhood Commercial	R-2, One and Two Family Residential with R-4, High Density Apartments and Office
Land Use	Single Family Residential	Single Family Residential	Commercial	Single Family Residential

**ESSENTIAL FACILITIES AND SERVICES**

The subject property is currently served, or has access to, essential city facilities and services.

**TRAFFIC IMPACT AND SITE ACCESS**

Traffic volume will not increase if a use variance is approved for the subject property.

The site has frontage on W Franklin Avenue and is accessible via driveway.

**USE VARIANCE STANDARDS**

Per Section 28-238(d) the zoning board of appeals may grant a use variance only upon finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant

of the following:

- (1) The property cannot be reasonably used for any purpose permitted in the zoning district. There must be financial proof of the applicant's inability to realize any reasonable return; speculation or a qualitative assessment is inadequate;

**Staff Comment:** Per City Assessor's records, the property was originally designed for residential use when built. Due to the lot dimensions, setback requirements, and various other zoning regulations, it would be price prohibitive to bring these two structures into compliance as C-1 commercial properties. The Developers intent to provide affordable housing is the highest and best use of the subject property.

- (2) The need for variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must demonstrate that there are certain features that make it impossible to earn a reasonable return without some adjustment. In those situations where others share the difficulty, the zoning board of appeals may find that relief should be accomplished by an amendment to the zoning ordinance, not a variance;

**Staff Comment:** With exception of the adjoining properties to the east, all other properties are residential in use. The unique nature of the narrow lot and limited distance between the two structures would not allow for splitting of parcel. The two structures share a driveway and have a joint driveway agreement. The cost to comply with current zoning ordinance for redevelopment of commercial property and the lack of interested parties for commercial redevelopment are all unique factors in the Applicant's request for the variance.

- (3) The problem and resulting need for the variance has not been self-created by the applicant;

**Staff Comment:** The problem and resulting need for the variance has not been self-created by the applicant.

*As previously mentioned, the existing structures were built in 1900 and 1920 as a single-family residential home. The property sold on February 27, 2025, with the only interested party's intended use were that of residential use on the first and second floors of both structures.*

*Additionally, the zoning designation of the subject property at the time of construction is unknown.*

- (4) The variance will not alter the essential character of the area. In determining whether this criteria has been met, the established type and pattern of land uses in the area and the natural characteristics of the site and surrounding area shall be considered.

**Staff Comment:** Approval of the requested use variance will not alter the essential character of the area or affect traffic patterns.

## RECOMMENDATIONS

Based on the following findings of fact, staff recommends the approval of the requested use variance property at 728 W Franklin Ave. (Parcel #3-0310.2000) to allow the applicant to use the existing structures for single-family and multifamily residential use.

1. The current use is the highest and best use of the subject property.
2. Much of the surrounding neighborhood is residential in use.
3. The problem and resulting need for the variance has not been self-created by the applicant.

4. The existing structures were built in 1900 and 1920 as a single-family residential home.
5. Approval of the requested use variance will not alter the essential character of the area.

Respectfully,



R. John O'Connor  
Planning Director, City of Jackson

cc: Applicant



# Community Development Department

161 W. Michigan Ave. • Jackson, MI 49201

Phone: (517) 788-4060 or (517) 788-4012 • Facsimile: (866) 971-2151

### Application for Variance

Requires a public hearing before Zoning Board of Appeals.

The \$500.00 variance fee must be submitted with the application.

Instructions and additional information on Page 2 and Page 3

Nature of Variance:  Dimensional  Supplemental  Use

#### APPLICANT

Name: Karl Coppage  
Address: 8309 Fox Haven  
City: Starkevant State: MI Zip: 53177  
Phone: (262) 212-7764  
Email: KarlCoppage@yahoo.com

#### PROPERTY OWNER Same as applicant

Name: Wood Kite Capital llc / Jon Penhorwood  
Address: 3339 Waverly Hills Rd  
City: Lansing State: MI Zip: 48917  
Phone: (517) 210-0123  
Email: Woodkitecapital@gmail.com

#### ADDRESS SUBJECT TO VARIANCE REQUEST

Property Identification #: 3-0310.2000  
Address: 728-730 W. FRANKLIN ST.  
City: Jackson State: MI Zip: \_\_\_\_\_  
Nearest Intersection: S. WEST AVE

Current Zoning Designation: C-1  
Current Use:  Residential  Commercial  
 Industrial  Mixed  Vacant

#### VARIANCE INFORMATION (Attach additional pages as needed, use separate form for each code section being appealed)

- List Code Section number(s) from which a variance is requested from: \_\_\_\_\_
- Explain reason/purpose for variance (paraphrasing code language, attach additional pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is/will an attorney be representing your variance request:  YES  NO

If yes will the attorney be present at the ZBA meeting:  YES  NO

I hereby attest that I/we have read and understand the application form, that the information submitted is true and accurate, and agree to all the terms, conditions, and other City of Jackson Code requirements. I also give permission to the ZBA members and staff reviewers to enter my property to review aspects of the variance appeals request on the site.

[Signature]  
Signature of Applicant

9/15/25  
Date

Jon Penhorwood  
Signature of Owner  
(if different than applicant)  
Date

dotloop verified  
09/22/25 3:39 PM EDT  
0HYM-EBXE-RZJS-XKPQ

If the owner cannot sign this form, the applicant shall submit a letter of consent from the property owner with this application.

**OFFICE USE ONLY**

CASE: \_\_\_\_\_ Application Accepted By: \_\_\_\_\_

Materials Submitted with Application:  Plans  Letter  Other \_\_\_\_\_

Total Pages Submitted: \_\_\_\_\_ Amount of Fee Paid: \$ \_\_\_\_\_  Cash  Check Check #: \_\_\_\_\_

---

**D. FOR USE VARIANCE** – Provide responses for subsections 1 through 4.

The zoning board of appeals may grant a use variance only upon finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of the following:

1. The property cannot be reasonably used for any purpose permitted in the zoning district. There must be financial proof of the applicant's inability to realize any reasonable return; speculation or a qualitative assessment is inadequate.

Because of the residential nature of structures located in a commercial zoning district.

2. The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must demonstrate that there are certain features that make it impossible to earn a reasonable return without some adjustment. In those situations where others share the difficulty, the zoning board of appeals may find that relief should be accomplished by an amendment to the zoning ordinance, not a variance.

Seeking the highest & Best use for the property, as demonstrated by our building plans that will meet the needs of affordable housing.

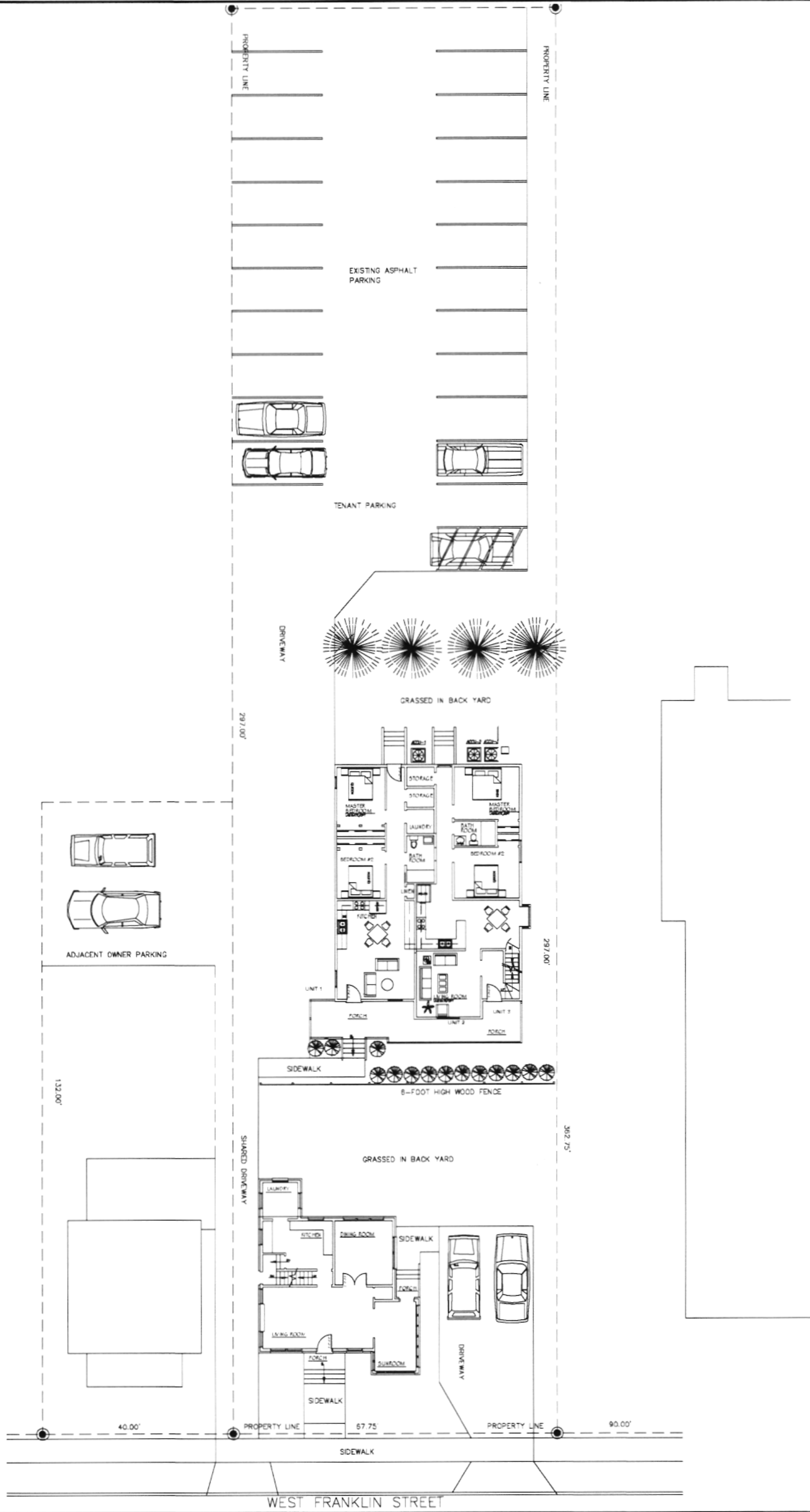
3. The problem and resulting need for the variance has not been self-created by the applicant.

Applicant is purchasing the property in the current form as residential in a commercial zoning district.

4. The variance will not alter the essential character of the area. In determining whether this criteria has been met, the established type and pattern of land uses in the area and the natural characteristics of the site and surrounding area shall be considered.

The plan is to remove the deteriorated ramp with little to no change to the exterior facade of both structures.

SITE PLAN  
1" = 10'



S-1  
DRAWING NO.  
PROJECT NO. 0425  
DATE 10-17-2025

PROJECT ADDITION/RENOVATION FOR:  
KARL COPPAGE  
728/730 WEST FRANKLIN  
JACKSON, MI  
TITLE OF DRAWING  
SITE PLAN



**TURNER ARCHITECTS & ASSOCIATES**  
14766 stillbrooke drive  
strongsville, ohio 44136

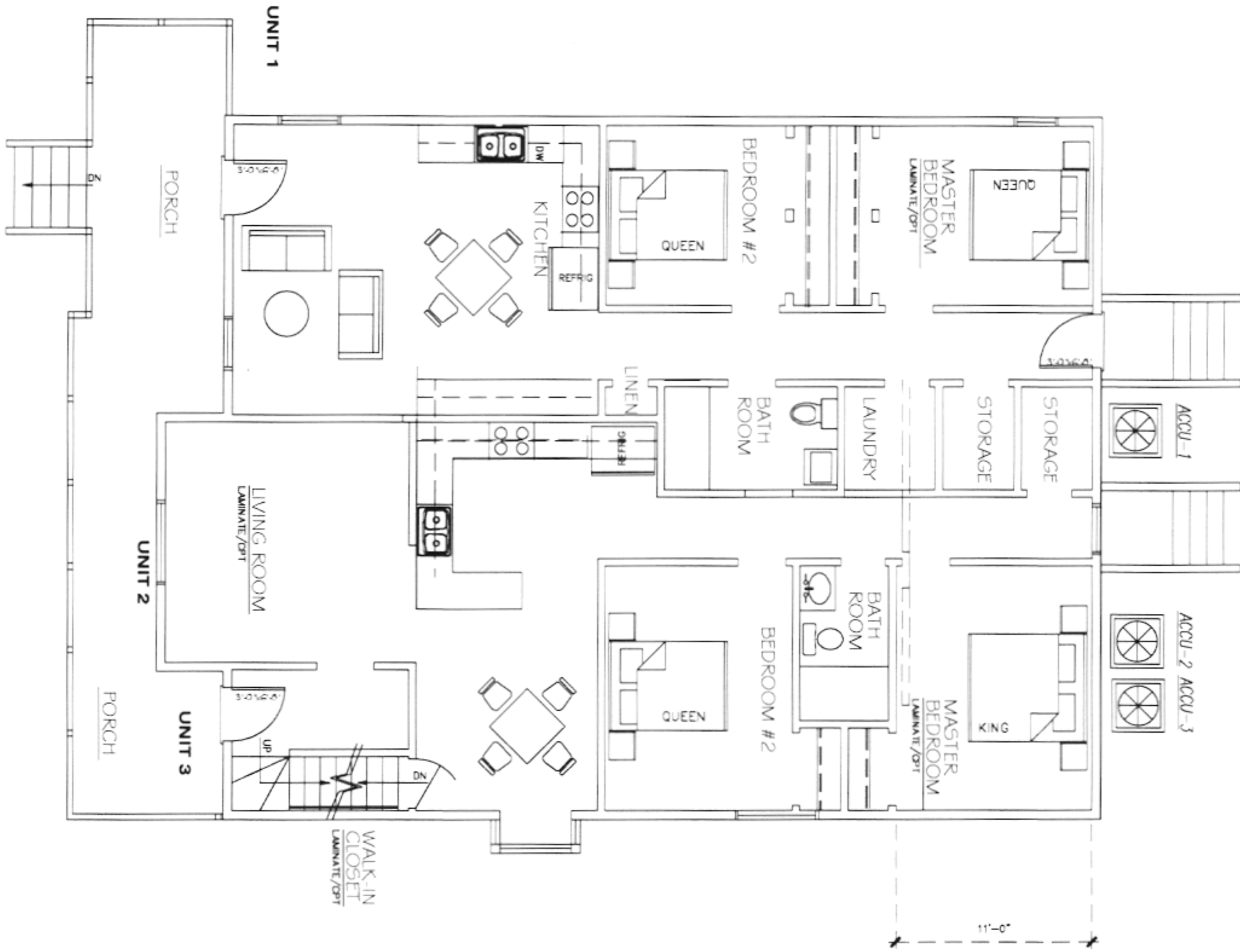
PROJECT ARCHITECT  
LEE CHESTER TURNER  
PROJECT MANAGER  
CT  
DRAWN BY  
CT  
SCALE 1" = 20'-0"  
FIRST ISSUE DATE 10-17-2025

COPYRIGHT 2008  
DRAWING ALTERATION  
IT IS A VIOLATION OF LAW FOR ANY PERSON  
UNLESS ACTING UNDER THE DIRECTION OF  
LICENSED ARCHITECT PROFESSIONAL ENGINEER  
LANDSCAPE ARCHITECT OR LAND SURVEYOR  
TO ALTER ANY TEXT ON THE DOCUMENT IN  
ANY WAY.  
ANY LICENSEE WHO ALTERS THIS DOCUMENT IS  
REQUIRED BY LAW TO AFFIX HIS OR HER SEAL  
AND THE NOTATION "ALTERED BY" FOLLOWED  
BY HIS OR HER SIGNATURE AND SPECIFIC  
DESCRIPTION OF THE ALTERATIONS.

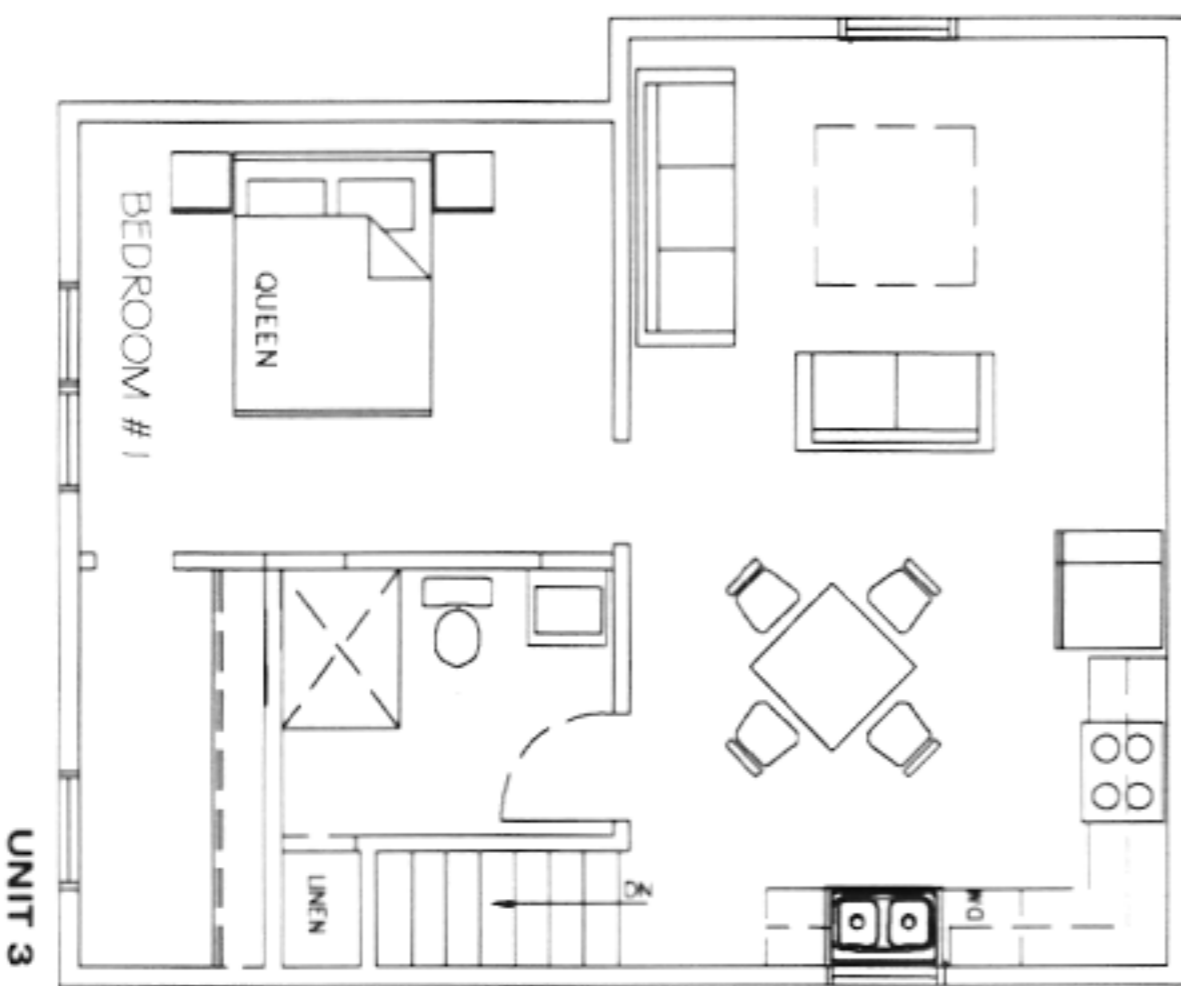
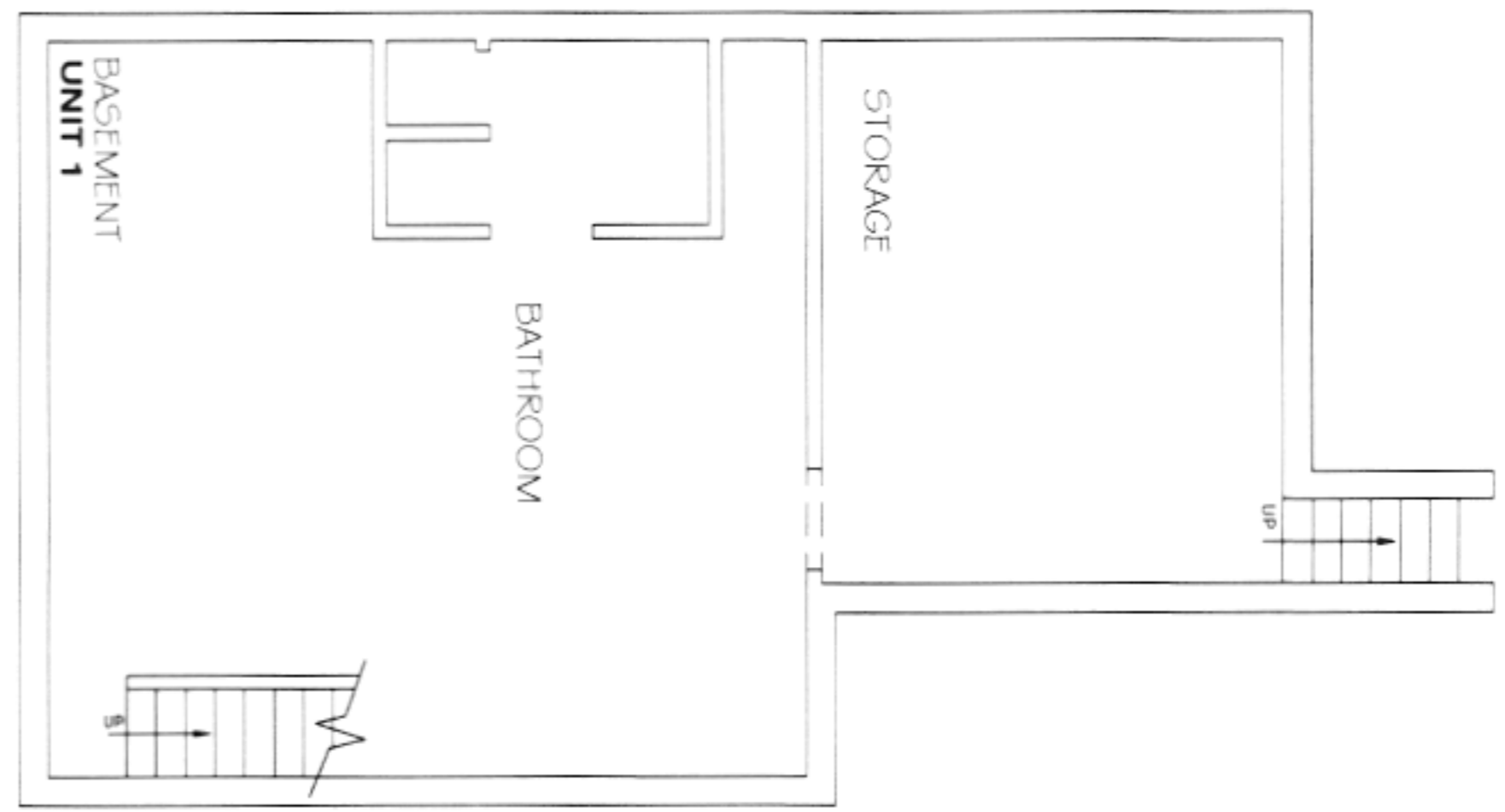
NO.	REVISIONS	DATE	BY
6			
5			
4			
3			
2			
1			



7. Group R Occupancy - 303.2.4  
 All buildings with Group R use and are facilities shall be provided with automatic sprinkler systems throughout.



**OPTION ONE**



PROJECT NO. 12-31-2023  
 DRAWING NO. A-2

PROJECT ADDITION/RENOVATION FOR:  
 KARL COPPAGE  
 728 WEST FRANKLIN  
 JACKSON, MI

TITLE OF DRAWING  
 FIRST FLOOR PLAN

**T.A.** TURNER ARCHITECTS & ASSOCIATES  
 PROGRAMMERS ARCHITECTS PLANNERS  
 14766 stillbrooke drive  
 strongsville, ohio 44136

PROJECT ARCHITECT  
 LEE CHESTER TURNER  
 PROJECT MANAGER  
 CT

DRAWN BY  
 CT

SCALE 1/4" = 1'-0"  
 FIRST ISSUE DATE 12-31-2023

COPYRIGHT 2008  
 DRAWING ALTERATION

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF LICENSED ARCHITECT, PROFESSIONAL ENGINEER, LANDSCAPE ARCHITECT, OR LAND SURVEYOR TO ALTER ANY TITLE ON THIS DOCUMENT IN ANY WAY.

ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX HIS OR HER SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS OR HER SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATIONS.

NO.	REVISIONS	DATE	BY
6			
5			
4			
3			
2			
1			





REVISIONS	DATE	BY
1		
2		
3		
4		
5		
6		

PROJECT ARCHITECT  
LEA GIBSTER TURNER  
PROJECT MANAGER  
CT  
DRAWN BY  
SCALE  
10-17-2025  
FIRST ISSUE DATE

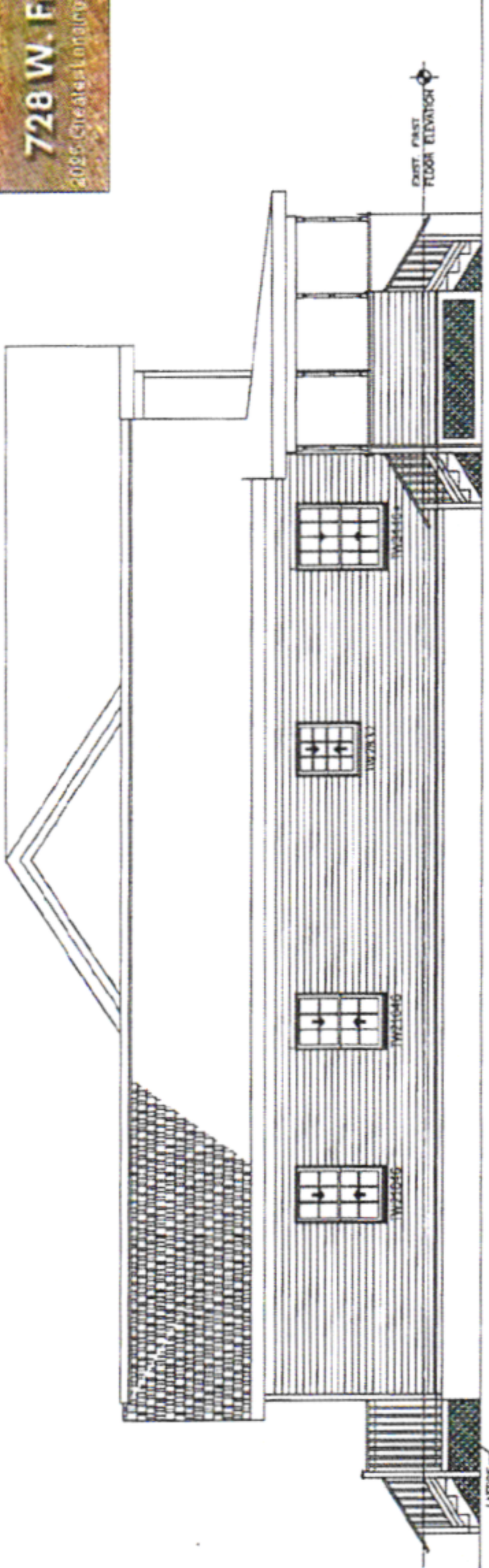
TURNER ARCHITECTS  
& ASSOCIATES  
14766 stillbrooke drive  
strongsville, ohio 44136

PROJECT ADDITION/RENOVATION FOR:  
KRISTYNA and GREG SUPIK  
7030 GREENWOOD STREET  
INDEPENDENCE, OHIO 44131

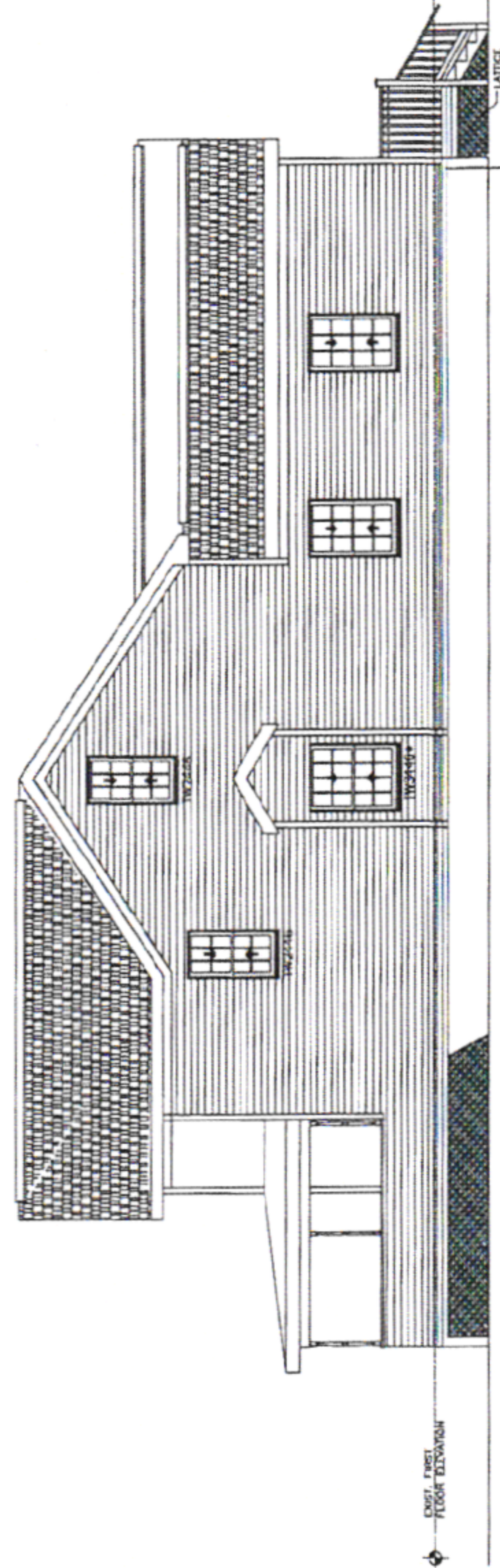
DATE OF DRAWING  
EXTERIOR ELEVATIONS



WEST ELEVATION  
1/4" = 1'-0"



NORTH ELEVATION  
1/4" = 1'-0"



SOUTH ELEVATION  
1/4" = 1'-0"





MLive Media Group  
169 Monroe Ave NW Suite 200  
Grand Rapids, MI 49503



# Jackson Citizen Patriot

CITY OF JACKSON COMMUNITY DEVELOPMENT  
DEPARTMENT  
161 W MICHIGAN AVE  
JACKSON, MI 49201

AD#: 0011044594

Sales Rep: Stacey Tredici  
Account Number:1000937675  
AD#: 0011044594

Remit Payment to:  
MLive Media Group  
Dept 77571  
P.O. Box 77000  
Detroit, MI 48277-0571

Page 1 of 2

Date	Position	Description	P.O. Number	Ad Size	Costs
11/09/2025	Public Notices MI	CITY OF JACKSON ZONING BOARD OF APPEALS NOTICE OF PUBLIC	ZBA 728 W Franklin	1 x 85 L	
				Affidavit Notary Fee - 11/09/2025	\$15.00
				Basic Ad Charge - 11/09/2025	\$182.61
				Total	\$197.61

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL 616-254-2030 or 877-222-5423

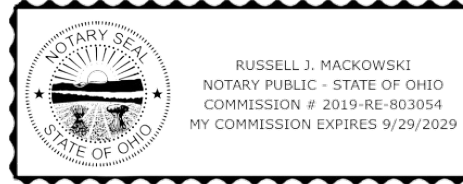


AD#: 0011044594

State of Ohio,) ss  
County of Cuyahoga)

Joe Rosa being duly sworn, deposes that he/she is principal clerk of MLive Media Group; that Jackson Citizen Patriot is a public newspaper published in the city of Jackson, with general circulation in Jackson county, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

**Jackson Citizen Patriot 11/09/2025**



\_\_\_\_\_  
Principal Clerk of the Publisher

Sworn to and subscribed before me this 10th day of November 2025

\_\_\_\_\_  
Notary Public

**CITY OF JACKSON  
ZONING BOARD OF  
APPEALS  
NOTICE OF PUBLIC  
HEARING**

**NOTICE IS HEREBY GIVEN** the City of Jackson Zoning Board of Appeals will hold a public hearing to hear a request for use variance pursuant to Section 28-244 of the City of Jackson Zoning Ordinance and as detailed below.

**Applicant:**  
Karl Coppage  
8309 Fox Haven  
Sturtevant, WI, 53177

**Subject property:**  
728 W Franklin  
(Parcel #3-0310.2000)

**Variance Request:**  
The applicant requests a use variance from Section 28-71 of the zoning ordinance which does not permit residential use on the first floor of a residence located in the C-1, Neighborhood Commercial Zoning District.

**Effect of request:**  
Approval of the use variance request will permit residential use of an existing structure on the first floor in the C-1, Neighborhood Commercial Zoning District.

**YOU ARE FURTHER NOTIFIED** that the City of Jackson will hear all oral and written objections and comments regarding the use variance request at:

**5:30 PM on December 04, 2025, in  
City Hall Council  
Chambers, 2nd Floor  
161 W. Michigan Avenue  
Jackson, MI 49201**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request you may attend the public hearing or contact John O'Connor at 517-768-6426 or Joconnor@cityofjackson.org with comments. Written comments may be mailed to 161 W. Michigan Avenue, Jackson, MI 49201, c/o John O'Connor. All comments and/or questions must be received no later than 12:00 PM on December 04, 2025.

# CITY OF JACKSON

## ZONING BOARD OF APPEALS

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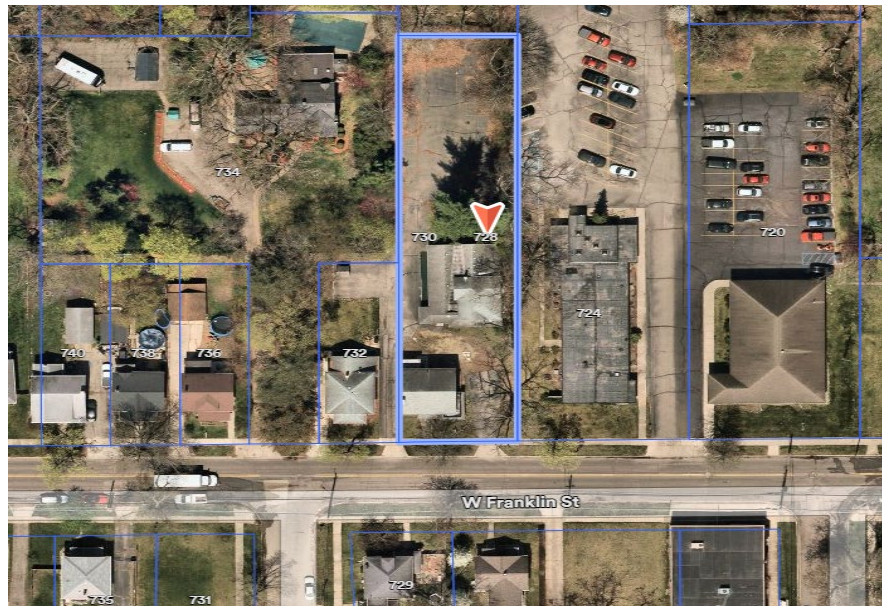
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You are invited to attend the public hearing to be held:

**5:30PM on December 04, 2025, in  
City Hall Council Chambers, 2<sup>nd</sup> Floor  
161 W. Michigan Avenue  
Jackson, MI 49201**

You received this notice because you own or occupy property within three hundred (300) feet of the property above outlined in purple. **If you are not the applicant, you are not required to attend the public hearing or respond to this notice.**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request, you may attend the public hearing or contact John O'Connor at 517-768-6426 or [joconnor@cityofjackson.org](mailto:joconnor@cityofjackson.org) with comments. Written comments may be mailed to 161 W. Michigan Avenue, Jackson, MI 49201, c/o John O'Connor. All comments and/or questions must be received no later than 12:00PM on December 04, 2025.