



## MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

**DATE:** June 11, 2020

**TO:** Mayor Eveleth and the Owosso City Council

**FROM:** Nathan Henne, City Manager

**SUBJECT:** Rezoning Request for 425 and 429 Hamblin; Parcel 050-430-000-002-00 and 050-430-000-003-00

### RECOMMENDATION:

Staff recommends the rezoning request. The Planning Commission recommends denial of the rezoning request.

### BACKGROUND:

Planning commission held a public hearing at its regularly scheduled meeting on February 24, 2020 to hear a petition to rezone parcel 050-430-000-002-00, also known as 425 Hamblin and parcel 050-430-000-003-00, also known as 429 Hamblin from R-2, Two Family Residential to I-1, Light Industrial. These vacant lots are adjacent to 434 E. Howard Street, known as Trebor Industries and the 3 lots are owned by Trebor/Carrie Cobb. The purpose of rezoning this property was to allow the owner to have the existing shed remain on the lot of which the condemned dwelling would be removed (425 Hamblin) and the 3 lots would then be combined. It was the owner's intent to leave this area vacant and maintained and not for additional business storage.

- The Planning Commission, after mailing notices and holding a public hearing, voted to deny the rezoning request at its regular meeting on February 24, 2020.
- The Planning Commission heard objections from residential neighbors on Hamblin Street with the following conditions.
- The Planning Commission made the following motion: **TO NOT APPROVE THE REZONING REQUEST DUE TO CONCERNS OF EXTENDING LIGHT INDUSTRIAL INTO A RESIDENTIAL AREA – SPOT ZONING.**
- **AS AN ALTERNATIVE THE PLANNING COMMISSION IS RECOMMENDING THE FOLLOWING TO THE CITY COUNCIL:**
  1. **RECOMMENDS THE COMBINING OF THE LOTS WITH THE SPLIT ZONING.**
  2. **ONLY THE SHED WOULD BE ALLOWED TO REMAIN ON THE VACANT LOT.**
  3. **NO INDUSTRIAL STORAGE WOULD BE ALLOWED ON THE VACANT LOTS AS THEY WILL REMAIN ZONED AS RESIDENTIAL.**

**City Code Section 38-555 lists the criteria when considering the rezoning of a property as follows:  
Sec. 38-555. Criteria for amendment of the official zoning map.**

In considering any petition for an amendment to the official zoning map, the planning commission and city council shall consider the following criteria in making its findings, recommendations and decision:

- (1) Consistency with the goals, policies, and future land use map of the City of Owosso Master Plan.  
If conditions upon which the master plan was developed (such as market factors, demographics,

infrastructure, traffic and environmental issues) have changed significantly since the master plan was adopted, as determined by the city, the planning commission and council shall consider the consistency with recent development trends in the area.

- (2) Compatibility of the site's physical, geological, hydrological, and other environmental features with the host of uses permitted in the proposed zoning district.
- (3) Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one (1) use permitted under the current zoning.
- (4) The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
- (5) The capacity of the city's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare."
- (6) The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land currently zoned and available to accommodate the demand.
- (7) The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.
- (8) Other factors deemed appropriate by the planning commission and city council.

**RESOLUTION NO.**

**TO SET A PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 38 ZONING  
OF THE CODE OF ORDINANCES TO REZONE THE PARCELS  
AT 425 & 429 HAMBLIN STREET  
AND AMEND THE ZONING MAP**

WHEREAS, the city council of the city of Owosso received a petition from Carrie Cobb and Trebor to rezone the parcels located at 425 & 429 Hamblin Street, parcel nos. 050-430-000-002-00 and 050-430-000-003-00, from R-2 Two-Family Residential District to I-1 Light Industrial District; and

WHEREAS, the planning commission subsequently published the request and mailed notices of the request to surrounding property owners, held a public hearing on the request, and deliberated on the request; and

WHEREAS, city staff has recommended approval of the request as proposed and the planning commission has recommended the combination of the lots while maintaining the current zoning designations; and

WHEREAS, the item must now be considered by the city council and a public hearing by the council is required before any such ordinance amendment can be acted upon.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS:

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That the following requested amendments to Chapter 38, Zoning, Sec. 38-27, *Zoning Districts and Map*, be denied based on spot zoning.

<b>Parcel Address</b>	<b>Current Zoning</b>	<b>Amended Zoning</b>
425 Hamblin St	R-2 Two-Family Residential District	I-1 Light Industrial District
Parcel number: 050-430-000-002-00		
N 45' OF S 136' LOT 13 (EX E 59 ½') LOUISA MERELLS ADD		
429 Hamblin St	R-2 Two-Family Residential District	I-1 Light Industrial District
Parcel number: 050-430-000-003-00		
LOT 13 (EX E S 136' & E 59 ½') LOUISA MERELLS ADD		

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, July 20, 2020 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

SECTION 3. NOTICE. Council hereby directs staff to supply a public notice concerning the rezoning to a newspaper of general circulation within the city.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

PREZ 2020-01  
**APPLICATION FOR REZONING**  
**CITY OF OWOSSO**

301 W. Main Street, Owosso, Michigan 48867, MI 989-725-0540

1. The applicant must completely fill in the application.
2. Application fee is \$550.00 + \$5.00 per acre.
3. The applicant or his/her representative must be present at the Planning Commission and City Council public hearings for action to be taken on this request.
4. Application must be received by the end of the previous month before Planning Commission meeting. City Council will address the rezoning at the following Council Meeting after Planning Commission makes its recommendations for the rezoning.

**TO THE OWOSSO CITY COUNCIL:**

I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the zoning map as hereinafter requested,

1. PROPERTY TO BE REZONED:

Address: 425 & 429 Hamblin with 434 E. Howard

Description: (lot, block or metes and bounds)

Frontage in feet:

Depth in feet:

} see attached

2. PROPERTY OWNERSHIP:

Name: Carrie Cobb

Address: PO Box 142 Owosso mi 48867

Phone Number: 989-666-3541

E-mail: Carrie@treborind.com

3. ZONING REQUEST:

Current Zoning: Residential R-2 Requested Zoning: Industrial I-1

4. PROPOSED USE OF THE PROPERTY:

Storage shed

Indicate why, in your opinion, the requested change is consistent with the ordinance in prompting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the city of Owosso:

Trebor Industries would like to combine the lots in order to keep the current storage shed located on the lot.

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

Signature of Applicant:

*Carrie Cobb*

Date:

1/30/2020

LEGAL REPRESENTATIVE

OWNER

OPTION TO PURCHASE

FOR OFFICIAL USE ONLY

Case #	PZ-20-004	Planning Commission Hearing Date	2/24/2020
Receipt #		Action Taken	
Date Filed	1-30-2020	City Council Hearing Date	5/03/2020
Description Checked		Action Taken	

To whom it may Concern,

I am writing in regard to 425 Hamblin St property. My name is Carrie Cobb and I currently own this location and the 434 E. Howard St. property. I have been working towards having the home structure removed at 425 Hamblin St. which was purchased a few years back from a city auction. The residence was condemned at the time of purchase. In order to clean up the property the home structure needs to be torn down as it is in a deplorable condition. However, the shed structure is in fair condition and I would like to keep it. The shed will be used to store tools and a lawn mower for continued maintenance of the property as well as the adjacent property located at 434 E. Howard St.

I look forward to working with you on the rehab project.

Best Regards,

Carrie Cobb

989-666-3541 C

989723-8145 O

carrie@treborind.com

*1/28/2020 emailed Rezoning app to Carrie.*

CITY OF OWOSSO  
LAND COMBINATION APPLICATION

301. W. MAIN ST.  
OWOSSO, MI 48867  
989 725-0530

Date 1-27-2020

Owners Name Carrie Cobb

Phone Number 989-6666-3541

Owners Mailing Address PO Box 142  
OWOSSO, MI 48867

TREBOR Industries

Property Address(es) 425/429 Hamblin ajoined with 434 E. Howard St.

Parcel Number(s) 050-430-000-003-00 / 050-430-000-002-00 / 050-430-000-001-00

Current Zoning(s) R2 & I1

Will the proposed combination require zoning changes?  (yes)  (no)

Are the names the same on all parcels to be combined?  (yes)  (no)

(Note: Names of ownership must be the same on all parcels being combined.)

Any current Special Assessments applied to any or all of these parcels? (yes)  (no)

If yes, please explain: (Note: Special Assessments must be paid in full prior to combining parcels)

Any current Mortgage Liens or Land Contracts on any or all of these parcels? (yes)  (no)

If yes, please explain: (Note: Mortgage or contract liens need approval from lien holder for approval)

Intended use (Res., Com., Ind.) Ind

Intended purpose Storage Shed

Survey recommended, especially when descriptions are meets & bounds and not within a plat.  
Legal Description of Current Parcels to be combined. (Attach additional if needed.)

Legal Description of combined parcel(s). (Attach additional if needed)

Lot 13 (Ex S S 136' & E 59 1/2' Louisa merells Add  
N 45' of S 136' Lot 13 Ex E 59 1/2' Louisa merells Add  
N 45' of S 136' Lot 13 Ex E 59 1/2' Louisa merells Add

I understand and agree the statements made above are true and if found not to be true, this application and any approval will be void.

Property Owners Signature Carrie Cobb

Date: 1-27-2020

City of Owosso Approval:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_



## **OFFICIAL NOTICE OF PROPOSED REZONING**

A Public Hearing will be held on a proposal to rezone the properties described below at the Owosso City Planning Commission regular meeting on Monday, February 24, 2020. The proposed rezoning would allow these lots to be combined with 434 E Howard Street and would be used for light industrial.

**APPLICANT:** #2020-01 Carrie Cobb  
Owner, Trebor Industries  
434 E Howard Street  
Owosso MI, 48867

**PROPERTY ADDRESSES:** 425 Hamblin  
429 Hamblin

**PROPOSED REZONING:** FROM: R-2 Two Family Residential District  
TO: I-1 Light Industrial District

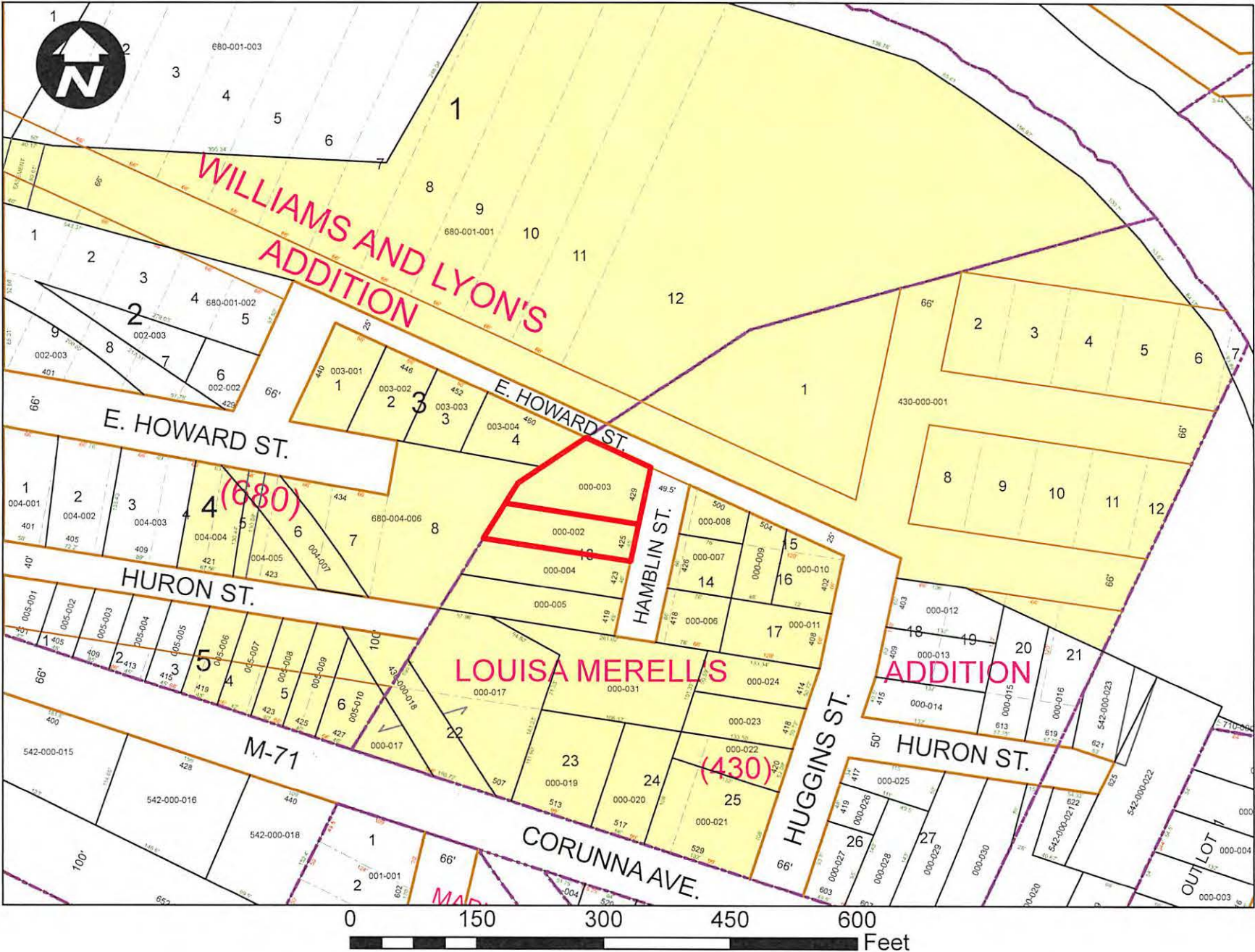
**PROPERTY DESCRIPTIONS:** Parcel number: 050-430-000-002-00 425 Hamblin  
N 45' OF S 136' LOT 13 (EX E 59 ½') LOUISA MERELLS ADD  
Parcel number: 050-430-000-003-00 429 Hamblin  
LOT 13 (EX E S 136' & E 59 ½') LOUISA MERELLS ADD

**LOT SIZES:** 0.180 acre 425 Hamblin  
0.239 acre 429 Hamblin

**MEETING INFORMATION:** Owosso City Planning Commission regular meeting on Monday, February 24, 2020. The meeting will be held in the lower level of the Owosso City Hall at 6:30 p.m.

**WRITTEN COMMENTS:** Written comments may be submitted to the building department office at city hall or by email to [building@ci.owosso.mi.us](mailto:building@ci.owosso.mi.us) any time prior to the meeting. Further information on this case is on file in the Building Department for your review.

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. Website address is [www.ci.owosso.mi.us](http://www.ci.owosso.mi.us).





# OWOSSO





February 20, 2020

Planning Commission  
City of Owosso  
301 W. Main Street  
Owosso, Michigan 48867

**Subject:** REZONING  
**Location:** 425, 429 Hamblin and 434 E. Howard Street  
**Size of Site:** .7 acres  
**Request:** To rezone roughly .7 acres at 425 and 429 Hamblin from R-2, Two-Family Residential to I-1, Light Industrial.  
**Applicant:** Ms. Carrie Cobb, Trebor Industries

Dear Planning Commissioners:

At your request, we have reviewed the above application from Trebor Industries to rezone .7 acres of the subject property from R-2, Two-Family Residential to I-1, Light Industrial. The two properties to be rezoned will be combined into one single parcel with a parcel located at 434 E. Howard Street where the principal light industrial business is located. The parcel identification numbers are as follows;

1. 050-430-000-003-00
2. 050-430-000-002-00
3. 050-680-004-006-00

Our comments are based on a review of the information submitted by the applicant, a site visit, meetings with the applicant, discussions with the Planning Commission, and conformance to the City's Master Plan and Zoning Ordinance. In reaching a decision on the application, the Planning Commission should consider our comments along with those from other staff and consultants, relevant input from the public, additional information provided by the applicant, and your own findings based on ordinance standards as part of your deliberation and recommendation to City Council.

## LOCATION AND DESCRIPTION

The subject parcels are located at the norther extent of Hamblin, adjacent to the rail yard. The applicant owns a light industrial business located at 434. E Howard street. The applicant also owns the Hamblin parcels and would like to combine them into one single parcel associated with the business.

**EXISTING LAND USE, ZONING AND FUTURE LAND USE**

	Existing Land Use	Zoning	Master Plan
<b>Subject Site</b>	Vacant	R-3, One-Family Residential	Single-Family Residential*
North	Industrial	I-1, Light Industrial	I-1, Light Industrial
South	Single and two-family residential	R-2, Two-Family Residential	Residential
East	Single and two-family residential	R-2, Two-Family Residential	Residential
West	Residential and Industrial	R-2, Two-Family Residential	Residential

**\*The map below is the existing zoning map for the City of Owosso**



**PERMITTED AND SPECIAL LAND USES**

While the area is a mish-mash of zoning districts including R-2, Commercial and Industrial, it is important to consider what land uses could be utilized on these properties should the Planning Commission approve the rezoning of the two parcels to light industrial. A full list of uses has been provided on a separate document from this report.

**DISCUSSION**

In considering any petition for an amendment to the official zoning map, the planning commission and city council shall consider the following criteria in making its findings, recommendations and decision:

1. Consistency with the goals, policies, and future land use map of the City of Owosso Master Plan. If conditions upon which the master plan was developed (such as market factors, demographics, infrastructure, traffic and environmental issues) have changed significantly since the master plan was adopted, as determined by the city, the planning commission and council shall consider the consistency with recent development trends in the area.

**Finding** – While the predominant land use to the east and south of the subject parcels remain residential, there are commercial uses nearby as well as industrial uses immediately adjacent to

the north of these parcels. The applicant has indicated that they will not be expanding the industrial operations on this site and would be utilizing the site for additional storage purposes, specifically a storage shed already on site. It is our belief that this rezoning would not significantly impact the neighborhood, nor be in conflict with the overall goals of the Master Plan, nor impact the intent of the Zoning Ordinance.

2. Compatibility of the site's physical, geological, hydrological, and other environmental features with the host of uses permitted in the proposed zoning district.

**Finding** – This site would be compatible with the host of uses permitted under the I-1 Zoning Classification.

3. Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one (1) use permitted under the current zoning.

**Finding** – To our knowledge, no evidence exists showing that the applicant could not receive a reasonable return on investment through developing the property as residential. In this case, the applicant would prefer to utilize the properties as a means to provide additional storage in association with the existing business already in the I-1 district.

4. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

**Finding** – Based on information from the applicant, we do not believe that there would be significant impact on surrounding property values if the properties are utilized in the way the applicant has stated. That is not to say that there couldn't be a significant impact in the future if these properties were ever developed for a higher intensity use beyond storage for the existing business. The Planning Commission will have to discuss the possibility of future development that would not be consistent with the surrounding land uses.

5. The capacity of the city's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare."

**Finding** – There should be no issues with existing infrastructure being able to accommodate and service this site.

6. The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land currently zoned and available to accommodate the demand.

**Finding** – We do not see an overwhelming demand for this use in relation to the amount of land already zoned I-1. This is not a situation of a new business looking to rezone property as an ideal site for their business. This is a case where a property owner currently owns all the parcels and would like to combine them to serve the business without a split-zone situation on their property.

7. The request has not previously been submitted within the past one (1) year, unless conditions have changed, or new information has been provided.

**Finding – This application has not been previously before the City.**

**RECOMMENDATION**

Based upon the above comments, **we recommend approval of the rezoning request for 425 and 429 Hamblin based on the following items;**

1. That the request is not in overwhelming conflict with the Master Plan or the Zoning Ordinance;
2. The site is compatible with uses in the proposed I-1 Zoning District;
3. The applicant is not rezoning to increase the return on investment of the property;
4. That the Planning Commission understands that the proposed use may not be incompatible with surrounding land uses, but other uses in the I-1 district may be;
5. Infrastructure to the site is appropriate for the proposed use;
6. That the existing property owner owns all applicable parcels and would like to combine them into one contiguously zoned lot; and
7. The request has not been previously submitted to the City for consideration.

We look forward to discussing this with you at your February Planning Commission meeting. If you have any further questions, please contact us at 810-734-0000.

Sincerely,

**CIB Planning**



Justin Sprague  
Vice President