



Agenda
City of Charlevoix Zoning Board of Appeals Regular Meeting
Wednesday, August 17, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- 1. Call to Order**
- 2. Roll Call/Pledge of Allegiance**
- 3. Inquiry Into Potential Conflicts of Interest**
- 4. Approval of Agenda**
- 5. Approval of Minutes**
 - A. Minutes from the June 15, 2022 ZBA meeting
- 6. Old Business**
- 7. New Business**
 - A. **Public Hearing for Applicant 22-08 ZBA - Dimensional variance request for 218 Belvedere**
 - i. **Staff Presentation**
 - ii. **Applicant presentation (if requested)**
 - iii. **Call for public comment**
 - iv. **ZBA determination of findings of fact**
 - v. **Motion**
- 8. Call for General Public Comment**
- 9. Adjournment**

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Clerk's Office at 231-547-3250 or by email clerk@charlevoixmi.gov. A 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodations requests.

Charlevoix Zoning Board of Appeals

Approval of Minutes

Title: Minutes from the June 15, 2022 ZBA meeting

Date: August 17, 2022

Presented By:

Background:

Recommendation:

Motion to approve the minutes as presented.

Attachments:

1. 2022.06.15 Zoning Board of Appeals Draft Minutes

City of Charlevoix
Zoning Board of Appeals Regular Meeting minutes
Wednesday, June 15, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

1. Call to Order

The meeting was called to order at 6:00 p.m. by Vice Chair Timothy Kish.

2. Roll Call/Pledge of Allegiance

Vice Chair: Timothy Kish
Members Present: Shirley Gibson, Ann Gorney, Patricia Miller
Members Absent: Richard Hodgson
Staff Present: Janet Koch, Zoning Administrator

3. Inquiry Into Potential Conflicts of Interest

None.

4. Approval of Agenda

Motion by Member Gibson, seconded by Member Miller to approve the agenda as presented.

Motion carried by unanimous voice vote.

5. Approval of Minutes

A. Minutes from the April 20, 2022 ZBA meeting

Motion by Member Gibson, seconded by Member Gorney to approve the minutes of the April 20, 2022 ZBA meeting as presented.

Motion passed by unanimous voice vote.

B. Minutes from the May 18, 2022 ZBA meeting

Motion by Member Miller, seconded by Member Gorney to approve the minutes of the May 18, 2022 ZBA meeting as presented.

Motion passed by unanimous voice vote.

6. Old Business

A. Public Hearing for Applicant **2022-05 ZBA**. Dimensional variance request from William and Beverly Barton - 401 Antrim Street

1. Staff presentation

Zoning Administrator Koch stated that the variance involves the existing garage on the south side of the property and it was a request to use it as an accessory dwelling unit (ADU). The applicant is requesting a variance from §153.117(D)9(b) of the Zoning Ordinance which defines the dimensional requirements for ADUs. The variance requested is a 4'4" side yard variance and a 6' front/side yard variance to allow a change of use for an existing structure.

On May 9, 2022, the Planning Commission approved a Special Use for the property of a bed and breakfast establishment with the condition that the applicant provide topographic information regarding stormwater runoff to the Zoning Administrator.

Zoning Administrator Koch stated that there were letters of public comment included in the packet and that she had received several phone calls and a number of people did stop by the office to review the application and plans. Zoning Administrator Koch stated the residents directly across the street were in favor of it, the other residents expressed they had no concerns with the project, and one was not in favor.

Zoning Administrator Koch stated that she did want the ZBA to note that this is a non-conforming structure because it's inside of the setbacks under §153.290, however an ADU is in fact a use by right in the current zoning district, so there is essentially a conflict between those two different things. The possibilities for an ADU without the variance do exist, it would be possible for the applicant, instead of getting a variance, to remove the existing structure and to build a new one outside of the setbacks and be in full compliance. She stated that the ZBA should focus on the standards and not have short-term rentals be a part of the discussion.

2. Applicant presentation (if requested)

Beverly Barton stated that they bought the property from the Staley family last year and did their due diligence and received a special use permit from the Planning Commission. She stated that she was of the understanding after reading the Zoning Ordinance that they cannot rent out the garage and it was not their intention to rent the garage space. Their intent was to have a bed and breakfast in the main building and that they would live in the accessory dwelling unit (garage). She stated they have started to install the plumbing and they have put in the bedroom, bath and utility sink and they are coming before the ZBA for a variance because the Staleys owned both properties and that's probably why the garage was built 6" off the property line. She stated that they needed the kitchen to be able to live there and serve the bed and breakfast.

Discussion followed regarding the need for the kitchen to be outside of the main structure, not blocking the driveway with space for one vehicle inside the garage, and the possibility of two (2) current existing parking spaces which would cover the sidewalk,

3. Call for public comments

RJ Waddell, Planning Commission Chair, stated that he was glad to hear about the garage, there was no sidewalk along Sherman Street, and there were two driveways, one to the house and one to the garage. He stated that as an accessory dwelling unit it would be rentable, long-term or as a short-term rental. The way the bed and breakfast rules are written, it cannot be a rental as part of the bed and breakfast. Mr. Waddell stated that the Planning Commission approved the special use permit with the condition that they wanted a drainage map of the property. He stated the plan submitted by the Barton's architect showed that half of the garage that's being proposed as the ADU has an overhang over the neighbor's yard. Discussion followed regarding the issue of half of the building drains onto the adjoining property and the conditions placed on the special use approval.

Public comments were closed.

4. ZBA determination of findings of fact

Vice Chair Kish read each of the Findings of Fact and the Commission reviewed the staff recommendations included in the staff report as well.

Extraordinary Circumstances: No change.

Substantial Justice: Member Gibson felt that the owner can reasonably use the property without a variance.

Impact on the Surrounding Neighborhood: No change.

Public Safety and Welfare: No change.

Not Self-Created: Vice Chair Kish stated the property itself was purchased with the intent of using it as a bed and breakfast and it was known when the building was purchased that it was a non-compliant building. He stated it was clear that it did not meet the standards for an ADU when the property was purchased. Member Gorney agreed the garage had been in existence for many years, was built on the lot line and was not self-created. Member Gibson stated the applicant should have gotten everything in place before the purchase so that no variances were necessary.

Zoning Administrator Koch stated that it is a use by right in R-2, but it is also a non-compliant structure.

Beverly Barton summarized the reasoning behind their choice to request the variance and what they could do if the variance was not granted. She stated that they did their research before the purchase and had spoken to the former Zoning Administrator in depth about their project.

RJ Waddell, Planning Commission Chair, stated five years ago when the Planning Commission established ADU's and when they created specifications for ADU's, it was for new construction, and he remembered someone asking about someone who already has a building that is out of compliance could that become an ADU, and the response at the time was to let the ZBA take care of that as it would be on a case by case situation.

Member Gorney questioned if the corner lot issue with two front yards would meet the substantial justice standard. Member Gibson stated that they weren't preventing the use of the property, but the owners wanted to do more than what's allowed. Zoning Administrator Koch stated that if the applicants built the ADU within the setbacks and inside the current building envelope, then there would be no need for the variance. The ADU itself would meet the setbacks inside of a non-conforming building in that scenario.

5. Motion

Motion by Member Gibson, seconded by Vice Chair Kish to deny Project 22-05 ZBA based on specific findings of fact that prove that the project does not meet the review standards in 153.038(F).

Motion failed by a 2 to 2 vote with Member Gibson and Vice Chair Kish voting in favor of the motion, and Members Gorney and Miller voting against the motion.

Motion by Member Gorney, seconded by Member Miller to approve Project 22-05 ZBA with the condition that there be no drainage onto neighboring properties and that there would not be a rental of the ADU based on specific findings of fact that prove that the project does meet the review standards in 153.038(F).

Motion failed by a 2 to 2 vote with Member Gorney and Member Miller voting in favor of the motion, and Member Gibson and Vice Chair Kish voting against the motion.

7. New Business

None.

8. Call for General Public Comment

None.

9. Adjournment

Vice Chair Kish adjourned the meeting at 7:35 p.m.

Sarah Dvoracek/fgm Clerk

Timothy Kish Vice Chair



OFFICE OF PLANNING AND ZONING
Janet Koch, Zoning Administrator
210 State Street Charlevoix, MI. 49720
planner@charlevoixmi.gov
Phone: (231)547-3265

**ZONING BOARD OF APPEALS
STAFF REPORT**

AGENDA ITEM:	<u>ZBA 22-08 Variance Request for 218 Belvedere</u>
PUBLIC MEETING DATE:	August 17, 2022, 6:00 PM
PRESENTED BY:	Janet Koch, Zoning Administrator

EXHIBITS:	<ol style="list-style-type: none">1. Variance application dated 6-27-20222. Site plan3. Proposed elevations4. Public comment letters (2)5. City of Charlevoix Zoning Ordinance, adopted 1-17-2022
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1. PROPOSAL

The applicant is requesting a variance for parcel ID 052-381-001-00 from §153.072(B) of the City of Charlevoix Zoning Ordinance which defines the dimensional requirements in single-family and two-family zoning districts. The variance requested is a 1.9' front/street side yard variance and a 3.6' interior side setback variance. The setback standards in the R-2 District are:

Front yard setback.....	15 feet	Interior Side yard setback.....	8 feet
Rear yard setback.....	25 feet	Street side setback.....	15 feet

The purpose of this Staff Report is to evaluate this proposal against the procedures and criteria outlined in Chapter 153 of the City of Charlevoix Zoning Ordinance, adopted January 17, 2022.

2. BACKGROUND

The variance application was submitted on June 27, 2022; the applicant was amenable to the ZBA considering the application at their meeting of August 17. The notice of public hearing was published in the Charlevoix *Courier* on July 29, 2022 and mailed to property owners within 300 feet of this parcel on July 26, 2022.

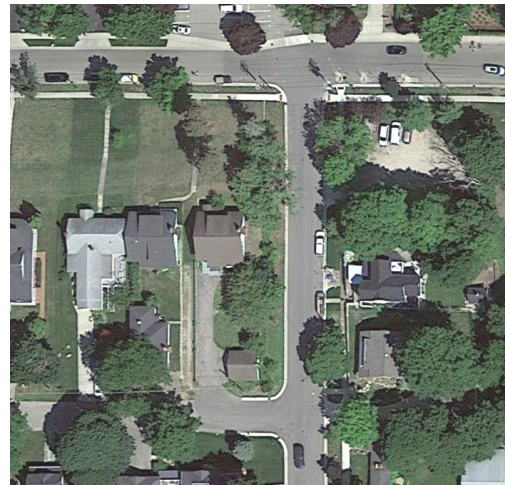
The Zoning Administrator reviewed this proposal. No other City staff was asked for input for this project.

3. SITE

The subject property is located at 218 Belvedere. The tax description is: "Lot 1 of Block 21 of Newman's Addition to Charlevoix." The parcel has been surveyed with dimensions just under 50' x 200', with an area of approximately 9,963 square feet. Photos are on the following page.



Aerial imagery obtained from Charlevoix County website 8-8-2022



Aerial imagery obtained from Google Earth 8-8-2022



Photos of 218 Belvedere taken 7-29-2022



4. STAFF ANALYSIS

Staff opinion concerning this variance request is that the ZBA will have to evaluate the findings of fact below. At this time, staff does not have any recommended conditions of approval.

5. REVIEW STANDARDS - FINDINGS OF FACT - CONDITIONS OF APPROVAL

Regarding dimensional variances, § 153.038 (F)(1) of the Zoning Ordinance states that:

The ZBA, after holding a public hearing in accordance with the requirements of the Zoning Act, shall have the power to grant requests for dimensional variances from the provisions of this chapter where it is proved by the applicant that there are practical difficulties in the way of carrying out the strict letter of this chapter relating to the construction, equipment or alteration of buildings or structures, or of storm water management requirements so that the spirit of this chapter shall be observed, public safety secured and substantial justice done. §153.038(F)(1)

Section 604(7) of Public Act 110 of 2006, the Zoning Enabling Act as amended, states in part that: “If there are practical difficulties for nonuse variances...in the way of carrying out the strict letter of the zoning ordinance, **the zoning board of appeals may grant a variance in accordance with this section, so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice done.**”

During the public hearing on August 17, 2022, the role of the ZBA is to make findings of fact to determine if the variance request meets the following standards. The ZBA must find that the variance proposal meets all the following standards based on findings of fact before considering a motion to approve. **Staff has drafted findings of fact of approval and of denial as a starting point for discussion.** The ZBA may add, modify, or delete any of the following findings on the hearing date.

General findings of fact for:	
#1) Kitchen/mudroom addition request	1.9’ street side setback variance
#2) Porch addition requests.....	1.9’ street side setback variance 3.6’ interior setback variance

§ 153.038(F)(2) states that a dimensional variance may be allowed by the ZBA only in cases where the applicant has shown a practical difficulty in the official record of the hearing. **The applicant must prove that all of the following conditions have been met.**

- (a) Extraordinary Circumstances. Exceptional or extraordinary circumstances or conditions may include: 1) Exceptional narrowness, shallowness, small size or shape of a specific property on the effective date of this chapter; (2) Exceptional topographic conditions or other extraordinary situation on the land, building or structure; and (3) The use or development of the property immediately adjoining the property in question, whereby the literal enforcement of the requirements of this chapter would involve practical difficulties. § 153.038(F)(2)(a)

Finding of Approval - #1 Kitchen

The ZBA finds that the need for the requested variance is due to unique circumstances regarding the property. The ZBA finds that this standard is met as a result of the combination of the property’s exceptional narrowness and that it has the very unusual feature of three street sides, which substantially reduces the property’s buildable area.

Finding of Denial - #1 Kitchen

The ZBA finds that extraordinary circumstances standard has not been met as the property is not exceptionally narrow and that its feature of three street sides is not an extraordinary circumstance.

Finding of Approval - #2 Porch

The ZBA finds that the need for the requested variance is due to unique circumstances regarding the property. The ZBA finds that this standard is met as a result of the combination of the property’s exceptional narrowness and that it has very unusual feature of three street sides, which substantially reduces the property’s buildable area.

Finding of Denial - #2 Porch

The ZBA finds that extraordinary circumstances standard has not been met as the property is not exceptionally narrow and that its feature of three street sides is not an extraordinary circumstance.

- (b) Substantial Justice. Compliance with the strict letter of the restriction’s governing area, setbacks, frontage, height, bulk, density or other dimensional provisions would unreasonably prevent the use of the property. Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district and such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. Any variance granted shall be the minimum necessary to allow the preservation of these substantial property rights. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance. § 153.038(F)(2)(b)

Finding of Approval - #1 Kitchen

The ZBA finds that this request for an expansion of an allowed use is a long-standing tradition in the community. The ZBA finds that the variance meets the standard as, due to current setback requirements, the residence does not have space to expand while maintaining the home’s architectural integrity. The ZBA also finds that maintaining quality exterior architecture is a community value.

Finding of Denial - #1 Kitchen

The ZBA finds that denying the request for an expansion of an allowed use into current setbacks is reasonable as there are other avenues for property owner to pursue that would provide the same expansion without the need for variances.

Finding of Approval - #2 Porch

The ZBA finds that this request for an expansion of an allowed use is a long-standing tradition in the community. The ZBA finds that the variances meet the standard as, due to current setback requirements, the residence does not have space to expand while maintaining the home’s architectural integrity. The ZBA also finds that maintaining quality exterior architecture is a community value. The ZBA also finds that the removal of the deck at the home’s southwest corner is equivalent to the square footage of the porch addition on the northwest and thus does not increase the size of the nonconformity on the west side.

Finding of Denial - #2 Porch

The ZBA finds that denying the request for an expansion of an allowed use into current setbacks is reasonable as there are other avenues for property owner to pursue that would provide the same expansion without the need for variances.

- (c) Impact on the Surrounding Neighborhood. The variance will not be detrimental to adjacent property and the surrounding neighborhood or interfere with or discourage the appropriate development, continued use or value of adjacent properties and the surrounding neighborhood as compared to other uses in the neighborhood. §153.038(F)(2)(c)

Finding of Approval - #1 Kitchen

The ZBA finds that the request will be of minimal impact and similar to existing homes in the neighborhood. The ZBA finds that the request meets this standard as it will not have a negative impact on the adjacent property owner or the neighborhood.

Finding of Denial - #1 Kitchen

None.

Finding of Approval - #2 Porch

The ZBA finds that the request will be of minimal impact and similar to existing homes in the neighborhood. The ZBA finds that the request meets this standard as it will not have a negative impact on the adjacent property owner or the neighborhood.

Finding of Denial - #2 Porch

The ZBA finds that the applicant’s request does not meet the standard as it would be detrimental to the adjacent property due to the request for a 3.6’ interior side setback variance.

- (d) Public Safety and Welfare. The granting of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, comfort, morals or welfare of the inhabitants of the city. §153.038(F)(2)(d)

Finding of Approval - #1 Kitchen

The ZBA finds that the standard is met as the applicant's request will not negatively affect public safety and welfare.

Finding of Denial - #1 Kitchen

None.

Finding of Approval - #2 Porch

The ZBA finds that the standard is met as the applicant's request will not negatively affect public safety and welfare.

Finding of Denial - #2 Porch

None.

- (e) Not Self-Created. The immediate practical difficulty causing the need for the variance request was not self-created by the applicant or previous owners of the subject property. §153.038(F)(2)(e)

Finding of Approval - #1 Kitchen

The ZBA finds that the standard is met as the applicant's request is not self-created due to the home being constructed inside current setback requirements long before current regulations were put in place.

Finding of Denial - #1 Kitchen

The ZBA finds that the standard is not met as the applicant's request is self-created.

Finding of Approval - #2 Porch

The ZBA finds that the standard is met as the applicant's request is not self-created due to the home being constructed inside current setback requirements long before current regulations were put in place.

Finding of Denial - #2 Porch

The ZBA finds that the standard is not met as the applicant's request is self-created.

Section 504 of Public Act 110 of 2006, the Zoning Enabling Act as amended, states the following:

- (4) Reasonable conditions may be required with the approval of a special land use, planned unit development, or other land uses or activities permitted by discretionary decision. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:
- (a) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - (b) Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
 - (c) Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in the zoning ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

6. ZBA ROLE AND OPTIONS

The City of Charlevoix Zoning Board of Appeals has the following options for the variance application, project ZBA 22-08 for 218 Belvedere:

1. Deny project ZBA 22-08 based on specific findings of fact that prove the project does not meet the review standards in 153.038 (F).
2. Approve project ZBA 22-08 without conditions, based on specific findings of fact that prove the project does meet the review standards in 153.038 (F).
3. Approve project ZBA 22-08 with conditions, based on specific findings of fact that prove the project does meet the review standards in 153.038 (F).
4. Postpone the decision on project ZBA 22-08.



OFFICE USE ONLY	
Case #	<u>22-08 ZBA</u>
Date Rec'd	<u>6/7/2022</u>
Fee Rec'd	<u>\$350.00</u>
Receipt #	<u>1646064</u>

Office of Planning and Zoning
210 State Street Charlevoix, MI. 49720
planner@charlevoixmi.gov
www.charlevoixmi.gov
(231)547-3265

VARIANCE APPLICATION

Sodi Alger-Bergman
Home Planning & Design Ltd 218 Belvidere Avenue
Applicant Address of subject property

13749 Division St. Charlevoix MI 49720
Address (City/State/Zip)

Scott & Christine Galbreath
Property Owner Name (If different than applicant)

Property Owner Address (City/State/Zip) (If different than address of subject property)

Property Owner Phone Email
(612) 306-2800 christine.galbreath2@gmail.com

Agent Phone Email
(231) 547-4040 jojoalger@gmail.com

Current Zoning of subject property: R-1

Current Use of Property: (Example: Single Family, Duplex, Apartments, Commercial)
Single Family

Date of original construction (If known): 1990 ?

Please describe the type of construction or proposed use for a use variance:

Adding a porch on the north side the length of the house. Expand the kitchen & mud room on the south side. The house encroaches on the side yards.

Dimensions of proposed construction excluding eaves: 34'x11' porch 17x26' Addition 12'x5' porch

Total square footage of proposed construction: 6016 total SF

Height of proposed construction to the top of the roof: 16' ±

Height of proposed construction to the midpoint of the roof for gabled roof: 12'

Roof Type: (Examples: Gable, Hip, Gambrel, Mansard, Flat) Shed & Gable

Variance Requested: Front Yard Setback _____ feet from front property line.

Rear Yard Setback _____ feet from front property line.

Side Yard Setback 1.9 feet from front property line. \$ 35'

Lot Coverage: Request _____ % coverage.

Use Variance Requested: Yes No If yes please describe the proposed use: _____

3.6' PER APPLICATION VIA PHONE CALL 7/26

What hardship or practical difficulties exist that prevents the property owner from being able to meet the requirements of the Zoning Ordinance?

Narrow lot and existing house is non conforming.

Attach a scale drawing of the proposed construction. Please be as detailed as possible, as this will be used to determine if a variance can be approved in accordance with the Zoning Ordinance. Corrections or additions may be required by the Zoning Administrator to determine compliance with the Zoning Ordinance.

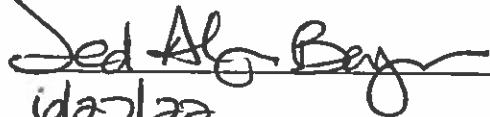
Include all of the following:

- Lot or parcel dimensions.
- Existing building and dimensions, excluding eaves.
- Proposed building and dimension, excluding eaves.
- Front, site, and rear yard dimensions.
- Dimensions between existing and/or proposed buildings.
- Location and dimensions of all impervious surfaces including structures, sidewalks, driveways, patios, etc.

- Name of nearest road, easement, or dedicated right-of-way.
- Scale, North arrow.

AFFIDAVIT: I agree the statements made above are true, and if found not to be true, any Zoning Board of Appeals ruling that may be issued may be void. Further, I agree that any Zoning Board of Appeals ruling and subsequent permit that may be issued is issued with the understanding that the individual(s) in receipt of that ruling/permit will comply with all applicable sections of the City of Charlevoix Zoning Ordinance. Also, I agree to notify the City of Charlevoix Zoning Administrator before the start of construction and when locations of proposed uses are marked on the ground so that the Administrator may perform a site inspection. Further, I agree to give permission for officials of the City of Charlevoix, the County, and the State of Michigan to enter the property subject to this permit application for purposes of inspection. Also, I understand any zoning action by the Zoning Board of Appeals conveys only land use rights, and does not include any representation or conveyance of rights in any other statute, building code, deed restriction, or other property rights. I understand that the ZBA may impose conditions of approval and I agree to meet those conditions as outlined in the Decision and Order.

Signed:



Date:

6/27/22



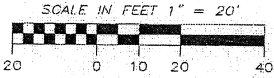
Galbreath Site Plan

TOPOGRAPHICAL SURVEY

FOR

Revised By: Home Planning Design
Jodi Alger-Bergmann
231-541-4040

LOT 1, BLOCK 21
NEWMAN'S ADDITION TO CHARLEVOIX
CITY OF CHARLEVOIX, CHARLEVOIX COUNTY, MICHIGAN

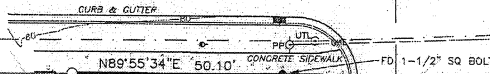


PARCEL OWNERS:
LESLIE CUNNINGHAM, TRUSTEE
RICHARD LYONS TRUST
66530 BROWN RD.
CHARLEVOIX, MI 49720

PARCEL ADDRESS:
218 BELVEDERE AVE.
CHARLEVOIX, MI 49720
TAX ID: #052-381-001-00

PREPARED FOR:
JONATHAN LEE ARCHITECTS
6 Pennsylvania Plaza
Petoskey, Michigan 49770

BELVEDERE AVE
(PLATTED AS NEWMAN ST.)
(66' R/W)



SNOW PILES OBSCURE PORTIONS OF THE RETAINING WALL IN THIS AREA.

ZONING:

PARCEL ZONED R2 (MEDIUM DENSITY RESIDENTIAL)
SETBACKS:
FRONT YARD: (FY) 15 FEET (BELVEDERE AVE.)
SIDE YARD: (SY) 8 FEET
CORNER SIDE YARD: (SYC) 15 FEET (ALICE ST.)
REAR YARD: (RY) 25 FEET (HURLBUT AVE.)
MAX. BUILDING HEIGHT = 26 FEET
MAX. LOT COVERAGE = 40%
MIN. LOT AREA = 8000 SFT
MIN. LOT WIDTH = 50 FEET

SNOW PILES & DEBRIS OBSCURE PORTIONS OF THE RETAINING WALL IN THIS AREA.

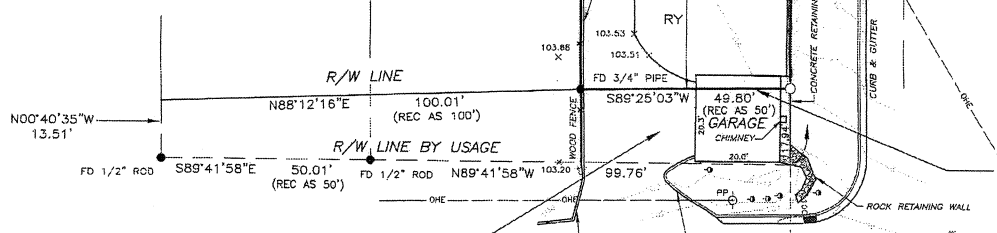
NOTE: IT IS THE RESPONSIBILITY OF THE OWNER OR OWNER'S AGENT TO VERIFY ALL ZONING SETBACKS AND REQUIREMENTS PRIOR TO ANY CONSTRUCTION OR ALTERATIONS ON THE LOT.

LEGEND:

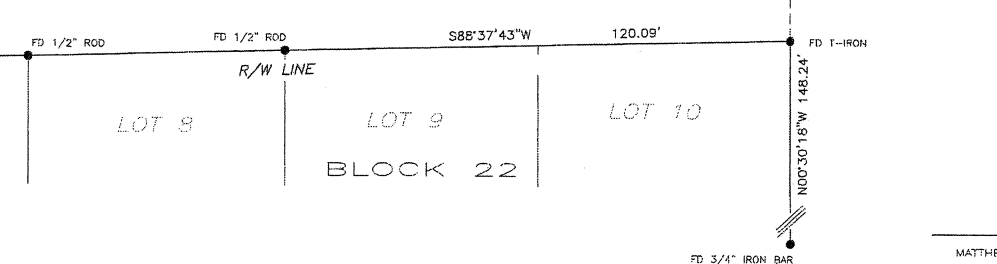
- ALL DIMENSIONS ARE IN FEET.
- 1/2" x 24" STEEL RODS WITH I.D. CAPS HAVE BEEN SET AT ALL POINTS MARKED WITH "O".
- "I" INDICATES IRON/ROD FOUND IN PLACE.
- BEARINGS ARE BASED ON PAST SURVEY OF BLOCK 21 BY SHERMAN A. CHAMBERLAIN JR., PS NO. 25834.
- ELEVATIONS ARE ON AN ASSUMED BASE. CONTOURS AS SHOWN ARE EXISTING GROUND ELEVATIONS. CONTOUR INTERVAL IS ONE (1) FOOT.
- NO TITLE WORK SUPPLIED FOR PARCEL.

UTILITY LEGEND:

- POWER POLE
- GUY ANCHOR
- STREET LAMP
- TELEPHONE RISER
- CATV CATV RISER
- ELECTRICAL TRANSFORMER
- DRINKING FOUNTAIN
- FIRE HYDRANT
- WATER VALVE
- WATER CURB STOP
- GAS VALVE
- CATCH BASIN
- SANITARY CLEANOUT
- SANITARY MANHOLE
- STORM MANHOLE
- WATER VALVE MANHOLE
- ELECTRIC MANHOLE
- UNKNOWN MANHOLE
- ELECTRICAL METER
- GAS METER
- STREET SIGN



OWNER MAY HAVE RIGHTS OR MAY BE ABLE TO OBTAIN RIGHTS TO THIS AREA. TITLE SEARCH RECOMMENDED TO DETERMINE OWNERSHIP/USAGE OF THIS AREA. EX. GARAGE EXTENDS 17'± INTO THIS AREA.



Lot 10, 746.45 SF
 HOUSE 1970.48 SF
 GARAGE 490.6 SF
 Total 2461.08 SF

Asphalt Drive 1383 SF
 Lot Coverage 3,844.08
 35.9%

HOUSE W/ OVERHANGS
 35' x 9 518.6
 26' x 34.4 1082.25
 11' x 34.2 376.20
 26' x 7 183.40
 12' x 5 60
 1970.48

GARAGE W/ OVERHANGS
 22' x 22' 0" 490.6

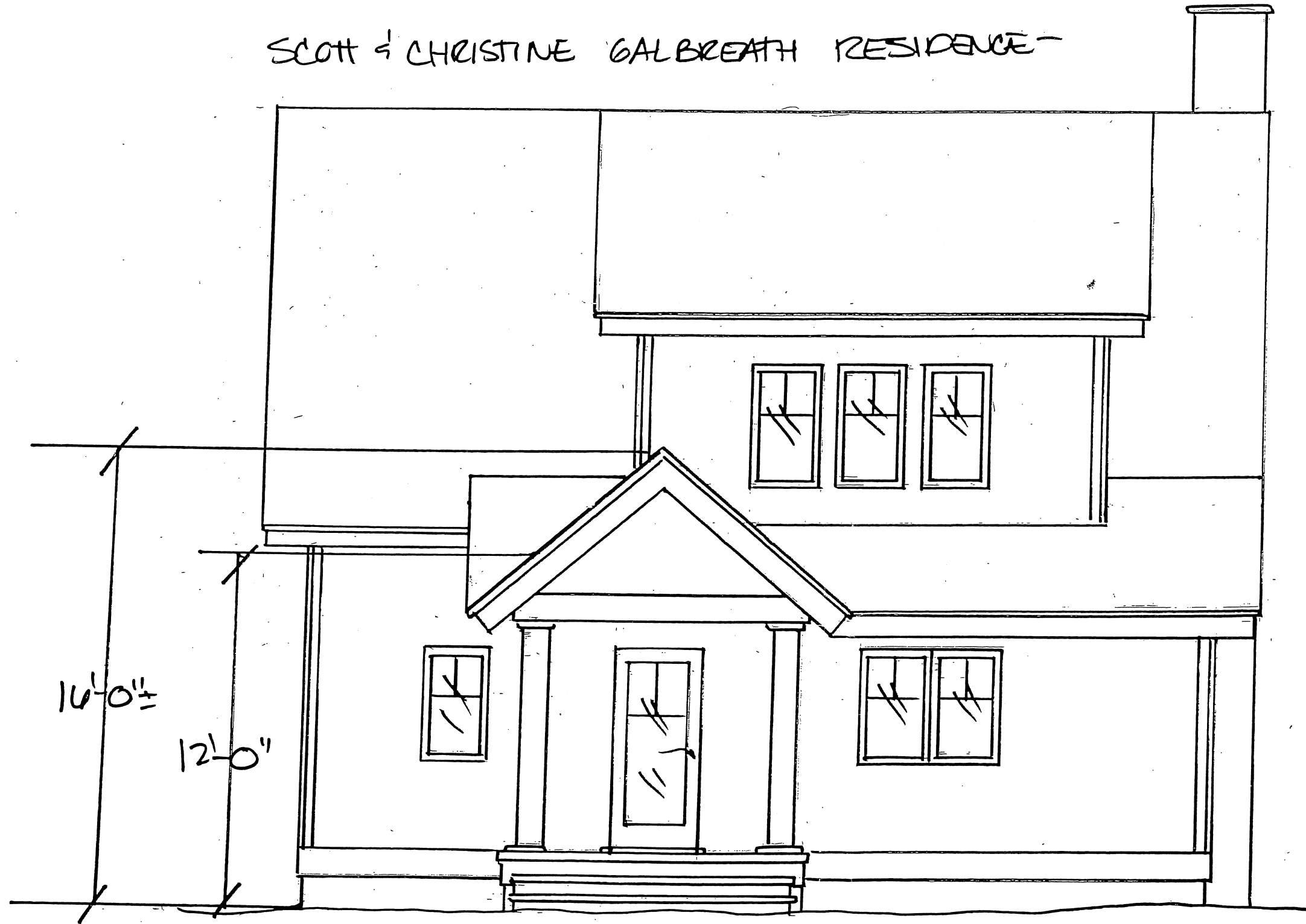
Asphalt Drive
 24' x 57' 1006
 25' x 15 375
 42' x 13 546

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
 PROFESSIONAL SURVEYORS
 103 W. UPRIGHT STREET
 CHARLEVOIX, MICHIGAN 49720
 Phone: (231) 547-6862
 Email: info@fcasurveying.com

DRAWN BY: IDS	DATE: 04/17/2019
CHECKED BY: SAC - MRW	DRAWING NO.: 27326topa.dwg
JOB NO.: SB-27326c.19	SHEET 1 OF 1

NO.	DATE	REVISION	BY

SCOTT & CHRISTINE GALBREATH RESIDENCE



HOME PLANNING & DESIGN, LTD.
JODI ALGER-BERGMANN

1/4" SOUTH ELEVATION
REVISED 6/3/22

SCOTT & CHRISTINE GAL BREATH
RESIDENCE



HOME PLANNING & DESIGN, LTD.
JODI ALGER - BERGMANN

1/4" EAST ELEVATION
REVISED 6/3/22

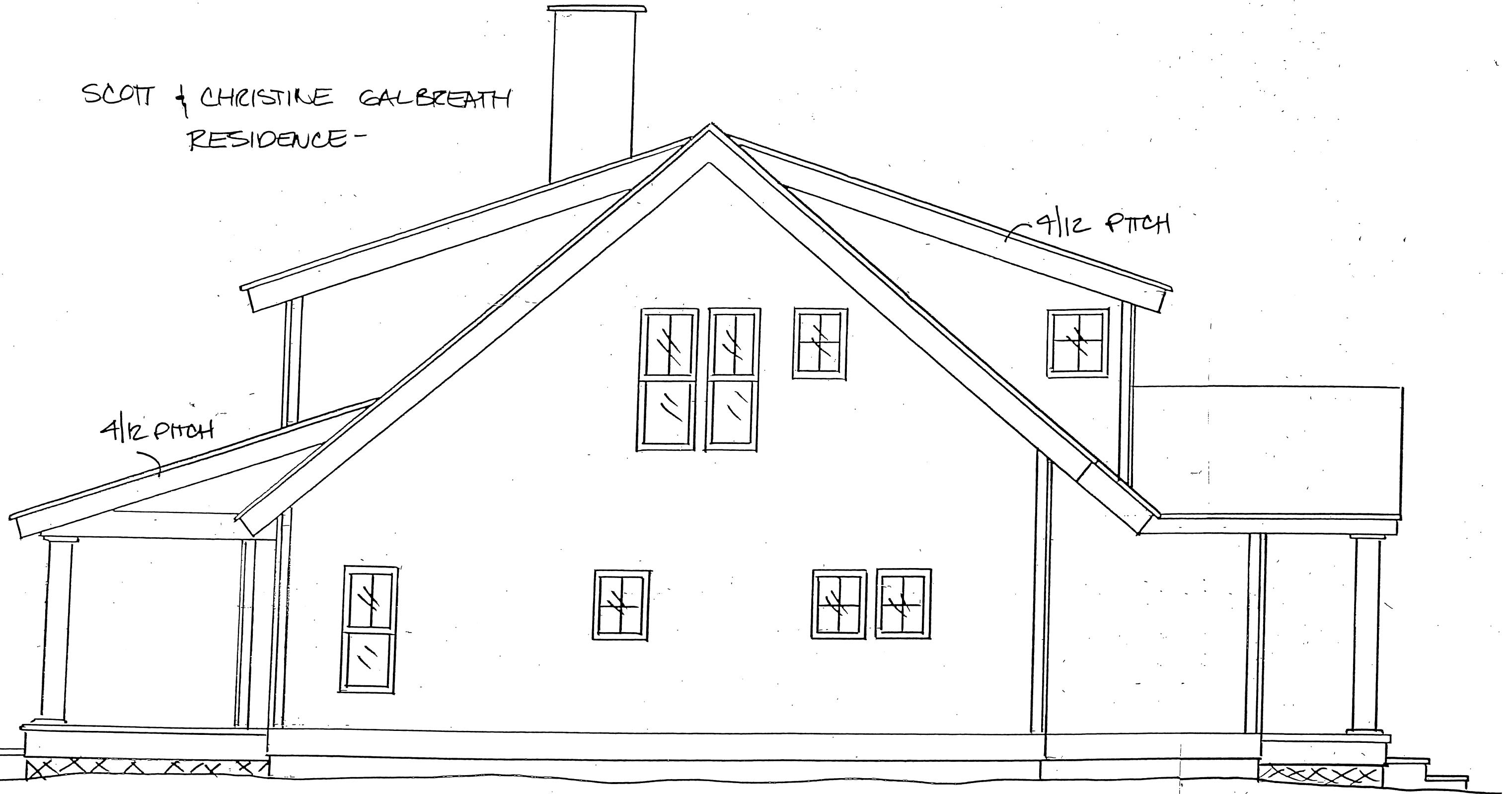
SCOTT + CHRISTINE GAL BREATH RESIDENCE -



HOME PLANNING & DESIGN, LTD.
JODI ALGER-BERGMANN

1/4" NORTH ELEVATION

SCOTT & CHRISTINE GALBREATH
RESIDENCE -



HOME PLANNING & DESIGN, LTD
JODI ALGER - BERGMANN

1/4" WEST ELEVATION
REVISED 6/3/22

RECEIVED
AUG 02 2022
BY: ZONING

Haggard's
PLUMBING
& HEATING

August 1, 2022

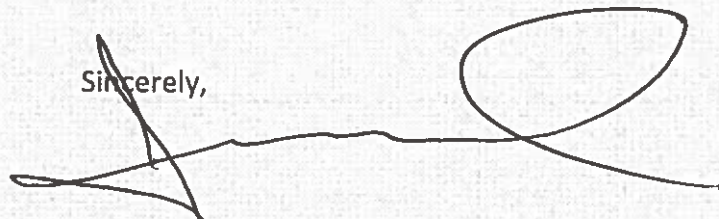
Office of Planning and Zoning
210 State St.
Charlevoix, MI 49720

Ref: Case#22-08 ZBA Parcel#052-381-001-00 Applicant: Home Planning & Design LTD Jodi Alger-Bergmann to evaluate a variance application for an addition to a single family residence.

To whom it May Concerns,

Upon reviewing the above notice, I would like to express my view on the above plan request. Haggard's Plumbing & Heating is not opposed to the changes of the property and/or the request. If a property owner is fortunate enough to have the ability and the recourses in this time to either build and/or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county, and state to do all we can to improve and promote in anyways possible.

Sincerely,



John Haggard

Haggard's Plumbing & Heating

From: [Julee Roth](#)
To: [Planner](#)
Subject: Please include for ZBA/P&Z meeting for the Galbreath's
Date: Tuesday, August 2, 2022 5:09:07 PM

Julee Roth
102 Alice
Charlevoix MI 49720

Yes! I kindly ask you to approve the variance request by Christine and Ronald Galbreath. What they are asking for in their variance request is in direct alignment with our neighborhood and community.

It is so refreshing to FINALLY have another full-time family move onto our street that lives, works and plays in Charlevoix. The Galbreath's have already made a difference turning from the previous owner's short-term rental to the Galbreath's being a committed neighbor - I for one am so relieved they are here! Let's help them stay!! Allowing this small variance request is a win-win for all and does not impact our city in any negative way. I am further relieved they are keeping the character, size, scale and scope of their home and making minor adjustments that will have a major impact for them.

Thank you for your time and thoughtful consideration to vote "YES" on the Galbreath's variance request. Respectfully,

Julee Roth
Direct Neighbor