



Agenda
City of Charlevoix Planning Commission Regular Meeting
Monday, August 14, 2023 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- A. Call to Order/Pledge of Allegiance**
- B. Roll Call**
- C. Inquiry into Potential Conflicts of Interest**
- D. Approval of Agenda**
- E. Approval of the Minutes**
 - 1. Approval of Minutes from July 10, 2023
- F. Call for Public Comment Not Related to Agenda Items**
- G. Old Business**
 - 1. Proposed Zoning Ordinance Amendments - Expanded Housing Types
 - 2. Rezoning of multiple parcels in the city
- H. New Business**
- I. Staff Updates**
 - 1. Zoning Administrator Report
- J. Requests For Next Months Agenda or Research Items**
- K. Adjournment by 8:00 p.m. unless extended by a motion**

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Charlevoix Planning Commission

Approval of the Minutes

Title: Approval of Minutes from July 10, 2023

Date: August 14, 2023

Presented By:

Background:

Recommendation:

Motion to approve the minutes as presented.

Attachments:

1. Planning Commission Draft Regular Meeting Minutes 07/10/2023

City of Charlevoix
Planning Commission Regular Meeting Minutes
Monday, July 10, 2023 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

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

B. Roll Call

Vice Chair: Sherm Chamberlain

Members Present: Scott Beatty, Shelley Boehmer, Toni Felter, John Kurtz, Mary Millington, Maureen Radke

Members Absent: Jennifer Muladore

Staff Present: Jennifer Neal, Community Planner; Jonathan Scheel, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Member Boehmer, seconded by Member Felter to approve the agenda as presented.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. Draft Minutes of June 12, 2023

Motion by Member Millington, seconded by Member Radke to approve the minutes of June 12, 2023 as presented.

Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

Zach Sompels stated the Housing North's website now includes the Housing Needs Assessment Report that he referred to last month and is ready for Members to review.

G. New Business

1. Existing Multiple-family Uses

Zoning Administrator Scheel stated he researched multi-family and single building accessible dwelling units (ADUs) existing in the City which were highlighted on the City map that was included in the packet. Mr. Scheel stated there were about 200 units based on electrical usage, and there were quite a few more that were shared units where the homeowner is possibly sharing the meter with a tenant, which were harder to identify. From the research he conducted, it showed there are approximately 300 multi-family units in the R-1 and R-2 zones in the City.

2. Existing Vacant Parcels and Form Based Code

Zoning Administrator Scheel explained the vacant parcel map which depicted approximately 120 parcels marked in red. Mr. Scheel stated the map showed possible locations for in fill

development as well as underutilized properties. Mr. Scheel stated staff also provided information about Form Based Code (FBC) and that the City may incorporate elements of FBC to maximize development of vacant and underutilized lots while maintaining the desired architectural character. FBC was recently incorporated into the Zoning Ordinance as design standards for Accessory Dwelling Units. Mr. Scheel stated the educational materials provided in the packet were to help the Members understand why Form Based Code could help to promote and ensure housing that would fit into the character of the City's neighborhoods.

3. Proposed Zoning Ordinance Amendments - Expanded Housing Types

Planner Neal explained that as the Commission continues to discuss missing middle housing opportunities, staff summarized the results of the visual preferences exercise that took place at the last Commission meeting. Ms. Neal explained the details for each type of dwelling unit, sets of housing types/styles, and proposed changes to applicable residential ordinances. Ms. Neal answered questions from the Members throughout her presentation.

Discussion followed regarding underutilized properties, courtyard units, missing middle housing, changes to definitions of residential districts, form-based architectural standards, and the intent of each of the residential districts. Planner Neal reviewed in detail the allowed uses in residential zones.

H. Old Business

1. Expanding Housing Types - Residential Rezoning

Zoning Administrator Scheel stated the Commission has had many discussions regarding rezoning several properties. The sub-committee has been in contact with some of the property owners whose parcels would be good possibilities for rezoning for the purpose of housing. Mr. Scheel stated he had included in the packet more educational materials on rezoning and specifics on two of the properties that the Sub-committee proposed. Mr. Scheel stated the first document was labeled the Summary of Factors to Consider in Rezoning Determination and explained that this would be an administrative rezoning.

Zoning Administrator Scheel stated the Commission would be discussing rezoning parcels at or near the Community Reformed Church and Meech Street, and parcels located at or near Sheridan Street and Garfield Avenue. Mr. Scheel explained if the Commission decided to move forward on any potential rezoning, staff would write the ordinance including a legal description of each lot to be rezoned, the Commission and Council would conduct public hearings and all of the property owners within 300' of the subject property would be notified by mail of the public hearings.

Zoning Administrator Scheel discussed each of the parcels recommended for rezoning:

- Sheridan Street and Garfield Avenue (7.36 acres): Mr. Scheel stated they were considering zoning this property an R-2 or R-4. The area is currently zoned R-1 which included 9,000 sq. ft. with 70' wide lots. An area zoned R-2 is 33% with 6,000 sq. ft. and 50' frontage. Mr. Scheel explained his reasoning for recommending R-2 zoning for this area because you could actually get more density in R-2 multi-family buildings than in an R-4 district. A developer could get 24 units per acre with single multi-family buildings. An R-4 zoned parcel requires larger setbacks, greater need for parking, greater height at

30', and the calculations were for 3-story buildings at 18-20 per acre.

- Community Reformed Church and Meech Street: The Sub-Committee spoke to the elders at the Church and they were interested and they were not against rezoning the parcel, but wanted to be assured they could still use part of the property for recreational use and that the rezoning would not impact that plan. The underlying plat is still there, which is a small lot plat which would allow for development of single-family homes; but this parcel could easily be an R-4 parcel. There is one owner for this parcel.

Motion by Member Radke, seconded by Member Millington to begin the rezoning process to rezone the property described in handout A (Sheridan & Garfield) from R-1 to R-2. Residential district zoning.

Motion carried by unanimous roll call vote.

Zoning Administrator Scheel questioned if the Commission wanted staff to bring forward similar information regarding the General Commercial zoning at the far north end of the City to the next meeting and the Commission concurred.

I. Staff Updates

1. Zoning Administrator's Report

Zoning Administrator Scheel stated there were more permits this month, including more fence permits than he had ever given out in one month. The developer of the Hurlbut property was conducting parking studies; the Ordinance required 1.5 parking spaces per condo and the developer is hoping to get that down to one parking space per condo. Mr. Scheel stated there would be one setback variance going to the Zoning Board of Appeals next month. Mr. Scheel stated the status of the blight issues; there were 5-6 notices going out every day and he was issuing seven (7) infraction tickets.

Zoning Administrator Scheel stated that the City and the Chamber are promoting a 3-story building with the Chamber on the first floor with another commercial unit on the first floor, the second floor with 21 efficiency apartments and 14 one-bedroom apartments on the third floor for true workforce housing for service workers. Mr. Scheel stated he did a preliminary performa with \$800 per month for the efficiencies and \$1,200 for the one-bedroom units which met the 30% income guidelines.

J. Requests For Next Months Agenda or Research Items

K. Adjournment by 8:00 p.m. unless extended by a motion

Vice Chair Chamberlain adjourned at 7:56 p.m.

Charlevoix Planning Commission

Old Business

Title: Proposed Zoning Ordinance Amendments - Expanded Housing Types

Date: August 14, 2023

Presented By: Jonathan Scheel, Zoning Administrator

Background:

This item is a continuation of proposed ordinance changes to allow more housing types and incentivize more housing in general for the city. Staff have prepared a summary of the results from the visual preferences exercise completed at the June 12, 2023 Planning Commission meeting and prepared a set of proposed Zoning Ordinance. The amendments included are part one.

Recommendation:

Approve or reject recommended changes to the zoning ordinance.

Attachments:

1. Applicable Residential Ordinances Part II
2. 153.102 W Garfield Overlay District
3. 153.103 W Carpenter Overlay District

City of Charlevoix Planning Commission

Applicable Residential Ordinances, Part II

Proposed Changes in **Red** and **Blue**

August 14, 2023

Per the request of the Planning Commission, staff have prepared the following recommended changes to the Zoning Ordinance. The amendments here are continuation of the amendments presented at the July 10, 2023 regular meeting.

§ 153.072 AREA, HEIGHT AND PLACEMENT REQUIREMENTS.

- (A) *Lot and width requirements.* All lots in the residential districts shall conform to the requirements of Table 153.072(a) of this chapter:

Table 153.072(a): Lot and Width Requirements in Residential Districts		
Zoning District	Minimum Lot Area (sq. ft.)	Minimum Lot Width (ft.)
R1	9,000⁵	70
R2	6,000⁶	50
R2A	9,000	80 (New construction)
		70 (conversion of existing home)
R4	15,000²	80
PC	NA	NA

- (B) *Dimensional requirements, ~~single-family and two-family districts~~.* Building height, setbacks, lot coverage and minimum floor area for development of a principal structure in the R1, R2, **R2A**, R4, and PC Districts shall conform to the requirements of Table 153.072(b) of this chapter.

Table 153.072(b): Dimensional Requirements in Single-Family, Two-Family, Private Club Residential <u>Districts</u>									
Zoning District	Max. Building Height (ft.) ⁷	Minimum Yard Setbacks (ft.)				Maximum Lot Coverage (%)	Min. Gross Floor Area (sq. ft.)		Principal Structure <u>Building</u> Minimum Width (ft.)
		Front ⁸	Side		Rear		1 Story	2 Stories	
			Interior	Street Side					
R1	26 ¹⁰	15	10	15	25	40 ⁹	800	1,200	20 ⁸
R2	26 ¹⁰	15	8	15	25	40 ⁹	800	1,200	20 ⁸
R2A	26	15	10	20	30	40	400	800	20
PC	26	0	0	0	0	NA	0	0	20
R4	35	15	15	15	15	50	800	1200	20

NOTES TO TABLES 153.072(a) and 153.072(b)

¹ ~~This minimum square footage applies to 2-family dwellings; for a single-family dwelling, the minimum allowable area of the R2 Zone, 7,000 square feet, shall apply.~~

² No minimum lot size or width is required; provided, the land is in common ownership. If the land is subdivided, the requirements of the R1 District shall apply.

³ ~~The Zoning Administrator may determine that front yards may be the opposite of the yard fronting a public street or right-of-way on lots with sloping topography or facing water bodies.~~

⁴ Setbacks within the C&O Club Development shall be 35 feet for front yard, 15 for side yard and 25 for rear yard.

⁵ Maximum lot coverage shall be 50% for lots less than 7,000 square feet.

⁶ Maximum lot coverage shall be 50% for lots less than 6,000 square feet.

⁷ ~~See § 153.005 Definitions for the definition of building height.~~

⁸ ~~May be a combined width of residential buildings on a single parcel.~~

⁹ ~~Lot coverage may be increased if additional landscaping requirements are met. See § 153.171.~~

¹⁰ Single family homes 26-foot maximum height, Single Multifamily buildings 30 foot maximum height.

- (C) Dimensional requirements: square footage for accessory dwelling units, single multifamily buildings and home conversion units. Square footage for accessory dwelling units and home conversion units shall conform to the requirements of Table 153.072(c).

Table 153.072(c): Dimensional Requirement: Square footage for Accessory Dwelling Units and Home Conversion Units		
Zoning District	Minimum	Maximum
R1, R2 , and R2A	300	900

Dimensional requirements, R4 District. Building height, setbacks, lot coverage and minimum floor area for multiple-family development in the R4 District shall conform to the requirements of Table 153.072(d)

Table 153.072(d): Dimensional Requirement in Multiple-family Dwellings in the R4 Zone									
Max. Building Height (ft.) ²	Minimum Yard Setbacks (ft.)				Lot Coverage (%)	Min. Floor Area (sq. ft.), based on number of bedrooms ¹			Distance Between Buildings
	Yard Adjacent to:	Front	Side	Rear		1 bedroom / efficiency	2 bedrooms	3 bedrooms	
35	All districts	15	20	35	50	660	780	900	30

NOTES TO TABLE

¹ For 1- and 2- family units, the floor area requirements of the R2A District shall apply

² See Section 153.005 Definitions for the definitions of building height

(D) R4 District; additional requirements for multiple-family dwellings and Clustered Housing Development Zone.

(1) *Development standards.* The general plan for multiple-family dwellings shall include evidence and facts showing that it has considered and made provisions for, and the development shall be executed in accordance with, the following essential conditions.

- (a) The proposed development shall be constructed in accordance with an overall plan and shall be designed as the unified architectural unit (each building, excluding accessory structures, shall have consistent roof lines, roof pitch, architectural features and building materials) with appropriate landscaping meeting the requirements of § 153.171 of this chapter.

If the development of the R4 Zone is to be carried out in stages, each stage shall be so planned that the foregoing requirements and the intent of this subchapter shall be fully complied with at the completion of any stage and the development of each stage shall take place in sequential order as designated by the plan.

- (b) The proposed units, circulation, layout, parking facilities, and any open space or recreation activity areas are designed and located in a manner that ensures the stability of the existing or future properties in the area, in addition to the proposed development.

(2) *Development requirements.*

~~—(a) *Distance between buildings.* The horizontal distance measured between buildings, forming courts and courtyards, shall not be less than 40 feet.~~

(b) *Parking.* A parking area shall be placed so that it does not interfere with any recreation or service area and shall be set back at least 20 15 feet from property lines.

(c) *Paving.* All areas provided for use by vehicles and all pedestrian walks shall be surfaced with bituminous asphalt, concrete, pervious concrete or similar materials and be properly drained.

(d) *Service.* Areas for loading and unloading delivery trucks and other vehicles and for the servicing of refuse collection, fuel and other services shall be provided, shall be adequate in size and shall be so arranged that they may be used without interference with the use of access ways or parking facilities.

(e) ~~Access~~Vehicular circulation system. The proposed development will have a planned circulation system that is designed in the best interest of the public health, safety, and welfare in regards to the overall circulation of the community. Provision shall be made for safe and efficient ingress and egress to the public streets and highways ~~servicing the R4 Zone~~ without undue congestion to, or interference with, normal traffic flow.

(f) *Utilities.* All buildings ~~within the R4~~ Zone shall be serviced by a public sanitary sewer disposal system and public water supply system. All utility lines within the subject property including, but not limited to, power, water, sewer and telephone shall be placed underground by the developer for new developments. Each unit will be considered as a separate dwelling for the purpose of utility connections.

(g) *Open space.* The developer shall be required where possible to preserve or incorporate natural features such as wooded areas, streams and open space areas, which add to the overall cohesive

development of the R4 Zone and overall community development. A minimum of 50% open space, including water features, shall be provided and represented in the general plan for the site.

- (D) *Dimensional requirements, clustered housing.* Building height, setbacks, lot coverage and minimum floor area for single-family attached, single-family detached, [courtyard](#), two-family dwellings or any combination in an R4 District clustered housing development shall conform to the requirements of Table 153.072(f).

Table 153.072(d): Dimensional Requirement in Multiple-family Dwellings in the R4 Zone									
Max. Building Height (ft.) ²	Minimum Yard Setbacks (ft.)				Lot Coverage (%)	Min. Floor Area (sq. ft.), based on number of bedrooms ⁴			Distance Between Buildings ²
	Yard Adjacent to:	Front	Side	Rear		1 bedroom / efficiency	2 bedrooms	3 bedrooms	
35	All districts	15	20 ² 15	35 ¹ 15	50	400 ⁶ 60	600 ⁷ 80	900	30 ¹ 10

- ~~(E) Additional requirements for single-family attached, single-family detached and two-family dwellings in the R4 District.~~

~~—(1) Development standards.~~ The general plan for the development shall include evidence and facts showing that it has considered and made provisions for, and the development shall be executed in accordance with, the following essential conditions: if the development is to be carried out in stages, each stage shall be so planned that the foregoing requirements and the intent of this subchapter shall be fully complied with at the completion of any stage and the development of each stage shall take place in sequential order as designated by the plan.

~~—(2) Development requirements.~~

~~—(a) Parking.~~ Parking areas shall be placed so that they do not interfere with any recreation or service areas.

~~—(b) Paving.~~ All areas provided for use by vehicles and all pedestrian walks shall be surfaced with bituminous asphalt, concrete or similar materials and be properly drained.

~~—(c) Service.~~ Areas for loading and unloading delivery trucks and other vehicles and for the servicing of refuse collection, fuel and other services shall be provided, shall be adequate in size and shall be so arranged that they may be used without interference with the use of access ways or parking facilities.

~~—(d) Access.~~ Provision shall be made for safe and efficient ingress and egress to the public streets and highways servicing the R4 zone without undue congestion to, or interference with, normal traffic flow.

~~—(e) Utilities.~~ All buildings within the development shall be serviced by a public sanitary sewer disposal system and public water supply system. All utility lines for new developments within the subject property including, but not limited to, power, water, sewer and telephone shall be placed underground by the developer. Each unit will be considered as a separate dwelling for the purpose of utility connections.

§ 153.116 ACCESSORY BUILDINGS AND USES

(3) In the R1, ~~R2~~, and R2A Residential Districts, if the principal building has an attached accessory building, only one detached accessory building shall be permitted.

(4) Lots in the R1, ~~R2~~, and R2A Zones shall be permitted to have a secondary detached accessory building, such as a storage shed. Secondary accessory buildings shall meet all the requirements of this section and not exceed 200 square feet in area.

(9) Prohibited uses within detached accessory structures or accessory structures connected by a breezeway or similar structure in all districts except the R1, ~~R2~~, and R2A Zones:

§ 153.117 RESIDENTIAL USES.

(A) *Dwellings, single-family attached or detached* (all residential units outside of manufactured home communities). All dwelling units located outside a licensed manufactured home community shall comply with the following.

(1) A dwelling unit shall conform to the minimum floor area requirements of the district in which it is located.

(2) The minimum width of a single-family dwelling unit shall be 20 feet.

(3) All dwelling units shall comply with the state's Construction Code as promulgated by the state's Construction Code Commission under provisions of Public Act 30 of 1972, as amended, being M.C.L.A. §§ 125.1501 et seq., or the *Mobile Home Construction and Safety Standards*, as promulgated by the United States Department of Housing and Urban Development, being 24 C.F.R. part 3280, and as from time to time such standards may be amended.

(4) A dwelling unit shall be attached to a permanent foundation constructed in accordance with the state's Construction Code and shall have the same perimeter dimensions as the dwelling. In the case of a manufactured home, it shall be installed per the manufacturer's set-up instructions and shall be secured to a foundation by an anchoring system or device complying with the rules and regulations of the state's Manufactured Housing Commission or the state's Construction Code, whichever is stricter.

(5) If provided, the wheels of a manufactured home shall be removed and the towing mechanism, undercarriage and chassis shall not be exposed.

(6) All dwellings shall be connected to city sanitary sewer and water utilities.

~~—(7) Any addition to a dwelling shall meet all the requirements of this chapter.~~

(8) A dwelling may have either a roof overhang of not less than six inches on all sides or, alternatively, a roof drainage system that concentrates water at collection points and discharges it away from the dwelling.

Single Multiple Family building. Sec. 153.117(G)

(G) *Single-family attached and single multiple-family buildings.*

(1) Single-family attached buildings and single multiple-family buildings are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this section.

(2) The main entrance is located in the building façade of the principal frontage.

(3) A maximum of two entrances per building façade.

(4) Parking is located in the rear or on the side of the building.

(5) Parking access is from the alley where available, otherwise access may be from the side or front lot line.

(6) The principal building façade shall have a minimum of 20% glazing (windows).

(7) There shall be a minimum of two [6 sq ft](#) windows per non-street facing building façade.

(8) Porches and stoops may project into the yards [as per Sec. 153.149](#).

(9) Façade elements above the ground floor may project into the yards [as per Sec. 153.149](#).

(10) Roofline/pitch, siding, other architectural elements maintain single family character.

Home Conversion. Sec. 153.117(F)

(F) *Home conversions.* An existing detached single-family dwelling built prior to 2019 that is located within the required setbacks of the district may be converted to multiple permanent dwelling units subject to the following:

(1) Lot area meets the minimum requirements for the district.

(2) The exterior appearance of the structure is not altered from its single-family character.

(3) Parking meets the requirements of § [153.187](#).

(4) Access to any second floor dwelling unit is provided from the interior of the structure.

(5) The minimum square footage required for a studio or one bedroom unit shall be 300 square feet.

(6) The minimum square footage required for a two bedroom unit shall be 450 square feet.

(7) All units have construction code-approved egress [and meet all other building codes](#).

§ 153.102 WEST GARFIELD AVENUE GENERAL COMMERCIAL OVERLAY DISTRICT.

(A) *Purpose.* The purpose of this district is to support the future development of the 200 block of W. Garfield (north side) and the 200 block of W. Lincoln (south side) where industrial uses have been present in the past and commercial development currently exists, surrounded by residential uses.

(B) *Applicability.* This overlay district shall include the following addresses (see Zoning Map):

- (1) 204 and 208 W. Lincoln; and
- (2) 205 and 207 W. Garfield.

(C) *Permitted uses.* The following uses shall be permitted as special land uses, in accordance with the procedures of §§ [153.250](#) through [153.257](#) of this chapter:

- (1) Restaurants, not including drive-through establishments;
- (2) Convenience stores;
- (3) Grocery stores;
- (4) Storage buildings not to exceed 3,000 square feet;
- (5) ~~Single-multi~~-family residential;
- (6) Furniture, carpet, appliance or similar use stores; and
- (7) Retail stores.

(D) *Other regulations.* The Planning Commission, upon request, may determine if a proposed use not listed above is similar to, or comparable to, the permitted uses in Table 153.086. If the Planning Commission determines a proposed use is not similar or comparable to the permitted uses, the applicant may apply for a special use permit. The Planning Commission may issue a special use permit provided that the proposed use is found to generate commercial activity in accordance with the purpose of this section and it meets the requirements for special land use permits in §§ [153.250](#) through [153.257](#) of this chapter.

(E) *Dimensional requirements.*

(1) *Setbacks.* The minimum setback requirements are as follows:

- (a) Front: 15 feet;
- (b) Sides: ten feet; and
- (c) Rear: 20 feet.

(2) *Height.* The maximum permitted building height shall be ~~26~~ 35 feet.

(3) *Lot coverage.* The maximum lot coverage shall not exceed ~~50~~ NA% of the total lot.

(Prior Code, § 5.42)

§ 153.103 WEST CARPENTER/STATE STREET INDUSTRIAL OVERLAY DISTRICT.

(A) *Purpose.* The purpose of this district is to support the continued use of, and future development of, larger lots adjacent to the Municipal Airport without negative impacts to the adjacent residential areas.

(B) *Applicability.* This overlay district shall include the following addresses (see zoning map):

- (1) 210A W. Carpenter Avenue;
- (2) 1209 State Street;
- (3) 1213 State Street; and
- (4) 1217 State Street.

(C) *Permitted uses.* The following uses shall be permitted as special land uses, in accordance with the procedures of §§ [153.250](#) through [153.257](#) of this chapter. Uses normally applied to the I District are prohibited.

- (1) Light manufacturing operations with ten or fewer employees;
- (2) Attached or detached single-family dwellings;
- (3) ~~R2A Mm~~ multiple-family dwellings;
- (4) Landscaping/nursery related; and
- (5) Storage buildings.

(D) *Dimensional requirements.*

- (1) *Setbacks.* The minimum setback requirements of the underlying zoning district shall apply.
- (2) *Height.* The maximum permitted building height shall be 26 feet.
- (3) *Lot coverage.* The maximum lot coverage shall not exceed ~~40~~50% of the total lot.

(Prior Code, § 5.43)

Charlevoix Planning Commission

Old Business

Title: Rezoning of multiple parcels in the city

Date: August 14, 2023

Presented By: Jonathan Scheel, Zoning Administrator

Background:

The Planning Commission has directed staff to bring all information needed for the potential rezoning of multiple properties in the city to further the housing goals of the City Council.

Recommendation:

Proceed to a Public Hearing during the September Planning Commission meeting

Attachments:

1. Rezone Sheridan agenda
2. Rezone Petoskey Ave agenda
3. Dixon rezone agenda
4. Crain rezone agenda
5. Stover R-2A

**CITY OF CHARLEVOIX
ORDINANCE NO of 2023**

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.055, OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.055 (A) (1) (g) of the City of Charlevoix Code is hereby amended to include a R-2 District in the Zoning Use District Map as follows:

SECTION 2. Description of the amended R-2 Zone District

The Zoning Use District Map is hereby amended to conditionally rezone the following parcels, full described from R-1 Single Family District to R-2 Single Family District: In the City of Charlevoix, Charlevoix County, Michigan,

1. 52-227-001-25: COM AT S1/4 COR SEC 27 T34N R8W TH AL N & S1/4 LI SD SEC N00DEG56'18"E 1155.34 FT TO NWLY COR ROBERT & BARBARA TIMMS PROP DESC L242 P475 CX CO R/D FOR POB TH CONTAL SD 1/4 LI N00DEG56'18"E 147.12FT TO SLI GARFIELD AVE TH A S LI GARFIELD AVE S89DEG41'39"E 148FT TH S00DEG56'18"W 147.16FT TO NLY LI SD TIMMS PROP TH AL SD LI N89DEG40'45"W 148FT TO POB BEING PT SW1/4 OF SE1/4 SEC 27 T34N R8W 95SP1094 FROM 227-001-100. Commonly known as 510 W. Garfield Ave.
2. 052-227-001-20: COM AT S1/4 COR SEC 27 T34N R8W TH AL N&S1/4 LI SD SEC N00DEG56'18"E 1155.34FT TO NWLY COR ROBERT & BARBARA TIMMS PROP DESC L242 P475 CX CO R/D TH CONT AL SD 1/4 LI N00DEG56'18"E 147.12FT TO S LI GARFIELD AVE SD PT BEING S00DEG56'18"W 16.5FT OF INTER S1/8 LI WI N&S1/4 LI SD SEC TH AL S LI SD AVE S89DEG41'39"E 148 FT FOR POB TH CONT S89DEG41'39"E 74FT THS00DEG04'11"E 138.69FT TO NLY LI SD TIMMS PROP TH AL SD PROP LI N85DEG11'48"W 47.16FT TH CONTAL SD LI S00DEG41'09"W 12.17FT(RECD AS 11.80FT) TH CONT AL SD LI N89DEG40'45"W 29.43FT TH N00DEG56'18" E 147.16FT TO POB BEING PT OF SW1/4 OF SE1/4 SEC 27 T34N R8W 95SP1094 FROM 227-001-10. Commonly known as 508 W. Garfield Ave.
3. 052-227-001-15: COM AT S 1/4 COR SEC 27 T34N R8W TH AL N&S 1/4 LI SD SEC N00DEG56'18"E 1302.46 FT TO S LI GARFIELD AVE SD PT BEING S00 DEG56'18"W 16.5FT OF INTER OF S 1/8 LI WI N&S 1/4 LI SD SEC TH AL S LI SD AVE S88DEG41'39"E 222FT BEING POB TH CONT AL SD LI S89DEG41'39"E 161.16FT TO NWLY LI NORWOOD RD TH AL SD RD LI S20DEG14'23"W 156.47FT TO NELY COR OF ROBERT & BARBARATIMMS PROP DESC IN L242 P475 CHX CO REC TH AL NLY LI OF SD TIMMS PROP N85DEG11' 48"W 107.23FT TH N00DEG04'11"W 138.69FT TO POB BEING PART OF SW 1/4 OF SE 1/4 SEC 27 T34N R8W PARCEL A 90SP 1189 FROM 227-001-00. Commonly known as 601 Sheridan St.
4. 052-227-009-00: BEG AT PT ON ELY LI OF STATE RD 2 RDS S OF INTERSECTION OF E&W1/8 LI OF SEC 27 T34N R8W WI ELY LI OF STATE RD TH E 84.5FT TH S 120 FT TH W TO ELY LI OF STATE RD TH NELY AL ELY LI OF STATE RD TO POB. Commonly known as 602 Sheridan St.
5. 052-227-002-00: BEG ON THE N&S 1/4 LI SEC 27 T34N R8W 163.5 FT S OF THE S 1/8 LI SD SEC TH E PARA WITH SD S 1/8 LI 177.13 FT TH N PARA WITH SD N&S 1/4 LI 11.8 FT TH SE'LY 154.1 FT TO NW'LY LI OF NORWOOD RD TO A PTE WHICH IS PARA WITH SD S 1/8 LI AND PASSES THRU THE POB TH SW'LY AL SD NW'LY LI OF SD RD 90.28 FT TH NW'LY AT AN ANG OF 81DEG10'53" TO THE RIGHT FROM LAST DESC CRSE 85.40 FT TH SW'LY AT AN ANG OF 13DEG08'06" TO THE LEFT FROM LAST DESC CRSE 217.05 FT TO SD N&S 1/4 LI TH N AL SD 1/4 LI 75FT TO POB BEING PT OF SW 1/4 OF SE 1/4 SEC 27 T34N R8W PREVIOUSLY DESCRIBED AS: BEG ON N&S1/4 LI SEC 27 T34N R8W 163.5FTS OF S1/8 LI SD SEC TH E PARA WI S1/8 LI 177.13 FT TH N PARA WI SD N&S1/4 LI 11.8FT TH SELY 154.1 FT TO NWLY LI NORWOOD RD SD ST BEING ON LI WHICH IS PARA WI SDS1/8 LI & WHICH PASSES THRU POB TH SWLY AL NWLY LI SD RD TO INTER WI S LI OF N 492 FT OF SW1/4 OF SE1/4 SD SEC BEING ONN LI OF FORMER EARL MILLER PROP TH WLY AL NLY LI SD MILLER PROP TO SD N&S1/4 LI TH NLY AL SD 1/4 LI TO POB BEING PT OF SW1/4 OF SE1/4 SEC 27-34-8. Commonly known as 603 Sheridan St.
6. 052-227-011-00: N 60 FT OF FOLLOWING:COM 5 RDS & 2 FT E & 153 FT S OF INTER OF E&W1/8 LI SEC 27 T34N R8W WI E LI OF EMMET & GRAND TRAV STATE RD TH S 120 FT TO N LI OF ROBINSONAVE CLARKS ADD IF EXTEND TH DUE W TO E LI OF E> STATE RD TH NELY AL E LI SD STATE RD TO PT DUE W OF POB TH E TO POB BEING PT OF SW1/4 OF SE1/4 SEC 27-34-8. Commonly known as 604 Sheridan St.
7. 052-227-003-00: BEG ON THE N&S 1/4 LI SEC 27 T34N R8W 163.5 FT S OF THE S 1/8 LI SD SEC TH E PARA WITH SD S 1/8 LI 177.13 FT TH N PARA WITH SD N&S 1/4 LI 11.8 FT TH SE'LY 154.1 FT TO NW'LY LI OF NORWOOD RD TO A PTE WHICH IS PARA WITH SD S 1/8 LI AND PASSES THRU THE POB TH SW'LY AL THE NW'LY OF SD RD TO ITS INTER W/ THE S LI OF THE N 492 FT TO THE SW 1/4 OF SE 1/4 SD SEC BEING THE N LI OF THE FORMER EARL W MILLER PROP TH W'LY AL THE N'LY LI OF SD MILLER PROP TO SD N & S 1/4 LI TH N'LY AL SD 1/4 LI TO POB BEING PT OF THE SW 1/4 OF SE 1/4 SEC 27 T34N R8W EXC BEG ON THE N&S 1/4 LI SEC 27 T34N R8W 163.5 FT S OF THE S 1/8 LI SD SEC TH E PARA WITH SD S 1/8 LI 177.13 FT TH N PARA WITH SD N&S 1/4 LI 11.8 FT TH SE'LY 154.1 FT TO NW'LY LI OF NORWOOD RD TO A PTE WHICH IS PARA

WITH SD S 1/8 LI AND PASSES THRU THE POB TH SW'LY AL SD NW'LY LI OF SD RD 90.28 FT TH NW'LY AT AN ANG OF 81DEG10'53" TO THE RIGHT FROM LAST DESC CRSE 85.40 FT TH SW'LY AT AN ANG OF 13DEG08'06" TO THE LEFT FROM LAST DESC CRSE 217.05 FT TO SD N&S 1/4 LI TH N AL SD 1/4 LI 75FT TO POB BEING PT OF SW 1/4 OF SE 1/4 SEC 27 T34N R8W PREVIOUSLY DESCRIBED AS: BEG 235.5 FT S OF NW COR OF S1/2 SE1/4 SEC 27 T34N R8W TH S 256.5 FT TH E TO WLY LI OF STATE RD TH NELY AL STATE RD TO PT E OF PT OF POB TH W TO POB PT SEC 27-34-8. Commonly known as 605 Sheridan St.

8. 052-227-010-00: BEG 84.5 FT E & 153 FT S INTERSECTION E&W1/8 LI SEC 27 T34N R8W WI ELY LI STATE RD S 120 FT W TO ELY LI RD NELY ALG RD TO PT W OF POB E TO POB EX:N 60FT. Commonly known as 608 Sheridan St.
9. 052-227-012-00: BEG 84.5 FT E & 273 FT S INTERSECTION E &W1/8 LI SEC 27 T34N R8W WI ELY LI STATE RD TH S 233.5 FT TH W TO ELY LI SD RD THNELY AL SD RD TO PT W OF POB TH E TO POB. Commonly known as 610 Sheridan St.
10. 052-227-005-00: COM AT A PT 40 RDS N OF SW COR OF S1/2 OF SE1/4 SEC 27 T34N R8W TH E 16 RDS TH N 10 RDS TH W 16 RDS TH S AL 1/4 LI TO POB EX:THAT PT LYING ELY OF NORWOOD RD. Commonly known as 611 Sheridan St.
11. 052-227-012-15: COM ON E LI EMMET GRAND TRAV STATE RD 2 RDS S FRM PT WHERE E&W1/8 LI INTER SD STATE RD IN S1/2 OF SE1/4 SEC 27 T34N R8W TH E 5 RDS 2FT TH S 548.5FT TH W132.5FT FOR POB TH N9DEG16'30"E 75.99FT TH W 120.25FT M/L TO E LI SD RD TH SLY AL SD RD 79.14FT TO PT W OF POB TH E 132.5FT M/L TO POB BEING PT S1/2 OF SE1/4 SEC 27-34-8 ALSO BEG AT A PT 660FT N & 264FT E OF SW COR OF SE1/4 SEC 27 T34N R8W TH N TO E LI STATE RD TH SWLY AL E LI SD RD TO A PT W OF POB TH E TO POB ALSO BEG 672.5FT N & 264FT E OF SW COR OF SE1/4 SEC 27-34-8 TH E 99FT TH N 66FT TH W 99FT TH S 66FT TO POB PT OF SW1/4 OF SE1/4 SEC 27-34-8 COMBINATION on 03/22/2004 from 052-227-004-20, 052-227-012-10. Commonly known as 612 Sheridan St.
12. 052-227-012-20: COM ON E LI EMMET-GRAND TRAV STATE RD 2 RDS S FRM PT WHERE E&W 1/8 LI INTER SD RD IN S 1/2 OF SE 1/4 SEC 27 T34N R8W TH E 5 RDS 2 FT TH S 473.5 FT FOR POB TH CONT S 75 FT TH W 132.5 FT TH N9 DEG 16'30"E 75.99 FT TH E 120.25 FT M/L TO POB BEING PART OF S 1/2 OF SE 1/4 SEC 27-34-8. Commonly known as 000 Whitley St.
13. 052-227-013-00: BEG 536 FT E & 640.5 FT N SW COR SE1/4 SEC 27 T34N R8W N 98 FT W 173 FT S 66 FT W 99 FT S 12.5 FT W TO SE'LY LI STATE RD SWLY ALG RD TO PT W OF BEG E TO BEG PT SEC 27-34-8. Commonly known as 819 Whitley St.
14. 052-227-006-00: BEG 660 FT S OF NW COR S1/2 SE1/4 SEC 27T34N R8W TH S 198 FT TH E TO WLY LI STATE RD TH NELY AL STATE RD TO PT E OF POB TH W TO POB PT SEC 27-34-8. Commonly known as 000 Sheridan St.
15. 052-227-008-00: BEG AT A PT ON N & S 1/4 LI 28 RDS N OF SW COR OF S 1/2 OF SE 1/4 TH E TO W LI OF STATE RD TH SW'LY AL W LI OF SD RD 100 FT TH W TO N & S 1/4 LI TH N TO POB BEING PT OF S 1/2 OF SE 1/4 SEC 27-34-8. Commonly known as 621 Sheridan St.
16. 052-227-007-00: SEC 27 T34N R8W COM 28 RDS N OF SW COR OF S 1/2 OF SE 1/4 S ON 1/4 LI TO W LI O OF STATE RD NE AL W LI DUE E OF BEGW TO BEG EX: BEG AT PT ON N & S 1/4 LI 28 RD N OF SW COR S 1/2 OF SE 1/4 TH E TO W LI OF STATE RD TH SW'LY AL W LI OF SD RD 100 FT TH W TO N & S 1/4 LI TH N TO POB BEING PT OF S 1/2 OF SE 1/4 27-34-8. Commonly known as 000 Sheridan St

SECTION 3. Severability

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 4. Effective Date

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. _____ was adopted on the _____ 2023 A.D., by the Charlevoix City Council as follows:

Motion by: _____
 Seconded by: _____
 Yeas: _____
 Nays: _____ None

Absent: None

State of Michigan }
City of Charlevoix } §

Sarah Dvoracek Clerk

Lyle Gennett Mayor







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

Date:

Dear [Owners Name]:

Within the last couple of months, you should have received a letter from the City of Charlevoix Planning Commission Chairman speaking to the goal of improving housing availability in the city. She spoke of accomplishing this goal by looking at areas in the city where gentle increased density can be made possible. She also spoke of allowing additional dwellings that would be both fitting with the parcels' surroundings and beneficial to the property owner. With that in mind, and after having in person meetings with you and a Planning Commission member, The Planning Commission has directed city staff to move forward with a possible rezoning of your property and surrounding properties. A map is enclosed showing the parcels to be included.

Your parcel is currently zoned R-1 which is large lot (9,000 sq ft) residential. The proposed new zoning district would be R-2 which is smaller lot (6,000 sq ft) residential. Parcels North of Garfield and east of Whitley are currently zoned R-2 so the new zoning would match the surrounding neighborhood. I am including City of Charlevoix Zoning Ordinance language below so you can get a complete picture of the changes with a rezone to R-2.

153.070 Intent.

(A) *R1, Low Density Single-Family Residential District.* This district is intended to provide stable, low density neighborhoods of predominantly single-family dwellings. This district also permits non-residential uses that contribute to the culture and well-being of single-family neighborhoods, such as parks, schools and churches.

(B) *R2, Medium Density Family Residential District.* The R2 District is intended to provide for residential neighborhoods where a mix of single-family residential, accessory dwelling units, single multiple-family dwellings, and attached dwellings are located.

153.071 Schedule of Uses.

	R-1	R-2
Single-family, detached	x	x
Single-family, attached		x

Two-family	x
Single Multi-family building	x

The only other difference between districts is the interior side yard setback is 10 feet for R-1 and 8 foot for R-2.

We believe your property and surrounding parcels are ideal for new housing opportunities, which is why the Planning Commission is looking at rezoning your area. Allowing additional dwellings within a parcel can have a great impact on the housing demand in our community. As a property owner, you can benefit from rezoning through the increase in marketability of your property and the possible investment opportunities it would present. A zoning change does not increase your property tax. You as the property owner will maintain control over the use of your property. The rezone would simply allow you the opportunity to explore the possibilities for additional lots, dwellings such as ADUs and duplexes. This letter is to inform you the Planning Commission is moving forward with rezoning several areas of the city and want you to be aware early in the discussion so you can participate with your questions, concerns, and comments, being fully informed of the process. We appreciate your willingness to work together to build a stronger Charlevoix!

Sincerely,

Jonathan Scheel
Zoning Administrator
Cell: 231-550-2401

CITY OF CHARLEVOIX
ORDINANCE NO of 2023
AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.055, OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.055 (A) (1) (g) of the City of Charlevoix Code is hereby amended to include an R-4 Rezone in the Zoning Use District Map as follows:

SECTION 2. Description of the amended R-4 residential Zone District

The Zoning Use District Map is hereby amended to rezone the following parcels, full described from (GC) General Commercial District to R-4 Multi Family District: In the City of Charlevoix, Charlevoix County, Michigan,

052-123-075-00: BEG 840.4 FT W E1/4 COR SEC 23 T34N R8W W ON 1/4 LI 138 FT S TO N LI PETOSKEY AVE ELY ON SD AVE TO PT S OF POB N TO POB PT N1/2 SE1/4 SEC 23 T34N R8W; NOW MORE PARTICULARLY DESCRIBED AS: COM AT WELL BOX @ E.K. ROBINSON'S (COUNTY SURVEYOR) POSITION OF THE E1/4 COR SEC 23 T34N R8W TH AL E.K. ROBINSON'S E&W1/4 LI SD SEC N89DEG55'52"W 842.82FT (RECD AS 840.4FT & MEAS 840.60FT FROM DC NETTLETON'S DEPUTY COUNTY SURVEYOR, E1/4 COR) FOR POB TH S00DEG05'02"W (RECD AS S) 31.90FT TH CONT S00DEG05'02"W (RECD AS S) 1.10FT TO S LI DIVISION ST TH CONT S00DEG05'01"W (RECD AS S) 382.66FT TO N LI PETOSKEY AVE TH AL SD AVE LI S69DEG01'16"W 147.88FT TO E LI CITY OF CHARLEVOIX PROP TH AL E LI SD CITY'S PROP N00DEG05'01"E (RECD AS N) 435.77FT TO S RD LI TH CONT N00DEG05'01"E (RECD AS N) 33FT TO SD ROBINSON'S 1/4 LI TH AL E&W1/4 LI S89DEG55'52"E 138FT TO POB BEING PT NE1/4 OF SE1/4 SEC 23-34-8 Commonly known as 743 Petoskey Ave.

052-123-076-00: COM 737.9FT W E1/4 COR SEC 23 T34N R8W S0DEG09'E 406.8FT TO C/L PETOSKEY AVE S69DEG 06'W ON PETOSKEY AVE 108.55FT N0DEG17'W 445.5FT TO E&W 1/4 LI E ON 1/4LI 102.5FTTO POB PT NE1/4 OF SE1/4 Commonly known as 745 Petoskey Ave.

052-123-077-00: COM AT A PT 737.9 FT W OF E1/4 POST SEC 23 T34N R8W TH S0DEG09'E 406.8 FT TO C/L PETOSKEY AVE TH N69DEG06'E AL SD C/L 59.2 FT TH N 406 FT TH W AL 1/4 LI SEC 23 56 FT TO POB ALSO DESC AS: BEG AT A PT 684.09FT W OF 1/4 POST BETWEEN SEC 23&24 S 384.12FT TO C/L OF PETOSKEY AVE TH SW'LY AL C/L OF PETOSKEY AVE 59.20FT TH N TO 1/4 LI TH E 56.00FT TO POB BEING PT OF N 1/2 OF SE 1/4 OF SEC 23 T34N R8W Commonly known as 747 Petoskey Ave.

052-123-078-10: COM AT THE EAST 1/4 COR OF SEC 23 T34N R8W TH AL THE E-W 1/4 LI OF SD SEC N89°26'22"W 600.19 FT TO A PT IN THE C/L OF DIVISION ST TH S00°16'58" W 175.85 FT TO A 1/2" IR ROD BEING THE POB TH N89°24'59"W 15.68 FT TO A 1 INCH PIPE TH CONT N89°24'59"W 66.73 FT TO A 1 INCH PIPE TH S01°31'51"W 176.47 FT TO A 1/2" IR ROD ON THE N LI OF PETOSKEY AVE (US-31) TH CONT S01°31'51"W 32.93 FT TO THE C/L OF SD AVE TH AL THE C/L OF SD PETOSKEY AVE N69°55'01"E 92.76 FT TH N00°16'58"E 32.16 FT TO A PK NAIL ON THE SD N AVE LI TH CONT N00°16'58"E 144.48 FT TO THE POB BEING A PT OF THE NE 1/4 OF THE SE 1/4 OF SEC 23 T34N R8W AND CONT 0.374 A COMBINED ON 12/09/2022 FROM 052-123-078-00 AND PT 052-123-080-00 Commonly known as 749 Petoskey Ave.

052-123-079-10: COM AT THE E 1/4 COR OF SEC 23 T34N R8W TH AL THE E-W 1/4 LI OF SD SEC N89°26'22"W 600.19 FT TO A PT IN THE C/L OF DIVISION ST BEING THE POB TH CONT AL SD 1/4 LI N89°26'22"W 81.74 FT TH S00°29'50"W 32.93 FT TO A 1 INCH PIPE ON THE S LI OF SD ST TH CONT S00°29'50"W 142.88 FT TO A 1 INCH PIPE TH S89°24'59"E 66.73 FT TO A 1 INCH PIPE TH CONT S89°24'59"E 15.68 FT TO A 1/2" IR ROD TH N00°16'58"E 142.96 FT TO A 1/2" IR ROD ON THE S LI OF SD ST TH CONT N00°16'58"E 32.89 FT TO THE POB BEING A PT OF THE NE 1/4 OF THE SE 1/4 OF SEC 23 T34N R8W AND CONT 0.331 A COMBINED ON 12/09/2022 FROM 052-123-079-00 & PT OF 052-123-080-00 Commonly known as 680 Division Street

052-123-080-10: COM AT THE E 1/4 COR OF SEC 23 T34N R8W TH AL THE E-W 1/4 LI OF SD SEC N89°26'22"W 489.99 FT (REC AS 490.05 FT) TO A PT IN THE C/L OF DIVISION ST BEING THE POB TH CONT N89°26'22"W 110.20 FT TH S00°16'58"W 32.89 FT TO A 1/2" IR ROD ON THE S LI OF DIVISION ST TH CONT S00°16'58"W 287.44 FT TO A PK NAIL ON THE N LI OF PETOSKEY AVE (US-31) TH CONT S00°16'58"W 32.16 FT TO THE C/L OF SD AVE TH AL THE C/L OF SD AVE N69°55'01"E 116.29 FT TH N00°30'04"E 33.14 FT TO A 1/2" IR ROD ON THE N LI OF SD AVE TH CONT N00°30'04"E 245.42 FT TO A 1/2" SQUARE BAR ON THE S LI OF SD ST TH CONT N00°30'04"E 32.93 FT TO THE POB BEING A PT OF THE NE 1/4 OF THE SE 1/4 OF SEC 23 T34N R8W AND CONT 0.835 A SPLIT ON 12/09/2022 FROM 052-123-080-00 Commonly known as 755 Petoskey Ave.

SECTION 3. Severability

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 4. Effective Date

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. _____ was adopted on the _____ 2023 A.D., by the Charlevoix City Council as follows:

Motion by: _____

Seconded by: _____

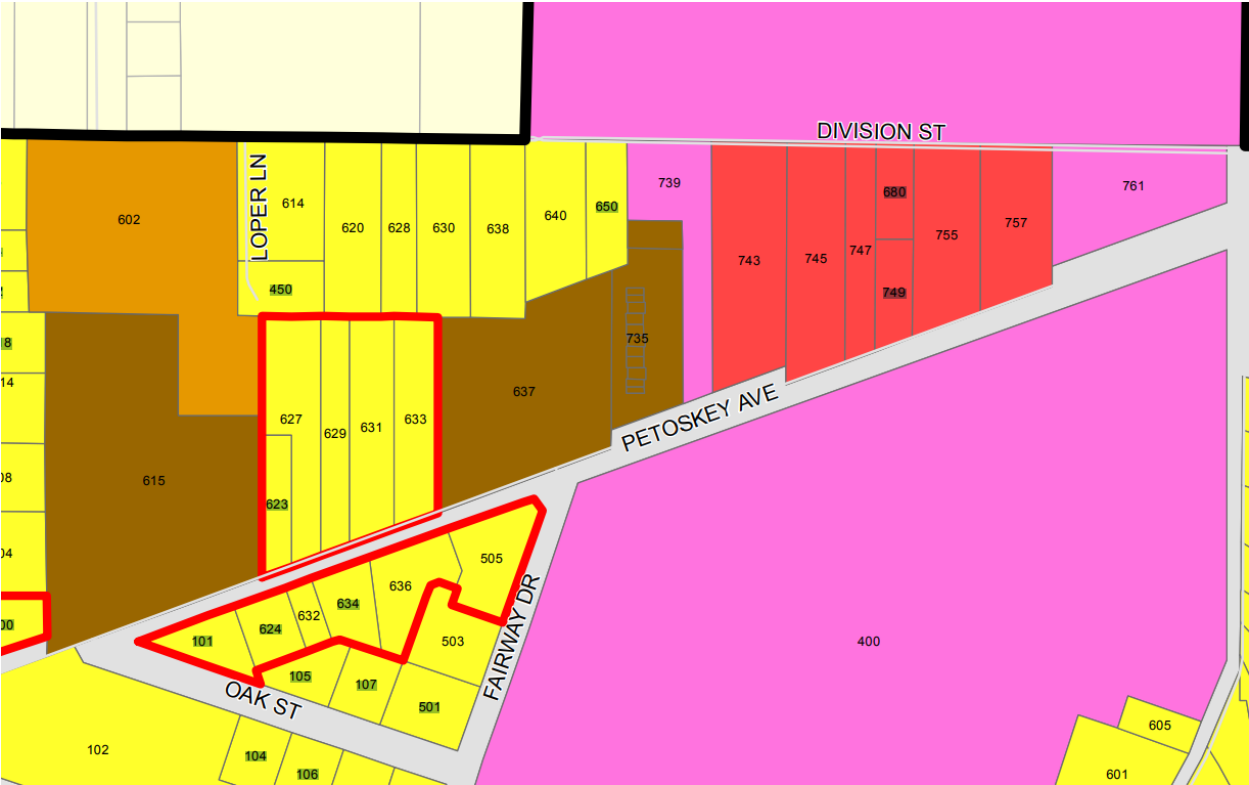
Yeas: _____

Nays: None

Absent: None

State of Michigan }
City of Charlevoix } §

Sarah Dvoracek	Clerk	Lyle Gennett	Mayor
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CITY OF CHARLEVOIX
ORDINANCE NO of 2023

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.055, OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.055 (A) (1) (g) of the City of Charlevoix Code is hereby amended to remove from the R-2A zone district and rezone to R-1 in the Zoning Use District Map as follows:

SECTION 2. Description of the amended R-1 residential Zone District

The Zoning Use District Map is hereby amended to rezone the following parcels, full described from (R-2A) Residential to R-1 Residential District: In the City of Charlevoix, Charlevoix County, Michigan,

- 1. 052-126-037-15: BEG AT PT ON S LI OF DIXON AVE 294.5FT E OF E LI OF MICH AVE TH CONT E AL SD DIXON AVE 74.5FT TH S 198FT TH W 74.5FT TH N11DEG17'50"E 53.45FT TH N7DEG57"W 56FT TH N1DEG43'58"W 90.16FT TO POB BEING PT GOV LOT 2 SEC 26-34-8 .321A 97SP0996 FROM 126-037-00 Commonly known as 106 Dixon Ave. E.
- 2. 052-126-037-10: BEG AT PT ON S LI OF DIXON AVE 220 FT E OF E LI OF MICH AVE TH S 198FT TH E 74.5 TH N11DEG17'50"E 53.45FT TH N7DEG57"W 56FT TH N1DEG43'58"W 90.16FT TO S LI OF DIXON AVE TH AL SD DIXON AVE W 74.5FT TOPOB BEING PT GOV LOT 2 SEC 26-34-8 .356A 97SP0996 FROM 126-037-00 Commonly Known as 106 Dixon Ave. E.
- 3. 052-153-001-00: LOTS 1 & 2 OF BLOCK 3 OF DIXONS ADDITION Commonly known as 304 Michigan Avenue

SECTION 3. Severability

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 4. Effective Date

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. _____ was adopted on the _____ 2023 A.D., by the Charlevoix City Council as follows:

Motion by: _____
Seconded by: _____
Yeas: _____
Nays: None
Absent: None

State of Michigan }
City of Charlevoix } §

Sarah Dvoracek Clerk Lyle Gennett Mayor



CITY OF CHARLEVOIX
ORDINANCE NO of 2023
AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.055, OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.055 (A) (1) (g) of the City of Charlevoix Code is hereby amended to remove from the R-2A zone district and rezone to R-2 in the Zoning Use District Map as follows:

SECTION 2. Description of the amended R-2 residential Zone District

The Zoning Use District Map is hereby amended to rezone the following parcels, full described from (R-2A) Residential to R-2 Residential District:
In the City of Charlevoix, Charlevoix County, Michigan,

- 1. 052-280-045-00: R2 WESTPORT LOTS 45 & 48 Commonly known as 305 & 307 Crain Street

SECTION 3. Severability

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

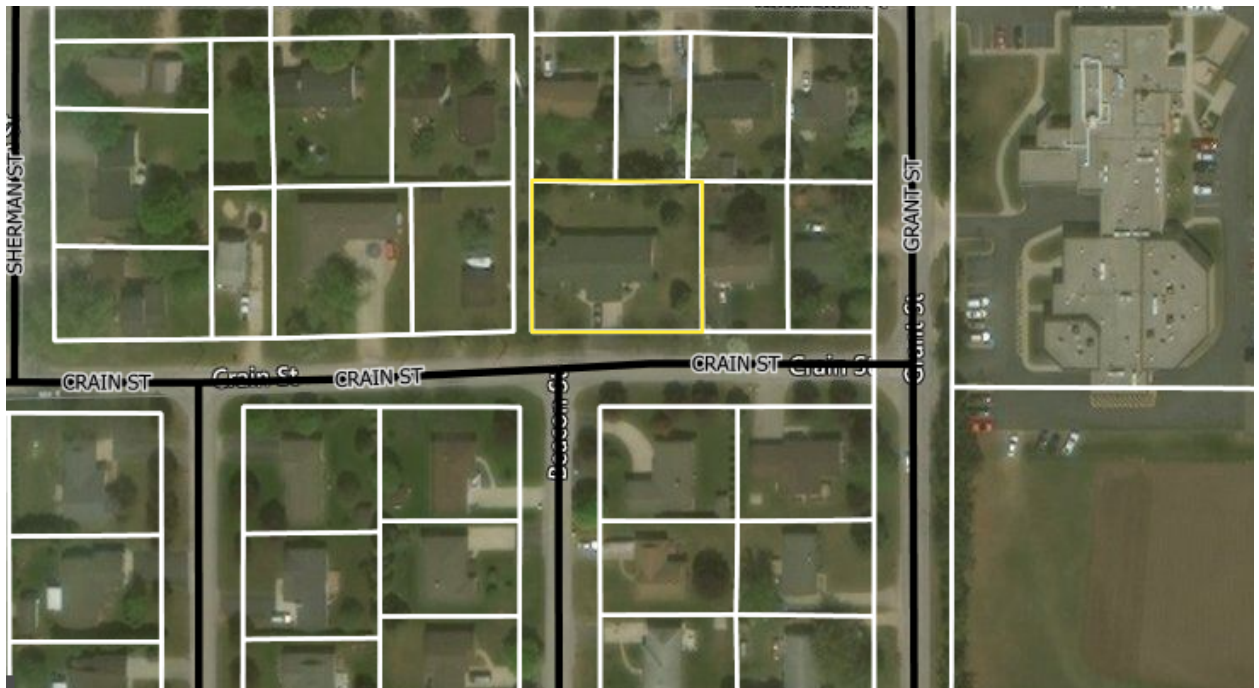
SECTION 4. Effective Date

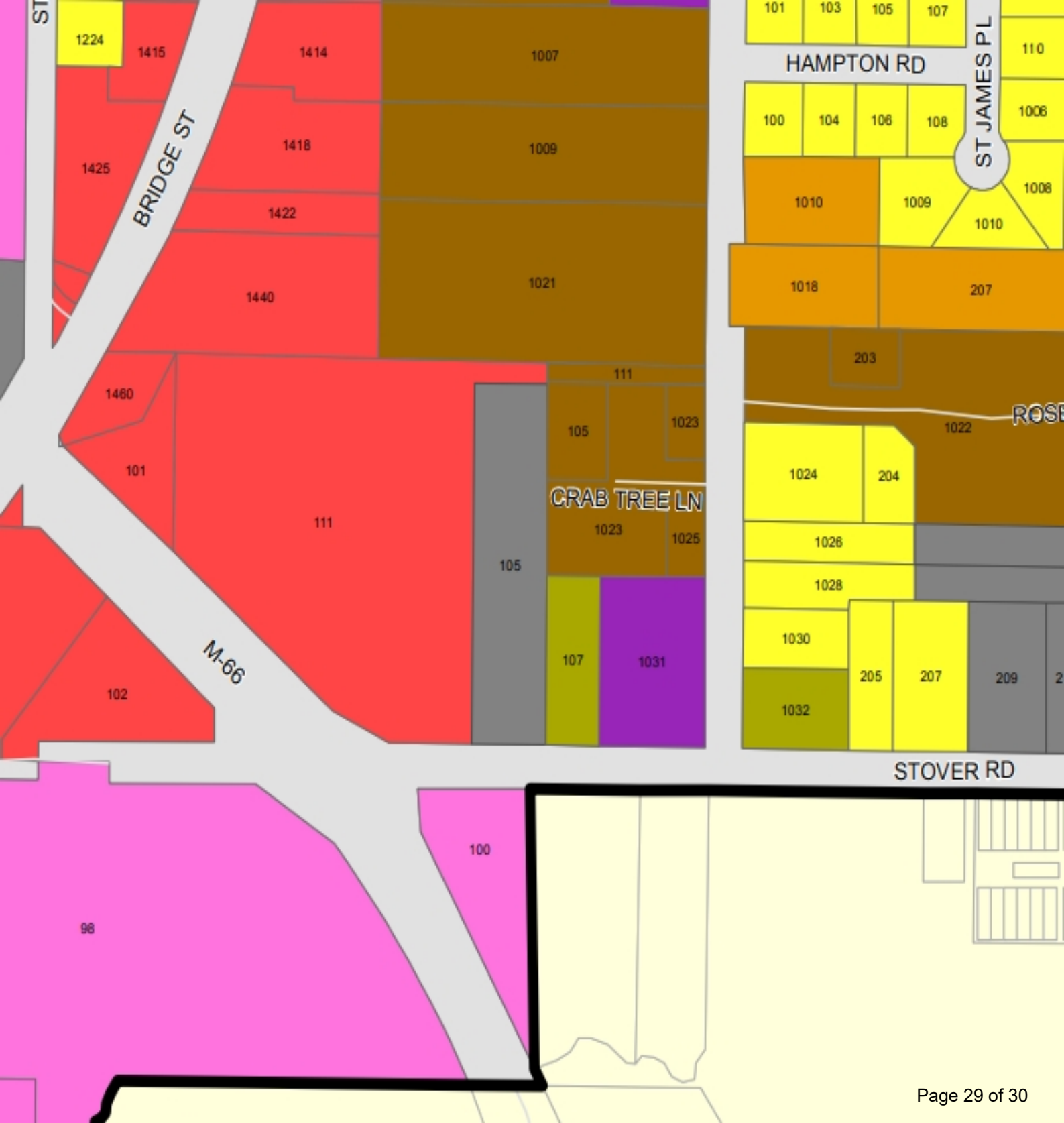
This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. _____ was adopted on the _____, 2023 A.D., by the Charlevoix City Council as follows:
Motion by: _____
Seconded by: _____
Yeas: _____
Nays: None
Absent: None

State of Michigan } §
City of Charlevoix }

_____ Sarah Dvoracek	Clerk	_____ Lyle Gennett	Mayor
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To: The City of Charlevoix Planning Commission
 From: Jonathan Scheel, Zoning Administrator
 Subject: Zoning Administrator's Report re: thru July 2023

Permits Issued in 2023

Following are two types of breakdowns for the 91 permits issued by the zoning office so far in 2023:

<u>By month</u>	<u>By type</u>
January8	Banner permits28
February5	Fence permits16
March13	Sidewalk café/use4
April17	Sign11
May10	Zoning32
June25	
July13	
August	
September	
October	
November	
December	

The fence, sign & zoning permits break down into the following zoning districts:

Central Business District (CBD).....8
Commercial Mixed (CM).....7
General Commercial (GC)
Industrial
Marine Commercial (MC)1
Residential Private Club (PC)1
Public Facilities
R-116
R-222

Blight Enforcement Actions

Are seasonal enforcement officer continuing to work 3 days a week. We continue to focus on blight, long term violations and weeds/long grass. I have issued 8 civil infraction tickets with most being resolved; a few continue to ignore the violations. Those will receive state tickets that will go in front of the County Magistrate

Level A Site Plan Administrative Review

Level B Site Plan Reviews / Special Use Permits

There has been new communication from the developer on the 100 block W Hurlbut site. They are close to submitting their application.

Variances to Zoning Board of Appeals

one variance application has been submitted for a side yard setback variance of 19 feet for an attached garage on the 100 block of West Upright. The ZBA will hear the case August 16, 2023