

**CHARTER TOWNSHIP OF GARFIELD  
ZONING BOARD OF APPEALS MEETING**

Wednesday, October 16, 2019 @ 6:00 p.m.  
Garfield Township Hall  
3848 Veterans Drive  
Traverse City, MI 49684

**A G E N D A**

Call meeting to order  
Roll call of Board Members

1. Review and approval of the Agenda and declaration of a Conflict of Interest
2. Minutes – August 21, 2019
3. Public Hearing
  - a. A request made by Karen and Steven Duell for a variance from the setback requirements in Section 325.D of the Garfield Township Zoning Ordinance. The applicant is requesting two variances from the 20 foot side setback requirement to allow the division of property between existing dwellings located at 922 and 978 N. East Silver Lake Road. The request, if granted, would reduce the side setback from 20 feet to 19 feet for the dwelling located at 922 N. East Silver Lake Road and would reduce the side setback from 20 feet to 10 feet for the dwelling located at 978 N. East Silver Lake Road. The property is zoned A - Agricultural and is located at 922 N. East Silver Lake Road with a property number of 05-032-003-00.
  - b. A request made by Pro Builders on behalf of Regan Development LLC for a variance from the setback requirements in Section 319.D of the Garfield Township Zoning Ordinance. The applicant is requesting a variance from the 20 foot side setback requirement to allow an addition to an existing office building located at 1745 Barlow Street. The request, if granted, would reduce the side setback from 20 feet to 10 feet for the proposed addition. The property is zoned C-O Office Commercial and is located at 1745 Barlow Street with a property number of 05-014-054-00.
4. Other Business
5. Items for next agenda
6. Public Comment
7. Adjournment

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with Disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922-4412.

Charter Township of Garfield  
Zoning Board of Appeals Meeting

Wednesday, August 21, 2019 @ 6:00pm  
Garfield Township Hall  
3848 Veterans Drive  
Traverse City, MI 49684

Chair Rick Smith called the meeting to order at 6:00pm.

**Board Members Present:** Lynne Fricke, Steve Duell, Kent Rozycki, Scott Swan, and Rick Smith

**Staff Present:** Zoning Administrator Michael Green

1. **Review and approval of the agenda and declaration of a Conflict of Interest**  
*Duell moved and Swan seconded to approve the agenda as presented.*

*Yeas: Swan, Duell, Rozycki, Fricke, Smith*  
*Nays: None*

2. **Minutes – July 17, 2019**  
*Fricke moved and Rozycki seconded to approve the minutes of July 17, 2019 as presented.*

*Yeas: Fricke, Swan, Duell, Rozycki, Smith*  
*Nays: None*

3. **Public Hearings**

- a) **A request was made by Peninsula Construction on behalf of Active Brace & Limb for a variance from the setback requirements in Section 319.D of the Garfield Township Zoning Ordinance. The applicant is requesting a variance from the twenty-five (25) foot front setback requirement to build a medical office/lab. The request, if granted, would reduce the front setback from twenty-five (25) feet to thirteen (13) feet. The property is zoned C-O Office Commercial and is located at 5136 N. Royal Drive with a property number of 05-347-010-00. A previous request for waterfront variances was tabled at the July 17, 2019 meeting to allow the applicant to address concerns raised by Board members.**

Steve Richardson spoke on behalf of Peninsula Construction to present a revised request and address comments from Zoning Board of Appeals members. Richardson stated that his client looked into purchasing a portion of the adjoining property to the north as an alternative to seeking the

requested variance. However, the property owner was unwilling to split up their parcel. Richardson stated that his client is now asking for approval to locate the building fifteen (15) feet from the front property line. The revised request would eliminate the need for any waterfront or wetland variances as originally requested. Richardson illustrated to the Board that storm water drainage was designed to avoid the nearby stream and wetlands in the revised plan. Steve Duell stated that he would like to see a wetland report.

Smith closed the public hearing and opened the meeting for Board member discussion. Based on staff recommendation, Smith asked for a vote on each of the Approval Criteria from Section 454.E., including Practical Difficulty standards (a) through (e) and General Criteria (a) through (e). Board members voted unanimously in favor of all Practical Difficulty standards and General Criteria based on the staff findings in favor provided in the staff report to the Board.

Based on the unanimous vote for each of the standards, Rozycki moved and Swan seconded a motion to approve ZBA Case # 2019-03 the requested front yard setback variance.

*Yeas: Fricke, Swan, Duell, Rozycki, Smith*  
*Nays: None*

**4. Other Business – [none]**

**5. Items for next agenda –** Green stated that he has received a variance application for next month's meeting.

**6. Public Comment –** Steve Richardson thanked ZBA for their guidance.

**7. Adjournment**

*Duell moved and Swan seconded to adjourn the meeting at 6:16 pm.*

*Yeas: Fricke, Swan, Duell, Rozycki, Smith*  
*Nays: None*

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Steve Duell, Secretary



# Charter Township of Garfield

## Grand Traverse County

3848 VETERANS DRIVE  
 TRAVERSE CITY, MICHIGAN 49684  
 PH: (231) 941-1620 • FAX: (231) 941-1588

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### ZONING BOARD OF APPEALS STAFF REPORT

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**Meeting Date:** October 16, 2019  
**Case #: 2019-04** Section 325 Agricultural District Side Setback Requests  
**Owner:** Gerald G Hamilton Trust and Noreen K Hamilton Trust  
**Applicant:** Steven Duell  
**Property ID #:** 05-032-003-00  
**Property Location:** 922 and 978 N. East Silver Lake Road  
**Zoning District:** A - Agricultural

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#### Parcel Overview and History

The parcel is located in a non-platted area along the east side of N. East Silver Lake Road and is generally located about a mile north of Rennie School Road and about a ½ mile south of Silver Pines Road. The subject parcel and properties to the north and south are zoned A – Agricultural. Properties directly across the road to the west are all zoned R-1 and the property directly to the east is zoned R-M Manufactured Home District. A detailed zoning map and aerial photo of the area is included in Exhibit 2 of this report. It appears that Gerald and Noreen Hamilton purchased the property in 1987 and have maintained the property for agricultural purposes ever since. It also appears that there have been changes in ownership within the Hamilton family since 1987 leading up to today. In conjunction, an additional dwelling was constructed and permitted by the township in 1993 and is currently addressed as 978 N. East Silver Lake Road.

#### Request

A request has been made by the Applicant, Steven Duell, acting on behalf of Owner Karen Duell and Karen Duell, Trustee of the Gerald G Hamilton Trust and Noreen K Hamilton Trust, for a variance from the setback requirements in Section 325.D of the Garfield Township Zoning Ordinance. The applicant is requesting two variances from the 20 foot side setback requirement to allow the division of property between existing dwellings located at 922 and 978 N. East Silver Lake Road. The request, if granted, would reduce the side setback from 20 feet to 19 feet for the dwelling located at 922 N. East Silver Lake Road and would reduce the side setback from 20 feet to 10 feet for the dwelling located at 978 N. East Silver Lake Road. The property is zoned A - Agricultural and is located at 922 N. East Silver Lake Road with a property number of 05-032-003-00. It is my understanding that Steven Duell will be in attendance at this meeting as an applicant representative but will not be seated as a member of the Zoning Board of Appeals to avoid any potential conflicts of interest.

#### Staff Comments

It is unclear whether multiple dwellings were allowed on a parcel back in 1993. However, the township did issue permits and the Zoning Ordinance back then permitted “One-family Detached Dwellings”. The current Zoning Ordinance permits a “Single-family Dwelling”. It is possible that the with the word “Dwellings” in the old Ordinance, versus “Dwelling” in the current Ordinance, that the Township may have allowed more than one dwelling per parcel in the Agricultural District. Either way, the 1993 residence was permitted by the Township and is now a legal non-conforming use as an additional dwelling. As has been discussed with the applicant, the granting of this variance would trade one non-conformity (multiple dwellings on a parcel) for another (two existing dwellings setback less than 20 feet from a side lot line).







**Exhibit 2 – Aerial View of Subject Parcel and surrounding area showing Zoning Districts**



The subject parcel and adjacent parcels to the north and south are zoned A-1 Agricultural and are mostly used for agricultural and rural residential uses. The large parcel east of the subject parcel shown in brown is the Meadowlane manufactured home park, which appears to be obscured out of view from N. East Silver Lake Road and the subject parcel. The parcels across the street to the west are all zoned R-1 One-Family Residential and are mostly single-family uses.



**Approval Criteria (Section 454.E)**

A variance may only be granted if the Zoning Board of Appeals finds that each of the Practical Difficulty standards under Section 454.E.1 are met, each of the General Criteria under Section 454.E.2 are met and at least one of the Special Conditions or Circumstances are met.

**(1) Practical Difficulty**

To qualify for a dimensional variance, the applicant shall be required to show “practical difficulty” by demonstrating compliance with all of the following criteria:

- (a) Special conditions or circumstances exist that are peculiar to the land, buildings, or other structures for which the variance is sought, do not apply generally to lands, buildings, or other structures in the same district, and could not reasonably be addressed through the formation of general regulation for such conditions. Special circumstances or conditions to be considered for variances shall include, but not be limited to, the circumstances as described in § 454.E.(3);

**Possible finding in favor:** *This office is unaware of any similar situations in the township where an Agricultural zoned property containing more than one residence has been permitted. Additionally, there is no indication that the Township would agree to amend the Ordinance to either allow multiple single-family dwellings per parcel or to reduce the side yard setbacks in the Agricultural District Also see Special Condition (a).*

- (b) The special conditions and circumstances peculiar to the land, buildings or other structures did not result from a self-created condition or action taken by the applicant or an owner of the lands;

**Possible finding in favor:** *The applicant did not create the hardship as the township allowed the owner to construct an additional dwelling in its current configuration.*

- (c) The special conditions and circumstances are such that strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of the land, building, or structure authorized by this Zoning Ordinance;

**Possible finding in favor:** *Strict application of the provisions of this Ordinance would prevent the applicant from dividing the property to otherwise comply with the current Zoning Ordinance regulations limiting the number or dwellings per parcel.*

- (d) Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance;

**Possible finding in favor:** *This hasn't been brought up by the applicants as a factor in their decision.*

- (e) For the purpose of this section, a practical difficulty shall not exist because an applicant would incur additional costs to achieve full compliance or could receive additional income with less than full compliance with the ordinance.

**Possible finding in favor:** *This hasn't been brought up by the applicants as a factor in their decision.*

**(2) General Criteria**

Where the applicant is able to demonstrate “practical difficulty” by satisfying all of the criteria of § 454.E.(1), a dimensional variance may be granted if it meets the following general criteria:

- (a) The requested variance shall relate only to property that is under the control of the applicant;

**Possible finding in favor:** *The property is under sole control of the applicant.*

- (b) No nonconforming neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted buildings, or other structures in adjacent districts, shall be considered as grounds for the issuance of a variance;

**Possible finding in favor:** *The request is not based on any nonconformity related to other properties.*

- (c) The requested variance shall be in harmony with the general purpose and intent of this ordinance and shall not be detrimental to the public health, safety and welfare;

**Possible finding in favor:** *The requested variance will not be detrimental to the public health safety and welfare due to that the request will not create any adverse conditions that would affect neighboring properties.*



- (d) The requested variance shall not alter the essential character of the area or cause a substantial adverse effect upon properties in the immediate vicinity or in the district in which the property of the applicant is located;

*Possible finding in favor: The requested variance will not alter the essential character of the area due to that no new construction is proposed as part of the variance request.*

- (e) The requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure, and there is no reasonable alternative location on the parcel for the proposed improvements for which a variance is sought where such alternative location would eliminate the need for the requested variance or reduce the extent of the condition(s) necessitating the variance.

*Possible finding in favor to the request: The proposed division of two legal non-conforming dwellings on a parcel could not reasonably occur without setback relief from the Zoning Board of Appeals. Requiring the removal of one or both dwellings would place a substantial burden on the applicant.*

**(3) Special Conditions or Circumstances**

Special conditions or circumstances to be considered for the purposes of § 454.E.(1) shall include, but not be limited to, the circumstances as described below:

**(a) Physical Conditions**

The proposed project site contains physical conditions such as narrowness, shallowness, shape, or topography of the property involved that do not generally apply to other property or uses in the same zoning district.

*Possible finding in favor: The subject parcel contains a legal non-conforming use of multiple dwellings on a parcel. The two subject dwellings are approximately 30 feet apart and could not be separated into two parcels without relief from the Zoning Board of Appeals.*

**(b) Significant Vegetation or Natural Features**

The proposed project site contains significant vegetation or other natural features identified as Stream Environment/Wetland by the Garfield Township Master Plan.

**(c) Substandard Lot(s)**

The proposed project involves the utilization of an existing legal nonconforming lot(s).

**(d) Historic Resources**

The proposed project site contains historical significance.

**(e) Neighborhood Character**

The proposed project promotes the established historic or traditional development pattern of a blockface, including setbacks, building height, and other dimensional requirements.

**Recommendation**

I have provided you with possible findings in favor of each Practical Difficulty standard and all of the General Criteria. As stated in Section 454.E, a variance can be granted only if the Zoning Board of Appeals makes at least one finding in favor of each of these standards. Please feel free to contact me if you have any questions before the meeting.

Sincerely,

Michael Green, Zoning Administrator  
 Charter Township of Garfield



5308  
Dorfield Trust  
(See attached)

# AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN  
County of Grand Traverse

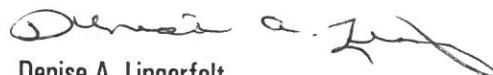
Paul Heidbreder being duly sworn deposes and says the annexed printed copy of notice was taken from the Traverse City RECORD EAGLE, a newspaper printed and circulated in said State and County, and that said notice was published in said newspaper on the following dates:

09/29/2019

that he or she is the agent of the printers of said newspaper, and knows well the facts stated herein

  
\_\_\_\_\_

Subscribed and sworn to before  
this 1st of October, 2019 .



Denise A. Lingerfelt  
Notary Public, State of MI  
County of Grand Traverse  
09/28/2023  
Acting in County of Grand Traverse

**LEGAL NOTICE  
CHARTER TOWNSHIP OF GARFIELD**

**ZONING BOARD OF APPEALS**

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Garfield Township Zoning Board of Appeals will hold a public hearing at their meeting on October 16, 2019 at 6:00 pm. The hearing will take place at the Garfield Township Hall, located at 3848 Veterans Drive, Traverse City, Michigan 49684. The following requests will be heard:

- 1) A request made by the Applicant, Steven Duell, acting on behalf of Owner Karen Duell and Karen Duell, Trustee of the Gerald G Hamilton Trust and Nordeen K Hamilton Trust, for a variance from the setback requirements in Section 325.D of the Garfield Township Zoning Ordinance. The applicant is requesting two variances from the 20 foot side setback requirement to allow the division of property between existing dwellings located at 922 and 978 N. East Silver Lake Road. The request, if granted, would reduce the side setback from 20 feet to 19 feet for the dwelling located at 922 N. East Silver Lake Road and would reduce the side setback from 20 feet to 10 feet for the dwelling located at 978 N. East Silver Lake Road. The property is zoned A - Agricultural and is located at 922 N. East Silver Lake Road with a property number of 05-032-003-00.
- 2) A request made by Pro Builders on behalf of Regan Development LLC for a variance from the setback requirements in Section 319.D of the Garfield Township Zoning Ordinance. The applicant is requesting a variance from the 20 foot side setback requirement to allow an addition to an existing office building located at 1745 Barlow Street. The request, if granted, would reduce the side setback from 20 feet to 10 feet for the proposed addition. The property is zoned C-L Local Commercial and is located at 1745 Barlow Street with a property number of 05-014-054-00.

A copy of the application, zoning ordinance and zoning map may be inspected at the zoning office of the Charter Township of Garfield located at 3848 Veterans Drive, Traverse City, Michigan between the hours of 7:30 am and 6:00 pm Monday through Thursday. All persons will have the right to speak at the Public Hearing. Any written comments with respect to this application may be submitted to the Township zoning department at the address above during regular office hours as described above or during the Public Hearing. The Township's telephone number is 231-941-1620.

Steve Duell - Secretary  
Garfield Township Zoning Board of Appeals  
3848 Veterans Drive  
Traverse City, MI 49684

Michael Green - Zoning Administrator  
Garfield Township  
3848 Veterans Drive  
Traverse City, MI 49684

Garfield Township will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to Garfield Township. Individuals with disabilities requiring auxiliary aids or services should contact Garfield Township by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922-4412.

September 29, 2019-1T

531805





# Charter Township of Garfield

## Grand Traverse County

3848 VETERANS DRIVE  
TRAVERSE CITY, MICHIGAN 49684  
PH: (231) 941-1620 • FAX: (231) 941-1588

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### ZONING BOARD OF APPEALS STAFF REPORT

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Meeting Date: October 16, 2019  
**Case #: 2019-05** Side yard variance request for building addition  
Owner: Regan Development LLC  
Applicant: Pro Builders  
Property ID #: 05-014-054-00  
Property Location: 1745 Barlow Street  
Zoning District: C-L Local Commercial

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#### Parcel Overview and History

The parcel is located within an area that is heavily developed with a mix of land uses; much of this development dates back to the 1970s or earlier, similar to the subject property. The properties to the north and south are also zoned C-L Local Commercial and contain various office and commercial uses. Properties to the east located are zoned R-3 Multi-Family Residential and contain a mix of single and multi-family uses. Properties across the street from the subject property to the west are all zoned I-G General Industrial developed primarily with industrial and auto-oriented uses. According to the Assessor's office, the office building on the subject property was constructed in 1979; building/zoning records confirming this could not be located. It appears that the layout of the property has not been substantially altered from the initial construction. In relation to the current request, I have provided site plans, aerial photos, and other notes further into this report to describe past setback variance requests and other permits granted by the township, more particularly requests granted for properties located at 1751/1755 Barlow and 1851 Barlow Street.

#### Request

A request has been made by Pro Builders on behalf of Regan Development LLC for a 30 foot variance from 40 foot parking lot setback, resulting in a 10 foot side yard setback for the proposed addition to the existing office building, which currently the same distance from the side lot line as what is being proposed. The applicant has submitted a site plan that illustrates their overall plan to expand the office building. The property is zoned C-L Local Commercial and is located at 1745 Barlow Street, with a property number of 05-014-054-00. The side yard setback requirement for buildings in the C-L district is 10 percent of the lot width but need not exceed twenty-five (25) feet each, provided that no setback be less than ten (10) feet. Because the subject property is exactly two-hundred (200) feet in width, the required side yard setback is twenty (20) feet, which is ten (10) percent of two-hundred (200). The applicant has stated in the application one of the reasons for the request is to preserve the configuration of the parking area and to preserve access to the rear of the property, which is currently undeveloped.



**Exhibit 1 - Surrounding Zoning and Land Use**



As indicated in the photo above, the subject parcel is zoned C-L Local Commercial (shown in pink), along with adjacent parcels located on the east side of Barlow Street. Parcels to the north and east are zoned R-3 Multi-Family (shown in orange). Parcels on the west side of Barlow Street (across from the subject parcel) are zoned I-G General Industrial (shown in light grey).







**Exhibit 3 – Aerial Photo of 1851 Barlow Street – Approved by ZBA 77-10**



As shown in the photo above, the Zoning Board of Appeals approved a pair of setback variances for the current 7-11 Convenience Store at 1851 Barlow Street. The side setback was reduced to one (1) foot and the rear setback reduced to sixteen (16) feet. The photo above shows relationship between the building and property lines to be somewhat consistent with the approved variances.





**Approval Criteria (Section 454.E)**

A variance may only be granted if the Zoning Board of Appeals finds that each of the Practical Difficulty standards under Section 454.E.1 are met, each of the General Criteria under Section 454.E.2 are met, and at least one of the Special Conditions or Circumstances are met.

**(1) Practical Difficulty**

To qualify for a dimensional variance, the applicant shall be required to show “practical difficulty” by demonstrating compliance with all of the following criteria:

- (a) Special conditions or circumstances exist that are peculiar to the land, buildings, or other structures for which the variance is sought, do not apply generally to lands, buildings, or other structures in the same district, and could not reasonably be addressed through the formation of general regulation for such conditions. Special circumstances or conditions to be considered for variances shall include, but not be limited to, the circumstances as described in § 454.E.(3);

**Possible finding in favor:** See finding under Special Condition (e).

- (b) The special conditions and circumstances peculiar to the land, buildings or other structures did not result from a self-created condition or action taken by the applicant or an owner of the lands;

**Possible finding in favor:** The building was built by a previous owner of the subject property with no apparent connection to the current property owner.

- (c) The special conditions and circumstances are such that strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of the land, building, or structure authorized by this Zoning Ordinance;

**Possible finding in favor:** Strict application of the provisions of this Ordinance would not allow the applicant to extend the current building using a common roof line. Additionally, requiring the applicant to expand away from the side lot line would require major modifications to the existing parking area and would create additional impervious surfaces. The proposed addition would be located mostly over existing paved areas that are not needed.

- (d) Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance;

**Possible finding in favor:** This hasn't been brought up by the applicants as a factor in their decision.

- (e) For the purpose of this section, a practical difficulty shall not exist because an applicant would incur additional costs to achieve full compliance or could receive additional income with less than full compliance with the ordinance.

**Possible finding in favor:** This hasn't been brought up by the applicants as a factor in their decision.

**(2) General Criteria**

Where the applicant is able to demonstrate “practical difficulty” by satisfying all of the criteria of § 454.E.(1), a dimensional variance may be granted if it meets the following general criteria:

- (a) The requested variance shall relate only to property that is under the control of the applicant;

**Possible finding in favor:** The property is under sole control of the applicant.

- (b) No nonconforming neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted buildings, or other structures in adjacent districts, shall be considered as grounds for the issuance of a variance;

**Possible finding in favor:** The request is based on an existing non-conformity on the subject property

- (c) The requested variance shall be in harmony with the general purpose and intent of this ordinance and shall not be detrimental to the public health, safety and welfare;

**Possible finding in favor:** The requested variance will not be detrimental to the public health safety and welfare due to that the request will not result in further encroachment into the setback area will not have a negative impact on neighboring properties. The building expansion will require site plan approval and may also require storm water review to ensure that storm water does not run off the property.



- (d) The requested variance shall not alter the essential character of the area or cause a substantial adverse effect upon properties in the immediate vicinity or in the district in which the property of the applicant is located;

**Possible finding in favor:** *The requested variance will not alter the essential character of the area due to that the request will not result in further encroachment into the setback area than the current building. Additionally, it has been demonstrated that other buildings in the general vicinity have been granted similar setback relief by the township.*

- (e) The requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure, and there is no reasonable alternative location on the parcel for the proposed improvements for which a variance is sought where such alternative location would eliminate the need for the requested variance or reduce the extent of the condition(s) necessitating the variance.

**Possible finding in favor:** *The applicant is only asking for a variance to extend the existing building which has been in place since at least 1979. No other relief is being sought by the applicant.*

**Possible finding in opposition.** *There is ample room on the property to expand the building in other directions that would not require a variance.*

**(3) Special Conditions or Circumstances**

Special conditions or circumstances to be considered for the purposes of § 454.E.(1) shall include, but not be limited to, the circumstances as described below:

**(a) Physical Conditions**

The proposed project site contains physical conditions such as narrowness, shallowness, shape, or topography of the property involved that do not generally apply to other property or uses in the same zoning district.

**(b) Significant Vegetation or Natural Features**

The proposed project site contains significant vegetation or other natural features identified as Stream Environment/Wetland by the Garfield Township Master Plan.

**(c) Substandard Lot(s)**

The proposed project involves the utilization of an existing legal nonconforming lot(s).

**(d) Historic Resources**

The proposed project site contains historical significance.

**(e) Neighborhood Character**

The proposed project promotes the established historic or traditional development pattern of a blockface, including setbacks, building height, and other dimensional requirements.

**Possible finding in favor:** *The current building appears to have been approved by the Township sometime in the late 1970's within the required side yard setback. Although this office did not locate any formal approval documents from the Zoning Board of Appeals from the same time period, other buildings in the general vicinity were granted similar side yard variances, including the office building at 1755 Barlow (directly adjacent to 1745 Barlow) and 1851 Barlow (The 7-11 Convenience Store).*

**Recommendation**

I have provided you with possible findings in favor of each Practical Difficulty standard and all of the General Criteria. As stated in Section 454.E, a variance can be granted only if the Zoning Board of Appeals makes at least one finding in favor of each of these standards. Please feel free to contact me if you have any questions before the meeting.

Sincerely,

Michael Green, Zoning Administrator  
Charter Township of Garfield