

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

Wednesday, October 18, 2017 @ 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 – September 20, 2017
3. Public Hearings:
 - a. A request made by Bay Meadows Family Golf for a variance from Section 749 of the Garfield Township Zoning Ordinance to reduce the westerly setback from 200' to 84'. The property is zoned R-1 and is a use permitted by special conditions. This is a continuation of a request that was considered at the September 20, 2017 meeting. The subject property is located at 5550 Bay Meadows Drive, Traverse City, MI with a property I.D. # of 05-006-001-50.
 - b. A request made by Tara Hochstetter for an interpretation from Section 313 of the Garfield Township Zoning Ordinance to define the parcel lot lines. This is a modification of the previous request heard on September 20, 2017. The subject property is zoned R-1 and is located at 4541 Stoneridge Ct, Traverse City MI with a property I.D # of 05-306-022-00.
 - c. A request from Dan & Judith Diekman for a variance from Section 315 of the Garfield Township Zoning Ordinance to reduce the side area setback(s) from 20' to 10' on each side. The subject property is zoned R-3 and is located at 3777 Brook Drive, Traverse City, MI with a property I.D. # of 05-070-024-00.
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, September 20, 2016 @ 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: Kent Rozycki, Steve Duell, Lynne Fricke, Scott Swan, Rick Smith

Staff Present: Michael Green

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

Yeas: Duell, Rozycki, Fricke, Swan, Smith

Nays: None

2. **Minutes – July 19, 2017**
Fricke moved and Swan seconded to approve the minutes of July 19, 2017 as presented.

Yeas: Fricke, Swan, Duell, Rozycki, Smith

Nays: None

3. **Public Hearings**
 - a. **A request made by Bay Meadows Family Golf for a variance from Section 749 of the Garfield Township Zoning Ordinance to reduce the front yard setback from 200' to 84'. The property is zoned R-1 and is a use permitted by special conditions. The subject property is located at 5550 Bay Meadows Drive, Traverse City, MI with a property ID #05-006-001-50.**

The applicant is requesting a variance from Section 749.A(3) of the Zoning Ordinance to allow for an addition to an existing driving range building to allow for additional office space to the learning center and to add an improved entrance room for winter use. The addition will be located 84 feet from the property line of an abutting residentially zoned property to the west. The previous addition, built in 2017, was approved by the ZBA in 2016 and is also located 84 feet from the property line of the abutting property to the west.

The parcel is located on 85 acres between Barney Road and M-72 and contains a golf course with a driving range. Golf courses are a use permitted by special conditions in the R-1 zoning district, however, the course must comply with Section 749 which requires all structures to be 200 feet from the property line of residentially zoned property. Since the golf building currently exists and does not comply with the setbacks, it is a non-conforming structure. Mike Husby, owner of the property, said he is asking for a variance to add an office that will be the headquarters for TC Junior Golf. A variance would allow another entrance to the indoor facility as well as an office space and storage area. Board members asked questions regarding the project. Board members reread the notification which appeared in the Traverse City Record Eagle and determined that the variance was not correctly advertised and cannot issue a variance different than what was advertised.

Rozycki moved and Duell seconded to postpone the Bay Meadows Family Golf request for a variance.

Yeas: Rozycki, Duell, Fricke, Swan, Smith

Nays: None

- b. A request made by Tara Hochstetter for a variance from Section 313 of the Garfield Township Zoning Ordinance to reduce the rear setback from 30' to 20'. The subject property is zoned R-1 and is located at 4541 Stoneridge Ct., Traverse City, MI with a property ID #05-306-022-00.**

The applicant is requesting a variance to allow for construction of an addition to the current deck which will be located in the rear yard setback. The deck addition would reduce the rear yard setback from 30' to 20'. The parcel is located at the end of Stoneridge Court in the Stoneridge subdivision and is zoned R-1 Residential. The property is relatively flat but the lot is irregularly shaped. The current structure is nonconforming with the rear corner of the home located in the rear yard setback. Tara showed the house in a slide show. Hochstetter said that she wanted a 10' variance to expand the deck on her home. Board members discussed the odd lot lines and said that this case may be a simple interpretation issue of which property line was the side yard and which was the rear yard. A variance may not be needed if it was determined that the lot line was a side yard and not a rear yard.

Duell moved and Fricke seconded to postpone the Hochstetter variance until the next meeting at which time she would reapply for a Zoning Board of Appeals interpretation of the lot lines.

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

4. Other Business

Swan requested that the Haggard's Plumbing correspondence related to the Hochstetter variance be stricken from the record.

5. Items for next agenda

Green indicated that a setback request would be on the agenda from an applicant living in the Brookside subdivision.

6. Public Comment

None

7. Adjournment

Smith moved to adjourn the meeting at 6:44pm.

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

ZONING BOARD OF APPEALS STAFF REPORT

To: Zoning Board of Appeals
From: Michael Green, Zoning Administrator
Date: September 7, 2017

Meeting Date: September 20, 2017
Case #: 2017-06 Golf Setback Variance
Owner: Bay Meadows Family Golf LLC
Property ID #: 28-05-006-001-50
Property Location: 5550 Bay Meadows Dr
Zoning District: R-1, One Family Residential

Request

The applicant is requesting a variance from Section 749.A(3) of the Zoning Ordinance to allow for an addition to an existing driving range building to allow for additional office space to the learning center and to add an improved entrance room for winter use. The addition will be located 84 feet from the property line of an abutting residentially zoned property to the west. The previous addition, built in 2017, was approved by the Zoning Board of Appeals in 2016 and is also located 84 feet from the property line of the abutting property to the west.

Parcel Overview

The property is approximately 85 acres located between Barney Rd and M 72 and contains a golf course with a driving range. The property is zoned R-1 as is the property to the West and South. The property to the North and East is zoned Agricultural. The golf course was approved by Special Use Permit in 1995 and expanded pursuant to amendments to the SUP in 1998, 2001, and 2002. Surrounding the golf course is mostly single family dwellings although they were not constructed in conjunction with the golf course. Immediately west of the golf course is a newer subdivision, The Woods at Bay Meadows, created on October 25, 2002. The driving range building received building permits in November 2001. Garfield Township initiated a zoning amendment in 2005 to rezone both the golf course and the Woods at Bay Meadows subdivision to R-1 One Family Residential. The change in zoning caused the driving range building to become a legal-nonconforming structure, as it was then subject to the current 200 ft. setback requirement to residentially zoned parcels. A variance was granted in 2016 which allowed for

the construction of an addition to the driving range building, located 37 feet from a residentially zoned property line, based upon the finding that all the standards for approval in Section 454 of the Zoning Ordinance had been met. A building permit was issued for the commercial addition in April of 2016. Prior to the subdivision being created, the golf course and subdivision were all one piece of property.



Aerial view of the parking area, clubhouse, and driving range building. Adjacent lots in the Woods at Bay Meadows subdivision are located on to the left of the driving range building. The aerial photo was captured in 2016.

Staff Comments

Golf courses are a use permitted by special conditions in the R-1 zoning district. (See Below)
 The special condition is that the golf course must comply with section 749.

SECTION 313 R -1 (ONE FAMILY RESIDENTIAL)

PURPOSE The R-1 (One Family Residential) districts provide areas for low to medium density one family residential dwelling units. The districts include areas of existing one family developments as well as areas within which such development appears likely and desirable. They are intended to encourage more intensive development in and near the core areas of the township with less intensive development moving outward towards the more rural and remote areas of the township. The R-1 districts are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and parks that will promote a sense of community and urban vitality.

A. USES PERMITTED BY RIGHT:

- (1) Cemeteries
- (2) Dwelling, Single Family
- (3) Home Occupations
- (4) Publicly Owned and Operated Parks

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home (<7) –See § 707
- (2) Child Care, Family Home (<7) –See § 718
- (3) **Golf Courses –See § 749**
- (4) Reserved
- (5) Keeping of chickens –See § 717
- (6) Medical Marihuana Residential Cultivation – See § 758
- (7) Open Space Preservation –See § 428
- (8) Personal Wind Energy Conversion Systems – See § 770
- (9) Recreation Field Complex - See § 772
- (10) Private Swimming Pools –See § 773
- (11) Storage of travel trailer, camper, or other recreational vehicle –See § 613.A.4
- (12) Waterfront Stairways –See § 779

At issue in this request is the requirement of section 749, #3 requiring all structures to be 200 feet from the property line of residentially zoned property. This requirement has been in the Zoning Ordinance since before the subdivision was created in 2002.

SECTION 749 GOLF COURSES AND COUNTRY CLUBS

A. REGULATIONS AND CONDITIONS

- (1) These regulations shall not include stand-alone golf-driving ranges and miniature golf courses.
- (2) The site area shall be a minimum of fifty (50) acres and have its main ingress and egress from a major thoroughfare, as classified on the Master Plan of Garfield Township.
- (3) Development features shall be so located as to minimize any possible adverse effects upon adjacent property. All principal and accessory buildings, structures, and parking areas shall not be less than two hundred (200) feet from any property line of abutting residentially zoned land.
- (4) Whenever a swimming pool is to be provided, said pool shall be located at least one hundred (100) feet from abutting residentially zoned property lines and shall be enclosed with a protective fence six (6) feet in height, with entry limited by means of a controlled gate.

Since the golf building currently exists and does not comply with the setbacks, it is a non-conforming structure. It can continue to exist as is but cannot be enlarged or extended unless it complies with the Zoning Ordinance. The proposed addition will also be located closer than the 200 foot required minimum setback and that is why the owner is requesting the variance. Enlargement or Expansion of Non conforming structures are addressed in Article 8, Section 812 (E).

Ordinance Criteria

To qualify for a variance, the applicant must meet all the Practical Difficulty standards and General Criteria as described below. For each standard, staff comments are shown as highlighted and in *[brackets]*.

E. Approval Criteria

(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); *[Staff response: See Section 454.E(3). The lot or parcel itself does not appear to exhibit any special conditions or circumstances. However, the building and earlier additions, as stated, were permitted by special use permit under the previous Agriculture zoning that was in place on both the subject parcel and the now developed properties to the west.]*
- (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; *[Staff response: The current property owner did not create the condition; the township created the hardship by rezoning adjacent properties from Agriculture to R-1 One Family Residential.]*
- (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; *[Staff response: The subject parcel is very large in size, so an argument could be made against this standard being met. On the other hand, the building was permitted in its current location and was a conforming building from 2001 to 2005, when the township rezoned properties in the area.]*
- (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; *[Staff response: As stated above, the lot meets all dimensional standards and is. As also stated above, there is buildable area around the back and other side of the existing dwelling in which a deck addition could be built. I can't think of a finding in favor of the variance offhand, so I'll let the ZBA discuss at the meeting.]*
- (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. *[Staff response: 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;

[Staff response: The applicant owns the property, so this would be met.]

(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; *[Staff response: The Zoning Board of Appeals has not approved any variances for similar uses, which might be explained by the fact that there are few golf courses in Garfield Township.]*

(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; *[Staff response: It appears that the purpose of the 200 ft. setback is to protect existing residential areas from the potential impacts (i.e.: wayward golf balls). Alternatively, the rights of existing uses should be considered vs. those of uses that come in later. Courts often refer to this as “coming to the nuisance” This principle is behind such state laws as the “Right to Farm Act” which protects farms from nuisance suits from local communities that develop surrounding areas then try to “zone out” the existing farms.]*

(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; *[Staff response: See comments under General Criteria “C” above. The golf course existed several years before the residential area was developed around it.]*

(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. *[Staff response: As stated prior, there are alternative locations where the building could be expanded or replaced upon while meeting the strict requirements of this Ordinance. As stated previously, the township permitted the building to locate where it is now before they rezoned the area and created the non-conformity]*

(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.

Alternative Motions

1. Motion to: **GRANT** the request for variance from Section 749.A(3) of the Garfield Township Zoning Ordinance to allow an addition to the driving range building to be constructed eighty-four (84) feet from the side lot line based on the Practical Difficulty standards and General Criteria for granting such request being met.
2. Motion to: **GRANT, IN PART** the request for variance from Section 749.A(3) of the Garfield Township Zoning Ordinance to allow an addition to the driving range to be constructed *[an amount between the requested 84 ft. and the required 200 ft]* feet from the side lot line based on the Practical Difficulty standards and General Criteria for granting such request being met. *[the ZBA may place other conditions as deemed necessary to mitigate the request]*
3. Motion to: **DENY** the request for variance from Section 749.A(3) of the Garfield Township Zoning Ordinance to allow an addition to the driving range to be constructed eighty-four (84) feet from the side lot line based on the Practical Difficulty standards and General Criteria for granting such request NOT being met.

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 public hearings at their regular meeting on October 18, 2017 at 6:00 pm. The hearings 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 Bay Meadows Family Golf for a variance from Section 749 of the Garfield Township Zoning Ordinance to reduce the Westerly setback from 200' to 84'. The property is zoned R-1 and is a use permitted by special conditions. This is a continuation of a request that was considered at the September 20, 2017 meeting.

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3. A request from Dan & Judith Diekman for a variance from Section 315 of the Garfield Township Zoning Ordinance to reduce the side area setback(s) from 20' to 10' on each side.

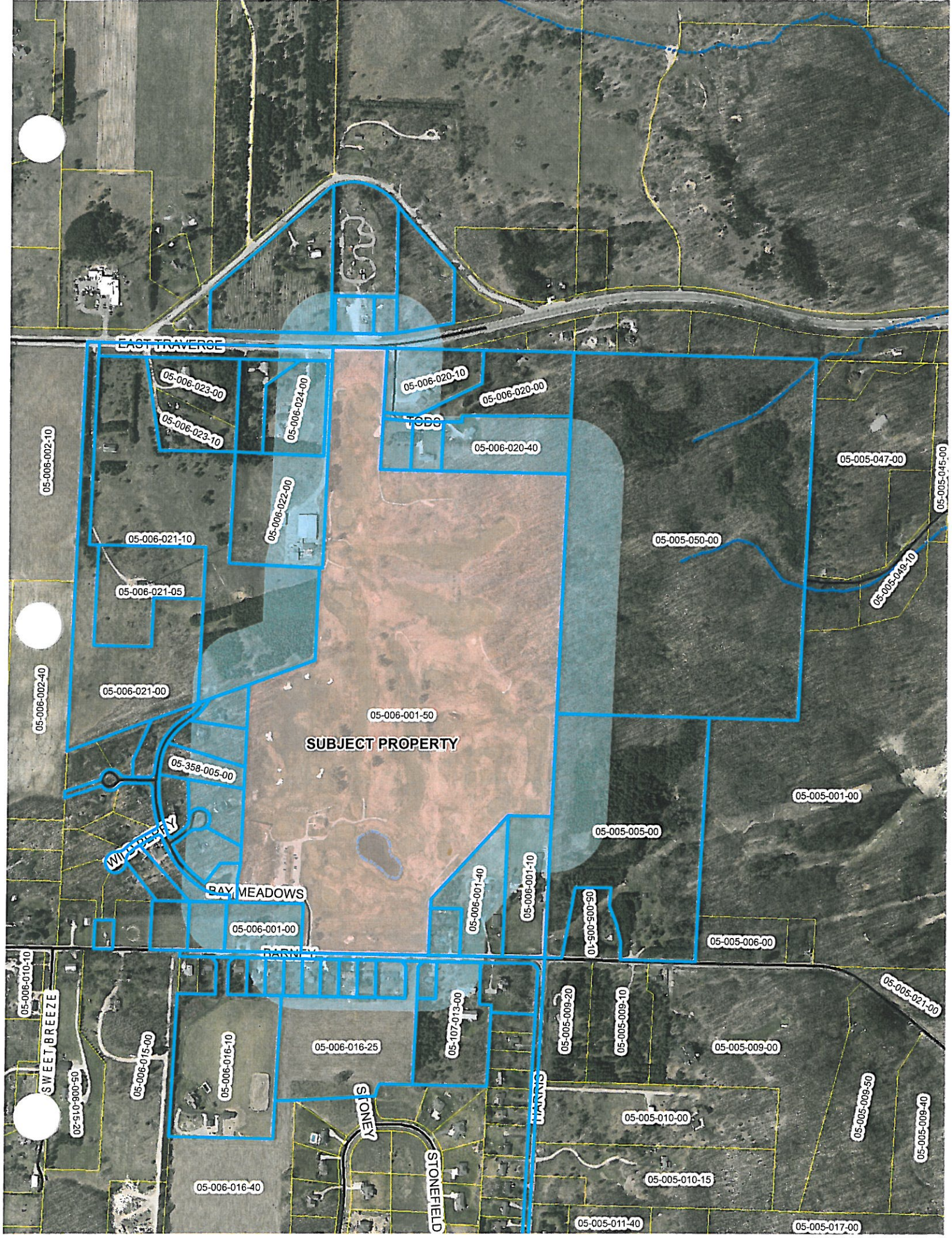
The subject property is zoned R-3 and is located at 3777 Brook Drive, Traverse City, MI with a property I.D. # of 05-070-024-00

A copy of the applications, 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

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EAST TRAVERSE

TODD

SUBJECT PROPERTY

RAY MEADOWS

STONEFIELD

LYNN

WINDY HOLLOW

SWEET BREEZE

05-006-023-00

05-006-023-10

05-006-024-00

05-006-020-10

05-006-020-00

05-006-020-40

05-005-047-00

05-005-045-00

05-006-002-10

05-006-021-10

05-006-022-00

05-005-050-00

05-006-021-05

05-005-049-10

05-006-002-40

05-006-021-00

05-006-001-50

05-005-001-00

05-358-005-00

05-005-005-00

WINDY HOLLOW

05-006-001-40

05-006-001-10

05-005-005-10

05-006-001-00

05-005-006-00

05-006-010-10

05-006-015-00

05-006-016-10

05-006-016-25

05-107-013-00

05-005-009-20

05-005-009-10

05-005-009-00

05-006-015-20

05-005-021-00

05-006-016-40

05-005-010-00

05-005-009-30

05-005-009-40

05-005-010-15

05-005-011-40

05-005-017-00

MINOR SANDI J 5203 BARNEY RD TRAVERSE CITY 49684	MI	LAUTNER LARRY J & THERESA M 8944 E TRAVERSE HWY TRAVERSE CITY 49684	MI	KROUPA CLARENCE & ESTER TRUST 800 CENTRE PL OFC TRAVERSE CITY 49686	MI
GAUTHIER RUSSELL E PO BOX 1538 TRAVERSE CITY 49685	MI	BRAUER MARI & BRAUER MARILYN 8790 EAST TRAVERSE HWY TRAVERSE CITY 49684	MI	SCHICHTEL SCOTT 1425 BLACKFORD BLVD INTERLOCHEN 49643	MI
BARNES JASON & AMANDA 5239 BARNEY RD TRAVERSE CITY 49684	MI	ELLIOTT CAROL A 5277 BARNEY RD TRAVERSE CITY 49684	MI	BAY MEADOWS FAMILY GOLF LLC 5227 MACKENZIE DR KEWADIN 49648	MI
HOLLINGER KELLY & LEWIS JAMES & LOR 429 HARBOUR RIDGE MAPLE CITY 49664	MI	GRUBB SARAH L PO BOX 243 INTERLOCHEN 49643	MI	SCANLAN THOMAS & SUE A TR PO BOX 405 MOHAWK 49950	MI
LAUTNER TIFFANY M (LC) 5901 TODS TRL TRAVERSE CITY 49684	MI	SCHLITTS ROBERT W JR & ELLIOTT C 5277 BARNEY RD TRAVERSE CITY 49684	MI	CALCUTT FARMS 1214 RANDOLPH ST TRAVERSE CITY 49684	MI
MEYER DEBORAH A 5925 TODS TRL TRAVERSE CITY 49684	MI	KROUPA CLARENCE & ESTER TRUST 800 CENTRE PL OFFC TRAVERSE CITY 49686	MI	CULLOTY KEVIN 8784 EAST TRAVERSE HWY TRAVERSE CITY 49684	MI
RITTER JERRY T & MARGARET A 5008 BARNEY RD TRAVERSE CITY 49684	MI	AT&T NETWORK REAL ESTATE ADMIN 575 MOROSGO DR NE STE 13-F W TOWER ATLANTA 30324	GA	LAUTNER LARRY J & THERESA M 8944 EAST TRAVERSE HWY TRAVERSE CITY 49684	MI
HALL RICHARD & DEBRA 5110 BARNEY RD TRAVERSE CITY 49684	MI	LUNDIN GLEN H & DIANE C 5085 BARNEY RD TRAVERSE CITY 49684	MI	BECKER JOSEPH & SHELLEY QUINNBECKE 5774 BAY MEADOWS DR TRAVERSE CITY 49684	MI
NICHOLS BRENT H & ALICE A 4806 N INDIAN LAKE RD TRAVERSE CITY 49696	MI	LAUTNER JEFFREY A 4033 HARR DR TRAVERSE CITY 49684	MI	BENYI BEVERLY G TRUST 5798 BAY MEADOWS DR TRAVERSE CITY 49684	MI
MELMORACIA SAMUEL JR & DEBORAH 5 BARNEY RD TRAVERSE CITY 49684	MI	JOHNSON AUSTIN 5300 BARNEY RD TRAVERSE CITY 49684	MI	MELLINGER FAMILY TRUST 5733 BAY MEADOWS DR TRAVERSE CITY 49684	MI

WOODS AT BAY MEADOWS CONDO ASSOC
5344 WILD BERRY TR
TRAVERSE CITY MI
49684

SWARTHOUT BARBARA
5313 BARNEY RD
TRAVERSE CITY MI
49684

SCHAEFER NANCY
5119 BARNEY RD
TRAVERSE CITY MI
49684

ECKEL THOMAS J & ANN
5037 BARNEY RD
TRAVERSE CITY MI
49684

0

MARSH DANIEL P & PAMELA J
5329 BARNEY RD
TRAVERSE CITY MI
49684

0

MCCALL MARLENA T
PO BOX 6543
TRAVERSE CITY MI
49685

ROTTMAN CONSTANCE
5353 WILD BERRY TRL
TRAVERSE CITY MI
49684

BARKLEY PROPERTIES LLC
4138 MT MARIA RD
HUBBARD LAKE MI
49747

A. DON BLAIR A & DEBORAH M
5680 BAY MEADOWS DR
TRAVERSE CITY MI
49684

LARSON BILLY G & ALLDIS PATRICIA M
5726 BAY MEADOWS DR
TRAVERSE CITY MI
49684

SHEPHERD HAROLD III & LURAE
5327 WILD BERRY TRL
TRAVERSE CITY MI
49684

LANNEN GERALD M & ETUE COLLEEN M
5265 BIG MAPLE CT
TRAVERSE CITY MI
49684

NOBLE JOSEPH & BARBARA
5 MAPLE CT
TRAVERSE CITY MI
49684

RECKER SUSAN K

8736 E ANGUS RD

TRaverse CITY MI

49684

SCENIC TRAILS COUNCIL

BOY SCOUTS OF AMERICA INC

2308 U S 31 N

TRaverse CITY MI

49684

BAILEY VERNON L II & DIANE M

8860 E ANGUS RD

TRaverse CITY MI

49684

GORCYCA JOHN B & SUSAN A

8807 E TRAVERSE HWY

TRaverse CITY MI

49684

GORCYCA JOHN B & SUSAN A

8807 E TRAVERSE HWY

TRaverse CITY MI

49684



Charter Township of Garfield

Grand Traverse County

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

ZONING BOARD OF APPEALS APPLICATION

1. Owner / Applicant information

BAY MEADOWS FAMILY GOLF
Owner:
5550 BAY MEADOWS DR.
Address:
TRAVERSE CITY, MI 49684
City, State, Zip Code
231-946-7927
Phone Numbers

MIKE HUSBY
Applicant:
5227 MACKENZIE DR.
Address:
KEWADIN, MI 49648
City, State, Zip Code
989-619-0389
Phone Numbers

2. Property Information:

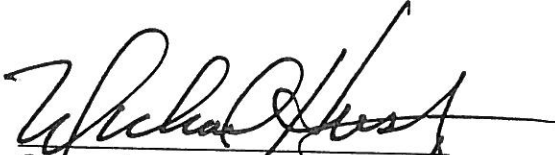
- a. Property Address: 5550 BAY MEADOWS DR.
- b. Property Location: _____
- c. Lot # _____ Subdivision Name: _____
- d. Parcel ID# 28-05- 05-006-001-50
- e. Current Zoning: R-1, ONE FAMILY RESIDENTIAL
- f. Current Use: GOLF COURSE

3. Purpose For Request:

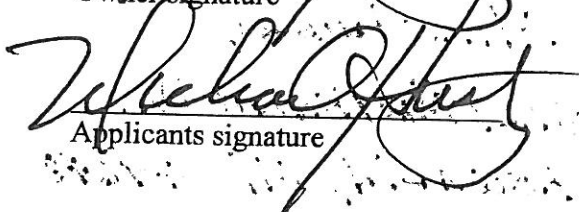
Variance <input checked="" type="checkbox"/>	Appeal _____	Interpretation _____	Review _____
Other _____ Please explain request / List section(s) related to request: _____			
<u>TO ADD OFFICE SPACE TO LEARNING CENTER</u>			
<u>TO ADD AN IMPROVED ENTRANCE ROOM FOR</u>			
<u>WINTER USE. 84' FROM PROPERTY</u>			
<u>LINE</u>			

Affidavit:

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, and that the answers and statements herein contained and the information submitted are in all respects true and correct. In addition, the undersigned represents that he/she or they is authorized and does hereby grant a right of entry to Township officials for the purpose of inspecting the premises and uses thereon for the sole purpose of gathering information regarding the request.


Owner signature

8-14-17
Date


Applicants signature

8-14-17
Date

Any party aggrieved by the decision of the Zoning Board of Appeals may appeal the decision to circuit court. An Appeal of the decision shall be filed in accordance with PA 110 of 2006, as amended.

Applications and fees shall be submitted 30 days prior to the regular scheduled ZBA hearing date.

SECTION 454 VARIANCES

A. Applicability – Dimensional Variances

The Zoning Board of Appeals may authorize a non-use variance relating to the construction, structural changes, or alterations of buildings or structures related to dimensional requirements of this ordinance, or to any other non-use related standard of this ordinance, that comply with the requirements of this section.

B. Applicability – Use Variances

The Zoning Board of Appeals shall not grant a use variance or take any action that would have the effect of granting a variance from the permitted use of land.

E. Approval Criteria

(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);
- (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;
- (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;
- (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; and
- (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.

(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;
- (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;
- (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;
- (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; and
- (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.

(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.

Office Addition Bay Meadows Family Golf Course Learning Center

5550 Bay Meadows Drive, Traverse City, Mi. 49684

June 2017

REVISIONS

DO NOT SCALE DRAWINGS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT IS THE WORK OF ME OR UNDER MY DIRECT CONTROL AND I AM A QUALIFIED ARCHITECT REGISTERED IN THE STATE OF MICHIGAN. MY EXPIRES DATE IS 03/31/2017. PLEASE PRINT NAME AND LICENSE NUMBER.

COPYRIGHT 2017 JKA PLLC ARCHITECT SEAL

SHEET NUMBERING
DRAWING GROUP

SHEET NUMBER:
A0.0

SHEET INDEX

- A0.0 TITLE SHEET
- A0.1 BARRIER TREE DETAILS - GENERIC - TYPICAL
- A0.2 FLOOR PLAN SOIL EROSION DETAILS
- A0.3 BUILDING ELEVATIONS/WALL SECTIONS

CODE REVIEW

Code Review:
 Office Address: Business Use, B - Single Level
 Building Height: 1 Story/1000 SF Unheated Total Area based upon Type V8 Construction - Complete
 Type V8 Construction
 No Automatic Sprinkler Provided. Not required, less than 12000 SF
 Manual Fire Alarm System not required, less than 100 persons and less than 100 rooms and less than 10000 SF
 egress for
 Occupant Load by Egress: Additional 1 person.
 Erosion/Retention
 Existing Retainment System 100% to remain. Less than 10 Feet
 Combined Erosion/Retainment

APPROVAL AGENCIES

BUILDING PLAN REVIEW
 Central Inghram Construction LLC
 1011 W. Leland Ave. Traverse City, MI 49684
CONSTRUCTION CODE BUILDING INSPECTIONS
 Inghram Construction LLC
 1011 W. Leland Ave. Traverse City, MI 49684
SOIL EROSION
 Grand Traverse County Soil Erosion
 1011 W. Leland Ave. Traverse City, MI 49684
SEALED AND SIGNED
 JKA PLLC
 1011 W. Leland Ave. Traverse City, MI 49684
FIRE SAFETY
 Fire Department
 214 W. Leland Ave. Traverse City, MI 49684
 231-922-5977

PROJECT TEAM

OWNER
 Bay Meadows Family Golf LLC
 5550 Bay Meadows Drive
 Traverse City, MI 49684
GENERAL CONTRACTOR
 JKA PLLC
 1011 W. Leland Ave. Traverse City, MI 49684
ARCHITECT
 JKA PLLC
 1011 W. Leland Ave. Traverse City, MI 49684
 J. K. Anderson, AIA
 231-922-5977
 Project: 1503632/1503632

SCOPE OF ARCHITECT SERVICE

1. MECHANICAL, PLUMBING AND ELECTRICAL ENGINEERING AND CONSTRUCTION DETAILS AND ARE TO BE PROVIDED BY OTHERS IF REQUIRED.
2. CONSTRUCTION DETAILS, METHODS, EQUIPMENT, SEQUENCES, AND MATERIALS TO BE PROVIDED BY OTHERS, NOT REVIEWED OR APPROVED BY THE ARCHITECT.

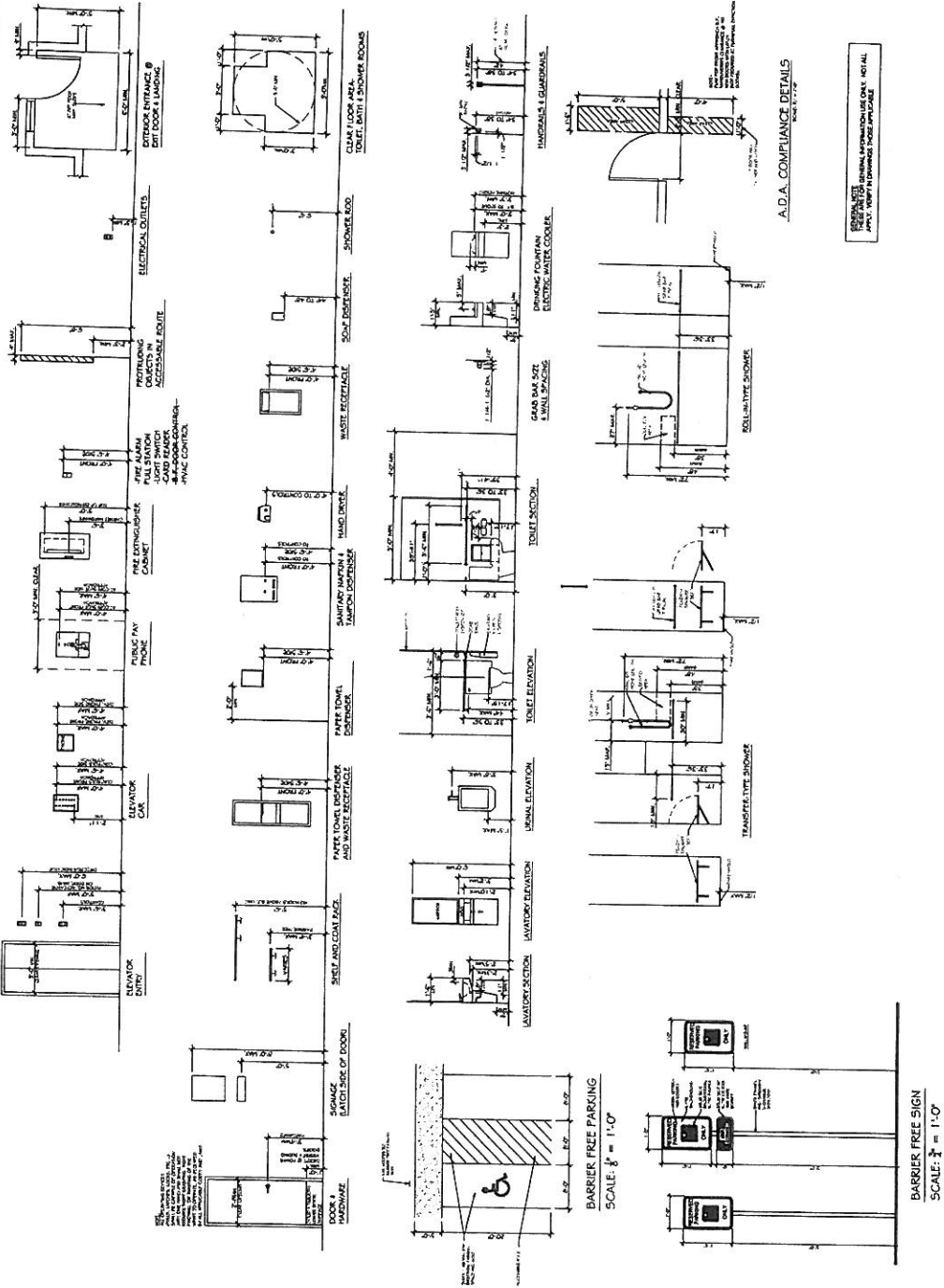
DATE REVISED
10/21/17 JPK/MS

JOHN KERRIDGE ARCHITECT, PLLC
1140 N.W. 10TH AVENUE
MIAMI, FL 33136
TEL: 305.575.1100
WWW.JKA.COM

JOHN KERRIDGE ARCHITECT, PLLC
TRAVERSE CITY, MI
BARRIER FREE DETAILS

DATE: 08.13.2017
SCALE: 1/4" = 1'-0"
PROJECT: BARRIER FREE DETAILS
SHEET: A0.1

A0.1



A.D.A. COMPLIANCE DETAILS
SEE 11.7.7.2

BARRIER FREE SIGN
SCALE: 1/4" = 1'-0"

BARRIER FREE SIGN
SCALE: 1/4" = 1'-0"

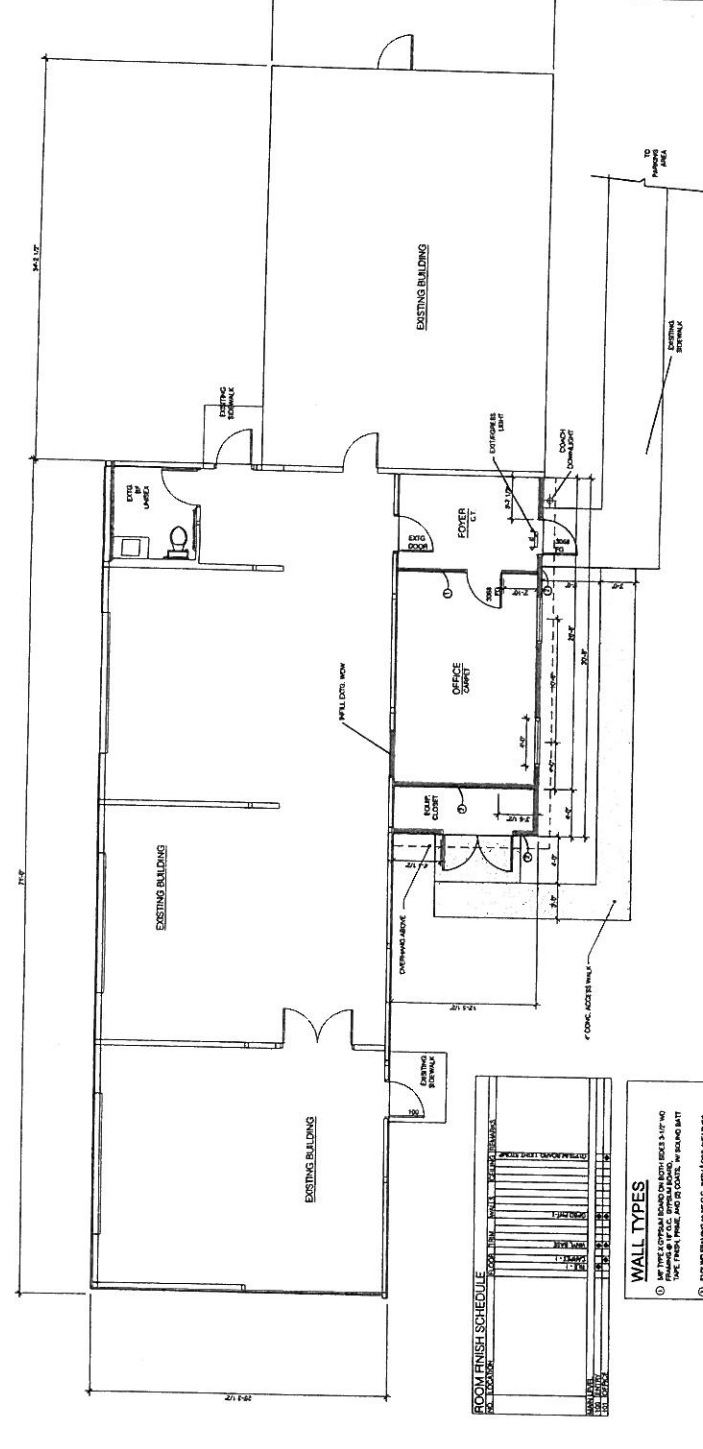
DATE PLOTTED: 12/27/17
 PLOT NUMBER: 12/27/17

JOHN KERRIDGE ARCHITECT, PLLC
 1140 BEL CHERIE CR.
 TRAVERSE CITY, MICHIGAN 49686
 T: 231.828.8200
 jkerridge@jka.com

FLOOR PLAN - OFFICE ADDITION
 BAY MEADOW FAMILY GOLF LLC
 5950 BAY MEADOWS DR.
 TRAVERSE CITY, MICHIGAN

PROJECT: 17-001
 SHEET: A3.1
 DATE: 12/27/17
 SCALE: 1/4" = 1'-0"
 DRAWING: FLOOR PLAN
 SHEET: A3.1

A3.1



ADDITION FLOOR PLAN
 SCALE: 1/4" = 1'-0"

TOTAL AREA: 242 SF
 EXISTING: 100 SF
 NEW ADDITION: 142 SF

ROOM FINISH SCHEDULE

ROOM	FINISH
OFFICE CORNER	1. WALL: 1/2" GYP BOARD, 1/2" JACOBS BRASS, 1" POLYURETHANE FOAM INSULATION, 1" GYP BOARD
REAR CLOSET	1. WALL: 1/2" GYP BOARD, 1/2" JACOBS BRASS, 1" POLYURETHANE FOAM INSULATION, 1" GYP BOARD
STORAGE AREA	1. WALL: 1/2" GYP BOARD, 1/2" JACOBS BRASS, 1" POLYURETHANE FOAM INSULATION, 1" GYP BOARD
RESTROOM	1. WALL: 1/2" GYP BOARD, 1/2" JACOBS BRASS, 1" POLYURETHANE FOAM INSULATION, 1" GYP BOARD
NEW LITTLE WINDOW	1. WALL: 1/2" GYP BOARD, 1/2" JACOBS BRASS, 1" POLYURETHANE FOAM INSULATION, 1" GYP BOARD

- WALL TYPES**
- ① 1/2" GYP BOARD ON 2x4 STUDS @ 16" O.C., 1/2" JACOBS BRASS, 1" POLYURETHANE FOAM INSULATION, 1" GYP BOARD
 - ② 1/2" GYP BOARD ON 2x4 STUDS @ 16" O.C., 1/2" JACOBS BRASS, 1" POLYURETHANE FOAM INSULATION, 1" GYP BOARD, 1" POLYURETHANE FOAM INSULATION, 1" GYP BOARD

SCALE: 1/4" = 1'-0"

DATE REVISED: 08/15/2017
 DRAWN BY: JMK

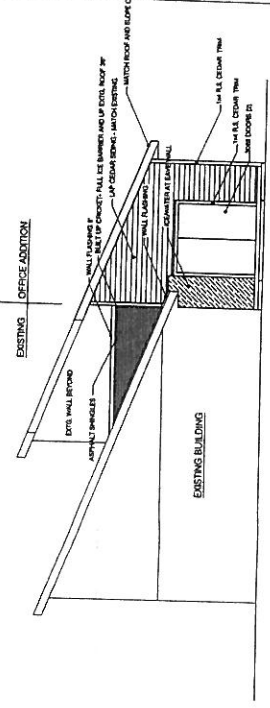
5140 BEL CHERIE DR
 TRAVERSE CITY, MICHIGAN 49684
 JOHN KERRIDGE ARCHITECT, PLLC
 jkarch@jka.com

JOHN KERRIDGE
 ARCHITECT, PLLC

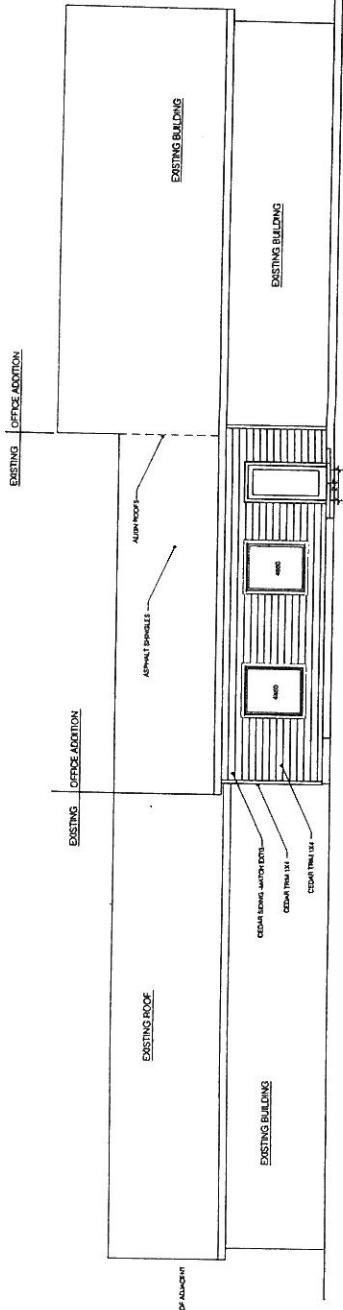
ADDITION ELEVATIONS
 BAY MEADOWS FAMILY GOLF LLC
 5550 BAY MEADOWS DR
 TRAVERSE CITY, MICHIGAN

DATE: 08/15/2017
 TIME: 10:00 AM
 PROJECT: BAY MEADOWS FAMILY GOLF LLC
 SHEET: A5.1 OF 10
 DRAWN BY: JMK
 CHECKED BY: JMK

SCALE: 1/4" = 1'-0"
 PROJECT ELEVATION
 A5.1



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



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

ZONING:
 R-1 (RESIDENTIAL SINGLE-FAMILY)
AREA CALCULATIONS:
 TOTAL AREA: 10.00 AC
 BLDG. FLOOR AREA: 3,001 SF
PARKING:
 ALL PARKING SPACES ARE EXISTING, INCL. BIACCESSIBLE.

SOIL EROSION, SEDIMENTATION AND STORMWATER CONTROL PRACTICES -
 REQUIREMENTS AS PROVIDED BY OHIO TOWNSHIP COUNTY SOIL EROSION PERMIT, ATTACHED.
 2. SOIL PILES, TEMPORARY SEED WITH ANNUAL PYS OR WATER WEEDS IS RECOMMENDED.
 3. WITH ALL STORMS, CLEANUP ANY SOIL WASHED OFF SITE.
 4. PLACE PLASTIC MESH OR SHOULDER FENCE BARRIERS AROUND TRUCKS NEAR THE CONSTRUCTION TO PROTECT VEGETATION IS ESTABLISHED.
 5. SOIL EROSION FIXINGS SHALL NOT BE INSTALLED UNTIL VEGETATION IS ESTABLISHED.

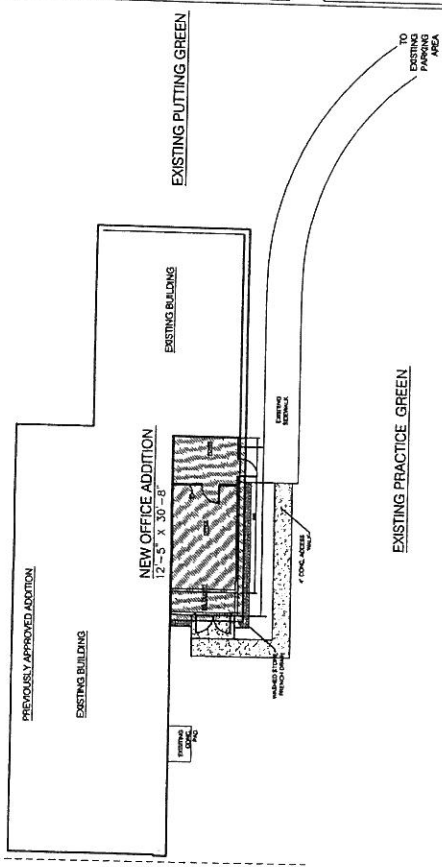
PRELIMINARY CONSTRUCTION SCHEDULE
 BETWEEN SIGNING COMPLETE
 NOVEMBER 2017
 PROJECT COMPLETION

ALL WORKSHOWN PERMITS, PERMITS APPROVED BY LOCAL, STATE, FEDERAL AND OTHER AGENCIES SHALL BE OBTAINED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
 THE CONTRACTOR SHALL OBTAIN PERMITS FOR ALL NECESSARY UTILITIES AND SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES.
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PARCEL # 05-006-001-50

PREVIOUSLY APPROVED PERMITS: EROSION CONTROL FOR EXISTING BUILDING

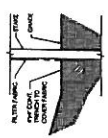
EXISTING RANGE



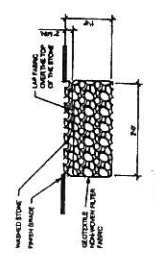
SITE PLAN WITH EXISTING CONDITIONS
 SCALE: 1/8" = 1'-0"

NEW ADDITION: 381 SF
 EXISTING BUILDING: 2,620 SF
 TOTAL AREA: 3001 SF

GENERAL NOTES:
 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES.
 2. THE CONTRACTOR SHALL OBTAIN PERMITS FOR ALL NECESSARY UTILITIES AND SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES.
 3. THE CONTRACTOR SHALL OBTAIN PERMITS FOR ALL NECESSARY UTILITIES AND SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES.
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2 SILT FENCE DETAIL
 C12 SCALE 1" = 1'-0"



7 FRENCH DRAIN (TYP)
 C13 SCALE 1" = 1'-0"

JOHN KERRIDGE ARCHITECT PLLC
 1140 BELL CENTER DR
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 F: 231.947.1001
 J.Kerridge@jka.com

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 F: 231.947.1001
 J.Kerridge@jka.com

BAY MEADOWS FAMILY GOLF LLC
 5550 BAY MEADOWS DR
 TRAVERSE CITY, MI, 49684

SITE PLAN
 DATE: JUNE 11, 2017
 SCALE: 1/8" = 1'-0"
 DRAWN BY: J.K.
 CHECKED BY: J.K.
 APPROVED BY: J.K.

C1.1
 SHEET

Haggard's
PLUMBING and HEATING
"Business of Quality and Service"
"Charlevoix-the-Beautiful"
haggardsinc@hotmail.com

Date: October 2, 2017

To: Garfield Township
Zoning Board of Appeals
3848 Veterans Dr.
Traverse City, MI 49684

RE: Request by Bay Meadows Family Golf for a variance from Section 749 of the Garfield Township Zoning Ordinance to reduce the Westerly setback from 200' to 84'.
Parcel# 05-006-001-50

To Whom it May Concern,

Upon reviewing the above Notice of Public Hearing of the Zoning Board of Appeals, I would like to express my view with the above case's requests. Haggard's Plumbing & Heating is not at all opposed to the changes of the property and/or the request to the Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time of economical struggles to either build and/or improve their existing property, we would like to see their request granted. It would prove positive for the local, county, state and country to do all we can to improve and promote growth in any way possible.

Sincerely,

Haggard's Plumbing & Heating



Charter Township of Garfield

Grand Traverse County

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

ZONING BOARD OF APPEALS STAFF REPORT

To: Zoning Board of Appeals
From: Michael Green, Zoning Administrator
Date: October 5, 2017

Meeting Date: October 18, 2017
Case #: 2017-07 Lot Line interpretation request
Owner: Tara Hochstetler
Property ID #: 28-05-306-022-00
Property Location: 4541 Stoneridge Court
Zoning District: R-1, One Family Residential

Request

The applicant is requesting a determination that the lot line adjoining the corner of a proposed deck addition be defined as a side lot line. The Zoning Administrator has determined that the line is considered a rear lot line. The applicant previously requested a variance to allow for construction of an addition to the current deck which will be located in the rear yard setback. The deck addition would reduce the rear yard setback from 30' to 20'.

Parcel Overview

This parcel is located at the end of Stoneridge Court and is within the Stoneridge Subdivision, which was developed in 1996. It is zoned R-1 - One Family Residential. This property is relatively flat however would be considered an irregular shaped lot. Although not related to the request, the applicant was of the understanding that the property line in question was a side lot line, which would negate the need for a variance. Staff, however, has determined that the line is a rear lot line. If it was a side lot line, the lot would have to be considered an illegal non-conforming lot as it wouldn't meet the minimum one-hundred (100) foot lot width requirement that was in effect when the plat was developed and is still in effect. Currently there is a single family dwelling on the property with an existing deck. The current structure is nonconforming with the rear corner of the home located in the rear setback, based on the Zoning Administrator's determination. The home was built in 2003 by the previous owner the property. The Hochstetlers bought the property in 2013 after all the current improvements were made to the property.



Aerial overview of subject lot. The lot is the farthest north in the subdivision and is located at the end of Stoneridge Court. The area to the north and west of the subject lot is a permanent conservation easement that is platted in with the subdivision. A copy of the plat is also included in the packet.

Exhibit "A" Lot line determination by the Zoning Administrator

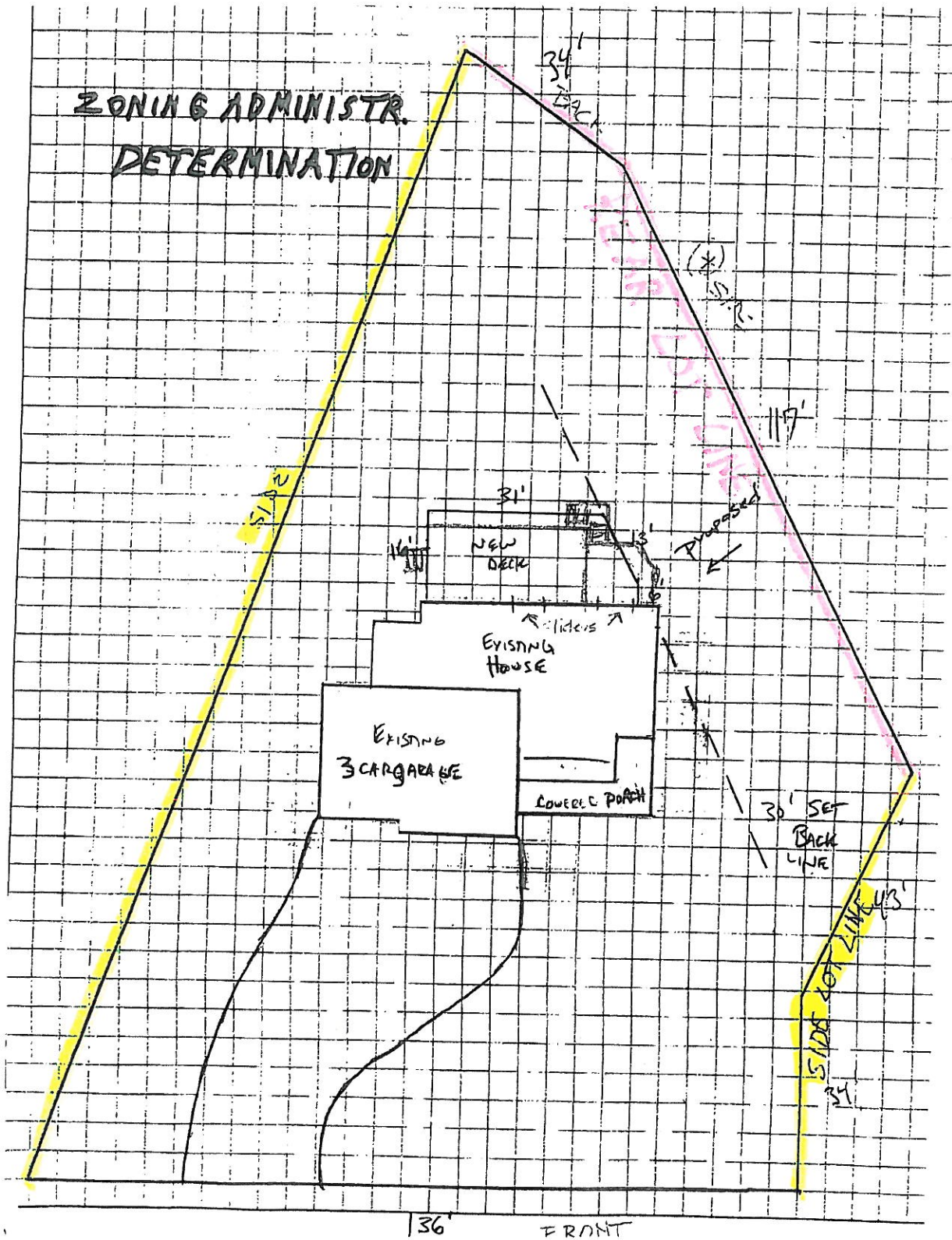
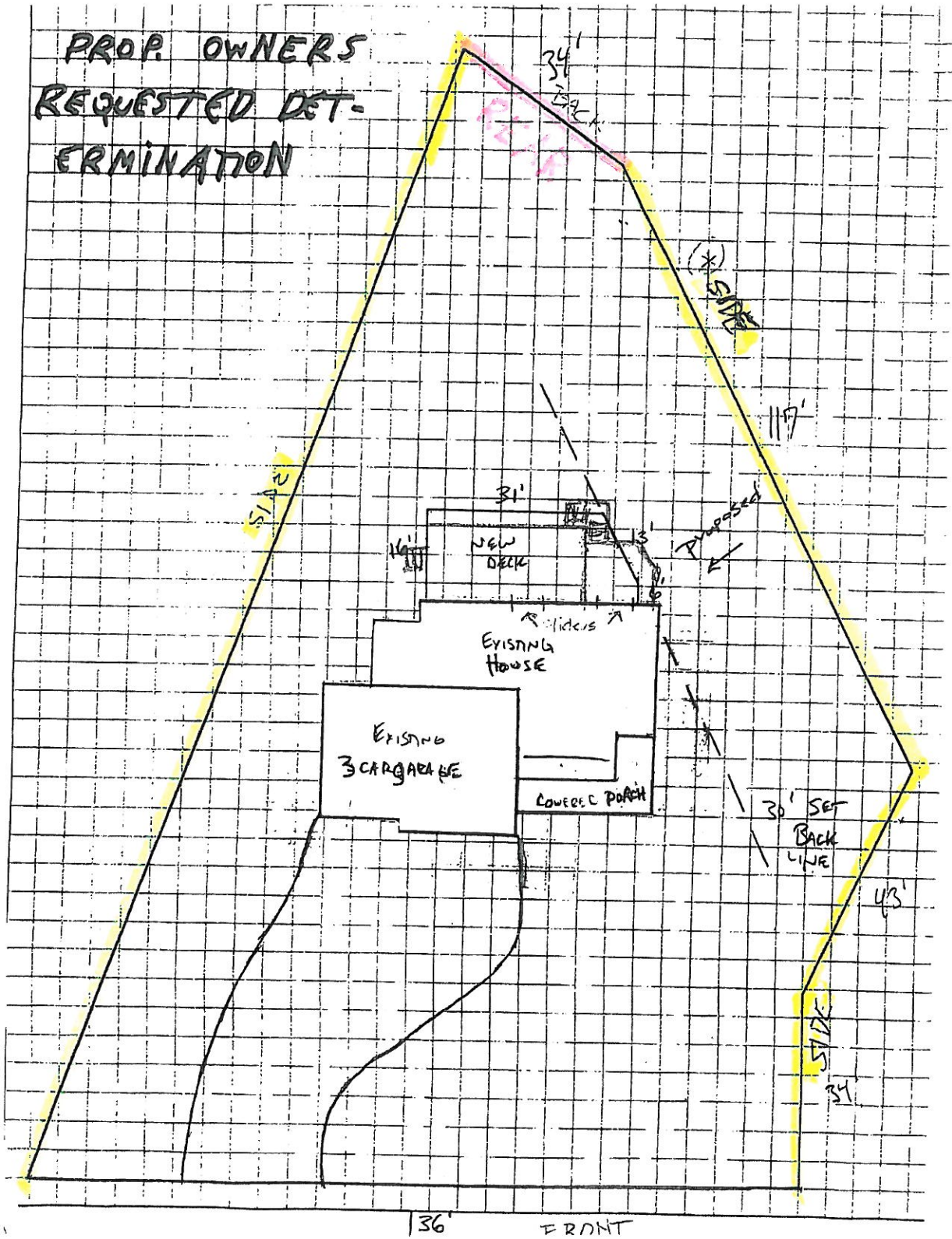


Exhibit "B" Lot Line Determination Requested by Applicant



Staff Review

The applicant is requesting a review of the Zoning Administrator’s determination that the line running along the corner of a proposed deck is a rear lot line. If the Zoning Board determines that the line is a side lot line, the setback requirement will be reduced from 30 ft. to 10 ft. Below are the setback requirements for the R-1 zoning district from Table 3-3 of the Zoning Ordinance.

Table 3-3 Dimensional Standards	Minimum Lot or Land Use Dimensions per Dwelling Unit		Maximum Height of Structures		Minimum Yard Setbacks (per lot in feet) Waterfront see "L" Highway Setback see "K"			Maximum Lot Coverage (All Structures)	Minimum Building Cross Section
	Zoning District	Area (in square feet)	Width (in feet)	In stories	In feet	Front	Side	Rear	Percent
R-1 (with public sewer)	15,000 (A)	100	2 ½	35	30	10	30	30%	24
R-1 (w/o public sewer)	20,000	100	2 ½	35	30	10	30	30%	24

Please note that the previous Zoning Ordinance regulations for the subject property are identical to the current regulations shown above.

Alternative Motions

1. Motion to: **APPROVE** the lot determination requested by the applicant as shown in Exhibit "A"
2. Motion to: **DENY** the lot line determination requested by the applicant and uphold the Zoning Administrator’s determination shown in Exhibit "B"



Charter Township of Garfield

Grand Traverse County

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

ZONING BOARD OF APPEALS APPLICATION

1. Owner / Applicant information

Tara Hochstetler
Owner:
4541 Stone Ridge Court
Address:
Traverse City MI 49684
City, State, Zip Code
231-620-0765
Phone Numbers

Tara Hochstetler
Applicant:
4541 Stone Ridge Ct
Address:
Traverse City MI 49684
City, State, Zip Code
231 620 0765
Phone Numbers

2. Property Information:

- a. Property Address: 4541 Stone Ridge Court
- b. Property Location: _____
- c. Lot # _____ Subdivision Name: Stone Ridge
- d. Parcel ID# 28-05- 306 - 022 - 00
- e. Current Zoning: R-1
- f. Current Use: _____

3. Purpose For Request:

Variance Appeal _____ Interpretation Review _____

Other _____ Please explain request / List section(s) related to request: B a

The shape of our property is unusual
as compared to others in our subdivision. Because
it is nearly triangular in shape, we are
unable to extend our deck near the edge

of our home without encroaching on the
30ft rear setback, especially because
the house crosses the setback line. 06/2015

Affidavit:

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, and that the answers and statements herein contained and the information submitted are in all respects true and correct. In addition, the undersigned represents that he/she or they is authorized and does hereby grant a right of entry to Township officials for the purpose of inspecting the premises and uses thereon for the sole purpose of gathering information regarding the request.

Tara Hodsett
Owner signature

August 23, 2017
Date

Tara Hodsett
Applicants signature

August 23, 2017
Date

Any party aggrieved by the decision of the Zoning Board of Appeals may appeal the decision to circuit court. An Appeal of the decision shall be filed in accordance with PA 110 of 2006, as amended.

SECTION 454 VARIANCES

A. Applicability – Dimensional Variances

The Zoning Board of Appeals may authorize a non-use variance relating to the construction, structural changes, or alterations of buildings or structures related to dimensional requirements of this ordinance, or to any other non-use related standard of this ordinance, that comply with the requirements of this section.

B. Applicability – Use Variances

The Zoning Board of Appeals shall not grant a use variance or take any action that would have the effect of granting a variance from the permitted use of land.

E. Approval Criteria

(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);
- (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;
- (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;
- (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; and
- (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.

(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;
- (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;
- (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;
- (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; and
- (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.

(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

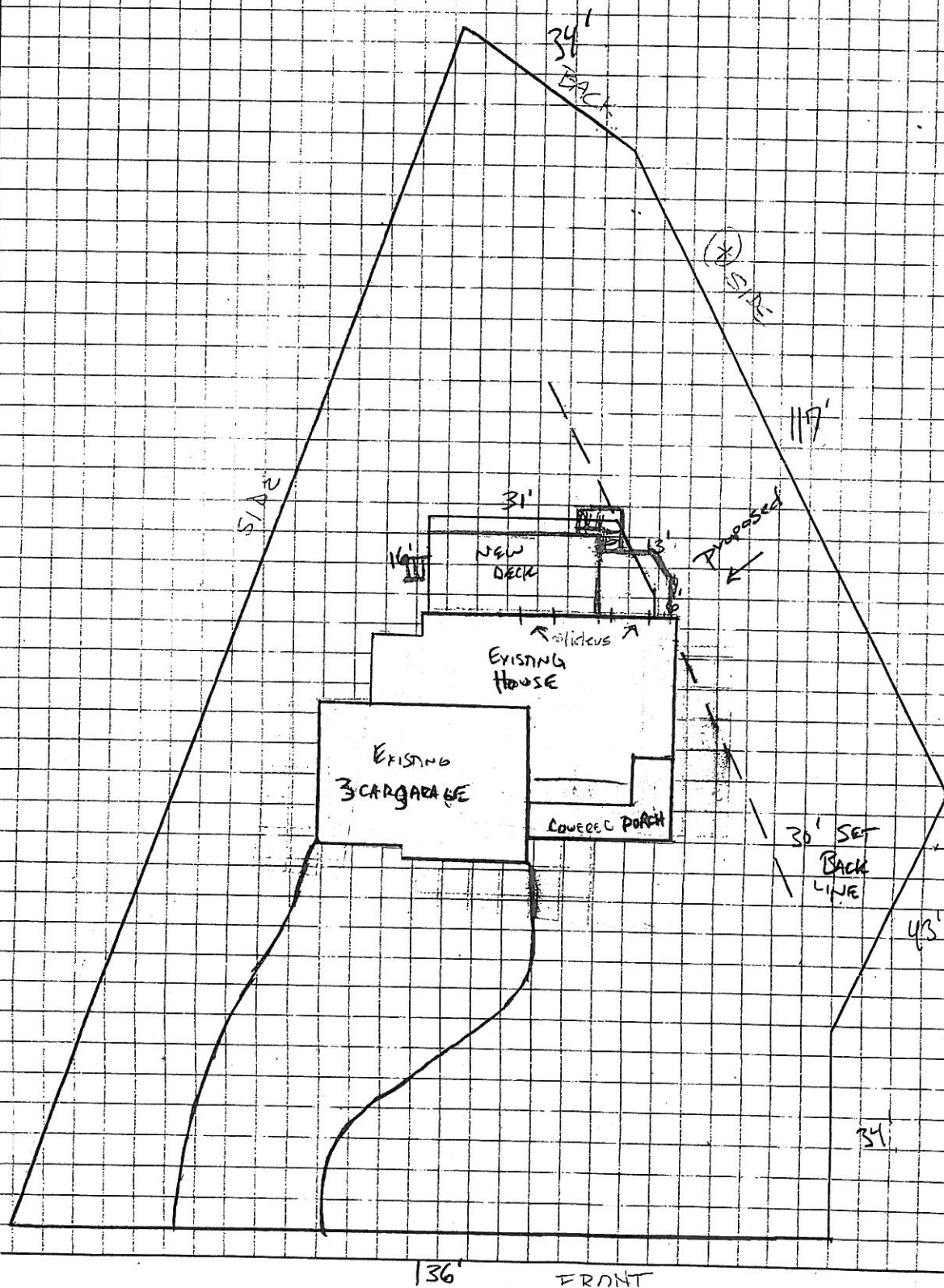
The proposed project site contains historical significance.

(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.

HOUSING SITE PLAN

1" = 20'-0"



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 public hearings at their regular meeting on October 18, 2017 at 6:00 pm. The hearings 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 Bay Meadows Family Golf for a variance from Section 749 of the Garfield Township Zoning Ordinance to reduce the Westerly setback from 200' to 84'. The property is zoned R-1 and is a use permitted by special conditions. This is a continuation of a request that was considered at the September 20, 2017 meeting.

The subject property is located at 5550 Bay Meadows Drive, Traverse City, MI with a property I.D. # of 05-006-001-50.

2. A request made by Tara Hochstetter for an interpretation from Section 313 of the Garfield Township Zoning Ordinance to define the parcel lot lines. This is a modification of the previous request heard on September 20, 2017.

The subject property is zoned R-1 and is located at 4541 Stoneridge Court, Traverse City MI with a property I.D # of 05-306-022-00.

3. A request from Dan & Judith Diekman for a variance from Section 315 of the Garfield Township Zoning Ordinance to reduce the side area setback(s) from 20' to 10' on each side.

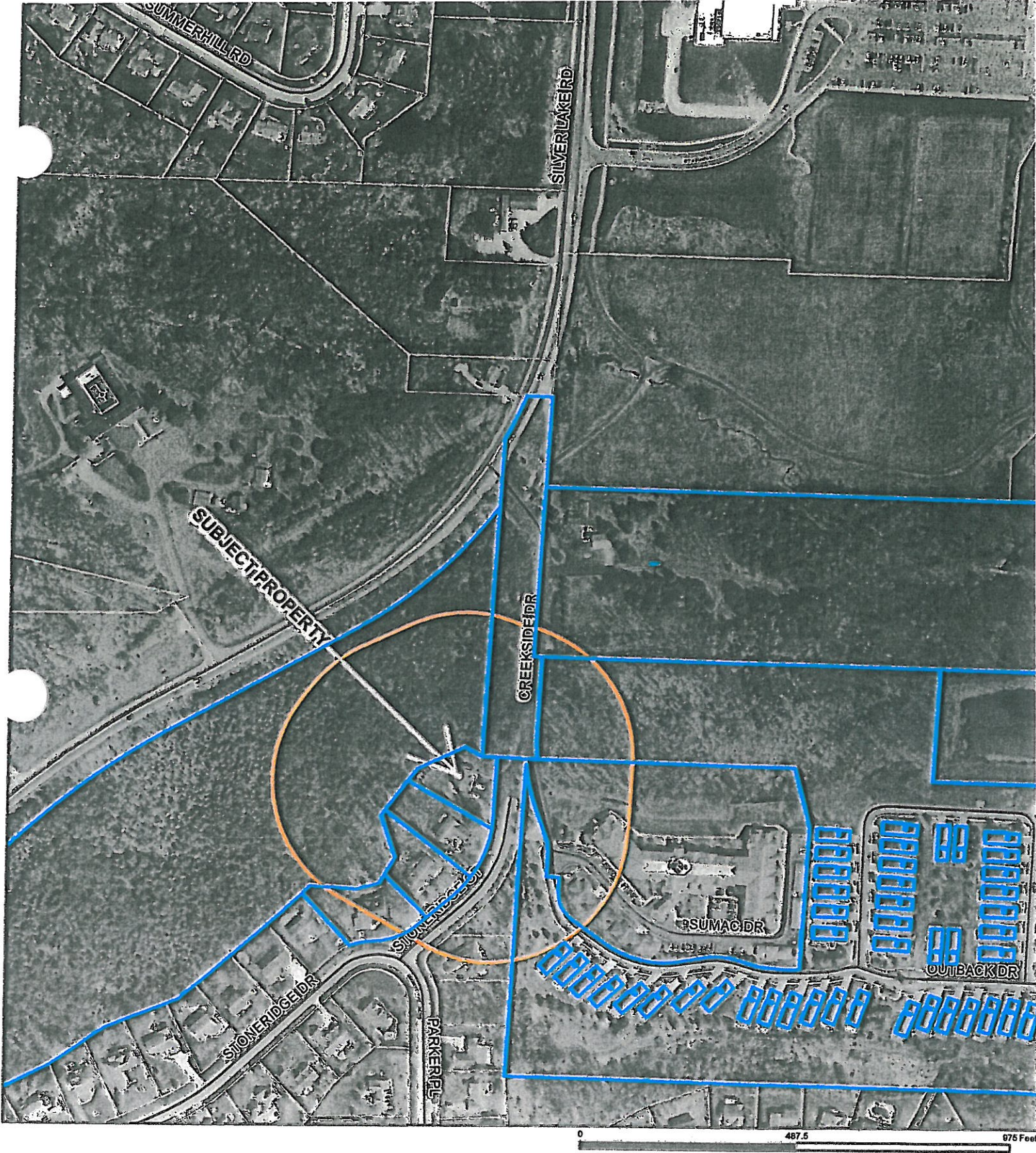
The subject property is zoned R-3 and is located at 3777 Brook Drive, Traverse City, MI with a property I.D. # of 05-070-024-00

A copy of the applications, 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.

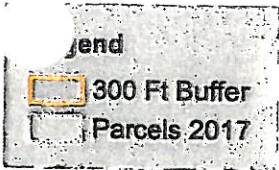
Steve Duell – Secretary
Garfield Township Zoning Board of Appeals
3848 Veterans Drive
Traverse City, MI 49684

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.



Notice Map



This map is based on digital databases prepared by Garfield Township. The Township does not warrant, expressly or impliedly, that the information on this map is current or positionally accurate. Always contact a surveyor to be sure of where your property lines are located.

Garfield Charter Township
 3848 Veterans Drive
 Traverse City, MI 49684
 Phone: 231.941.1620
 Fax: 231.941.1688

www.garfield-twp.com



NOT A LEGAL SURVEY

Garfield Township Planning Dept: 8/31/2017

SCHMUDE MARY JO A TRUST
4040 CREEKSIDE DR
TRAVERSE CITY, MI 49684-7180

CREEKSIDE CONDO ASSOC OF TC INC
3835 OUTBACK DR
TRAVERSE CITY, MI 49684

HOLDEN REX K & JILL T
4523 STONERIDGE CT
TRAVERSE CITY, MI 49684

CHARTER TWP OF GARFIELD
SILVER LAKE RD
TRAVERSE CITY, MI 49684

WALSH ERICA C TRUST
4487 STONERIDGE CT
TRAVERSE CITY, MI 49684

CORNELIUS ASHER D & CATHI R
4492 STONERIDGE CT
TRAVERSE CITY, MI 49684

CHARTER TWP OF GARFIELD
STONERIDGE CT
TRAVERSE CITY, MI 49684

TRAVERSE CITY RESIDENCE LLC
3950 SUMAC DR
TRAVERSE CITY, MI 49684-7009

WEST MI CONFERENCE OF UNITED
METHOD
4505 STONERIDGE CT
TRAVERSE CITY, MI 49684

HOCHSTETLER BRADLEY S & TARA N
4541 STONERIDGE CT
TRAVERSE CITY, MI 49684



Charter Township of Garfield

Grand Traverse County

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

ZONING BOARD OF APPEALS

STAFF REPORT

To: Zoning Board of Appeals
From: Michael Green, Zoning Administrator
Date: September 7, 2017

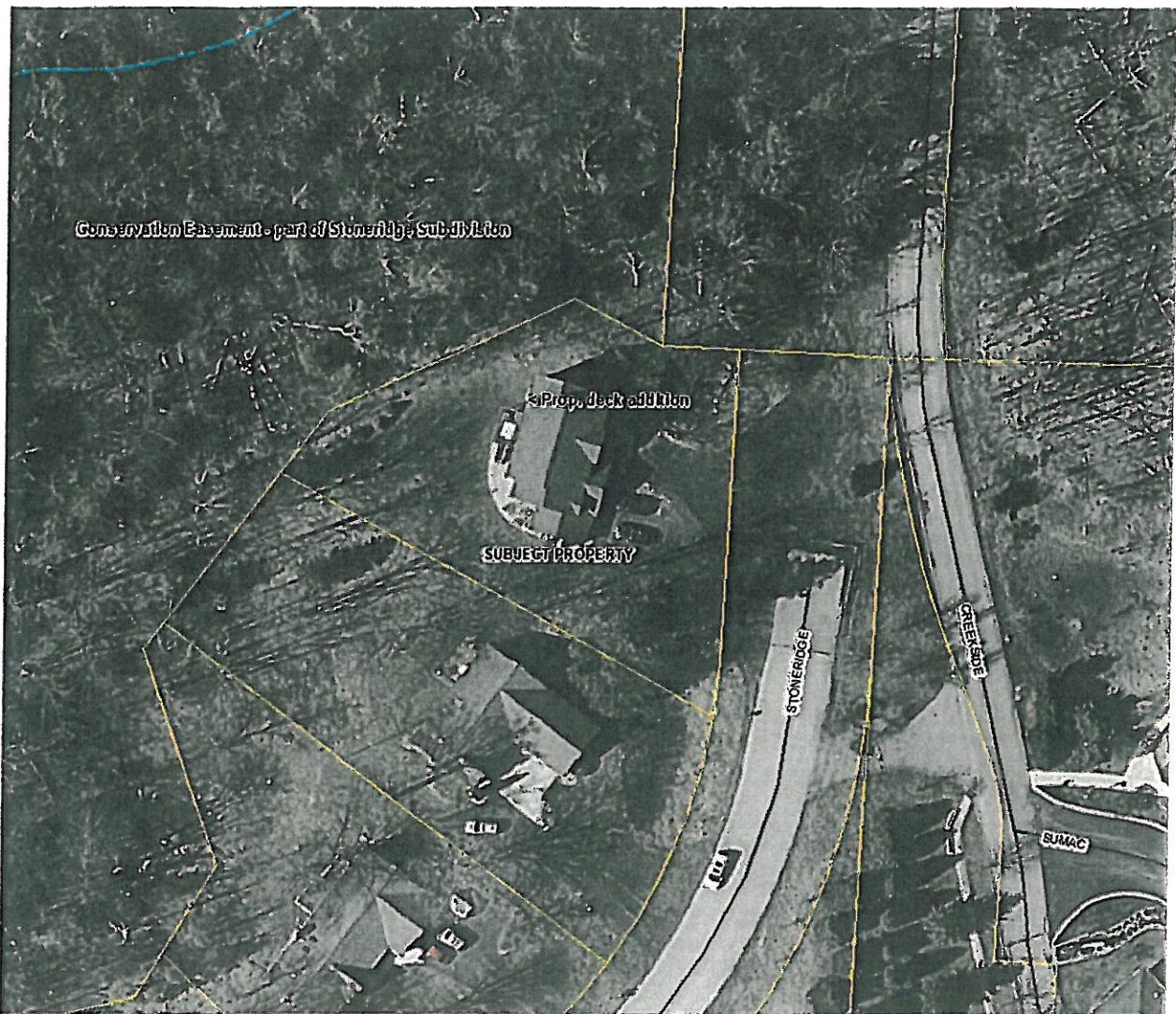
Meeting Date: September 20, 2017
Case #: 2017-07 Rear Yard Setback Variance
Owner: Tara Hochstetler
Property ID #: 28-05-306-022-00
Property Location: 4541 Stoneridge Court
Zoning District: R-1, One Family Residential

Request

The applicant is requesting a variance to allow for construction of an addition to the current deck which will be located in the rear yard setback. The deck addition would reduce the rear yard setback from 30' to 20'.

Parcel Overview

This parcel is located at the end of Stoneridge Court and is within the Stoneridge Subdivision, which was developed in 1996. It is zoned R-1 - One Family Residential. This property is relatively flat however would be considered an irregular shaped lot. Although not related to the request, the applicant was of the understanding that the property line in question was a side lot line, which would negate the need for a variance. Staff, however, has determined that the line is a rear lot line. If it was a side lot line, the lot would have to be considered an illegal non-conforming lot as it wouldn't meet the minimum one-hundred (100) foot lot width requirement that was in effect when the plat was developed and is still in effect. Currently there is a single family dwelling on the property with an existing deck. The current structure is nonconforming with the rear corner of the home located in the rear setback. The home was built in 2003 by the previous owner the property. The Hochstetlers bought the property in 2013 after all the current improvements were made to the property.



Aerial overview of subject lot. The lot is the farthest north in the subdivision and is located at the end of Stoneridge Court. The area to the north and west of the subject lot is a permanent conservation easement that is platted in with the subdivision. A copy of the plat is also included in the packet.

Staff Review

The applicant is requesting a variance to allow for the construction of an addition to the existing deck. If approved, the applicant would be allowed to build the deck within 20 feet of the rear lot line. Below are the setback requirements for the R-1 zoning district from Table 3-3 of the Zoning Ordinance.

Table 3-3 Dimensional Standards	Minimum Lot or Land Use Dimensions per Dwelling Unit		Maximum Height of Structures		Minimum Yard Setbacks (per lot in feet) Waterfront see "L" Highway Setback see "K"			Maximum Lot Coverage (All Structures)	Minimum Building Cross Section
	Zoning District	Area (in square feet)	Width (in feet)	In stories	In feet	Front	Side	Rear	Percent
R-1 (with public sewer)	15,000 (A)	100	2 ½	35	30	10	30	30%	24
R-1 (w/o public sewer)	20,000	100	2 ½	35	30	10	30	30%	24

The Zoning Ordinance requires a 30 ft rear yard setback in the R-1 zoning district. This request is to place a structure 10 feet into the 30 foot setback, whereby reducing the setback to 20 feet. To qualify for a variance, the applicant must meet all the Practical Difficulty standards and General Criteria as described below. For each standard, staff comments are shown as highlighted and in *[brackets]*.

E. Approval Criteria

(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); *[Staff response: The shape of the lot is unique in comparison with other lots within the subdivision. However, the lot conforms with the dimensional requirements for lots in the R-1 district.]*
- (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; *[Staff response: The current homeowners did not create the condition; the house and deck existed when they purchased the home.]*
- (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; *[Staff response: Despite the unique shape of the lot, it meets all the dimensional requirements of the current Ordinance. Additionally, there seems to be other areas behind the house that are buildable and would meet the strict requirements of this Ordinance.]*
- (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; *[Staff response: As stated above, the lot meets all dimensional standards and is. As also stated above, there is buildable area around the back and other side of the existing dwelling in which a deck addition could be built.]*

- (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. *[Staff response: 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; *[Staff response: The applicant owns the property, so this would be met.]*
- (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; *[Staff response: The Zoning Board of Appeals has not approved any variances within the Stoneridge Development.]*
- (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; *[Staff response: The applicants have not demonstrated that this would be met.]*
- (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; *[Staff response: The rear yard is somewhat isolated from neighboring properties and appears to be located away from any environmentally sensitive areas, so this standard could be met.]*
- (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. *[Staff response: As stated prior, there are alternative locations in the rear yard where the deck could be expanded upon while meeting the strict requirements of this Ordinance.]*

(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

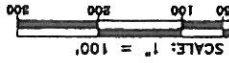
The proposed project site contains historical significance.

(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.

Alternative Motions

1. Motion to: **GRANT** the request for variance from Section 313.E of the Garfield Township Zoning Ordinance to allow a deck addition to be constructed twenty (20) feet from the rear lot line based on the Practical Difficulty standards and General Criteria for granting such request being met.
2. Motion to: **GRANT, IN PART** the request for variance from Section 313.E of the Garfield Township Zoning Ordinance to allow a deck addition to be constructed *[an amount between the requested 20 ft. and the required 30 ft]* from the rear lot line based on the Practical Difficulty standards and General Criteria for granting such request being met. *[the ZBA may place other conditions as deemed necessary to mitigate the request]*
3. Motion to: **DENY** the request for variance from Section 313.E of the Garfield Township Zoning Ordinance to allow a deck addition to be constructed twenty (20) feet from the rear lot line based on the Practical Difficulty standards and General Criteria for granting such request NOT being met.



STONEBRIDGE

PART OF THE SE 1/4 SEC. 17, PART OF THE NE 1/4 SEC. 20, AND PART OF THE NW 1/4 OF THE NW 1/4 SEC. 21, ALL IN T. 27 N., R. 11 W., GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

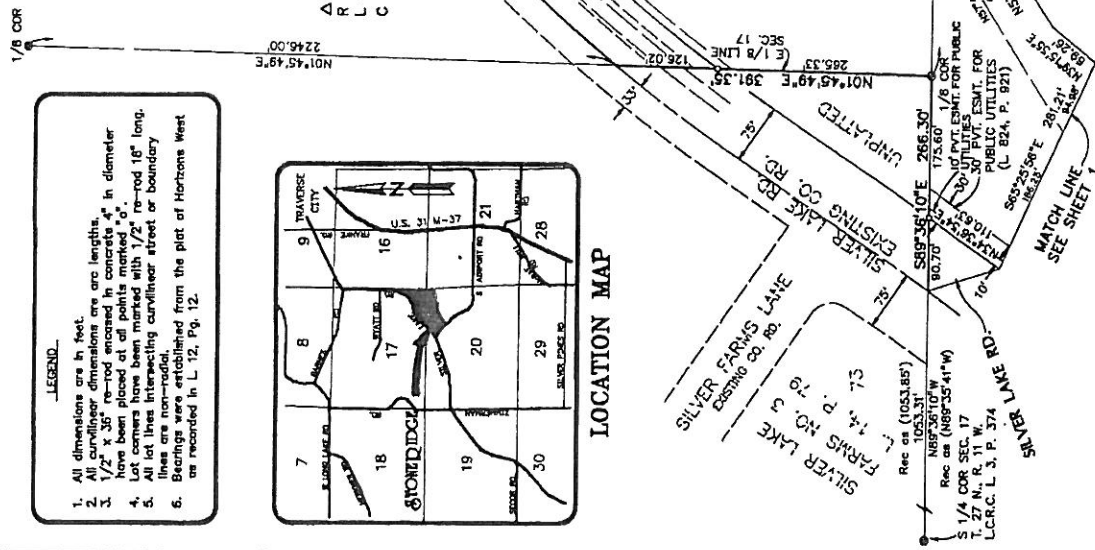
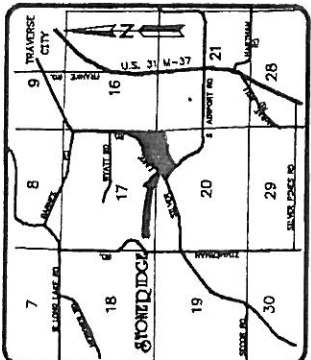
$\Delta = 31727.43"$
 $R = 846.37$
 $L = 518.67$
 $C = N44^{\circ}04'35"E$
 513.16



- CURVE INFORMATION -

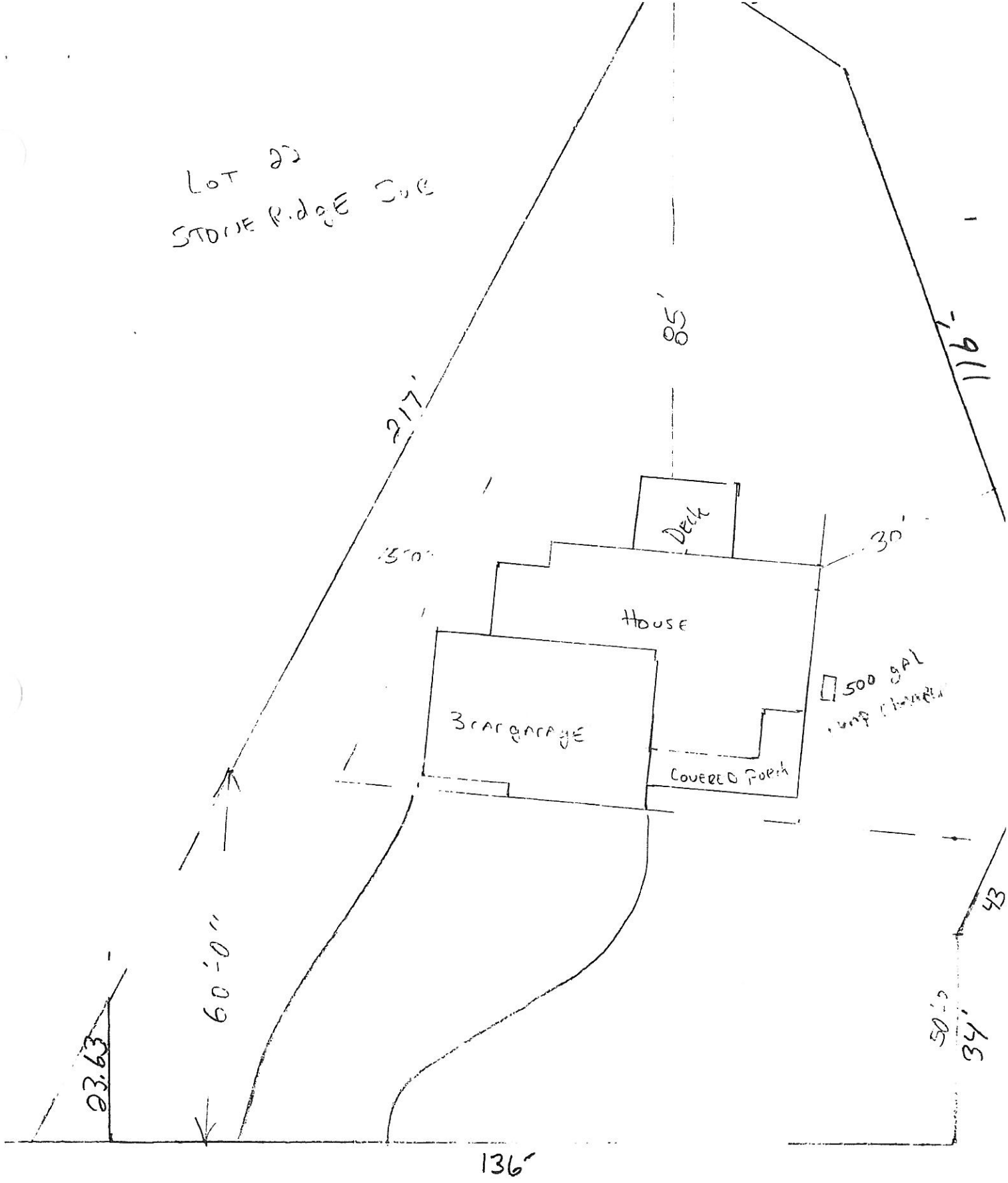
CURVE	RADIUS	LENGTH	CHORD	BEARING	DIST.	DELTA
16	77.00'	176.31'	140.24'	S68°23'49"E	131.71	131°11'31"
17	143.00'	105.39'	103.02'	S67°07'09"W	100.68'	42°13'28"
18	153.00'	102.67'	97.50'	S68°37'21"W	100.68'	39°13'04"
19	30.00'	43.82'	31.52'	S10°09'29"E	78.55'	31°52'50"
20	242.00'	198.55'	183.91'	N25°23'27"E	151.44'	95°11'42"
21	1856.26'	748.42'	743.37'	N48°12'23"E	183.91'	23°06'04"
22	1021.37'	427.84'	424.72'	S47°48'26"W	424.72'	24°00'02"

- LEGEND -**
- All dimensions are in feet.
 - 1/8" curve encircled in concrete.
 - 1/2" curve encircled in concrete.
 - Lot corners have been marked with 1/2" round 18" long.
 - All lot lines intersecting curvilinear street or boundary lines are non-radial.
 - Bearings were established from the plat of Horizons West as recorded in L. 12, Pg. 12.



GOURDIE • FRASER & ASSOCIATES INC.
124 WEST STATE STREET, TRAVERSE CITY, MICHIGAN 49684
ENGINEERS • LAND PLANNERS • LAND SURVEYORS

LOT 22
STONE RIDGE SUB



217'

116'

95'

15'0"

30'

Deck

House

3 CAR GARAGE

COVERED PORCH

500 GAL
WATER TANK

60'-0"

23.63'

136'

50'-0"
34'-0"
43'-0"

4541 STONERIDGE CT
05-306-022-00

Location

ROBERTSON JOSEPH H & SHA
2078 WEST SILVER LAKE RD
TRAVERSE CITY MI 49684

Owner

Issued: 03/18/03 Expire Date: 03/17/04

**PLEASE CALL (231)941-1620
FOR AN INSPECTION 24 HOURS IN ADVANCE**

OWNER OF PROPERTY

Contractor

Work Description: SITE REVIEW-SINGLE FAMILY RESIDENTIAL-SETBACK INFO-F=30' S=10' R=30'

Paid	Permit Item	Work Type	No. of Items	Item Total
At Issue	SINGLE FAMILY DWELLINGS	Standard Item	1.00	30.00

RECEIVED

MAR 18 2003

BUILDING



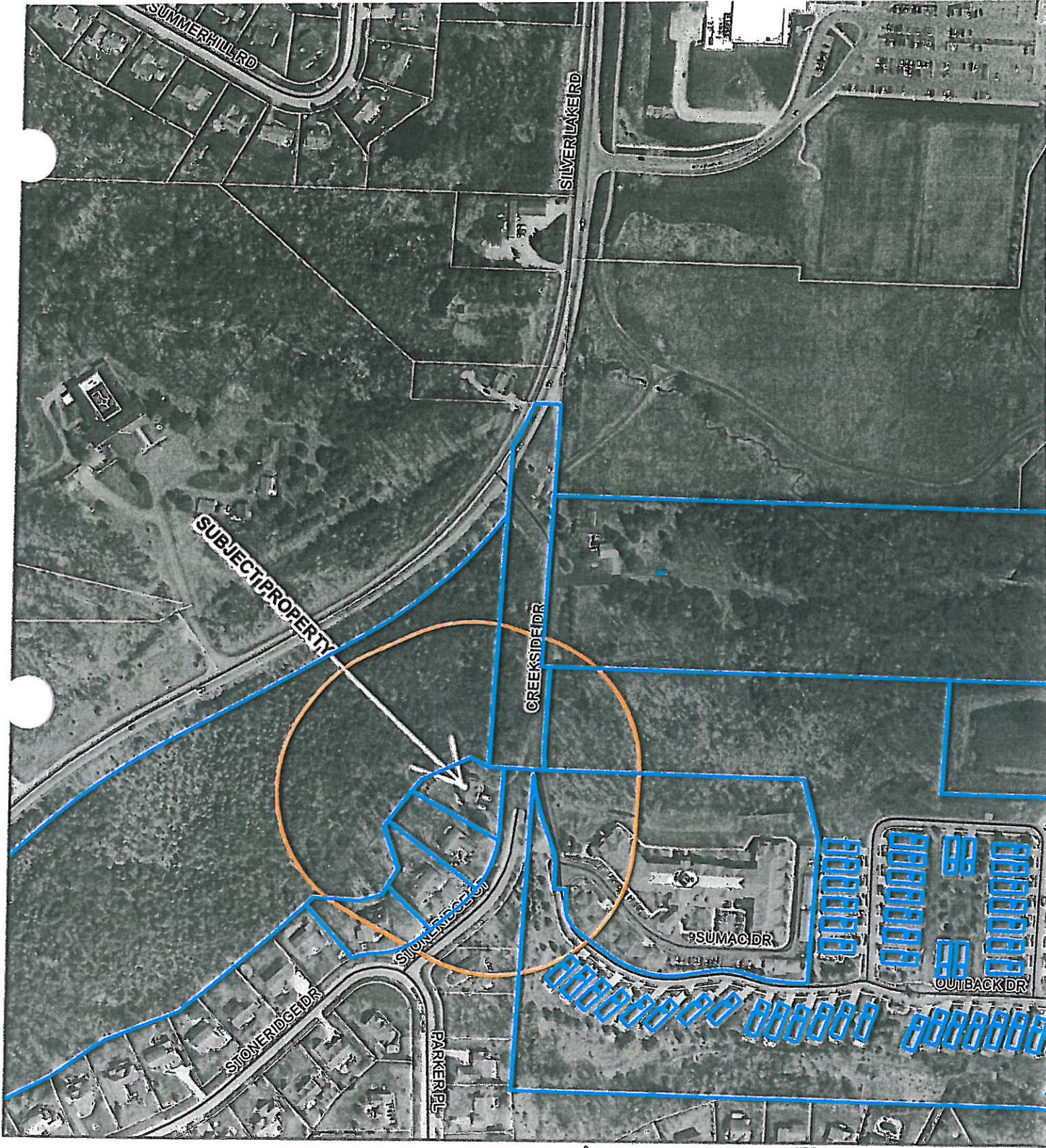
Zoning Official

Fee Total: 30.00

Land Use Permit

Zoning R-1B

This permit is only for the work described, and does not grant permission for additional or related work which requires separate permits
This permit will expire, and become null and void if work is not started within 365 days
It is assumed that the proposed work is authorized by the owner, and that the permit holder is authorized by the owner to secure this permit. The permit holder agrees to conform to all applicable laws of the State of Michigan and the local jurisdiction.
Payment of permit fee constitutes acceptance of the above terms.



Notice Map

Legend

- 300 Ft Buffer
- Parcels 2017

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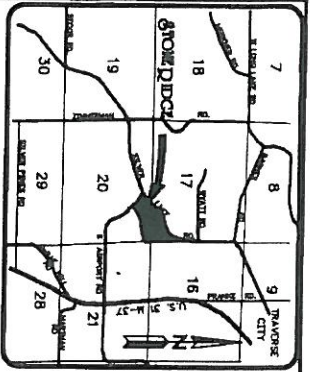
Garfield Charter Township
 3848 Veterans Drive
 Traverse City, MI 49684
 Phone: 231.941.1620
 Fax: 231.941.1688



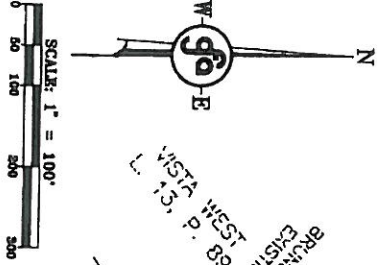
www.garfield-twp.com

NOT A LEGAL SURVEY

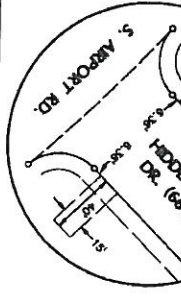
Garfield Township Planning Dept: 8/31/2017



LOCATION MAP

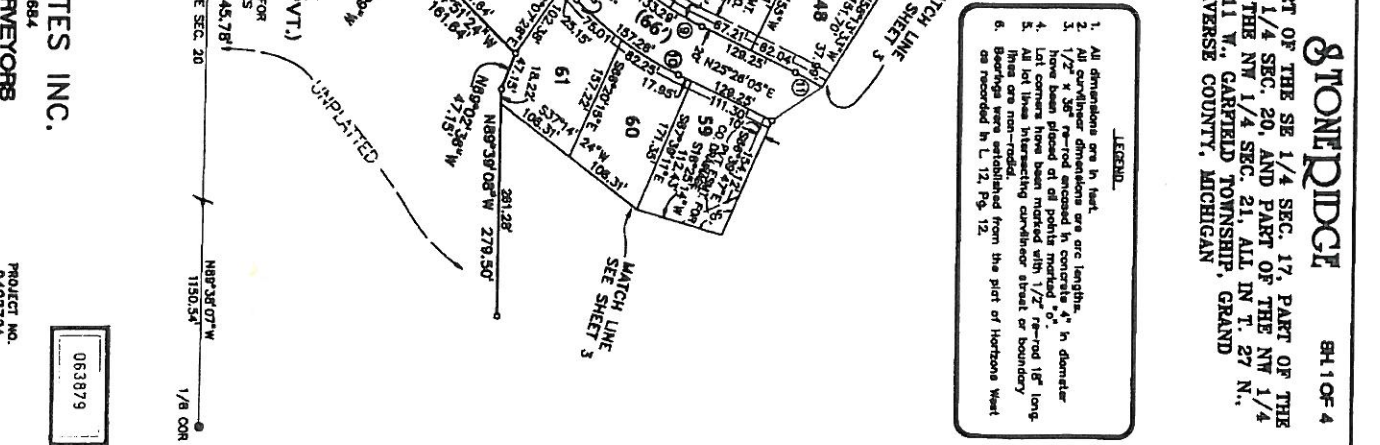


CURVE	RADIUS	LENGTH	BEARING	CHORD	DELTA
1	30.00'	45.12'	S87°19'35"W	40.85'	87°01'57"
2	30.00'	45.30'	S87°29'17"W	41.12'	87°30'38"
3	30.00'	43.00'	N87°16'03"E	38.41'	82°08'52"
4	30.00'	51.25'	S02°41'57"E	45.24'	97°53'07"
5	242.00'	488.88'	S08°11'18"E	458.01'	90°54'25"
6	242.00'	383.98'	S08°11'18"E	344.84'	87°54'25"
7	30.00'	43.00'	S87°16'03"E	38.41'	82°08'52"
8	30.00'	45.12'	S87°19'35"W	40.85'	87°01'57"
9	30.00'	45.30'	S87°29'17"W	41.12'	87°30'38"
10	433.00'	157.26'	S32°22'19"E	132.58'	57°48'31"
11	308.00'	37.69'	N28°22'19"E	18.22'	07°48'31"
12	896.47'	183.46'	S51°07'44"E	118.00'	07°04'35"
13	896.47'	118.13'	N44°02'59"W	143.88'	107°14'10"
14	896.47'	144.08'	N44°02'59"W	249.80'	107°14'10"
15	1823.85'	245.88'	N07°30'18"W	249.80'	88°51'11"
15A		104.17'	N07°30'18"W	94.70'	88°51'11"



GOURDIE • FRASER & ASSOCIATES INC.
 124 WEST STATE STREET, TRAVERSE CITY, MICHIGAN 49684
 ENGINEERS • LAND PLANNERS • LAND SURVEYORS

PROJECT NO. 9402172A
 G.L.A.
 063879



- LEGEND**
- All dimensions are in feet.
 - All curvilinear dimensions are arc lengths.
 - 1/2" x 3/8" re-rod encased in concrete 4" in diameter.
 - Lot corners placed at all points marked "o".
 - All lot lines intersecting centerline, street or boundary lines are non-rod.
 - Bearings were established from the plat of Horizons West as recorded in L 12, Pg. 12.

STONERIDGE BH 10E 4

PART OF THE SE 1/4 SEC. 17, PART OF THE NE 1/4 SEC. 20, AND PART OF THE NW 1/4 OF THE NW 1/4 SEC. 21, ALL IN T. 27 N., R. 11 W., GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

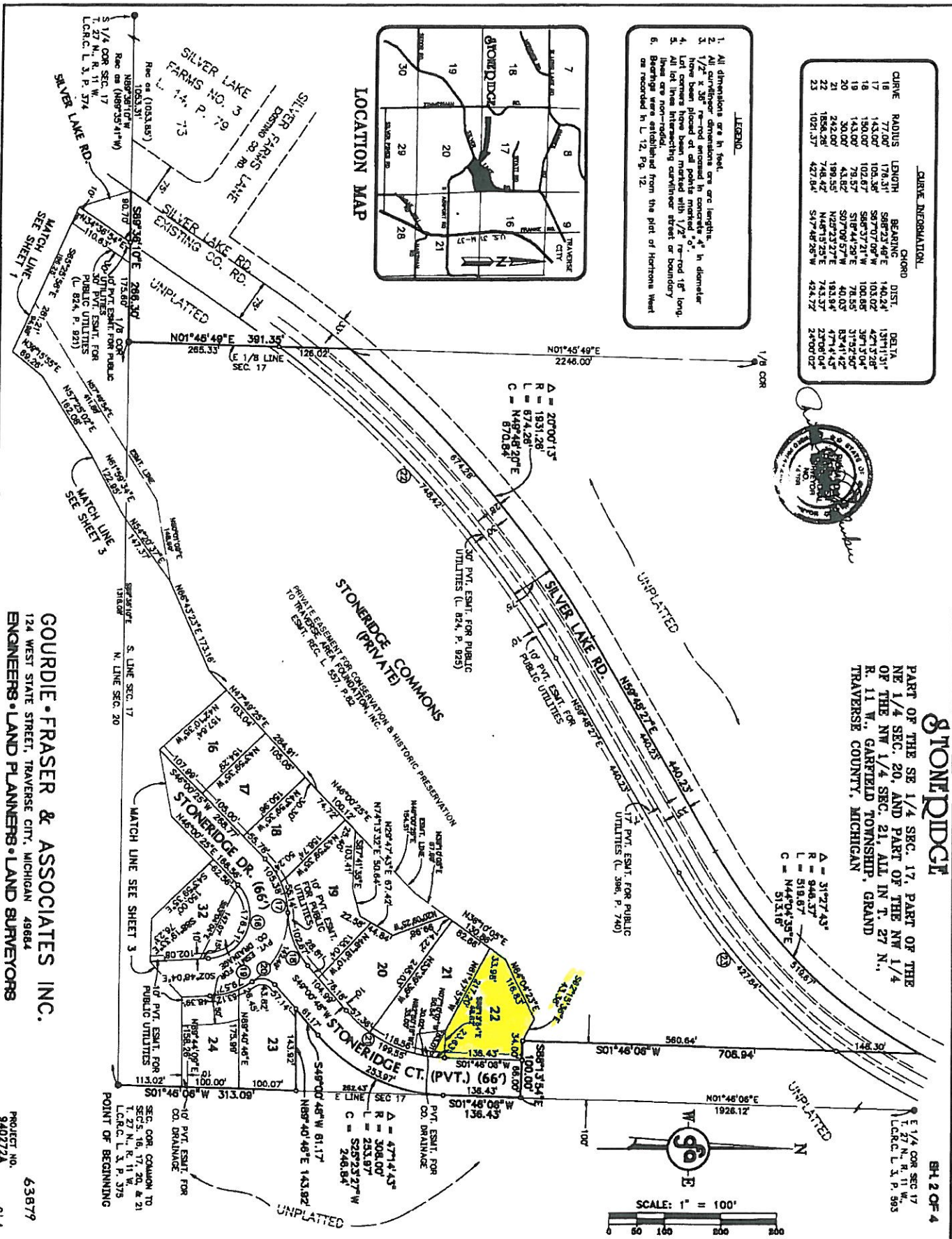
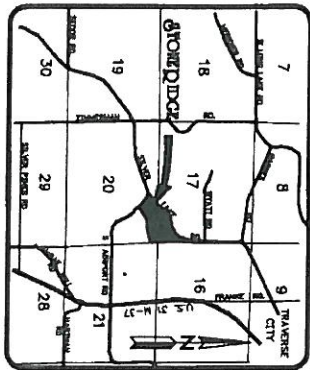
STONERIDGE

PART OF THE SE 1/4 SEC. 17, PART OF THE NE 1/4 SEC. 20, AND PART OF THE NW 1/4 OF THE NW 1/4 SEC. 21, ALL IN T. 27 N., R. 11 W., GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

CURVE INFORMATION

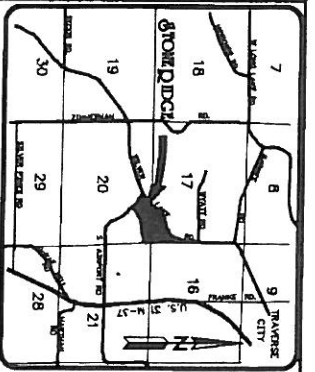
CURVE	RADIUS	LENGTH	BEARING	CHORD	DISI.	DELTA
16	77.00'	178.31'	S88°23'49"E	140.24'	131°11'31"	42°13'28"
17	143.00'	104.38'	S87°07'09"W	103.02'	103.02'	39°13'04"
18	150.00'	102.67'	S86°37'21"W	100.85'	31°52'00"	37°52'00"
19	143.00'	79.57'	S18°44'28"E	78.55'	83°41'12"	47°14'43"
20	30.00'	43.82'	S07°09'57"W	40.03'	83°41'12"	47°14'43"
21	242.00'	199.55'	N27°23'27"E	193.94'	27°06'04"	24°00'02"
22	1836.28'	748.42'	N48°19'25"E	743.37'	434.72'	
23	1021.57'	427.184'	S47°48'28"W	424.72'		

- LEGEND**
- All dimensions are in feet.
 - All curve/arc dimensions are in length.
 - 1/2" x 3/8" rebar enclosed in concrete 4" in diameter.
 - 1/2" x 3/8" rebar enclosed in concrete 4" in diameter.
 - Let corners have been marked with 1/2" x 3/8" and 1/4" long. lines are non-rod.
 - All lot lines intersecting centerline street or boundary. Bearings were established from the plat of Horizons West as recorded in L. 12, Pg. 12.



GOURDIE-FRASER & ASSOCIATES INC.
 124 WEST STATE STREET, TRAVERSE CITY, MICHIGAN 49864
 ENGINEERS • LAND PLANNERS • LAND SURVEYORS

PROJECT NO. 940272A
 63879
 C.L.A.



E 1/4 COR. SEC. 17
T. 27 N., R. 11 W.
L.C.R.C. L. 1, P. 583

STONEBRIDGE **843 OF 4**

PART OF THE SE 1/4 SEC. 17, PART OF THE NE 1/4 SEC. 20, AND PART OF THE NW 1/4 OF THE NE 1/4 SEC. 21, ALL IN T. 27 N., R. 11 W., GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

- LEGEND**
- All dimensions are in feet.
 - All curve/arc dimensions are arc lengths.
 - 1/2" x 3/8" rebar enclosed in concrete 4" in diameter have been placed at all points marked "R".
 - All lot lines have been marked with 1/2" rebar 18" long.
 - All lot lines showing corner street or boundary lines are non-modified.
 - Boundaries were established from the plat of Horizons West as recorded in L 12, Pg. 12.

CERTIFIED TRUE COPY OF RECORDED PLAT BY DEPARTMENT OF LAND AND INDUSTRY SERVICES

BY: **Alvin J. Miller**
MANAGER
SUBDIVISION CONTROL UNIT

DATE: **8-28-96**

CURVE INFORMATION

CURVE	RADIUS	LENGTH	BEARING	CHORD	DELTA
24	267.00'	112.26'	N51°18'39"E	111.44'	24°05'27"
25	333.00'	140.02'	S51°18'39"W	136.89'	24°05'27"
26	467.00'	181.31'	N54°40'54"E	180.87'	17°20'57"
27	308.00'	126.18'	N62°41'07"E	126.18'	17°20'57"
28	242.00'	98.59'	N75°44'10"E	98.59'	17°20'57"
29	242.00'	98.59'	S75°44'10"E	98.59'	17°20'57"
30	308.00'	126.18'	N75°44'10"E	126.18'	17°20'57"
31	242.00'	98.59'	S75°44'10"E	98.59'	17°20'57"
32	308.00'	126.18'	N75°44'10"E	126.18'	17°20'57"
33	308.00'	126.18'	S75°44'10"E	126.18'	17°20'57"
34	308.00'	126.18'	N75°44'10"E	126.18'	17°20'57"
35	308.00'	126.18'	S75°44'10"E	126.18'	17°20'57"
36	242.00'	98.59'	S85°50'57"W	244.42'	60°39'48"

GOURDIE • FRASER & ASSOCIATES INC.
124 WEST STATE STREET, TRAVERSE CITY, MICHIGAN 49884
ENGINEERS • LAND PLANNERS • LAND SURVEYORS

PROJECT NO. **940272A** **63879**
C.L.A.

SURVEYOR'S CERTIFICATE

I, Richard A. Rodemaker, Professional Surveyor, certify: That I have surveyed, divided, and mapped the land shown on this plat, described as follows: Stoneridge, part of the Southwest quarter of Section 17, part of the Northeast quarter of Section 20, and part of the Northwest quarter of the Northwest quarter of Section 21, Township 27 North, Range 11 West, Grandfield Township, Grand Traverse County, Michigan, more fully described as:

Beginning at the corner common to said Sections 17, 20, and 21: 86.10 feet; thence South 09°29'42" East, 289.85 feet; thence South 18°32'06" West, 181.00 feet; thence South 09°08'57" West, 72.28 feet; thence South 33°04'49" East, 42.51 feet; thence South 67°27'02" West, 204.87 feet; thence South 33°47'22" East, 102.14 feet; thence South 40°21'14" West, 105.14 feet; thence South 22°54'30" West, 88.41 feet; thence South 40°21'14" West, 105.14 feet; thence North 89°02'36" West, 471.5 feet; thence South 44°51'24" West, 401.4 feet; thence South 38°21'29" West, 66.00 feet; thence North 51°38'31" West, 83.57 feet; thence South 40°14'36" West, 186.06 feet; thence South 38°27'04" East, 134.07 feet; thence South 30°41'44" West, 43.78 feet; thence North 20°28'07" West, 88.72 feet; along the North 1/8 line of said Section 20: Northwesterly, 326.69 feet along the Airport Road to the following four corners: left, the central angle of which is 21°14'05", and the long chord curve to the bear North 44°02'59" West, 324.82 feet; thence North 54°40'02" West, 457.18 feet; thence Northwesterly, 157.48 feet along the arc of a 891.48 foot radius curve to the right, the central angle of which is 107°14'10", and the long chord of which bears North 49°32'57" West, 157.27 feet; thence North 44°29'52" West, 157.27 feet; thence along the centerline of Silver Lake Road and the Southerly line of the plat, Northwesterly, 306.53 feet along the arc of a 1450.85 foot radius curve to the left, the central angle of which is 12°06'19", and the long chord curve to the bear North 44°40'03" East, 305.96 feet; thence continuing along said centerline of Silver Lake Road North 34°26'54" East, 479.55 feet; thence South 89°28'10" East, 265.53 feet; along the line common to said Sections 17 and 20; thence North 01°47'59" East, 380.69 feet, along the East 1/8 line of said Section 17; thence Northwesterly, 673.11 feet along the arc of a 2070.14 foot radius curve to the right, the central angle of which is 20°01'44", and the long chord of which bears North 49°24'35" East, 671.68 feet; thence North 59°48'27" East, 440.23 feet; thence Northwesterly, 519.67 feet along the arc of a 948.37 foot radius curve to the left, the central angle of which is 31°27'43", and the long chord of which bears North 44°04'35" East, 513.78 feet; thence South 01°46'08" West, 708.84 feet; thence North 44°04'35" East, 513.78 feet; thence South 01°46'08" West, Section 17; thence South 89°13'54" East, 174.00 feet; thence Southwesterly, 253.87 feet along the arc of a 308.00 foot radius curve to the right, the central angle of which is 47°14'43", and the long chord of which bears South 25°23'27" West, 246.84 feet; thence South 49°00'46" West, 611.17 feet; thence North 89°40'46" East, 143.92 feet; thence South 01°46'08" West, 513.78 feet, along said East line of Section 17 to the POINT OF BEGINNING.

Containing 85.60 acres.
Containing 82 lots numbered 1 through 82.
That I have made such survey, land division and plat by the direction of the owners of such land.
That the plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.
That the monuments and lot markers have been located in the ground or that survey has been deposited with the municipality, as required by Section 125 of the Act.
That the accuracy of survey is within the limits as required by Section 128 of the Act.

May 2, 1996
Date

GOURDIE/FRASER & ASSOCIATES
Richard A. Rodemaker, Secretary
Professional Surveyor No. 14786
214 W. State Street
Traverse City, Michigan 49884

RECORDING CERTIFICATE
State of Michigan }
Grand Traverse County }

This plat was received for record on the 15th day of May, 1996, at 3:50 A.M. and recorded in Lib. 15-37. Plat on Page 11

A Karen Anderson, Register of Deeds
Karen Anderson, Register of Deeds



PROPRIETOR'S CERTIFICATE - CORPORATION

Laneway Capital and Trade Corporation, a corporation duly organized and existing under the laws of the State of Michigan, Cheryl B. Hoffman, Land Manager, as proprietor, has caused the plat to be surveyed, divided, mapped and recorded as represented on this plat and that Stoneridge Court is a private road for the use of the owners of adjacent property. The plat is a correct representation of the plat of the Southwest quarter, Section 16, T. 27 N., R. 11 W., and all other roads or for the use of the public: that Stoneridge Commons, East Side Commons, and West Side Commons are private and for the use of the lot owners; that all common areas are for the use of lot owners; that the plat of adjacent lands where this is recorded is this proprietor's plat, that this plat is a correct representation of the same and that all other easements are for the uses shown on the plat.

WITNESS
Richard A. Rodemaker
Cheryl B. Hoffman
Land Manager

ACKNOWLEDGEMENT

Grand Traverse County } at
this 10th day of May, 1996, the above named Cheryl B. Hoffman, Land Manager of the above named corporation, who executed the foregoing instrument, and to me known to be such Land Manager of said corporation, and acknowledge that she executed the foregoing instrument as such officer on the free act and deed of said corporation, by its authority.

By Commission Expires
John A. Gorn, Public Notary
Grand Traverse County, Michigan

PROPRIETOR'S CERTIFICATE - CORPORATION

CB North, a corporation duly organized and existing under the laws of the State of Michigan, Michael R. Hibbe, Commercial Loan Officer, as proprietor, has caused this plat to be surveyed, divided, mapped and dedicated as represented on this plat and that Stoneridge Court is a private road for the use of the owners of adjacent property. The plat is a correct representation of the plat of the Southwest quarter of adjacent property, the center of future development of the Southwest quarter, Section 16, T. 27 N., R. 11 W., and all other roads or for the use of the public: that Stoneridge Commons, East Side Commons, and West Side Commons are private and for the use of the lot owners; that all common areas are for the use of lot owners; that the plat of adjacent lands where this is recorded is this proprietor's plat, that this plat is a correct representation of the same and that all other easements are for the uses shown on the plat.

WITNESS
Richard A. Rodemaker
Michael R. Hibbe
Commercial Loan Officer

ACKNOWLEDGEMENT

Grand Traverse County } at
this 10th day of May, 1996, the above named Michael R. Hibbe, Commercial Loan Officer of the above named corporation, who executed the foregoing instrument, and to me known to be such Commercial Loan Officer of said corporation, and acknowledge that she executed the foregoing instrument as such officer on the free act and deed of said corporation, by its authority.

By Commission Expires
John A. Gorn, Public Notary
Grand Traverse County, Michigan

PART OF THE SE 1/4 SEC. 17, PART OF THE NE 1/4 SEC. 20, AND PART OF THE NW 1/4 OF THE NW 1/4 SEC. 21, ALL IN T. 27 N., R. 11 W., GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

COUNTY TREASURER'S CERTIFICATE

This records in my office show no unpaid taxes or special assessments for the five years preceding May 15, 1996, involving the lands included in this plat.

William J. Rodon, County Treasurer
Grand Traverse County

COUNTY DRAIN COMMISSIONER'S CERTIFICATE

Approved on May 31, 1996 as complying with Section 192 of Act 288, P.A. 1987, and the applicable rules and regulations published by my office in the County of Grand Traverse.

Maureen K. Tompsett
Drain Commissioner

CERTIFICATE OF COUNTY ROAD COMMISSIONERS

Approved on June 5, 1996 as complying with Section 183 of Act 288, P.A. 1987 and the applicable published rules and regulations of the Board of Road Commissioners of Grand Traverse County.

William H. Whitson, Vice-Chairman
Dore Dennis, Member
James A. Burdick, Chairman

CERTIFICATE OF MUNICIPAL APPROVAL

I certify that this plat was approved by the Township Board of Grandfield Township, Grand Traverse County, at a meeting held on June 13, 1996, and was reviewed and found to be in compliance with Act 288, P.A. of 1987, and that survey has been posted to insure the installation of public sewer and public water services.

Tom Jacobs, Clerk

COUNTY PLAT BOARD CERTIFICATE

This plat has been reviewed and is approved by the Grand Traverse County Plat Board on June 20, 1996, as being in compliance with all of the provisions of Act 288, P.A. of 1987, and the Plat Board's applicable rules and regulations.

Udo Caburn, County Clerk

GOURDIE • FRASER & ASSOCIATES INC.
124 WEST STATE STREET, TRAVERSE CITY, MICHIGAN 49884
ENGINEERS • LAND PLANNERS • LAND SURVEYORS

PROJECT NO. 638779
940272A C.L.A.

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 public hearings at their regular meeting on September 20, 2017 at 6:00 pm. The hearings 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 Bay Meadows Family Golf for a variance from Section 749 of the Garfield Township Zoning Ordinance to reduce the front yard setback from 200' to 84'. The property is zoned R-1 and is a use permitted by special conditions.

The subject property is located at 5550 Bay Meadows Drive, Traverse City, MI with a property I.D. # of 05-006-001-50.

2. A request made by Tara Hochstetter for a variance from Section 313 of the Garfield Township Zoning Ordinance to reduce the rear setback from 30' to 20'.

The subject property is zoned R-1 and is located at 4541 Stone Ridgecourt, Traverse City MI with a property I.D # of 05-306-022-00.

A copy of the applications, 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.

* * * * *

SCHMUDÉ MARY JO A TRUST
4040 CREEKSIDE DR
TRAVERSE CITY, MI 49684-7180

CREEKSIDE CONDO ASSOC OF TC INC
3835 OUTBACK DR
TRAVERSE CITY, MI 49684

HOLDEN REX K & JILL T
4523 STONERIDGE CT
TRAVERSE CITY, MI 49684

CHARTER TWP OF GARFIELD
SILVER LAKE RD
TRAVERSE CITY, MI 49684

WALSH ERICA C TRUST
4487 STONERIDGE CT
TRAVERSE CITY, MI 49684

CORNELIUS ASHER D & CATHI R
4492 STONERIDGE CT
TRAVERSE CITY, MI 49684

CHARTER TWP OF GARFIELD
STONERIDGE CT
TRAVERSE CITY, MI 49684

TRAVERSE CITY RESIDENCE LLC
3950 SUMAC DR
TRAVERSE CITY, MI 49684-7009

WEST MI CONFERENCE OF UNITED
METHOD
4505 STONERIDGE CT
TRAVERSE CITY, MI 49684

HOCHSTETLER BRADLEY S & TARA N
4541 STONERIDGE CT
TRAVERSE CITY, MI 49684

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231) 946-2000

ORDER CONFIRMATION (CONTINUED)

Salesperson: DENISE LINGERFELT

Printed at 08/31/17 10:27 by dling

Acct #: 5508

Ad #: 474025

Status: N

LEGAL NOTICE
CHARTER TOWNSHIP OF GARFIELD
ZONING BOARD OF APPEALS

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The subject property is located at 5550 Bay Meadows Drive, Traverse City, MI with a property I.D. # of 05-006-001-50.

2. A request made by Tara Hochstetter for a variance from Section 313 of the Garfield Township Zoning Ordinance to reduce the rear setback from 30' to 20'.

The subject property is zoned R-1 and is located at 4541 Stone Ridgecourt, Traverse City MI with a property I.D # of 05-306-022-00.

A copy of the applications, 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
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Traverse City, MI 49684

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September 3, 2017-1T

474025

Haggard's
PLUMBING and HEATING
"Business of Quality and Service"
"Charlevoix-the-Beautiful"
haggardsinc@hotmail.com

Date: October 2, 2017

To: Garfield Township
Zoning Board of Appeals
3848 Veterans Dr.
Traverse City, MI 49684

RE: Request made by Tara Hochstetter for an interpretation from Section 313 of the Garfield Township Zoning Ordinance to define the parcel lot lines.
Parcel# 05-306-022-00

To Whom it May Concern,

Upon reviewing the above Notice of Public Hearing of the Zoning Board of Appeals, I would like to express my view with the above case's requests. Haggard's Plumbing & Heating is not at all opposed to the changes of the property and/or the request to the Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time of economical struggles to either build and/or improve their existing property, we would like to see their request granted. It would prove positive for the local, county, state and country to do all we can to improve and promote growth in any way possible.

Sincerely,

Haggard's Plumbing & Heating



Charter Township of Garfield

Grand Traverse County

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

ZONING BOARD OF APPEALS STAFF REPORT

To: Zoning Board of Appeals
From: Michael Green, Zoning Administrator
Date: October 4, 2017

Meeting Date: October 18, 2017
Case #: 2017-08 Side Yard Setback Variance
Owner: Daniel and Judith Diekman
Property ID #: 28-05-306-022-00
Property Location: 3777 Brook Drive (vacant lot)
Zoning District: R-3, Multi-Family Residential

Request

The applicant is requesting a variance to allow for the construction of dwelling and customary accessory buildings within 10 feet of each side lot line. The proposed construction would reduce the side yard setback from 20' to 10'.

Parcel Overview

This parcel is located along the south side of Brook Drive near its south intersection with Franke Road (Brook Drive is horseshoe shaped with a north and south intersection at Franke Road). The parcel is within the Brookside Subdivision, which was developed in 1953. All lots in the Brookside Subdivision are zoned R-3 Multi-Family Residential. This property is relatively flat and doesn't appear to contain any unique natural features that would limit its development. The parcel maintains a 50 ft. width from front to back.



Aerial overview of subject lot. The lot fronts on the southern leg of Brook Drive and backs up to the Franke Road entrance to Traverse City West Middle School. The subject property is the only undeveloped property in the Brookside subdivision.

Front and rear facing views



Staff Review

The applicant is requesting a variance to allow for the construction of a single-family dwelling. If approved, the applicant would be allowed to build the dwelling within 10 feet of each side lot line. Below are the dimensional requirements for the R-3 zoning district from Table 3-3 of the Zoning Ordinance.

Minimum Yard Setbacks (A):

- Front: 25 feet
- Each Side: 20 feet
- Rear: 20 feet

Maximum Lot Coverage: 35 %

Minimum Bldg. Cross Section: 24 feet

Notes to Dimensional Standards:

(A) Setbacks shall be measured from the furthest protruding point of structure.

The Zoning Ordinance requires a 20 ft side yard setback in the R-3 zoning district. This request is to place a structure 10 feet into the 20 foot setback, whereby reducing the side yard setback to 10 feet on each side. To qualify for a variance, the applicant must meet all the Practical Difficulty standards and General Criteria as described below. For each standard, staff comments are shown as highlighted and in *[brackets]*.

E. Approval Criteria

(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); *[Staff response: The size of the lot is not unique in comparison with other lots within the subdivision. However, the lot is unique in that it remains undeveloped. Almost every home in the Brookside subdivision is out of compliance with the current setback requirements and also couldn't be built today without a variance or zoning map amendment to a less restrictive district such as the R-1 district, which only requires a 10 ft. side yard setback.]*
- (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; *[Staff response: The current homeowners did not create the condition; the current dimensional standards were in effect many years after the lot was created.]*
- (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; *[Staff response: The combination of a 20 ft.*

sideyard setback and a minimum 24 ft. building cross-section prevents the applicant from building a conforming residence on the 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; *[Staff response: The sideyard setbacks and building cross-section requirements prevent a dwelling similar to what is commonly found in the subdivision from being constructed.]*
- (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. *[Staff response: 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; *[Staff response: The applicant owns the property, so this would be met.]*
- (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; *[Staff response: No reference was made by the applicant to any previously approved variances.]*
- (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; *[Staff response: A setback variance for a single family dwelling would not be detrimental to the public health, safety and welfare and meets the purpose stated in Section 100 of the Zoning Ordinance stating that legal nonconforming uses and vested rights are protected through the provisions of Article 8.]*
- (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; *[Staff response: The proposed location of a single-family dwelling would be of similar character with that of surrounding dwellings.]*
- (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. *[Staff response: The requested variance would allow a a dwelling that is slightly larger (30 ft.) than the minimum required (24 ft.) However, surrounding homes in the subdivision are also larger than 24 ft. wide.]*

(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.

Alternative Motions

1. Motion to: **GRANT** the request for a variance from Section 315.E of the Garfield Township Zoning Ordinance to allow a single-family dwelling to be constructed ten (10) feet from each side lot line based on the Practical Difficulty standards and General Criteria for granting such request being met.
2. Motion to: **GRANT, IN PART** the request for variance from Section 315.E of the Garfield Township Zoning Ordinance to allow a single-family dwelling to be constructed *[an amount between the requested 10 ft. and the required 20 ft]* from each side lot line based on the Practical Difficulty standards and General Criteria for granting such request being met. *[the ZBA may place other conditions as deemed necessary to mitigate the request]*
3. Motion to: **DENY** the request for variance from Section 315.E of the Garfield Township Zoning Ordinance to allow a deck addition to be constructed ten (10) feet from each side lot line based on the Practical Difficulty standards and General Criteria for granting such request NOT being met.



Charter Township of Garfield

Grand Traverse County

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

ZONING BOARD OF APPEALS APPLICATION

1. Owner / Applicant information

Dan & Judith Diekman
Owner:
820 Shady Ln
Address:
Traverse City
City, State, Zip Code
231-645-2314
Phone Numbers

Judith Diekman
Applicant:
820 Shady Ln
Address:
Traverse City
City, State, Zip Code
231-645-2314
Phone Numbers

2. Property Information:

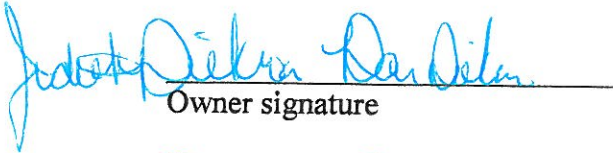
- a. Property Address: 3777 Brook Drive
- b. Property Location: 3777 Brook Drive
- c. Lot # 24 Subdivision Name: Brookside Sub
- d. Parcel ID# 28-05- 070-024-00
- e. Current Zoning: _____
- f. Current Use: Vacant lot

3. Purpose For Request:

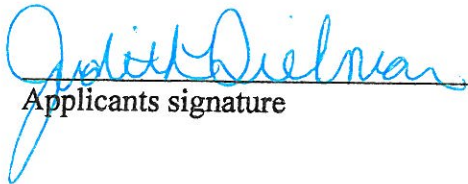
Variance <u>X</u>	Appeal _____	Interpretation _____	Review _____
Other _____ Please explain request / List section(s) related to request: _____			
<u>because it's zoned R-3 set backs are 20' on</u>			
<u>either side which only allow for a 10' wide home</u>			
<u>Garfield township requires that all homes</u>			
<u>be a minimum of 24' wide.</u>			

Affidavit:

The undersigned affirms that he/she or they is (are) the owner, or authorized agent of the owner, and that the answers and statements herein contained and the information submitted are in all respects true and correct. In addition, the undersigned represents that he/she or they is authorized and does hereby grant a right of entry to Township officials for the purpose of inspecting the premises and uses thereon for the sole purpose of gathering information regarding the request.


Owner signature

8-24-17
Date


Applicants signature

8-24-17
Date

Any party aggrieved by the decision of the Zoning Board of Appeals may appeal the decision to circuit court. An Appeal of the decision shall be filed in accordance with PA 110 of 2006, as amended.

#1.A.

I would like to build a small single family home on this property 3777 Brook DR. T.C. The lot is narrow so my house would be between 24'-30' wide depending on the setbacks you decide on.

B. This is an existing lot and is a standard size for this subdivision.

C. The way the property currently zoned it is not a buildable lot with the C-3 setbacks.

D. With a 20' foot setback a house could not be built on it since the township requires at least a 24' min. width for a house.

E. With the current setbacks at 20', the house could only be 10' foot wide and not comply with the zoning requirements.

#2A. This lot is only a single lot and would not be adding to any other pieces of property.

B. At this time there are no permanent structures on this property.

C. I want to build a single family home and a garage. There would be no workshops or business located on the property.

D. Most of the homes in this subdivision are single story, single families. My house wouldn't block any views from other houses and will not be over 900 feet in size (square feet).

E. The property is 116.5' long but only 50' wide. It is similar in size to other

lots. I do not want to build right up to the property lines or to the neighbors houses. I want my house to fit in with the neighborhood. Houses are built on both sides of the property so there is no possible way to enlarge the lot.

Barbara Lundberg

231-633-0262

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 public hearings at their regular meeting on October 18, 2017 at 6:00 pm. The hearings 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 Bay Meadows Family Golf for a variance from Section 749 of the Garfield Township Zoning Ordinance to reduce the Westerly setback from 200' to 84'. The property is zoned R-1 and is a use permitted by special conditions. This is a continuation of a request that was considered at the September 20, 2017 meeting.

The subject property is located at 5550 Bay Meadows Drive, Traverse City, MI with a property I.D. # of 05-006-001-50.

2. A request made by Tara Hochstetter for an interpretation from Section 313 of the Garfield Township Zoning Ordinance to define the parcel lot lines. This is a modification of the previous request heard on September 20, 2017.

The subject property is zoned R-1 and is located at 4541 Stoneridge Court, Traverse City MI with a property I.D # of 05-306-022-00.

3. A request from Dan & Judith Diekman for a variance from Section 315 of the Garfield Township Zoning Ordinance to reduce the side area setback(s) from 20' to 10' on each side.

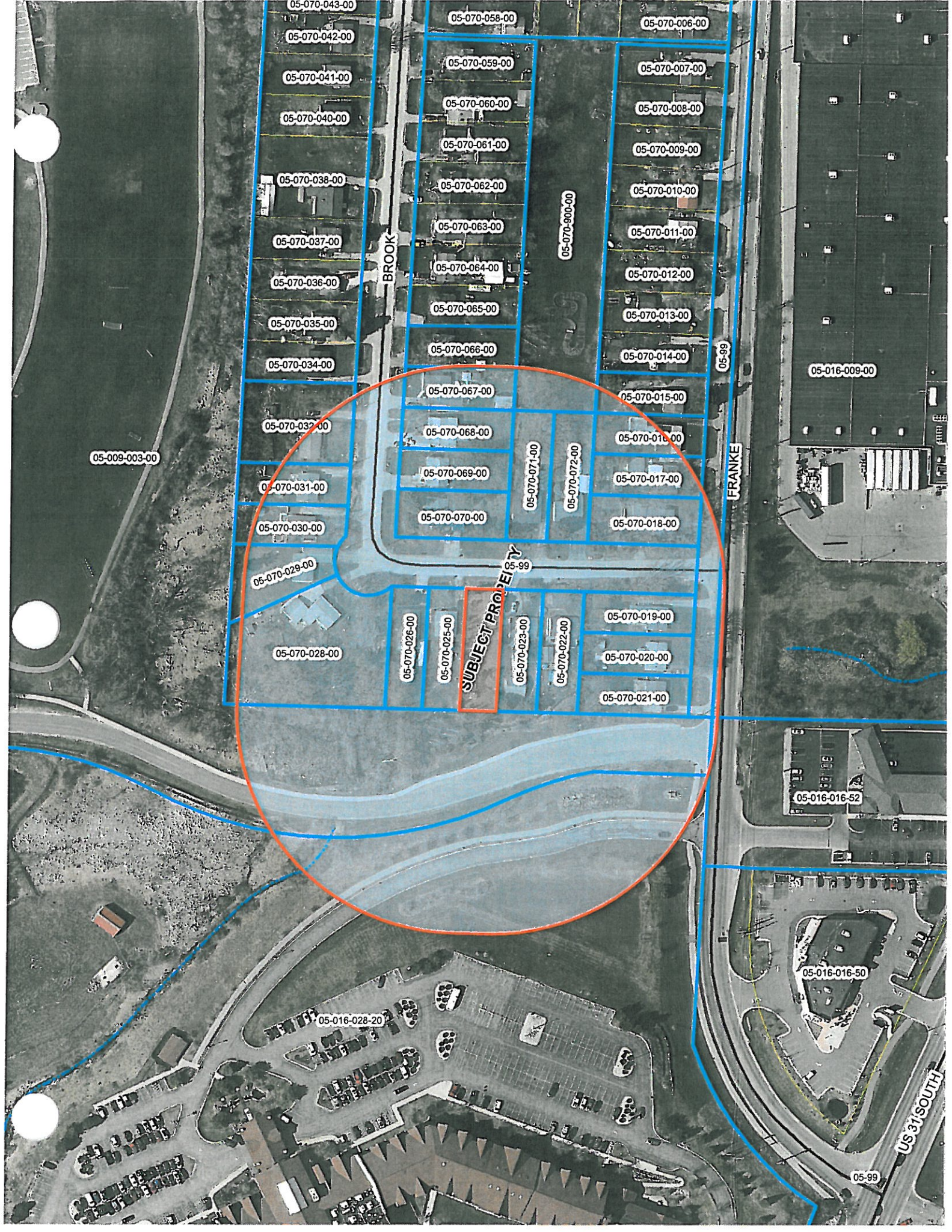
The subject property is zoned R-3 and is located at 3777 Brook Drive, Traverse City, MI with a property I.D. # of 05-070-024-00.

A copy of the applications, 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.



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05-016-028-20

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BROOK

FRANKE

SUBJECT PROPERTY

US 31 SOUTH

CROW VIOLET J 3792 BROOK DR TRAVERSE CITY MI 49684	BRAUN RAYMOND 3761 FRANKE RD TRAVERSE CITY MI 49684	HICKS ROBERT L & BURNES 3771 FRANKE RD TRAVERSE CITY MI 49684
CARDWELL MICHAEL B & 3812 BROOK DR TRAVERSE CITY MI 49684	KRANZ CHRISTOPHER G & 3773 BROOK DR TRAVERSE CITY MI 49684	4FRONT CREDIT UNION PO BOX 795 TRAVERSE CITY MI 49685
WEATHERS JOYCE M 3822 BROOK DR TRAVERSE CITY MI 49684	FELBER JAMES & MICHELLE L 617 S LAKE DR CADILLAC MI 49601	STEELE CONSTANCE 3787 BROOK DR TRAVERSE CITY MI 49684
VALENTINE LESLEY L 3801 BROOK DR TRAVERSE CITY MI 49684	GLOSHEN TIMOTHY & BETTY 3774 BROOK DR TRAVERSE CITY MI 49684	SPENCER JACOB D 3802 BROOK DR TRAVERSE CITY MI 49684
PEPLINSKI DONALD & MERRI L 3809 BROOK DR TRAVERSE CITY MI 49684	HARP RONALD L 3778 BROOK DR TRAVERSE CITY MI 49684	TAGHON FRED S 3797 BROOK DR TRAVERSE CITY MI 49684
ELLY SHANNON R 3751 FRANKE RD TRAVERSE CITY MI 49684	RAY THOMAS G & DEBORAH A 3779 BROOK DR TRAVERSE CITY MI 49684	GOOD WILL CO INC 2929 WALKER N W GRAND RAPIDS MI 49504
PECKHAM JAMES A SR & PANSY 3775 BROOK DR TRAVERSE CITY MI 49684	MORGAN ANDREW R 3781 BROOK DR TRAVERSE CITY MI 49684	SUMMERS KEVIN N 7255 BAYMEADOWS WAY JACKSONVILLE FL 32256
DIEKMAN DANIEL A JR & 820 SHADY LN TRAVERSE CITY MI 49686	FULLER REX A 3793 FRANKE RD TRAVERSE CITY MI 49684	GREAT WOLF TRAVERSE SPE 122 WASHINGTON AVE 10TH FL MADISON WI 53703
RICHTER KYLE CHRISTOPHER 3813 FRANKE RD TRAVERSE CITY MI 49684	PAULUS MIKE J 3823 FRANKE RD TRAVERSE CITY MI 49684	TCAPS 412 WEBSTER ST TRAVERSE CITY MI 49686
CORRE ROBERT FRANKE RD TRAVERSE CITY MI 49684		FELBER JAMES & MICHELLE L (LC BUYER) 3832 BROOK DR TRAVERSE CITY MI 49684

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- 1 | Go to avery.com/templates
- 2 | Design using the template number for this product
- 3 | Test print on plain paper
- 4 | Change printer settings to "Labels" and print.

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Conseils d'impression

- 1 | Allez à avery.ca/gabarits
- 2 | Créez en utilisant le numéro de gabarit pour ce produit
- 3 | Faites un test d'impression sur du papier ordinaire
- 4 | Modifier le réglage de l'imprimante à "Étiquettes" et imprimez.

Besoin d'aide?

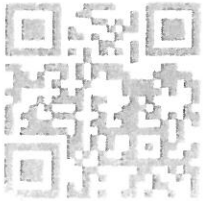
Visiter avery.ca/aide

Consejos de Impresión

- 1 | Visita avery.mx/plantillas
- 2 | Diseña la plantilla utilizando el código del producto.
- 3 | Prueba la impresión en un papel normal.
- 4 | Cambia la configuración de la impresora a "labels" o etiquetas e imprime

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GOOD WILL CO INC
3955 N US 31 SOUTH
TRAVERSE CITY MI 49684-4444

4FRONT CREDIT UNION
3745 N US 31 SOUTH
TRAVERSE CITY MI 49684-4442



OF NONE / AUTHENTICQUE / GENUINO

Haggard's
PLUMBING and HEATING
"Business of Quality and Service"
"Charlevoix-the-Beautiful"
haggardsinc@hotmail.com

Date: October 2, 2017

To: Garfield Township
Zoning Board of Appeals
3848 Veterans Dr.
Traverse City, MI 49684

RE: Request from Dan & Judith Diekman for a variance from Section 315 of the Garfield Township Zoning Ordinance to reduce the side area setback(s) from 20" to 10" on each side.
Parcel# 05-070-024-00

To Whom it May Concern,

Upon reviewing the above Notice of Public Hearing of the Zoning Board of Appeals, I would like to express my view with the above case's requests. Haggard's Plumbing & Heating is not at all opposed to the changes of the property and/or the request to the Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time of economical struggles to either build and/or improve their existing property, we would like to see their request granted. It would prove positive for the local, county, state and country to do all we can to improve and promote growth in any way possible.

Sincerely,

Haggard's Plumbing & Heating