



CHEBOYGAN COUNTY ZONING BOARD OF APPEALS

870 SOUTH MAIN ST. ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

**CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING
WEDNESDAY, MARCH 25, 2015 AT 7:00 P.M.
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

AGENDA – Revised 03/18/15

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

PUBLIC HEARING AND ACTION ON REQUESTS

- 1.) **Gary DeVoe/Burdco Inc.** – Requests a variance from the required number of parking spaces for a medical clinic. The ordinance requires medical clinics/doctor offices to have 4 parking spaces per examination/treatment room plus 1 space per employee. A total of 132 parking spaces are required for the medical clinic as proposed. The applicant proposes to provide 70 parking spaces. The property is located at 3860 S. Straits Highway, Tuscarora Township, Section 24, parcel #161-024-400-225-00. *(This item was tabled at the 02/25/15 Zoning Board of Appeals meeting.)*
- 2.) **Dennis Panagopoulos/Frank Foster-** Requests a 45.5 ft. front setback variance to construct a porch (22ft. x 24ft.) in an Agriculture and Forestry Management (M-AF) zoning district. The property is located at 4316 Third Street, Aloha Township, Section 8, parcel #140-008-100-021-00. A 50 ft. front setback is required in this zoning district.
- 3.) **Tom Chastain** - Requests a 22 ft. front setback variance and a 2 ft. rear setback variance to construct a dwelling (24ft. x 32ft.) in a Lake and Stream Protection (P-LS) zoning district. The property is located at 1351 Michigami Drive, Beaugrand Township, Section 23, parcel #041-023-100-013-00 and #041-B02-100-047-01. A 40 ft. front setback and a 12 ft. rear setback are required in this zoning district.

UNFINISHED BUSINESS

NEW BUSINESS

ZBA COMMENTS

PUBLIC COMMENTS

ADJOURN

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS MEETING & PUBLIC HEARING
WEDNESDAY, FEBRUARY 25, 2015
ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

Members Present: Charles Freese, John Moore, Chris Brown, Mary Street

Members Absent: Ralph Hemmer

Others Present: Scott McNeil, Dana Bush, Mike Brown, Carol Bush, Mitch Hintz, Tom Lemon, Tony Matelski, Carl Muscott, Steven Voes, Tom Fisher, Sue Fisher, Mike Ridley, Craig Waldron, Mary Ann Gale, Ken Ames

The meeting was called to order by Chairperson Freese at 7:00pm.

PLEDGE OF ALLEGIANCE

Chairperson Freese led the Pledge of Allegiance.

APPROVAL OF AGENDA

The agenda was presented. **Motion** by Mr. Moore, seconded by Mr. Brown, to accept the agenda as presented. Motion carried. 4 Ayes (Freese, Moore, Brown, Street), 0 Nays, 1 Absent (Hemmer)

APPROVAL OF MINUTES

Minutes from the October 22, 2014 Zoning Board of Appeals meeting were presented. **Motion** by Ms. Street, seconded by Mr. Moore, to approve the minutes as presented. Motion carried. 4 Ayes (Freese, Moore, Brown, Street), 0 Nays, 1 Absent (Hemmer)

PUBLIC HEARING & ACTION ON REQUESTS

Dana Bush - Requests a 3.5ft. side setback variance, a 4.0ft. rear setback variance from Giauque Beach Drive and an 8ft. rear setback variance from the rear lot line to construct a garage (24ft. x 28ft.) in a Lake and Stream Protection (P-LS) zoning district. The property is located at 542 Giauque Beach Drive, Mullett Township, Section 31, parcel #130-031-200-031-00. An 8 ft. side setback and a 12 ft. rear setback from Giauque Beach Drive and the rear lot line are required in this zoning district.

Mr. McNeil explained that Mr. Bush is requesting a 3.5ft. side setback variance, a 4.0ft. rear setback variance from Giauque Beach Drive and an 8ft. rear setback variance from the rear lot line. Mr. McNeil stated the property is zoned Lake and Stream Protection.

Mr. Bush stated he has limited space for a 2 car garage and a raised septic system. Mr. Bush noted that Giauque Beach Drive is a private road and his house is the third house from the end of the road. Mr. Bush stated there is a limited amount of traffic on this road. Mr. Bush stated the garage is proposed for a portion of the parcel that is 40ft. x 75ft.

There was no correspondence to be read. Mr. McNeil stated he included with the staff report a history of past dimensional variances that have been granted in this area by the Zoning Board of Appeals.

Mr. Freese asked for public comments. Ms. Gale stated she is representing Mullett Township and the township supports this request. Public comment closed.

Mr. Freese stated this is similar to other requests in this area. Mr. Freese stated that other properties in this area have had to go to a raised septic because the septic on the lakeside is not adequate. Mr. Brown noted this is an improvement to the non-conformity and the proposed garage will not extend any further towards the road than other existing garages in this area.

The Zoning Board of Appeals added “A number of other homes in this same stretch of road have had similar variances granted for the same purpose of constructing a garage.” to the General Findings. The Zoning Board of Appeals reviewed and approved the Specific Findings of Fact under Section 23.5.4. **Motion** by Mr. Moore, seconded by Mr. Brown, to approve the three variance requests based on the General Findings and the Specific Findings of Fact under Section 23.5.4. Motion carried. 4 Ayes (Freese, Moore, Brown, Street), 0 Nays, 1 Absent (Hemmer)

Gary DeVoe/Burdco Inc. - Requests a variance from the required number of parking spaces for a medical clinic. The ordinance requires medical clinics/doctor offices to have 4 parking spaces per examination/treatment room plus 1 space

per employee. A total of 132 parking spaces are required for the medical clinic as proposed. The applicant proposes to provide 70 parking spaces. The property is located at 3860 S. Straits Highway, Tuscarora Township, Section 24, parcel #161-024-400-225-00.

Mr. McNeil stated this request is for a variance from the parking requirements for a medical clinic. Mr. McNeil stated the zoning ordinance requires 132 parking spaces for this use. Mr. McNeil stated there are to be 4 parking spaces for each of the 27 examination/procedure rooms and 1 parking space for each of the 24 employees. Mr. McNeil stated the applicant is proposing 70 parking spaces. Mr. McNeil stated the site plan was approved at the last Planning Commission meeting subject to Zoning Board of Appeals approval to allow 70 parking spaces. Mr. McNeil provided examples of neighboring jurisdictions parking requirements and a publication from the American Planning Association for other requirements across the country.

Mr. Mike Brown stated Burdco specializes in medical offices and they have designed and built over 25 medical offices in Northern Michigan in the last 15 years. Mr. Mike Brown stated he is representing Otsego Memorial Hospital. Mr. Mike Brown stated the zoning ordinance requires 132 parking spaces for this medical office and they believe 70 parking spaces would be ample. Mr. Mike Brown referred to section 23.5.2 and stated that this project will meet the intent, will assure public safety and welfare and will serve justice. Mr. Mike Brown referred to section 23.5.2.3 and stated this project is consistent with the purpose and intent of the requirements. Mr. Mike Brown referred to the APA parking information provided by Mr. McNeil and stated 13 out of the 15 examples provided would require as many or less parking spaces for this building as what he is proposing. Mr. Mike Brown stated that Provo Utah would require 50 parking spaces and noted that others jurisdictions would require 42, 62, 41, 44, 62, 62, 40, 42, 48, 61, 50, 83, 57 and 92. Mr. Mike Brown stated there are different standards but none of them would require more than 100 parking spaces for this project. Mr. Mike Brown stated only 2 out of the 15 examples would require more than the 70 spaces that he is proposing. Mr. Mike Brown stated that Mr. McNeil also provided parking requirements from adjacent communities. Mr. Mike Brown noted that for this project the City of Cheboygan would require 36 parking spaces, Otsego County would require 44 parking spaces, Emmett County would require 44 parking spaces, Village of Mackinaw City would require 70 parking spaces and City of Petoskey would require 66 parking spaces. Mr. Mike Brown stated that he included with the application a parking study that was done on medical offices by Walker Parking Consultants. Mr. Mike Brown stated Walker Parking Consultants are a national firm and they have built parking decks across the country. Mr. Mike Brown stated that Walker Parking Consultants conducted a 6 month study on 50 different medical offices buildings in non-urban areas during peak house. Mr. Mike Brown stated that they concluded that 4.5 parking spaces per 1,000sf of medical office are adequate for medical office buildings. Mr. Mike Brown stated this is slightly less than what they use which is 5. Mr. Mike Brown stated that Walker Parking Consultants included a cushion in this number. Mr. Mike Brown stated the purpose of presenting this study is to show that a lot of work has been done on the parking needs for medical office buildings. Mr. Mike Brown stated they are proposing 70 parking spaces for this project which is 5.7 parking spaces per 1,000sf. Mr. Mike Brown stated this is more than what the study recommends and is also more than the requirements from other jurisdictions in the area. Mr. Mike Brown stated the zoning ordinance requires 132 parking spaces which is 10.7 parking spaces per 1,000sf.

Mr. Lemon stated he is the CEO of Otsego Memorial Hospital. Mr. Lemon stated he has been with Otsego Memorial Hospital for 15 years and they believe this is the largest medical group in Northern Michigan. Mr. Lemon stated they now have 9 clinics in 5 communities and they believe that this year they will achieve 160,000 office visits. Mr. Lemon stated they opened their first clinic in Indian River in November 2012 and since this time they have experienced growth at the clinic. Mr. Lemon stated they are averaging around 900 patients per month and due to the growth it has allowed them an opportunity to look at options for a new clinic site. Mr. Lemon stated when looking at clinics he puts them into three categories; low band scenario, mid band scenario and high band scenario. Mr. Lemon explained they designed a high band scenario for this clinic even though they may not be operating at this level when they first open. Mr. Lemon stated there are four providers in Indian River and some specialty clinics including OB/GYN, orthopedics and they will be adding general surgery services. Mr. Lemon stated there will be the same level of services with the addition of lab and radiology services but separation of space for primary care specialty services and walk in services. Mr. Lemon stated under a mid band scenario they will continue with the same level of services with the addition of one primary care physician. Mr. Lemon stated from a high band scenario they would be looking at three additional primary care physicians.

Mr. Lemon stated their goal is to be at a high band scenario by the end of 2018. Mr. Lemon stated their recruitment assumptions are based on a medical staff needs assessment for the Indian River area including Indian River, Afton, Onaway and Wolverine. Mr. Lemon stated the goal for the high band scenario is to operate 76 hours a week, Monday through Friday from 7:00am to 7:00pm. Mr. Lemon stated there will be walk-in hours of 8:00am to 4:00pm on Saturday and Sunday.

Mr. Lemon stated with their recruitment goals they believe they will have providers representing the specialties of family practice, pediatrics, OB/GYN and four mid-level providers will provide primary care services and walk-in services. Mr. Lemon stated they are noticing more than ¼ of the births in Gaylord coming from residents in the Cheboygan zip code which equates to almost 90 births. Mr. Lemon stated under a high band scenario they believe they will be going from 11,000 office visits to 27,500 office visits annually. Mr. Lemon stated this will include primary care services, walk in services and specialty clinic services. Mr. Lemon stated ancillary procedures (lab tests, x-rays, mammograms) will increase from 12,000 to 18,500 procedures annually. Mr. Lemon believes that they will have ample parking for patients and staff. Mr. Lemon stated 80% of ancillary services are tied to a patient who is currently having a primary care office visit. Mr. Lemon stated the annual number of registrations that they anticipate having is 31,250. Mr. Lemon stated 75% of the annual visits are scheduled visits which will minimize any peaks and valleys within the number of registrations that they have on a daily basis. Mr. Lemon stated the check in/check out time for patients receiving both an office visit and an ancillary test is slightly below one hour. Mr. Lemon stated they plan to operate with extended hours Monday through Friday from 7:00am to 7:00pm and on the weekends from 8:00am to 4:00pm. Mr. Lemon stated that from a conservative perspective (Monday through Friday with a 9 hour day) they would expect an average of 120 registrations which would equate to 13.5 registrations per hour. Mr. Lemon stated that with the check in to check out time being less than one hour they believe that a car can sit in a parking space for 3 hours and 15 minutes before it has to vacate the parking space.

Mr. Mike Brown stated that Mr. Lemon's numbers are more than adequate. Mr. Mike Brown stated they are trying to be good stewards as they want to provide green space, good parking, nice building and services that will meet the community's needs.

Mr. Freese asked if there is any correspondence. Mr. McNeil noted that there is a letter from Tuscarora Township Planning Commission that has been included with an updated exhibit list.

Mr. Freese asked for public comments. Mr. Waldron stated he is a Tuscarora Township board member and a Tuscarora Township Planning Commission member. Mr. Waldron stated the Tuscarora Township Planning Commission submitted a letter to the Zoning Board of Appeals. Mr. Waldron stated the Tuscarora Township Planning Commission met on Monday night to discuss the project and they are ecstatic that Otsego Memorial Hospital is planning to build this clinic and they believe it is huge benefit for their community and for the whole county. Mr. Waldron stated Tuscarora Township Planning Commission supports the variance request and believes the proposed parking will meet the needs of the clinic. Mr. Waldron stated there was a second motion noted in the letter suggesting that the Zoning Board of Appeals consider allowing a reserved parking area on the site plan. Mr. Waldron stated Tuscarora Township Planning Commission believes the parking requirements are outdated and/or unreasonable and should be reviewed at a later date. Mr. Waldron stated the Tuscarora Township Planning Commission believes this request should be granted. Mr. Waldron stated that he personally believes that the parking requirements in the zoning ordinance are to prevent encroachment onto someone else's property. Mr. Waldron questioned why parking would be a concern if he is building out in the middle of the woods. Mr. Waldron stated Otsego Memorial Hospital would not invest this amount of money into this project if there is not sufficient amount of parking for the patients. Mr. Waldron stated the DDA plan for the streetscape includes a number of parking spaces in front of this parcel. Mr. Waldron stated he understands these parking spaces will not be considered in the site plan but these are parking spaces that are not used.

Mr. Lemon explained there will be ample parking for the patients utilizing the clinic. Mr. Lemon stated that the conservative numbers he provided are based on a 9 hour day (8:00am – 5:00pm). Mr. Lemon stated if they look at where they hope to be from an extended hour perspective the number of registrations will decline to 100 per day or less and a car can sit for 5 hours before it would have to move to allow a place for another car.

Mr. Ridley, Tuscarora Township Supervisor, stated that with the streetscape plan there has been an effort to reduce the amount of asphalt and concrete along Straits Highway. Mr. Ridley stated this project will create green space and he hates to see a site plan where there will be more asphalt.

Mr. Matelski stated this is the best presentation he has seen in 20 years.

Mr. Voes stated he owns a store at the south east corner of this project. Mr. Voes stated there has been nothing on this parcel for 39 years except for a drain field.

Public comment closed.

Board held discussion. Mr. Freese stated there has been a lot of discussion that the regulation requires too much parking, however, the regulation existed for a long time and there hasn't been a problem with it in the past. Mr. Freese stated the standards must be met for the Zoning Board of Appeals to grant the variance. Mr. Freese stated there was a discussion

regarding parking requirements at the last Planning Commission meeting. Mr. Freese stated if the Zoning Board of Appeals grants a variance, it is from the regulation as written. Mr. Freese stated that in the past the Zoning Board of Appeals has made recommendations to the Planning Commission when they have determined there was a problem with the regulation. Mr. Freese stated in most cases the regulation was changed. Mr. Freese stated the Zoning Board of Appeals does not re-write the regulation and noted the Planning Commission must recommend an amendment to the Cheboygan County Board of Commissioners who approves or does not approve a change to the regulation. Mr. Freese stated there is a large portion of the parcel noted as future development on the site plan. Mr. Freese stated there is plenty of space on the parcel to designate required number of parking spaces. Mr. Freese stated there is no requirement to have the parking spaces asphalted. Mr. Freese stated there could be an area designated for parking that has been cleared with gravel on it. Mr. Freese stated he will discuss a possible change in the regulation with the Planning Commission but he personally does not feel that parking requirements are that far out of line. Mr. Freese stated that he bases this on the fact that his daughter has a veterinary clinic in town and if she had parking spaces based on 1,000 she would be out of business. Mr. Freese stated today there was only one veterinarian at the clinic and there were 9 cars for clients and 5 cars for staff. Mr. Freese stated that based on the 5 per 1,000sf there should only be 3-4 parking spaces and that number would not work. Mr. Freese stated the Planning Commission may review the regulation and make a recommendation to the Cheboygan County Board of Commissioners. Mr. Freese stated a solution to this problem would be to redraw the site plan and include the additional parking in the vacant area. Mr. Freese stated whether or not the parking spaces are needed would be immaterial.

Mr. Chris Brown stated he does a lot of developing in Mackinaw City and Mackinaw City has the most stringent parking ordinance in the county. Mr. Chris Brown stated if this parking is adequate for Mackinaw City it will be adequate for Indian River. Mr. Chris Brown stated he agrees with Mr. Freese that this should be brought back to the Planning Commission. Mr. Chris Brown suggested that the Planning Commission ask for input from Mackinaw City as they changed their ordinance about 4-5 years ago. Mr. Chris Brown stated Mackinaw City spent a lot of money on a parking study. Mr. Chris Brown noted that Mackinaw City has the highest population in the county in the summertime. Mr. Chris Brown stated the applicant could go to the Planning Commission and show additional parking in the vacant area on the site plan so the project can be started. Mr. Chris Brown stated that this may be a moot point by the time the project has been completed if the Planning Commission recommends an ordinance amendment to the Cheboygan County Board of Commissioners regarding parking.

Mr. Moore stated the applicant has done the math and the plan is correct, however, the ordinance is dramatically different. Mr. Moore stated the applicant will have to show the additional parking in the vacant area on the site plan. Mr. Moore stated that by the time the project is completed the additional parking may not be needed if an amendment is approved by the Cheboygan County Board of Commissioners. Discussion was held. Mr. Moore stated it would be easier for the Zoning Board of Appeals to grant the variance if the amount of land would not support the parking requirements. Mr. Moore noted that the parcel is large enough to meet the parking requirements.

Mr. Waldron stated that Mr. Mike Brown stated that the Zoning Board of Appeals could approve this variance request based on sections 23.5.2 and 23.5.2.3. Mr. Lemon stated the Zoning Board of Appeals could make a determination on the parking if it fits the intent of the ordinance. Mr. Waldron stated the intent of the ordinance is not to create issues with parking. Mr. Waldron stated the Zoning Board of Appeals has the authority, without the hardship requirement, to make a determination that this does meet the intent of the ordinance which is to protect the surrounding properties from an adverse use. Mr. Freese stated the five standards of section 23.5.4. must be met for the Zoning Board of Appeals to approve the variance. Mr. Freese stated the Zoning Board of Appeals can make an interpretation if there is an ambiguity or if there is a question by the Zoning Administrator. Mr. Freese stated the Zoning Board of Appeals does not make the law. Mr. Freese stated the law is as written and if they can find that the five standards of section 23.5.4 have been met they can grant a variance.

Mr. Mike Brown stated it appears that there is no differentiation between 23.5.2 and 23.5.3 (use variance) and 23.5.4 (dimensional variance). Mr. Mike Brown stated the Zoning Board of Appeals has the authority to grant variances and the requirement is that the modification will not be inconsistent with the purpose and intent of such requirements. Mr. Mike Brown stated he has proven that it is not inconsistent with the purpose and intent of such requirements. Mr. Mike Brown stated that section 23.5.2 does not say to refer to the criteria/requirements in sections 23.5.3 (use variance) or section 23.5.4. Mr. Mike Brown stated it appears that these three sections are three separate conditions for the Zoning Board of Appeals to approve a variance. Mr. Mike Brown stated it appears under section 23.5.2 that the Zoning Board of Appeals can grant a parking variance.

Mr. McNeil explained that section 23.5.2 is one of the sections that identifies the powers of the Zoning Board of Appeals. Mr. McNeil explained that the Zoning Board of Appeals can grant a variance from the parking standards but the standards for a dimensional variance or use variance must be met. Discussion was held.

Mr. Mike Brown stated he would like to withdraw the variance request. The Zoning Board of Appeals suggested tabling the request. Mr. Chris Brown asked what the timeframe for this project is. Mr. Lemon stated their goal is to start construction weather permitting and with a timeline of opening on 10/01/15. Mr. Lemon explained that this may affect physician recruitment as they are looking for quality physicians.

Motion by Mr. Moore, seconded by Ms. Street, to table the request. Motion carried. 4 Ayes (Freese, Moore, Brown, Street), 0 Nays, 1 Absent (Hemmer)

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

No comments.

ZBA COMMENTS

No comments.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Mr. Moore, to adjourn. Motion carried. Meeting adjourned at 8:02pm.

Mary Street, Secretary

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS

Gary E. Devoe / Michael R. Brown – Burdco Incorporated – *Revised 03/20/15*

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Variance Application (4 Pages)
4. Medical Office Building Parking Study (4 Pages)
5. Site Plan Dated 02/03/15 (1 Page)
6. Grading Plan Dated 02/03/15 (1 Page)
7. Detail Sheet Dated 02/03/15 (1 Page)
8. Preliminary Medical Building Floor Plan Dated 02/03/15 (1 Page)
9. Preliminary Medial Building East Elevation Dated 02/04/15 (1 Page)
10. Mailing List (6 Pages)

The following items were added to the exhibit list on 02/25/15:

11. Letter dated 02/24/15 from Sue Fisher, Tuscarora Township Planning Commission Secretary (1 page)

The following items were added to the exhibit list on 03/20/15:

12. E-mail dated 03/20/15 from Mike Brown to Scott McNeil (1 page)
- 13.
- 14.
- 15.
- 16.
- 17.

Note: Zoning Board of Appeals members have exhibits 1 and 2.

CHEBOYGAN COUNTY
 PLANNING & ZONING DEPT.
 870 S. Main St., PO Box 70
 CHEBOYGAN, MI 49721
 (231) 627-8489 (TELEPHONE)
 (231) 627-3646 (FAX)

USE VARIANCE APPLICATION

\$100.00 APPLICATION FEE

RECEIPT #:	
CASH/CHECK:	
ACTION /DATE:	

PLEASE PRINT

PROPERTY LOCATION

Address 3860 S. Straits Hwy	City / Village Indian River	Township / Sec. Tuscarora /	Zoning District
Property Tax I.D. (Parcel) Number 16102440022500	Subdivision or Condo. Name / Plat or Lot No. T35N-R3W		

APPLICANT

Name Michael R. Brown- Burdco Incorporated	Telephone 231-218-4923	Fax 231-947-9135	
Address 1222 Veterans	City & State Traverse City	Zip Code 49684	E-Mail mbrown@burdco.com

OWNER (If different from applicant)

Name Gary E Devoe	Telephone 313-300-9600	Fax 313-388-8090	
Address 19076 Park Lane	City & State Grosse Ile, MI	Zip Code 48138	

Detailed directions to site, including nearest crossroad:
 Corner of Straits Highway and Burchfield in Indian River

Please Note: All applicable questions must be answered completely. If additional space is needed, number and attach additional sheets.

I. Property Information

- A. List all known deed restrictions: None
- B. This property is unplatted, platted, will be platted. If platted, name of plat _____.
- C. Present use of the property is: Vacant Property.
- D. A previous appeal has / has not (circle one) been made with respect to these premises in the last one (1) year. If a previous appeal, rezoning or special use permit application was made, state the date _____, nature of action requested _____, and the decision _____.
- E. Attach a site plan drawn per the attached directions. - *See attached site plan.*

II. Detailed Request and Justification

1. State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Ordinance.
See Attached

2. Where owing to special conditions, a literal enforcement of the provisions of this Ordinance would involve practical difficulties or cause unnecessary hardships within the meaning of this Ordinance, the Board shall have power upon appeal in specific cases to authorize such variation or modification as may be in harmony with the spirit of this Ordinance, will assure that public health, safety and welfare is secured and substantial justice done. No such variance for the use provisions of this Ordinance shall be granted unless all of the following facts and conditions exist. All use variance decisions made by the Zoning Board of Appeals are based on the following five (5) standards of the Cheboygan County Zoning Ordinance. Please explain how the request meets each standard.

a. There are exceptional or extraordinary circumstances or conditions applicable to the property or to its use that do not apply generally to other properties or uses in the same district.
See Attached

b. Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity.
See Attached

c. The granting of the variance will relate only to the property under control of the appellant.
See Attached

d. The granting of the variance will not adversely affect the purposes or objectives of the Zoning Plan of the County.
See Attached

e. The granting of the variance or modification will not be materially detrimental to the public welfare or materially injurious to other property or improvements in the district in which the property is located.
See Attached

The Zoning Board of Appeals members will visit the site prior to the public hearing. Please clearly stake the corners of the proposed building or addition and the nearest property line. Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes? Yes No

Owner's Signature

[Handwritten Signature]

Date

2/3/2015

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature

[Handwritten Signature]

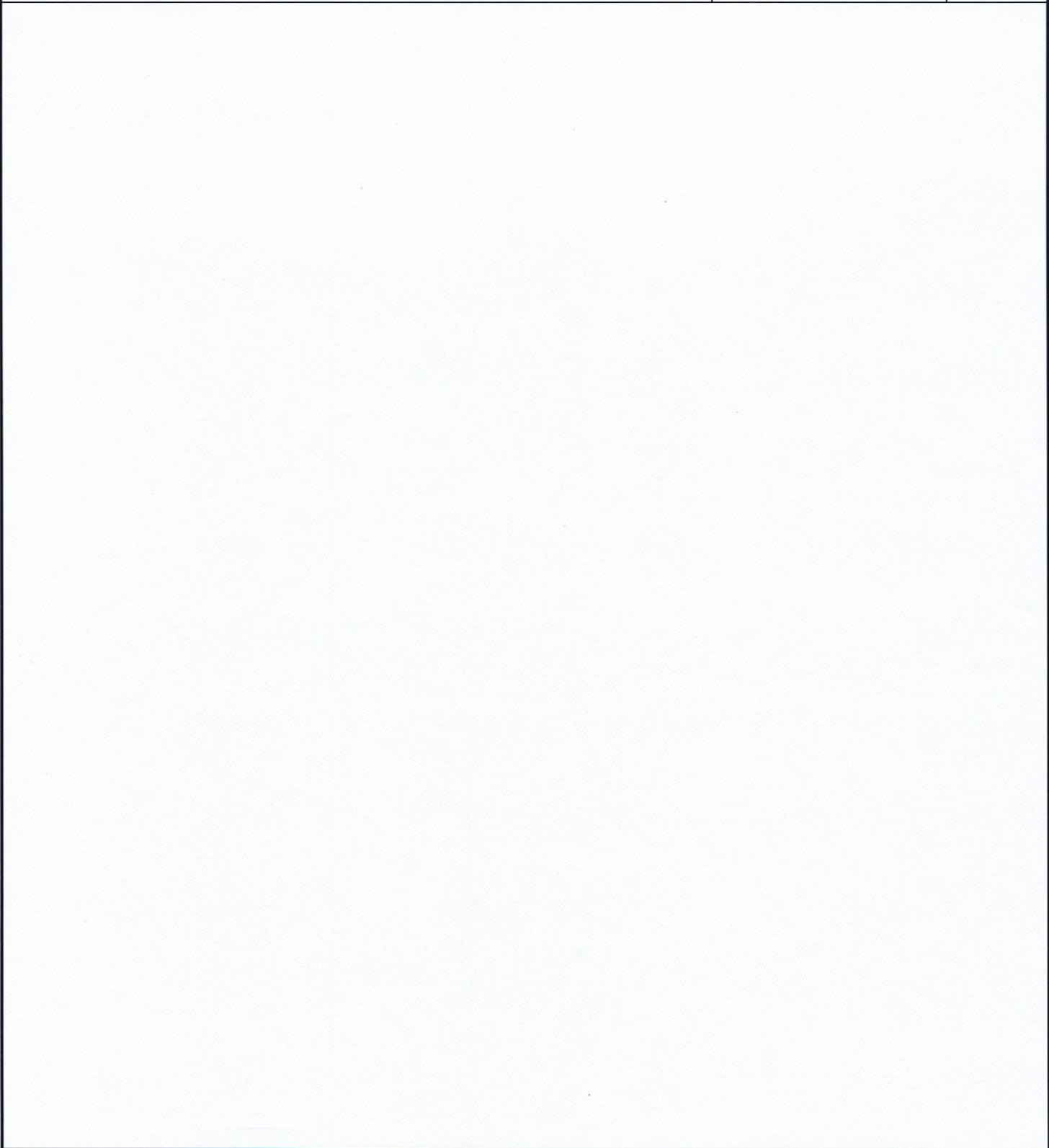
Date

2-2-15

SITE PLAN INFORMATION Please include the following on your site plan:

- | | |
|---|---|
| 1. Property Line dimensions and Property shape. | 6. Parcels under separate ownership therein. |
| 2. Front, Rear, & Side setback dimensions. | 7. Road Right-Of-Way (ROW); access or utility easements. |
| 3. Location, shape & size of all existing & proposed buildings on property. | 8. The existing and intended use of the lot and structures. |
| 4. Location of all drives and parking areas. | 9. Place North arrow in space provided. |
| 5. Rivers, lakes, wetlands, or streams within 500 ft. | 10. Other essential zoning information. |

Distance from property line to proposed structure: Front: <u>25</u> Rear: <u>10</u> Side: <u>10</u> Side: <u>10</u>	Zoning District:	North:
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USE VARIANCE APPLICATION ATTACHMENT
3860 S. Straits Hwy
Indian River
02-04-15

II. Detailed Request and Justification

1. The applicant specializes in the design and construction of Medical Office facilities in Northern Michigan. It is the applicants desire to erect a Medical Office on the property with sufficient parking to service the needs of the proposed building per the attached site plan. We are proposing to provide 26 employee parking spaces and 44 patient parking spaces for a total of 70 parking spaces. This proposed number of spaces (5.7 spaces/1000 GSF* or 1 space per 176 GSF) is more than sufficient based on applicants experience and significantly exceeds industry standards. (Note: Industry standards are 4.5 spaces per 1,000 GSF or 1 space per 222 GSF. See attached Medical Office Building (MOB) Parking Study by Walker Parking Consultants).

The zoning ordinance asks for 1 parking space for each employee and 4 parking spaces for each exam or treatment room. Based on this formula 24 employee spaces would be required and 108 patient parking spaces would be required for a total of 132 parking spaces. This would equate to 10.7 spaces per 1,000 GSF or 1 space per 93 GSF.

Applicant is requesting a variance for installing 62 extra parking spaces that will not be used and are unnecessary to the use of the proposed building.

2.
 - a. Most uses within the district have parking requirements that coincide with industry and national standards. The Medical Office zoning requirement does not.
 - b. Medical Office Buildings throughout Northern Michigan generally utilize parking ratios in the range of 4.5 to 5 parking spaces per 1,000 GSF. This equates to between 1 space per 200 GSF and 1 space per 181 GSF
 - c. The applicant is only requesting a variance for the property in question.
 - d. The granting of the variance will not adversely affect the purposes or objectives of the Zoning Plan of the County. On the contrary it will provide for greenspace in lieu of unneeded asphalt while also accomplishing the goals of the zoning ordinance in terms of sufficient parking spaces for the intended building use.
 - e. The granting of the variance will not be materially detrimental to the public welfare as the proposed parking plan would provide adequate parking to the public. The granting of the variance would not be materially injurious to other property or improvements in the district but would actually be of benefit by providing for greenspace in lieu of unneeded asphalt pavement.

***Note: GSF is Gross Square Feet of Building Area**
Number of parking spaces are often measured in either a) spaces per 1,000 Gross Square Feet of Building Area or b) 1 space per Gross Square Feet of Building Area

Parking Requirements for Medical Office Buildings

RESEARCH WAS CONDUCTED WITH THE FOLLOWING KEY OBJECTIVES: COLLECT PRIMARY AND SECONDARY DATA DESCRIBING MEDICAL OFFICE BUILDING PARKING NEEDS; IDENTIFY MUNICIPAL CODE REQUIREMENTS FOR THOSE BUILDINGS SURVEYED; AND SUMMARIZE FINDINGS BY MEAN AND 85TH-PERCENTILE VALUES. PROVIDING 4.5 SPACES PER 1,000 GROSS SQUARE FEET OF BUILDING SPACE IS GENERALLY SUFFICIENT TO MEET MEDICAL OFFICE BUILDING PEAK-HOUR NEEDS.

FIFTY MEDICAL OFFICE BUILDINGS (MOBs) located throughout the United States were studied to determine their parking requirements. Following is a summary of key findings and conclusions:

- A total of 4.5 parking spaces per 1,000 gross square feet (GSF) of building area should be provided for MOBs. This recommendation includes an effective supply cushion of spaces; this cushion is equal to about 10 percent of the supply and is necessary for a number of reasons, including but not limited to user convenience and to compensate for the temporary loss of spaces due to construction, maintenance and snow removal.
- The number of cars parked at MOBs during the 11 a.m. peak hour typically falls short of both the parking supplies and the number of parking spaces required by zoning ordinances.
 - This suggests that most zoning ordinances require more parking spaces than most MOBs need.
 - Ninety-two percent of this study's MOBs are legally required to provide more parking spaces than were occupied during the peak hour.
 - Sixty percent of this study's MOBs must comply with zoning ordinances that exceed this study's recommended parking capacity.
- The observed mean peak-hour parking accumulation rate for 50 MOBs is 3.23 spaces per 1,000 GSF of occupied building area. This is lower than the 3.53 spaces reported in the Institute of Transportation Engineers' (ITE) *Parking Generation, 3rd Edition* and the 4.11 spaces reported in ITE's *Parking Generation, 2nd Edition*.^{1,2}
- The observed 85th-percentile peak-hour parking accumulation rate for 50 MOBs is 4.21 parked cars per 1,000 GSF of occupied building area.

STUDY PURPOSE

The development of MOBs continues in response to the aging population and consequent increases in demands for health care. One particular challenge for planners is to properly determine the number of parking spaces needed for MOBs. In response to this challenge, a study was conducted to document the parking requirements of MOBs. A major component of this study included new primary research.

Most municipal zoning ordinances base MOB parking requirements on the amount of GSF rather than the number of physicians, employees, or patients/visitors. This study gathers data from various MOBs, calculates parking demand ratios per 1,000 GSF and provides a database that can be used for project planning purposes. This research project had the following objectives:

- To identify and reference historical MOB peak-hour parking demand ratios;
- To create a database of MOB peak-hour parking demand ratios that employ the number of parking spaces needed per 1,000 GSF, the variable most commonly referenced by municipal codes;
- To compile a comparative list of municipal code requirements for those MOBs surveyed; and
- To summarize findings by mean and 85th-percentile values.

Meeting these objectives provides information useful to planners who project MOB parking demand.

METHODOLOGY

Prior to beginning primary research, secondary sources of data were researched. The second and third editions of *Parking Generation* contained a summary of several MOB parking demand studies. To complete the primary research, the following steps were performed:

BY JOHN W. DORSETT, AICP AND MARK J. LUKASICK

- A sample of 50 stand-alone MOB's located throughout the United States was selected.
- The following variables were researched for each MOB:
 - city and state;
 - number of floors;
 - building GSF;
 - building occupancy rate;
 - number of suites;
 - municipal code parking requirements (number of spaces per 1,000 GSF); and
 - parking space supply.
- The number of parking spaces required by zoning ordinance was calculated.
- The supply of parking spaces was inventoried and the number of spaces provided per 1,000 GSF was calculated.
- The number of parked vehicles during the peak time of the day was counted.
- The number of spaces per 1,000 GSF was determined based on the occupied building GSF and the numbers of vehicles counted at the peak accumulation or occupancy.
- The mean and 85th percentile, by spaces per 1,000 GSF of occupied building space, were summarized for the following:
 - code requirements;
 - parking space supply; and
 - observed peak-hour parking occupancy.

ITE PARKING GENERATION RATES

ITE updated its *Parking Generation* publication in 2004. Table 1 provides a comparison between these published data and the primary data collected for this study.

DATA COLLECTION RESULTS

Number of Buildings by State

Fifty free-standing MBOs were surveyed on Mondays and Wednesdays from March through August, during what was believed to represent typical activity levels for MOB's. Suburban locations were selected to allow a clean computation of the parking demand ratio, without the influence of adjacent land uses present in an urban environment and without the influence of mass transit.

A convenience sample was drawn based

	Walker data collection	ITE Parking Generation, 3rd Edition
Peak period	10:00 a.m.–12:00 p.m.	10:00 a.m.–12:00 p.m. 2:00 p.m.–5:00 p.m.
Number of study sites	50	18
Average size of study sites (GFA)	62,427	43,000
Average peak-period parking demand	3.23 spaces per 1,000 sf	3.53 spaces per 1,000 sf
85th-percentile parking demand	4.21 spaces per 1,000 sf	4.30 spaces per 1,000 sf
Range of rates	1.38–8.90 spaces per 1,000 sf	2.34–5.35 spaces per 1,000 sf

Note: Peak occurred mid-week.

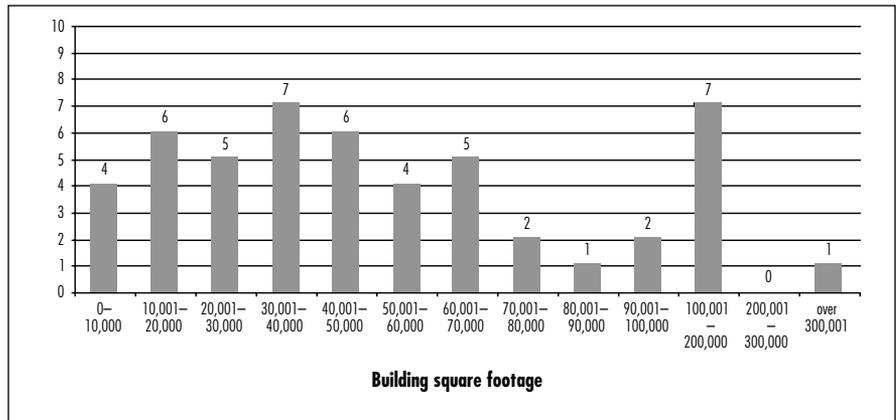


Figure 1. Number of MOB's by size.

on geographic proximity of individuals collecting the data to the MOB's. Twenty of the MOB's surveyed were located in Illinois. The remaining 30 properties surveyed were located in the following states: California (6), Florida (3), Georgia (3), Indiana (9), Massachusetts (3), Minnesota (3) and Pennsylvania (3).

The average number of parking spaces per 1,000 GSF ranged from 2.78 for the three Georgia MOB's studied to 5.60 for the three Pennsylvania MOB's surveyed. Following is the supply of parking spaces per 1,000 GSF, by state:

- Illinois: 4.47
- Florida: 5.24
- Indiana: 5.36
- Minnesota: 4.39
- California: 3.20
- Pennsylvania: 5.60
- Georgia: 2.78
- Massachusetts: 4.69

Number of Buildings by Size

The MOB's identified then were compared on the basis of occupied GSF. As

shown in Figure 1, about three-fourths of the buildings surveyed were 70,000 GSF or less.

Municipal Code Requirements

Thirty-one locations, or 62 percent of those MOB's surveyed were required by code to provide 4.01 or more parking spaces per 1,000 GSF. Table 2 illustrates the number of parking spaces required by municipal zoning ordinances.

Parking Supply

Each individual MOB's parking supply was inventoried. Out of the 50 MOB's surveyed, 27 facilities, or approximately 54 percent, supplied 4.01 or more parking spaces (rounded to nearest whole number) per 1,000 GSF.

Figure 2 illustrates the number of parking spaces supplied per 1,000 GSF. Most of the facilities surveyed provided or nearly provided the number of code-required spaces. In some cases, the parking space supply fell short of the code requirement.

Parking Demand

Parking occupancy counts were taken for the MOB parking spaces to determine parking utilization during the 11 a.m.

peak hour. These counts were compared to the occupied GSF of the building. The peak hour was determined based on the consultants' experience with hundreds of

studies over the last 30 years. A majority of the facilities surveyed had peak-hour parking occupancies of 4.0 or fewer spaces per 1,000 GSF. This statistic fell significantly below both the legally required number of parking spaces and the observed parking supplies.

The following shows the total number of parking facilities surveyed (at the peak hour) by range of occupied parking spaces per 1,000 GSF:

Spaces per 1,000 GSF	Number of Facilities
1.00 to 2.00	7
2.01 to 3.00	18
3.01 to 4.00	14
4.01 to 5.00	9
5.01 to 6.00	0
6.01 to 7.00	1
7.01 to 8.00	0
8.01 to 9.00	1

Number of parking spaces required by code	Number of facilities	
1.00 to 2.00 / 1,000 sf	1	2 percent
2.01 to 3.00 / 1,000 sf	6	12 percent
3.01 to 4.00 / 1,000 sf	12	24 percent
4.01 to 5.00 / 1,000 sf	20	40 percent
5.01 to 6.00 / 1,000 sf	6	12 percent
6.01 to 7.00 / 1,000 sf	1	2 percent
7.01 to 8.00 / 1,000 sf	2	4 percent
8.01 to 9.00 / 1,000 sf	1	2 percent
9.01 to 10.00 / 1,000 sf	1	2 percent
	50	100 percent

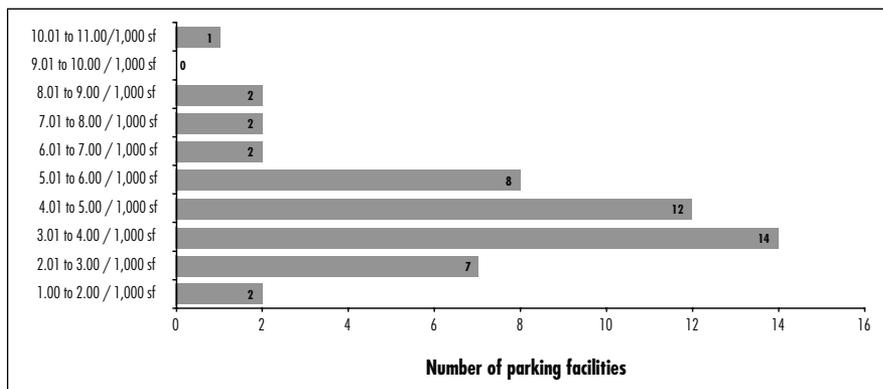


Figure 2. Parking supply provided by MOB.

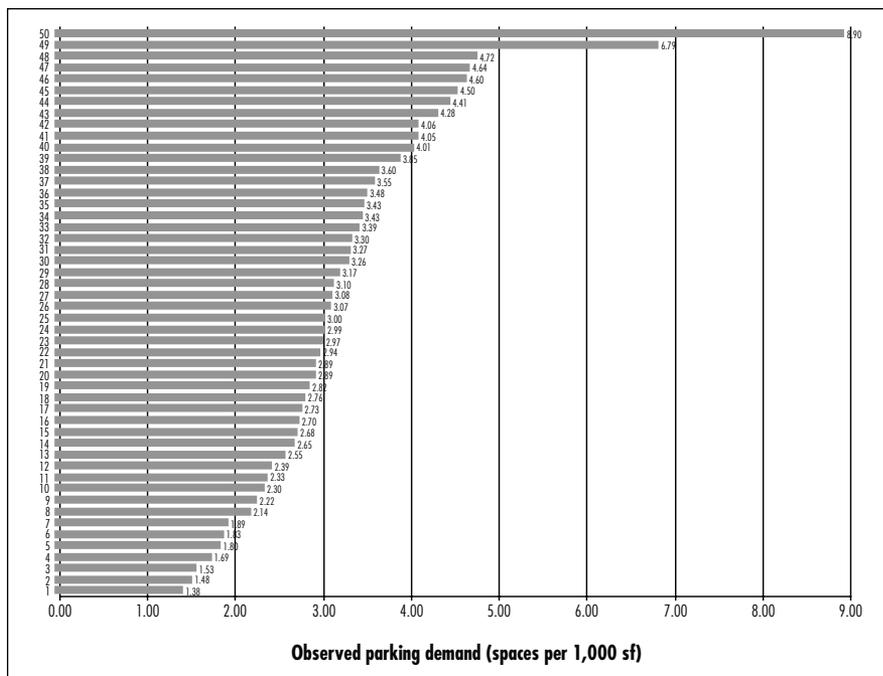


Figure 3. Observed peak-hour parking demand by MOB.

Figure 3 shows each parking facility's parking demand in descending order. Observed peak-hour parking demand for the sample ranged from 1.38 to 8.90 spaces per 1,000 GSF. The observed mean and median peak-hour parking demand rates were 3.23 and 3.03, respectively. The 85th-percentile rate was 4.21 spaces per 1,000 GSF.

CONCLUSIONS

Fifty MOB were surveyed as part of this research. Following is a summary of findings:

- The most common code requirement for the MOB surveyed was 5.0 parking spaces per 1,000 GSF. Nineteen MOB, or 38 percent of the sample, were required to provide 5.0 parking spaces per 1,000 GSF.
- The mean and median number of parking spaces provided per 1,000 GSF was 4.50 and 4.39, respectively.
- ITE calculated a mean demand of 3.53 parking spaces per 1,000 GSF (*Parking Generation, 3rd Edition*) compared to 3.23 parking spaces per 1,000 GSF found in this study.
- ITE's 85th-percentile demand of 4.30 parking spaces per 1,000 GSF (*Parking Generation, 3rd Edition*) is comparable to the 85th-percentile peak-hour

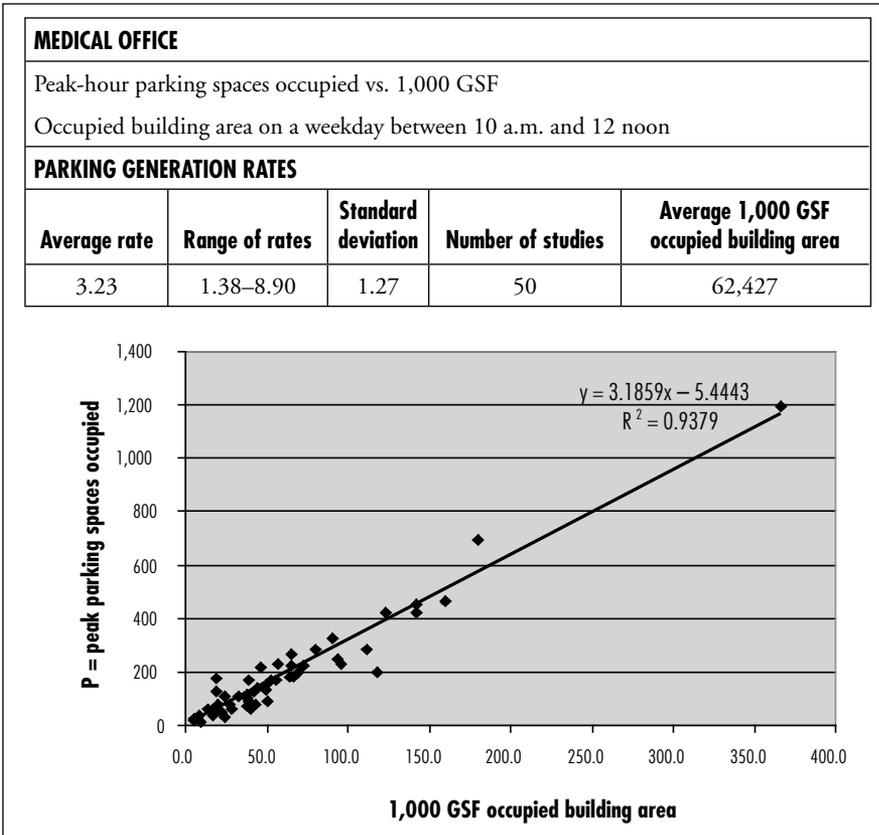


Figure 4. Data plot and statistical summary.

observation of 4.21 parking spaces per 1,000 GSF found in this study.

- Based on these findings, designing parking facilities to accommodate 4.5 spaces per 1,000 GSF of building space should be sufficient to meet the peak-hour parking demands of most medical office buildings. This recommendation is an 85th-percentile recommendation, which is consistent with other recognized and published industry standards, including the landmark November 2005 *Shared Parking* publication issued by the Urban Land Institute and the International Council of Shopping Centers. Sixty percent, or 30 of the 50 MOB, are located in municipalities that now require more parking than the recommended 4.5 spaces per 1,000 GSF. ■

References

- Parking Generation, 3rd Edition*. Washington, DC, USA: Institute of Transportation Engineers (ITE), 2004.
- Parking Generation, 2nd Edition*. Washington, DC: ITE, 1987.



JOHN W. DORSETT,
AICP, is a senior vice president and shareholder of Walker Parking Consultants. He directs the firm's Consulting Resources Group, which specializes in parking-related engagements including access and revenue control systems, airport landside planning, financial, functional design planning, operations and traffic engineering.



MARK J. LUKASICK
is a parking consultant with Walker Parking Consultants. He has more than 20 years of experience in hands-on parking operations and parking consulting. He may be contacted at mark.lukasick@walkerparking.com with any questions pertaining to this article.

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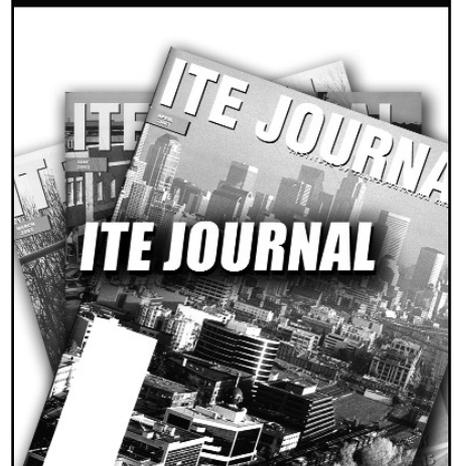
** Note: Opinions expressed herein are those of the authors and do not reflect official ITE Journal policy unless so stated.*

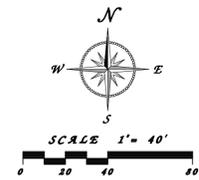


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SITE PLAN

3860 S. Straits Highway

PART OF THE SE 1/4 OF SECTION 24, T35N, R3W
TUSCARORA TWP., CHEBOYGAN COUNTY, MI

SITE NOTES - Phase I:

- SITE ZONING: D-CM
- AREA: +/- 4.86 AC.
- PROPOSED USE: PROFESSIONAL MEDICAL OFFICES
- GROSS BUILDING AREA: 12,339 SFT
- PARKING PROVIDED: 70 SPACES INCLUDING 4 BARRIER FREE (5.7 PKG SPACE per 1,000 GROSS SFT of BUILDING AREA)
- WATER: NEW WELL
- SEWER: CONNECT TO SANITARY SEWER
- SITE DRAINAGE: AS SHOWN
- SOIL EROSION: PLACE SILT FENCE AS SHOWN.
- SIGNAGE: LOCATION AS SHOWN and TO BE IN ACCORDANCE WITH COUNTY ZONING REQUIREMENTS.
- LIGHTING: AS SHOWN and IN ACCORDANCE WITH COUNTY ZONING REQUIREMENTS.
- LANDSCAPING: TO BE IN ACCORDANCE WITH COUNTY ZONING REQUIREMENTS.

LEGEND:

- FOUND SURVEY IRON
- ⊗ COMPUTED POINT
- ⊕ UTILITY POLE w/ GUY
- WELL
- ⊠ TELEPHONE PEDESTAL
- ⊡ CABLE TV PEDESTAL
- SIGN
- MANHOLE
- ⊠ CATCH BASIN
- MONITOR WELL
- FENCE
- PROPERTY LINE
- ZONING SETBACK LINE
- (D) DEED BEARING & DISTANCE
- (M) MEASURED THIS SURVEY
- OVERHEAD POWER LINE
- ~ TREELINE
- ▨ EX. PAVED SURFACE
- ▩ EX. CONC. SURFACE
- ▨ PROPOSED PAVED SURFACE
- ▩ PROPOSED CONCRETE SURFACE
- ⊠ PROPOSED LIGHT POLE

NOTES:

The Boundary Survey is based upon land described in Liber 1055, Page 410, and monuments found in the field. The Topographic Survey is only for a portion of the overall property.

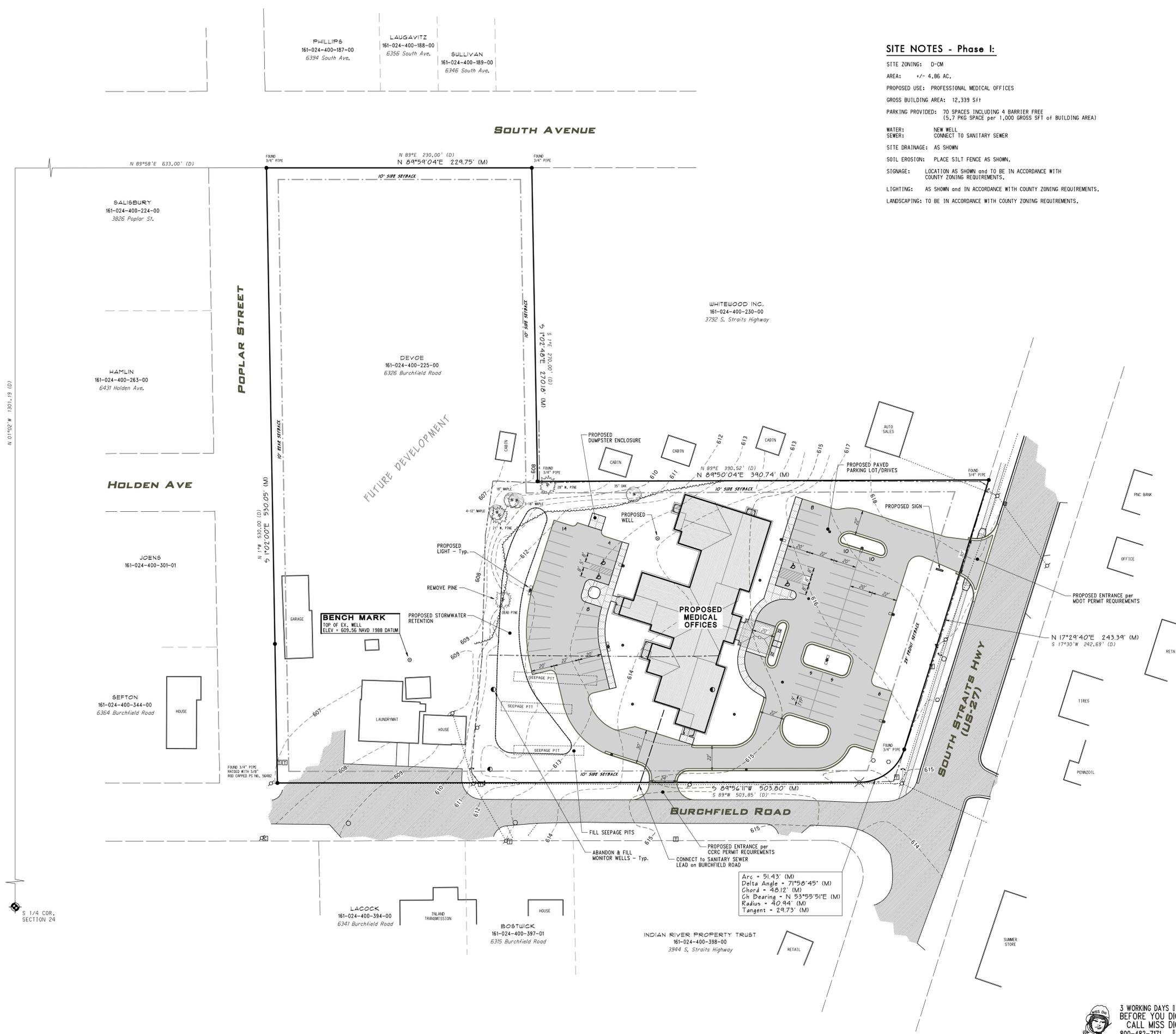
The property description was furnished, and no check of title relative to ownership, gaps, overlaps or occupation has been performed as part of this sketch. Basis of Dealing was taken from the unrecorded plat of Pinecrest.

This is a professional opinion concerning the location of the property boundaries depicted hereon, based upon the appropriate boundary law principles governed by the facts and evidence gathered and evaluated during the course of this survey. Monuments, that in the opinion of this surveyor represent the true and correct corners of the property being surveyed, have been found or set as indicated hereon. As a professional opinion, this survey carries with it no guarantee or warranties, expressed or implied.

ZONING REQUIREMENTS:

VERIFY WITH LOCAL ZONING OFFICE

ZONING DISTRICT: D-CM
 SETBACKS: FRONT = 25' (On Address Side)
 REAR = 10'
 SIDE = 10'



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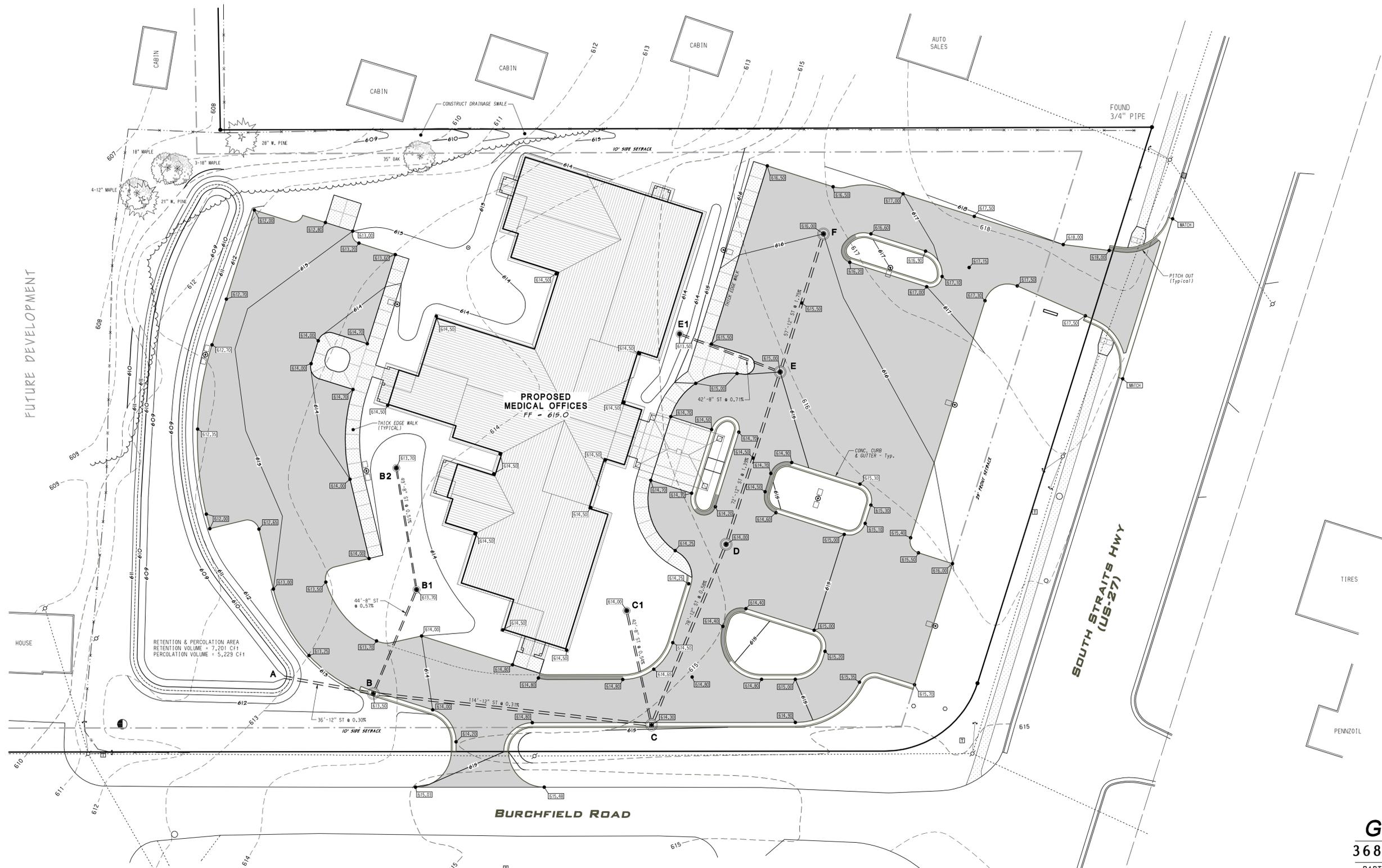
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benchmark607@gmail.com

Client: Burdco Inc.	Date: (revisions)	by
Project Mgr.: R. E. OELKE	FEB. 3, 2015	
Drawn By: B. NOLAN		
Field By: WINTER-WILSON		
CAD File: SP BURDCO 14-388.Gxd		
Job #: 14-388		
Sheet #: 1 OF 3		

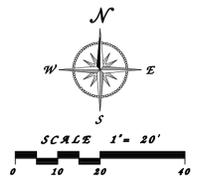
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3860 S. STRAITS HIGHWAY, INDIAN RIVER, MI
SITE PLAN - PROPOSED MEDICAL FACILITY

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- LEGEND:**
- FOUND SURVEY IRON
 - ⊗ COMPUTED POINT
 - ⊕ UTILITY POLE w/ GUY
 - ⊙ WELL
 - ⊕ TELEPHONE PEDESTAL
 - ⊕ CABLE TV PEDESTAL
 - ⊙ SIGN
 - MANHOLE
 - ⊕ CATCH BASIN
 - ⊙ MONITOR WELL
 - FENCE
 - PROPERTY LINE
 - ZONING SETBACK LINE
 - (D) DEED BEARING & DISTANCE
 - (M) MEASURED THIS SURVEY
 - OVERHEAD POWER LINE
 - TREELINE
 - █ EX. PAVED SURFACE
 - █ EX. CONC. SURFACE
 - █ PROPOSED PAVED SURFACE
 - █ PROPOSED CONCRETE SURFACE
 - PROPOSED GRADE
 - PROPOSED STORM SEWER
 - ⊕ PROPOSED LIGHT POLE



GRADING PLAN
3680 S. Straits Highway
 PART OF THE SE 1/4 OF SECTION 24, T35N, R3W
 TUSCARORA TWP., CHEBOYGAN COUNTY, MI

DRAINAGE CALCULATIONS

RAINFALL INTENSITY = 3.4" (25 Yr., 24 Hr.)
 RAINFALL INTENSITY = 2.0" (2 Yr., 24 Hr.)
 EXISTING SOILS: USDA GRAPPLING & AU GRES SAND
 EXISTING RUN-OFF COEFFICIENT = 0.10
 DEVELOPED RUN-OFF COEFFICIENT = 0.30
 ASSUMED PERCOLATION RATE = 12"/24 HR

SITE CONDITIONS:
 PROPOSED HARD SURFACE AREA = 51,924 SF
 CALCULATED RETENTION VOLUME: (V1)
 EXISTING RUN-OFF, V1 = 0.10 x 2/12 x 51,924 SF = 865 CF
 DEVELOPED RUN-OFF, V1 = 0.30 x 3,4/12 x 51,924 SF = 13,241 CF

RETENTION VOL. REQUIRED = V2 - V1
 = 13,241 - 865
 = 12,376 CF

RETENTION VOLUME PROVIDED = 7,201 CF
 PERCOLATION VOLUME PROVIDED @ 12"/24 Hr = 5,229 CF

TOTAL RETENTION & PERC. VOLUME PROVIDED = 12,430 CF

STORM STRUCTURES

STORM "A" 12" DIA. OUTFALL 12" END SECTION INV 12" E = 609.00	STORM MH "B" 4" DIA. MANHOLE EJW 7000, M2 GRATE & T1 BACK RIM ELEV = 613.50 INV 12" W = 609.10 INV 12" E = 609.20 INV 8" NE = 609.50	STORM MH "C" 4" DIA. CATCH BASIN EJW 1040, M2 GRATE & T1 BACK RIM ELEV = 614.30 INV 12" W & NE = 609.55 INV 8" N = 609.75	STORM MH "D" 4" DIA. CATCH BASIN EJW 1040 FRAME, M1 GRATE RIM ELEV = 614.00 INV 12" SW & NE = 610.00	STORM MH "E" 4" DIA. CATCH BASIN EJW 1040, N GRATE RIM ELEV = 616.00 INV 12" SW = 612.00	STORM MH "B1" 2" DIA. CATCH BASIN EJW 1040 FRAME, N GRATE RIM ELEV = 613.70 INV 8" SW & NW = 609.75	STORM MH "B2" 2" DIA. CATCH BASIN EJW 1040 FRAME, N GRATE RIM ELEV = 613.70 INV 8" SE = 610.00	STORM MH "C1" 2" DIA. CATCH BASIN EJW 1040 FRAME, N GRATE RIM ELEV = 614.00 INV 8" S = 610.00	STORM MH "E1" 2" DIA. CATCH BASIN EJW 1040 FRAME, N GRATE RIM ELEV = 613.50 INV 8" SE = 611.50
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12" STORM SEWER SHALL BE HDPE ADS N12 (Or Approved Equivalent)
 2" DIA. CATCH BASIN SHALL BE PRECAST CONC. (Or Approved Equivalent)

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 HARBOR SPRINGS, MICHIGAN 49740
 PHONE (231) 526-2199 FAX (231) 526-7257
 benchmark607@gmail.com

Client: Burdco Inc.
 Project Mgr.: B. NOLAN
 Drawn By: B. NOLAN
 Field By: WINTER-WILSON
 CAD File: GP BURDCO 14-388.Gxd
 Job #: 14-388
 Sheet #: 2 OF 3

Date: (revisions)	by
FEB. 3, 2015	

3680 S. STRAITS HIGHWAY, INDIAN RIVER, MI
GRADING PLAN - PROPOSED MEDICAL FACILITY



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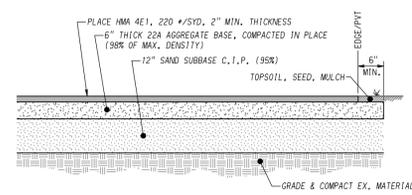
DETAIL SHEET

3860 S. Straits Highway

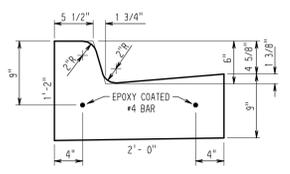
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TUSCARORA TWP., CHEBOYGAN COUNTY, MI

GENERAL NOTES:

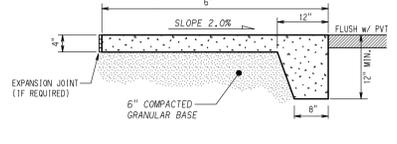
- A. The Work to be done under this Contract and in accordance with these Contract Documents consists of performing all work, supplying all labor, and furnishing and installing all materials and incidentals necessary or convenient for completion of the construction of the site and carrying out all duties and obligations imposed upon the Contractor by the Contract Documents.
- B. The main features of the Work include, but are not limited to: Site grading, storm sewer, sanitary sewer, paving, sidewalks, curb & gutter, well, and associated appurtenances, and are further defined below.
- C. Also included are the following support activities:
 1. Agency Coordination
 2. Coordination of and cooperation with utility contractors, including misc. clean-up.
 3. Layout Survey and Staking (Refer to General Requirements)
 4. Protection of Existing Site Conditions
 5. Security of the Site
- D. Unless otherwise noted in the Contract Documents, the Contractor shall precisely follow the recommendations of the manufacturer or supplier for handling and placement of materials and equipment into the project work.
- E. Work and materials needed to complete the project which are not listed shall be considered as incidental to the project.
- F. This contract anticipates first-class workmanship throughout the construction of the project. All labor shall be done by personnel qualified and competent to produce a quality product.
- G. The Drawings and Specifications contemplate a finished piece of Work of such character and quality as is described in and is reasonably inferable from them. Inadvertent discrepancies or the failure to show repeated details on any drawing of the figures or notes given on another shall not be the cause for additional charges or claims.
- H. The Contractor shall consult the Engineer regarding any item which may, through oversight, be omitted from the Drawings or Specifications, or for which no symbol or other designation is given for identification. In the absence of any definite instructions from the Engineer, however, such items shall be furnished to correspond with similar items for which information is given.
- I. The contractor shall contact Miss Dig at 1-800-482-7171 three (3) full working days prior to construction. The location of existing underground utilities as shown on the plans are approximate only. The contractor shall determine the exact location of all utilities before commencing work, and agree to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.



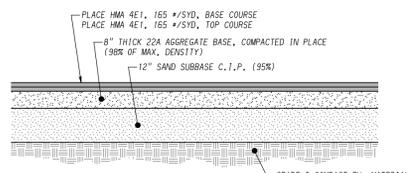
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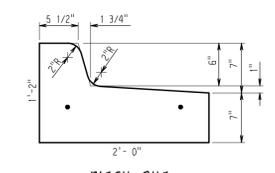
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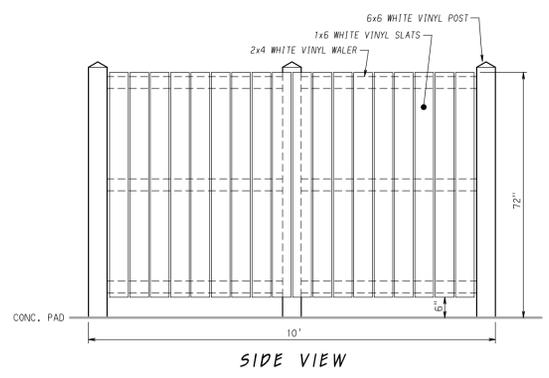
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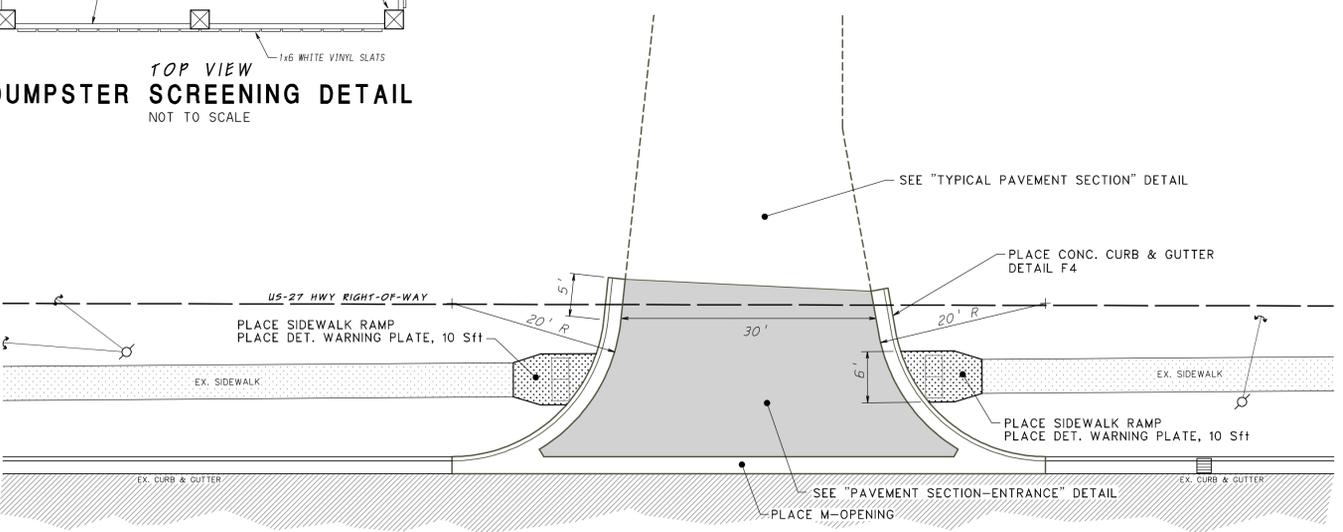
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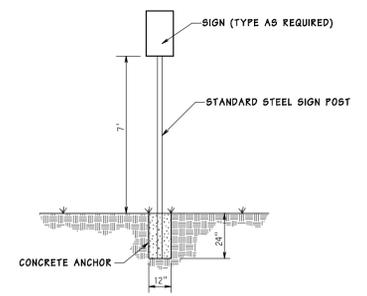
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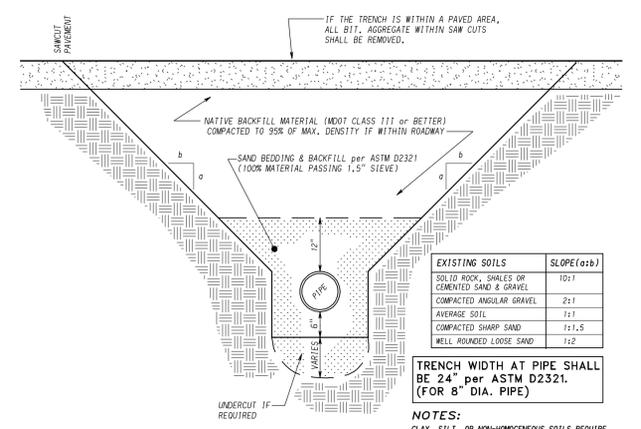
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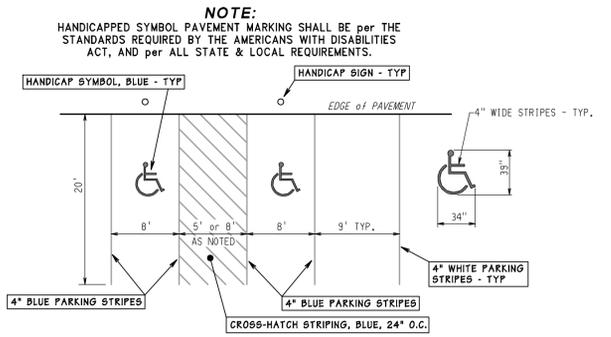
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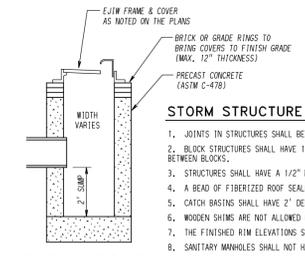
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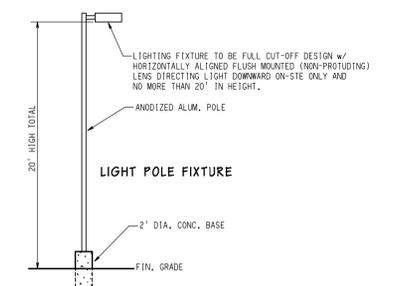
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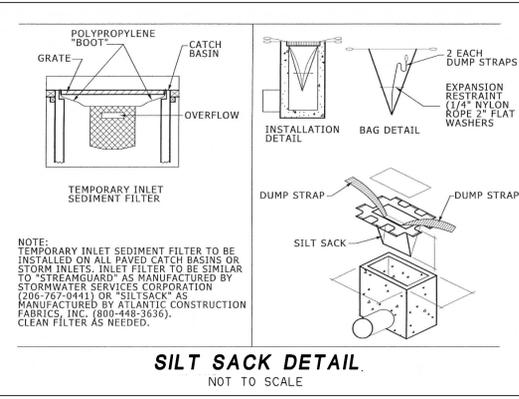
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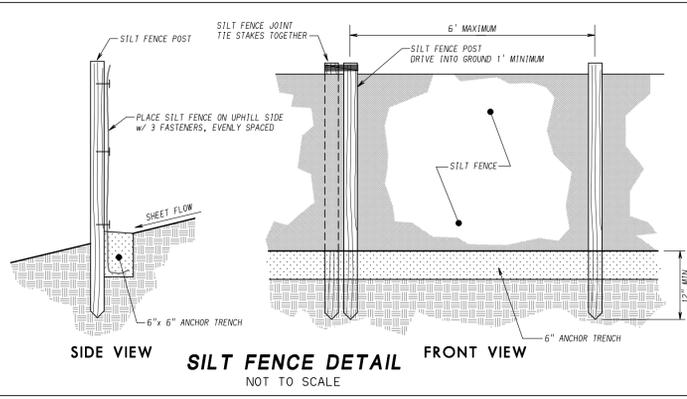
CATCH BASIN STORM STRUCTURE
NOT TO SCALE



LIGHTING DETAIL
NOT TO SCALE



SILT SACK DETAIL
NOT TO SCALE



SILT FENCE DETAIL
NOT TO SCALE

NOTES:

The contractor shall maintain the integrity of the silt fence for the duration of the project and shall make repairs immediately upon discovery of failure or fatigue.

All permanent outlet structures shall be constructed as shown.

Prior to any construction, silt fence shall be placed as shown on the plan and on the detail sheet. Additional silt fence may be required to be placed by the contractor at the Engineer's discretion prior to or at any time during construction.

Preserve & maintain existing vegetation in the areas where there is no construction. The contractor shall not strip existing vegetation unless absolutely necessary for construction and has obtained approval from the Engineer.

Topsoil, seed & mulch shall be placed IMMEDIATELY over finished areas, and as a temporary measure as directed by the Engineer.

The contractor shall, at all times, follow the requirements of the local soil & sedimentation permit, and the requirements of the NPDES stormwater discharge permit, if an NPDES permit is required.

Upon construction of storm sewer structures, a silt sack shall be placed under the casting and silt fence shall be placed in a circle around the structure.

Continued inspection & maintenance of all soil erosion & sedimentation control devices shall be required.

BURDCO INCORPORATED
DESIGN-BUILD-FINANCE

1222 VETERANS DRIVE, SUITE A
TRAVERSE CITY, MI 49684

TELEPHONE: 231-941-9074
FACSIMILE: 231-947-9135
www.BURDCO.com

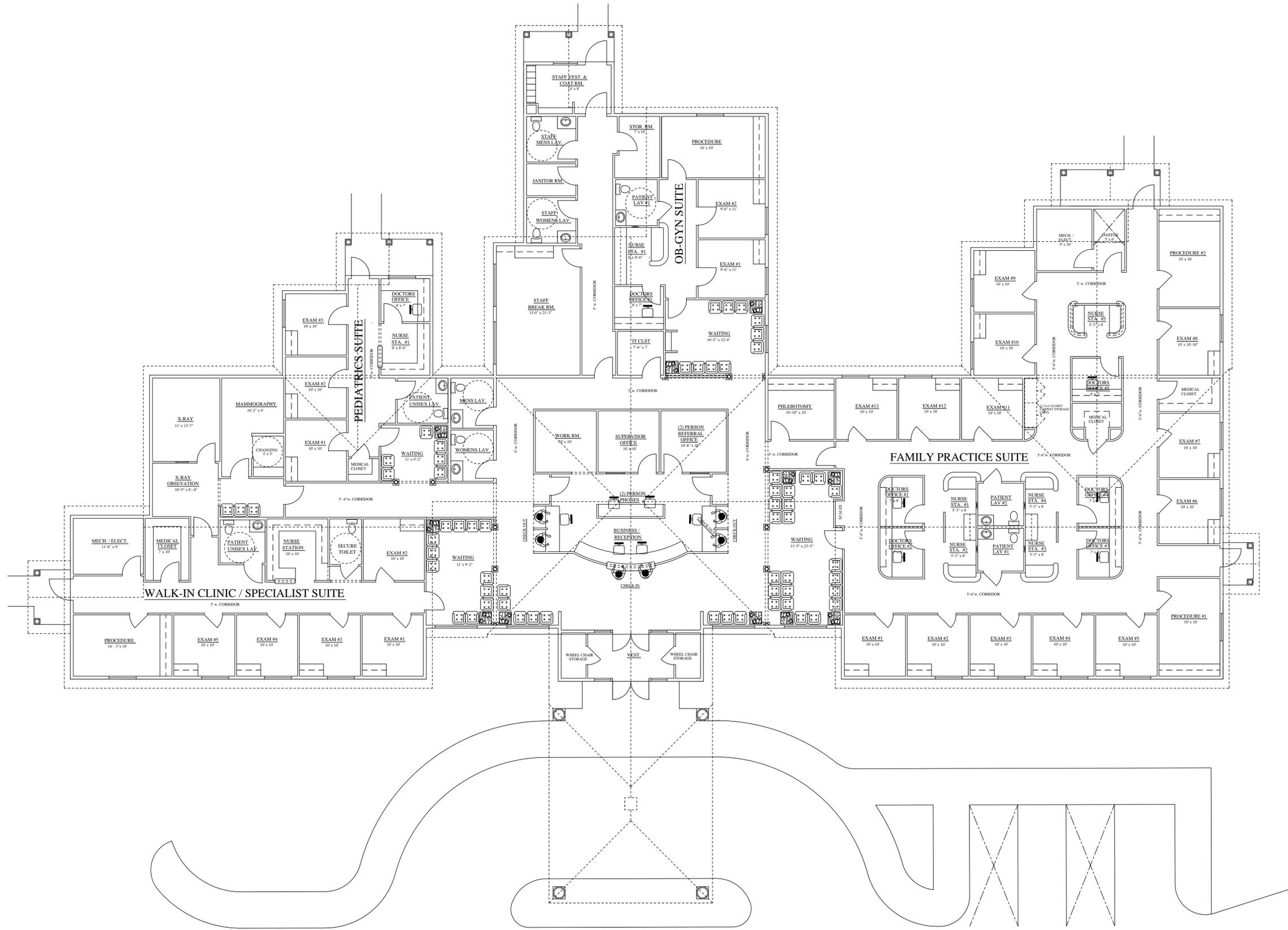
BENCHMARK ENGINEERING INC.
SURVEYORS - CIVIL ENGINEERS

607 E. LAKE ST.
HARBOR SPRINGS, MICHIGAN 49740
PHONE (231) 526-2119 FAX (231) 526-7257
benchmark607@gmail.com

Client: Burdco Inc.
Project Mgr.: B. NOLAN
Drawn By: B. NOLAN
Field By: WINTER-WILSON
CAD File: DTL BURDCO 14-388.Gxd
Job #: 14-388
Sheet #: 3 OF 3

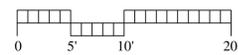
Date: (revisions) by
FEB. 3, 2015

3860 S. STRAITS HIGHWAY, INDIAN RIVER, MI
DETAIL SHEET - PROPOSED MEDICAL FACILITY



PRELIMINARY MEDICAL BUILDING FLOOR PLAN

SCALE: 1/8" = 1'-0"
 BUILDING AREA = 12,340 GROSS SQ. FT.



Issued For:

- PRELIM. REVIEW
12.16.14
- REVISED / REVIEW
12.17.14
- REVISED / REVIEW
01.12.15
- REVISED / REVIEW
01.16.15
- REVISED / REVIEW
01.27.15
- REVISED / REVIEW
01.29.15

Builder:

Burdco, Inc.

Project:

Proposed Medical
 Office
 Building

Indian River, Michigan

Sheet Title:

Preliminary
 Building
 Floor Plan

Project Number: 14-016

Drawn: CI

Checked: PN/PA

Date: 12.16.14

Sheet Number:

A2

Issued For:
PRELIM. REVIEW
02.02.15
REVISED / P.C. REVIEW
02.04.15



PRELIMINARY MEDICAL BUILDING EAST ELEVATION
SCALE: 1/8" = 1'-0"

Builder:
Burdco, Inc.

Project:

Proposed Medical
Office
Building

Indian River, Michigan

Sheet Title:

Preliminary
Building
Elevations

Project Number: 14-016

Drawn: CI

Checked: PN/PA

Date: 12.16.14

Sheet Number:

A3

*Devoe/Burdeco
Mailing List*

16-161-024-400-147-00
PFEFFER, JOHN M, TRUSTEE
225 EAST GRAND RIVER, STE 104
BRIGHTON MI 48116

16-161-024-400-149-00
PFEFFER, JOHN & KRISTINE H/W
225 E GRAND RIVER, STE 104
BRIGHTON MI 48116

16-161-024-400-150-00
HOMACEK, CHARLES & JULIE H/W
24296 WARRINGTON COURT
NOVI MI 48374

16-161-024-400-151-00
PHILLIPS, JEFFEREY & BARBARA H
PO BOX 1168
INDIAN RIVER MI 49749

16-161-024-400-152-00
PHILLIPS, JEFFEREY & BARBARA H
PO BOX 1168
INDIAN RIVER MI 49749

16-161-024-400-153-00
PHILLIPS, JEFFEREY & BARBARA H
PO BOX 1168
INDIAN RIVER MI 49749

16-161-024-400-154-01
CHAMPAGNE, PETER, PAUL, &
834 TITTABAWASSEE
SAGINAW MI 48604

16-161-024-400-154-02
SULLIVAN, ANDREA F
PO BOX 195
INDIAN RIVER MI 49749

16-161-024-400-154-03
PIOTROWSKI, DAVID A
4449 JOAN DR
CLIO MI 48420

16-161-024-400-158-00
OLSON, KRISTINE L, TRUSTEE
6304 SOUTH AVE, PO BOX 176
INDIAN RIVER MI 49749

16-161-024-400-158-01
DURSTON, DAVID M
6312 SOUTH AVE, PO BOX 2161
INDIAN RIVER MI 49749

16-161-024-400-162-00
BUKOSKY, DUSTIN
717 RIDGECREST ST
FENTON MI 48430

16-161-024-400-181-00
OBRANOVIC, LORA A, TRUSTEE
24779 PICARA
NOVI MI 48374

16-161-024-400-182-00
BARANOWSKI, EDWIN & DONNA H
111 CARNEY DR
DUNDEE MI 48131-9546

16-161-024-400-183-00
SMITH, DAN & CHERYL H/W
2100 VALLEY GATE
MILFORD MI 48380

16-161-024-400-185-00
DACH, MICHAEL; DIANE DACH; M
12293 WOODSIDE DR #3
GRAND BLANC MI 48439

16-161-024-400-187-00
PHILLIPS, BARBARA &
PO BOX 1168
INDIAN RIVER MI 49749

16-161-024-400-188-00
LAUGAVITZ, RALPH & ADRIANE H/
2229 E LAKE RD
CLIO MI 48420

16-161-024-400-189-00
SULLIVAN, ANDREA F
PO BOX 195
INDIAN RIVER MI 49749

16-161-024-400-190-00
BLONDIN, JOAN AND
5395 DORCHESTER DR
FLUSHING MI 48433

16-161-024-400-191-00
MAYER, JOSEPH AND
25 BERG CT
MANDEVILLE LA 70471

16-161-024-400-192-00
DURSTON, DAVID M
PO BOX 2161
INDIAN RIVER MI 49749

16-161-024-400-194-00
OLSON, KRISTINE L, TRUSTEE
6304 SOUTH AVE, PO BOX 176
INDIAN RIVER MI 49749

16-161-024-400-195-00
PENDLETON, CHERYL T
6294 SOUTH AVE
INDIAN RIVER MI 49749

16-161-024-400-196-00
CONNELLY, MICHAEL & ERIN REES
3630 OLD OINE WAY
WEST BLOOMFIELD MI 48324

16-161-024-400-219-00
MEIXNER, EDWIN & ROSEMARY H/
41360 FOX RUN RD, APT 407
NOVI MI 48377

16-161-024-400-220-00
REHN, DAVID & KAREN H/W
14305 GARFIELD
REDFORD MI 48239

16-161-024-400-221-00
DIROFF, ROBERT & SUSAN H/W
620 CHEVIOT CT
APOPKA FL 32712

16-161-024-400-222-00
DAWLEY, LAIL K & NANCY H/W
3462 HAZELTON AVE
ROCHESTER MI 48307

16-161-024-400-223-00
BADOUR, EDWARD & ANNA, TRUS
2174 E STEWART RD
MIDLAND MI 48640

16-161-024-400-224-00 SALISBURY GARY & NANCY H/W 1/ 15115 CHAMPAIGN RD ALLEN PARK MI 48101	16-161-024-400-301-02 JOENS, PATRICIA J 36911 HIGHVIEW ST NEW BALTIMORE MI 48047	16-161-024-400-395-00 BENSON, THEODORE & PATRICIA 2496 EAST MULLETT LAKE RD INDIAN RIVER MI 49749
16-161-024-400-225-00 DEVOE, GARY E, TRUSTEE 1276 FORT ST LINCOLN PARK MI 48146	16-161-024-400-339-00 WAGNER, ROBERT JR & ARDIS H/W 4142 EMERALD DR BRIDGEPORT MI 48722	16-161-024-400-397-01 BOSTWICK, PAUL & CAROL, CO-TT 8105 E WOODSBORO AVE ANAHEIM CA 92807
16-161-024-400-230-00 WHITEWOOD, INC PO BOX 1030 INDIAN RIVER MI 49749	16-161-024-400-341-00 SMITH, LORI SMITH PO BOX 432 INDIAN RIVER MI 49749	16-161-024-400-398-00 INDIAN RIVER PROPERTY TRUST PO BOX 51 INDIAN RIVER MI 49749
16-161-024-400-258-00 NIDA FAMILY REVOC TRUST 6438 HOLDEN AVE INDIAN RIVER MI 49749	16-161-024-400-343-00 SMITH, CHARLES & CAROLYN H/W PO BOX 986 INDIAN RIVER MI 49749	16-161-024-400-436-00 JOHNSON, VICKY L PO BOX 211 INDIAN RIVER MI 49749
16-161-024-400-259-00 RENTSCHLER, EDWARD & TAMAR 1586 SUMMERWOOD LN BELVIDERE IL 61008	16-161-024-400-344-00 SEFTON, LISA A 10651 STEVES DR MACKINAW CITY MI 49701	16-161-024-400-438-00 LACOCK, SYLVIA M (MARINO) PO BOX 2321 MILL VALLEY CA 94941
16-161-024-400-262-00 DRENNING, WILLIAM & KRISTINE 20931 REDMOND EASTPOINTE MI 48021	16-161-024-400-387-00 HOWE, WILLIAM & SUSAN H/W PO BOX 186 INDIAN RIVER MI 49749	16-161-024-400-441-00 LACOCK, SYLVIA M (MARINO) PO BOX 2321 MILL VALLEY CA 94941
16-161-024-400-263-00 HAMLIN, NEAL & COLLEEN H/W 3668 SOUTHGATE MIDLAND MI 48640	16-161-024-400-388-00 JOHNSON, VICKY L PO BOX 211 INDIAN RIVER MI 49749	16-161-024-400-444-00 STOEL, ANNETTE K & JANA D CAL PO BOX 1195 INDIAN RIVER MI 49749
16-161-024-400-297-00 MCGOVERN, KATHLEEN & 6441 HOLDEN AVE INDIAN RIVER MI 49749	16-161-024-400-390-00 LACOCK, SYLVIA M (MARINO) PO BOX 2321 MILL VALLEY CA 94941	16-161-024-400-560-00 PNC BANK 303 E WACKER DR, STE 1040 CHICAGO IL 60601
16-161-024-400-299-00 JOENS, PATRICIA J 36911 HIGHVIEW ST NEW BALTIMORE MI 48047	16-161-024-400-393-00 LACOCK, SYLVIA M (MARINO) PO BOX 2321 MILL VALLEY CA 94941	16-161-024-400-565-00 FIRST FEDERAL OF NORTHERN MI 100 SOUTH SECOND AVE ALPENA MI 49707
16-161-024-400-301-01 YOST, JOHN & DIANE H/W 1095 BROOKLAWN DR TROY MI 48084	16-161-024-400-394-00 LACOCK, SYLVIA M (MARINO) PO BOX 2321 MILL VALLEY CA 94941	16-161-024-400-566-00 VIZINA, JASON PO BOX 806 INDIAN RIVER MI 49749

16-161-024-400-567-01
POLLARD, CARL & LORI H/W
340 ELLINGER RD
ALANSON MI 49706

16-161-M55-039-008-01
SMITH, CHARLES TRUST
2576 SHERIDAN RD
PETOSKEY MI 49770

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POLLARD, CARL K
340 ELLINGER RD
ALANSON MI 49706

16-161-M55-039-009-00
NORTHERN MICH REGIONAL HOSP
748 S MAIN ST
CHEBOYGAN MI 49721

16-161-024-400-573-00
STANLEY, GERALD & PATRICIA H/
PO BOX 626
INDIAN RIVER MI 49749

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STANLEY, GERALD & PATRICIA H/
PO BOX 626
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16-161-024-400-576-02
HEALY, SCOTT & GINA H/W
6069 WATERWAY LN
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TUSCARORA, TOWNSHIP OF
PO BOX 220
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16-161-M55-039-006-00
SCHMIDT, TOM H & RUTH ANNE H/
PO BOX 518
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16-161-M55-039-007-00
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INDIAN RIVER, MI 49749

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HOLDEN AVE
INDIAN RIVER, MI 49749

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INDIAN RIVER, MI 49749

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INDIAN RIVER, MI 49749

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INDIAN RIVER, MI 49749

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INDIAN RIVER, MI 49749

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6074 WATERWAY LN
INDIAN RIVER, MI 49749

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6424 BURCHFIELD RD
INDIAN RIVER, MI 49749

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3944 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-024-400-573-00
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3927 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-024-400-343-00
OCCUPANT
6406 BURCHFIELD RD
INDIAN RIVER, MI 49749

16-161-024-400-436-00
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6442 E DOROTHY ST
INDIAN RIVER, MI 49749

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3933 S STRAITS HWY
INDIAN RIVER, MI 49749

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OCCUPANT
6364 BURCHFIELD RD
INDIAN RIVER, MI 49749

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OCCUPANT
6416 E DOROTHY ST
INDIAN RIVER, MI 49749

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OCCUPANT
6069 WATERWAY LN
INDIAN RIVER, MI 49749

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INDIAN RIVER, MI 49749

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6348 E DOROTHY ST
INDIAN RIVER, MI 49749

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3785 S STRAITS HWY
INDIAN RIVER, MI 49749

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3801 S STRAITS HWY
INDIAN RIVER, MI 49749

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3797 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-M55-039-008-00
OCCUPANT
6140 CRESSY L ST
INDIAN RIVER, MI 49749

16-161-M55-039-008-01
OCCUPANT
3805 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-M55-039-009-00
OCCUPANT
6135 CRESSY L ST
INDIAN RIVER, MI 49749

Deborah Tomlinson

From: Michael R. Brown [<mailto:mbrown@burdco.com>]
Sent: Friday, March 20, 2015 3:29 PM
To: Scott McNeil
Subject: RE: Indian River Medical Clinic Variance Request.

Scott,

We wish to withdraw our variance request for consideration at the March 25th meeting and any future meetings at this time.

Michael R. Brown
BURDCO INCORPORATED
231-941-9074 Office
231-947-9135 Facsimile
231-218-4923 Cellular
1222 Veterans Drive, Suite A
Traverse City, MI 49684
mbrown@burdco.com
www.burdco.com



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

DIMENSIONAL VARIANCE STAFF REPORT

Item: A Variance Request to allow 70 parking spaces where 132 are required for a medical clinic. The property is zoned Commercial Development District (D-CM)	Prepared by: Scott McNeil
Date: February 13, 2015	Expected Meeting Date: February 25, 2015. Tabled to March 25, 2015

GENERAL INFORMATION

Applicant: Michael Brown – Burdco Inc.

Property Owner: Gary DeVoe

Contact person: Michael Brown

Phone: 231-218-4923

Requested Action: A Variance Request to allow 70 parking spaces where 132 are required for a medical clinic per section 17.6.

BACKGROUND INFORMATION

Section 17.6 relative to medical clinics provides for 1 parking space per employee largest working shift and 4 spaces for each examination/treatment room. Based on the floor plan submitted I have identified eight 23 examination rooms and 4 procedure rooms which requires 108 parking spaces. The applicant has indicated that there will be 24 employees which require 24 parking spaces. As a result, a total of 132 parking spaces are required. The site plan provides for 70 parking spaces.

The applicant appeared at the February 25 meeting and provided information relative to a parking study for medical offices as published in ITE Journal/August 2007, other parking regulations and operation of the proposed facility. I have also provided information relative to medical office parking requirements of other neighboring jurisdictions and example standards from Parking Standards publication by the American Planning Association with the previous report. *After hearing the applicant and public comments and upon deliberation of Board, consideration of the variance was tabled by request of the applicant.*

Surrounding Zoning:

West: D-CM Commercial Development District

East: Same

South: Same

North: Same

Surrounding Land Uses:

Commercial uses to the east and west. Commercial and residential uses to the north and south.

Environmentally Sensitive Areas: (steep slopes, wetlands, woodlands, stream corridor, floodplain)

There are no known environmentally sensitive areas on the subject property

Public Comments:

None

VARIANCE CONSIDERTIONS

Please note that all of the conditions listed below must be satisfied in order for a dimensional variance to be granted.

General Findings

1. The subject property is in a Commercial Development (D-CM) zoning district.
2. The applicant is seeking a variance to allow 70 parking spaced for a medical clinic where 132 are required per section 17.6.
3. Medical Clinic is a permitted use in a D-CM zoning district per sections 6.2.1 and 5.2.6.
4. The applicant has provided information relative to a parking study for medical offices as published in ITE Journal/August 2007.
- 5.
- 6.

23.5.4. (Rev. 09/11/04, Amendment #36)

A dimensional variance may be granted by the Zoning Board of Appeals only in cases where the applicant demonstrates in the official record of the public hearing that practical difficulty exists by showing all of the following:

23.5.4.1 That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic difficulty.

The subject property contains an existing laundry facility and the remaining portion of the parcel is too narrow to provide the required parking for the proposed use which is a unique condition.

Or, There are no unique conditions or circumstances relative to property involved.

23.5.4.2 That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

The narrowness of the parcel and the nature of the business create a need for the requested variance, and are not self-created.

Or, The need for the variance is self created.

23.5.4.3 That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

Strict compliance with parking regulations would prevent the property owner from using the property for a permitted purpose due to the nature of the business and narrowness of the lot. Conformity with parking regulations will be unnecessarily burdensome.

Or, compliance with parking regulations will not unreasonably prevent the applicant from using the property for a permitted purpose and compliance with parking regulations are not deemed unnecessarily burdensome.

23.5.4.4 That the requested variance is the minimum variance necessary to grant the applicant reasonable relief as well as to do substantial justice to other property owners in the district.

Due to the narrowness of the property and the nature of the business the requested variance represents the minimum necessary to grant reasonable relief.

Or, 132 parking spaces are required under current requirement under Section 17.6. of the zoning ordinance. 70 parking spaces do not represent the minimum necessary.

23.5.4.5 That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

Granting the requested variance will not cause an adverse impact on surrounding property.

Or, Granting the requested variance will cause an adverse impact on surrounding property.



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

To: Zoning Board of Appeals

Subject: New public notice required for Dennis Panagopoulos variance request.

From: Scott E. McNeil

Date: March 18, 2015

By review of the variance application submitted by Mr. Panagopoulos you will note that he is proposing to build a porch addition to a dwelling measuring 22 feet deep. You will also note that the dwelling at its northeast corner is located 22.6 feet from the front lot line. The porch is proposed to be located .5 feet from the front lot line at its northeast corner. This will require a 49.5 ft. front setback variance. By review of the public notice you will note that a 45.5 foot variance request was advertised.

As a result another public notice will be required with the 49.5 ft. front setback variance request advertised for the board to consider at the April 22, 2015 regular meeting.

Please do not hesitate to contact me with questions or comments.

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS

Frank Foster / Dennis Panagopoulos

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Variance Application (4 Pages)
4. Letter Dated 03/03/15 from Dennis A. Panagopoulos to Scott McNeil (1 Page)
5. Mailing List (2 Pages)
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.

Note: Zoning Board of Appeals members have exhibits 1 and 2.

CHEBOYGAN COUNTY
 PLANNING & ZONING DEPT.
 870 SOUTH MAIN ST., PO BOX 70
 CHEBOYGAN, MI 49721
 (231) 627-8489 (TELEPHONE)
 (231) 627-3646 (FAX)

DIMENSIONAL VARIANCE APPLICATION

\$100.00 APPLICATION FEE

RECEIPT #:	4370
CASH/CHECK:	\$100.00
ACTION / DATE:	

PLEASE PRINT

PROPERTY LOCATION

Address 4316 THIRD STREET	City / Village CHEBOYGAN / ALOHA	Township / Sec. ALOHA 8	Zoning District
Property Tax I.D. (Parcel) Number 16-140-008-100-021-00	Subdivision or Condo. Name / Plat or Lot No. LOT 2, SEC 8, T36N, R1W		

APPLICANT

Name FRANK T. FOSTER	Telephone 231 838 4829	Fax	
Address 2604 McDougall ROAD	City & State PETOSKEY MICHIGAN	Zip Code 49770	E-Mail

OWNER (If different from applicant)

Name DENNIS PANAGOPOULOS	Telephone 815 218 4094	Fax 804 784 0338	
Address 10807 COLLINGTON DRIVE	City & State MIDLOTHIAN, VA.	Zip Code 23112	

Detailed directions to site, including nearest crossroad:

M-33 to M-212 to ALOHA - .6 mi TURN LEFT ON THIRD ST - SITE
 LOCATED AT THE END OF STREET.

Please Note: All applicable questions must be answered completely. If additional space is needed, number and attach additional sheets.

I. Property Information

- A. List all known deed restrictions: NONE KNOWN
- B. This property is unplatted, platted, will be platted. If platted, name of plat _____
- C. Present use of the property is: VACATION RESIDENTIAL
- D. A previous appeal has (has not) (circle one) been made with respect to these premises in the last one (1) year. If a previous appeal, rezoning or special use permit application was made, state the date _____, nature of action requested _____, and the decision _____.
- E. Attach a site plan drawn per the attached directions.

II. **Detailed Request and Justification**

1. State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Ordinance.

WE WOULD LIKE TO BUILD A 24' X 22' SCREENED IN PORCH
ADDITION TO THE NORTH SIDE OF EXISTING BUILDING.

2. A dimensional variance may be granted by the Zoning Board of Appeals only in cases where the applicant demonstrates in the official record of the public hearing that practical difficulty exists by showing all of the following. All variance decisions made by the Zoning Board of Appeals are based on the following five (5) standards of the Cheboygan County Zoning Ordinance. **Please explain how the request meets each standard.**

a. That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic difficulty.

THE EXISTING BUILDING ENVELOPE IS TOO SMALL TO ACCOMMODATE
THE EXISTING BUILDING AND FUTURE PLANNED ADDITION

b. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

EXISTING HOUSE & GARAGE WERE BUILT BEFORE ZONING
WAS ENFORCED

c. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome

THE 50' SETBACK FROM SECOND STREET R.O.W. REQUIRES
A VARIANCE

d. That the requested variance is the minimum variance necessary to grant the applicant reasonable relief as well as to do substantial justice to other property owners in the district.

THE NORTH SIDE OF THE EXISTING HOUSE IS OFF OF THE LIVING ROOM
AND THE MOST PRACTICAL PLACE FOR THE SCREENED IN PORCH. THE
AREA CURRENTLY IS USED FOR LAWN.

e. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

WE FEEL THAT THE ADDITION WILL ADD VALUE TO THE
EXISTING PROPERTY AND SHOULD NOT IMPACT THE VALUE OF
EXISTING PROPERTY OWNERS

The Zoning Board of Appeals members will visit the site prior to the public hearing. Please clearly stake the corners of the proposed building or addition and the nearest property line. **Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?** Yes No

Owner's Signature Joe Loren of AUTHORIZATION Date 3-3-15

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature Frank Forto Date MARCH 2, 2015

SITE PLAN INFORMATION Please include the following on your site plan:

- | | |
|---|---|
| 1. Property Line dimensions and Property shape. | 6. Parcels under separate ownership therein. |
| 2. Front, Rear, & Side setback dimensions. | 7. Road Right-Of-Way (ROW); access or utility easements. |
| 3. Location, shape & size of all existing & proposed buildings on property. | 8. The existing and intended use of the lot and structures. |
| 4. Location of all drives and parking areas. | 9. Place North arrow in space provided. |
| 5. Rivers, lakes, wetlands, or streams within 500 ft. | 10. Other essential zoning information. |

Distance from property line to proposed structure:

Front: 6" Rear: _____ Side: _____ Side: _____

Zoning District:

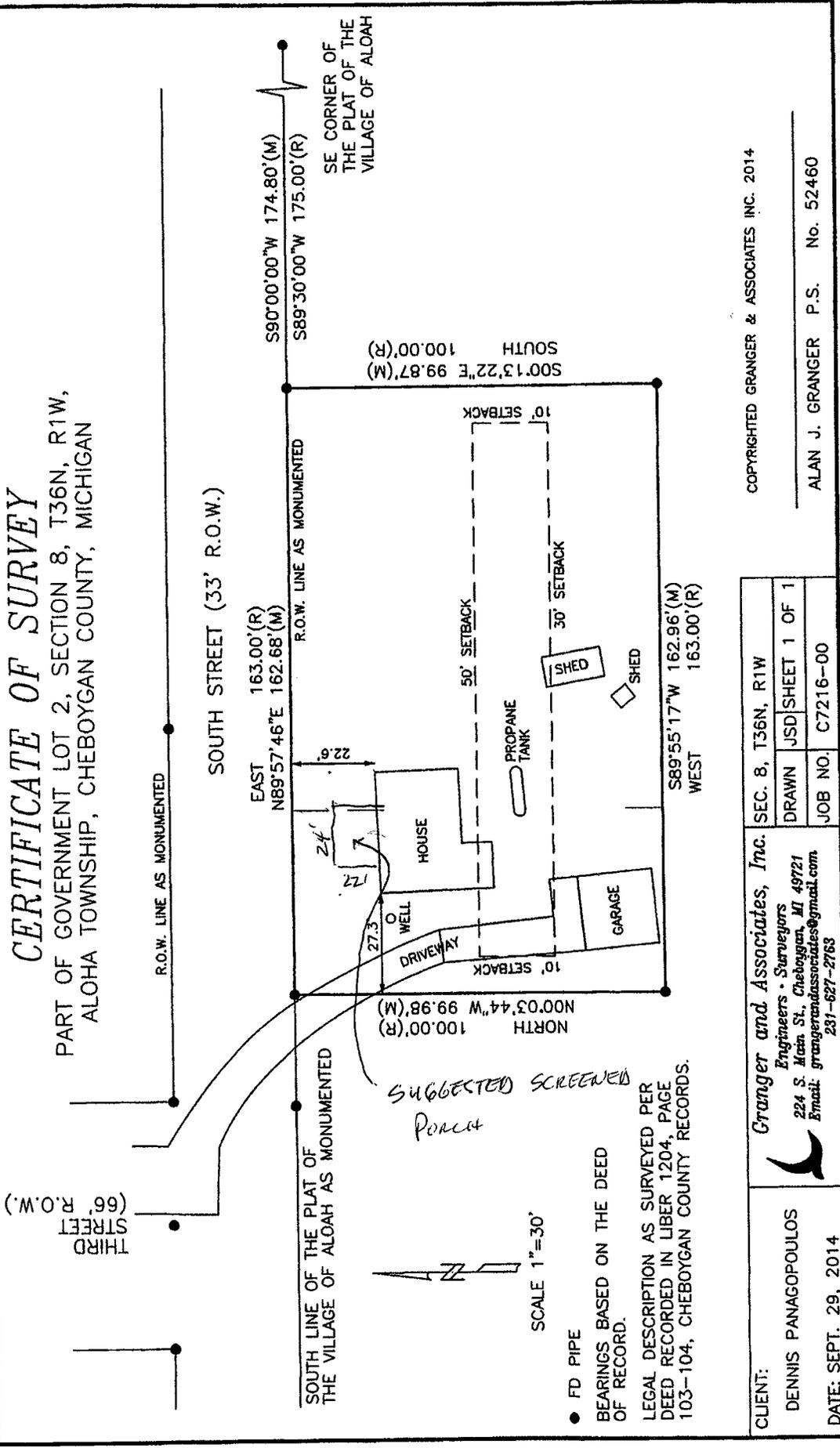
M-DF

North:

SEE ATTACHED SURVEY

CERTIFICATE OF SURVEY

PART OF GOVERNMENT LOT 2, SECTION 8, T36N, R1W,
ALOHA TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN



THIRD STREET (66' R.O.W.)

R.O.W. LINE AS MONUMENTED

SOUTH STREET (33' R.O.W.)

SOUTH LINE OF THE PLAT OF THE VILLAGE OF ALOAH AS MONUMENTED

R.O.W. LINE AS MONUMENTED

S90°00'00"W 174.80'(M)
S89°30'00"W 175.00'(R)
SE CORNER OF THE PLAT OF THE VILLAGE OF ALOAH

S00°13'22"E 99.87'(M)
100.00'(R)
SOUTH

EAST
N89°57'46"E 162.68'(M)
163.00'(R)

22.6'

24'

27.3'

N00°03'44"W 99.98'(M)
100.00'(R)
NORTH

S89°55'17"W 162.96'(M)
163.00'(R)
WEST

SUGGESTED SCREENED POCKET

SCALE 1"=30'

● FD PIPE
BEARINGS BASED ON THE DEED OF RECORD.

LEGAL DESCRIPTION AS SURVEYED PER DEED RECORDED IN LIBER 1204, PAGE 103-104, CHEBOYGAN COUNTY RECORDS.

COPYRIGHTED GRANGER & ASSOCIATES INC. 2014

Granger and Associates, Inc. Engineers • Surveyors 224 S. Main St., Cheboygan, MI 49721 Email: grangerandassociates@gmail.com 231-627-2763	SEC. 8, T36N, R1W
	DRAWN JSD SHEET 1 OF 1
DENNIS PANAGOPOULOS	JOB NO. C7216-00
DATE: SEPT. 29, 2014	ALAN J. GRANGER P.S. No. 52460

RECEIVED
MAR 03 2015
CHEBOYGAN COUNTY
PLANNING & ZONING

March 3, 2015

Mr. Scott McNeil, Planner
Cheboygan County Planning/Zoning
870 South Main – Room 103
Cheboygan, MI 49721

Dear Mr. McNeil:

Please allow this letter to serve notice to the Cheboygan Michigan Planning and Zoning department, that Petoskey area general contractor, Frank Foster will act as my representative and agent for all matters brought before the Cheboygan County Planning and Zoning Commission relative to my property located at 4316 Third Street – Aloha, Cheboygan, MI 49721.

Further to this notice, I hereby grant access to my property located at 4316 Third Street, Aloha, Cheboygan, MI to the Cheboygan County Planning and Zoning department as part of this variance application and permit process.

If you should require any further information from me, I am at your disposal via email or phone call.

Sincerely,



Dennis A. Panagopoulos
10807 Collington Drive
Midlothian, VA 23112
(day) 804.708.8922
(eve) 815.218.4094

4

16-140-008-100-001-01
MICHIGAN DEPT OF NATURAL RES
PO BOX 30722
LANSING MI 48909

16-140-A01-011-006-01
HEMME, DONALD & EILEEN H/W
1410 MAIN ST
CHEBOYGAN MI 49721

16-140-008-100-020-00
KACZKOWSKI, TIFFIN B 1/2 INT AN
1269 SANDY RIDGE
ROCHESTER MI 48306

16-140-A01-011-007-00
BABIK, HENRY & CAROLE H/W; NA
12750 AGNES
SOUTHGATE MI 48195

16-140-008-100-021-00
PANAGOPOULOS, DENNIS A
10807 COLLINGTON DR
MIDLOTHIAN VA 23112

16-140-A01-011-009-00
CASWELL, RANDOLPH
4369 FOURTH ST
CHEBOYGAN MI 49721

16-140-008-200-009-01
KANE, GERALYN M, TRUSTEE
1504 CENTER - ALOHA
CHEBOYGAN MI 49721

16-140-A01-012-001-00
MICHIGAN DEPT OF NATURAL RES
PO BOX 30722
LANSING MI 48909

16-140-008-300-001-00
ALOHA STATE PARK
DEPT OF NAT RESORCES
LANSING MI 48906

16-140-008-300-002-00
STATE OF MICHIGAN

LANSING MI 48909

16-140-A01-011-001-00
BALLARD, ADRIAN & LINDA H/W
4361 FOURTH ST
CHEBOYGAN MI 49721

16-140-A01-011-003-00
CHARBONEAU, PATRICK & MINDY
1434 MAIN - ALOHA
CHEBOYGAN MI 49721

16-140-A01-011-005-00
HEBERT, EUGENE & JOHN HEBERT
1422 MAIN ST - ALOHA
CHEBOYGAN MI 49721

16-140-A01-011-006-00
HEMME, DONALD & EILEEN
1410 MAIN ST
CHEBOYGAN MI 49721

16-140-008-100-020-00
OCCUPANT
4315 THIRD ST
CHEBOYGAN, MI 49721

16-140-008-100-021-00
OCCUPANT
4316 THIRD ST
CHEBOYGAN, MI 49721

16-140-A01-011-001-00
OCCUPANT
4361 FOURTH ST
CHEBOYGAN, MI 49721

16-140-A01-011-003-00
OCCUPANT
1434 MAIN ST
CHEBOYGAN, MI 49721

16-140-A01-011-005-00
OCCUPANT
1422 MAIN ST
CHEBOYGAN, MI 49721

16-140-A01-011-006-00
OCCUPANT
1410 MAIN ST
CHEBOYGAN, MI 49721

16-140-A01-011-007-00
OCCUPANT
4334 THIRD ST
CHEBOYGAN, MI 49721

16-140-A01-011-009-00
OCCUPANT
4369 FOURTH ST
CHEBOYGAN, MI 49721

16-140-A01-012-001-00
OCCUPANT
4347 THIRD ST
CHEBOYGAN, MI 49721

CHEBOYGAN COUNTY ZONING BOARD OF APPEALS

Thomas Chastain

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Variance Application (4 Pages)
4. Photo (1 Page)
5. 2015 Notice Of Assessment, Taxable Valuation, And Property Classification For Parcel 041-B02-100-047-01 (1 Page)
6. 2015 Notice Of Assessment, Taxable Valuation, And Property Classification For Parcel 041-023-100-013-00 (1 Page)
7. Mailing List (2 Pages)
8. Certificate Of Survey Dated 08/07/14 (1 Page)
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.

Note: Zoning Board of Appeals members have exhibits 1 and 2.

**CHEBOYGAN COUNTY
PLANNING & ZONING DEPT.**
870 SOUTH MAIN ST., PO BOX 70
CHEBOYGAN, MI 49721
(231) 627-8489 (TELEPHONE)
(231) 627-3646 (FAX)

DIMENSIONAL VARIANCE APPLICATION

\$100

\$100.00 APPLICATION FEE

RECEIPT #:	4373
CASH/CHECK:	5264
ACTION / DATE:	

PLEASE PRINT

PROPERTY LOCATION

Address <u>1351 Michigami Drive</u>	City / Village <u>Cheboygan</u>	Township / Sec. <u>23</u>	Zoning District <u>P-LS</u>
Property Tax I.D. (Parcel) Number <u>16-041-023-100-013-00</u> <u>16-041-002-100-047-01</u>	Subdivision or Condo. Name / Plat or Lot No. <u>Beaugrand Estates</u>		

APPLICANT

Name <u>Thomas Chastain</u>	Telephone <u>231 4208294</u>	Fax
Address <u>111 E Sinclair, PO Box 809</u>	City & State <u>Mackinaw City</u>	Zip Code <u>49701</u>
		E-Mail <u>talltom62@gmail.com</u>

OWNER (If different from applicant)

Name	Telephone	Fax
Address	City & State	Zip Code

Detailed directions to site, including nearest crossroad:

From Cheboygan, go N on US 23 to Beaugrand Estates - Turn
rt onto Beaumont Drive, towards lake approx 1000'. Turn rt
onto Michigami Dr. to 3rd property on rt (on curve) -
Dumpster sits in front of property -

Please Note: All applicable questions must be answered completely. If additional space is needed, number and attach additional sheets.

I. Property Information

- A. List all known deed restrictions: Beaugrand Estates subdivision - no trailers allowed
- B. This property is unplatted, platted, will be platted. If platted, name of plat Beaugrand Estates subdivision
- C. Present use of the property is: single family home - (trailer 12'x60')
- D. A previous appeal has (has not) (circle one) been made with respect to these premises in the last one (1) year. If a previous appeal, rezoning or special use permit application was made, state the date _____, nature of action requested _____, and the decision _____.
- E. Attach a site plan drawn per the attached directions.

(3)

II. Detailed Request and Justification

1. State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Ordinance.

Replacement of dilapidated trailer with 24'x32' rustic retreat cottage will not meet minimum front yard setback from Dynamite Creek. This cottage cannot meet rear setback requirement either.

2. A dimensional variance may be granted by the Zoning Board of Appeals only in cases where the applicant demonstrates in the official record of the public hearing that practical difficulty exists by showing all of the following. All variance decisions made by the Zoning Board of Appeals are based on the following five (5) standards of the Cheboygan County Zoning Ordinance. **Please explain how the request meets each standard.**

a. That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic difficulty.

The unique shape of this lot, with Dynamite Creek as one boundary line, will not allow for trailer replacement with cottage, meeting minimum yard setbacks of P-LS zoning.

b. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

The requested variance is due to the unique shape of this lot only - It is not the result of this property owner's actions - This is a very small lot in Beaugrand Estates -

c. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome

The unique size and shape of this lot (with previous trailer) will not allow replacement cabin to be built, and meet regulations governing minimum yard setbacks.

d. That the requested variance is the minimum variance necessary to grant the applicant reasonable relief as well as to do substantial justice to other property owners in the district.

This is a residential lot within Beaugrand Estates - This requested variance will allow the lot to be re-used as a residential lot following cleanup of blighted conditions -

e. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

The requested variance will enhance surrounding properties and property values, as dilapidated trailer and blight are removed and replaced with new residential cabin -

The Zoning Board of Appeals members will visit the site prior to the public hearing. Please clearly stake the corners of the proposed building or addition and the nearest property line. **Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?** Yes No

Owner's Signature 

Date 3-4-15

AFFIDAVIT

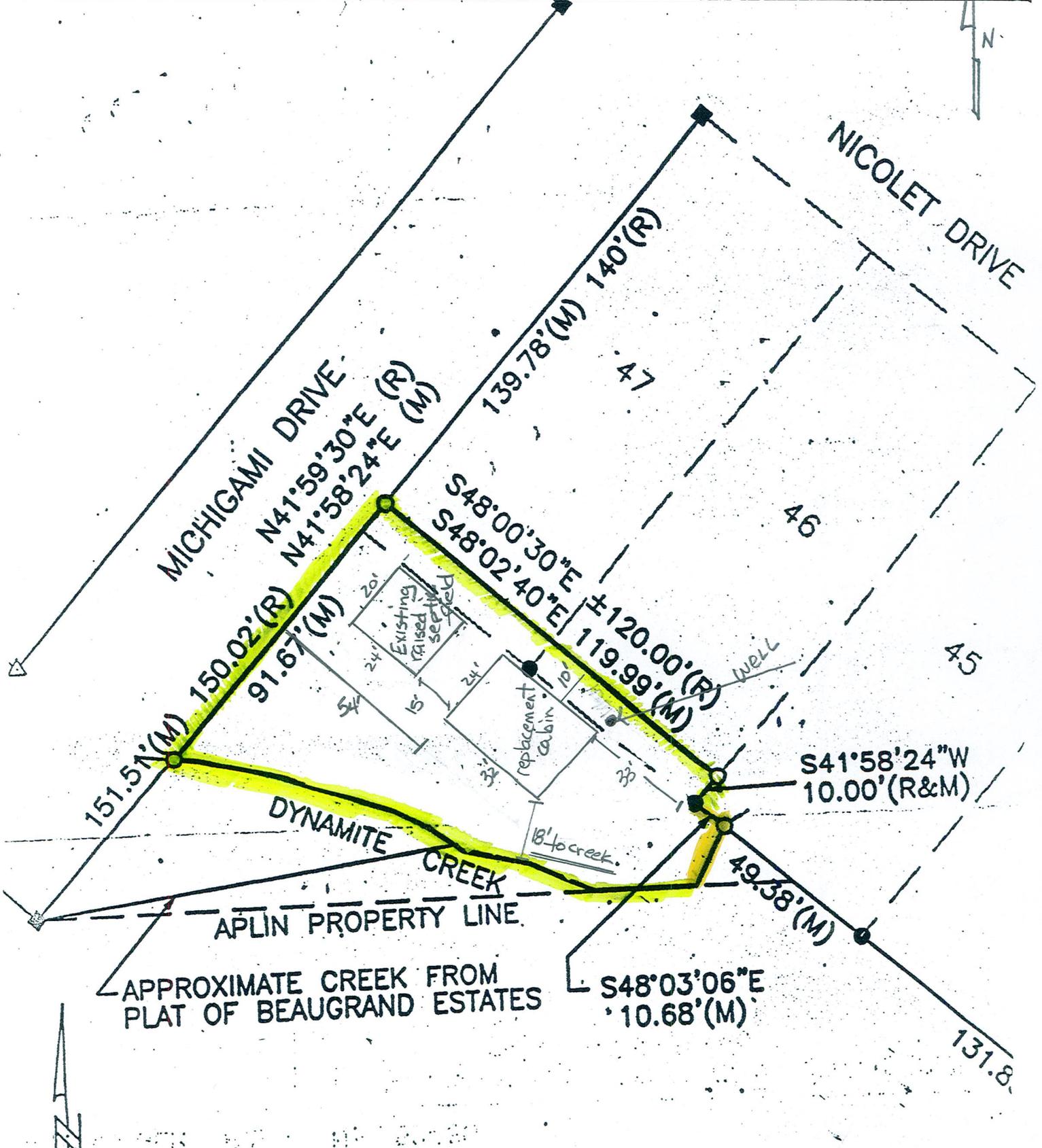
The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature _____ Date _____

SITE PLAN INFORMATION Please include the following on your site plan:

- | | |
|---|---|
| 1. Property Line dimensions and Property shape. | 6. Parcels under separate ownership therein. |
| 2. Front, Rear, & Side setback dimensions. | 7. Road Right-Of-Way (ROW); access or utility easements. |
| 3. Location, shape & size of all existing & proposed buildings on property. | 8. The existing and intended use of the lot and structures. |
| 4. Location of all drives and parking areas. | 9. Place North arrow in space provided. |
| 5. Rivers, lakes, wetlands, or streams within 500 ft. | 10. Other essential zoning information. |

Distance from property line to proposed structure: Road Front: <u>54'</u> Rear: <u>33'</u> Side: <u>18' to creek</u> Side: <u>10'</u>	Zoning District: <u>P-LS</u>	North: 
--	---------------------------------	---





OLD TRAILER ON LOT. (4)

Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec. 211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM MARCIA ROCHELEAU BEAUGRAND TWP ASSESSOR P.O. BOX 5205 CHEBOYGAN, MI 49721	PARCEL IDENTIFICATION PARCEL CODE NUMBER: 16-041-802-100-047-01 PROPERTY ADDRESS: 1351 MICHIGAMI DR CHEBOYGAN, MI 49721
NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL: CHASTAIN, THOMAS P.O. BOX 809 MACKINAW CITY MI 49701	PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": .00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 400 (RESIDENTIAL)

PRIOR YEAR'S CLASSIFICATION: 400 (RESIDENTIAL)

	PRIOR AMOUNT YEAR: 2014	CURRENT TENTATIVE AMOUNT YEAR: 2015	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):	300	300	0
2. ASSESSED VALUE:	300	300	0
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	300	300	0
5. There WAS/WAS NOT a transfer of ownership on this property in 2014 . WAS			

The 2015 Inflation rate Multiplier is: 1.016

Legal Description: BEAUGRAND ESTATES SW 10 FT OF LOT 47 & SW 10 FT OF W 30 FT OF LOT 46

10' LOT

March Board of Review Appeal Information:

The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission at www.michigan.gov/treasury. Click on Forms (at top of page), then click on Property Tax, then click on Board of Review to obtain Form L-4035.

March Board of Review Information:

BEAUGRAND TOWNSHIP HALL, 1999 OLD MACKINAW ROAD, CHEBOYGAN ON:
 MONDAY, MARCH 9, 2015 9AM TO 3PM AND TUESDAY, MARCH 10, 2015 3PM TO 9PM.

RESIDENTS MAY PROTEST BY MAIL IF RECEIVED PRIOR TO MARCH 10, 2015.
 PLEASE MAIL TO:
 MARCIA ROCHELEAU, ASSESSOR, BEAUGRAND TOWNSHIP P.O. BOX 5205, CHEBOYGAN, MI 49721.

Not less than 14 days before the meeting of the Board of Review, the assessment notice shall be mailed to the property owner.

Property taxes were calculated on the Taxable Value (see line 1 above). The Taxable Value number entered in the "Change from Prior Year to Current Year" column, does not indicate a change in your taxes. This number indicates the change in Taxable Value.

State Equalized Value is the Assessed Value multiplied by the Equalized Factor, if any. State Equalized Value must approximate 50% of the market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2014, your 2015 Taxable Value will be the same as your 2015 State Equalized Value.

IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2014, your 2015 Taxable Value is calculated by multiplying your 2014 Taxable Value by 1.016 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2015 Taxable Value cannot be higher than your 2015 State Equalized Value.

The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.

Filing a protest at the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9o. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.

HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 114 OF 2012. If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediate succeeding winter tax levy and all subsequent tax levies.

(5)

Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec.211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM MARCIA ROCHELEAU BEAUGRAND TWP ASSESSOR P.O. BOX 5205 CHEBOYGAN, MI 49721	PARCEL IDENTIFICATION PARCEL CODE NUMBER: 16-041-023-100-013-00 PROPERTY ADDRESS: 1351 MICHIGAMI DR CHEBOYGAN, MI 49721
NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL: CHASTAIN, THOMAS A, TRUSTEE OF THE CHASTAIN, THOMAS A LIV TRUST P.O. BOX 809 MACKINAW CITY MI 49701	PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": .00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 400 (RESIDENTIAL)

PRIOR YEAR'S CLASSIFICATION: 400 (RESIDENTIAL)

	PRIOR AMOUNT YEAR: 2014	CURRENT TENTATIVE AMOUNT YEAR: 2015	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):	11,531	12,000	469
2. ASSESSED VALUE:	12,700	12,000	-700
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	12,700	12,000	-700
5. There WAS/WAS NOT a transfer of ownership on this property in 2014 . WAS			

The 2015 Inflation rate Multiplier is: 1.016

Legal Description: COM SW COR LOT 47 BEAUGRAND ESTATES TH N 41DEG 59MIN 30SEC E 10 FT TH S 48DEG 0MIN 30SEC E 120 FT M/L TO NW BK OF DYNAMITE CREEK TH SWLY ALG NW BK OF SD CREEK TO PT WHERE SD BK INTERSECTS SELY SIDE OF MICHIGAMI DR TH N 41DEG 59MIN 30SEC E ALG SD MICHIGAMI DR TO POB SEC 23 T 38 N R 2 W 540-25

March Board of Review Appeal Information:

The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission at www.michigan.gov/treasury. Click on Forms (at top of page), then click on Property Tax, then click on Board of Review to obtain Form L-4035.

March Board of Review Information:

BEAUGRAND TOWNSHIP HALL , 1999 OLD MACKINAW ROAD, CHEBOYGAN ON: MONDAY, MARCH 9, 2015 9AM TO 3PM AND TUESDAY, MARCH 10, 2015 3PM TO 9PM. RESIDENTS MAY PROTEST BY MAIL IF RECEIVED PRIOR TO MARCH 10, 2015. PLEASE MAIL TO: MARCIA ROCHELEAU, ASSESSOR, BEAUGRAND TOWNSHIP P.O. BOX 5205, CHEBOYGAN, MI 49721.
--

Not less than 14 days before the meeting of the Board of Review, the assessment notice shall be mailed to the property owner.

Property taxes were calculated on the Taxable Value (see line 1 above). The Taxable Value number entered in the "Change from Prior Year to Current Year" column, does not indicate a change in your taxes. This number indicates the change in Taxable Value.

State Equalized Value is the Assessed Value multiplied by the Equalized Factor, if any. State Equalized Value must approximate 50% of the market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2014, your 2015 Taxable Value will be the same as your 2015 State Equalized Value.

IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2014, your 2015 Taxable Value is calculated by multiplying your 2014 Taxable Value by 1.016 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2015 Taxable Value cannot be higher than your 2015 State Equalized Value.

The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.

Filing a protest at the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing of a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9o. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.

HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 114 OF 2012. If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediate succeeding winter tax levy and all subsequent tax levies.

(4)

16-041-023-100-010-00
CHASTAIN, THOMAS A
PO BOX 809
MACKINAW CITY MI 49701

16-041-B02-100-029-00
GALBRAITH, GEORGE & MARJORIE
1563 CENTER ST
CHEBOYGAN MI 49721

16-041-B02-100-052-00
SCHULER, ROBERT & DORIS H/W L/
796 N FAIRGROUNDS RD
IMLAY CITY MI 48444

16-041-023-100-011-00
VAN TIELEN, WILLIAM R, TRUSTEE
1632 NICOLET DR, PO BOX 6036
CHEBOYGAN MI 49721

16-041-B02-100-031-03
BULLOCK, GORDON L & JUDITH A,
1288 NICOLET DR
CHEBOYGAN MI 49721

16-041-B02-100-053-00
COGSWELL, CYNTHIA L A
1376 MICHIGAMI DR
CHEBOYGAN MI 49721

16-041-023-100-013-00
CHASTAIN, THOMAS A, TRUSTEE
PO BOX 809
MACKINAW CITY MI 49701

16-041-B02-100-039-00
APLIN, DORRINE
1281 NICOLET DR
CHEBOYGAN MI 49721

16-041-B02-100-055-00
KELLEY, SCOTT & VICKI H/W
1383 NICOLET DR
CHEBOYGAN MI 49721

16-041-023-100-014-00
CHASTAIN, THOMAS A
PO BOX 809
MACKINAW CITY MI 49701

16-041-B02-100-041-00
LAFAVE, ROBERT & SUZANNE H/W
1297 NICOLET
CHEBOYGAN MI 49721

16-041-B02-100-057-00
WADE, ANTHONY
PO BOX 615
CHEBOYGAN MI 49721

16-041-023-100-015-03
APLIN, DORRINE
1281 NICOLET DR
CHEBOYGAN MI 49721

16-041-B02-100-043-00
JOHNSON, SUSAN
1313 NICOLET DR
CHEBOYGAN MI 49721

16-041-023-100-015-05
SHEPARD, LANNY & WINIFRED H/
10554 N STRAITS HWY
CHEBOYGAN MI 49721

16-041-B02-100-044-00
ARNETT, ALICE
6773 M-33
CHEBOYGAN MI 49721

16-041-B02-100-024-00
KOWALCZYK, THERESA
1382 NICOLET DR
CHEBOYGAN MI 49721

16-041-B02-100-046-00
BREWSTER, DAVID A
1345 NICOLET DR
CHEBOYGAN MI 49721

16-041-B02-100-025-00
JEANNOTTE, EDWARD J ET UX
1372 NICOLET DR
CHEBOYGAN MI 49721

16-041-B02-100-047-01
CHASTAIN, THOMAS
PO BOX 809
MACKINAW CITY MI 49701

16-041-B02-100-026-00
VANTIELEN, WILLEM R, TRUSTEE
PO BOX 6036
CHEBOYGAN MI 49721

16-041-B02-100-048-00
LINN, TONI R
1359 MICHIGAMI DR
CHEBOYGAN MI 49721

16-041-B02-100-028-00
PRESTON, TIMOTHY & TARA, TTEE
9135 CEDAR LAKE RD
PINCKNEY MI 48169

16-041-B02-100-049-00
LENNON, GEORGE JR & BARBARA,
1360 MICHIGAMI DR
CHEBOYGAN MI 49721

16-041-023-100-010-00
OCCUPANT
1399 MICHIGAMI DR
CHEBOYGAN, MI 49721

16-041-B02-100-039-00
OCCUPANT
1281 NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-055-00
OCCUPANT
1383 NICOLET DR
CHEBOYGAN, MI 49721

16-041-023-100-011-00
OCCUPANT
1363 MICHIGAMI DR
CHEBOYGAN, MI 49721

16-041-B02-100-041-00
OCCUPANT
1297 NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-057-00
OCCUPANT
1400 MICHIGAMI DR
CHEBOYGAN, MI 49721

16-041-023-100-013-00
OCCUPANT
1351 MICHIGAMI DR
CHEBOYGAN, MI 49721

16-041-B02-100-043-00
OCCUPANT
1313 NICOLET DR
CHEBOYGAN, MI 49721

16-041-023-100-015-05
OCCUPANT
1521 W US-23 HWY
CHEBOYGAN, MI 49721

16-041-B02-100-044-00
OCCUPANT
NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-024-00
OCCUPANT
1382 NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-046-00
OCCUPANT
1345 NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-025-00
OCCUPANT
1372 NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-047-01
OCCUPANT
MICHIGAMI DR
CHEBOYGAN, MI 49721

16-041-B02-100-026-00
OCCUPANT
1362 NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-048-00
OCCUPANT
1359 MICHIGAMI DR
CHEBOYGAN, MI 49721

16-041-B02-100-028-00
OCCUPANT
1344 NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-049-00
OCCUPANT
1360 MICHIGAMI DR
CHEBOYGAN, MI 49721

16-041-B02-100-029-00
OCCUPANT
1312 NICOLET DR
CHEBOYGAN, MI 49721

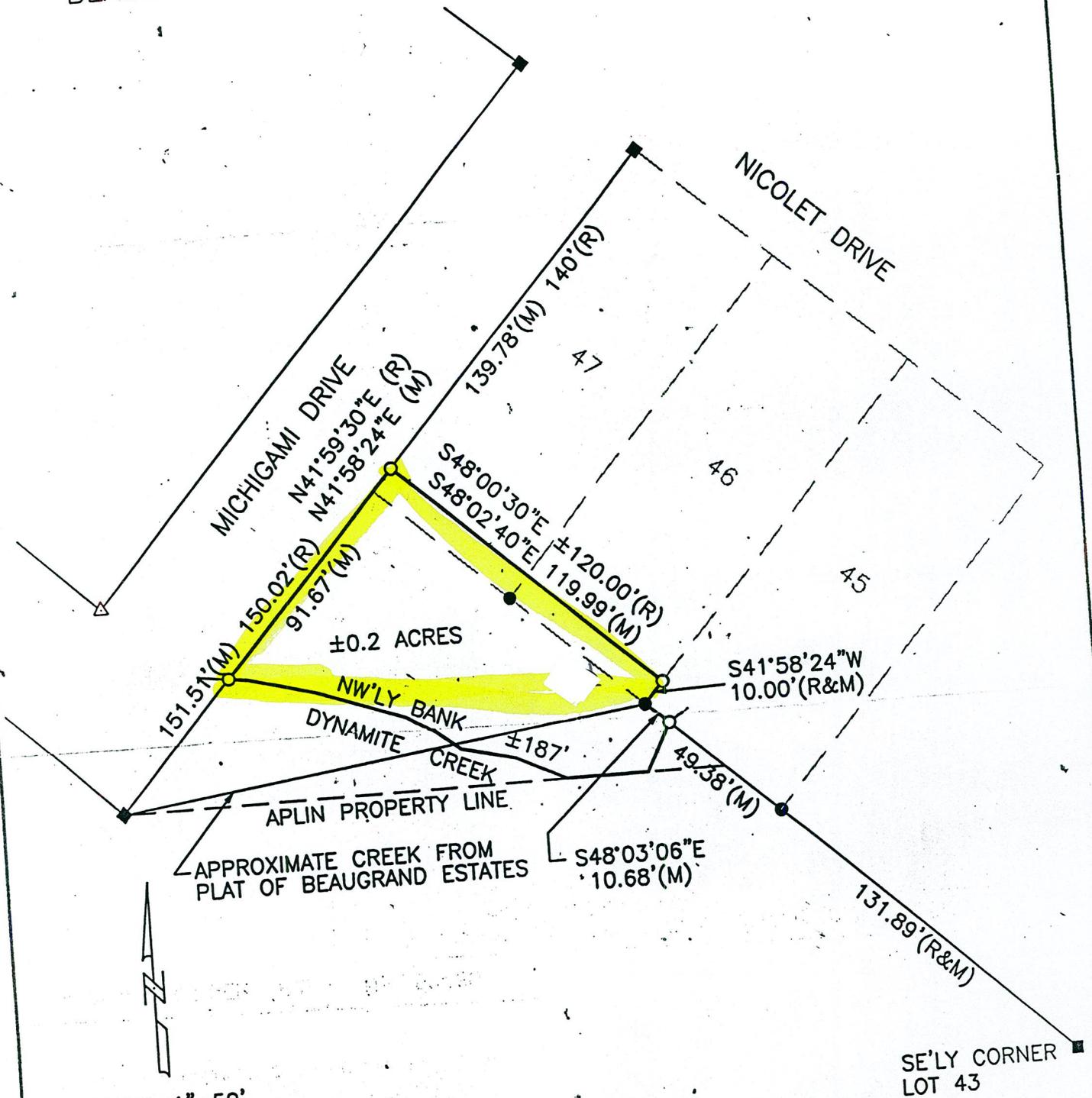
16-041-B02-100-052-00
OCCUPANT
1375 NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-031-03
OCCUPANT
1288 NICOLET DR
CHEBOYGAN, MI 49721

16-041-B02-100-053-00
OCCUPANT
1376 MICHIGAMI DR
CHEBOYGAN, MI 49721

CERTIFICATE OF SURVEY

PART OF LOTS 47-46, BEAUGRAND ESTATES SUBDIVISION,
AND PART OF GOVERNMENT LOT 2, SECTION 23, T38N, R2W,
BEAUGRAND TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN



SCALE: 1"=50'

- △ FD PK NAIL IN ASPHALT
- FD CONCRETE MONUMENT
- SET IRON W/CAP #52460
- (R) RECORDED AS
- (M) MEASURED AS

BEARINGS BASED ON SURVEY BY
GRANGER & ASSOCIATES, INC.

LEGAL DESCRIPTION AS SURVEYED PER
DEED RECORDED IN LIBER 655, PAGE
804, CHEBOYGAN COUNTY RECORDS.



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Alan J. Granger
ALAN J. GRANGER P.S. No. 52460

CLIENT:

TOM CHASTAIN
REV.: SEPT. 5, 2014
DATE: AUGUST 7, 2014



Granger and Associates, Inc.
Engineers • Surveyors
224 S. Main St., Cheboygan, MI 49721
Email: grangerandassociates@gmail.com
231-627-2763

SEC. 23, T38N, R2W,
DRAWN JSD SHEET 1 OF
JOB NO. C6048-10



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

DIMENSIONAL VARIANCE STAFF REPORT

Item: Request for a 22 ft. front setback variance and a 2 ft. rear setback variance to construct a dwelling (24ft. x 32ft.) in a Lake and Stream Protection (P-LS) zoning district.	Prepared by: Scott McNeil
Date: March 16, 2015	Expected Meeting Date March 25, 2015

GENERAL INFORMATION

Applicant: Thomas Chastain

Property Owner: Same

Contact person: Same

Phone: 231-420-8294

Requested Action: Allow a 2ft. rear setback variance, and a 22 ft. front setback variance for construction of a 24 ft. x 32 ft. dwelling in a Lake and Stream Protection zoning district. A rear setback of 12' and a front setback of 40' are required.

BACKGROUND INFORMATION

The subject parcel is a triangle shaped lot which contains approximately .2 acres. The lot is dissected by a creek with 91.6 feet on Michigami Dr. from the creek to the rear lot line. (see survey in exhibit 8). An old mobile home which was in disrepair has recently been removed from the lot. A well and septic system exist on the lot which is depicted on the applicant's drawing.

The applicant is seeking to construct a 24 ft. x 32 (768 sq. ft.) dwelling on the lot. The property is zoned Lake and Stream Protection (P-LS) The applicant is seeking a variance to allow placement of the dwelling 18 feet from the rear lot line.

A 12 ft. required rear set back and a 40 ft. front setback from the creek is required in the P-LS zoning district. The minimum floor area for a dwelling is 720 sq. ft. with a minimum width of 24 ft. the P-LS zoning district

Surrounding Zoning:

West: P-LS, Lake and Stream Protection District.

South: Same

North: Same

East: Mullett Lake

Surrounding Land Uses:

Residential land uses surround the subject property.

Environmentally Sensitive Areas: (steep slopes, wetlands, woodlands, stream corridor, floodplain) The subject lot is located on a creek.

Public Comments:

1. None

VARIANCE CONSIDERTIONS

Please note that all of the conditions listed below must be satisfied in order for a dimensional variance to be granted.

General Findings

1. The property is located in a Lake and Stream Protection (P-LS) zoning district. A 12 setback is required from the rear lot line and a 40 foot side setback from the front lot line is required in this zoning district.
2. The applicant is seeking to construct a dwelling 24 ft. x 32 with 768 sq. ft. of floor area dwelling on the lot.
3. The applicant is seeking and 2 ft. rear lot line setback variance, a 22 foot front setback variance.
4. The subject parcel is a triangle shaped lot which contains approximately .2 acres.
5. The lot is dissected by a creek with 91.6 feet on Michigami Dr. from the creek to the rear lot line.
6. The minimum floor area for a dwelling is 720 sq. ft. with a minimum width of 24 ft. the P-LS zoning district per section 17.1.
- 7.
- 8.

23.5.4. (Rev. 09/11/04, Amendment #36)

A dimensional variance may be granted by the Zoning Board of Appeals only in cases where the applicant demonstrates in the official record of the public hearing that practical difficulty exists by showing all of the following;

23.5.4.1 That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic difficulty.

Regarding front setback;

The property is shaped in a triangle and is bisected by a creek, which is are unique physical conditions and are not due to the applicant's personal or economic difficulty.

OR, there are no unique circumstances or physical conditions and/or the circumstances are due to the applicant's personal difficulty

Regarding setback from rear lot line;

The property is shaped in a triangle and is bisected by a creek, which is are unique physical conditions and are not due to the applicant's personal or economic difficulty.

OR, there are no unique circumstances or physical conditions and/or the circumstances are due to the applicant's personal difficulty

23.5.4.2 That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

Regarding front setback;

The need for the requested variance is due the shape of the lot and/or the lot being bisected by a creek and is not the result of actions of the property owner or previous property owners.

OR, the need for the variance due to relocation of an existing garage and is the result of actions of previous property owners.

Regarding setback from rear lot line;

The need for the requested variance is due the shape of the lot and/or the lot being bisected by a creek and is not the result of actions of the property owner or previous property owners.

OR, the need for the variance is the result of actions of the property owner.

23.5.4.3 That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

Regarding front setback;

Due to the location of a creek, and the shape of the lot and a 24 ft minimum dwelling width requirement, conformity with setback regulations is deemed unnecessarily burdensome.

OR, Conformity with setback regulations is not unnecessarily burdensome.

Regarding setback from rear lot line;

Due to the location of a creek, and the shape of the lot and a 24 ft minimum dwelling width requirement, conformity with setback regulations is deemed unnecessarily burdensome.

OR, conformance with setback regulations is not unnecessarily burdensome.

23.5.4.4 That the requested variance is the minimum variance necessary to grant the applicant reasonable relief as well as to do substantial justice to other property owners in the district.

Regarding front setback;

Due to the location of a creek, and the shape of the lot and a 24 ft minimum dwelling width requirement, the variance request represents the minimum necessary to grant reasonable relief and do substantial justice to other property owners in the district.

OR, the variance request does not represent the minimum necessary and/or will not do substantial justice to other property owners in the district.

Regarding setback from rear lot line;

Due to the location of a creek, and the shape of the lot and a 24 ft minimum dwelling width requirement, the variance request represents the minimum necessary to grant reasonable relief and do substantial justice to other property owners in the district.

OR, the variance request does not represent the minimum necessary and/or will not do substantial justice to other property owners in the district.

23.5.4.5 That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

Regarding front setback;

Granting the variance will provide an 18ft. front and will not cause an adverse impact on surrounding property, property values or the use and enjoyment of property in the neighborhood or zoning district.

OR, the requested variance to allow an 18 ft. front setback will cause an adverse impact on surrounding property and/or on property values and/or on the use and enjoyment of property in the neighborhood or zoning district.

Regarding setback from rear lot line;

Granting the variance will provide and 10 ft. rear setback and will not cause an adverse impact on surrounding property, property values or the use and enjoyment of property in the neighborhood or zoning district.

OR, the requested variance to allow a 10 ft. rear setback will cause an adverse impact on surrounding property and/or on property values and/or on the use and enjoyment of property in the neighborhood or zoning district.