

NOTICE OF SPECIAL MEETING / PUBLIC HEARING

The Bear Lake Township Zoning Board of Appeals will hold a Special Meeting / two Public Hearings at 7:00 PM, on Monday, April 5, 2021 at the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI 49614, phone: (231) 864-3620. The special meeting will be held to consider two proposed variance requests.

For the property addressed as parcel ID 51-02-341-704-10, commonly known as 12789 Hopkins Forest Drive, Bear Lake, MI 49614, the property owner is seeking a variance from the Bear Lake Township Zoning Ordinance from a 50-foot front yard setback to a 33-foot front yard setback. This would allow the applicant to place a 27.8' x 56' dwelling with a 24' x 24' attached garage within the front yard setback.

For the property addressed as parcel ID 51-02-641-743-10, the property owner is seeking a variance from the Bear Lake Township Zoning Ordinance from a 50-foot front yard setback to a 30-foot front yard setback. This would allow the applicant to place a 30' x 50' dwelling with a 26' x 28' attached garage within the front yard setback.

The variance requests and applications can be found on the Bear Lake Township Website at <https://bearlaketwp.com/> or by visiting the Bear Lake Township Hall.

The Zoning Board of Appeals will hold a subsequent public meeting at 7:00 PM, on Thursday, April 8, 2021 at the Township Hall - to approve the minutes of the April 5, 2021 ZBA meeting.

Correspondence can be sent by mail, or hand delivered to the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI 49614. Please, mark it ATTN: Zoning Board of Appeals. All correspondence must be received by end of business day on the day before the meeting.



Manistee County Planning Building, 395 Third Street Manistee, Michigan 49660

March 1, 2021

ZBA Members
Bear Lake Township
7771 Lake St.
Bear Lake, MI 49614
P.O. Box 187

Dear ZBA Members,

Mr. & Mrs. Howe are applying for a Variance for their property parcel # 51-02-341-704-10, addressed as 12789 Hopkins Forest Drive, Bear Lake, MI 49614.

Background:

I received a variance request form from Mr. & Mrs. Howe. The request is for the placement of a 27.8 x 56 or 1557 sq ft dwelling with a 24 x 24 or 576 sq ft attached garage within the parcel's front setback. The district resides within RR1- Resort Residential Zoning District and the front setback is 50 feet. If a variance is granted a land use permit will still be required and all other Zoning Ordinance requirements will have to be met.

Please review the following information:

- A Narrative letter Mr. & Mrs. Howe has provided that explains why a variance should be granted.
- Mr. & Mrs. Howe's Variance Application.
- Site plan.
- Map of Hopkins Forest Drive with parcel lines, and wetlands, circa 2013.
- Map of Hopkins Forest Drive, Circa May 2018.
- Six photos taken February 2021 that show the current parcel conditions.
- Notice of Meeting/Public Hearing for Newspaper.
- Letters that were sent to Parcel owners and occupants per Planning and Enabling Act 2008.

- Motions Memo

If a variance is granted all other local, state, and federal required permits must be acquired before construction begins.

If you have any questions or concerns, feel free to reach out to me via email or phone.

Regards,



Katie Mehl
Planning and Zoning Administrator
Manistee County
231.398.3525
kmehl@manisteecountymi.gov



BEAR LAKE TOWNSHIP ZONING BOARD OF APPEALS
ZONING VARIANCE APPLICATION
PARCEL 51-02-341-704-10 (HOWE)
ATTACHMENT

WHAT IS INTENDED TO BE DONE ON OR WITH THE PROPERTY WHICH NECESSITATES THIS VARIANCE?

We are moving from Traverse City, where we have sold our home, and building our fulltime, year-round homestead on the subject Property. We are looking forward to becoming year-round members of the Bear Lake community.

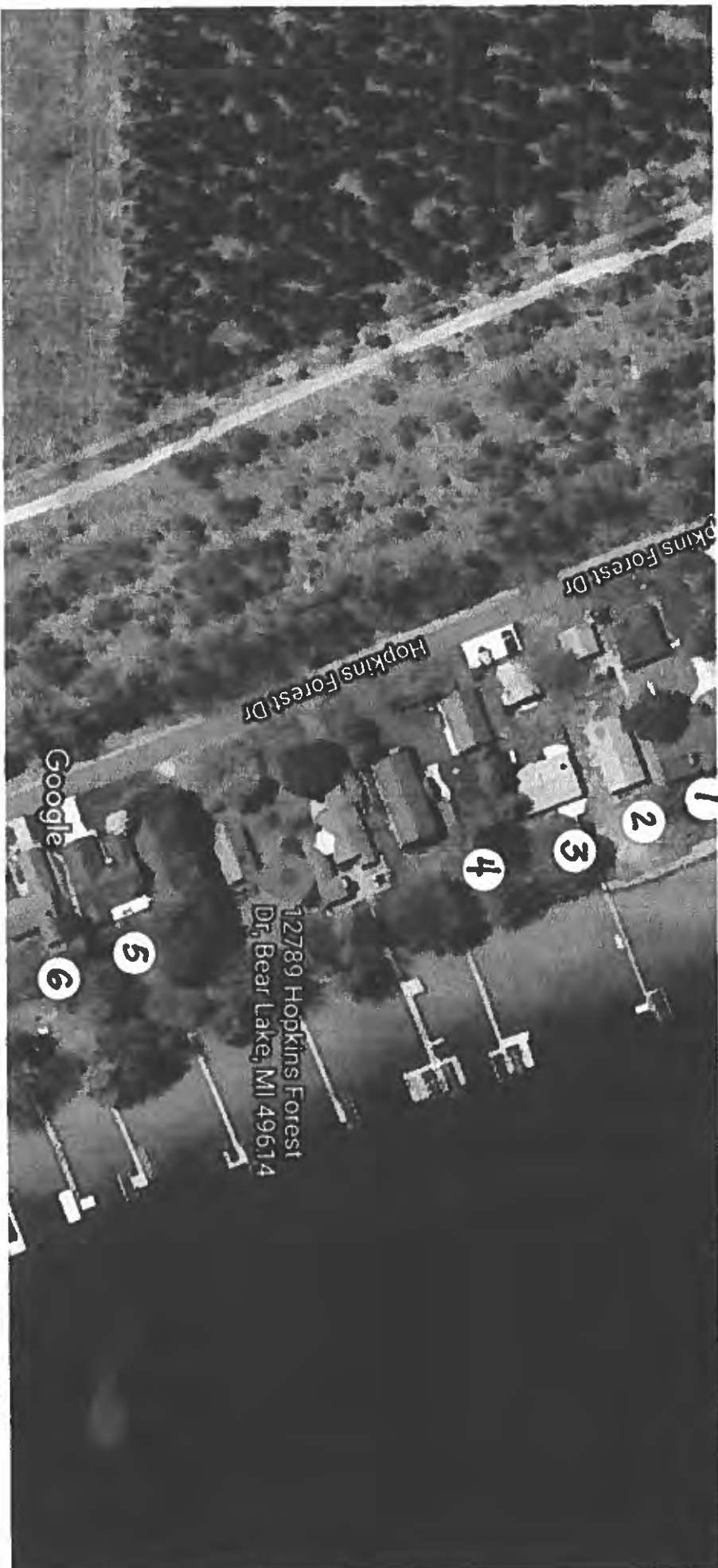
To accomplish this move, we are removing the seasonal cottage on the Property that has been in our family (Ken and Sally Fauble) since 1967. The cottage was built not too long after the Hopkins Forest Lakeside Plat was created in 1941. Our plan is to then build our house on the Property as shown in the attached Site Plan. Given the specific nature of the Property, we face several challenges placing our new home on the Property, including:

- The Property is only 75' in width, less than the 100' minimum required in the current Zoning Ordinance (4002 B, C). This lot size is lawful as it was in existence prior to adoption of the Zoning Ordinance (4002 G). (9603 C1,2)
- As a result, even the modest house we chose, which is 56' in width, will not fit width wise (north-south) on the Property without encroaching on the side setbacks, and would not fit at all with a garage attached. (9603 C1,2)
- Moreover, the Property slopes significantly in the backyard from the building site down to the lake making placement of the house closer to the lake difficult and unnecessarily burdensome. (9603 C1-3)
- Placement of the house closer to the lake is further complicated by the fact this backyard area frequently floods and retains substantial water during heavy rain storms. (9603 C1,2)
- Because of these limitations caused by the size and topography of the Property, the most reasonable and practical option was to place the house front to back (east to west) on the Property instead of side to side (see attached Site Plan and Drawing on pages 4 and 5 of this application). Unfortunately, situating the house and garage in this manner results in the garage being 33' from the front lot line encroaching 12' into the front setback. (9603 C1-3)

- However, strict enforcement of this front setback in this instance will unreasonable prevent us from building our year-round house or will make it unnecessarily burdensome to do so. (9603 C3)
- The requested variance of 12' is the minimum variance necessary to meet our needs for the best placement of the house and garage on the Property. (9603 C4)
- The requested 12' variance will not have an adverse impact on surrounding properties as 6 of 7 of such properties have structures encroaching into the 50' front setback and are located 28' to 35' from their front lot lines (see attached aerial photo and highlighted data on pages 6 and 7 of this application). At least three of these properties with structures encroaching into the front setback are relatively recent new construction. (9603 C4,5)
- The requested use of the Property pursuant to the variance request (single family residential) is permissible under the terms of the Ordinance. (9603 C6)

For these reasons, the variance request fits within the Ordinance requirements for demonstrating a practical difficulty for complying with the front setback. As a result, we respectfully request that our Zoning Variance Application be approved. Thank you!

12789 Hopkins Forest Dr



Attachment to Zoning Variance Application

Jeff and Beth Howe

12789 Hopkins Forest Drive

List of Neighboring Houses Closer than 50 feet from the Road*

Identification Number	Homeowner/ Cottage Name	Street Number	Distance from Road (in feet)
1 **	Russell	12851	32
2	Unknown	12839	24.5
3	Ram Shack Cottage	12827	34
4 **	Craigin	12807	35
5 **	Jelinek	12771	33
6	McKenzie	12759	28

*See Google Map for corresponding identification number

** New Construction

Subject
 property address: 12789 Hopkins Forest Dr.
 legal description: Lot 21 and the Southerly
 25 feet of Lot 20

COPY

HOPKINS FOREST LAKESIDE

PLAT.

BEAR LAKE TWP. MANISTEE COUNTY
 MICHIGAN.

COPY



Know all men by these presents that we, John A. & Marie A. Hopkins of the County of Manistee State of Michigan for and in consideration of the sum of One Hundred and Fifty Dollars to us hereunto in hand paid by John A. & Marie A. Hopkins the receipt of which is hereby acknowledged, have granted, sold and conveyed unto the said John A. & Marie A. Hopkins all that certain lot or lots of land situated in the Township of Bear Lake County of Manistee State of Michigan and more particularly described as follows to-wit:

Lot 21 and the southerly 25 feet of Lot 20 of the Hopkins Forest Lakeside Plat.

TO HAVE AND TO HOLD unto the said John A. & Marie A. Hopkins their heirs and assigns forever.

Given under our hands and seals of office this 1st day of June A.D. 1999 and of the Independence of the United States the 76th year.

Notary Public, Manistee County, Mich.

My Commission expires June 1st 2001

DESCRIPTION OF LAND PLAT.
 The land contained in the Hopkins Forest Lakeside Plat is situated in the Township of Bear Lake County of Manistee State of Michigan and more particularly described as follows to-wit:

Lot 21 and the southerly 25 feet of Lot 20 of the Hopkins Forest Lakeside Plat.

Surveyor's Certificate
 I, John A. & Marie A. Hopkins Surveyor of the County of Manistee State of Michigan do hereby certify that the above described land is situated in the Township of Bear Lake County of Manistee State of Michigan and more particularly described as follows to-wit:

Lot 21 and the southerly 25 feet of Lot 20 of the Hopkins Forest Lakeside Plat.

County Treasurer's Certificate Relating to Taxes
 I, John A. & Marie A. Hopkins County Treasurer of the County of Manistee State of Michigan do hereby certify that the above described land is situated in the Township of Bear Lake County of Manistee State of Michigan and more particularly described as follows to-wit:

Lot 21 and the southerly 25 feet of Lot 20 of the Hopkins Forest Lakeside Plat.

Continuity of Municipal Records
 I, John A. & Marie A. Hopkins County Clerk of the County of Manistee State of Michigan do hereby certify that the above described land is situated in the Township of Bear Lake County of Manistee State of Michigan and more particularly described as follows to-wit:

Lot 21 and the southerly 25 feet of Lot 20 of the Hopkins Forest Lakeside Plat.

Continuity of Records of the County of Manistee
 I, John A. & Marie A. Hopkins County Clerk of the County of Manistee State of Michigan do hereby certify that the above described land is situated in the Township of Bear Lake County of Manistee State of Michigan and more particularly described as follows to-wit:

Lot 21 and the southerly 25 feet of Lot 20 of the Hopkins Forest Lakeside Plat.

Note: The dimensions are given in feet and decimals thereof. The lot is shown in the index map of Bear Lake.

COPY

Notary Public
John A. & Marie A. Hopkins
 County of Manistee State of Michigan
 My Commission expires June 1st 2001

Examined and Approved
John A. & Marie A. Hopkins
 Notary Public, Manistee County, Mich.

FILED IN BOOKS OF THE CLERK
John A. & Marie A. Hopkins
 Notary Public, Manistee County, Mich.

**BEAR LAKE TOWNSHIP ZONING BOARD OF APPEALS
ZONING VARIANCE APPLICATION**

TAX PARCEL NO. 51-02- 341-704-10

NAME OF APPLICANT Jeff and Beth Howe

PHONE NUMBER 231.564.1920

NAME OF PROPERTY OWNER same

ADDRESS OF PROPERTY 12789 Hopkins Forest Drive, Bear Lake, MI 49614

LEGAL DESCRIPTION OF PROPERTY Township of Bear Lake, County of Manistee, State of Michigan

Lot 21 and the Southerly 25 feet of Lot 20, Hopkins Forest Lakeside Plat,

as recorded in Liber 4 of Plats, Page 9, Manistee County Records.

LIST ALL DEED RESTRICTIONS(USE BACK IF NEEDED) None

WHAT IS THE PRESENT USE OF THE PROPERTY? Residential

WHAT IS THE PRESENT ZONING CLASSIFICATION OF THE PROPERTY?
Residential

ANY PREVIOUS APPEALS ON THIS PROPERTY? No

IF YES, PROVIDE ALL DETAILS ON BACK OF THIS PAPER.

**WHAT ARTICLE OF THE ZONING ORDINANCE IS IN VIOLATION?
PLEASE LIST EXACT PARAGRAPH AND PAGE NUMBER.**

Article 40, 4002.E(1)

Front set back requirement (street side)

**WHAT IS INTENDED TO BE DONE ON OR WITH THE PROPERTY WHICH
NECESSITATES THIS VARIANCE?**

SEE ATTACHED

**The undersigned affirms that the answers and statements herein contained and
submitted are in all respects true and correct to the best of his/her knowledge.**

APPLICANT SIGNATURE Jeffrey Howe Beth Howe

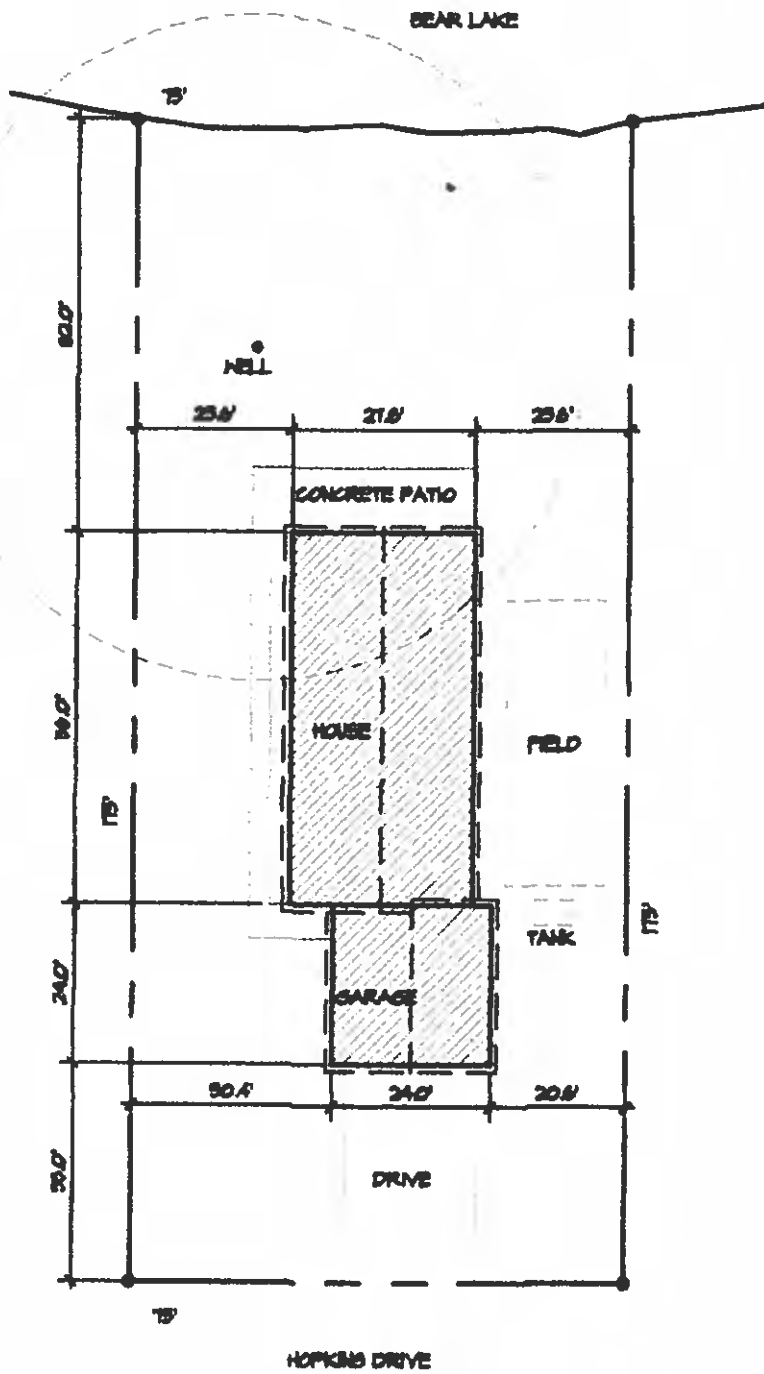
TITLE, OWNER, AGENT, ETC. Owners

DATE 02/02/2021

\$450.00 FEE ATTACHED ☒ YES ☐ NO **CHECK #** 526

SEND COMPLETED APPLICATION TO:

**Manistee County Planning Department
395 Third St. Manistee, MI 49660**



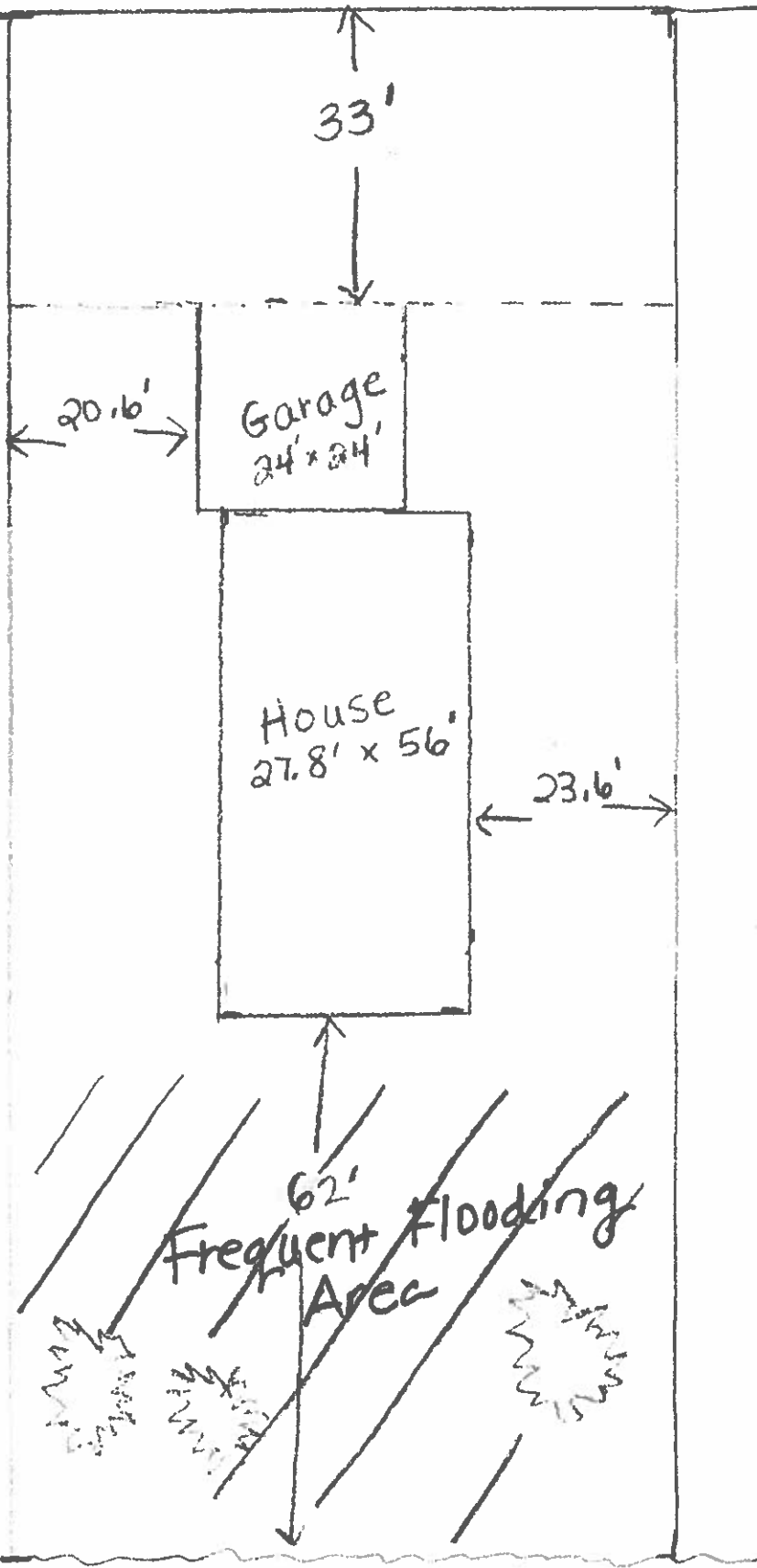
SITE PLAN SCALE: 1" = 30'-0"

12704 HOPKINS DRIVE, BEAR LAKE MICHIGAN 49814

HOPKINS FOREST DRIVE

N →

Scale: 1" = 20'



Hopkins Forest Lakeside Plat, as recorded in Liber 4 of Plat
Bear Lake Twp. Manistee County, Michigan
Lot 21 and the Southerly 25 feet of Lot 20

Bear Lake



Area Around 12789 Hopkins Forest Drive Circa 2013

12883 HOPKINS FOREST DR
12881 HOPKINS FOREST DR

12851 HOPKINS FOREST DR

12839 HOPKINS FOREST DR

12827 HOPKINS FOREST DR

12807 HOPKINS FOREST DR

12801 HOPKINS FOREST DR

12789 HOPKINS FOREST DR

12771 HOPKINS FOREST DR

12759 HOPKINS FOREST DR

12749 HOPKINS FOREST DR

12739 HOPKINS FOREST DR

12725 HOPKINS FOREST DR

12713 HOPKINS FOREST DR

12699 HOPKINS FOREST DR

12685 HOPKINS FOREST DR

12677 HOPKINS FOREST DR

HOPKINS FOREST DR

6

● Address Points

— Roads

Wetlands (DEQ)

Parcel Lines



0 35 70 140 210 Feet

12789 Hopkins Forest Drive

Circa May 2018

📍 12789 Hopkins Forest Drive





1. From Hopkins Forest Drive, facing North-East



2. From Hopkins Forest Drive, facing North



3. From Hopkins Forest Drive, facing East



4. From south side of house, facing west towards Hopkins Forest Drive



5. From Hopkins Forest Drive, facing South-East



6. From south side of house, facing East towards Bear Lake

NOTICE OF SPECIAL MEETING / PUBLIC HEARING

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For the property addressed as parcel ID 51-02-641-743-10, the property owner is seeking a variance from the Bear Lake Township Zoning Ordinance from a 50-foot front yard setback to a 30-foot front yard setback. This would allow the applicant to place a 30' x 50' dwelling with a 26' x 28' attached garage within the front yard setback.

The variance requests and applications can be found on the Bear Lake Township Website at <https://bearlaketwp.com/> or by visiting the Bear Lake Township Hall.

The Zoning Board of Appeals will hold a subsequent public meeting at 7:00 PM, on Thursday, April 8, 2021 at the Township Hall - to approve the minutes of the April 5, 2021 ZBA meeting.

Correspondence can be sent by mail, or hand delivered to the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI 49614. Please, mark it ATTN: Zoning Board of Appeals. All correspondence must be received by end of business day on the day before the meeting.



Manistee County Planning Building, 395 Third Street Manistee, Michigan 49660

March 1, 2021

Dear Occupant,

You are receiving this letter because you own or reside within a property which is 300 feet of a property being considered for variance. The property owner is seeking a variance from the Bear Lake Township Zoning Ordinance from a 50-foot front yard setback to a 33-foot front yard setback. This would allow the applicant to place a 27.8' x 56' dwelling with a 24' x 24' attached garage within the front yard setback. The proposed variance request is for the property addressed as parcel ID 51-02-341-704-10, commonly known as 12789 Hopkins Forest Drive, Bear Lake, MI 49614.

The Bear Lake Township Planning Commission will hold a Special Meeting / Public Hearing at 7:00 PM, on Monday, April 5, 2021 at the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI 49614.

The variance request and application can be found on the Bear Lake Township Website at <https://bearlaketwp.com/> or by visiting the Bear Lake Township Hall.

Correspondence can be sent by mail, or hand delivered to the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI 49614. Please, mark it ATTN: Zoning Board of Appeals. All correspondence must be received by end of business day prior to the day of the meeting.

Per Planning and Enabling Act of 2008, you must be notified if you own property or live within 300 feet of the property requesting the variance. Below you will find a listing of addresses and parcel owners that have been notified of this variance request.

Parcel Number	Property Owner's Name	Property Street	Property City	Property State	Owner's Name	Owner's Street	Owner's City	Owner's State	Owner's Zipcode
02-006-200-01	BEAR LAKE SCHOOL	6157 THIRTEEN MILE RD							
02-341-705-07	MACKENZIE RALPH W & JUDITH	12759 HOPKINS FOREST DR	BEAR LAKE	MI		1117 WINDREEF CR	OKEMOS	MI	48864
02-341-704-01	TROYANEK RICHARD L & BETTY A	12827 HOPKINS FOREST DR	BEAR LAKE	MI		549 SOUTH BATCHWANA	CLAWSON	MI	48017
02-341-705-09	COVAULT LINDA J (LE) &	12749 HOPKINS FOREST DR	BEAR LAKE	MI	LYON-LOFTUS ANDREA & COVAULT RACHEL	W253 S4556 MEADOW VIEW DR	WAUKESHA	WI	53189
02-341-703-09	DBTM LLC	12839 HOPKINS FOREST DR	BEAR LAKE	MI		6574 GRAN VIA DR NE	ROCKFORD	MI	49341
02-341-706-01	TABOR TIMOTHY L & KATHY A	12739 HOPKINS FOREST DR	BEAR LAKE	MI		15485 RANNES ST	SPRING LAKE	MI	49456
02-341-704-03	CRAIGIN FREDERICK & MELANIE	12807 HOPKINS FOREST DR	BEAR LAKE	MI		1154 EAST BOULEVARD RD	PINE VILLAGE	IN	47975
02-341-705-03	JELINEK JEROME & JILL	12771 HOPKINS FOREST DR	BEAR LAKE	MI		536 MONROE ST	TRAVERSE CITY	MI	49684
02-341-703-05	RUSSELL RICHARD & PHYLLIS TRUST	12851 HOPKINS FOREST DR	BEAR LAKE	MI		12851 HOPKINS FOREST DR	BEAR LAKE	MI	49614
02-341-704-07	MINER JOHN E & MARY	12801 HOPKINS FOREST DR	BEAR LAKE	MI		6500 OLD DARBY TRL	ADA	MI	49301
02-341-706-03	MACDOUGALL SHAWN & JILL	12725 HOPKINS FOREST DR	BEAR LAKE	MI		7522 SUNFISH LAKE CT	ROCKFORD	MI	49341

Sincerely,



**Katie Mehl
Manistee County Planner
Bear Lake Township Zoning Administrator**



Manistee County Planning Building, 395 Third Street Manistee, Michigan 49660

March 1, 2021

ZBA Members
Bear Lake Township
7771 Lake St.
Bear Lake, MI 49614
P.O. Box 187

Dear ZBA Members,

Mr. & Mrs. Howe are applying for a Variance for their property parcel # 51-02-341-704-10, addressed as 12789 Hopkins Forest Drive, Bear Lake, MI 49614. The request is for the placement of a 27.8 x 56 or 1557 sq ft dwelling with a 24 x 24 or 576 sq ft attached garage within the parcel's front setback. The district resides within RR1- Resort Residential Zoning District and the front setback is 50 feet. If a variance is granted a land use permit will still be required and all other Zoning Ordinance requirements will have to be met.

This memo is to act as a starting point for actions for this variance request. The following can be followed completely, partially, or not at all. They are simply to help the ZBA members have a starting point for discussion.

Option A: Deny the Variance request. The variance request fails to pass the majority vote needed. The variance needed has been caused or somewhat caused by the parcel owner, and/or hardship has not been shown to exist.

Option B: Allow the variance as requested. The Variance would be to allow a 27.8 x 56 or 1557 sq ft dwelling with a 24 x 24 or 576 sq ft attached garage within 33 feet of the front parcel line, in the exact area defined on the "Site Plan", and under 35 feet in height. All other aspects of the Bear Lake Township Zoning Ordinance would have to be followed.

Option C: The zoning board of appeals may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit.

Recommendation:

The Planning Department request that if a variance is granted that it be contingent on pulling of a land use permit, and issuing of all other local, state, and federal requirements prior to building. While this is usually covered under land use permitting, outright stating it within the variance recommendation, if

passed, is always preferable. Also stating that this does not relieve the applicant from any other requirements of the Bear Lake Township Zoning Ordinance is desirable by staff. It is requested that a survey is conducted prior to construction to ensure the structure is placed in the exact location indicated on the site plan. The Planning Department would like to reiterate that variances should be granted on their own merit and a hardship must be shown.

If you have any other questions or concerns, feel free to reach out to me.

Regards,



Katie Mehl
Planning and Zoning Administrator
Manistee County
231.398.3525
kmehl@manisteecountymi.gov





Manistee County Planning Building, 395 Third Street Manistee, Michigan 49660

March 1, 2021

ZBA Members
Bear Lake Township
7771 Lake St.
Bear Lake, MI 49614
P.O. Box 187

Dear ZBA Members,

Mr. & Mrs. Gillespie are applying for a Variance for their property parcel # 51-02-641-743-10, with the address to be determined.

Background:

I received a variance request form from Mr. & Mrs. Gillespie. The request is for the placement of a 30 x 50 or 1500 sq ft dwelling with a 26 x 28 or 728 sq ft attached garage within the parcel's front setback. The district resides within RR1- Resort Residential Zoning District and the front setback is 50 feet. If a variance is granted a land use permit will still be required and all other Zoning Ordinance requirements will have to be met.

Mr. & Mrs. Gillespie also requested a variance to allow for their accessory structure to have a height of 20'. The RR1 – Resort Residential Zoning District does not have a height restriction of 18', only the R1 – Residential District has this restriction. For this reason, this portion of the request can be disregarded.

Please review the following information:


- A Narrative letter Mr. & Mrs. Gillespie has provided that explains why a variance should be granted.
- Mr. & Mrs. Gillespie's Variance Application.
- Site plan.
- Map of Hopkins Forest Drive with parcel lines, and wetlands, circa 2013.
- Map of Hopkins Forest Drive, Circa May 2018.

- Six photos taken February 2021 that show the current parcel conditions.
- Notice of Meeting/Public Hearing for Newspaper.
- Letters that were sent to Parcel owners and occupants per Planning and Enabling Act 2008.
- Motions Memo

If a variance is granted all other local, state, and federal required permits must be acquired before construction begins.

If you have any questions or concerns, feel free to reach out to me via email or phone.

Regards,



Katie Mehl
Planning and Zoning Administrator
Manistee County
231.398.3525
kmehl@manisteecountymi.gov



Requested Variance
2 February 2021
Parcel 51-02- 641-743-10

A variance to existing Bear Lake Township Zoning requirements of 50-foot set back from the road to the front of the dwelling to 30-feet and the height limitations of the detached garage of 18-feet be increased to 20 feet is being requested.

A. Setback variance

1. 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.

Because the parcel in question is a corner lot with a depth of 115 feet and the dwelling to be facing Hopkins Forest Drive, it is requested that the required 50-foot setback from the road to the front of the dwelling be modified to 30 feet. With the depth of the parcel being 115 feet, this modification of setback would allow the house to be 30-feet away from the eastern adjacent property and 30 feet from Hopkins Forest Drive frontage. In addition, this would allow the dwelling to be completely in the front of the planned detached garage. With this arrangement, the neighbors on the north and east sides of the property would have more privacy.

2. The need for the variance is not the result of the actions of the property owner or previous property owners.

This request is not a result of any actions the current property owner or the previous owners have done to the property. The property is as platted and no buildings are present.

3. That strict enforcement of the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will be unnecessarily burdensome.

If the strict enforcement of the ordinance were enforced three burdensome issues would occur.

1. The new dwelling would be unnecessarily close to the eastern property owner, less than 20 feet from the back deck of the house to the property line.
2. The proposed detached garage would not fit behind the dwelling
3. A very limited area would be left for a back yard

4. The requested variance is the minimum variance necessary to meet the property owner's needs as well as other owners in the district.

The requested variance of a 30 foot set back from Hopkins Forest Drive would be the minimum needed to place the house in the center of the lot, allow for the detached garage to be located

behind the residence dwelling and remain 30 feet away from the property line of the eastern adjacent property.

5. The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare.

Many existing structures along Hopkins Forest Drive are closer to the road than 30 feet. This small modification to the existing zoning requirements would not be injurious to the neighborhood. In fact, if the proposed plot plan is approved, more privacy for the neighbor to the north will be given.

6. The Zoning Board of Appeals shall not grant a variance to allow a use not permissible under the terms of this Ordinance.

This request is for a small adjustment to the setback. All planned structures are within the permissible use of this ordinance.

Every effort will be made to observe the spirit of this ordinance by building a structure which will fit into the neighborhood and add value to the community.

B. Detached Garage Height Variance

Also, it is requested that the height of the detached garage be increased from 18-feet to 20 feet, not to exceed the height of the dwelling.

1. The need for the variance is not the result of the actions of the property owner or previous property owners.

This request is not a result of any actions the current property owner or the previous owners have done to the property. The property is as platted and no buildings are present.

2. That strict enforcement of the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will be unnecessarily burdensome.

If the strict enforcement of the ordinance that a 18-foot height limit were enforced, two burdensome issues would occur.

1. The detached garage would either not have a tall enough garage door for the purpose of housing a small recreational vehicle, or
2. The roof would not be the proper pitch to blend into the dwelling.

3. The requested variance is the minimum variance necessary to meet the property owner's needs as well as other owners in the district.

The 18-foot height limit on the detached garage can be met but would cause the garage to have a shallow roof pitch and would not be as attractive or blend in with the proposed dwelling.

4. The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare.

Many existing detached structures along Hopkins Forest Drive and Railroad Street are taller than the 18-foot maximum height. This small modification to the existing zoning requirements would not be injurious to the neighborhood. In fact, the proposed plan would cause the new buildings to blend better and be more appealing.

This request would allow for the indoor storage of a small recreational vehicle. By storing the vehicle indoors, the neighborhood would remain neater and be more aesthetically pleasing. With the proposed door height and a roof pitch to more closely match the dwelling, the planned garage would exceed the maximum 18-foot zoning requirement by 2 feet. In order to blend in with the dwelling and neighborhood, the garage will be constructed on a foundation with similar building materials as the dwelling and the roof will not exceed the roof ridgeline of the dwelling.

Thank you for considering these modifications. We are looking forward to becoming a part of the Bear Lake community.

Jim and Susan Gillespie
3954 Rife Rd
Cedarville, OH 45314
(937)312-4472

BEAR LAKE TOWNSHIP ZONING BOARD OF APPEALS ZONING VARIANCE

APPLICATION TAX PARCEL NO. 51-02- 641-743-10

NAME OF APPLICANT James and Susan Gillespie

PHONE NUMBER. (937) 312-4472

NAME OF PROPERTY OWNER James and Susan Gillespie

ADDRESS OF PROPERTY Hopkins Forest Dr

LEGAL DESCRIPTION OF PROPERTY: Lots 11, 14, 15 and 18, Block 24, Wildwood Subdivision

LIST ALL DEED RESTRICTIONS (USE BACK IF NEEDED) None

WHAT IS THE PRESENT USE OF THE PROPERTY? Vacant

WHAT IS THE PRESENT ZONING CLASSIFICATION OF THE PROPERTY? Residential

ANY PREVIOUS APPEALS ON THIS PROPERTY? No IF YES, PROVIDE ALL DETAILS ON BACK OF THIS PAPER.

WHAT ARTICLE OF THE ZONING ORDINANCE IS IN VIOLATION? PLEASE LIST
50-foot setback from road
18-foot maximum height for separate garage

EXACT PARAGRAPH AND PAGE NUMBER. WHAT IS INTENDED TO BE DONE ON OR WITH THE PROPERTY WHICH NECESSITATES THIS VARIANCE? See Attached

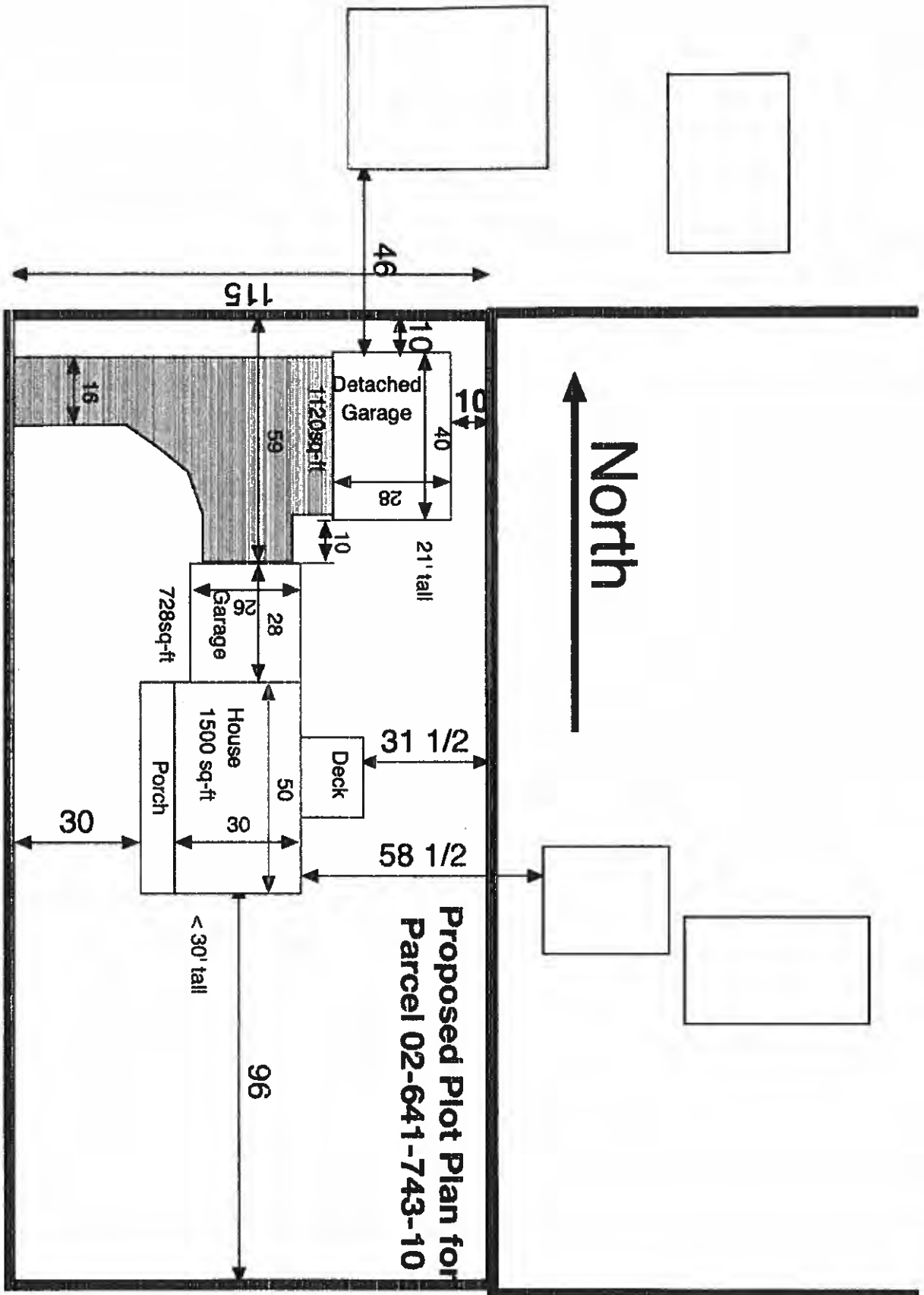
The undersigned affirms that the answers and statements herein contained and submitted are in all respects true and correct to the best of his/her knowledge.

APPLICANT SIGNATURE James Gillespie, OWNER

DATE 4/12/21

\$450.00 FEE ATTACHED YES/NO CHECK# SEND COMPLETED APPLICATION TO:
Manistee County Planning Department 395 Third St. Manistee, MI 49660

Hopkins Forest Dr



South Shore

Area Around 51-02-641-743-10 Circa 2013



51-02-641-743-10

Circa May 2018

51-02-641-743-10





1. Corner of South Shore Drive and Hopkins Forest Drive, facing North-East



2. From Hopkins Forest Drive, facing East



3. From Hopkins Forest Drive, facing South-East



4. From Hopkins Forest Drive, facing South



5. From corner of Hopkins Forest and S. Shore, facing North



6. From corner of Hopkins Forest and S. Shore, facing North

NOTICE OF SPECIAL MEETING / PUBLIC HEARING

The Bear Lake Township Zoning Board of Appeals will hold a Special Meeting / two Public Hearings at 7:00 PM, on Monday, April 5, 2021 at the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI 49614, phone: (231) 864-3620. The special meeting will be held to consider two proposed variance requests.

For the property addressed as parcel ID 51-02-341-704-10, commonly known as 12789 Hopkins Forest Drive, Bear Lake, MI 49614, the property owner is seeking a variance from the Bear Lake Township Zoning Ordinance from a 50-foot front yard setback to a 33-foot front yard setback. This would allow the applicant to place a 27.8' x 56' dwelling with a 24' x 24' attached garage within the front yard setback.

For the property addressed as parcel ID 51-02-641-743-10, the property owner is seeking a variance from the Bear Lake Township Zoning Ordinance from a 50-foot front yard setback to a 30-foot front yard setback. This would allow the applicant to place a 30' x 50' dwelling with a 26' x 28' attached garage within the front yard setback.

The variance requests and applications can be found on the Bear Lake Township Website at <https://bearlaketwp.com/> or by visiting the Bear Lake Township Hall.

The Zoning Board of Appeals will hold a subsequent public meeting at 7:00 PM, on Thursday, April 8, 2021 at the Township Hall - to approve the minutes of the April 5, 2021 ZBA meeting.

Correspondence can be sent by mail, or hand delivered to the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI 49614. Please, mark it ATTN: Zoning Board of Appeals. All correspondence must be received by end of business day on the day before the meeting.



Manistee County Planning Building, 395 Third Street Manistee, Michigan 49660

March 1, 2021

Dear Occupant,

You are receiving this letter because you own or reside within a property which is 300 feet of a property being considered for variance. The property owner is seeking a variance from the Bear Lake Township Zoning Ordinance from a 50-foot front yard setback to a 30-foot front yard setback. This would allow the applicant to place a 30' x 50' dwelling with a 26' x 28' attached garage within the front yard setback. The proposed variance request is for the property addressed as parcel # 51-02-641-743-10.

The Bear Lake Township Planning Commission will hold a Special Meeting / Public Hearing at 7:00 PM, on Monday, April 5, 2021 at the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI 49614.

The variance request and application can be found on the Bear Lake Township Website at <https://bearlaketwp.com/> or by visiting the Bear Lake Township Hall.

Correspondence can be sent by mail, or hand delivered to the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI 49614. Please, mark it ATTN: Zoning Board of Appeals. All correspondence must be received by end of business day on the day of the meeting.

Per Planning and Enabling Act of 2008, you must be notified if you own property or live within 300 feet of the property requesting the variance. Below you will find a listing of addresses and parcel owners that have been notified of this variance request.

Parcel Number	Property Owner's Name	Property Street	Property City	Property State	Owner's Name	Owner's Street	Owner's City	Owner's State	Owner's Zipcode
02-641-743-04	DOTSON LARRY DEAN & PAMELA ANN	12319 HOPKINS FOREST DR	BEAR LAKE	MI		12319 HOPKINS FOREST DR	BEAR LAKE	MI	49614
02-641-736-03	BOWLING RUSSELL B & J DIANNE					6486 RAILROAD ST	BEAR LAKE	MI	49614
02-641-745-00	PULIDO ANNETTE E & MYERS IAN T	6485 SOUTH SHORE DR	BEAR LAKE	MI		6485 SOUTH SHORE DRIVE	BEAR LAKE	MI	49614
02-641-743-06	WAGEL ANDREW W & LISA P	6479 RAILROAD ST	BEAR LAKE	MI		15715 HARRISON	ALLEN PARK	MI	48101
02-641-734-01	CULLINGFORD TAMI E &	6511 SOUTH SHORE DR	BEAR LAKE	MI	VISSER BARBARA ANN	6511 S SHORE DR	BEAR LAKE	MI	49614
02-641-753-01	BEAR LAKE SCHOOL								
02-641-750-20	BEAR LAKE EQUITIES LLC					PO BOX 498	BEULAH	MI	49617
02-641-750-18	MILLER DENNIS R & MILLER LINDA J	6399 SOUTH SHORE DR	BEAR LAKE			1105 W FIELDSTONE DR	LAPORTE	IN	46350
02-641-745-02	IVINSON EDWARD L & LEE A	6455 SOUTH SHORE DR				6455 SOUTH SHORE DR	BEAR LAKE	MI	49614
02-641-745-10	VOWELS SUSAN J REVOCABLE TRUST					PO BOX 667	KALKASKA	MI	49646
02-641-750-01	BALDWIN JOHN & DARLENE J	6425 SOUTH SHORE DR	BEAR LAKE	MI		6425 SOUTH SHORE DR	BEAR LAKE	MI	49614
02-641-736-13	MICK ROBERT A	6518 SOUTH SHORE DR	BEAR LAKE	MI		PO BOX 290	BEAR LAKE	MI	49614
02-641-743-15	GRAHL JOANN (LE) &	6482 SOUTH SHORE DR	BEAR LAKE	MI	GRAHL SANDRA M	6482 SOUTH SHORE DR	BEAR LAKE	MI	49614

Sincerely,



Katie Mehl
Manistee County Planner
Bear Lake Township Zoning Administrator



Manistee County Planning Building, 395 Third Street Manistee, Michigan 49660

March 1, 2021

ZBA Members
Bear Lake Township
7771 Lake St.
Bear Lake, MI 49614
P.O. Box 187

Dear ZBA Members,

Mr. & Mrs. Gillespie are applying for a Variance for their property parcel # 51-02-641-743-10, with the address to be determined. The request is for the placement of a 30 x 50 or 1500 sq ft dwelling with a 26 x 28 or 728 sq ft attached garage within the parcel's front setback. The district resides within RR1-Resort Residential Zoning District and the front setback is 50 feet. If a variance is granted a land use permit will still be required and all other Zoning Ordinance requirements will have to be met.

Mr. & Mrs. Gillespie also requested a variance to allow for their accessory structure to have a height of 20'. The RR1 – Resort Residential Zoning District does not have a height restriction of 18', only the R1 – Residential District has this restriction. For this reason, this portion of the request can be disregarded.

This memo is to act as a starting point for actions for this variance request. The following can be followed completely, partially, or not at all. They are simply to help the ZBA members have a starting point for discussion.

Option A: Deny the Variance request. The variance request fails to pass the majority vote needed. The variance needed has been caused or somewhat caused by the parcel owner, and/or hardship has not been shown to exist.

Option B: Allow the variance as requested. The Variance would be to allow a of a 30 x 50 or 1500 sq ft dwelling with a 26 x 28 or 728 sq ft attached garage within 30 feet of the front parcel line, in the exact area defined on the "Site Plan", and under 35 feet in height. All other aspects of the Bear Lake Township Zoning Ordinance would have to be followed.


Option C: The zoning board of appeals may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit.

Recommendation:

The Planning Department request that if a variance is granted that it be contingent on pulling of a land use permit, and issuing of all other local, state, and federal requirements prior to building. While this is usually covered under land use permitting, outright stating it within the variance recommendation, if passed, is always preferable. Also stating that this does not relieve the applicant from any other requirements of the Bear Lake Township Zoning Ordinance is desirable by staff. It is requested that a survey is conducted prior to construction to ensure the structure is placed in the exact location indicated on the site plan. The Planning Department would like to reiterate that variances should be granted on their own merit and a hardship must be shown.

If you have any other questions or concerns, feel free to reach out to me.

Regards,



Katie Mehl
Planning and Zoning Administrator
Manistee County
231.398.3525
kmehl@manisteecountymi.gov

