

NOTICE OF SPECIAL MEETING / PUBLIC HEARING

The Bear Lake Township Zoning Board of Appeals 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, phone: (231) 864-3620. The special meeting will be held to consider a proposed variance request for the property addressed as parcel ID 51-02-641-750-20.

The property owner is seeking a variance from the Bear Lake Township Zoning Ordinance. The property owner is proposing to place a 64 x 80 or 5,120 sq ft building on his parcel. 1,000 sq ft of the structure is designated as floor area for a primary dwelling. The remaining 4,120 sq ft of the structure is designated as an accessory building. The Bear Lake Township Ordinance has a 1,200 sq ft maximum for accessory buildings. The applicant is seeking a variance to allow for a 4,120 sq ft accessory building on his property.

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.

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 15, 2021

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

Dear ZBA Members,

Mr. Horvat is applying for a Variance for his property parcel # 51-02-641-750-20, with the address to be determined.

Background:

The request is for the placement of a 64 x 80 or 5,120 sq ft pole barn. 1,000 sq ft of the pole barn is dedicated to floor area for the primary dwelling. This would leave 4,120 sq ft dedicated to the accessory portion of the structure. The parcel resides within the R1- Residential Zoning District and the maximum square footage for an accessory building is 1,200 sq ft. 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 Mike Zimmerman, the builder, has provided that explains why a variance should be granted.
- Mr. Horvat's Variance Application.
- Spicer Plan with proposed structure and setbacks.
- Site plan documents.
- Map of 10th Street with parcel lines, and wetlands, circa 2013.
- Map of 10th Street, Circa May 2018.
- Eight photos taken March 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,

A handwritten signature in black ink that reads "Katie Mehl". The signature is fluid and cursive, with the first name "Katie" and last name "Mehl" clearly distinguishable.

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





Mike Zimmerman Construction, Inc.

**Custom Homes
11477 North Zip Rd.
Manistee, MI. 49660
Phone: 231-510-4773**

Manistee County Planning Department,

My name is Mike Zimmerman and I have been hired by Robert Horvat of 6500 Railroad, Bear Lake, to build a residence on a 2.5 acre parcel on the northeast corner of Clinton Rd and 10th St in Bear Lake Township.

I would like to request a variance to exceed the 1200 sq. ft. maximum of an Accessory Building (Article 4402, pg 1).

I have designed the building to meet the requirement of Article 4402 with 1,000 sq. ft. of finished living space. It will include two bedrooms, living room, dining room, kitchen and full bath. We will be installing, and have permits for a well and septic. The building will meet the minimum setback requirements.

I have applied for a Land Use permit and have been denied because of the size of the building. The definition 503 (Article 5 pg 1) defines Accessory Building as "A supplementary building or structure on the same lot or parcel of land as the main building or buildings or part of the main building".

I would define an Accessory Building as a building separate from the main building. For example, if a home has an attached 2 car garage I would not define it as a home with an attached Accessory Building, because the garage is "part of the main building".

Although the ordinance does not limit the number of Accessory Buildings, I would rather build one building as opposed to several smaller buildings. I believe that there are at least three buildings within a half mile that exceed the 1200 sq. ft. maximum and do not have the required 1000 sq. ft. of living space.

What I have proposed would be a nice looking, quality building that would be an asset to Bear Lake Township. I also feel with the existence of three other buildings in the same neighborhood that a president has been set for accessory buildings that exceed the 1200 square foot minimum.

Mike Zimmerman, President

A handwritten signature in black ink, appearing to read 'Mike Zimmerman', followed by the date '5/10/21' written below it.

BEAR LAKE TOWNSHIP ZONING BOARD OF APPEALS
ZONING VARIANCE APPLICATION

TAX PARCEL NO. 51-02- 641-750-20

NAME OF APPLICANT Mike Zimmerman

PHONE NUMBER 231 510 4773

NAME OF PROPERTY OWNER Bob Horvat

ADDRESS OF PROPERTY Has not been issued yet

LEGAL DESCRIPTION OF PROPERTY See Attached Survey

LIST ALL DEED RESTRICTIONS(USE BACK IF NEEDED)

WHAT IS THE PRESENT USE OF THE PROPERTY? VACANT

WHAT IS THE PRESENT ZONING CLASSIFICATION OF THE PROPERTY?

Residential R-1

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? Article 5 pg 1

PLEASE LIST EXACT PARAGRAPH AND PAGE NUMBER.

Article 5 Definition 503 Accessory Buildings

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

Primary Residence with A minimum of 1000 sq ft of Living
space.

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 [Signature]

TITLE, OWNER, AGENT, ETC. Contractor

DATE 3/10/21

\$450.00 FEE ATTACHED YES/NO CHECK #

SEND COMPLETED APPLICATION TO:
Manistee County Planning Department
395 Third St. Manistee, MI 49660

2.48 Acres



Spicer Group, Inc.
302 River Street
Manistee, MI. 49660
TEL (231) 794-5620
FAX (231) 510-2944
www.SpicerGroup.com

SCALE: 1" = 80'

LEGEND

- ⊙ - FOUND SURVEY CORNER
- - SET 1/2" Ø IRON ROD WITH CAP No. 47944

PID#

51-02-641-750-20



SECTION 6, T.23 N.-R.15 W.
BEAR LAKE TOWNSHIP
MANISTEE COUNTY, MICHIGAN

SURVEY FOR: Bob Horvat
6500 Railroad St.
Bear Lake, MI 49614

DATE: 02-05-21

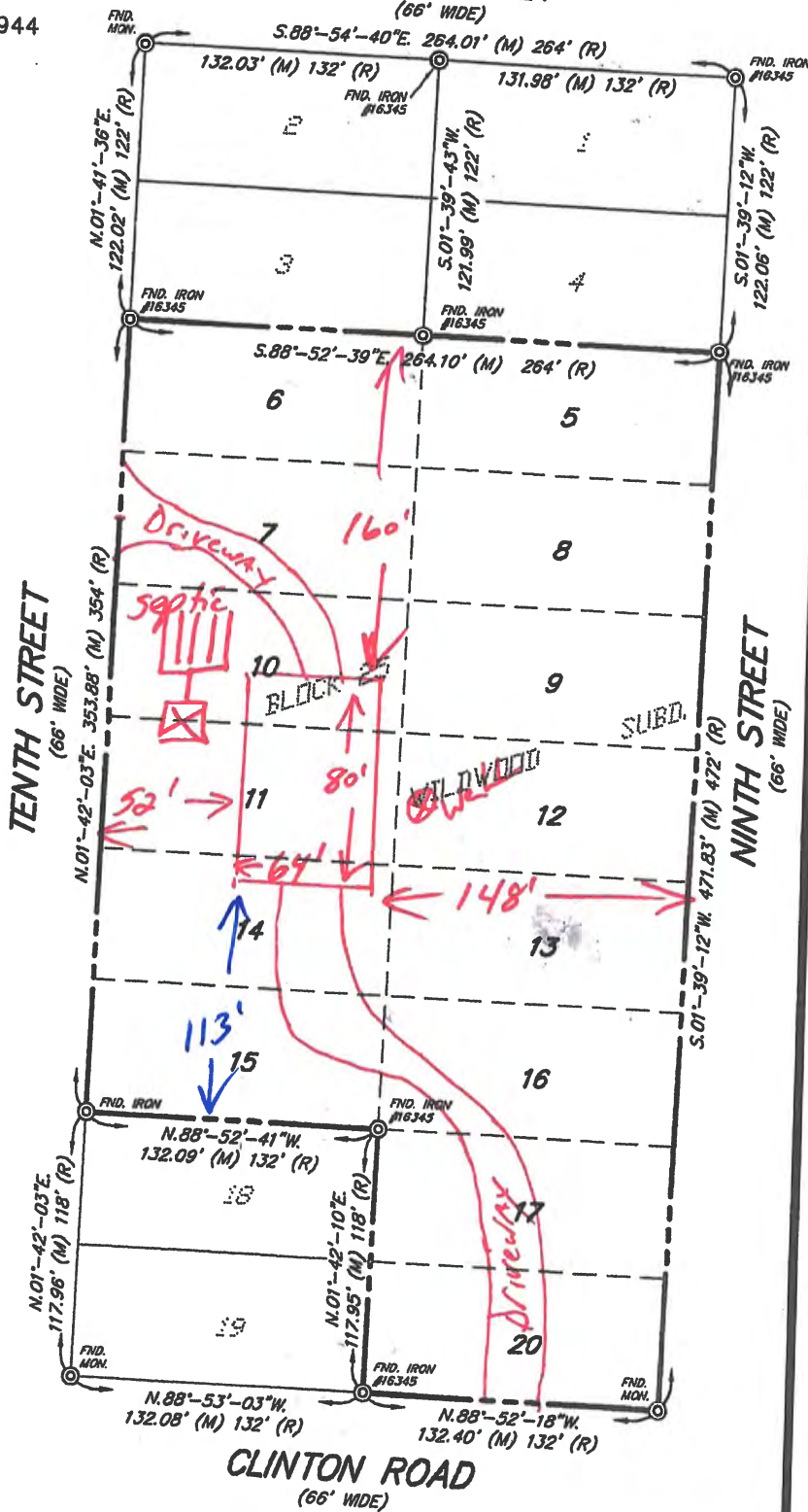
SURVEY OF:

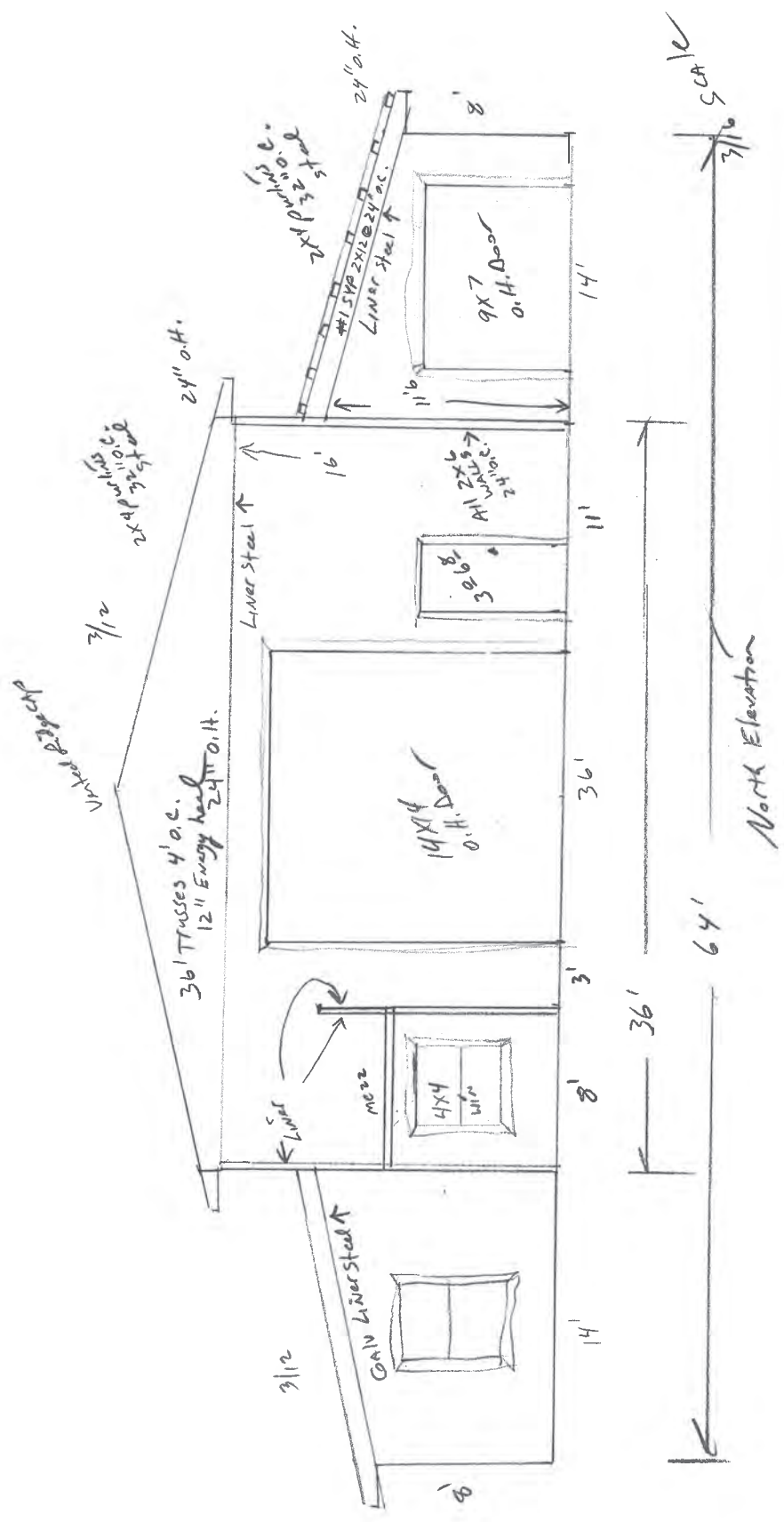
Lots 5 through 17 and Lot 20, Block 28, Wildwood Subdivision, as recorded in Manistee County Records, Section 6, T.23 N.-R.15 W., Bear Lake Township, Manistee County, Michigan.

DWG. NO.: JA-5602

MAIN STREET

(66' WIDE)

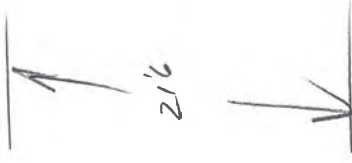






East Elevation

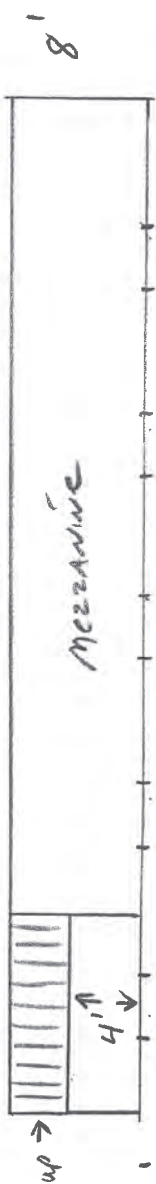
1/8" scale





6 windows
3'6" x 12'

53'



mezzanine

6 windows
3'6" x 2'

upper floor

Area Around 51-02-641-750-20, Circa 2013



51-02-641-750-20

Circa May 2018

51-02-641-750-20

Google Earth

600 ft





1. From NE corner of property, facing East



2. From NE corner of property, facing South



3. From 10th street, facing East at proposed driveway



4. From proposed driveway off 10th street, facing South-East



5. Facing North-East, four stakes for proposed structure showing



6. From proposed driveway on Clinton Road, facing East



7. From proposed driveway on Clinton Road, facing North



8. From proposed driveway on Clinton Road, facing West

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

March 15, 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. The property owner is proposing to place a 64 x 80 or 5,120 sq ft building on his parcel. 1,000 sq ft of the structure is designated as floor area for a primary dwelling. The remaining 4,120 sq ft of the structure is designated as an accessory building. The Bear Lake Township Ordinance has a 1,200 sq ft maximum for accessory buildings. The applicant is seeking a variance to allow for a 4,120 sq ft accessory building on his property. The proposed variance request is for the property addressed as parcel # 51-02-641-750-20.

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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
02-641-762-07	DONETH ANTHONY					2460 EMMONS AVE	ROCHESTER	MI	48307
02-641-761-12	BUCKNER ROBIN					6355 SOUTH SHORE DR	BEAR LAKE	MI	49614
02-641-761-20	SCHWALM KENNETH W					1034 MAPLE ST	MANISTEE	MI	49660-2006
02-641-749-04	ECKELS WAYNE & PAM					17041 FOURTH ST	ARCADIA	MI	49613
02-641-762-15	GLOGOWSKI STEVEN N					3041 DEER TRAIL	OXFORD	MI	48370
02-641-763-05	JOHNSON ROGER L & HALL ELAINE N					12062 TENTH ST	BEAR LAKE	MI	49614
02-641-763-01	EVERETT KENNETH ET AL					21107 MADISON	ST CLAIR SHORES	MI	48080
02-641-761-01	BUCKNER ROBIN	6355 SOUTH SHORE DR	BEAR LAKE	MI		6355 SOUTH SHORE DR	BEAR LAKE	MI	49614
02-641-762-05	MILLER NATHAN A &					12166 TENTH ST	BEAR LAKE	MI	49614
02-641-762-11	MOSURE ELAINE S					6716 CHAPMAN ST	NEWAYGO	MI	49337
02-641-762-13	NORGAN MARK					2364 AUGUSTINE RD	STANDISH	MI	48658
02-641-747-02	AVALOS MIGUEL & SARAH	12119 NINTH ST	BEAR LAKE	MI		12119 NINTH ST	BEAR LAKE	MI	49614
02-641-762-09	DONETH THOMAS J					PO BOX 5489	PLYMOUTH	MI	48170
02-641-747-06	NANCE JAMES & KATHLEEN					119 GOLF CLUB DR	ELIZABETH CITY	NC	27909
02-641-749-01	EVERETT KENNETH ET AL					21107 MADISON	ST CLAIR SHORES	MI	48080
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
02-641-761-09	MILLER NATHAN A & KIMBERLY J	12166 TENTH ST	BEAR LAKE	MI		12166 TENTH ST	BEAR LAKE	MI	49614
02-641-749-02	NEWSOM JOSHUA	12089 TENTH ST				12089 TENTH ST N	BEAR LAKE	MI	49614-9730
02-641-761-03	RICHARDS ETHEL M					7817 ELEVEN MILE RD	BEAR LAKE	MI	49614
02-641-743-10	GILLESPIE JAMES & SUSAN	SOUTH SHORE DR	BEAR LAKE	MI		3954 RIFE RD	CEDARVILLE	OH	45314
02-641-753-01	BEAR LAKE SCHOOL								
02-641-750-20	LAMMA HOSPITALITY LLC					PO BOX 466	MANISTEE	MI	49660
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
02-641-747-00	FARFSING ANDREW J	6491 CLINTON RD				6491 CLINTON ST	BEAR LAKE	MI	49614
02-641-747-05	TRIBELL KEVIN ELMER	EIGHTH ST	BEAR LAKE	MI		PO BOX 263	BEAR LAKE	MI	49614
02-641-750-25	EBSCH CHRISTINE M TRUST					2182 WHISPERING DUNES	HOLLAND	MI	49424
02-641-750-01	BALDWIN JOHN & DARLENE J	6425 SOUTH SHORE DR	BEAR LAKE	MI		6425 SOUTH SHORE DR	BEAR LAKE	MI	49614
02-641-743-15	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 15, 2021

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

Dear ZBA Members,

The request is for the placement of a 64 x 80 or 5,120 sq ft pole barn. 1,000 sq ft of the pole barn is dedicated to floor area for the dwelling. This would leave 4,120 sq ft dedicated to the accessory portion of the structure. The parcel resides within the R1- Residential Zoning District and the maximum square footage for an accessory building is 1,200 sq ft. 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 64 x 80 or 5,120 sq ft pole barn, with 1,000 square feet dedicated to floor area for the dwelling, 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.

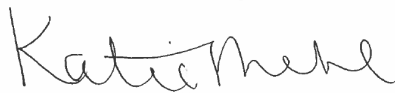
Option C: The zoning board of appeals may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit.

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. 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

