



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

October 17, 2023

ZBA Members
Onkama Township
5435 Main St
Onkama, MI 49675

Dear ZBA Members,

Ms. Alameddine is seeking a variance for the property parcel #51-11-530-059-00, addressed as 3553 Lakeshore Dr. Onkama, MI 49675. The property is located in Resort Residential 2 (RR-2) Zoning District.

Background:

I received a variance request from Ms. Alameddine for a 1,058 square foot addition on the lake front side of her existing dwelling and attached garage. Her new addition is not able to meet the front setback requirement off from Winnogene St. and align with the existing footprint of the nonconforming garage. The parcel is located in the RR-2 Zoning District and the front setback requirement is 25 feet. Ms. Alameddine's property has two front setback requirements: on the lakefront side of her property and off from Winnogene Street. Granting the requested variance would allow for a 10'11" setback, a variance of 14'1" off from the east parcel line. All other construction will meet the Zoning Ordinance Requirements.

Please review the following information:

- Ms. Alameddine's "Requests for Appeals" Application
- A Narrative of the project written by Ms. Alameddine
- Clarification of the requested variance dimensions.
- Survey, Circa September 2023
- Maps of Property with Parcel Lines
- Scope of Project
- Site Plan
- Addition Sketch
- Photos of the property, Circa October 2023
- July 14, 2004 Public Hearing Minutes for a Previously Granted Variance Request
- Neighborhood Petition

- Letters that were Sent to Parcel Owners and Occupants per Planning and Enabling Act 2008
- Motions Memo

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

Regards,



Jodie Lynch
Planning and Zoning Administrator
231-398-3587
jlynch@manisteecountymi.gov

Manistee County
Planning Department



Rules – The following rules shall be applied in the granting of variances

The Board may specify, in writing, such conditions regarding the character, location, and other features that will in its judgment, secure the objectives and purposes of this Ordinance. The breach of any such condition shall automatically invalidate the permit granted.

9604. Voiding of and Reapplication for Variance The following provisions shall apply:

A. Each variance granted under the provisions of this Ordinance may become null and void unless:

1. The construction authorized by such variance or permit has begun within three hundred sixty-five (365) days after the granting of such variance and pursued diligently to completion; or

2. The occupancy of land or buildings authorized by such variance has taken place within three hundred sixty-five (365) days after the granting of such variance.

B. No application for a variance which has been denied wholly or in part by the Board of Appeals shall be resubmitted for a period of three hundred and sixty-five (365) days from such denial, except on grounds of new evidence or proof of changed conditions found by the Board of Appeals to be valid.

9605. Interpretation of Ordinance Text:

A. **Interpretation** - Pursuant to the requirements of Michigan Zoning Enabling Act, P.A. 110 of 2006, (MCL 125.3101 et seq.) nothing contained herein shall be construed as prohibiting the Zoning Board of Appeals from interpreting the text of this ordinance in such a fashion that will allow in a land use district buildings, uses and structures which are sufficiently similar to the specifically delineated permitted or special uses in that land use district, under the same permitted or special use regulations. Such interpretation shall not have the effect of granting a variance but rather shall be deemed only to be an interpretation of the ordinance text.

B. **Standards** - In determining whether a proposed building, use or structure is sufficiently similar to a specifically delineated permitted or special use, the Zoning Board of Appeals shall consider the relevant policies for the Land Use District in question, the nature, use and purpose of the proposed building, use or structure and whether or not the proposed building, use or structure is a permitted or special use in any other Land Use District in the Township.

C. **Precedent** - An earlier determination under this section shall be considered a precedent for other applications proposing an identical building, use or structure in the same Land Use District, provided the earlier determination was made with respect to a building, use or structure sufficiently similar to a specifically delineated permitted use in the Land Use District and not with respect to a specifically delineated special use. An earlier determination with respect to an identical, sufficiently similar special use shall be considered as a precedent only to the extent that such sufficiently similar special use shall be considered as a candidate for a special use permit in that Land Use District, but shall otherwise be subject to all requirements of this Ordinance.

9606. Appeals to the Board of Appeals The following provisions shall apply:

A. **Appeals, How Taken** - Appeal from the ruling of the Zoning Administrator concerning the enforcement, administration, and interpretation of this Ordinance, text and map, may be made to the Board of Appeals. The demand for appeal is filed with the Zoning Administrator specifying the grounds thereof within thirty (30) days of the date of a decision received by the appellant. Date of receipt shall be presumed to be five (5) days after the date shown on the decision. The demand for appeal shall be on a form prepared by the Township for that purpose and shall also include a site plan. The Zoning Administrator shall forthwith transmit to the Board of Appeals all of the papers constituting the record upon which the action appealed from was taken.

B. **Who May Appeal** - Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board, agency, or bureau of the Township, County, or State.

C. **Fee for Appeal** - A fee prescribed by the Township Board shall be paid to the Zoning Administrator at the time of filing the demand for appeal. If the Township Board finds an applicant to be indigent, the fee may be waived by the Township Board.

D. **Effect of Appeal: Restraining Order** - An appeal stops all proceedings and construction on the action appealed. The Board of Appeals may allow continuance of certain activities if it is shown such actions are necessary to prevent imminent peril to life or property.

E. **Hearing By the Board of Appeals: Request, Notice, Hearing** - When a request for appeal has been filed in proper form with the Board of Appeals, the Zoning Administrator shall immediately place the said request for appeal upon the calendar for hearing, and cause notice to interested parties, stating the time, date, place, and object of the hearing to be served personally or by certified return receipt mail if necessary.

Detailed Request and Justification			
	Identify each requested variance	Required by Zoning	Requested by Appellant
<input checked="" type="checkbox"/>	Front Yard Set Back	From 25 feet	To 25 feet 14 feet 3 inches
<input type="checkbox"/>	Side Yard Set Back	From	To
<input type="checkbox"/>	Side Yard Set Back	From	To
<input type="checkbox"/>	Rear Yard Set Back	From	To
<input type="checkbox"/>	Waterfront Set Back	From	To
<input type="checkbox"/>	Height	From	To
<input type="checkbox"/>	Lot Coverage	From	To
<input type="checkbox"/>	Off Street Parking	From	To
<input type="checkbox"/>	Other:	From	To
Please Mark all characteristics of your property which require the granting of a variance			
<input type="checkbox"/>	Too Narrow	Explain:	
<input type="checkbox"/>	Too Small	Explain:	
<input type="checkbox"/>	Too Shallow	Explain:	
<input type="checkbox"/>	Elevation (height)	Explain:	
<input type="checkbox"/>	Slope	Explain:	
<input type="checkbox"/>	Shape	Explain:	
<input type="checkbox"/>	Soil	Explain:	
<input type="checkbox"/>	Other:	Explain:	
Specific Variance			
The Board shall have the power to authorize, upon an appeal, specific variances from such requirements as parcel area and width regulations, building height regulations, yard and depth regulations. The Board of Appeals shall hear and decide such matters as the Board of Appeals is specifically authorized to pass on as provided in this Ordinance and such matters as may be provided by statute.			
The following is for ZBA Members Only. It is shown so the applicant knows what is being looked at when determining if their variance will be granted. The written narrative should address Section A. questions 1-5.			
A variance from the terms of this Ordinance shall not be granted by the Board of Appeals unless and until:			
A. A written application for a variance is submitted with a detailed narrative demonstrating the following conditions:			<input type="checkbox"/> yes <input type="checkbox"/> no
1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.			<input type="checkbox"/> yes <input type="checkbox"/> no
Justification:			
2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.			<input type="checkbox"/> yes <input type="checkbox"/> no
Justification:			
3. That the special conditions and circumstances do not result from the actions of the applicant.			<input type="checkbox"/> yes <input type="checkbox"/> no
Justification:			
4. That granting the variance will not alter the essential character of the area.			<input type="checkbox"/> yes <input type="checkbox"/> no
Justification:			
5. That no nonconforming use of neighboring lands, structures, or buildings, in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.			<input type="checkbox"/> yes <input type="checkbox"/> no
Justification:			

<p>B. <i>The Board of Appeals shall make findings that the requirements of this Ordinance have been met by the applicant for a variance.</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>Justification:</p>	
<p>C. <i>The Board of Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>Justification:</p>	
<p>D. <i>The Board of Appeals shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>Justification:</p>	
<p>E. <i>In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance and including requirements for buffering between uses by landscaping, fencing, vegetation or other similar methods. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under Section 9803 of this Ordinance.</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>Justification:</p>	
<p>F. <i>Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>Justification:</p>	

**Site Plan Requirements
(For Applicant)**

The applicant is responsible to provide a survey and legal description unless waived by Zoning Administrator. The following are the minimums required for variance request, but addition requirements can be requested, depending on type of development. If the development is a Special Use, Planned Unit Development or Phased Project contact the Zoning Administrator for additional requirements.

	The property, identified by parcel lines and location and size.
	Name and address of the property owner(s), developers), and designers), and their interest in said properties.
	The scale, north point.
	Natural features such as woodlots, waterbodies, wetlands, high risk erosion areas, slopes over 25%, beach, sand dunes, drainage and similar features.
	The location of proposed and main and accessory buildings, existing structures, fences on the site, the height of all buildings, square footage of floor space and set-backs.
	The proposed driveway, if any.
	Location dimensions of existing and proposed man-made features such as buildings, structures, utility easements, water, storm sewer and sanitary sewer lines, storm water drainage and retention lines.
	Surface and subsurface storm water drainage and retention systems for paved, roof, and other impermeable surfaces on the site.
	Neighboring driveways, and other vehicular circulation features within and adjacent to the site; also the location, size and number of parking spaces in the off-street parking areas and the identification of service lanes, service parking and snow storage areas.
	Any proposed alterations to the topography and other natural features shall be indicated.
	Any proposed location of connections to existing utilities and proposed extensions thereof.
	A description of the proposed development.
	A vicinity map showing the location of the site in relation to the surrounding street system.

F. Representation at Hearing - Upon the hearing, any party or parties may appear in person or by their agent or an attorney.

G. Decisions of the Board of Appeals and Appeals to the Circuit Court - The Board of Appeals shall decide upon all matters appealed within sixty (60) days of the receipt of a demand for appeal, unless mutually agreed by both parties to extend the time. The Board of Appeals:

1. May reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed;
2. Shall make such order, requirement, decision or determination;
3. Shall have all the powers of the Zoning Administrator for administration and enforcement of this Ordinance;
4. Shall be in the form of a resolution containing a full record of the findings and determination of the Board of Appeals in each particular case.

H. The decision of the board of appeals shall be final. A party aggrieved by the decision may appeal to the circuit court for the county in which the property is located as provided in the Michigan Zoning Enabling Act of 2006, MCL 125.3606.

Authorization

AFFIDAVIT:

The undersigned acknowledges that if a variance is granted or other decisions favorable to the undersigned is rendered upon this appeal, the said decision does not relieve the applicant from compliance with all other provisions of the Township of Onekama Zoning Ordinance; the undersigned further affirms that he/she or they is (are) the (owner/lessee/authorized agent for the owner) involved in the appeal and the answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his, her or their knowledge and belief. By signing this affidavit permission is given for Zoning Board of Appeals Members to make a site inspection if necessary.

Signature:  Date: 9-24-2023

Signature:  Date: 9-24-2023

Fee of \$750.00 enclosed and Site Plan for project attached (request cannot be issued without site plan).

Office Use Only

Fee: <input checked="" type="checkbox"/> \$750.00	Receipt #
Date Received: <u>9/24/2023</u>	Hearing Date: <u>10/26/2023</u> ZBA-

Detailed Narrative of Request

This variance is being requested to allow the current owners, Susan, and Richard Alameddine, to add on a family room and office/garage storage area on the North side of the current residence. The East side of the proposed addition would project North, in line with the existing garage.

The owner's intent is to change residency and live in Onkama. The home was built in the 1960's before the current setbacks and zoning laws existed, and has remained in the family since the 1970's.

The request is for a 14 ft 3-inch setback variance to align the East side of the proposed addition with the current non-conforming garage. This is the minimum setback we require to accomplish the improvements and deal with the peculiar conditions of our parcel.

The parcel is a unique one in that it is not a "true corner lot". The West side has a 10-foot setback and is confined uniquely with a lakefront (45 ft setback) and an East side on Winnogene Street (apparently considered the front with a 25-foot setback). There is only one other parcel identical to ours at the other end of the subdivision, Wick-A-Te-Wah. This other similar parcel is owned by Patrick and Sandra Murphy at 3995 Lakeshore Drive, Manistee, Mi.

In addition to the uniqueness of the parcel, Winnogene Street is a dead-end street, with only 5 other residences on it and very little traffic. Presently, four of those five are seasonal residences.

The placement and design involve careful consideration of where the well and septic currently sit. We have spent a significant amount of time with the architect to ensure the improvements we are making will enhance the character and aesthetics, as well as the functionality of our home.

The proposed design allows the North line of the house to intentionally "step back" in the area in front of the garage, avoiding moving the well, which is a costly expense.

The option of an addition towards the backyard is unfeasible, due to the current septic field and storage shed locations as well as the design dysfunctionality.

Should the septic field ever need moving, an addition to the home in the backyard would make placement of a new field quite difficult or impossible.

Modification of the proposed plan to go further toward the lake, or adding on in front of the existing master bedroom would create an awkward, unattractive, non-functional addition from a living/layout perspective and would impact adjacent neighbors' views of the lake.

Adding a second story as an option for additional space is not an option due to Susan's previous heart surgery.

The proposed addition takes into consideration the site lines of adjoining/adjacent neighbors and does not obstruct current views. The proposed addition is in keeping with the size and attractive nature of homes in the neighborhood, both existing and recently built or renovated.

We are appreciative of your time and consideration for this set back variance, which would allow us to truly enjoy a permanent home in the community for years to come with our growing family.

Jodie Lynch

To: Susan Alameddine
Subject: RE: 10.9' clarification

From: Susan Alameddine <Salameddine@comcast.net>
Sent: Friday, October 6, 2023 12:25 PM
To: Jodie Lynch <jlynch@manistee-county-mi.gov>
Subject: Re: 10.9' clarification

[WARNING: External Message - Use extreme caution opening links or attachments]

Jodie,

Thank you so much for helping me understand my error in interpreting the recent survey! Its not something I do everyday so I appreciate your clarification. Therefore, any reference in our request to 10'9" actually means 10'11". At the end of the day, what this means is that we are asking a 10'11" setback which is a variance of 14'1" from the required 25 foot setback. Thank you for sharing my corrected mistake with those of interest>
Have a fantastic weekend. Susan Alameddine

On Oct 6, 2023, at 12:08 PM, Jodie Lynch <jlynch@manistee-county-mi.gov> wrote:

Hi Susan,

So nice to speak with you. Just a follow-up from our phone conversation; I need a statement from you that any reference to 10'9" is actually referencing 10.9' or 10'11". You are seeking a 10'11" setback which is a variance of 14'1" from the required 25' setback.

Thank you,

Jodie Lynch
Planning and Zoning Administrator
231-398-3587
jlynch@manistee-county-mi.gov
<image001.png>

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

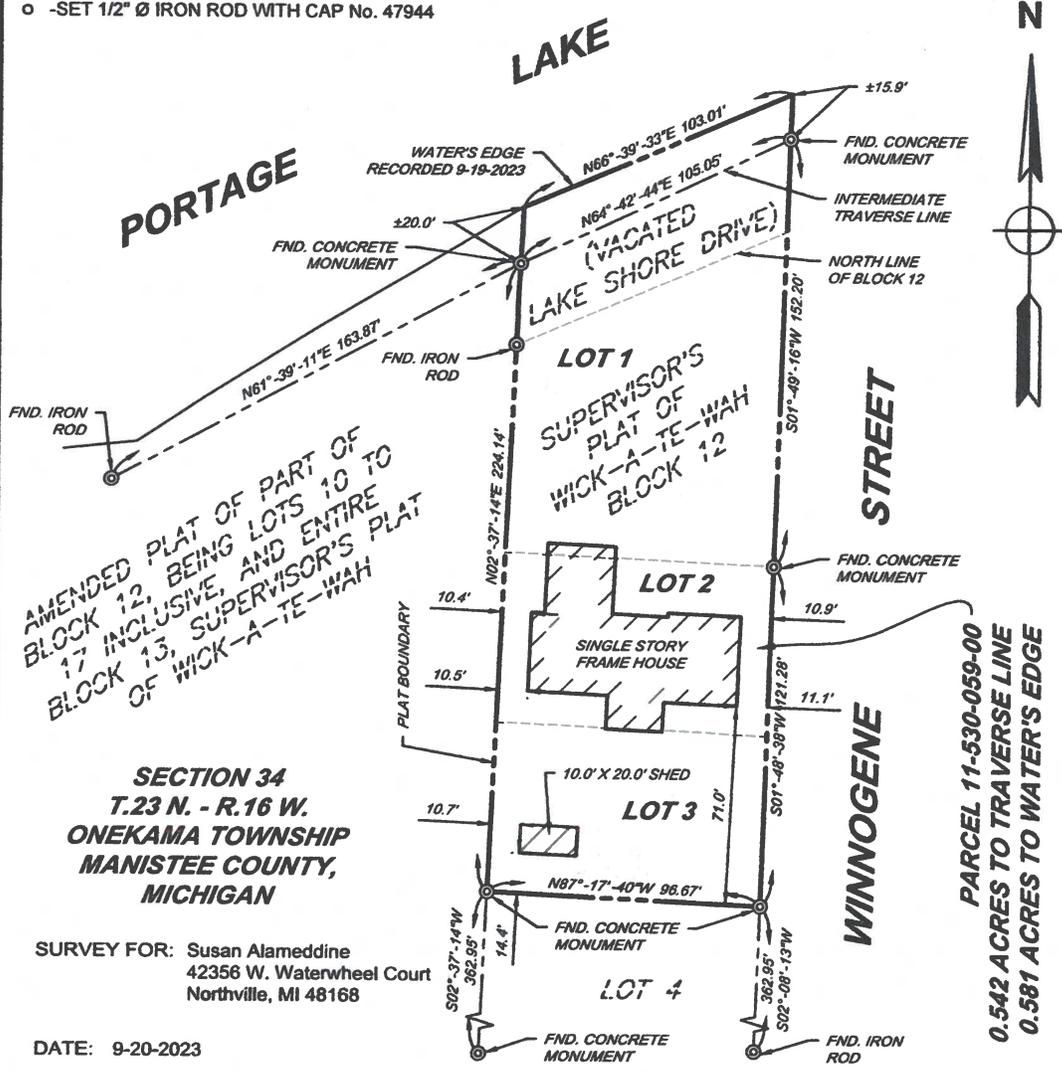


SCALE: 1" = 50'

DWG. NO.: A-29190

LEGEND

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



AMENDED PLAT OF PART OF
 BLOCK 12, BEING LOTS 10 TO
 17 INCLUSIVE, AND ENTIRE
 BLOCK 13, SUPERVISOR'S PLAT
 OF WICK-A-TE-WAH

**SECTION 34
 T.23 N. - R.16 W.
 ONEKAMA TOWNSHIP
 MANISTEE COUNTY,
 MICHIGAN**

SURVEY FOR: Susan Alameddine
 42356 W. Waterwheel Court
 Northville, MI 48168

DATE: 9-20-2023

SURVEY OF:

Lots 1, 2, and 3 of Block 12 of "Supervisor's Plat of Wick-A-Te-Wah", according to the plat recorded in Liber 3 of Plats, Page 235 of Manistee County Records, and that part of vacated Lake Shore Drive lying North of the North line of Block 12 and South of the water's edge of Portage Lake and between the East and West lines of Block 12, in Section 34, T.23 N. - R.16 W., Onekama Township, Manistee County, Michigan.



I hereby certify that I have surveyed the parcel of land hereon shown and described within the limits accepted by the practice of Professional Surveying.

By: Patrick Bentley Date: 9-20-23
 Patrick G. Bentley
 Professional Surveyor No. 4001047944

DRAWN BY: CDS
 CHECKED BY: PGB

PLOT DATE: 9-20-2023
 SHEET 1 OF 1

JOB#: 135091SG2023
 DWG#: A-29190

ONEKAMA





Scope of the proposed addition to 3553 Lakeshore Drive
HOMEOWNER: SUSAN C ALAMEDDINE LIVING TRUST 734-834-4965

I AM AT THE ABOVE ADDRESS ALL SUMMER.

PROPERTY PARCEL NUMBER 51-11-530-059-00

SUPERVISORS PLAT OF WICAKTEWAH

LOTS 1,2,3 BLOCK 12, ALSO ALL PROPERTY LYING BETWEEN S LINE OF LAKESHORE DR. &
PORTAGE LAKE WITHIN THE N-S LOT LINES OF LOT 1 BLOCK 12, SEC 34

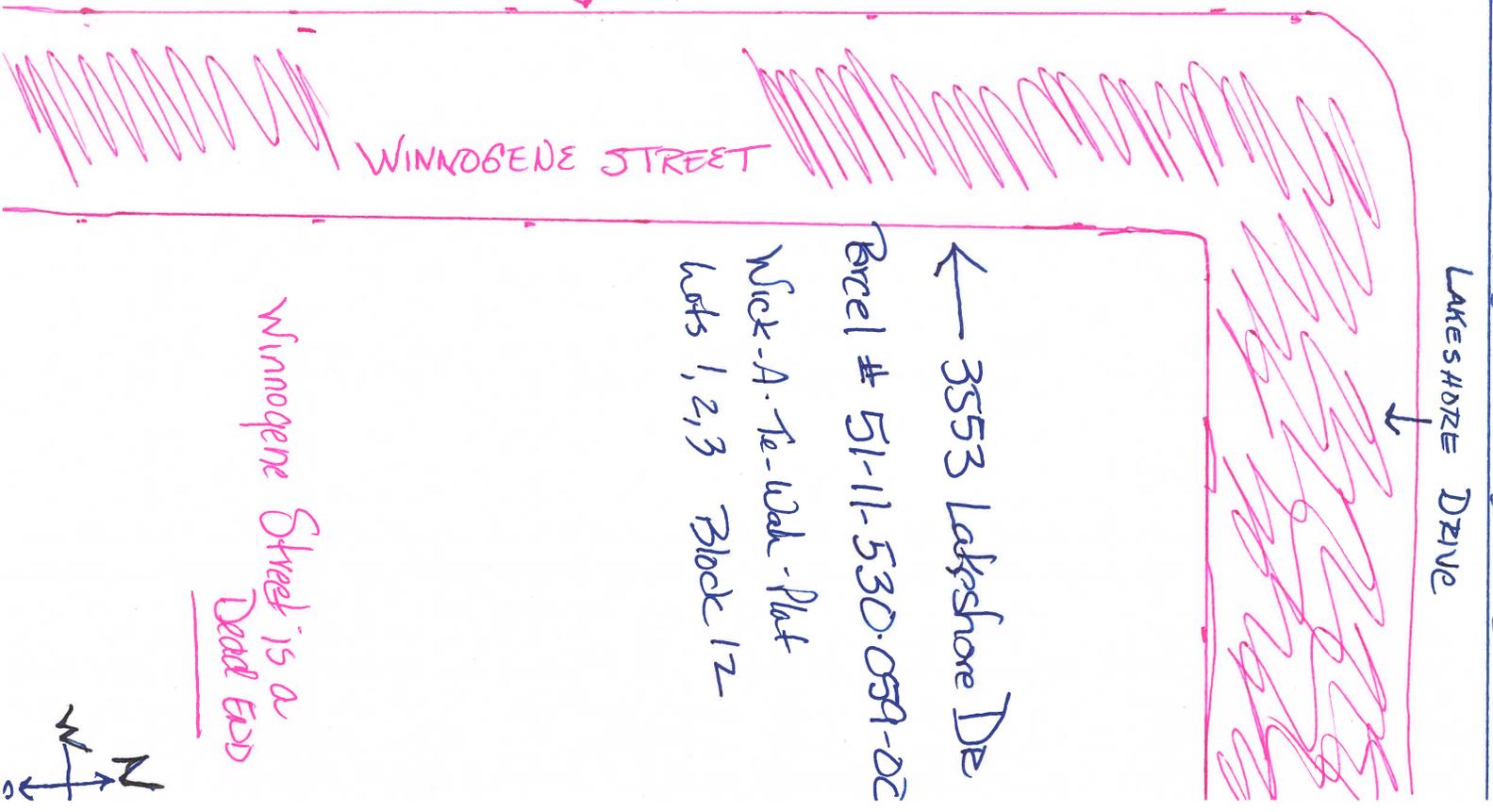
Addition to front of "L shape ranch", essentially squaring off the front from bedroom wall to garage. Small 2x12 "bump out of front window in bedroom to achieve continuity/design with front roof lines. East wall would extend North from existing garage on home.

Entails removing roof to raise roof lines and ceiling heights but remains a ONE STORY HOME.

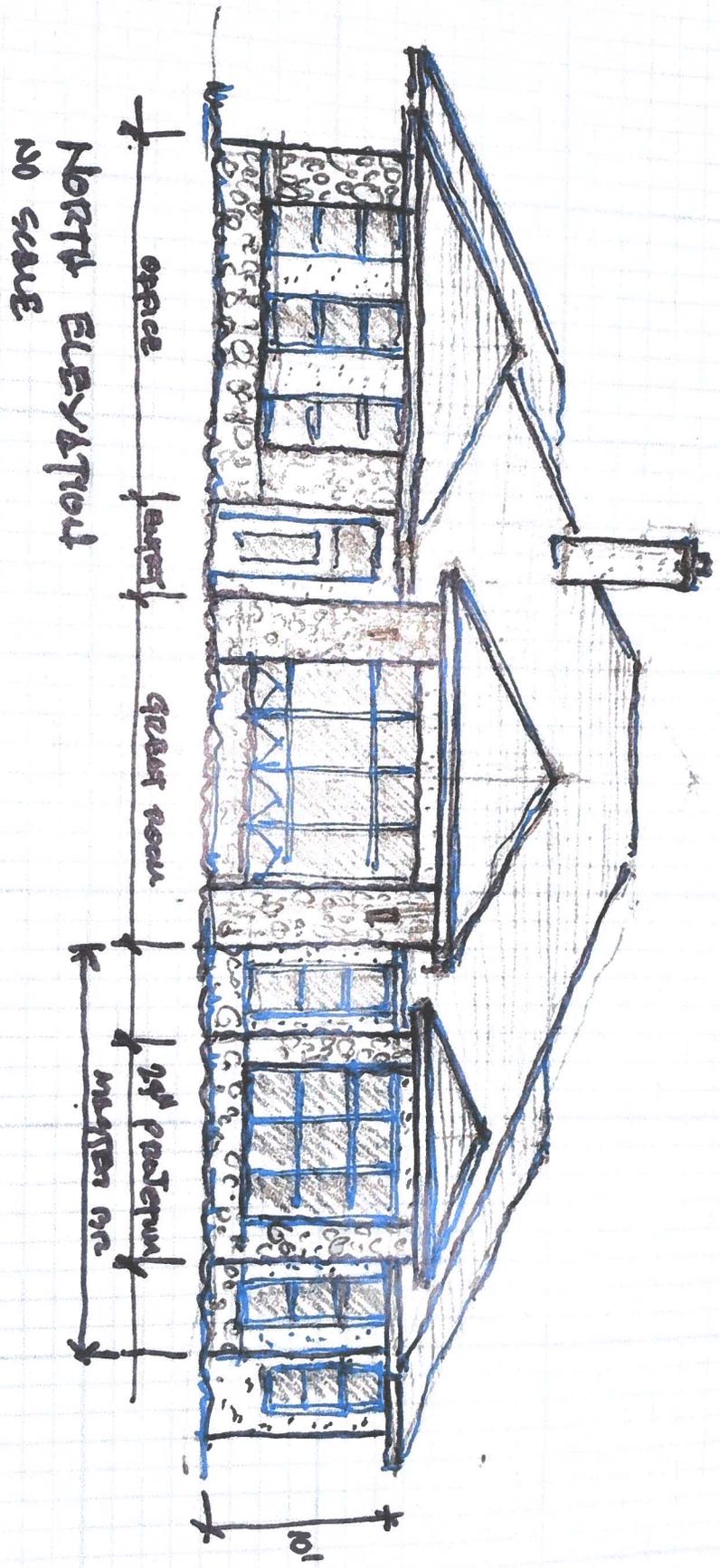
CURRENT FOUNTAIN IN FRONT YARD WILL BE ELIMINATED.

Lot line

Parcel Number: 51-11-530-059-00, Residential Building 1



Proposed finished home



NORTH ELEVATION
NO SCALE

lake



From Winnogene Street facing southwest.

Picture shows the waterfront yard, the garage and location for the proposed planned addition.



From Winnogene Street facing north.

Picture shows the garage setback from Winnogene Street.



From Winnogene Street facing west.

Picture shows the south side yard and existing shed.



From west property line, facing east/Winnogene Street.

Picture shows the south side yard and existing shed.



From west property line, facing east/Winnogene Street.

Picture shows the south side yard and existing shed.



From west property line, facing east/Winnogene Street.

Picture shows the south side yard and existing shed.



From north property line (water), facing southeast.

Picture shows the waterfront yard, the garage and where the planned addition is proposed.

Also shown is the window that is proposed on the site plans to become a “window bump out”.

**TOWNSHIP ZONING BOARD OF APPEALS
PUBLIC HEARING WEDNESDAY, JULY 14, 2004, 6 P.M.**

Case No. 2004-04 Beverly Cowles

Property No. 51-11-530-59-00

PURPOSE OF HEARING: A request for a variance to Section 4104 C.2. of the Onekama Township Zoning Ordinance to locate a storage building fifteen (15) feet into the required twenty-five (25) rear yard setback.

The Zoning Board of Appeals hearing was called to order by Chairman Tom Gerhardt at 6 p.m. Members present: Dennis Beebe, Roland Clement, Zoning Administrator Rochelle Rollenhagen, Recording Secretary Mary Lou Millard.

Also present: Mr. and Mrs. Arlen Vasek, Henrietta Bricker, Betty Zupin, Gary Miserlian, Mr. and Mrs. George Dykman.

PRESENTATION BY THE ZONING ADMINISTRATOR:

STATEMENT OF REQUEST:

Beverly Cowles is requesting a variance to Section 4104C.2. of the Onekama Township Zoning Ordinance to locate a storage building fifteen (15) feet into the required twenty-five (25) rear yard setbacks.

SITE REVIEW: Mrs. Cowles property is located on the south side of Portage Lake in what is known as the plat of Wick-A-Te-Wah. The parcel contains three lots for a total of 23,530 square feet. Please refer to the attached survey of this parcel. Lot 1 is completely grass and contains no structures and is essentially the waterfront yard. Lot 2 contains Mrs. Cowles single-family residence. Lot 3 is the rear yard and has no structures on it, although a fence runs along the rear property line two (2) feet into the rear yard setback. The rear yard contains several trees, the septic drain field, and an underground sprinkling system.

FINDING OF FACTS:

1. The property is located in the Resort Residential Zoning District, which is regulated by Article 41 of the Ordinance.
2. Section 4102 Permitted Uses allows for Accessory Uses such as storage buildings.
3. Section 4104 C states: Minimum setbacks, including all accessory buildings:
 1. Front: 25 feet.
 2. Rear: 25 feet.
 3. Side: 10 feet

CONFORMANCE TO STANDARDS: The following statements are based on the standards imposed on the ZBA when reviewing an appeal for a variance in accordance with Section 9603 of the Ordinance.

1. That special conditions and circumstances exist which are peculiar to the land, structure, or

building involved and which are not applicable to other lands, structures, or buildings in the same district. Considering the fact that it is a corner lot (lakefront and a street), it distinguishes it from most other properties.

2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance. Most adjacent properties have setbacks that are comparable such as 10 feet to ten feet. In this case, the applicant has a rear yard that abuts the neighbor's side yard.
3. That the special conditions and circumstances do not result from the actions of the applicant.
4. That granting the variance will not alter the essential character of the area.

RECOMMENDATION:

That the Zoning Board of Appeals grant the variance based on the above Findings of Fact.

PRESENTATION BY THE APPLICANT:

We placed stakes where I would like to have the building. We put markers to show if it were placed on the 25 foot setback, it would be on the sprinkling system, and further, it would be on the septic system. I need extra space for lawn furniture, lawn mower, etc. I hate to leave this to the elements; it makes for a more appealing neighborhood if equipment is not out. I would like to tuck it in an area so it is not obtrusive. It wouldn't be a pole building. It's a pre-assembled building put out by the Mennonites on Cherry Road. I would like a cement floor. It's not as though I'm naive on construction; I've owned 20 homes. If this isn't O.K. I'd like to have someone suggest an idea.

COMMENTS:

John Vasek: When I bought I was supposed to have a lake view. With this building I'd have an 8-10 foot snowdrift in winter. If the building is put in behind we won't have any view. How high is the building?

Rollenhagen: It is 11 feet high.

Vasek: That's 5 feet above the fence that's already there. We could have a problem if the building is, with the street plugged up in the winter. I've had the property surveyed and the fence is only 11 feet off the property line. Her drainfield runs like mine. We had to have a new septic put in because both houses were on the same septic. If this goes 5 feet above the fence, that's 11 feet in the air.

Dykman: I oppose the height and length. It's not conducive to the area; it blocks the view of the lake for Vaseks and Sorensons.

Miserlian: She's a good neighbor and would like something neat. Everyone else has smaller buildings. I'm concerned about the view they'll have blocked. As far as Bev (Cowles) being neat, she's great that way.

Cowles: I don't know if restrictions have changed, but at the time, I was in compliance and agreement at the time I received the permit. Permanent structures are being put on the lakefront by people who don't own property. I can't put it in the front yard, or over the sprinkling or septic systems.

RECEIPT OF WRITTEN COMMENTS:

Letters received from Harold and Dagmar Sorenson and Susan Alameddine were read and attached to the original document.

Mrs. Vasek: Did you inspect the site?

Clement: I'm sure we all did. I would feel uncomfortable making a decision without looking at it. It was evident where the setback is.

Mrs. Vasek: If this is built, looking over a fence already there, than an 11 foot high building— it could be dismal.

ADJOURN:

Hearing adjourned at 6:35 p.m.

Business meeting opened at 6:35 p.m.

Clement: The fact that the sprinkling system would be disrupted is not a valid reason. If the septic is disrupted, this is up to the state and is not a part of this board's responsibilities. I was never concerned this was a pole barn. One concern or complication is that you have a corner lot. The difficulty is what is the front, rear and side yards. I have a problem with comments in regard to blocking the lake view. There's a legal fence there that is 6 feet high. If the building is put in the corner as suggested the residence is beyond that which provides a visual block. The building requested is within the restrictions of the ordinance, which allows 1,200 square feet plus a 12 foot height. This a problem owning property— the neighbor has rights as you do. As far as snow, it is the county's job to keep roads clear. I feel the proposed location and the best way to "hide" it on her property is what is proposed. The fact that we have an unusual piece of property is somewhat vague in the ordinance. I think some consideration needs to be given to that.

Gerhardt: What do you mean, this would cause more snow?

Vasek: We have 9 foot banks along the fence, we have to shovel to get to the gas tank. It would pus more snow her way.

Beebe: The most opposition is the size of the building and blocking the view. We are not here to settle this, we are here to settle if she can tuck the building 15 feet to the north. The property is unique in that it's a corner to the lake and the road. The property really functions as a side yard. As to adverse effects on adjacent properties, altering character, fire hazards. I don't think the location would cause an adverse effect. The building is within the confines of the ordinance. The issue is not can she build it, but where can she build it?

Clement: Her fence is legally installed according to the ordinance.

Gerhardt: I don't think it helps to move the building to the north.

Clement: Moving it to the north creates useless space. I can't believe placement of the building will have an effect on the view. The issue is can it be built as proposed or something intermediate.

Miserlian: If what you rule on is location of the building, do people care whether it is closer to the property line? If acceptable, I don't care if it is closer to the property line.

Clement: She could build a 40 x30 foot building- this is the maximum size within the setbacks.

Miserlian: If the building is acceptable then it doesn't matter.

Dykman: My concern is the height:

Clement: The ordinance establishes maximums; anything less is acceptable. It's not our duty to determine aesthetics. Under normal circumstances, dollars don't come into effect, nor do visuals. There are maximum building heights.

Motion by Clement, second by Beebe that the variance be allowed to be placed in the location presented by Mrs. Cowles.

The reason; Being somewhat a corner lot setback on two adjacent sides only 10 feet, we should

consider 10 feet is adequate from those two property lines, lacking any specific requirements by the ordinance.

Other reasons:

FINDINGS OF FACT/ANALYSIS:

Mrs. Cowles is requesting this variance because she would like to "tuck" her storage building into the southwest rear corner of her property for several reasons. She states that if she maintains the setbacks it will:

1. Interfere with the view of the rear yard from the sun porch;
2. Large trees will have to be removed to meet the setbacks; and
3. The building would lie over the underground sprinkling system.
4. Moving the storage building near Winogene Street is not an option as the septic system is located there.

The adjacent lot on Winogene Street would only be required to have a ten-foot setback for a similar structure as that would be considered a side yard. Also, if the storage building were built within the setbacks, the adjacent property owner on Portage Lake would be looking right at it. By granting the variance it would result in setbacks that are in harmony with the adjacent property as well as the overall requirements for the district. Also, constructing the storage unit within the required setbacks would appear to be a large waste of the rear yard area.

Motion carried.

OTHER HOUSEKEEPING BUSINESS:

Motion by Clement, second by Beebe to approve the June 22, 2004 minutes as corrected as follows:

Include a letter dated October 10, 2003 (Exhibit C) from Murray Stall to Mr. and Mrs. Brodie Burton, in addition to a letter from Murray Stall to the Burtons dated June 18, 2004 (Exhibit A) and already included in the June 22, 2004 minutes. The attorney's letter requesting this inclusion to the June 22, 2004 minutes is also attached to Exhibit C. (Note: The attorney's request was for the letter dated "June 22, 2004". The date on the actual document from Stall is dated June 18, 2004.) These letters are attached to the original document of the June 22, 2004 hearing.

Other correction: Correct page 4 : add into the setback".

Motion carried.

Clement: What is status on Dixon property?

Rollenhagen: I will check it out.

ADJOURN: Hearing adjourned at 7:39 p.m.

Dennis Beebe, Secretary

Submitted by Mary Lou Millard
Recording Secretary

To the Zoning Board of Appeals:

We have personally spoken with the following neighbors in Wick A Te Wah and in proximity to our home.

We have shared with them our site plan, proposed sketch of the finished home, and explained the variance we are requesting. Attached are signatures and addresses of those in support of our endeavors.

Some signatures were obtained via email as these residents are seasonal residents.

Support of Request for Variance at 3553 Lakeshore Drive Manistee, MI 49660

I have reviewed the plans by the Alameddine's to build an addition on their current residence, for which a setback variance is required. The improvements to their existing home will enhance the aesthetics of the neighborhood and will not alter the character of the area.

I support the granting of the variance request so that they can proceed with the addition they are planning.

NEIGHBOR NAME (PRINTED) MICHAEL & NIAN KAMALOSKI

ADDRESS 3903 LAKESHORE DRIVE, MANISTEE, MI 49660

SIGNATURE & DATE  8/30/23

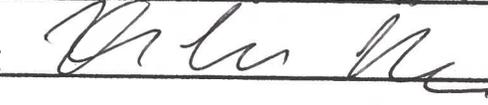
NEIGHBOR NAME (PRINTED) Chris Forth

ADDRESS 7434 Danforth

SIGNATURE & DATE  8/31/23

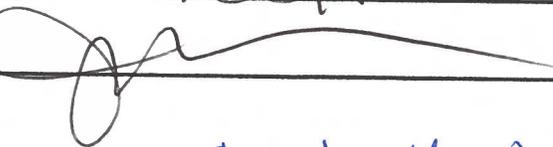
NEIGHBOR NAME (PRINTED) Drake Benke

ADDRESS 3827 Lakeshore Drive, Manistee, MI 49660

SIGNATURE & DATE  8/31/23

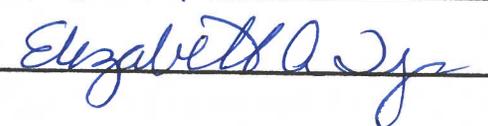
NEIGHBOR NAME (PRINTED) Jill Palazzo

ADDRESS 3627 Lakeshore Dr

SIGNATURE & DATE  8/31/23

NEIGHBOR NAME (PRINTED) Elizabeth A Tyson (Betsy)

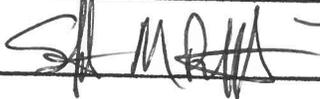
ADDRESS 7441 Danforth

SIGNATURE & DATE  Sept 1, 2023

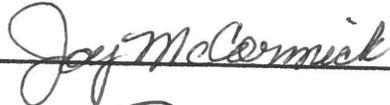
Support of Request for Variance at 3553 Lakeshore Drive Manistee, MI 49660

I have reviewed the plans by the Alameddine's to build an addition on their current residence, for which a setback variance is required. The improvements to their existing home will enhance the aesthetics of the neighborhood and will not alter the character of the area.

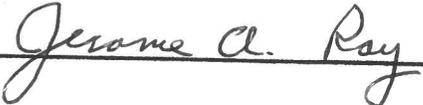
I support the granting of the variance request so that they can proceed with the addition they are planning.

NEIGHBOR NAME (PRINTED) Stephen Rathford
ADDRESS 7407 Winnogene St. Manistee, MI
SIGNATURE & DATE  8/26/2023

NEIGHBOR NAME (PRINTED) Miguel TORRES
ADDRESS 7422 Winnogene St. Manistee, MI
SIGNATURE & DATE  8/26/2023

NEIGHBOR NAME (PRINTED) Joy McCormick
ADDRESS 3599 Lakeshore Drive
SIGNATURE & DATE  8-26-23

NEIGHBOR NAME (PRINTED) ROBERT LAWRENCE
ADDRESS 7481 TORRANT ST
SIGNATURE & DATE  8-26-2023

NEIGHBOR NAME (PRINTED) Jerome A. Ray
ADDRESS 7465 Torranti St, Manistee
SIGNATURE & DATE  8-26-2023

Support of Request for Variance at 3553 Lakeshore Drive Manistee, MI 49660

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I support the granting of the variance request so that they can proceed with the addition they are planning.

NEIGHBOR NAME (PRINTED) Gary A Walters & Janice M. Walters

ADDRESS 3669 Lake Shore Dr.

SIGNATURE & DATE Gary A Walters (8/26/23)

NEIGHBOR NAME (PRINTED) SANDRA + RICHARD MIRABITUR

ADDRESS 7517 LEONARD AVE

SIGNATURE & DATE Sandra Mirabitu 8/26/23

Richard J Mirabitu 8/26/23

NEIGHBOR NAME (PRINTED) TIM ANDERSON

ADDRESS 3839 KENDALL ST MANISTEE, MI. 49660

SIGNATURE & DATE Tim Anderson 8-26-23

NEIGHBOR NAME (PRINTED) John Hallingsworth

ADDRESS 7575 Benete St, Manistee, 49660

SIGNATURE & DATE John P Hall 8/26/23

NEIGHBOR NAME (PRINTED) Steve Tomlinson

ADDRESS 3490 Crescent Beach Road, Manistee, MI

SIGNATURE & DATE Steve Tomlinson

Support of Request for Variance at 3553 Lakeshore Drive Manistee, MI 49660

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I support the granting of the variance request so that they can proceed with the addition they are planning.

NEIGHBOR NAME (PRINTED) DAVID HICKS

ADDRESS 7617 Beneke St.

SIGNATURE & DATE *David Hicks* 8-24-23

NEIGHBOR NAME (PRINTED) DAVID W SWANSON

ADDRESS 3813 Lakeshore Dr. Manistee MI

SIGNATURE & DATE *David Swanson* 8-26-23

NEIGHBOR NAME (PRINTED) Mary Jane Lenon

ADDRESS 3801 Lakeshore Dr Manistee Mich.

SIGNATURE & DATE *Mary Jane Lenon* 8-26-23

NEIGHBOR NAME (PRINTED) Will & Nancy Bromley (next door neighbor)

ADDRESS 3512 Crescent Beach Road, Manistee, MI 49660

SIGNATURE & DATE *Nancy & William H. Bromley* 8/29/2023

NEIGHBOR NAME (PRINTED) DAVID P. SODINI

ADDRESS 7631 BENEKE RD, MANISTEE, MI 49660

SIGNATURE & DATE *David P. Sodini* 9/3/23

Support of Request for Variance at 3553 Lakeshore Drive Manistee, MI 49660

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NEIGHBOR NAME (PRINTED) SANDRA RUTHVEN MURPHY

ADDRESS 3995 LAKESHORE DR, MANISTEE 49660

SIGNATURE & DATE Sandra R Murphy 8/28/23

NEIGHBOR NAME (PRINTED) RICK LLOYD

ADDRESS 3780 KENDALL STREET

SIGNATURE & DATE Rick Lloyd 8/28/23

NEIGHBOR NAME (PRINTED) Bobbe Lloyd

ADDRESS 3780 Kendall St

SIGNATURE & DATE Bobbe Lloyd 8-28-23

NEIGHBOR NAME (PRINTED) LAYNE & JANA GODZINA

ADDRESS 3801 KENDALL ST.

SIGNATURE & DATE Layne & Jana Godzina 8/28/2023

NEIGHBOR NAME (PRINTED) DANIEL & NANCY BEHRING

ADDRESS 3695 LAKESHORE DRIVE

SIGNATURE & DATE Daniel N. Behring 8/31/2023

Support of Request for Variance at 3553 Lakeshore Drive Manistee, MI 49660

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NEIGHBOR NAME (PRINTED) STEPHEN R RETTELL

ADDRESS 7433 WINNOGENE ST

SIGNATURE & DATE *Stephen R Rettell* 9-4-2023

NEIGHBOR NAME (PRINTED) William Dale

ADDRESS 7445 DANFORTH MANISTEE 49660

SIGNATURE & DATE *William Dale* 9-4-23

NEIGHBOR NAME (PRINTED) Katherine Reedy

ADDRESS 3757 Lakeshore Dr. Manistee MI 49660

SIGNATURE & DATE *Katherine Reedy* 9-6-2023

NEIGHBOR NAME (PRINTED) Michelle & Mike Hudak

ADDRESS 7472 Tarrant Manistee, Michigan 49660

SIGNATURE & DATE *Michelle Hudak* 9/6/23

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

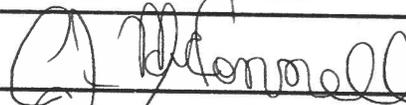
Support of Request for Variance at 3553 Lakeshore Drive, Manistee MI 49660

I have reviewed the plans by Susan and Ric Alameddine to build an addition on their current residence, for which a setback variance is required. The improvements to their existing home will enhance the aesthetics of the neighborhood and will not alter the character of the area.

I support the granting of the variance request so that they can proceed with the addition they are planning.

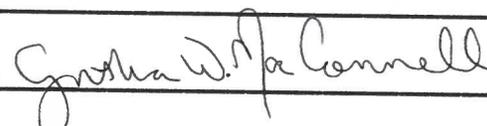
NEIGHBOR NAME (PRINTED) Christopher J MacConnell

ADDRESS 3452 Crescent Beach Road Manistee MI 49660

SIGNATURE & DATE  9/4/23

NEIGHBOR NAME (PRINTED) Cynthia W MacConnell

ADDRESS 3452 Crescent Beach Road Manistee MI 49660

SIGNATURE & DATE  9/4/23

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

Support of Request for Variance at 3553 Lakeshore Drive, Manistee MI 49660

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I support the granting of the variance request so that they can proceed with the addition they are planning.

NEIGHBOR NAME (PRINTED) Danny I Radtke, Trustee

ADDRESS 3635 Lakeshore Dr Manistee 49660

SIGNATURE & DATE Danny I Radtke, Trustee

NEIGHBOR NAME (PRINTED) Nancy Cichy

ADDRESS 7449 Leonard Ave. Manistee 49660

SIGNATURE & DATE Nancy Cichy 9/22/23

NEIGHBOR NAME (PRINTED) Thomas F. O'Connor

ADDRESS 3719 Lakeshore Dr, Manistee 49660

SIGNATURE & DATE Thor F O'Connor 9/23/23

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

Support of Request for Variance at 3553 Lakeshore Drive, Manistee MI 49660

I have reviewed the plans by Susan and Ric Alameddine to build an addition on their current residence, for which a setback variance is required. The improvements to their existing home will enhance the aesthetics of the neighborhood and will not alter the character of the area. I support the granting of the variance request so that they can proceed with the addition they are planning.

NEIGHBOR NAME (PRINTED) Elaine Koopman Schmidt

ADDRESS 3579 Lakeshore

SIGNATURE & DATE Elaine M Koopman Schmidt

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____

SIGNATURE & DATE _____

NEIGHBOR NAME (PRINTED) _____

ADDRESS _____



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

October 6, 2023

Dear Occupant,

You are receiving this letter because you own or reside at a property which is within 300 feet of a property being considered for a variance. The Onekama Township Zoning Board of Appeals will hold a Special Meeting / Public Hearing at 2:00 PM, on Thursday, October 26, 2023, at the Onekama Township Hall, 5435 Main St. Onekama, MI 49675, phone: (231) 889-3308. A special meeting will be held to consider a variance request.

For the property addressed as parcel ID # 51-11-530-059-00, commonly known as 3553 Lakeshore Dr, the property owner is seeking a setback variance from the Onekama Township Zoning Ordinance. The parcel resides within the RR-2 Resort Residential zoning district. The variance requested is from Article 41 – Resort Residential – RR 2 Section 4104. Regulations: D.1 which requires a front setback minimum of 25 feet from the road right-of-way or front property line, whichever is the greater distance. The property owner is seeking approval for a 10’11” setback, or a variance of 14’1”.

The variance request and application can be found on the Onekama Township Website www.onekamatwp.org or by visiting the Onekama Township Hall during their regular business hours.

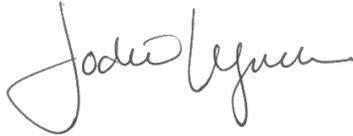
Correspondence can be sent by mail, or hand delivered to the Onekama Township Hall, 5435 Main St., Onekama, MI. 49675. Please, mark it ATTN: Zoning Board of Appeals. All correspondence must be received by end of business day, prior to the day of the meeting.

This notice is posted in compliance with PA267 of 1976 as amended (Open Meetings Act), MCLA 41.72 (2) (3) and the Americans with Disabilities Act (ADA) Note: Individuals with disabilities requiring auxiliary aids or services should contact the Onekama Township Board by writing or calling the following: Shelli Johnson, Clerk – 5435 Main St. P.O. Box 458 Onekama, MI 49675. Phone (231) 889-3308 Ext: 201.

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

Parcel Number	Owner Name	Property Address	Property City	Property State	Additional Owner	Owner Street Address	Owner City	Owner State	Owner Zip
11-540-001-00	BROMLEY WILLIAM H & NANCY J	3512 CRESCENT BEACH RD	ONEKAMA	MI		5020 ARBOR LN APT 102	NORTHFIELD	IL	60093-3364
11-034-002-00	TOMLINSON RICHARD G TRUST	3498 CRESCENT BEACH RD	MANISTEE	MI		801 LEXINGTON AVE	NEW YORK	NY	10022
11-530-058-25	RETELL STEPHEN R	7433 WINNOGENE ST	MANISTEE	MI		7433 WINNOGENE	MANISTEE	MI	49660
11-530-060-00	VACEK JOHN JR & ARLENE					11591 WILSON	BELLEVILLE	MI	48111
11-530-060-01	TORRES MIGUEL	7422 WINNOGENE ST	MANISTEE	MI	KELLY GRAY	7422 WINNOGENE ST	MANISTEE	MI	49660
11-530-059-10	VACEK JOHN JR & ARLENE	7438 WINNOGENE ST	MANISTEE	MI		11591 WILSON	BELLEVILLE	MI	48111
11-530-053-00	TYSON ELIZABETH A	7441 DANFORTH ST	MANISTEE	MI		315 BALTIMORE DR NE	GRAND RAPIDS	MI	49503-2224
11-530-058-20	RATHFORD STEPHEN M & SUSAN L	7407 WINNOGENE ST	MANISTEE	MI		3408 CHERRY VALLEY RD	WOODSTOCK	IL	60098
11-530-059-00	ALAMEDDINE SUSAN TRUST	3553 LAKESHORE DR	MANISTEE	MI		42356 W WATERWHEEL CT	NORTHVILLE	MI	48168
11-530-055-00	GANNON EULA TRUST	3627 LAKESHORE DR	MANISTEE	MI		4385 MOTORWAY DR	WATERFORD	MI	48328-3451
11-530-056-00	MCCORMICK JOY (LE)ETAL	3599 LAKESHORE DR	MANISTEE	MI		107 CHAPARRAL DR	HENDERSONVILLE	TN	37077
11-530-054-00	UNDERWOOD MARGARET TRUST	7445 DANFORTH ST	MANISTEE	MI		808 SOUTH CLINTON ST	STOCKBRIDGE	MI	49285
11-530-058-05	FORTH CHRISTOPHER	7434 DANFORTH ST	MANISTEE	MI		8400 VALLEYWOOD LANE	PORTAGE	MI	49024
11-530-057-00	MCCORMICK JOY (LE)ETAL					107 CHAPARRAL DR	HENDERSONVILLE	TN	37077
11-530-058-30	KOOPMAN ELAINE M	3579 LAKESHORE DR	MANISTEE	MI		3281 SILVER BIRCH ST	MUSKEGON	MI	49444-5101

Regards,



Jodie Lynch
 Manistee County Planner
 Onekama Township Zoning Administrator



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

October 10, 2023

ZBA Members
Onkama Township
5435 Main St
Onkama, MI 49675

Dear ZBA Members,

Ms. Alameddine is seeking a variance for the property parcel #51-11-530-059-00, addressed as 3553 Lakeshore Dr. Onkama, MI 49675. The property is located in Resort Residential 2 (RR-2) Zoning District. The request is for a variance from the required setback. Granting the variance request would allow for a 10'11" setback from the east parcel line.

This memo is to act as a starting point for actions for these variance requests. 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. Granting of the variance would allow for a 10'11" setback from the east parcel line, a variance of 14'1" from the required setback.

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.

The Planning Department requests 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 Onkama Township Zoning Ordinance is desirable by staff.

Regards,

A handwritten signature in black ink, appearing to read "Jodie Lynch". The signature is written in a cursive, flowing style.