

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

Thursday, November 16, 2023 @ 6:00 p.m.  
Garfield Township Hall  
3848 Veterans Drive  
Traverse City, MI 49684

### **A G E N D A**

#### **ORDER OF BUSINESS**

Call meeting to order  
Pledge of Allegiance  
Roll call of Board Members

1. Review and approval of the Agenda and declaration of a Conflict of Interest
2. Minutes – September 21, 2023
3. Public Hearings (*none scheduled*)
4. Unfinished Business
  - a. A request made by Cornwell Architects on behalf of Jeff and Joy Main for a variance from the lakefront setback requirements in Article 5, Section 535. The specific request is for a variance to allow a second story addition to an existing dwelling located within the lakefront setback area. The property is zoned R-1 Single Family Residential and is currently used as single-family residential. The property is located at 820 N. West Silver Lake Road with the property number of 05-031-060-00
5. Other Business
6. Items for next agenda
7. Public Comment
8. Adjournment

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with Disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620.

**CHARTER TOWNSHIP OF GARFIELD  
ZONING BOARD OF APPEALS  
MEETING MINUTES  
September 21, 2023**

**Call to Order:** Chair Smith called the meeting to order at 6:00pm.

**Pledge of Allegiance:** Recited by everyone in attendance.

**Roll Call of Board Members:**

Members Present: Fudge, Rozycki, Fricke, Duell, and Smith

Also in Attendance: Zoning Administrator Mike Green

**1. Review and Approval of the Agenda – Conflicts of Interest (6:00)**

*Fudge moved and Rozycki seconded to approve the agenda as presented.*

*Yeas: Fudge, Rozycki, Fricke, Duell, and Smith*

*Nays: None*

**2. Review and Approval of Meeting Minutes – August 17, 2023 (6:01)**

*Fricke moved and Fudge seconded to approve the minutes of August 17, 2023.*

*Yeas: Fricke, Fudge, Duell, Rozycki, Smith*

*Nays: None*

**3. Public Hearings**

- a. **A staff request for an interpretation of the language in Article 6, Section 611.A(2) to clarify the types of buildings or structures that can be used to attach an accessory building to a principal building under the terms of Section 611.**

The report by Township Planner John Sych appears to point to the fact that an uncovered (ground level) porch would not meet the intent of Section 611.A(2) since it does not meet the Zoning Ordinance definition as a “structure”. Board members discussed what a “patio” is and the various interpretations.

*Fricke moved and Fudge seconded to interpret Section 611.A.1(c), to NOT include an uncovered porch in the list of items described in Section 611.A(2) as the request DOES NOT meet the intended uses found in Section 611.A(2) of the Zoning Ordinance.*

*Yeas: Fricke, Fudge, Smith*

*Nays: Duell*

*Abstentions: Rozycki*

- b. **A request made by Cornwell Architects on behalf of Jeff and Joy Main for a variance from the lakefront setback requirements in Article 5, Section 535. The specific request is for a variance to allow a second story addition to an existing dwelling located within the lakefront setback area. The property is zoned R-1 Single Family Residential and is currently used as single-family residential. The property is located at 820 N. West Silver Lake Road with the property number of 05-031-060-00.**

The property is zoned R-1 One Family Residential, and is located at 820 N. West Silver Lake Road, with a property number of 05-030-008-25. Adjacent properties along N. West Silver Lake Road are also zoned R-1 One Family Residential. According to Township records and information supplied in the application, the property contains a dwelling with an attached garage and attached deck. Zoning Administrator Mike Green stated that the applicant asked to table the request until November. Duell made comments about the application as it pertained to the stairs and front road setback. Smith opened the public hearing at 6:17pm and seeing no one in attendance, the public hearing was closed. Staff will contact the applicant regarding the suggestions made by the ZBA this evening.

*Duell moved and Fudge seconded to table the request made by Cornwell Architects on behalf of Jeff and Joy Main for a variance from the lakefront setback requirements in Article 5, Section 535 until the November meeting.*

*Yeas: Duell, Fudge, Fricke, Rozycki, Smith  
Nays: None*

#### 4. Unfinished Business

- a. **A request made by Brad and Trina Jewett for a variance from Sections 611.A(2)(c) of the Garfield Township Zoning Ordinance to allow for a detached accessory building that exceeds the ground floor area of the existing principal dwelling. The property is zoned R-1 Single Family Residential and is currently used as single-family residential. The property is located at 1745 N West Silver Lake Road with a property number of 05-030-008-25.**

This request by Brad and Trina Jewett for a variance from Sections 611.A(2)(c) of the Garfield Township Zoning Ordinance to allow for a detached accessory building that exceeds the ground floor area of the existing principal dwelling has been brought forward from last month. The applicant asked for an interpretation of language in Article 6, Section 611.A(2) to clarify the types of buildings or structures that can be used to attach an accessory building to a principal building under the terms of Section 611.

*Given the interpretation of Business item 3a, as well as the fact that practical difficulty criteria and general criteria were not all met at the meeting of August 17, 2023, Fricke moved to deny the variance for a*

*request made by Brad and Trina Jewett for a variance from Sections 611.A(2)(c) of the Garfield Township Zoning Ordinance as outlined by the application, staff report of August 17, 2023 and the minutes of August 17, 2023. Duell seconded the motion.*

*Yeas: Fricke, Duell, Rozcyki, Duell, Smith  
Nays: None*

**5. Other Business**

Board members asked Green to direct the Planning Staff to clean up the language in Section 6.11 of the Zoning Ordinance to make it more clear cut.

**6. Items for Next Agenda**

None at this time

**7. Public Comment**

None

**8. Adjournment:** *Fudge moved and Duell seconded to adjourn the meeting at 6:32pm.*

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Lynn Fricke, Secretary





# Charter Township of Garfield

## Grand Traverse County

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

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### ZONING BOARD OF APPEALS STAFF REPORT

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Meeting Date: Thursday, November 16, 2023  
**Case #: 2023-03** Section 313.E (R-1 Dimensional Standards) and Section 535.A(2) (Setbacks from Lakes, Rivers, Streams) setback variance request.  
Owner: Jeff & Joy Main  
Applicant: Cornwell Architects  
Property ID #: 05-031-060-00  
Property Location: 820 N West Silver Lake Road  
Zoning District: R-1 One Family Residential

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#### **Parcel Overview and History**

The parcel is generally located along the west side of West Silver Lake Road between Boone and Secor Roads with frontage on Silver Lake. The property is zoned R-1 One Family Residential, and is located at 820 N. West Silver Lake Road, with the property number of 05-030-008-25. Adjacent properties along N. West Silver Lake Road are also zoned R-1 One Family Residential. According to Township records and information supplied in the application, the property contains a dwelling with an attached garage and attached deck. The dwelling is reported as being built in 1965. A Land Use Permit was issued in 2001 to rebuild and expand an existing deck.

#### **Request**

A request has been made by the applicant/property owner for a variance from Sections 313.E (R-1 District Dimensional Standards) and Section 535.A(2) (Setbacks from Lakes, Rivers, Streams) of the Garfield Township Zoning Ordinance to allow for a second story addition to an existing dwelling that doesn't meet the front and waterfront setback requirements. Staff review has been provided in the following pages of this report.

#### **Update – 11-2-2023**

The applicant recently submitted updated drawings to further clarify the extent of the proposed improvements; the drawings are attached to this report. The revised drawings confirm that the applicant intends to provide an expanded stairwell toward the lake along with an addition towards the road. A recent site visit confirms that the proposed stairwell would protrude into an existing vegetative buffer between the house and the lake. In light of the thirty-five (35) foot vegetative buffer requirement found in Section 535.C of the Zoning Ordinance, the applicant would also need to seek a separate variance to encroach on this existing buffer. In addition, there is a stairwell accessing the lakefront located on the opposite side of the house. I've provided site photos but would encourage you to also visit the site if you are able. The owner has given us written permission to stop by and walk the site.

Aerial view of subject parcel and adjacent properties  
(subject property highlighted in light pink)

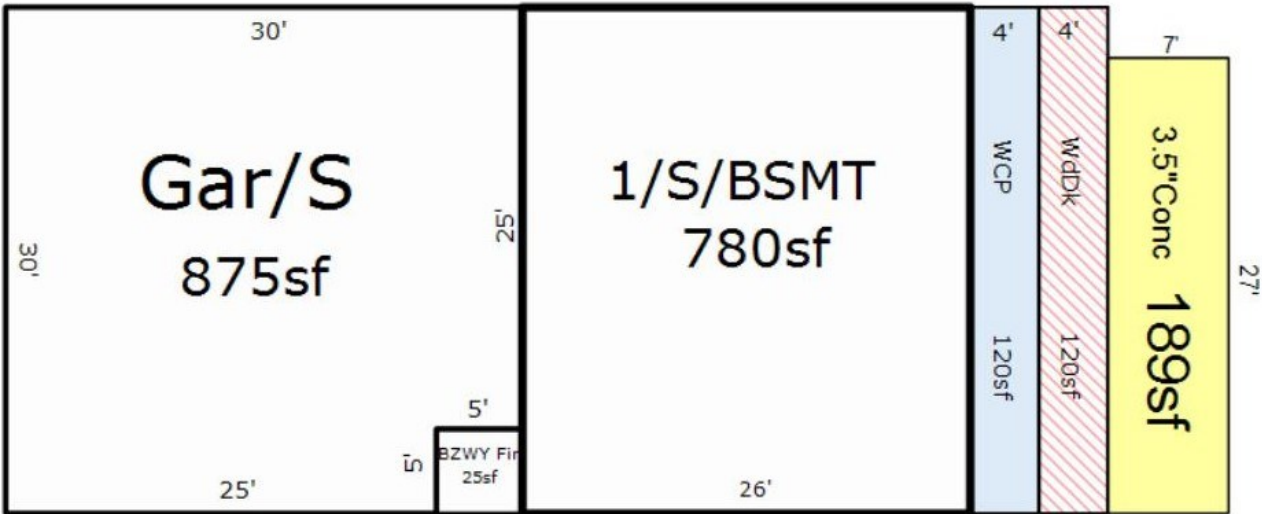




**Aerial View of the subject property**



**Apex Sketch of the existing dwelling and attached garage.**



**Approval Criteria (Section 454.E)**

A variance may only be granted if the Zoning Board of Appeals finds that each of the Practical Difficulty standards under Section 454.E.1 are met, each of the General Criteria under Section 454.E.2 are met, and at least one of the Special Conditions or Circumstances are met. The applicant has provided a letter written by Mark Humitz Cornwell Architects with responses to each of the approval criteria below. In addition, I have provided you with recommended findings for each Practical Difficulty standard and General Criteria below. As stated in Section 454.E, a variance can be granted only if the Zoning Board of Appeals makes **at least one finding in favor of each of these standards.**

## (1) Practical Difficulty

To qualify for a dimensional variance, the applicant shall be required to show “practical difficulty” by demonstrating compliance with all the following criteria:

- a) Special conditions or circumstances exist that are peculiar to the land, buildings, or other structures for which the variance is sought, do not apply generally to lands, buildings, or other structures in the same district, and could not reasonably be addressed through the formation of general regulation for such conditions. Special circumstances or conditions to be considered for variances shall include, but not be limited to, the circumstances as described in § 454.E.(3);
  - **Staff Response in favor:** *The applicant has demonstrated in their site plan that the shallowness of the lot limits the buildable area to the point where a dwelling could not be permitted without a variance, meeting Special Condition a) Physical Conditions under Section 454.E(3). Additionally, staff finds that Special Conditions (c) and (e) are also met as described further in this report.*
- b) The special conditions and circumstances peculiar to the land, buildings or other structures did not result from a self-created condition or action taken by the applicant or an owner of the lands;
  - **Staff Response in favor:** *The shallowness of the lot was not created by the owner or applicant and was created by the location of West Silver Lake Road in relation to Silver Lake.*
- c) The special conditions and circumstances are such that strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of the land, building, or structure authorized by this Zoning Ordinance;
  - **Staff response in favor:** *The strict application of the setback requirements of this Ordinance precludes the applicant from building a dwelling meeting the minimum twenty-four (24) foot cross-section size (building width).*
- d) Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance;
  - **Staff response in favor:** *The applicant has demonstrated that a denial of their request would deprive them of rights enjoyed by other properties in the same zoning district.*
- e) For the purpose of this section, a practical difficulty shall not exist because an applicant would incur additional costs to achieve full compliance or could receive additional income with less than full compliance with the ordinance.
  - **Staff Response in favor:** *The applicant is not claiming a financial hardship.*

## (2) General Criteria

Where the applicant is able to demonstrate “practical difficulty” by satisfying all of the criteria of § 454.E.(1), a dimensional variance may be granted if it meets the following general criteria:

- (a) The requested variance shall relate only to property that is under the control of the applicant;
  - **Staff response in favor:** *The variance only relates to property under control of the applicant.*
- (b) No nonconforming neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted buildings, or other structures in adjacent districts, shall be considered as grounds for the issuance of a variance;
  - **Staff response in favor:** *The applicant is not asking for a variance based on any other nonconformities in adjacent properties or within the R-1 District.*
- (c) The requested variance shall be in harmony with the general purpose and intent of this ordinance and shall not be detrimental to the public health, safety and welfare;

- **Staff response in favor:** *The special conditions highlighted by the applicant and as communicated in this report would likely not set precedent for similar requests. The project would likely not negatively impact Silver Lake based on representations of the applicant of no expansion of the existing footprint and use of the existing foundation and walls. The ZBA may want to stipulate that a new dwelling would not be permitted in the same location should the existing dwelling be demolished.*
- (d) The requested variance shall not alter the essential character of the area or cause a substantial adverse effect upon properties in the immediate vicinity or in the district in which the property of the applicant is located;
  - **Staff response in favor:** *The requested variance would not cause a noticeable effect on neighboring properties beyond what is permitted by right.*
- (e) The requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure, and there is no reasonable alternative location on the parcel for the proposed improvements for which a variance is sought where such alternative location would eliminate the need for the requested variance or reduce the extent of the condition(s) necessitating the variance.
  - **Staff response in favor:** *The applicant has demonstrated that there are no other areas on the property that could be reasonably used for an addition.*

### (3) Special Conditions or Circumstances

Special conditions or circumstances to be considered for the purposes of § 454.E.(1) shall include, but not limited to, the circumstances as described below:

#### (a) Physical Conditions

The proposed project site contains physical conditions such as narrowness, shallowness, shape, or topography of the property involved that do not generally apply to other property or uses in the same zoning district.

- **Staff response in favor:** *The applicant has demonstrated the limited buildable area of the lot would preclude the development of a dwelling meeting the required twenty-four (24) foot building width.*

#### (b) Significant Vegetation or Natural Features

The proposed project site contains significant vegetation or other natural features identified as Stream environment/Wetland by the Garfield Township Master Plan.

- **Staff response in opposition:** *There are no known natural features listed above within the buildable area of the property.*

#### (c) Substandard Lots(s)

The proposed project involved the utilization of an existing legal nonconforming lot(s).

- **Staff response in favor:** *The subject property is not considered a legal nonconforming lot but lacks the buildable area needed to build a dwelling meeting the twenty-four (24) foot cross-section requirement.*

#### (d) Historic Resources

The proposed project site contains historical significance.

- **Staff response in opposition:** *There are no known historic designations for the subject property.*

#### (e) Neighborhood Character

The proposed project promotes the established historical or traditional development pattern of a blockface, including setbacks, building height, and other dimensional requirements.

- **Staff response in favor:** *There are other structures in the vicinity along Silver Lake of similar character.*

**Staff Comments**

As you see in my staff findings for the Practical Difficulty standards and General Criteria, I was able to make findings in favor of each standard based on information provided by the applicants. My analysis, however, is not meant to steer the Zoning Board of Appeals to deny the request or preclude the Zoning Board of Appeals from considering additional information provided by the applicant in support for each standard. I am including a chart below to assist you in reviewing the applicable standards prior to making a motion to grant or deny the request.

<b>Review Standard</b>	<b>Staff Response</b>	<b>ZBA Determination/Comments</b>
Practical Diff. (a)	Standard met	
(b)	Standard met	
(c)	Standard met	
(d)	Standard met	
(e)	Standard met – N/A	
Gen. Criteria (a)	Standard met – N/A	
(b)	Standard met – N/A	
(c)	Standard met	
(d)	Standard met – N/A	
(e)	Standard met	

**Possible Motion**

Upon review of each finding, the Zoning Board of Appeals may consider a motion to take one of the following actions:

Motion to **GRANT** the request for variance from Section 313.E and Section 535.A(2) of the Garfield Township Zoning Ordinance **AS PRESENTED** to allow for a second story addition to the existing dwelling and to replace the existing deck attached to the dwelling based on findings for each Practical Difficulty standard and General Criteria for granting such request being met.

Motion to **GRANT** the request for variance from Section 313.E and Section 535.A(2) of the Garfield Township Zoning Ordinance **AS AMENDED** to allow for a second story addition to the existing dwelling and to replace the existing deck attached to the dwelling based on findings for each Practical Difficulty standard and General Criteria for granting such request being met, subject to the following condition(s):

1. This approval is limited to construction using the existing foundation and walls of the dwelling and does not grant the right to replace the dwelling in its current configuration upon it's demolition.
2. This application is only for construction taking place within the existing dwelling and deck footprint and is not intended to allow any other construction within the required setbacks.
3. --

Motion to **DENY** the request for variance from Section 313.E and Section 535.A(2) of the Garfield Township Zoning Ordinance to allow for a second story addition to the existing dwelling and to replace the existing deck attached to the dwelling based on findings for each Practical Difficulty standard and General Criteria for granting such request NOT being met.

Please feel free to contact me if you have any questions before the meeting.

Sincerely,

Michael Green, Zoning Administrator  
Charter Township of Garfield

**Attachments:**

- A. ZBA Application and site plan.
- B. Article 3, Section 313 – R-1 District Regulations (with highlighted text)
- C. Article 5, Section 535 – Supplemental Shoreline Regulations (with highlighted text)
- D. Letters in support of the request (2)
- E. Land Use Permit 2001-059 – permitted a 3 x 30 foot extension to an existing 5 x 30 foot deck.
- F. Revised Site Plan and Cover Letter from Mark Humitz
- G. Site photos taken 11-6-2023





# Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE  
TRAVERSE CITY, MICHIGAN 49684  
PHONE: 231-941-1620 \* FAX: 231-941-1588

Case # ZBA-2023-03

## ZONING BOARD OF APPEALS APPLICATION

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

1. Owner Name:

Jeff and Joy Main

Address:

820 N West Silver Lake Road

City, State, Zip Code:

Traverse City MI 49685

Owner Phone Number:

812-360-6934

Applicant Name:

Cornwell Architects

Address:

3050 Sunset Lane

City, State, Zip Code:

Traverse City MI 49684

Applicant Phone Number:

231-946-7711

2. Property Information:

a. Property Address: 820 N West Silver Lake Road, Traverse City, MI 49685

b. Property Location: West side of Silver Lake

c. Lot # Part of Lot 8 (Sec 31, T27N, R11W)

Subdivision Name: \_\_\_\_\_

d. Parcel ID# 28-05- 031 - 060 - 00

e. Current Zoning: R-1

f. Current Use: Residential

3. Purpose For Request:

Variance X Appeal \_\_\_\_\_ Interpretation \_\_\_\_\_ Review \_\_\_\_\_

Other \_\_\_\_\_ Please explain request / list section(s) related to request: Attached here is  
a summary providing additional background information, drawings  
and an explanation as to each of the Zoning Ordinance standards/  
requirements.



**Affidavit:**

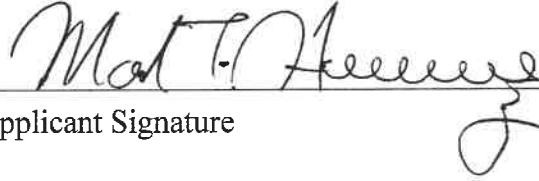
The undersigned affirms that he/she or they is/are the owner, or authorized agent of the owner, and that the answers and statements herein contained and the information submitted are in all respects true and correct. In addition, the undersigned represents that he/she or they is/are authorized and does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



Owner Signature

08-22-2023

Date



Applicant Signature

08-22-2023

Date

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

## **Attachment to the Main Request for Variances (8/22/23)**

The Mains purchased this lakefront lot with an existing cottage, which the cottage and lot were nonconforming structure/lot. The property is zoned R-1. The Mains would like to improve the cottage so that the cottage is usable year-round and which will become their home in the near future. The Mains seek ZBA approval for limited variances to improve the residence on what is essentially an “unbuildable lot” given current Z.O. setback requirements. Their request(s) are intended to allow for the modification with no or limited on-site impacts and, most importantly, no off-site impacts. Support for the Mains’ request(s) follows.

### **1. Z.O. Approval Criteria:**

The Z.O. identifies various criteria to demonstrate the “practical difficulty” which are addressed below:

a. **Special Conditions or Circumstances:** Please see explanation at Section 3 below.

b. **Whether the Special Conditions/Circumstances Were Self-Created (either by the current or prior owner):**

No – we reasonably assume that the prior owner who constructed the residence either did so in conformity with the Z.O. requirements or the residence was constructed prior to the adoption of the Z.O.

c. **Whether the Special Conditions/Circumstances – From a Strict Application of the Z.O. – Deprive the Mains of Any Reasonable Use of the Land/Residence:**

Yes – to a limited extent. The residence is functionally obsolete or otherwise practically unreasonable as a year-round residence.

d. **Whether the Literal (Strict) Interpretation of the Z.O. Would Deprive the Mains of Rights Commonly Enjoyed by Other Properties Zoned R-1:**

Yes – as other properties zoned R-1 are used/utilized in a manner consistent with single family residential use at the waterfront.

e. **Whether the Mains Would Incur Additional Costs to Achieve Full Compliance and/or Receive Additional Income Without Coming Into Complete Z.O. Compliance:**

There is no income (or benefit) by the Mains not coming into perfect compliance with the Z.O.; and there is an inability due to the lot size, “building envelope” and structure/footprint which prohibits/precludes perfect Z.O. compliance.

**2. General Criteria:**

**a. Whether the Mains' Requested Variance Relate Solely to the Main Parcel:**

Yes – the requested variances relate solely to the Main property.

**b. Are There Any Nonconforming Buildings or Structures in the R-1 Zoning District or Any Adjacent Zoning District Being Offered/Alleged Constitute a Basis for Granting the Main Variance:**

No – the Mains' requests do not rely directly upon other nonconforming buildings or structures.

**c. Does the Main Requested Variance (if granted) Remain in Harmony With the General Purpose and Intent of the Z.O. and Are Not Detrimental to the Public Health, Safety and Welfare:**

The Mains' proposed remodel is in keeping (harmony) with the neighborhood and the Z.O.; and their approach is beneficial (not detrimental) to public health, safety and welfare of Garfield Township residents (and the immediate neighbors).

**d. Will the Granting of the Main Variance(s) Alter the Essential Character of the Area or Cause a Substantial Adverse Effect Upon Properties in the Immediate Vicinity or in the R-1 Zoning District:**

Consistent with the ZBA's likely findings under C and D above, the essential character of the neighborhood is preserved, and no substantial or other adverse effect will occur/impact the Mains' nearby neighbors.

**e. Are the Mains' Requested Variance(s) the Minimum Variance(s) that Will Make Possible the Reasonable Use of the Land and Residence; and There is No Reasonable Alternative Location on the Parcel for the Proposed Improvements Which Would Eliminate the Need For the Requested Variance(s) or Reduce the Extent (Scope) of the Conditions Necessitating the Variance(s):**

The Mains meet this condition due to the size of the nonconforming lot, the current residence location – as there is no other alternative location on the property where the proposed residential improvement can be located – so as to eliminate the need for any requested variance or to allow for the residential modifications.

**3. Special Conditions or Circumstances:**

**a. Physical Conditions: Do the Mains' Property – Concerning Their Proposed Remodel – Have Physical Site Conditions Such as Narrowness, Shallowness, Shape, or Topography of the Property That Do Not Generally Apply to Other Properties Located With the R-1 Zoning District:**

Attached here are drawings depicting the Mains' lot, the footprint of the current residence; and the proposed modifications to the residence. Suffice it to say, the Mains are not attempting to remodel to establish a "big foot house" but rather have pursued very limited/modest modifications to the residence. Due to the shape and shallowness of the lot, the buildable area and available area for expansion are unbuildable.

**b. Significant Vegetation or Natural Features: Does the Garfield Township Master Plan Identify Site Conditions Containing Vegetation or Other Natural Features:**

None known.

**c. Substandard Lot: Does the Main Parcel Involve the Utilization of an Existing Legal Nonconforming Lot:**

Yes – the lot is nonconforming and as demonstrated in the attached drawing, the nonconforming lot – if all current Z.O. setbacks are honored – would render the lot unbuildable as it relates to strict Z.O. compliance. The size and shape of the lot prohibits new home construction or alternative improvement location.

**d. Does the Main Property Contain Any Historical Significance:**

None known.

**e. Does the Mains' Proposed Project Promote the Established Historic or Traditional Development Pattern of a Block Fact (Including Setbacks, Building Height and Other Dimensional Requirements):**

None known.

**4. ZBA Previously Granted Variance for Adjacent Residence:**

Attached here is the ZBA's decision from May 1996. The decision applies to the adjacent property (formerly the Trout residence and subsequently the Kazmierski residence) with rebuild/remodel completion in approximately 2016. Although the 1996 ZBA approved a dramatic expansion of a nonconforming structure by approving variance(s) under a different section of the Z.O., the prior ZBA approvals provides guidance here. Of significance is the ZBA's reasoning:

“It was determined that the additional story would not be inimical to public health, safety or welfare because a limited amount of living space was being added and the addition would not substantially affect the existing lake views of the surrounding property owners.”

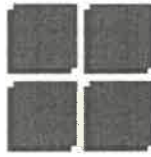
The Mains’ request is substantially more modest than the ZBA’s approval of the Trout request. There are significant parallels between the ZBA’s prior decision and the Mains request here.

**5. Attachments:**

- a. Site plan/drawings depicting the lot by survey and site plan – with existing and proposed remodeled structure.
- b. Multiple photographs depicting the Main site, views onto neighboring property and related photographs accurately depicting the Main parcel and related parcels.
- c. The ZBA’s decision from 1996 concerning the Trout requests.
- d. Cornwell Architect site plan noted as a 1.1 and similar land survey for Jeff Main.

Dated: 08-22-2023

  
Mark Humitz, Architect



# C O R N W E L L   A R C H I T E C T S

## Main Variance Request

August 22, 2023

Zoning Board of Appeals  
Garfield Township  
3848 Veterans Drive  
Traverse City, MI 49684

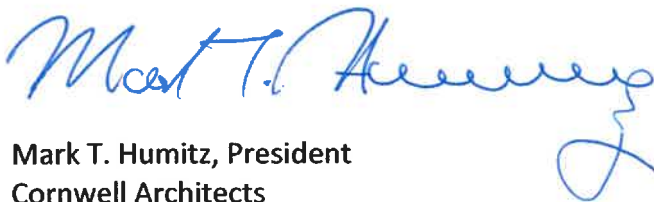
Dear Board,

On behalf of Jeff and Joy Main, I am writing to explain their request for dimensional setback variances to allow a second-floor addition and new covered entry expansion to their existing home at 820 N West Silver Lake Road Road. Jeff and Joy have discussed possibly making this property their permanent home in retirement. To make this move possible they would like to add a covered entry and additional bedrooms for their extended family. They have spoken to their neighbors and received positive responses and strong support for her plans.

We have studied several floor plan configurations and feel the attached variance request represents the smallest footprint expansion necessary to accomplish their goals. We are planning a second-floor expansion directly above the existing main level, which actually reduces the roof overhang / projection on the lakeside. The covered entry addition is planned for the small area of the lot within the buildable area.

Please do not hesitate to reach out should you have any questions during your review.

Respectfully Submitted,



Mark T. Humitz, President  
Cornwell Architects

Approved: 5/19/96

DECISION AND ORDER

CHARTER TOWNSHIP OF GARFIELD  
BOARD OF APPEALS

# 1

DATE: ;

APPLICANT'S NAME: Terrance Trout  
722 W. Silver Lake Rd  
Traverse City MI 49684

NOTICES:

PROPERTY DESCRIPTION: Parcel 28 05 <sup>180</sup>031 007 10, R-1B zoning district.

VARIANCE REQUEST: To receive a variance from the limitations for repair of a nonconforming structures established by section 7.7.4.

FINDINGS OF FACT: The residential structure at 722 W. Silver Lake road is a nonconforming structure due to encroachments upon front yard, side yard and lake shore setbacks. The lot lines measure 11.4' on the north, 26.6' on the south, 51.29' on the west and 55.1' on the east. The structure on the property, a 1 story home with a walk out basement, is in considerable disrepair and on February 21, 1996 the Garfield Township Building Department declared the structure unsafe for human occupancy. The parking area for the home encroaches into the ROW and does not have enough area for a car to turnaround. The home is on a curve and the speed limit for W. Silver Lake Road at this point is 45 mph. The combination of the curve in the road, the speed of the road, and the short driveway with the lack of a turnaround forcing cars to back into W. Silver Lake Road appears to be a dangerous situation. The applicant has stated that the driveway will be improved and driveway permit was applied for on August 4, 1995. The permit required relocation of site drainage as approved by Pete Bruski of County Soil and Erosion. A site plan showing the driveway improvements has not been received. The 1995 assessed value of the structure was \$18,431. The 30% limit of repairs would allow a maximum aggregate cost of repairs of \$5,529. Although estimates for the repairs sufficient to bring the structure up to current code have not been submitted, it is apparent that the amount will easily surpass the 30% Ordinance limitation.

No public comment or correspondence was received.

L:\USER\SCOTT\WP\D&O\TROUT.D&O

8/15/95

81

ORDER: The applicant is granted a variance to exceed the limitations for repair of a nonconforming structures established by section 7.7.4., in order to rehabilitate and add on to the structure per the plans reviewed and approved by the ZBA dated

**REASONS:**

1. The basic reasons for granting a variance have been met.

2. A minimum practical use cannot be obtained under the 30% limitation because the home could not be repaired sufficiently to meet current building code standards. Also, there are exceptional or extraordinary circumstances due to the narrowness, shallowness, shape, and topography of the property.



Approved: 5/14/96

DECISION AND ORDER

CHARTER TOWNSHIP OF GARFIELD  
BOARD OF APPEALS

#2

DATE:

APPLICANT'S NAME: Terrance Trout  
722 W. Silver Lake Rd  
Traverse City MI 49684

NOTICES:

PROPERTY DESCRIPTION: Parcel 28 05 031 007 10, R-1B zoning district.

VARIANCE REQUEST: To receive approval to add on to a nonconforming structure as required per section 7.7.5.

FINDINGS OF FACT: The residential structure at 722 W. Silver Lake road is a nonconforming structure due to encroachments upon front yard, side yard and lake shore setbacks. The lot lines measure 11.4' on the north, 26.6' on the south, 51.29' on the west and 55.1' on the east. The structure on the property, a 1 story home with a walk out basement, is in considerable disrepair and on February 21, 1996 the Garfield Township Building Department declared the structure unsafe for human occupancy. The parking area for the home encroaches into the ROW and does not have enough area for a car to turnaround. The home is on a curve and the speed limit for W. Silver Lake Road at this point is 45 mph. The combination of the curve in the road, the speed of the road, and the short driveway with the lack of a turnaround forcing cars to back into W. Silver Lake Road appears to be a dangerous situation. The applicant has stated that the driveway will be improved and driveway permit was applied for on August 4, 1995. The permit required relocation of site drainage as approved by Pete Bruski of County Soil and Erosion. A site plan showing the driveway improvements has not been received. The 1995 assessed value of the structure was \$18,431. The 30% limit of repairs would allow a maximum aggregate cost of repairs of \$5,529. Although estimates for the repairs sufficient to bring the structure up to current code have not been submitted, it is apparent that the amount will easily surpass the 30% Ordinance limitation.

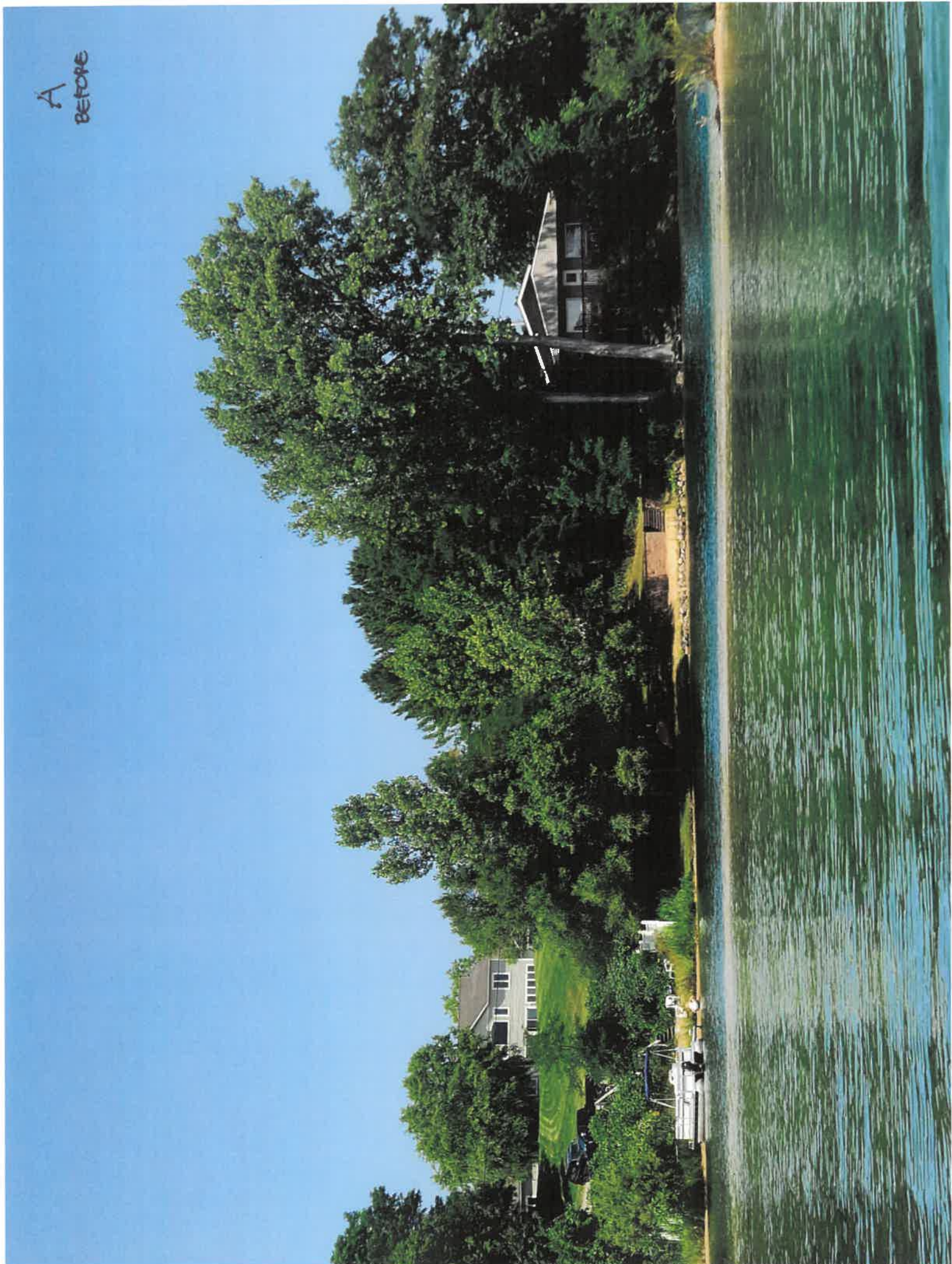
No public comment or correspondence was received.

ORDER: The applicant is granted approval to add on to the home as shown by the drawing reviewed and approved by the ZBA dated

**REASONS:**

1. It was determined that the additional story would not be inimical to public health, safety or welfare because a limited amount of living space was being added and the addition would not substantially effect the existing lake views of the surrounding property owners.

A  
BEFORE





820 N WEST SILVER LAKE RD. TRAVERSE CITY, MI 49685

VARIANCE APPLICATION - 08/09/23

A  
AFTER





B  
before



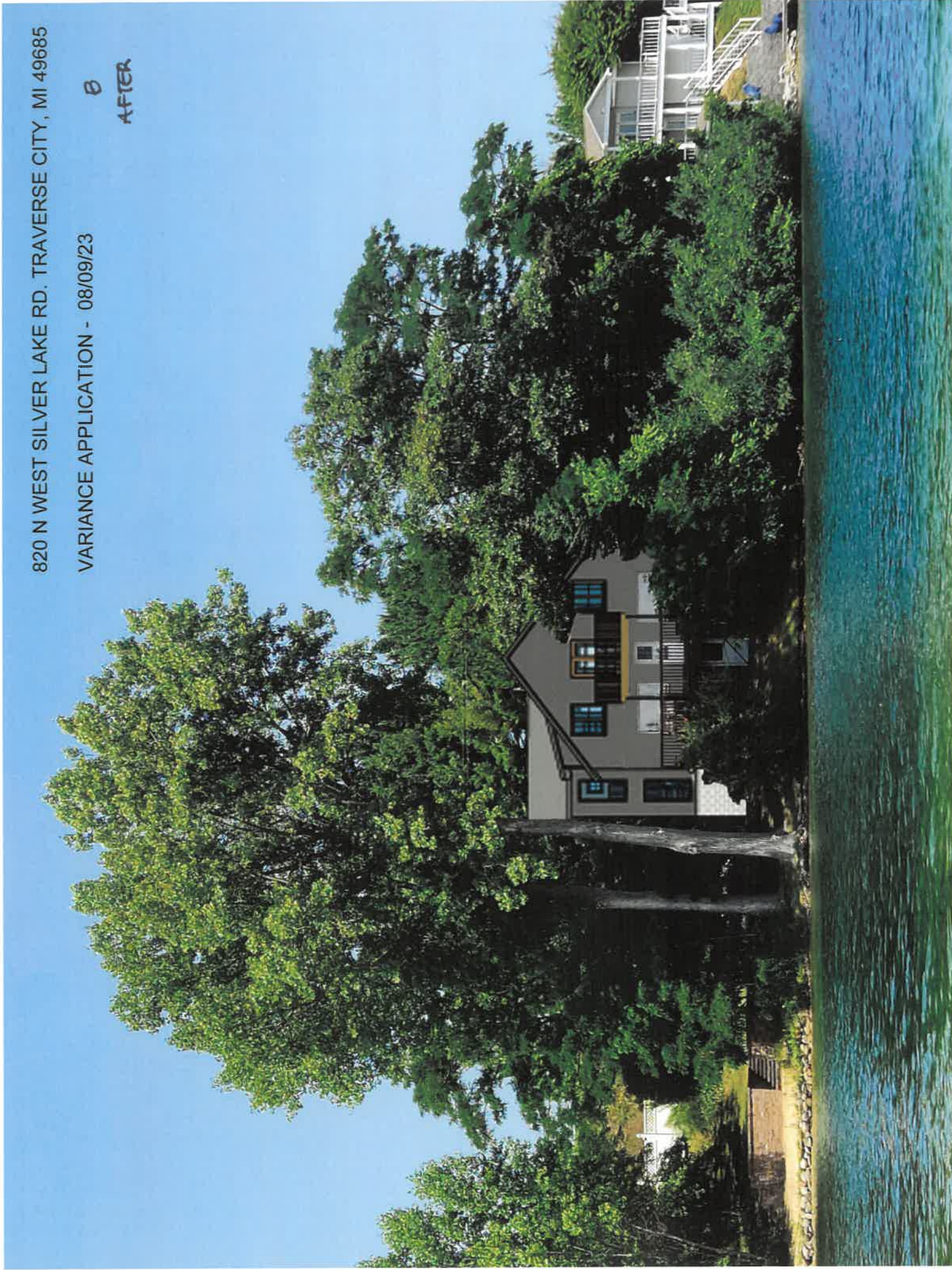


820 N WEST SILVER LAKE RD. TRAVERSE CITY, MI 49685

VARIANCE APPLICATION - 08/09/23

Ø

AFTER



















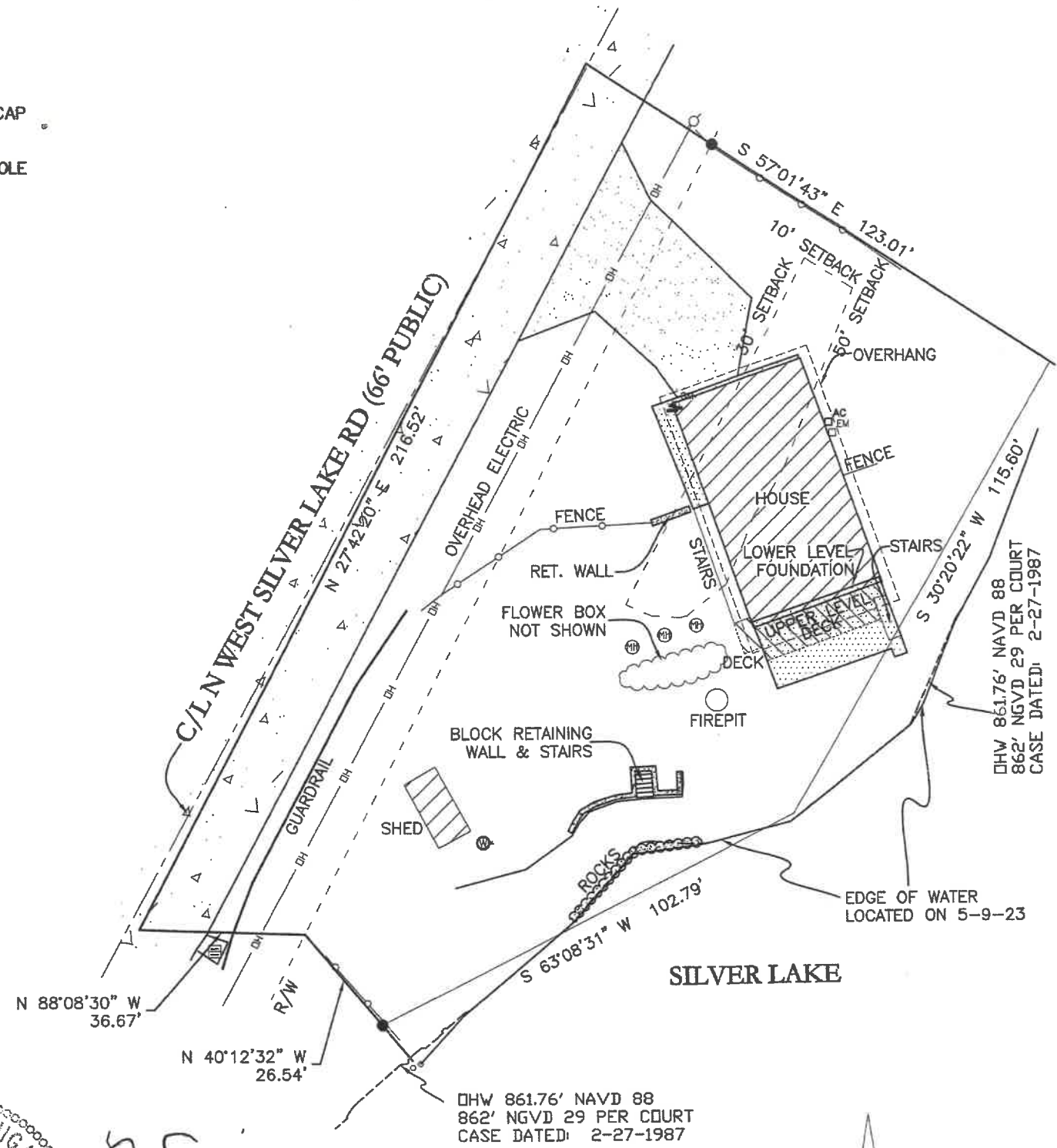
DESIGN SURVEY FOR

JEFF MAIN

LEGEND:

- = FOUND IRON
- ⬢ = FOUND MONUMENT
- = SET 1/2" REBAR & CAP
- △ = SET PK NAIL
- ▲ = FOUND PK NAIL
- ⊙ = POWER/ UTILITY POLE
- ⊕ = MANHOLE
- ⊞ = CATCH BASIN
- ⊞<sup>EM</sup> = TELEPHONE RISER
- ⊞<sup>GM</sup> = ELECTRIC METER
- ⊞<sup>AC</sup> = GAS METER
- ⊞<sup>AC</sup> = AC UNIT
- ⊞ = SIGN
- ⊞ = POST
- ⊞<sup>EB</sup> = ELECTRICAL RISER
- ⊞ = WELL

- GRAVEL
- ASPHALT
- CONCRETE



PARCEL NO. 05-031-060-00

PARCEL ADDRESS:  
820 N. WEST SILVER LAKE RD.  
TRAVERSE CITY, MI 49685

ACTUAL ZONING REQUIREMENTS TO BE CONFIRMED WITH  
GOVERNING MUNICIPALITY.

DRAWING SHOWN AS FEATURES WERE FOUND IN THE FIELD.

HORIZONTAL DATUM BASED ON STATE PLANE COORD. MI CENTRAL  
PROJECTION, NAD 83.

BOUNDARY DIMENSIONS ARE SHOWN AS MEASURED.

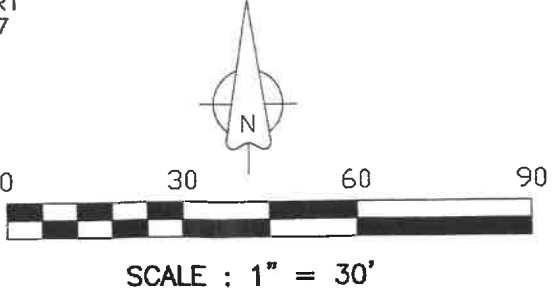
SETBACKS:

30' FRONT  
10' SIDE  
50' WATER (OHW 862' NGVD29)

ZONING:

R-1 - ONE-FAMILY RESIDENTIAL

NOTES:



SURVEY



Kelly M. Simmer, PS  
Professional Land Surveyor  
404 W. Mesick Ave • Mesick, MI 49668  
Cell: (231) 429-4914  
ksimmer@simmerlandsurvey.com

DATE:  
MAY 9, 2023

DESIGN SURVEY  
PART OF GOVT LOT 8, SEC. 31, T27N,  
R11W, GARFIELD TWP., GRAND  
TRAVERSE CO., MICHIGAN

JOB NO.:  
472023B



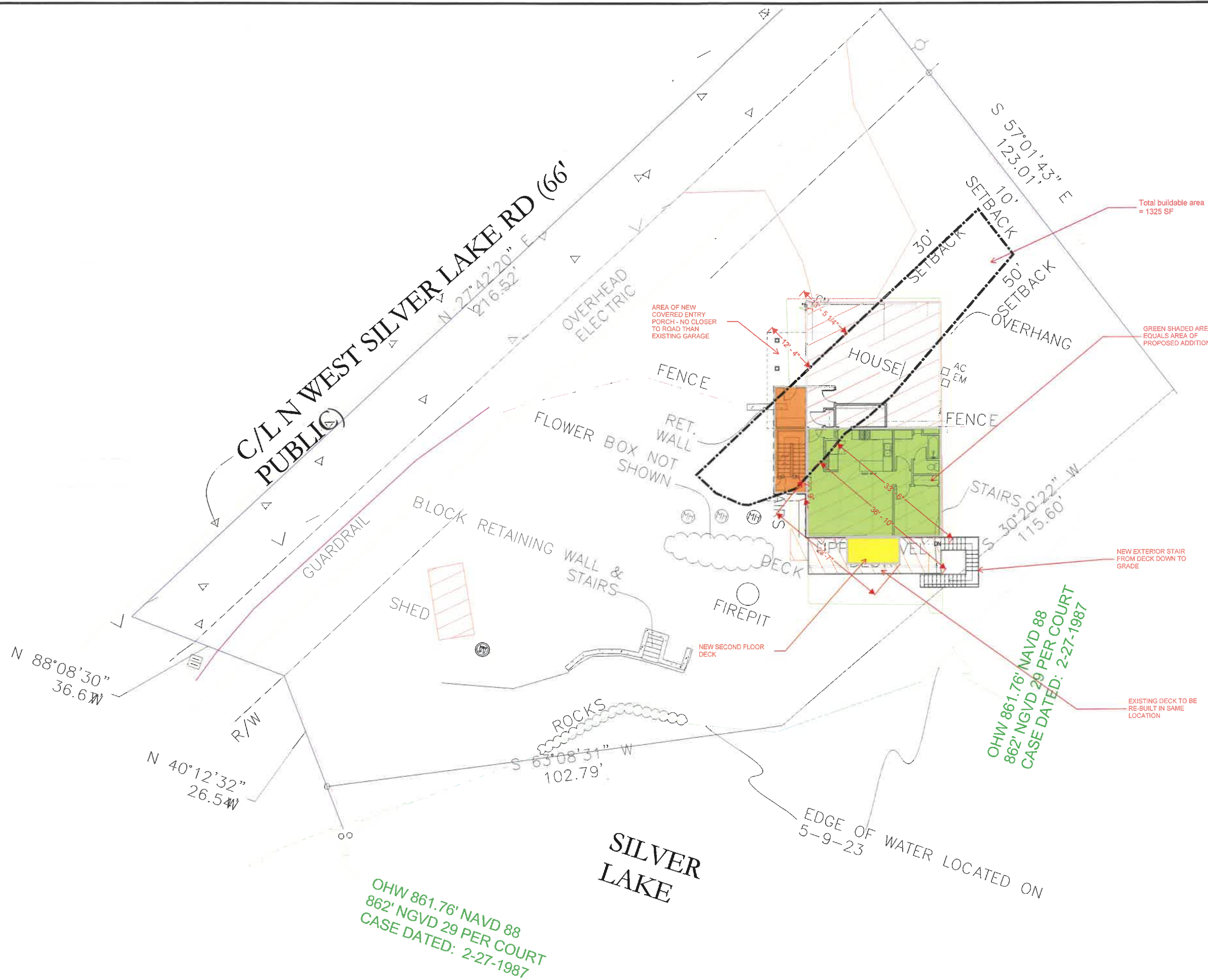
REVISIONS		
#	REVISION DESCRIPTION	DATE

SITE PLAN

DRAWN 08/09/23  
JOB NO. 202013  
SHEET

A1.1

PRELIMINARY

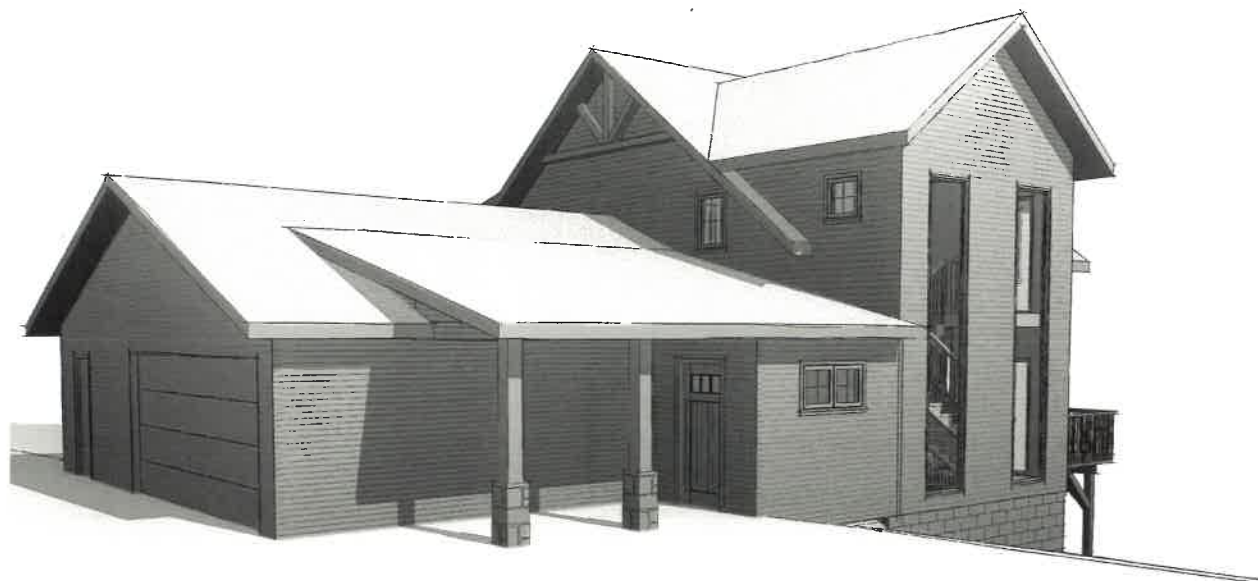


8/9/2023 11:14:33 AM C:\Users\Stephen\Documents\202013 Main Cottage - StephenVM\A1.1.dwg

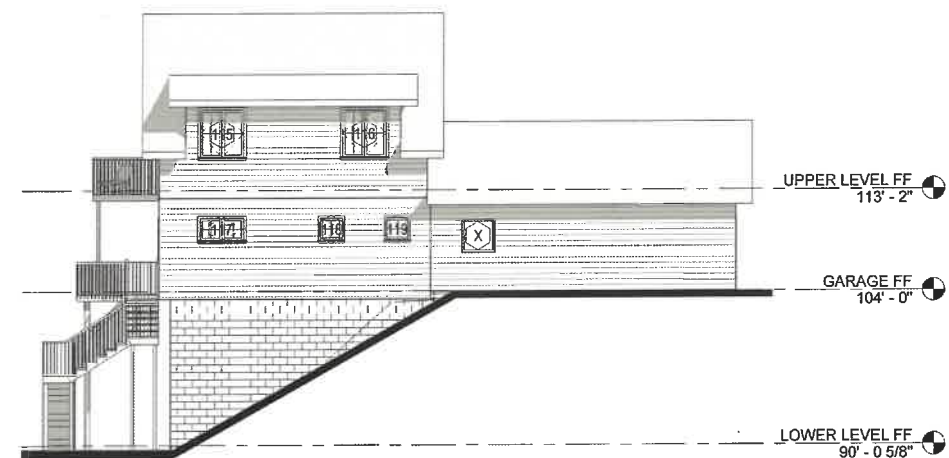
1 SITE PLAN  
A1.1 SCALE: 1" = 10'-0"



6 LAKE VIEW  
A5.0 SCALE:



5 ROAD VIEW  
A5.0 SCALE:



4 EAST BUILDING ELEVATION  
A5.0 SCALE: 1/8" = 1'-0"



3 WEST BUILDING ELEVATION  
A5.0 SCALE: 1/8" = 1'-0"



2 NORTH BUILDING ELEVATION  
A5.0 SCALE: 1/8" = 1'-0"



1 SOUTH BUILDING ELEVATION  
A5.0 SCALE: 1/8" = 1'-0"

PRELIMINARY

REVISIONS		
#	REVISION DESCRIPTION	DATE

EXTERIOR  
ELEVATIONS AND  
3D VIEWS

DRAWN 05/09/23  
JOB NO. 202013  
SHEET

**A5.0**



## **SECTION 313 R-1 (ONE FAMILY RESIDENTIAL)**

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

### **A. USES PERMITTED BY RIGHT:**

- (1) Adult Foster Care, Family Home
- (2) Cemetery
- (3) Dwelling, Single Family
- (4) Essential Service Facility, Minor – § 737.A
- (5) Home Occupation
- (6) Park, Mini
- (7) Park, Neighborhood
- (8) Solar Energy System, Accessory – § 773.A

### **B. USES PERMITTED BY SPECIAL CONDITIONS:**

- (1) Child Care, Family Home (<7) – § 718
- (2) Child Care, Small Group Home (7-12) – § 719
- (3) Golf Course or Country Club – § 749
- (4) Keeping of Chickens, Personal – § 754.A
- (5) Medical Marihuana Residential Cultivation – § 758
- (6) Open Space Preservation – § 428
- (7) Outdoor Storage, Accessory Use – § 613.A (4)
- (8) Recreational Field Complex – § 766
- (9) Swimming Pool, Private – § 776
- (10) Waterfront Stairways and Landings – § 778

### **C. USES PERMITTED BY SPECIAL USE PERMIT:**

- (1) Adult Foster Care, Small Group Home – § 708
- (2) Essential Service Facility, Major – § 737.B
- (3) Institutional Uses and Structures – § 752
- (4) Solar Energy System, Primary – § 773.B
- (5) Wind Energy Conversion System, Personal – § 781

### **D. ADDITIONAL STANDARDS:**

- (1) Driveways for single family residences shall comply with § 511.
- (2) Completion. Any single-family dwelling, accessory building or addition thereto must be completed on the exterior surface with a suitable finishing material including painting or staining in the case of wood, within two (2) years from date of issuance of a land use permit or one (1) year from the date of occupancy whichever occurs last.

## E. DIMENSIONAL STANDARDS (Per Dwelling Unit):

### Minimum Lot Area (A):

- With Public Sewer: 15,000 sq. ft.
- Without Public Sewer: 20,000 sq. ft.

### Notes to Dimensional Standards:

- (A) Lots in subdivisions having stubbed sewers shall be considered as having public sewer.
- (B) Setbacks shall be measured from the furthest protruding point of structure.

**Minimum Lot Width:** 100 feet

### Maximum Building Height:

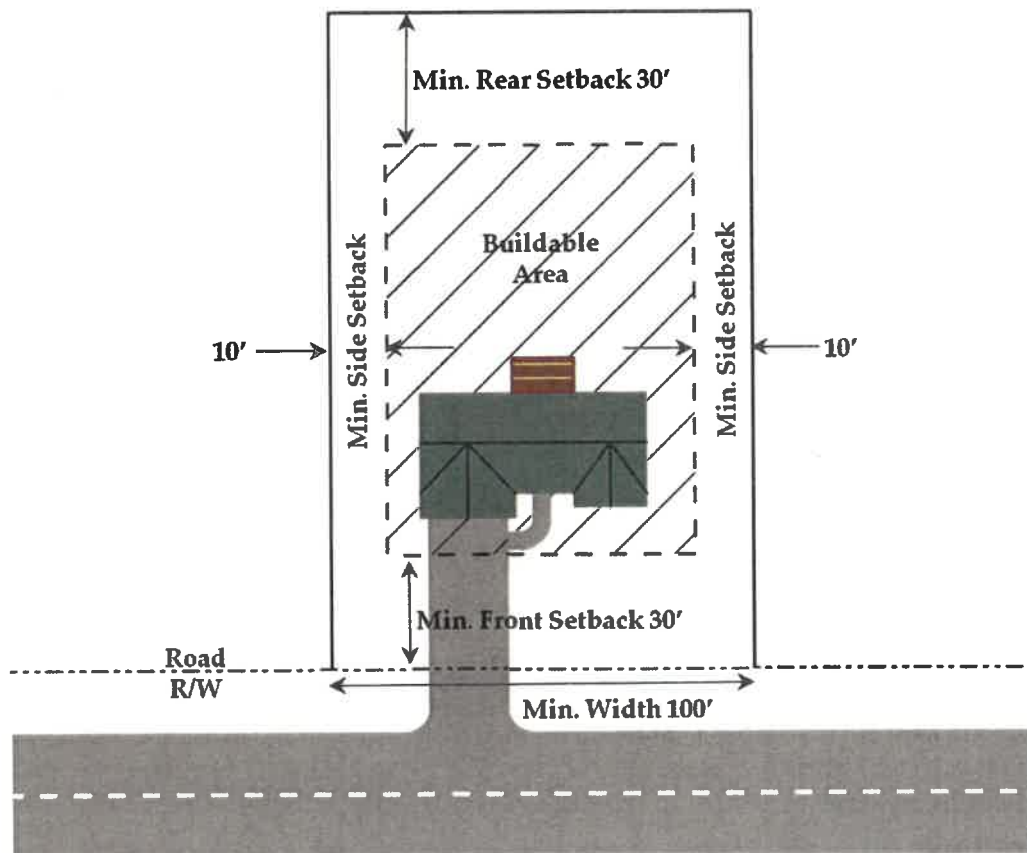
- In Stories: 2 ½ stories
- In Feet: 35 feet

### Minimum Yard Setbacks (B):

- Front: 30 feet
- Each Side: 10 feet
- Rear: 30 feet

**Maximum Lot Coverage:** 30 percent

**Minimum Bldg. Cross Section:** 24 feet



*\*Not to scale. To be used for illustrative purposes only\**

### **C. Wetland Setbacks**

No structure, parking lot area, or snow storage area shall be located within twenty-five (25) feet of such wetland. However, recognized wetlands may be incorporated into a stormwater management strategy provided that the wetland values will not be impaired and provided further that incorporation of the wetland will provide a net ecological benefit to groundwater and surface water.

## **SECTION 535 SUPPLEMENTAL SHORELINE REGULATIONS**

*Purpose.* The intent of this Section is to preserve and protect the water quality of the lakes and streams of our region. These regulations seek to balance the protection of the ecosystem while allowing development where appropriate. Methods to accomplish this purpose include, but are not limited to, preservation and/or enhancement of vegetation along lake-stream banks, maintaining lake-stream bank stabilization, preventing sediment from entering the water bodies, allowing for nutrient absorption, providing wildlife habitat and corridors, screening man-made structures, and providing shade, wood or wooden fiber material along the shoreline.

### **A. Setbacks from Lakes, Rivers, and Streams**

- (1) Every commercial, industrial or multi-family residential building hereafter erected having frontage on any body of water, with the exception of Silver and Boardman Lakes, and with the exception of on-site storm water ponds and artificial water bodies created as part of the site's landscape treatment, shall be set back at least seventy-five (75) feet from the watermark or normal stream bank. Single family residential uses shall observe a setback of fifty (50) feet. Along those sections of the Boardman River controlled under the Natural River Act, PA 231 of 1970, as amended, setbacks shall be as required by the Act.
- (2) Every building hereafter erected having frontage on Silver and Boardman Lakes shall set back at least fifty (50) feet from the water mark.
- (3) Storm water retention or detention ponds, with the exception of customary release structures including pipe, swales and ditches shall be set back fifty (50) feet from a natural lake or normal stream bank.
- (4) Streets and access drives other than where they intersect lakes or streams and for such a distance as is required to cross a lake or stream shall be set back fifty (50) feet from a watermark or normal stream bank.

### **B. Minimum Construction Elevations - Silver Lake**

Within five hundred (500) feet of Silver Lake, the lowest grade for any building construction or accessory building construction shall be elevation 866.N.V.G.D. (NOTE- SILVER LAKE WATER MARK - 862.32 feet above sea level USGSD.

### **C. Riparian Vegetative Buffers**

- (1) Required. A vegetated buffer strip shall parallel and extend thirty-five (35) feet inland from all points along the water mark of a lake-stream shoreline or normal stream bank, with the exception of on-site storm water ponds and artificial water bodies created as a part of site landscape treatment which does not flow or overflow into a natural lake-stream. The general standards for the buffer strip are as follows:
  - (a) The buffer strip shall consist of native trees, shrubs and other vegetation. Dead, diseased, unsafe or fallen trees and noxious plants and shrubs, including poison ivy, poison sumac and poison oak, may be removed. Trees and shrubs shall not be removed but may be pruned for a filtered view of the lake-stream, however, clear cutting shall be prohibited.



- (b) Subject to (1) above; ground cover vegetation shall be left in a natural state and shall not be removed. Chemical control and/or fertilization of vegetation shall be prohibited.
- (c) Footpaths, bicycle paths and hiking paths as well as fences, walls and stairways may be constructed under the following conditions:
  - (i) All paths and stairways must be constructed in a location and manner to avoid soil and slope failure.
  - (ii) Construction shall avoid removal of existing trees, shrubs and any other vegetation whenever feasible.
- (2) Reduction. In the event that the application of the vegetated buffer strip standards of this Section, together with any other dimensional restrictions applicable under this Ordinance, results in a legal parcel that cannot be reasonably developed for permitted land uses in the district within which the property is located, the Planning Commission may approve a reduction of the buffer area upon a finding that the proposed site plan provides the maximum possible buffer strip, while permitting a reasonable use of the property.

**D. Filling and Grading within 200 Feet of the Water Mark or Stream Bank**

The following rules shall apply to any filling, grading or any other earth movement within 200 feet of the water mark or normal stream bank of any lake, river, stream, or other body of water to prevent harmful erosion and related sedimentation:

- (1) The smallest amount of bare ground shall be exposed for as short a time as feasible.
- (2) Temporary ground cover such as mulch must be used as soon as possible and permanent cover such as sod be planted.
- (3) Diversions, silting basins, terraces and other methods must be used to trap any sediment.
- (4) Fill must be stabilized according to accepted engineering practices.

***DIVISION 3: IMPROVEMENTS - OPERATION AND MAINTENANCE***

**SECTION 540 PURPOSE**

All improvements required by this article shall be operated and maintained as required by this Division. The instruments creating the dedication, easement, transfer, homeowners' association (HOA), or condominium association, shall be provided to and approved by the Township as part of any development application.

The Township may, but is not obligated to, accept or agree to another form of operation and maintenance of any improvement required by this article provided that such is consistent with the intent of this article.

**SECTION 541 DEDICATION OF LAND OR EASEMENT**

The Township may, but is not required to, accept a dedication of land in the form of fee simple ownership or an easement for public use of any portion or portions of undivided improvement land, the title of which is to remain in ownership by the condominium or HOA, provided that:

- A. Such land is accessible to the residents of the Township;
- B. There is no cost of acquisition other than any costs incidental to the transfer of ownership, such as title insurance; and
- C. The improvement conforms to the applicable standards of this article.

Land dedicated as a natural area, greenway, greenbelt, or trail corridor shall be subject to a duly executed and recorded easement meeting the requirements of and enforceable in accordance with State statute,

**NEIGHBORS IN SUPPORT OF MAIN REQUEST FOR  
VARIANCE(S)**

By signing below, we support the Mains' request for variance(s) submitted to the Township on August \_\_, 2023. We also believe that the Mains' proposed remodeling project will be of substantial benefit to the neighborhood and will not create any additional or substantial negative onsite or offsite impacts.

Property Owner/Property Address:

Dated:

8/16/2023

\_\_\_\_\_

\_\_\_\_\_

Scott + Charin Heise

842 N. West Silver Lake Rd  
TC, MI

Dated:

\_\_\_\_\_

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Dated:

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Dated:

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Dated:

**NEIGHBORS IN SUPPORT OF MAIN REQUEST FOR VARIANCE(S)**

By signing below, we support the Mains' request for variance(s) submitted to the Township on August \_\_, 2023. We also believe that the Mains' proposed remodeling project will be of substantial benefit to the neighborhood and will not create any additional or substantial negative onsite or offsite impacts.

Dated: 8/17/23

Property Owner/Property Address:

RONALD MATHESON  
775 NW STEVEN LANE RD  
P.O. BOX 49685

Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
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Dated: \_\_\_\_\_

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Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

ZONING DEPARTMENT

3848 VETERANS DR

TRAVERSE CITY MI 49684

Phone: (231) 941-1620

Fax: (231) 941-1588

Hours: Monday-Friday 8 am - 5:00 pm

820 WEST SILVER LAKE RD N  
05-031-060-00

Location

Issued: 05/04/01      Expire Date: 05/04/02

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

KORO, PHIL &amp; LINDA

Owner

820 WEST SILVER LAKE RD N

TRAVERSE CITY MI 49684-8663

231 922 2192

TERHUNE, BRIAN

Contractor

4212 CIRCLE VIEW DR.

WILLIAMSBURG MI 49690

**Work Description:** SITE REVIEW-REPLACE OLD 5' X 30' WOODEN DECK WITH NEW 8' X 30' WOODEN  
DECK-SETBACK INFO-F=30' S=15' R=35'

Paid	Permit Item	Work Type	No. of Items	Item Total
At Issue	ACCESSORY STRUCTURE AN	Standard Item	1.00	10.00



Zoning Official

**Fee Total:** 10.00

## Land Use Permit

Zoning

This permit is only for the work described, and does not grant permission for additional or related work which requires separate permits.

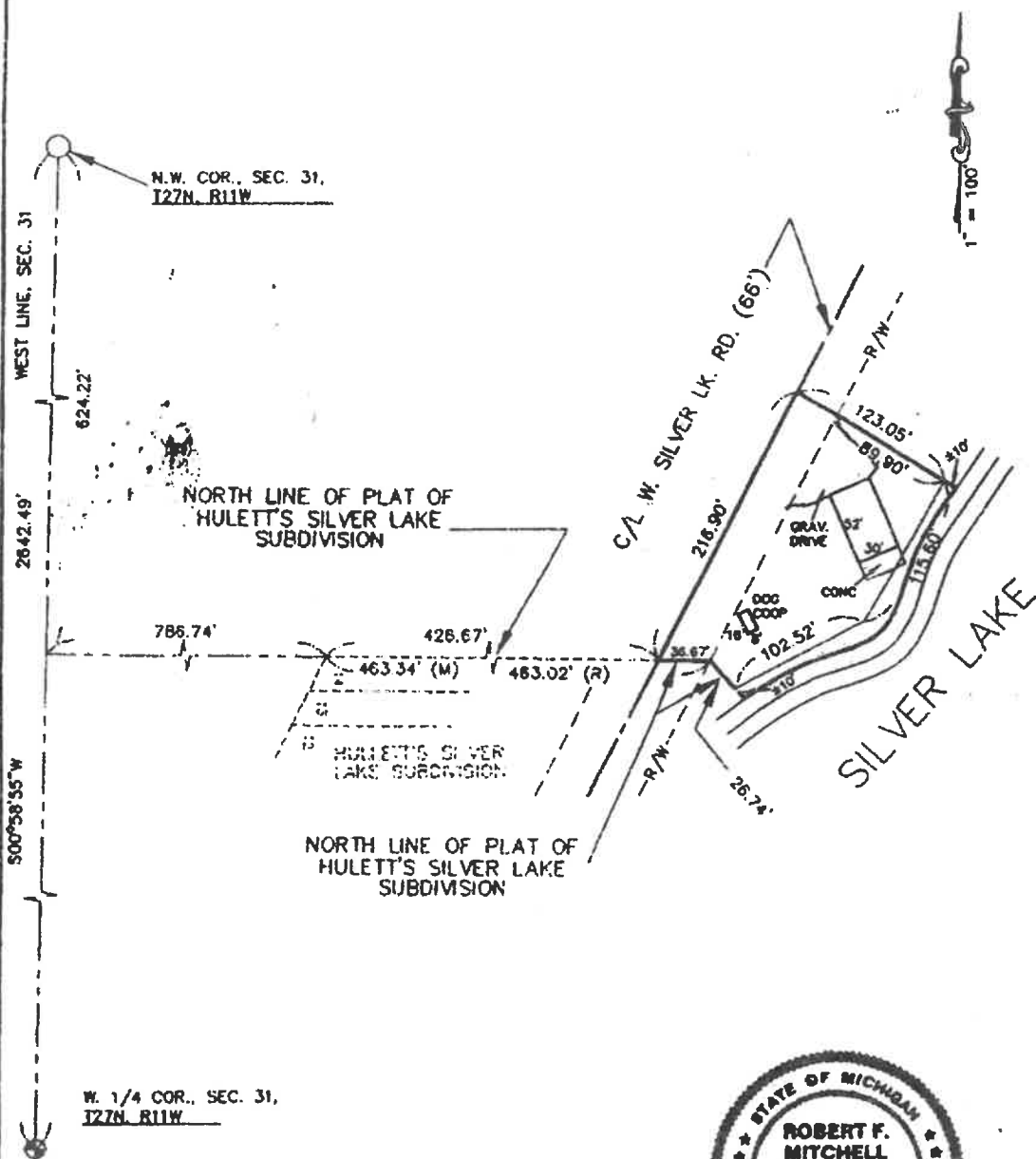
This permit will expire, and become null and void if work is not started within 365 days.

It is assumed that the proposed work is authorized by the owner, and that the permit holder is authorized by the owner to secure this permit. The permit holder agrees to conform to all applicable laws of the State of Michigan and the local jurisdiction.

**Payment of permit fee constitutes acceptance of the above terms.**

# MORTGAGE INSPECTION

THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY



I hereby certify to: EMPIRE NATIONAL BANK  
and/or it's successors and assigns, that on the above described  
parcel of land that the existing buildings and substantial visible  
improvements are as shown and that there are no encroachments  
unless otherwise indicated.

ALTERATION OF ANY PART OF THIS DOCUMENT WITHOUT THE  
PERMISSION OF MITCHELL & ASSOCIATES, P.C. IS PROHIBITED

Robert F. Mitchell  
Professional Surveyor No. 28417

DATE 3/17/98

NOTE: This inspection is for mortgage purposes only and should not  
be used to establish the property lines for the construction of  
improvements or the erection of fences. No responsibility is extended  
herein to the present, or future land owner or occupant, without  
the completion of a certified boundary survey.



**MITCHELL & ASSOCIATES**

SURVEYING / ENGINEERING

4851 Oakfield Road South P.O. Box 308  
Kingsley, MI 49646  
(616) 263-5463 • FAX (616) 263-7921  
Toll Free In Michigan 1-800-333-8627

CLIENT:

EMPIRE NATIONAL BANK - LEWIS

LOCATION:

PART OF GOVERNMENT LOT 8, SECTION 31,  
TOWN 27 NORTH, RANGE 11 WEST,  
GARFIELD TOWNSHIP,  
GRAND TRAVERSE COUNTY,  
MICHIGAN

CHK JPT	CHK 3-12-98	FILE NO. 980402
CL RFM	RD BK 388 RS 23,24	NOT

MORT97 (6/97)

# Application for Land Use Permit

Charter Township of Garfield

3848 Veterans Drive  
Traverse City, MI 49684

## **\*\*APPLICANT MUST SUPPLY THE FOLLOWING INFORMATION**

Applicants Full Name: BREAN TERHUNE

Applicants Address: 4212 CIRCLE VIEW DR.

City: WILLIAMSBURG, State: MI Zip: 49690

Date of Birth: 9/6/62 Drivers License # T-680-098-802694

Telephone: (731) 938-9607

Location of Property: 820 W. SILVER LAKE RD. N.

Tax Identification # 28-05-        -        -       

Lot # 8 Subdivision: MULLETT'S SILVER LAKE SUBDIVISION

Purpose of Permit: CONSTRUCT DECK

The following information is also required prior to the issuance of a LAND USE PERMIT.

1. Dimensional Site Plan
2. Soil Erosion Permit from the Drain Commissioner's Office
3. Well/Septic- Health Dept. or Water/Sewer Permit from DPW
4. Driveway Permit issued by either the Road Commission/MDOT
5. Any required permits from MDEQ/DNR

The completion of this form and issuance of a LAND USE PERMIT by the Garfield Township Zoning Department does not negate the application process of obtaining a Building Permit. I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make application as his authorized agent, and we agree to conform to all applicable laws of the State of Michigan. ALL information submitted on this application is accurate to the best of my knowledge.

Applicant Signatures: B. Terhune Date: 3/2/01

Applicant is responsible for the payment of all fees and charges applicable to this application. Make checks payable to: GARFIELD TOWNSHIP TREASURER



# C O R N W E L L   A R C H I T E C T S

## Main Variance Request

October 16, 2023

Zoning Board of Appeals  
Garfield Township  
3848 Veterans Drive  
Traverse City, MI 49684

Dear Board,

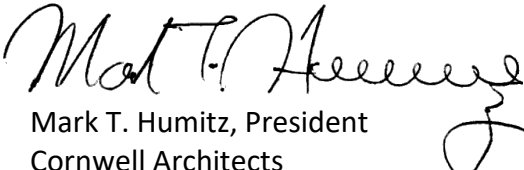
On behalf of Jeff and Joy Main, I am writing to explain the additional information attached to this letter in advance of the November 2023 hearing. Cornwell Architects has added hatch patterns to better identify all of the areas of our plan needing a variance.

As stated in the previous staff report area no.1 is a proposed addition directly on top of the existing first floor using existing footings. Area no.2 is a new second floor deck directly above the existing first floor deck. Area no.3 is a very small portion of the proposed new stair that is within the waterside setback – 2'-9". Area no.3 is only six (6) square feet and is less than ½ percent of the allowable building area. Area no.4 is a covered porch no closer to the road than the existing garage (12'-4" within front yard setback) and is only sixty-seven (67) square feet, which is less than 5% of the allowable building area.

We really have tried to design the proposed addition to be as compact as possible and keep the new area within the very restrictive allowable building envelope due to the shallowness of the lot.

Please do not hesitate to reach out should you have any questions during your review.

Respectfully Submitted,

  
Mark T. Humitz, President  
Cornwell Architects





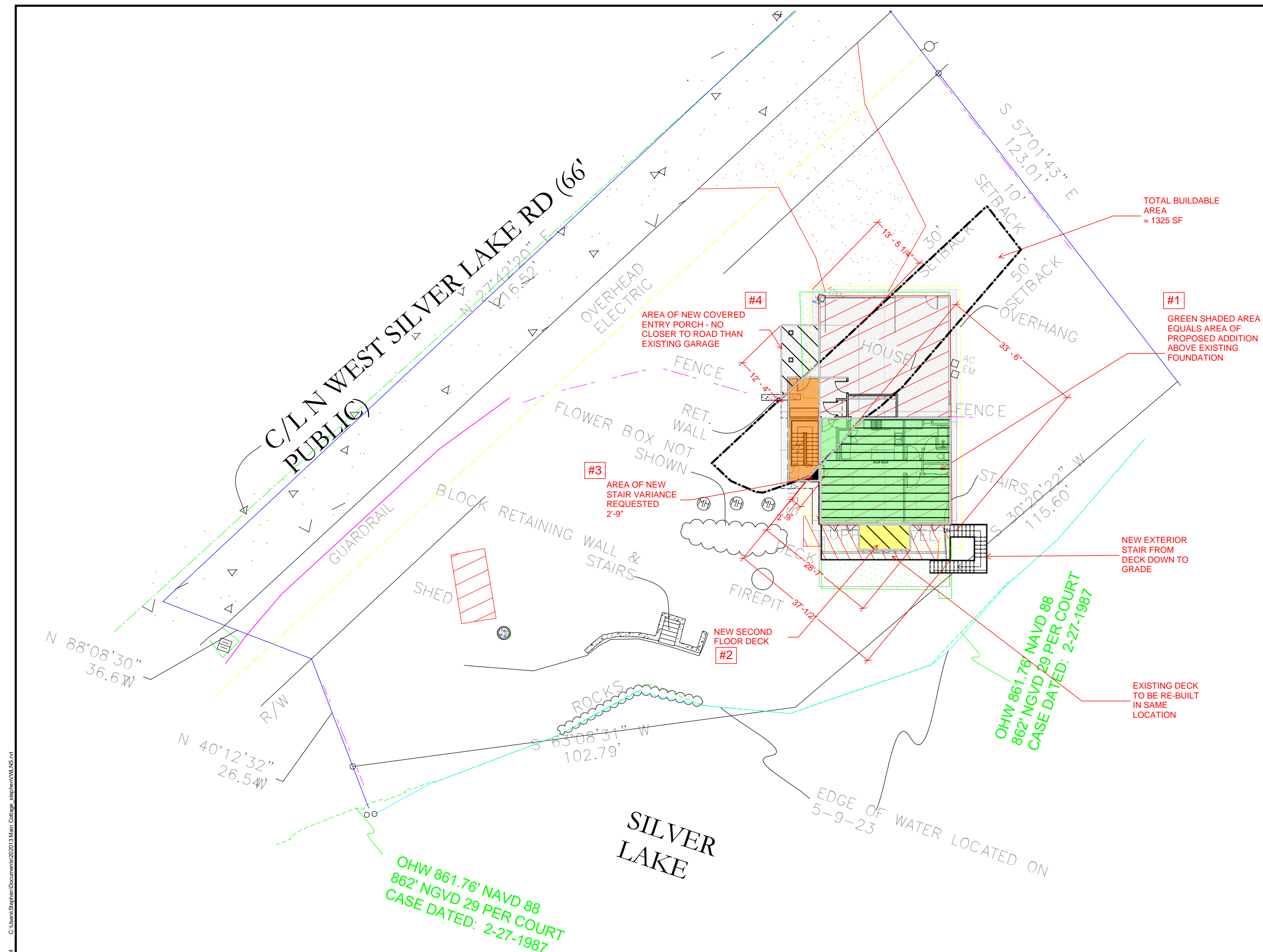
**MAIN COTTAGE  
RENOVATION**  
820 N West Silver Lake Rd. Traverse City, MI 49685

REVISIONS		
#	REVISION DESCRIPTION	DATE

SITE PLAN

DRAWN	08/09/2013
JOB NO.	202013
SHEET	

## A1.1



PRELIMINARY







