# VILLAGE OF ONEKAMA PLANNING COMMISSION MEETING AGENDA

Tuesday, May 13, 2025 6:00 P.M.

Location: Farr Center 5283 Main Street, Onekama, MI (231) 889-3171

**CALL TO ORDER** 

PLEDGE OF ALLEGIANCE

ROLL CALL

ACCEPT/AMEND AGENDA

### APPROVAL OF MEETING MINUTES

1. March 11, 2025

### **PUBLIC HEARINGS**

1. None

### **NEW BUSINESS**

- 1. Onekama Marine, 8147 Mill Street
  - Request to replace a portion of sidewalk in the riparian buffer strip

### **OLD BUSINESS**

- 1. Ross Menhart/Overmeyer Site Plan Review, 4537 Main Street
  - Recommendation to the Zoning Board of Appeals
- 2. Village Master Plan Update
  - Status update

### **PUBLIC COMMENT (3 MINUTES)**

### **ADJOURNMENT**

# Village of Onekama Planning Commission Meeting Minutes—DRAFT 5283 Main Street, Onekama, MI 231-889-3171 March 11, 2025

Members present: Chair Chris Forth, Vice Chair Debby Storms and Tom Foster. Also present: Mark Brusveen, Mickey Finan, members of the community.

Meeting called to order at 6:02 p.m.

Motion to approve the agenda as presented by Storms, seconded by Foster. All in favor, motion carried.

Motion to approve the February 11th meeting minutes as presented by Foster, seconded by Storms. All in favor, motion carried.

Public hearing opened at 6:05p.

The purpose of the public hearing was to discuss amending the Ordinance to put in place an expiration date on Zoning Board of Appeals (ZBA) approved variances. Chair Forth reported the industry standard for this is one year. Communities in the area, including Onekama Township, have a one-year time frame in which an applicant is required to submit a land use plan to the county, get a permit, and commence construction. With assistance from the Manistee County Planning Department, an amendment to section 9608 is proposed by adding paragraph B as described below:

"No order of the Board, permitting the erection or alteration of buildings or structures, shall be valid for a period longer than one year unless a building permit for such erection or alteration is obtained within such period, and such erection or alteration is commenced and proceeds to a completion in accordance with the terms of such permit."

Mickey Finan asked if this decision would be retroactive or begin now. Forth confirmed it would become effective upon approval by the Village Council.

There being no more public comment, a motion to close the public hearing was offered by Storms, seconded by Foster. All in favor, motion carried. Public hearing was closed at 6:11 p.m.

There being no further discussion a motion was offered by Storms, seconded by Foster, to recommend to the Village Council that Section 9608 of the Zoning Ordinance be amended to include paragraph B that establishes a one-year time limit on a decision by the ZBA. All in favor, motion carried.

Village of Onekama Planning Commission March 11, 2025 Page 2

### Old Business:

Menhart site plan review for 4537 Main Street—

Forth has been in discussion with the Manistee County Planning Department and it has been determined that the submitted site plans from Mr. Menhart are not ready for Planning Commission review and/or approval at this time. This item was tabled for tonight's meeting, and rescheduled for the May Planning Commission meeting. The updated site plan will be posted prior to the meeting for the public's review and comment.

Public comment: Neighboring property owner Mark Brusveen presented to the members several arguments why he is in opposition to the Menhart construction plan.

Master Plan update—

The Goals & Objectives section is now in draft form. The consultants have met with a market analyst familiar with the Onekama area to determine what kind of land uses and goods and services this area could support. That information is being added to the draft of the Master Plan, which is expected to be ready in April. There will be a required public comment period after that prior to adoption.

Public comment: none

Motion to adjourn by Foster, seconded by Storms. All in favor, motion carried.

Meeting adjourned at 6:43 p.m.

Respectively submitted,

Christopher Forth
Planning Commission Chairman



### PLANNING DEPARTMENT

(231) 723-6041 Fax (231) 398-3526 planning@manisteecountymi.gov

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

April 25, 2025

Village of Onekama Planning Commissioners Farr Center 5283 Main Street Onekama, MI 49675

Dear Planning Commissioners,

I received a request from Onekama Marine, addressed as 8147 Mill Street, Onekama, MI 49675 (Parcel ID #51-41-200-023-00) to remove and replace a portion of sidewalk located next to the property's seawall. The proposed construction will require a permit because the damage was caused by an act of god, and the non-conforming structure must be completely replaced. The property resides in the Commercial Residential and Portage Lake Overlay zoning district, which the use of Marina is considered a special land use under the current zoning ordinance. Although they are considered a special land use under the current zoning ordinance, they have not done any construction on the property that would require a land use permit to be obtained since the enactment of the current zoning regulations. Given that, the property must follow the steps laid out in section 8005. Status of Certain Uses Which Existed Prior to This Ordinance (Attachment A).

Section 8005 details that an owner of a Pre-existing Special Use shall obtain from the Planning Commission a "Certification of a Site Plan" reflecting how the use existed at the time of adoption of this Ordinance with identification of nonconforming parts, if any. The purpose of Onekama Marine coming before the Planning Commission is to obtain this certification.

Attached to this memo are the following documents:

- 8005. Status of Certain Uses Which Existed Prior to This Ordinance (A)
- Survey of property (1972)
- Site plan
- Aerial Imagery from ArcGIS showing parcel lines and proposed project area (2021)
- Aerial Imagery from Google Maps (2012)

Sincerely,

**David Jarvi** 

- use permit or to demolish the structure completely, remove and dispose of all debris in accordance with law, and backfill properly the parcel.
- 3. If the structure is repaired, reconstructed or replaced within the preexisting footprint and within the preexisting height, then the nonconforming status of the structure and/or parcel shall continue to exist.
- 4. If the structure is replaced or is rebuilt outside of the preexisting footprint and/or the preexisting height is exceeded, then the nonconformity will have ceased to exist and all general regulations, Zoning District regulations and standards, and use specifications of this Ordinance, as amended, must be met.
- B. If a structure associated with a nonconforming use is damaged by fire, act of God, or other causes to the extent repair of the damage would require applying for a permit, then the nonconforming use shall cease to exist and the below listed actions shall be taken.
  - The structure or parcel shall immediately be rendered safe and secure, or the structure shall forthwith be demolished and the parcel properly backfilled. All debris shall be removed from the parcel and disposed of in accordance with law.
  - 2. After compliance with Section 8004.B.1, the owner shall have a one year period from the date of damage within which either to demolish the structure completely, remove and dispose of all debris in accordance with law, and backfill properly the parcel, or to apply for a land use permit to repair, reconstruct or replace the structure in compliance with all general regulations, Zoning District regulations and standards, and use specifications of this Ordinance.
- C. Any reconstruction, rebuilding, repairing or replacement of a structure authorized pursuant to Section 8004.A.3, Section 8004.A.4, or Section 8004.B.2 above shall be completed within two (2) years of the date of damage to such structure, and resumption of use shall take place within ninety (90) days of completion of the project. The two (2) year period may be extended for up to an additional one (1) year period if an application is filed for a variance and if the Board makes a finding that one or more of the following conditions exist:
  - 1. The delay could not be avoided because of weather;
  - 2. The delay was because of a criminal investigation;
  - 3. The delay was the result of a dispute between the owner and an insurance company concerning insurance coverage; or,
  - 4. The delay was the result of property held in probate.

### 8005. Status of Certain Uses Which Existed Prior to This Ordinance

A. There are uses which existed prior to this Ordinance but which are not permitted uses under this Ordinance. Of those uses, there are some which are listed as potential special uses in this Ordinance. Those existing uses, which are listed as

potential special uses in this Ordinance, shall not be considered to be nonconforming uses.

[Amended by Ordinance Number 01 of 2016, effective March 18, 2016]

B. Those uses, or parts of uses, which existed prior to this Ordinance and are listed as special uses in this Ordinance, shall be considered to be an Approved Preexisting Special Use with the configuration shown on a site plan drawn to reflect how the use existed at the time this Ordinance was adopted. Uses and parts of uses which are otherwise considered to be nonconforming prior to the adoption of this Ordinance and which are not considered to be an Approved Pre-existing Special Use shall continue to be nonconforming under this Ordinance.

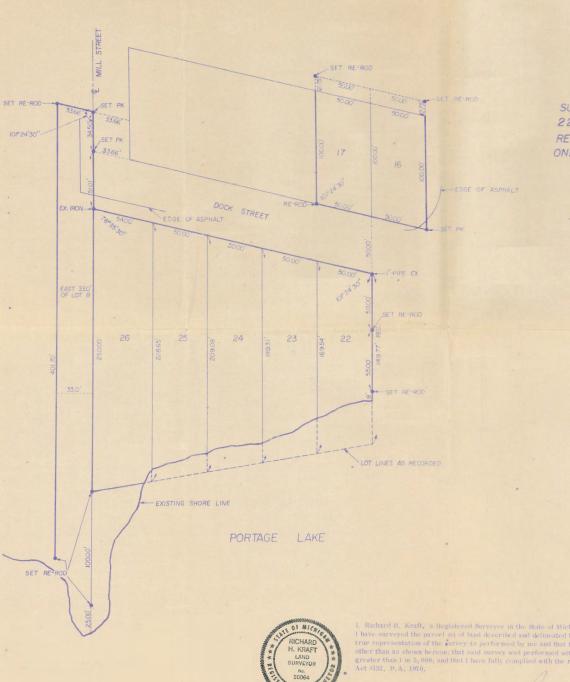
[Amended by Ordinance Number 01 of 2016, effective March 18, 2016]

C. An owner of an Approved Pre-existing Special Use under Section 8005.B shall, at no charge to the owner, obtain from the Planning Commission a Certification of a Site Plan reflecting how the use existed at the time of adoption of this Ordinance with identification of nonconforming parts, if any. In the case of a dispute over what facts existed at the time of adoption of this Ordinance, aerial photographs taken by Manistee County or other aerial photographs taken to the same or greater standards for mapping as the County's photos and taken after the County photos but before the adoption of this Ordinance shall be given the greatest weight as evidence to establish a certified site plan. For purposes of this section, the above mentioned photo(s) may be accepted as the Site Plan for the Approved Pre-existing Special Use Certification.

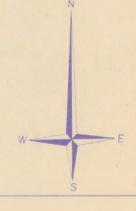
[Amended by Ordinance Number 01 of 2016, effective March 18, 2016]

D. When a special use owner applies under Section 8615 to amend an Approved Existing Special Use Certification for expansion or change, a written Special Use Permit shall be prepared for the entire use and parcel. In reviewing the amendment application for expansion or change, the Planning Commission shall only review and act on the expansion or change portions of the application. If the application for amendment is approved, approved with conditions, denied or denied in part by the Village Council, the action shall not alter those parts of the Special Use that are shown on the Approved Existing Special Use Certification.

[Amended by Ordinance Number 01 of 2016, effective March 18, 2016]



SURVEY OF LOTS 16 & 17 AND LOTS 22 THRU 26 ACCORDING TO THE RECORDED PLAT OF THE VILLAGE OF ONEKAMA.



1. Richard H. Keaft, a Registered Surveyor in the State of Michigan, HEREBY CERTIFY that I have surveyed the parcel is) of land described and delineated hereon; that said plat is a true representation of the survey as performed by me and that there are no encroachments other than as shown hereon; that said survey was performed with an error of closure no greater than 1 in 5,000; and that I have fully complied with the requirements of Section #3, Act #132, P.A. 1970.

RICHARD H. KRAFT R.L.S. 10064

BOX 396

WALT MROZINSKI

# **PLANNING DEPARTMENT**

Manistee County Planning Building Third St 395 Manistee, MI 49660

Parcel ID: 51-41-200-023-00

4/28/2025 4919 DOCK 8110 MILL ST 8131 MILL S ST 2021 Aerials of Manistee County

All provided GIS data is to be considered at generalized representation subject to revisions. This information is provided as a visual representation only.

# Legend

Roads

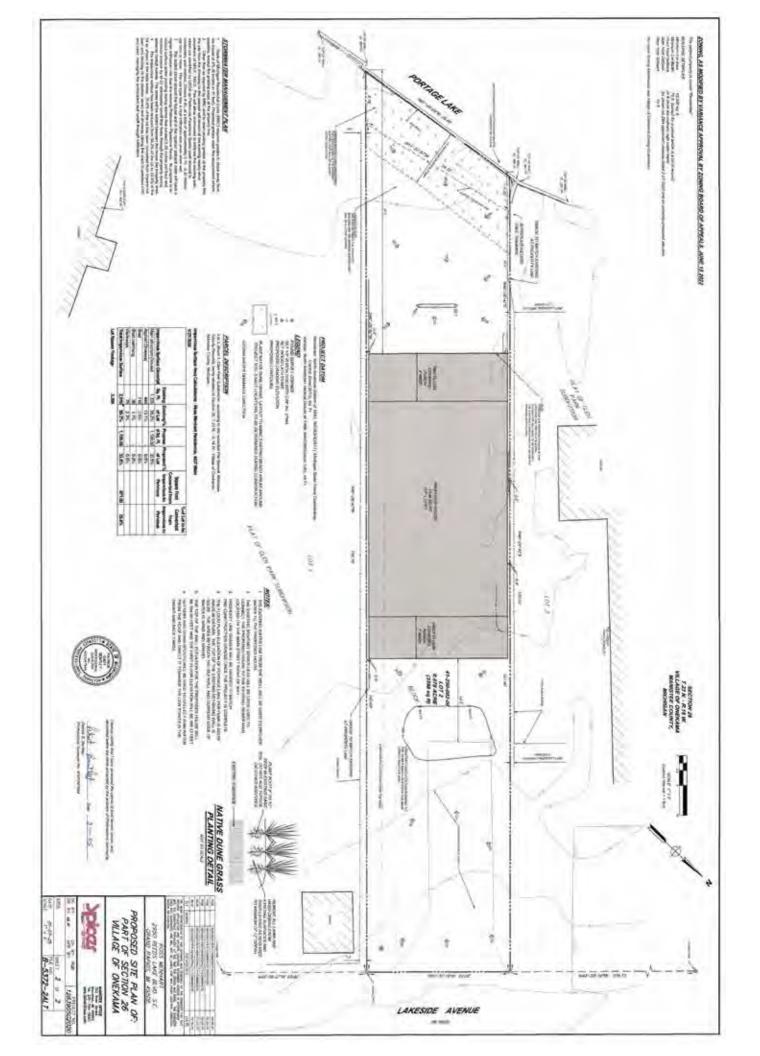
**Parcels** 

\*Highlighted area is where proposed Address\_Points reconstruction will take place.



20 5 10 ■ Meters





# DRAFT - NOT FOR CONSTRUCTION

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possession of these documents, hereby agrees to the following terms and conditions (this "Agreement"): In consideration for use of these symbolic, simplified schematic plans and documents, the recipient, and any other user in

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n*o co*ntrol or responsibility. installation of all materials and other items and details not necessarily indicated on the Plans, and over which Drafter has Final selections of all materials are the responsibility of the owner, user and/or builder, including, but not limited to, proper It is the responsibility of the owner, user, or builder to check all specifications, dimensions, and details for overall accuracy.

whatever kind or nature, either in law or in equity, which arise released and forever discharged and held harmless from all liability and claims, demands, rights of actions, or actions, of Pursuant to this agreement, Drafter and its representatives, successors, and assigns are hereby freely indemnified and or may hereafter arise from the documentation contained

Receipt, possession, or use of these documents concedes acceptance of the terms of this agreement.

MENHART LAKE HOME

AGREEMENT & DISCLAIMER

SHEET TITLE:

REQUESTED REVISIONS

SCALE: 1/4" = 3/26/2025 그

SHEET:

**X**-

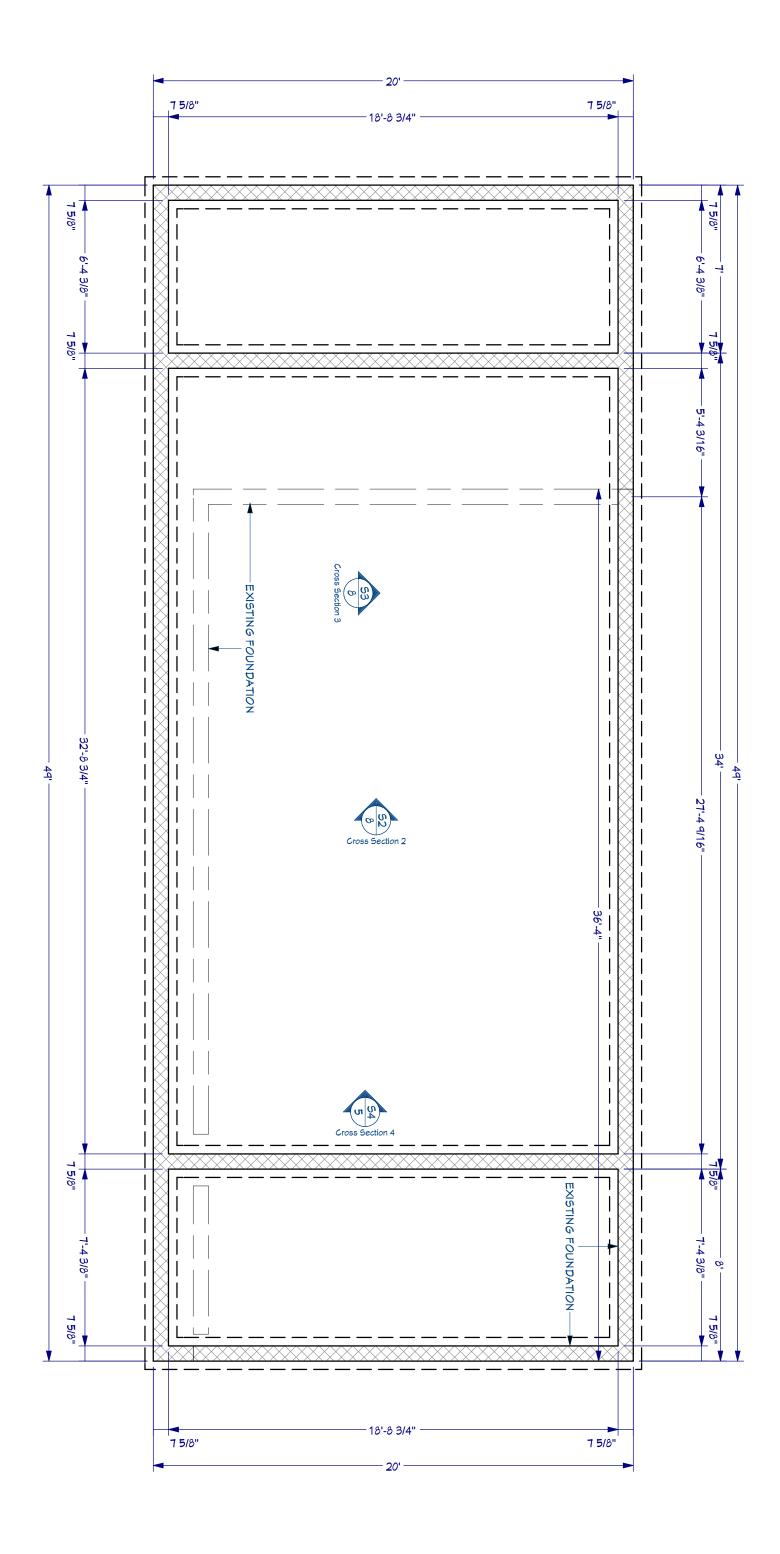
DATE: CONCEPTUAL DRAWINGS DRAFTED BY: 269.270.2397

THOM PHILLIPS

1730 FOREST DRIVE PORTAGE, MI 49002

PROJECT DESCRIPTION

CONCEPTUAL SCHEMATIC DRAWINGS



A-2

SHEET:

DATE: 3/26/2025 CONCEPTUAL DRAWINGS DRAFTED BY:

THOM PHILLIPS
1730 FOREST DRIVE
PORTAGE, MI 49002
269.270.2397

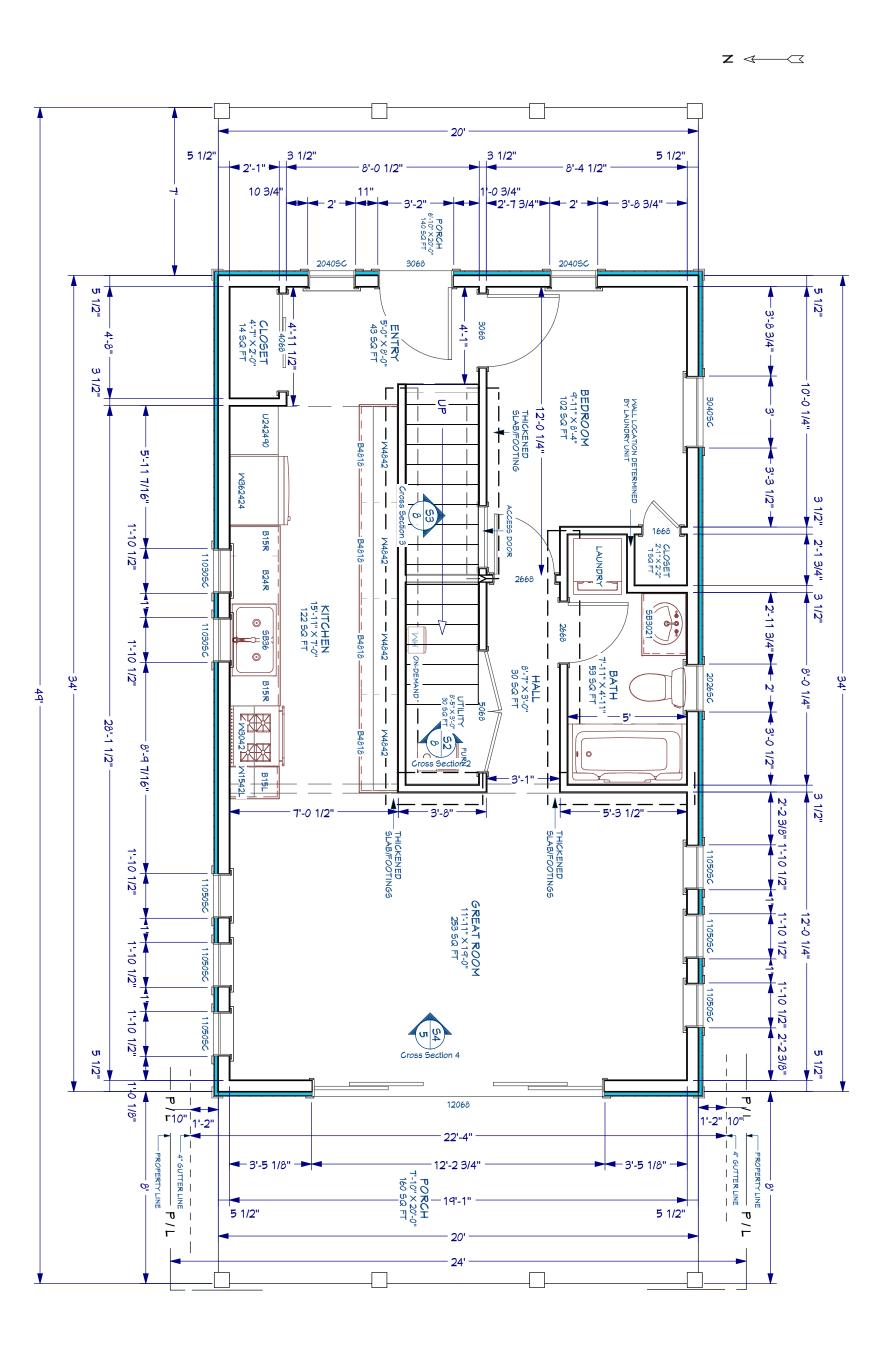
MENHART LAKE HOME CONCEPTUAL SCHEMATIC DRAWINGS DRAFT 3-26-25

PROJECT DESCRIPTION:

SHEET TITLE:

FOUNDATION PLAN

REQUESTED REVISIONS



**A**-.

SHEET:

DATE: 3/26/2025

SCALE:

CONCEPTUAL DRAWINGS DRAFTED BY:

THOM PHILLIPS
1730 FOREST DRIVE
PORTAGE, MI 49002

269.270.2397

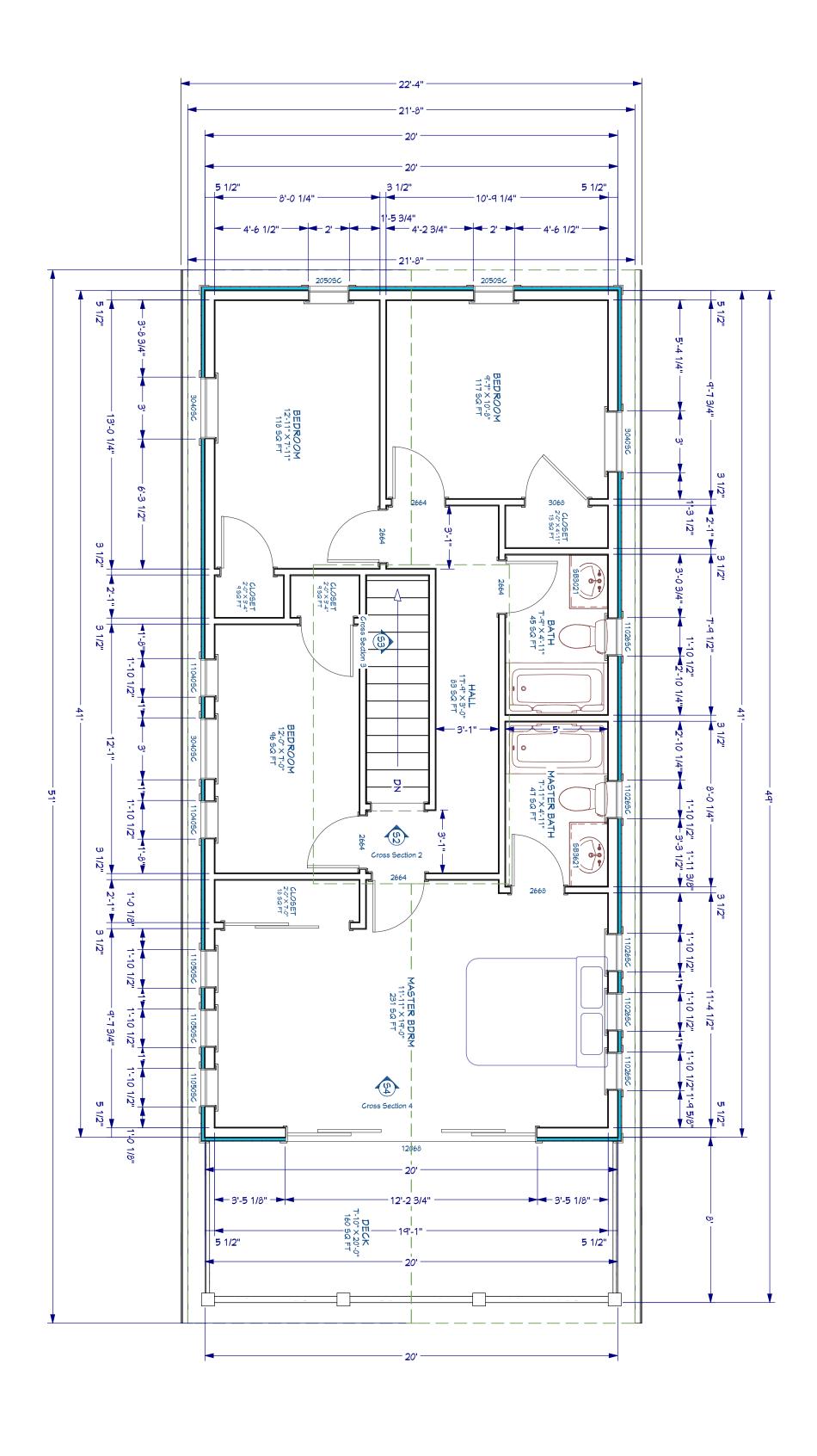
MENHART LAKE HOME CONCEPTUAL SCHEMATIC DRAWINGS DRAFT 3-26-25

PROJECT DESCRIPTION:

MAIN FLOOR PLAN

SHEET TITLE:

REQUESTED REVISIONS



A-4

SHEET:

DATE: 3/26/2025

SCALE:

CONCEPTUAL DRAWINGS DRAFTED BY:

THOM PHILLIPS
1730 FOREST DRIVE
PORTAGE, MI 49002

269.270.2397

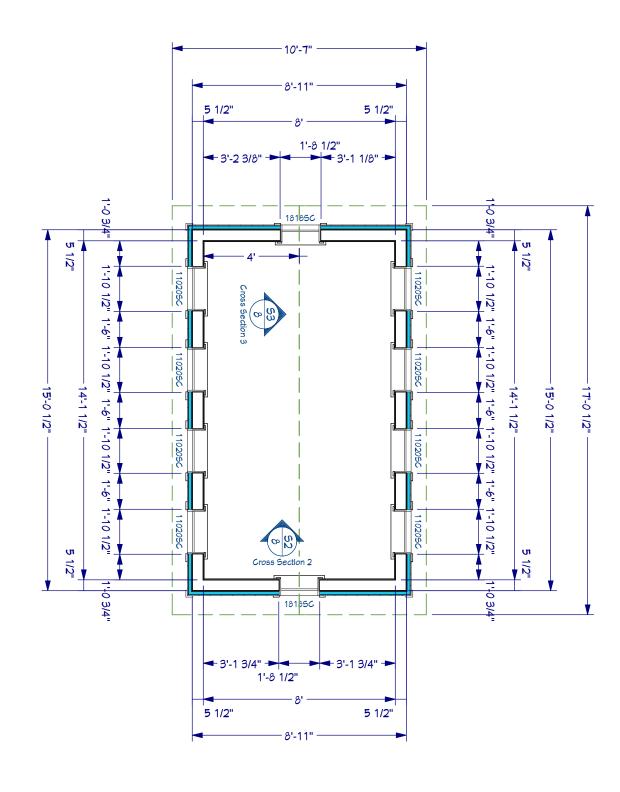
MENHART LAKE HOME CONCEPTUAL SCHEMATIC DRAWINGS DRAFT 3-26-25

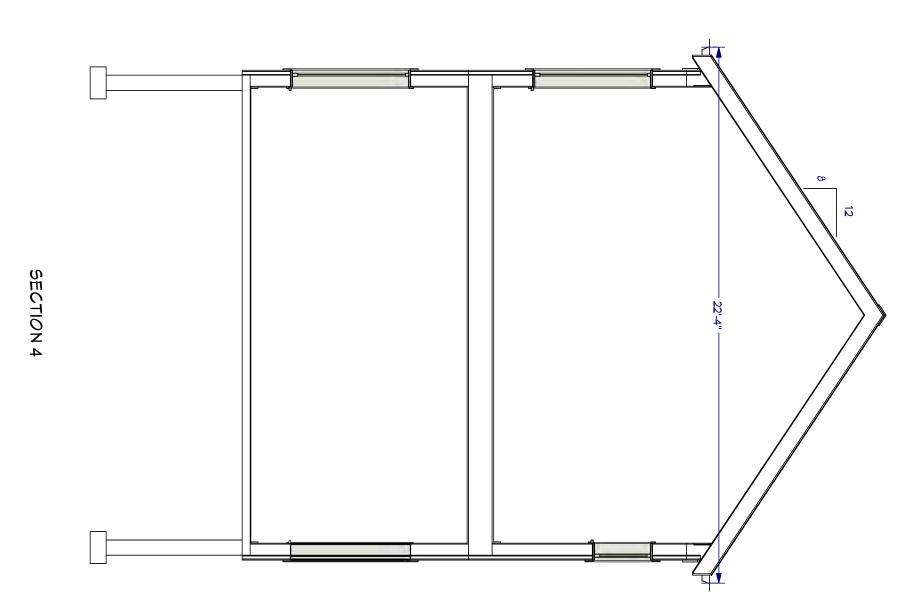
PROJECT DESCRIPTION:

SHEET TITLE:

SECOND FLOOR PLAN

REQUESTED REVISIONS





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SHEET:

DATE:

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CONCEPTUAL DRAWINGS DRAFTED BY:

CUPOLA PLAN

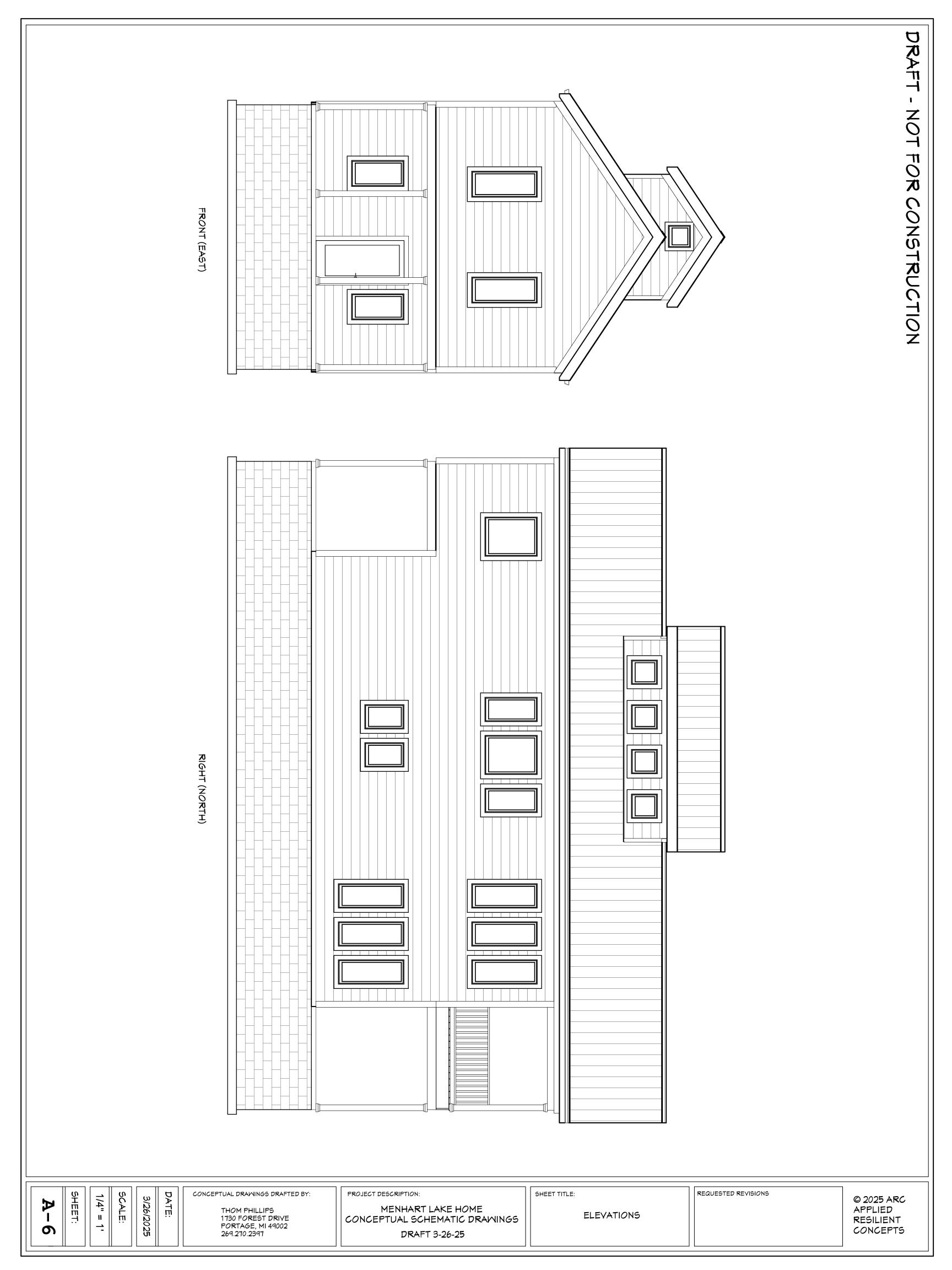
THOM PHILLIPS 1730 FOREST DRIVE PORTAGE, MI 49002 269.270.2397

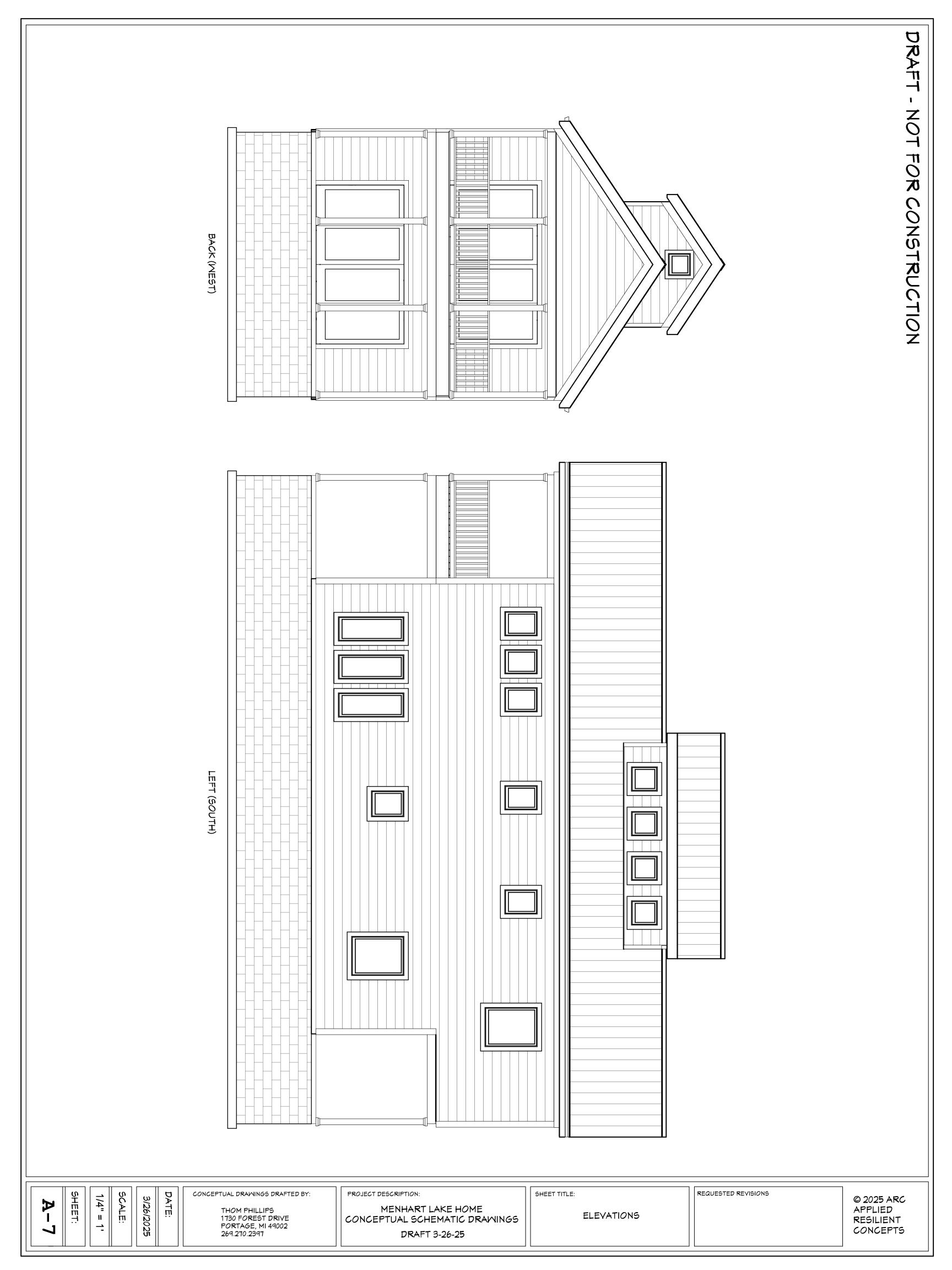
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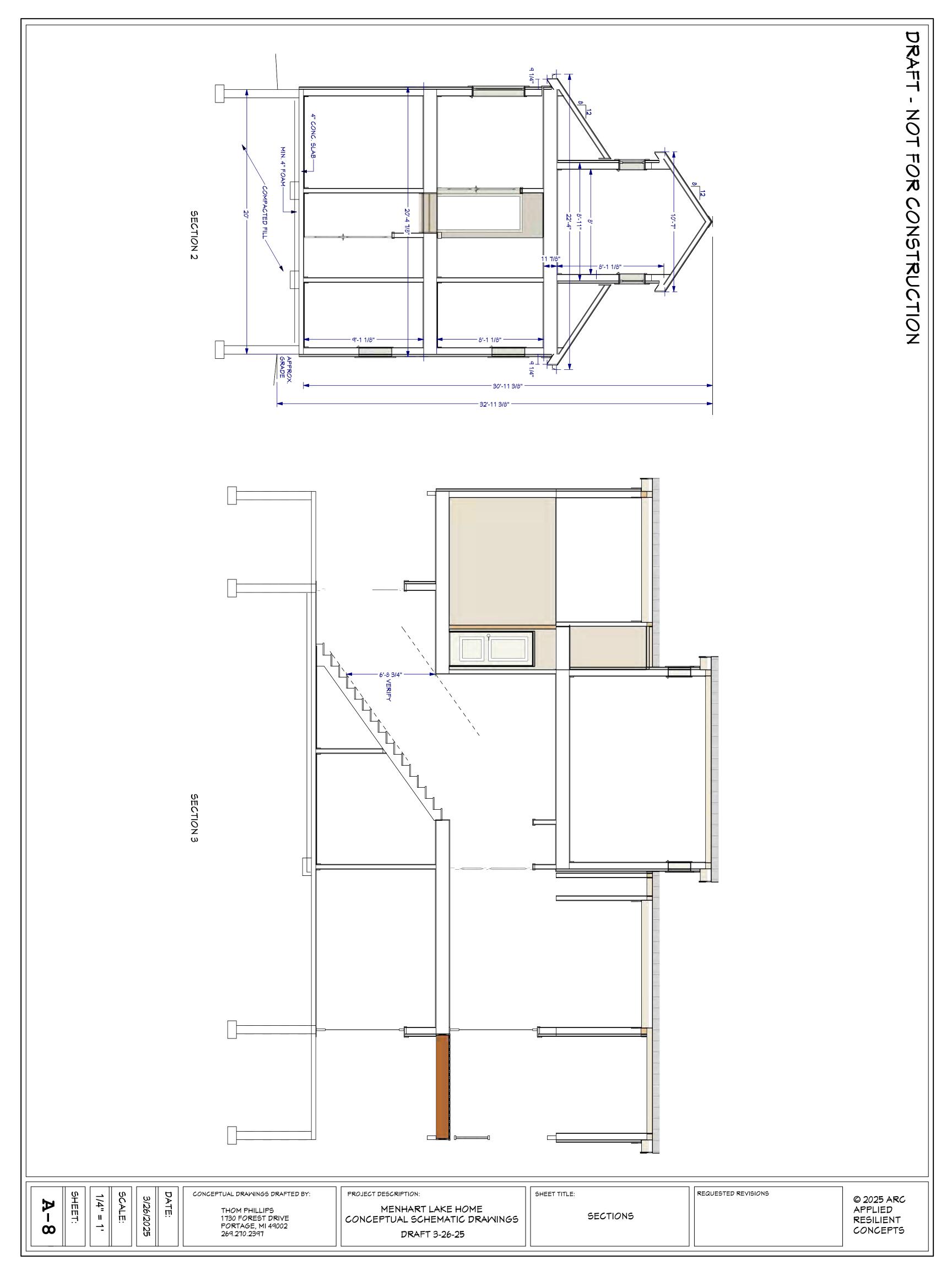
MENHART LAKE HOME CONCEPTUAL SCHEMATIC DRAWINGS DRAFT 3-26-25

SHEET TITLE: CUPOLA PLAN ROOF FRAMING DIMENSIONS (VERIFY)

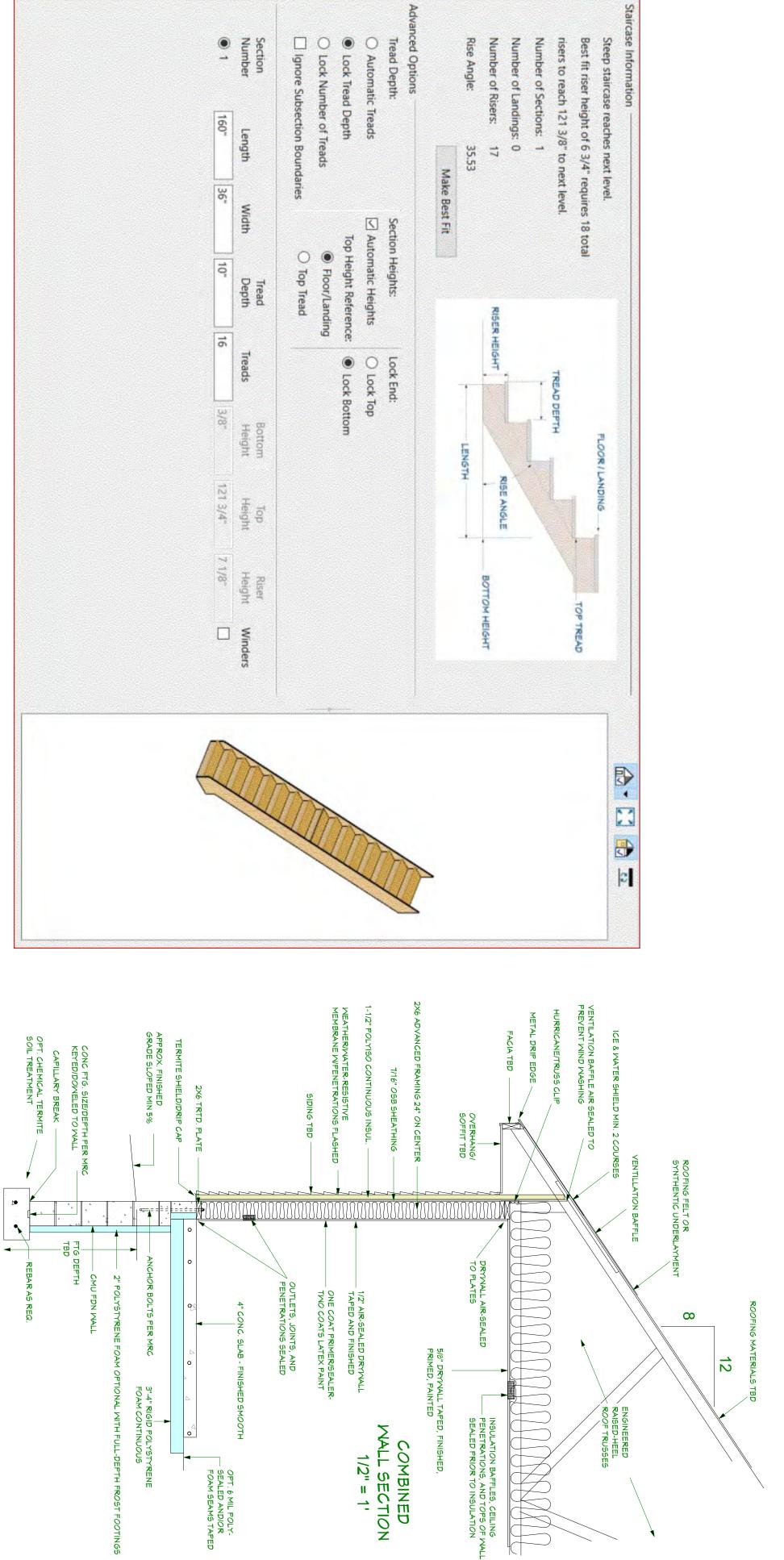
REQUESTED REVISIONS







# DRAFT - NOT FOR CONSTRUCTION



INSULATION BAFFLES, CEILING PENETRATIONS, AND TOPS OF WALLS SEALED PRIOR TO INSULATION DATE: SHEET TITLE:

M 9 SHEET:

SCALE:

3/26/2025

1/4" =

CONCEPTUAL DRAWINGS DRAFTED BY: THOM PHILLIPS 1730 FOREST DRIVE PORTAGE, MI 49002

269.270.2397

PROJECT DESCRIPTION:

MENHART LAKE HOME CONCEPTUAL SCHEMATIC DRAWINGS **DRAFT 3-26-25** 

STAIR DETAILS!

WALL SECTION - 1/2"=1"

REQUESTED REVISIONS



### PLANNING DEPARTMENT

(231) 723-6041 Fax (231) 398-3526 planning@manisteecountymi.gov

Manistee County Planning Department • 395 Third Street • Manistee, Michigan 49660

May 19, 2022

Onekama Village Zoning Board of Appeals 5283 Main Street Onekama, Michigan 49675

RE: Ross Menhart/Overmyer Variance Request

The Planning Department has received a completed variance request packet and paid fee from the property owners of parcel # 51-41-250-002-00, commonly known as 4537 Main Street, Onekama, Michigan 49675.

The variance request lists some of the issues of the lot, including: failure to meet side yard restrictions on both sides of parcel, the proposed plan does not meet the impervious surface coverage requirements, a riparian buffer is not shown on the plan. The parcel is a lot of record, which falls under a recorded plat that was established prior to the adoption of the Zoning Ordinance. The Zoning Ordinance establishes that for "platted lot of record, the minimum width shall be the platted width," this allows for the building on the parcel, but it would still be required to meet all other restrictions of the Zoning Ordinance.

The requested variance is for the proposed structure's setback, which fail to meet the Zoning Ordinance setback requirements for the Village's "Portage Lake Overlay Zone." The setback minimum on a side setback is 10 feet. The proposed structure's setback on each side of the parcel is 9.6 inches or .8 feet.

The proposed development fails to address the impervious surface coverage of the parcel, and riparian buffer strip. This can be addressed within the land use permit or now as a requirement of granting the variance. Other considerations are to the FEMA flood plain management and recommended building within a coastal A zone.

In this packet you will find:

- The applicant's narrative
- The applicant's variance application paperwork and site plan
- A 2021 aerial photo of the property outlined in blue
- Photos taken in 2021 of the property from the roadside
- A 300' vicinity map
- A letter of support from 4541 Main Steet owner Jamal Agel
- A list of property owners that mailing went out to
- Additional information from the Planning Department concerning the property
- Zoning District information for where the property resides in and draft Zoning Map
- Copy of the Newspaper Notice and proof.



### **PLANNING DEPARTMENT**

(231) 723-6041 Fax (231) 398-3526 planning@manisteecountymi.gov

Manistee County Planning Department - 395 Third Street - Manistee, Michigan 49660

Copy of the letter that went out to neighbors within 300' of the property

The Zoning Board of Appeals shall find that a variance request meets all the "basic conditions" found on page 3 of 5 on the "Request for Appeal" paperwork. This will take place by majority vote. If all conditions are not met, then a variance cannot be granted.

The Planning Department has the following recommendations if any variance is granted that:

- Only the minimum variance is granted, and that any variance granted does not entitle the applicant to ignore any other requirements of the Zoning Ordinance.
- A land use permit must still be obtained.
- The FEMA guidelines of building in a Coastal A be followed as a requirement of this variance.
- Innovative Storm Water treatment methods be included as a requirement, such as rain gardens, ground water infiltration structure, or constructed wetlands as a stipulation of permitting. These should occur on the non-lakeside of the parcel.
- Riparian buffer strip be integrated into the site plan as a stipulation.
- Request an address from the Manistee County Planning Department.

The Zoning Board of Appeals can:

- move to grant the variance for the proposed site plan
- grant the variance for the proposed site plan with modification
- or deny the variance.

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

Regards,

Mike Szokola

**Planning Director** 

**Manistee County** 

231.398.3527

mszokola@manisteecountymi.gov

il Sol

Reference Parcel # 51-41-250-002-00

Overmyer - Menhart

4537 Main Street

Onekama, Mi. 49675

Village of Onekama,

We are requesting a variance for the above listed property due to the non-conformance nature of the property to the current standards. When this property was developed it was in compliance to the development requirements.

We are requesting a variance to remove the existing structure and replace it with a new two-story structure. This new structure will be set off the water, more than the current structure, to promote and foster the riparian zone. We are also requesting to move due to the current water levels on the lake. Our cottage, like many others on the lake, is currently flooded. The new building would be out of the wetland zone and be a raised foundation to promote longevity and preserve the structure's integrity. The following is factual information about the project and the Master Plan of the village of Onekama

### **Upgrades and Improvements comparisons:**

- Move the new structure out of the current flood zone. As stated above, like many other structures along the lake the high-water table is causing our cottage to be uninhabitable. The new structure would address this issue by moving it out and elevating it above risk.
- 2) The New structure will re-instate the riparian zone of this property. The existing structure is built in the riparian zone.
- 3) The new Structure will be narrower in width and shorter in length than the existing Structure:
- Existing structure is 20'-3-5/8" wide vs new structure 20'-0" wide
- Existing structure is 65' long vs, new structure 49' long
- Eve coverage is equal from existing to new structure
- 4) Land Coverage: Impervious surface limit. The following numbers assume NO utilization of storm water treatments.
- Existing structure has a total lot coverage of 38.7%

- New structure will have a lot coverage of 28.7%
- 5) We are proposing the utilization of storm water control methods with the new structure to help control water run-off from roofs and other portions of the structure. We propose to utilize gutters and downspouts on the building and a run-off area within the riparian zone with the recommended grasses and indigenous planting to help control soil migration. Due to the utilization of water control methods the Impervious surface limit does not apply to this structure per The Onekama Village Permanent Zoning Ordinance.
- 6) To Quote your Master Plan Document: The new structure complies to the following:

### **Desired Future Development Patterns**

- Low-scale development limited to two stories in height
- Minimal disturbance within the riparian zone. Incorporation of a sufficient natural buffer between the structure and the water's edge.
- No direct runoff from impervious surfaces to Portage Lake
- Residential areas to be connected with trails and walkways, and
- Minimal exterior lighting along water frontage.

### ALSO the following;

"From the Numbers" Trend – Observations Reason(s). Seasonal housing stock accounts for 40% of total housing units Preference for seasonal homes to be located on or near water; and the natural beauty of the Onekama Community. Higher percent of non-homestead properties contributing to tax base; lower demand for municipal services due to seasonal use; no or minimal demand for local school facilities; and reduction of year-round disposable income to support local businesses.

- 6) According to the MASTER PLAN, this address that we are discussing is considered the Residential /Resort Med Density location of that plan. Due to that fact new development along with the added tax revenue as stated above helps promote Onekama, increase home values and promotes a sense of place and reginal identity. WE ARE INVESTING OUR TIME AND MONEY INTO YOUR COMMUNITY.
- 7) I am a high-end energy efficient custom home builder and I plan on building a very nice and attractive structure in lieu of the existing dilapidated flooded out one that we have now. The new structure would have an elevated foundation at least 3' higher than the existing structure but still within the height restriction of 35'. By doing this we will be ahead of "future" recommended FEMA building guidelines. These recommendations are not code as of yet but I believe that elevating the structure makes sense from a fiscal and long-term durability perspective.

### **SUMMARY**

In summary we show with the existing conditions of the site and information provided above that we have documented a hardship. We have also documented and established the basic approval conditions as outlined in the request for appeal application including numbers 4 and 5. Number 4 states that, "The non-variance, as granted, is in harmony with general purpose and intent of this ordinance, is not injurious to the neighborhood or otherwise detrimental to public safety, and is the minimum variance that will provide substantial justice to the applicant by allowing reasonable use of the structure or parcel."

All that being said, not only is it in harmony with the provisions of the ordinance but it is also in harmony on many fronts with the Master Plan of the Village of Onekama in the promotion and harmony of the lake quality and surrounding areas. On a business front it is in harmony given where we are located as a resort area and the need for resort areas to be business promoters, if not directly then indirectly from the revenue of taxes and other resource sharing activities within the community. This structure will improve property values and be a more appealing structure from the road and lake views.

Number 5 mentions ... "the spirit of the ordinance in regards to public safety is secured." Fire safety access was mentioned and movement along property lines without trespassing on the adjacent properties. First, there will be equal or more room to access the property lines on the northwest side of the lot than exists now. I have written permission (see attached) to access the southeast property line when needed for structural building/maintenance and public safety needs if the other lot line is unavailable or inefficient.

It is our intention of bringing our best to the community of Onekama. We are looking forward to this project and future endeavors with this community for years to come. I also look forward to meeting with the Appeal Board to discuss and secure approval for this project.

Sincerely,	

**Ross Menhart** 



Planning & Zoning 395 Third Street Manistee, MI 49660 231.723.6041 (phone) 231.398.3526 (fax)

## **Request for Appeal**

Zoning Board of Appeals
Please Print

# **Submission of Application** After receipt of a complete application a public hearing will be scheduled. You will receive written notice from the Village indicating the date and time. You or your representative should be present at the hearing to explain your request to the Board and to answer any questions that they may have. After the hearing, the Board of Appeals will make a decision to approve, approve with conditions, or deny your request. You will receive written notice of their decision. Each application shall be accompanied by the payment of a fee \$450.00 if a current property owner and a separate fee for perspective property owners. These fees will be in accordance with the schedule of fees adopted by the Village Council to cover the costs of processing the application. If applicant is or represents a prospective property owner; a copy of the proposed purchase agreement, that states if the variance is granted the sale will take place, must be provided. **Applicant Information** Name of Owner: MARLEAE Address: 4537 MAIN ST Phone #: 269-615-7883 Cell#: e-mail: ROSSIMAN/HOMES@ GMAIL Name of Agent (if applicable): Address: 3// Phone #: 269-692-7527 e-mail: **Property Information** Address: 4537 MM ST. 51-41-250-002-00 Present/proposed Land Use: Names and addresses of all persons, firms or corporations having a legal or equitable interest in the land: MARLENE OVERMYER / ROSS MENHART List of Deed Restrictions (cite Liber & Page) and attach additional sheets if necessary: Has a previous appeal been made with respect to this property? Yes No If a previous appeal, re-zoning or special use permit application was made state the date, nature of action requested and the decision: MARCH 3,2020, DENIED **Detailed Narrative of Request** State exactly what is intended to be done, on or with the property that necessitates a variance from the Zoning Board of Appeals. (Attach additional documents to application as needed) SEE ATTACHED

	D	etailed Request and Justification				
	Identify each requested variance	Required by Zoning	Requested by Ap	pellant		
	Front Yard Set Back	From	То			
1	Side Yard Set Back	From	То			
V	Side Yard Set Back	From	То			
	Rear Yard Set Back	From	То			
	Waterfront Set Back	From	То			
	Height	From	То			
	Lot Coverage	From	То			
	Off Street Parking	From	То			
	Other:	From	То			
	Please Mark all characteristi	cs of your property which require the	e granting of a variance			
<b>√</b>	Too Narrow	Explain: GOT 15 ONLY 2	ZY'WIDE			
	Too Small	Explain:				
	Too Shallow	Explain:				
	Elevation (height)	Explain:				
	Slope	Explain:				
	Shape	Explain:				
	Soil	Explain:				
	Other:	Explain:				
	ard shall have the power to authorize, up	Specific Variance				
it finds that all of the Basic Conditions set forth herein can be satisfied. The appellant shall submit, along with the established fee and other materials, a narrative demonstrating why a variance is sought.  Basic Conditions - (For Board Member Use Only) - The Board shall find that a variance request meets all the following conditions by majority vote of the presiding members. If any of the following cannot conditions are not met a variance cannot be granted.  1. Special conditions and circumstances exist which are peculiar to the parcel or structure involved and which are not applicable generally to other parcels or structures in the same Zoning District.  Justification: (For Board Member Use Only)  2. The special conditions and circumstances required to be demonstrated in Section 9604.C.1 do not result from the actions of the requesting person.  Justification: (For Board Member Use Only)						
3. A literal interpretation of the provisions of this Ordinance would deprive the requesting person of rights commonly enjoyed by owners of other properties in the same Zoning District under this Ordinance.  Justification: (For Board Member Use Only)						
4. The non-use variance, as granted, is in harmony with the general purpose and intent of this Ordinance, is not injurious to the neighborhood or otherwise detrimental to the public safety, and is the minimum variance that will provide substantial justice to the applicant by allowing reasonable use of the structure or parcel.  Justification: (For Board Member Use Only)						
5. The grant of the non-use variance is appropriate because there are practical difficulties in carrying out the strict letter of this Ordinance, the spirit of this Ordinance is observed, public safety is secured, and substantial justice is done.  Justification: (For Board Member Use Only)						

1	Site Plan Requirements
<del></del>	t is responsible to provide a survey (unless waived by the Zoning Administrator) as follows:
	The property identified by parcel lines and location, dimensions, angles, size.
V	Legal description of property.
<b>/</b>	A vicinity map showing the location of the site in relation to the surrounding street system within 300 feet of the site.
	License #, and signature of land surveyor, engineer, or architect licensed in Michigan who prepared the plan.
/	Names and addresses of all persons, firms or corporations having a legal or equitable interest in the land.
	The scale, with one inch not being less than 100 feet.
/	North point.
	Contours shown at least (2) feet intervals.
<i>V</i>	Natural features such as woodlots, waterbodies, wetlands, flood plains, high risk erosion areas, slopes over 25% beach, sand dunes, drainage and similar features. A statement needs to be included speaking on how each of these listed features will be altered or removed.
V	Location dimensions of existing and proposed man-made features such as buildings, structures, high-tension towers fences, pipelines, utility easements, water, storm sewer and sanitary sewer lines, private sanitary sewage facilities excavations, bridges, culverts, storm water drainage, retention lines, on subject parcel and adjacent parcels.
V	The location of proposed and main and accessory buildings, existing structures, the height of all buildings, square footage of floor space and set-backs, riparian setbacks proposed finished floor and grade line elevations, types of buildings, uses, and relation to one another and to any existing structures on site, square footage of floor area for each level.
/	For a residential development, a density schedule showing the number of dwelling units per acre and a dwelling schedule showing the unit type and number of each such unit;
<b>√</b>	Location of proposed streets, driveways, sidewalks, and other vehicular and pedestrian circulation features within and adjacent to the site; location, size and number of parking spaces in off-street parking areas and of service lanes and service parking; and, a calculation of the percent of the land area of the parcel covered by impervious surfaces.
1	Proposed location, use and size of open spaces; location of any landscaping, fences or walls on the site, location and extent of proposed alterations to the topography and other natural features, and proposed location of connections to existing utilities and proposed extensions thereof.
1	Topography information based on USGS datum or selected on-site elevations.
	Generalized soil analysis.
/	Soil and sediment control measures, including preventative erosion devices, both during and after any site work related to the development. (When required)
NÅ	A complete description of the proposed development including areas of the site, the number of parcels, or units, the number and characteristic of the population impact such as density, elderly persons, school children, tourists, family size, income and related material as applicable.
N/A	Expected demands on community services, and how these services are to be provided, to specifically include: schoo classroom needs, volume of sewage for treatment in the Village Sanitary Sewer system, volume of water consumption related to groundwater reserves, change in traffic volume on adjacent streets, light pollution, and any other factors the Zoning administrator deems relevant.
NA	Statements as to the development's impact on soil erosion, shoreline protection, wildlife habitat, air pollution, water pollution, storm water run-off, noise, and the impacts of the development to pre-development levels.
R/A	Show any permits, and/or modifications to the site as required by any State, Federal, or local entity.
<b>√</b>	Any additional information which the Planning Commission and/or Village Council may require during its review to facilitate its decision.

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

Under no circumstances shall the Board grant a variance to allow a use not permitted under the terms of this Ordinance in the Zoning District involved.

A non-use variance from the terms of this Ordinance shall not be granted by the Board unless a person, who has been given an Administrator's notice that a land use permit has been denied and/or that a variance is required, submits within 45 days of being given such a Notice, a written request for a variance to the Board specifying the grounds that the applicant relies upon to demonstrate:

### (Applicant needs to ensure their narrative addresses the following:)

- 1. That special conditions and circumstances exist which are peculiar to the parcel or structure involved and which are not applicable to other parcels or structures involved and which are not applicable to other parcels or structures in the same district.
- 2. That literal interpretation of the provisions of this Ordinance would deprive the requesting person of rights commonly enjoyed by other parcels in the same district under the terms of this Ordinance; and;
- 3. That the special conditions and circumstances do not result from the actions of the requesting person.

No non-conforming structures or non-conforming parcels in the same zoning district and no permitted structures or permitted uses in other districts shall be considered grounds for issuance of a variance.

No variance which has been denied wholly or in part by the Board shall be resubmitted for a period of one (1) year from such denial, except on grounds of new evidence or proof of changed conditions found by the Board to be valid.

In granting any non-use variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance, including requirements for buffering between parcels by landscaping, fencing, vegetation or other similar methods. Violations of such conditions and safeguards that are made a part of the terms of the written decision under which a non-use variance is granted shall be deemed a violation of this Ordinance and punishable under Section 9805.

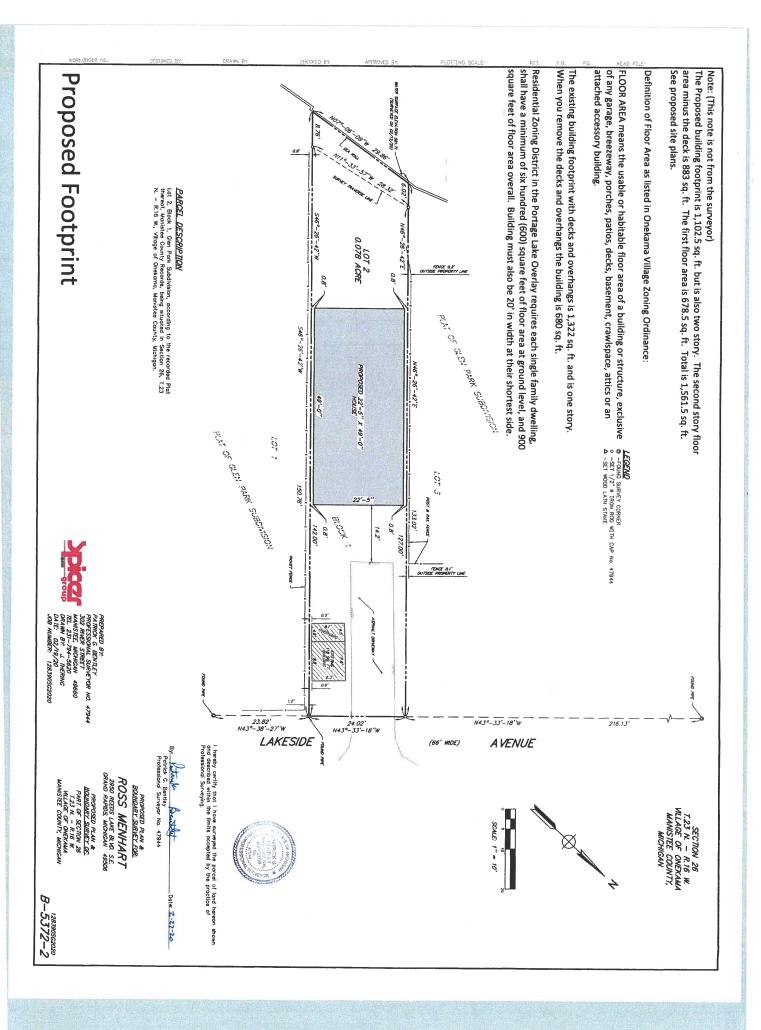
A granting of a variance does not excuse the applicant from any other portion of the Zoning Ordinance. Violations of the Zoning Ordinance will be punishable under Section 9805.

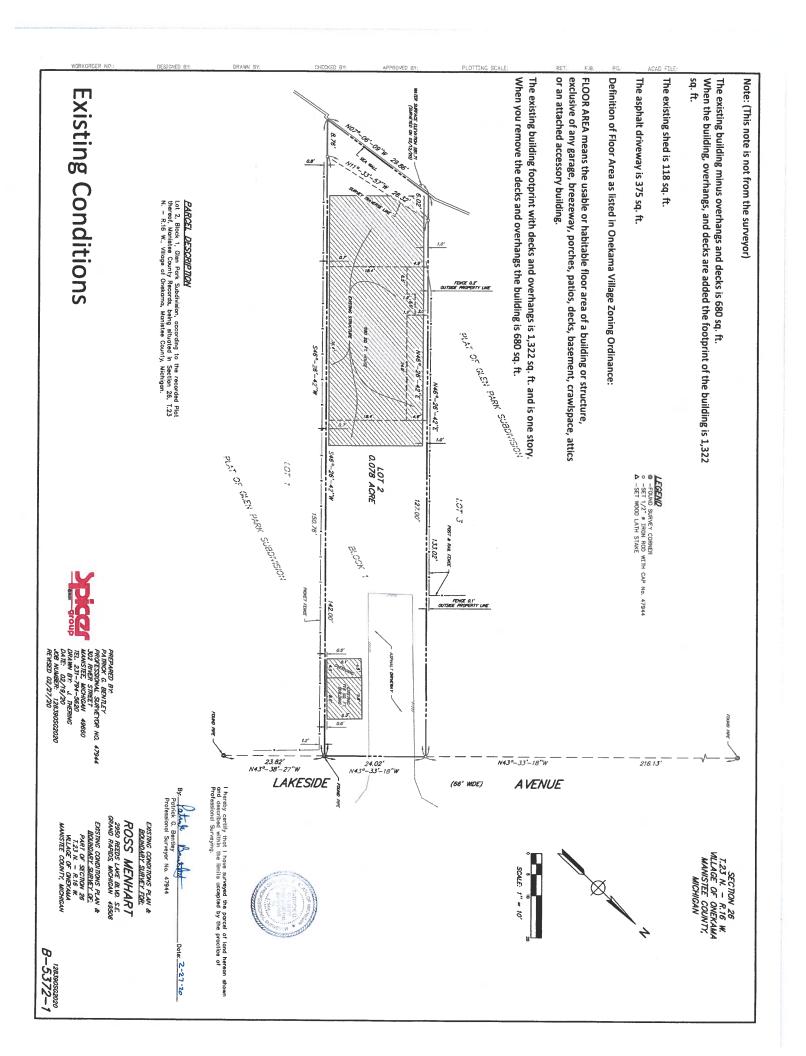
### Authorization

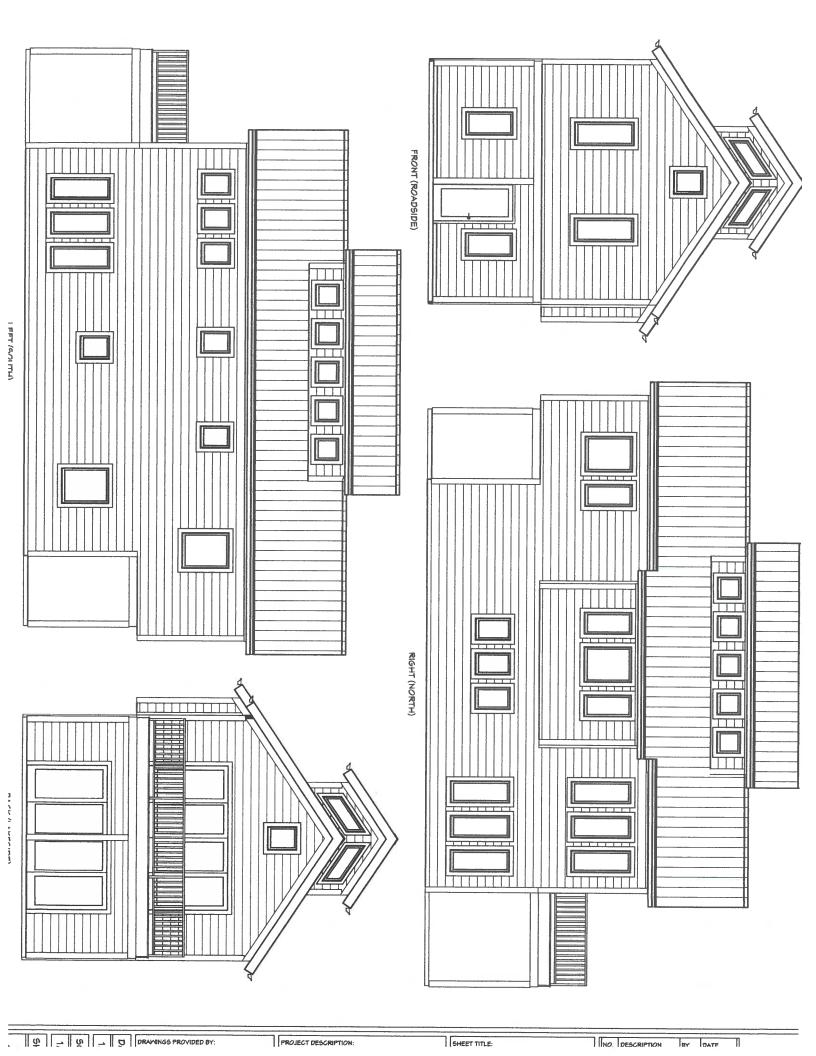
### AFFIDAVIT:

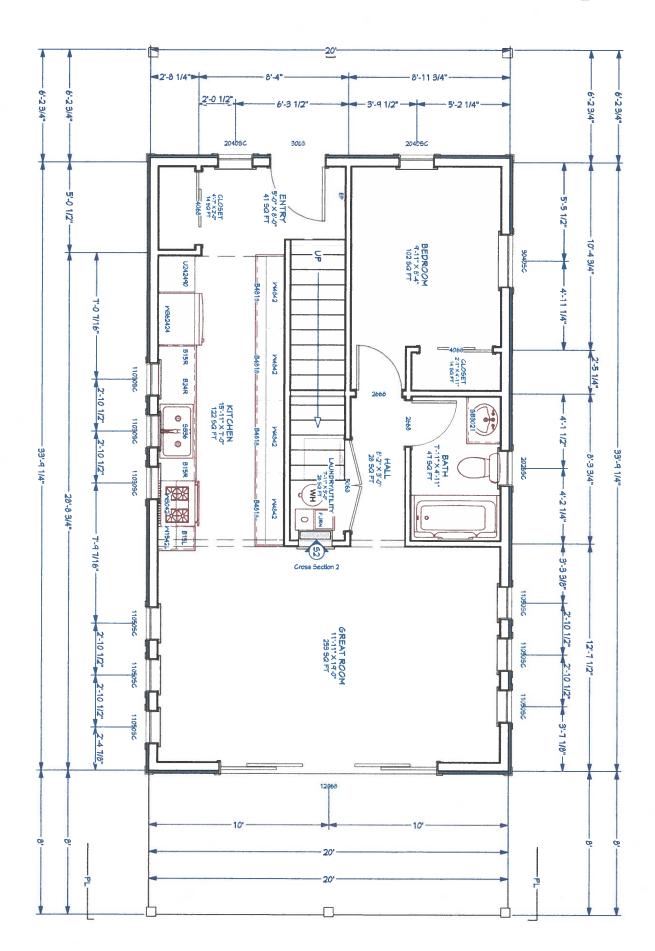
The undersigned acknowledges that if a variance is granted or other decisions favorable to the undersigned is rendered upon this appeal, the said decision does not relieve the applicant from compliance with all other provisions of the Village Zoning Ordinance; the undersigned further affirms that he/she or they is (are) the (owner/lessee/authorized agent for the owner, or have contract to purchase the property if variance is granted) 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.

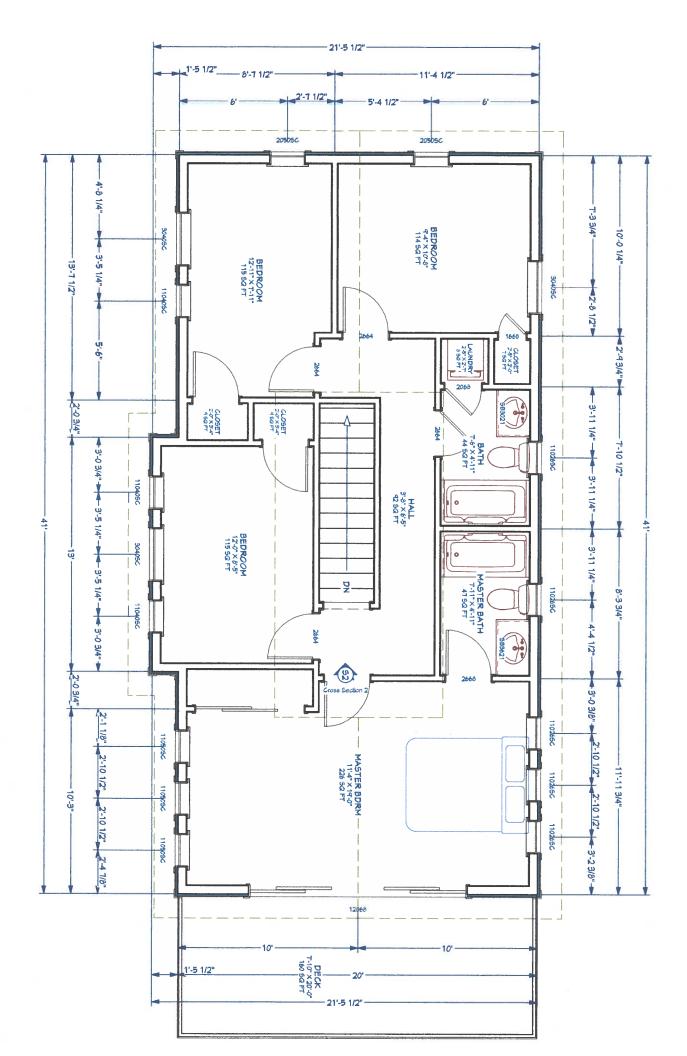
Signature:	Date:	11/30/2020
Signature:	Date:	
	or first payment of \$250.00 for potential landowned plan) * Please make all checks out to Village of One	
	Office Use Only	
Fee: ☐ \$450.00 or first payment of \$250.00 for potential landowners.		Receipt #
Date Received:	Hearing Date:	7BA-











Ecological site: Snowy Acidic Sandy Depression (F096XA008MI)

Hydric soil rating: No

### **Description of Pipestone**

### Setting

Landform: Beach ridges, dunes

Landform position (three-dimensional): Rise

Down-slope shape: Linear Across-slope shape: Linear

Parent material: Sandy glaciofluvial deposits

### Typical profile

A - 0 to 2 inches: sand E - 2 to 9 inches: sand Bhs - 9 to 12 inches: sand Bs - 12 to 24 inches: sand BC - 24 to 32 inches: sand C - 32 to 80 inches: sand

### **Properties and qualities**

Slope: 0 to 4 percent

Depth to restrictive feature: More than 80 inches Natural drainage class: Somewhat poorly drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): High to

very high (5.95 to 19.98 in/hr)

Depth to water table: About 6 inches

Frequency of flooding: None Frequency of ponding: None

Available water storage in profile: Low (about 4.1 inches)

### **Interpretive groups**

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: A/D

Ecological site: Snowy Acidic Sandy Depression (F096XA008MI)

Hydric soil rating: No

### **Minor Components**

### Dair

Percent of map unit: 5 percent

Landform: Depressions on dunes, depressions on beach ridges

Landform position (three-dimensional): Dip

Down-slope shape: Linear Across-slope shape: Linear Hydric soil rating: Yes

## **Data Source Information**

Soil Survey Area: Benzie and Manistee Counties. Michigan

Survey Area Data: Version 14, Sep 16, 2019

# Benzie and Manistee Counties, Michigan

 $\frac{1}{2}$ 

# 123B—Platteriver-Pipestone sands, 0 to 4 percent slopes

### **Map Unit Setting**

National map unit symbol: 6hcd Elevation: 580 to 1,120 feet

Mean annual precipitation: 28 to 38 inches
Mean annual air temperature: 37 to 55 degrees F

Frost-free period: 113 to 185 days

Farmland classification: Not prime farmland

### **Map Unit Composition**

Platteriver and similar soils: 55 percent Pipestone and similar soils: 40 percent

Minor components: 5 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

### **Description of Platteriver**

### Setting

Landform: Beach ridges, dunes

Landform position (three-dimensional): Rise

Down-slope shape: Linear Across-slope shape: Linear

Parent material: Sandy glaciofluvial deposits

### Typical profile

Oa - 0 to 1 inches: highly decomposed plant material

A - 1 to 3 inches: sand E - 3 to 14 inches: sand Bw1 - 14 to 20 inches: sand Bw2 - 20 to 29 inches: sand C - 29 to 80 inches: sand

### **Properties and qualities**

Slope: 0 to 4 percent

Depth to restrictive feature: More than 80 inches Natural drainage class: Moderately well drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): High to

very high (5.95 to 19.98 in/hr)

Depth to water table: About 18 inches

Frequency of flooding: None Frequency of ponding: None

Available water storage in profile: Low (about 3.7 inches)

### Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4s

Hydrologic Soil Group: A/D

### Parcel Number 41-250-002-00

Close This Window | < Previous | Permalink | Find Location on Map | 300 Foot Radial Search

**Manistee County Parcel Information for 2019 Assessment Year** 

Village of Onekama, Manistee County

Owner Name(s): OVERMYER MARLENE KAY &

**MENHART ROSS** 

Owner Address: 2950 REEDS LAKE BLVD SE

GRAND RAPIDS, MI 49506-2041

### **Property Information**

Property Class: 401 - RESIDENTIAL IMPROVED

School District: 51060 - ONEKAMA

**Current Homestead %: 0%** 

**Current Assessment: \$64,900** 

**Current S.E.V.:** \$64,900

**Current Taxable Value: \$27,540** 

Last Year's Assessment: \$60,000

Last Year's S.E.V.: \$60,000

Last Year's Taxable Value: \$26,895

### **Property Sale Information**

Sale Date	Sale Amount
5/27/2016	\$0.00
2/12/2016	\$0.00
12/1/1984	\$0.00

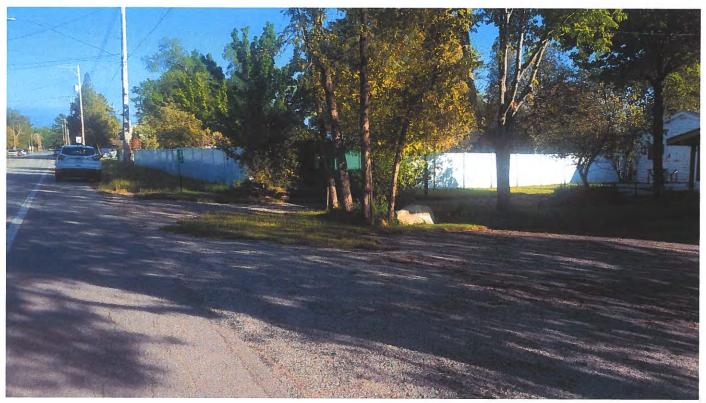
Tax Roll Description

VILLAGE OF ONEKAMA GLEN PARK SUBDIVISION LOT 2 BLOCK 1.

Powered by Community Center™ software from the Land Information Access Association



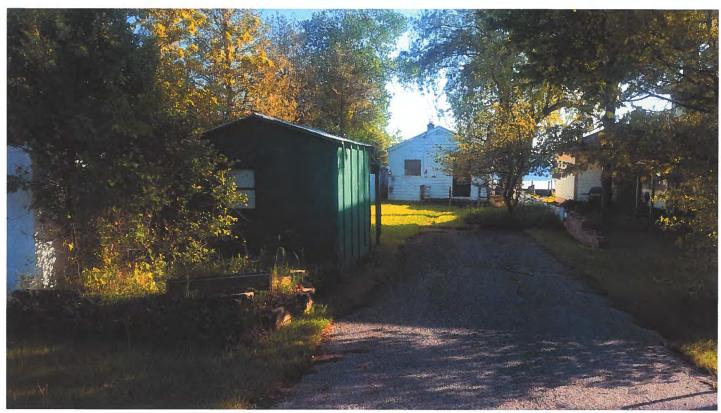




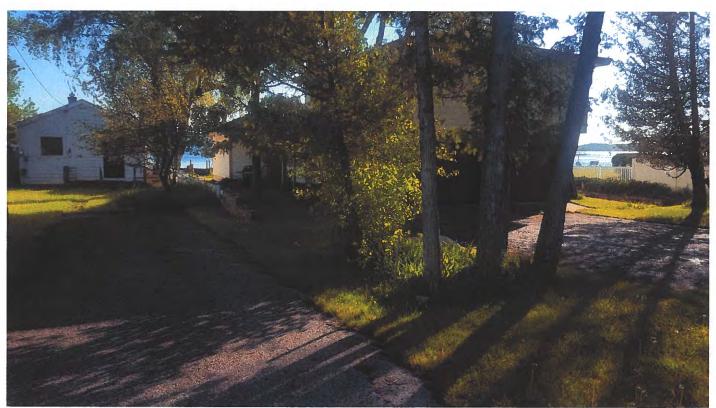
1) Facing South, showing distance between road and existing dwelling



2) Facing West



3) Facing West



4) Facing North-West

300' Radius Map/ Vicinity Map

Village of Onekama

**Zoning Board of Appeals** 

Reference: Appeal for Parcel 51-41-250-02-00

4537 Main Street

Onekama, MI 49675

**Hearing Date: TBD** 

We are in favor of the Overmyer request to build a new cottage on the existing property. Relocating the cottage farther off the lake will improve the neighbor's view on both sides. It will also improve property values and help with water run-off on the lake side of the property. We are willing to allow access during and after the construction of the cottage, for future maintenance, and public safety. It is our sincere hope that you approve this request.

Sincerely,

Jamal Agel

4541 Main Street

Onekama, MI 49675

41-300-001-00	41-300-010-00 REI	41-450-036-00 NELSO	41-250-006-00	83	41-450-037-00 BI	41-250-020-00	41-450-036-20 L	41-500-016-00	41-250-013-00 SYMAN	41-300-006-00	00-000-004-14	(1) (A) (A) (A)	Z.E.		41-250-002-00 OV	41-250-012-00 F	41-300-026-00			41-250-003-00 BRUSV	41-250-014-00	41-300-008-00 POLCY	Column1	
AWZLLC	REED CHARES & MARY (LE) &	NELSON BRADLEY W & ELIZABETH S	TRUS	FINAN STANLEY JR & JULIE K REV	URGER ROGER & LEANN	ONEKAMA TOWNSHIP	LEE HARRY A & LYNDA S	ALLEN BERNADETTE T &	SYMANSKI STEPHEN S & BARBARA J	36 ST PROPERTY LLC	LOVE DENISE M	RIGHI JOHN H JR & KAY	RENEAU MARK & MARLA (LE) &		OVERMYER MARLENE KAY &	RIGHI JOHN H JR & KAY K	RIGHT JOHN H JR & KAY	RIGHI JOHN H JR & KAY	ZIGHI JOHN H JK & KAY	41-250-003-00 BRUSVEEN MARK J & SUSAN M (LE) &	RIGHI JOHN H JR & KAY	41-300-008-00 POLCYN RYAN R & KIMBERLY A (LE) &	Column2	
4541 MAIN ST	4573 MAIN ST	4560 MAIN ST	4525 MAIN ST	8483 FOURTH AV	NV HEGINGS ESP8		8454 THIRD AVE	4492 MAIN ST	8456 FOURTH AV ONEKAMA	4559 MAIN ST	4580 MAIN ST	MAIN ST	4570 MAIN ST				4501 MAIN ST	4504 MAIN ST	MAIN ST	4535 MAIN ST	MAIN ST	4567 MAIN ST	Column3	bi opon out
ONEKAMA		ONEKAMA	ONEKAMA	ONEKAMA	ONEKANA		ONEKAMA		ONEKAMA			ONEKAMA	ONEKAMA					ONEKAMA	ONEKAMA	ONEKAMA	ONEKAMA		Column4	property
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	ETAL							SWANSON MATTHEW J & SWANSON PAUL T					SIPE AMANDA & SMITH AMY		MENHART ROSS							POLCYN RYAN R & KIMBERLY A TRUST	Column6	CHIIGH
500 CASCADE WEST PKWY SE	PO BOX 486	605 E INDIANA	PO BOX 44	4625 PROSPECT ST			8454 THIRD AVE	1955 MANNING AVE NW	8456 FOURTH AVE	500 CASCADE WEST PARKWAY SE	1681 E GAYLORD UNIT D	PO BOX 122	12 MARLEE DR	500 CASCADE WEST PKWY SE	2950 REEDS LAKE BLVD SE	PO BOX 122	PO BOX 122	PO BOX 122	PO BOX 122	17226 STANTON ST	PO BOX 122	1987 BLOSSOM TRAIL	Column7	Ownership
GRAND RAPIDS	ONEKAMA	WHEATON	ONEKAMA	ONEKAMA		():40	ONEKAMA	GRAND RAPIDS	ONEKAMA	GRAND RAPIDS	MOUNT PLEASANT	LEWISTON	CANTON	GRAND RAPIDS	GRAND RAPIDS	LEWISTON	LEWISTON	LEWISTON	LEWISTON	WEST OLIVE	LEWISTON	MANISTEE	Column8	ownercity
<u> </u>	M	=	M	<u>≤</u>		1	≦ :	<u> </u>	M	M	≦	≅	=	≦	M	MI	≤	≦	_	≦	≦	≦	Column9	ownerstate
49546-2106	49675-0486	60187	49675	49675		10010	49675	49534	49675	49546	48858	49756	61520	49546-2106	49506-2041	49756	49756	49756	49756	49460-9572	49756	49660	Column10	ownerstate ownerzip

Total area of parcel: 3,408.24 sq. ft.

Total area of impervious surfaces: 1,676.5 sq. ft.

Dwelling (if area under deck is impervious): 1,102.5 sq. ft. 32.35%

Dwelling (if area under deck is pervious): 962.5 24.24%

Shed: 118 sq. ft. 3.5%

Asphalt driveway: 375 sq. ft. 11%

Total Impervious surface coverage w/ dwelling: 46.85%

Total Impervious surface coverage w/o dwelling: 14.5%

Total w/ dwelling if area under deck is pervious: 38.74%

It is indicated in the narrative provided that the impervious surface of the dwelling would not count towards the total impervious surface coverage for the parcel. The storm water control methods indicated are sufficient for the riparian buffer zone, but not the impervious surface coverage. The Village of Onekama Zoning Ordinance indicates:

### **ARTICLE 5: DEFINITIONS**

RIPARIAN BUFFER STRIP means a strip of land, ten (10) feet in width measured landward from the shoreline of Portage Lake or a strip of land five (5) feet in width measured outward from the banks of streams or creeks on any parcel or portion of a parcel within the Portage Lake Overlay Zone, which is natural, undeveloped land where the existing native vegetation is left intact or which is land planted with native vegetation. Its purpose is to protect Portage Lake and creeks and streams by reducing the infiltration of pollutants such as sediment, nutrients, and organic matter, Road by preventing erosion, and by providing shade.

# 1017. Water Protection, Impervious Surface Coverage, Storm Water Runoff, Riparian Setback Every parcel in the Village is within the Watershed of Portage Lake and shall comply with the following requirements which are intended to protect Portage Lake and streams from pollution, to prevent Page 10 - 9 runoff-laden pollutants from entering those water and to be consistent with the goals set forth in the Master Plan adopted by the Village Council and in the Portage Lake Watershed Forever Plan.

A. Impervious surfaces limit — The percentage of the total land area of a parcel covered by impervious surfaces shall not exceed thirty-five percent (35%), except that the surface area covered by a dwelling, building, accessory building, and other such roofed structures shall not be considered to be impervious if the storm water runoff from those structures is treated and/or disposed of on the parcel by utilizing innovative storm water treatment methods such as rain gardens, ground water infiltration structures, or constructed wetlands.

To satisfy the requirements of the above section for impervious surface limit for the dwelling, there will have to be plans in place for an innovative storm water treatment method such as a rain garden, ground water infiltration structure, or constructed wetlands. Also, this drainage should be controlled on the non-lake side of the structure, not within the riparian buffer strip. Lastly, there is what appears to be a cement walkway within the parcel. Although it may seem insignificant, all impervious surfaces must be accounted for. If this is in fact a cement or other impervious surface walkway, the calculations will be slightly greater than what is calculated on the previous page.

### **ARTICLE 40: RESIDENTIAL DISTRICT**

### 4001. Purpose

It is the intent of this district to provide for developed neighborhoods for residential and certain controlled retail and service businesses in certain parts of the Village, to promote a compatible arrangement of land uses for homes, and to keep neighborhoods relatively quiet and free from detrimental uses.

### 4002. Permitted Uses

Only the following uses shall be permitted, by permit, as specified in Article 84:

- A. Educational Services
- B. Religious Organizations
- C. Single Family Dwellings, which may include any of the following uses for which a separate permit is not required:
  - 1. Home occupations
  - 2. Parking for automobiles which are licensed to the parcel owner and/or to dwelling occupants and which are for the their use
  - Storage of recreational vehicles, boats, boat trailers or trailers which are kept for use by the dwelling occupant and licensed to the parcel owner or dwelling occupant
- D. Parks
- E. Accessory Buildings
- F. Fences
- G. State licensed residential facilities, to the extent required by the Act under MCL 125.3206
- H. Wireless communications equipment collocated on an existing wireless support structure

### 4003. Special Uses

Only the following uses shall be permitted, by Special Use Permit, as specified in Article 86:

- A. Retail Trade
- B. Finance, Insurance, Real Estate, and Licensed Professionals
- C Support Services for Retail Trade, Finance, Insurance, Real Estate and Licensed Professionals
- D. Duplexes
- E. Multiple Family Dwellings
- F. Group child care homes, to the extent provided for by the Act under MCL 125.3206
- G. Wireless communications equipment compounds and support structures on parcels, or portions thereof, located within the Village in a northerly direction from the centerline of Brown Road or from that centerline extended to the eastern edge of Glen Park.

### 4004. Regulations and Standards

The following regulations shall apply to permitted uses and to special uses in this District.

- A. Parcel Area No structure shall be established on any parcel less than twelve thousand (12,000) square feet in area.
- B. Parcel Width The minimum parcel width shall be seventy-five (75) feet, except for a parcel which is a lot of record.

- C. Parcel Road Frontage The parcel must have frontage on a road.
- D. Yard and Setback Requirements The following requirements shall apply to every parcel, building or structure.
  - 1. Front Yard: The minimum setback shall not be less than twenty-five (25) feet from the front property line, or fifty-eight (58) feet from the centerline of a road, whichever is greater.
  - 2. Side Yards: The minimum setback for each side yard shall not be less than ten (10) feet, provided, however, that Section 1008 is complied with on corner parcels.
  - 3. Rear Yard: The minimum setback shall not be less than fifteen (15) feet.
  - 4. Setbacks are measured from the property line to the building which includes its eaves to the drip line, its awnings, and its attached porches, decks and steps whether or not covered by a roof.
- E. Dwelling minimum floor area and width requirements —The following requirements shall apply to any dwelling hereafter erected:
  - 1. Each single family dwelling and each permanently separate unit contained in a duplex or a multiple family dwelling shall have a minimum of nine hundred (900) square feet of floor area.
  - 2. Each single family dwelling, and each permanently separate unit contained at ground level in a duplex or multiple family dwelling shall have a minimum of six hundred (600) square feet of floor area at ground level, or where applicable, at grade level.
  - 3. Each single family dwelling and each permanently separate unit contained in a duplex or multiple family dwelling shall have a minimum width of twenty (20) feet at its shortest side.

### ARTICLE 70: PORTAGE LAKE OVERLAY ZONE

### 7001. Purposes

This Portage Lake Overlay Zone is enacted to:

- A. protect the water bodies in the Village of Onekama, including Portage Lake and streams, from pollution;
- B. prevent runoff-laden pollutants from entering those waters;
- to preserve plant materials necessary for removal of high level of nutrients which would otherwise pollute those waters;
- D. protect the shoreline and banks of those waters from erosion;
- E. provide for maintenance of the shoreline:
- F. provide for development of waterfront uses consistent with the goals set forth in the Master Plan adopted by the Village Council and in the Portage Lake Watershed Forever Plan; and,
- G. implement fully the purposes of this Article by mandating that whenever other provisions or language contained elsewhere in this Ordinance conflict with the provisions or language of this Article, the provisions and language of this Article shall apply.

### 7002. Boundaries

This Overlay Zone shall encompass all parcels and portions of parcels located between Portage Lake and M-22 from the east boundary of the Village to the west boundary of the Village.

### 7003. Permitted and Prohibited Uses

A. Permitted Uses — Only the following uses and the uses listed in Sections 5002.F, N, O and P shall be permitted, by permit, as specified in Article 84:

[Amended by Ordinance Number 01 of 2016, effective March 18, 2016]

- 1. Single Family Dwelling, which may include any of the following uses for which a separate permit is not required.
  - a. Home Occupations
  - b. Parking for automobiles which are licensed to the parcel owner and/or to dwelling occupants and which are for their use
  - c. Storage of recreational vehicles, boats, boat trailers or trailers which are for use by the dwelling occupant and licensed to the parcel owner or dwelling occupant
  - d. One temporary seasonal dock per parcel for the private use of the dwelling owner provided that the dock is removed by December 1 of each year and that the dock is authorized by a Federal permit if required by law
- 2. Accessory Building
- 3. Parks
- 4. One temporary seasonal dock on a vacant nonconforming lot of record for the private use of the landowner provided that the dock is removed by December 1 of each year and that the dock is authorized by a Federal permit if required by law
- 5. Fences

- B. Special Uses only the following uses shall be permitted by Special Use Permit, as specified in Article 86:
  - 1. Duplexes
  - 2. Multiple Family Dwellings
  - 3. Retail Trade and Supporting Services
  - 4. Finance, Insurance, Real Estate and Licensed Professionals and Supporting Services
  - 5. Restaurants
  - 6. Water transportation
  - 7. Marinas

[Amended by Ordinance Number 01 of 2016, effective March 18, 2016]

- C. Prohibited Uses The below listed uses of any privately owned parcel or portion of a privately owned parcel which is adjacent to Portage Lake shall be prohibited, except that a commercial Marina which is otherwise permitted under this Ordinance and complies with State law is excluded from the prohibitions of Sections 7003.C.1, 2 and 3:
  - Provision of access to the water's edge of Portage Lake for select members of any private club, private association, or private entity of any type which consists of select members;
  - Provision of access to the water's edge of Portage Lake for property owners who
    reside within a development area, subdivision, or plat or who are members of a
    property owners association but who do not own the parcel which is being used to
    provide such access; and,
  - Provision of either boat ramp access to the waters of Portage Lake or docking facilities on Portage Lake for boats or other water born vehicles for any person other than the parcel owner.

[Amended by Ordinance Number 01 of 2016, effective March 18, 2016]

### 7004. Regulations and Standards

The following additional regulations and standards shall apply to any parcel or portion of any parcel which is located within the Portage Lake Overlay Zone and to any structure located on such a parcel or portion thereof:

[Amended by Ordinance Number 01 of 2016, effective March 18, 2016]

- A. Parcel Width The minimum parcel width shall be seventy-five (75) feet except that for a platted lot of record, the minimum width shall be the platted width. For a parcel which is adjacent to Portage Lake, the minimum width shall be measured at the shoreline.

  [Amended by Ordinance Number 01 of 2016, effective March 18, 2016]
- B. Impervious Surface Coverage The percentage of the total land area of a parcel covered by impervious surfaces shall not exceed thirty-five percent (35%), except that the surface area covered by a dwelling, building, accessory building, and other such roofed structures shall not be considered to be impervious if the storm water runoff from those structures is treated and/or disposed of on the parcel by utilizing innovative storm water treatment methods such as rain gardens, ground water infiltration structures, or constructed wetlands. [Amended by Ordinance Number 01 of 2016, effective March 18, 2016]

- C. Yard and Setback Requirements
  - Waterfront yard for a parcel adjacent to Portage Lake The minimum setback shall be the Riparian Setback set forth in Section 7005.A.1.
     [Amended by Ordinance Number 01 of 2016, effective March 18, 2016]
  - 2. Side yards The minimum setback for either side yard shall not be less than (10) feet.
  - 3. Rear yard.
    - a. For a parcel which has a side adjacent to Portage Lake and a side adjacent to M22, the minimum setback for the rear yard shall not be less than fifteen (15) feet from the road side property line or forty-eight (48) feet from the centerline of the road, whichever is greater. [Amended by Ordinance Number 01 of 2016, effective March 18, 2016]
    - For a parcel not adjacent to Portage Lake, the minimum setback for the rear yard shall be fifteen (15) feet.
       [Amended by Ordinance Number 01 of 2016, effective March 18, 2016]
  - 4. Front Yard for a parcel which is not adjacent to Portage Lake The minimum setback shall not be less than fifteen (15) feet from the road side property line or forty-eight (48) feet from the centerline of the road, whichever is greater. [Amended by Ordinance Number 01 of 2016, effective March 18, 2016]
- D. It shall be the responsibility of the parcel owner to maintain to the fullest extent possible the healthy state of any natural ground cover or native vegetation which exists within ten (10) feet of the shoreline of Portage Lake and/or within ten (10) feet of the banks of a stream or creek and, when necessary, to replace unhealthy or dead plants with native vegetation that is equally effective in retarding runoff and preventing erosion.
- E. Prior to grading or other construction activities on any parcel, the natural vegetation within ten (10) feet of the shoreline of Portage Lake and/or within ten (10) feet of the banks of a stream or creek shall be fenced with silt fencing and construction barrier fencing.
- F. Dead, diseased, unsafe or fallen trees and non-native exotic or noxious trees, plants and shrubs, including poison ivy, poison sumac, purple loosestrife, and phragmities, should be removed at the discretion of the landowner. However, landowners are encouraged to notify the Zoning Administrator before removing any trees within ten (10) feet of a water body. Where trees are removed within 10 feet of a water body, the stumps of those trees shall not be removed below ground level.
- G. On a nonconforming lot of record on which the principal structure is a temporary seasonal dock, an accessory building shall not exceed six and one half (6 ½) feet measured from the ground to the highest point of the roof and shall be secured to the ground either on a foundation the bottom of which is at least thirty (30) inches below ground level or by tie downs and screw-in soil anchors.

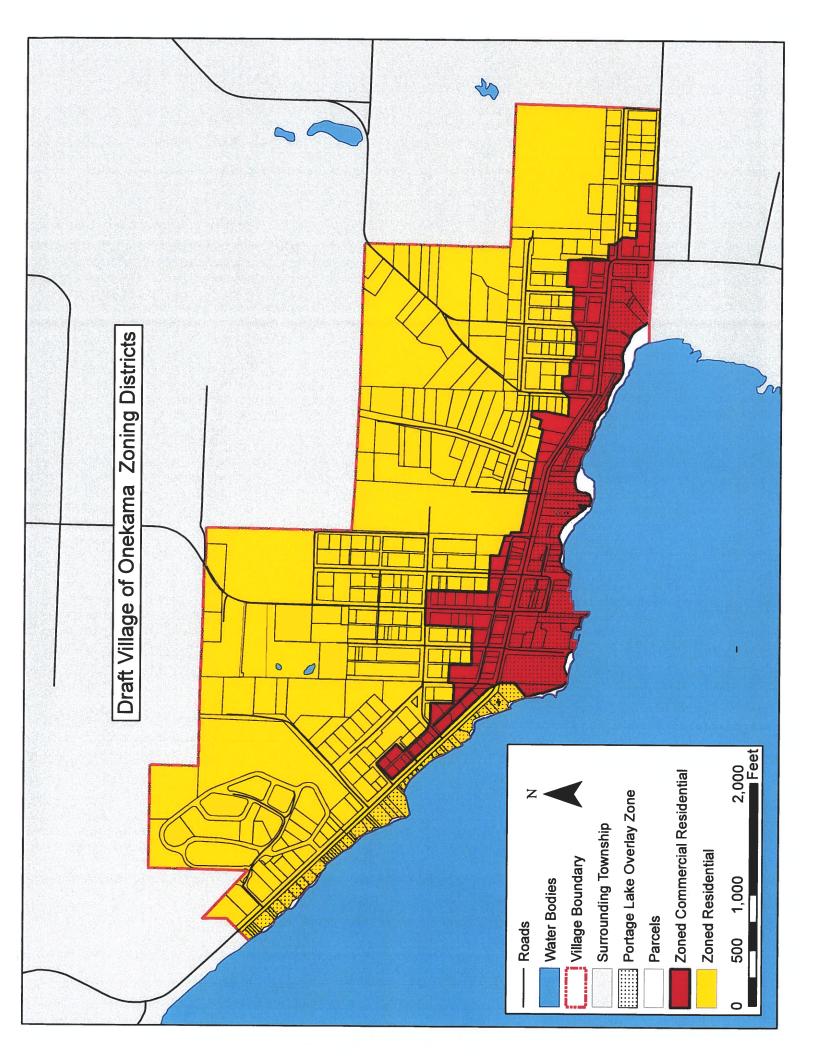
[Section 7004.G Added by Ordinance Number 01 of 2016, effective March 18, 2016]

### 7005. Riparian Parcels, Additional Regulations and Standards

The following additional regulations and standards shall apply to each parcel or portion of a parcel which is adjacent to Portage Lake or which has a stream or creek running adjacent to or through it and to all structures, permitted uses, and special uses on such parcels or portions of parcels.

- A. Riparian Setbacks, driveways, prohibited items and activities
  - 1. The Riparian Setback from the shoreline of Portage Lake shall be thirty (30) feet measured on a horizontal plane landward from the Ordinary High-Water Mark.
  - 2. The Riparian Setback from the banks of streams or creeks shall be ten (10) feet.
  - 3. It shall be prohibited within any Riparian Setback to store or accumulate compost piles, manure, fertilizers, other nutrient sources, unwholesome substances, motorized vehicles, motorized boats and other potentially polluting materials.
  - 4. The below listed items or activities are prohibited within the Riparian Setback except as specifically allowed by Section 7005.A. 5 below:
    - a. Structures
    - b. Patios
    - c. Paved sidewalks or walkways
    - d. Driveways for motorized vehicles
    - e. Operation of motorized vehicles
    - f. Changing of motor oil for, or refueling of, motorized vehicles or watercraft
  - 5. As an exception to the prohibitions of Section 7005.A.4 above, the following structures, items, and activities are allowed within the Riparian Setback:
    - a. A fence allowed, permitted or exempted by Section 1019.
    - A driveway otherwise permitted under this Ordinance and under State and Federal law which is necessary to access a boat ramp;
    - c. The operation of motorized vehicles on a driveway allowed by Section 7005.A.5.a;
    - A sea wall otherwise permitted under this Ordinance and for which a
      permit has been granted by the appropriate State or Federal agency;
    - e. One temporary seasonal boat dock otherwise permitted under this
      Ordinance and provided that the dock is authorized by a Federal permit if
      required by law;
    - f. A structure otherwise permitted under this Ordinance and under State or Federal law which is in a permitted commercial marina that is compliant with State law but only if the locating of that structure within the Riparian Setback is essential to the operation of that marina; and,
    - g. The activities of changing the motor oil of watercraft or refueling of watercraft in a permitted commercial marina that is compliant with State law but only if the locating of the performance of those activities within the Riparian Setback is essential to the operation of that marina.

- B. Riparian Buffer Strip Each parcel or any portion of a parcel which is adjacent to Portage Lake shall comply with the following requirements concerning a Riparian Buffer Strip, the purpose of which is to protect Portage Lake and creeks and streams by reducing the infiltration of pollutants such as sediment, nutrients and organic matter, by preventing erosion, and by providing shade.
  - Planting of perennial native species of plants, shrubs and trees in a Riparian Buffer Strip is strongly encouraged.
  - Every such parcel or portion of a parcel for which a land use permit, special use permit or variance is granted after the effective date of the amendment adding this section to the Ordinance shall have established upon it by the land owner a Riparian Buffer Strip, consisting solely of a strip of native vegetation ten (10) feet in width measured landward from the shoreline of Portage Lake and/or five (5) feet in width measured outward from the banks of any stream or creek, which Buffer Strip shall thereafter be maintained by the land owner in a healthy state and replaced as necessary.
  - 3. No structure, patio, driveway, sidewalk, or walkway or part thereof shall be allowed within a Riparian Buffer Strip except as specifically allowed, as follows:
    - A driveway, otherwise permitted under this Ordinance and under State or Federal law, which provides access to a boat ramp, shall be allowed to pass through a Riparian Buffer Strip.
    - b. An unpaved pathway which provides access to the shoreline shall be allowed to pass through a Riparian Buffer Strip.
    - c. One temporary seasonal boat dock, otherwise permitted under Section 7003.A.1.D or Section 7003.A.4, shall be allowed to be located at the lakeside edge of the Riparian Buffer Strip.
    - d. A structure, otherwise permitted under this Ordinance and under State or Federal law in a permitted commercial marina that is compliant with State law, is allowed to be located within a Riparian Buffer Strip but only if the locating of that structure within the Riparian Buffer Strip is essential to the operation of that marina.
- C. Riparian Buffer Strip, Requirement for Future Issuance of Permits No land use permit, special use permit or variance concerning any parcel or any portion of a parcel which is adjacent to Portage Lake shall be issued after the effective date of this provision unless the land owner shall be required in writing in the permit to establish on that parcel or portion of a parcel Riparian Buffer Strips ten (10) feet in width measured landward from the shoreline of Portage Lake and/or five (5) feet in width measured outward from the banks of a stream or creek, to maintain thereafter the native vegetation in such Riparian Buffer Strip in a healthy state, and to replace the native vegetation as necessary.



# NOTICE OF SPECIAL MEETINGS/PUBLIC HEARING Zoning Board of Appeals Village of Onekama

The Village of Onekama Zoning Board of Appeals will hold a Special Meeting/Organizational Meeting at 2:30 pm on June 15, 2022, at the Village of Onekama Hall, 5283 Main Street, Onekama, MI. 49675, Ph. No. 231.889.3171.

This meeting will be held to elect officers, train, discuss rules of procedure, and generally reviewing the legal standards for considering and deciding matters within the jurisdiction of the ZBA under the Michigan Zoning Enabling Act and the Village of Onekama Zoning Ordinance.

The Village of Onekama Zoning Board of Appeals will be holding a subsequent Special Meeting/Public Hearing at 4:00 pm on June 15, 2022, at the Village of Onekama Hall, 5283 Main Street, Onekama, MI. 49675, Ph. No. 231.889.3171. The public hearing is to consider a request for appeal from the Onekama Village Zoning Ordinance.

The request for appeal was submitted for the property located at 4537 Main Street, Onekama, Michigan 49675 or parcel # 51-41-250-002-00. The request would allow for the property owner to place a new primary structure within the side setbacks of their parcel. The parcel owner will present their hardship at the public hearing. To view the proposed variance request please visit the Village of Onekama Hall (Farr Center) during their normal business hours.

The Zoning Board of Appeals will hold a subsequent Special Meeting on Tuesday – June 21, 2022, at 5:30 pm at the Village Hall - to approve the minutes of the June 15, 2022, ZBA meeting.

Correspondence can be sent, or hand delivered to the Village of Onekama Hall, 5283 Main Street, Onekama, MI. 49675. If correspondence is mailed, ensure that enough time is given to guarantee its arrival. Please, mark it ATTN: Zoning Board of Appeals.

The Pioneer Group 115 N. Michigan Big Rapids MI 49307

Phone: (231) 796-4831 Fax: (231) 796-1152



VILLAGE OF ONEKAMA PO BOX 477 5283 MAIN STREET ONEKAMA, MI 49675 Account Number: 41100260

### Class Liner Ad #00930452 Summary:

Ad Description: NOTICE OF SPECIAL MTG/PUB, HEA

\$109.65

Size: 1.00 x 8.36

Amount Due

Salesperson: MNA Classifieds

<b>Publication Cost</b>	\$109.65	Publication	Run Date	Cost
Adjustments	\$0.00	51 Manistee News Advocate		
Net Cost	\$109.65	Insertion	5/25/22	\$109.65
Prepaid Amount	\$0.00			

NOTICE OF SPECIAL MEETINGS/PUBLIC HEARING

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### PLANNING DEPARTMENT

(231) 723-6041 Fax (231) 398-3526 planning@manisteecountymi.gov

Manistee County Planning Department ■ 395 Third Street ■ Manistee, Michigan 49660

May 18, 2022

Dear Occupant or Parcel Owner,

The Village of Onekama Zoning Board of Appeals will hold a Public Hearing at 4:00 pm on June 15, 2022 at the Village of Onekama Hall, 5283 Main Street, Onekama, MI. 49675, Ph. No. 231-889-3171. The public hearing is to consider a request for appeal from the Onekama Village Ordinance.

The request for appeal was submitted by the property located at 4537 Main Street, Onekama, Michigan 49675 or parcel # 51-41-250-002-00. You are receiving this letter because you fall within 300 feet of the property requesting the variance.

The requested variance is for the proposed structure's setback, which fail to meet the Zoning Ordinance setback requirements for the Village's "Portage Lake Overlay Zone." The setback minimum on a side setback is 10 feet. The proposed structure's setback on each side of the parcel is 9.6 inches or .8 feet.

The applicant will present their hardship at the scheduled public hearing.

The Zoning Board of Appeals can:

- move to grant the variance for the proposed site plan
- grant the variance for the proposed site plan with modification
- deny the variance

You are encouraged to attend the scheduled public hearing. If you cannot, correspondence can be sent, or hand delivered to the Village of Onekama Hall, 5283 Main Street, Onekama, MI. 49675. If correspondence is mailed, ensure that enough time is given to guarantee its arrival. Please, mark it ATTN: Zoning Board of Appeals. The Zoning Variance request can be viewed or purchased at Village of Onekama Hall, 5283 Main Street, Onekama, MI. 49675

Regards,

Mike Szokola
Planning Director
Manistee County
231.398.3527
mszokola@manisteecountymi.gov



### **PLANNING DEPARTMENT**

(231) 723-6041 Fax (231) 398-3526 planning@manisteecountymi.gov

Manistee County Planning Department ■ 395 Third Street ■ Manistee, Michigan 49660

The mailing went out to the following property owners or occupants.

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ZONING BOARD OF APPEALS MEETING – JUNE 15, 2022 MARLENE KAY OVERMYER / ROSS MENHART REQUEST FOR ZONING BOARD OF APPEALS APPEAL

PROPERTY: PARCEL 51-41-50-002-00 VILLAGE OF ONEKAMA – GLEN PARK SUBDIVISION LOT 2 BLOCK 1 4537 Main Street, Onekama, MI 49675

MEETING OPENED AT 4:15 P.M. BY Chair Ken Burda Board Members Present: Ken Burda - Chair Ceceilia Huebner Roger Burger Non-voting Matthew Kuizenga

Zoning Administrator: Mike Szokola

PUBLIC HEARING OPENED AT 4:17 P.M. by Chair Ken Burda

Ken Burda introduced the members of the Zoning Board of Appeals, the secretary for the meeting and the zoning administrator. Ken Burda then gave an overview of the ZBA appeal request.

Ken then asked the applicant, Ross Menhart what was different about this appeal. Mr. Menhart said he was told the denial of his first appeal was not based on the zoning requirements but because his first appeal was based on his personal reasons for making the request. This appeal is based on moving the new structure closer to the highway and reestablishing the riparian zone. He then read his narrative for the project.

Questions were asked about storm water control and the impervious surface calculations.

## PUBLIC COMMENT OPENED AT 4:35 P.M.

Steve Symanski 8456 4<sup>th</sup> Avenue – Concerned about building on a 25' wide lot, how the new building footprint are calculated with a smaller length, also concerned about on street parking impacting his property due to the small size of the lot.

Stanley Finan, Jr. 4525 Main Street – He is located approximately 75' from Mr. Menhart. Due to the lakes dropping 3 ½' in elevation, the hardship from high water no longer exists. Rain, wind, and waves put water on all waterfront properties.

Barbara Symanski 8456 4<sup>th</sup> Avenue – Property line is 4" from house, other side is also very tight, can't put a big house on a postage stamp sized lot, limited parking spots on property, six kids in family, too much traffic, are you cutting down trees to make room?

Brad Nelson 4560 Main Street – Asking if the new structure is two stories, will remove views from several houses.

Steve Symanski 8456 4th Avenue - Will destroy or alter my view.

Mark Brusveen 4535 Main Street – Handed out the preamble to the Onekama Township Zoning Ordinance and referred to several points, feels Mr. Menhart is not addressing the character of the land, doesn't think a large house can be built on this lot, concerns about encroachments, when it rains his property already has water on it, this project is asking too much, did you consider buying some of the other neighbors property ie a five to ten feet wide strip.

Mike Szokola – the ordinance has a height limit of 35', lot coverage calculations and percentages are not the same as calculated by the planning department, storm water must be directed to the road side of the property and not into the riparian zone, should look into a rain garden and/or storm water control, and reestablish the riparian buffer zone on the lake side. As a general comment to all of the meeting attendees, views are not protected by zoning ordinances.

# PUBLIC HEARING CLOSED AT 4:48 P.M. by Chair Ken Burda

Ken Burda had the following comments – Zoning requires no more than 35 % impervious surfaces, he feels Mr. Menhart did not include the driveway, sidewalk, and storage building in his calculations. Would Mr. Menhart consider changing these materials to allow better storm water infiltration? Ken Burda suggests a review of the design of storm water control and riparian buffer zone be done by the Onekama Village Planning Commission, Mike Szokola suggested the County Conservation District has the expertise to do these reviews.

Mr. Menhart asked how to control storm water when all lake front property gets covered with water under storm conditions.

Ken Burda had concerns about discrepancies between the drawings and the narrative and felt these must be corrected.

Steve Symanski 8456 4<sup>th</sup> Avenue asked if Mr. Menhart was putting a deck on the new structure. Yes, a upper deck and a lower deck.

Ken Burda asked how big was the living area? Mr. Menhart couldn't remember, "It's been a year and a half. It's in the original application."

Ceceilia Huebner asked how the foundations were being raised – FEMA regulations are now in effect.

Mike Szokola - We need an update site plan with all of the discrepancies corrected.

Mark Brusveen 4535 Main Street – Will the new structure be closer to me? Mr. Menhart said no, and also added he knows he cannot dump storm water on his neighbors' property.

Barbara Symanski asked if the ZBA members had inspected the property and all had. She felt new construction would block the views of existing homes and the houses would now be too close together. Mr. Menhart and Mark Brusveen held a discussion about encroachments, overhangs, and views.

Mr. Menhart said parking requirements were not part of zoning (they are) but Mr. Szokola said he meets the requirements. His design is treating high water issues as a long term issue. He plans to cut down one partially dead willow tree which he says is dangerous. He said his calculations for impervious surfaces did not include the driveway, sidewalk, or storage building. He asked for input on impervious surface replacement options, and storm water control methods. He also mentioned the Master Plan and its encouragement of projects like his proposal.

Ken Burda wants all the decks on the upgraded plans.

Steve Symanski 8456 4<sup>th</sup> Avenue thought it was a good idea for Mr. Menhart to expand the property. Mr. Menhart said he's "been there and done that."

Mark Brusveen 4535 Main Street feels Mr. Menhart has inflated the value of his house and plans and the project is distorted.

The Zoning Board of Appeals began deliberations on the appeal request.

Ken Burda made a motion to approve the appeal based on the stipulation for updated site plans and building dimensions with redesign of the impervious surfaces including the driveway and sidewalk, storm water collection, retention, and dispersal system, and a riparian buffer zone all to be reviewed and approved by the Onekama Village Planning Commission.

Matthew Kuizenga seconded the motion.

During the discussion Ceceilia Huebner moved to amend the motion to make the total percentage of the impervious surfaces on the property less than or equal to 35.

Ken Burda seconded the amendment to the motion.

With no further discussion the secretary called the roll.

The votes were as follow:

Ken Burda – Yes Ceceilia Huebner – Yes Matthew Kuizenga – Yes

The vote was 3 - 0 to approve the appeal as outlined in the motion.

SECOND PUBLIC COMMENT OPENED AT 5:20 P.M.

Mr. Menhart and Brad Nelson entered a discussion. No other comments were made.

# ZONING BOARD OF APPEALS ORGANIZATIONAL MEETING - JUNE 15, 2022

MEETING OPENED AT 2:30 P.M. BY Chair Ken Burda

**Board Members Present:** 

Ken Burda - Chair

Ceceilia Huebner

Roger Burger

Matthew Kuizenga

Zoning Administrator: Mike Szokola

Due to the absence of Randy Arthur, Ken felt that the election of officers should be deferred until Mr. Arthur was present. Also, the board would review the by laws at that time.

Mike Szokola - Led the discussion of how the Zoning Board of Appeals functions. He then explained the process for listening to appeals for zoning variances and holding public hearings. The proper format for the meeting was discussed.

The meeting closed at 3:30 P.M.

Respectfully submitted by Roger Burger.

The meeting closed at 5:25 P.M.

Respectfully submitted by Roger Burger.

June 21, 2022

APPROVED:

Ken Burda Sen

Ceceilia Huebner

Matthew Kuizenga

SIGN IN LIST

Roger Brown - Arcadia

Mike Matteson - Arcadia

Mark Brusveen - Grand Haven

Stanley Finan, Jr. - 4525 Main Street, Onekama, MI

Marlene Overmyer – 2950 Reeds Lake Boulevard SE, Grand Rapids, MI 49506-2041

(616) 949-3503

4537 Main Street, Onekama, MI (231) 690-2359

Mr. Steve and Mrs. Barbara Symanski – 8456 4th Avenue, Onekama, MI

Brad Nelson and Elizabeth Nelson - 4560 Main Street, Onekama, MI (630) 668-4535

I was recently made aware of our neighbors to the east request for further review on their building project.

If I may indulge the board, with previous history on their request as I remember it started over three years ago. In which the board at that time saw problems with their request to build on their 25 ft. wide lot and denied most of their changes.

Codes as I understand are in place for safety, properness to the neighborhood and functionality.

The neighbors property has water drainage problems. The water from rain and such drains down the 4<sup>th</sup> st. road to their property then onto ours moving to the creek on the west side of our property. This creates a water damage problem to our house, footing and crawl space. To compound this in the last year they had a well leak, that saturated the ground under their existing house and ours as it saturated for months both properties.

One can only imagine what an enlarged roof could do to worsen the problem.

Their distance from their house to their neighbors to the adjacent east would be approximately 30 ft. Our side would be closer to 4 ft. That is if the codes are changed ignoring the encroachment the new structure would have.

Where is the safety in this, for water drainage and fire? Why do we have codes for set backs?

Has the fire department been made aware of this? Imagine a fire in their structure or ours and the ability to access these properties?

If the board approves these codes one would think my insurance is no longer liable for potential damages but Onekama township?

Not to mention parking. A one bedroom structure compared to a four , where is the relief to park this many vehicles on a busy road like M 22?

All common sense and safety sense has been abandoned by primarily one board member and the two that went along to get along.

What impact down the road with similar properties on the lake will this create? Do you want an over built lakefront?

Now is the time to correctly deal with this problem not after the fact.

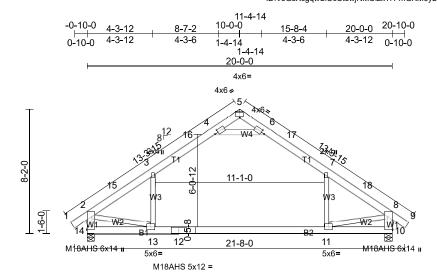
Respectfully, Mark and Susan Brusveen

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Job	Truss	Truss Type	Qty	Ply	Onekema Cottage
2464813-A	T02	Attic	6	1	Job Reference (optional)

Run: 8.82 S Oct 31 2024 Print: 8.820 S Oct 31 2024 MiTek Industries, Inc. Fri Mar 07 10:07:05

Page: 1 ID:VeGsXcqqwSiCcCtewiNMOlzxTl4-mGKM6vLKXkRq7D 0vT4YEewoBZ8BUiUXtBvbCtzdMJa



18-2-14 18-2-14 4-3-12 20-0-0 15-8-4 4-3-12 11-4-8 4 - 3 - 12

Plate Offsets (X, Y): [4:0-2-11,0-2-0], [5:0-3-0,Edge], [6:0-2-11,0-2-0], [10:Edge,0-3-8], [14:Edge,0-3-8]

Loading	(psf)	Spacing	2-0-0	CSI		DEFL	in	(loc)	I/defl	L/d	PLATES	GRIP
TCLL (roof)	109.0	Plate Grip DOL	1.15	TC	0.87	Vert(LL)	-0.35	11-13	>668	240	MT20	244/190
Snow (Pf/Pg)	53.9/70.0	Lumber DOL	1.15	BC	0.48	Vert(CT)	-0.53	11-13	>446	180	M18AHS	186/179
TCDL	10.0	Rep Stress Incr	YES	WB	0.43	Horz(CT)	0.02	10	n/a	n/a		
BCLL	0.0	Code	IRC2015/TPI2014	Matrix-AS		Attic	-0.28	11-13	>484	360		
BCDL	10.0										Weight: 138 lb	FT = 20%

#### LUMBER

Scale = 1:63.9

TOP CHORD 2x6 SP 2400F 2.0E **BOT CHORD** 2x6 SP 2400F 2.0E

2x4 DF No.2 or 2x4 SP No.2 **WEBS** 

### **BRACING**

TOP CHORD Structural wood sheathing directly applied, except end verticals.

**BOT CHORD** Rigid ceiling directly applied

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS (lb/size) 10=1768/0-5-8, (min. 0-2-7), 14=1768/0-5-8, (min. 0-2-7)

Max Horiz 14=-233 (LC 12)

Max Uplift 10=-21 (LC 15), 14=-21 (LC 14) Max Grav 10=2976 (LC 2), 14=2976 (LC 2)

**FORCES** (lb) - Max. Comp./Max. Ten. - All forces 250

(lb) or less except when shown.

TOP CHORD 2-15=-3012/0, 3-15=-2576/0, 3-16=-2576/60,

4-16=-2088/94, 4-5=-3/793, 5-6=-3/793, 6-17=-2088/94, 7-17=-2576/60,

7-18=-2576/0, 8-18=-3012/0, 2-14=-2921/40,

8-10=-2921/40

**BOT CHORD** 13-14=-224/560, 12-13=0/2143,

11-12=0/2143, 10-11=-64/560 **WEBS** 7-11=-354/428, 3-13=-354/428

4-6=-2962/83, 2-13=0/1746, 8-11=0/1746

### NOTES

- Unbalanced roof live loads have been considered for this 1) desian
- Wind: ASCE 7-10; Vult=115mph (3-second gust) Vasd=91mph; TCDL=6.0psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; Enclosed; MWFRS (envelope) exterior zone and C-C Exterior (2) -0-11-8 to 2-0-8, Interior (1) 2-0-8 to 10-0-0, Exterior (2) 10-0-0 to 13-0-0, Interior (1) 13-0-0 to 20-11-8 zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60 Lrmin = 16.0 psf

- 3) TCLL: ASCE 7-10; Pr=109.0 psf (roof LL: Lum DOL=1.15 Plate DOL=1.15); Pg=70.0 psf (ground snow); Pf=53.9 psf (flat roof snow: Lum DOL=1.15 Plate DOL=1.15); Category II; Exp C; Partially Exp.; Ct=1.10
- This truss has been designed for greater of min roof live load of 12.0 psf or 1.00 times flat roof load of 53.9 psf on overhangs non-concurrent with other live loads
- All plates are MT20 plates unless otherwise indicated.
- 6) Plates checked for a plus or minus 20 degree rotation about its center.
- This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads. Ceiling dead load (10.0 psf) on member(s), 3-4, 6-7, 4-6
- 8) Bottom chord live load (20.0 psf) and additional bottom chord dead load (5.0 psf) applied only to room. 11-13
- 10) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 21 lb uplift at joint 14 and 21 lb uplift at joint 10.
- 11) This truss is designed in accordance with the 2015 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
- 12) This truss design requires that a minimum of 7/16" structural wood sheathing be applied directly to the top chord and 1/2" gypsum sheetrock be applied directly to the bottom chord.
- 13) NOTE: DUE TO THE OVERALL LENGTH TO DEPTH RATIO OF THE ROOM, THE FLOOR MAY EXHIBIT OBJECTIONABLE VIBRATION AND OR BOUNCE. BUILDING DESIGNER TO CONSIDER PROVIDING MEANS TO DAMPEN THESE EFFECTS. TRUSS DESIGN SHALL BE REVIEWED AND APPROVED PRIOR TO MANUFACTURING.
- 14) Attic room checked for L/360 deflection.

LOAD CASE(S) Standard

ZONING BOARD OF APPEALS MEETING – JUNE 15, 2022 MARLENE KAY OVERMYER / ROSS MENHART REQUEST FOR ZONING BOARD OF APPEALS APPEAL

PROPERTY: PARCEL 51-41-50-002-00 VILLAGE OF ONEKAMA – GLEN PARK SUBDIVISION LOT 2 BLOCK 1 4537 Main Street, Onekama, MI 49675

MEETING OPENED AT 4:15 P.M. BY Chair Ken Burda Board Members Present: Ken Burda - Chair Ceceilia Huebner Roger Burger Non-voting Matthew Kuizenga

Zoning Administrator: Mike Szokola

PUBLIC HEARING OPENED AT 4:17 P.M. by Chair Ken Burda

Ken Burda introduced the members of the Zoning Board of Appeals, the secretary for the meeting and the zoning administrator. Ken Burda then gave an overview of the ZBA appeal request.

Ken then asked the applicant, Ross Menhart what was different about this appeal. Mr. Menhart said he was told the denial of his first appeal was not based on the zoning requirements but because his first appeal was based on his personal reasons for making the request. This appeal is based on moving the new structure closer to the highway and reestablishing the riparian zone. He then read his narrative for the project.

Questions were asked about storm water control and the impervious surface calculations.

## PUBLIC COMMENT OPENED AT 4:35 P.M.

Steve Symanski 8456 4<sup>th</sup> Avenue – Concerned about building on a 25' wide lot, how the new building footprint are calculated with a smaller length, also concerned about on street parking impacting his property due to the small size of the lot.

Stanley Finan, Jr. 4525 Main Street – He is located approximately 75' from Mr. Menhart. Due to the lakes dropping 3 ½' in elevation, the hardship from high water no longer exists. Rain, wind, and waves put water on all waterfront properties.

Barbara Symanski 8456 4<sup>th</sup> Avenue – Property line is 4" from house, other side is also very tight, can't put a big house on a postage stamp sized lot, limited parking spots on property, six kids in family, too much traffic, are you cutting down trees to make room?

Brad Nelson 4560 Main Street – Asking if the new structure is two stories, will remove views from several houses.

Steve Symanski 8456 4th Avenue - Will destroy or alter my view.

Mark Brusveen 4535 Main Street – Handed out the preamble to the Onekama Township Zoning Ordinance and referred to several points, feels Mr. Menhart is not addressing the character of the land, doesn't think a large house can be built on this lot, concerns about encroachments, when it rains his property already has water on it, this project is asking too much, did you consider buying some of the other neighbors property ie a five to ten feet wide strip.

Mike Szokola – the ordinance has a height limit of 35', lot coverage calculations and percentages are not the same as calculated by the planning department, storm water must be directed to the road side of the property and not into the riparian zone, should look into a rain garden and/or storm water control, and reestablish the riparian buffer zone on the lake side. As a general comment to all of the meeting attendees, views are not protected by zoning ordinances.

# PUBLIC HEARING CLOSED AT 4:48 P.M. by Chair Ken Burda

Ken Burda had the following comments – Zoning requires no more than 35 % impervious surfaces, he feels Mr. Menhart did not include the driveway, sidewalk, and storage building in his calculations. Would Mr. Menhart consider changing these materials to allow better storm water infiltration? Ken Burda suggests a review of the design of storm water control and riparian buffer zone be done by the Onekama Village Planning Commission, Mike Szokola suggested the County Conservation District has the expertise to do these reviews.

Mr. Menhart asked how to control storm water when all lake front property gets covered with water under storm conditions.

Ken Burda had concerns about discrepancies between the drawings and the narrative and felt these must be corrected.

Steve Symanski 8456 4<sup>th</sup> Avenue asked if Mr. Menhart was putting a deck on the new structure. Yes, a upper deck and a lower deck.

Ken Burda asked how big was the living area? Mr. Menhart couldn't remember, "It's been a year and a half. It's in the original application."

Ceceilia Huebner asked how the foundations were being raised – FEMA regulations are now in effect.

Mike Szokola - We need an update site plan with all of the discrepancies corrected.

Mark Brusveen 4535 Main Street – Will the new structure be closer to me? Mr. Menhart said no, and also added he knows he cannot dump storm water on his neighbors' property.

Barbara Symanski asked if the ZBA members had inspected the property and all had. She felt new construction would block the views of existing homes and the houses would now be too close together. Mr. Menhart and Mark Brusveen held a discussion about encroachments, overhangs, and views.

Mr. Menhart said parking requirements were not part of zoning (they are) but Mr. Szokola said he meets the requirements. His design is treating high water issues as a long term issue. He plans to cut down one partially dead willow tree which he says is dangerous. He said his calculations for impervious surfaces did not include the driveway, sidewalk, or storage building. He asked for input on impervious surface replacement options, and storm water control methods. He also mentioned the Master Plan and its encouragement of projects like his proposal.

Ken Burda wants all the decks on the upgraded plans.

Steve Symanski 8456 4<sup>th</sup> Avenue thought it was a good idea for Mr. Menhart to expand the property. Mr. Menhart said he's "been there and done that."

Mark Brusveen 4535 Main Street feels Mr. Menhart has inflated the value of his house and plans and the project is distorted.

The Zoning Board of Appeals began deliberations on the appeal request.

Ken Burda made a motion to approve the appeal based on the stipulation for updated site plans and building dimensions with redesign of the impervious surfaces including the driveway and sidewalk, storm water collection, retention, and dispersal system, and a riparian buffer zone all to be reviewed and approved by the Onekama Village Planning Commission.

Matthew Kuizenga seconded the motion.

During the discussion Ceceilia Huebner moved to amend the motion to make the total percentage of the impervious surfaces on the property less than or equal to 35.

Ken Burda seconded the amendment to the motion.

With no further discussion the secretary called the roll.

The votes were as follow:

Ken Burda – Yes Ceceilia Huebner – Yes Matthew Kuizenga – Yes

The vote was 3 - 0 to approve the appeal as outlined in the motion.

SECOND PUBLIC COMMENT OPENED AT 5:20 P.M.

Mr. Menhart and Brad Nelson entered a discussion. No other comments were made.

# ZONING BOARD OF APPEALS ORGANIZATIONAL MEETING - JUNE 15, 2022

MEETING OPENED AT 2:30 P.M. BY Chair Ken Burda

**Board Members Present:** 

Ken Burda - Chair

Ceceilia Huebner

Roger Burger

Matthew Kuizenga

Zoning Administrator: Mike Szokola

Due to the absence of Randy Arthur, Ken felt that the election of officers should be deferred until Mr. Arthur was present. Also, the board would review the by laws at that time.

Mike Szokola - Led the discussion of how the Zoning Board of Appeals functions. He then explained the process for listening to appeals for zoning variances and holding public hearings. The proper format for the meeting was discussed.

The meeting closed at 3:30 P.M.

Respectfully submitted by Roger Burger.

The meeting closed at 5:25 P.M.

Respectfully submitted by Roger Burger.

June 21, 2022

APPROVED:

Ken Burda Sen

Ceceilia Huebner

Matthew Kuizenga

SIGN IN LIST

Roger Brown - Arcadia

Mike Matteson - Arcadia

Mark Brusveen - Grand Haven

Stanley Finan, Jr. - 4525 Main Street, Onekama, MI

Marlene Overmyer – 2950 Reeds Lake Boulevard SE, Grand Rapids, MI 49506-2041

(616) 949-3503

4537 Main Street, Onekama, MI (231) 690-2359

Mr. Steve and Mrs. Barbara Symanski – 8456 4th Avenue, Onekama, MI

Brad Nelson and Elizabeth Nelson - 4560 Main Street, Onekama, MI (630) 668-4535