

**NOTICE OF APPEAL
TO THE
ZONING BOARD OF APPEALS**

Leland Township, Leelanau County, Michigan

(Use for Ordinance or Map Interpretation, Variance, or Appeal of an Administrative Decision; See Article 4)
(All references to "Section" and "Article" refer to the Leland Township Zoning Ordinance)

Important Notice to Applicants: 8 copies of this appeal must be completed in full and submitted to the Zoning Administrator. All questions must be answered completely. If additional space is needed, number and attach additional sheets. The total number of attached sheets is 2.

Name and Address of Appellant:
Richard Meese
1199 N. Sunset Shores
Lake Leelanau, MI. 49653

Phone Number of Appellant:
Cell # 248-464-0208 _____

FOR TOWNSHIP USE ONLY

Appeal Number: _____	Special Notes: Date _____ Comment _____ _____ _____ _____ _____ _____ _____ _____ _____ _____
Date Received: _____	
Tax Parcel Number: _____	
Fee Received: (amount and date) _____	
Fee Receipt Number: _____	
Zoning Board of Appeals	
Application Received by ZBA (date): _____	
ZBA Hearing Date: _____	
Action Taken on _____ (date): (summarize below)	

_____	Zoning Administrator _____
_____	Date _____

PART 1: ACTION REQUESTED

I (we), the undersigned, request a hearing before the Leland Township Zoning Board of Appeals for the purpose indicated below (circle the appropriate purpose):

Ordinance or Map Interpretation

Variance

Appeal from an Administrative Decision

PART 2: REQUEST for VARIANCE from the REQUIREMENTS of the ZONING ORDINANCE

(This part is to be completed for variance requests only. See Section 4.05(C))

B. State specifically the variance being requested (such as a 5 foot reduction on side yard setback, 10% reduction in parking spaces, etc.)

Thirty Five foot reduction on forty foot setback from waters edge for land adjacent to a stream to rebuild existing garage adding 8'x32' area into driveway area not increasing proximity to small stream.

Also a five foot reduction on forty foot setback from adjacent stream to add 8'4"x6'4" closet addition to house.

Article 24, Environmental Standards, Sect.24.10, Sensitive Wet Lands, Paragraph A, Section C, pg 24-5

C. Describe the peculiar or unusual characteristics of your property which require the granting of a variance.

- too narrow
- too small
- too shallow
- elevation
- slope
- shape
- soil
- subsurface
- other (please specify)

Small creek runs within five feet of existing garage and thirty five feet of existing house both built over 55 years ago.

D. State exactly what is intended to be done on the property which necessitates a variance from the Zoning Ordinance.

Rebuild existing garage and add closet to house both non compliant structures but not worsening the setback to the streams of the existing structures

E. Justification for granting the requested variance. Answer the following questions and attach your answers to this application (See Section 4.05(C)).

1. Are there any practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this Ordinance?
2. Does a genuine hardship exist because of unique circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the same zoning district, and shall not be recurrent in nature?
3. Did the hardship or special conditions or circumstances result from actions of the applicant? If so how?
4. Will the variance relate only to property under control of the applicant?
5. Will the variance be in harmony with the general purpose and intent of this Ordinance and not cause a substantial adverse effect upon surrounding property, property values, and the use and enjoyment of property in the neighborhood or district?
6. Will strict compliance with ordinance requirements unreasonably prevent the applicant from using the property for a permitted purpose, or render conformity unnecessarily burdensome.
7. Is the variance requested the minimum amount necessary to overcome the inequity inherent in the particular property or mitigate the hardship?
8. Will the variance permit the establishment, within a district, of any use which is not permitted by right within that zoning district?

See Attached

F. Legal description of subject property (attach survey if possible):

L357 P110 L383 P194-195 L386 P913-914/94PRT GOVT LOT 3 BEG AT SW COR OF SE 1/4 OF FRL NW 1/4 SD SEC TH E ON 1/4 LN 177.25 FT TH S 39 DEG 35' E 531.2 FT TH S 65 DEG 26' W 252.3 FT TH S 12 DEG 14' E 433.6 FT TH S 30 DEG 58' E 459.5 FT TH S 9 DEG 12' E 262.2 FT TH S 30 DEG 17' E 316.7 FT TO SD POB TH S 19 DEG 06' E 184.37 FT TH S 65 DEG 26' W 261.1 FT TO SHR LK LEELANAU TH N 17 DEG 43' W ALGSD SHR 50 FT TH N 2 DEG 14' E ALG SD SHR 150 FT TH N 65 DEG 26' E 205.03 FT TO POB SUBJECT TO EASEMENT SEC 14 T30N R12W.

009-014-036-00

G. Address of Property: 1199 N. Sunset Shores, Lake Leelanau, MI. 49653

H. This property is: unplatted or platted (circle appropriate answer)
If platted, name of Plat: _____

I. Present use of the property is: Single Family Dwelling

J. Existing zoning classification of the property is: R1A Med.Density Lakeshore Residential

K. Drawings: Eight (8) copies of a plan drawn to scale of 1 inch = 100 feet must be submitted with this application clearly showing, but not limited to, property lines, lot shape and dimensions, proposed and existing building locations and dimensions, parking and yard areas, and features for which a variance is being requested.

PART 3: INTERPRETATION OF ZONING ORDINANCE OR MAP

(This part is to be completed for ordinance interpretation requests only. See Section 4.05(B))

A. The appellant respectfully requests the Board of Appeals make an interpretation of:

- _____ a. The location of district boundaries on the Zoning Map as applied to the property described in this application (See Section 9.04).
- _____ b. The provisions of Section _____ of the Leland Township Zoning Ordinance.
- _____ c. Other, specify, _____

B. Please describe in detail the nature of the problem to be interpreted and the reason for the request.

PART 4: APPEAL from ADMINISTRATIVE DECISION

(This part is to be completed only for appeals of an administrative decision. See Section 4.05(A))

A. The appellant respectfully requests the Board of Appeals to reverse or modify the administrative decision of the Zoning Administrator / Planning Commission (circle as applicable) made on _____ (date) regarding Application No. _____ (Attach a copy of the decision.)

Reversal or modification requested: _____

Reasoning for reversal or modification of decision: _____

PART 5: AFFIDAVIT

I (we), the undersigned, acknowledge that if a variance is granted, or other decisions favorable to the undersigned are rendered upon this appeal, the said decision does not relieve me (us) from compliance with all other provisions of the Leland Township Zoning Ordinance. I (we), the undersigned, affirm that the answers, statements, and information contained herein are in all respects true and correct to the best of my (our) knowledge and belief.

SEMER 9/3/2024

Appellant(s) Signature(s)

Date

Attachment for Section E
Justification for Granting the Requested Variance

- E1. Yes, Existing buildings built before the ordinance and are already non-compliant. Proposed alterations will not increase noncompliance aspects of the structures
- E2. Yes, Site has small creeks and wetlands throughout
- E3. No, Existing structures built over 55 years ago predating ordinance
- E4. Yes, Adjacent lot also owned by applicant
- E5. Yes, Property value expected to increase as existing structures are improved. Adjacent lot owned by applicant
- E6. Yes, No practical building is possible on site without some variance
- E7. Yes, Other alternatives were studied that had significantly higher site impacts and required more variances.
- E8. No, use is unchanged as single family residence and garage.