

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

Thursday, March 10, 2016 @ 7:00 p.m.
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684

A G E N D A

Call meeting to order
Roll call of Board Members

1. Review and approval of the Agenda and declaration of a Conflict of Interest
2. Minutes – January 6, 2016
3. Public Hearing
 - a. Case # 2016-03 Bay Meadows Golf Course- Setback Variance
4. Items for next agenda
5. Public Comment
6. Adjournment

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with Disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922-4412.

Charter Township of Garfield
Zoning Board of Appeals Meeting

Wednesday, January 6, 2016 @ 7:00pm
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684

Rick Smith called the meeting to order at 7:05pm.

Board Members Present: Gil Uithol, Steve Duell, and Rick Smith

Absent: Kent Rozycki

Staff Present: Sara Kopriva

Kopriva stated that Joe Yelencich submitted his resignation.

1. Election of Officers

*Uithol moved and Duell seconded to nominate Rick Smith as Chair.
Duell moved and Uithol seconded to nominate Kent Rozycki as Vice Chair.
Smith moved and Uithol seconded to nominate Steve Duell as Secretary.*

Motion carried unanimously for approval of nominations and appointments.

2. Review and approval of the agenda and declaration of a Conflict of Interest

There were no conflicts of interest.

Uithol moved and Duell seconded to approve the agenda as presented.

Motion carried unanimously.

3. Minutes – October 21, 2015

Duell moved and Smith seconded to approve the minutes of October 21, 2015 meeting as presented.

Motion carried unanimously.

4. Old Business

a. Case #2015-04 Angela Ayers, 4814 Thornapple-Side Yard Setback

The applicant submitted a letter to withdraw the request for variance.

Uithol moved and Duell seconded to accept the withdraw request.

Motion carried unanimously.

5. **New Business**

a. **2016 Meeting Schedule**

Uithol moved and Duell seconded to approve the meeting schedule.

Motion carried unanimously.

5. **Items for next agenda**

Kopriva said that there have been no applications received for the February meeting so far.

6. **Public Comment**

None

7. **Adjournment**

Duell moved and Uithol seconded to adjourn the meeting at 7:14 pm.

Motion carried unanimously.

Exhibit List

DRAFT

Case # 2016-03
Bay Meadows Family Golf
Michael Husby

- A. Garfield Township Zoning Ordinance
- B. Garfield Township Master Plan
- C. Property Record Card with building drawing
- D. Published notice including map of property and 300 ft mailing list
- E. Zoning Board of Appeals Application (submitted by Applicant)
- F. Site Plan (submitted by Applicant)
- G. Building Drawings (submitted by Applicant)
- H. Staff Report
- I. Draft Findings of Fact

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
NWORE, LLC	BAY MEADOWS FAMILY GOLF L	370,000	03/28/2014	CD	SHORT SALE	2014R-04505	PROP TRANS AFF	100.0
WRS GOLF LLC	NWORE, LLC	1,241,902	11/05/2013	QD	DEED IN LIEU OF FORE	2013R-21214	PROP TRANS AFF	0.0
LAUTNER LARRY & LOREN & D	WRS GOLF LLC	0	08/30/2013	WD	INVALID SALE	2013R-18888	BUYER	0.0
LAUTNER MAXINE W ESTATE	LAUTNER LARRY & LOREN & D	0	02/25/2011	IV	INVALID SALE	2011R-03638	BUYER	0.0
Property Address	Class: 201 COML IMPROVED Zoning: R-1 F Building Permit(s)							
5550 BAY MEADOWS DR	School: TRAVERSE CITY AREA PUBLIC							
Owner's Name/Address	P.R.E. 0%							
BAY MEADOWS FAMILY GOLF LLC	MAP #: 10							
5227 MACKENZIE DR	2016 Est TCV 384,411 TCV/TFA: 92.50 EARTH CHANGE							
KEWADIN MI 49648	X Improved Vacant							

Tax Description	Public Improvements	Description	Frontage	Depth	Rate	%Adj.	Reason	Value		
PRT OF NE 1/4 SEC 6 T27N R11W COM N 89 DEG 21' W 630' OF E 1/4 COR TH N 89 DEG 21' W 688.98' TH ALG E 1/8 LN 2 DEG 0' E 264.01' TH N 89 DEG 21' W 989.22' TH S 1 DEG 56' W 264' TH N 89 DEG 21' W 105' TH N 1 DEG 56' E 264' TH N 89 DEG 21' W 225' TH ALG N/S 1/4 LN N 1 DEG 56' E 794.97' TH N 69 DEG 25' E 1429.39' TH ALG E 1/8 LN N 2 DEG 0' E 499.69' TH S 87 DEG 59' E 16.5' TH N 2 DEG 0' E 1191.41' TH ALG N SEC LN S 89 DEG 16' E 294.34' TH S 2 DEG 39' W 653.25' TH S 89 DEG 16' E 1014.98' TH ALG E SEC LN S 2 DEG 0' W 1854.1' TH N	Dirt Road	688.98	3260.00	1.0000	0.0000	0	100*	0		
	Gravel Road	416.67	1236.00	1.0000	0.0000	0	100*	0		
	Paved Road	617.17	2077.50	1.0000	0.0000	0	100*	0		
	Storm Sewer	GOLF COURSE	CRSE	3000	84.48	Acres	3000	50	TOPO/ACCESS	
	Sidewalk	GOLF COURSE	GOLF CRSE	3000	0.45	Acres	3000	100	M-72 HWY ROW	
	Water	GOLF COURSE	GOLF CRSE	3000	0.58	Acres	3000	100	BARNEY RD ROW	
	Sewer	* denotes lines that do not contribute to the total acreage calculation.								
	Electric	1119	Actual	Front	Feet,	85.51	Total	Acres	Total Est. Land Value = 129,810	
	Gas	Land Improvement Cost Estimates								
	Curb	Description								
	Street Lights	D/W/P:	Asphalt	Paving	Rate	County	Mult.	Size	%Good	Cash Value
	Standard Utilities	D/W/P:	3.5	Concrete	3.44	1.00	1984	56	56	39,299
	Underground Utils.	Total Estimated Land Improvements True Cash Value = 43,121								

Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
X		Level Rolling	2016	64,900	127,300	192,200			185,555C
X		Low	2015	185,000	0	185,000			185,000S
X		High	2014	299,300	158,600	457,900		185,000T	185,000S
X		Landscaped	2013	299,300	155,000	454,300			454,300S
X		Swamp							
X		Wooded							
X		Pond							
X		Waterfront							
X		Ravine							
X		Wetland							
X		Flood Plain							
X		Who	When	What					
X		ALD	11/03/2015	INSPECTED					
X		ALD	04/07/2015	PICTOMETRY					

The Equalizer. Copyright (c) 1999 - 2009. Township of Garfield, County of Grand Traverse, Michigan



ion herein deemed reliable but not guaranteed***

Building Type	Utility Building		
Year Built	1995		
Class/Construction	C		
Quality/Exterior	Average		
Base Rate/SF	13.90		
# of Walls, Perimeter	4 Wall, 56		
Perimeter Mult.	X 1.543 = 21.45		
Height	8		
Story Height Mult.	X 0.963 = 20.65		
Heating System	No Heating/Cooling		
Heat Adj./SF			
Misc. Adjustment	PUMPHOUSE		
Misc. Adj./SF			
County Multiplier	X 1.38 = 28.50		
Final Rate/SF	\$28.50		
Length/Width/Area	16 x 12 = 192		
Cost New	\$ 5,473		
Phy./Func./Econ. %Good	59/100/100 59.0		
Depreciated Cost	\$ 3,229		
+ Unit-In-Place Items	\$ 0		
Description, Size X Rate X %Good = Cost			
Itemized ->			
Unit-In-Place ->			
Items ->			
E.C.F.	X 1.00		
% Good	59		
Est. True Cash Value	\$ 3,229		
Comments:			
Total Estimated True Cash Value of Agricultural Improvements / This Card: 3229 / All Cards: 3229			

*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/section: SALES
 Calculator Occupancy: Clubhouse

Class: D		High		Above Ave.		Ave.		X		Low	
** ** Calculator Cost Data ** ** Quality: Average Adj: %0 \$/SqFt: 0.00 Heat#1: Package Heating & Cooling 100 Heat#2: Forced Air Furnace 0% Ave. SqFt/Story: 1600 Ave. Perimeter: 160 Has Elevators: *** Basement Info *** Area: 1600 Perimeter: 160 Type: Unfinished/Utility Heat: No Heating or Cooling * Mezzanine Info * Area #1: Type #1: Office (No Rates) Area #2: Type #2: Office (No Rates) * Sprinkler Info * Area: Type: Average											
1995 Year Built Remodeled 9 Overall Bldg Height Comments: BLT 1995											

Construction Cost

Class: D Quality: Average Percent Adj: +0

Base Rate for Upper Floors = 62.95
 Unfinished/Utility Basement, Base Rate for Basement = 21.25

(10) Heating system: Package Heating & Cooling Cost/SqFt: 2.45 100%
 Bsmnt Heating system: No Heating or Cooling Cost/SqFt: 0.00
 Adjusted Square Foot Cost for Upper Floors = 65.40
 Adjusted Square Foot Cost for Basement = 21.25

1 Stories
 Average Height per Story: 9
 Ave. Floor Area: 1,600 Perimeter: 160
 Basement Area: 1,600 Perimeter: 160
 Basement Height: 8
 Refined Square Foot Cost for Upper Floors: 69.78
 Refined Square Foot Cost for Basement: 22.21

County Multiplier: 1.39, Final Square Foot Cost for Upper Floors = 96.997
 for Basement = 30.867

Total Floor Area: 1,600 Base Cost New of Upper Floors = 155,195
 Basement Area: 1,600 Base Cost New of Basement = 49,387

Eff. Age: 21 Phy. %Good/Abnr. Phy./Func./Econ./Overall %Good: 53 /100/100/100/53.0
 <<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>

(1) Excavation/Site Prep:

(2) Foundation: Footings

X	Poured Conc	Brick/Stone	Block
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(3) Frame:

Many Above Ave.	Average Typical	Few None
Total Fixtures		
3-Piece Baths	Wash Bowls	
2-Piece Baths	Water Heaters	
Shower Stalls	Wash Fountains	
Toilets	Water Softeners	

(4) Floor Structure:

(5) Floor Cover:

(6) Ceiling:

(7) Interior:

(8) Plumbing:

Many Above Ave.	Average Typical	Few None
Total Fixtures		
3-Piece Baths	Wash Bowls	
2-Piece Baths	Water Heaters	
Shower Stalls	Wash Fountains	
Toilets	Water Softeners	

(9) Sprinklers:

(10) Heating and Cooling:

X	Gas Oil	Coal Stoker	Hand Fired Boiler
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(11) Electric and Lighting:

Outlets:	Fixtures:
X	Few Average Many Unfinished Typical
	Few Average Many Unfinished Typical
	Flex Conduit Incandescent Fluorescent Rigid Conduit Mercury Sodium Vapor Armored Cable Non-Metallic Bus Duct Transformer

(13) Roof Structure: Slope=0

(14) Roof Cover:

(39) Miscellaneous:

(40) Exterior Wall:

Thickness	Bsmnt Insul.
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*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg: STORAGE Calculator Occupancy: Shed, Equipment, 4 Wall		Class: D, Pole Quality: Average Percent Adj: +0		Calculator Cost Computations Average Cost/SqFt: -1.60 100%	
Construction Cost High Above Ave. Ave. X Low ** ** Calculator Cost Data ** ** Quality: Average Adj: +0 \$/SqFt: 0.00 Heat#1: No Heating or Cooling 100 Heat#2: No Heating or Cooling 0% Ave. SqFt/Story: 1788 Ave. Perimeter: 170 Has Elevators:		Base Rate for Upper Floors = 14.75 (10) Heating system: No Heating or Cooling Adjusted Square Foot Cost for Upper Floors = 13.15		>>>>>	
Depr. Table : 2.5% Effective Age : 21 Physical %Good: 59 Func. %Good : 100 Economic %Good: 100		1 Stories Average Height per Story: 10 Ave. Floor Area: 1,788 Refined Square Foot Cost for Upper Floors: 13.51 Perimeter: 170 Perim. Multiplier: 1.027 Number of Stories Multiplier: 1.000 Height per Story Multiplier: 1.000			
1995 Year Built Remodeled 10 Overall Bldg Height		County Multiplier: 1.39, Final Square Foot Cost for Upper Floors = 18.772 Total Floor Area: 1,788 Base Cost New of Upper Floors = 33,564 Reproduction/Replacement Cost = 33,564 Eff. Age: 21 Phy. %Good/Abnr. Phy./Func./Econ./Overall %Good: 59 /100/100/100/59.0 Total Depreciated Cost = 19,803			
Comments: Area: ECF (2200 WEST SIDE) Type #1: Office (No Rates) Area #2: Replacement Cost/Floor Area= 18.77 Type #2: Office (No Rates) Area: 1.052 => TCV of Bldg: 2 = 20,833 Type: Low Est. TCV/Floor Area= 11.65		(11) Electric and Lighting:		(39) Miscellaneous:	
(1) Excavation/Site Prep:		(7) Interior:		(13) Roof Structure: Slope=0	
(2) Foundation: Footings X Poured Conc Brick/Stone Block		(8) Plumbing: Many Above Ave. Average Typical Few None Total Fixtures Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners 3-Piece Baths 2-Piece Baths Shower Stalls Toilets		Outlets: X Few Average Many Unfinished Typical Flex Conduit Rigid Conduit Armored Cable Non-Metallic Bus Duct Fixtures: X Few Average Many Unfinished Typical Incandescent Fluorescent Mercury Sodium Vapor Transformer	
(3) Frame:		(9) Sprinklers:		(40) Exterior Wall: Thickness Bsmnt Insul.	
(4) Floor Structure:		(10) Heating and Cooling: X Gas Oil Coal Stoker Hand Fired Boiler			
(5) Floor Cover:					
(6) Ceiling:		(14) Roof Cover:			

*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg: ion: PRACTICE DRIVING RANGE BLDG
 Calculator Occurrence: Shed, Equipment, 4 Wall
 Class: D, Pole
 Floor Area: 768
 Gross Bldg Area: 4,156
 Stories Above Grd: 1
 Average Sty Hght: 10
 Bsmnt Wall Hght
 Depr. Table : 4%
 Effective Age : 15
 Physical %Good: 54
 Func. %Good : 100
 Economic %Good: 100
 2001 Year Built Remodeled
 10 Overall Bldg Height
 Comments:
 BLT 2001
 Area #1:
 Type #1:
 Area #2:
 Type #2:
 Area:
 Type: Average
 Construction Cost
 High Above Ave. Ave. X Low
 ** ** Calculator Cost Data ** **
 Quality: Average Adj: +0 \$/SqFt:0.00
 Heat#1: Space Heaters, Gas with Fan 100
 Heat#2: Space Heaters, Gas with Fan 0%
 Ave. SqFt/Story: 768
 Ave. Perimeter: 112
 Has Elevators:
 *** Basement Info ***
 Area:
 Perimeter:
 Type:
 Heat: Hot Water, Radiant Floor
 * Mezzanine Info *
 * Sprinkler Info *
 Calculator Cost Computations
 Class: D, Pole Quality: Average Percent Adj: +0
 Base Rate for Upper Floors = 14.75
 (10) Heating system: Space Heaters, Gas with Fan Cost/SqFt: 0.00 100%
 Adjusted Square Foot Cost for Upper Floors = 14.75
 1 Stories
 Average Height per Story: 10 Number of Stories Multiplier: 1.000
 Ave. Floor Area: 768 Perimeter: 112 Height per Story Multiplier: 1.000
 Refined Square Foot Cost for Upper Floors: 17.11 Perim. Multiplier: 1.160
 County Multiplier: 1.39, Final Square Foot Cost for Upper Floors = 23.783
 Total Floor Area: 768 Base Cost New of Upper Floors = 18,265
 Eff. Age: 15 Phy. %Good/Abnr. Phy./Func./Econ./Overall %Good: 54 /100/100/100/54.0
 Reproduction/Replacement Cost = 18,265
 Total Depreciated Cost = 9,863
 Unit in Place Items Rate Quantity Cnty Arch %Good Depr. Cost
 /C116/YARI/PATR/WOIBCA 11.25 840 1.39 1.00 54 7,093
 ECF (2200 WEST SIDE) 1.052 => TCV of Bldg: 3 = 17,838
 Replacement Cost/Floor Area= 40.89 Est. TCV/Floor Area= 23.23

(1) Excavation/Site Prep:
 (2) Foundation: Footings Brick/Stone Block
 (3) Frame:
 (4) Floor Structure:
 (5) Floor Cover:
 (6) Ceiling:
 (7) Interior:
 (8) Plumbing:
 Many Above Ave. Average Typical Few None
 Total Fixtures Urinals
 3-Piece Baths Wash Bowls
 2-Piece Baths Water Heaters
 Shower Stalls Wash Fountains
 Toilets Water Softeners
 (9) Sprinklers:
 (10) Heating and Cooling:
 Gas Coal Hand Fired
 Oil Stoker Boiler
 (11) Electric and Lighting:
 Outlets: Fixtures:
 Few Average Few
 Average Many Average
 Many Unfinished Many
 Typical Typical
 Flex Conduit Incandescent
 Rigid Conduit Fluorescent
 Armored Cable Mercury
 Non-Metallic Sodium Vapor
 Bus Duct Transformer
 (13) Roof Structure: Slope=0
 (14) Roof Cover:
 (39) Miscellaneous:
 (40) Exterior Wall:
 Thickness Bsmnt Insul.

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<<<<<

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Income Capitalization Calculations = 231,361
 M... Yearly Income: GROSS INC BY F MAWSON = 231,361
 Gross Income (100% Occupancy + Miscellaneous) = 231,361
 Effective Gross Income = 231,361

Annual Operating Expenses

- Insurance: 7477
- Management: 104442
- Other Administrative: 5597
- Heating/Cooling/Lighting: 5052
- Utilities - Water/Sewer: 10997
- Maintenance & Repairs: 11568
- Cleaning & Decorating: 5000
- Other Operating Expenses: 1000
- Supplies: 8216
- Miscellaneous: 11339

Net Operating Income before Taxes or Capital Charges = 170,688
 Capitalization Rate = 11.25% Tax Rate = 2.32% Overall Cap. Rate = 13.57%
 Additional Lump Sum or Land Value: -62,700
 Income Capitalized Value (Net Income / Capitalization Rate) = 384,411
 % of Stmt on Parcel: 100 Contribution to Total Parcel Cost = 384,411

Comments/Data From:
FOR 2016

*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 05-006-001-50

Property Address 5550 BAY MEADOWS DR

City TRAVERSE CITY

County GRAND TRAVERSE State MI

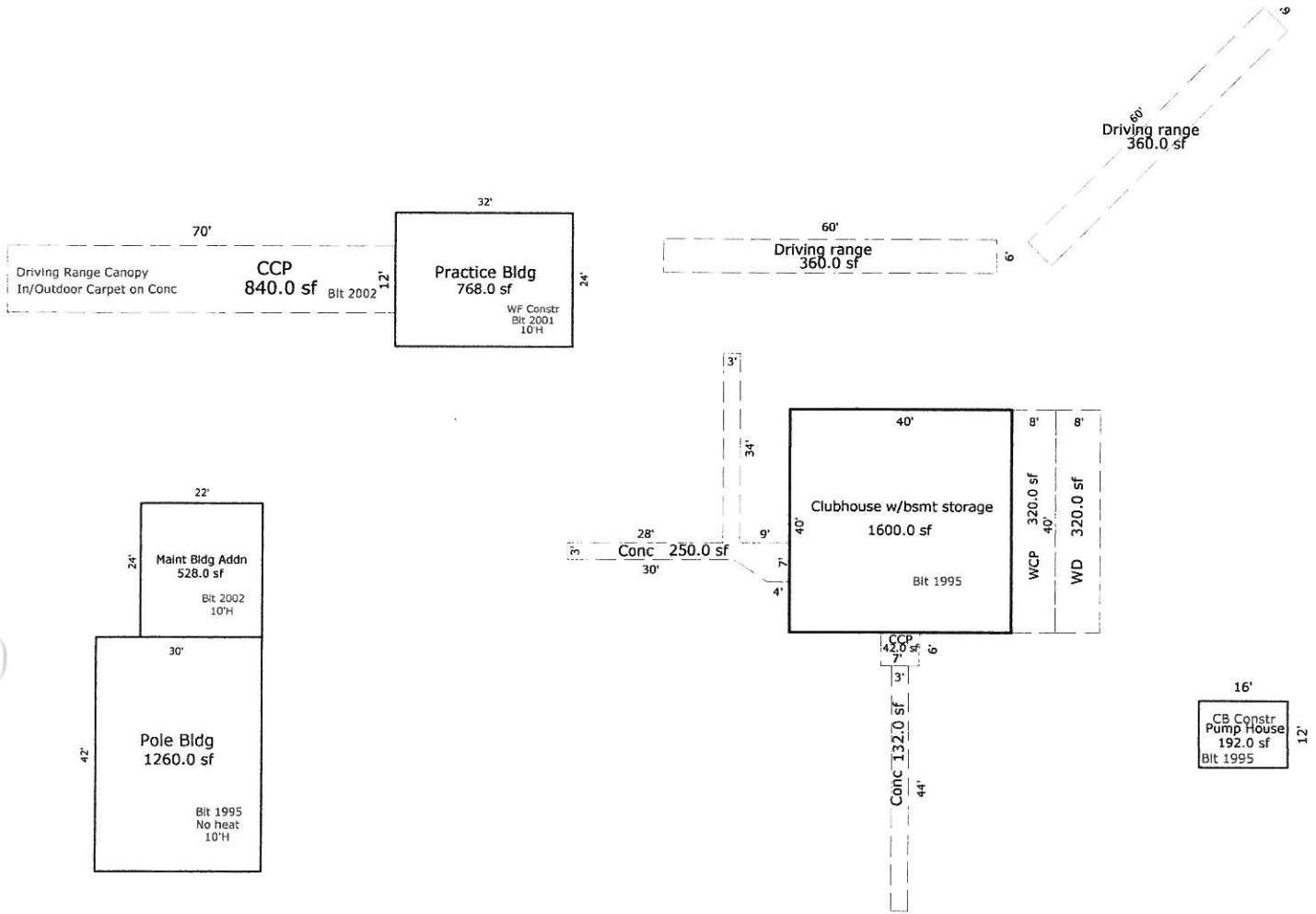
Zip 49684

Owner BAY MEADOWS FAMILY GOLF LLC

Agent

Appraiser Name

IMPROVEMENTS SKETCH



Scale: 1" = 20'

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GBA1	Clubhouse w/bsmt storage	1.00	1600.00	160.0	1600.00
GARG	Practice Bldg	1.00	768.00	112.0	768.00
GARP	Pole Bldg	1.00	1260.00	144.0	1788.00
	Maint Bldg Addn	1.00	528.00	92.0	
P/PWD	WD	1.00	320.00	96.0	320.00
P/PWCP	WCP	1.00	320.00	96.0	320.00
P/PConc	Conc	1.00	132.00	94.0	
	Conc	1.00	250.00	159.2	
	Driving range	1.00	360.00	132.0	
	Driving range	1.00	360.00	132.0	1102.00
P/PCCP	CCP	1.00	840.00	164.0	
	CCP	1.00	42.00	26.0	882.00
OTHWD	Pump House	1.00	192.00	56.0	192.00

Comment Table 1

Comment Table 2 Comment Table 3

Net BUILDING Area (rounded w/ factors) 1600

AREA CALCULATIONS

SKETCH/AREA TABLE ADDENDUM

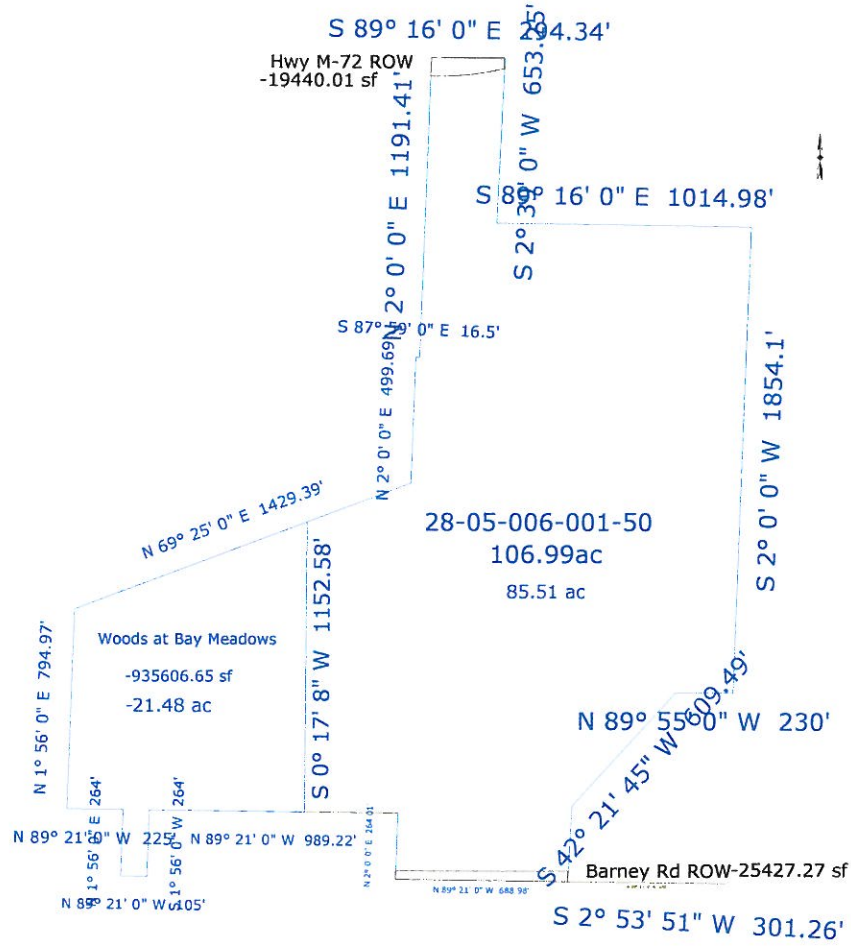
Parcel No 05-006-001-50

File No 05-006-001-50

SUB

Property Address 5550 BAY MEADOWS DR	County GRAND TRAVERSE State MI
TRAVERSE CITY	Zip 49684
Owner BAY MEADOWS FAMILY GOLF LLC	
Client	
Appraiser Name	

IMPROVEMENTS SKETCH



Comments:

28-05-006-001-50

Scale: 1" = 20'

Beginning at a point of the Tract described by Metes and Bounds as follows:

- THENCE North 89° 21' 0" West, a distance of 688.98 Feet;
- THENCE North 2° 0' 0" East, a distance of 264.01 Feet;
- THENCE North 89° 21' 0" West, a distance of 989.22 Feet;
- THENCE South 1° 56' 0" West, a distance of 264.00 Feet;
- THENCE North 89° 21' 0" West, a distance of 105.00 Feet;
- THENCE North 1° 56' 0" East, a distance of 264.00 Feet;
- THENCE North 89° 21' 0" West, a distance of 225.00 Feet;
- THENCE North 1° 56' 0" East, a distance of 794.97 Feet;
- THENCE North 69° 25' 0" East, a distance of 1429.39 Feet;
- THENCE North 2° 0' 0" East, a distance of 499.69 Feet;
- THENCE South 87° 59' 0" East, a distance of 16.50 Feet;
- THENCE North 2° 0' 0" East, a distance of 1191.41 Feet;
- THENCE South 89° 16' 0" East, a distance of 294.34 Feet;
- THENCE South 2° 39' 0" West, a distance of 653.25 Feet;
- THENCE South 89° 16' 0" East, a distance of 1014.98 Feet;
- THENCE South 2° 0' 0" West, a distance of 1854.10 Feet;
- THENCE North 89° 55' 0" West, a distance of 230.00 Feet;

REVISION

CHARTER TOWNSHIP OF GARFIELD

Zoning Board of Appeals

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Garfield Township Zoning Board of Appeals will hold a public hearing at a regular meeting on March 10, 2016 at 7:00 p.m. The hearing will take place at the Garfield Township Hall, located at 3848 Veterans Drive, Traverse City, Michigan 49684.

The hearing is for a request made by Michael Husby on behalf of Bay Meadows Family Golf LLC, for a variance from the Township Zoning Ordinance (#68) to allow for an addition to a structure at a golf course located 37 ft from neighboring residential property. The Zoning Ordinance requires a 200 ft setback from any residentially zoned properties. The property is located in the R-1, One Family Residential zoning district at 5550 Bay Meadows Dr, parcel no. 28-05-006-001-50.

A copy of the application, zoning ordinance and zoning map may be inspected at the Township Offices between the hours of 7:30 am and 6:00 pm Monday through Thursday. All persons and Counsel will have the right to speak at the Public Hearing. Any written comments with respect to this application may be submitted to the Township Zoning Department by mail or in person during regular office hours and location as stated above or during the Public Hearing. The Township telephone number is: (231) 941-1640.

Steve Duell – Secretary
Garfield Township Zoning Board of Appeals
3848 Veterans Drive
Traverse City, MI 49684

Sara Kopriva – Zoning Administrator
Garfield Township
3848 Veterans Drive
Traverse City, MI 49684

Garfield Township will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to Garfield Township. Individuals with disabilities requiring auxiliary aids or services should contact Garfield Township by writing or calling Lanie McManus, Clerk, at: (231) 941-1620, or TDD (231) 922-4412.

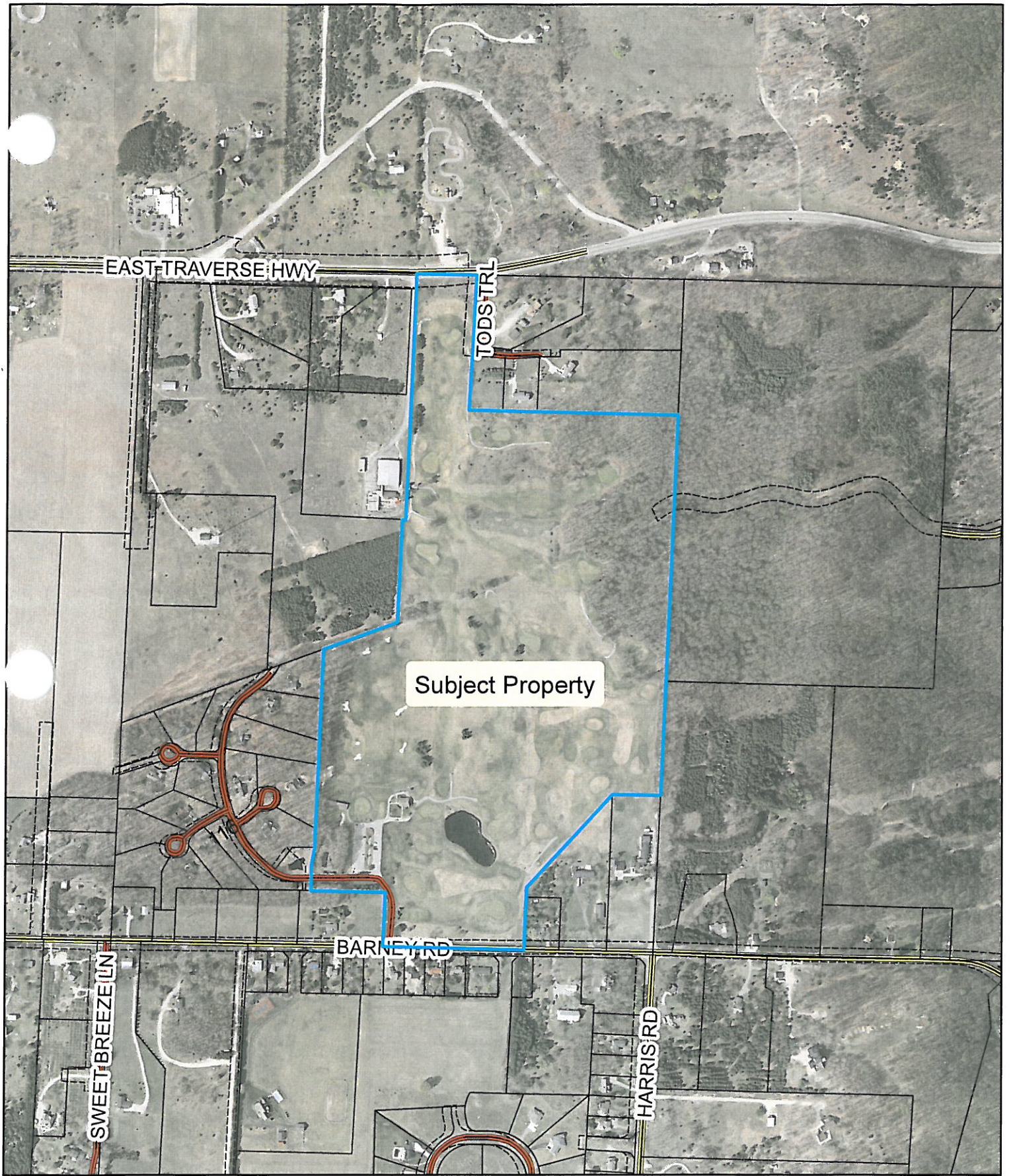
* * * * *

TO THE RECORD EAGLE:

Please publish on: Wednesday, February 24, 2016
Please send affidavit and bill to: Garfield Township

* * *

RECEIVED BY THE RECORD EAGLE VIA _____



Parcel Map

This map is based on digital databases prepared by the Charter Township of Garfield. The Township does not warrant, expressly or irrgladly, or accept any responsibility for any errors, omissions, or that the information contained in the map or the digital databases is currently or positionally accurate.

Garfield Charter Township
 3848 Veterans Drive
 Traverse City, MI 49684
 Phone: 231.941.1620
 Fax: 231.941.1588
www.garfield-twp.com



NOT A LEGAL SURVEY
 Zoning Dept 2/18/2016

004-031-036-00
RECKER SUSAN
8736 E Angus Rd
Traverse City, MI 49684

004-031-044-00
OCCUPANT
E ANGUS RD
TRAVERSE CITY, MI 49684

004-031-004-00
GORCYCA JOHN & SUSAN
8807 E TRAVERSE HWY
TRAVERSE CITY, MI 49684

004-031-043-00
GORCYCA JOHN & SUSAN
8807 E TRAVERSE HWY
TRAVERSE CITY, MI 49684

004-031-042-00
OCCUPANT
E TRAVERSE HWY
TRAVERSE CITY, MI 49684

004-031-042-00
SCENIC TRAILS COUNCIL
BOY SCOUTS OF AMERICA INC
2308 US 31 N
TRAVERSE CITY, MI 49684

004-031-042-10
BAILEY VERNON & DIANE
8860 E ANGUS RD
TRAVERSE CITY, MI 49684

004-031-039-20
LAUTNER LARRY & THERESA
8944 E TRAVERSE HWY
TRAVERSE CITY, MI 49684

05-107-010-00
HOLLINGER KELLY & LEWIS JAMES & LOR
429 HARBOUR RIDGE
MAPLE CITY MI 49664

05-107-007-00
JOHNSON JENNIFER L
5239 BARNEY RD
TRAVERSE CITY MI 49684

05-107-003-00
SWARTHOUT BARBARA
5313 BARNEY RD
TRAVERSE CITY MI 49684

05-006-001-10
RITTER JERRY T & MARGARET A
5008 BARNEY RD
TRAVERSE CITY MI 49684

05-107-004-00
MENCHACA SAMUEL JR & DEBORAH
5295 BARNEY RD
TRAVERSE CITY MI 49684

05-107-012-00
BELT RHODORA L TRUST
6241 SINGLETREE LANE
WILLIAMSBURG MI 49690

05-006-001-30
HALL RICHARD & DEBRA
5110 BARNEY RD
TRAVERSE CITY MI 49684

05-006-020-40
LAUTNER TIFFANY M (LC)
5901 TODS TRL
TRAVERSE CITY MI 49684

05-107-013-00
LUNDIN GLEN H & DIANE C
5085 BARNEY RD
TRAVERSE CITY MI 49684

05-006-001-40
NICHOLS BRENT H & ALICE A
4806 N INDIAN LAKE RD
TRAVERSE CITY MI 49696

05-006-020-30
BRAMER MARK & LAURA
5925 TODS TRL
TRAVERSE CITY MI 49684

05-006-001-04
GRAND TRAVERSE CO LAND BANK AUTHOI
400 BOARDMAN AVE
TRAVERSE CITY MI 49684

05-006-020-20
LAUTNER LARRY J & THERESA M
8944 E TRAVERSE HWY
TRAVERSE CITY MI 49684

05-006-020-10
GRUBB SARAH L
PO BOX 243
INTERLOCHEN MI 49643

05-006-001-02
LAUTNER JEFFREY A
4033 HARR DR
TRAVERSE CITY MI 49684

05-006-024-00
BRAUER MARI & BRAUER MARILYN
8790 EAST TRAVERSE HWY
TRAVERSE CITY MI 49684

05-107-005-00
SCHLITTS ROBERT W II &
ELLIOTT CAROL A
5277 BARNEY RD
TRAVERSE CITY MI 49684

05-006-001-00
JOHNSON AUSTIN (LC)
5300 BARNEY RD
TRAVERSE CITY MI 49684

05-005-050-00
KROUPA CLARENCE T JR & ESTHER
4912 BARNEY RD
TRAVERSE CITY MI 49684

05-107-006-00
ELLIOTT CAROL A
5277 BARNEY RD
TRAVERSE CITY MI 49684

05-006-021-10
CALCUTT FARMS
1214 RANDOLPH ST
TRAVERSE CITY MI 49684

05-005-005-00
KROUPA CLARENCE & ESTHER
4912 BARNEY RD
TRAVERSE CITY MI 49684

05-006-001-50
BAY MEADOWS FAMILY GOLF LLC
5227 MACKENZIE DR
KEWADIN MI 49648

05-358-004-00
ANDERSON BLAIR A & DEBORAH M
5680 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-107-009-00
MINOR SANDI J
5203 BARNEY RD
TRAVERSE CITY MI 49684

05-006-022-00
AT&T NETWORK REAL ESTATE ADMIN
10147251
575 MOROSGO DR NE STE 13-F W TOWER
ATLANTA GA 30324

05-006-016-10
JELINEK JEROME E & JILL E
5329 BARNEY RD
TRAVERSE CITY MI 49684

05-107-008-00
GAUTHIER RUSSELL E
5221 BARNEY RD
TRAVERSE CITY MI 49684

05-358-001-00
CHASE CHRISTOPHER
5265 BIG MAPLE CT
TRAVERSE CITY MI 49684

05-107-014-00
ECKEL THOMAS J & ANN
5037 BARNEY RD
TRAVERSE CITY MI 49684

05-358-005-00
STECKLER MICHAEL J & RANDI M TRUST
5726 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-358-003-00
NOVAK JOSEPH & BARBARA
5240 BIG MAPLE CT
TRAVERSE CITY MI 49684

05-005-005-00
Occupant
4912 BARNEY RD
TRAVERSE CITY MI 49684-8315

05-358-008-00
BENYI ROBERT A & BEVERLY G
5798 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-358-018-00
ROTTMAN CONSTANCE
5353 WILD BERRY TRL
TRAVERSE CITY MI 49684

05-107-009-00
Occupant
5203 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-006-021-00
SCANLAN COMMUNICATIONS
PO BOX 405
MOHAWK MI 49950

05-358-019-00
SHEPHERD HAROLD III & LURAE
3482 HERRINGTON DR
HOLLY MI 48442

05-107-008-00
Occupant
5221 BARNEY RD
TRAVERSE CITY MI 49684

05-006-024-10
OLSON KARIN EMILY
PO BOX 7017
TRAVERSE CITY MI 49696

05-107-010-00
Occupant
5181 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-107-007-00
Occupant
5239 BARNEY RD
TRAVERSE CITY MI 49684

05-358-900-00
WOODS AT BAY MEADOWS CONDO ASSOC
5344 WILD BERRY TR
TRAVERSE CITY MI 49684

05-006-001-10
Occupant
5008 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-107-004-00
Occupant
5295 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-006-016-00
BARKLEY PROPERTIES LLC
4138 MT MARIA RD
HUBBARD LAKE MI 49747

05-006-001-30
Occupant
5110 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-006-020-40
Occupant
5901 TODS TRL
TRAVERSE CITY MI 49684-5557

05-107-011-00
MCCALL MARLENA T
5157 BARNEY RD
TRAVERSE CITY MI 49684

05-006-001-40
Occupant
5050 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-006-020-30
Occupant
5925 TODS TRL
TRAVERSE CITY MI 49684-5557

05-358-007-00
BECKER JOSEPH & SHELLEY QUINNBECKE
5774 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-006-020-20
Occupant
5947 TODS TRL
TRAVERSE CITY MI 49684-5557

05-006-020-10
Occupant
8810 EAST TRAVERSE HWY
TRAVERSE CITY MI 49684-5557

05-358-009-00
MELLINGER JAMES A & MARYA D
5733 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-006-024-00
Occupant
8790 EAST TRAVERSE HWY
TRAVERSE CITY MI 49684-5574

05-107-005-00
Occupant
5277 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-006-020-00
LAUTNER LARRY J & THERESA M
8944 EAST TRAVERSE HWY
TRAVERSE CITY MI 49684

05-005-050-00
Occupant
BENZONIA STATE RD
TRAVERSE CITY MI 49684

05-107-006-00
Occupant
BARNEY RD
TRAVERSE CITY MI 49684

05-006-001-50
Occupant
5550 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-358-004-00
Occupant
5680 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-358-009-00
Occupant
5733 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-006-022-00
Occupant
8798 EAST TRAVERSE HWY
TRAVERSE CITY MI 49684-5570

05-006-016-10
Occupant
5329 BARNEY RD
TRAVERSE CITY MI 49684

05-006-020-00
Occupant
8944 EAST TRAVERSE HWY
TRAVERSE CITY MI 49684-5557

05-358-001-00
Occupant
5265 BIG MAPLE CT
TRAVERSE CITY MI 49684

05-107-014-00
Occupant
5037 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-358-003-00
Occupant
5240 BIG MAPLE CT
TRAVERSE CITY MI 49684

05-107-003-00
Occupant
5313 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-358-005-00
Occupant
5726 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-358-018-00
Occupant
5353 WILD BERRY TRL
TRAVERSE CITY MI 49684

05-107-012-00
Occupant
BARNEY RD
TRAVERSE CITY MI 49684

05-358-008-00
Occupant
5798 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-358-019-00
Occupant
5327 WILD BERRY TRL
TRAVERSE CITY MI 49684

05-107-013-00
Occupant
5085 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-006-021-00
Occupant
EAST TRAVERSE HWY
TRAVERSE CITY MI 49684-0000

05-006-001-04
Occupant
BARNEY RD
TRAVERSE CITY MI 49684

05-006-024-10
Occupant
8784 EAST TRAVERSE HWY
TRAVERSE CITY MI 49684-5570

05-006-001-02
Occupant
BARNEY RD
TRAVERSE CITY MI 49684

05-006-016-00
Occupant
BARNEY RD
TRAVERSE CITY MI 49684

05-006-001-00
Occupant
5300 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-107-011-00
Occupant
5157 BARNEY RD
TRAVERSE CITY MI 49684-8314

05-006-021-10
Occupant
8520 EAST TRAVERSE HWY
TRAVERSE CITY MI 49684-0000

05-358-007-00
Occupant
5774 BAY MEADOWS DR
TRAVERSE CITY MI 49684

05-107-012-00
Belt
6241 Singletree Lane
Williamsburg MI 49690

005-107-006-00
Carol Elliot
5277 Barney Road
Traverse City, MI 49684

05-006-021-00
Scanlon Communications
PO Box 405
Mohawk MI 49950

05-006-016-00
Barkley Properties
4138 Mt Maria Road
Hubbard Lake MI 49747

05-006-001-04
GT County Land Bank
400 Boardman Ave
Traverse City, MI 49684-2577

05-006-001-02
Jeff Lautner
4033 Harr Dr
Traverse City, MI 49684

05-005-050-00
Kroupa
4912 Barney Road
Traverse City, MI 49684-8315

004-031-042-00
Bailey
8860 E Angus Road
Traverse City MI 49684

004-031-044-00
Gorcyca
8807 E Traverse Hwy
Traverse City, MI 49684



Charter Township of Garfield

Grand Traverse County

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

RECEIVED

FEB 02 2016

ZONING

ZONING BOARD OF APPEALS APPLICATION

1. Owner / Applicant information

BAY MEADOWS FAMILY GOLF LLC

MICHAEL HUSBY

Owner:

Applicant:

5227 MACKENZIE DR.

SAME

Address:

Address:

KEWADIN, MI 49648

City, State, Zip Code

City, State, Zip Code

989-619-0389

Phone Numbers

Phone Numbers

2. Property Information:

a. Property Address: 5550 BAY MEADOWS DRIVE

b. Property Location: BAY MEADOWS LEARNING CENTER

c. Lot # _____ Subdivision Name: _____

d. Parcel ID# 28-05- 28-05-006-001-50

e. Current Zoning: R1

f. Current Use: GOLF INSTRUCTION

3. Purpose For Request:

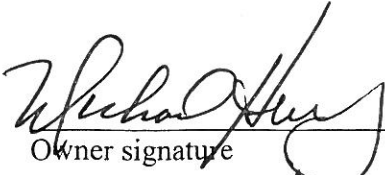
Variance Appeal _____ Interpretation _____ Review _____

Other _____ Please explain request / List section(s) related to request: SEC. 749


I want to build an addition to the driving range Learning Center building. Existing building is 37' from property line (The Woods at Bay Meadows lot #3 + #5). The addition plants away from property lines.

Affidavit:

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


Owner signature

1/29/16
Date


Applicants signature

1/29/16
Date

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

ZONING
 R-1 (RESIDENTIAL SINGLE-FAMILY)
AREA CALCULATIONS
 LOT AREA: 5,400 SQ. FT.

SOIL EROSION, SEDIMENTATION AND STORMWATER CONTROL PRACTICES

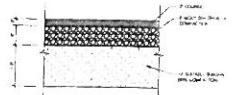
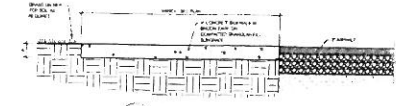
1. SOIL EROSION AND SEDIMENTATION CONTROL REQUIREMENTS AS PROVIDED BY GRAND TRAVERS COUNTY SOIL EROSION PERMIT ATTACHMENT.
2. SOIL PILES TEMPORARILY EXPOSED TO AIR OR WATER SHALL BE RECOMPACTED.
3. AFTER ALL STORMWATER CLEAN UP AND SOILS WASHED OFF-SITE.
4. PLACE PLASTIC MESH OR SHIELD FENCE BARRIER AROUND TREE NEAR THE CONSTRUCTION ZONE TO PROTECT.
5. SOIL EROSION FENCING SHALL NOT BE REMOVED UNTIL 45% OF THE SITE IS FINISHED.

PRELIMINARY CONSTRUCTION SCHEDULE

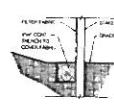
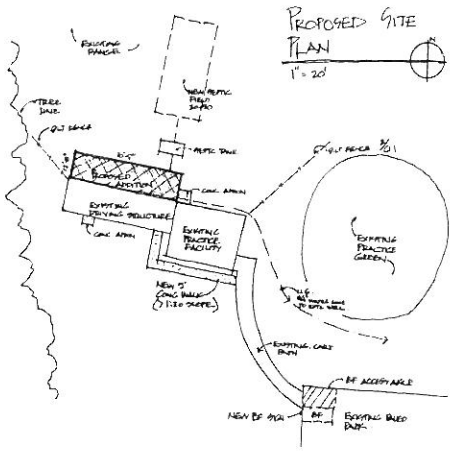
NOVEMBER 2016
 SPRING 2016
 SUMMER 2016
 FALL 2016
 WINTER 2017

GENERAL NOTES

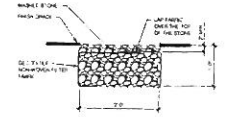
1. THE CONSTRUCTION SHALL BE CALLED OUT AT A MINIMUM 111' TO HOLES AND/OR DIGGINGS FOR UTILITY FOR THE LOCATION OF UNDERGROUND UTILITIES.
2. NO CONSTRUCTION SHALL BEGIN UNTIL THE CONSTRUCTION PERMIT IS OBTAINED AND HAS BEEN OBTAINED ALL UTILITIES.
3. THE LOCATION OF THE EXISTING UTILITIES SHOWN ON THE PLANS ARE APPROXIMATE ONLY. THE EXACT LOCATIONS SHALL BE DETERMINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR CONDUCTING A UTILITY LOCATIONS SURVEY PRIOR TO THE START OF CONSTRUCTION. UTILITIES EXIST WITHIN THE AREA OF CONSTRUCTION. UTILITIES SHALL BE IDENTIFIED BY THE CONTRACTOR AND RESOLVE ALL UTILITY CONFLICTS PRIOR TO CONSTRUCTION.



5. DRIVE PROFILE
 SCALE: 1" = 1'-0"



2. SILFENCE DETAIL
 SCALE: 1" = 1'-0"



3. FRENCH DRAIN (12\"/>
 SCALE: 1" = 1'-0"

PROPOSED SITE PLAN
 1" = 20'

JOHN KERBRIDGE ARCHITECT PLLC
 1402 BAY MEADOWS DRIVE
 TRAVERSE CITY, MI 49781
 TEL: 616.251.1000
 FAX: 616.251.1001
 jk@kerbridgearchitect.com

SITE PLAN
BAY MEADOWS FAMILY GOLF
 5220 BARNEY ROAD
 TRAVERSE CITY, MI

DATE	NOV 16 2016
SCALE	1" = 20'
PROJECT	ST. M. G.
DESIGNER	J.K.
CHECKED	J.K.
DATE	NOV 16 2016

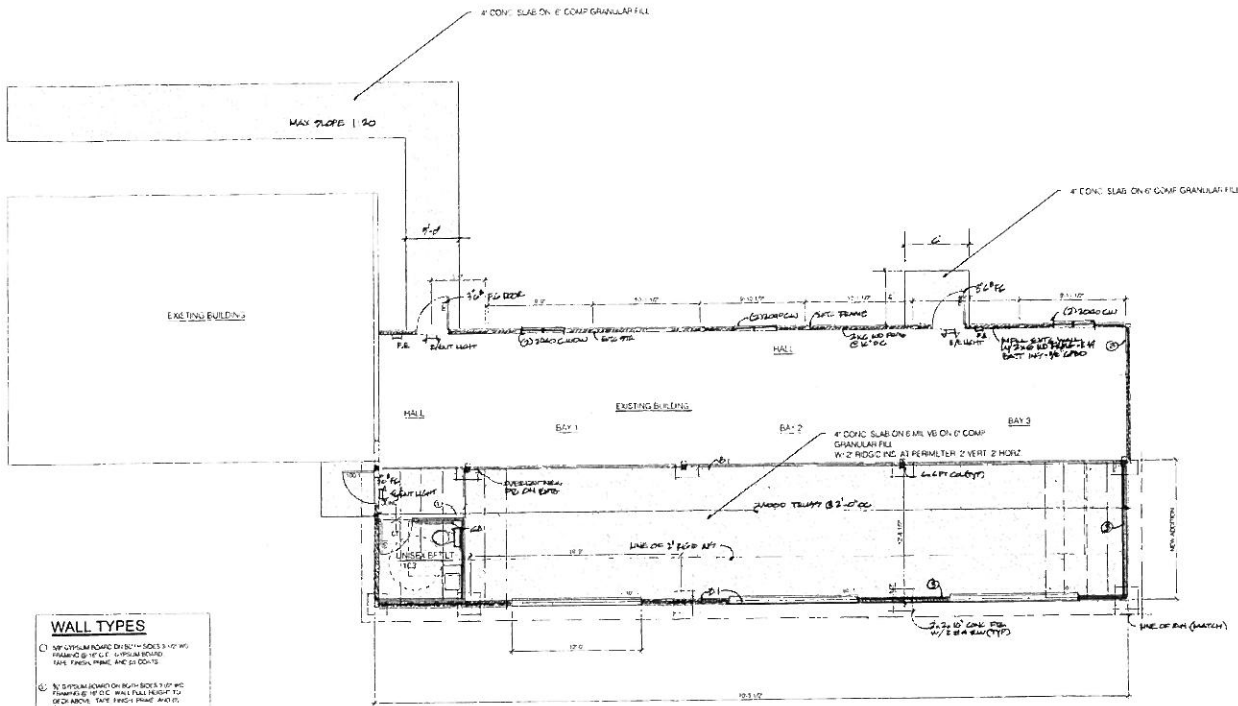
C1.1

Phase 1 Addition Bay Meadows Family Golf Course Learning Center

5220 Barney Road, Traverse City, Mi. 49684

November 2015

PROJECT TEAM	APPROVAL AGENCIES	CODE REVIEW	SHEET INDEX
<p>OWNER Wilson Hardy Bay Meadows Family Golf LLC</p> <hr/> <p>GENERAL CONTRACTOR tdc</p> <hr/> <p>ARCHITECT JOHN KERRIDGE ARCHITECT PLLC 8140 BEL OGDON DR. TRAVERSE CITY, MICHIGAN 49686 231.620.4200 (CELL) john@kerridgeconstruction.com</p>	<p>BUILDING PLAN REVIEW GRAND TRAVERSE COUNTY CONSTRUCTION CODE 1204 N. HERRING DR. TRAVERSE CITY, MICHIGAN 49684 231.923.5200</p> <hr/> <p>CONSTRUCTION CODE BUILDING INSPECTIONS GRAND TRAVERSE COUNTY CONSTRUCTION CODE 1204 N. HERRING DR. TRAVERSE CITY, MICHIGAN 49684 231.923.5200</p> <hr/> <p>SOIL EROSION Grand Traverse County Soil Erosion GRAND TRAVERSE CONSTRUCTION CODES 1475 BERRY DRIVE TRAVERSE CITY, MI 49686 231-993-8044</p> <hr/> <p>FIRE SAFETY BRAD SCHMIDT GRAND TRAVERSE COUNTY FIRE PREVENTION BUREAU TRAVERSE CITY, MI 49686 231-922-2077</p>	<p>Code Review New Building : Business Use B - Single Level</p> <p>Building HV/Areas 1 Story/ 9000 SF Unadjusted Tabular Area based upon Type VB Construction - Complex</p> <p>Type VB Construction No Automatic Sprinkler Provided Not required less than 12000 SF Provide Portable fire extinguishers Manual Fire Alarm System not required, less than 500 persons and less than 100 above exit discharge level Occupant Load for Egress: Grade 12 Person/ Personal Golf Instruction</p> <p>Plumbing Requirements Barrier Free Unisex Toilet- Less than 15 Persons Combined Employee/Public</p> <p>1 WC 1 LAV 1 Drinking Fountain- Barrier Free 2 Unit type 1 Service Sink All accessible</p>	<p>A0.0 TITLE SHEET A0.1 BARRIER FREE DETAILS - G C1.0 SITE PLAN - SOIL EROSION A3.0 FLOOR PLAN A5.1 BUILDING ELEVATIONS/WALL</p>
<p>SCOPE OF ARCHITECT SERVICE</p> <p>1. MECHANICAL, PLUMBING AND ELECTRICAL ENGINEERING ARE NOT INCLUDED IN THIS ARCHITECTURAL SERVICE PACKAGE AND ARE TO BE PROVIDED BY OTHERS IF REQUIRED.</p> <p>2. CONSTRUCTION MEANS, METHODS, EQUIPMENT, SEQUENCES AND SAFETY PROCEDURES ARE NOT REVIEWED OR APPROVED BY THE ARCHITECT.</p>			



- WALL TYPES**
- 1. 4\"/>

BEAM SCHEDULE	
NO.	DESCRIPTION
1	4\"/>
2	4\"/>
3	4\"/>
4	4\"/>

10/11/2011
 10/11/2011
 10/11/2011

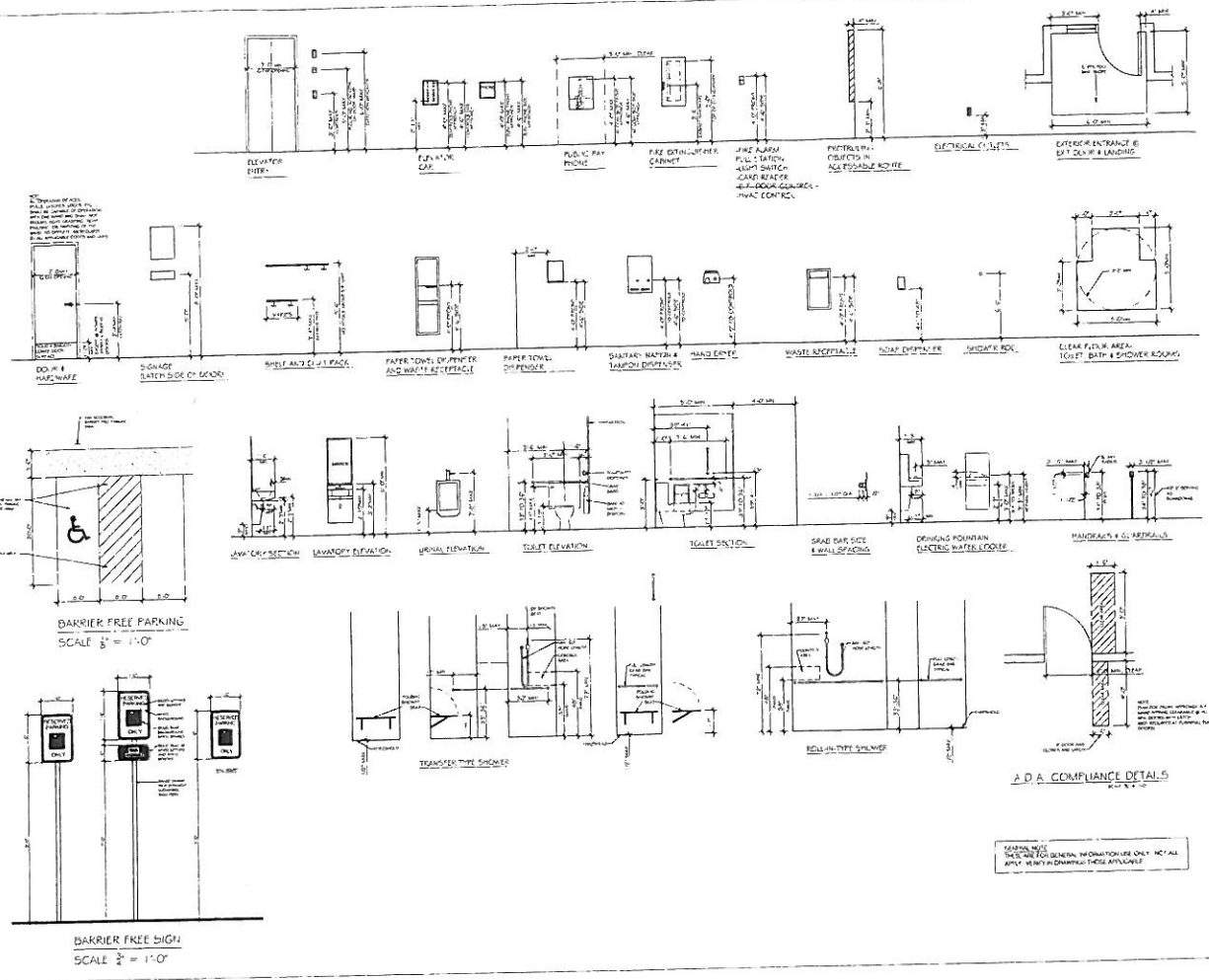
**JOHN KERRIDGE
 ARCHITECT, PLLC**

**FLOOR PLAN
 BAY MEADOW FAMILY GOLF
 BAYMEADOW ROAD
 TRAVERSE CITY, MICHIGAN**

DATE: 10/11/2011
 TIME: 10:00 AM
 SCALE: 1/8" = 1'-0"
 PROJECT: FLOOR PLAN
 SHEET: **A3.1**

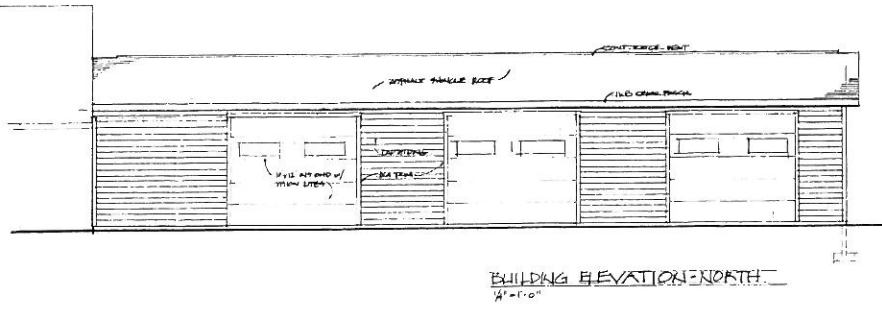
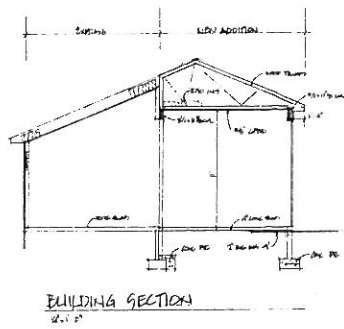
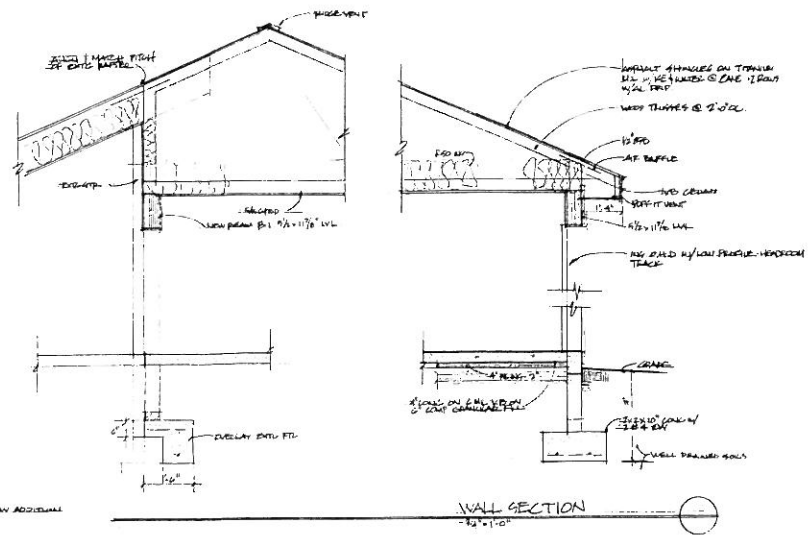
NO.	DATE	DESCRIPTION
1	08/26/15	ISSUED FOR PERMITS
2	09/15/15	ISSUED FOR CONSTRUCTION

A0.



GENERAL NOTE:
 THESE ARE FOR GENERAL INFORMATION USE ONLY. NOT ALL
 APPLICABLE TO ALL DETAILS. SEE DRAWINGS FOR APPLICABLE
 NOTES.

NO.	DESCRIPTION
1	DATE: 10/11/11
2	DATE: 10/11/11
3	DATE: 10/11/11
4	DATE: 10/11/11
5	DATE: 10/11/11
6	DATE: 10/11/11
7	DATE: 10/11/11
8	DATE: 10/11/11
9	DATE: 10/11/11
10	DATE: 10/11/11



BUILDING SECTION
 1/4" = 1'-0"

BUILDING ELEVATION-NORTH
 1/4" = 1'-0"



Charter Township of Garfield

Grand Traverse County

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

ZONING BOARD OF APPEALS STAFF REPORT

To: Zoning Board of Appeals
From: Sara Kopriva, AICP, Zoning Administrator
Date: February 29, 2016

Meeting Date: March 10, 2015
Case #: 2016-03 Golf Setback Variance
Owner: Bay Meadows Family Golf LLC
Property ID #: 28-05-006-001-50
Property Location: 5550 Bay Meadows Dr
Zoning District: R-1, One Family Residential

Request

The applicant is requesting a variance from Section 749 of the Zoning Ordinance to allow for an addition to an existing driving range building. The addition will be located 37 feet from the property line of an abutting residentially zoned property.

Parcel Overview

The property is approximately 85 acres located between Barney Rd and M 72 and contains a golf course with a driving range. The property is zoned R-1 as is the property to the West and South. The property to the North and East is zoned Agricultural. Surrounding the golf course is mostly single family dwellings although they were not constructed in conjunction with the golf course. Immediately west of the golf course is a newer subdivision, The Woods at Bay Meadows, created on October 25, 2002. The driving range building received building permits in November 2001. Prior to the subdivision being created, the golf course and subdivision were all one piece of property.

Staff Comments

Golf courses are a use permitted by special conditions in the R-1 zoning district. (See Below) The special condition is that the golf course must comply with section 749.

SECTION 313 R -1 (ONE FAMILY RESIDENTIAL)

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

A. USES PERMITTED BY RIGHT:

- (1) Cemeteries
- (2) Dwelling, Single Family
- (3) Home Occupations
- (4) Publicly Owned and Operated Parks

B. USES PERMITTED BY SPECIAL CONDITIONS:

- (1) Adult Foster Care, Family Home (<7) -See § 707
- (2) Child Care, Family Home (<7) -See § 718
- (3) Golf Courses -See § 749
- (4) Reserved
- (5) Keeping of chickens -See § 717
- (6) Medical Marihuana Residential Cultivation - See § 758
- (7) Open Space Preservation -See § 428
- (8) Personal Wind Energy Conversion Systems - See § 770
- (9) Recreation Field Complex - See § 772
- (10) Private Swimming Pools -See § 773
- (11) Storage of travel trailer, camper, or other recreational vehicle -See § 613.A.4
- (12) Waterfront Stairways -See § 779

At issue in this request is the requirement of section 749, #3 requiring all structures to be 200 feet from the property line of residentially zoned property. This requirement has been in the Zoning Ordinance since before the subdivision was created in 2002.

SECTION 749 GOLF COURSES AND COUNTRY CLUBS

A. REGULATIONS AND CONDITIONS

- (1) These regulations shall not include stand-alone golf-driving ranges and miniature golf courses.
- (2) The site area shall be a minimum of fifty (50) acres and have its main ingress and egress from a major thoroughfare, as classified on the Master Plan of Garfield Township.
- (3) Development features shall be so located as to minimize any possible adverse effects upon adjacent property. All principal and accessory buildings, structures, and parking areas shall not be less than two hundred (200) feet from any property line of abutting residentially zoned land.
- (4) Whenever a swimming pool is to be provided, said pool shall be located at least one hundred (100) feet from abutting residentially zoned property lines and shall be enclosed with a protective fence six (6) feet in height, with entry limited by means of a controlled gate.

Since the golf building currently exists and does not comply with the setbacks, it is a non-conforming structure. It can continue to exist as is but cannot be enlarged or extended unless it complies with the Zoning Ordinance. The proposed addition will also be located closer than the 200 foot required minimum setback and that is why the owner is requesting the variance.

Case #2016-03
Golf Setback Variance

The ZBA will have to decide if the applicants request is reasonable and if it can meet the standards to grant a variance.

The following remarks are intended to initiate conversation and are not intended to influence the outcome of the request. The ZBA will be required to answer the questions that are relevant to the request as part of the findings of fact. Below are findings below both for and against the request that may assist you in your discussions.

Section 454.E.(1) Practical Difficulty

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

- a. **Special conditions or circumstance exist that are peculiar to the land, buildings, or other structures for which the variance is sought, do not apply generally to lands, buildings, or other structures in the same district, and could not reasonably be addressed through the formation of general regulation for such conditions. Special circumstances or conditions to be considered for variances shall include, but not be limited to, the circumstances as described in Section 454.E.(3).**

Section 454.E.(3) Special Conditions or Circumstances

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

- a. **Physical Conditions**
The proposed project site contains physical conditions such as narrowness, shallowness, shape, or topography of the property involved that do not generally apply to other property or uses in the same zoning district
- b. **Significant Vegetation or Natural Features**
The proposed project site contains significant vegetation or other natural features identified as Steam Environment/Wetland by the Garfield Township Master Plan
- c. **Substandard Lot(s)**
The proposed project involved the utilization of an existing legal nonconforming lot(s)
- d. **Historic Resources**
The proposed project site contains historical significance
- e. **Neighborhood Character**
The proposed project promotes the established historic or traditional development pattern of a blockface, including setbacks, building height, and other dimensional requirements

1. The Zoning Board of Appeals finds

2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

b. The special conditions and circumstances peculiar to the land, buildings or other structures did not result from a self-created condition or action taken by the applicant or an owner of the lands

1. The Zoning Board of Appeals finds

2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

c. The special conditions and circumstances are such that strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of the land, building, or structure authorized by this Zoning Ordinance

1. The Zoning Board of Appeals finds

2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

d. Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance

1. The Zoning Board of Appeals finds

2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

- e. **For the purpose of this section, a practical difficulty shall not exist because an applicant would incur additional costs to achieve full compliance or could receive additional income with less than full compliance with the ordinance.**

1. The Zoning Board of Appeals finds

2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

Section 454.E.(2) General Criteria- Only review if all standards in section 454.E.(1),above, are met.

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

- a. **The requested variance shall relate only to property that is under the control of the applicant**

1. The Zoning Board of Appeals finds

2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

- b. No nonconforming neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted buildings, or other structures in adjacent districts, shall be considered as grounds for the issuance of a variance**

- 1. The Zoning Board of Appeals finds

- 2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

- c. The requested variance shall be in harmony with the general purpose and intent of this ordinance and shall not be detrimental to the public health, safety and welfare**

- 1. The Zoning Board of Appeals finds

- 2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

- d. The requested variance shall not alter the essential character of the area or cause a substantial adverse effect upon properties in the immediate vicinity or in the district in which the property of the applicant is located**

- 1. The Zoning Board of Appeals finds

- 2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

- e. The requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure, and there is no reasonable alternative location on the parcel for the proposed improvements for which a variance is sought where such**

alternative location would eliminate the need for the requested variance or reduce the extent of the conditions (s) necessitating the variance

1. The Zoning Board of Appeals finds
2. The Zoning Board of Appeals finds

After careful consideration of the facts and evidence presented to the Garfield Township Zoning Board of Appeals, we conclude that this standard **HAS / HAS NOT** been met.

Possible Motion:

Motion to:

GRANT the request for a variance from the Zoning Ordinance to allow for the construction of an addition to the driving range building, located 37 ft from a residentially zoned property line, based upon the finding that all the standards for approval in Section 454 of the Zoning Ordinance have been met with the following conditions:

DENY the request for a variance from the Zoning Ordinance to allow for the construction of an addition to the driving range building, located 37 ft from a residentially zoned property line, based upon the finding that all the standards for approval in Section 454 of the Zoning Ordinance have been not been met.