

# Wexford Joint Planning Commission

% Cherry Grove Township  
4830 E. M-55  
Cadillac, Michigan 49601

[www.wexfordjpc.org](http://www.wexfordjpc.org)

Email: [planningandzoning@wexfordjpc.org](mailto:planningandzoning@wexfordjpc.org)  
(231)775-1138x6

## STAFF REPORT/Zoning Board of Appeals Case # ZBA-2022-01

### 1. Application

|  |   |
|--|---|
| Owner(s):                              | Bassett, Kenneth<br>115 Akron Dr.<br>Cadillac, Michigan 49601 |
| Site Address,<br>And Proposed Location | Same as Above<br>Parcel ID# 2210-FW0514 -Selma Township       |
| Zoned:                                 | R1  |
| Site Plan:                             | Attached  |

### 2. Development Proposal

- 2.1 Property Description – FT OF LOT 13 BLK. 5 FLOWING WELL PARK SEL. SEC. 35 T22N R10W
- 2.2 Action Report – NOTE: The property on which the accessory building is proposed is a heavily regarded as WETLANDS by EGLE. The Applicant is requesting a dimensional variance from the required side yard setbacks of twelve (12’) feet as per the Regulations and Standards listed in Article 43 (R-1 Residential District) of the Wexford Joint Zoning Ordinance. Applicant wishes to place a proposed 24’ x 32’ garage on an adjoining parcel which he owns and is requesting to be only seven (7’) from the house and ten (10’) from the rear property line.
- 2.3 Background:
  - 1. This property is approximately 8,400 square feet; far less than the required minimum of 15,000 (fifteen thousand) square feet, thus classifying it as nonconforming under the Wexford Joint Zoning Ordinance. Whereas both properties together are admittedly 16,000 square feet, the only portion of the second property without wetlands measures about 1,024 square feet.

2. The property is located in the R-1 Residential Zoning District

2.4 Current Narrative:

1. Through phone and email communication it was ascertained that the applicant's proposal could not be administratively approved. Staff looked at several alternate ideas as to how the shape of the property and required setbacks affected where building could take place, recognizing the wetlands aspect of the adjacent lot where applicant desired the building be placed.
2. The applicant met with the Zoning Administrator in the office shortly after their first email on 3/18/2022 and presented an application and the appropriate fee to seek a variance from the Zoning Board of Appeals. The applicant was advised that because of the preliminary discussion / communication that the submission of a Land Use (zoning) Permit application would be moot; therefore, the preliminary fee of \$70.00 was waived.
3. The applicant was advised of the variance process and provided a copy of Article 96; Appeals Board, from the Wexford Joint Zoning Ordinance via email and asked to provide a brief narrative justifying the need for the requested variance.
4. Public Hearing Notification was published in the Cadillac News on: April 11, 2022; 16 days in advance of any required public hearing
5. 300 Foot Notices were sent out on April 8, 2022; 18 days in advance of any required public hearing.
6. Packets were sent out to the Zoning Board of Appeals members (and the applicant on April 20, 2022.

3. Article 43: R-1 RESIDENTIAL DISTRICT

- 3.1 Section 4304 of Article 43 describes the regulations applicable to the specific zoning district – the following is presented for review by the Zoning Board of Appeals:
  1. The minimum parcel area is: 15,000 (fifteen thousand) square feet; the subject parcel where the house is located is approximately 8,400 (eight thousand, four hundred) square feet, whereas, the adjoining parcel of 7200 (seventy-two thousand) square feet has roughly 1000 (one thousand) square feet of buildable area on it on the north side of the property closest to the house.
  2. The minimum buildable area is: nine (9400) thousand square feet; the first parcel has a negative (non-existent) buildable area of by virtue of having a house on it. The second has a negative (non-existent) buildable area by virtue of a little more than ten (10%) percent buildable area because of already described wetlands.
  3. The minimum parcel width is: 70 (seventy) feet where the house is located, whereas the adjoining parcel of 70 (seventy) feet has only seventeen (17') feet of non-wetlands access from the street. (*see images below*)



**LEGEND**  
Yellow border – Parcel with House  
Yellow rectangle – Proposed Garage  
Blue border – Wetlands  
Red line – Berm land fill = 490 cubic feet of fill  
Red shaded area – 16 feet wide of land fill = 200 cubic feet of fill

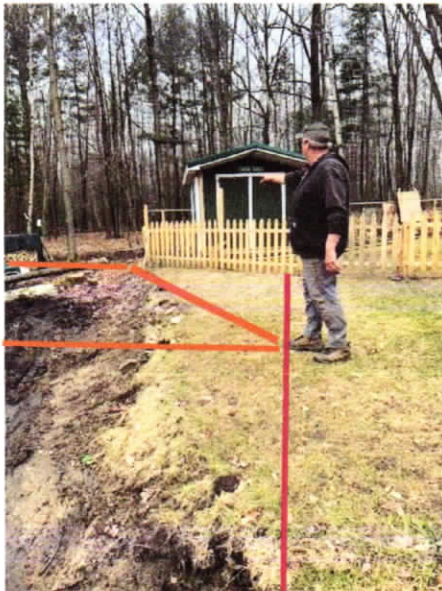
4. Setback requirements are as follows:  
Front: 4304.D.1.a the required setback is 40'  
Side: 4304.D.1.b.(1) the required setback is 15'  
Rear: 4304.D.1.d the required setback is 25'







Wetlands on parcel next to house.



Front corner of garage. Red line Property Line.

#### 4. STANDARDS FOR GRANTING A DIMENSIONAL VARIANCE

4.1 According to WJZO, Article 9607.F.2.a.(1) thru (5) – The following standards **shall** be used by the Zoning Board of Appeals when considering a variance request.

1. That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicants personal or economic difficulty.

***Staff Comments: This is the clearest reason for granting a variance in the zoning ordinance. This property is nearly all wetlands as recorded by the EGLE Department. Client has the documentation stating where the wetlands is located and how to execute filling a portion of the corner of the property for the purpose of erecting a 16' x 32' garage.***

2. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

***Staff Comments: Neither the current landowner or predecessor in title has altered the property since the adoption of the Wexford Joint Zoning Ordinance or acted to create the need for the variance. The wetlands has always been there.***

3. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, **or** will render conformity with those regulations unnecessarily burdensome.

***Staff Comments: One of the primary purposes of the Zoning board of Appeals is to ensure that: "...the spirit of the Ordinance is observed, public safety secured, and substantial justice done..." – this property is barely a portion of what is needed to build a small garage of this size. Staff believes that the strict application of the ordinance standards would be unnecessarily burdensome.***

4. That the requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

***Staff Comments: The client has asked the ZBA to be within 10' of the back property line, thus encroaching on the regular 25' for the R-1 zoning district. However, with the new Planning Commission's directions, the zoning administrator can allow to go up to 50% of the setback in the rear of the property. Thus, had it been asked by the client to only go 12 ½ feet from the property line, this administrator could have allowed this. So, in reality, the client is asking for a mere 2 ½ foot adjustment in the rear property line. Also, the client is proposing being within 8' of the house. The ordinance allows for 10' between structures. However, with the closer distance, client can use additional fire protective building materials at that end of the garage if the building department decides he should do that.***

5. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

*Staff Comments: Filling in a part of the wetlands and putting a garage on the property will actually raise this property's values for the client and the township. Surrounding neighbors will not be effected adversely by this proposed garage.*

***Staff recommends: that the Zoning Board of Appeals make independent findings and conclusions that support an approval of the requested variance(s) allowing the placement of the garage within 10' of the rear property line and within 8' of the existing house.***

Respectfully submitted for consideration by the Wexford Joint Zoning Board of Appeals,



Dr. Ben Townsend  
Zoning Administrator



**Wexford Joint Planning Commission**

c/o Cherry Grove Township  
4830 E. M-55  
Cadillac, Michigan 49601

231-775-1138x6

[planningandzoning@wexfordjpc.org](mailto:planningandzoning@wexfordjpc.org)

[www.wexfordjpc.org](http://www.wexfordjpc.org)

**APPLICATION FOR ZONING BOARD OF APPEALS [page 1 of 2]**

[WARNING: THIS FORM IS NOT A LAND USE PERMIT]

Property Owner: Bassett Kenneth Phone: (231)-942-2355  
Last Name First Name

Owner Address: 115 Akron Dr Cadillac Mi 49601  
Street # or P.O. Box City State Zip

Project Address: Same  
Street # or P.O. Box City State Zip

Parcel ID # 2210 - Fx10514 Are property lines and building site staked?  YES  NO  
[Circle one]

IF BEING REPRESENTED BY AGENT OR ATTORNEY PLEASE COMPLETE THIS SECTION

Agent / Attorney: \_\_\_\_\_ / \_\_\_\_\_  
Company Name Individual Name

Agent / Attorney Address: \_\_\_\_\_  
Street # or P.O. Box City State Zip

Agent / Attorney Phone: (\_\_\_\_)-\_\_\_\_-\_\_\_\_ Email: \_\_\_\_\_

**ZONING BOARD OF APPEALS - ACTION BEING REQUESTED**

(Check Only ONE)

- Administrative Appeal / Decision
- Dimensional Variance Request
- Ordinance Text / Map Interpretation

**SITE PLAN:** When applicable, the Zoning Administrator (on behalf of the Zoning Board of Appeals) may require that this application be accompanied by a legible site plan drawn to scale in accordance with Article 94 of the Wexford Joint Zoning Ordinance.

Please describe (*in detail*) the current use(s) of the buildings, structures, and / or land as applicable: [do not leave blank]

Residential Garage

The project address / property is located in the Seine Township Zoning District.

Do Not Write Below This Line - For Administrative Use Only

Assigned ZBA Case # ZBA-2022-01 Date Application Received: 02 / 18 / 2022  
Fee: \$ 590.00 Receipt # 554000 Date of ZBA Action: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_



## NOTICE OF AUTHORIZATION

Permit Number: **WRP032646 v. 1**  
Site Name: **83-115 Akron Drive-Cadillac**

Date Issued: **March 9, 2022**  
Expiration Date: **March 9, 2027**

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; specifically:

- Part 31, Floodplain Regulatory Authority of the Water Resources Protection.
- Part 301, Inland Lakes and Streams.
- Part 303, Wetlands Protection.
- Part 315, Dam Safety.
- Part 323, Shorelands Protection and Management.
- Part 325, Great Lakes Submerged Lands.
- Part 353, Sand Dunes Protection and Management.

Authorized activity:

Place approximately 25 cubic yards of fill material in 430 square feet of wetland for the construction of a detached garage and access to the garage at 115 Akron Drive, Cadillac, Michigan. All work shall be completed in accordance with the approved plans dated March 2, 2022, and the specifications of this permit.

To be conducted at property located in: Wexford County, Waterbody: Wetland  
Section 35, Town 22N, Range 10W, Selma Township

Permittee:  
Mr. Ken Bassett  
115 Akron Drive  
Cadillac, Michigan 49601

Keenan Cooper

Digitally signed by: Keenan Cooper  
DN: CN = Keenan Cooper email =  
CooperK9@michigan.gov C = US O =  
EGLE OU = WRD  
Date: 2022.03.09 14:24:47 -0500

Keenan Cooper  
Cadillac District Office  
Water Resources Division  
989-370-7350

*This notice must be displayed at the site of work.  
Laminating this notice or utilizing sheet protectors is recommended.*  
Please refer to the above permit number with any questions or concerns.

EGLE-WRD  
WRP032646 v1.0  
Approved  
Issued On: 03/09/2022





**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY  
WATER RESOURCES DIVISION  
PERMIT**

---

**Issued To:**

**Mr. Ken Bassett  
115 Akron Drive  
Cadillac, Michigan 49601**

**Permit No: WRP032646 v.1  
Submission No.: HPE-MF7K-8WQ7H  
Site Name: 83-115 Akron Drive-Cadillac  
Issued: March 9, 2022  
Expires: March 9, 2027**

**This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:**

- |  |   |
|--|---|
| <input type="checkbox"/> Part 301, Inland Lakes and Streams                                    | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input checked="" type="checkbox"/> Part 303, Wetlands Protection                              | <input type="checkbox"/> Part 325, Great Lakes Submerged Lands          |
| <input type="checkbox"/> Part 315, Dam Safety  | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input type="checkbox"/> Part 31, Water Resources Protection (Floodplain Regulatory Authority) |   |

**EGLE certifies that the activities authorized under this permit are in compliance with the State Coastal Zone Management Program and certifies without conditions under the Federal Clean Water Act, Section 401 that the discharge from the activities authorized under this permit will comply with Michigan's water quality requirements in Part 31, Water Resources Protection, of the NREPA and associated administrative rules, where applicable.**

**Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:**

**Authorized Activity:**

Place approximately 25 cubic yards of fill material in 430 square feet of wetland for the construction of a detached garage and access to the garage at 115 Akron Drive, Cadillac, Michigan. All work shall be completed in accordance with the approved plans dated March 2, 2022, and the specifications of this permit.

**Waterbody Affected: Wetland  
Property Location: Wexford County, Selma Township, Town/Range/Section 22N10W35**



**Authority granted by this permit is subject to the following limitations:**

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. This permit shall not be assigned or transferred without the written approval of EGLE.
- J. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- K. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- L. In issuing this permit, EGLE has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, EGLE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- M. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- N. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, EGLE may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- O. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.
- P. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- Q. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit



are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.

- R. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- S. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- T. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- U. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- V. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- W. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
  - 1. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit [www.mi.gov/eglestormwater](http://www.mi.gov/eglestormwater) and select "Soil Erosion and Sedimentation Control Program" under "Related Links."
  - 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
  - 3. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
  - 4. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
  - 5. The permit placard shall be kept posted at the work site in a prominent location at all times for the duration of the project or until permit expiration.
  - 6. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
  - 7. All fill/backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be contained in such a manner so as not to erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be stabilized with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.
  - 8. The filled area surrounding building foundations shall not be greater than 5 feet from edge of foundation to toe of slope. Fill slopes shall not be flatter than 1 vertical to 4 horizontal. Additional fill for purposes such as landscaping or recreational facilities are not authorized.
  - 9. Fill shall not be placed to prevent surface water drainage across the site. Site runoff shall be directed to public or natural drainage ways and not unnaturally discharged onto adjacent properties.
  - 10. Prior to the initiation of any permitted construction activity, a sedimentation barrier shall be installed along the entire route of the disturbed wetland area and maintained in good working order until permanent stabilization and re-vegetation of all disturbed areas has occurred. The sedimentation barrier shall be removed after re-vegetation.



- 11. Construction must be undertaken and completed during the dry period of the wetland, or when frozen.
- 12. If the area does not dry out or freeze, construction shall be done on equipment mats to prevent compaction of the soil.
- 13. Upon completion of the project, the disturbed wetland areas shall be restored to the original contour elevation, revegetated and reseeded with species native to Michigan appropriate to the site, and mulched to prevent erosion.
- 14. This permit is limited to authorizing the construction as specified above and carries with it no assurances or implications that associated wetland or floodplain areas can be developed and serviced by the structures authorized by this permit.

Keenan  
 Issued By: Cooper  
 Keenan Cooper  
 Cadillac District Office  
 Water Resources Division  
 989-370-7350

Digitally signed by: Keenan Cooper  
 DN: CN = Keenan Cooper email = CooperK9@michigan.gov C = US  
 O = EGLE OU = WRD  
 Date: 2022.03.09 14:25:27 -05'00'

THIS PERMIT MUST BE SIGNED BY THE PERMITTEE TO BE VALID.

I hereby assure that I have read, am familiar with, and agree to adhere to the terms and conditions of this permit.

\_\_\_\_\_  
Permittee Signature

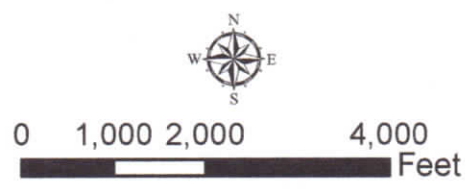
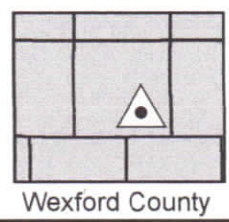
\_\_\_\_\_  
Date

kc:sh  
 Attachments  
 cc: Selma Township Clerk  
 Wexford County SESC



**WIP  
Review Area  
Location**

**Figure 1.**  
**EGLE Wetland Identification Location**  
**HPB-NAJE-H5VMJ**  
**Ken Bassett**  
**Selma Twp.**  
**Wexford County**



**EGLE**  
ENVIRONMENTAL & GREAT LAKES AGENCY  
 Map created: November 2021  
 K. Gyekis/J. Jones  
 Wetlands, Lakes  
 and Streams Unit, EGLE WRD

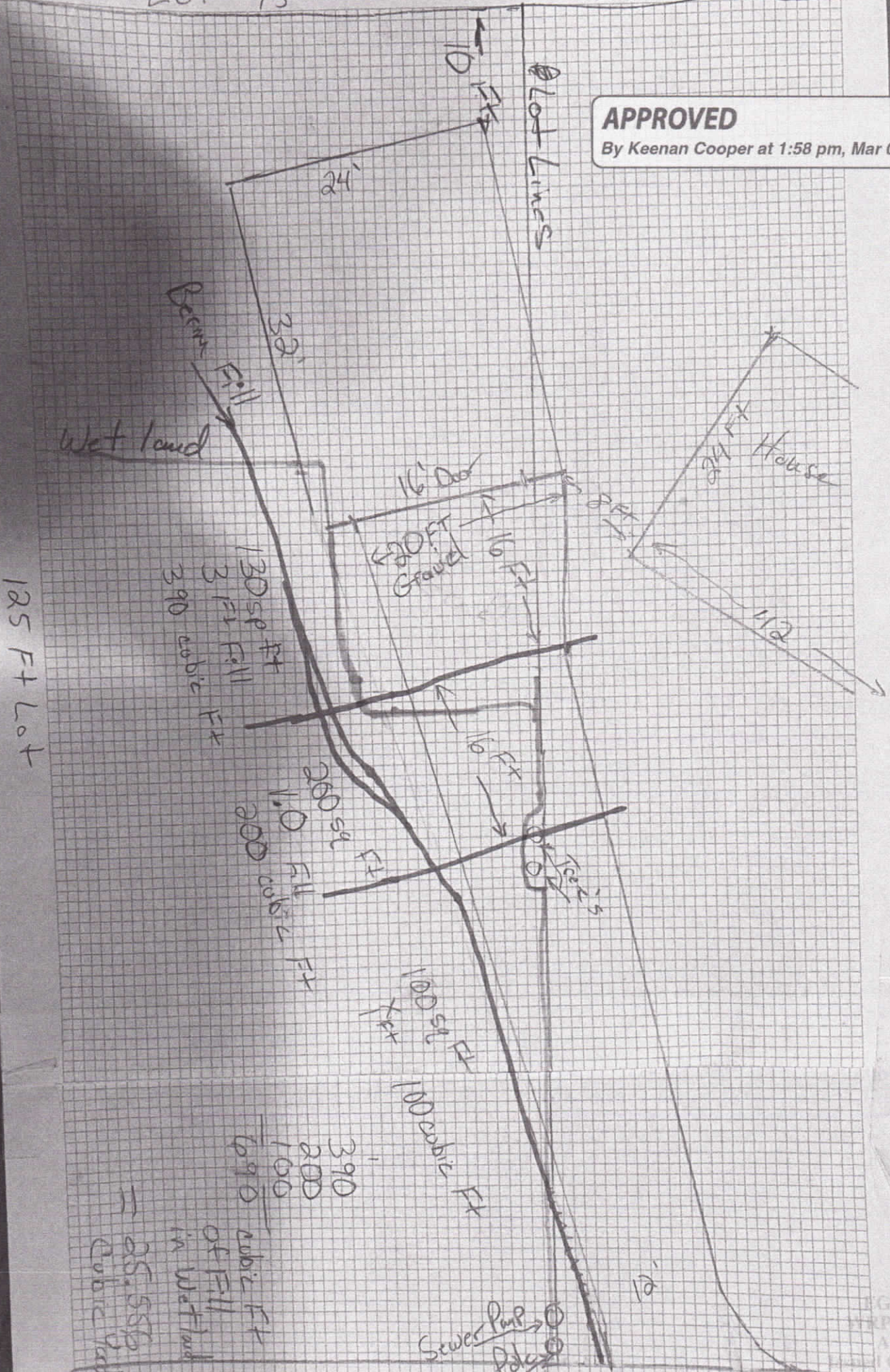


Lot 15

Lot 14

**APPROVED**

By Keenan Cooper at 1:58 pm, Mar 02, 2022



Wet land

Basin Fill

16' Dia  
80 FT Gravel

130 SF FT  
3 FT Fill  
390 cubic FT

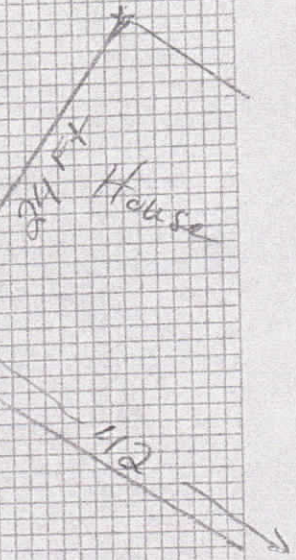
200 SF FT  
100 SF FT  
100 cubic FT

100 SF FT  
100 cubic FT

390  
200  
100  
690 cubic FT  
OF FILL  
in Wetland

125 FT Lot  
25.55 SF  
Cubic FT

Sewer Pump  
Policy

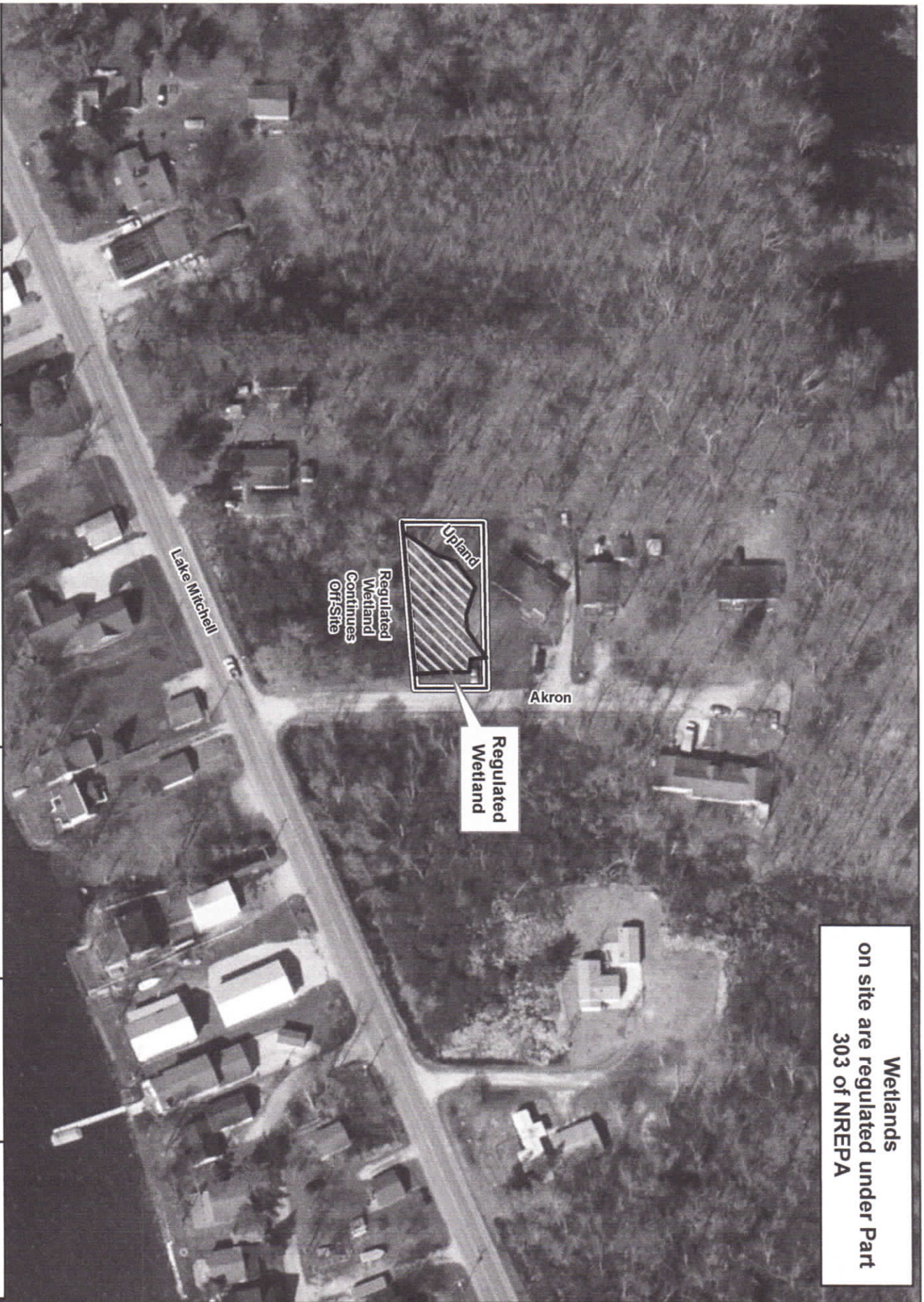


112'  
37' FT House

EGL  
PRP032  
App  
Final On



**Wetlands  
on site are regulated under Part  
303 of NREPA**



Upland  
Regulated  
Wetland  
Continues  
Off-Site

Regulated  
Wetland

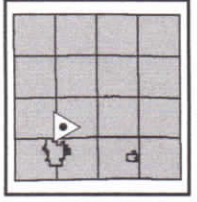
Akron

Lake Mitchell

**Wetland Identification Detail**

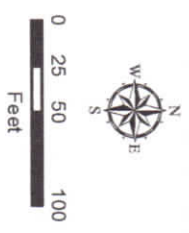
**E-H5VMJ**

Wetland  
Map  
County



Regulated Wetland  
WIP Review Area

IMAGE: 2017



This drawing showing those wetlands that are regulated under Part 303 of NREPA and not containing wetland is an approximation of the boundaries flagged on-site. This drawing does not authorize or permit activities requiring a permit in accordance with Part 303 of the Natural Resources and Environment Code, Act, 1994 PA 451, as amended.

**EGLE**  
Environmental and Great Lakes Energy  
Map created: November, 2021  
K. GRIKSAK/J. JONES  
and Stephanie O'Neil, EGLE WRD



Ken Bassett <awtawashken3@gmail.com>

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**Submission Status Change Notification - HPE-MF7K-8WQ7H, 83-115 Akron Drive-Cadillac**

1 message

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**MiWaters Support** <EGLE-WRD-MiWaters@michigan.gov>  
To: awtawashken3@gmail.com

Thu, Mar 10, 2022 at 1:08 PM

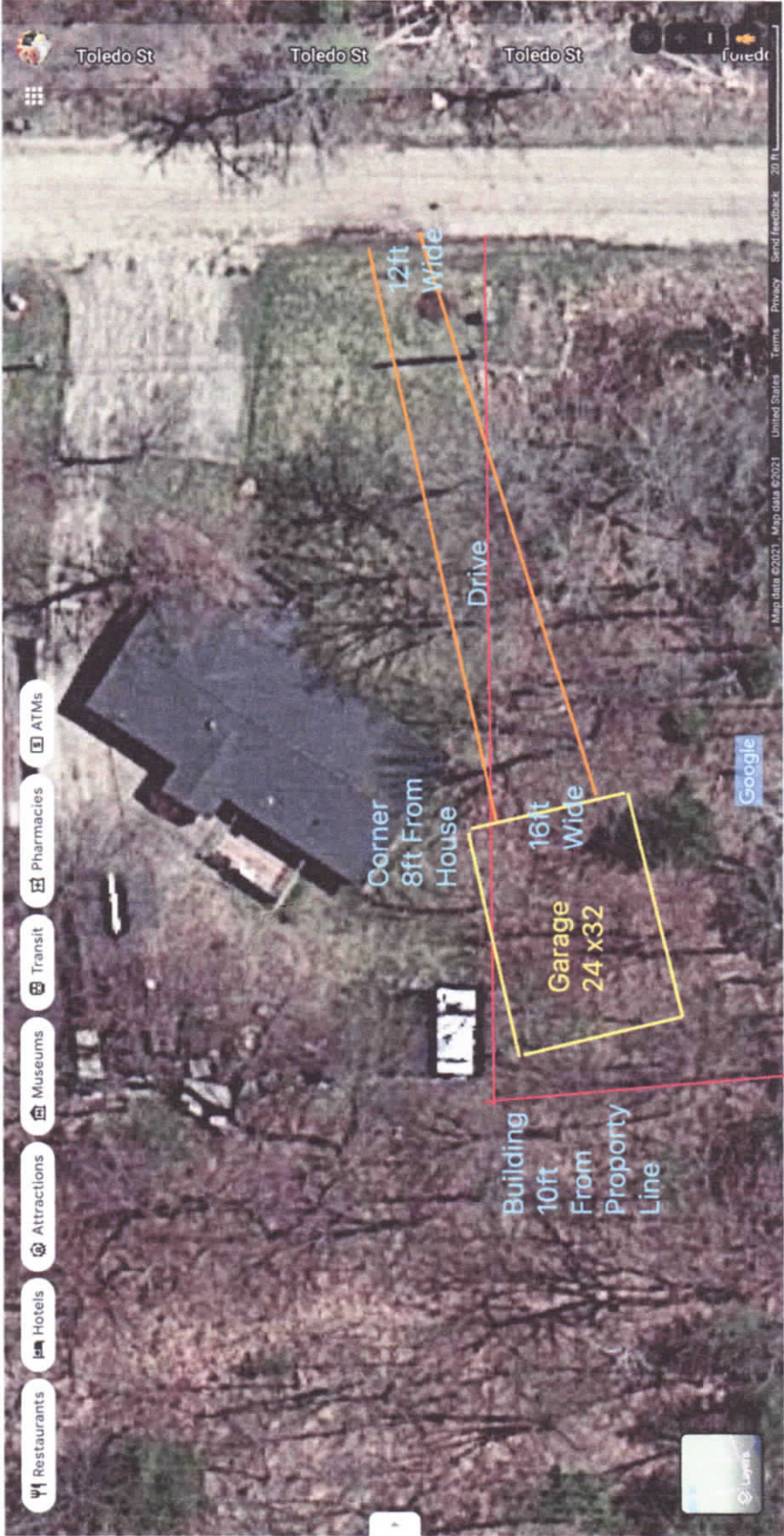
MiWaters User,

This notification is to inform you of a status change on your submission of "Digital EGLE/USACE Joint Permit Application (JPA) for Inland Lakes and Streams, Great Lakes, Wetlands, Floodplains, Dams, Environmental Areas, High Risk Erosion Areas and Critical Dune Areas" (submission **HPE-MF7K-8WQ7H**) for 83-115 Akron Drive-Cadillac. The status has been updated to status "Completed" on 3/10/2022 12:59 PM.

The processor assigned to your submission is Keenan Cooper.

This is an automated notification generated by MiWaters.







WEXFORD JOINT PLANNING COMMISSION

4830 E. M-55 Cadillac, Michigan 49601-9332

Phone: 231-775-1138x6 Fax: 231-775-0037 Attn: ZONING [planningandzoning@wexfordjpc.org](mailto:planningandzoning@wexfordjpc.org)

Municipality: (please check one)

- Antioch Twp. Boon Twp. Cherry Grove Twp. Greenwood Twp. Hanover Twp. Liberty Twp. Selma Twp. Slagle Twp. South Branch Twp. Springville Twp. Wexford Twp.

APPLICATION FOR LAND USE PERMIT [page 1 of 2]

[WARNING: THIS FORM IS NOT A LAND USE PERMIT]

Property Owner: Bassett Kenneth Phone: (231) - 942 - 2355

Last Name First Name

Owner Address: 115 Akron Drive Cadillac Mi 49601
Street # or P.O. Box City State Zip

Project Address: Same as above
Street # City State Zip

PARCEL ID # Lot 14 & 15 Flowing Wells Park Are property lines and building site staked? YES NO

Email: awtawashken3@gmail.com [circle one]

IF USING A CONTRACTOR PLEASE COMPLETE THIS SECTION

Contractor Information: [Company Name] / [Individual Name]

Contractor Address: Street # or P.O. Box City State Zip

Contractor Phone: ( ) - -

SITE PLAN: All applications must be accompanied by a (legible) site plan drawn to scale on a separate sheet of paper that demonstrates the lot size, location and size of all improvements (existing and proposed) with setbacks from the property lines showing roadways and any known easements and in accordance with all other site plan requirements of the Wexford Joint Zoning Ordinance. The Zoning Administrator may require that a registered survey accompany this application in order to insure compliance with any provision of the Wexford Joint Zoning Ordinance.

PROJECT DESCRIPTION (check all that apply)

- Residential / Dwelling New Comm. Construction Deck
Residential Addition Comm. Addition Change of Use
xxx Residential Accessory Bldg. Comm. Accessory Bldg. Other

If 'other', please describe: Detached Garage

Please describe (in detail) the proposed 'use' of the building, structure and/or land as applicable: [do not leave blank]

office use only

Parcel #

Will this building and / or use be devoted 100% for Agricultural purposes?  YES  No

APPLICATION FOR LAND USE PERMIT [PAGE 2 OF 2]

**AFFIDAVIT:** I agree the statements and representations made herein and attached to this application are true and if found not to be true, any zoning (Land Use) permit that may be issued may be void. Further, I agree to comply with any conditions and regulations provided with any permit that may be issued. Further, I agree the permit that may be issued is with the understanding all applicable sections of the Wexford Joint Zoning Ordinance will be complied with. Further, I agree to notify the Planning and Zoning Administrator for the Wexford Joint Planning Commission for inspection before the start of construction and when locations of proposed uses are marked on the ground. **Further, I agree to give permission for officials of the Wexford Joint Planning Commission, the County, and the State of Michigan to enter the property subject to this permit application for purposes of inspection.** Finally, I understand this is a [Land Use Permit] application, (not a permit), and that a Land Use Permit, if issued, conveys only land use rights and does not include any representation or conveyance of rights in any other statute, building code, deed restriction or other property rights.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

[www.wexfordjpc.org](http://www.wexfordjpc.org)

**Do Not Write Below This Line – For Administrative Use Only**

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Assigned Land Use Permit # \_\_\_\_\_

Date Application Received: \_\_\_/\_\_\_/\_\_\_\_\_ Date of Land Use Permit Action: \_\_\_/\_\_\_/\_\_\_\_\_ Fee:

\$ \_\_\_\_\_ How Paid: Cash Check # \_\_\_\_\_ Receipt # \_\_\_\_\_

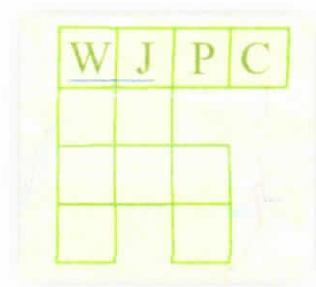
**Minimum Requirements for a Site Plan [Residential / Residential Accessory Use]**

- Show length of all parcel lines
- Show all known easements
- Show sizes of all existing and proposed structures
- Show setbacks to all existing and proposed structures from all property lines
- Show distances from all existing and proposed structures to all bodies of water (lake, river or stream)
- Show elevations of buildings / structures as appropriate to demonstrate compliance with maximum height requirements



| TAXID | NAME1                             | PARC_ADD1               | PARC_CTY | PA | PARC_Z | OWNER_ADD               | OWNER_C    | OW | OWNER |
|-------|-----------------------------------|-------------------------|----------|----|--------|-------------------------|------------|----|-------|
| ROW   |                                   |                         |          |    |        |                         |            |    |       |
| PARK  |                                   |                         |          |    |        |                         |            |    |       |
| 2210- | POSTMA, EDWARD                    | 3424 W LAKE MITCHELL DR | CADILLAC | MI | 49601  | 4285 56TH ST SW         | GRANDVILL  | MI | 49418 |
| 2210- | POSTMA, EDWARD                    |                         |          |    |        |                         |            |    |       |
| 2210- | HOLMAN, TONY T.                   |                         |          |    |        | 3332 W LAKE MITCHELL DR | CADILLAC   | MI | 49601 |
| 2210- | TAYLOR, DORIS TRUST               |                         |          |    |        | 1927 E LAKE MITCHELL DR | CADILLAC   | MI | 49601 |
| 2210- | HOLMAN, TONY T                    |                         |          |    |        |                         |            |    |       |
| 2210- | WORKMAN, ARNOLD T & KAREN L TRUST |                         |          |    |        | 700 HOLLY RD            | CADILLAC   | MI | 49601 |
| 2210- | BASSETT, KENNETH A & MOLLY S      |                         |          |    |        | 115 AKRON ST            | CADILLAC   | MI | 49601 |
| 2210- | HOLMAN, TONY T                    | 3240 W LAKE MITCHELL DR | CADILLAC | MI | 49601  | 3332 W LAKE MITCHELL    | CADILLAC   | MI | 49601 |
| 2210- | HAWKINS, DANIALLE L               | 119 AKRON ST            | CADILLAC | MI | 49601  | 916 FARRAR ST           | CADILLAC   | MI | 49601 |
| 2210- | TWIN HILLS LLC                    | 123 AKRON ST            | CADILLAC | MI | 49601  | P O BOX 983             | CADILLAC   | MI | 49601 |
| 2210- | WORKMAN, ARNOLD T & KAREN L TRUST |                         |          |    |        |                         |            |    |       |
| 2210- | HOLMAN, TONY T                    |                         |          |    |        |                         |            |    |       |
| 2210- | EISENHEIMER, JACOB T              |                         |          |    |        | 22559 CONRAD RD         | COPEMISH   | MI | 49625 |
| 2210- | PREBAY, JOHN L & DIANE E          |                         |          |    |        |                         |            |    |       |
| 2210- | MCNEIL, PHYLLIS J TRUST           | 107 TOLEDO ST           | CADILLAC | MI | 49601  | 12450 CLINTONIA RD      | PORTLAND   | MI | 48875 |
| 2210- | ENFIELD, RYAN                     |                         |          |    |        | 124 AKRON ST            | CADILLAC   | MI | 49601 |
| 2210- | PREBAY, JOHN L & DIANE E          |                         |          |    |        | 3307 W LK MITCHELL DR   | CADILLAC   | MI | 49601 |
| 2210- | WEIR, JAMES D.                    |                         |          |    |        | 3377 W LAKE MITCHELL DR | CADILLAC   | MI | 49601 |
| 2210- | HOOGENBOOM, GREGORY A.            | 3401 W LAKE MITCHELL DR | CADILLAC | MI | 49601  | 610 AUSTON CT           | GOSHEN     | IN | 46526 |
| 2210- | BROWN, CHRISTOPHER G.             | 3371 W LAKE MITCHELL DR | CADILLAC | MI | 49601  | 3340 COURT ST           | SAGINAW    | MI | 48607 |
| 2210- | DOHM, JAMES E & SUSAN J           | 3367 W LAKE MITCHELL DR | CADILLAC | MI | 49601  | 2388 BRIARWOOD          | OWOSSO     | MI | 48867 |
| 2210- | HAPPY, KENNETH & MICHELLE TRUST   | 3325 W LAKE MITCHELL DR | CADILLAC | MI | 49601  | 16185 18 MI RD          | CLINTON T  | MI | 48038 |
| 2210- | MEDENDORP, THOMAS L & CAROLYN V   |                         |          |    |        | 3311 W LAKE MITCHELL DR | CADILLAC   | MI | 49601 |
| 2210- | PREBAY FAMILY TRUST               |                         |          |    |        | 3307 W LAKE MITCHELL DR | CADILLAC   | MI | 49601 |
| 2210- | ZIELINSKI, JEFFREY A TRUST        |                         |          |    |        | 22104 KRAMER ST         | SAINT CLAI | MI | 48080 |
| 2210- | FORD, TIMOTHY J.                  |                         |          |    |        | 217 FERN AV             | CADILLAC   | MI | 49601 |
| 2210- | LAND OF LAND INC                  |                         |          |    |        | PO BOX 66               | SWEDESBC   | NJ | 8085  |
| 2210- | BURCH, BRIAN & DENISE             | 3474 W LAKE MITCHELL DR | CADILLAC | MI | 49601  | 2961 E STEWART RD       | MIDLAND    | MI | 48640 |
| 2210- | JONES, BRIAN                      | 177 FERN AV             | CADILLAC | MI | 49601  | 1035 PINEHURST AVE      | FLINT      | MI | 48507 |





## Wexford Joint Planning Commission

c/o Cherry Grove Township  
4830 E. M-55  
Cadillac, Michigan 49601

[www.wexfordjpc.org](http://www.wexfordjpc.org)

Email: [planningandzoning@wexfordjpc.org](mailto:planningandzoning@wexfordjpc.org)  
(231)775-1138x6

March 23, 2022

To: Cadillac News

Re: PUBLIC NOTICE

Can you please publish the following PUBLIC NOTICE not later than Monday, April 11<sup>th</sup>, 2022?

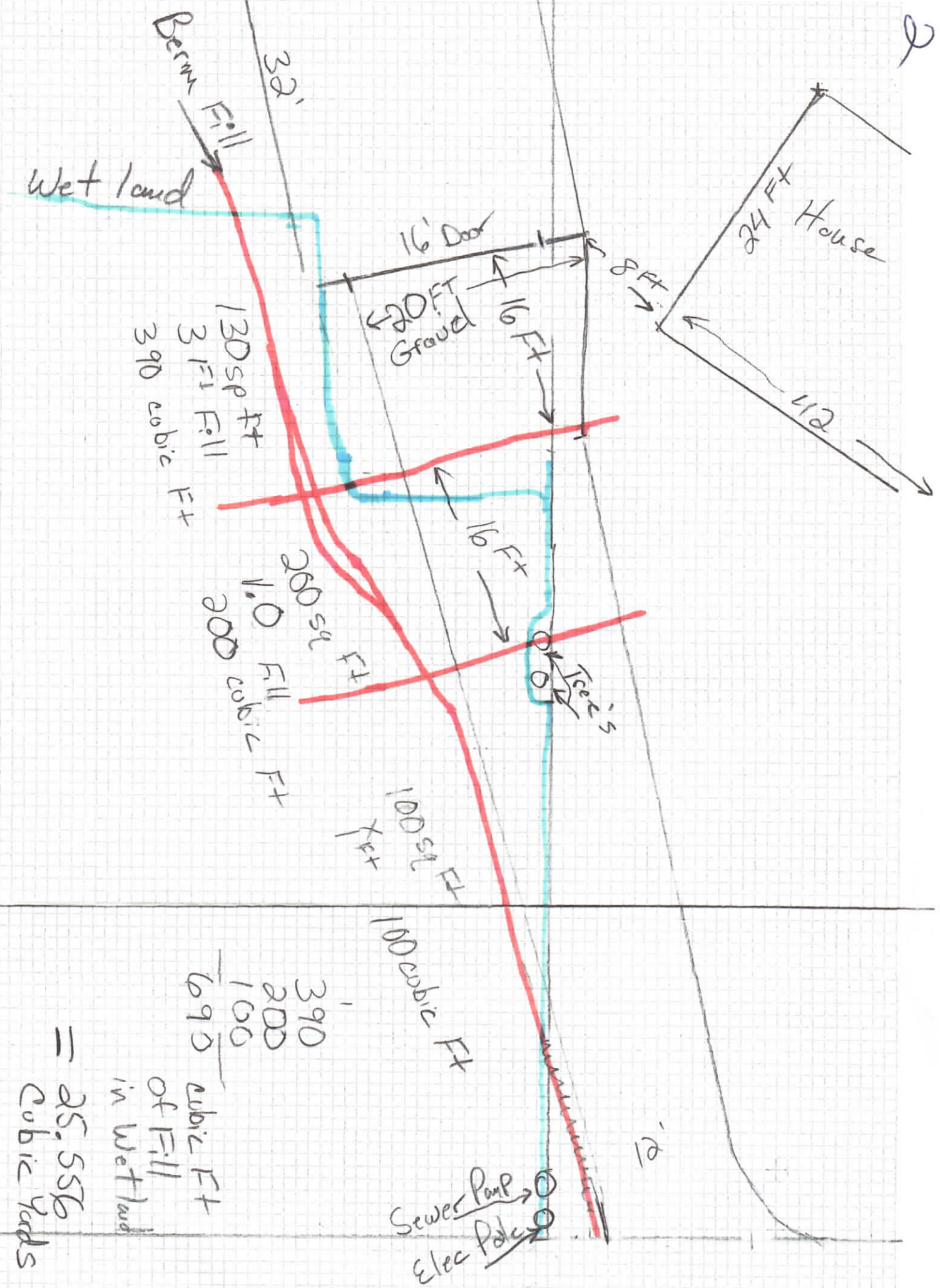
### **PUBLIC NOTICE**

The Wexford Joint Zoning Board of Appeals has received an application requesting a variance from the terms and conditions of Article 46, Section 4604 of the Wexford Joint Zoning Ordinance regulating parcel and building area, coverage, and setbacks. The applicant is seeking a variance from the required rear yard setback as listed in Section 4604.D.1.c. requiring a 25' setback and Section 1072.C requiring 10' between an accessory building or structure and the principal building. The subject property is parcel #2210-FW0514, a/k/a: 115 Akron Drive, Cadillac, Michigan 49601 in Selma Township. Copies of the application documents may be viewed / copied at the Cherry Grove Township offices (Wexford Joint Planning Commission office of record) on Wednesday, Thursday or Friday during established office hours or may be viewed on line at: [www.wexfordjpc.org](http://www.wexfordjpc.org), under the ZBA MTGS tab. A public hearing will be conducted at the regular April 27<sup>th</sup>, 2022 meeting of the Wexford Joint Zoning Board of Appeals at 6:00 pm at the Wexford County Road Commission offices, 85 W. Highway M-115, Boon, MI 49618. Written comments may be sent to and will be received until noon on April 27<sup>th</sup>, 2022 at: Wexford Joint Planning Commission, c/o Cherry Grove Township, 4830 E. M-55, Cadillac, MI 49601 or emailed to: [planningandzoning@wexfordjpc.org](mailto:planningandzoning@wexfordjpc.org)

A handwritten signature in blue ink that reads "Robert A. Hall".

Planning and Zoning Director

125 Ft Lot



|  |             |
|--|-------------|
|  | 390         |
|  | 200         |
|  | 100         |
|  | 690         |
|  | cubic Ft    |
|  | of Fill     |
|  | in Wetland  |
|  | = 25.556    |
|  | Cubic Yards |