

ZONING BOARD OF APPEALS
PUBLIC HEARING
HAYES TOWNSHIP
9195 MAJOR DOUGLAS SLOAN ROAD
CHARLEVOIX, MICHIGAN 49720
NOVEMBER 19TH, 2025
7:00 PM
AGENDA

Join Zoom Meeting

<https://us02web.zoom.us/j/83141540092?pwd=8B9u2ffX3izb5t85jekpgxyEjDjsre.1>

Meeting ID: 831 4154 0092

Passcode: 396667

1. Chair calls meeting to order
2. Pledge of Allegiance
3. Introduction of Zoning Board Members
4. Review and Approval of Agenda
5. Declaration of Conflict of Interest
6. Approval of October 21, 2025 meeting minutes
7. Chair Opens Public Hearing – 7125 Nine Mile Point Dr. (Douglas Quada and Katherine Keljo) Variance Request
 - a) Zoning Administrator introduces case and presents exhibits
 - b) Petitioner is recognized (and/or Agent) and puts forth case
 - c) Board Members report on their site inspections, if any, and ask questions they may have of Petitioner (and/or Agent). At this time discussion may take place between Petitioner and Board Members
 - d) Chair opens Public Comment
 - e) Correspondence acknowledged
 - f) Chair closes Public Comment
 - g) Review of applicable Section of Hayes Township Ordinance
 - h) Review and discussion of Finding of Fact
 - i) Motion and Roll Call Vote
7. Chair Closes Public Hearing
8. Public Comment
9. Zoning Board of Appeals Member Comment
10. Adjournment

Public Comment at Meetings of Hayes Township Zoning Board of Appeals

The Hayes Township Zoning Board of Appeals values public input and offers two opportunities for public comment near the beginning and end of its meetings. If you speak, however, you should not expect to engage board members or staff in discussion or debate.

ZBA members will not respond to comments made during public comment except to ask a clarifying question, correct an error, or provide specific factual information.

Public comment is recognized by the Michigan Open Meetings Act. The Act allows public bodies to adopt rules for orderly comment. To that end, the following rules have been adopted by the Hayes Township Zoning Board of Appeals:

1. A person wishing to speak will so indicate on the sign in sheet. Zoom attendees can indicate they would like to speak by raising their hand icon. Individuals attending in person will be called on first.
2. The person will begin by stating their name, spelling it if requested.
3. The speaker addresses the Chairperson, or other person chairing the meeting, on behalf of the entire board. Public comment should not be addressed to individual ZBA members or township staff, or to other members of the audience.
4. There is a three (3) minute time allotment for each speaker. The time limit may be extended by the Chairperson or majority of the board. A person may only speak once during a comment period. Audience members may not 'donate' their time to another speaker.
5. A speaker will be out of order if s/he is disruptive, speaks longer than the allotted time, uses vulgarities or makes a personal attack on a ZBA member or township employee that is unrelated to the performance of that person's duties.
6. A speaker ruled out of order will not be allowed to speak again at the same meeting except by special permission of the board.
7. The chair has the discretion to permit audience members to speak at times other than during public comment.

DRAFT
Hayes Township
Zoning Board of Appeals
Administrative Meeting Minutes
October 21st, 2025
09195 Old U.S. N, Charlevoix, MI 49720

The October 21st, 2025, organizational meeting of the Hayes Township Zoning Board of Appeals was called to order by Chair Janice Vedder-Whipple at 5:00 pm. at the Hayes Township Hall, 09195 Old US 31 N., Charlevoix, MI 49720.

BOARD MEMBERS PRESENT: Bruce Deckinga, Janice Vedder-Whipple, Rex Greenslade, and Doug Kuebler.

BOARD MEMBERS EXCUSED ABSENT: Joni Hosler and Jessica Perry (Alternate)

ALSO PRESENT: Kristin Baranski

PLEDGE OF ALLEGIANCE: Ms. Vedder-Whipple (Chair) opened the meeting at 5:00 pm with the Pledge of Allegiance to the Flag.

INTRODUCTION OF ZONING BOARD OF APPEALS (ZBA) MEMBERS:

BOARD MEMBERS PRESENT: Bruce Deckinga, Janice Vedder-Whipple, Rex Greenslade, and Doug Kuebler.

BOARD MEMBERS EXCUSED ABSENT: Joni Hosler and Jessica Perry (Alternate)

DECLARATION OF CONFLICT OF INTEREST:

NONE.

REVIEWED AGENDA:

Mr. Kuebler made a motion, supported by Mr. Greenslade, to approve the agenda as presented .

Yeas: Rex Greenslade, Bruce Deckinga, Doug Kuebler, and Janice Vedder-Whipple.

Nays: None **Motion Carried**

APPROVAL OF DRAFT MINUTES FROM OCTOBER 8TH, 2025:

Mr. Kuebler made a motion, supported by Mr. Greenslade, to approve the October 8th 2025 meeting minutes as amended.

Yeas: Rex Greenslade, Bruce Deckinga, Doug Kuebler, and Janice Vedder-Whipple.

Nays: None **Motion Carried**

DRAFT
Hayes Township
Zoning Board of Appeals
Administrative Meeting Minutes
October 21st, 2025
09195 Old U.S. N, Charlevoix, MI 49720

PUBLIC COMMENT:

Public Comment Opened at 5:04pm

No Comments

Public Comment Closed at 5:04 pm

ZBA COMMENT:

Ms. Vedder-Whipple made a motion, supported by Mr. Greenslade to set a Public Hearing for a Variance Request for November 19th 2025 at 7:00pm.

Yeas: Rex Greenslade, Bruce Deckinga, Doug Kuebler, and Janice Vedder-Whipple.

Nays: None **Motion Carried**

ADJOURNMENT: Mr. Vedder-Whipple made a motion, supported by Mr. Deckinga, to adjourn at 5:06pm

Yeas: Rex Greenslade, Bruce Deckinga, Doug Kuebler, and Janice Vedder-Whipple.

Nays: None **Motion Carried**

Respectfully Submitted,

April Hilton

Hayes Township Deputy Clerk/Recording Secretary



Hayes Township
Zoning Variance Application
Zoning Administrator Phone (231) 547-6961

GENERAL INFORMATION

Name of Property Owner(s) Douglas Quada and Katherine Keljo

Mailing Address 808 Chesterfield Ave.

City Birmingham State MI Zip 48009

Telephone Doug's Mobile (248) 416-2812

PROPERTY INFORMATION

Property Tax Code Number: 15-007- 400-013-00

Legal Address 7125 Nine Mile Point Drive, Charlevoix, MI 49720

Nearest Road Intersection US 31

Zone District Michigan Shores District (R-2MS)

Please type or print; fill in all blanks and return with \$935.00 fee payable to Hayes Township

VARIANCE OR INTERPRETATION REQUESTED

Relief from the following Zoning Ordinance Section(s):

Please review the online copy of the zoning ordinance for the exact section number.
charlevoixcounty.org/hayes.asp

Submit an exact scaled drawing on the reverse side of this document or on a separate sheet of paper showing

- lot location (road names, lakeshore, streams, easements, rights-of-ways, unusual topographic features),
- lot dimensions,
- location and dimensions (including height) of existing and proposed structure(s),
- distance between structure(s) and front, rear, and sides lot lines,
- location of driveway giving distance to nearest side lot line,
- locations of well, septic tank and drain field,
- other structures and uses within 100 feet of the property.

Note: Applicant must supply exact maps, drawings, etc. in order to inform the Zoning Board of Appeals of the type of building or activity, and how it will look when desired construction is completed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]

NOTE: The Township must inspect the layout of the building and verify all application information. The signature of the applicant on this application authorizes the inspection of this property. Please call the Zoning Administrator, at 231-547-6961 when the site is staked, but before construction begins. Mail completed application to: Zoning Administrator, 09195 Major Douglas Sloan Rd Charlevoix, MI. 49720. You may also contact the Zoning Administrator at zoning@hayestownshipmi.gov. For all waterfront properties a shoreline inspection is required.

Whenever your property has an improvement added, it is added to the Hayes Township Assessment Roll. The Hayes Township Assessor is notified of new zoning permits & will visit your property to assess the improvements. If you prefer to have an appointment vs the assessor coming to your home unannounced, you should contact the assessor to schedule an appointment. Assessor, 231-497-9361.

DESCRIBE REASON FOR REQUESTED VARIANCE,
INCLUDING EXACT SIZE AND TYPE OF VARIANCE NEEDED.

*See Attached Document following
this page.*

DESCRIBE THE PRACTICAL DIFFICULTY THAT EXISTS

What are the unique conditions of your situation)?

EFFECT ON APPLICANT IF VARIANCE IS DENIED

What specific problem(s) would be created to you, as applicant, if your request is not granted? What rights that others enjoy, will you be denied if this variance is denied?

EFFECT OF REQUESTED VARIANCE ON OTHER PROPERTIES

If your variance request is granted, what effect will it have on the area? Does your request represent a change in the types of uses permitted? Will it hamper access by emergency vehicles or personnel? Will it restrict light, air, or access to adjacent properties? Will it in any other way create problems or concerns to other properties in the area?

Describe reason for requested variance, including exact size and type of variance needed:

The existing home in the Michigan Shore District was built in 1978 with additional work performed in 1980 per zoning applications & permits. At the time of construction one can deduce it was built per stated zoning ordinances and building codes. A previous owner performed this construction work and placed the home on the site. The current owner purchased the home in 1994.

The current owner is looking to obtain a 12'-7 5/16" lake setback variance for their home. They would like to replace the current roof structure and replace it with a steeper pitched roof and include an energy heel to the trusses to meet today's energy code requirements for insulation. The current 50' lake setback sets approximately 12'-7 5/16" inside one corner of the home per the 9-14-2020 zoning ordinance amendment.

The client has no intention of building any closer to the lake, simply increasing the height and the pitch of the roof system. They will be adding some living space to the house & a new covered porch within the building envelope. That new living area footprint is approximately 444 s.f.. The client will be adding a detached garage also within the building envelope. The proposed lot coverage as shown is approximately 23.24%. This coverage includes the existing house, existing lakeside deck, proposed additions, proposed entry porch, detached garage and a proposed driveway.

The owner is having structural and performance issues with the current roof system due to the pitch and design of the existing roof structure. The roof is leaking, rooms smell musty, and there is water damage to the ceilings of the home. The current roof system is 2x4 rafters with ceiling ties. The existing roof system is a 4" to 12" pitch and they would like to increase this to a 10" to 12" pitch to cover the existing and new areas. They also would like to use pre-engineered trusses with heel heights ranging from 18"-24" to provide the space necessary for insulation and ventilation. This would allow them to properly engineer the roof and get better performance with insulation & structure.

The home will remain a single-story residence. Many of the homes in this neighborhood on the lakeside are either 1 ½ or 2 stories. The new roof system will be under the 30' height restriction. The new roof height will be 24' – 4 5/16" tall as proposed. The home will also remain a 3-bedroom residence with 2 ½ baths. The existing home has 2 full bathrooms.

Describe the practical difficulty that exists:

The unique condition is the fact that the existing home sits within the 50' setback to Lake Michigan. Any change that the owner would like to make to the home requires a variance to do so. As mentioned above, the home's roof system is undersized for structure, has poor insulation, has water infiltration, minimal venting and the pitch is too shallow.

Owner is not making the living space any larger toward the lake. They simply would like to replace the roof system with one that better serves our area's weather conditions and meets today's structural & energy code standards.

Effect on the applicant if the variance is denied:

If this request is denied, the client will continue to experience the low performance of the insulation value, continued water infiltration, and potentially roof failure.

They would be denied the right to make home improvements that ensure their value is maintained or increased. They would be denied the right to improve the architectural aesthetics of their home like others can as well. They are looking to provide an architectural style that fits in with northern Michigan and the neighborhood.

Effect of requested variance on the other properties:

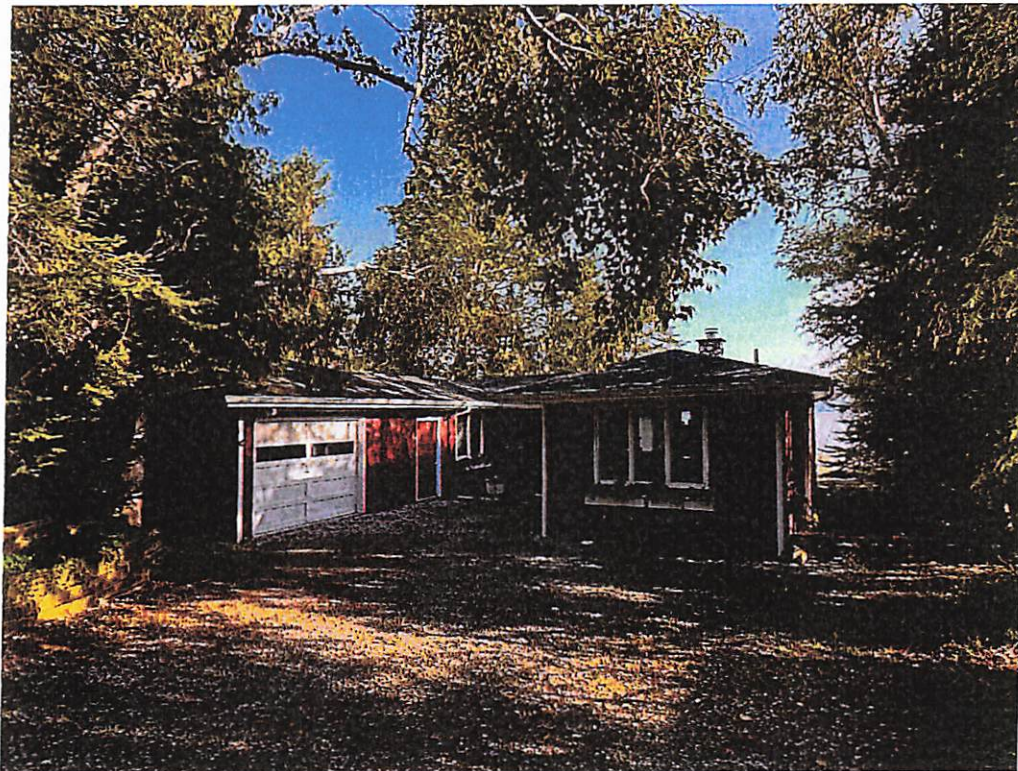
If this request is granted it will not have any effect on emergency vehicle access to the property or around the house. It will not hinder neighboring properties in any way. It will only aid in improving the value of the owner's property and adjacent properties will benefit as well. The architecture is in keeping with a traditional northern Michigan cottage. The proposed pitch change is also in keeping with the neighborhood's architecture.

Quada / Keljo – Existing Home & Landscape Photography – 8/21/25 by Edgewater Design Group

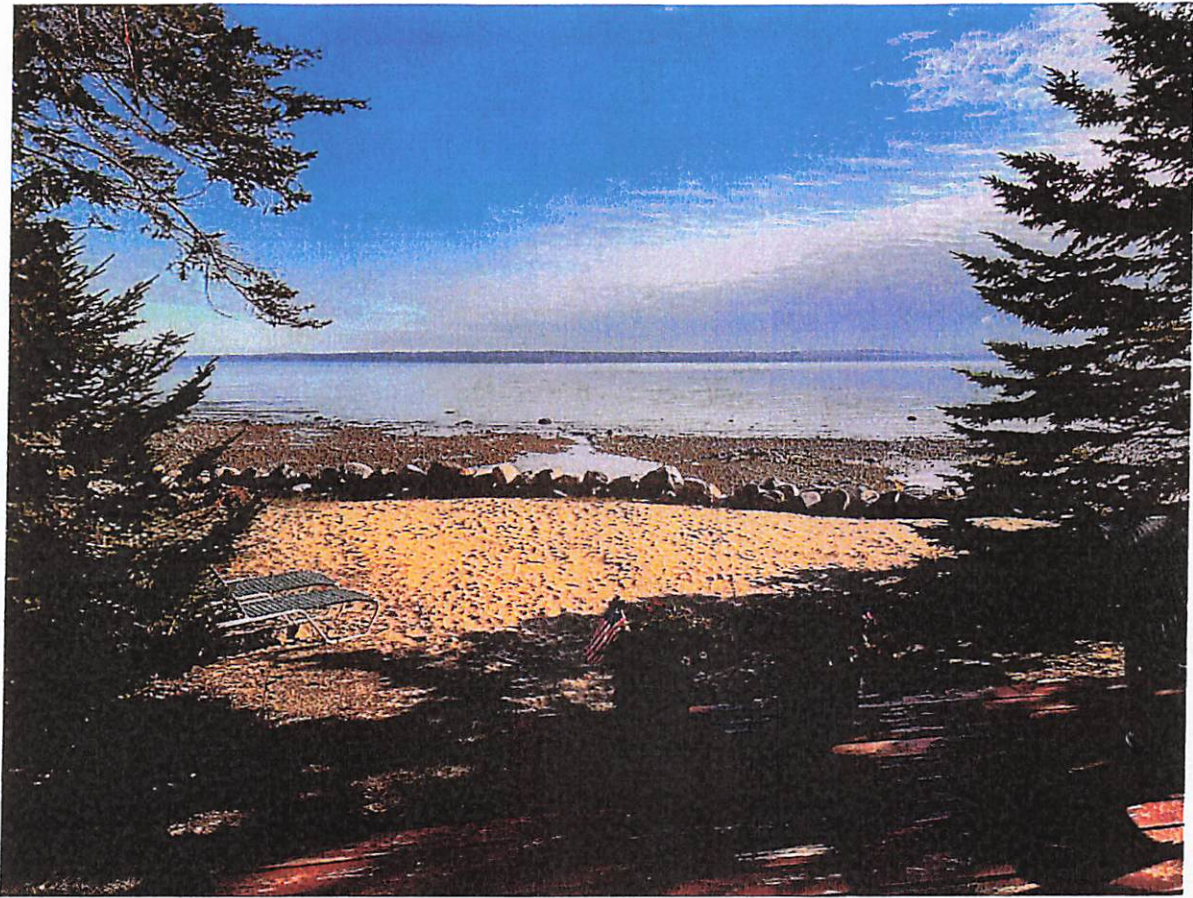
Front Elevation – Driveway:



Front Elevation – Driveway:



View of lake from home's existing deck area:

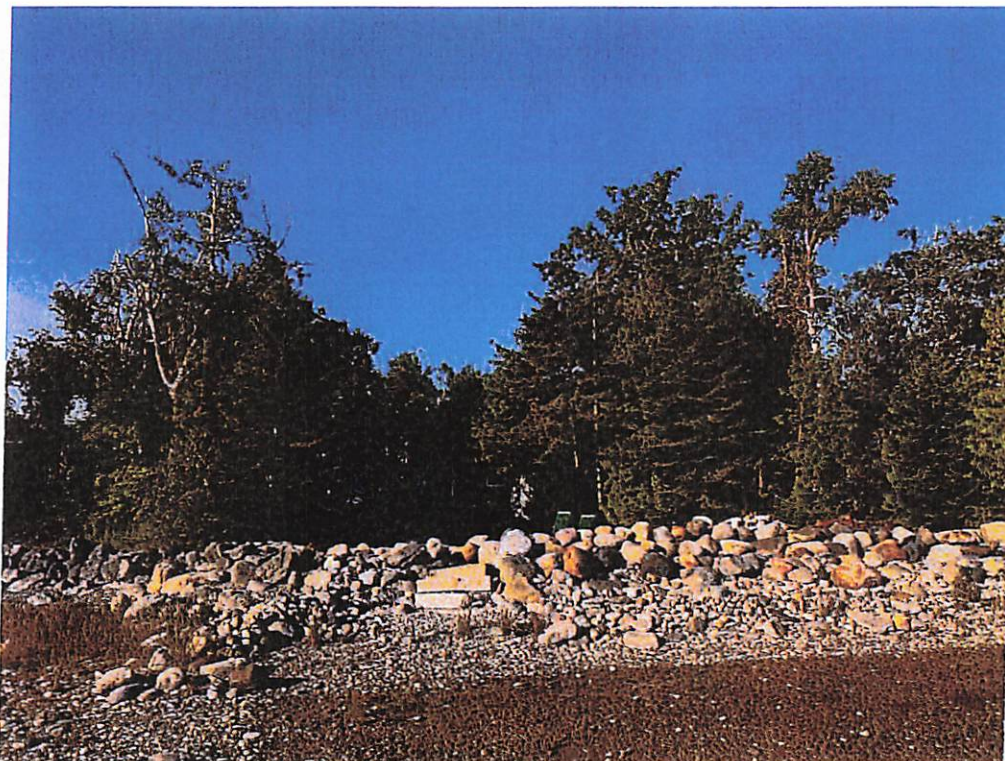


Rear Elevation – Lake Side:



Current home's landscaping along lakeside. The intention is to keep the existing tree canopy, sand, and rock rip rap that is in place now. They prefer the existing natural vegetation and appearance.

View of home and landscape from lake:



Section 5. Amendment of Article IV, Section 4.13.

Article VI, Section 4.13 of the Hayes Township Zoning Ordinance is hereby amended to add regulations for the new Michigan Shores and Susan Lake Zoning Districts, which regulations shall read in their entirety as follows:

Zoning District	District Name	Minimum Lot Area		Max. Ht. Structure	Minimum Yard Setbacks (h)			Min. Square Footage	Max. % of Impervious Surface
		Area	Width	Feet	Front	Side	Rear		
R-2MS	Michigan Shores	¾ ac (m)	120 ft (m)	35 (a)	(i)	(j)	25	600	35
R-2SL	Susan Lake	¾ ac (m)	120 ft (m)	35 (a)	(k)	(j)	(l)	600	35

Section 6. Amendment of Article IV, Section 4.13.

Article IV, Section 4.13 of the Hayes Township Zoning Ordinance is hereby amended to reduce the Minimum Square Footage in the Table of Regulations from 900 to 600 for the RR-1, R-1, R-2, R-3 and R-4 Zoning Districts.

Section 7. Amendment of Article IV, Section 4.13.

Footnote f to the Table of Regulations in Article IV, Section 4.13 of the Hayes Township Zoning Ordinance is hereby amended to read in its entirety as follows:

- f. If the developer proposes a mixture of units having differing floor plans, a minimum floor space of five hundred (500) square feet shall be maintained.

Section 8. Amendment of Article IV, Section 4.13.

The Table of Regulations in Article IV, Section 4.13 of the Hayes Township Zoning Ordinance is hereby amended to add new footnotes i, j, k, and l, which shall read in their entirety as follows:

- i. The front setback for non-waterfront lots shall be 25 feet. The front setback for waterfront lots shall be 50 feet from the Ordinary High Water Mark.
- j. The sum of the two side yard setbacks shall be no less than 15 feet, whereas one side shall not be less than 5 feet, and the distance to an adjacent principal structure on the neighboring property shall not be less than 15 feet.
- k. The front setback for waterfront lots shall be 50 feet, measured from the property line. The front setback for non-waterfront lots shall be 25 feet.
- l. The rear setback for waterfront lots shall be 15 feet. The rear setback for non-waterfront lots shall be 25 feet.
- m. Existing lots of record in the R-2MS and R-2SL Districts that do not meet the minimum lot width and area standards shall be permitted to be developed for any use allowed in the districts, so long as all other applicable dimensional standards are met as required in Section 3.02.08.

Section 9. Amendment of Article IV, Section 4.01.2.

The zoning map incorporated into Article IV, Section 4.01.02 of the Hayes Township Zoning Ordinance is hereby amended to rezone all of the lots within the Plat of Michigan Shores, situated in the Township of Hayes, County of Charlevoix, State of Michigan from the Small Lot Residential District (R-2) to the Michigan Shores District (R-2MS).

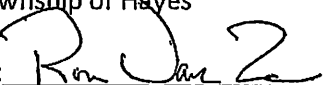
Section 10. Amendment of Article IV, Section 4.01.2.

The zoning map incorporated into Article IV, Section 4.01.02 of the Hayes Township Zoning Ordinance is hereby amended to rezone all of the lots within the Plat of Susan Shores No.1 and the Plat of Tunison Subdivision, situated in the Township of Hayes, County of Charlevoix, State of Michigan from the Small Lot Residential District (R-2) to the Susan Lake District (R-2SL).

Section 11. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Township.

Township of Hayes

By: 

Ron VanZee, Supervisor

Adoption date: 07-13-2020

By: 

Kristin Baranski, Clerk

Effective date: 08-06-2020

Article III: General Provisions

Section 3.01 The Effect of Zoning

1. In order to carry out the intent of this Ordinance, no use or activity on a piece of land shall be allowed or maintained, no building or structure or part thereof shall be allowed to be used, constructed, remodeled, altered, or moved upon any property unless it is in conformance with this Ordinance, and a zoning permit has been obtained, except in the case of lawful nonconforming uses.
2. If any activity, use, building, structure or part thereof is placed upon a piece of property in direct conflict with the intent and provisions of this Ordinance, such activity, use, building or structure shall be declared a nuisance and may be required to be vacated, dismantled, abated, or cease operations by any legal means necessary and such use, activity, building or structure shall not be allowed to function until it is brought into conformance with this Ordinance.
3. In the event that any lawful use, activity, building or structure which exists or is under substantial construction at the time of the adoption of this Ordinance and is not in conformance with the provisions of the zoning district in which it is located, such use, activity, building or structure shall be considered a legal nonconforming use and be allowed to remain as such, including completion of construction, providing said construction does not require more than one (1) year from the effective date of this Ordinance for completion.

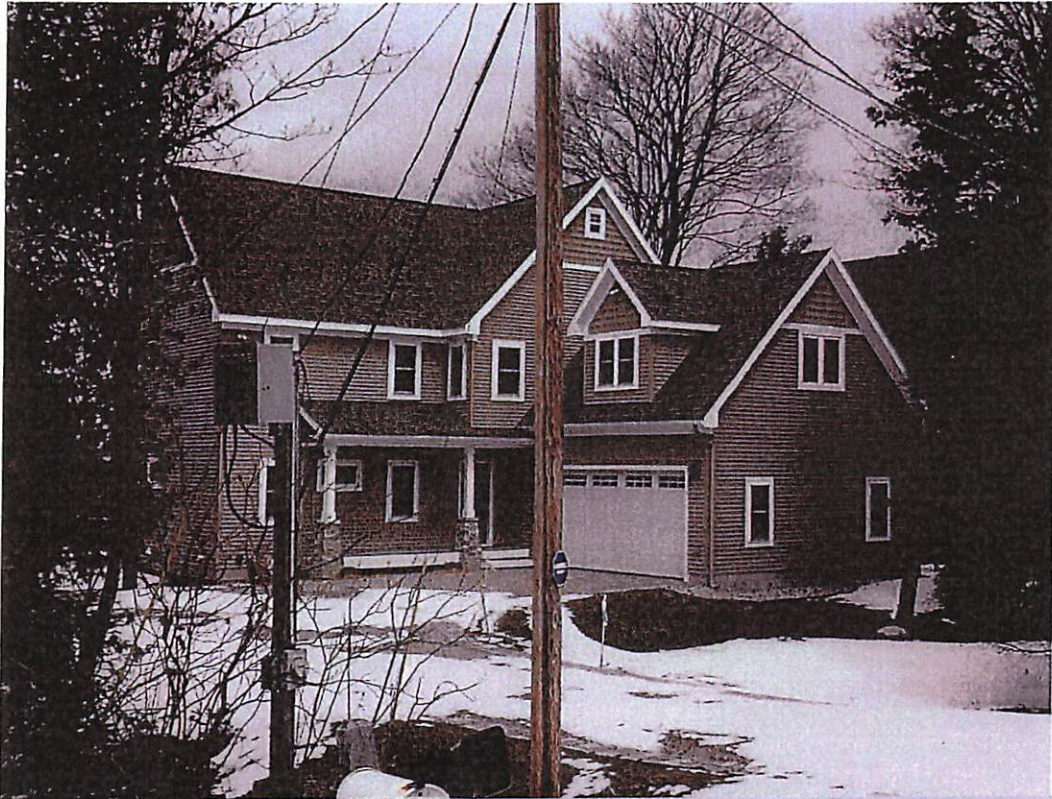
Section 3.02 Nonconformities

1. If a nonconforming building or structure, a building that contains a nonconforming use, or a nonconforming use of land was lawful at the time of enactment of this Ordinance, or any subsequent amendment, then that nonconformity may be continued although it does not conform to the provisions of this Ordinance, or any subsequent amendment, under the terms and conditions of this Section.
2. Normal maintenance and incidental repairs, including repair or replacement of nonbearing walls, fixtures, wiring, or plumbing may be performed on any nonconforming building or structure or on any building containing a non-conforming use. A nonconforming building or structure or a building that contains a nonconforming use which is unsafe or unlawful due to lack of repairs or maintenance, as determined by the Zoning Administrator or County Building Official, may be restored to a safe condition. This Ordinance shall not prohibit the repair, improvement or modernization of a nonconforming structure to correct deterioration, obsolescence, depreciation and wear, provided the structure's spatial envelope (the building footprint and vertical profile) remains the same.
3. If a property owner has an intent to abandon a nonconforming use, building or structure and in fact abandons this nonconforming use or structure for a period of one (1) year or more, then any subsequent use of the property or structure shall conform to the requirements of this Ordinance. When determining the intent of the property owners to abandon a nonconforming use, building or structure, the zoning administrator shall consider the following factors:
 - A. Whether utilities, such as water, gas, and electricity to the property have been

- disconnected.
- B. Whether the property, buildings, and grounds have fallen into disrepair.
 - C. Whether signs or other indications of the existence of the nonconforming use have been removed.
 - D. Whether equipment or fixtures necessary for the operations of the nonconforming use have been removed.
 - E. Other information or actions that evidence an intention on the part of the property owner to abandon the nonconforming use, building or structure.
4. A nonconforming use, building or structure that is damaged by fire, collapse, explosion, an act of God, or an act of the public enemy following the effective date of this Ordinance, or any subsequent amendment, may be reconstructed, repaired or restored, and resumed under the terms and conditions of this subsection. Except as provided herein, if a nonconforming building or structure can be reconstructed, repaired or restored in complete conformance with this Ordinance, then such complete conformance shall be required. However, if the Planning Commission finds that the cost of complete conformance with this Ordinance would be unreasonable due to site specific circumstances, then the nonconforming building or structure shall be reconstructed, repaired or restored to the greatest degree of conformance found by the Planning Commission to be reasonable. In addition, any such reconstruction, repair and restoration, or resumption shall be started within twelve (12) months following the damage, or other reasonable time as determined by the Planning Commission.
5. To avoid undue hardship, nothing in this Ordinance is deemed to require a change in the plans, construction, or designated use of a building or structure on which substantial construction has been lawfully begun prior to the effective date of this Ordinance, or any subsequent amendment.
6. Any national emergency that imposes limitations on construction and repairs shall automatically extend any time limitations from the time of the termination of the emergency.
7. Nothing contained in this Ordinance shall be construed to approve, authorize, or condone any use that is otherwise unlawful, or constitutes a hazard or a nuisance.
8. If two (2) or more contiguous lots, parcels or portions of lots or parcels are under the same ownership and do not individually meet the lot width, depth and/or area requirements of this Ordinance, then those contiguous lots, parcels or portions of lots shall be considered an undivided lot or parcel for the purposes of this Ordinance, and no portion of such undivided lot or parcel shall be used or divided in a manner that diminishes compliance with the lot width, depth and/or area requirements established by this Ordinance.
9. A nonconforming building or structure, whose nonconformity is not related to the waterfront regulations of this Ordinance, may be enlarged or altered, provided that such enlargement or alteration does not increase the degree or extent of the nonconformity of such structure.
10. A nonconforming building or structure, whose nonconformity is related to the waterfront regulations, must obtain ZBA approval in order to enlarge or alter the structure and shall only be permitted in a manner that does not increase the degree or extent of the nonconformity. The ZBA may impose conditions at the time of approval that would lessen the impact or partially mitigate the impact of the nonconformity on the water quality.

Neighboring Home Roofline Examples: (Photos taken in the spring)





APPLICANT'S STATEMENT AND AUTHORIZATION

I understand that if the requested variance is granted, I am in no way relieved from all other applicable requirements of the Hayes Township Zoning Ordinance. It is also understood that any approval by the Zoning Board of Appeals involving site improvements, use, and/or construction does not relieve the applicant from obtaining other applicable authorizations (for example, site plan, building, health department, soil erosion, and engineering approval, etc.).

I authorize Hayes Township staff and Zoning Board of Appeals members to enter upon the subject property for purposes of making site inspections related to the project and request identified in this application.

I believe that all the above information in this Zoning Variance Application is accurate to my fullest knowledge.

Owner(s) Signature: _____

Date: 8-14-2025

Applicant(s) Signature: _____

Date: 8-14-2025

Applicant must supply seven (7) copies of all required documents (1 original & 6 copies)

Property owners within 300 feet of this property will be notified by US mail of this variance request

The general public will be notified of this variance request by publication in a local newspaper.

Application must be submitted by the first of the month to have the request heard the following month.

Application and fee can be sent to:

Zoning Administrator
Hayes Township
09195 Old US 31 N.
Charlevoix, MI 49720

231-549-6961

Zoning Administrator's Signature _____

DATE RECEIVED 8-20-25

CASE NO. 100825A

NOTE: The Township may need to inspect the layout of the building(s) and property to verify all application information. The signature of the applicant on this application authorizes the inspection of this property.

Zoning Administrator Report

To: Zoning Board of Appeals Hayes Township
From: Ron VanZee Zoning Administrator
Date: 11/12/2025

CASE NO: 100825A (for office use only)
APPLICATION DATE: August 20th 2025
NOTICE POSTING DATE: October 29th 2025
PUBLICATION DATE: November 1st 2025 (Petoskey News Review)
300ft NOTICE SENT DATE: **October** 29th 2025
APPLICANT(S)/OWNERS: Douglas Quada and Kathrine Keljo
SUBJECT ADDRESS: 7125 Nine Mile Point Dr. Charlevoix MI 49720
MAILING ADDRESS: 808 Chesterfield Birmingham, MI 48009
PARCEL NO: 15-007-400-013-00
ZONING: R1
PARCEL SIZE: Approximately 1.14acres (legal lot of record), Average Width is 82.5 feet, Average Length is 201.8 feet.

Setback Requirements: (Section 4.13 schedule of regulations)

Front: 50' from Ordinary High-Water Mark of Lake Michigan
Side: 15' minimum total side yard with no side yard less than 5'
Rear: 25'

Shoreline Protection Strip: (Section 3.14 Waterfront Regulations)

Lake Michigan: 50' from ordinary high water mark.

IMPERVIOUS SURFACE: Proposed construction is well below the allowed 35% impervious surface of the R1 Michigan Shores district.

REQUESTS:

1. Owner is seeking a variance of 12'-7 5/16" feet from Section 4.13 amendment Michigan Shores District regulations from the 50 foot front setback requirement to allow for the replacement of the current roof structure with a steeper pitched roof and include an energy heel to the trusses to meet current energy code requirements for insulation.
2. The owner is also seeking a variance from the non-conforming section 3.02.10. to allow for construction that will enlarge or alter the structure.
3. A proposed 444 Square Foot rear addition, that meets the current Hayes Township Zoning Ordinance setback requirements, however, adds to the spatial dimensions of the nonconforming structure.

NONCONFORMITIES:

Original principle structure constructed in 1973 prior to the Hayes Township Zoning Ordinance adoption, 1974 and encroaches in the current front setback requirement of 50 feet at the northeast corner of the house. Owner proposes to add an approximate 444 Square Foot addition to enclose an area between the existing principle structure and existing attached garage.

Section 3.02,2 Nonconformities, "This ordinance shall not prohibit the repair, improvement or modernization of a nonconforming structure to correct deterioration, obsolescence, depreciation and wear, provided the structure's spatial envelope (the building footprint and vertical profile) remains the same."

SHORELAND PROTECTION STRIP:

Shoreline Protection Strip proposed Site Plan has been submitted to the Shoreland Protection Strip committee and will be reviewed by the Planning Commission at their November meeting.

USE(S):

INTENT: The residential district is designed to accommodate and encourage single family residential development and associated uses, in keeping with the residential goals and policies specified in the Hayes Township Master Plan. The permitted uses are intended to provide for residential and related uses and those compatible with such, with the intent to keep residential areas relatively quiet and free from detrimental influences.

Site Visit 7125 9 Mile Pointe Drive, Charlevoix MI

October 20, 2025

As site visit was conducted by CT Martin, Roy Griffiths and Ron VanZee to review the proposed shoreland landscape plan submitted by Robinson's Landscaping for the Quada & Keljo residence. Pictures along with the plan were reviewed by Noah Jansen from Tip of The Mitt. This plan was done as part of a proposed renovation of an existing cottage.

The property is located in the Michigan shores overlay district and has Lake Michigan waterfront. The house was built before the current zoning ordinance was enacted and such is placed closer to the OHWM than is currently allowed. Previously permission was granted to install a hardened shoreline comprised of large boulders with landscape fabric behind them and fill sand was added to level the area.

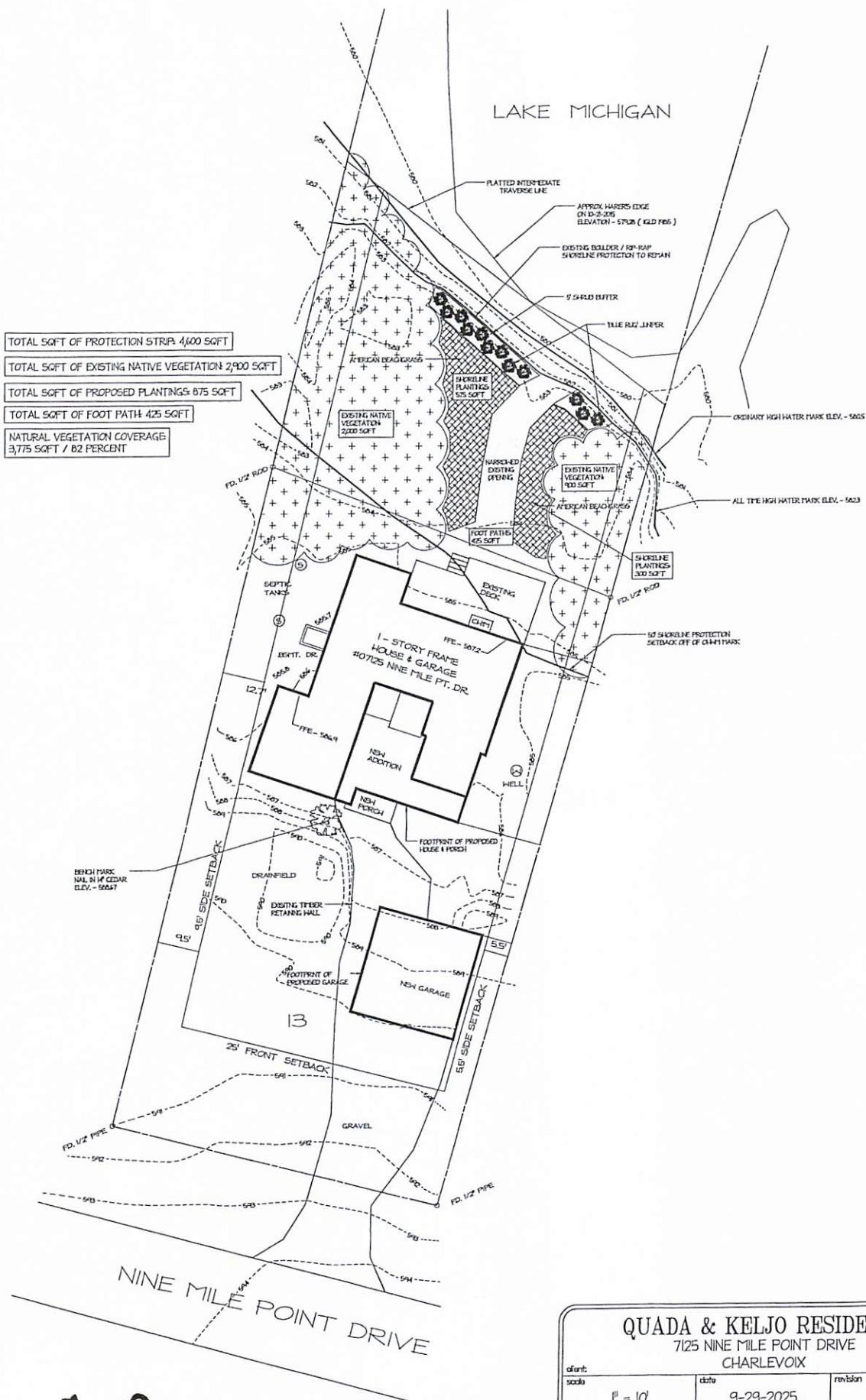
The existing landscaping has significant areas of thick natural trees, primarily cedar and pine with attendant undergrowth, and this growth extends down both sides of the property from the road to the shoreline. There are signs that water has washed out in small areas of sand behind the rock barriers. The center area of the property is open sand and no growth of any plants.

The proposed landscape plan consists leaving all the naturally occurring trees and vegetation combined with plantings of American beach grass designed to fill the open area except for a walkway of unspecified dimensions totaling 425 square feet to access the water. This open pathway appears to be consistent with the allowed 20% open area in the ordinance.

While the beach grass is an approved planting, it is thought that some additional low shrub plantings such as blue rug juniper or similar at the top of the rock barrier would help stabilize the potential for any further wash out of the soil. Noah Jansen has offered, "I agree that the proposed planting of beach grass meets the ordinance requirements and that adding in some shrubs at the edge of the riprap will reduce the risk of erosion in the long term as water levels rise and fall. I would recommend the shrub area extend a minimum of 5 feet from the top of the riprap for this purpose. In addition to the aforementioned 'Blue Rug' juniper, other options could include:

- Shrubby cinquefoil (*Dasiphora fruticosa*)
- Soapberry (*Shepherdia canadensis*)
- Northern bush honeysuckle (*Diervilla lonicera*)
- Bearberry (*Arctostaphylos uva-ursi*)
- 'Gro-Low' fragrant sumac (*Rhus aromatica* 'Gro-low')

This Plan meets the requirements of the ordinance.



TOTAL SQFT OF PROTECTION STRIP 4,600 SQFT

TOTAL SQFT OF EXISTING NATIVE VEGETATION 2,900 SQFT

TOTAL SQFT OF PROPOSED PLANTINGS 875 SQFT

TOTAL SQFT OF FOOT PATH 425 SQFT

NATURAL VEGETATION COVERAGE
3,775 SQFT / 82 PERCENT

QUADA & KELJO RESIDENCE 7125 NINE MILE POINT DRIVE CHARLEVOIX

client:	date:	revision:
scale:	9-29-2025	1
drawn by:	checked by:	drawing #:
ERC		

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Viewing Parcel Number: 007-400-013-00

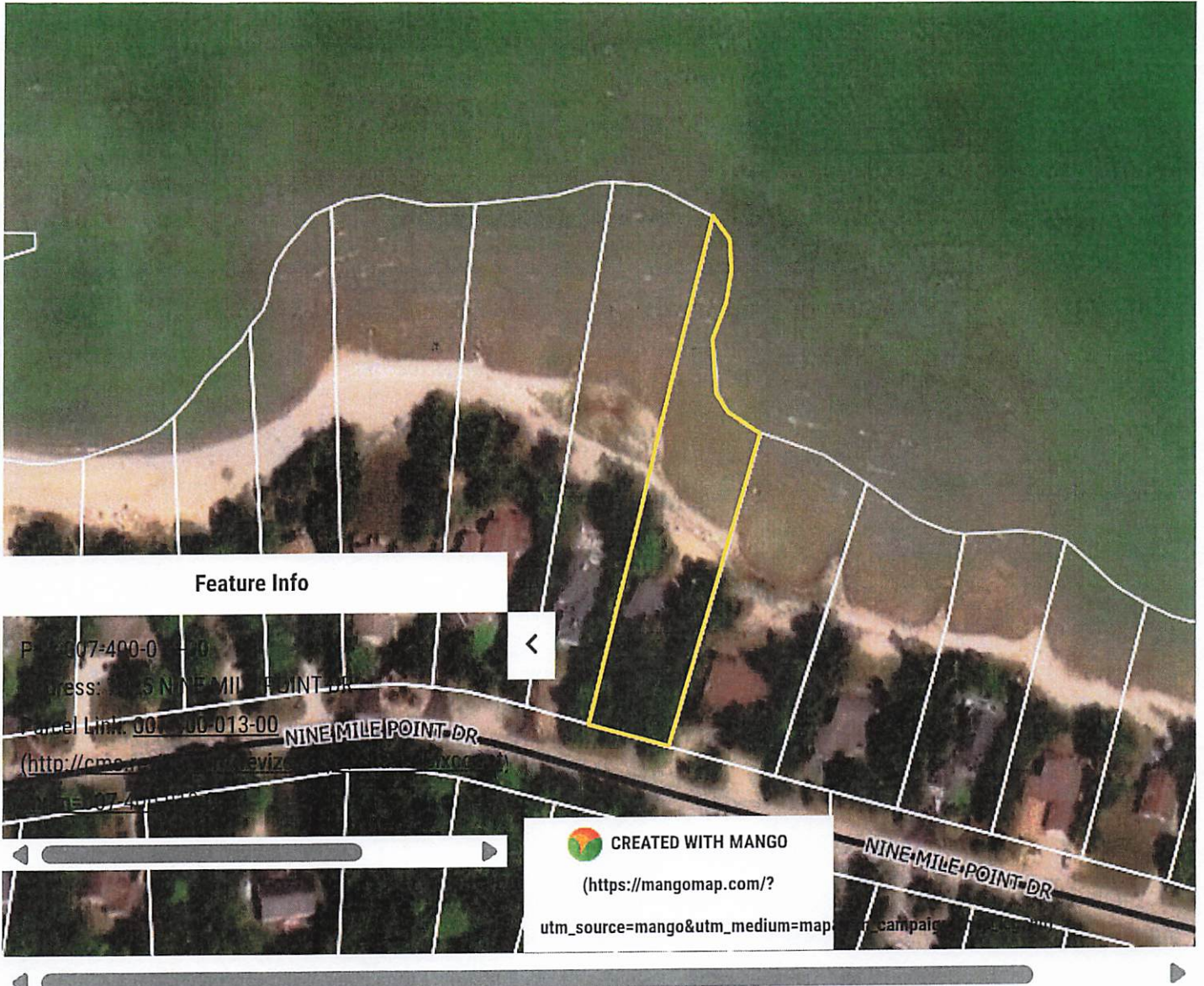
Parcel Details

Assessing City/Township:	Hayes Township
Property Address:	7125 NINE MILE POINT DR CHARLEVOIX, MI 49720
Owner Information:	QUADA DOUGLAS TODD & KELJO KATHRINE A [REDACTED] [REDACTED] BIRMINGHAM, MI 48009
Property Class:	401 - Residential - Improved
Taxable Status:	TAXABLE
School District:	15050 - Charlevoix
P.R.E. Percentage:	0%
Current SEV:	\$197,700
Current Taxable Value:	\$117,604
Prior Year SEV:	\$211,900
Prior Year Taxable Value:	\$114,068

Tax Description

MICHIGAN SHORES LOT 13.

[REDACTED]



Feature Info

P: 007-400-013-00
Address: 100 S NINE MILE POINT DR
Parcel Link: 007-00-013-00
(<http://cms.charlevoixcountymi.gov/parcel.php?parcel=007-00-013-00>)
007-00-013-00



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**Hayes Township
ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING**

**The Hayes Township Zoning Board of Appeals will
conduct a public hearing on Wednesday, November 19th, 2025 at
7:00 P.M.**

The public hearing will be held in the Hayes Township Hall, 9195
Major Douglas Sloan Road, Charlevoix, MI 49720.

The purpose of the
meeting is to hear the following application for a variance from the
requirements of the Hayes Township Zoning Ordinance, as amended (April 9th, 2018).

In the Matter of: Douglas Quada and Katherine Keljo CASE #111925A

Charlevoix County Property Tax Identification Number 15-007-400-013-00, located on property commonly known as 7125 Nine Mile Point Dr. Charlevoix MI 49720. The applicant is seeking a 12'-7 5/16" variance from Section 4.13 amendment Michigan Shores District regulations from the 50 foot front setback requirement to allow for the replacement of the current roof structure with a steeper pitched roof and include an energy heel to the trusses to meet current energy code requirements for insulation. A proposed 444 square foot rear addition, that meets the current Hayes Township Zoning Ordinance setback requirements, adds to the spatial dimensions of the nonconforming structure.

To accomplish this project the applicant is seeking a variance from the non-conforming section 3.02.10 to allow for construction that will enlarge or alter a non-conforming structure.

Interested parties may comment in person at the meeting or comment in writing to:

Hayes Township Zoning Board of Appeals, 9195 Major Douglas Sloan Road,
Charlevoix, MI 49720, (231) 547-6961, or zoning@hayestownshipmi.gov.

Written comments must be received by 4 p.m. on November 18th, 2025.

April Hilton, Hayes Township Zoning Administrator assistant (zoning@hayestownshipmi.gov)



clerk hayestownshipmi <clerkhayestownshipmi@gmail.com>

Thank you for placing your order with us.

1 message

Petoskey Legals <PetoskeyNRLegals@gannett.com>

Wed, Oct 29, 2025 at 12:23 PM

To: clerkhayestownshipmi@gmail.com

THANK YOU for your ad submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

We appreciate you using our online self-service ads portal, available 24/7. Please continue to visit Petoskey News-Review's online Classifieds [HERE](#) to place your legal notices in the future.

Deadlines vary by publication, changes and/or cancellations may not be honored due to deadline restrictions.

Job Details

Order Number: **LPET0398822**
Classification: **Govt Public Notices**
Package: **General Package**
Additional: **1 Affidavit \$10.00**
Options: Total payment: **\$182.96**

Schedule for ad number LPET03988220

Sat Nov 1, 2025
Petoskey News-Review *All Zones*

Account Details

Hayes Township
9195 Major Douglas Sloan RD
Charlevoix, MI 49720-9053
231-347-2899
clerkhayestownshipmi@gmail.com
Hayes Township



Feature Info

IN: 007-400-013-00
Address: 7125 NINE MILE POINT DR
Parcel ID: 007-400-013-00
(<http://cms.revize.com/revize/apps/charlevoixcount>
pnum=007-400-013-00)

Measure

measure distances

Click to start drawing

DISTANCE 303

Reset

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300 foot notice
Sent via mail USPS 10-29-25



zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Zoning Appeal for case #111925A

1 message

Nancy Simon <lifecoachsimon@gmail.com>

Wed, Nov 12, 2025 at 11:14 AM

To: zoning@hayestownshipmi.gov

To the Zoning Board of Appeals

My husband and I have a residence at [6921 9 Mile Point Drive](#), a few lots from the property owned by Douglas Quada and Katherine Keljo. We are writing to tell you that we believe the requested variance SHOULD BE APPROVED.

The requested improvements are reasonable and appear to be necessary adjustments to the structure.

Respectfully,
Mike and Nancy Simon

Public Comment by LuAnne Kozma
9330 Woods Road, Charlevoix MI 49720

November 19, 2025

RE: Variance request by Quada/Keljo

I'm a Hayes Township resident with Planning and Zoning credentials. Last week I attended an all-day training held by EGLE called the "Michigan Coastal Management Program Coastal Leadership Academy." It's about planning and incorporating resiliency principles into community master plans and ordinances for making wise local development decisions on the waterfront.

Zoning regulations provide for public health, safety and welfare by managing land use decisions in risk-prone coastal areas.

The overlay district in Michigan Shores allows development extremely close to volatile Lake Michigan. On the Great Lakes you own a changing piece of land. Sometimes the lake claims some of it. The bottomlands are not owned by the property owner.

Coastal hazards are things like erosion, flooding, wave action, ice build up...

Dick Norton, professor at U of M who is one of the architects of the Coastal Resiliency program for Michigan communities, says: "The best solution is to start planning ahead and basically put shoreline property owners on notice. You have built in a place that's naturally giving into the lake. There will come a time that you need to pick up your structure and move it back.' It's easy to talk about in theory, but it's really hard to do in practice."

The Coastal program included a booklet with mapping tools.

I looked at the FEMA map for this address. The National Flood Hazard maps. You plug in the address. This house is on FEMA map #26029C0351D. It's located in Zone AE for Coastal hazards, a Coastal Flood plain. This house is already at risk by being in a flood zone. What kind of risk is it for ice crashing into the structure? On Lake Charlevoix I've seen 25 feet of ice crashing on our shore.

I think even if the ZBA thinks the new roof and rear addition this property owners wants to do are not increasing the nonconformity of the original house that is over 12' past the 50 feet line, I don't think it's wise for the ZBA to be granting variances to any house in Michigan Shores, with an already very-close-to-Lake Michigan setback of a mere 50 feet.

The overlay's new 50 foot structure setback was already half the original 100-foot setback. To go less than that is really putting structures at risk.

It's just unwise, to allow the township's housing stock to get too close to that lake. It's not just for the shoreland's benefit and the lake's benefit. It's also for the benefit of the housing stock itself.

Now, at the time of desired alterations, is the time for property owners in Michigan Shores to consider moving their house back, or otherwise altering the dimensions to remove that part of their house that extends into the 50 foot setback, to protect your own investment, as well as the shoreland.

HAYES TOWNSHIP ZONING BOARD OF APPEALS

Meeting Date:	November 19th, 2025
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Location:

Hayes Township Hall

[illegible]