



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

DATE : MAY 29, 2025

GENERAL INFORMATION

Name of Property Owner(s) PICKLEBALL STORAGE LLC

Mailing Address 10855 PINCHERRY RD.

City CHARLEVOIX State MI Zip _____

Telephone UNKNOWN

APPELLANTS : (SEE ATTACHED APPEAL) PHELPS, TAYLOR,
LAVANWAY, WILLIS, FARY, MILLS,
VANWART, UMLOR
AND RUDDOLPH.

PROPERTY INFORMATION

Property Tax Code Number: 15-007- 112-030-10

Legal Address 10855 PINCHERRY RD

Nearest Road Intersection TOWNLINE AND PINCHERRY

Zone District AG

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

VARIANCE OR INTERPRETATION REQUESTED **APPEAL OF**
ZONING PERMIT # 25-04-06 ISSUED TO PICKLEBALL
Relief from the following Zoning Ordinance Section(s): **STORAGE LLC**
VIOLATION OF 3.05.8, 4.03, 5.02.4 ON
APRIL 31,
2025

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.

SEE
ATTACHED.

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.

SEE ATTACHED APPEAL AND EXHIBITS A-I

N/A

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.

N/A

DESCRIBE THE PRACTICAL DIFFICULTY THAT EXISTS
(What are the unique conditions of your situation)?

N/A

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
other parties have would be affected if your variance is denied?

N/A

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?

N/A

APPLICANT'S STATEMENT AND AUTHORIZATION

AGENT'S SIGNATURE

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.).

N/A

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.

APPEAL

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

Owner(s) Signature: N/A

Date: N/A

Applicant(s) Signature: Jonathan Scheel

Date: 5-29-25

AGENT FOR APPELLANTS, JONATHAN SCHEEL

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

APPEAL

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

APPEAL

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

SUBMITTED MAY 29, 2025 IN PERSON.

Application and fee can be sent to:

SOG N, DIVISION RD.
PEROSKEY, MI 49774

jszoning@gmail.com
231-342-9025

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

231-549-6961

Zoning Administrators Signature

[Signature]

DATE RECEIVED 11-10-2025

CASE NO. 022526A

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 Board of Appeals Process - Additional Applicant Information

The purpose of the Hayes Township Zoning Ordinance is to promote the public health, safety and general welfare of the township. It encourages the use of lands in accordance with their character and adaptability and limits the improper use of land; controls sprawl and maintains rural character; controls congestion on the public roads; facilitates infrastructure and considers the character of each zoning district.

It is impossible to write the perfect ordinance that covers every conceivable use, configuration, size, water features, environmental aspects, terrain or non-conformities. Thus, the Zoning Board of Appeals was established by the Michigan Zoning Enabling Act for:

1. Interpretation of the zoning map.
2. Interpretation of the ordinance text.
3. Decisions made by the zoning administrator. **APPEAL OF ZONING PERMIT**
4. Decisions made for enforcement of zoning.
5. And, anything else referred to the appeals board or that the township ordinances indicate can be appealed to that board.

The Zoning Board of Appeals is made up of five Hayes Township residents who volunteer their time to serve their community. There are five members so that different perspectives are taken into account in an effort to be fair to the applicant. The Zoning Ordinance is law. The Zoning Board of Appeals has the responsibility to enforce the ordinance (the law) unless there are unique or special circumstances that may prevent the applicant from using his or her property if the strict compliance of the ordinance is required. A good example might be a highway that has a minimum speed limit. The law says the minimum speed limit is forty five miles per hour, but if the road is covered with ice, is it unreasonable for someone to go slower? The Zoning Board of Appeals is the board that considers all factors to decide if the zoning ordinance requirements are unreasonable for a specific use or property.

The process for interpretation, deliberation and decisions of the Zoning Board of Appeals is dictated by the State Zoning Enabling Act, is adopted as law by the township, and is incorporated in Article VIII of the Hayes Township Zoning Ordinance. Section 8.07 of the Zoning Ordinance outlines the five point criteria the board is required to use. Listed below are those five criteria with some further explanation:

- 1) The need for the requested variance is due to unique circumstances or physical conditions of the property involved that do not apply generally to other properties in the surrounding area and/or zoning district, such as narrowness, shallowness, shape, water or topography and is not due to the applicant's personal or economic hardship.

There are several properties in the township that do not meet the minimum requirements of the current zoning ordinance, or that have unique features, making it difficult to meet the yard setbacks. The board may only consider a hardship/unique circumstance as it relates to the physical conditions of the property. They cannot consider personal hardships.

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

A self-created hardship is an action taken by an individual that causes their property or use to no longer meet the requirements of the zoning ordinance. A couple of examples might be: building too close to a property line or selling part of the property.

The Zoning Board of Appeals must always assume a buyer purchased the land knowing the property did or did not meet current zoning requirements.

- 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 any permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

A variance can only be granted for circumstances unique to the property as listed above. A variance cannot be granted for something unique to the property owner.

The Zoning Board of Appeals needs to figure out if there is a way to accomplish the same purpose without a variance. And, if denying the variance would prevent the owner from using the property for uses that are allowed by right within the zoning district.

- 4) Whether granting the requested variance would do substantial justice to the applicant as well as to other property owners in the district, or whether granting a lesser variance than requested would give a substantial relief to the property owner and be more consistent with justice to other property owners.

The zoning ordinance is not meant to take away all of an individual's property rights, however, when these regulations treat an applicant unfairly in relation to the unique aspect of the land or other properties in the vicinity, the Zoning Board of Appeals may look at relaxing the requirements of the ordinance. The Zoning Board of Appeals must first decide whether a lesser variance could accomplish the same or fair benefit. The Zoning Board of Appeals is required to stay as close to the zoning ordinance as possible.

- 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.

The zoning ordinance was adopted to allow organized and planned development while protecting properties and uses of properties. The ordinance and the reasons for having the ordinance should be respected in an effort to protect.

The Zoning Board of Appeals must consider all five criteria, review the application and materials provided with the application, discuss information gathered at site visits, consider Zoning Administrator and applicant presentations, comments made from the public, written correspondence, and property history when determining the "findings of fact". The findings of fact are then discussed to make a determination as to whether a variance should be granted or not.

The Zoning Board of Appeals follows the process outlined below:

- The Chairperson declares the public hearing open.
- The Zoning Administrator introduces the case and presents exhibits.
- The Applicant(s) are recognized and either they, or their agent, are allowed to present the case. *It is important for the presenter to understand that only the facts of the case as they relate to the property can be considered. Please remember that the Zoning Board of Appeals cannot consider personal or economic hardships.*
- Board Members report on their site inspections, if any and ask questions they may have for the Applicant(s) or the Applicant's agent.
- Discussion may take place between the Applicant(s)/agent and Board Members.
- Members of the public are given opportunity to speak to the case during public comment portion of meeting.
- Any written correspondence received about the variance, is read or has been included in member packets.
- Anyone can ask the Board questions regarding the Applicant's presentation or speeches that were given. The Board will attempt to obtain answers. Answers and questions must be addressed to the chairperson. In order to maintain order and ensure that all questions and comments are considered, no discussion, questioning and answering, shall take place between any two or more persons except between Board Members and whoever has the floor. *During this portion of the meeting it is important that the board and the members of the audience conduct themselves in a professional, respectful manner.*
- The Chairperson declares the public hearing closed. *The Applicant(s), their agent, and the general public are asked to not interrupt or distract the Board in any way as they begin deliberations on the case.*
- The Board reviews applicable sections of the Hayes Township Ordinance.
- The Board reviews the facts as known and discussion takes place gathering findings of fact until a member puts forth a motion that includes the findings of fact. With support of that motion, voting shall be by roll call and shall be recorded.
- The hearing is over and the board may take up any further business it may have pending, prior to adjournment.

Again, it is important that all persons show respect for each other understanding that the applicant has a personal interest, and the Board has a responsibility to uphold the Ordinance.

We encourage you to meet with the Zoning Administrator prior to the Zoning Board of Appeals meeting to answer any questions you may have about the meeting process. This can be done during the Zoning Administrators regular business hours, or 30 minutes prior to the scheduled meeting at the Hayes Township Hall.

Hayes Township
Office of Zoning Administrator
09195 Old US 31 N
Charlevoix, Michigan 49720
zoning@hayestownshipmi.gov U11 IJ11 & ;

Regular office hours are Mondays 8:00-12:00 and Wednesdays 12:00-4:00.
Please call if you would like to meet just prior to the meeting.

To the Hayes Township Zoning Board of Appeals

Appeal of Zoning Permit No. 25-04-06, issued to Pickleball Storage LLC on April 30, 2025 by Zoning Administrator Ron Van Zee

Date of appeal filed: May 29, 2025

Appellants' Names and Addresses

1. Darcy and Catherine Phelps, 6168 Bay Shore Woods Dr, Charlevoix, MI 49720
2. Mike Taylor and Summer LaVanway, 10523 Spring St, Charlevoix, MI 49720
3. Kevin Willis, 6095 Petoskey St, Charlevoix, MI 49720
4. Kim and Pat Fary, 10516 Seneca Ave, Charlevoix MI 49720
5. Christopher and Chelsea Mills, 10529 Townline Road, Charlevoix MI 49720
6. Shelly VanWart, 6017 Charlevoix St, Charlevoix, MI 49720
7. Carol Umlor, 6272 US 31 N, Charlevoix, MI 49720
8. JoEllen Rudolph, 9799 Townline Rd, Petoskey, MI 49770

We are filing an appeal for a Zoning Permit 25-04-06 issued 4/30/2025 to Pickleball Storage LLC located at 10855 Pincherry Road. We believe that the permit was issued in error and does not meet the standards of the Hayes Township Zoning Ordinance.

1. The majority of the building is pickleball courts, lounge and office space. None of these uses are uses allowed in the Agricultural Zone District.
2. The building does not meet the standards for Accessory Building as Principal Use in the ordinance because an indoor pickle ball court recreation facility is not an accessory to any permitted use in the Agricultural Zone District.
3. The Zoning Administrator did not properly assess the planned use of the building, as required in Section 5.02.4. "Pole barn" is not a use.

We submit this to the Zoning Board of Appeals as specified in the Zoning Ordinance Section 8.03.5 Jurisdiction. We have submitted 7 copies of the application packet to the Zoning Administrator, one copy to the Township Clerk, one copy to the Township ZBA Chair and one copy to The Township Supervisor. According to Section 8.03.6 the Zoning Administrator shall

transmit to the ZBA all the papers in the record documenting his actions to the ZBA members.

Included in our submission are copies of the completed application with supporting documents, and the \$935 fee. We have used the ZBA application available on the Township website, called "Zoning Variance Application" and filled in the required information for the appeal.

According to Zoning Ordinance Section 8.04, the ZBA's powers, "the Zoning Board of Appeals may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appeals from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the official or body from whom the appeal is taken."

We ask the ZBA to reverse wholly the decision and make an order to revoke the permit and notify the owner in writing, for the reasons stated and discussed below.

Michigan Zoning Enabling Act (MCL 125.3604(3)) states:

"An appeal to the zoning board of appeals stays all proceedings in furtherance of the action appealed."

The Hayes Zoning Ordinance Section 8.11 states the same:

"An appeal to the Zoning Board of Appeals and an appeal of a decision by the Zoning Board of Appeals to Circuit Court stays all proceedings of the action appealed from, including the effectiveness of any zoning permit issued, unless the Zoning Administrator certifies to the Zoning Board of Appeals after such an appeal has been filed that a stay would cause imminent peril to life or property, in which case the proceedings shall not be stayed, unless ordered stayed by the Zoning Board of Appeals or the Circuit Court."

In light of the above two laws, we request that the ZBA, which during a ZBA case has "all the powers of the official...from whom the appeal is taken" to issue a Stop Work Order to Pickleball Storage LLC to stay all proceedings and construction at the site immediately upon receiving this Appeal of the Permit.

In addition, according to Section 9.02.6, the Zoning Administrator “shall have the power to revoke or cancel any Zoning Permit in case of failure or neglect to comply with the provisions of the Ordinances...The owner shall be notified of such revocation in writing.”

Facts as we find them. We ask the ZBA to find the same:

1. Zoning Permit # 25-04-06 was issued by the Zoning Administrator Ron Van Zee on April 30, 2025 to Pickleball Storage LLC on parcel number 15-007-112-030-10 for the erection of a “new 138’ x 81’ Personal Storage Accessory Building as the principle use on the parcel as allowed in section 3.05.8 of the Hayes Township Zoning Ordinance.” There is no mention of pickle ball courts on the Zoning Permit.
2. Parcel 15-007-112-030-10 is 16 acres and owned by Pickleball Storage LLC, W229 N2512 Duplainville Rd, Waukesha, WI 53186. Property address is 10855 Pincherry Road, Charlevoix MI in Hayes Township.
3. Parcel 15-007-112-030-10 is zoned in the Agricultural District (A) in Section 4.03 on the Zoning Map in the Zoning Ordinance. It is a vacant parcel.
4. Pickleball Storage LLC applied for a Building Permit from Charlevoix County Building Department and submitted detailed plans for the site and building construction, as well as soil permit and health department applications. The building permit was issued on May 14, 2025 for “pickleball courts and storage.” The permit indicates the building would be a 12,474 [square feet] total area.
5. A floor plan submitted to the Charlevoix County Building Department dated 2-12-25, shows the “Interior Layout” for the proposed building. The plan shows:
 - Two “Racketball” courts 1 and 2, measuring approximately 42’ x 80’ each for a total area of approximately 6,720 square feet.
 - One “Shop Storage Garage-Unoccupied” measuring approximately 53’8” x 80’ for a total area of approximately 4,266 square feet.
 - One “Lounge Room” approximately 20 feet by 40 feet or 800 square feet, in an attached structure to the main structure.

- A Mechanical Room and Bathroom in the same attached structure to the main structure.

6. The “racketball” courts are labeled “A3 Occupancy” which in International Construction Code is for Assembly Group A-3. The ICC Assembly Group A-3 “includes assembly uses intended for worship, recreation or amusement ... including but not limited to . . . indoor tennis courts without spectator seating.”

7. The “Shop Storage Garage” is labeled as “S-2 Occupancy.” It is unclear what type of storage the garage unit would be used for. The ICC indicates Storage Group S-2 occupancies “include, among others, buildings used for the storage of noncombustible materials” that have a “negligible amount of plastic trim, such as knobs, handles or film wrapping.”

8. Based on the Floor Plan, the majority (approximately 6,720 out of 12,474 square feet or 54%) of the building, is dedicated to the recreational activity of pickle ball, not storage. If the lounge is taken into account for servicing the pickle ball activity, 7520 out of 12,474, the percentage for assembly is 60%. Pickleball players might need a lounge however, stored items in a garage do not.

9. On the Site Plan the “Lounge Room” attached structure is labeled an “Office” and is located at the front of the building facing Pincherry Road. The Site Plan and the Elevation Drawing makes the building appear commercial in nature.

10. The building fits the definition of “Club” in the ordinance. A “club” is not a permitted principal use, and is not an accessory to any of the permitted principal uses in the Agricultural District.

11. The Building Permit indicates the building will be air conditioned.

12. The Site Plans indicate that the building has three “wings” with separate dimensions. One “wing” has the dimensions “81’-0” x 138’-0” x 20’4” ICH.” The other two wings have additional dimensions as attachments to the main structure. The Permit issued only permits the “wing” that is 81 x 138 feet and not the two other “wings.”

13. Pickleball Storage LLC is a corporation formed on January 22, 2025 with the State of Michigan. There is no registered agent currently filed for the LLC.

14. The site plan shows 11 parking spaces which indicates expectations of numerous visitors implying storage of a single boat is not the intended main use.

Timeline of When Documents were Created and Decisions Made

Timeline	
Dates in 2025	Document or Action
January 22	Pickleball Storage LLC incorporates with State of Michigan
Feb 6	Performance Engineer's "Marriott Site Plan" reviewed by Owner. Owner identified as Rieth-Riley
Feb 12	Wick Building Plan Set created, including Floor plan, Elevations. 31 pages in all.
March 6	Performance Engineer's "Marriott Site Plan" and "Septic Plan" submitted to Zoning official; shows "basis of design" as "country club."
March 12	Performance Engineer's Marriott Site Plan says "Construction Set" on this date
March 26	Performance Engineer's Marriott Site Plan says "Revisions Per Zoning"
April 3	Warranty Deed recorded with Charlevoix County, conveying parcel from Rieth-Riley Construction to James R. Marriott
April 4	Quit Claim deed executed by James R. Marriott
April 7	Soil Erosion Permit applied for and signed by James R. Marriot and agent Keith Pinkelman. Estimate the project to start April 25.
April 9	Zoning Administrator's April Report reports "Received Zoning Application for 138x 81 accessory structure as the principle use at 18055 Pincherry rd. Waiting for additional information from applicant to proceed."
April 10	Quit Claim deed recorded by Charlevoix County Register of Deeds
April 15	Charlevoix County Building department received soil erosion fee from Lynnman Construction
April 30	Soil Erosion Permit issued by Charlevoix County
April 30	Water well permit issued by Health Department
April 30	Zoning Permit Issued by Hayes Township's Zoning Administrator
May 1	Building Permit applied for by Lynnman Construction, signed by Thomas Flynn
May 5	Plan Review by Charlevoix Building Department signed by John Cochrane
May 14	Building Permit issued by County
May 19	Construction began, approximately

Analysis of Zoning Permit #25-04-06 as to Zoning Violations

We looked at Zoning Ordinance Sections: 1.02 Purpose, 2.02 Definitions, 3.04 Principal Uses, 3.05 Accessory Buildings, Zoning Map, 4.03 Agricultural District, 5.01, 5.02 and 5.03 Site Plan Review, 6 Special Use Permits, 7.01.14 Recreation Areas and Facilities, and 9.07.1 Nuisance Per Se.

In the Definitions sections we looked at these definitions:

Accessory Building or Structure: Any building or structure that is customarily incidental and subordinate to the use of the principal or main building or structure, or a structure which is intended to be supplemental to an allowed use to be added in the future; accessory structures shall include, but are not limited to, accessory buildings, personal freestanding television and radio reception antennas, satellite dishes and signs. An accessory structure attached to a main building or structure shall be considered part of the main structure.

Accessory Use: A use naturally and normally incidental and subordinate to the main use of the land or building.

Agriculture: The act or business of cultivating or using land and soils for the production of crops for the use of animals or humans and includes, but is not limited to, purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry. Flower, vegetable or other gardens maintained only for the property owner(s) use and/or enjoyment are not considered agricultural.

Boat and/or Canoe Livery and Boat Yard: A place where boats and/or canoes are stored, rented, sold, repaired, docked and serviced.

Club: Buildings and facilities owned or operated by corporation, association, person or persons, for social, educational, or recreational purposes.

Dwelling Unit: A single unit building, or portion thereof, providing complete independent living facilities for one (1) family for residential purposes, including permanent provisions for living, sleeping, heating,

cooking, and sanitation. In no case shall a travel trailer, truck, bus, motor home, tent or other such portable structures be considered a dwelling unit.

Dwelling, Single-Family: A building or portion thereof, containing one (1) dwelling unit that is occupied by only one (1) family.

Family: An individual, a collective number of individuals related by blood, marriage, adoption, or legally established relationships such as guardianship or foster care, or a collective number of unrelated individuals whose relation is of a permanent and distinct domestic character who occupy a single dwelling and live as a single nonprofit housekeeping unit with single culinary facilities. A family, however, shall not include any society, club, fraternity, sorority, association, lodge or group of individuals, whether related or not, whose association or living arrangement is temporary or resort-seasonal in character or nature.

Farm: All of the contiguous neighboring or associated land operated as a single unit on which bona fide agriculture is carried on directly by the owner-operator, manager, or tenant-farmer by his own labor or with the assistance of members of his household or hired employees.

Garage-Private: A building used primarily for the storage of vehicles for the use of the occupants of a lot on which such building is located.

Garage-Public: A building, or part thereof, designed or used for equipping, servicing, repairing, hiring, storing, or parking motor vehicles. The term repairing does not include the rebuilding, dismantling or storage of wrecked or junked vehicles.

Home Business: A profession or occupation, or trade that is accessory to a principal residential use conducted within a dwelling or residential accessory building. Home businesses fall into two classifications defined below:

Home Occupations: A profession or occupation conducted within a dwelling, or an attached garage, which is clearly incidental and secondary to the use of the lot, or dwelling for residential purposes.

Home occupations are regulated by Section 3.15.1. **Cottage Industry:** An occupation or trade conducted within a detached residential accessory structure, which is clearly incidental and

secondary to the use of the lot, and dwelling for residential purposes. Cottage industries are regulated by Section 3.15.2.

Living Space: A conditioned space used for or intended for human occupancy.

Park: Properties and facilities owned or operated by any governmental agency, or owned or operated by any private agency, which are open to the general public for recreational purposes.

Principal Use: The main use to which the lot is devoted and the primary purpose for which the lot exists.

Recreational Unit: Means a vehicular-type unit, primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. Recreation unit shall include "Travel trailers", "Camping trailer", "Motor home", "Truck camper", "Slide-in-camper", and "Chassis-mount camper" as defined in Act 171 of the Public Acts 1970, as amended. A recreational vehicle is not a mobile home or manufactured home as defined under this ordinance or under Section 2 of the Mobile Home Commission Act.

Recreational Vehicle: see Recreational Unit.

Site Plan: The drawings and documents depicting and explaining all salient features of a proposed development so that it may be evaluated according to the procedures set forth in this ordinance, to determine if the proposed development meets the requirements of this Zoning Ordinance.

Special Use Permit: A permit grant with approval by the Township Planning Commission for a use of land in a district that does not conflict with any other permitted land use in the district when such a special use is specified in this Ordinance for that district.

Use: The lawful purpose of which land or premises, or a building thereon, is designed, arranged, or intended, or for which it is occupied, or maintained, let, or leased, according to this Ordinance.

Zoning Permit: A zoning permit is written authority as issued by the Zoning Administrator on behalf of the Township permitting the

construction, moving, exterior alteration or use of a building or land in conformity with the provisions of this Ordinance.

The permitted building has the majority (53%) of its indoor space to be used for assembly activity for recreation on two indoor pickle ball courts, and therefore should be considered as a pickleball recreational facility. The use of the "lounge" room as an accessory to the pickle ball activity adds more square footage making the facility 60% for pickleball and lounging. Instead, the Zoning Administrator considered the use of the building as only a "personal storage accessory building" without taking into account the much larger space dedicated to pickleball activity.

According to Section 5.02, "The Zoning Administrator shall require that all applications for Zoning Permits, which do not require a site plan, be accompanied by plans and specifications including a Plot Plan, drawn to scale, showing the following: . . . (4) The existing and intended use of the lot and all such structures upon it . . ." "Pole barn" is not a use, it is a type of structure.

Indoor multiple pickleball court facilities are not an accessory use or accessory building, according to the definitions in the ordinance, that is "naturally and normally incidental and subordinate to" any of the permitted uses on Agricultural Zoned property in Section 4.03 of the Zoning Ordinance. Unlike the residential and commercial Zoning districts in Hayes Township, the Agricultural District does not permit "parks, playgrounds, recreational areas and community centers" by right or by Special Use Permit.

The "lounge" is elsewhere in the plans labelled an "office." An office or lounge attached to a two-court pickleball indoor facility is also not an accessory use because neither is "naturally and normally incidental and subordinate to the principal use" of a single-family dwelling or any other permitted use on an Agriculturally zoned property.

While Section 3.05.8 allows for one "Accessory Building as a Principal Use" per lot if four requirements are met, meaning a stand-alone accessory building can be the only use of that parcel, it is not carte blanche to allow any kind of accessory building on any parcel regardless of zoning. It states:

Accessory Building as a Principal Use, except on small parcels

One (1) accessory building as a Principal Use shall be allowed per lot in all districts when all of the following are met:

- Parcel is at least one (1) acre in size.
- Parcel meets the lot area and width requirements specified Section 4.13, or is a nonconforming lot of record.
- Front and rear minimum setbacks shall be one hundred (100) feet; and side minimum setback shall be twenty-five (25).
- Accessory building maximum size and height shall comply with the provisions of the chart in Section 3.05.7.

This clause (Section 3.05.8) is commonly used or applied when a property owner builds, for example, a storage shed or workshop prior to building a single-family dwelling. The shed is the principal use until the single-family dwelling is built, and then it reverts to being an accessory use to the principal use.

“Accessory use” is defined in Section 2.02 as a “use naturally and normally incidental and subordinate to the main use of the land or building.”

Looking at the Agricultural Zoning section 4.03 and definition of Agriculture in 2.02, an “accessory use” or structure containing multiple pickle ball courts in an enclosed facility violates the Intent Section of the Agricultural District (Section 4.03.1) “The Agricultural District is designed to promote the use of wooded and rural areas of the Township in a manner that will retain the basic attractiveness of the natural resources and provide enjoyment for both visitors and the community at large. The primary intent of the District is to hold the rural Township areas for agriculture and forestry purposes and to allow some multiple uses of marginal farm-forest lands. Residential uses are considered secondary in this district.”

The Elevations drawing shows the building resembles a commercial or industrial building. An “office” and 11-car parking lot also has a commercial character. A multiple-court pickle ball enclosed indoor facility does fall under “Recreational Areas and Facilities” in Section 7.01.14,

which states "No such facilities shall have a commercial appearance or be of a commercial character." Such facilities also are "subject to findings that the uses are compatible with the surrounding residential area." This Site Specific Standard was to be applied in a Special Use Permit hearing.

Of the permitted principal uses in the Ag zoning, Section 4.03.2 subsections A through G, the permitted building is not a single family dwelling, a roadside stand, an agricultural warehouse or non-animal processing plant, a plant nursery or greenhouse, an antenna, or a home occupation conducted completely inside the residence. A multi-court pickleball indoor facility is not an accessory building or use "customarily incidental" to any of the permissible uses.

Evaluating the plans and the Definitions section of the Zoning Ordinance, we believe that the building is not for Agriculture or furthering or enhancing the purpose of Agriculture, is not a Boat Yard, not a Dwelling Unit, not a Farm, nor is it a Garage Private or Public as the storage does not indicate vehicles and the Ordinance does not specify that a boat is a vehicle. The property owner is a corporation, therefore it cannot be a Home Business in that it is not a Home Occupation conducted within a dwelling, and not a Cottage Industry. It is possibly "Living Space" because the pickleball areas would be air conditioned, according to the Building Plans, for "human occupancy" however the occupancy is not for "dwelling" but rather for assembly for playing pickleball. It is not clear if the building is open to the public, but a 11-car parking lot is an indication that it is not an accessory use for one single-family dwelling. The building or its contents are not a Recreational Vehicle.

Pickleball Storage LLC is a corporation, not a "family" as specifically prohibited in the Ordinance definition of family, that could occupy a Single-family dwelling or any accessory buildings to such a dwelling.

The definition of "Club" seems to fit this building: "Buildings and facilities owned or operated by corporation, association, person or persons, for social, educational, or recreational purposes." A "club" is not an "accessory use" that is "naturally and normally incidental to" the permissible principal uses by right or special uses available in the Agricultural Zone (4.03). Only the General Commercial District, C-2 in Section 4.11 allows "Civic, social and fraternal organization facilities" and no zoning district allows "clubs" by right as clubs are defined in the Ordinance. The Agricultural district allows "golf courses and country

clubs” only by Special Use Permit. A building “accessory” to golf course or country club would also require a Special Use Permit. “Health clubs” and tennis courts are mentioned only in the Planned Unit Development section of the Ordinance. The Pickleball Storage LLC parcel is not a PUD. Therefore, we conclude that a Club cannot be an accessory use, therefore not permissible as an “accessory building as a principal use” under 3.05.8. We fail to see what a multi-court indoor pickleball facility would be accessory to, in the Hayes Township Zoning Ordinance.

Looking at other Ordinance sections, in 1.02, the purposes are to “encourage the use of lands in accordance with their character and adaptability and to limit the improper use of land; control sprawl and maintain rural character, control congestion on the public roads” and “consider the character of each district, its suitability for particular uses, the existing property values and natural resources, and the general and appropriate trend and character of land, building and population development.” We contend a pickleball facility in an Agriculture-zoned district goes against the purpose section because it does not maintain rural character of the Agricultural District.

Section 3.04 Principal Uses states: “No lot may contain more than one (1) principal structure or use, except where specifically provided for in this Ordinance. Upon determination by the Planning Commission, groups of apartment buildings, offices, retail business buildings, agricultural structures, or other similar groups of buildings may be considered principal structures or uses.” We do not see any reference in the Zoning Ordinance that determines that groups of “agricultural structures” may include a combination of indoor pickleball courts, lounges, offices, and garage storage as “principal uses.”

Consideration of some Zoning Cases

We looked at the following Michigan case law involving “accessory use” and “principal use”:

- Dezman v Charter Township of Bloomfield (2024)
- Groveland Township v Jennings (1981)
- Jostock v Mayfield Township (2024)

- Posa v Charter Township of Northville (2024)

We also looked at Saugatuck Dunes Coastal Alliance v Saugatuck Township (2022)

The Groveland Township v Jennings case is an older case, prior to the passage of the Michigan Zoning Enabling Act, however, it establishes some principles about accessory uses:

An "accessory use" is generally defined as a use "which is clearly incidental to and customarily found in connection with and located on the same zoning lot as is the principal use to which it is related."

The general nature of an accessory use hinges on the meaning of the definitional terms "customarily incidental".

The nature of an accessory use is something less than a primary permitted use is demonstrated by a characterization of accessory uses as 'dependent on' or 'pertaining to.'

In the recent Dezman v Charter Township of Bloomfield case, the courts concluded that a resident in a Residential zone could not keep backyard chickens in an accessory building or keep chickens because it was not "accessory use" to the residential zoning.

The Lerner v Bloomfield Township case concerned a resident who worked out of her residence. The court held that her home occupation was not a permissible "accessory use" under the ordinance and clarified that the term "customarily incidental" is not the same meaning as treating the words "customary" and "incidental" as separate things.

The Court wrote:

On appeal, the main thrust of plaintiff's argument is that her home occupation of psychotherapy and social work is a permissible "accessory use" under the zoning ordinance. The controlling section of the zoning ordinance defines "accessory use" as a use which is "customarily incidental" to any of the permitted principal uses. Plaintiff conceptualizes the term "accessory use" as having two separate prongs: customary and incidental. She then attempts to satisfy these two elements by demonstrating that (1) it is customary (usual practice) for social workers to practice from their homes

and (2) her practice is incidental (subordinate) to the principal use of the home as a residence.

We disagree and find that plaintiff's approach of separately proving that her use is "customary" and "incidental" is mistaken. Plaintiff's activity must be "customarily incident" to the residential use, not merely customary and incidental. The term "customarily" modifies "incident" in the ordinance and does not stand on its own. None of plaintiff's authorities for the proposition that her practice is customarily done in homes is relevant to her claim that it is "customarily incident" to her residential use. The term "incident" is pivotal here.

The Lerner case (from 1981) cites a 1964 Texas decision as an example of a case that established what constitutes "accessory uses," Hardy v Calhoun, which held that an outdoor tennis court is an accessory use for a residential property for the occupants to enjoy.

In contrast, Pickleball Storage LLC is not a family as defined in the zoning ordinance that can occupy a single family dwelling or its accessory building, does not have a residential property in the Township, and does not have a single-family dwelling on Agricultural property that could have an accessory building or use. The facility is a very large, enclosed building with multiple courts, multiple uses, air conditioning, and an office or lounge—very different than the outside tennis court on a residential lot for use by a family in the Texas case.

The Lerner decision pointed out that cases where uses were found to be "accessory" or found to not be "accessory" differed:

In the first group of cases, the use in question enhanced the principal use of the property, and accordingly was found to be "accessory". In the second group, the use did not enhance the principal use of the property, and was found not to be "accessory". Even the language of plaintiff's cases on this issue reinforce this conclusion. The cases refer to a use . . . which is "factually subordinate", "ancillary", or "auxiliary" to the principal use. All of these suggest that the accessory use must depend upon the principal use. Applying these standards, "incidental" use in plaintiff's case would have to be one which furthers her use of the property as a residence. Her social work activity does not. Therefore, we affirm the trial court's conclusion that plaintiff's practice does not qualify as an "accessory use" of her residence."

Our view is the multiple-pickleball-court building with added storage garage, and lounge/office similarly does not enhance the principal use of any of the potential permissible primary uses of Agriculturally-zoned land in Hayes Township, and therefore cannot qualify as “accessory use.” The fact that there is no other building on the property, but it is vacant agricultural land, also does not enhance that use. To use both pickleball and storage as an “accessory use” to nothing at all—but as a principal use despite its Agricultural Zoning—does not comply with Section 3.05.8 of the ordinance. For 3.05.8 to mean that it is a “wild card” that enables anything at all to qualify in any district is misinterpreting that part of the Zoning Ordinance. The principal uses of each district must still apply each for their own.

The Posa v Charter Township of Northville case was brought by residents on residential property living next to a golf course. The golf course owned a nearby parcel on which it wanted to build a maintenance building for the golf course as an “accessory use” to the course. The Court decided that the maintenance building was indeed an accessory use to the golf course clubhouse, ruling against the residents. This outcome is easy to see, as a golf-related maintenance building was “customarily incidental” to a golf course.

Why Appellants Are Aggrieved of the Permit Decision

According to the Saugatuck Dunes court decision, ZBA’s have the task to determine whether an appellant is an “aggrieved person” by the Zoning Administrator’s decision to issue a regular Zoning Permit under section 3.05.8 of the Ordinance, for purposes of an appeal under MCL 125.3604(1). (The Zoning Administrator does not have the power to determine whether a person is aggrieved). We appeal this Zoning Permit decision because we meet the following criteria set in the Saugatuck Dunes court decision:

1. We are participating in the challenged proceeding by bringing this proceeding to the ZBA with our written appeal.
2. Our “legally protected interest or protected personal, pecuniary, or property right” has been affected by the Township using the wrong permitting process for this project, creating a nuisance per se that we are

living next to. The project has already received a building permit and construction, land clearing and excavation began around May 19. The Hayes Township Zoning Ordinance Section 9.07.1 describes a nuisance per se as:

Any land, dwellings, buildings or structures, including tents and trailer coaches, used, erected, altered, razed or converted in violation of this Ordinance or in violation of any regulations, conditions, permits or other rights granted, adopted or issued pursuant to this Ordinance are hereby declared to be a nuisance per se.

3. The evidence that we already have special damages is the construction of the nuisance per se has already begun, without the proper permitting review and without any conditions the Township could have placed on property owner for such things as hours of operation, number of parking spaces, drainage on the site, or any required landscaping buffers. The current Zoning Permit issued addresses none of the standards used for granting a Special Use Permit. We were deprived of a fair process that is intended for special land uses that “require individual review and approval standards in order to safeguard the general health, safety, and welfare of the Township” as the Purpose of Special Use Permits is for, (Section 6.01). As adjacent (Phelps, Taylor, LaVanway, Willis, Fary, and Mills) and nearby property owners (Umlor and VanWart), we were not able to provide comment on the provisions of the Special Use Permit process that is designed “to prevent conflict with or impairment of the other uses or uses permitted by right of the district.” (Section 6.02)

Additionally, Bay Shore residents have had disproportionate burdens due to the previous land use by H&D and Rieth-Riley mining operations for decades, in which industrial activity impacted our residential neighborhood. Since the 1980s, area residents litigated the mining operation. In recent years we sought future uses of the property compatible with our quiet residential neighborhood and compatible zoning to stabilize the neighborhood and restore peaceful enjoyment of our properties. For example, in 2022 we took part in a citizen petition drive requesting the Township review and revise the Future Land Use Map in the Master Plan, and to change the mining site parcels to residential use rather than industrial use. That effort led to the creation of an Advisory Focus Group, (that one of us sat on and many of us participated in), that

recommended a future use for the mined lands to be residential when mining was completed.

In Summary, we appeal to the ZBA to take the following actions:

1. Schedule and hold a ZBA public hearing as required by law to make all decisions, as a body, on our case.
2. During the hearing find appellants as “aggrieved persons.” As appellants we may add to our argument on this at the hearing or prior to it.
3. Find the facts as we have outlined above.
4. Conclude and decide that the Zoning Permit was issued in violation of the Zoning Ordinance because it did not comply with Section 3.05.8, “Accessory Use as Principal Use” because the parcel is zoned in the Agricultural District and according to Section 4.03 Agricultural Zoning, and the definition of “Club” in the ordinance, the building is a “club” owned by a corporation, and is not an accessory building or accessory use “customarily incidental to” any of the Permitted principal uses in 4.03.2 A through G. As a Club owned by a corporation, the project was subject to the Special Use Permit requirements of Article 6 of the Zoning Ordinance.
5. Using the powers of the ZBA as the zoning official from whom this appeal is taken, take the following enforcement actions:
 - Revoke the zoning permit wholly and notify the property owner in writing of the decision (Section 8.04)
 - Declare the building a Nuisance Per Se (Section 9.07.1) and;
 - Issue a Stop Work Order to the property owner (9.07.4)

EXHIBITS:

- A. Zoning Permit 25-04-06 to Pickleball Storage LLC
- B. Charlevoix County Parcel Map for parcel number 15-007-112-030-10
- C. Hayes Township Zoning Map from Zoning Ordinance

D. Registration for Pickleball Storage LLC and Quit Claim Deed of property owner

E. Pickleball Storage LLC Building Permit and Application

F. Site Plan by Performance Engineers. Plans including Floor Plan and Elevations by Wick Building.

G. International Construction Code sections on A3 and S2 types of building occupancies/structures

H. Photos of work at the site already underway taken on various dates in May 2025

I. Zoning Administrator Report, April 9, 2025

Court cases mentioned in our appeal are listed below but not attached. Available upon request.

Dezman v. Charter Twp. of Bloomfield, 360406 (Mich. App. Jun 27, 2024)

Hardy v. Calhoun, 383 S.W.2d 652 (Tex. Ct. App. 1964)

Groveland Twp. v. Jennings, 308 N.W.2d 259, 106 Mich.App. 504 (Mich. App. 1981)

Lerner v. Bloomfield Twp., 308 N.W.2d 701, 106 Mich.App. 809 (Mich. App. 1981)

Posa v Charter Township of Northville, Mich. App. April 18, 2024. No. 364349.

Saugatuck Dunes Coastal Alliance v Saugatuck Township, Mich. July 22, 2022. Nos. 160358-9.

A. Zoning Permit 25-04-06 to Pickleball
Storage LLC

HAYES TOWNSHIP

Zoning Permit

The permit must be visible from the highway frontage

*Any person willfully destroying this permit before the completion of this building
will be punished to the full extent of the law.*

Date 04/30/2025

Permit No. 25-04-06

ISSUED FOR THE ERECTION OF A

New 138'x81' Personal Storage Accessory Building as the principle use on the parcel as allowed in section 3.05,8 of

the Hayes Township Zoning Ordinance

Special Conditions

Location 10855 Pincherry rd. Charlevoix MI 49720

PIN 15-007-112-030-10

Owner Pickleball Storage LLC

Contractor

Lynnman Construction LLC

Ron VanZee
Zoning Administrator

B. Charlevoix County Parcel Map for parcel
number 15-007-112-030-10



TRANSLATE

Enter search terms...

SEARCH All County Documents | Departments | Boards, Commissions & Committees | Cities & Townships | Bids, Proposals & Items For Sale | How Do I...

Parcel Search & Mapping

HOME > PARCEL SEARCH & MAPPING

HOME

SEARCH ALL COUNTY DOCUMENTS

Parcel Search & Mapping

Parcel Map Search: Updated 05/05/2025
MOBILE FRIENDLY MAP - ADVANCED MAPNeed help navigating the mapping application? [CLICK HERE](#) to download our tutorial.

SEV and Taxable values displayed are tentative 2025 values. Values will be final after state equalization in May.

Parcel Search

Parcel Info

PIN: 007-112-010-10
Owner: PICKLEBALL STORAGE LLC
Owner Address: 17229 N2312 DUPONTVILLE RD
WAUKESHA, WI 53184
Property Address: 10555 PINCHERRY RD
CHARLEVOIX, MI 49720
Property Class: 302
School District: 24070
PAC: 0A
2025 SEV: \$44,500
2025 Taxable: \$15,514
Status: TAXABLE
GIS Estimated Acreage: 14
Parcel UIC: 007-112-010-10

NOTE: This map has a margin of error of +/-30 feet and is NOT meant to distinguish any legal boundary, CANNOT be used in place of a survey, and cannot be used for any legal representation of property lines.

Please contact Equalization at [231-561-3738](tel:231-561-3738) or equalization@charlevoix-county.org with questions/comments on this application, or for help using it.Parcel "Tax Roll" Search: Updated 05/05/2025
[CLICK HERE](#) for mobile friendly or full window version.

SEV and Taxable values displayed are tentative 2025 values. Values will be final after state equalization in May.

Charlevoix County Property Search

Parcel Number:

Owner Name:

Address Number:

Street Name:

City:

Property Class:

Taxable Status:

School District:

SEARCH

Note: [CLICK HERE](#) to change the mailing address associated with your property.Please contact Equalization at [231-561-3738](tel:231-561-3738) or equalization@charlevoix-county.org with questions/comments on this application, or for help using it.

Delinquent Tax Search

[CLICK HERE](#) to search for parcel or delinquent tax information through BSA's web site.

PARCEL SEARCH & MAPPING

[REQUEST ADDRESS CHANGE](#)[TOWNSHIP OFFICIALS](#)[ALL DEPARTMENTS](#)[IT & GIS](#)[REGISTER OF DEEDS](#)[TREASURER](#)

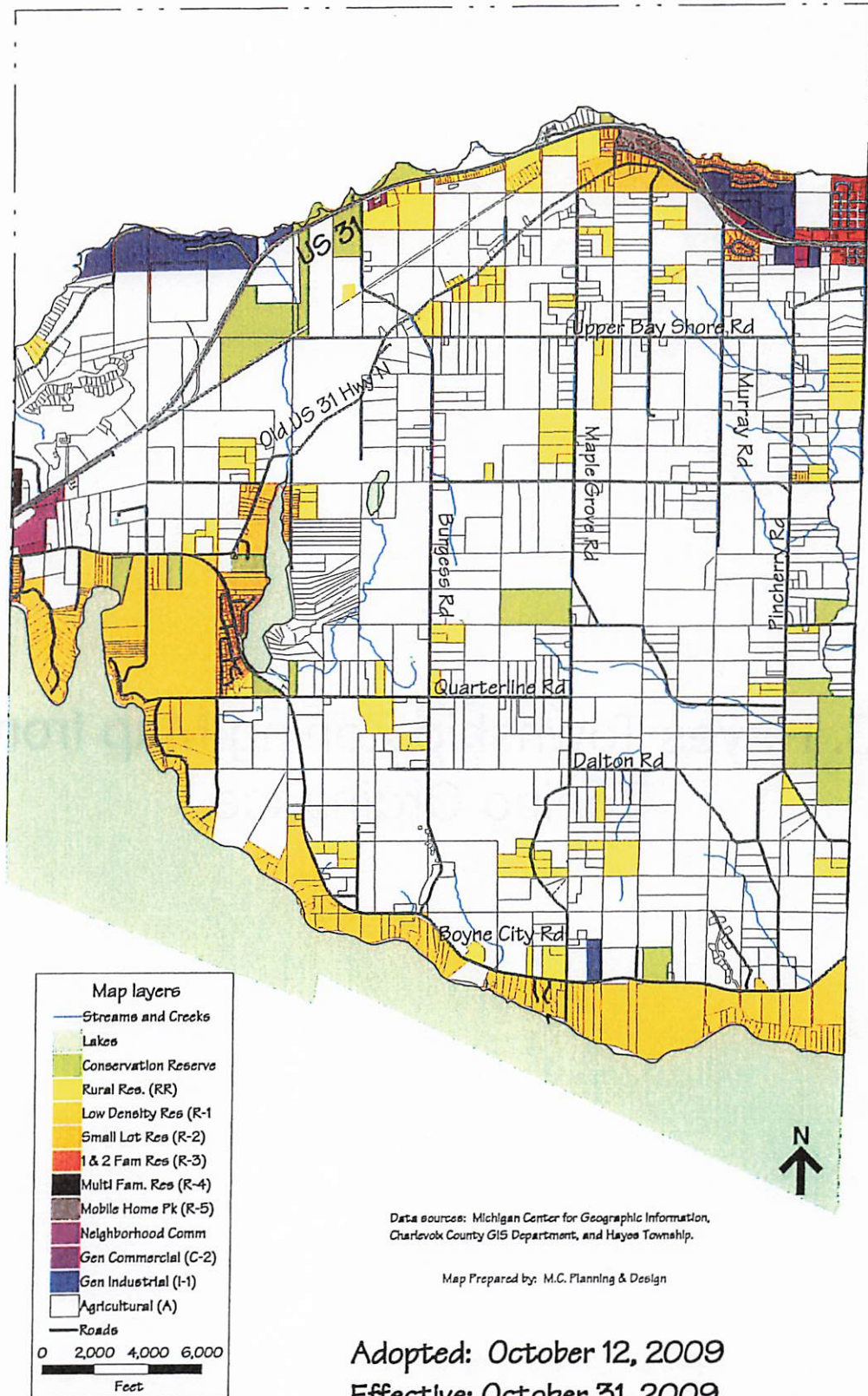
UPCOMING EVENTS

May 28, 2025
Charlevoix County Board of
Commissioner's MeetingMay 28, 2025
Materials Management
Planning CommitteeMay 28, 2025
Charlevoix County Jury BoardJune 2, 2025
reserved

C. Hayes Township Zoning Map from
Zoning Ordinance

HAYES TOWNSHIP ZONING MAP

Charlevoix County, Michigan



Adopted: October 12, 2009

Effective: October 31, 2009

D. Registration for Pickleball Storage LLC
and Quit Claim Deed of property owner

LARA Corporations Online Filing System

Department of Licensing and Regulatory Affairs

ID Number: 803330192

[Request certificate](#)

[Return to results](#)

[New search](#)

Summary for: PICKLEBALL STORAGE LLC

The name of the DOMESTIC LIMITED LIABILITY COMPANY: PICKLEBALL STORAGE LLC

Entity type: DOMESTIC LIMITED LIABILITY COMPANY

Identification Number: 803330192

Date of Organization in Michigan: 01/22/2025

Purpose: All Purpose Clause

Term: Perpetual

The name and address of the Resident Agent:

Resident Agent Name:

Street Address: 3410 BELLE CHASE WAY

Apt/Suite/Other: STE 600

City: LANSING

State: MI

Zip Code: 48911

Registered Office Mailing address:

P.O. Box or Street Address: 3410 BELLE CHASE WAY

Apt/Suite/Other: STE 600

City: LANSING

State: MI

Zip Code: 48911

Act Formed Under: 023-1993 Michigan Limited Liability Company Act

Acts Subject To: 023-1993 Michigan Limited Liability Company Act

Managed By:

Members

View filings for this business entity:

ALL FILINGS
ANNUAL REPORT/ANNUAL STATEMENTS
CERTIFICATE OF CORRECTION
CERTIFICATE OF CHANGE OF REGISTERED OFFICE AND/OR RESIDENT AGENT
RESIGNATION OF RESIDENT AGENT

[View filings](#)

Comments or notes associated with this business entity:

LARA Corporations
Online Filing System
Department of Licensing and Regulatory Affairs

Form Revision Date 02/2017

ARTICLES OF ORGANIZATION
For use by DOMESTIC LIMITED LIABILITY COMPANY

Pursuant to the provisions of Act 23, Public Acts of 1993, the undersigned executes the following Articles:

Article I

The name of the limited liability company is:

PICKLEBALL STORAGE LLC

Article II

Unless the articles of organization otherwise provide, all limited liability companies formed pursuant to 1993 PA 23 have the purpose of engaging in any activity within the purposes for which a limited liability company may be formed under the Limited Liability Company Act of Michigan. You may provide a more specific purpose:

Article III

The duration of the limited liability company if other than perpetual is:

Article IV

The street address of the registered office of the limited liability company and the name of the resident agent at the registered office (P.O. Boxes are not acceptable):

1. Agent Name: CSC-LAWYERS INCORPORATING SERVICE
2. Street Address: 3410 BELLE CHASE WAY
Apt/Suite/Other: STE 600
City: LANSING
State: MI Zip Code: 48911

3. Registered Office Mailing Address:

P.O. Box or Street Address: 3410 BELLE CHASE WAY
Apt/Suite/Other: STE 600
City: LANSING
State: MI Zip Code: 48911

Signed this 22nd Day of January, 2025 by the organizer(s):

Signature	Title	Title if "Other" was selected
James R Marriott	Organizer	

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

☐ Decline ☐ Accept

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
FILING ENDORSEMENT

This is to Certify that the ARTICLES OF ORGANIZATION

for

PICKLEBALL STORAGE LLC

ID Number: 803330192

received by electronic transmission on January 22, 2025 ***, is hereby endorsed.***

Filed on January 22, 2025 ***, by the Administrator.***

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 22nd day of January, 2025.

Linda Clegg

Linda Clegg, Director
Corporations, Securities & Commercial Licensing Bureau

L: 1430 P: 870 #2025-0001828 QC
RECEIVED FOR RECORD
STATE OF MICHIGAN, COUNTY OF CHARLEVOIX
JESSICA PORTER, REGISTER OF DEEDS
04/10/2025 11:01:38 AM PAGES: 2

MICHIGAN REAL ESTATE TRANSFER TAX
CHARLEVOIX County Tax Stamp #
04/10/2025 11:01:38 AM
Receipt# 25-2099 L: 1430 P: 870
State Tax: \$0.00 County Tax: \$0.00



BARRON TITLE AGENCY

QUIT CLAIM DEED

The undersigned Grantor, James R. Marriott,

whose address is: W229 N2512 Duplainville Rd., Waukesha, WI 53186,

Quit Claims and conveys to Grantee, Pickleball Storage, LLC a Michigan limited liability company,

whose address is: W229 N2512 Duplainville Rd., Waukesha, WI 53186,

certain real property situated in the Township of Hayes, Charlevoix County, Michigan described as:

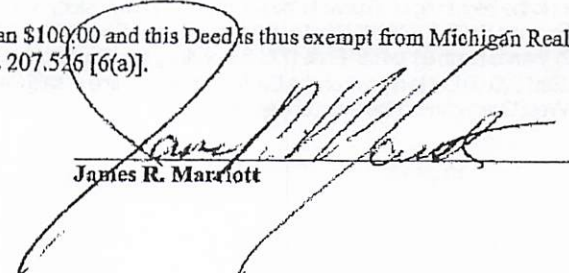
See attached Exhibit A.

The consideration for this Deed consists of a sum less than \$100.00 and this Deed is thus exempt from Michigan Real Estate Transfer Tax pursuant to MCL 207.505 [5(a)] and MCL 207.516 [6(a)].

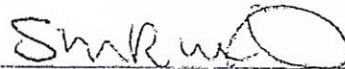
Effective Date: April 4, 2025

STATE OF Wisconsin

COUNTY OF Waukesha


James R. Marriott

The foregoing instrument was acknowledged before me this 4th day of April, by James R. Marriott.



Notary Public

Waukesha County, Wisconsin

My commission expires: 07/10/2025

DRAFTED BY/RETURN TO:
Daniel B. Barron, Esq.
(without opinion as to title)
Barron & Engstrom, PLC
P.O. Box 309
Charlevoix, Michigan 49710

Tax ID: 15-007-112-030-10

When recorded return to Grantee
Send subsequent tax bills to Grantee



EXHIBIT A
PROPERTY DESCRIPTION

The land referred to in this Document is described as follows:

Land located in the Township of Hayes, Charlevoix County, Michigan:

That part of Section 12, Township 34 North, Range 7 West, described as all that part of the Northeast Quarter of the Southeast Quarter of said Section 12, lying North of Pincherry Road as now located.

EXCEPT a parcel of land described as, Beginning at the East eighth corner on the East-West Quarter line of said Section 12; thence South on the East eighth line 520.00 feet; thence East parallel with said East-West Quarter line 330.00 feet; thence North parallel with said East eighth line 520.00 feet to said East-West Quarter line; thence West on said East-West Quarter line 330.00 feet to the Point of Beginning.

Being more particularly described as:

Beginning at the East quarter corner of Section 12, Township 34 North, Range 7 West, thence South 01°08'21" West 773.06 feet along the East line of said Section 12 to the North right of way line of Pincherry Road; thence along said North right of way line of Pincherry Road the next five courses: North 89°01'34" West 95.30 feet to the beginning of a curve to the right; thence Northwesterly 273.69 feet along the arc of a 644.62 feet radius to the right, longchord bearing North 76°51'47" West 271.64 Feet; thence North 64°41'58" West 273.64 feet to the beginning of a curve to the left; thence Southwesterly 634.97 feet along the arc of a 661.00 feet radius curve to the left, longchord bearing South 87°46'51" West 610.84 feet; thence South 60°15'34" West 129.43 feet to a point on the East eighth line of said Section 12; thence North 01°04'58" East 177.28 feet along said East eighth line; thence South 89°16'59" East 330.00 feet; thence North 01°04'58" East 520.00 feet to a point on the East-West Quarter line of said Section 12; thence South 89°16'59" East 1002.27 feet along said East-West Quarter line to the Point of Beginning.

E. Pickleball Storage LLC Building Permit and Application

CHARLEVOIX COUNTYDepartment of Building Safety
13513 Division St.

Charlevoix, MI 49720

Phone: (231) 547-7236

Fax: (231) 547-7250

Building**PERMIT**

PERMIT: PB2025-0222

DATE: 05/12/2025

APPLICANT

LYNNMAN CONSTRUCTION LLC

2482 W. LANSING RD.

MORRICE MI 48857

LICENSE #: 2102161951

LICENSE EXP: 05 31 2026

OWNER

PICKLEBALL STORAGE LLC

W229 N2512 DUPLAINVILLE RD

WAUKESHA WI 53186

LOCATION: 10855 PINCHERRY RD**CITY/TWP: HAYES****PROPERTY #: 15-007-112-030-10**

Dimensions: 12,150

Use Group: A3, S2

Const Type: 5B

Building Official Kevin Schlickau

Issued: 05/12/2025

REMARKS:

PICKELBALL COURTS AND STORAGE

Permit Item	Work Type	Fee Basis	Item Total
Administration	Standard Item	1.00	60.00
Commercial New Construction	Standard Item	12474.00	3,554.00
REMARKS:		Fee Total:	\$3,614.00
rept #229853, paid \$3,614.00, ck #20212, 5/12/2025		Amount Paid:	\$3,614.00
		Balance Due:	\$0.00

**CALL TO ARRANGE FOR INSPECTIONS (231) 547-7236**

A map of the area around the intersection of Highway 101 and Highway 102. The map shows the intersection, surrounding roads, and a small building labeled 'SUNSET INN'.

SHINING INFORMATION

[illegible]

LEGAL DESCRIPTION

CHERRY ROAD

PAGE 14
15 PAGES
MCMAN
007-11245-10

EAST WEST LINE OF SECTION 12

AST LINE OF SECTION 11

TOWNLINE ROAD
(10' WIDE R/W)

④ SITE PLAN

ENLARGED SITE PLAN

C100

PLAN

MARION
SHEPHERD

Performance Engineers, Inc.

Civil / Structural Engineering
408 Fetselaar Avenue Phone (211) 843-2121
Charlevoix, Michigan 49720 Fax (211) 847-5504
www.parkperformance.com

[illegible][illegible]

F. Site Plans by Performance Engineers,
Plans including Floor Plan and Elevations
by Wick Building

PAGE THREE, DEPARTMENT OF BUILDING SAFETY, BUILDING PERMIT APPLICATION

DIMENSIONS DATA:

		FLOOR AREA	EXISTING	ALTERATIONS	NEW
NON-RESIDENTIAL:		BASEMENT			
USE GROUP	52/A3	1 ST FLOOR	12,474		
CONSL. TYPE	5B	2 ND & ABOVE			
NO. OF OCCUPANTS		TOTAL AREA	12,474		

WILL THERE BE AN ELEVATOR? YES NO ☒

HAS "Barrier Free" BEEN ADDRESSED? YES NO NUMBER OF STORIES 1

WILL THERE BE FIRE SUPPRESSION? YES NO ☒

☒ DEMOLITIONS: (WRECKING) BUILDING SIZE: ☒

MOST RECENT USE OF STRUCTURE BEING ELIMINATED? (Example: Residence, Retail, Storage, Etc.)

PROPERTY TAX I.D. # 15- - - - -

ESTIMATED COST OF DEMOLITION? - - - - -

☒ RESPONSIBILITY:

APPLICANT IS RESPONSIBLE FOR:

- 1). SUBMITTING ALL REQUIREMENTS:
- 2). PAYMENT OF ALL FEES.
- 3). CALLING FOR ALL INSPECTIONS, INCLUDING FINAL OCCUPANCY.

ORDERED TO APPEAR HERE BY "PUBLIC ACT 230, of 1972, and 135 of 1989", State of Michigan

PLEASE READ BEFORE SIGNING.

I hereby certify that the proposed work is authorized by the Owner of record and that I have been authorized by the Owner to make the application as his AUTHORIZED AGENT, and WE AGREE to conform to all applicable laws of the STATE OF MICHIGAN. ALL INFORMATION SUBMITTED ON THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE.

ALSO READ

SECTION 23a OF THE STATE CONSTRUCTION CODE ACT OF 1972, ACT NO. 230, OF THE PUBLIC ACTS OF 1972, BEING SECTION 125,1523a OF THE MICHIGAN COMPILED LAWS, PROHIBITS A PERSON FROM CONSPIRING TO CIRCUMVENT THE LICENSING REQUIREMENTS OF THIS STATE RELATING TO PERSONS WHO ARE TO PERFORM WORK ON A RESIDENTIAL BUILDING OR A RESIDENTIAL STRUCTURE. VIOLATORS OF SECTION 23a ARE SUBJECT TO CIVIL FINES.

PERSON RESPONSIBLE: NAME: Lynnman Construction LLC

Please Print

MAILING ADDRESS: 2482 W. Lansing Rd Morrice, MI 48857

Street Address

City

State

Zip

☒ SIGNATURE OF APPLICANT/CONTRACTOR/AGENT - RESPONSIBLE PARTY.

SIGN HERE: Thomas Flynn

DATE: 5/1/2025

☒ NOTES:

*** MAKE CHECKS PAYABLE TO: DEPARTMENT OF BUILDING SAFETY***

PAGE TWO, DEPARTMENT OF BUILDING SAFETY, BUILDING PERMIT APPLICATION
COMPLETE ALL ITEMS THAT APPLY TO YOUR PROJECT

I] TYPE OF IMPROVEMENT:

NEW BUILDING X	PRF-MANUFACTURE	RELOCATION	SIDING
ADDITION	STATE	DECK	OTHER _____
REMODEL	MOBILE HOME	PORCH	
FOUNDATION ONLY	SET-UP HUD	ROOFING	
	DEMOLITION		

I] PROPOSED USE OF BUILDING
RESIDENTIAL

ONE FAMILY	ATTACHED GARAGE	EXIST NEW TOTAL
TWO OR MORE FAMILY	HEATED ()	
# OF UNITS _____	UNHEATED ()	
HOTEL, MOTEL	DETACHED GARAGE	#OF BEDRMS _____
# OF UNITS _____	HEATED ()	#OF BATHRMS _____
POLE BUILDING	UNHEATED ()	
SAME PROPERTY AS RESIDENCE	OTHER _____	

NON-RESIDENTIAL

CHURCH-RELIGION	PUBLIC UTILITY	TOWERS
INDUSTRIAL	STORE, MERCHANT	OTHER _____
HOSPITAL, INSTITUTIONAL	POLE BUILDING	
OFFICE, BANK, PROFESSIONAL	NON-CONTIGUOUS TO A RESIDENTIAL PROPERTY	

NON-RESIDENTIAL DESCRIBE IN DETAIL PROPOSED USE OF BUILDING

Personal Storage Accessory Building

I] ESTIMATED COST OF CONSTRUCTION:

\$ 5980,000.00

I] SELECTED CHARACTERISTICS OF BUILDING:

PRINCIPAL TYPE OF FOUNDATION:

BASEMENT	POURED CONCRETE
Un-finished ()	BLOCK
Finished ()	PERMANENT WOOD FOUNDATION
CRAWLSPACE	INSULATED CONCRETE FORM
PIERS	
OTHER: Post in ground on concrete	

PRINCIPAL TYPE OF FRAME:

MASONRY, WALL BEARING	WOOD FRAME X	STRUCTURAL STEEL	REINFORCED CONCRETE	OTHER _____
--------------------------	--------------	---------------------	------------------------	-------------

PRINCIPAL TYPE OF HEATING FUEL:

GAS X	OIL	ELECTRICITY	WOOD	OTHER _____
-------	-----	-------------	------	-------------

TYPE OF SEWAGE DISPOSAL:

PUBLIC OR PRIVATE COMPANY	SEPTIC SYSTEM X
---------------------------	-----------------

TYPE OF WATER SUPPLY:

PUBLIC OR PRIVATE COMPANY	PRIVATE WELL OR CISTERN X
---------------------------	---------------------------

TYPE OF MECHANICAL:

WILL THERE BE AIR CONDITIONING? Yes X No

2025 10855 PINCHERRY R
PICKLEBALL STORAGE LLC
LYNNMAN CONSTRUCTION LLC
HAYES PB2025-0222

CHARLEVOIX COUNTY DEPT. OF BUILDING SAFETY
301 STATE STREET SUITE #5
CHARLEVOIX, MICHIGAN 49720
TELEPHONE: (231) 547-7236
FAX: (231) 547-7250
www.charlevoixcounty.org

Rev: 07/15

INFORMATION REQUIRED - AS PER PUBLIC ACTS - 230 of 1972 AND 135 OF 1989

I] LOCATION OF STRUCTURE:

CORRECT ADDRESS: 10855 Pincherry Rd. Charlevoix, MI 49720

(Rural addresses consist of (5) digits and the Road Name.)

BETWEEN CROSSROADS: Townline & Upper Bay Shore CITY or TOWNSHIP Hayes

PROPERTY TAX I.D. NUMBER: 15- 007-112-030-10 (required for permit)

IS THIS SITE IN A FLOOD PLAIN? YES X NO IN A LOW LYING AREA? YES X NO

I] IDENTIFICATION REQUIREMENTS: OWNERSHIP

NAME OF OWNER/LESSEE: Pickleball Storage LLC

CURRENT MAILING ADDRESS: W229N2512

CITY, STATE, ZIP Duplainville Rd., Waukesha, WI

TELEPHONE: E-MAIL/FAX:

I] CONTRACTOR IDENTIFICATION: ALL ITEMS MUST BE COMPLETED TO OBTAIN PERMIT

NAME OF BUSINESS: Lynnman Construction LLC

NAME OF CONTRACTOR: Lynnman Construction LLC

TELEPHONE: E-MAIL/FAX:

MAILING ADDRESS: 2482 W. Lansing Rd. Morrice, MI 48857

Street/Road City State Zip

BUILDER'S LICENSE NUMBER: 210218185 EXPIRATION DATE: 5-31-26

FEDERAL EMPLOYER ID NUMBER/OR
REASON FOR EXEMPTION: 01-0827874

WORKER'S COM. INSURANCE CARRIER/OR
REASON FOR EXEMPTION: Auto Owners

M.E.S.C. EMPLOYER NUMBER/OR
REASON FOR EXEMPTION: 1426511000

I] ARCHITECT OR ENGINEER: (IF APPLICABLE) Registration Act of 1937, as amended.

NAME OF ARCHITECT OR ENGINEER: Matthew Dotta

FIRM NAME: Wick Buildings Inc

BUSINESS ADDRESS 405 Walter Rd Mazzomanie, WI 53580

Street/Road City State Zip

TELEPHONE: E-MAIL/FAX:

LICENSE NUMBER: 6201310716 EXPIRATION DATE: 2/9/2026

CHARLEVOIX COUNTY
DEPARTMENT OF BUILDING SAFETY

13513 Division St
Charlevoix, Michigan 49720

(231) 547-7236

Fax (231) 547-7250

website: www.charlevoixcountv.org

PLAN REVIEW# PB2025-0222

Building Code Plan Review
Based on the 2021 Michigan Building Code

Permit Applicant: LYNNMAN CONSTRUCTION
LLC

Fee: \$3,614.00 (Pd \$0.00)

Owner: PICKLEBALL STORAGE LLC

Use Group: A3, S2

Job Address: 10855 PINCHERRY RD

Construction Type: 5B

Reviewed by: JOHN COCHRANE

Twp or City: HAYES Twp

Date Completed: 05/05/2025

BUILDING DESCRIPTION: PICKELBALL COURTS AND STORAGE

- ☐ The plans are approved subject to the satisfactory response to the items required below, compliance with all the plan review comments indicated, and approval of all required field inspections.
- ☐ The application and/or plans are not approved. You must respond to each item indicated below, in writing, as well as any drawings requested.

Call for open hole footing inspection, rough framing inspection, roofing & siding underlayment inspection, insulation inspection & final inspections When Ready

This approval is as submitted. It does not release the contractor/builder/building owner from compliance with the applicable building codes.

- Call for inspections: footing, foundation, rough, insulation & final. [Section R109.3]
- All footings shall be formed on undisturbed natural soil or engineered fill. [Sections R104.1 & R403.1]
- Keep truss specifications on site for rough inspection. [Section R802.10]
- Total fee 3,614.00 - Paid to date 0.00 = Balance due \$3,614.00
- NOTE: All corrections and/or changes to the construction documents that accompany the permit application must be documented and submitted prior to any request for the appropriate inspection.

X Keith Pinkelman 05-07-25
Applicant Signature Date

X John T. Cochran 05/05/2025
P.R. Signature Date

APPLICANT SIGNATURE REQUIRED & RETURNED TO THE DEPT. OF BUILDING SAFETY, ALONG WITH ANY REQUIRED INFORMATION/DOCUMENTS.

ADDRESS NUMBERS ARE REQUIRED TO BE DISPLAYED ACCORDING TO
COUNTY ORDINANCE #2 SECTION 4.5

CHARLEVOIX COUNTYDepartment of Building Safety
13513 Division St.

Charlevoix, MI 49720

Phone: (231) 547-7236

Fax: (231) 547-7250

Building**PERMIT**

PERMIT: PB2025-0222

DATE: 05/14/2025

APPLICANT

LYNNMAN CONSTRUCTION LLC

2482 W. LANSING RD.

MORRICE MI 48857

LICENSE #: 2102161951

LICENSE EXP: 05/31/2026

OWNER

PICKLEBALL STORAGE LLC

W229 N2512 DUPLAINVILLE RD

WAUKESHA WI 53186

LOCATION: 10855 PINCHERRY RD**CITY/TWP: HAYES****PROPERTY #: 15-007-112-030-10**

Dimensions: 12,150

Use Group: A3, S2

Const Type: 5B

Building Official Kevin Schlickau

Issued: 05/12/2025

REMARKS:

PICKELBALL COURTS AND STORAGE

Permit Item	Work Type	Fee Basis	Item Total
Administration	Standard Item	1.00	60.00
Commercial New Construction	Standard Item	12474.00	3,554.00

REMARKS:

rept #229853, paid \$3,614.00, ck #20212, 5/12/2025

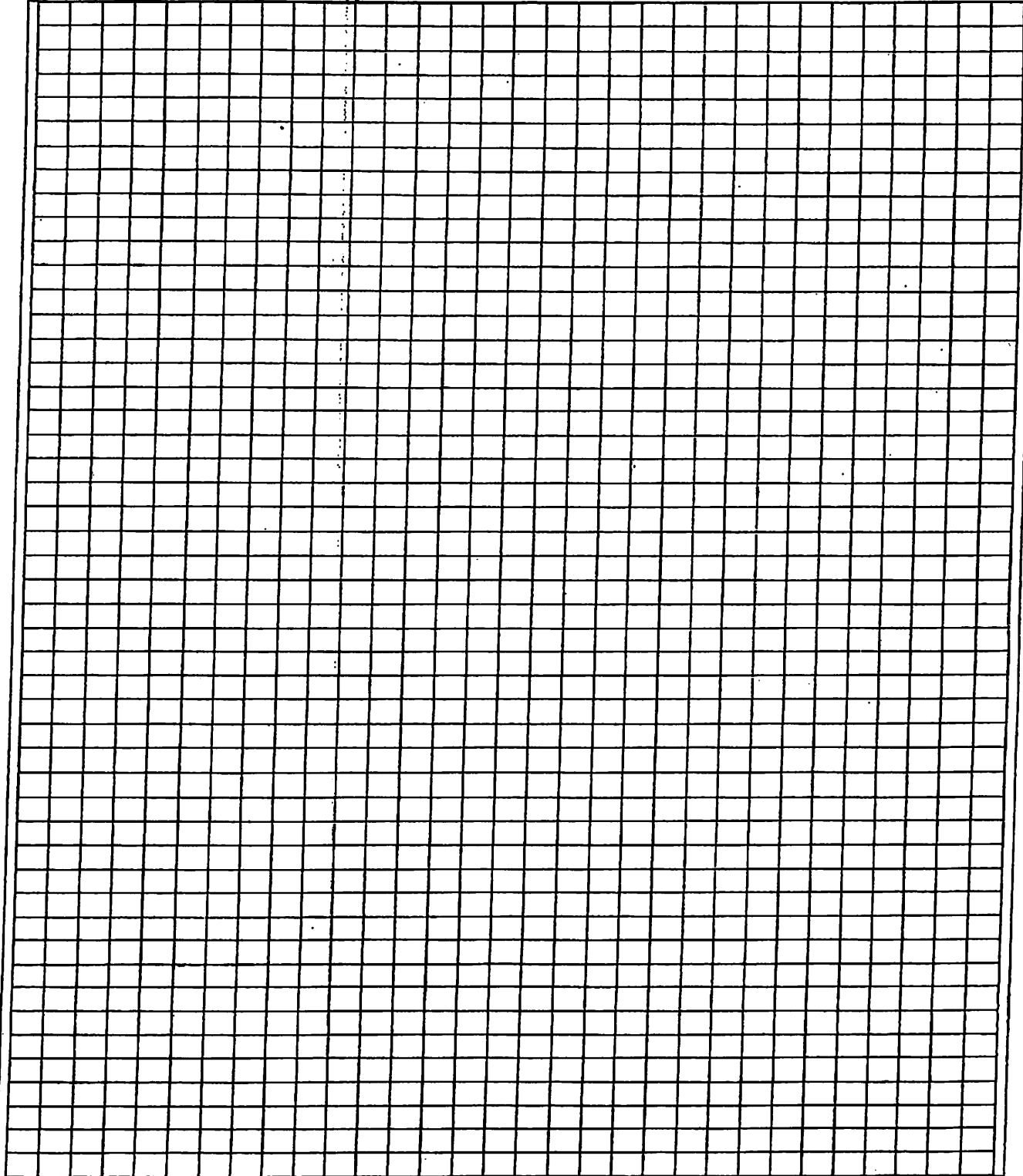
Fee Total: \$3,614.00

Amount Paid: \$3,614.00

Balance Due: \$0.00

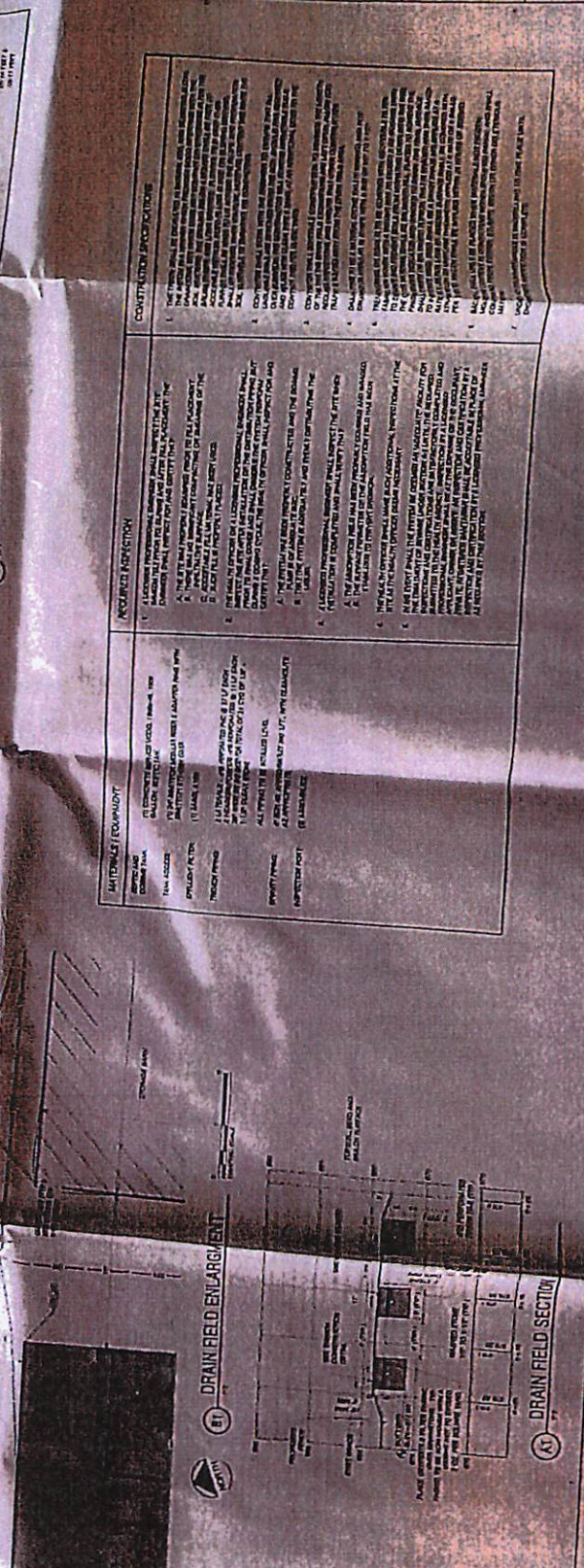
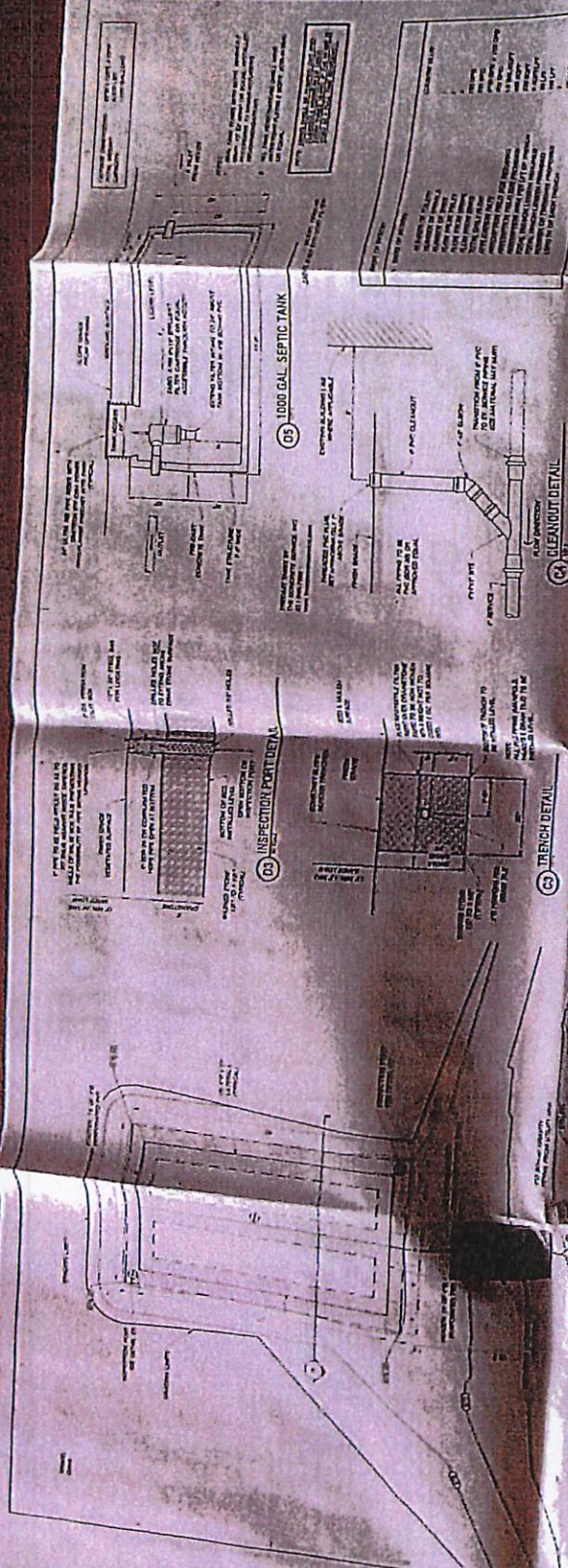
**CALL TO ARRANGE FOR INSPECTIONS (231) 547-7236**

[] SITE OR PLOT PLAN – For Applicant Use



INDICATE DIRECTION OF NORTH WITHIN THE CIRCLE



[illegible]

MOULTON, MARY ANN

CONSTITUTIONAL SECURITY

[illegible]

Approved 05 / 06 / 2025

John T. Coleman

This Approval is as submitted.

It does not release the contractor/Home owner,
from compliance with the applicable building codes.

Lynnman/Marriott Keith Pinkelman

10855 Pincherry Rd
Charlevoix, MI 49720

Charlevoix County

Building Use: Storage & Assembly

Wing 1: 45'-0" x 24'-0" x 10'-4" ICH
Wing 2: 12'-0" x 18'-0" x 10'-4" ICH
Wing 3: 81'-0" x 138'-0" x 20'-4" ICH

Building Loadings:

70 PSF Ground Snow Load
115 MPH Ultimate Wind Speed Exposure C
2000 Presumptive Soil Bearing
200 PSF Lateral Soil Pressure Capacity



Engineering Office:
405 Walter Road
Mazomanie, Wisconsin 53560
Phone: 608-795-2294
Fax: 608-795-2534

LYNNMAN CONSTRUCTION LLC

KEITH PINKELMAN
2482 W LANSING RD
MORRICE, MI 48857
Phone: 517-625-5558

Job Number: 250034E

Date: 02-13-25	Drawn By: NF
Revised: 04-11-25	Revised By: NF
Revised:	Revised By:
Revised:	Revised By:

This building was designed in accordance with the following codes
2021 Michigan Building Code
Adopts 2021 IBC with Amendments

Building Colors

Roof	= Crinkle Black	Soffit	= Slate
Sides	= Crinkle Graphite	Wainscot	= Crinkle Black

Plan Set

This building is designed to Wick Buildings' specifications and materials. This plan can only be used to build a Wick Building. If sealed, the seal is not valid for any other building unless Wick Buildings has identified duplicate projects in these plans.



1	Cover Page
2	Plan Set Notes
3	Floor Plan
4	Column and Truss Layout
5	Elevations
6	Section A
7	Section B
8	Section C
9	Section D
10	Column Anchoring
11	Structural Connections
12	Structural Connections 2
13	OHFO I-Beam Header H1
14	OHFO I-Beam Header H2
15	OHFO Wood Header H3
16	Wood Header H4
17	Structural Wall Bracing
18	Construction Wall Bracing
19	Roof Bracing Details
20	Wind Bracing
21	Roof Steel Diaphragm Detail
22	Gable Canopy Detail
23	T-Brace
24	Allie Details
25	Truss 250034A - 81' SLC (3-12)
26	Truss 250034B - 45' RLC (4-1.5-12)
27	Truss 250034C - 45' RLC (4-1.5-12)
28	Truss 250034D - 45' SLC (4-12)
29	Truss 250034E - 12' SLC-HALF (4-12)
30	Interior Layout
31	2 Hour Fire Barrier

Abbreviations

NWC	= Non Wick Contractor	CCA	= Chromated Copper Arsenate
AH	= Aluminum Horizontal Soffit	MCA	= Micronized Copper Azole
SH	= Steel Horizontal Soffit	MPH	= Miles Per Hour
EH	= Eave Height	PSI	= Pounds per Square Inch
ICH	= Interior Clear Height	PSF	= Pounds per Square Foot
SLC	= Straight Lower Cord	P	= Axial Load
RLC	= Raised Lower Cord	U	= Uplift Load
ECE	= Endwall Column Extension	V	= Shear Load
WB	= Wind Bracing	R	= R-value, Resistance Value
JB	= Jack Bracing	APA	= American Plywood Association
JB&V	= Jack & Vertical Bracing	OSB	= Oriented Strand Board
CB	= Corner Bracing	ICC	= International Code Council
XB	= X-Bracing	IBC	= International Building Code
SHWL	= Shear Wall Location	ASTM	= American Society for Testing & Materials
CC	= Concrete Collar	ASCE	= American Society of Civil Engineers
FO	= Frame Out	ASABE	= American Society of Agricultural and Biological Engineers
OC	= On Center	AISC	= American Institute of Steel Construction
OTO	= Out to Out	ACI	= American Concrete Institute
Rd	= penny weight, measure of a nail's length	ANSI	= American National Standards Institute
C	= Center Line	NCMA	= National Concrete Masonry Association
ga	= gauge		
Qty	= Quantity		
SqFL	= Square Feet		
N	= Cubic Feet		
SYF	= Southern Yellow Pine		
SPF	= Spruce Pine Fir		

Fastener / Product Legend

Composite Footing = AG-CO FootingPad Engineered Composite Footing (ICC-ES ESR-2147)

1 1/4" Washersless Nail	= Washersless Nail 1 1/4"
2" Stormguard Nail	= Stormguard Nail 2"
6d Nail	= Nail 6d, Smooth
10d Nail	= Strip Nail 2" x .113, Ring Shank
16d Nail	= Nail 16d, Ring Shank
1 1/2" PP Nail	= Strip Nail 2 3/4" x .131, Ring Shank
2 1/2" PP Nail	= Strip Nail 3 1/2" x .131, Ring Shank
#10 x 2 3/4" Screw	= Positive Placement Nail 1 1/2" x .148, Ring Shank
#10 x 3" SS Screw	= U2 Universal Screw #10 x 2 3/4"
#12 x 4" Screw	= U2 Universal Screw #10 x 3", Stainless Steel
#12 x 6" Screw	= U2 Universal Screw #12 x 4"
Galv	= Galvanized
SS	= Stainless Steel

Concrete floor (by Non-Wick contractor) is an integral part of the structural design to provide column base restraint. If floor is removed or eliminated, a licensed design professional must be contacted to provide a redesign to support the wind lateral force @ column base.

The Wind Lateral Force is supported by the perimeter walls. If these walls are removed or opened (more than shown on this plan) a licensed design professional must be contacted to provide a redesign to support the wind lateral force.

This building foundation was designed to meet ASABE EP-489.2 for Shadow Post Foundation Design and Allowable Soil Pressures. The following soil type was used; Soil type 3 description: Sandy gravel and/or gravel with loose consistency is per independent builder information. The 2000 PSF base presumptive soil bearing capacity is adjusted to 3301 PSF per use of this table. If soil does not meet this description when excavated notify Engineer of Record for redesign

Structural Design Information

IBC 2021 and ASCE 7-10

*Roof Snow Load

Ground snow load, P_g =	70 PSF
Flat roof snow load P_f =	58.8 PSF
Snow Exposure factor, C_e =	1
Snow Load Importance Factor, I_s =	1
Thermal Factor, C_t =	1.2
Roof Slope Factor, C_s =	0.93

*Wind Design Data

Ultimate Wind Speed, V_{ult}	115 MPH
Nominal Wind Speed =	89.1 MPH
Risk Category of Building	II
Wind Exposure Factor =	C Scattered Obstructions
Internal Pressure Coefficient, GCP =	0.18 Enclosed
Components and Cladding Pressure (10 SF tributary area)	
Zone 4 -	22.1 PSF
Zone 5 -	27.3 PSF

*Earthquake Design Data

Risk Category of Building	II
SS = (short period spectral accelerations, .2 sec) =	0.054
S1 = (1 second period spectral accelerations) =	0.034
Site class (Assumed) =	D
S03 (short period spectral response coeff.) =	0.057
SD1 (1 second period spectral response coeff.) =	0.064
Seismic design category	A
Basic seismic-force-resisting system	A-15 Light Frame Walls with Shear Panels
Design base shear =	1228.4 LBS
Response modification Coefficient, R =	2.5
Analysis procedure used =	Simplified
Seismic Design Category =	A

This plan set is to only certify the structural capabilities of this building in meeting the referenced code.

Items not addressed on these plans are:

Concrete Design	Site Design	Allowable Area
Egress Requirements	Accessibility Requirements	Fire-Protection Systems
Sanitary Facility Requirements	Lighting Design	Energy Conservation Design
HVAC Design	Plumbing Design	Electrical Design

Note: The building is assumed to be located on the property having access to public ways as required by local codes and located a minimum distance from adjacent buildings and property lines so as not to require exterior walls with fire resistance or opening protection per local code.

General Notes

- Building is a Wick Building designed for 70 PSF Ground Snow Load and 115 MPH Ultimate Wind Speed, assuming 2000 PSF soil bearing. Bearing Capacity Adjustment made per EP-489.2
- Lumber: S4S #2 Spruce Pine Fir or equivalent unless noted otherwise on drawings.
- Concrete Strength: 4000 psi in 28 days, slump not over 4". Ready-mix concrete to meet ASTM C94.
- Cover Reinforcing Steel with Concrete: 3" next to ground, 2" in foundation wall forms. Lap reinforcing steel bars 24 bar diameters and mesh 12". Steel reinforcement to be grade 60.
- Finishing and Curing Concrete: Keep wall forms on 24 hours before stripping. Keep floors covered with watertight membrane for 3 days or use curing compound. Steel trowel all floors to a dense finish, lightly broom for non-slip surface.
- Concrete Temperature: Maintain concrete temperature above 50 degrees for 72 hours.
- Fill: Compacted fill shall be granular material, free of debris and stones over 4" and reasonably graded. No frozen materials will be allowed.
- Compaction: Strip topsoil and other organic material prior to placing fill. Place fill in 8" loose lifts and compact with suitable mechanical equipment to a density 95% of maximum density.
- Grades: Slope all grades (5% minimum) away from building for a minimum distance of 10ft for adequate drainage. Impervious surfaces within 10ft of the building may have a 2% minimum slope.
- Exit: Exit and exit access doors must be marked with approved exit signs visible from any direction of egress travel. Exit signs must be illuminated at all times and provided with a system to insure 90 minute illumination in case of power outage. Exit signs to comply with section 1013.1 of the IBC building code. Exit signs are not required in areas where a single exit is acceptable. Provide a landing at egress doors 44" long and the width of the door wide with no more than a 1/2" high threshold per IBC 1010.1.6 and 1010.1.7 Exit signs, exit lights and egress landings to be supplied and installed by non-Wick contractor.
- Heating, Ventilation and Air Conditioning: NOT part of this plan set and shall be as approved by local building officials.
- Plumbing: NOT part of this plan set and shall be installed in accordance with any local codes.
- Electrical: NOT part of this plan set and shall be installed in accordance with the National Electrical Code and any local codes.
- Heating Equipment & Water Heaters: NOT part of this plan set and shall be as approved by local building officials.
- Lighting: This building will NOT have lighting installed until State approvals are received.
- Provide portable fire extinguishers per section IBC 909
- This is a S-1 & A-3 Occupancy, Type 5B construction
- This building will be used for a Storage & Racket Ball Court.

Storage & Assembly

70 PSF Ground Snow Load
115 MPH Ultimate Wind Speed
2000 PSF Presumptive Soil Bearing

Plan Set



Engineering Office:
405 Walter Road,
Mazomanie, Wisconsin 53560
Phone: 608-795-2294
Fax: 608-795-2534
Web Site: www.wickbuildings.com

Lynnman/Marriott
Plan Set Notes

Drawn By: NF

Job No.: 250034E

View:

Scale: 24

Page:

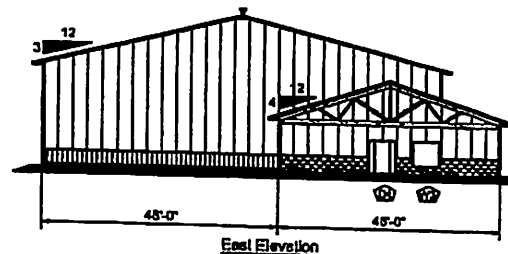
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This building is designed to Wick Building's specifications and standards. The plans are only to be used to build a Wick Building. The use is not valid for any other building construction or material.

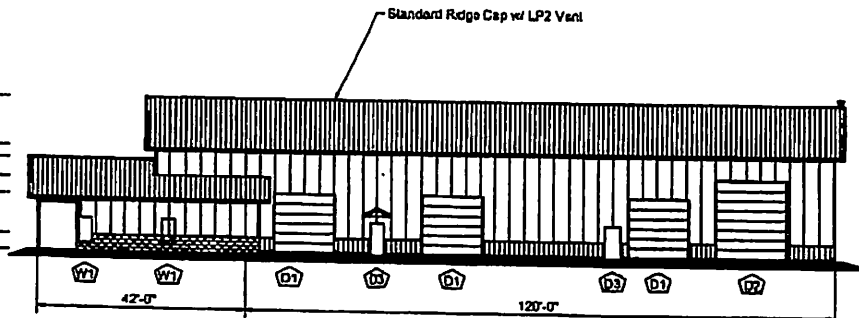
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Org. Date: 02-13-25

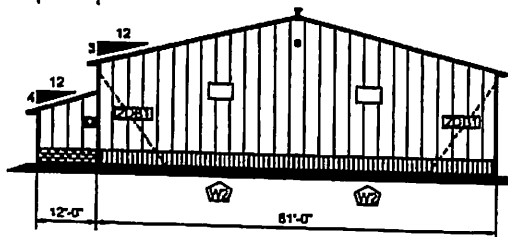
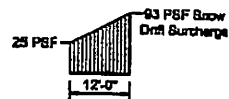


East Elevation

- 131'-8 1/2" Peak Height
- 121'-7" Eave Height
- 118'-1" Peak Height
- 116'-7" Peak Height
- 111'-7" Eave Height
- 103'-4" Wainscot Height
- 100'-0" Ground Line

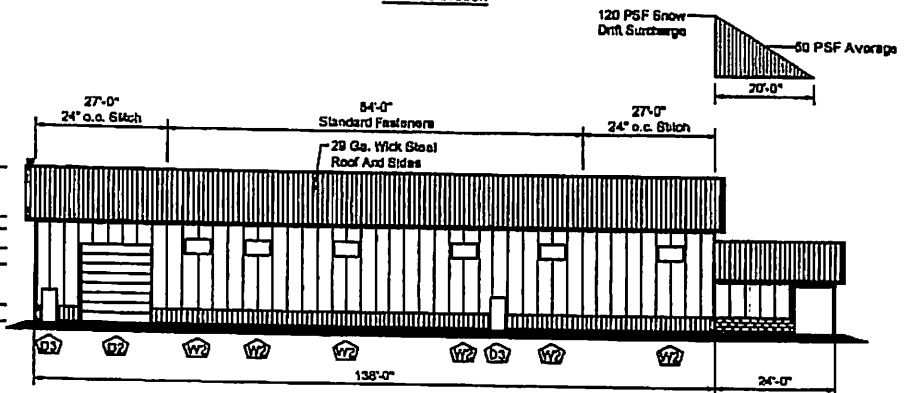


North Elevation



West Elevation

- 131'-8 1/2" Peak Height
- 121'-7" Eave Height
- 118'-1" Peak Height
- 116'-7" Peak Height
- 111'-7" Eave Height
- 103'-4" Wainscot Height
- 100'-0" Ground Line



South Elevation

Storage & Assembly

70 PSF Ground Snow Load
116 MPH Ultimate Wind Speed
2000 PSF Presumptive Soil Bearing

Plan Set



This building is designed to Wick Building's specifications and standards. The client assumes responsibility for the use of this building for any other building construction or material.

Engineering Office:
405 Walter Road,
Mazomanie, Wisconsin 53560
Phone: 608-795-2294
Fax: 608-795-2534
Web Site: www.wickbuildings.com

Rev. Date:

Org. Date: 02-12-25

Lynnman/Marriott
Elevations

Drawn By: NF

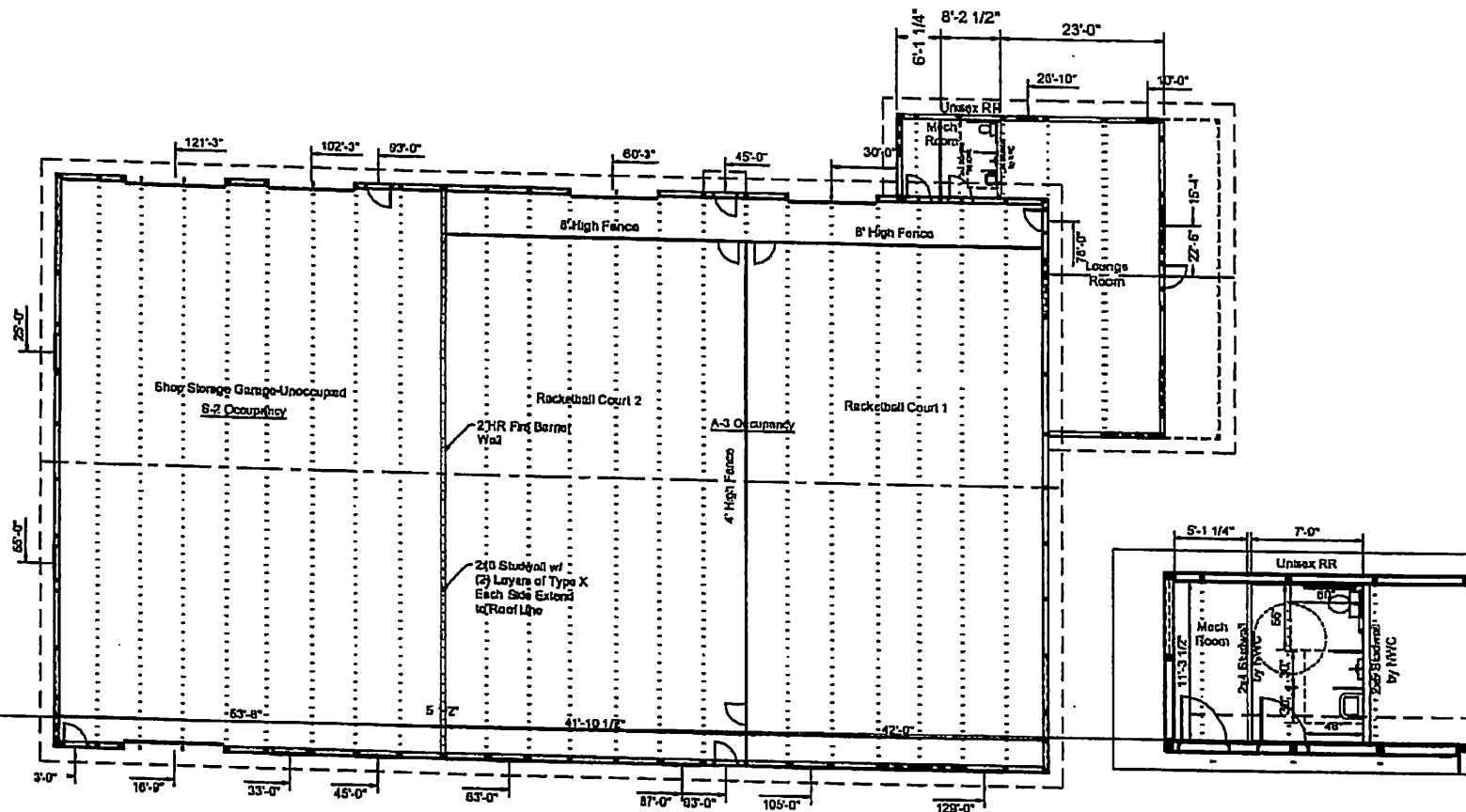
Job No.: 250034E

View: Elevation

Scale: Do Not Scale

Page:

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Warehouse	70 PSF Ground Snow Load 115 MPH Ultimate Wind Speed 2000 PSF Presumptive Soil Bearing	 Wick Buildings®	Engineering Office: 405 Walter Road, Mazomanie, Wisconsin 53560 Phone: 608-795-2294 Fax: 608-795-2534 Web Site: www.wickbuildings.com	Lynnman/Marriott Interior Layout		
Plan Set	This building is designed to Wick Buildings' specifications and standards. This plan set only be used to build a Wick Building. This must be not used for any other building construction or product.			Drawn By: BJB	Job No.: 250034E	View: Interior Layout
		Scale: 1/2"	Scale = 1"=1/16"	Page:	30	
		Rev. Date:	Org. Date: 02-12-25	File: G:\...1250034.dwg		

This building is designed by Wick Buildings' engineers and architects. This plan set only be used to build a Wick Building. This set is not valid for any other building construction or purpose.

Rev. Date:

Org. Date: 02-12-25

File: G:\...250034.dwg

G. International Construction Code
sections on A3 and S2 types of building
occupancies/structures

303.4 Assembly Group A-3.

Group A-3 occupancy includes assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A including, but not limited to:

- Amusement arcades
- Art galleries
- Bowling alleys
- Community halls
- Courtrooms
- Dance halls (not including food or drink consumption)
- Exhibition halls
- Funeral parlors
- Greenhouses* for the conservation and exhibition of plants that provide public access
- Gymnasiums (without spectator seating)
- Indoor *swimming pools* (without spectator seating)
- Indoor tennis courts (without spectator seating)
- Lecture halls
- Libraries
- Museums
- Places of religious worship*
- Pool and billiard parlors
- Waiting areas in transportation terminals

CONTENTS

NOTES

INSIGHTS

Chapter 3 Occupancy Classification and Use

Section 301 Scope

Section 302 Occupancy Classification and Use Designation

Section 303 Assembly Group a

Section 304 Business Group B

Section 305 Educational Group E

Section 306 Factory Group F

Section 307 High-Hazard Group H

Section 308 Institutional Group I

Section 309 Mercantile Group M

Section 310 Residential Group R

Section 311 Storage Group S

Section 312 Utility and Miscellaneous Group U

Chapter 4 Special Detailed Requirements Based on Occupancy and Use

Chapter 5 General Building Heights and Areas

Chapter 6 Types of Construction

Chapter 7 Fire and Smoke Protection Features

311.3 Low-hazard storage, Group S-2.

Storage Group S-2 occupancies include, among others, buildings used for the storage of noncombustible materials such as products on wood pallets or in paper cartons with or without single thickness divisions; or in paper wrappings. Such products are permitted to have a negligible amount of plastic trim, such as knobs, handles or film wrapping. Group S-2 storage uses shall include, but not be limited to, storage of the following:

- Asbestos
- Beverages up to and including 16-percent alcohol in metal, glass or ceramic containers
- Cement in bags
- Chalk and crayons
- Dairy products in nonwaxed coated paper containers
- Dry cell batteries
- Electrical coils
- Electrical motors
- Empty cans
- Food products
- Foods in noncombustible containers
- Fresh fruits and vegetables in nonplastic trays or containers
- Frozen foods
- Glass
- Glass bottles, empty or filled with noncombustible liquids
- Gypsum board
- Inert pigments
- Ivory
- Meats
- Metal cabinets
- Metal desks with plastic tops and trim
- Metal parts
- Metals

H. Photos of work at the site already
underway taken on various dates in May
2025



Photos taken of Pickelball Storage LLC parcel under construction in May 2025, taken by Appellants.

I. Zoning Administrator Report
April 9, 2025

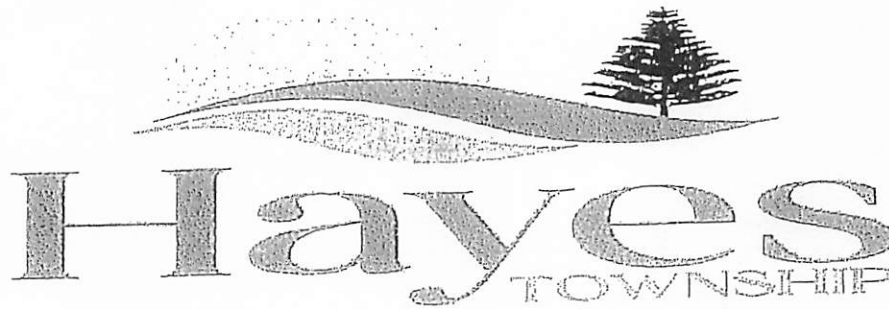


Zoning Administrator Report

April 2025

Zoning Administrator work in progress report for the month of March includes the following:

- Variance application to reduce the 50' Shoreland setback from creek for a new single family dwelling at 6995 Birdland Drive. ZBA denied this variance request at the public hearing held on March 26th 2025 at 7pm.
- Variance application to reduce the 100' Shoreland setback for reconstruction of an existing non-conforming dwelling unit at 07115 Birdland Drive. ZBA approved this variance request at the public hearing held on March 26th 2025 at 7pm. Shoreland Site Plan has been sent to Tip of the Mitt for review.
- Special use permit application for an Assisted Living and Memory care Facility on US 31 North. Planning Commission approved at the Public Hearing held on March 18th, 2025 meeting.
- Two special use permit amendment applications for the special use permit approved to Mark McCol & Dewitt Marine at May 6th 2024 Planning Commission Meeting. Applicant has not requested to be on the April 29th 2025 Planning Commission meeting agenda.
- Zoning permit application for a Demo and rebuild of existing home on Quarterline road. Shoreline Review Committee conducted inspection and advised applicant to work with Tip of the Mitt to create shoreland restoration plan.
- Zoning permit application for a 72"x60" Free Standing Sign on US 31. Application denied.
- Continuing to discuss a non-compliance nuisance complaint with landowner on Hyek Road.
- Received Zoning Application for a 24x42 new single family dwelling unit at 6680 Bay Shore West Dr. Waiting for additional information from applicant to proceed.



- Received Zoning Application for a 138x81 accessory structure as the principle use at 10855 Pincherry rd. Waiting for additional information from applicant to proceed.
- Progress received from Landowner on Villa Road for Violation of Nuisance Ordinance and a non-compliance complaint.
- Second Notice Letter was sent to landowner on Shrigley Road for permitted use within the Small Lot Residential District compliant.
- Received complaint regarding a Shoreline violation on Peaceful Valley Road.
- Second Notice Letter was sent to landowner on Maple Grove Road for a Nuisance Ordinance compliant, Charlevoix County Fire Department Chief is monitoring parcel for fire hazards.