

ZONING BOARD OF APPEALS
PUBLIC HEARING AGENDA
HAYES TOWNSHIP
9195 MAJOR DOUGLAS SLOAN ROAD
CHARLEVOIX, MICHIGAN 49720
JULY 1, 2026 AT 7:00 PM

Join Zoom Meeting

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

Meeting ID: 831 4154 0092

Passcode: 396667

1. Chair calls meeting to order
2. Pledge of Allegiance
3. Introduction of Zoning Board Members
4. Review and Approval of Agenda
5. Declaration of Conflict of Interest
6. Approval of May 6, 2026 Administrative meeting minutes
7. Chair Opens Public Hearing – Variance Request Case #070126A
8. Zoning Administrator introduces case and presents exhibits
9. Petitioner is recognized (and/or Agent) and puts forth case
10. Board Members report on their site inspections, if any, and ask questions they may have of Petitioner (and/or Agent). At this time discussion may take place between Petitioner and Board Members
11. Chair opens Public Comment
12. Correspondence acknowledged
13. Chair closes Public Comment
14. Review of applicable Section of Hayes Township Ordinance
15. Review and discussion of Finding of Fact
16. Motion and Roll Call Vote
17. Chair Closes Public Hearing
18. Chair Opens Public Hearing – Variance Request Case # 070126B
19. Zoning Administrator introduces case and presents exhibits

20. Petitioner is recognized (and/or Agent) and puts forth case
21. Board Members report on their site inspections, if any, and ask questions they may have of Petitioner (and/or Agent). At this time discussion may take place between Petitioner and Board Members
22. Chair opens Public Comment
23. Correspondence acknowledged
24. Chair closes Public Comment
25. Review of applicable Section of Hayes Township Ordinance
26. Review and discussion of Finding of Fact
27. Motion and Roll Call Vote
28. Chair Closes Public Hearing
29. Public Comment
30. Zoning Board of Appeals Member Comment
31. Adjournment

Public Comment at Meetings of Hayes Township Zoning Board of Appeals

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

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

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

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

You probably have a conflict of interest if:

- you are the applicant;
- a close relative is the applicant;
- a business associate, lender or renter is the applicant;
- the proposal could allow you or a business associate to receive a financial gain or benefit;
- you are a planning commission representative to the zoning board of appeals and the matter to be heard is an appeal from a previous planning commission decision in which you participated.

DRAFT
Hayes Township
Zoning Board of Appeals
Administrative Meeting Minutes
May 6, 2026
09195 Major Douglas Sloan rd, Charlevoix, MI 49720

The May 6th, 2026, administrative meeting of the Hayes Township Zoning Board of Appeals was called to order by Rex Greenslade at 7:00 pm. at the Hayes Township Hall, 09195 Major Douglas Sloan Rd., Charlevoix, MI 49720.

BOARD MEMBERS PRESENT: Janice Vedder, Rex Greenslade, Zeze Jess, Sean Davis (alternate) and Doug Kuebler.

BOARD MEMBERS ABSENT: Jessica Perry and Laura Ford.

ALSO PRESENT: April Hilton (Recording Secretary/Deputy Clerk).

Audience: Jeremy McKay and Mandy McKay.

PLEDGE OF ALLEGIANCE: Rex Greenslade opened the meeting at 7:00 pm with the Pledge of Allegiance to the Flag.

INTRODUCTION OF ZONING BOARD OF APPEALS (ZBA) MEMBERS:

BOARD MEMBERS PRESENT: Janice Vedder, Rex Greenslade, Doug Kuebler, Zeze Jess, and Sean Davis.

BOARD MEMBERS ABSENT: Jessica Perry and Laura Ford.

PUBLIC COMMENT – RELATED TO AGENDA ITEMS:

Public comments opened at 7:01 pm

Comments included:

No Comment

Public Comments closed at 7:01 pm

REVIEWED AGENDA:

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

Yeas: Rex Greenslade, Doug Kuebler, Sean Davis, Zeze Jess, and Janice Vedder.

Nays: None **Motion Carried**

DECLARATION OF CONFLICT OF INTEREST: NONE.

DRAFT
Hayes Township
Zoning Board of Appeals
Administrative Meeting Minutes
May 6, 2026
09195 Major Douglas Sloan rd, Charlevoix, MI 49720

APPROVAL OF DRAFT ADMINISTRATIVE MEETING MINUTES FROM APRIL 1, 2026:

Ms. Vedder made a motion, supported by Mr. Kuebler, to approve the April 1 2026 Administrative meeting minutes as presented.

Yeas: Rex Greenslade, Zeze Jess, Sean Davis, Doug Kuebler, and Janice Vedder.

Nays: None **Motion Carried**

REVIEW AND APPROVAL OF UPDATED ZBA RULES AND PROCEDURE :

Ms. Vedder made a motion, supported by Mr. Kuebler, to adopt the discussed amendments to the ZBA Rules and Procedures as follows:

1. Change the fee language to match the Zoning Ordinance
2. Change the time limit for appellant presentation to 30 minutes unless more time in allowed by majority vote of the ZBA.

A roll call was taken.

Yeas: Rex Greenslade, Zeze Jess, Sean Davis, Doug Kuebler, and Janice Vedder.

Nays: None **Motion Carried**

2026/2027 ZBA BUDGET REQUEST:

Ms. Vedder made a motion, supported by Ms. Jess, to approve the 2026/2027 ZBA Budget request to be submitted to the Board of Trustees.

Yeas: Rex Greenslade, Doug Kuebler, Sean Davis, Zeze Jess, and Janice Vedder.

Nays: None Motion Carried

PUBLIC COMMENT:

Public Comment opened at 7:09pm

Comments included:

No Comment

Public Comment closed at 7:09 pm

ZBA COMMENT:

Ms. Vedder stated when the Zoning Administrator receives an application for the ZBA, the applicant deliver all documents at the time, and not allow additional documents last minute at the meeting.

DRAFT
Hayes Township
Zoning Board of Appeals
Administrative Meeting Minutes
May 6, 2026
09195 Major Douglas Sloan rd, Charlevoix, MI 49720

The ZBA came to a consensus to suggest to the Board of Trustees to consider that, in case of the withdrawal by appellants of an appeal, interpretation or variance request, the Township retains a percentage of the associated fee to offset the considerable staff time, legal and other costs associated incurred in research and preparation for canceled hearings. Chairman Greenslade will prepare and send an email to the Board of Trustees.

ADJOURNMENT: Ms. Vedder made a motion, supported by Mr. Kuebler , to adjourn at 7:19pm

Yeas: Rex Greenslade, Doug Kuebler, Zeze Jess, Sean Davis, and Janice Vedder.

Nays: None **Motion Carried**

Respectfully Submitted,
April Hilton
Hayes Township Deputy Clerk/Recording Secretary



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

GENERAL INFORMATION

Name of Property Owner(s) Anthony and Sally Stayman

Mailing Address 501 Woods Rd

City Oakwood State OH Zip 45419

Telephone 337-875-0013

PROPERTY INFORMATION

Property Tax Code Number: 15- 007- 301-005-00

Legal Address 7345 Birdland Dr. Charlevoix

Nearest Road Intersection Birdland Dr. and Quarterline Rd.

Zone District R-1

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

VARIANCE OR INTERPRETATION REQUESTED

Relief from the following Zoning Ordinance Section(s):

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

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

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

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

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

SEE ATTACHED

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.**

We are requesting a variance to the waterfront setback line. We would like to use an 80' setback instead of the required 100' setback.

Type text here

DESCRIBE THE PRACTICAL DIFFICULTY THAT EXISTS

What are the unique conditions of your situation)?

The topography and shape of the lot restricts us from utilizing the building space that others with 2 acre parcels can do. We have a slope to contend with as we move further from the lake that would require excessive retaining and re-direction of surface water. We also have locations of the well and septic field that further restrict. At 80' we will be further away from the shoreline than the existing house. we are including a proposed greenbelt that goes above and beyond requirements to protect the shoreline and waterway.

Type text here

EFFECT ON APPLICANT IF VARIANCE IS DENIED

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

If this variance request is not granted, it will significantly impact the design of the new home. The intend is to create a new home that reduces from 4 seperate buildings into 1, that not only looks and functions better, but operates more efficiently. It would also restrict our right to use our 2 acre property in a similar manner to others of the same size.

Type text here

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?

There will be no impact on properties in the area, as there are already existing buildings on the property that are currently closer to the water than the proposed home. Access to the property and adjacent properties will remain the same as existing conditions.

Type text here

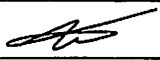
APPLICANT'S STATEMENT AND AUTHORIZATION

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

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

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

Owner(s) Signature: _____ Date: _____

Applicant(s) Signature:  _____ Date: 5/26/26

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

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

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

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

Application and fee can be sent to:

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

231-549-6961

Zoning Administrator's Signature  _____

DATE RECEIVED 6-8-26

CASE NO. 070126 A

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.

SECTION 8.07 VARIANCES

The ZBA may grant dimensional variances when the applicant demonstrates in the official record of the hearing that the strict enforcement of this Ordinance would result in practical difficulty. To establish practical difficulty, the applicant must establish all of the following:

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

SECTION 8.08 CONDITIONS OF APPROVAL

The ZBA may impose such conditions or limitations in granting a variance as deemed necessary to protect the character of the area, as provided for in section 9.03 of this Ordinance.

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.
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.**

Date: 5/26/26

To whom it may concern:

I hereby authorize Mike Heneka to apply for and sign (as the agent) the necessary permits for this project, including the following:

- Application for Building Permit through Charlevoix County Department of Building Safety
- Permit Application for Soil Erosion and Sediment Control through Charlevoix County Department of Building Safety
- Zoning Application & Permit
- Zoning Variance Application
- Well and septic permits through Northwest Michigan Health Dept.

Any questions should be directed to Mike Heneka – ~~231-638-9800~~

Sincerely,



Signature

Anthony Stayman

Print (Please include name of Trust if applicable)

Viewing Parcel Number: 007-301-005-00

Parcel Details

Assessing City/Township:	Hayes Township
Property Address:	7345 BIRDLAND DR (PVT) CHARLEVOIX, MI 49720
Owner Information:	STAYMAN ANTHONY H & SALLY J [REDACTED] [REDACTED]
Property Class:	401 - Residential - Improved
Taxable Status:	TAXABLE
School District:	15050 - Charlevoix
P.R.E. Percentage:	0%
Current SEV:	\$951,400
Current Taxable Value:	\$542,312
Prior Year SEV:	\$882,600
Prior Year Taxable Value:	\$528,055

Sales Information

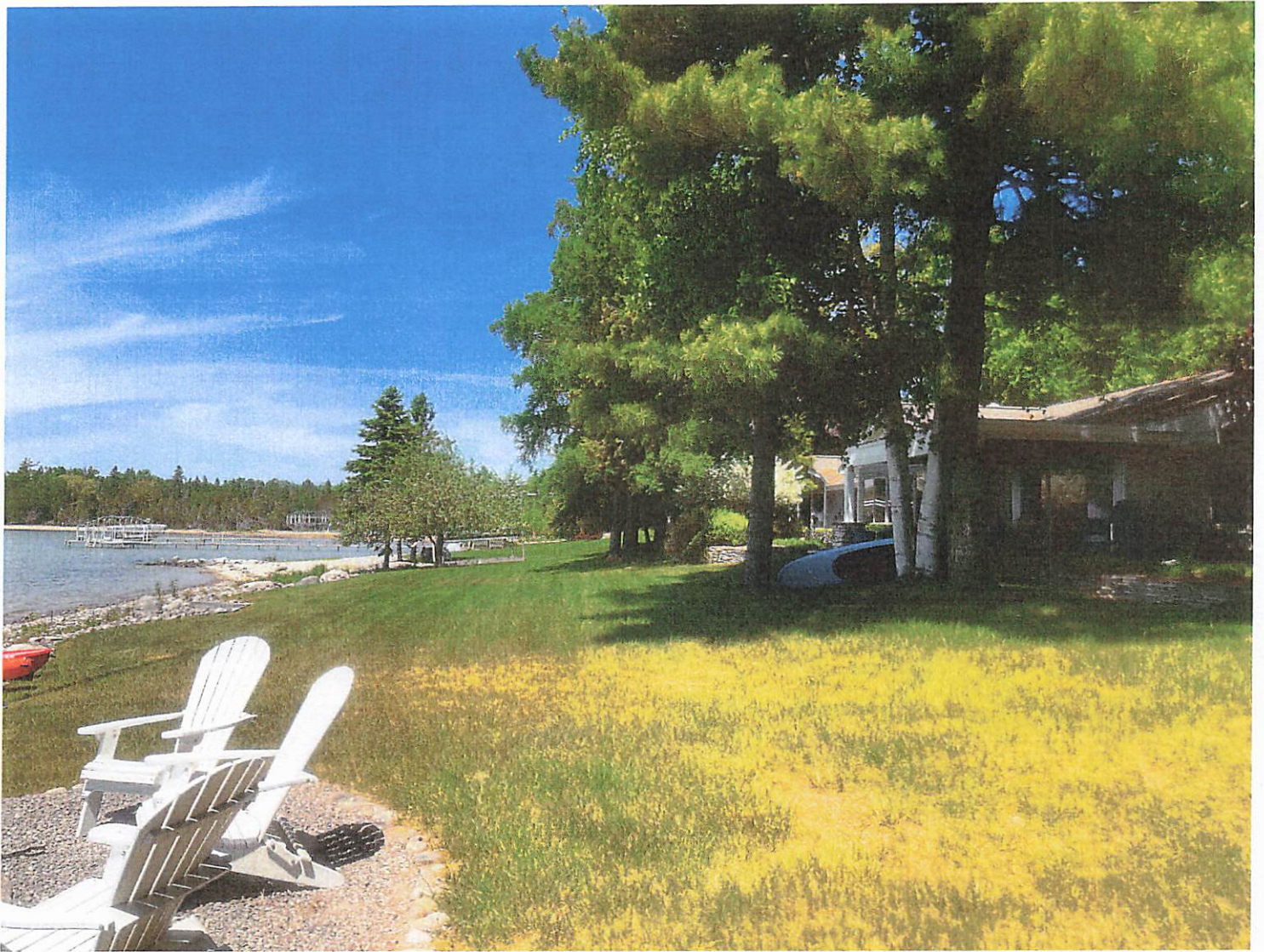
Date	Document Type	Liber/Page	Sales Price
08/26/2022	QC	1357/719	\$0
08/24/2020	WD	1277/863	\$0
08/03/2012	WD	999/907	\$775,000
09/09/2005	WD	704/987	\$1,330,000

Tax Description

PLAT OF BIRDLAND ESTATES LOTS 5-6.

11





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

**The Hayes Township Zoning Board of Appeals will
conduct a public hearing on Wednesday, July 1st 2026 at
7:00 P.M.**

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

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

In the Matter of: Anthony And Sally Stayman CASE #070126A

Charlevoix County Property Tax Identification Number 15-007-301-005-00, located on
property commonly known as 7345 Birdland Dr. Charlevoix MI 49720. The applicant is
seeking a variance of 20' to
raze the existing single family residence is located approximatly 63' from the Ordinary High
Water Mark and construct a new single family dwelling unit 80' from Lake Charlevoix.

To accomplish this project the applicant is seeking a variance of
Twenty foot (20') variance from the 100 foot Lake Charlevoix setback requirement
in Section 3.14.3.

Section 3.14.3. states that "The Shoreland Protection Strip shall include all of the
land located within 50' of the Ordinary High Water Mark landward of a lake or a
stream abutting or traversing the property in question.

Interested parties may comment in person at the meeting or comment in writing to:
Hayes Township Zoning Board of Appeals, 9195 Major Douglas Sloan Road,
Charlevoix, MI 49720, (231) 547-6961, or zoning@hayestownshipmi.gov.

Written comments must be received by 4 p.m. on June 30th, 2026.

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

USA TODAY CO.®



PO Box 630491 Cincinnati, OH 45263-0491

AFFIDAVIT OF PUBLICATION

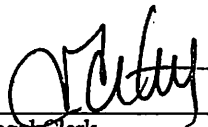
Hayes Township
9195 Major Douglas Sloan RD
Charlevoix MI 49720-9053

STATE OF MICHIGAN, COUNTY OF EMMET, COUNTY OF
CHARLEVOIX

The Petoskey News Review, a newspaper printed and published in
the counties of Emmet and Charlevoix, in the State of Michigan,
and personal knowledge of the facts herein state and that the
notice hereto annexed was Published in said newspaper in the
issue dated:

06/11/2026

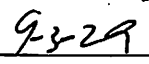
and that the fees charged are legal.
Sworn to and subscribed before on 06/11/2026



Legal Clerk



Notary, State of WI, County of Brown



My commission expires

Publication Cost:	\$145.36	
Tax Amount:	\$0.00	
Payment Cost:	\$145.36	
Order No:	12399755	# of Copies:
Customer No:	549778	0
PO #:	LPET0535121	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KONGMENG YANG
Notary Public
State of Wisconsin

Hayes Township
ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING

The Hayes Township Zoning Board of Appeals will conduct a public hearing on Wednesday, July 1st 2026 at 7:00 P.M. The public hearing will be held in the Hayes Township Hall, 9195 Major Douglas Sloan Road, Charlevoix, MI 49720. The purpose of the meeting is to hear the following application for a variance from the requirements of the Hayes Township Zoning Ordinance, as amended (April 9th, 2018).

In the Matter of: Anthony And Sally Stayman CASE #070126A Charlevoix County Property Tax Identification Number 15-007-301-005-00, located on property commonly known as 7345 Birdland Dr. Charlevoix MI 49720. The applicant is seeking a variance of 20' to raze the existing single family residence is located approximately 63' from the Ordinary High Water Mark and construct a new single family dwelling unit 80' from Lake Charlevoix. To accomplish this project the applicant is seeking a variance of Twenty foot (20') variance from the 100 foot Lake Charlevoix setback requirement in Section 3.14.3. Section 3.14.3. states that "The Shoreland Protection Strip shall include all of the land located within 50' of the Ordinary High Water Mark landward of a lake or a stream abutting or traversing the property in question.

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

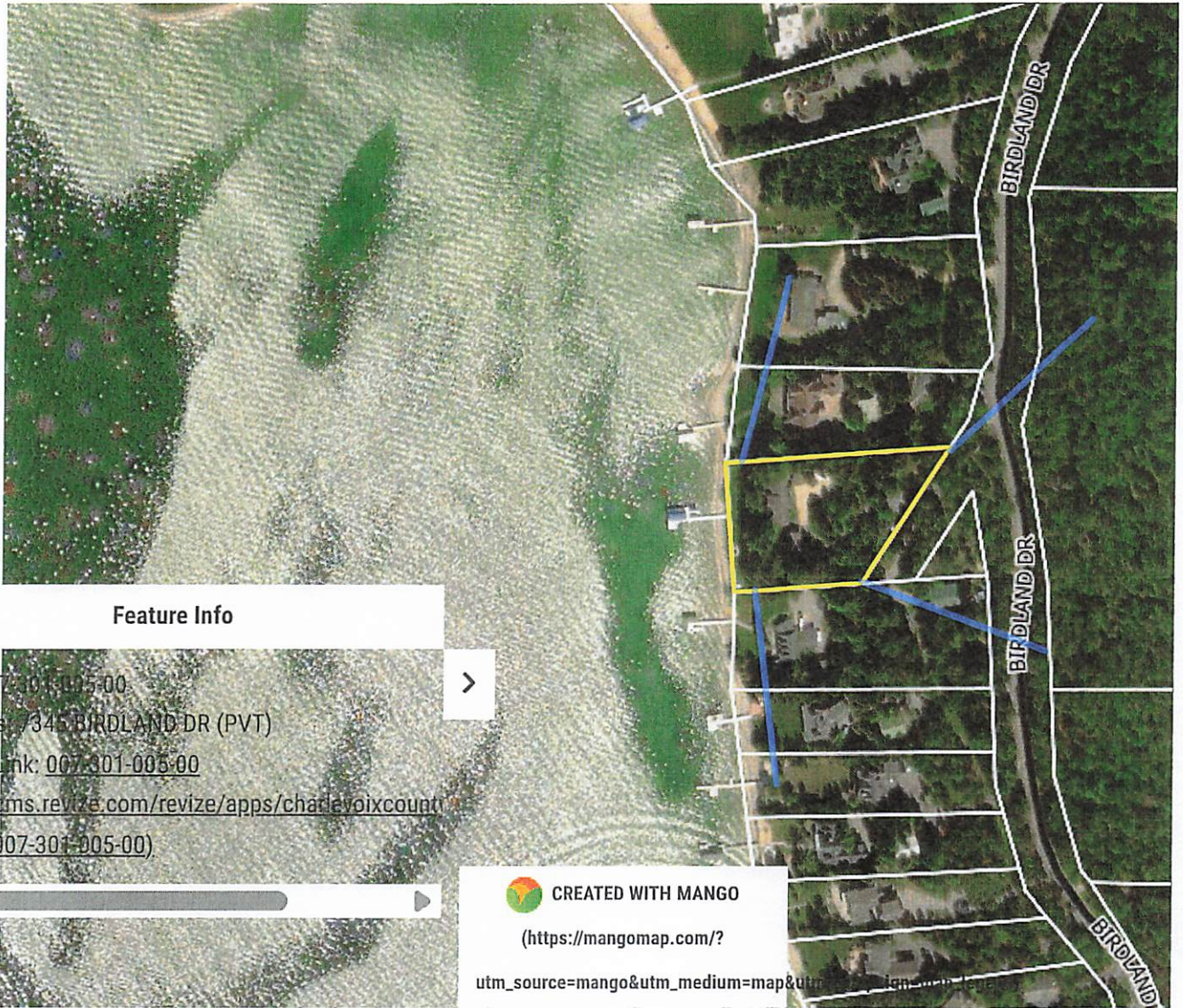
Hayes Township Zoning Board of Appeals, 9195 Major Douglas Sloan Road, Charlevoix, MI 49720, (231) 547-6961, or zoning@hayestownshipmi.gov.

Written comments must be received by 4 p.m. on June 30th, 2026.

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

June 11 2026

_PET0535121



Feature Info

PIN: 007-301-005-00

Address: 7345 BIRDLAND DR (PVT)

Parcel Link: [007-301-005-00](#)

(<http://cms.revize.com/revize/apps/charlevoixcountypnum=007-301-005-00>)



CREATED WITH MANGO

(<https://mangomap.com/>)

utm_source=mango&utm_medium=map&utm_campaign=sign-map-legend

PROPOSED HOME

DISTANCE TO LOT LINE:
NORTH SIDE: 20' 3"
SOUTH SIDE: 30' 7"
REAR YARD: 15'
FRONT YARD: 30'

HEIGHT: 29' 10.5"

DISTANCE TO NEIGHBORING
BUILDINGS:
SOUTH RESIDENTIAL HOME: 57'
NORTH RESIDENTIAL HOME: 63'

DRIVEWAY DISTANCE:
*PORTION OF EXISTING TO BE
PRESERVED
SOUTH PROPERTY LINE: 54'

50' GREENBELT

MIXED MICHIGAN NATIVES:
UPLAND ZONE PLANTS - MIX OF TREES,
GRASSES, SHRUBS, FERNS, AND
WILDFLOWERS
WETLAND ZONE PLANTS - MIX OF
SHRUBS, WILDFLOWERS, AND LOW
GROUNDCOVER
STABILIZE NORTH CORNER WITH GEO-
GRID

DOCK
4" WALKWAY TO DOCK
RECOMMENDATION: REMOVE RIP
RAP ALONG SHORELINE. SOFTEN
SLOPE TO WATER WITH SMALL
STONE MATCH NEIGHBOR TO
NORTH
300 SQ. FT. PATIO
MOWN PATH - WATER ACCESS
EXISTING HOME (IN BLVD, PATIOS, WALKWAYS)

LAKE CHARLEVOIX

RESIDENTIAL HOME

LOT 4

LOT 5

LOT 6

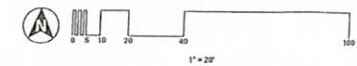
LOT 7

BIRDLAND DRIVE

ROBINWOOD LANE

LOTS 5 & 6, BIRDLAND ESTATES
HAYES TOWNSHIP, CHARLEVOIX COUNTY
MICHIGAN

RESIDENTIAL HOME

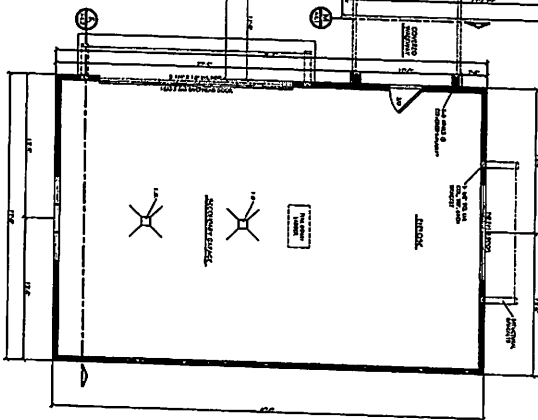


REVISION TABLE		
NUMBER	DATE	REVISION BY
1	5/28/26	M. SCORBY
2		FLANNING
3		
4		
5		
6		
7		
8		
9		
10		

STAYMAN - SITE PLAN

DRAWINGS PROVIDED BY:
JULIA BOWLEY INC.
KATHERINE LAVANTWAY
KAROLAN BOWLEY
JULIA@JULIABOWLEY.COM

DATE:
5/28/2026
SCALE:
1" = 20'
SHEET:



SHEET NUMBER 4 OF 5
 A-1 FIRST FLOOR PLAN
 A-2 SECOND LEVEL PLAN
 A-3 ELEVATIONS
 A-4 ELEVATIONS
 A-5 ELEVATIONS
 A-6 ELEVATIONS
 A-7 ROOF LINE PLAN

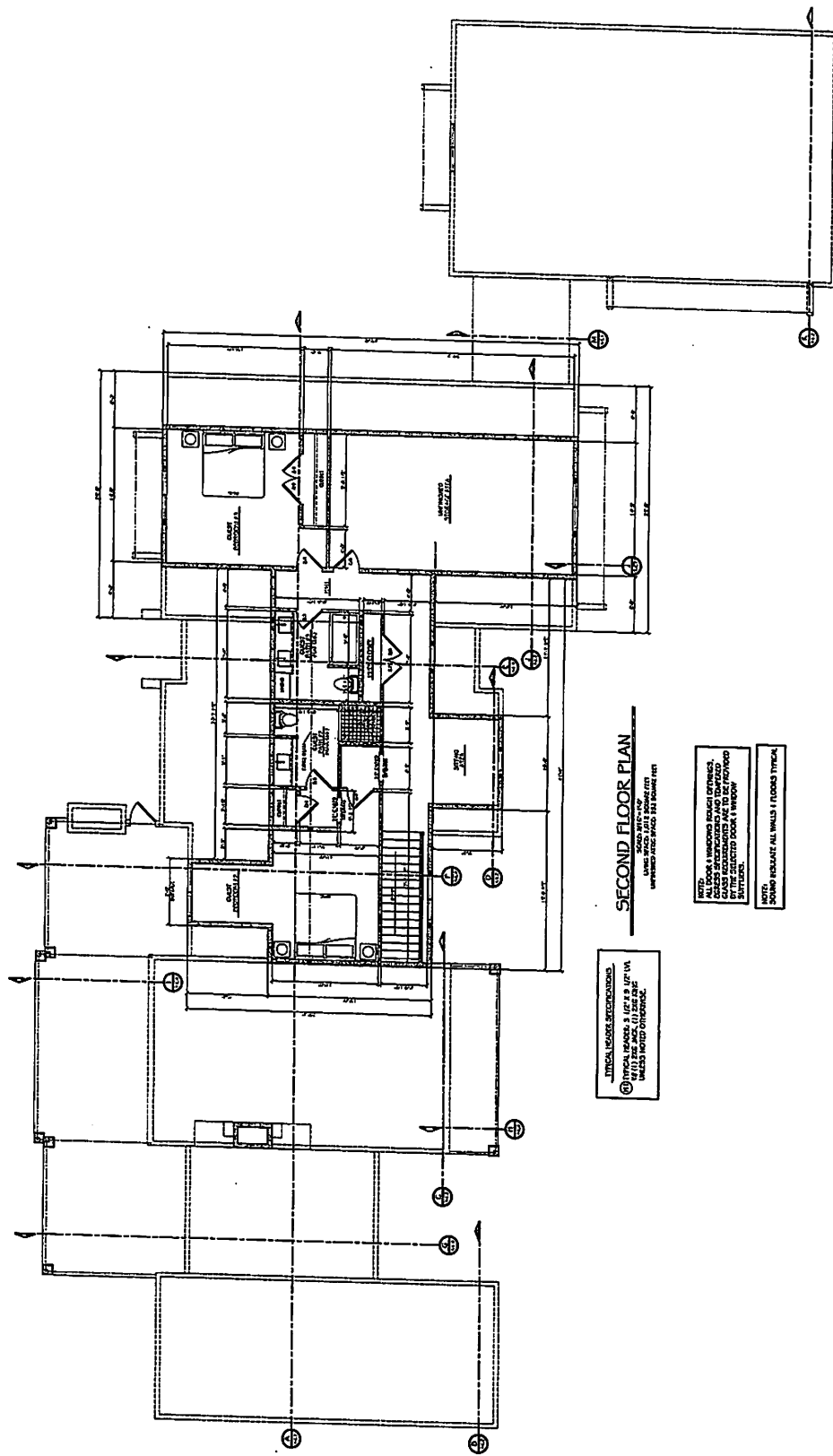
NOTE:
ALL DOOR & WINDOW FRAMES OFFERCE,
GLASS INSULATIONS AND THERMO
GLASS INSULATIONS ARE TO BE PROVIDED
BY THE SELECTED DOOR & WINDOW
SUPPLIERS.

— FIVE NEW PRODUCTS —

• PRODUCTION OF
ACRYLIC RESIN, containing 90%
solid in 100% of water, with
a pH ranging from 8.5 to 10.5,
in 100% of water, with
solid

• LITHO & PRINTING INK

Living Room
FIRST FLOOR
PLAN
~~2007/08/01~~
A2.1



SECOND FLOOR PLAN

TYPICAL ROOMS: 3 (12' x 12' x 12' VA)
 1 (12' x 12' x 12' VA)
 1 (12' x 12' x 12' VA)
 1 (12' x 12' x 12' VA)

NOTE:
 ALL ROOMS & WINDOWS BEHIND DOORS
 SHALL BE FINISHED TO MATCH
 EXISTING FINISHES AND TO BE MATCHED
 TO EXISTING DOOR & WINDOW
 FINISHES.

NOTE:
 SOUND RESISTANT ALL WALLS & FLOORS TYPICAL

Stayman Residence 12345 Main Street Suite 100 Anytown, CA 90123	Residence: Stayman Residence Stayman Residence	Design Services Provided By: Designworks 12345 Main Street Suite 100 Anytown, CA 90123 (555) 123-4567	Drawing Number: SCOPING FLOOR 12345 A2.2
--	---	--	---

Zoning Administrator Report

To: Zoning Board of Appeals Hayes Township
From: Ron VanZee Zoning Administrator
Date: 06/17/2026

CASE NO: 070126A (for office use only)
APPLICATION DATE: May 26th 2026
NOTICE POSTING DATE: June 8th 2026
PUBLICATION DATE: June 11th 2026 (Petoskey News Review)
300ft NOTICE SENT DATE: June 8th 2026
APPLICANT(S)/OWNERS: Anthony and Sally Stayman
SUBJECT ADDRESS: 7345 Birdland Dr. Charlevoix MI 49720
PARCEL NO: 15-007-301-005-00
ZONING: R1
PARCEL SIZE: Approximately 1.21 acres (legal lot of record), Average Width is <200ft, Average Length is <280ft

Setback Requirements: (Section 3.14 Waterfront Regulations)

Front: 100' from Lake Charlevoix.
Side: 15'
Rear: 25'

IMPERVIOUS SURFACE: Proposed construction is well below the allowed 15% impervious surface of the R1 district.

REQUESTS: 20 foot variance from the 100 foot front yard setback requirement in section 3.14.3 To allow for construction of a new single family dwelling within 80 feet of Lake Charlevoix.

SHORELAND PROTECTION STRIP:

Shoreline Protection Strip proposed Site Plan will need to be submitted to the Shoreland Protection Strip committee for review. See attached.

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

ZBA Variance Request

SECTION 8.07 VARIANCES

The ZBA may grant dimensional variances when the applicant demonstrates in the official record of the hearing that the strict enforcement of this Ordinance would result in practical difficulty. To establish practical difficulty, the applicant must establish all of the following:

- 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.**

The Zoning Administrator Finds that: This parcel is only 1.21 acres (legal lot of record). Minimum parcel size in R-1 district is 2 acres. Lot average about 280' long with an 18' drop in slope from rear to front.

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

The Zoning Administrator Finds that: The variance is not a result of current owners. Township approved zoning permit for addition on front (lake side) in 2001 and original house was constructed prior to ordinance adoption.

- 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.**

The Zoning Administrator Finds that: Strict compliance would prohibit construction of structure similar to adjacent properties in the vicinity.

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 Administrator Finds that: With smaller lot than adjacent parcels a lesser variance would not be consistent with other properties.

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 Administrator Finds that: It will not.

Notice of Variance



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

GENERAL INFORMATION

Name of Property
Owner(s) William and Pamela Yates

Mailing Address 23050 Industrial Dr. E

City Saint Clair Shores State MI Zip 48080

Telephone 586-292-6558

PROPERTY INFORMATION

Property Tax Code Number: 15- 007- 301-021-25

Legal Address 6995 Birdland Dr. Charlevoix, MI 49720

Nearest Road Intersection Birdland Dr. and Quarerline Rd.

Zone District R-1

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

VARIANCE OR INTERPRETATION REQUESTED

Relief from the following Zoning Ordinance Section(s):

4.13

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

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

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

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

100

100

100

100

100

100

100

100

100

100

100

100

100

100

100

100

100

100

100

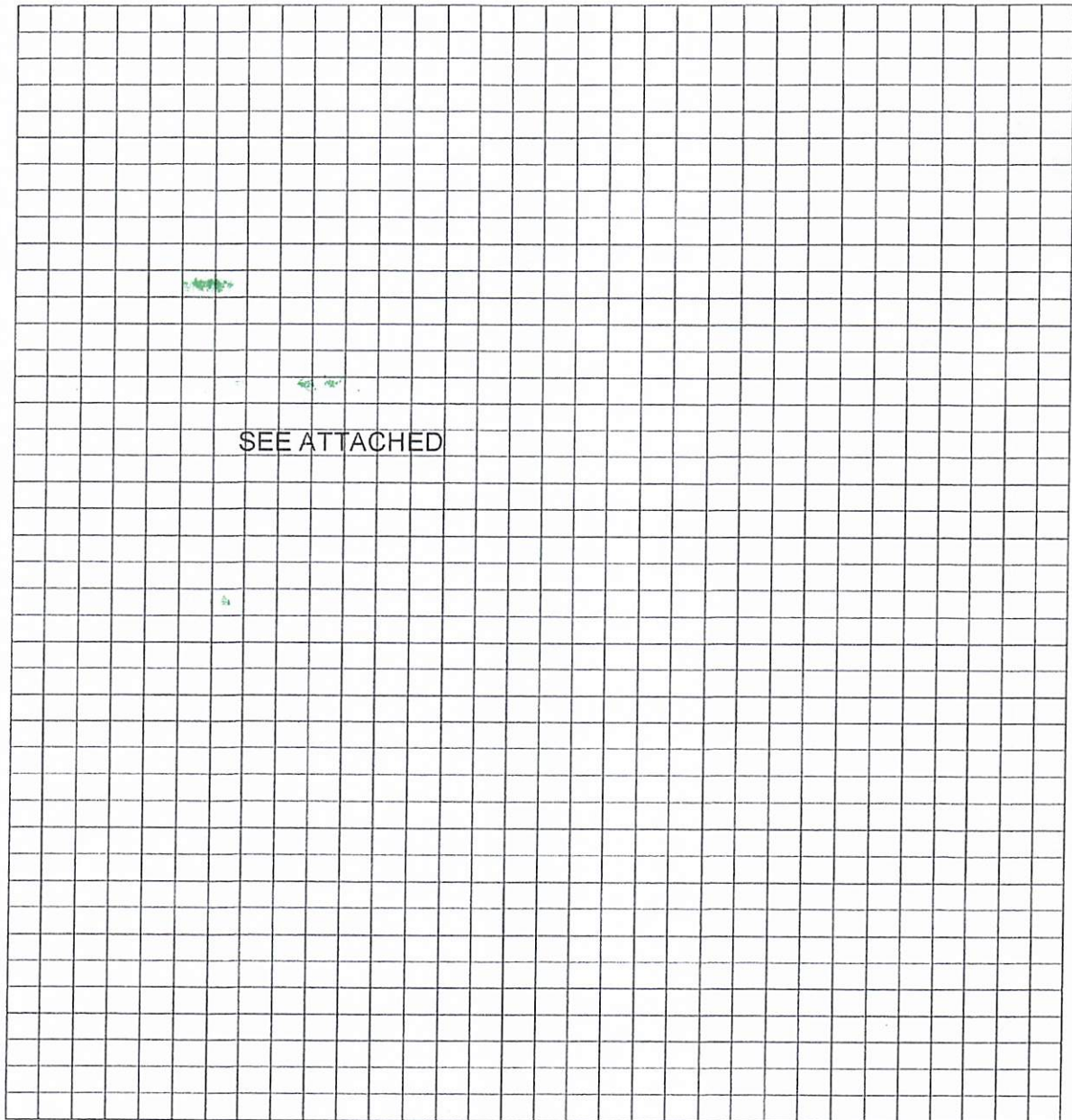
100

100

100

100

100



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.**

We are requesting a variance to the waterfront setback line. We would like to use an 80' setback instead of the current 100' setback.

Type text here

DESCRIBE THE PRACTICAL DIFFICULTY THAT EXISTS

What are the unique conditions of your situation?

This is a unique shaped property that has a narrow average width of the buildable area, a stream, and a pond all working against us to limit the available building area.

The house will be located no closer to the lake than the existing home.

Please note that we were previously granted a variance to use a 35' setback from the stream along the side of the property that we would carry through along with this variance being requested.

Type text here

EFFECT ON APPLICANT IF VARIANCE IS DENIED

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

If the variance is denied, it would significantly change the design of the home, restricting enjoyment of the property and views offered by the current home. Others with regular shaped lots without the additional water features are able to utilize a more reasonable portion of the property to build.

Type text here

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?

There will be no effect on neighboring properties as the home would be a similar distance to the water as others in the area. We also own the property to the south that has a restricted building site due to wetlands, offering an even larger buffer to the next neighboring property. There would be no change in access to any property or any other restriction.

Type text here

Date: 5/26/26

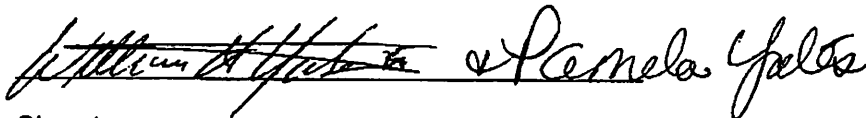
To whom it may concern:

I hereby authorize Mike Heneka to apply for and sign (as the agent) the necessary permits for this project, including the following:

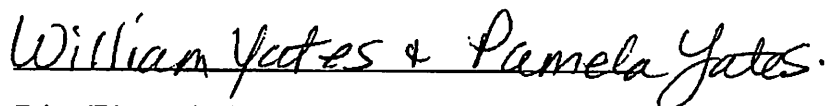
- Application for Building Permit through Charlevoix County Department of Building Safety
- Permit Application for Soil Erosion and Sediment Control through Charlevoix County Department of Building Safety
- Zoning Application & Permit
- Zoning Variance Application
- Well and septic permits through Northwest Michigan Health Dept.

Any questions should be directed to Mike Heneka – [REDACTED]

Sincerely,

A handwritten signature in cursive script, appearing to read "William Yates & Pamela Yates".

Signature

A handwritten signature in cursive script, appearing to read "William Yates & Pamela Yates".

Print (Please include name of Trust if applicable)

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

10/20/20

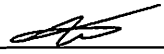
APPLICANT'S STATEMENT AND AUTHORIZATION

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

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

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

Owner(s) Signature: _____ Date: _____

Applicant(s) Signature:  Date: 5/26/26

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

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

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

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

Application and fee can be sent to:

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

231-549-6961

Zoning Administrator's Signature 

DATE RECEIVED 0-8-26

CASE NO. 070126B

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

Zoning Administrator Report

To: Zoning Board of Appeals Hayes Township
From: Ron VanZee Zoning Administrator
Date: 6/17/2026

CASE NO: 070126B (for office use only)
APPLICATION DATE: May 26th 2026
NOTICE POSTING DATE: June 8th 2026
PUBLICATION DATE: June 11 2026 (Petoskey News Review)
300ft NOTICE SENT DATE: June 8th 2026
APPLICANT(S)/OWNERS: Bill and Pamela Yates
SUBJECT ADDRESS: 6995 Birdland Dr. Charlevoix MI 49720
MAILING ADDRESS: 23050 Industrial Dr. E. Saint Clair Shores, MI 48080.
PARCEL NO: 15-007-301-021-25
ZONING: R1
PARCEL SIZE: Approximately 3.47 acre, Average Width is <200ft, Average Length is <700ft

Setback Requirements: (Section 4.13 schedule of regulations)

Front: 100' from Ordinary High-Water Mark of Lake Charlevoix
Side: 15'
Rear: 25'

Shoreline Protection Strip: (Section 3.14 Waterfront Regulations)

Lake Charlevoix: 50'

IMPERVIOUS SURFACE: Proposed construction is well below the allowed 15% impervious surface of the R1 district.

REQUEST: 1. A 20 foot variance from the 100 foot water feature (Lake Charlevoix) setback requirement in section 3.14,3. To allow construction within 80 feet of Lake Charlevoix.

... ..

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

SHORELAND PROTECTION STRIP:

Shoreline Protection Strip proposed Site Plan has been submitted to the Shoreland Protection Strip committee for review.

ADDITIONAL APPROVALS FOR PROPOSED CONSTRUCTION:

-Health Department of Northwest Michigan Approval for well and septic letter date October 3rd 2024.

-Charlevoix County Soil Erosion Permit# PS2024-0111 Issued 10/26/24

USE(S):

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

2024

2024

ZBA Variance Request Staff Review

SECTION 8.07 VARIANCES

The ZBA may grant dimensional variances when the applicant demonstrates in the official record of the hearing that the strict enforcement of this Ordinance would result in practical difficulty. To establish practical difficulty, the applicant must establish all of the following:

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.

The Zoning Administrator Finds that: This property is irregular in shape with water features on 3 sides and designated wetlands adjacent to it. Increasing setback requirements and reducing build-able area recognized by other parcels in the vicinity.

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

The Zoning Administrator Finds that: The Request is not the result or action of the property owner but is driven by a failing foundation on existing residence.

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.

The Zoning Administrator Finds that: The existing setback restrictions would only allow for about a 20' X 40' structure, approximately 800 Square Feet substantially less than surrounding properties, see attached site plan.

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 Administrator finds that: Granting the variance request would do justice to applicant while not adversely affecting other property owners considering the requested variance aligns with current placement of residence.

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 Administrator Finds that: It Will Not

Viewing Parcel Number: 007-301-021-25

Parcel Details

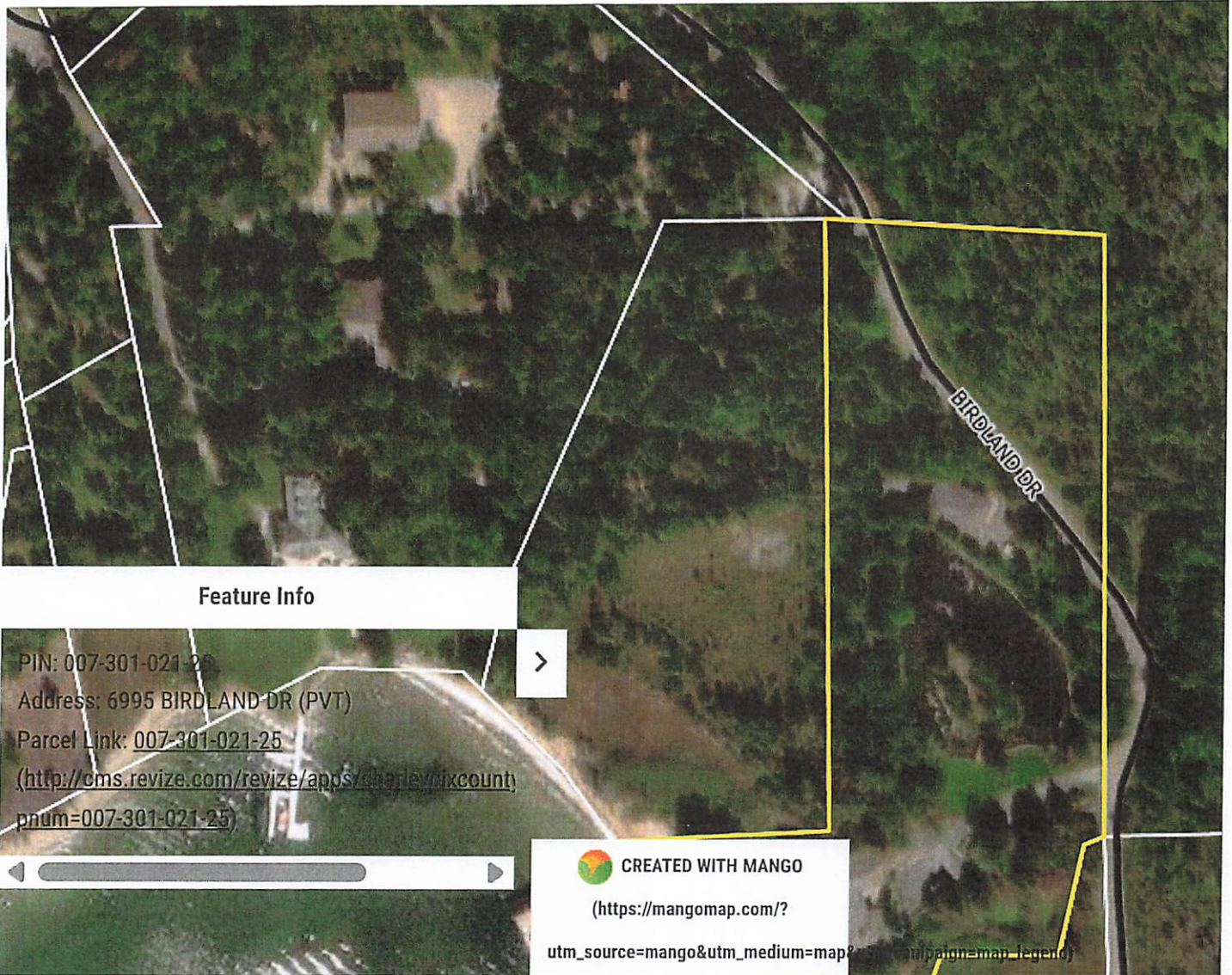
Assessing City/Township:	Hayes Township
Property Address:	6995 BIRDLAND DR (PVT) CHARLEVOIX, MI 49720
Owner Information:	YATES WILLIAM H III & PAMELA 95% & YATES WILLIAM HENRY IV 5% [REDACTED] [REDACTED]
Property Class:	401 - Residential - Improved
Taxable Status:	TAXABLE
School District:	15050 - Charlevoix
P.R.E. Percentage:	100%
P.R.E. Filing Date:	5/2/2023
Current SEV:	\$1,178,500
Current Taxable Value:	\$999,647
Prior Year SEV:	\$1,087,000
Prior Year Taxable Value:	\$973,367

Sales Information

Date	Document Type	Liber/Page	Sales Price
05/02/2023	WD	1376/668	Confidential
11/17/2016	WD	1143/906	\$1,270,000
07/19/2016	QC	1141/281	\$0
07/30/2004	QC	638/096	\$0

Tax Description

BEG AT NE COR OF LOT 21 OF BIRDLAND ESTATES ACCORD TO PLAT RECD AT R/D TH AL E LI SD LOT 21
S0DEG05'28"E(RECD AS S)250.25FT TO NELY LI OF PVT RD ESMT AS RECD L176 P281 CHX CO R/D TH
CONT AL SD LOT LI S0DEG05'28"E(RECD AS S)115.18FT TO SWLY LI SD ESMT TH CONT AL SD LOT LI
S0DEG05'28"E(RECD AS S)111.77FT TO THREADS OF WOODS CREEK TH AL THE THREAD OF WOODS
CREEK THE FOLL 9 CRSES:S70DEG05'12"W 16.91FT(RECD AS 17.25FT)S13DEG04'29"W 2.14FT TO LINE
COMM TO SD LOT 21& LOT 22 FIRST ADD TO BIRDLAND ESTATES TH CONT S13DEG04'29"W 88.46FT
N89DEG39'50"W 94.02FT S20DEG19'23"W 45.76FT S75DEG50'59"W 71.65FT N54DEG28'32"W 50.36FT
S54DEG27'18"W 35.11FT & S80DEG03'18"W 44.62FT TO INTER TRAVERSE LI AL ELY SH LK CHX TH AL SD
TRAV LI N20DEG40'18"W 155.89FT TH CONT AL SD TRAV LI N44DEG52'44"W 28.29FT TH S89DEG52'14"E
184.34FT TH N0DEG04'26"E 462.88FT TO N LI LOT 21 BIRDLAND ESTATES TH AL SD LOT LI
S89DEG41'09"E(RECD AS S89DEG51'E)19.76FT TO WLY LI SD ESMT TH CONT AL SD LOT LI
S89DEG41'09"E(RECD AS S89DEG51'E)0.24FT TH CONT AL SD LOT LI N89DEG30'58"E(RECD AS
S89DEG51'E)67.85FT TO ELY LI SD ESMT TH CONT AL SD LOT LI N89DEG30'58"E(RECD AS
S89DEG51'E)130.74FT TO POB BEING PT LOT 21 BIRDLAND ESTATES & PT LOT 22 FIRST ADD TO
BIRDLAND ESTATES CONT 3.422A SPLIT ON 07/30/2004 FROM 007-301-021-50, 007-129-017-00, 007-
301-021-00



HAYES



Notices sent 6-8-2026

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

**The Hayes Township Zoning Board of Appeals will
conduct a public hearing on Wednesday, July 1st 2026 at
7:00 P.M.**

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

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

In the Matter of: Bill and Pamela Yates CASE #070126B

Charlevoix County Property Tax Identification Number 15-007-301-021-25, located on
property commonly known as 6995 Birdland Dr. Charlevoix MI 49720. The applicant is
seeking a variance of 20' to
raze the existing single family residence, that is currently located Eighty foot (80') from the
Ordinary High water Mark, and construct a new single family dwelling unit in the same
location as existing.

To accomplish this project the applicant is seeking a variance of
Twenty foot (20') variance from the 100 foot Lake Charlevoix setback requirement
in Section 3.14.3.

Section 3.14.3. states that "The Shoreland Protection Strip shall include all of the
land located within fifty (50) feet of the Ordinary High Water Mark landward of a lake or a
stream abutting or traversing the property in question.

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

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

Written comments must be received by 4 p.m. on June 30th, 2026.

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

USA TODAY CO.



PO Box 630491 Cincinnati, OH 45263-0491

AFFIDAVIT OF PUBLICATION

Hayes Township
9195 Major Douglas Sloan RD
Charlevoix MI 49720-9053

STATE OF MICHIGAN, COUNTY OF EMMET, COUNTY OF
CHARLEVOIX

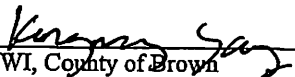
The Petoskey News Review, a newspaper printed and published in
the counties of Emmet and Charlevoix, in the State of Michigan,
and personal knowledge of the facts herein state and that the
notice hereto annexed was Published in said newspaper in the
issue dated:

06/11/2026

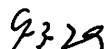
and that the fees charged are legal.
Sworn to and subscribed before on 06/11/2026



Legal Clerk



Notary, State of WI, County of Brown

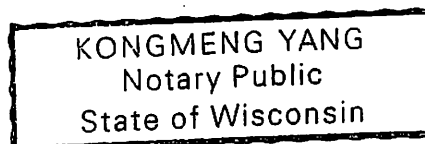


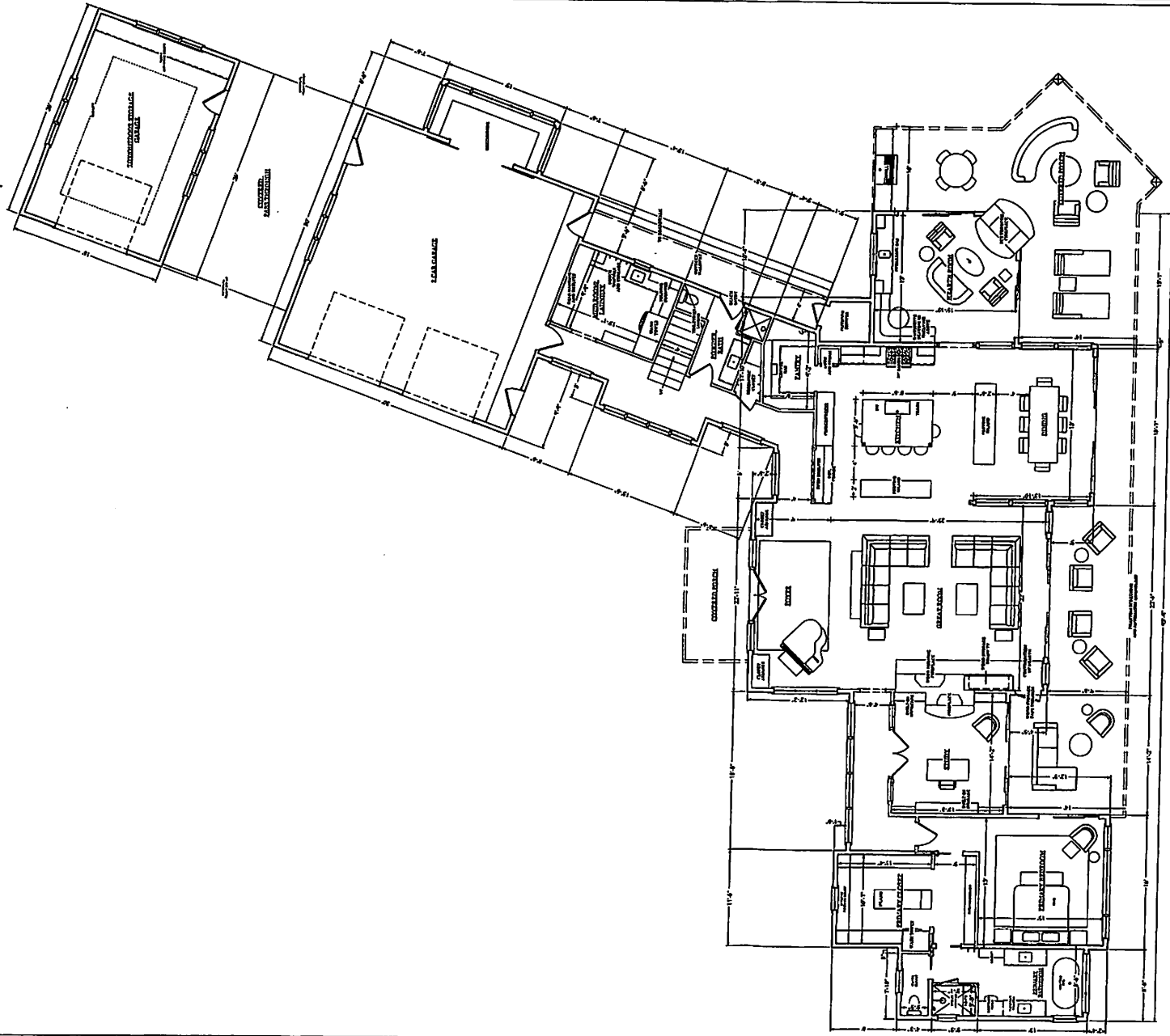
My commission expires

Publication Cost:	\$149.12	
Tax Amount:	\$0.00	
Payment Cost:	\$149.12	
Order No:	12399718	# of Copies:
Customer No:	549778	0
PO #:	LPET0535106	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.





YATES - LAKE CHARLEVOIX

1ST FLOOR
 3/16 IN = 1 FT

DRAWINGS PROVIDED BY:
 CHASE & ASSOCIATES
 1000 10TH AVENUE
 S. SHERBOURNE, ONT.

DATE:
 5/29/2026

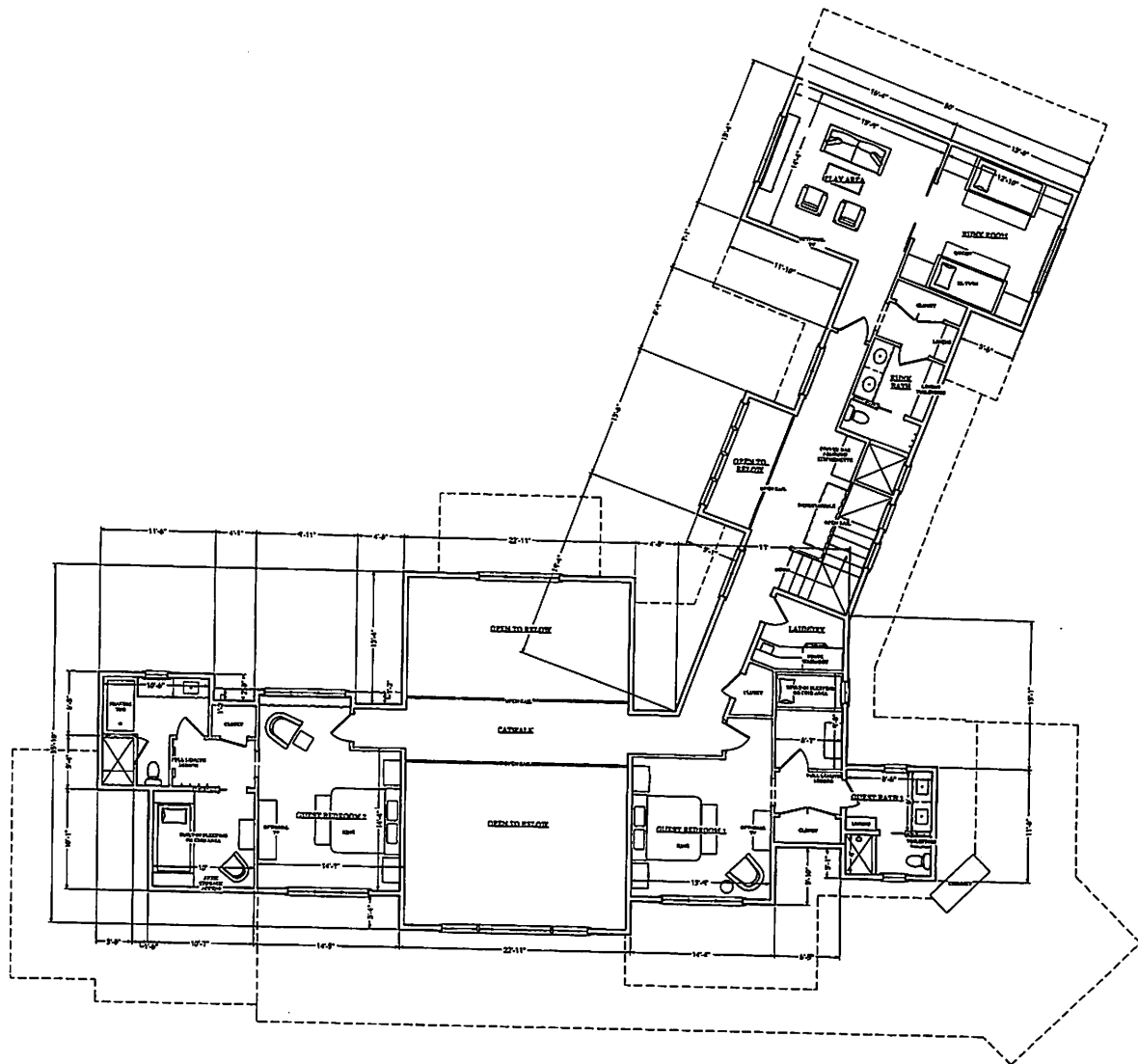
SCALE:

SHEET:
 P-1

REVISION DATE	REVISION BY	DESCRIPTION

FLOORPLANS

YATES



YATES - LAKE CHARLEVOIX

○ 2ND FLOOR
3/16 IN = 1 FT

SHEET:

SCALE:

DATE:
5/29/2026

DRAWINGS PROVIDED BY:

DESIGNWORKS

YATES

FLOORPLANS

REVISION TABLE		
NUMBER	DATE	REVISION BY / DESCRIPTION