

AGENDA
HAYES TOWNSHIP, CHARLEVOIX COUNTY
PLANNING COMMISSION

August 18, 2026 7:00 pm

Hayes Township Hall
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720

ZOOM

<https://us02web.zoom.us/j/83601481092?pwd=bTRvd01yc2NtSHY5MXkrZDUxVDMrZz09>

Meeting ID: 836 0148 1092

Passcode: 068828

+1 312 626 6799 US (Chicago)

1. Call To Order
2. Pledge of Allegiance
3. Review and Approval of Agenda
4. Declaration of Conflict of Interest, if any
5. Review and Approval of Draft Minutes- July 21, 2026
6. Public Comment Related to Agenda Items
7. Report of Township Board Representative to the Planning Commission
8. Report of Zoning Board of Appeals Representative to the Planning Commission
9. Zoning Administrator Report
10. New Business
 - a. Shoreland landscape plan – 7345 Birdland
 - b. Public Hearing – Proposed amendments to PUD for Country Club Fairways
11. Old Business
12. Set/Confirm Public Hearing Dates
13. Set/Confirm Date of Next Regular PC Meeting- September 15, 2026
14. Public Comment
15. Planning Commission and Staff Comment
16. Adjournment

Public Comment at Meetings of the Hayes Township Planning Commission

The Hayes Township Planning Commission values public input and offers an opportunity for the public to comment at its meetings. This affords the Planning Commission the opportunity to hear your views and remarks. If you speak, you should not expect to engage the Planning Commission members or any staff in discussion or debate.

Planning Commission Members will not respond to comments made during the Public Comment unless it becomes necessary to ask a clarifying question, correct a factual error, or to provide specific factual information.

Questions about Township matters are best directed to individual Board members or Township staff (Planner, Zoning Administrator, or Assessor) between meetings. Contact information is available on the township website at: hayestownshipmi.gov.

The availability of public comment is recognized by the Michigan Open Meetings Act. The Act provides that rules may be adopted for orderly comment from the public. To that end, the following rules have been established by the Planning Commission:

1. A person who wishes to speak during Public Comment will sign in and signify that they would like to speak on the form.
2. The person will begin by stating their name, spelling it out if requested.
3. The person addresses the Chairperson, or other person chairing the meeting, on behalf of the entire Planning Commission. Public comment is NOT to be addressed to individual Planning Commission members, to any township staff present, or to other members of the audience.
4. For the first Public Comment period, there is a three (3) minute time allotment for each speaker. The time limit may be extended by the Chairperson or majority of the Planning Commission members present. If a speaker uses less than three (3) minutes, they may not use the remaining time at that Public Comment. A speaker may speak only once at Public Comment. There is no provision for another audience member to 'donate' their three (3) minutes to another speaker. For the second Public Comment session speakers are limited to two (2) minute each.
5. A speaker will be out of order if the speaker disrupts the meeting, fails to be germane, speaks longer than the allotted time, uses vulgarities or makes a personal attack on a Planning Commission member or Township employee that is unrelated to the performance of that person's duties.
6. If a speaker is called out of order, that speaker will not be able to speak again at the same meeting except by special leave of the Planning Commission. If the speaker continues to disrupt the meeting or is disorderly, law enforcement will be called to remove the speaker.
7. The Chairperson, or other person chairing the meeting, will have the discretion to permit members to speak at times other than the times reserved for Public Comment.

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CALL TO ORDER: Chairperson Roy Griffiths called the meeting to order at 7:00 p.m.

Members present: Roy Griffiths (Chair), Matt Cunningham, Rex Greenslade, CT Martin, Mark Snyder, and Carey Cuddeback.

Excused: Alexander Curley.

Also present: April Hilton (Recording Secretary) and Ron VanZee (Zoning Administrator).

Audience: Diane Conklin, Bill Conklin, Rick Tyner, Zeze Jess, Robert Jess, Andrew Schwartz, Pippa Spoehr, Rebecca Tashjian, Jeff Tashjian, Steve Hassell, Sue Hassell, Amanda Earl, and Don Barber.

REVIEW AGENDA:

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

Yeas: Roy Griffiths, Rex Greenslade, CT Martin, Mark Snyder, Carey Cuddeback, and Matt Cunningham.

Nays: none **Motion Carries**

DECLARATIONS OF CONFLICTS OF INTERESTS:

None

APPROVAL OF MINUTES JUNE 16, 2026 REGULAR MEETING

Mr. Greenslade made a motion, supported by Mr. Martin, to approve the June 16, 2026 Regular meeting minutes as presented.

Yeas: Roy Griffiths, Rex Greenslade, CT Martin, Mark Snyder, Carey Cuddeback, and Matt Cunningham.

Nays: none **Motion Carries**

APPROVAL OF MINUTES JUNE 26, 2026 SPECIAL MEETING

Mr. Martin made a motion, supported by Ms. Cuddeback, to approve the June 26, 2026 Special Meeting minutes as corrected.

Yeas: Roy Griffiths, Rex Greenslade, CT Martin, Mark Snyder, Carey Cuddeback, and Matt Cunningham.

Nays: none **Motion Carries**

PUBLIC COMMENTS- RELATED TO AGENDA ITEMS:

Public comments opened at 7:03 pm.

Comments included:

- Request to postpone the public hearing for proposed amendments to the PUD for Country Club Fairways due to not receiving a notice and having concerns regarding the site plan. Supports the proposed amendments to the PUD for Country Club Fairways. Rezone request for 10575 Burnett Road.

Public Comment closed at 7:08 pm.

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38 **REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION:** Mr. Cunningham
39 gave a report on Board of Trustees activities. The board will hold a special meeting on July 27th 2026, to
40 discuss a Fire Mileage for the November 2026 Ballot. Next regular scheduled Board meeting is August
41 10, 2026.

42
43 **REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE TO THE PLANNING COMMISSION:**
44 ZBA held a public hearing Meeting on July 1, 2026, at 7 pm. Variance Request case for 6995 Birdland
45 Drive was approved, and the Variance Request case for 7345 Birdland Drive was approved.

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47 **ZONING ADMINISTRATOR REPORT:** Ron VanZee presented a written report. The report is available on
48 the Hayes Township website and for review at the Township Hall.

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50 **NEW BUSINESS**

51 **REZONE REQUEST/PUBLIC HEARING – 10963 BOYNE CITY RD.**

52 Mr. Griffiths opened the public hearing at 7:13 pm.

53
54 Mr. Jess stated the Township Future Land Use Map recommends his parcel be zoned Rural Residential,
55 and he would like to rezone his property to match this recommendation.

56
57 The purpose of this hearing is to consider an application from Robert and Zeze Jess for rezoning
58 Property Tax ID number 15-007-120-006-20 legally described as "2003SP102002 FROM 120-006-20
59 BEG AT W1/4 COR SEC 20 T34N R7W TH AL W LI SD SEC N01DEG43'06" W 658.65FT TH N89 DEG21'54"
60 E 33.01FT TO E LI SEE RD TH CONT N89DEG21'54" E 631.79FT TH S01DEG43'06" E 599.59FT TO N LI
61 BOYNE CITY RD TH CONT S01DEG43'06" E 59.78FT TO E&W1/4 LI SD SEC TH AL SD 1/4 LI S89DEG25'37"
62 W 664.81FT TO POB BEING PT SW1/4 OF NW1/4 SEC 20-34-7 CONT 10.056A PARCEL 1 . Containing
63 10.056 acres and subject to easements and restrictions of record", commonly known as 10963 Boyne
64 City Road, Hayes Township, Charlevoix, Michigan 49720, from Agricultural District (A) to Rural
65 Residential District (RR).

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67 Chair opened and closed Public Comment at 7:16 pm with no comment.

68 Chair closed Public Hearing at 7:17 pm.

69 Planning Commission deliberated and applied the standards and factors from Section 10.01 C5.

70 The Planning Commission shall review and apply the following standards and factors in the considera-
71 tion of any rezoning request.

72 a) Is the proposed rezoning consistent with the Hayes Township Master
73 Plan?

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Planning Commission finds: Yes, it is consistent.

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- b) Is the proposed rezoning reasonably consistent with surrounding uses?

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Planning Commission finds: Yes, consistent with adjacent current uses.

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- c) Will there be an adverse physical impact on surrounding properties?

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Planning Commission finds: NO.

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- d) Will there be an adverse effect on property values in the adjacent area?

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Planning Commission finds: No adverse effect as Rural Residential.

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- e) Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?

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Planning Commission finds: NO.

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- f) Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?

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Planning Commission finds: It will not when used as Rural Residential.

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- g) Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?

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Planning Commission finds: No special privilege; will not create spot zoning with RR zoning just east of this parcel.

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- h) Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications?

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Planning Commission finds: Residential density is limited with AG Zoning.

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- i) Is the rezoning in conflict with the planned use for the property as reflected in the Land Use Plan?

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Planning Commission finds: No

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- j) Is the site served by adequate public facilities or is the petitioner able to provide them?

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Planning Commission finds: Yes

- k) Are there sites nearby already properly zoned that can be used for the intended purposes?

Planning Commission finds: No

- l) Are other local remedies available?

Planning Commission finds: NO.

Upon finding that the proposed rezone complies with the criteria in the Zoning Ordinance and the Master Plan, Mr. Greenslade made the motion, supported by Mr. Cunningham, to rezone parcel 15-007-120-006-20 (10963 Boyne City Road) from Agricultural to Rural Residential as it is consistent with the Future Land Use Map, current Zoning Map, and surrounding parcels.

A roll call was taken.

Yeas: Roy Griffiths, CT Martin, Carey Cuddeback, Mark Snyder, Rex Greenslade, and Matt Cunningham.

Nays: none **Motion Carries**

REZONE REQUEST/PUBLIC HEARING – 10575 BURNETT RD.

Mr. Griffiths opened the public hearing at 7:21 pm.

Ms. Earl stated she would like to split and sell a portion of her parcel, which is not possible with her current zoning.

The purpose of this hearing is to consider an application from Amanda Earl for rezoning Property Tax ID number 15-007-111-009-10 legally described as "COM AT N1/4 COR SEC 11 T34N R7W TH S0DEG02'33" W AL N&S1/4 LI 2146.86FT FOR POB TH CONT S0DEG02'33" W AL SD 1/4 LI TO E&W1/4 LI TH W AL E&W1/4 LI TO W1/8 LI TH N0DEG0'01" W AL W1/8 LI TO PT WHICH IS N 89DEG58'49"W 1355.7FT FROM POB TH S89DEG58'49" E 1355.7FT TO POB BEING PT OF SEC 11-34-7, containing +/- 17 acres and subject to easements and restrictions of record, commonly known as 10575 Burnett Road, Hayes Township, Charlevoix, Michigan 49720, from Agricultural District (A) to Rural Residential District (RR).

Chair opened and closed Public Comment at 7:24 pm with no comment.

Chair closed Public Hearing at 7:24 pm.

Planning Commission deliberated and applied the standards and factors from Section 10.01 C5

The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.

- l) Is the proposed rezoning consistent with the Hayes Township Master

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Plan?

Planning Commission finds: YES

- m) Is the proposed rezoning reasonably consistent with surrounding uses?

Planning Commission finds: Yes

- n) Will there be an adverse physical impact on surrounding properties?

Planning Commission finds: NO

- o) Will there be an adverse effect on property values in the adjacent area?

Planning Commission finds: NO

- p) Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?

Planning Commission finds: NO

- q) Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?

Planning Commission finds: NO

- r) Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?

Planning Commission finds: NO

- s) Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications?

Planning Commission finds: Agricultural zone limits residential development.

- t) Is the rezoning in conflict with the planned use for the property as reflected in the Land Use Plan?

Planning Commission finds: NO

- u) Is the site served by adequate public facilities or is the petitioner able to provide them?

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Planning Commission finds: NO public utilities.

- v) Are there sites nearby already properly zoned that can be used for the intended purposes?

Planning Commission finds: NO.

- l) Are other local remedies available?

Planning Commission finds: NO.

Upon finding that the proposed rezone complies with the criteria in the Zoning Ordinance and the Master Plan, Mr. Greenslade made the motion, supported by Mr. Martin, to rezone parcel 15-007-111-009-10 (10575 Burnett Road) from Agricultural to Rural Residential as it is consistent with the Future Land Use Map, current Zoning Map, and surrounding parcels.

A roll call was taken.

Yeas: Roy Griffiths, CT Martin, Carey Cuddeback, Mark Snyder, Rex Greenslade, and Matt Cunningham.

Nays: none **Motion Carries**

PROPOSED AMENDMENTS TO PUD FOR COUNTRY CLUB FAIRWAYS PRE-PUBLIC HEARING

DISCUSSION:

Mr. Griffiths stated he has spoken with the developer and neighboring residents regarding concerns with the public notice distribution. The Hayes Township Zoning Ordinance is not consistent with the Michigan Zoning and Enabling Act, and without hearing back from the Township attorney on this matter, it is the Chair's recommendation to postpone the public hearing for the proposed amendments to the PUD for Country Club Fairways until the August 18th, 2026 Planning Commission meeting. Would like to have a pre-discussion regarding this development at tonight's meeting while the developer's team is present.

Mr. Martin made a motion, supported by Ms. Cuddeback, to set a public hearing for August 18th, 2026 at 7:00 pm to review a Planned Unit Development amendment for 007-118-003-15 Country Club Fairways.

Yeas: Roy Griffiths, CT Martin, Mark Snyder, Carey Cuddeback, Rex Greenslade, and Matt Cunningham.

Nays: none **Motion Carries**

Zoning Administrator Ron VanZee stated the application to amend the Fairways PUD was received on June 8, 2026. Notice of Public Hearing was posted on June 17, 2026. Publication date in Petoskey News Review was June 20, 2026. 300' notice to adjacent parcels was mailed June 17, 2026. Original Fairways PUD was approved May 18, 1999 with designated R-4 Multiple

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Family Residential Zoning allowing a net density of 4 dwelling units per net acre, a minimum of fifty percent of gross area maintained as open space, and a minimum of 900 square feet of floor space for each unit. The approval included provision for 44 residential units (11 fourplex buildings). The property tax identification number for the property is 15-007-118-003-15. The owner of record is AT/CCF LLC. The original PUD approved was for 12.53 acres. October 26, 2021, the Hayes Township Planning Commission approved an application to exclude 2 acres from the PUD where existing condominiums (4 fourplex buildings) are located, leaving 10.525 acres remaining in the original PUD, recognizing an agreement between AT/CCF LLC and Country Club Fairways Association (CCFHOA) to divide the property. The applicant proposes, with this application, to develop 16 single-family residential units instead of the amended approval with 28 units available. Maximum allowed density in the R-4 zoning district is 4 dwelling units per net acre: allowed dwelling units $4 \times 10.525 = 42$. Proposed 16. Greenspace (open space) proposed is 6.17 acres or 59% of the parcel.

Mr. Tyner (principal, developer, and owner of subject property) stated their first project was in the mid- 1990's in Hayes Township, PA, Ba Shan Trails, a 10- lot waterfront development on Lake Michigan. Their second project in Hayes Township was Country Club Fairways, located on the North side of US 31. On May 18th 1999, Hayes Township approved a project to develop 44 residential units. Site Development was completed in the spring of 2001, and the construction of eight units (2 four-plex buildings) was completed in 2003. The Great Recession halted the remaining planned construction. In August 2021, AT/CCF LLC and the Country Club Fairways HOA agreed to divide the property, splitting off 10.5 acres from the original 12.5 acres, leaving the HOA with 2 acres. On November 29th 2021, Hayes Township approved the property division, and the legal lots of record at the Charlevoix County Register of Deeds reflect this division. They would like to amend the 1999 site plan with a new site plan showing 16 units rather than the remaining 36 of the 1999 plan.

Mr. Perkowitz stated he is a partner and Chief Operating Officer for the integrated real estate development firm for this project. They specialize in all aspects of the development process, including acquisition, entitlement, development, construction, sales, leasing, and financing. They are known for quality development execution and positive community impact. They have a diverse set of real estate holdings, including approximately 1000 apartment units that have been delivered over the past several years, with another 287 units that are in construction now. They have over 75,000 square feet of retail that's integrated predominantly through our various mixed-use projects, and ownership in two Detroit hotels. Development of single-family and multifamily condominium communities is their main focus; they have developed more than 1500 lots and delivered more than 1000 homes during the past 10 years. This is a unique opportunity to develop a single-family home community at the Charlevoix County Club in Hayes Township, and they hope to move forward with the planning and construction of this exciting development. The site plan includes 16 single-family homes with first-floor primary living, ranging in size from approximately 2,000 square feet up to 3,200 square feet. They will all include an

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additional 1,000-square-foot finished basement, with a two-car attached garage. They will present several plans and elevations to prevent design monotony. They have built similar housing projects with success and predict this project being just as successful, attracting the two primary demographics for the Charlevoix area: active adults and retirees. The site plan and development approach are designed to create harmony and synergy with the adjacent properties and uses, while preserving 6.17 acres of the parcel equaling 59% open space. The open space will include a vegetative buffer of native grasses. They believe their proposed project is consistent with the future land use map by incorporating the large open spaces for viewing and living within a natural environment, which will be desired among the future homeowners. The site plan includes two paved golf cart path access points, one to the Charlevoix County Club and the other to the Charlevoix Community Pool, providing a convenient mode of access to both recreational adjacent uses. The Site plan incorporates an emergency access drive that connects to the Charlevoix Community Pool parking lot with a gate opened by a Knox Box for the fire and EMS, which will be maintained by the association. Site plan includes specific building envelope details, including a combined 40-foot front and rear setback which will help preserve additional open space. They will provide a construction impact mitigation plan. The significant reduction in density from the originally approved PUD and the preservation of open space is what they are proposing.

Mr. VanZee requested the proposed timeline of completion of the project.

Mr. Perkowitz stated their goal is to start four homes immediately; sales will impact the ability to advance and the pace and velocity at which they move forward from there.

Mr. Griffiths stated, to clarify, the construction will be dependent on sales, not based on speculation of reselling them?

Mr. Perkowitz stated that for the first four homes, the intention is 100% regardless of whether they're sold or not sold. The volume of sales at that time will determine how they advance the construction drawings for the future homes.

Mr. Snyder requested who their target market is.

Mr. Perkowitz stated the target market for these homes would be active adults and retirees.

Mr. Snyder requested the expected starting price point for the developed homes.

Mr. Perkowitz stated the price point is likely to be \$950,000 or \$ 1.3 million plus.

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Ms. Cuddeback asked, with the combined setback that is not the current standard, would the development also have to go for a variance in front of the ZBA, or is that something the Planning Commission can approve within the PUD?

Mr. VanZee stated the Planning Commission can approve the setback change through the PUD process.

Mr. Griffiths stated, given the size of the building envelope, how much of the area do you anticipate inside the envelope being filled with the structure?

Mr. Perkowitz stated it will depend on the final floor plan for each home. These homes will have different elevation styles and architectural features. Typically, the foundation of the homes will be 45' by 62'. The envelopes do give them some flexibility to adjust those sizes.

Mr. Griffiths stated three ponds can be identified on the site plan; are these existing ponds or are they developed as retention basins?

Mr. Perkowitz stated all the ponds are existing from the original development as retention ponds.

Resident stated he lives at the Fairways Club in condo 9280; every unit is occupied, and it is a thriving community. The request to delay this hearing due to the neighbors not knowing is false; every one of our neighbors was aware of the project. The developer presented the project to all the homeowners in the HOA on June 17th, 2026, which we all had a chance to attend. Unfortunately, one homeowner was not able to attend; however, sufficient notice was given.

Mr. Conklin stated Diane and he have lived in their condo since 2015, and Mr. Tyner has been exemplary in attending to every concern that we may have. He is very professional and courteous.

Mr. Griffiths stated the postponement of the public hearing is at no fault of the applicant; there is a technical issue with the notice we did not create. Postponing it for one month will avoid a greater delay if we would be subject to a challenge in court.

Mr. Greenslade asked the Zoning Administrator to clarify if the applicant would need a variance from the shoreline protection strip of the ponds.

Mr. VanZee stated the Planning Commission can make it a condition for approval of the PUD.

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Mr. Griffiths stated when the Planning Commission approves the PUD, adjusting setbacks is allowed; however, waiving the 50-foot setback requirement from the Shoreline Protection strip is not. Therefore, they would need to seek a variance if the ponds are subject to the waterfront ordinance.

Mr. VanZee stated the Planning Commission has some flexibility; if they determine no adverse effect to the water, it's something they can consider conditioning.

Mr. Griffiths stated they will hold this public hearing at their August meeting.

SHORELAND LANDSCAPE PLAN – 7875 EAGLE NEST DR.

Mr. Snyder made a motion, supported by Mr. Cunningham, to approve the Shoreline Protection strip landscape plan for 7875 Eagle Nest Dr. as submitted.

Yeas: Roy Griffiths, CT Martin, Mark Snyder, Carey Cuddeback, Rex Greenslade, and Matt Cunningham.

Nays: none **Motion Carries**

REQUEST BY PC MEMBERS FOR DISCUSSION ON OHWM AND OVERLAY DISTRICT FOR BIRDLAND:

Mr. Griffiths stated planning commission members have raised a couple of topics that are relative to the zoning ordinance rewrite and are the subject of discussion.

Mr. Martin stated, particularly through section 3.14, the ordinary high-water mark is 582.3 with no scientific facts supporting this number. The U.S Corps of Engineers says 581.5, and since 1980, 581.5 has only been hit six times. 582.3 has only been hit 2 times since 1980. When looking at the shoreline protection strip, essentially, we make 50 feet from someone's front yard to the lake unusable. This should be supported by science; the U.S. Corps of Engineers says 581.5, and EGLE says 580.5. When the Zoning Ordinance rewrite began, the stated goal was to have scientific support for the ordinance.

Mr. Griffiths stated the state government has an ordinance or local laws established the height of Lake Michigan. The issue with having a number that is higher is that, regardless of the width of the shoreline protection strip, what it's done is artificially move the start line for measuring inland. With a minimum 50-foot-wide strip, depending on the topography of the land, it may actually be a 55- to 60-foot strip.

Mr. Greenslade stated he is in favor of following the science; however, what science do we follow?

Mr. Snyder stated the Hayes Township Zoning ordinance also has a 200-foot minimum width size for the waterfront, and with a 50-foot protection strip, it's 10,000 square feet of property taken from the property owner without any scientific evidence.

Mr. Griffiths stated the starting point to measure is what the Planning Commission needs to determine first. The State statute versus our Township Zoning Ordinance does not conform with what we know are established standards by the state. If the state says 581.5 is the ordinary high-water mark, our ordinance should not be anything different.

Mr. Greenslade stated the state establishes the ordinary high-water mark for Lake Michigan, but how if the ordinary high-water mark is determined for Lake Charlevoix?

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Mr. Griffiths stated using the number that is written in the statute by a regulatory agency by the state would be the most legally defensible. MCL 324.325.02 states the ordinary high-water mark is defined as specific elevations above sea level referenced in the International Great Lakes Datum. The statute originally used the 1995 datum, which was updated to the 1985 datum. Current elevations for Lakes Michigan and Huron are 580.5, which is consistent with EGLE's.

Mr. Greenslade stated he agrees to use that for Lake Michigan; what about Lake Charlevoix?

Mr. Griffiths stated Lake Charlevoix is at the same level as Lake Michigan; it's all part of the same watershed.

The Planning Commission came to a consensus to ask Jen Neal to define the ordinary high-water mark as 580.5, consistent with the state statute.

Mr. Greenslade stated the ZBA has discovered three issues within the Zoning Ordinance they would like changed in the new rewrite.

1. Aggrieved status. Our ZO states in 8.03.2 that it "... may hear an appeal made by any person who alleges he or she has been aggrieved by a decision of the official or body..." This loosens the standard set by the controlling statute, MCL 125.3604, which is very specific in that the appellant must be "a person aggrieved." The ZBA recommends that we amend the sentence to "may hear an appeal made by any person aggrieved by a decision of the official or body..." so that we implement the same standard as the MZEA, thereby eliminating confusion and a major grey area for the ZBA to wrestle with in making its decisions.
2. Appeal Fee Payment Timing. Our ZO states that "The applicant shall submit seven (7) copies of a completed application, with associated fee, surveys, plans and data ... not less than thirty (30) days before the date of the hearing." It may be argued that it is more appropriate that the fee is payable at the time of the initial notice of appeal due within 30 days of the action, decision, etc. being appealed and, in fact, that is what the ZBA Rules of Procedure stated until the ZBA voted on April 1 to change those Rules to make them compatible with the ZO. Despite this change, the ZBA recommends that the Planning Commission consider rewording the ZO so that the fee is to be paid at the time of the notice of appeal (within 30 days of the appealed action). A notice of appeal immediately triggers actions by the Township staff, the cost of which should be borne in part by the appellant even if they withdraw: to use the analogy of retail business, a sort of restocking fee. Additionally, it may be a deterrent to those who file a frivolous notice of appeal and decide later to not proceed with the appeal itself. Were the PC to agree to this change, either by an amendment to the existing ZO or as part of the overall ZO revision, it would be the intent of the ZBA to change its Rules back to the original wording to ensure compatibility between the two documents.
3. Birdland setbacks. The ZBA has recently heard many cases on properties in Birdland concerning requests for variances on the setback restriction from Lake Charlevoix. All structures in these cases concern replacement of or revisions to structures that are non-conforming, as they were

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built before the enactment of our Zoning Ordinance. The ZBA has requested Ron VanZee to research whether this is an issue that pertains to a majority of structures in Birdland. If his research shows that this is the case, it may be appropriate for the PC to consider the enactment of an overlay district similar to those for Susan Shores and Michigan Shores, which were created for similar reasons.

Mr. VanZee stated 65 to 75% of the homes on Birdland are identified as non-conforming.

Mr. Griffiths stated the original dwellings on Birdland were built under different setback regulations. As new owners purchase these homes and want to rebuild them its difficult for them to move the house back 30 to 40 feet, imposing a hardship depending on soil conditions. This may be a situation for the township to apply overlay rationale for the Birdland lots, to avoid penalizing a property owner.

Ms. Cuddeback stated she reached out to Todd Millar, the Hayes Township Attorney, and received language from him for the ZBA section of the new zoning ordinance draft.

OLD BUSINESS:

SET/CONFIRM PUBLIC HEARING DATES:

Set a public hearing for August 18th, 2026 at 7:00 pm to review a Planned Unit Development amendment for 007-118-003-15 County Club Fairways.

SET/CONFIRM DATE OF NEXT PC MEETING –AUGUST 18, 2026.

Next Planning Commission regular meeting will take place on August 18, 2026, at 7:00 pm.

PUBLIC COMMENT: Public Comment opened at 8:58 pm.

No comments.

Public Comment closed at 8:58 pm.

PLANNING COMMISSION and STAFF COMMENT:

ADJOURNMENT: Ms. Cuddeback made a motion, supported by Mr. Snyder, to adjourn the meeting at 8:58 pm.

Yeas: Roy Griffiths, CT Martin, Rex Greenslade, Mark Snyder, Carey Cuddeback, and Matt Cunningham.

Nays: none **Motion Carries**

Respectfully Submitted by: April Hilton, Deputy Clerk/Recording Secretary



Zoning Administrator Report

August 2026

Zoning Administrator work-in-progress report for July includes the following:

- Variance for setback from Lake Charlevoix granted on July 1st 2026, for 6995 Birdland Drive. Waiting for Health Department permit.
- Communicating with the landowner regarding a violation for a non-permitted patio on Oyster Bay Drive. The landowner is submitting a plan to reduce the size of the patio.
- Variance Application for setback from Lake Charlevoix, for 7345 Birdland Drive, was approved by the ZBA on July 1st 2026. Shoreline Subcommittee conducted a site visit. Planning Commission will review the Shoreline Landscaping plan at the August 18th 2026 Planning Commission Meeting.
- Working with EGLE regarding a Jet Ski business testing their Jet Skis on Susan Lake.
- Working with EGLE regarding a driveway that appears to be in a wetlands area on Major Douglas Sloan Road. EGLE has determined a wetlands violation.
- Sent the second notice of a violation letter to the property owner on Hemlock Ave for junk accumulation on the property.
- Received Zoning permit application for 5767 Undine Rd for new construction for a single-family dwelling. Waiting for health department permit.
- County Club Fairways Planned Unit Development amendment request submitted. Planning Commission will hold a Public Hearing on August 18, 2026.
- Zoning permit application for a Demo and rebuild of the existing home on Quarter Line Road. Shoreline Review Committee conducted an inspection and advised the applicant to work with Tip of the Mitt to create a shoreland restoration plan. The shoreline plan from the applicant.
- Sent final letter before issuing a civil infraction to property owner on Villa Road for Violation of the Nuisance Ordinance and a non-compliance complaint.
- The information regarding the Falls Storage sign violation at their parcel on US 31 has been turned over to the Township Attorney.
- Rezone application for 10963 Boyne City Road from AG to RR. The Planning Commission held a public hearing at its July 21, 2026, Planning Commission Meeting. County Planning Commission will review the rezone request at its meeting on August 6th 2026.



- Resolved violation on Pincherry Rd for a recreational vehicle that is being lived in and connected to utilities.
- Rezone application for 10575 Burnett Road from AG to RR. The Planning Commission held a public hearing at its July 21, 2026, Planning Commission Meeting. County Planning Commission will review the rezone request at its meeting on August 6th 2026.
- Zoning application for an accessory building on 8240 Susan Shores Dr. Waiting for additional information from applicant.
- Received and reviewing Zoning permit application for a new single-family residence on Deer Path Drive. A Stop Work Order has been issued for this project until the shoreline protection strip is restored. The property has also been cited for wetland violations by EGLE. EGLE issued a letter to restore.
- Sent a violation notice letter to the property owner on East Susan Shore Drive for short-term rental uses not allowed in the Residential Zoning District.

26-07-01	07/20/26 007-127-006-50 7540 Burgess Rd	Craig Williams	New 12'X24' Accessory Building
26-07-02	07/22/26 007-129-009-40 7875 Eagle Nest Circle	Ryan Wilkins	New 3659 sq ft single family dwelling with 1546 sqft attached garage. Shoreline restoration plan as recommended by Shoreline Review Committee and approved by the Planning Commission on July 21st 2026.
26-07-03	07/27/26 007-102-007-25 7245 Lot 93 Upper Kelsey Dr.	Angela Schmidt	New 8'X16' Deck
26-07-04	07/29/26 007-270-036-00 6680 Bay Shore W Dr	Robert Stahl	New 24'X36' Accessory Building
26-08-01	08/03/26 007-110-024-10 8864 Major Douglas Sloan Rd	Jacob & Elizabeth Coats	New 24'X30' Accessory Structure

Zoning Administrator Report

To: Planning Commission
From: Ron VanZee, Zoning Administrator
Date: 08/12/2026

APPLICATION DATE: June 8 2026
NOTICE POSTING DATE: July 27th 2026
PUBLICATION DATE: July 29th 2026 (Petoskey News Review)
300ft NOTICE SENT DATE: July 27th 2026
APPLICANT(S)/OWNERS: A.T. / C.C.F, LLC Contact Richard F. Tyner
SUBJECT ADDRESS: Fairway View Charlevoix MI 49720
PARCEL NO: 15-007-118-003-15
ZONING: R-4 Multiple Family Residential
PARCEL SIZE: Approximately 11 acres (legal lot of record), Average Width is <630ft, Average Length is <1265ft

Setback Requirements: (Section 4.13 schedule of regulations)

Front: 35' from Boyne City Rd,
Side: 15'
Rear: 35'

REQUESTS: 1. Applicant proposes to amend the PUD, reducing the total number of units from 44 to 24 and constructing 16 new single-family units instead of the originally approved four-plexes.
The original Planned Unit Development (PUD) was approved on May 18th 1999, consisting of 44 residential units (11 four-plex buildings). 8 residential units (2 fourplex buildings) have been constructed.

ZONING ADMINISTRATOR COMMENTS/REVIEW:

The proposed amendment to the County Club Fairways PUD generally conforms to the original PUD approval and zoning ordinance requirements, except for proposed building envelopes reflecting smaller setbacks. The planning commission under these standards for approval, 3) Waiver of Standards: may consider or waive any of the standards for a PUD with documented rationale. Consideration should be considered for the reduction in the previous approval of 44 condo-type units to 24 single-family units when considering these standards.

H. *Standards for PUD Approval; Conditions; Waiver of PUD Standards.*

- 1) *General Standards.* The Planning Commission shall approve, or approve with conditions, a PUD application if the Planning Commission finds that the proposed PUD meets the standards of **Article V** and **Section 6.02.4** and all of the following:

- a) The planned unit development shall be consistent with the Hayes Township Master Plan.

Zoning Administrator finds: Yes, page 23, Master Plan (goal)

- b) The planned unit development shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area. Landscaping shall ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property and will be consistent with outdoor pedestrian movement. Vegetation proposed by the developer or required by the Planning Commission shall be maintained in a healthy, living condition, and any dead vegetation shall be replaced.

Zoning Administrator finds: Consistent with the originally approved PUD, adjacent buffering and vegetation are provided.

- c) The planned unit development shall not change the essential character of the surrounding area, unless such change is consistent with the Township's current master plan.

Zoning Administrator finds: It does not change the essential

character by maintaining a residential community.

- d) The planned unit development shall be designed to preserve public vistas and existing important natural, historical, and architectural features of significance within the development.

Zoning Administrator finds: The character will not change from the original PUD approval.

- e) The planned unit development shall be designed so that its pedestrian, non-motorized and automobile circulation systems are safely and conveniently integrated with those of abutting property and any linear trail or park systems intersecting or abutting such development.

Zoning Administrator finds: NO Changes

- f) The planned unit development shall provide that vehicular and pedestrian traffic within the site shall be safe and convenient and that parking layout will not adversely interfere with the flow of traffic within the site or to and from the adjacent streets. Safe and adequate access for emergency vehicles to or within the development and adequate space for turning around at street ends shall be provided.

Zoning Administrator finds: Circulation systems have been improved to provide access and emergency services.

- g) The planned unit development shall not result in any greater storm water runoff to adjacent property after development, than before. The open space shall be provided with ground cover suitable to control erosion, and vegetation which no longer provides erosion control shall be replaced.

Zoning Administrator finds: Changes to the original approval of PUD decrease stormwater management.

- h) The design of the planned unit development shall exhibit a reasonably harmonious relationship between the location of buildings on the site relative to buildings on lands in the surrounding area; and there shall be a reasonable architectural and functional compatibility between all structures on the site and structures within the surrounding area. It is not intended that contrasts in architectural design and use of facade materials is to be discouraged, but care shall

be taken so that any such contrasts will not be so out of character with existing building designs and facade materials so as to create an adverse effect on the stability and value of the surrounding area.

Zoning Administrator finds: Character is improved with proposed changes.

- i) The planned unit development shall be designed such that phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, and drainage or erosion control.

Zoning Administrator finds: Proposing only one phase.

- j) The planned unit development shall provide for underground installation of all utilities.

Zoning Administrator finds: All utilities are underground.

- 2) *Conditions.* The Planning Commission may impose reasonable conditions with the approval of a final site plan, pursuant to **Section 9.03** of this Ordinance.
- 3) *Waiver of PUD Standards.* The Planning Commission may waive any of the standards for a PUD contained in subsection H. above where all of the following findings are documented along with the rationale for the decision:
 - a) No good public purpose will be achieved by requiring conformance with the standards sought by the applicant to be waived.
 - b) The spirit and intent of the PUD provisions will still be achieved.
 - c) No nuisance will be created.

From: Dan Thorp <fire@charlevoixtownship.gov>
Sent: Monday, August 10, 2026 6:31 PM
To: Dave Hendershott
Subject: Re: C.C. Fairways PUD Project

Good evening

Everything looks good on my end.

On Thu, Aug 6, 2026 at 1:16 PM Dave Hendershott <daveh@performanceeng.com> wrote:

Hello Dan,

Thanks for the reply. I am attaching the letter the Fairways Developer send the Community Pool. Item 4 is request for the Pool people that there is sufficient room to get a fire truck through there parking lot. There parking lot was designed for buses and fire trucks, so I don't think it should be an issue unless you see something. Item 6 indicates that the Fairways development will be responsible for maintaining the fire apparatus road including snow plowing, etc.

Let me know if you have any questions. I can give you a ring on Monday.

Dave Hendershott, P.E.

Senior Civil Engineer

Performance Engineers, Inc.

6972 US 31 South

Charlevoix, MI 49720

(231) 547-2121 office

(616) 706 - 7192 cell

From: Dan Thorp <fire@charlevoixtownship.gov>
Sent: Wednesday, August 5, 2026 9:32 PM
To: Dave Hendershott <daveh@performanceeng.com>
Subject: Re: C.C. Fairways PUD Project

Good evening Dave

The changes look compliant with the codes. I just want to ensure the Fire Department has clear access 365 days a year.

I will be back in the office Monday, 8/10/2026 or feel free to reach me by phone if you have any further questions.

Thank you

On Tue, Aug 4, 2026 at 10:34 AM Dave Hendershott <daveh@performanceeng.com> wrote:

Hi Dan,

It looks like the C.C. Fairways developer has been able to work out an agreement with the Community Pool to provide a fire apparatus connection to their parking lot (see attached plan). Let me know if you see any issues with this plan.

Based on this, could we get a preliminary review letter as we spoke about previously?

Thanks,

Dave Hendershott, P.E.

Senior Civil Engineer

Performance Engineers, Inc.

6972 US 31 South

Charlevoix, MI 49720

(231) 547-2121 office

(616) 706 - 7192 cell

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--

Dan Thorp
Chief, Charlevoix Township Fire

8977 Martin Rd.
Charlevoix, MI 49720
231-675-0416

https://link.edgepilot.com/x/dJ3uTm_8SE9UkSiVk7VjMAI?u=http://www.charlevoixtownship.gov/

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

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Dan Thorp
Chief, Charlevoix Township Fire
8977 Martin Rd.
Charlevoix, MI 49720
231-675-0416

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July 16, 2026

Mr. Hendershott:

The City of Charlevoix Department of Public Works has reviewed the proposed development at the Charlevoix Country Club Fairways for available sewer service. The City sewer service is able to accommodate the 24 proposed units.

Please be aware any modifications required to the current sanitary and sewer system to accommodate the development shall be paid for by the owner, including all permitting and design costs. Sewer tap fees must be paid to City of Charlevoix prior to any physical connection into the City of Charlevoix's sewer system. No exceptions. Final constructions documents shall be reviewed by city staff prior to any construction activities commencing. Please reach out to me with any questions.

Thank you-

A handwritten signature in blue ink, appearing to read "Pat Elliott", with a stylized flourish at the end.

Pat Elliott
Superintendent, City of Charlevoix
Department of Public Works
231-547-3276
pate@charlevoixmi.gov

Hayes Township

Charlevoix County

Notice of Public Hearing

The Hayes Township Planning Commission will hold a Public Hearing on Tuesday, August 18, 2026 at 7:00p.m. at the Hayes Township Hall 09195 Major Douglas Sloan Road, Charlevoix, Michigan, 49720 to accept comments from the public regarding a proposed amendment to a previously approved of a Planned Unit Development to allow for new residential construction to develop single family homes.

The original Planned Unit Development (PUD) was approved May 18th 1999 consisting of 44 residential units (11 four plex buildings). 8 Residential units (2 four plex buildings) have been constructed.

Applicant proposes to amend the PUD reducing the total number of units from 44 to 24 and constructing 16 new single-family units instead of originally approved four plexes.

Comments may be submitted in writing or verbally at the meeting or submitted prior to the meeting by mail to Hayes Township Planning Commission, 09195 Major Douglas Sloan Road, Charlevoix, Michigan, 49720, or by email to Zoning@hayestownshipmi.gov no later than 4:00 pm on Monday, August 17, 2026.

Tax Identification Number 15-007-118-003-15

Located on 8000 Fairway View Charlevoix MI 49720

Zoning District: Multiple Family Residential

Applicant: A.T./ C.C.F, LLC

Viewing Parcel Number: 007-118-003-15

Parcel Details

Assessing City/Township:	Hayes Township
Property Address:	FAIRWAY VW (PVT) CHARLEVOIX, MI 49720
Owner Information:	AT/CCF LLC 29600 NORTHWESTERN HWY STE 101 SOUTHFIELD, MI 48034
Property Class:	402 - Residential - Vacant
Taxable Status:	TAXABLE
School District:	15050 - Charlevoix
P.R.E. Percentage:	0%
Current SEV:	\$108,600
Current Taxable Value:	\$82,270
Prior Year SEV:	\$89,100
Prior Year Taxable Value:	\$80,108

Sales Information

Date	Document Type	Liber/Page	Sales Price
12/14/2021	QC	1331/889	\$0

Tax Description

IN THE TWP OF HAYES CHX CNTY MI COM AT THE SW COR OF SEC 18 T34N R7W TH AL THE W LI OF SD SEC N00°37'11"W 96.93 FT (REC AS N00°06'27"W 96.95 FT) TO A CONCRETE MON ON THE N LI OF HWY US-31 AS MON BEING THE POB TH CON AL SD W LI N00°03'46"W 1207.01 FT (REC AS N00°06'27"W 1205.24 FT) TO A 2" IR PIPE TH CON AL SD W LI N00°10'16"W (REC AS N00°06'27"W) 65.45 FT TH N89°50'54"E 350.83 FT TH S00°04'31"E (REC AS S00°07'22"E) 22.75 FT TO A CONCRETE MON TH S89°46'11"W 21.05 FT (REC AS S89°52'38"W 21.00 FT) TO A CONCRETE MON TH S00°04'15"E 176.17 FT (REC AS S00°06'27"E 176.04) TO A CONCRETE MON TH N89°56'13"E 224.92 FT (REC AS N89°53'33"E 224.85 FT) TO A CONCRETE MON TH AL THE ARC OF A CRVE TO THE LFT 138.61 FT (REC AS 138.63 FT) SD

ARC HAVING A RAD OF 252.91 FT AND A LONG CHR D THAT BEARS S12°33'07"E 136.89 FT (REC AS S12°36'05"E 136.90 FT) TO A CONCRETE MON TH S62°03'50"W 4.33 FT (REC AS S61°41'44"W 4.40 FT) TO A CONCRETE MON TH S36°07'53"E 23.18 FT (REC AS 36°19'22"E 23.29 FT) TO A CON MON TH AL THE ARC OF A CRVE TO THE RIGHT 117.43 FT (REC AS 117.35 FT) SD ARC HAVING A RAD OF 82.64 FT AND A LONG CHR D THAT BEARS S00°46'33"E 107.80 FT (REC AS S00°48'25"E 107.74 FT) TO A CONCRETE MON TH S39°47'53"W 31.58 FT (REC AS S39°42'27"W 31.75 FT) TO A CONCRETE MON TH S89°54'39"W 245.31 FT (REC AS S89°53'33"W 245.20 FT) TO A CONCRETE MON TH S00°08'02"E 576.64 FT (REC AS S00°09'27"E 576.67 FT) TO A CONCRETE MON ON SD N HWY LI TH AL SD N HWY LI S57°24'24"W 392.05 FT (REC AS S57°19'12"W 391.59 FT) TO THE POB BEING A PT OF THE W 1/2 OF THE SW 1/4 OF SEC 18 T34N R7W AND CON 10.525 A SPLIT ON 01/12/2022 FROM 007-118-003-10;



HAYES TOWNSHIP
09195 OLD US 31 N, CHARLEVOIX, MI. 49720

ZONING PERMIT APPLICATION

ZONE DISTRICT C-1 PERMIT NUMBER _____ FEE \$300.00 DATE RECEIVED 6-8-26

GENERAL INFORMATION

Property Owner Name(s) A.T. / C.C.F, LLC contact F. Richard Tyner
Mailing Address 2963 Northwestern Highway, Suite 101, Southfield, MI 48034
Telephone 248 670 2030 Cell: _____ EMAIL: rttyner@tynerequities.com

PROPERTY INFORMATION

Property Tax ID Number(s) 118 003 15
Property Address Approx 8000 Fairway View, Charlevoix, MI (Final Addresses to be assigned)
Contractor HP Homes Holding Co. Contractor Contact Information Seth Herkowitz 248 539 5511

PROPOSED USE OF PROPERTY

Type of Improvement(s)(describe) Residential New Construction development and single family homes
New Construction Yes Reconstruction No Addition No Sign No Other residential development
Dimensions of Proposed Structure _____ HEIGHT _____

PROPOSED ZONING PERMIT

Special Use No Type of Special Use _____

P.U.D. Yes Rezone _____ Land Division/Split Involved? Yes

PERMITS & REQUIRED DOCUMENTS

Site Plan Required yes Survey Required yes Health Dept. no
Road Commission no Soil & Erosion yes Corps of Engineers no D.N.R. no D.E.Q. no

Owners Signature(s) F. Richard Tyner managing member 6-3-2026

Zoning Administrator Signature _____

SEE REVERSE SIDE

ARC HAVING A RAD OF 252.91 FT AND A LONG CHRD THAT BEARS S12°33'07"E 136.89 FT (REC AS S12°36'05"E 136.90 FT) TO A CONCRETE MON TH S62°03'50"W 4.33 FT (REC AS S61°41'44"W 4.40 FT) TO A CONCRETE MON TH S36°07'53"E 23.18 FT (REC AS S36°19'22"E 23.29 FT) TO A CON MON TH AL THE ARC OF A CRVE TO THE RIGHT 117.43 FT (REC AS 117.35 FT) SD ARC HAVING A RAD OF 82.64 FT AND A LONG CHRD THAT BEARS S00°46'33"E 107.80 FT (REC AS S00°48'25"E 107.74 FT) TO A CONCRETE MON TH S39°47'53"W 31.58 FT (REC AS S39°42'27"W 31.73 FT) TO A CONCRETE MON TH S89°54'39"W 245.31 FT (REC AS S89°53'33"W 245.20 FT) TO A CONCRETE MON TH S00°08'02"E 576.64 FT (REC AS S00°09'27"E 576.67 FT) TO A CONCRETE MON ON SD N HWY LI TH AL SD N HWY LI S57°24'24"W 392.05 FT (REC AS S57°19'12"W 391.59 FT) TO THE POB BEING A PT OF THE W 1/2 OF THE SW 1/4 OF SEC 18 T34N R7W AND CON 10.525 A SPLIT ON 01/12/2022 FROM 007-118-003-10;



300 ft Notices sent on 7-27-26



zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Country Club Fairways - Property ID 15-007-118-003-15

1 message

Frtyner <frtyner@hayestownshipmi.gov>

Tue, Nov 28, 2023 at 6:12 PM

To: "supervisor@hayestownshipmi.gov" <supervisor@hayestownshipmi.gov>, "zoning@hayestownshipmi.gov"

<zoning@hayestownshipmi.gov>, Zoning Hayestownshipmi <zoninghayestownshipmi@gmail.com>

Cc: f richard Tyner <frtyner@hayestownshipmi.gov>

Hi Ron,

This is Rick Tyner. As you may recall, you helped me with our, AT/CCF LLC, request, to Hayes Township, to amend the Country Club Fairways Planned Unit Development to exclude two acres with 2-4 units condominiums from the original 12.53 acres. The request was approved by the Planning Commission on October 26, 2021.

The original development was approved by Hayes Township on May 18, 1999. More specifically, the development was approved as a PUD with the underlying R-4 zoning. I have several questions for you regarding our future plans for the 10.53 acres.

I reviewed Section 6.03 Planned Unit Development, Subsection 2L - Amendment of an Approved Planned Unit Development. When considering our future building plans, will we have to go through a process of receiving any new approvals from the Planning Commission or the Planning Commission and the Township Board or can you, as the Zoning Administrator, approve the prospective modifications stated below? The a, b and d lettering below follows the "minor changes" list that can be approved by the Zoning Administrator.

- a. Reduce the sq. footage size of future units to no less than 900 square feet (R4 minimum square footage), but most likely they will be larger.
- b. Reduce the side yard set back, which as a result of the amendment to the Country Club Fairway PUD is now the set back between the property splits of the 10.53 acre piece and the 2.00 acre piece that has the 2-4 units condominiums built on it and a future building on the 10.53 acre piece. If you look at the original approved PUD site plan, Building 8 (future building on the 10.53 acre piece) and Building 9 (already built and occupied on the 2.00 acre piece) are adjacent to each other. We would like to leave the building locations "as is" or somehow reduce the separate property setback requirements between buildings 8 and 9.
- d. Change in floor plans.

After your review, please contact me to discuss. **Please confirm receipt of this email.**

Thank you,
Rick

F. Richard Tyner

Tyner Equities / A.T./C.C.F., LLC

611 West 13 Mile Road, Suite 100

Farmington Hills, Michigan 48334

(248) 639-3238 (cell)

(248) 639-3261 (fax)

(248) 670-2080 (cell)

frtyner@att.com

Parcel # 007-301-
005-00



Property Information Portal
Equalization Department
County Treasurer
charlevoixcounty.pivotpoint.us

8/12/2026

MOST RECENT PHOTO



PROPERTY

OWNER STAYMAN ANTHONY H & SALLY J
PROPERTY ADDRESS 7345 BIRDLAND DR (PVT) CHARLEVOIX MI 49720
OWNER ADDRESS 601 WOODS RD OAKWOOD OH 45419
CITY/TOWNSHIP HAYES TOWNSHIP
SCHOOL DIST CHARLEVOIX PUBLIC SCHOOLS
TAX DIST HAYES TOWNSHIP

2026 VALUATION

ASSESSED \$951,400.00
STATE EQ VALUE \$951,400.00
TAXABLE VALUE \$542,312.00

TAX DESCRIPTION

PLAT OF BIRDLAND ESTATES LOTS 5-6.

MOST RECENT SALE

DATE	SELLER	BUYER	INSTRUMENT	Liber/Page	AMOUNT
8/26/2022	STAYMAN A TR 50%/STAYMAN S TR 50%	STAYMAN ANTHONY H & SALLY J	QC	1357/719	\$0

RESIDENTIAL

Occupancy	Single Family	Est. True Cash Value	\$435,857	Style	Frame 1 - 1+	Total Floor Area	2432 sqft
Occupancy	Single Family	Est. True Cash Value	\$29,888	Style	Frame 1.25-1.5	Total Floor Area	400 sqft

TAXES

TAX DELINQUENCY

2026 SUMMER

No tax delinquency to report

Interest Accrues After 9/16/2026 With Additional Penalty After 9/16/2026

Amount	\$16,417.66	Paid	\$16,417.66	Due	\$0.00
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Stayman Revised Site Plan - Shoreline

Noah Jansen <noah@watershedcouncil.org>

Fri, Jul 24, 2026 at 2:55 PM

To: zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Hi Ron and April,

I believe this meets the ordinance requirements for native plants in the shoreland protection strip. Many of these species I might have selected myself! I would encourage them to install shrubs in the swath at the top of the riprap and not to rely on Canada anemone alone to hold the soil in place there. I see a trend to keeping plants low, so I'll suggest Gro-Low sumac (*Rhus aromatica* 'Gro-Low'), Kelsey red twig dogwood (*Cornus sericea* 'Kelsey', a dwarf variety), shrubby cinquefoil (*Dasiphora fruticosa*), Shrubby St.-John's-wort (*Hypericum prolificum*), Kalm's St.-John's-wort (*Hypericum kalmianum*), meadowsweet (*Spiraea alba*), and steeplebush (*Spiraea tomentosa*), and northern bush honeysuckle (*Diervilla lonicera*).

Have a great weekend!



Noah Jansen
Restoration Manager
231.489.7288
noah@watershedcouncil.org
watershedcouncil.org

Donate Today!

[Quoted text hidden]

From: Roy Griffiths, CT Martin

Re: shoreland protection subcommittee review, 7345 Birdland.

Date: 07/15/26

The property at 6579 Woods Creek. is an existing home site leading to the water which has trees near the house and then lawn to the water's edge. The existing structure is less than 100 feet from the OHWM. The project involves removal of the existing structure and construction of a new house. A variance has been granted for the project. A shoreland landscape plan approval is required in order to receive a permit. The zoning staff have determined that the proposed project meets all the site plan criteria for the addition except for the Shoreland Landscape.

The township staff and subcommittee members met on July 15, 2026 for a SPS plan review and site visit. The few existing trees were identified as indicated on the survey. The area was examined, pictures taken for review.

Upon review the initial plan was determined to be not sufficient in that the proposed plantings were not sufficiently identified. A recently updated plan (072026) was submitted with additional identification of the plantings and it has been shared with Noah Jansen from the Tip of the Mitt.

The existing yard is a moderate slope that runs to approximately the OHWM at which point it steepens to a rock covered shoreline. The area from near the OHWM is rock covered exposed lakebed and reflects the shoreline of the surrounding properties. The plan contains a 4' walkway to a dock a 200 sq. ft. patio and a mown area for water access, and significant replanting of the SPS area.

The proposed Shoreline landscape plan contains plantings of a variety of native plants, trees and shrubs. Noah Jansen from tip of the Mitt offered this feedback, "I believe this meets the ordinance requirements for native plants in the shoreland protection strip. Many of these species I might have selected myself! I would encourage them to install shrubs in the swath at the top of the riprap and not to rely on Canada anemone alone to hold the soil in place there. I see a trend to keeping plants low, so I'll suggest Gro-Low sumac (*Rhus aromatica* 'Gro-Low'), Kelsey red twig dogwood (*Cornus sericea* 'Kelsey'), a dwarf variety), shrubby cinquefoil (*Dasiphora fruticosa*), Shrubby St.-John's-wort (*Hypericum prolificum*), Kalm's St.-John's-wort (*Hypericum kalmianum*), meadowsweet (*Spiraea alba*), and steeplebush (*Spiraea tomentosa*), and northern bush honeysuckle (*Diervilla lonicera*)."

The owner and the contractor's revised plan in creating the SPS consistent with the recommendations of the subcommittee, significantly meets the criteria in the ordinance.

Implementing the above recommendations and committing to the plantings as described would comply with the intent of the ordinance, and the shoreland protection subcommittee commends the applicant and his contractor for their participation in the process. It is the recommendation of the subcommittee that the plan as most recently amended be approved.



zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Re: 7345 Birdland Draft SPS draft report

1 message

Noah Jansen <noah@watershedcouncil.org>

Fri, Aug 7, 2026 at 8:50 AM

To: Roy Griffiths <rwgriffits3@gmail.com>

Cc: "C. T. Martin" <ctmartin55@gmail.com>, zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Looks good. Thanks, Roy!



Noah Jansen
Restoration Manager
231.489.7288
noah@watershedcouncil.org
watershedcouncil.org

Donate Today!

On Wed, Aug 5, 2026 at 9:00 AM Roy Griffiths <rwgriffits3@gmail.com> wrote:

Good Morning All,

Attached please find the first draft of the report on the project at 7345 Birdland. Please feel free to send me any feedback.

Thanks,

Roy

