



VILLAGE OF SUTTONS BAY
ZONING BOARD OF APPEALS
MEETING MINUTES OF January 14, 2026,

The meeting was called to order at 5:30 p.m. by Chairperson Popke.

Present: Bahle, Hassevoort, Smith, Popke & Cheadle. Quorum present.

Absent:

Staff present: Petroskey and Patmore

Guests: Robert Barnes, Applicant, Inland Seas, Applicant and 12 guests

Conflict of Interest: Popke stated she volunteered for Inland Seas.

Approval of Agenda

Bahle moved, Smith seconded, CARRIED, to amend the agenda to add Election of Officers. Ayes: 5, No: 0.

Election of Officers: Bahle nominated the current slate of officers. Smith stated he would be happy to have someone else step in as Vice Chair. K. Hassevoort stated she would be happy to. Bahle moved, Smith seconded, CARRIED to elect Donna Popke as Chair, Karen Hassevoort as Vice Chair, and Gary Cheadle as Secretary. Ayes: 5 Nays: 0

Approval of Meeting minutes

Smith moved, Bahle seconded, CARRIED, to approve the ZBA meeting minutes of August 13, 2025, as presented. Ayes: 5, No: 0.

Robert-Barnes-Public Hearing-

1. Request for an interpretation of Section 2-4.D.4.b of the Village of Suttons Bay Zoning Ordinance as it applies to the allowable driveway width off the alley at 324 N. St. Mary's Street, Suttons Bay, submitted by Robert and McKenzi Barnes, Property No. 45-043-778-393-00. Depending on the outcome of the zoning ordinance interpretation on the allowable driveway width, the property owners are requesting a Variance to construct an 18' wide driveway from the alley to their garage at 324 N. St. Mary's Street, Suttons Bay, MI 49682.

Zoning Administrator Patmore stated he issued a land use permit for a detached garage/rec room with an access off the alley. The DPW Director signed the driveway permit and stated that the width of the driveway could not exceed 12' based on Section

2-4D..4.b. Administrator Patmore stated that according to the Ordinance, Rear access does not apply to the 12" requirement and issued his permit under Article 10.

The applicant stated he is asking for an interpretation as it relates to an alley access.

Patmore noted that the attorney had provided correspondence and has offered four (4) possible motions.

Chair Popke stated that it is clear that there are no standards for a driveway off the alley in the Central Residential District. Patmore stated that only front and side access is addressed. He added that the zoning ordinance is permissive and if not addressed it is not permitted. The members concluded that the Ordinance is silent as it relates to rear access in the district and the 12 feet does not apply to an alley. Members stated without knowing the intent of the drafters it appears that this is a flaw in the Ordinance.

Bahle moved, Smith seconded, CARRIED to agree with the Interpretation made by the Zoning Administrator as it relates to the rear driveway installed at 324 St Marys based on the Zoning Administrators Report, the Village Attorney Report and the application presented by the applicant. Further to ask that the planning commission review Article 2-4 D.4.b to determine if rear access driveways should be addressed. Ayes: 5 Nays: 0

2. Inland Seas Public Hearing

Request for an interpretation of the setback requirements in the Central Business District of the Village of Suttons Bay Zoning Ordinance as it applies to Dame Street and whether Dame Street should be classified as an Alley for Zoning purposes at 100 & 101 E. Dame Street, Suttons Bay, submitted by Jozwiak Consulting, on behalf of Inland Seas Education Association Property No. 45-043-767-002-20 and 043-767-002-00. Depending on the outcome of the zoning ordinance interpretation on the street classification, the property owners are requesting the following dimensional variance(s): 1) 10-foot minimum building setback along Dame Street, 2) 0-foot parking setback, and 3) Removal of the 50% building frontage requirement, 100 and 101 Dame Street, Suttons Bay, MI 49682.

Zoning Administrator Patmore stated the applicant is asking for an interpretation and possible variance request. An application was presented to the Planning Commission. It was determined they could not meet the build to/setback requirements. The applicant is asking that Dame Street be classified as an alley for zoning purposes. Patmore added that the Board was provided with a copy of the Planner's report that stated what variances would be necessary. This was listed as a condition of site plan review.

He stated that the planning commission determined it was a side street. There is a difference between a side street and an alley as they relate to setbacks.

He added if the ZBA agrees it is an alley it ends. If the ZBA believes it is a side street then a variance is necessary. Patmore believes a variance would address the concerns. Patmore agrees with the Planner interpretation based upon the definitions in the zoning ordinance..

Scott Jowziak stated that east/west streets are considered side streets. He added that Dame Street is 29.7 feet to St Joseph Street. He stated when the form- based section was written, he does not believe that Dame Street would have been part of the discussion. In addition, the slope of the street is a 11% grade. The applicant provided visuals to show what the build out would look like if it has to be built to the setback line. Patmore stated that the planning Commission was not provided a visual of the build-out.

Jowziak stated that the applicant applied for build-to/setback relief for both parcels and the applicant does not want to keep coming back for approval. Zoning as of today allows for the build out to the lot line.

Patmore stated that a rezoning to public lands would probably address the concerns as well.

Jowziak stated that Dame Street does not meet the street grade. Jowziak stated he looked into it if Dame Street is called an alley for the purpose of zoning it does not affect dollars received from Act 51. He said that this request is strictly for zoning purposes.

Donna asked about the exterior stairway. Ray Kendra stated the stairway is to connect the lower-level parking with the upper level as well as provide a handicap access.

Fred Sitkens appreciates the discussion. He feels that the intent of that section was not to have buildings up to Dame Street.

Hassevoort moved, Bahle seconded, CARRIED to classify Dame Street as an Alley under the current zoning ordinance for zoning purposes based on the following: 1.) Dame Street is less than 30 feet wide. 2) Dame street has a 11% grade. 3) Dame Street has no parking lanes or gutters, 4) Dame Street has no sidewalks, 5) Historically Dame Street has been used for ingress and egress. Ayes: 5 Nays 0.

The meeting adjourned at 6:30 p.m.

Meeting minutes submitted by Dorothy Petroskey, Village Clerk.