



**VILLAGE OF SUTTONS BAY
ZONING BOARD OF APPEALS**

Wednesday November 5, 2025

Suttons Bay Village Hall

420 N. Front Street

Suttons Bay, MI 49682

AGENDA

1. Call to Order
2. Roll Call and Notation of Quorum
3. Conflict of Interest
4. Approval of the Agenda
5. Approval of Meeting Minutes – August 13, 2025
6. 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.
7. Public Comment
8. Adjournment

If you are planning on attending this meeting and are disabled requiring any special assistance, please notify the Village Clerk by calling 231.271.3051 or by email suttonsbay@suttonsbayvillage.org as soon as possible.



VILLAGE OF SUTTONS BAY
ZONING BOARD OF APPEALS
MEETING MINUTES OF August 13, 2025

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

Present: Bahle, Smith, Popke & Cheadle. Quorum present.
Absent: Hassevoort,
Staff present: Petroskey
Guests: None

Conflict of Interest: None

Approval of Agenda

Smith moved, Cheadle seconded, CARRIED, to approve the agenda as presented. Ayes: 4, No: 0.

Approval of Meeting minutes

Bahle moved, Smith seconded, CARRIED, to approve the ZBA meeting minutes of July 9, 2025, as presented. Ayes: 4 No: 0.

Next meeting: TBD

The meeting adjourned at 5:33 p.m.

Meeting minutes submitted by Dorothy Petroskey, Village Clerk.



Office of Planning and Zoning
420 N Front Street
P O Box 395
Suttons Bay, MI 49682
231-271-3051 or 231-392-5828
zoning@suttonsbayvillage.org

ZONING BOARD OF APPEALS APPLICATION

FEES: VARIANCE: \$500 Paid: _____ Check # _____
NON-CONFORMING USE: \$500 Paid: _____ Check # _____

Date Rec. ____/____/____ Hearing Date ____/____/____
Above is for office use only

IMPORTANT PLEASE READ THE FOLLOWING:

1. Appeal applications must be submitted in the name of the owner of the property. The owner may be represented by another person, such as, but not limited to; a builder, potential buyer, attorney, or architect.
2. Applications must be signed by the owner. If represented by an authorized agent, he/she must sign also.
3. To process your application, a survey drawn by a professional surveyor (SEE REQUIREMENTS FOR MAKING APPLICATION), must be submitted to the Office of Planning and Zoning thirty (30) days prior to the scheduled Appeals Board meeting at which you wish to appear. The Appeals Board meets on the third Wednesday of each month.
4. The owner is bound by the commitments, concessions and agreements made by their representative/authorized agent.

Owner(s) Name: Robert and Mckenzi Barnes Phone Number: (231) 301 - 9981

Address: 324 N. Saint Mary's Ave # 805, Suttons Bay MI 49682

Email: Rkbarnes82@gmail.com

Authorized Agent's Name: _____

Address: _____ Phone Number: (____) ____ - ____

Email: _____

Property Identification Number (PIN): 45-043- 778 393 00 - - - - -

Property Location (address if available): 324 N. Saint Marys Ave, Suttons Bay MI 49682

Type of Request zoning ordinance 2-4.D.4.b interpretation, if no agreement; request variance.

- ☒ Variance ☐ Special Land Use Denial ☐ Temporary Use ☐ Conditional Use
☐ Site Plan Review Denial ☐ Non-conforming Use ☐ Special Exception
☒ Interpretation ☐ Other – specify _____

RECEIVED
8-18-2025 #500

Section of Ordinance Applicable (office use only) _____

If this request is for an appeal from determination by the Zoning Administrator, date of denial: __/__/__

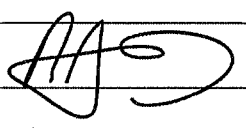
Have any previous applications regarding this property been submitted to the Board of Appeals?

☐ Yes ☒ No If yes, what was the description of the prior request? _____

Is the subject property ☒ Unplatted ☐ Platted – If Platted, give name of Plat. _____

Describe the request being made with reasons that include the peculiar or unusual conditions which are present. Depict the hardship(s) which will result if the variance is not approved. (Please attach separate sheets if necessary):

See seperate sheet for request

Signature of Owner  Date 08 / 11 / 2025

Signature of Authorized Agent _____ Date ____/____/____

~for office use only~

A copy of the site plan and other pertinent information was sent to the following agencies for review and comment:

☐ Leelanau County Road Commission ☐ Leelanau County Soil/Erosion Department

☐ Leelanau County Fire Department ☐ Township Engineer

☐ Others _____, _____, _____

ACTION TAKEN: ☐ Approved ☐ Approved w/ conditions ☐ Denied

Note: APPROVALS BY THE BOARD OF APPEALS ARE VOID UNLESS THE CONSTRUCTION AUTHORIZED BY SUCH A VARIANCE HAS RECEIVED A LAND USE PERMIT WITHIN ONE YEAR.

Robert & Mckenzi Barnes
324 North Saint Mary's Ave
Suttons Bay, MI 49682
231-301-9981
04 August 2025

Village of Suttons Bay
Zoning Board of Appeals
420 N. Front Street
Suttons Bay, MI 49682

Dear Zoning Board of Appeals,

We respectfully request an interpretation of the Zoning Ordinance Section 2-4.D.4.b, and if necessary, consider a variance request. We are building a two-car garage facing the rear alley at our property at 324 N. Saint Mary's Ave in Suttons Bay. DPW placed a requirement on the building permit that specifies the alley driveway must narrow to 12ft (from an 18ft wide garage door).

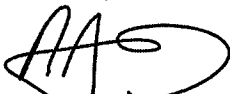
A 12ft driveway will cause unreasonable difficulty and impose safety concerns upon entering/exiting the garage, especially when towing. Additionally, there is abundant precedence of village properties with alley driveways that exceed or match the width of a two-car garage door (18ft) (see Appendix A).

The Zoning Administrator concurs with our interpretation that Zoning Ordinance Section 2-4.D.4.b, does not apply to rear alley driveways (see Appendix B). However, the DPW Director placed the requirement on the permit and will not remove it without a Zoning Board of Appeals review. DPW's only communicated reason for the width restriction is to abide by the Zoning Ordinance Section 2-4.D.4.b.

We respectfully request:

1. Please provide an interpretation for Zoning Ordinance Section 2-4.D.4.b and its applicability to rear entry driveways to the alley, specifically at 324 N. Saint Mary's Ave, Suttons Bay.
2. If the Zoning Board of Appeals interpretation does not agree with ours and the Zoning Administrator's interpretation, please grant a variance to allow a paved driveway matching the garage door of 18ft.

Thank you,



Robert Barnes



Mckenzi Barnes

Appendices: (A) Village Driveways Greater than 12ft

(B) Zoning Administrator Correspondence

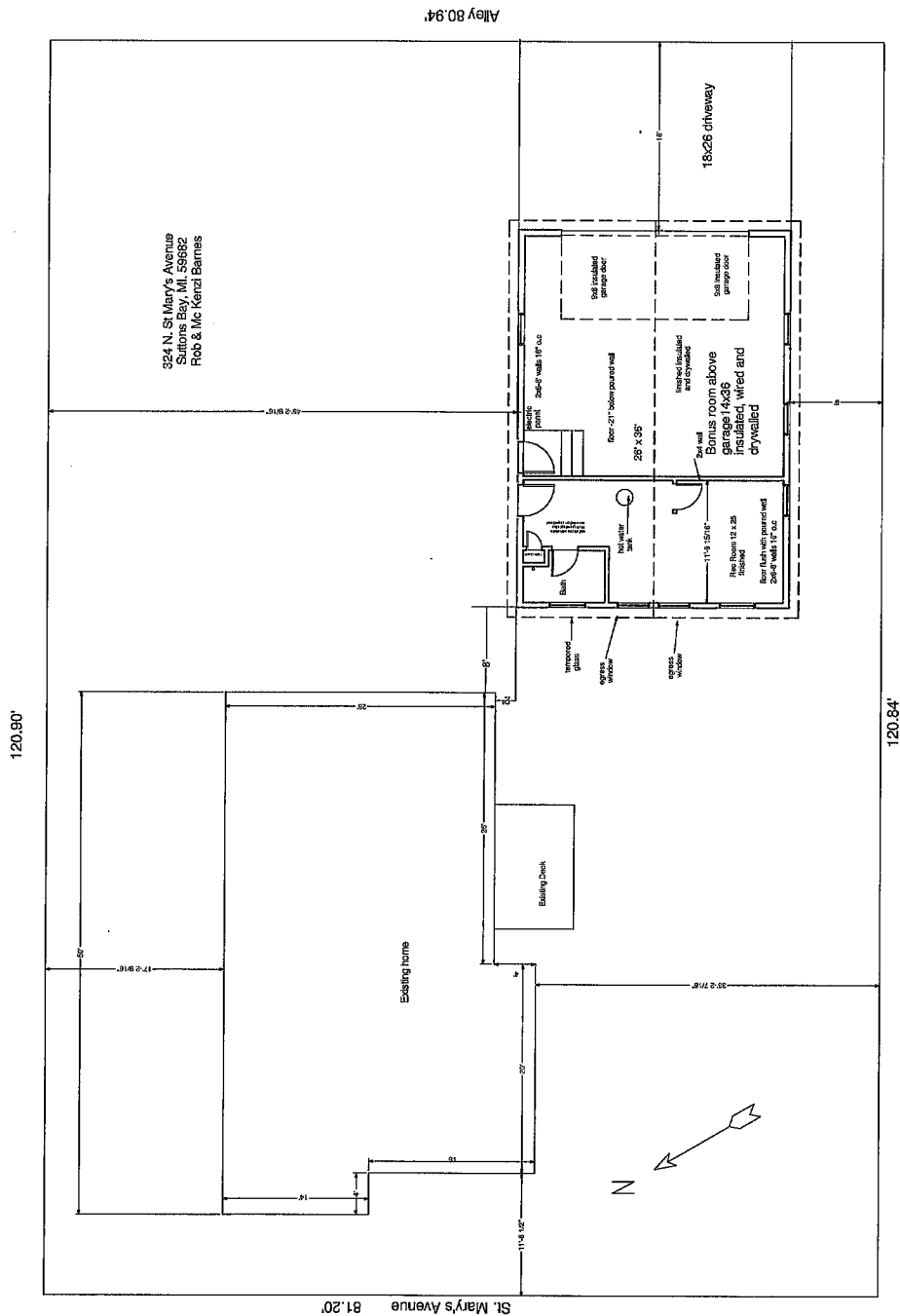
Scale: 1/4"=1'
2/11/
2025

Rob & McKenzi Barnes
324 N. St. Mary's St.
Suttons Bay, MI. 49682

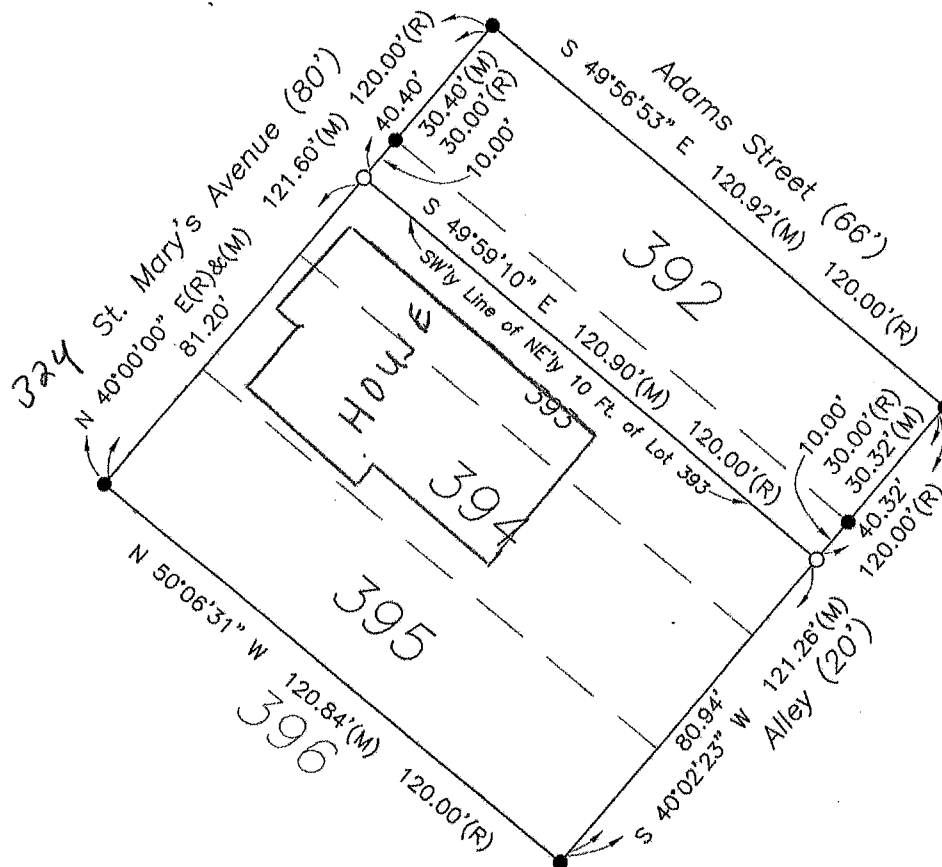
HARDWICK CONSTRUCTION LLC
282 RASHO RD, TRAVERSE CITY
MI. 49696 231-620-4610
THARDWICK@CHARTER.NET
COMPANY LICENSE: 21022212903

7

PLOT PLAN Scale: 1/4"=2'



CERTIFICATE OF SURVEY



1"=30'

LEGEND

- = Fd. IRON STAKE
- = SET 1/2" REROD & CAP
- (M) = MEASURED
- (R) = RECORD



NICHOLAS M. O'NON
P.S. NO. 28420

I, Nicholas M. O'Non, Professional Surveyor, hereby certify that I have surveyed and mapped the hereon described parcel(s) of land; that the ratio of closure of the unadjusted field observations is noted and within the accepted limits; and that I have fully complied with the regulations of Act 132, P.A. 1970.

RATIO OF CLOSURE: 1/10,000+

BEARING BASIS: Record per plat.

LOT 393, EXCEPT THE NORTHEAST 10 FEET THEREOF, AND LOTS 394 AND 395, BLOCK 18, VILLAGE OF SUTTONSBURGH (NOW KNOWN AS SUTTONS BAY), ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 1 OF MISCELLANEOUS RECORDS, BETWEEN PAGES 436 AND 437, SECTION 28, TOWN 30 NORTH, RANGE 11 WEST, VILLAGE OF SUTTONS BAY, LEECLANAU COUNTY, MICHIGAN.

CLIENT: Ryan G. McMorow and Gregory McMorow
c/o Cory Beuerle, Century 21 Northland

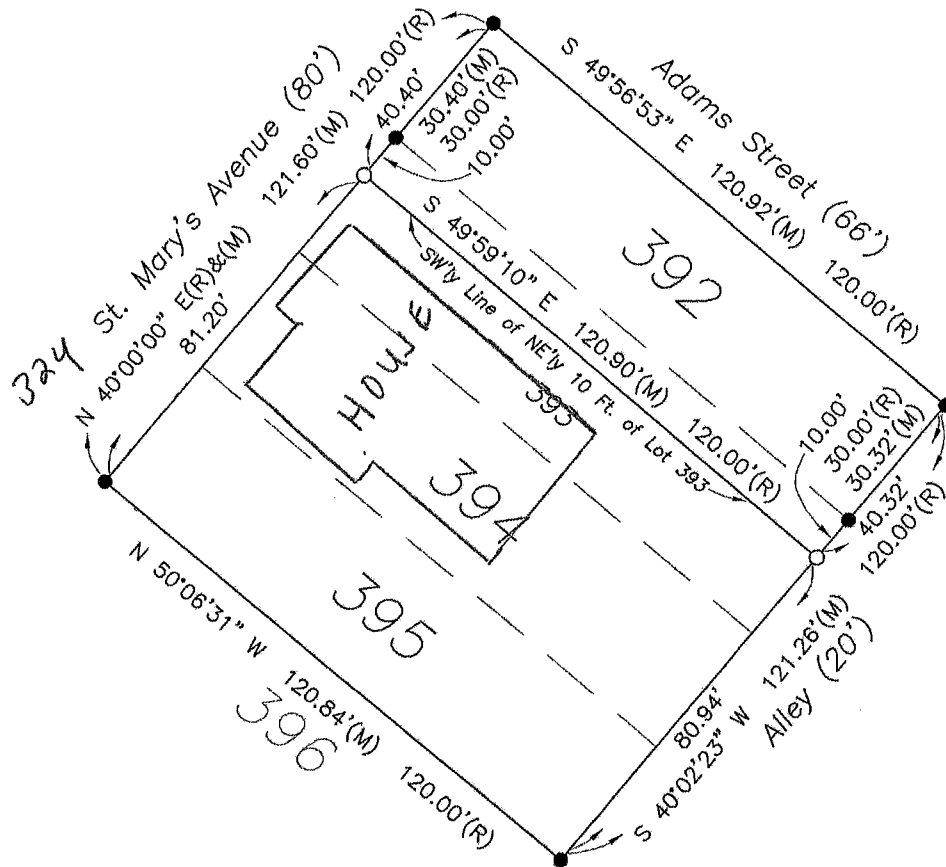
NICHOLAS M. O'NON
O'NON LAND SURVEYING
105 BROADWAY
SUTTONS BAY, MI 49682
(231) 271-3255

FILE NO.: 2015101-28SB3011

DATE: December 18, 2015

SHEET 1 OF 1

CERTIFICATE OF SURVEY



LEGEND

- = Fd. IRON STAKE
- = SET 1/2" REROD & CAP
- (M) = MEASURED
- (R) = RECORD



Nicholas M. O'Non
 NICHOLAS M. O'NON
 P.S. NO. 28420

I, Nicholas M. O'Non, Professional Surveyor, hereby certify that I have surveyed and mapped the hereon described parcel(s) of land; that the ratio of closure of the unadjusted field observations is noted and within the accepted limits; and that I have fully complied with the regulations of Act 132, P.A. 1970.

RATIO OF CLOSURE: 1/10,000+
 BEARING BASIS: Record per plat.

LOT 393, EXCEPT THE NORTHEAST 10 FEET THEREOF, AND LOTS 394 AND 395, BLOCK 18, VILLAGE OF SUTTONSBURGH (NOW KNOWN AS SUTTONS BAY), ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 1 OF MISCELLANEOUS RECORDS, BETWEEN PAGES 436 AND 437, SECTION 28, TOWN 30 NORTH, RANGE 11 WEST, VILLAGE OF SUTTONS BAY, LEELANAU COUNTY, MICHIGAN.

CLIENT: Ryan G. McMorrow and Gregory McMorrow
 c/o Cory Beuerle, Century 21 Northland

NICHOLAS M. O'NON
 O'NON LAND SURVEYING
 105 BROADWAY
 SUTTONS BAY, MI 49682
 (231) 271-3255

FILE NO.: 2015101-28SB3011

DATE: December 18, 2015

SHEET 1 OF 1

APPENDIX A

The following are examples of driveways not in accordance with Zoning Ordinance 2-4.D.4.b only on the alley between N. Saint Mary's Ave and M-22 within 3 blocks of the property in question. There are many more driveways wider than 12 ft on alleys and roads throughout the Suttons Bay Village.





















Office of Planning and Zoning
420 N Front Street
P O Box 395
Suttons Bay, MI 49682
231-271-3051
zoning@suttonsbayvillage.org

REQUIREMENTS FOR MAKING APPLICATION FOR A VARIANCE

All applications must be submitted thirty (30) days prior to the regular monthly meeting of the Zoning Board of Appeals.

1. The Applicant shall submit, along with the completed application, a survey of the property drawn by a professional surveyor (commercial & large development applications must provide 10 copies of a complete survey). The survey shall include the following:
 - a. Current boundary lines
 - b. Road/easement right-of-way
 - c. Any existing improvements (buildings, well, septic, driveways, etc.)
 - d. Location of approved septic system and well (for vacant parcels and parcels with systems requiring a location change due to the appeal request of it impacting the variance request)
 - e. Proposed changes/additions for which the variance is being sought
2. Reasons for the variance (narrowness, shallowness, shape, water, or topography) shall be clearly stated by the property owner.
3. Hardship shall be stated by the property owner, i.e.: A lot-of-record that does not conform to current zoning, or such other conditions conveying hardship not of the owners making.
4. All applications must be signed by the property owner. If the owner chooses to be represented by another party, he/she must also sign the application.
5. Property in question shall have all property lines involved plainly marked and visible for an on-site inspection prior to the public hearing. *
6. The building site shall be clearly marked, (STAKED OUT/FLAGGED) for any on-site inspections that may occur, prior to the public hearing. *

Items #5 and #6 apply to site review. *

Questions? Concerns? We are here to help. Pre-submission meetings for assessment of your application are available and encouraged. To schedule an appointment with the Village Zoning Administrator, please call the Office of Planning and Zoning at (231) 271-3051.

The Zoning Board of Appeals meets on the third Wednesday of each month, at 5:30 pm. If you are unsure of the application deadline and/or date of the meeting, please contact the Office of Planning and Zoning.

RECEIVED
8-18-2025 \$500

VARIANCES:

A request for a dimensional variance may be made by the owner of the property on which the variance would apply, or by a person authorized in writing by the owner to request the variance. The person requesting the variance shall file with the Zoning Administrator a completed application form furnished by the Village specifying the zoning ordinance provision from which the variance is being requested. The Zoning Administrator shall then transmit to the Zoning Board of Appeals the completed application concerning the variance request.

A. *Dimensional Variances.* The Zoning Board of Appeals shall have the power to authorize specific dimensional variances from the requirements of this ordinance if it finds based upon competent, material, and substantial evidence following a public hearing that all of the applicable standards provided in this section have been met.

1. Standards for Dimensional Variances. To obtain a variance from the dimensional requirements of this ordinance (area, setback, frontage, height, bulk, density or other dimensional requirements) the applicant must demonstrate that a practical difficulty exists by showing all of the following:

- a. The need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and not due to applicant's personal or economic hardship.
- b. That the need for the requested variance is not the result of actions of the property owner.
- c. 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 a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.
- d. 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 substantial relief to the property owner and be more consistent with justice to other property owners.
- e. 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.

2. Use Variances. The Board may not grant a use variance.

**VILLAGE OF SUTTONS BAY
ZONING BOARD OF APPEALS**

**ZONING STAFF REPORT
ON
A REQUEST FOR INTERPRETATION AND VARIANCE
ROBERT & MCKENZI BARNES
324 N. ST. MARY'S STREET, SUTTONS BAY**

**Prepared by Steve Patmore
For Public Hearing on October 5, 2025**

I. REQUEST

Request by Robert & McKenzi Barnes for an interpretation of the Village of Suttons Bay Zoning Ordinance (ZO), and, if necessary, a dimensional variance for driveway width.

Request A: Request for a Zoning Board of Appeals interpretation of Section 2-4.D.4.b of the ZO. Specifically, does this section apply to driveways accessing from an alley?

Request B: If the ZBA rules that Section 2-4.D.4.b applies to driveways off an alley, then the Applicants are requesting a dimensional variance to allow an 18' wide driveway off the alley behind 324 N. St. Mary's Street.

II. BACKGROUND

- On March 7, 2025, Robert and McKenzi Barnes were issued a Land Use Permit by the Village of Suttons Bay to construct a detached two car garage with a rec. room on their property at 324 N. St. Mary's Street. This proposed garage would have driveway access from the alley between St. Mary's Street and St. Joseph Street. (see sketch in attachments)
- As part of the Land Use Permit process, the Applicant must also obtain a Driveway Permit from the Village. This Permit is reviewed and signed by both the Zoning Administrator and the Village of Suttons Bay Department of Public Works Manager (DPW).
- The Village of Suttons Bay has driveway standards within the Zoning Ordinance. (Section 2-4 of the ZO). Per Section 2-4.A.3, the DPW can also establish curb-cut standards.
- As part of the Driveway Permit Approval for 324 N. St. Mary's, (see permit in attachments) the DPW established a condition of the permit that the driveway access from the alley could not exceed 12' in width, based upon their interpretation of the Zoning Ordinance.
- The Zoning Administrator's interpretation of Section 2-4.D.4.b is that this section does not apply to driveway accesses from alleys.

III. PROCESS

The Zoning Board of Appeals has the authority to interpret the provisions of the Zoning Ordinance, and approve specific dimensional variances from the requirements of the zoning ordinance if it finds, based upon competent material and substantial evidence following a public hearing, that all of the applicable standards of Section 17.6 have been met.

A request for a dimensional variance may be made by the owner of the property on which the variance would apply, or by a person authorized in writing by the owner to request the variance.

This Public Hearing has been noticed for the November 5, 2025 ZBA meeting.

It should be noted that the Village of Suttons Bay Zoning Board of Appeals does not have the authority to review, interpret, or grant variances to any DPW standards outside of the Zoning Ordinance.

IV. GENERAL FINDINGS OF FACT

1. The subject property is located at 324 N. St. Mary's Street, Suttons Bay, MI 49682
Property No. 45-043-778-393-00.
2. According to county records, the subject property is owned by Robert and McKenzi Barnes,
324 N. St. Mary's Street, Suttons Bay, MI 49682
3. The subject parcel currently contains a single-family home and the detached garage under construction.
4. The subject property is currently zoned Central Residential District (CR).
5. A Land Use Permit was issued by the Village of Suttons Bay on March 7, 2025 for a 26' x 36' detached garage including a recreation room. 1.5 stories, 23' building height.
6. The current applicable setbacks for this structure are:
Side Yard: 6 feet
Alley Setback: 10 feet
7. The existing single-family dwelling at 324 N. St. Mary's Street has an existing driveway off of St. Mary's Street. The proposed garage would have access from the alley between St. Mary's Street and St. Joseph Street.

V. BASIS OF ZONING ADMINISTRATOR'S INTERPRETATION

The Zoning Administrator's interpretation of Section 2-4.D.4.b is that this Section applies to driveways entering the property through the Front or Side Setbacks, and that this section does not apply to driveways entering the property from an alley.

The DPW has made an interpretation that the Zoning Ordinance requires that a driveway off from the alley can only be a maximum of 12' in width.

The Zoning Administrators interpretation is based upon the following:

1. The language in the first sentence of Section 2-4.D.4 states “A driveway shall be permitted in the front or side yard subject to the following:...”. This implies that the following standards a-d apply only to driveways in the front or side yards.
2. Table 4-3 of the Zoning Ordinance (attached) has setback requirements from an alley that are clearly separate and distinguished from the front and side setbacks.
3. Figure 4-1 of the Zoning Ordinance (attached) shows that the Alley is different from the Front and Sides of a property.

Therefore, the Zoning Administrator has interpreted that the alley is different from a front or side yard, and therefore, Section 2-4.D.4.b does not apply to the driveway off of the alley, and respectfully disagrees with the DPW interpretation of the Zoning Ordinance.

The Zoning Administrator completely agrees that the DPW has the authority to establish standards for curb-cuts in the Village of Suttons Bay.

VI. ZBA ACTION ON INTERPRETATION OF SECTION 2-4.D.4.b:

Possible Action:

The Village of Suttons Bay Zoning Board of Appeals has reviewed Section 2-4.D.4.b of the Village of Suttons Bay Zoning Ordinance, and has determined that this Section of the Zoning Ordinance (does/does not) apply to the driveway entering 324 N. St. Mary’s Street from the alley.

VII. DIMENSIONAL VARIANCE REQUEST:

This request is dependent on the determination of the interpretation above.

If the dimensional variance request proceeds, the ZBA will need to review and complete the Findings of Fact listed below.

The Applicant has submitted photos of other driveways in the village that access from driveways.

SECTION 17-6.A.1. Standards for Dimensional Variances

To obtain a variance from the dimensional requirements of this ordinance (area, setback, frontage, height, bulk, density or other dimensional requirements) the applicant must demonstrate that a practical difficulty exists by showing all of the following:

Staff Note: All of these standards must be met in order to grant the variance. The ZBA can establish reasonable conditions and/or grant a lesser variance in order to meet these standards.

- a. The need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and not due to applicant’s personal or economic hardship.

The VSBZBA finds that the Application (meets/does not meet) this standard.

- b. That the need for the requested variance is not the result of actions of the property owner.

The VSBZBA finds that the Application (meets/does not meet) this standard

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

The VSBZBA finds that the Application (meets/does not meet) this standard.

- d. 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 substantial relief to the property owner and be more consistent with justice to the other property owners.

The VSBZBA finds:

- e. That the requested variance will not cause adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

The VSBZBA finds:

VIII. POSSIBLE ACTION ON DIMENSIONAL VARIANCE:

Motion to approve the above Findings of Fact on Standards for Dimensional Variances as discussed tonight.

Motion to (approve / approve with conditions / deny) the Application submitted by Robert and McKenzi Barnes for a dimensional variance of the allowable driveway width from 12' to 18' on the alley driveway at 324 N. St. Mary's Street.

Subject to the following conditions: (if applicable)

ATTACHMENTS TO ZONING REPORT

For Village of Suttons Bay ZBA Meeting

November 5, 2025

- Sketch of garage and driveway
- Section 2-4 of VSB Zoning Ordinance – Access, Driveways, and Private Streets.
- Section 4-3 of VSB Zoning Ordinance – Spatial Requirements – Residential Districts.
- Figure 4-1 of VSB Zoning Ordinance – Spatial Requirements
- Driveway permit issued to 324 N. St. Mary's St.
- Email from Zoning Administrator to Property Owner.

ST. MARY'S STREET

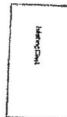
St. Mary's Avenue 81.20'



33'2"

17'2"

Entry zone



DETACHED GARAGE

45'2"

324 N. St. Mary's Avenue
Suttons Bay, MI 49882
Rob & Mc Kenzi Barnes

PROPOSED DRIVEWAY

Alley 80.94'

ALLEY

PLOT PLAN

Scale: 1/4"=2'

SIDE

SIDE

Scale:
1/4"=1'
2/5/2025

Rob & McKenzi Barnes
324 N. St. Mary's St.
Suttons Bay, MI. 49682

HARDWICK CONSTRUCTION LLC
282 RASHO RD, TRAVERSE CITY
MI. 49696 231-620-4610
THARDWICK@CHARTER.NET
COMPANY LICENSE: 2102212903

7

SKETCH



- c. There shall be a minimum set back of five (5) feet from the side and rear property lines.
 - d. The accessory building shall not occupy more than 30 percent of the required rear yard.
 - e. Height shall not exceed 25 feet or the height of the principal structure, whichever is less.
 - f. Area shall not exceed 50 percent of the principal building first floor square footage or 750 square feet, whichever is less.
 - g. An accessory building shall not be constructed or occupied on a lot before the principal building or use on the lot is constructed.
3. Oversized Detached Accessory Buildings. The Planning Commission may approve accessory buildings greater than the area required by the Zoning Ordinance after consideration of the following factors:
- a. The size of the lot or parcel of land as it relates to the size of the proposed building.
 - b. The intended use for the building.
 - c. The proposed type and construction, and general architectural character of the building and compatibility with the neighborhood character.
 - d. The location of the proposed building in relation to the principal dwelling and dwellings on nearby properties.
 - e. The type and kind of other principal and accessory buildings and structures presently located on the lot or parcel of land.
 - f. The type and kind of principal and accessory buildings and structures located on properties which are adjoining and in the same neighborhood.
 - g. The effect on light and air circulation of any adjoining properties.
 - h. The environmental effect of the building(s) or their proposed use.
 - i. The potential visible impact on adjacent properties.
 - j. Placement of the building on the property in relation to existing or planned roads, land divisions, and utilities.
- B. *Non-Residential Principal Use of Property*. Buildings and structures accessory to non-residential uses shall meet the minimum setback requirements and height limitations for principal buildings in the respective zoning district.

Section 2-4 Access, Driveways, and Private Streets

- A. *General*.
- 1. Permit Required. No individual, association, corporation or entity, either public or private, shall construct or extend a private driveway or street without first having obtained a permit from the Village.
 - 2. Jurisdiction. Any proposed private driveway or street must be permitted by the applicable public authority if intersecting with a public street. If the private driveway or

street intersects an existing private street, written permission from the owners, private street association or other entity that owns the private street shall be submitted.

3. Access. Driveway entrances and exits to a parcel of land shall comply with the Village of Suttons Bay curb cut requirements, and shall require a right-of-way permit when applicable. No new curb cuts are allowed on M-22 and St. Joseph Avenue in the CB and NG Districts.
 4. Occupancy Permits. No occupancy permit for a structure on a parcel accessed by a private driveway or street shall be approved until the driveway or street has been approved and inspected according to this section.
 5. Parking. On-site parking of vehicles shall be restricted to improved parking areas, such as driveways, parking lots, garages, and carports.
 6. Maintenance and Repairs of Sidewalks. Any and all repair of damage to sidewalks due to driveway and private street construction shall be the responsibility of the landowner.
 7. Fire Department. Property access, driveways, and streets are subject to applicable fire codes.
- B. *Application.* All applications for private driveways and streets shall be on an established application form and shall include any required fees, the required number of plans, the private easement and maintenance agreement (if applicable) and any other required information.
- C. *Types and Approval Authority.*
1. Driveway and Shared Driveway. A driveway or shared driveway shall be reviewed and approved by the Administrator.
 2. Private Street. A private street shall be reviewed by the Planning Commission, which shall make a recommendation to the Village Council. The Village Council shall provide final approval of private streets.
- D. *Residential Driveway Requirements- Single-Family and Two-Family.*
1. Permitting. Driveways are subject to Village permitting and construction standards, including stormwater runoff design requirements.
 2. Number and Location. The number and location of driveways, including horseshoe driveways with two (2) curb cuts, providing direct access to a public or private street shall not exceed those which have been determined by the Administrator to be necessary for proper and efficient traffic flow and that preserves the safety of pedestrians and motorists. In making this determination, the Administrator shall consider the posted speed limit on the street, the proximity of intersecting streets and driveways, and other circumstances determined relevant by the Administrator.
 3. Surface. The driveway surface may be paved with a hard surface or may be aggregate (gravel). However, the following areas shall be paved:
 - a. If no sidewalks, paved between street edge and right-of-way line.
 - b. If sidewalks, paved from street edge to a point five feet interior of the inside edge.

4. Location and Design. A driveway shall be permitted in the front or side yard subject to the following:

- a. The driveway surface and any connected pad shall be at least three (3) feet from a side lot line.
- b. No driveway access shall exceed 12 feet in width for a distance of 10 feet from the edge of pavement, or where a sidewalk is required, for a distance of five (5) feet from back of sidewalk. The driveway shall not exceed 12 feet in width except that the driveway abutting the front elevation of a garage or carport may be of a width equal to width of the garage or carport space. That width may extend a sufficient depth to support placement of single row of vehicles outside of the garage or carport and then shall taper to 12 feet or less.
- c. The driveway may include an attached pad for purposes of allowing vehicles exiting a garage, carport, or driveway to back-up and turn the vehicle in order to allow forward entry on to the street.
- d. The driveway shall be positioned for direct access to the garage or carport. In the event a garage or carport does not exist, the orientation of the driveway shall be to the side or rear yard.

5. Shared Driveway Requirements.

- a. Limitations. A shared driveway shall only be approved to provide the primary access from a road to two (2) contiguous lots, which because of their zoning, configuration, or other circumstance related to the land, cannot be or are unlikely to be split into future additional lots.
- b. Design and Construction Requirements.
 - (1) The shared driveway shall be located within an easement with a minimum width of 20 feet.
 - (2) The shared driveway shall have a minimum width of 10 feet of travel surface.
 - (3) The driveway surface may be paved with a hard surface or may be aggregate (gravel).
- c. Application and Approval. Shared driveway applications shall be reviewed by the Administrator and Fire Chief.

6. Entry and Exit. For driveway access onto M-22 and M-204, the access shall be designed and constructed so that vehicles can enter and exit the parcel in a forward moving direction of travel.

F. Private Street Requirements.

1. Design and Construction Requirements.

- a. Private streets shall comply with Village street construction and design standards; however, the requirements of this section shall supersede those standards.
- b. Private streets shall not connect to other private streets or rely on other private streets for access to public roads unless proof of authorization and approval by the association or entity responsible for maintenance and control of connecting private street is provided.

Section 4-3 Spatial Requirements

- A. *Spatial Requirements- Residential Districts.* All lots shall meet the minimum area and width requirements of Table 4-3. New lots shall not be created, except in conformance with these requirements. All structures and their placement on a lot shall conform to the minimum dimensional requirements listed in Table 4-3.

Table 4-3 Spatial Requirements- Residential Districts

Residential Districts	Min. Depth (ft.)	Min. Width/ Frontage	Setbacks (feet)					Height of Primary (feet)	Stories	Building Coverage	Max. Impervious Coverage
			Primary Street Front	Side Street Front	Side	Rear/ Alley	Lake Michigan				
CR	100	40/40	15-25 ¹	6 ²	6	10	-	30	2.5	40%	50%
NVR	100	80/40	15	15	15	15	-	30	2.5	30%	40%
SFW R	200	100/100	25	25	15		50	30 (street) 40 (lowest grade)	2.5	Greater of 30% or 2,500 SF	Greater of 30% or 2,500 SF
HR	100	100/20	40	40	40	40	-	30, 40 for dwellings with walk out basement	2.5	Lesser of 40% or 8,000 SF	Lesser of 50% or 10,000 SF
WC	150	200/200	35	35	Lesser of 35 or height of bldg.		50	35	2.5	25%	40%

- B. *Single-Family and Two-Family Garages.* If garage doors are oriented toward the primary street frontage, they must be positioned at least five (5) feet behind the primary façade of a house. The total width of garage door openings shall not exceed 40 percent of the total width of any street-facing elevation of the house. On a corner lot, a garage facing a secondary street may be flush with the secondary side elevation or behind.
- C. The Lake Michigan setback shall be measured from the Lake Michigan Historic High-Water Elevation as determined by the US Army Corp of Engineers.

¹ For the CR district, the minimum setback is 15 feet and the maximum setback is 25 feet.

² The six (6) foot Secondary Street Front Setback is only applicable to the side of dwellings on corner lots. For instance, setbacks from Madison, Jefferson, Park, Adams, Grove, and Concord Streets may only be six (6) if the home faces the other street (Broadway, Lincoln, St. Mary's, Race, and Stratton). If facing the secondary street, two primary street front setbacks shall apply.

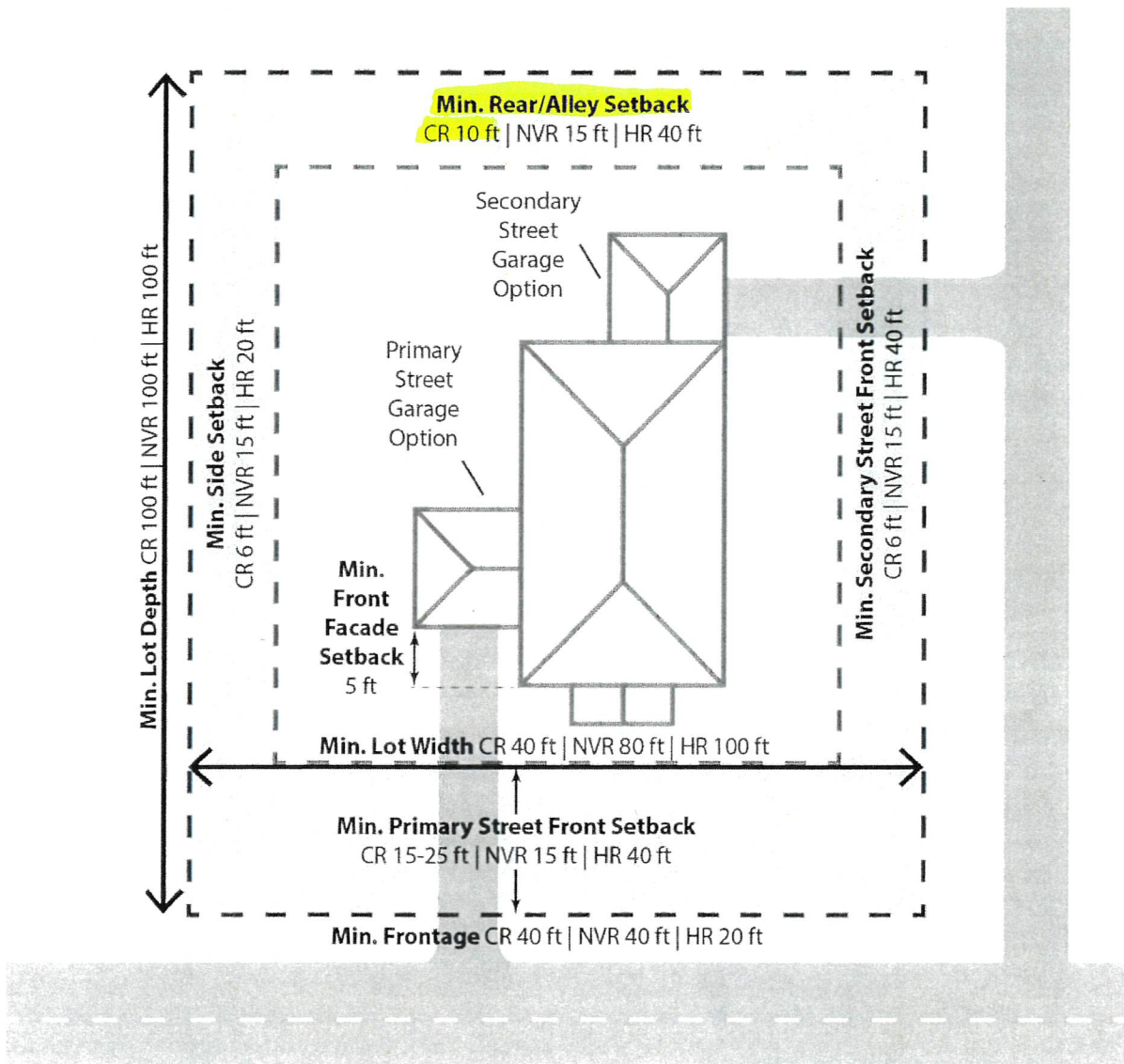


Figure 4-1 CR, NVR, and HR Spatial Requirements- Single-Family Dwellings



043-778-393-00

Village of Suttons Bay
420 N Front Street
P O Box 395
Suttons Bay, MI 49682
231.271.3051

suttonsbay@suttonsbayvillage.org

Date Received: Date Approved:		DRIVEWAY PERMIT APPLICATION	
Section A Property Owner Information	1. Land Owner's Name: <u>Rob + McKinze Barnes</u> Phone# _____		
	2. Land Owner's Mailing Address: <u>GERMANY</u> Address Town/City State Zip Code		
	3. Applicant/Agent Name: <u>HARDWICK CONSTRUCTION LLC</u> Phone # <u>231-620 4610</u>		
	4. Applicant/Agent Mailing Address: <u>282 RASHO RD TRAVERSE CITY MI 49696</u> Address Town/City State Zip Code		
	5. Other contact information Email: <u>thardwick@chrysler.net</u> Work Cell <u>231-620-4610</u>		
Section B Property Location Information	6. Directions to property: <u>324 ST Marys Avenue</u>		
	7. Street Name <u>ST MARYS</u>		
	8. ☐ North ☒ South ☐ East ☐ West – side of street		
	9. Distance from nearest intersection: <u>1/16 MILE</u> Name of intersection: _____ (estimated in tenths of a mile)		
	10. Utilities Location(s) _____ Attach Survey Data (if available)		
	11. Map and Parcel number: _____ Survey and/or drawing attached.		
Proposed Location of Driveway/Entrance shall be staked and flagged by applicant.			
Section C Driveway/ Entrance Information	13. Desired width of Driveway/Entrance: (Feet) <u>26'</u> (Max of 12' ^{WIDTH TO ROW}) Type of Surface: <u>Concrete</u> Please provide total impervious surface calculations for parcel (gravel, pavement etc.) "Impervious surfaces" are the footprint of buildings, pavement, gravel, or other low-permeability or compacted surfaces, not including natural or man-made water bodies. <u>1404 sq ft gutters installed on edge</u>		
	14. Does your property have an existing access? ☐ yes ☒ no (If no, skip to line 18)		
	15. If this is an existing access and you are changing its use, please describe _____		
	16. If this is an existing access and you are physically modifying, please describe: _____		
	17. Proposed Driveway/Entrance Purpose: ☒ Single Family Residence ☐ Home Business ☐ Commercial/Industrial		
18. Does your driveway slope? If yes, do you have a storm water run-off control plan? (Please contact the drain commissioner at Leelanau County to insure you meet the requirements of the Ordinance.)			
Section D Construction Information	19. Construction expected to begin on <u>MAY 2025</u> and be completed on <u>Nov 2025</u> (date) (date)		
	20. Person/Company constructing entrance <u>CEELANAU POURED WALLS</u>		
	21. Construction contacts name <u>JERRY FLASKA</u> Phone _____		

RECEIVED
2-17-2025

PAID
\$50

CHK 19598

The submission of false or misleading statements on or with this application, or the omission of information necessary to prevent statements submitted herein or herewith from being misleading, is a crime punishable by law.

Date Filed: Feb 7, 2025 Signature of Owner _____

Signature of Applicant Tanone E. Hardwick Dated: _____

By signing and checking this box I hereby certify that I have been granted permission from the property owner to act in their behalf.

Signature of Authorized Village Official [Signature] 3/7/25 Dated: _____

Signature of Village Zoning Official [Signature] Dated: _____
ZONING ORDINANCE REVIEW

(If required)

DRIVEWAY SHALL BE 12' WIDTH MAX PAVED
FROM ALLEY TO THE END OF
ROAD RIGHT OF WAY (R.O.W)

ZONING ORDINANCE NOTES:

- DRIVEWAY MUST BE PAVED BETWEEN EXISTING ALLEY
AND RIGHT-OF-WAY LINE.



Robert Barnes <rkarnes82@gmail.com>

Barnes - 324 N Saint Mary's - Garage

Suttons Bay Zoning <zoning@suttonsbayvillage.org>

Fri, Jul 11, 2025 at 9:30 AM

To: Robert Barnes <rkarnes82@gmail.com>

Mr. Barnes,

The 12' maximum width requirement on the driveway permit (copy attached) was inserted by the DPW Director and not me as Zoning Administrator.

My interpretation of the Zoning Ordinance is that the 12' maximum width outlined in Section 2-4.D.4.b of the Zoning Ordinance is not applicable to driveways in alleys, however, this interpretation only applies to zoning and not any DPW requirements.

The DPW Director, Dave Miller, will need to approve removing this condition that he added.
His number is: 231-271-1032

Steve Patmore
Zoning Administrator
Village of Suttons Bay

[Quoted text hidden]

**BP-50C26_20250711_085011.pdf**
1368K