



Date: January 5, 2021
To: Crystal Lake Township Board
From: Tom Kucera
Zoning Administrator
Subject: Zoning & Planning Report

Dear Township Board Members:

ZONING PERMITS:

The following is a summary of Zoning Permit activity for 2020.

A total of thirty-eight (38) zoning permit applications were submitted in 2020. This compares with 30 applications in 2019 and 24 applications in 2018. Thirty-seven (37) applications were approved and permits granted. One application remains incomplete and will be carried over into 2021.

No Special Land Use permits were submitted.

A total of \$3,855.60 was collected in fees for these 38 applications. This compares with \$3,971.17 in 2019 and \$2,312.16 in 2018. Fees can be quite variable since they are based on the square foot size of the building. Many smaller buildings mean more permits but less collected in fees. Several large building can mean more fees collected but fewer permits issued.

Please see the attached spreadsheet for the details of the 2020 applications processed.

BOARD OF ZONING APPEALS

No variance requests were received. The required, annual organizational meeting is being scheduled.

ENFORCEMENT

Mr. Grant Sowa was hired as the Township's enforcement officer. He has responded to several complaints and successfully resolved the issues involved. Several notice letters have been issued and a citation was written to the property owners at 1188 Airport Rd (L Robotham) due to continuing complaints from neighbors.

OTHER ACTIVE MATTERS

Kullenberg Appeal:

- This matter continues to advance slowly. At the end of December, Ms. Kullenberg applied to the Court of Appeals for a Docket Number.
- The Township's insurance underwriter, Tokio Marine issued a letter that, in summary, says that the Township's legal costs after 9/9/20 are covered by a special policy rider, unless the insurance company can find a reason not to cover the Township. If you want to review Tokio Marine's actual letter, I can email it to you – it is about 4 pages of legalese.
- Tokio Marine also advised the Young, Graham & Wendling should continue to represent the Township.

Flood Insurance Ordinances

- A follow-up letter from FEMA (dated 12/18/20) was distributed to you. It is a reminder of the importance of passing appropriate ordinances to meet the March 23, 2021 deadline.
- However, the County continues to appear lost on how to handle this issue. Due to the holidays, Mitch

Deisch was unable to get responses from the County's attorney or other officials he tried to contact, so there were no meetings, phone calls or other follow-up. I will continue to press them regarding the joint agreement that needs to be signed.

- The Township may have to proceed with enacting the ordinance drafted by the Township's attorneys that was previously distributed to you. The ordinance, as drafted, states that Benzie County "has assumed responsibility for the administration and enforcement of the State Construction Code throughout Crystal Lake Township." At this point, the County appears to be claiming they have out-sourced this responsibility and, therefore, are not responsible.
- Approving this ordinance will be an action item for the February meeting. The draft ordinance you received last month has been approved by EGLE and will meet FEMA's requirements. I have attached another copy for your reference.

Submitted by:

Tom Kucera
Zoning Administrator

2020 ZONING DEPARTMENT PERMIT LOG

Report Date = 11/2/2020

| Permit # | Parcel # | Status | Scan'd | Chklist | GD Filed | Applicant | Address | Project Description | Fee |
|-------------------------------|------------|--------|--------|---------|----------|--|--|--|----------|
| 2020 Zoning Permits Processed | | | | | | | | | |
| 2020-01 | 145-017-00 | App'd | ■ | ■ | ■ | K. Collier / The Cottage Pros | 458 Onkeonwe Rd | Add partial second story | \$80.00 |
| 2020-02 | 001-189-50 | App'd | ■ | ■ | ■ | R. Barnes / John Darien Homes | 785 E. So. Shore Dr | Demo existing cottage and build new replacement house | \$227.28 |
| 2020-03 | 075-016-00 | App'd | ■ | ■ | ■ | J. Binkowski / TBD | Vacant Lot 24 off Broadway - Crystalaire | New House | \$112.00 |
| 2020-04 | 090-020-00 | App'd | ■ | ■ | ■ | B. Patterson / Self | 2452 Michigan Ave Crystalia | New 18 x 21 Shed | \$60.00 |
| 2020-05 | 001-039-52 | App'd | ■ | ■ | ■ | C & B Dilts / TBD | Parcel 'B' off Crystal Heights Drive | New 55 x 55 House and 30 x 40 Pole Barn | \$314.00 |
| 2020-06 | 085-014-00 | App'd | ■ | ■ | ■ | T. Suntrup / Cooley | 2777 Pilgrim Hwy (M-22) | Replace existing deck with new 14' x 18' patio that includes a firepit | \$60.00 |
| 2020-07 | 001-402-00 | App'd | ■ | ■ | ■ | J. Walton / TBD | 2671 Frankfort Hwy (M-115) | Additional to existing porch | \$80.00 |
| 2020-08 | 045-010-01 | App'd | ■ | ■ | ■ | K. Kwasnick / Self | 1575 E. So Shore Drive | Fence - front and side yards | \$60.00 |
| 2020-09 | 400-028-00 | App'd | ■ | ■ | ■ | N&D Broxholm / J Darien | Unit #28 of High Meadows Subdivision | New 60 x 60 house | \$233.60 |
| 2020-10 | 125-001-01 | App'd | ■ | ■ | ■ | M. Conner / Self | 1375 Martin Drive | New 10 x 16 Shed | \$60.00 |
| 2020-11 | 130-004-00 | App'd | ■ | ■ | ■ | J & M Sznwajs / Rob Rafferty | 3830 Greene Drive | Replace & Enlarge existing deck to be 16 x 39.5 | \$60.00 |
| 2020-12 | 001-004-00 | App'd | ■ | ■ | ■ | M. Egli / Team Ross Landscaping Supply | 3677 Frankfort Hwy (M-115) | Outdoor, building mounted sign | \$40.00 |
| 2020-13 | 065-015-00 | App'd | ■ | ■ | ■ | M & S Miller / R. Wassenaar | 629 Shorewood Dr | Replace existing deck with same sized deck | \$60.00 |
| 2020-14 | 001-048-00 | App'd | ■ | ■ | ■ | G. Boekloo-Nahnsen / CBS Solar | 4203 River Road | New ground-mounted solar array. 7' by 71' by 10' high | \$60.00 |
| 2020-15 | 055-017-00 | App'd | ■ | ■ | ■ | A. Spitzer / Durango Homes | 131 E. So. Shore Drive | Replace existing garage with new, 24x38 garage & 2nd flr apartment | \$60.00 |

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|----------|------------|--------|--------|---------|----------|--|--------------------------------------|---|----------|
| 2020-16 | 170-027-00 | App'd | ■ | ■ | ■ | J. Payette / Self contract | 2660 Morro Road | 12 x 21 Stairwell Addition on existng foundation | \$60.00 |
| 2020-17 | 001-262-00 | App'd | ■ | ■ | ■ | M & J Walton / Portland Building Co. | 161 Ness Road | 26 x 40 Garage & Storage Building | \$62.40 |
| 2020-18 | 001-298-00 | App'd | ■ | ■ | ■ | G & P Moore / TBD | 150 W. Cox Road | Roof mounted solar array on existing pole barn | \$60.00 |
| 2020-19 | 075-008-00 | App'd | ■ | ■ | ■ | N. Reeder / TBD | 4030 Boyd Ave | Renew Zoning Permit 2018-ZP-22 | \$40.00 |
| 2020-20 | 100-137-00 | Pend'g | ■ | | ■ | L. Cathlina / TBD | 2190 Howland Ave CSA Lots 204-207 | New House and attached garages | \$263.68 |
| 2020-21 | 001-198-00 | App'd | ■ | ■ | ■ | C. Modlin / TBD | 584 E. So. Shore Dr. | Demo existing beach house and build new replacement structure | \$63.16 |
| 2020-22 | 085-019-00 | App'd | ■ | ■ | ■ | A. Bingham / G. Collier | 2687 Pilgrim Hwy | Addition to beach house | \$60.00 |
| 2020-23 | 075-002-00 | App'd | ■ | ■ | ■ | W. Koenig / The Cottage Pros | 3948 Boyd Road | Add 3-Seasons room to existing house | \$80.00 |
| 2020-24 | 085-059-00 | App'd | ■ | ■ | ■ | M. Malasky / Tim Smith Construction | 460 Esplande | Add screened front porch | \$60.00 |
| 2020-25 | 065-010-00 | App'd | ■ | ■ | ■ | S. Jandernoa / Bright Construction | 623 Shorewood Dr | New Deck | \$60.00 |
| 2020-26 | 001-201-00 | App'd | ■ | ■ | ■ | Dow-Albright / Cooley Construction Co | 533 So Shore East Dr | New 2,800 House & attached garage | \$231.00 |
| 2020-27 | 050-004-00 | App'd | ■ | ■ | ■ | Froehlich / Bright Construction | 4574 Mollineaux Rd | Deck addition | \$60.00 |
| 2020-28 | 045-010-01 | App'd | □ | ■ | □ | B & K Kwasnick / Portland Building Co. | 1575 E. So. Shore Dr | House Addition | \$168.48 |
| 2020-29 | 060-009-00 | App'd | ■ | ■ | ■ | B & S Slezak / David Anthony | 3658 Jones Road | House Addition - Master Bedroom & Bath | \$200.00 |
| 2020-30 | 120-004-00 | App'd | ■ | ■ | ■ | J & M Sznewajs / Rob Rafferty | 3830 Greene Drive | Expand Existing Kitchen & Revise Step From Ex. Deck to Yard | \$80.00 |
| 2020-31 | 140-002-10 | Pend'g | □ | ■ | | Graves Family LLC / The Ferraro Group | 1223 Shorewood Rd | Demo existing house & build new house same location | TBD |

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|----------|------------|--------|--------|---------|----------|---|----------------------|------------------------------|------------|
| 2020-32 | 001-237-00 | App'd | ■ | ■ | ■ | K. Condon / TBD | 1410 Figg Road | New Pole Barn | \$160.00 |
| 2020-33 | 001-151-00 | Pend'g | □ | | | J. & D. Diracles / Heartwood Custom Bldrs | 1191 E So. Shore Dr. | House Addition | TBD |
| | | | | | | | | | |
| | | | | | | | | Zoning Permit Fees to Date = | \$3,275.60 |

| 2020 Special Land Use Permits Processed | | | | | | | | | |
|---|--|--|---|---|---|--|--|---------------------------------|--------|
| | | | □ | □ | □ | | | | |
| | | | | | | | | | |
| | | | | | | | | Special Land Use Fees to Date = | \$0.00 |

| 2020 Board of Zoning Appeal Actions | | | | | | | | | |
|-------------------------------------|--|--|---|---|---|--|--|--------------------|--------|
| | | | □ | □ | □ | | | | |
| | | | | | | | | | |
| | | | | | | | | ZBA Fees to Date = | \$0.00 |

| 2020 TOTAL FEES TO DATE | | | | | | | | | |
|-------------------------|--|--|--|--|--|--|--|--|------------|
| | | | | | | | | Total Fees to Date for Calendar Year = | \$3,275.60 |

CRYSTAL LAKE TOWNSHIP

**ORDINANCE ADDRESSING FLOODPLAIN MANAGEMENT
PROVISIONS OF THE STATE CONSTRUCTION CODE**

Ordinance No. ___ of 2020

AN ORDINANCE TO DESIGNATE AN ENFORCING AGENCY TO DISCHARGE THE RESPONSIBILITY OF CRYSTAL LAKE TOWNSHIP, CCC COUNTY, MICHIGAN AND TO DESIGNATE REGULATED FLOOD HAZARD AREAS UNDER THE PROVISIONS OF THE STATE CONSTRUCTION CODE ACT, ACT NO. 230 OF THE PUBLIC ACTS OF 1972, AS AMENDED.

THE TOWNSHIP OF CRYSTAL LAKE, BENZIE COUNTY, MICHIGAN ORDAINS:

Section 1. Agency Designated.

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Benzie County Building Official is hereby designated as the enforcing agency to discharge the responsibility of Crystal Lake Township, Benzie County, Michigan under Act 230, of the Public Acts of 1972, as amended. Benzie County has assumed responsibility for the administration and enforcement of said Act throughout the corporate limits of Crystal Lake Township.

Section 2. Code Appendix Enforcement.

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the Benzie County Building Official throughout the corporate limits of Crystal Lake Township, Benzie County, Michigan.

Section 3. Designation of Regulated Flood Prone Hazard Areas.

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled "Flood Insurance Study for Benzie County, All Jurisdictions" and dated March 23, 2020 and the Flood Insurance Rate Map(s) (FIRMS) panel number(s) of 26019CIND0A, 26019C0092C, 26019C0094C, 26019C0111C, 26019C0112C, 26019C0113C, 26019C0114C, 26019C0120C, 26019C0201C, 26019C0202C, and 26019C0225C and dated March 23, 2020 are hereby adopted by reference for the purposes of administration of the Michigan Construction Code, and are hereby declared to be a part of Section 1612.3 of the Michigan Building Code and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Section 4. Repeals.

All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section 5. Effective Date.

This Ordinance shall become effective the day following its publication in a newspaper of general circulation within the Township.

Ordinance No. ___ of 2020 was adopted on the _____ day of _____, 2020, by the Crystal Lake Township Board as follows:

Motion by: _____

Seconded by: _____

Yeas: _____

Nays: _____

Absent: _____

Sue Sullivan, Clerk

Amy Ferris, Supervisor

I certify that this is a true copy of Ordinance No. ___ of 2020 that was adopted at a regular meeting of the Crystal Lake Township Board on _____, 2020 and published in the _____ on _____, 2020.

Dated: _____

Sue Sullivan, Clerk