



Whitewater Township
5777 Vinton Road
P.O. Box 159
Williamsburg, Michigan 49690

231-267-5141
www.whitewatertownship.org

USE VARIANCE REQUEST
STAFF REPORT/Zoning Board of Appeals
Case # ZBA-2023-05

1. Applicant(s)

Applicant(s) / Owners: Vuillemot, Kirk
1916 S Racine
Chicago, Illinois 60608

Site Address, 400 Island View Drive | Williamsburg, Michigan 49690
Parcel ID# 28-13-630-025-10

Property Description [28-13-630-025-10]- W 50' OF LOT 31 NICKERSON'S SUB NO 1.

Zoned: R1-Residential

Site Plan: [illustrations / drawings attached]

2. Development Proposal

2.1 The property owner is seeking a **USE VARIANCE** to build a residential accessory structure without a principal use being established on Parcel #28-13-630-025-10

2.2 Action Report – The Applicant is:

1) Property owner is requesting a **USE VARIANCE**

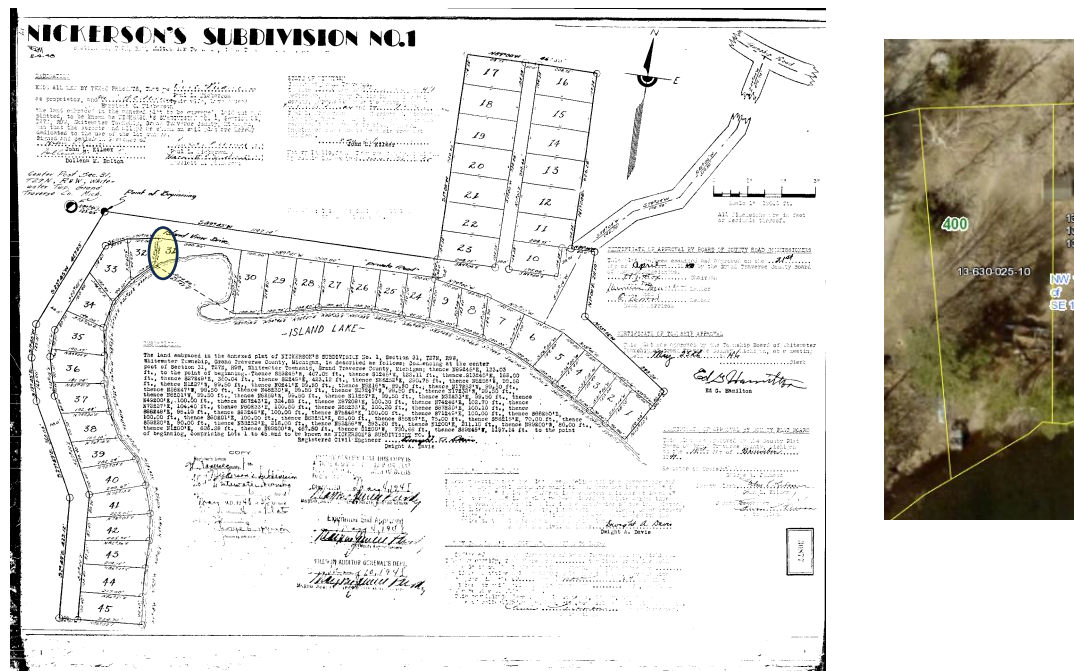
2.3 Background:

1. The applicant initiated contact regarding the possibility of a 'use variance' to allow the construction of an accessory structure without first or coincidentally constructing a principal use such as a dwelling.
2. The applicant(s) submitted a Land Use application, site plan, and requisite fee to the Zoning Administrator in September of 2023. The application and supporting materials lacked sufficient detail. The applicant and the zoning administrator coordinated the additional materials to be submitted to the ZBA

3. Posting, publication, and notification were all performed at least 15 days prior to the scheduled February 22, 2024 public hearing of the Zoning Board of Appeals.
4. While the property shows 'vacant' there is actually an older shed / accessory building (approximately 8' x 12') that is proposing to be removed and replaced with an 18' x 24' accessory building / structure.

See detailed drawings / survey sketches provided by applicant and included in this packet.

Staff Comment: *Although NOT required by the Whitewater Township Zoning Ordinance, staff recommended and the applicant agreed to submit a basic site plan / visual images to aid the Zoning Board of Appeals in the review and decision-making process.*



A USE VARIANCE is subject to the ZBA finding that a Unnecessary Hardship exists demonstrated by the applicant based up the following review standards:

1. The property cannot be reasonably used for any purpose permitted in the zoning district without a variance.
2. The need for the variance is due to unique circumstances particular to the property and not generally applicable in the area or to other properties in the same zoning district.
3. The problem and resulting need for the variance has not been self-created by the applicant and / or the applicant's predecessors.
4. The variance will not alter the essential character of the area. In determining whether the effect the variance will have on the character of the area, the established type and

pattern of land uses in the area and the natural characteristic of the site and the surrounding area will be considered.

Respectfully submitted for consideration by the Whitewater Township Zoning Board of Appeals,



Robert (Bob) Hall
Zoning Administrator

WHITEWATER TOWNSHIP



5777 Vinton Road, PO Box 159 • Williamsburg, MI 49690 • PH (231) 267-5141 Fax (231) 267-9020

Case No. _____ Date Rec. ____/____/____ Fee: \$250

Property Information

Date Filed: Feb./ 1 / 2024 Reference: Land Use Permit filed: 9/25/23
Tax ID # 28-13-630-025-10 Subdivision: West 501 Lot #: 31 Zoning District: Nickerson's Sub #1
Flood Plain: NO Property Address: 400 Island View Drive Year Property was Acquired: 1999
Size of Lot: Front 55' Rear: 50' Side 1: 150' Side 2: 140'
Present Use of Property: Access lot for residence on island Past Variances on Property in Question (Y ☒ N)
If So State Case No. and Resolution of Appeal: _____

Request Information

Request: ☐ Dimensional Variance ☒ Use Variance ☐ Ordinance Interpretation ☐ Appeal Zoning Administrator Decision

Description of Request: To build a garage on the lot, which is used to access the adjacent residence on the island in Island Lake. For year-round use, a garage is a necessity, and it would be a hardship to be without one.

Square Feet of Existing Structure to be demolished (if any): 192

New Structure ☒ (Y) N If So, Size of Proposed Structure (Square Feet): 432

New Addition to Existing Structure (Y / N) If So,

Size of Addition: _____ Size of Existing Structure _____ Size of Existing Structure + Addition: _____

Ordinance in Question (if any): _____

Owner/Applicant Information

Owner Name: Kirk and Risa Vuillemot

Mailing Address: 1916 S Racine Ave. City: Chicago State: IL Zip: 60608

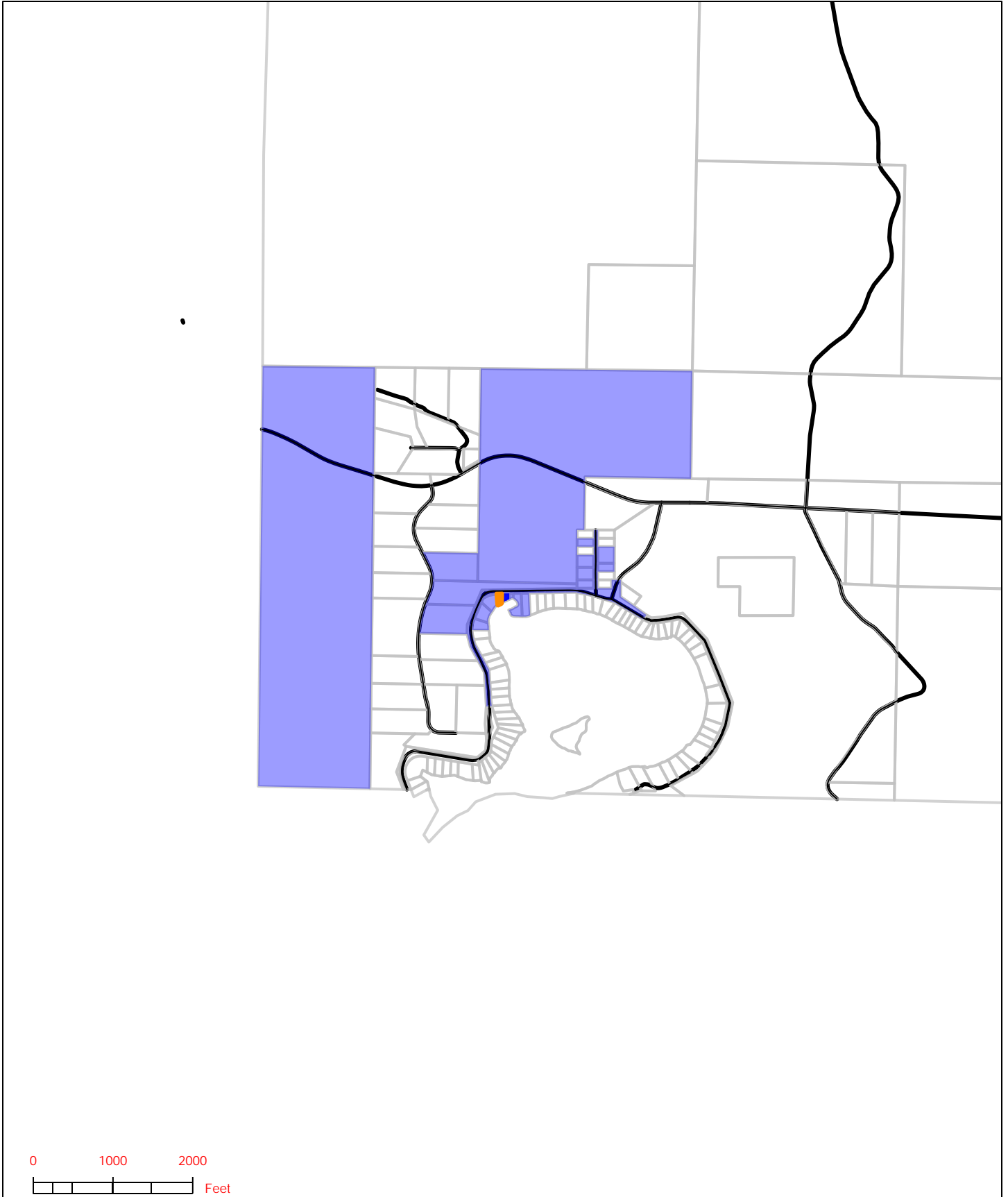
Phone: (312) 505 - 2798 Fax: (_____) _____ - _____ E-Mail: kirkvuillemot@gmail.com

Applicant (if different from owner): _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: (_____) _____ - _____ Fax: (_____) _____ - _____ E-Mail: _____

WHITEWATER



28-13-031-001-00
STATE OF MICHIGAN EXEMPT

28-13-031-005-07
DEYOUNG KEITH L
DEYOUNG TERI A
586 STARFLOWER LN
TRAVERSE CITY MI 49686

28-13-031-005-10
WILLIS WILLIAM E & GAIL G
821 GRAND RIVER NE
ADA MI 49301

28-13-031-005-11
SCHERRER KIM TTEE
SCHERRER KIM TRUST
454 STARFLOWER LN
TRAVERSE CITY MI 49686

28-13-630-000-00
NICKERSON'S SUBD. NO. 1 COMMON AREA

28-13-630-010-01
MILLER JACQUELYN Y TRUSTEE
602 SHELLY B LN
TRAVERSE CITY MI 49686

28-13-630-011-26
CLAUSEN PAUL R & MELISSA J
509 SHELLY B LN
TRAVERSE CITY MI 49686

28-13-630-011-27
DANN ERIC W
567 SHELLY B LN
TRAVERSE CITY MI 49686

28-13-630-011-28
LEPPIEN CRAIG A & ABBY M
527 SHELLY B LN
TRAVERSE CITY MI 49686

28-13-630-012-00
MILLER JACQUELYN
602 SHELLY B LN
TRAVERSE CITY MI 49686

28-13-630-014-01
WEST MARY MH & ANDREW J
607 SHELLY B LN
TRAVERSE CITY MI 49686

28-13-630-024-00
BAZZETT GARY D & WENDY JO
410 ISLAND VIEW DR
TRAVERSE CITY MI 49686

28-13-630-025-10
VUILLEMOT KIRK D & RISA S
1916 S RACINE
CHICAGO IL 60608

28-13-630-025-20
LEPPIEN CRAIG & ABBY
527 SHELLY B LN
TRAVERSE CITY MI 49686

28-13-630-026-00
BAZZETT GARY D & WENDY
410 ISLAND VIEW
TRAVERSE CITY MI 49686

28-13-630-027-00
SCHWARTZ PETER & SYDNEY
398 ISLAND VIEW DR
TRAVERSE CITY MI 49696

28-13-630-029-00
GULICK PETER G & CHARLOTTE A TTEE
CULICK PETER G & CHARLOTTE A TRUST
1839 PINE KNOLL DR
OKEMOS MI 48864

28-13-630-030-01
RIMMEL REX A REV TRUST
RIMMEL DOLORES M REV TRUST
178 W ST CHARLES RD
ITHACA MI 48847



NICKERSON'S SUBDIVISION NO. 1

FD-1
5-4-48

Section 31, T27N, R9W, Whitewater Township, Grand Traverse County, Michigan

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That we, Paul L. Nickerson, as proprietor, and Harriett E. Nickerson, his wife, have caused the land embraced in the annexed plat to be surveyed, laid out and platted, to be known as NICKERSON'S SUBDIVISION NO. 1, Section 31, T27N, R9W, Whitewater Township, Grand Traverse County, Michigan, and that the streets and alleys as shown on said plat are hereby dedicated to the use of the lot owners.

Signed and sealed in presence of
John L. Kilmer
Dollena M. Bolton

Paul L. Nickerson
Harriett E. Nickerson

STATE OF MICHIGAN

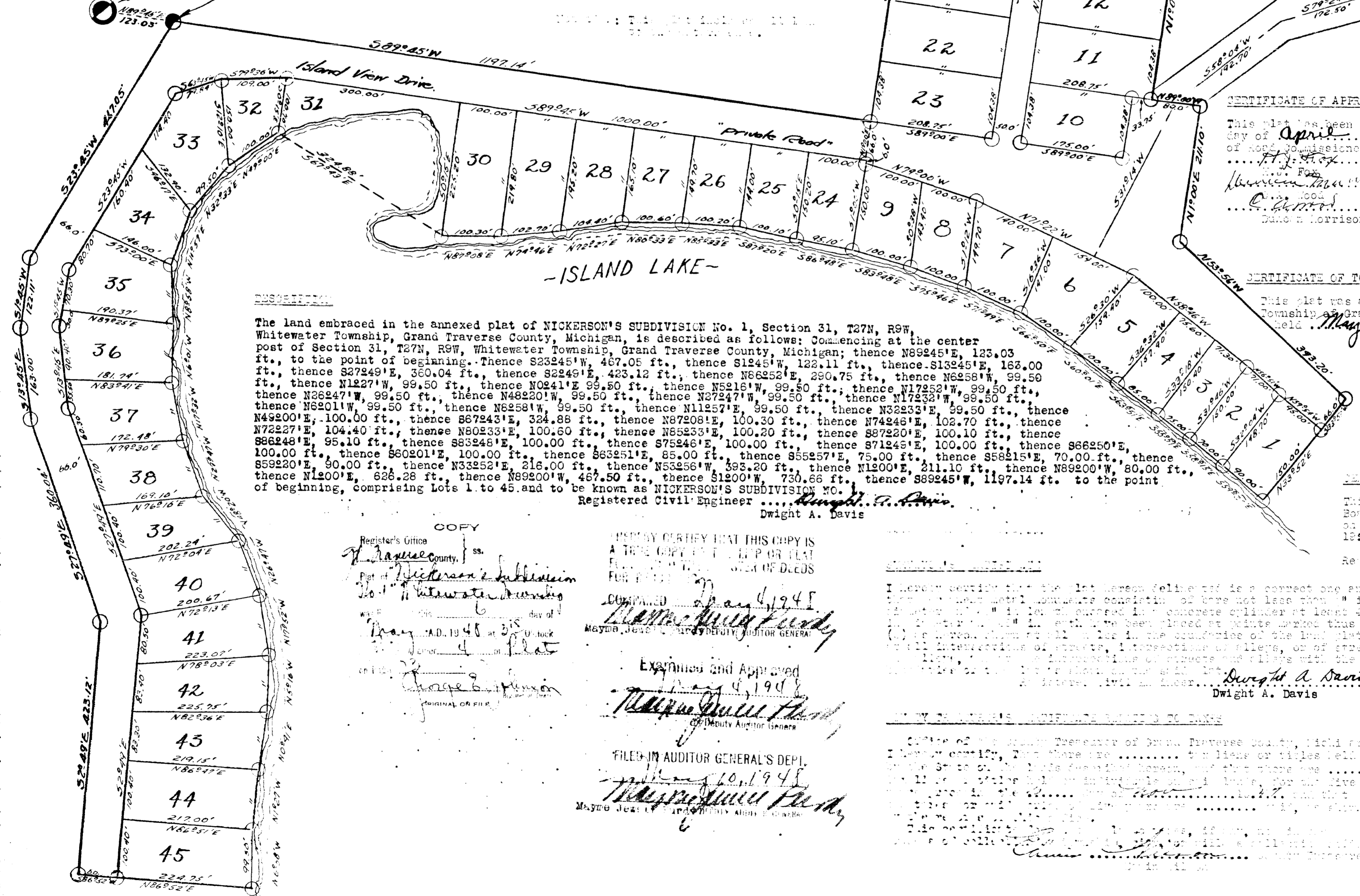
County of Grand Traverse.
On this 10th day of April, 1948, before me, a Notary Public in and for said County, personally appeared the above named Paul L. Nickerson and Harriett E. Nickerson, his wife, known to me to be the persons who executed the foregoing instrument, and acknowledged to me to be their free act and deed.

Witness my hand and the seal of said County at Grand Traverse, Michigan, this 10th day of April, 1948.

John L. Kilmer
Notary Public, Grand Traverse County, Michigan

Center Post Sec. 31,
T27N, R9W, White-
water Twp. Grand
Traverse Co. Mich.

Point of Beginning



DESCRIPTION

The land embraced in the annexed plat of NICKERSON'S SUBDIVISION NO. 1, Section 31, T27N, R9W, Whitewater Township, Grand Traverse County, Michigan, is described as follows: Commencing at the center post of Section 31, T27N, R9W, Whitewater Township, Grand Traverse County, Michigan; thence N89°45'E, 123.05 ft., to the point of beginning. Thence S23°45'W, 467.05 ft., thence S12°45'W, 122.11 ft., thence S13°24'E, 163.00 ft., thence S27°24'E, 360.04 ft., thence S22°49'E, 423.12 ft., thence N86°25'E, 290.75 ft., thence N62°58'W, 99.50 ft., thence N12°27'W, 99.50 ft., thence N02°41'E, 99.50 ft., thence N52°16'W, 99.50 ft., thence N17°52'W, 99.50 ft., thence N28°24'W, 99.50 ft., thence N48°20'W, 99.50 ft., thence N27°24'W, 99.50 ft., thence N17°32'W, 99.50 ft., thence N62°01'W, 99.50 ft., thence N82°58'W, 99.50 ft., thence N11°57'E, 99.50 ft., thence N32°23'E, 99.50 ft., thence N49°00'E, 100.00 ft., thence N87°24'E, 324.88 ft., thence N87°20'E, 100.30 ft., thence N74°24'E, 102.70 ft., thence N72°27'E, 104.40 ft., thence N80°33'E, 100.60 ft., thence N85°23'E, 100.20 ft., thence N87°20'E, 100.10 ft., thence N86°24'E, 95.10 ft., thence S83°24'E, 100.00 ft., thence S75°24'E, 100.00 ft., thence S71°24'E, 100.00 ft., thence S66°25'E, 100.00 ft., thence S60°20'E, 100.00 ft., thence S63°25'E, 85.00 ft., thence S55°27'E, 75.00 ft., thence S58°15'E, 70.00 ft., thence S59°20'E, 90.00 ft., thence N33°52'E, 216.00 ft., thence N53°56'W, 393.20 ft., thence N12°00'E, 211.10 ft., thence N89°20'W, 80.00 ft., thence N12°00'E, 626.28 ft., thence N89°20'W, 467.50 ft., thence S12°00'W, 730.66 ft., thence S89°24'E, 1197.14 ft. to the point of beginning, comprising Lots 1 to 45, and to be known as NICKERSON'S SUBDIVISION NO. 1.

Registered Civil Engineer Dwight A. Davis
Dwight A. Davis

COPY
Register's Office
Grand Traverse County, ss.
Plat of Nickerson's Subdivision
No. 1, Whitewater Township
May 1, A.D. 1948 at 3:15 o'clock
day of May
I, George B. Johnson
County Clerk

I hereby certify that this copy is
a true copy of the plat or plat
embraced in the plat of deeds
for record in
Grand Traverse County, Michigan
May 1, A.D. 1948
Mayme Jessup, Deputy Auditor General

Examined and Approved
May 4, 1948
Mayme Jessup
Deputy Auditor General

FILED IN AUDITOR GENERAL'S DEPT.
May 10, 1948
Mayme Jessup
Deputy Auditor General

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY ROAD COMMISSIONERS

This plat has been examined and approved on the 21st day of April, 1948 by the Grand Traverse County Board of Road Commissioners.

H. J. K. K. Chairman
H. J. K. K. Member
H. J. K. K. Member
Dwight A. Davis

CERTIFICATE OF TOWNSHIP APPROVAL

This plat was approved by the Township Board of Whitewater Township of Grand Traverse County, Michigan, at a meeting held May 25th, 1948.

Ed G. Hamilton Clerk

CERTIFICATE OF APPROVAL BY COUNTY PLAT BOARD

This plat was approved by the County Plat Board of Grand Traverse County, Michigan on the 10th day of November, 1947.

Register of Deeds George E. Johnson
County Clerk John L. Kilmer
County Treasurer John L. Kilmer
County Auditor John L. Kilmer

30877

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231)946-2000
Fax (231)946-8273

ORDER CONFIRMATION

Salesperson: MEGAN O'BRIEN

Printed at 02/02/24 13:35 by mobri

Acct #: 2055

Ad #: 611616

Status: New WHOLD

WHITEWATER TOWNSHIP CLERK
CHERYL GOSS
P.O. BOX 159
WILLIAMSBURG MI 49690

Start: 02/04/2024 Stop: 02/04/2024
Times Ord: 1 Times Run: ***
STDAD 3.00 X 3.23 Words: 237
Total STDAD 9.69
Class: 147 LEGALS
Rate: LEGAL Cost: 133.95
Affidavits: 1

Contact:

Phone: (231)267-5141

Fax#:

Email: clerk@whitewatertownship.org

Agency:

Ad Descrpt: LEGAL NOTICE WHITEWATER T
Given by: *

P.O. #:

Created: mobri 02/02/24 13:25

Last Changed: mobri 02/02/24 13:32

PUB	ZONE	EDT	TP	START	INS	STOP	SMTWTFSS
RE	A	97	W	Sun 02/04/24	1	Sun 02/04/24	SMTWTFSS
IN	AIN	97	W	Sun 02/04/24	1	Sun 02/04/24	SMTWTFSS

AUTHORIZATION

Thank you for advertising in the Record-Eagle, our related publications and online properties. If you are advertising with the Record-Eagle classifieds, your ad will begin running on the start date noted above.

Please be sure to check your ad on the first day it appears. Although we are happy to make corrections at any time, the Record-Eagle is only responsible for the first day's incorrect insertions. Also, we reserve the right to edit or reclassify your ad to better serve buyers and sellers.

No refunds or rebates will be issued if you cancel your ad prior to the stop date.

We appreciate your business.

(CONTINUED ON NEXT PAGE)

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231)946-2000
Fax (231)946-8273

ORDER CONFIRMATION (CONTINUED)

Salesperson: MEGAN O'BRIEN

Printed at 02/02/24 13:35 by mobri

Acct #: 2055

Ad #: 611616

Status: New WHOLD WHOI

LEGAL NOTICE
WHITEWATER TOWNSHIP ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING

Please be advised that on February 22, 2024, the Whitewater Township ZONING BOARD OF APPEALS will conduct a public hearing at a regular meeting at 7:00 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690. The public hearing will be to consider the following:

The applicants are requesting that the Zoning Board of Appeals grant a 'use' variance in the R1-Residential zoning district for the placement of an accessory building without first or consecutively establishing a principal use. The subject property is vacant, located at 400 Island View Drive, parcel #28-13-630-025-10.

All persons are welcome and will be heard concerning the request. A copy of the application and zoning ordinance are available for viewing at the township hall. Written comments will be received up and until the time of the meeting on February 22, 2024, and should be addressed to the Whitewater Township Zoning Department, P.O. Box 159, Williamsburg, MI 49690.

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who plan on attending. Contact the Township Supervisor at (231) 267-5141 ext 23 as soon as possible.

If a Zoom facilitator is available, the meeting may be available remotely. Check www.whitwatertownship.org for a link to this meeting on the Zoning Board of Appeals page a few days in advance of the meeting.

February 4, 2024- 1T

611616