



LuAnne Kozma <luannekozma@gmail.com>

ZBA Hearing RE: Law Boathouse on Lake Charlevoix

Chris Boal <c.r.boal@gmail.com>

Sun, Aug 14, 2022 at 4:14 PM

To: clerk@hayestownshipmi.gov

Cc: LuAnne Kozma <luannekozma@gmail.com>, Ellis Boal <ellisboal@voyager.net>

Dear Kristin Baranski and ZBA Members,

I have been working in the design and construction industry for 24 years. I was trained as an architect, and worked for architects and developers, and I now work for a large commercial construction company in Minneapolis, MN. In the early 2000's, I designed my father's (Stewart Boal Jr.) house at 9290 Woods Road, 49720, on Lake Charlevoix, and am familiar with the Hayes Township Zoning Ordinance.

I am concerned about the proposed channel-basin-boathouse of Scott and Debra Law, a few residences to the west of my father's place at 9290 Woods Road on Lake Charlevoix.

I write today particularly about the project's proposed covered angled walkway between the boathouse and the main residence, as pictured on the six pages of plans in the attached file, "Walkway Details.pdf" collected from the Laws' plans. I can see that these pages were prepared by different planners for the Laws on various dates, but what is common to all of them is the walkway. From scales on the drawings, the walkway is approximately 100 feet in length.

The Township Zoning Ordinance, Article II, Section 2.02 – Definitions, defines an "Accessory Building or Structure" as "any building or structure that is customarily incidental and subordinate to the use of the principal or main building or structure." Further, "an accessory structure attached to a main building or structure shall be considered part of the main structure."

Further, the Township Zoning Ordinance, Article III, Section 3.05 (1) - Accessory Buildings, states that "A building which is structurally connected to principal building by a roofed porch, breezeway or similar structure, shall be considered part of the principal building and thus not subject to the regulations for accessory structures."

Ellis Boal (my uncle) informs me that the Township Zoning Administrator wrote an affidavit last November 19, 2021, which included the following:

"19. Pursuant to Section 3.05(1) of the Zoning Ordinance, Exhibit 2, a building that is structurally connected to the principal building is considered part of the principal building and not subject to regulation as an accessory structure."

"20. The boathouse is to be attached to the house making it part of the house and not an accessory structure."

I do not believe that other builders or architects looking at the attached plans would consider the boathouse as "part of" the main residence, due to the proposed 100' covered walkway/breezeway. In my experience, a detached boathouse structure is "customarily incidental and subordinate to the use of a residence". In this case, the Law's

boathouse, as shown on attached plans, should be considered a separate structure and evaluated as an Accessory Building or Structure in the Township Zoning Ordinance.

I agree with the Zoning Administrator's affidavit that the Law Boathouse should be connected to the house to be considered a part of the main building. However, in this case the proposed 100' covered walkway/breezeway does not keep to the spirit of the Township Zoning Ordinance or the Zoning Administrator's affidavit. I believe others in the design and construction community would agree. Accordingly, I support the appeal as it concerns the boathouse.

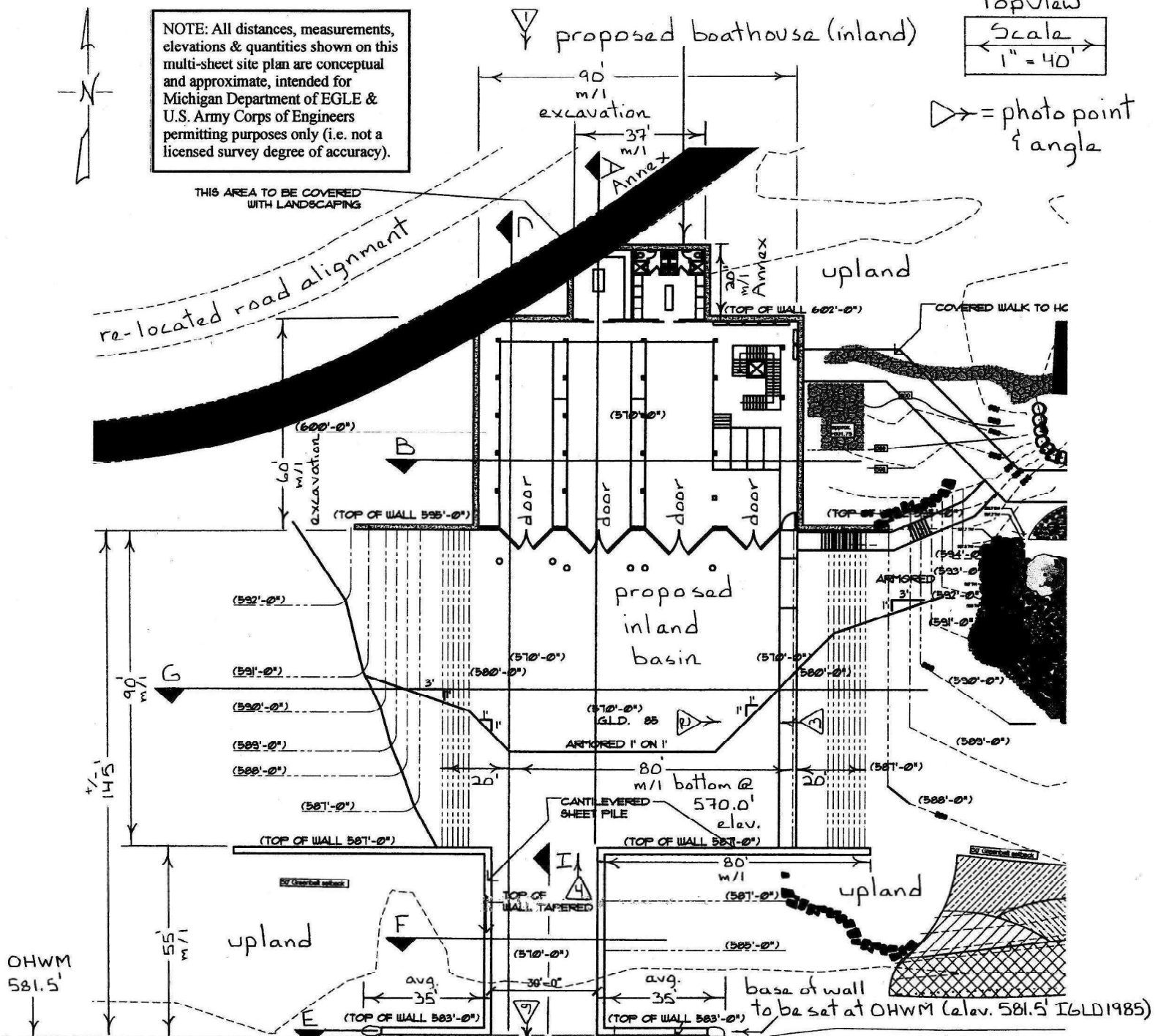
Chris Boal
[1448 Park Dr.](#)
[Mound, MN 55364](#)
c.r.boal@gmail.com
(720)-505-7417

 **Walkway Details.pdf**
3721K

NOTE: All distances, measurements, elevations & quantities shown on this multi-sheet site plan are conceptual and approximate, intended for Michigan Department of EGLE & U.S. Army Corps of Engineers permitting purposes only (i.e. not a licensed survey degree of accuracy).

Topview
Scale
1" = 40'

▷ = photo point
{ angle



PROPOSED INLAND BOATHOUSE
 State/ Michigan County/ Charlevoix
 Township/ Hayes (T34N, R7W)
 Section/ 32 (10034 Anglers Cove)
 Body of water/ Lake Charlevoix
 Applicant/ Scott & Debra Law via
 Drost Landscape Company
 Date/ 07-02-2020
 Prepared by/ Great Lakes Ecosystems,
 Box 156, Indian River, MI 49749
 (c/o Bert C. Ebberts, 231-238-7615)

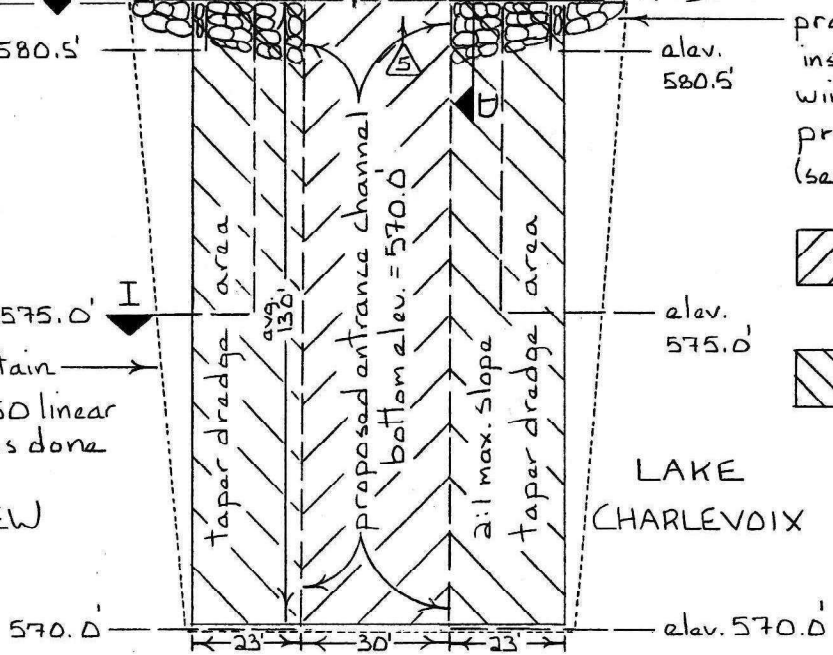
proposed turbidity curtain
 (see Detail) - approx. 350 linear
 feet - remove when job is done

**PROJECT OVERVIEW
 +
 SECTION GUIDE**

proposed fieldstone rip-rap
 installed to protect 30' long
 wingwalls on each side of
 proposed entrance channel
 (see Section D for details)

= proposed dredging
 for entrance channel

= proposed dredging
 along sides of main
 channel (tapering up
 at angle no steeper
 than 1 foot vertical to
 2 foot horizontal)



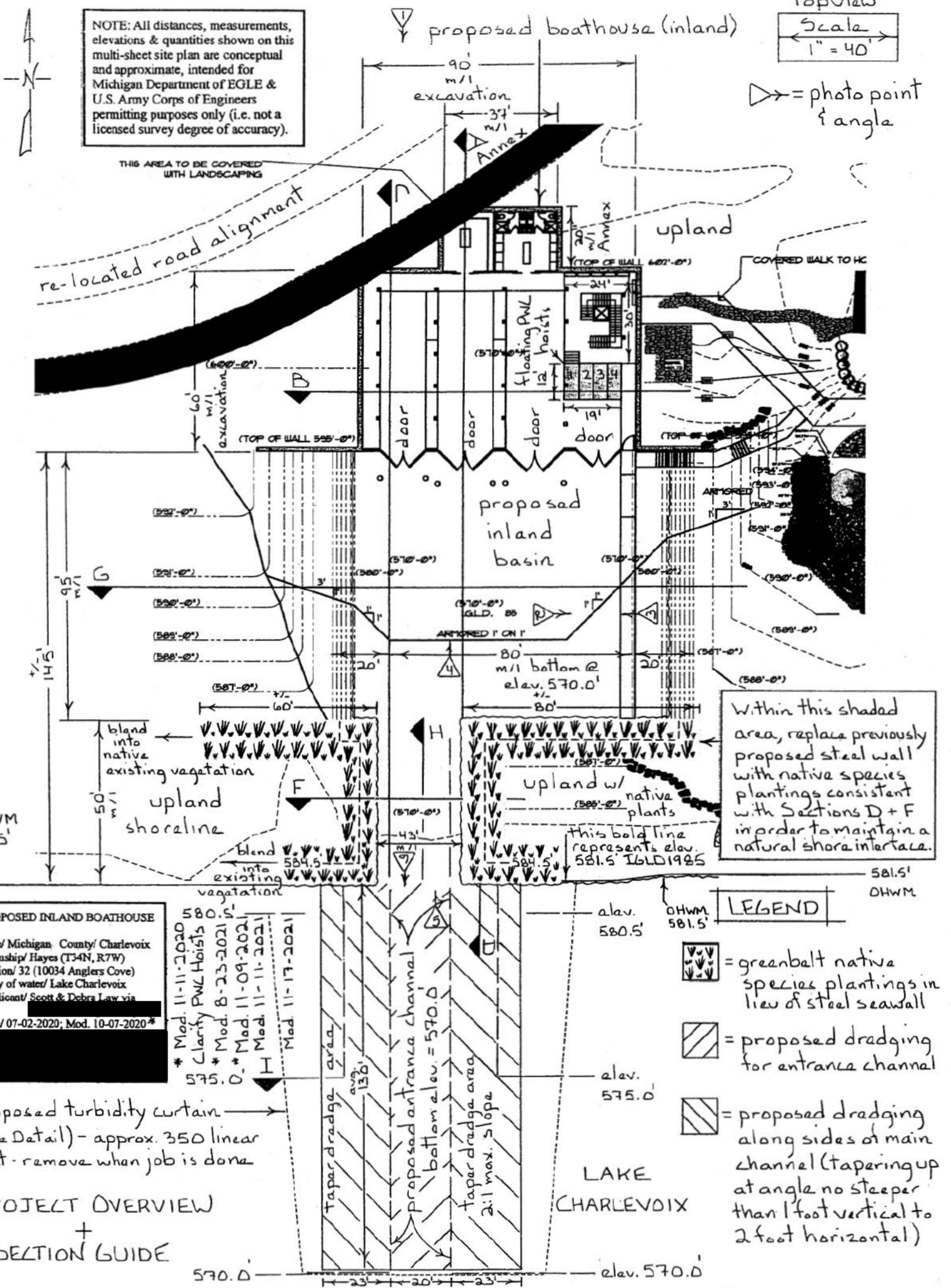
NOTE: All distances, measurements, elevations & quantities shown on this multi-sheet site plan are conceptual and approximate, intended for Michigan Department of EGLE & U.S. Army Corps of Engineers permitting purposes only (i.e. not a licensed survey degree of accuracy).

Topview
Scale
1" = 40'

photo point & angle

THIS AREA TO BE COVERED WITH LANDSCAPING

re-located road alignment



Within this shaded area, replace previously proposed steel wall with native species plantings consistent with Sections D + F in order to maintain a natural shore interface.

PROPOSED INLAND BOATHOUSE
State/ Michigan County/ Charlevoix
Township/ Hayes (T34N, R7W)
Section/ 32 (10034 Anglers Cove)
Body of water/ Lake Charlevoix
Applicant/ Scott & Debra Lay via
Date/ 07-02-2020; Mod. 10-07-2020*

580.5'
* Mod. 11-11-2020
Clarify PWL Hoists
* Mod. 8-23-2021
* Mod. 11-09-2021
* Mod. 11-11-2021
Mod. 11-17-2021
575.0'

LEGEND

- [Symbol: Greenbelt native species plantings] = greenbelt native species plantings in lieu of steel seawall
- [Symbol: Proposed dredging for entrance channel] = proposed dredging for entrance channel
- [Symbol: Proposed dredging along sides of main channel] = proposed dredging along sides of main channel (tapering up at angle no steeper than 1 foot vertical to 2 foot horizontal)

proposed turbidity curtain (see Detail) - approx. 350 linear feet - remove when job is done

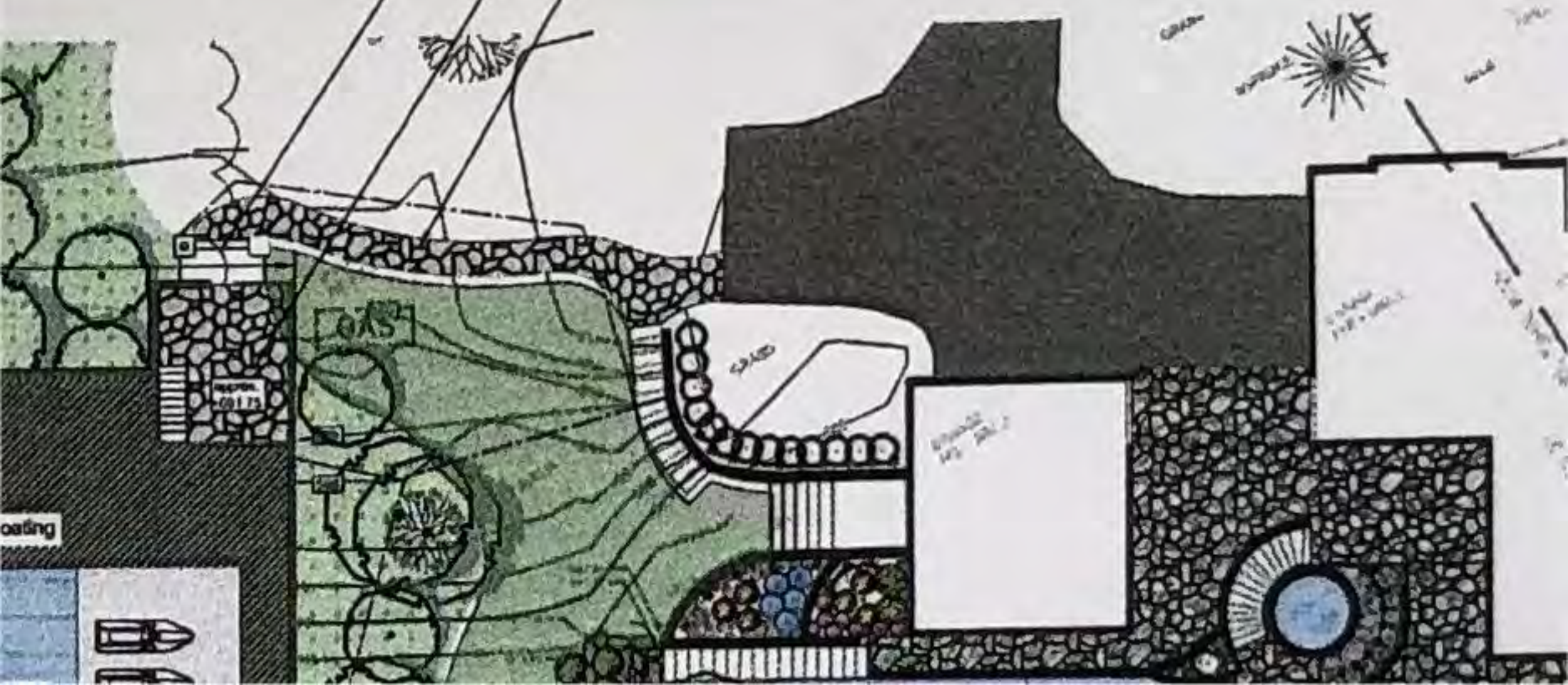
PROJECT OVERVIEW
+
SECTION GUIDE

570.0' elev. 570.0'

COVERED PORCH ENTRANCE

FOYER TO STAIRCASE; STORAGE BELOW

DRY LAID WALKWAY CONNECTION



(TOP OF WALL 604'-0")

COVERED WALK TO HOUSE

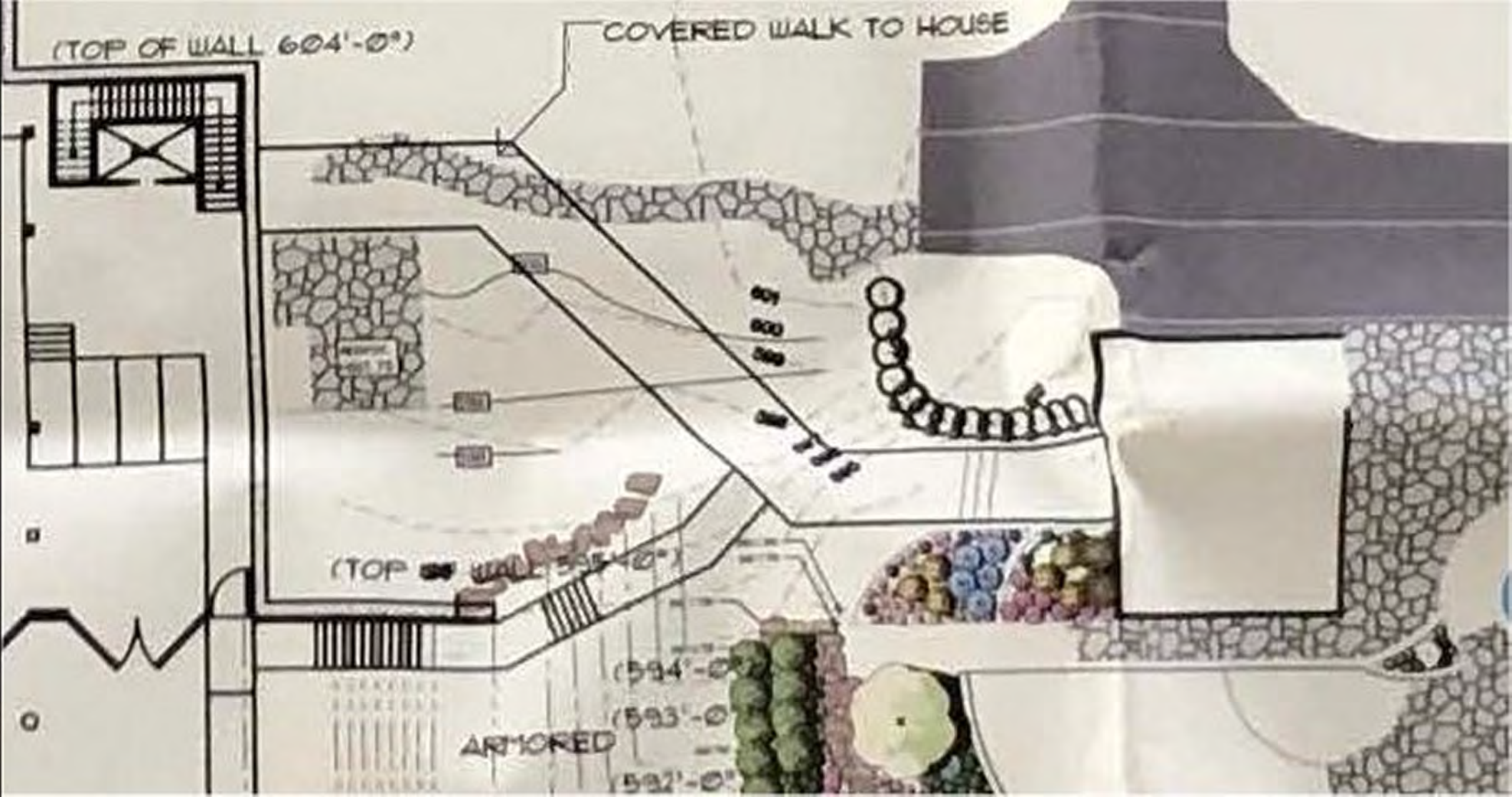
(TOP OF WALL 595'-0")

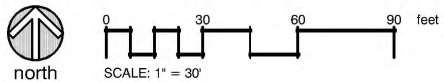
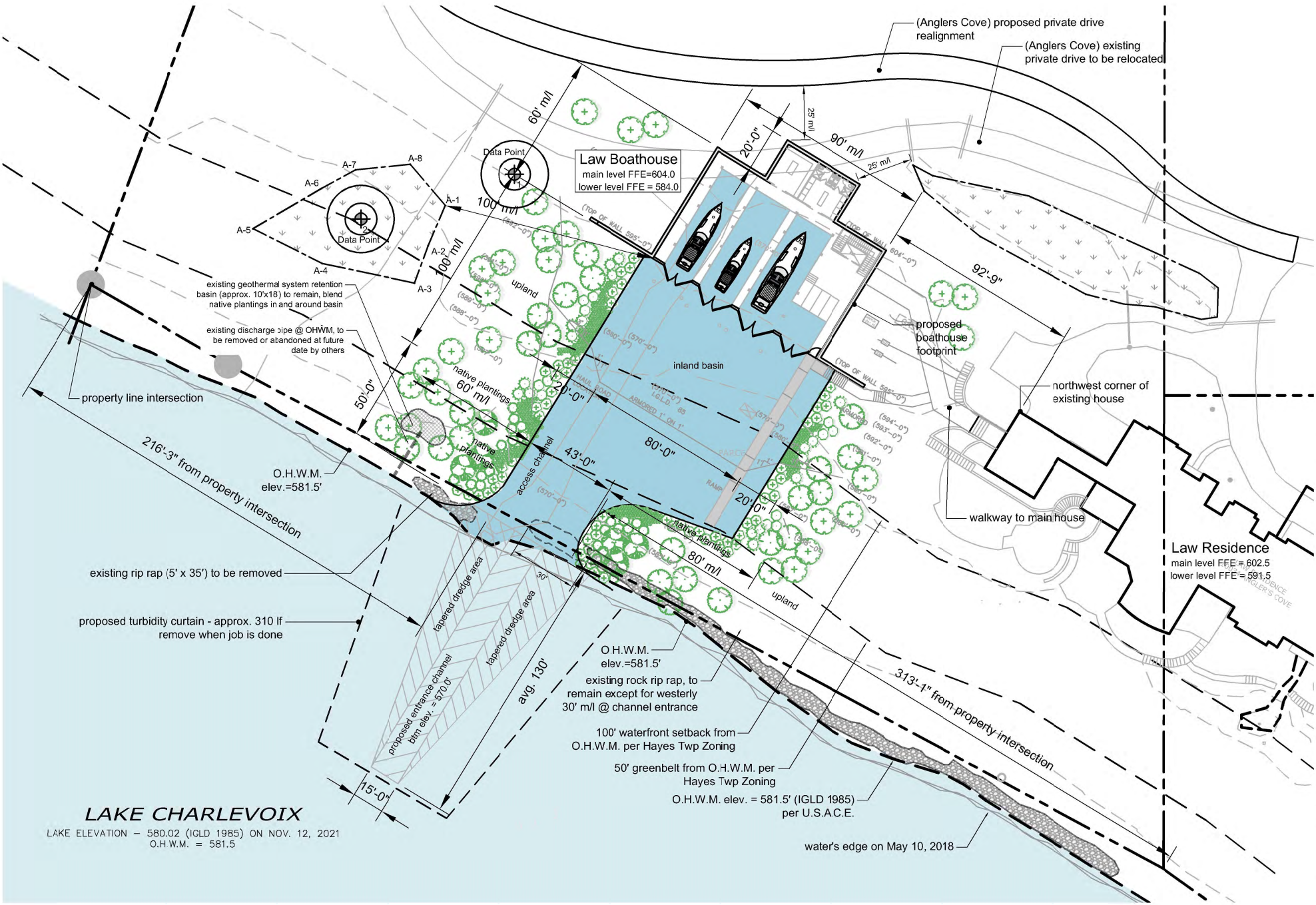
ARMORED

(594'-0")

(593'-0")

(592'-0")

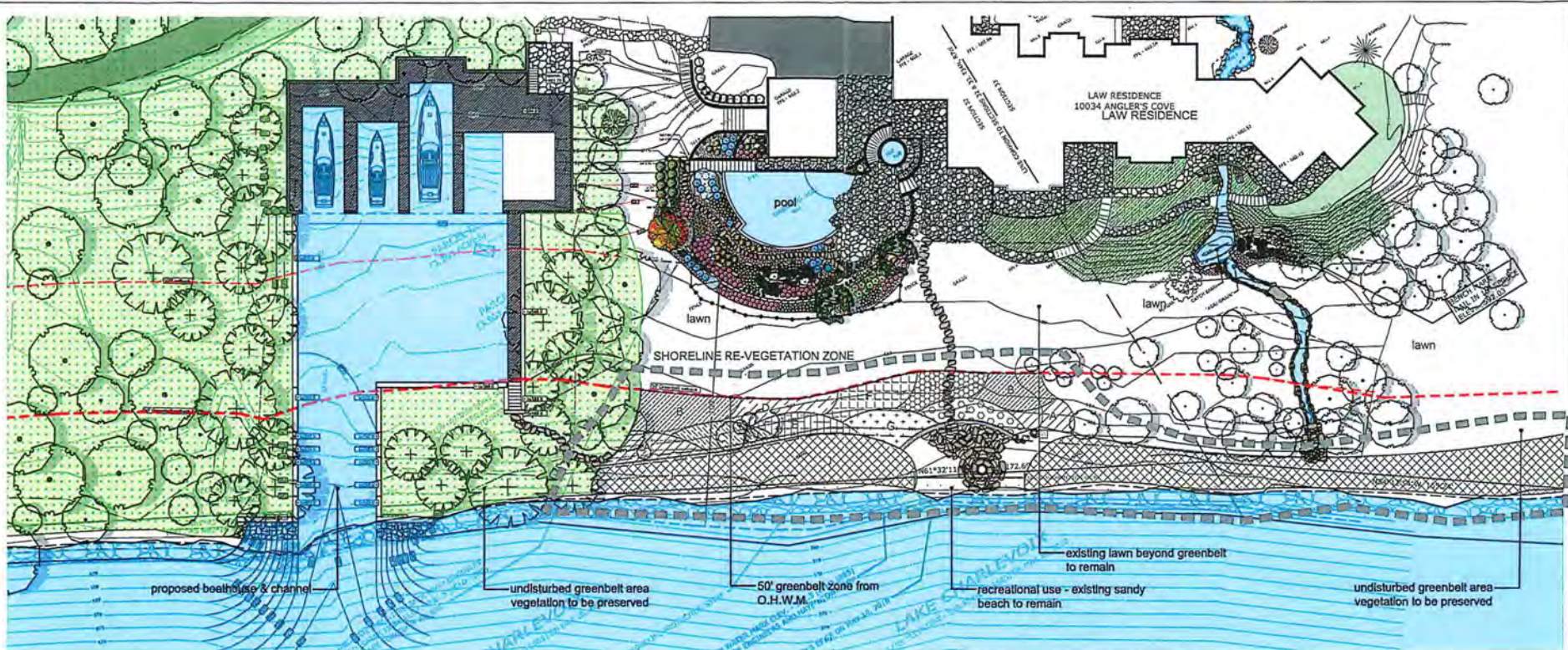




* Survey provided by Ferguson & Chamberlain, Charlevoix, Mi.

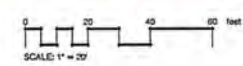
Project Name and Address	Project	Sheet
Law Residence 10034 Anglers Cove Charlevoix, Mi 49720	111853	Sp Site Plan
	Date	
	2/14/22	
	Design by	
	Drost Landscape	

p:\client-files\active\law, scott\boathouse\autocad\law boathouse-permit dimension plan.dwg



SHORELINE PLANTING SCHEDULE

KEY	Botanical Name	Common Name	Qty	Spacing
A	<i>Archostaphylos uva-ursi</i>	Bearberry	500 sf	24" o.c.
B	<i>Carex eburnea</i>	Bristleleaf Sedge	800 sf	18" o.c.
C	<i>Schizachyrium scoparium</i>	Little Bluestem	300 sf	36" o.c.
D	<i>Juniperus conferta</i>	Shore Juniper	280 sf	6' o.c.
E	<i>Physocarpus opulifolius</i>	Common Ninebark	250 sf	6' o.c.
F	<i>Sporobolus heterolepis</i>	Prairie Dropseed	350 sf	36" o.c.
G	<i>Symphyotrichum tradescantii</i>	Shore Aster	320 sf	24" o.c.
H	<i>Iris versicolor</i>	Blue Flag Iris	320 sf	30" o.c.
I	<i>Potentilla anserina</i>	Silkweed	300 sf	24" o.c.
J	<i>Ammophila breviflulata</i>	American Dune Grass	7,030 sf	36" o.c.



DROST LANDSCAPE
 2010 Cedar Valley Road | Potosi, MI
 (313) 342-6041 | DrostLandscape.com

LAW RESIDENCE
 SCOTT & DEBRA LAW
 10034 ANGLER'S COVE
 CHARLEVOIX, MI 49720

REVISIONS:
 11-11-2019



PLANTING PLAN

Project Number:
 PEGNUM
 Drawn By:
 DG
 Date:
 10-8-2019
 Sheet:

L1.01