

**AGENDA
CITY OF SWARTZ CREEK
ZONING BOARD OF APPEALS
WEDNESDAY, OCTOBER 20, 2021
6:00 P.M.**

- 1. CALL TO ORDER:**
- 2. PLEDGE OF ALLEGIANCE:**
- 3. ROLL CALL:** Commissioners: Packer, Plumb, Gilbert, Smith, Wyatt.
Alternates: Knickerbocker, Hicks
- 4. APPROVAL OF AGENDA:**
- 5. APPROVAL OF MINUTES:**
- 6. CORRESPONDENCE:**

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F. Full-Size FSE Plan Prints (Hardcopy editions only)	Attached
- 7. MEETING OPENED TO THE PUBLIC:**
- 8. VARIANCE APPLICATION:**
 - A. 4289 Alex Marin Drive; Unit 99 Springbrook East Condominium
- 9. MEETING OPENED TO THE PUBLIC:**
- 10. ADJOURNMENT:**

**RESOLUTIONS
CITY OF SWARTZ CREEK
ZONING BOARD OF APPEALS
WEDNESDAY, OCTOBER 20, 2021
6:00 P.M.**

Resolution No. 211020-01

Approval of Agenda

Motion by Boardmember _____, the Swartz Creek Zoning Board of Appeals approves the agenda for the October 20, 2021 ZBA meeting.

Second by Board Member: _____

Voting For: _____

Voting Against: _____

Resolution No. 211020-02

Approval of Minutes

Motion by Boardmember _____, the Swartz Creek Zoning Board of Appeals approves the minutes for the May 1, 2021 ZBA meeting.

Second by Board Member: _____

Voting For: _____

Voting Against: _____

Resolution No. 211020-03

4289 Alex Marin Variance Findings

Motion by Boardmember _____, the Swartz Creek Zoning Board of Appeals makes the following findings in relation to the variance application for 4289 Alex Marin Drive:

1. _____
2. _____
3. _____
4. _____
5. _____

Second by Board Member: _____

Voting For: _____

Voting Against: _____

Resolution No. 211020-04

4289 Alex Marin Variance Decision

Motion by Boardmember _____, the Swartz Creek Zoning Board of Appeals approves/denies the variance request for dimensional variances, as applied for at

the site known as 4289 Alex Marin Drive, Unit 99 of Springbrook East, with the following conditions:

1. _____
2. _____
3. _____

Second by Board Member: _____

Voting For: _____

Voting Against: _____

Resolution No. 211020-05

Motion by Boardmember _____, the Swartz Creek Zoning Board of Appeals adjourns the October 20, 2021 Zoning Board of Appeals meeting.

Second by Board Member: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
VIRTUAL ZONING BOARD OF APPEALS MEETING
ACCESS INSTRUCTIONS
TUESDAY, OCTOBER 20, 2021 7:00 P.M.**

The ZBA meeting of October 20, 2021 at 6:00 p.m. will be conducted as a hybrid meeting, with commissioners, staff, consultants, petitioners, and public attending in-person. The meeting will also be held virtually (online and/or by phone) to non-commissioners, due to health concerns surrounding Coronavirus/COVID-19.

To comply with the **Americans with Disabilities Act (ADA)**, any citizen requesting accommodation to attend this meeting, and/or to obtain the notice in alternate formats, please contact Connie Olger, 810-429-2766 48 hours prior to meeting,

Zoom Instructions for Participants

To join the conference by phone:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID** number (also provided below) when prompted using your touch-tone (DTMF) keypad.

Before a videoconference:

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provide below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

To join the videoconference:

1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to join.zoom.us on any browser and entering the Meeting ID provided below.

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID number** (also provided below) when prompted using your touchtone (DTMF) keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your participant ID to be associated with your computer.

Participant controls in the lower left corner of the Zoom screen:



Using the icons in the lower left corner of the Zoom screen you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- Invite other participants
- View participant list-opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window
- Share your screen

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between “speaker” and “gallery” view. “Speaker view” show the active speaker.

Topic: City of Swartz Creek Zoning Board of Appeals

Time: October 20, 2021 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/5699610014>

Meeting ID: 569 961 0014

One tap mobile

+13126266799,,5699610014# US (Chicago)

+19292056099,,5699610014# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 569 961 0014

Dial your local number: <https://us02web.zoom.us/j/5699610014>

If you have any further questions or concern, please contact 810-429-2766 or email colqer@cityofswartzcreek.org. A copy of this notice will be posted at City Hall, 8083 Civic Drive, Swartz Creek, Michigan.

+

**CITY OF SWARTZ CREEK
VIRTUAL (ELECTRONIC) MEETING RULES AND PROCEDURES**

In order to conduct an effective, open, accessible, and professional meeting, the following protocols shall apply. These protocols are derived from the standard practices of Swartz Creek public meetings, Roberts Rules of Order, and city board & commission procedures. These procedures are adopted to govern participation by staff, councilpersons and members of the public in all City meetings held electronically pursuant to PA 228 of 2020. Note that these protocols do not replace or eliminate established procedures or practices. Their purpose is to augment standing expectations so that practices can be adapted to a virtual meeting format.

The following shall apply to virtual meetings of the city’s public bodies that are held in accordance with the Open Meetings Act.

1. Meetings of the City Council, Planning Commission, Zoning Board of Appeals, Downtown Development Authority, Park Board, or committees thereunder may meet electronically or permit electronic participation in such meetings insofar as (1) the Michigan Department of Health and Human Services restricts the number of persons who can gather indoors due to the COVID-19 pandemic; (2) persons have an illness, injury, disability or other health-related condition that poses a risk to the personal health or safety of members of the public or the public body if they were to participate in person; or (3) there is in place a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or other person authorized to declare a state of emergency or disaster.
2. All meetings held hereunder must provide for two-way communication so that members of the public body can hear and respond to members of the general public, and vice versa.
3. Members of the public body who participate remotely must announce at the outset of the meeting that he/she is in fact attending the meeting remotely and by further identifying the specific physical location (by county, township, village and state) where he/she is located. The meeting minutes must include this information.
4. Notice of any meeting held electronically must be posted at the City Offices at least 18 hours before the meeting begins and must clearly explain the following:
 - (a) why the public body is meeting electronically;
 - (b) how members of the public may participate in the meeting electronically, including the specific telephone number, internet address or similar log-in information needed to participate in the meeting;
 - (c) how members of the public may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting;
 - (d) how persons with disabilities may participate in the meeting.
5. The notice identified above must also be posted on the City’s website homepage or on a separate webpage dedicated to public notices for non-regularly scheduled or electronic public meetings that is accessible through a prominent and conspicuous link on the website’s homepage that clearly describes the meeting’s purpose.

6. The City must also post on the City website an agenda of the meeting at least 2 hours before the meeting begins.
7. Members of the public may offer comment only when the Chair recognizes them and under rules established by the City.
8. Members of the public who participate in a meeting held electronically may be excluded from participation in a closed session that is convened and held in compliance with the Open Meetings Act.

MAINTAINING ORDER

Public body members and all individuals participating shall preserve order and shall do nothing to interrupt or delay the proceedings of public body.

All speakers shall identify themselves prior to each comment that follows another speaker, and they shall also indicate termination of their comment. For example, "Adam Zettel speaking. There were no new water main breaks to report last month. That is all."

Any participants found to disrupt a meeting shall be promptly removed by the city clerk or by order of the Mayor. Profanity in visual or auditory form is prohibited.

The public body members, participating staff, and recognized staff/consultants/presenters shall be the only participants not muted by default. All other members must request to speak by raising their digital hand on the Zoom application or by dialing *9 on their phone.

MOTIONS & RESOLUTIONS

All Motions and Resolutions, whenever possible, shall be pre-written and in the positive, meaning yes is approved and no is defeated. All motions shall require support. A public body member whom reads/moves for a motion may oppose, argue against or vote no on the motion.

PUBLIC ADDRESS OF BOARD OR Commission

The public shall be allowed to address a public body under the following conditions:

1. Each person who wishes to address the public body will be first recognized by the Mayor or Chair and requested to state his / her name and address. This applies to staff, petitioners, consultants, and similar participants.
2. Individuals shall seek to be recognized by raising their digital hand as appropriate on the digital application.
3. Petitioners are encouraged to appropriately identify their digital presence so they can be easily recognized during business. If you intend to call in only, please notify the clerk in advance of your phone number.
4. The city clerk shall unmute participants and the members of the public based upon the direction of the mayor or chair. Participants not recognized for this purpose shall be muted by default, including staff, petitioners, and consultants.
5. Individuals shall be allowed five (5) minutes to address the public body, unless special permission is otherwise requested and granted by the Mayor or Chair.
6. There shall be no questioning of speakers by the audience; however, the public body, upon recognition of the Mayor or Chair, may question the speaker.

7. No one shall be allowed to address the public body more than once unless special permission is requested, and granted by the Mayor or Chair.
8. One spokesperson for a group attending together will be allowed five (5) minutes to address the public body unless special permission has been requested, and granted by the Mayor or Chair.
9. Those addressing the public body shall refrain from being repetitive of information already presented.
10. All comments and / or questions shall be directed to and through the Mayor or Chair.
11. Public comments (those not on the agenda as speakers, petitioners, staff, and consultants) are reserved for the two "Public Comment" sections of the agenda and public hearings.

VOTING RECORD OF PUBLIC BODIES

All motions, ordinances, and resolutions shall be taken by "YES" and "NO" voice vote and the vote of each member entered upon the journal.

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE ZONING BOARD OF APPEALS
MAY 19, 2021**

The Regular Meeting was called to order at 6:00 pm by Chair Packer in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Board members Present: Wyatt, Packer, Plumb, Gilbert, Smith.

Alternates Present: Cramer, Hicks.

Board members Absent None.

Staff Present: Adam Zettel.

Others Present: Steve Long.

APPROVAL OF AGENDA

Resolution No. 210519-01

(Carried)

Motion by Board Member Smith
Second by Board Member Gilbert

The Swartz Creek City Zoning Board of Appeals hereby approves the Agenda of the Regular Board Meeting of May 19, 2021 as printed.

Unanimous Voice Vote
Motion declared carried

APPROVAL OF MINUTES:

Resolution No. 210519-02

(Carried)

Motion by Board Member Plumb
Second by Board Member Gilbert

The Swartz Creek City Zoning Board of Appeals hereby approves the Minutes of the Regular Board Meeting January 20, 2021 to be approved.

Unanimous Voice Vote
Motion declared carried

Meeting Open To The Public: No comments.

Variance Application: 58-35-576-039 & 58-35-576-040; 8048 Miller Road (LED Sign).

Dennis Cramer questioned if sign would go with lay of the land. Mr. Zettel responded, yes. Mr. Cramer followed up with would this be a distraction for driving and Mr. Zettel replied, no.

Steve Long thinks it looks great.

Board Member Wyatt thinks the sign has good placement. Board Member Packer & Gilbert agreed sign looks good.

Sign Variance Findings

Resolution No. 210519-03

(Carried)

Motion by Board Member Smith, support by Board Member Wyatt, the Swartz Creek Zoning Board of Appeals makes the following findings in relation to the variance application for 8048 Miller Road:

1. The site presents the following unique circumstances:
 - a. Numerous business entrances and fronts that are perpendicular to the street.
2. The site presents the following undue hardships:
 - a. Existence of a masonry wall that limits visibility behind the right of way.
3. The monument sign is replacing a pre-existing monument sign of similar proportions that was removed during the 2019 streetscape project.
4. The variance request otherwise meets expectations for a sign variance as enumerated in Zoning Appendix A Section 14.11.

YES: Plumb, Gilbert, Smith, Wyatt, Packer.

NO: None. Motion carried.

Sign Variance Decision

Resolution No. 210519-04

(Carried)

Motion by Board Member Smith, second by Board Member Gilbert, the Swartz Creek Zoning Board of Appeals approves the variance request for a ground sign, as applied for at the site known as 8048 Miller Road with the following conditions:

1. The sign is approved to serve parcels 58-35-576-039 & 58-35-576-040, commonly referred to as 8048 Miller Road.

YES: Gilbert, Smith, Wyatt, Packer, Plumb.

NO: None. Motion carried.

OTHER BUSINESS: Election of Officers

Selection of Chairperson

Resolution No. 210519-05

(Carried)

Motion by Board Member Smith
Second by Board Member Wyatt

I Move, the Swartz Creek Zoning Board of Appeals selects Board Member Packer to serve as the ZBA Chairperson for a twelve month period commencing immediately and ending at the next annual meeting or as stated in the bylaws.

YES: Smith, Wyatt, Packer, Plumb, Gilbert.
NO: None. Motion carried.

Selection of Vice Chairperson

Resolution No. 210519-06

(Carried)

Motion by Board Member Smith
Second by Board Member Wyatt

I Move, the Swartz Creek Zoning Board of Appeals selects Board Member Plumb to serve as the ZBA Vice-Chairperson for a twelve month period commencing immediately and ending at the next annual meeting or as stated in the bylaws.

YES: Wyatt, Packer, Plumb, Gilbert, Smith.
NO: None. Motion carried.

Selection of Secretary

Resolution No. 210519-07

(Carried)

Motion by Board Member Plumb
Second by Board Member Gilbert

I Move, the Swartz Creek Zoning Board of Appeals selects Board Member Smith to serve as the ZBA Secretary for a twelve month period commencing immediately and ending at the next annual meeting or as stated in the bylaws.

YES: Wyatt, Packer, Plumb, Gilbert, Smith.
NO: None. Motion carried.

Meeting Open To The Public: No comments.

Adjourn

Resolution No. 210120-08

(Carried)

Motion by Board Member Smith
Second by Board Member Gilbert

I Move the Swartz Creek Zoning Board of Appeals adjourns the May 19, 2021 ZBA meeting.

Unanimous Voice Vote
Motion declared carried

The meeting adjourned at approximately 6:55 p.m.

Ronald Smith
Secretary



Where Friendships Last Forever

Adam Zettel, AICP

City Manager

azettel@cityofswartzcreek.org

Date: October 14, 2021

To: Zoning Board of Appeals Commissioners
From: Adam Zettel, AICP
Subject: October 20, 2021 ZBA Meeting

Hello everyone,

The Zoning Board of Appeals shall convene at 6:00pm on Wednesday, October 20, 2021 in the city council chambers. This will be an in-person meeting for ZBA members. The meeting will also be available to the public via Zoom. The instructions are attached.

The board is convening to hear a variance proposal related to dimensional variances for 4289 Alex Marin Drive, a residential dwelling that is under construction in Springbrook East Condominium. Enclosed, you will find the variance application materials. Also, please join Mr. Knickerbocker to the ZBA! He replaces Mr. Cramer. **Please read and study all materials carefully!**

Please see the variance application, surveys, and petitioner narrative for details. The variance request applies to a condo unit with R-4 Two Family Residential zoning. The setbacks are currently established by the master deed that was approved for the condominium. Note that the setbacks that normally apply to lot lines are not used for a condominium, since the master deed is technical one parcel and there are not lots for individual units. As such, the setbacks are defined by the building envelope that is established and recorded in the master deed (note that there may be discrepancies between this instrument and the 'typical' setbacks noted in the site plan).

The existing structure does not comply with the approved master deed and seeks variances for the following (as measured against the existing master deed):

1. Encroachment to Russell Drive 35' setback from curb (7.66').
2. Encroachment to Alex Marin 35' setback from curb (4').
3. Encroachment to 30' rear setback (4').

The petitioner's proposal is reviewed as follows, under zoning ordinance section 15.06:

A. Area or dimensional variance: The board may grant an area or dimensional variance only upon a finding that practical difficulties exist. An area or

8083 Civic Drive

Swartz Creek Michigan 48473

Phone: (810)-635-4464

Fax: (810)-635-2887

www.cityofswartzcreek.org

<ftp://cityofswartzcreek.org>

dimensional variance is a variance from any dimensional standard or requirement of this ordinance, such as, but not limited to, a deviation from lot width, lot size, density, building and sign height, building and sign bulk, building and sign setback, and other standards and requirements. A finding of practical difficulties shall require demonstration by the applicant of all of the following:

- 1. Strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other "non-use" matters that will unreasonably prevent the owner from using the property for a permitted purpose or will be unnecessarily burdensome. The variance will do substantial justice to the applicant, as well as to other property owners.*
- 2. A lesser variance than that requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.*
- 3. The need for the variance is due to unique circumstances or conditions peculiar to the property and not generally applicable in the area or to other properties in the same zoning district such as exceptional narrowness, shallowness, shape, topography or area.*
- 4. The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessor; this may or may not be considered depending upon whether the practical difficulty would have existed regardless of the action.*
- 5. 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 characteristics of the site and surrounding area will be considered.*
- 6. The granting of the variance will not materially impair the intent and purpose of this ordinance.*
- 7. Other specific variance criteria as set forth elsewhere in this ordinance including but not limited to [section 16.12](#), Flood hazard area zoning variances.*

I am including the narrative that has been submitted by the petitioner.

Summary Findings

October 20, 2021
Zoning Board of Appeals
4289 Alex Marin Variance Request

Staff makes the following comments using existing subjective and objective data. The ZBA shall need to deliberate the merits of the variance using the above criteria upon hearing the petitioner and public comments.

Concerning standards #1 & #2, it certainly appears that strict compliance of the standard or a lesser standard will be burdensome to the petitioner. However, this is only true because the building has been put in place already by the petitioner. Conversely, concerning standards #3 & #4, the building envelope is not unique or unreasonable to use for a building site. Clearly, other units make use of similar circumstances. The construction outside of the envelope also appears to be self-created. Concerning requirements #5 - #7, this is more subjective and will be largely based on public input and board deliberation.

Based upon the requirement that all standards be met, as considered by staff under the current circumstances, I do not find it prudent to approve the variance application as applied for. The ZBA clearly has room to consider the variance application in parts (each dimension separately), and they can also assign conditions to any full or partial variance that is granted. It might be that some of the encroachment can be reasonably mitigated, while others require building modification. With that said, perhaps there are other solutions available that are not obvious.

If you have any questions or have comments, please contact the city office or send me an email. I shall see you at the meeting.

Sincerely,



Adam H. Zettel, AICP
City Manager
City of Swartz Creek



APPLICATION FOR VARIANCE
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473
810-635-4464

Fee Received: \$750 Date: 9 / 9 / 21 Receipt No: _____
\$250 fee, \$500 escrow

NOTICE TO APPLICANT:

This application for Variance must be filed approximately twenty (20) days before a meeting may be scheduled.

The property sought to be used as a "Special Use" is located and described, as follows:
Assessment Roll Description No. 58-36-676-099,

4289 Alex Marin Drive, Unit 99 Springbrook East

It has a frontage of: no lot lines feet and a depth of: no lot lines feet. Condos have no lot lines

PRESENT ZONING: Residential

TO THE ZONING BOARD OF APPEALS:

I, (We), the undersigned, do hereby respectfully make application for a Variance, for the following reason:

The required front setback is 49 feet from the center of the road.

The existing building is 45.5 feet on the north side of the garage and 46.5 feet on the south side of the garage from the center of the road. We are requesting a 3.5 foot variance.

PROPERTY SOUGHT FOR VARIANCE IS OWNED BY:

Name: WOODSIDE BUILDERS INC


Address: 6007 MILLER ROAD SUITE 9, SWARTZ CREEK MI 48473

Phone Number: 810-635-2227

CRUCIAL POINTS OF VARIANCE: (All elements must be present)

- A. Undue Hardship - YES
- B. Unique Circumstances - YES

Attached hereto are two (2) prints of the subject property plot plan showing the lot or parcel location within the City. These prints are made a part of this petition and are drawn to scale showing the existing and proposed structures.



Signature of Applicant

Address: 6007 MILLER ROAD SUITE 9, SWARTZ CREEK MI 48473

Phone Number: 810-635-2227

Email Address: PMURDOCK.WOODSIDE@COMCAST.NET

A. Action Taken by the Zoning Board of Appeals:

- 1. Date application: ___/___/___
- 2. Date of Public Hearing: ___/___/___
- 3. Findings of Zoning Board of Appeals:

B. Final Disposition of Zoning Board of Appeals:

By: _____
Chairman

Secretary

PROOF OF SERVICE

Kris Brown, being first duly sworn, deposes and says that on September 29, 2021 mailed true copies of Notice of Public Hearing for Zoning Board of Appeals held Wednesday, October 20, 2021 to residents regarding applicant Woodside Builders.

Kris Brown

Kris Brown

Subscribed and sworn to before me this September 29, 2021

Connie Olger

**Connie Olger, Notary Public
Genesee County, Michigan**

My Commission expires: 3-9-2027

DESCRIPTION OF THE DIMENSIONAL VARIANCE REQUEST FOR SB99
COMMONLY KNOWN AS
4289 ALEX MARIN DRIVE

The recorded Condominium documents call for 35' from the back of the curb to the front of the building.

Woodside Builders is requesting a 3' front setback variance from the back of the curb to the front of the building that results in a 32' front setback from the road back of curb to the front of building.

- Strict compliance with the existing requirement of 35' from the back of the curb to the front of the building will unreasonably prevent the owner from using the property for a permitted purpose and will be unnecessarily burdensome. The variance will do substantial justice to the applicant, as well as to other property owners.
- The building is 32.5' from the back of the curb and we are asking for 32'. Any distance greater than 32' would be harmful and not give relief to the applicant.
- The need for the variance is due to unique circumstances or conditions peculiar to the property and not generally applicable in the area or to other properties in the same zoning district such as exceptional narrowness, shallowness, shape, topography or area.
- This difficulty was created by the excavator digging the basement too close to the curb.
- The variance will not alter the essential character of the area.
- The granting of the variance will not materially impair the intent and purpose of this ordinance.
- This property is not in a flood zone and therefore has no impact on flood hazard area zoning variances.

GC-ROD
RECEIVED

2020 JUL 17 AM 11:00

I hereby certify, based upon the records in my office, that there are no tax liens or titles held by the state, or by any individual, against the within description, and that all taxes due thereon have been paid for the 5 years next preceding the date of this instrument.

*Deborah L. Cherry EA
7-17-20*

202007170048113 Pages: 2

Recorded: 07/17/2020 11:05 AM
Fees: \$30.00 Rpt: 20-41572
John J. Gleason, Register of Deeds
Genesee County, MI MAIL



Third Amendment to the Master Deed

Of

Springbrook East

Genesee County Condominium Subdivision Plan No. 355

This Amendment to the Master Deed is made and executed this 17th day of July, 2020 by Woodside Builders, Inc., a Michigan Corporation, hereinafter referred to as the "Developer", whose post office address is 6007 Miller Road, Ste. 9 Swartz Creek, Michigan, 48473; in pursuance of the provisions of the Michigan Condominium Act (being Act 59 of the Public Acts of 1978, as amended), and in accordance with the provisions of ARTICLE VI, EXPANSION OF CONDOMINIUM; Sections 1 through 7 thereof; and as recorded in Exhibit A, Master Deed, Springbrook East Condominium, Instrument Number 200411100114003, including Pages 1 through 51, dated November 10, 2004, at the Genesee County Register of Deeds.

Whereas, Springbrook East is a condominium project established in the City of Swartz Creek, Genesee County, Michigan, as evidenced by a Master Deed, and Condominium By laws (Exhibit A to Master Deed) and Subdivision Plan (Exhibit B to Master Deed), recorded in Instrument Number 200411100114003, including Pages 1 through 51 of Genesee County Records, and whereas the Master Deed of Springbrook East Condominium contains provisions in ARTICLE VI, Expansion of Condominium, Sections 1 through 7, for the expansion of the condominium and appropriate amendment to the Master Deed and Subdivision Plan incident thereto, and whereas, the developer desires to expand the Condominium Project in accordance with Article VI of said Master Deed, and to appropriately amend the Master Deed and Subdivision Plan.

Now Therefore: The Subdivision Plan for Springbrook East is hereby amended to include the following described additional property, located in the City of Swartz Creek, Genesee County, Michigan to wit:

LEGAL DESCRIPTION OF PROPERTY FOR SPRINGBROOK EAST, PHASE II

Part of the Southeast 1/4 of Section 36, Township 7 North, Range 5 East, City of Swartz Creek, Genesee County, Michigan, described as: Beginning at a point that is North 88 degrees 05 minutes 40 seconds West, 1752.40 feet (recorded as North 88 degrees 07 minutes West) along the East-West 1/4 line (as occupied) of Section 36 and South 02 degrees 43 minutes 43 seconds West, 43.78 feet from the East 1/4 Corner of Section 36, thence South 02 degrees 43 minutes 43 seconds West, 422.40 feet; thence South 23 degrees 29 minutes 33 seconds West, 175.40 feet; thence North 73 degrees 52 minutes 40 seconds West, 111.58 feet; thence North 59 degrees 51 minutes 20 seconds West, 96.33 feet; thence North 23 degrees 54 minutes 30 seconds East, 180.03 feet; thence North 66 degrees 05 minutes 30 seconds West, 91.37 feet; thence North 02 degrees 48 minutes 53 seconds East, 315.74 feet; thence South 87 degrees 11 minutes 07 seconds East, 257.92 feet to the point of beginning.

THERE BEING NO FURTHER REVISIONS TO BE MADE TO THE Condominium Project at this time, all other provisions of Genesee County Condominium Subdivision Plan No. 355 (including the Master Deed, Bylaws, and Subdivision Plan) shall remain in full force and effect; except as specifically and expressly modified by this amendment.

*pt of 58-36-400-011
Parent Parcel # 58-36-400-009
NB
TRINA LEGAL VERIFIED*

IN WITNESS WHEREOF, THE UNDERSIGNED HAS EXECUTED THIS THIRD AMENDMENT TO THE MASTER DEED AS OF THE DATE BELOW:

WITNESSES:

Woodside Builders, Inc.
A Michigan Corporation

By: Khalifa Nemer
Khalil A. Nemer, President
Date: 7-17-20

STATE OF MICHIGAN)
COUNTY OF GENESEE)

The foregoing instrument was acknowledged before me this 17th day of July 2020, by Khalil A. Nemer, President, Woodside Builders, Inc. on behalf of said Michigan Corporation.

Phyllis A. Murdock
Notary Public, Phyllis A. Murdock
Genesee County, Michigan

My commission expires: July 16, 2026

WHEN RECORDED, RETURN TO:
WOODSIDE BUILDERS INC
6007 MILLER RD, STE 9
SWARTZ CREEK, MI 48473

17530.00

PHYLLIS A. MURDOCK
NOTARY PUBLIC, STATE OF MI
COUNTY OF GENESEE
MY COMMISSION EXPIRES Jul 16, 2026
ACTING IN COUNTY OF GENESEE

Drafted By:
Khalil A. Nemer
6007 Miller Rd Ste 9
Swartz Creek
MI 48473

REPLAT NO. 3 OF
GENESEE COUNTY CONDOMINIUM
SUBDIVISION PLAN NO. 355

EXHIBIT 'B' TO THE MASTER DEED OF:
SPRINGBROOK EAST
PHASE II
PART OF THE EAST 1/2 OF SECTION 36
T7N-R5E, CITY OF SWARTZ CREEK
GENESEE COUNTY, MICHIGAN

SURVEYOR

F·S·E *Surveying & Engineering*
Since 1957

5370 MILLER ROAD, SUITE 13 • SWARTZ CREEK, MI 48473
PHONE: (810) 230-1333 FAX: (810) 230-7844

DEVELOPER

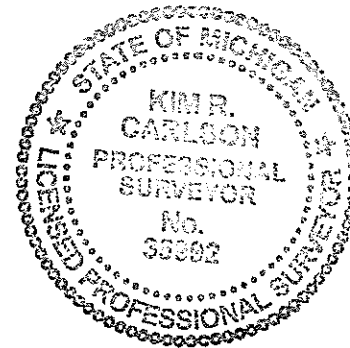
WOODSIDE BUILDERS INC.
6007 MILLER ROAD
SWARTZ CREEK, MICHIGAN 48473

SHEET INDEX


1. COVER SHEET
2. DETAIL SURVEY PLAN
3. OVERALL SURVEY PLAN
4. SITE PLAN, COMMON ELEMENTS AND COORDINATE PLAN
5. UTILITY PLAN
6. UNIT BUILDING PLANS

LEGAL DESCRIPTION PHASE II

PART OF THE SOUTHEAST 1/4 OF SECTION 36, T7N-R5E, CITY OF SWARTZ CREEK, GENESEE COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT THAT IS N88°05'40"W, 1752.40 FEET (RECORDED AS N88°07'W,) ALONG THE EAST-WEST 1/4 LINE (AS OCCUPIED) OF SECTION 36 AND S02°43'43"W, 43.78 FEET FROM THE EAST 1/4 CORNER OF SECTION 36, THENCE S02°43'43"W, 422.40 FEET; THENCE S23°29'33"W, 175.40 FEET; THENCE N73°52'40"W, 111.58 FEET; THENCE N59°51'20"W, 96.33 FEET; THENCE N23°54'30"E, 180.03 FEET; THENCE N66°05'30"W, 91.37 FEET; THENCE N02°48'53"E, 315.74 FEET; THENCE S87°11'07"E, 257.92 FEET TO THE POINT OF BEGINNING. CONTAINING 3.21 ACRES, MORE OR LESS.



6-18-20
DATE

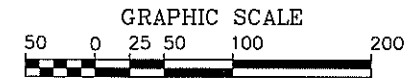

KIM R. CARLSON
PROFESSIONAL SURVEYOR
LICENSE NO. 35992

SPRINGBROOK EAST
PHASE II
COVER SHEET

FLINT SURVEYING AND ENGINEERING CO.
5370 MILLER ROAD, SUITE 13 SWARTZ CREEK, MI 48473
PHONE: (810) 230-1333 FAX: (810) 230-7844

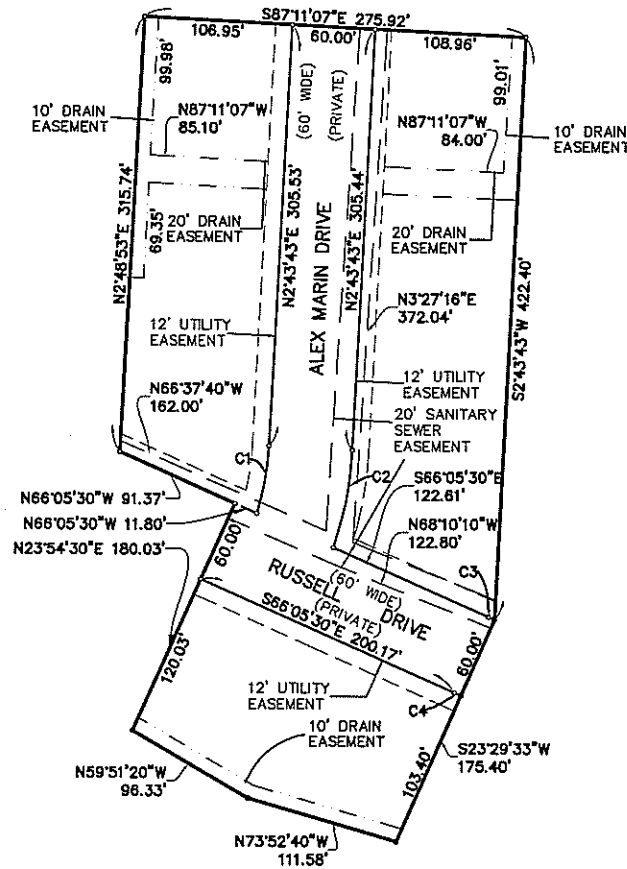
SHEET 1

PROPOSED



(IN FEET)

1 inch = 50 ft.

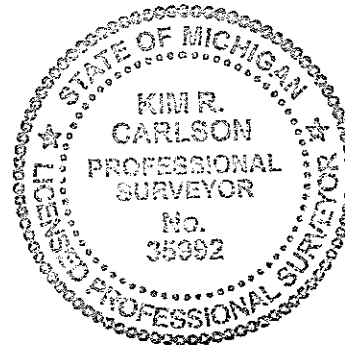


CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	41.34'	200.00'	011°50'39"	N08°39'03"E	41.27'
C2	53.75'	260.00'	011°50'39"	N08°39'03"E	53.65'
C3	4.86'	670.00'	000°24'57"	S66°17'59"E	4.86'
C4	5.30'	730.00'	000°24'57"	S66°17'59"E	5.30'

LEGEND	
•	MONUMENT SET
C1	CURVE NUMBER
—	BOUNDARY LINE
—	R.O.W. LINE

SURVEYOR'S CERTIFICATE

I, KIM CARLSON, PROFESSIONAL SURVEYOR IN THE STATE OF MICHIGAN, HEREBY CERTIFY: THAT THE SUBDIVISION PLAN KNOWN AS GENESEE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 355, PHASE I AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION AND THAT THERE ARE NO EXISTING ENCROACHMENTS UPON THE LANDS AND PROPERTY HEREIN DESCRIBED. THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978. THAT THE BEARINGS, AS SHOWN, ARE NOTED ON THE SURVEY PLAN AS REQUIRED BY THE RULE PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978.

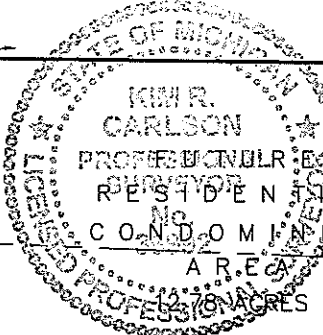
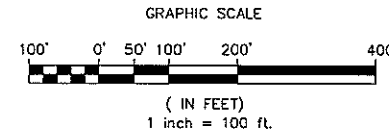


[Signature]
 KIM R. CARLSON, PROFESSIONAL SURVEYOR
 LICENSE NO. 35992

6-18-20
 DATE

NOTE:
 RUSSELL DRIVE, AND ALEX MARIN DRIVE ARE
 PROPOSED TO BECOME PUBLIC.

**SPRINGBROOK EAST
 PHASE II
 DETAIL SURVEY PLAN**
 FLINT SURVEYING AND ENGINEERING CO.
 5370 MILLER ROAD, SUITE 13 SWARTZ CREEK, MI 48473
 PHONE: (810) 230-1333 FAX: (810) 230-7844
 SHEET 2
 October 20, 2021
 PROPOSED



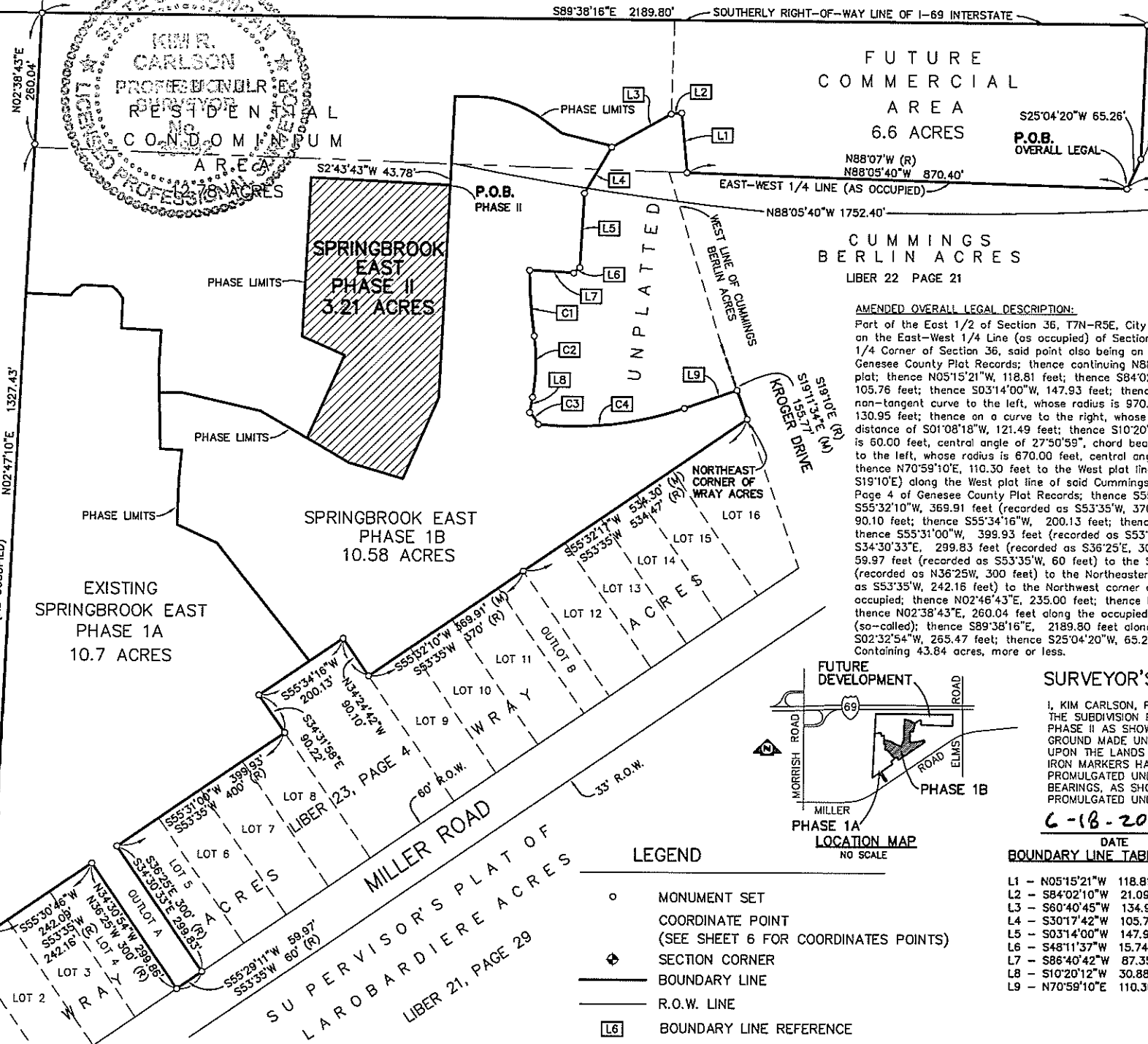
UNPLATTED

COLONY

SPRINGBROOK
CONDOMINIUM

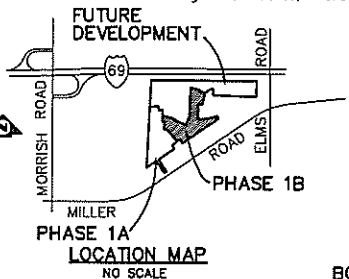
NORTH-SOUTH 1/4 LINE (AS OCCUPIED)

N02°46'43"E
235.00'



AMENDED OVERALL LEGAL DESCRIPTION:

Part of the East 1/2 of Section 36, T7N-R5E, City of Swartz Creek, Genesee County, Michigan, described as: Beginning at a point on the East-West 1/4 Line (as occupied) of Section 36, that is N88°05'40"W, 415.00 feet (recorded as N88°07"W) from the East 1/4 Corner of Section 36, said point also being on the North line of Cummings Berlin Acres, as recorded in Liber 22, Page 21 Genesee County Plat Records; thence continuing N88°05'40"W, 870.40 feet (recorded as N88°07"W) along the North line of said plat; thence N05°15'21"W, 118.81 feet; thence S84°02'10"W, 21.09 feet; thence S60°40'45"W, 134.99 feet; thence S30°17'42"W, 105.76 feet; thence S03°14'00"W, 147.93 feet; thence S48°11'37"W, 15.74 feet; thence S86°40'42"W, 87.35 feet; thence on a non-tangent curve to the left, whose radius is 970.00 feet, central angle of 7°44'27", chord bearing and distance is S04°11'22"E, 130.95 feet; thence on a curve to the right, whose radius is 380.00 feet, central angle of 18°23'48" and chord bearing and distance of S01°08'18"W, 121.49 feet; thence S10°20'12"W, 30.88 feet; thence on a non-tangent curve to the right, whose radius is 60.00 feet, central angle of 27°50'59", chord bearing and distance of S35°44'19"E, 28.88 feet; thence on a non-tangent curve to the left, whose radius is 670.00 feet, central angle of 25°00'08", chord bearing and distance of N83°29'14"E, 290.05 feet; thence N70°59'10"E, 110.30 feet to the West plat line of said Cummings Berlin Acres; thence S19°11'34"E, 155.77 feet (recorded as S19°10'E) along the West plat line of said Cummings Berlin Acres to the Northeast corner of Wray Acres as recorded in Liber 23, Page 4 of Genesee County Plat Records; thence S55°32'17"W, 534.30 feet (recorded as S53°35'W, 534.47 feet); thence S55°32'10"W, 369.91 feet (recorded as S53°35'W, 370 feet) to the Northwest Corner of Lot 9 of Wray Acres; thence N34°24'42"W, 90.10 feet; thence S55°34'16"W, 200.13 feet; thence S34°31'58"E, 90.22 feet to the Northeast Corner of Lot 8 of Wray Acres; thence S55°31'00"W, 399.93 feet (recorded as S53°35'W, 400 feet) to the Northwest Corner of Lot 5 of Wray Acres; thence S34°30'33"E, 299.83 feet (recorded as S36°25'E, 300 feet) to the Southwest corner of lot 5 of Wray Acres; thence S55°29'11"W, 59.97 feet (recorded as S53°35'W, 60 feet) to the Southeast corner of lot 4 of Wray Acres; thence N34°30'54"W, 299.86 feet (recorded as N36°25W, 300 feet) to the Northeastly Corner of Lot 4 of Wray Acres; thence S55°30'46"W, 242.09 feet (recorded as S53°35'W, 242.16 feet) to the Northwest corner of lot 2 of Wray Acres and the North-South 1/4 line of Section 36 as occupied; thence N02°46'43"E, 235.00 feet; thence N02°47'10"E, 1327.43 feet to the occupied Interior Corner of Section 36; thence N02°38'43"E, 260.04 feet along the occupied North-South 1/4 line to the Southerly right-of-way line of Interstate 1-69 (so-called); thence S89°38'16"E, 2189.80 feet along the Southerly right-of-way line of Interstate 1-69 (so-called); thence S02°32'54"W, 265.47 feet; thence S25°04'20"W, 65.26 feet to the Point of Beginning. Containing 43.84 acres, more or less.



SURVEYOR'S CERTIFICATE

I, KIM CARLSON, PROFESSIONAL SURVEYOR IN THE STATE OF MICHIGAN, HEREBY CERTIFY: THAT THE SUBDIVISION PLAN KNOWN AS GENESSEE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 355, PHASE II AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION AND THAT THERE ARE NO EXISTING ENCROACHMENTS UPON THE LANDS AND PROPERTY HEREIN DESCRIBED THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978. THAT THE BEARINGS, AS SHOWN, ARE NOTED ON THE SURVEY PLAN AS REQUIRED BY THE RULE PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978.

6-18-20

KIM R. CARLSON, PROFESSIONAL SURVEYOR, NO. 35992
BOUNDARY CURVE TABLE

BOUNDARY LINE TABLE

DATE	BOUNDARY LINE TABLE
L1	- N05°15'21"W 118.81'
L2	- S84°02'10"W 21.09'
L3	- S60°40'45"W 134.99'
L4	- S30°17'42"W 105.76'
L5	- S03°14'00"W 147.93'
L6	- S48°11'37"W 15.74'
L7	- S86°40'42"W 87.35'
L8	- S10°20'12"W 30.88'
L9	- N70°59'10"E 110.30'

C1	- R=970.00', D=07°44'31", CHB&D=S04°11'20"E, 130.97'
C2	- R=380.00', D=18°23'48", CHB&D=S01°08'18"W, 121.49'
C3	- R=60.00', D=27°50'59", CHB&D=S35°44'19"E, 28.88'
C4	- R=670.00', D=25°00'08", CHB&D=N83°29'14"E, 290.05'

**SPRINGBROOK EAST
PHASE II
OVERALL SURVEY PLAN**

FLINT SURVEYING AND ENGINEERING CO.
5370 MILLER ROAD, SUITE 13 SWARTZ CREEK, MI 48473
PHONE: (810) 230-1333 FAX: (810) 230-7844

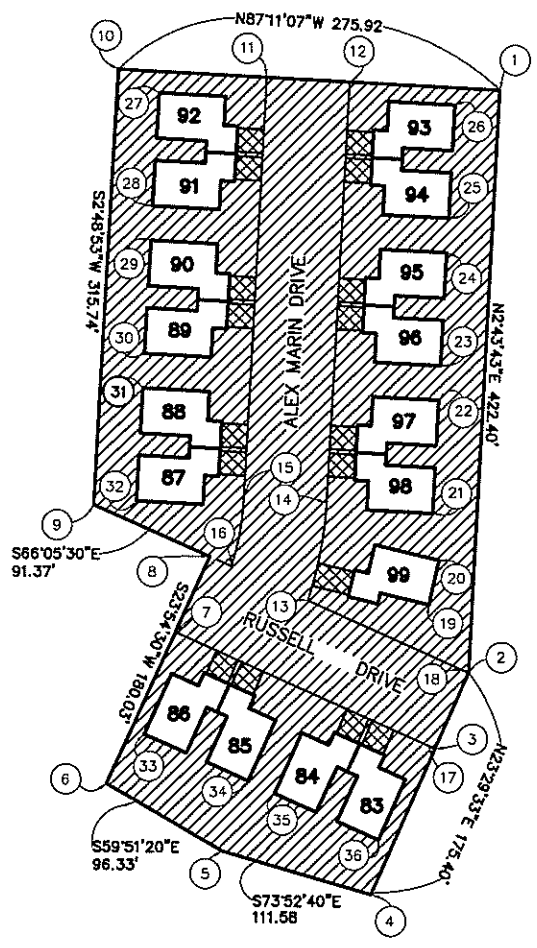
LEGEND

- MONUMENT SET
- COORDINATE POINT
(SEE SHEET 6 FOR COORDINATES POINTS)
- ◆ SECTION CORNER
- BOUNDARY LINE
- - - R.O.W. LINE
- [L6] BOUNDARY LINE REFERENCE
- [C1] BOUNDARY CURVE REFERENCE

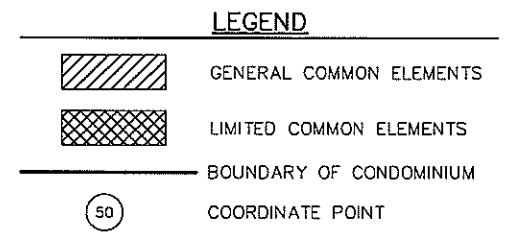
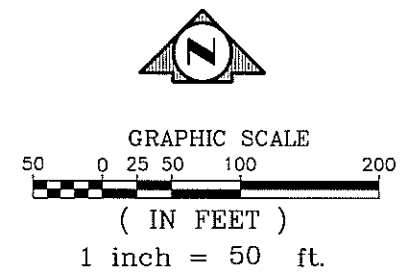
Zoning Board of Appeals

SHEET 3

October 20, 2021
PROPOSED



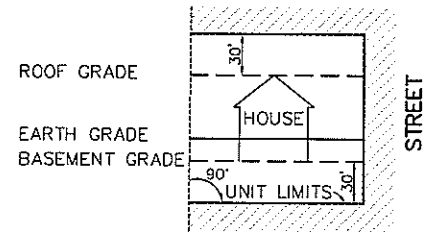
SCHEDULE OF COORDINATE POINTS		
Point #	Northing	Easting
1	12655.47	13525.25
2	12233.55	13505.15
3	12178.53	13481.23
4	12072.70	13435.23
5	12103.68	13328.04
6	12152.05	13244.74
7	12261.78	13293.38
8	12316.63	13317.70
9	12353.66	13234.16
10	12669.02	13249.67
11	12663.77	13356.49
12	12660.82	13416.42
13	12285.20	13388.60
14	12355.74	13401.88
15	12358.59	13341.95
16	12309.65	13333.44
17	12180.66	13476.38
18	12235.51	13500.69
19	12282.67	13475.97
20	12314.79	13483.54
21	12348.82	13478.64
22	12430.73	13482.54
23	12455.77	13483.79
24	12537.68	13487.57
25	12562.64	13489.04
26	12644.55	13492.82
27	12652.22	13278.88
28	12570.32	13274.85
29	12545.34	13273.79
30	12463.44	13269.76
31	12438.46	13268.69
32	12356.56	13264.67
33	12187.87	13271.55
34	12154.63	13346.52
35	12145.51	13365.56
36	12112.27	13440.52



UNIT SETBACKS

- 35 FEET BEHIND CURB
- 20 FEET BETWEEN UNITS (UNIT 83 - 99)
- 30 FEET REAR YARD SETBACK

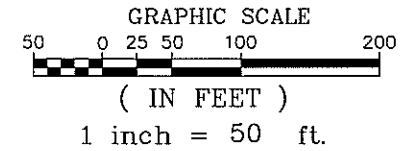
Setbacks as established in the master deed and as surveyed by Kem-Tec



TYPICAL UNIT VERTICAL BOUNDARY
(NO SCALE)

NOTE:
RUSSELL DRIVE, AND ALEX MARIN DRIVE ARE PROPOSED TO BECOME PUBLIC.

**SPRINGBROOK EAST
PHASE II
SITE PLAN, COMMON ELEMENTS AND COORDINATE PLAN**
FLINT SURVEYING AND ENGINEERING CO.
5370 MILLER ROAD, SUITE 13 SWARTZ CREEK, MI 48473
PHONE: (810) 230-1333 FAX: (810) 230-7844



LEGEND

- STORM SEWER & MANHOLE
- SANITARY SEWER & MANHOLE
- WATERMAIN, HYDRANT, & GATE VALVE
- CATCH BASIN (CURB & ROUND)
- --- 12' UTILITY EASEMENT

NOTE:

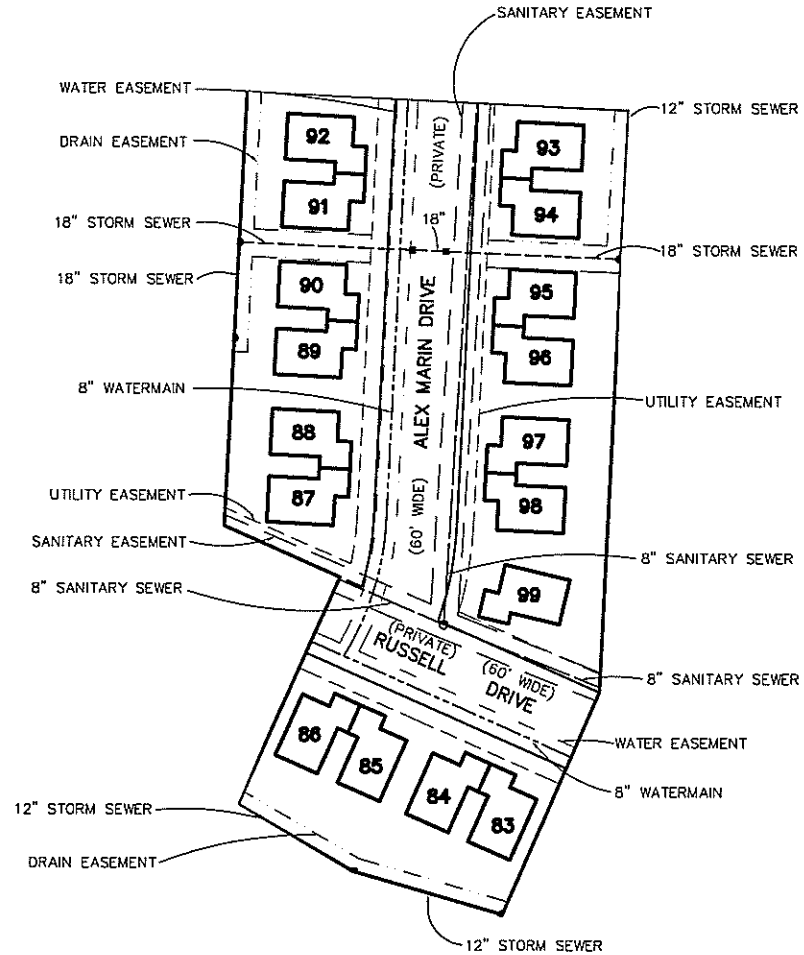
UTILITY LOCATIONS OBTAINED FROM
 FSE SPRINGBROOK EAST CONSTRUCTION PLANS
 FOR ALL UNITS - "ALL STORM SEWER,
 SANITARY SEWER AND WATERMAIN SHOWN
 MUST BE BUILT; ALL OTHER IMPROVEMENTS
 NEED NOT BE BUILT."

EXISTING UTILITIES

ELECTRIC LOCATION PROVIDED BY CONSUMERS ENERGY
 GAS LOCATION BY CONSUMERS ENERGY
 TELEPHONE LOCATION PROVIDED BY AMERITECH
 CABLE TELEVISION LOCATION PROVIDED BY COMCAST
 SANITARY SEWER AND WATER PROVIDED BY GENESEE COUNTY
 DRAIN COMMISSIONER AND THE CITY OF SWARTZ CREEK.

GENERAL UTILITY NOTES

ALL UNITS ARE TO BE SERVICED WITH ENERGY BY CONSUMERS ENERGY, TELEPHONE BY AMERITECH, GAS BY CONSUMERS ENERGY, AND CABLE TV BY COMCAST.
 PROPOSED ELECTRIC, TELEPHONE, CABLE TV, SANITARY LEADS, STORM LEADS, WATERMAIN LEADS AND GAS LINES ARE NOT SHOWN ON THESE DRAWINGS. THE UTILITY LEADS ARE SHOWN ON AS-BUILT PLANS ON FILE AT GENESEE COUNTY DRAIN COMMISSIONER WATER AND WASTE DIVISION.



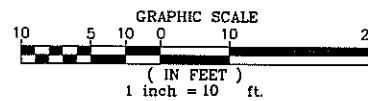
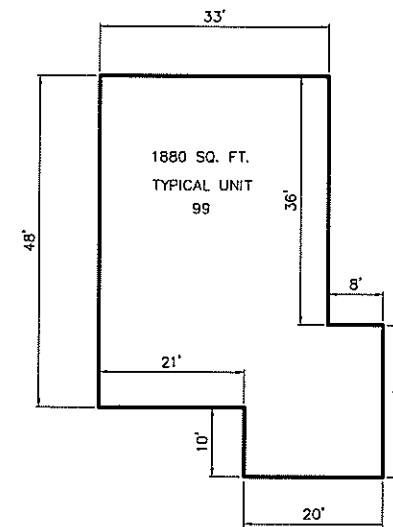
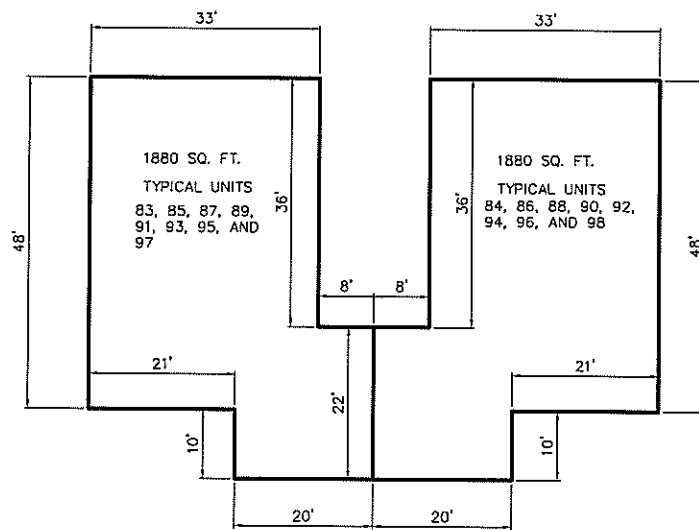
BENCHMARKS

- (1) 60D NAIL IN SOUTH FACE OF 27" BOX ELDER TREE LOCATED AT THE NORTHEAST CORNER OF SPRINGBROOK COLONY ELEVATION: 798.15 (U.S.G.S.)
- (2) 60D NAIL IN FACE OF POWER POLE AT THE SOUTHWEST CORNER OF KROGER PROPERTY ELEVATION: 773.42 (U.S.G.S.)

NOTE:
 RUSSELL DRIVE, AND ALEX MARIN DRIVE ARE
 PROPOSED TO BECOME PUBLIC.

**SPRINGBROOK EAST
 PHASE II
 UTILITY PLAN**

FLINT SURVEYING AND ENGINEERING CO.
 5370 MILLER ROAD, SUITE 13 SWARTZ CREEK, MI 48473
 PHONE: (810) 230-1333 FAX: (810) 230-7844



**SPRINGBROOK EAST
PHASE II
UNIT BUILDING PLANS**

FLINT SURVEYING AND ENGINEERING CO.
5370 MILLER ROAD, SUITE 13 SWARTZ CREEK, MI 48473
PHONE: (810) 230-1333 FAX: (810) 230-7844

SHEET 6

October 20, 2021
PROPOSED

MORTGAGE SURVEY

Certified to: THE STATE BANK OF FENTON

Applicant: DRAKE SERGES AND DEBRA SERGES

Property Description:

Land in the City of Swartz Creek, Genesee County, Michigan, described as:
 Unit 99; SPRINGBROOK EAST CONDOMINIUM, Genesee County Condominium Plan No. 355, according to the Master Deed recorded in Document No. 200411100114003, Genesee County Records, together with rights in general common elements and limited common elements, as set forth in the above Master Deed and subsequent amendments thereto, and as described in Act 59 of the Public Acts of 1978, as amended.

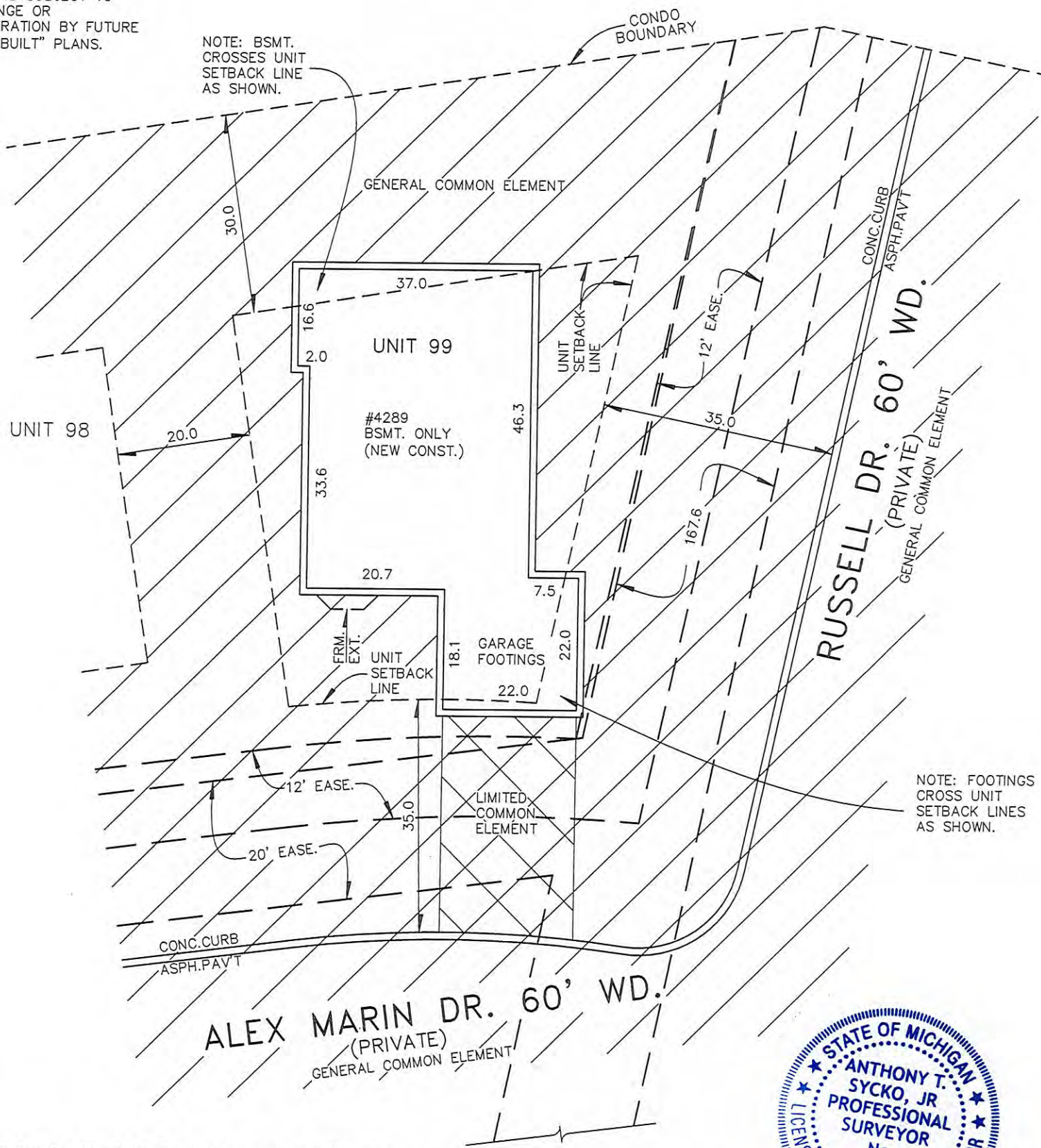
NOTE: THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND CONDITIONS STATED IN MASTER DEED.

NOTE: ALL BASEMENT, FOUNDATIONS AND/OR FOOTING DIMENSIONS ARE APPROXIMATE OUTSIDE DIMENSIONS AS SHOWN.

NOTE: EASEMENTS AS LISTED WITHIN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT No.21-114748 WERE NOT FURNISHED BY CLIENT; THEREFORE THEY ARE NOT SHOWN ON THIS SURVEY AT THIS TIME.

NOTE: SOME OF THE INFO. USED ON THIS SURVEY WAS TAKEN FROM FLINT SURVEYING & ENGINEERING CO. PROPOSED SURVEY PLAN OF SPRINGBROOK EAST CONDOMINIUM (DATED 06/18/20) AND IS SUBJECT TO CHANGE OR ALTERATION BY FUTURE "AS BUILT" PLANS.

NOTE: EASEMENTS SHOWN ON THIS SURVEY WERE TAKEN FROM FLINT SURVEYING & ENGINEERING CO. PROPOSED SURVEY PLAN OF SPRINGBROOK EAST CONDOMINIUM (DATED 06/18/20)



NOTE: FOOTINGS CROSS UNIT SETBACK LINES AS SHOWN.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

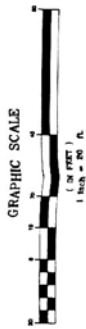


THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

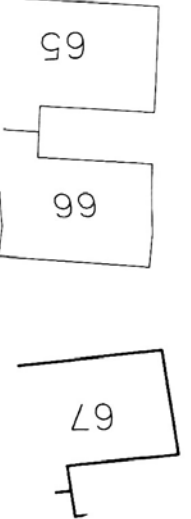
(Signature)

JOB NO: 21-02398 SCALE: 1"=20"
 DATE: 07/21/21 DR BY: CS

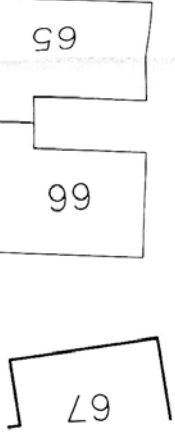
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Ann Arbor (734) 994.0888
Grand Blanc (888) 694.0001
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SPRINGBROOK EAST 1B



SPRINGBROOK EAST 1B



SPRINGBROOK EAST II



SPRINGBROOK EAST II



RUSSELL DRIVE

RUSSELL DRIVE

ALEX MARIN DRIVE

ALEX MARIN DRIVE

EXISTING BUILDING ENVELOPE PER THE RECORDED CONDOMINIUM & APPROVED PHASE II SITE PLAN

REQUESTED ZBA FRONT SETBACK FOR UNIT 99

SETBACK ENVELOPE FROM APPROVED SITE PLAN
FRONT SETBACK FROM R.O.W. LINE = 19 FEET
REAR SETBACK = 25 FEET

SETBACK ENVELOPE FROM RECORDED CONDOMINIUM DOCUMENTS
FRONT SETBACK BEHIND CURB = 35 FEET
BETWEEN UNITS = 20 FEET
REAR SETBACK = 30 FEET

REQUESTING A NON-CONFORMING SETBACK OF 45 FEET FROM THE CENTERLINE OF THE FRONTAGE ROAD.

THE CITY MANAGER/PLANNER, CITY OF SWARTZ CREEK, HAS CLARIFIED THAT THE SIDE YARD DISTANCE SETBACK FROM THE CENTERLINE OF THE CURB OF THE FRONTAGE ROAD AND THAT THE FRONT SETBACK IS 49 FEET FROM THE CENTERLINE OF THE FRONTAGE ROAD.

ZBA REQUEST FOR UNIT 99 SBE II