

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, May 1, 2008
7:00 p.m. -Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan

AGENDA

I Call to Order

II Roll Call

III Approval of Agenda

At this time the Planning Commission can take action to approve the May 1, 2008 Agenda.

IV Approval of Minutes

At this time Planning Commission can take action to approve the April 3, 2008 meeting Minutes.

V Public Hearing

DSLIT, Inc. for Harbor Village at Manistee Beach - PUD Amendment

A request has been received from DSLIT, Inc. for Harbor Village at Manistee Beach to Amend their Planned Unit Development to allow the Zoning Administrator to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

At this time the Chair shall open the hearing.

The Applicant shall present any comments and explanation of the case.

The City Staff and any consultants serving the City shall present their reports.

The hearing will be opened for public comments

The hearing will be closed

VI New Business

DSLIT, Inc. for Harbor Village at Manistee Beach - PUD Amendment

A Public Hearing was held earlier in response to a request from DSLIT, Inc. for Harbor Village at Manistee Beach to Amend their Planned Unit Development to allow the Zoning Administrator to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

At this time the Planning Commission can adopt a resolution to either:

1. Approve the request to amend Special Use Permit/Planned Unit Development by adding:

Item #18 The Zoning Administrator is allowed to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

2. Deny the request.

VII Old Business

VIII Public Comments and Communications

At this time the Chair will ask if there are any public comments.

IX Correspondence

At this time the Chair will ask if any correspondence has been received to be read into the record.

X Staff Reports

At this time the Chair will ask Staff for their report.

XI Members Discussion

At this time the Chair will ask members of the Planning Commission if they have any items they want to discuss.

XII Adjournment

CITY OF MANISTEE PLANNING COMMISSION

WORKSESSION AGENDA

Thursday, May 1, 2008
Following the regularly scheduled meeting
Council Chambers, City Hall
70 Maple Street, Manistee, Michigan

I Call to Order.

II Worksession Items:

1. Finalize Goals for Master Plan
2. Misc.

III Adjourn.

* * * * *

All Planning Commission Meetings and Worksessions are open to the Public.

Worksessions are scheduled to allow the Planning Commission the opportunity to discuss in a less formal manner than a regular meeting. No motions or decisions can be made during a worksession.

The Planning Commission does not take public comment during worksessions.



PLANNING AND ZONING
COMMUNITY DEVELOPMENT
231.398.2805
FAX 231.723-1546
www.ci.manistee.mi.us

MEMORANDUM

TO: Planning Commissioners
FROM: Denise Blakeslee 
DATE: April 24, 2008
RE: May Meeting

Commissioners, enclosed is your packet for the May Planning Commission Meeting. We have the following items on the Agenda:

DSLIT, Inc. for Harbor Village at Manistee Beach - PUD Amendment

A request has been received from DSLIT, Inc. for Harbor Village at Manistee Beach to Amend their Planned Unit Development to allow the Zoning Administrator to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

Along with the Request I have prepared Draft Resolutions of Approval/Denial which are included in your packet.

Time permitting we will go into a worksession to finalize our Goals for the Master Plan.

See you Thursday! Please call me if you are unable to attend the meeting.

:djb



MEMORANDUM

TO: Planning Commissioners

FROM: Jon R. Rose 
Community Development Director

DATE: April 17, 2008

RE: DSLT, Inc. for Harbor Village at Manistee Beach - PUD Amendment

Commissioners, a request has been received from DSLT, Inc. for Harbor Village at Manistee Beach to amend their PUD. The background information for the request is as follows:

- ▶ The First Special Use Permit for a PUD for the Harbor Village Project was issued under the Zoning Ordinance that was in place prior to May 1, 1990.
- ▶ On March 25, 1994 a new Special Use Permit was issued to be subject to the Manistee City Zoning Ordinance of May 1, 1990 as amended. The issuance of this Special Use Permit and changing to the current Zoning Ordinance in no way changed, mitigated, or amended the contract between the developers and the City known as the Development Agreement.
- ▶ A minor amendment was made on April 18, 1995 to change the number of buildings in Harborside West from 8 to 13.
- ▶ A request was received in our office from a property owner in Harbor Village who wished to extend his deck. Review of the PUD showed that the site plan for his unit was approved showing the building footprint. To extend his deck would require an amendment to the PUD.
- ▶ Staff realized that this will become an issue as time continues and other owners may want to extend their decks. We discussed options with the developer and it was mutually agreed that an amendment to the PUD allowing deck extensions in "Limited Common Elements" would address the issue.

- ▶ The Site Plan Review Committee met with the Developer on April 8, 2008. A copy of the minutes from the meeting are enclosed that includes their recommendation.

We have prepared a new Special Use Permit that includes the original language from the March 25, 1994 approved PUD and the Amendment from April 18, 1995. If the Planning Commission determines that an Amendment should be made to the PUD it is recommended to read as follows:

18. The Zoning Administrator is allowed to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

JRR:djb

**Site Plan Review Committee
Meeting of April 8, 2008 - 4:30 p.m. in Executive Council Chambers**

Members Present: Ben Bifoss, Eric Gustad, Roger Yoder

Others: Cyndy Fuller (Harbor Village), Diane Desisto (Harbor Village), Jon Rose (Community Development Director), and Denise Blakeslee (Planning & Zoning)

This meeting was called as required under Section 1870.E of the Zoning Ordinance for an Amendment to a Planned Unit Development for DSLT Inc. (Harbor Village at Manistee Beach). Cyndy Fuller and Diane Desisto explained the proposed amendment to the PUD.

This request is a result of a condominium owner wanting to extend his deck. Review of the Original PUD shows that the Site Plan for most of the condominiums were submitted by showing the building footprint. The exception were the "Cottages" which were shown with a building envelope.

This has resulted in a homeowner at the "Cottages" being able to extend their deck without any amendments to the PUD. The owners of the remaining condominiums are unable to extend their decks without having to apply for a PUD Amendment. The Developer is aware that this will become an issue and after discussion with Jon Rose they are requesting an Amendment to their PUD to allow deck extensions.

This amendment would allow deck extensions into what is noted on the site plans as "Limited Common Element" NOT into the "General Common Element". It was noted that is request is ONLY FOR DECK EXTENSIONS.

Some of the site plans are difficult to read and the developer was asked to submit site plans that highlight the "Limited Common Element" so that it is clear what is being requested.

MOTION by Ben Bifoss, seconded by Eric Gustad that a recommendation from the Site Plan Review Committee to the Planning Commission to authorize the Zoning Administrator to issue a land use permit for deck extensions in the "Limited Common Element" meeting all setback requirements of the original PUD.

MOTION CARRIED UNANIMOUSLY

A Public Hearing will be scheduled for May 1, 2008.

Meeting Adjourned at 4:57 p.m.

Respectfully Submitted


Denise J. Blakeslee, Recording Secretary
City of Manistee Planning Commission



SPECIAL USE PERMIT APPLICATION

For a Planned Unit Development

DSLTL, Inc, for
Harbor Village at Manistee Beach

FOR OFFICE USE ONLY:

Applicant
100 Marina Drive

Case number PC-2008-05
Date Received 3-11-08 / Site Plan Rev 4-8-08

Address
Manistee MI 49660

Fee Received _____

Receipt Number _____

City, State, Zip Code

Hearing Date May 1, 2008

Phone Numbers (Work) 231-723-0070

Action Taken _____

Expiration Date of Permit _____

(Home) _____

BASE FEE FOR SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT \$250.00

A Special Use application for a Planned Unit Development shall be submitted and processed according to the following procedures:

PUD Application. A planned unit development application shall be submitted to the Planning Commission for review, analysis, and recommendation. An application fee is required and shall be non-refundable. The City Council shall by resolution establish the amount of the application fee. All land for which application is made must be owned by or under the control of the applicant, and the parcel must be capable of being planned and developed as one integral unit including any non-contiguous parcels. The application must be signed by all applicants and must contain the materials described in this Section. Failure of the applicant to provide such requested information in a timely manner may delay the process of review. The following shall accompany a planned unit development special use application, unless waived by the Planning Commission:

1. A detailed narrative description of the applicant's intent and objectives (physical, social, and environmental).
 Attached
2. A certified boundary survey and legal description of the property.
 Attached Existing Condominium Site Plans
3. A statement of present ownership of all land contained in the PUD.
 Attached Tax # included with owners addresses
4. Population profile for the development.
 Attached N/A

5. Proposed financing.
 - Attached N/A
6. Development staging.
 - Attached N/A
7. Estimated impact of the proposed development on roads, schools, and utilities, including water and sewer, fire protection and emergency services.
 - Attached N/A
8. Waste emissions and methods of handling smoke, dust, noise, odors, liquid and solid wastes, and vibrations, if applicable.
 - Attached N/A
9. Market and economic feasibility.
 - Attached N/A
10. Such other information pertinent to the development or use.
 - Attached N/A
11. Twelve (12) copies of a Preliminary Site Plan, that includes all the requirements of Article 22 plus: Existing Condominium Site Plan
 - a. A scale drawing of the site and proposed development thereon, including the date, name and address of the preparer, a certified boundary survey and legal description of the property.
 - Attached
 - b. Property parcel number (from the Assessment Roll of the City).
 - Attached
 - c. Existing and proposed topography of the site at two (2) foot contour intervals, its relationship to adjoining land, and proposed changes in topography.
 - Attached waived
 - d. Illustration of existing natural and man-made features, existing land use and zoning for the entire site and surrounding area within one hundred (100) feet.
 - Attached waived
 - e. All water features; springs, streams and creeks, lakes and ponds, wetlands, and flood plains.
 - Attached waived
 - f. Proposed setbacks from property lines and building separations distances.
 - Attached waived
 - g. Locations, heights and sizes of existing and proposed structures and other important features.
 - Attached waived

- h. A rendering of the exterior elevation of the proposed buildings and structures, on-site parking, sidewalks, and travel lanes. waived
 Attached
- i. A land use tabulation summary shall be provided indicating types of uses, acreage for each land use, number of units, densities and land use intensities. waived
 Attached
- j. The percentage of land covered by buildings, parking and landscape open space, or preserved open space. waived
 Attached
- k. Dwelling unit density where pertinent. waived
 Attached
- l. Location of public and private rights-of-way and easements contiguous to and within the proposed development which are planned to be continued, created, relocated or abandoned, including grades and types of construction of those upon the site. waived
 Attached
- m. Curb-cuts, driving lanes, parking, and loading areas. waived
 Attached
- n. Location and type of drainage, sanitary sewers, storm sewers, and other facilities. waived
 Attached
- o. Location and nature of fences, landscaping and screening. The proposed landscape massing, open spaces and their intended use, active and passive recreation facilities pursuant to the landscaping and ~~buffering standards of Section 531.~~ waived
 Attached
- p. Signage characteristics and on-site illumination. waived
 Attached
- q. The location of all existing trees having five (5) inches or greater diameter at breast height, identified by common or botanical name. Trees proposed to remain, to be transplanted or to be removed shall be so designated. Cluster of trees standing in closed proximity (3-5 feet or closer) may be designated as a "stand" of trees, and the predominant species, estimated number and average size shall be indicated. waived
 Attached
- r. Any additional material information necessary to consider the impact of the project upon adjacent properties and the general public, as may be requested by the Planning Commission. waived
 Attached

CERTIFICATION AND AFFIDAVIT:

The undersigned affirm(s) that he/she/they is/are the owner, leasee, owner's representative, contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion.

The undersigned, by signing the Application, agrees to pay any and all fees and escrow payments in full as provided in **Article 27**.

Signature (s) of Applicant (s):

BY: *Cynthia A. [Signature]*

DSLIT, INC.

Dated 03-10-08

By checking this box permission is given for Planning Commission Members to make a site inspection if desired.

yes no Please indicate if the applicant will be tax exempt, applying and/or eligible for tax abatements, credits, or deferments for this proposed project.

If yes, explain: _____

Harbor Village at Manistee Beach
Narrative description of intent:

Harbor Village at Manistee Beach is an established PUD under the Special Use Permit Dated March 25, 1994 (see attached). Therefore, many of the questions on the attached application have already been addressed with the Planning Commission. This current request does not change or impact the status of the PUD except as it pertains to this specific request.

We would ask that the Planning Commission address the right of an individual condominium owner to extend their deck within the Limited Common Elements of their particular Condominium Association as long as said owner has the approval of the Architectural Control Committee of both their homeowner's Condominium Association and the Harbor Village Master Association. The Planning Commission's approval of this request would alleviate the need for owners wishing deck extensions from having to appear before Planning Commission to amend the Special Use Permit on an individual basis. With this approval, owners could then apply for a Land Use Permit by contacting the Zoning Administrator therefore making the process of obtaining a building permit easier for all involved.

By specifying that deck extensions would be allowed only within the Limited Common Element (as represented in the association's site plan), all Harbor Village owners would be assured that the General Common areas of their particular association remain intact. This would not impact the original intent of the Developer as it pertains to the PUD.

Thank you for your consideration of this Special Use Permit Application.

CITY OF MANISTEE

70 Maple Street
P.O. Box 358
Manistee, Michigan 49660

SPECIAL USE PERMIT

This SPECIAL USE PERMIT, herein after referred to as the permit, is granted pursuant to the authority granted in Article 86: Special Uses, of the Manistee City Zoning Ordinance, effective May 1, 1990.

Name of Permit Holder: MANISTEE VILLAGE PARTNERS
Mailing Address: P.O. BOX 516
1362 NORTH RIVER ROAD
ST. CLAIR, MICHIGAN 48079
Telephone Number: (810) 329-3100

Name of Property Owner: SAME AS ABOVE
Mailing Address:
Telephone Number:

Description of Special Use Granted, as permitted in Article 42 , Section 4203.A
PLANNED UNIT DEVELOPMENTS

PERMIT CONDITIONS & REQUIREMENTS:

This permit is issued, subject to the following conditions and/or requirements:

This PUD encompasses the property of, and is based on and amends, the previous PUD known as Harbor Village at Manistee Beach, as amended through September 7, 1993.

As a condition of granting this Special Use Permit, all further development at this site and all future amendments to the PUD shall be subject to the Manistee City Zoning Ordinance of May 1, 1990 as amended. The issuance of this Special Use Permit and changing to the current Zoning Ordinance in no way changes, mitigates, or amends the contract between the developers and the City known as the Development Agreement.

This special use permit is flexible by design. It is intended to give the developer some freedom to react to market and demographic changes. To the degree that this text and the attached plan (titled PUD Plan and Landscape Concept Plan and dated March 10, 1994 enable detailed approval, such approval is given. However, the nature of such flexibility requires that the Planning Commission retain the right of final approval for detailed plans of each Planning Area. Planning Area approval will be guided by the concepts approved herein, but the right to determine if a final plan coincides with these concepts is reserved by the Planning Commission exercising sound planning judgment which may not be arbitrary and capricious.

As is the case for the remainder of the city, site plan review for the siting of an individual *Single Family* building shall be performed by the zoning administrator. The Zoning Administrator may choose to refer *Single Family* site plans to the Site Plan Review Committee or Planning Commission. The Planning Commission may at any time choose to assume the responsibility for *Single Family* site plan review.

Definitions:

- APARTMENT** A residential unit in a complex of three or more units. Unit shall have less than 800 square feet of living area and be located in the Village Inn area or the Harborside East area.
- CONDO** All residential units which are not *Apartments* or *Single Family*.
- HEIGHT** The distance from the highest part of the building, excluding chimneys, vents, antennas, etc., to a point midway between the highest and lowest grade at the building.
- PLANNING AREA** The eight distinct use areas identified on the attached drawing and referred to in sections one through eight.
- SINGLE FAMILY** A detached building containing only one dwelling unit or a building containing two units in Harbor Point Estates.

Planning Areas referenced herein are shown on the attached plan which is included solely for the purpose of identifying the Planning Areas and to show the general PUD concept. In general the Planned Unit Development includes:

1. Marina. Total boat slips shall not exceed 223.
2. Harborside East Area. The maximum number of residential units in Harbor Side East shall not exceed 75. The maximum number of *Condo* units shall not exceed 75. The maximum number of *Apartment* units shall not exceed 75. The maximum number of buildings shall not exceed 30. The maximum number of units per building shall not exceed 25. Building *height* shall not exceed 35 feet.
3. Lakeview Area. The maximum number of residential units in Lakeview shall not exceed 110. The maximum number of residential buildings shall not exceed 14. The maximum number of units per building shall not exceed 12. Building *height* shall not exceed 39 feet. A greenbelt separation shall be required in this area where it adjoins property not owned by the developers. This greenbelt shall be a minimum of ten feet wide. Accessory buildings are allowed and may encroach into the setback and greenbelt.
4. Harbor Point Estates Area. The maximum number of residential units in Harbor Point Estates shall not exceed 10. The maximum number of buildings shall not exceed 10. The maximum number of units per building shall not exceed 2. The Aggregate square footage of all building area (not including decks) shall not exceed 25,000 square feet. Building *height* shall not exceed 30 feet. A greenbelt separation shall be required in this area where it adjoins property not owned by the developers. This greenbelt shall be a minimum of ten feet wide. A 63 foot setback shall be maintained from the extended centerline of Fourth Avenue. There shall be no *Condos* or *Apartments*. The southernmost two units shall be detached *single family*, and the balance shall be limited to *single family* detached or two attached *single family*.
5. Harbor Village Estates Area. The maximum number of residential units in Harbor Village Estates shall not exceed 34. The maximum number of buildings shall not exceed 35. The aggregate square footage of all first floor living area shall not exceed 45,000 square feet. All residential units shall be detached *Single Family*. Building *height* shall not exceed 25 feet. A greenbelt separation shall be required in this area where it adjoins property not owned by the developers. This greenbelt shall be a minimum of ten feet wide.

6. **Village Inn Area.** The maximum number of residential units in the Village Inn area shall not exceed 72. The maximum number of residential buildings shall not exceed 16. The maximum number of units per building shall be 8. Building *height* shall not exceed 35 feet. Non residential buildings are subject to additional review during detailed *Planning Area Review*.
7. **Harborside West.** The maximum number of residential units in the Harborside West area shall not exceed 28. The maximum number of buildings shall not exceed 8. The maximum number of units per building shall not exceed 8. Building *height* shall not exceed 35 feet. A minimum setback of 20 feet from the right-of-way of Lakeshore Drive shall be maintained.
8. **Lakeshore.** The maximum number of residential units in the Lakeshore area shall not exceed 44. The maximum number of buildings shall not exceed 20. The maximum number of units per building shall not exceed 8. Building *height* of the North three buildings shall not exceed 32 feet. Building *height* of the remaining buildings shall not exceed 39 feet. A minimum setback of 20 feet from the right-of-way of Lakeshore Drive shall be maintained.
9. **Meadow Pond and Landscaping.** The Landscaping concept is approved as shown on the attached dated plan with final approval reserved for detailed *Planning Area* review.
10. Parking requirements shall be as provided in the zoning ordinance, except that one parking space shall be required for each *Apartment* unit.
11. Those parts of Section 8804.B.4 of the zoning ordinance which address water setback areas and slopes are waived through prior rights under the existing PUD. This grandfathering of rights is granted in the interest of bringing the project under the current zoning ordinance.
12. Commercial activity within the Harbor Village project shall be limited to the Village Inn Area and, for Ship store and gas dock only, Harborside East Area. Commercial activity shall be limited to the following identified activities, each of which shall be limited to a maximum of 3000 square feet of gross floor area.
 1. Restaurant
 2. Retail
 3. Lounge
 4. Ship store and gas dock

The total square footage of all commercial activities shall be limited to 10,000 square feet.

Administration, Property Management, and related activities and facilities (such as Clubhouse, Fish Cleaning, Exercise Room, Etc.) are permitted, but are not considered commercial activities.

13. Unit sizes are not subject to the minimums established in section 4204.E of the Zoning Ordinance.
14. Maximum densities provided for are limited by contractual maximum densities for the entire project. Gross project land area is 47.5 acres and net land area in the project is 41.8 acres. The following land requirements apply using net acreage: 1/3 acre per *Single Family* dwelling (detached or attached), 1/10 acre per *Condo* unit, and 1/16 acre per *Apartment*.
15. Foundation coverage is limited by the Development Agreement to 11.88 acres.
16. With the exceptions noted herein, a 25 foot setback shall be maintained from the right-of-way of all public roads.
17. No building shall be closer than 15 feet from another building, and there shall be at least 20 feet of building separation on three sides of each building.

TRANSFER OF PERMIT

This permit is transferable only in accordance with Article 86, Section 8614 of the ordinance.

EXPIRATION OF PERMIT (as per Article 86 Section 8616):

This permit shall be valid for as long as the approved use continues in accordance with the terms and conditions of the approved permit. This permit will expire on the occurrence of one or more of the following conditions:

- A. If replaced or superseded by a subsequent Special Use Permit.
- B. If the applicant requests the rescinding of the permit.
- C. If the use is abandon, moved or vacated for a period of one (1) year. Notice of the expiration shall be given to the property owner in writing.

VIOLATIONS OF PERMIT (see Article 86 Section 8617):

Any violation of the terms, conditions or limitations of this permit shall be cause for revocation or suspension of the permit by the City Council.

CERTIFICATION OF PERMIT

The above SPECIAL USE PERMIT was granted by the Manistee City Planning Commission on March 10, 1994, pursuant to the requirements of the Manistee City Zoning Ordinance. This permit shall become effective upon issuance of this permit AND the signed acknowledgement and receipt from the permit holder.

DATE OF ISSUANCE: March 25, 1994

WITNESS:

[Signature]

Roger Yoder
Roger Yoder, Chairman

[Signature]

Ronald Bauman
Ronald Bauman, Secretary

ACKNOWLEDGEMENT & RECEIPT OF PERMIT

I (we) the undersign do hereby certify that I am (we are) the person(s) listed above as the special use permit holders, or their authorized legal representative.

I (we) do further certify that I (we) have read, understand and agree to comply with all of the requirements and conditions of this permit, as listed above and in the Manistee City Zoning Ordinance.

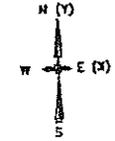
DATE SIGNED: _____

WITNESS:

(Please print or type name below each signature and list title if signing as legal representative.)

No Limited Common. for Deck Expansion

LIBER 0734 PAGE 0056
LAKE SHORE DRIVE (66' WIDE PUBLIC ROAD)



SCALE: 1" = 20'
1" 10' 20' 40'
RELATION TUBE
EASEMENT AS RECORDED IN
LIBER 644, PAGES 880-881
ISTEE COUNTY RECORDS

FORCE MAIN EASEMENT #1
AS RECORDED IN
LIBER 644, PAGES 877-879
MANISTEE COUNTY RECORDS

TI-BACK EASEMENT "A"
FOR DOCK AREA "A" AS
RECORDED IN EXHIBIT "B"
OF HARBOR VILLAGE MARINA
CONDOMINIUM

PUMP STATION WATER
LINE EASEMENT "A"

SANITARY SEWER EASEMENT
AS RECORDED IN
LIBER 644, PAGES 889-890
MANISTEE COUNTY RECORDS

WATERMAIN EASEMENT #2
AS RECORDED IN
LIBER 644, PAGES 887-888
MANISTEE COUNTY RECORDS

WATERMAIN EASEMENT #3
AS RECORDED IN
LIBER 644, PAGES 874-874

ADDRESS/EGRESS
EASEMENT "A"

BUILDING #	UNITS
1	1-5
4	25-32
5	33-40
6	65-70
7	71-74
8	81-84

- LEGEND**
- GENERAL COMMON ELEMENT
 - LIMITED COMMON ELEMENT
 - COORDINATE POINT IDENTIFICATION

SCHEDULE OF COORDINATES

POINT #	NORTH (Y)	EAST (X)
14	2253.10	2022.59
15	2222.18	2074.06
20	2266.34	2222.79
21	2247.01	2278.88
22	2290.39	2307.85
23	2272.65	2365.25
30	2089.69	2261.51
31	2029.82	2258.34
25	2219.31	2383.95
27	2163.63	2379.04
28	2222.32	2480.46
29	2212.66	2403.78

COPY



Daniel B. Zwar
DANIEL B. ZWAR
LICENSED PROFESSIONAL SURVEYOR #28435
ABONMARCHÉ CONSULTANTS, INC.

JULY 27, 2000
DATE

AS-BUILT, JULY 27, 2000

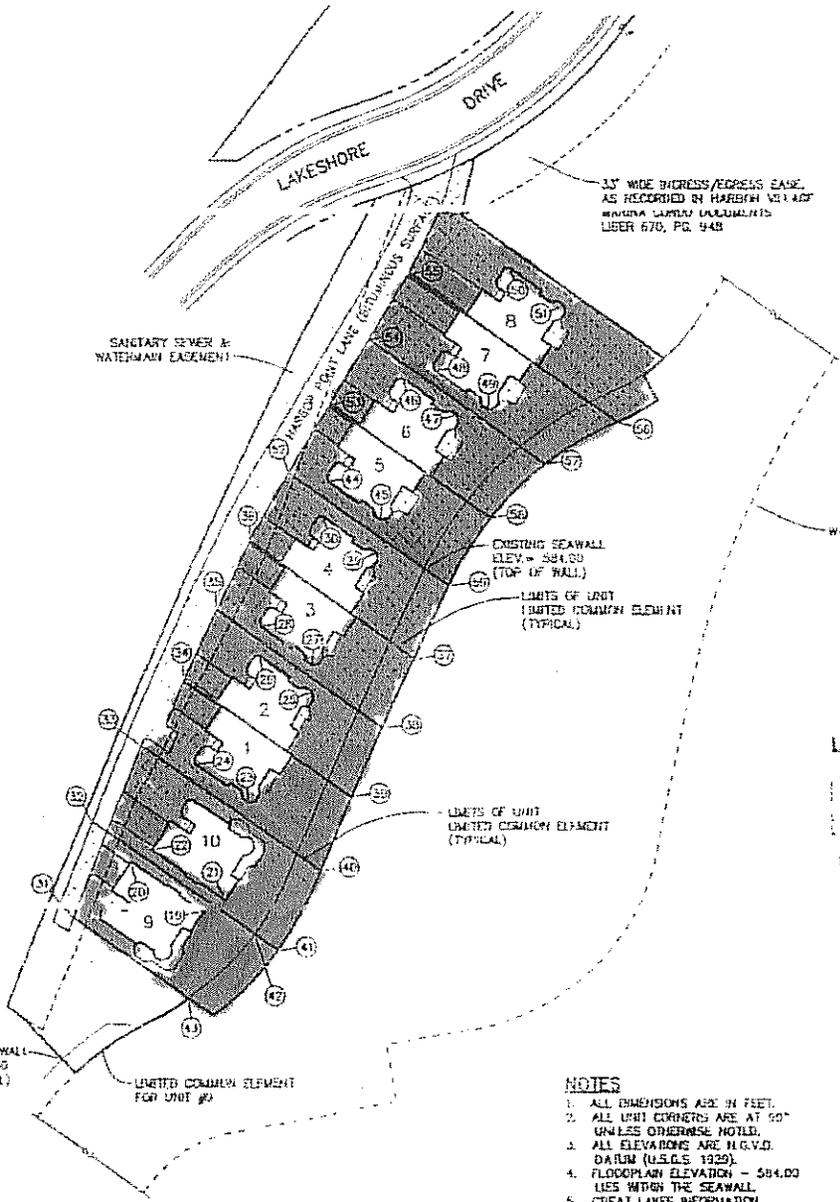
BROOKHARBOR CONDOMINIUM
SITE PLAN

ABONMARCHÉ CONSULTANTS, INC.
95 WEST MAIN STREET
BENTON HARBOR, MICHIGAN 49022
(816) 927-2295

SHEET 4 OF 10

LIBER 0902 PAGE 0579

SCHEDULE OF COORDINATES		
POINT (#)	NORTH(Y)	EAST(X)
19	1280.71	907.41
20	1295.39	855.64
21	1267.78	922.16
22	1303.44	870.39
23	1333.68	839.39
24	1301.91	902.71
25	1411.85	906.43
26	1436.01	948.80
27	1439.55	949.55
28	1458.02	850.02
29	1506.87	1033.74
30	1531.82	986.17
31	1256.20	814.81
32	1323.11	871.63
33	1375.23	881.93
34	1420.13	895.08
35	1468.09	918.62
36	1514.78	947.72
37	1435.02	1059.12
38	1387.18	1038.03
39	1359.81	1013.84
40	1297.89	981.80
41	1232.88	859.88
42	1244.48	844.21
43	1194.58	836.85
44	1555.80	1080.26
45	1529.50	1056.56
46	1625.53	1053.99
47	1502.60	1068.63
48	1630.78	1078.50
49	1604.47	1113.20
50	1700.51	1130.23
51	1675.58	1167.87
52	1581.97	871.84
53	1607.95	1002.05
54	1552.08	1030.53
55	1608.43	1058.70
56	1598.22	1204.11
57	1267.26	1153.17
58	1620.70	1114.14
59	1484.61	1084.81



- LEGEND**
- GENERAL COMMON ELEMENT
 - LIMITED COMMON ELEMENT
 - COORDINATE POINT IDENTIFICATION

- NOTES**
1. ALL DIMENSIONS ARE IN FEET.
 2. ALL UNIT CORNERS ARE AT 90° UNLESS OTHERWISE NOTED.
 3. ALL ELEVATIONS ARE H.G.V.D. DATA (U.S.G.S. 1929).
 4. FLOODPLAIN ELEVATION = 584.00 LIES WITHIN THE SEAWALL.
 5. GREAT LAKES INFORMATION
100 YR. HIGH WATER MARK = 583.00
100 YR. LOW WATER MARK = 576.00



Daniel B. Zwar
 DANIEL B. ZWAR
 LICENSED PROFESSIONAL SURVEYOR #25435
 ARONMARCHÉ CONSULTANTS, INC.

JANUARY 15, 2004
 DATE

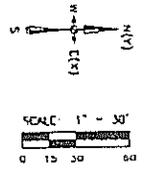
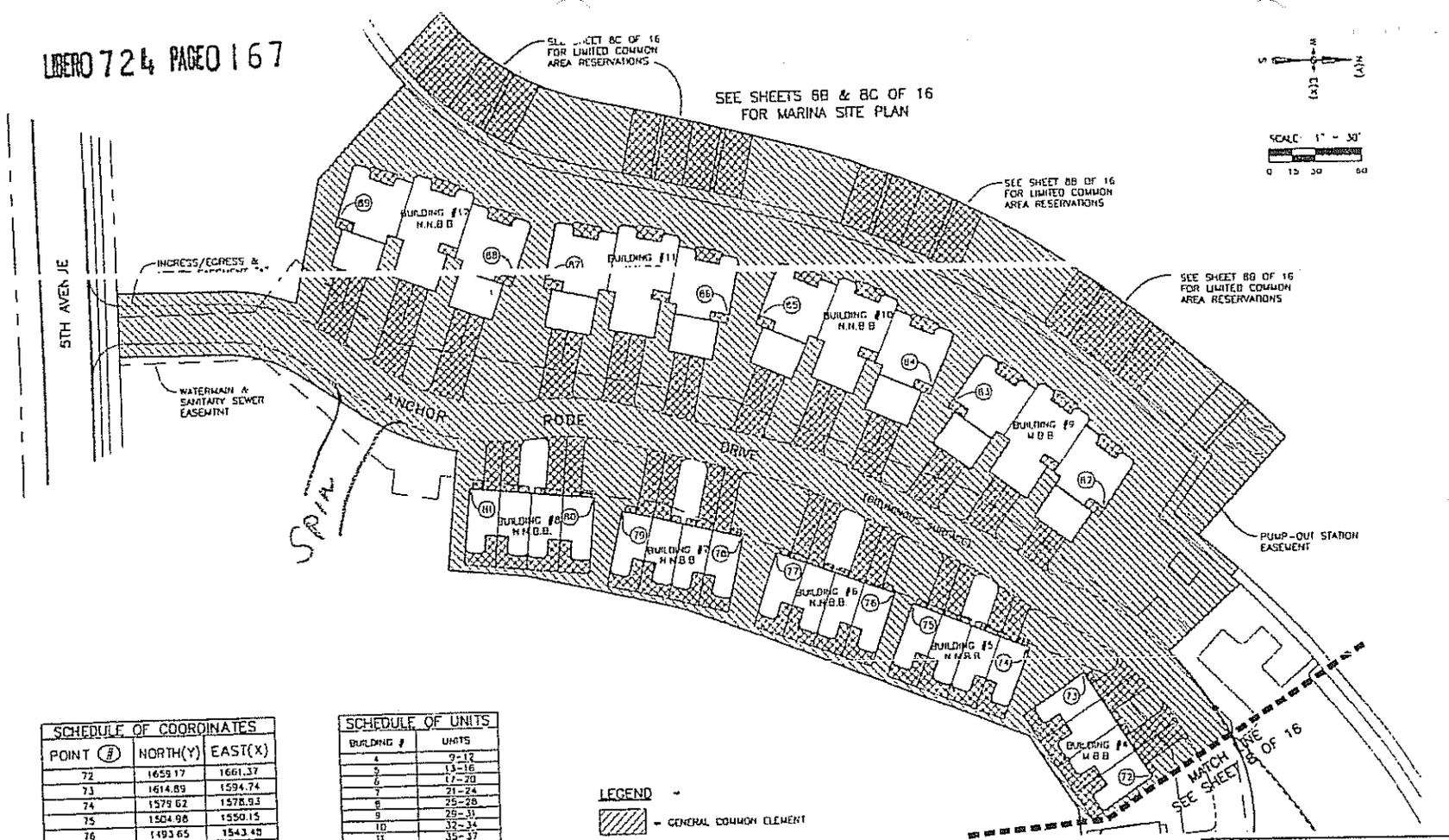
AS-BUILT, JANUARY 15, 2004

HARBOR POINT ESTATES CONDOMINIUM

SITE PLAN

ARONMARCHÉ CONSULTANTS, INC.
 95 WEST MAIN STREET
 BENTON HARBOR, MICHIGAN 49022
 (269) 927-2255

SHEET 6 OF 10



SCHEDULE OF COORDINATES		
POINT #	NORTH(Y)	EAST(X)
72	1659.17	1661.37
73	1614.89	1594.74
74	1579.62	1578.93
75	1504.98	1550.15
76	1493.65	1543.49
77	1416.16	1516.98
78	1396.31	1506.20
79	1316.32	1488.40
80	1300.71	1479.55
81	1221.06	1472.00
82	1630.00	1493.20
83	1533.09	1472.44
84	1520.60	1413.51
85	1410.23	1365.39
86	1390.26	1365.65
87	1273.02	1340.02
88	1253.33	1339.13
89	1140.43	1296.46

SCHEDULE OF UNITS	
BUILDING #	UNITS
4	9-12
5	13-16
6	17-20
7	21-24
8	25-28
9	29-31
10	32-34
11	35-37
12	38-40

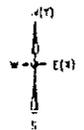
- LEGEND**
- GENERAL COMMON ELEMENT
 - LIMITED COMMON ELEMENT
 - COORDINATE POINT IDENTIFICATION
 - N.H.B.B. - NEED NOT BE BUILT
 - M.B.B. - MUST BE BUILT



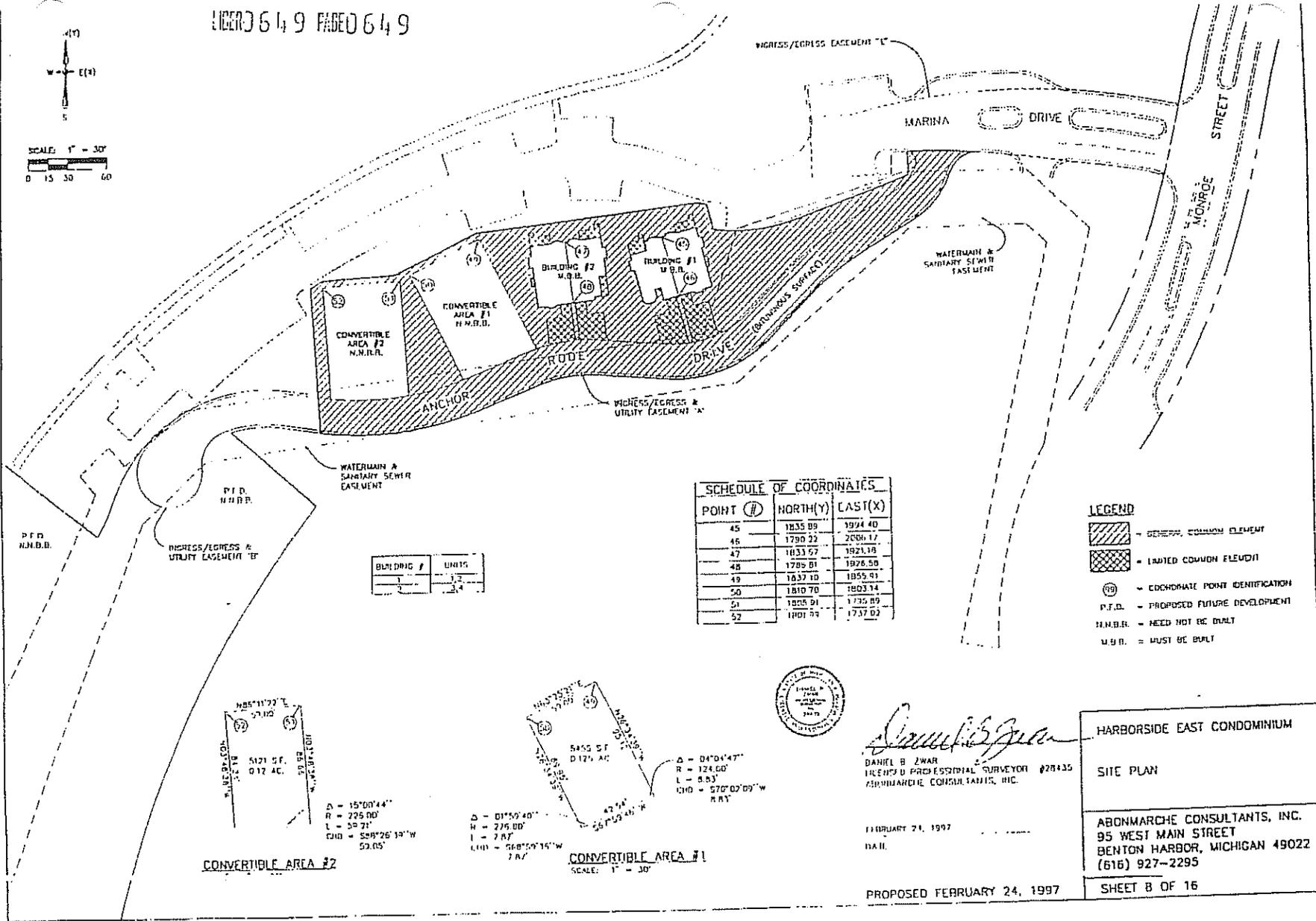
David B. Zwa
 DAVID B. ZWA
 LICENSED PROFESSIONAL SURVEYOR #28435
 ADDMARCH CONSULTANTS, INC.
 MARCH 6, 2000
 DATE
 PROPOSED, MARCH 6, 2000

HARBORSIDE EAST CONDOMINIUM
 SITE PLAN - CONTINUED
 ADDMARCH CONSULTANTS, INC.
 95 WEST MAIN STREET
 BENTON HARBOR, MICHIGAN 49001
 (616) 927-2295
 SHEET 8A OF 16

No Limited Common for Deck Expansion



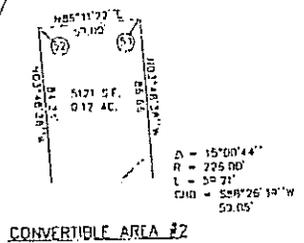
SCALE: 1" = 30'
0 15 30 60



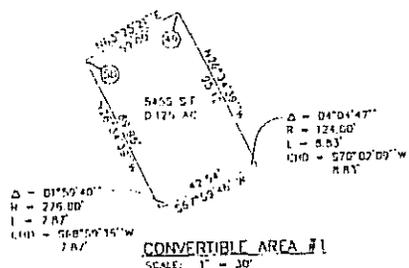
BUILDING #	UNITS
1	1, 2
2	3, 4

POINT #	NORTH (Y)	EAST (X)
45	1835.89	1974.40
46	1790.22	2006.17
47	1833.67	1921.18
48	1785.81	1926.58
49	1837.10	1855.91
50	1810.70	1803.14
51	1825.91	1735.89
52	1801.54	1737.82

- LEGEND**
- GENERAL COMMON ELEMENT
 - LIMITED COMMON ELEMENT
 - COORDINATE POINT IDENTIFICATION
 - P.F.D. - PROPOSED FUTURE DEVELOPMENT
 - N.N.B.B. - NEED NOT BE BUILT
 - M.B.B. - MUST BE BUILT



CONVERTIBLE AREA #2



CONVERTIBLE AREA #1
SCALE: 1" = 30'



Daniel B. Zwar
 DANIEL B. ZWAR
 LICENSED PROFESSIONAL SURVEYOR #228435
 ABONMARCHÉ CONSULTANTS, INC.

FEBRUARY 21, 1997
 DALL

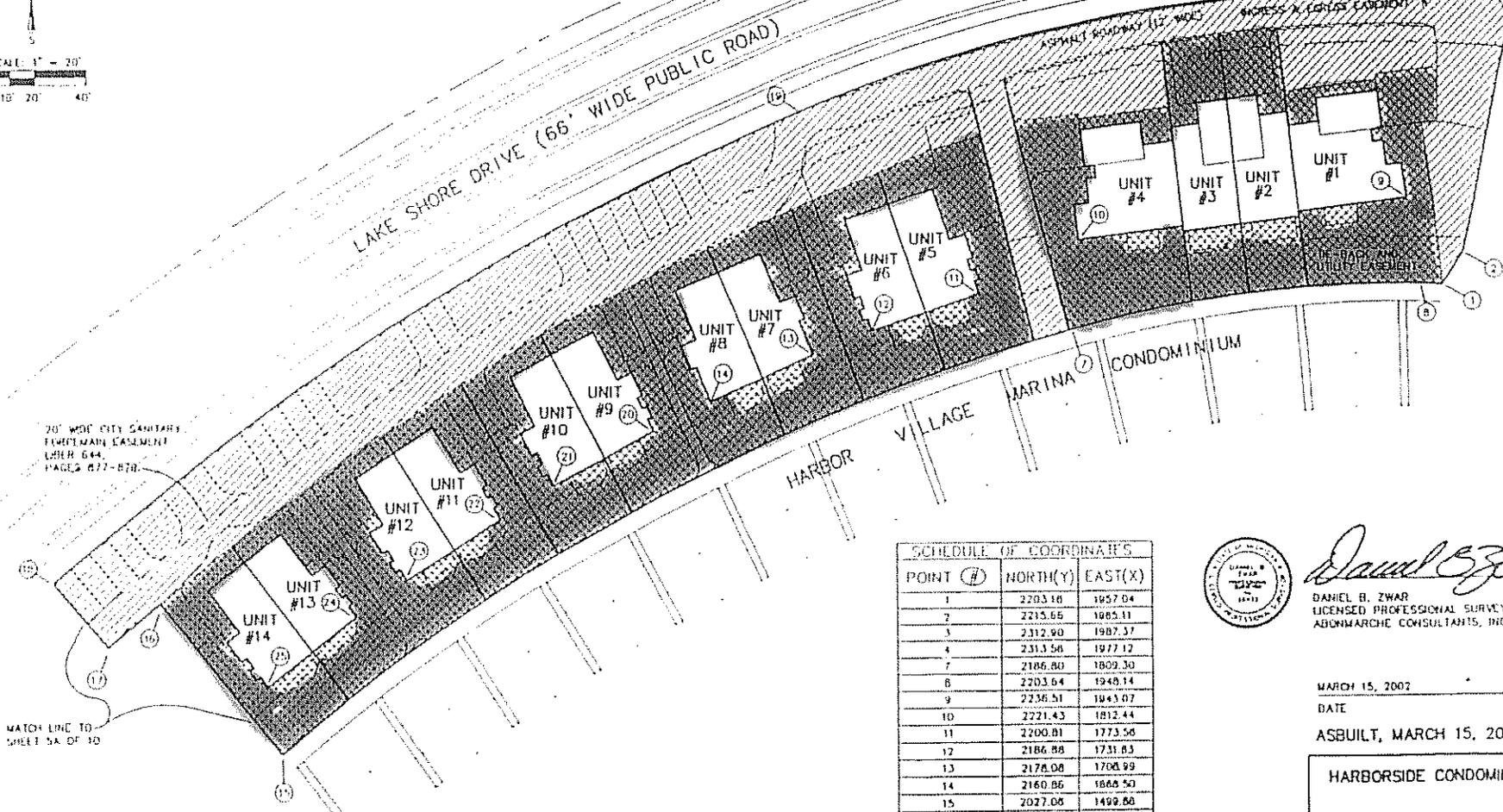
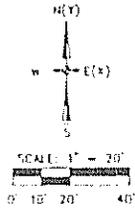
PROPOSED FEBRUARY 24, 1997

HARBORSIDE EAST CONDOMINIUM

SITE PLAN

ABONMARCHÉ CONSULTANTS, INC.
 95 WEST MAIN STREET
 BENTON HARBOR, MICHIGAN 49022
 (616) 927-2295

SHEET B OF 16



- LEGEND**
- GENERAL COMMON ELEMENT
 - UNIT COMMON ELEMENT
 - COORDINATE POINT IDENTIFICATION

SCHEDULE OF COORDINATE'S		
POINT #	NORTH(Y)	EAST(X)
1	2203.18	1957.04
2	2215.65	1965.11
3	2312.90	1987.37
4	2313.58	1977.12
7	2186.80	1809.30
8	2203.64	1948.14
9	2236.51	1943.07
10	2221.43	1812.44
11	2200.01	1773.58
12	2186.88	1731.83
13	2178.08	1708.99
14	2160.86	1688.50
15	2027.05	1499.86
16	2084.94	1451.70
17	2087.94	1431.19
18	2093.07	1409.81
19	2270.85	1704.45
20	2150.12	1848.43
21	2129.85	1807.48
22	2117.14	1586.44
23	2093.54	1549.30
24	2079.41	1529.32
25	2052.88	1494.37



Daniel B. Zwar
 DANIEL B. ZWAR
 LICENSED PROFESSIONAL SURVEYOR
 ABONMARCHÉ CONSULTANTS, INC.

MARCH 15, 2002

DATE

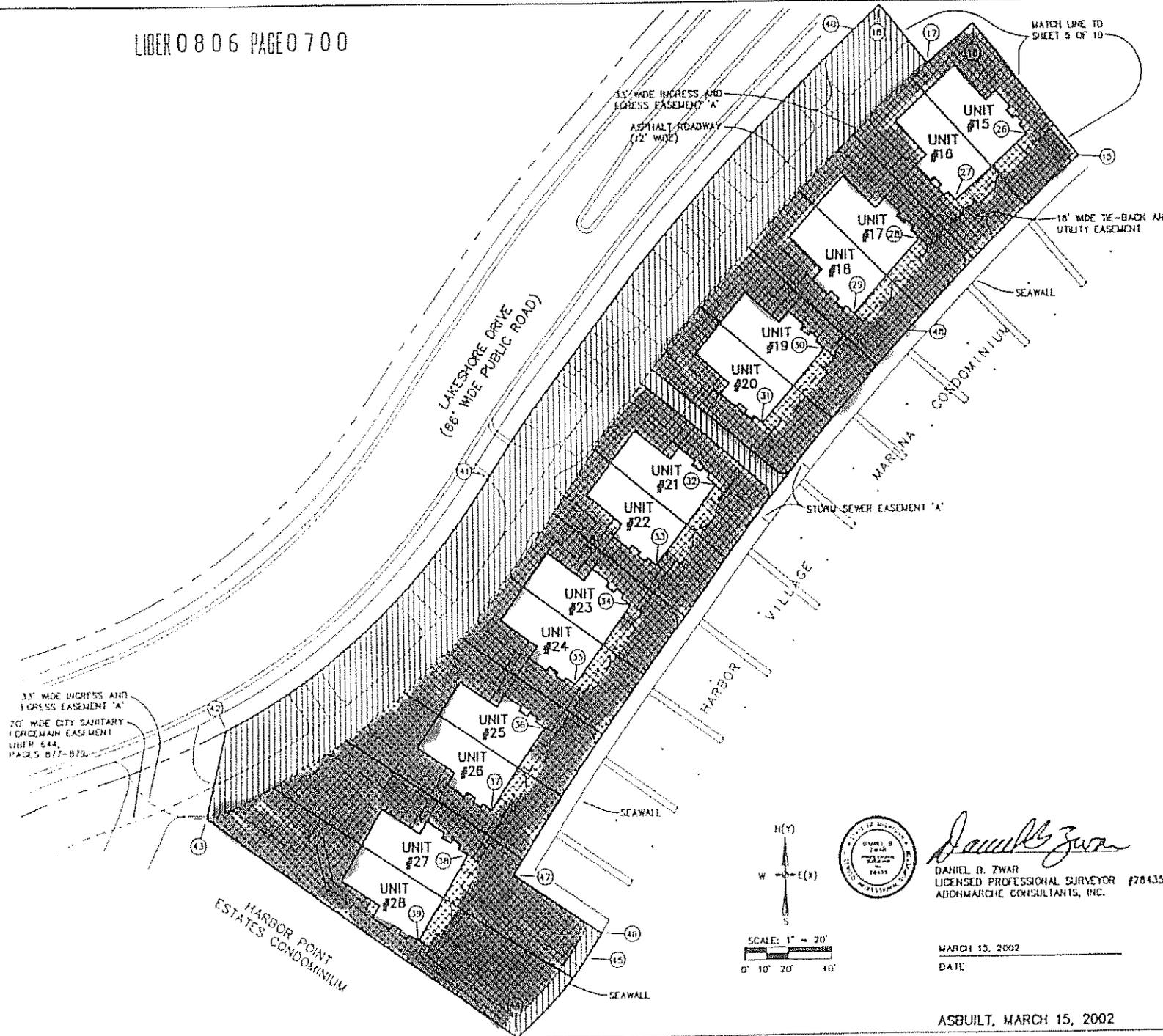
ASBUILT, MARCH 15, 2002

HARBORSIDE CONDOMINIUM

SITE PLAN

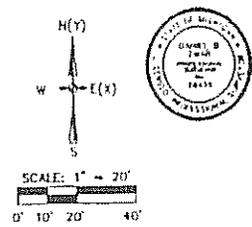
ABONMARCHÉ CONSULTANTS
 95 WEST MAIN STREET
 BENTON HARBOR, MICHIGAN
 (816) 827-2295

SHEET 5 OF 10.



SCHEDULE OF COORDINATES		
POINT (P)	NORTH(Y)	EAST(X)
15	2027.06	1499.66
16	2064.64	1431.70
17	2087.04	1431.19
18	2093.07	1409.81
26	2038.88	1475.57
27	2007.53	1442.86
28	1991.39	1428.54
29	1959.47	1396.27
30	1943.55	1382.36
31	1910.26	1353.81
32	1883.03	1331.39
33	1848.45	1303.84
34	1831.65	1291.80
35	1796.16	1265.82
36	1776.55	1252.15
37	1739.98	1227.60
38	1721.05	1216.11
39	1683.63	1192.86
40	2002.60	1397.91
41	1887.57	1227.75
42	1776.43	1105.40
43	1737.14	1098.50
44	1639.29	1236.53
45	1675.82	1270.25
46	1686.28	1276.92
47	1711.94	1237.57
48	1931.53	1420.69

- LEGEND**
- GENERAL COMMON ELEMENT
 - LIMITED COMMON ELEMENT
 - COORDINATE POINT IDENTIFIERS



Daniel B. Zwar
 DANIEL B. ZWAR
 LICENSED PROFESSIONAL SURVEYOR #28435
 ABONMARCHÉ CONSULTANTS, INC.

WARD 15, 2002
 DATE

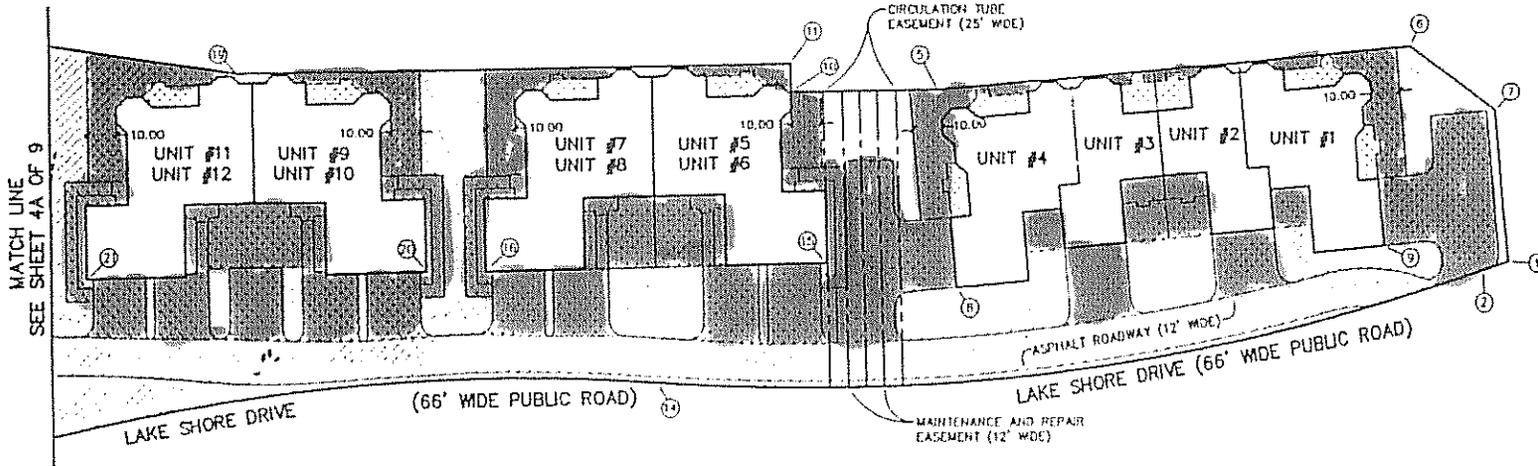
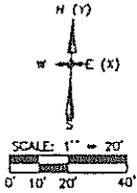
ASBUILT, MARCH 15, 2002

HARBORSIDE CONDOMINIUM

SITE PLAN CONTINUED

ABONMARCHÉ CONSULTANTS, INC.
 95 WEST MAIN STREET
 BENTON HARBOR, MICHIGAN 4902
 (810) 927-2295

SHEET 5A OF 10.



SCHEDULE OF COORDINATES		
POINT (#)	NORTH(Y)	EAST(X)
1	2415.57	2274.67
2	2412.90	2265.86
5	2475.51	2076.77
6	2489.39	2240.71
7	2467.25	2270.49
8	2408.55	2082.98
9	2421.13	2231.58
10	2474.78	2026.78
11	2484.78	2026.64
14	2379.40	1981.75
15	2418.48	2036.82
18	2414.61	1922.85
19	2482.61	1838.32
20	2414.48	1992.85
21	2412.61	1788.88

- LEGEND:**
-  - GENERAL COMMON ELEMENT
 -  - LIMITED COMMON ELEMENT
 -  - COORDINATE POINT IDENTIFICATION

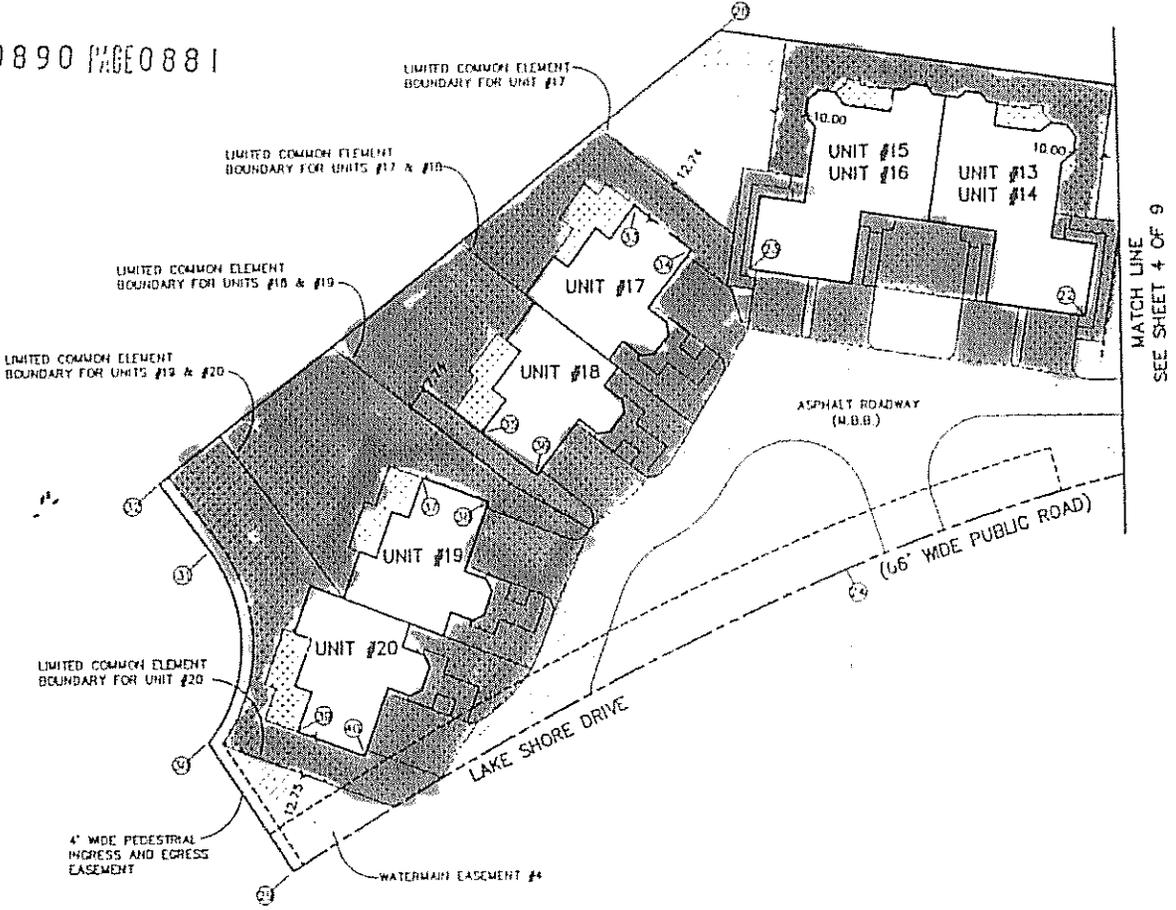
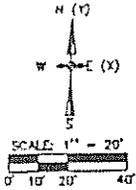


Daniel B. Zwar
 DANIEL B. ZWAR
 LICENSED PROFESSIONAL SURVEYOR #28435
 ABONMARCHE CONSULTANTS, INC.

JULY 15, 2003
 DATE

LAKESHORE RESIDENTIAL CONDOMINIUM SITE PLAN
ABONMARCHE CONSULTANTS, INC. 95 WEST MAIN STREET BENTON HARBOR, MICHIGAN 49022 (616) 927-2295
SHEET 4 OF 9

AS-BUILT, JULY 15, 2003



SCHEDULE OF COORDINATES		
POINT #	NORTH(Y)	EAST(X)
22	2415.08	1762.92
23	2432.90	1648.14
24	2332.12	1679.91
28	2511.84	1638.54
29	2234.00	1490.67
30	2278.00	1462.18
31	2340.50	1483.20
32	2362.82	1448.07
33	2454.03	1809.22
34	2439.35	1628.21
35	2378.79	1556.12
36	2364.11	1575.11
37	2363.71	1535.70
38	2355.43	1558.23
39	2281.50	1492.70
40	2273.22	1515.22

- LEGEND:**
-  - GENERAL COMMON ELEMENT
 -  - LIMITED COMMON ELEMENT
 -  - COORDINATE POINT IDENTIFICATION



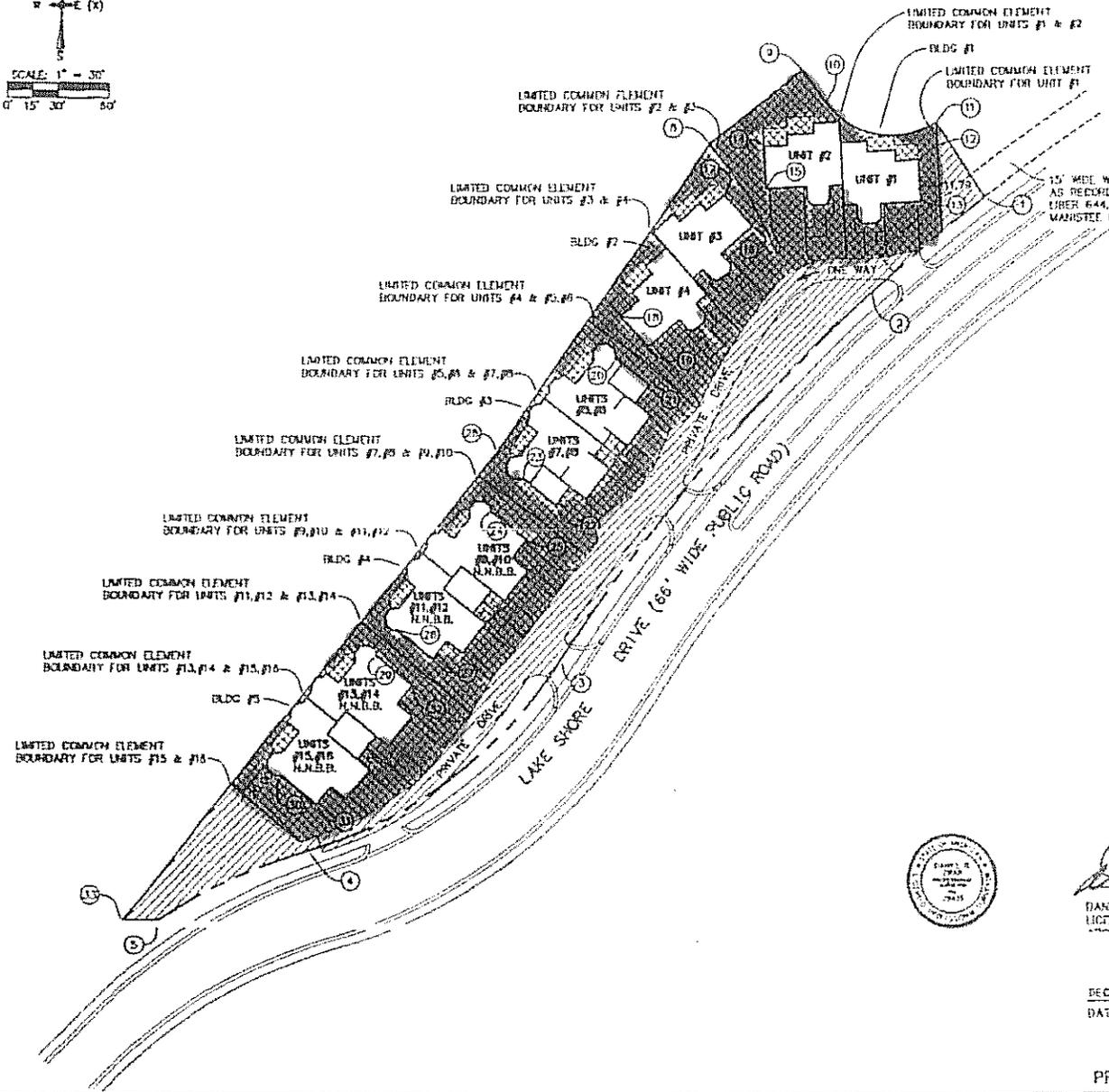
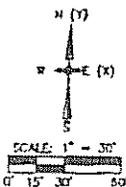
Daniel B. Zwar
 DANIEL B. ZWAR
 LICENSED PROFESSIONAL SURVEYOR #26435
 ABONMARCHÉ CONSULTANTS, INC.

JULY 15, 2003
 DATE

AS-BUILT, JULY 15, 2003

LAKESHORE RESIDENTIAL CONDOMINIUM SITE PLAN CONTINUED
ABONMARCHÉ CONSULTANTS, INC. 95 WEST MAIN STREET BENTON HARBOR, MICHIGAN 49022 (616) 927-2295
SHEET 4A OF 9

LIDER 0933 REC0543



POINT #	NORTH(Y)	EAST(X)
1	2187.38	1472.22
2	2132.44	1354.41
3	1923.08	1172.63
4	1814.33	1024.02
5	1715.12	917.45
6	2218.18	1259.77
7	2260.28	1313.88
8	2242.07	1327.08
9	2230.24	1323.08
10	2206.85	1303.11
11	2184.87	1304.17
12	2216.75	1290.07
13	2192.78	1291.23
14	2171.11	1283.00
15	2189.08	1267.95
16	2119.12	1207.01
17	2101.15	1222.82
18	2095.04	1204.08
19	2072.48	1223.65
20	2010.63	1169.14
21	2028.29	1149.54
22	2007.50	1131.09
23	1990.63	1151.04
24	1929.23	1078.19
25	1922.46	1097.05
26	2041.13	1134.08
27	1974.84	1064.13
28	1957.08	1008.75
29	1840.03	1028.87
30	1907.59	1004.74
31	1774.96	917.33

LEGEND:
 - GENERAL COMMON ELEMENT
 - LIMITED COMMON ELEMENT
 - COORDINATE POINT IDENTIFICATION
 H.M.B.B. - NEED NOT BE DRWT



Daniel B. Zwar
 DANIEL B. ZWAR
 LICENSED PROFESSIONAL SURVEYER #28435
 STATE OF MICHIGAN

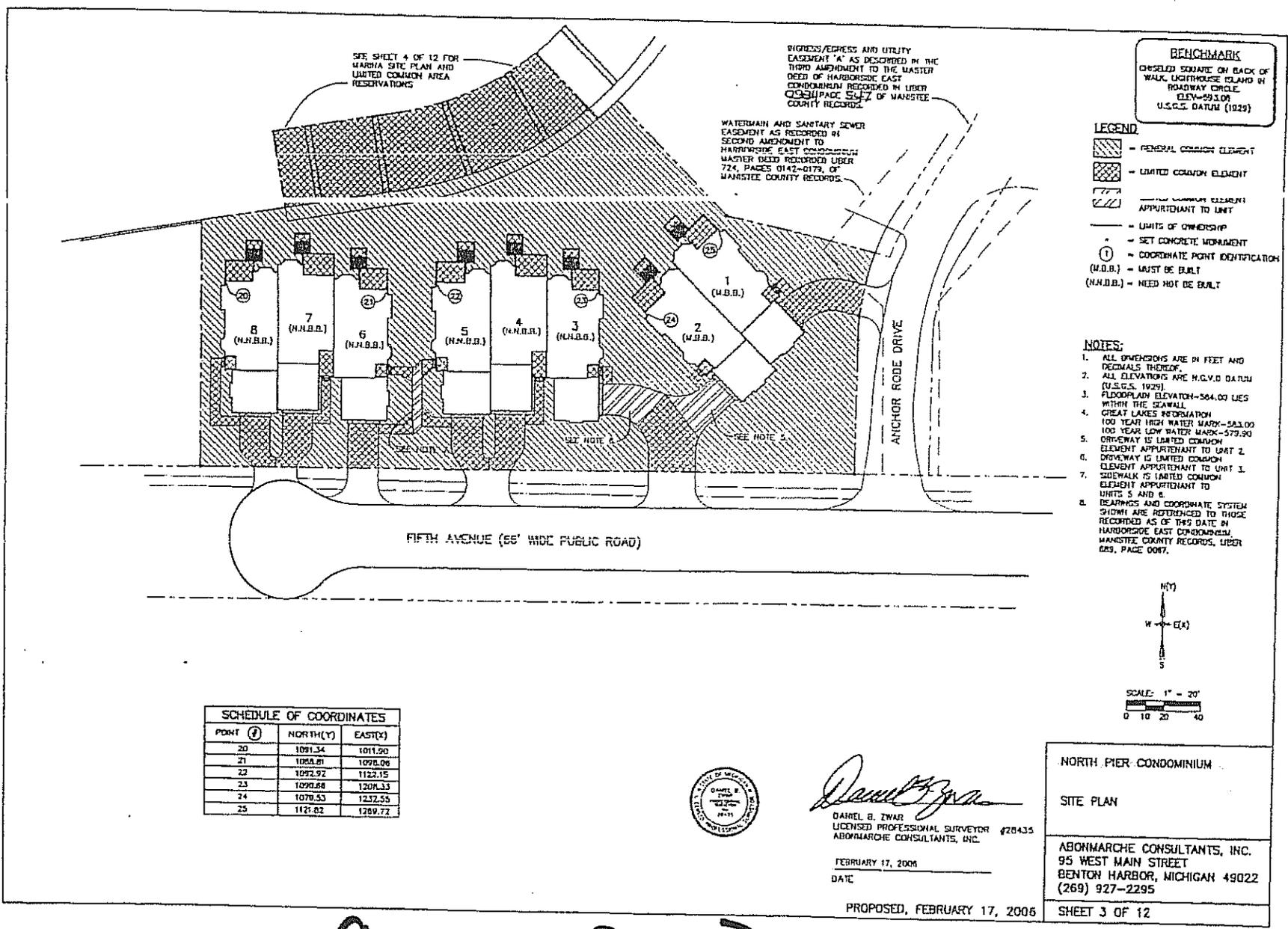
DECEMBER 8, 2004
 DATE

PROPOSED, DECEMBER 8, 2004

LAKESHORE II CONDOMINIUM SITE PLAN
ABONMARCHE CONSULTANTS, INC. 95 WEST MAIN STREET BENTON HARBOR, MICHIGAN 49022 (269) 927-2295
SHEET 3 OF 12

0985 0210

EX:LDT GSEIENG PROJ:ANV50709-80004wp4X50039-80CC30.dwg, B 5-14, 3/24/2006 2:31:15 PM, 5400K, 1:0 356874



No Limited Common for Deck Expansion

City of Manistee
Planning Commission Resolution to Amend
Special Use Permit for a Planned Unit Development
Case Number PC-2008-05
Manistee Village Partners
a.k.a. DSLT, Inc. For Harbor Village at Manistee Beach

At a regularly scheduled meeting of the City of Manistee Planning Commission held on May 1, 2008, the following resolution was adopted to approve amending a Special Use Permit for a Planned Unit Development for Manistee Village Partners a.k.a. DSLT, Inc. For Harbor Village at Manistee Beach as submitted with application/case number PC-2008-05 to allow the Zoning Administrator to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

Planning Commissioner _____ moved, supported by Planning Commissioner _____, the adoption of the following resolution.

WHEREAS, a Special Use Permit for a Planned Unit Development (PUD) was issued to Manistee Village Partners on March 25, 1994 which amended the previous PUD known as Harbor Village at Manistee Beach, and

WHEREAS, an amendment was made to the PUD on April 18, 1995 for a minor change to the number of buildings in item #7 Harbor Side West from 8 to 13, and

WHEREAS, on March 11, 2008 an application was received requesting an amendment to said Special Use Permit for a Planned Unit Development, and

WHEREAS, on April 8, 2008 the Site Plan Review Committee reviewed the request as required under Section 1870.E of the City of Manistee Zoning Ordinance adopted March 17, 2006, and

WHEREAS, the Site Plan Review Committee reviewed the request and made a recommendation to the Planning Commission for their next regularly scheduled meeting on May 1, 2008, and

WHEREAS, the Planning Commission has provided proper notice and held a public hearing on the proposed Amendment to the PUD on May 1, 2008, and

WHEREAS, the Planning Commission has received written comment, reviewed the areas of "Limited Common Elements" in the Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations, and has completed review of the application, input of the Applicant and the input received at said public hearing.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the Special Use Permit for a Planned Unit Development that was issued to Manistee Village Partners (a.k.a. DSLT, Inc. For Harbor Village at Manistee Beach) on March 25, 1994 as amended on April 18, 1995, be further amended by adding item #18 as follows:

18. The Zoning Administrator is allowed to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

CITY OF MANISTEE PLANNING COMMISSION:

AYES:

ABSTAINING:

NAYS:

ABSENT:

MOTION:

CARRIED

NOT CARRIED

CERTIFICATION:

I, Maureen Barry, Secretary of the City of Manistee Planning Commission certify that the foregoing is a true and complete record of action taken by the Planning Commission at their regular meeting of May 1, 2008

Maureen Barry, Secretary

City of Manistee
Planning Commission Resolution to Deny Amending
Special Use Permit for a Planned Unit Development
Case Number PC-2008-05
Manistee Village Partners
a.k.a. DSLT, Inc. For Harbor Village at Manistee Beach

At a regularly scheduled meeting of the City of Manistee Planning Commission held on May 1, 2008, the following resolution was adopted to approve amending a Special Use Permit for a Planned Unit Development for Manistee Village Partners a.k.a. DSLT, Inc. For Harbor Village at Manistee Beach as submitted with application/case number PC-2008-05 to allow the Zoning Administrator to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

Planning Commissioner _____ moved, supported by Planning Commissioner _____, the adoption of the following resolution.

WHEREAS, a Special Use Permit for a Planned Unit Development (PUD) was issued to Manistee Village Partners on March 25, 1994 which amended the previous PUD known as Harbor Village at Manistee Beach, and

WHEREAS, an amendment was made to the PUD on April 18, 1995 for a minor change to the number of buildings in item #7 Harbor Side West from 8 to 13, and

WHEREAS, on March 11, 2008 an application was received requesting an amendment to said Special Use Permit for a Planned Unit Development, and

WHEREAS, on April 8, 2008 the Site Plan Review Committee reviewed the request as required under Section 1870.E of the City of Manistee Zoning Ordinance adopted March 17, 2006, and

WHEREAS, the Site Plan Review Committee reviewed the request and made a recommendation to the Planning Commission for their next regularly scheduled meeting on May 1, 2008, and

WHEREAS, the Planning Commission has provided proper notice and held a public hearing on the proposed Amendment to the PUD on May 1, 2008, and

WHEREAS, the Planning Commission has received written comment, reviewed the areas of "Limited Common Elements" in the Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations, and has completed review of the application, input of the Applicant and the input received at said public hearing.

**NOTICE OF
Meeting of the
Site Plan Review Committee**

The Site Plan Review Committee (Sub-Committee of the Planning Commission) will meet on Tuesday, April 8, 2007 at 4:30 p.m. in the Executive Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

All meetings are open to the public.

This notice was posted by Denise J. Blakeslee to comply with Sections 4 & 5 of the Michigan Open Meetings Act (P.A. 267 of 1976) at 12:00 Noon., Monday, April 7, 2008 on the bulletin board at the south entrance to City Hall.

Signed: 
Denise J. Blakeslee

April 15, 2008

Mr. Jon R. Rose, Zoning Administrator
City of Manistee
Community Development

Dear Sir:

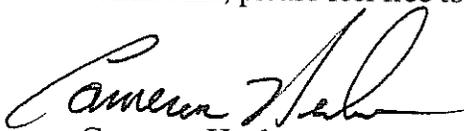
My name is Cameron Henke and I own a residence located at 233 Lakeshore Dr. in the Harborside West portion of Harbor Village. I have owned this residence for seven years. Although, this residence is currently my secondary home I hope to retire in the next five years and make it my primary home. I have served on the Harborside West association board for two terms and have been active within the association and community.

I have always been more then pleased with the purchase of my condominium in Harbor Village. I believe it is one of the premier developments on Michigan's west shore. However, I do believe the condo decks in Harborside West were made entirely too small. Our association has explored interest from our residents in requesting an approval toward enlarging the decks. To this date we have not taken any further steps in this matter.

It is my opinion and hope that the Manistee City Planning Commission will allow the Zoning Administrator authority to approve deck extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

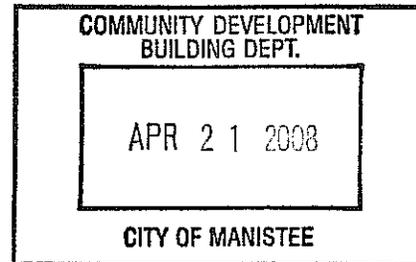
I will be unable to attend the public hearing in person due to living and working in Grand Blanc Mi. However I wanted by opinion to be heard by the Planning Commission.

Thank you for your time and efforts. If I can answer any questions or you feel a need to contact me, please feel free to do so, at the below listed numbers.



Cameron Henke
233 Lakeshore Dr. Unit #26
Manistee Mi. 49660

5335 Mocerri Lane
Grand Blanc Mi. 48439
(810) 694-2813 (hm)
(810) 397-8343 (cell)





April 21, 2008

Mr. Jon Rose, Community Development
P.O. Box 358
Manistee, MI 49660

Dear Mr. Rose and Manistee City Planning Commissioners,

I fully support the proposed amendment to the Planned Unit Development described in your letter of April 10, 2008.

Sincerely,

Rick Richter
39 Brookharbor N.