



Zoning Board of Appeals Agenda
July 17, 2025

A regular meeting of the Cadillac Zoning Board of Appeals is scheduled for 5:30 p.m. on Thursday, July 17, 2025. Items of discussion are as follows.

CALL TO ORDER

ROLL CALL

1. Approval of the agenda for July 17, 2025.
2. Approval of the March 20, 2025, meeting minutes.
3. Public Comment
4. Public Hearing
 - a. Variance application filed by Dean Sinclair, owner of 636 Holly Rd.
5. Old Business
6. Board Members Comments
7. Public Comments
8. Adjourn

NOTE: The City of Cadillac complies with the "Americans with Disabilities Act." If auxiliary aids or services are required at a public meeting for individuals with disabilities, please contact John Wallace, Community Development Director, at (231) 779-7325 at least three business days prior to any such meeting.



MEETING MINUTES (Draft)
Cadillac Zoning Board of Appeals (ZBA)
5:30 P.M.
March 20, 2025

CONVENE MEETING

Chairperson Nichols called to order a meeting of the Cadillac Zoning Board of Appeals at 5:30 p.m. on March 20, 2025.

ROLL CALL

MEMBERS PRESENT: Bontrager, Nichols, Hutchinson, Ault, and Brown

STAFF PRESENT: Adams, Timmer, and Mallory Reeder (City Attorney, FosterSwift, attended remotely)

APPROVAL OF MEETING AGENDA

Motion by Brown to approve March 20, 2025, meeting agenda. Support by Ault. The motion was unanimously approved on a roll call vote.

APPROVE THE SEPTEMBER 19, 2024, MEETING MINUTES

Motion by Bontrager to approve September 19, 2024, meeting minutes. Supported by Brown. The motion was unanimously approved on a roll call vote.

PUBLIC COMMENT

None.

PUBLIC HEARING AND BOARD ACTION

Variance application filed by David Cadwallader, owner of 808 Cotey St. Adams presented a brief PowerPoint presentation detailing the property and variance request. The applicant is asking for a variance to increase the lot coverage to 47% and to construct an attached garage with a rear yard setback of 8ft, which is consistent with the setback of the dwelling in which the garage will be attached to.

Chairperson Nicholas opened the public hearing.

The applicant, David Cadwallader stated that currently there is a shared garage space between 808 Cotey St and 503 E River St. Cadwallader stated that sharing a garage space with a neighbor is not ideal and that space is limited for both to enjoy. Cadwallader stated that constructing the attached garage would allow for parking of vehicle and storage space. Cadwallader indicated that the neighbor, 503 E River St, has expressed interest in constructing an attached garage as well a few years down the road which would then lead to demolition of the current shared garage space.

Joe Barron, 423 E River St, voiced his support for the variance. Barron stated that The Cadwalladers have invested in their home with various improvements, and he believes that this will increase property values.

Justin Whitley, 503 E River St, currently shares the garage with 808 Cotey St. Whitley stated that his plan is to construct a garage within 3-5 years.

Chairperson Nicholas closed the public hearing.

Board discussion took place.

Motion by Bontrager to approve the variance to allow for increase in lot coverage to 47% and to allow for construction of an attached garage with a rear yard setback of 8ft, with the conditions as listed in the Staff Report. Supported by Ault. Motion approved unanimously.

NEW BUSINESS

Vote for Officers. Motion by Hutchinson to reelect and reappoint Nicholas as Chair and Ault as Vice Chair supported by Bontrager. Motion approved unanimously.

Vote for Meeting Dates. Motion by Bontrager to approve the meeting dates as presented with a correct to the August meeting date. Supported by Brown. Motion approved unanimously.

Fee Proposal. Timmer stated that this is in the packet for informational purposes and asked that the board provide feedback if desired. Board discussion took place on the various fees and the fee proposal. Nicholas stated the increases are greatly needed and appropriate. Hutchinson offered the idea of the applicant paying the publication fee verses having a base application fee. Brown stated that he believes the fees should remain the same for the services being offered to not deter property owners from applying to do things appropriately. Ault stated that she feels increases are appropriate.

OLD BUSINESS

Adams provided a brief update on the Wexford Community Credit Union site that was presented at the previous meeting.

BOARD MEMBER COMMENTS

None.

PUBLIC COMMENTS

None.

ADJOURN

There being no further business, Chairperson Nichols adjourned the meeting of the ZBA at 6:14 P.M.

**ZONING BOARD OF APPEALS STAFF REPORT
DIMENSIONAL VARIANCE APPLICATION**

Meeting Date: July 17th, 2025

Applicant/Owner: Dean & Sally Sinclair

Property Address: 636 Holly Rd Cadillac, Michigan 49601

Parcel Number: 10-070-00-027-00

Request: Setback Variance of 21ft to construct a 29x25 ft addition to the existing attached garage

Attachments: Application

Prepared By: Danielle Timmer, Community Development Coordinator

Site Information:

636 Holly Rd, 10-070-00-027-00 is described as:

LOT 27 JOHNSONS CADILLAC SHORES, CITY OF CADILLAC

636 Holly Rd is located on the southern shoreline of Lake Cadillac in an area of single-family residential dwellings. The parcel has 100 feet of frontage on Holly Rd with similar frontage on Lake Cadillac. Due to the irregularity of the shoreline the lot depth varies ranging from approximately 135ft to 145ft. The property is located within the R-1, One-Family Residential District. Shown below is an aerial GIS image of the lot outlined in blue.





636 Holly Rd

Variance Request

Section 46-629 of the Zoning Ordinance requires a rear yard (street side) setback of 35 feet for dwellings and attached structures located on waterfront lots in the R-1 district. Detached structures, such as accessory buildings, may be set back 3 feet from the street right-of-way. The Sinclair's are requesting a rear yard (street side) setback variance of 21 feet to construct a 29 x 25 feet addition to the existing garage attached to the dwelling at 636 Holly Rd resulting in a setback of 14 feet. Per discussion with the applicant and per the applicant's narrative, the applicant wishes to convert the existing garage into living space to provide for their growing family, allowing the family to enjoy the home year-round. As part of the project, the applicant proposes removal of the existing street side fence located along Holly Road and relocation of the existing storage building to the west of the site. Construction of a circular drive with 2 Holly Road curb cuts is also proposed but remains pending depending on approval of the variance and compliance with the city's design standards. The drive is not a component of the variance application.

Surrounding Area Characteristics of Street Side Setbacks

The setback of homes in the immediate neighborhood of the subject site varies ranging from approximately 11 feet to 35 feet. have street side setbacks of less than 35 feet. Nearby homes with the educed setbacks include:

- 640 Holly Rd, neighboring property directly to the west, has a setback of 20 ft.
- 632 Holly Rd, neighboring property directly to the east, has a setback of 32ft.
- 656 Holly Rd, neighboring property five houses to the west, has a setback of 11ft
- 616 Holly Rd, neighboring property five houses to the east, has a setback of 15ft



Community Development Department

Variance Review Standards

Section 46-69 (b)(2) of the Cadillac City Code states that the Zoning Board of Appeals may authorize a variance from the strict application of the provisions of the Zoning Ordinance where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of the Ordinance or by reason of exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Ordinance.

Section 46-69 (4) of the Cadillac City Code states that in consideration of a variance, the Zoning Board of Appeals shall first determine that the proposed variance will not result in conditions which:

- 1) Impair an adequate supply of light and air to adjacent property
- 2) Unreasonably increase congestion in public streets
- 3) Increase the danger of fire or endanger the public safety
- 4) Unreasonably diminish or impair established property values within the surrounding area
- 5) In any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

Pursuant to the above, the application was examined based on the variance authorization and review standards of Section 46-69 (4) as follows:

Standard – The requested variance will not impair an adequate supply of light and air to adjacent property.

Finding – Based on the size, design, and placement of the addition and its location to surrounding properties, the addition is not anticipated to significantly impair adequate supplies of light and air to adjacent properties. Pursuant to this finding, it is noted that removal of the fence will enhance the internal visibility of the site and lake views.

Standard - The requested variance will not unreasonably increase congestion in public streets.

Finding – Given that the use of the site will remain as a single-family dwelling, the proposed addition and its use by family members are not anticipated to result in a significant increase in the level of traffic presently generated. Furthermore, Holly Rd has been designed, constructed, and maintained to support daily traffic levels associated with its residential setting.

Standard – The requested variance will not increase the danger of fire or endanger public safety.

Finding – The requested variance will not place the home in a position likely to increase the danger of fire to surrounding properties nor endanger public safety. The proposed addition will be subject to the receipt of proper building permits and all construction must conform to modern building code and fire safety standards.

Standard – The requested variance will not unreasonably diminish or impair established property values within the surrounding area.



Community Development Department

Finding - The use provided for by the variance creates an upgrade to an existing dwelling that is consistent with the purpose and existing character of the R-1 zone district and neighborhood area. The addition will add value to the parcel thereby adding a positive benefit to the value of the neighborhood.

Standard – The requested variance will not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

Finding –The proposed use is permitted within the underlying zone district and is consistent with the residential character of neighboring properties. In addition to zoning, the use of the property is regulated by environmental ordinances governing factors such as noise, blight, and the like.

Public Comments

Resulting from Public Notifications - Notification of the public hearing on this application was given via first-class mail to all property owners within 300 feet of the subject site. A notice of the hearing was placed in the Cadillac News, published on the City of Cadillac website, and posted on the doors at the Cadillac Municipal Complex. These notices were provided not less than 15 days prior to the hearing date. As of the date of this staff report the city has not received any written communication from the public as a result of these notifications.

Included in the Variance Application Packet - The variance application packet (part of the staff report) included communications in support of the variance from the abutting property owners:

- Larry Bylicki, 632 Holly Road
- Dan Minor, 640 Holly Road.

Board Action

Based on a finding of compliance or non-compliance with the standards of the ordinance, the Board shall approve, approve with conditions, or deny the variance application. Reasonable conditions may be attached to an approval to achieve compliance with the standards of the ordinance.

Finding Statement and Board Action (Example)

Based on the following findings, it was moved by _____, supported by _____ to _____ the following:

The construction of a 29 x 25 feet addition to the existing garage attached to the dwelling at 636 Holly Road per the applicant's site plan, resulting in a rear yard (street side) setback variance of 21 feet.

Conditions: If none, indicate none. (Note: the applicant proposes removal of the existing fence located along Holly Road. The Board may wish to consider said removal as a condition of the variance.)



**NOTICE OF PUBLIC HEARING
CADILLAC ZONING BOARD OF APPEALS
SETBACK VARIANCE APPLICATION
636 HOLLY RD, CADILLAC, MICHIGAN**

The Cadillac Zoning Board of Appeals will conduct a public hearing at its regularly scheduled meeting on Thursday, July 17, 2025, at 5:30 p.m. at the Cadillac Administrative Office, 200 North Lake Street, Cadillac, Michigan 49601 for the receipt of comment on an application filed by Dean Sinclair, owner of 636 Holly Rd. Mr. Sinclair is requesting a rear yard (street side) setback variance of 21 feet to construct a 29 x 25 feet addition to the existing garage attached to the dwelling at 636 Holly Rd resulting in a setback of 14 feet. The property is zoned R-1, One-Family Residential District. Section 46-629 of the Cadillac Zoning Ordinance requires a rear yard (street side) setback of 35 feet for dwellings and structures attached thereto. The property is described as LOT 27 JOHNSONS CADILLAC SHORES, CITY OF CADILLAC

The application may be reviewed at the city offices at 200 N. Lake Street between the hours of 9:00 a.m. and 5:00 p.m. Questions or written comments regarding the above application should be directed to the Community Development Department, 200 N. Lake Street, Cadillac, MI 49601. Written comments must be received at the Cadillac Administrative Offices no later than 5:00 p.m. of the public hearing date to be included in the public hearing record. The City of Cadillac complies with the "Americans with Disabilities Act." If auxiliary aids or services are required at a public meeting for individuals with disabilities, please contact the Community Development Department, 231-775-0181, at least three (3) business days prior to any such meeting.



Fee: _____ Payment: _____ Received Date: _____
Planning Board Approval: _____
City Council Approval: _____
Zoning Board of Appeals: _____

Zoning Application

Please select the appropriate Zoning Application you are requesting. The directions for each are listed on the following page.

Zoning Applications

☐ Rezoning \$200	☒ Zoning Board of Appeals \$150
☐ Planned Unit Development (PUD)	☐ Planning Commission Regular Business \$35 (i.e., Sign Reviews)
☐ Street Vacation \$200	☐ Site Plan Reviews \$85 (Includes 2 reviews Additional reviews charged \$50/Hr by Fire Marshall)
☐ Special Land Use \$150	
☐ Plat (includes Preliminary & Final) \$200	

Owner Name Dean & Sally Sinclair Owner Telephone [REDACTED]
Owner Address 636 Holly Road Owner Email [REDACTED]
Applicant/Representative _____ Applicant Telephone _____
Applicant Address _____ Applicant Email _____
Subject Property Address 636 Holly Road
Legal Description of Subject Property *Legal Description is preferred submitted electronically in WORD Format*

Total Acreage _____ Building Dimensions (LxWxH) _____
Construction Type _____ Number of Stories _____
Zone Classification: Present _____ Proposed _____
Present Use of Property (See attached)
Proposed Use of Property _____

The City of Cadillac must be given knowledge of every person having legal or equitable interest in land subject to this petition. It must include:

NAME, ADDRESS, EMAIL ADDRESS, PHONE NUMBER, and INTEREST

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

I hereby certify that I have a legal or equitable interest in all land subject to this petition and hereby grant permission allowing City personnel on the premises.

[Signature]
Signature of Owner

June 10, 2025
Date

Signature of Applicant

Date

June 10, 2025

Dear City of Cadillac Planning Board,

We are Dean and Sally Sinclair located on 636 Holly Road, Cadillac, MI 49601. We are asking for approval and zoning variance to construct a new addition to our Cadillac Lake House.

The reason for this new construction is to accommodate our growing family.

We plan to retire in Cadillac in the next 2-3 years and want to have enough sleeping room for our growing family of four adult children, their spouses and our two grandchildren (with more on the way!).

Thus, we are running out of room at our wonderful Cadillac Lake home so we would like to expand.

The plan is to:

1. Convert the current garage and storage space into two bedrooms, an expanded lakeside 4-season family room, mud room and laundry room.
2. Build a new 2-car garage.
3. Add a circler driveway to accommodate more cars for parking.
4. Update landscaping around new garage and driveway
5. Elevation/siding color will remain the same
6. Remove Front Fence
7. **Request:** We are asking for a 21 foot variance with this design. Current requirement is 35 rear yard set back and we are requesting a set back of 14 feet which is a 21 variance – **PLEASE NOTE:** We believe this various would be in line with north neighbor Dan Minor rear yard porch.

ATTACHED please find 1) two signed letters from our West neighbor Dan Minor and East neighbor Larry Bylicki approving the plan, 2) interior design layout and 3) property variance diagram.

We use our lake home year-round. So, we feel this will have a positive effect on the community as we can accommodate more friends and family, thus bringing more positive economic impact to the Cadillac area (i.e. summer lake outings, bike rides on the White Pine Trail, snow & cross-country skiing and snowmobiling, etc.).

Once we gain city approval we will move into architectural/mechanical plans and begin the bidding process with builders.

Please let us know ASAP if any adjustments or additional information is needed to gain approval for this home improvement request.

Thank you in advance for your time and consideration.

Please call or email with any questions.



Dean Sinclair
636 Holly Road
Cadillac, MI 49601



June 10, 2025

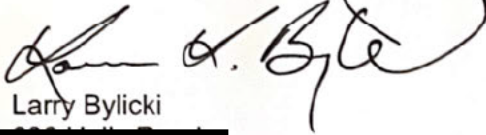
Dear City of Cadillac Planning Board,

This letter is to confirm that I have reviewed the new construction plans of my neighbors Dean and Sally Sinclair, located at 636 Holly Road.

I approve of their ideas and designs and believe this new construction will be well done and add value to our Lake Cadillac neighborhood.

Please call with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Bylicki", with a large, stylized circular flourish at the end.

Larry Bylicki

[REDACTED]
Cadillac, MI 49601

June 10, 2025

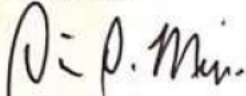
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Please call any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Minor".

Dan Minor

[REDACTED]
Cadillac, MI 49601

Dean & Sally Sinclair
636 Holly Road
Cadillac, MI 49601

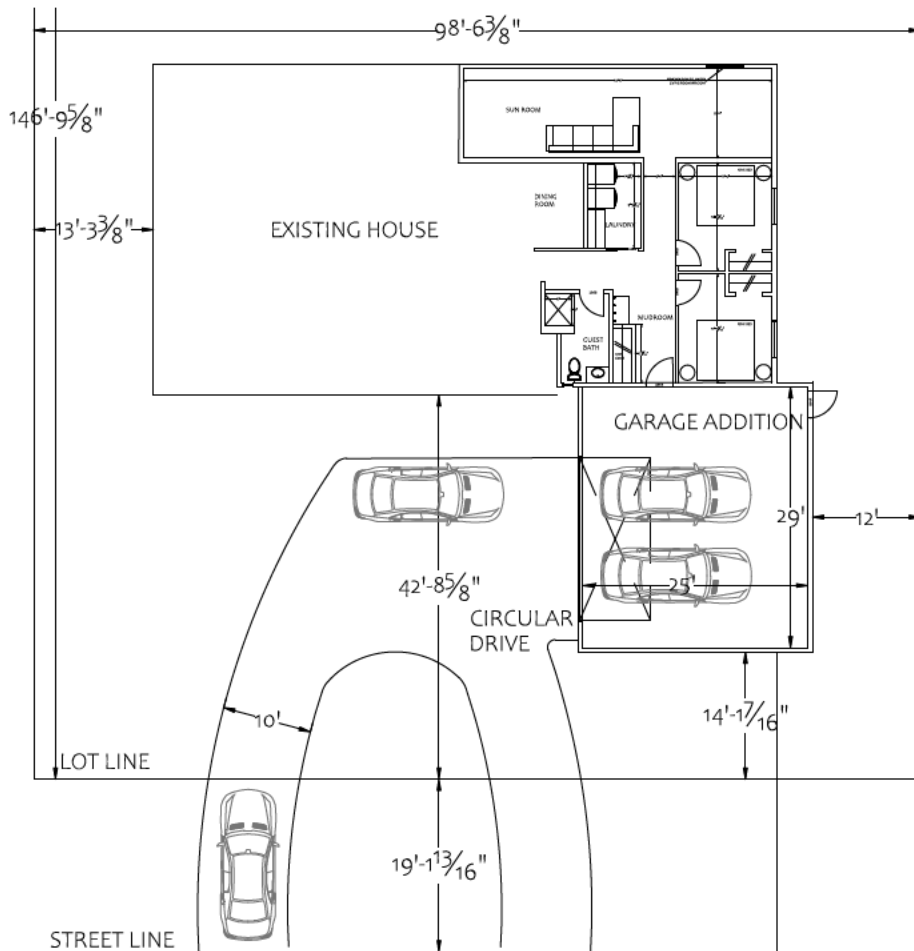
Site Plan
6.10.25



Site Plan

6.10.25





DESIGNER:



BUILDER:

TBD

ARCHITECT:

TBD

PROJECT:

Sinclair Addition

DESCRIPTION:

Site Plan

SCALE:

$\frac{1}{32}" = 1'-0"$

DRAWING DATE:

6/6/25

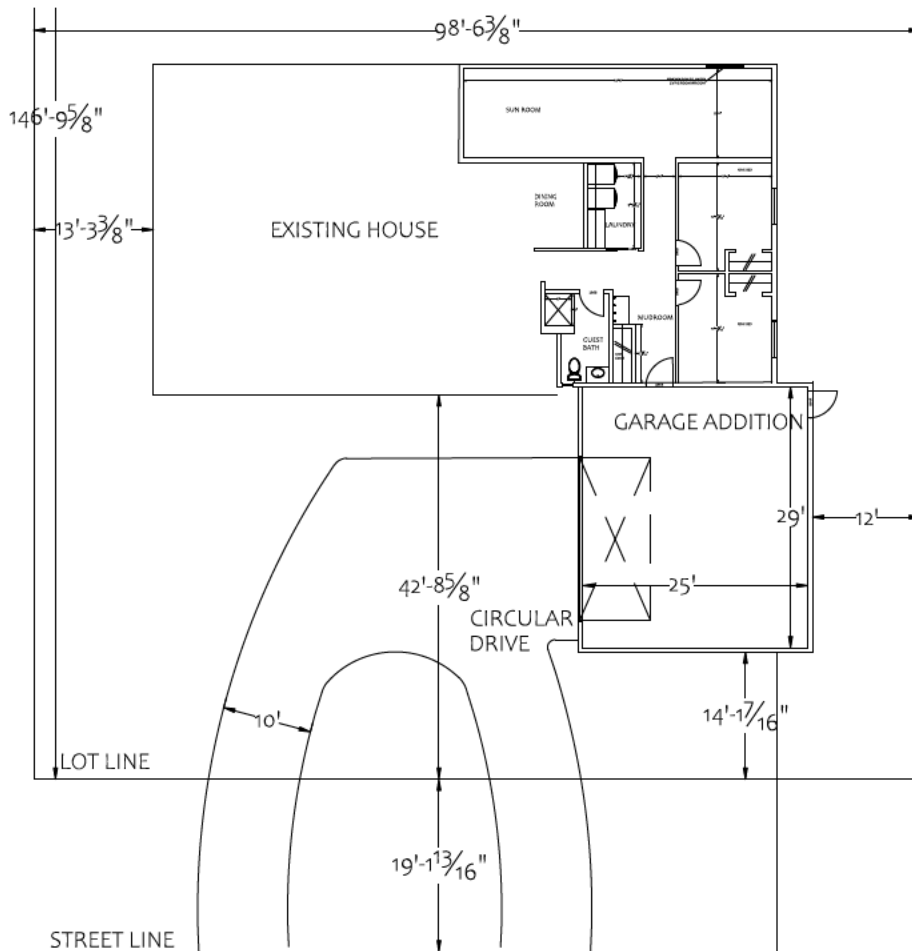
Created 6/6/25

Updated

For Quote

For Const.

D1.1



DESIGNER:



BUILDER:

TBD

ARCHITECT:

TBD

PROJECT:

Sinclair Addition

DESCRIPTION:

Site Plan

SCALE:

$\frac{1}{32}" = 1'-0"$

DRAWING DATE:

6/6/25

Created 6/6/25

Updated

For Quote

For Const.

D1.1