

The Charlevoix City Council met on Monday, October 16, 2023, with Mayor Lyle Gennett presiding. All Council Members were present. The following is an excerpt from the official records of said meeting:

**CITY OF CHARLEVOIX  
ORDINANCE NO. 843 of 2023**

AN ORDINANCE TO AMEND TITLE XV: LAND USAGE; SECTION 153.055; THE OFFICIAL ZONING MAP OF THE CITY OF CHARLEVOIX

**THE CITY OF CHARLEVOIX ORDAINS:**

**SECTION 1. Title XV, Chapter 153, Section 153.055 (B) of the City of Charlevoix Code is hereby amended to change the following parcels zoning districts as follows:**

**SECTION 2. Description of the amended rezone districts:**

**Rezone the following parcels, full described from R-1 Single Family District to R-2 Single Family District: in the City of Charlevoix, Charlevoix County, Michigan,**

1. **510 W. Garfield Ave.** 052-227-001-25: COM AT S1/4 COR SEC 27 T34N R8W TH AL N &S1/4 LI SD SEC NODEG56'18"E 1155.34 FT TO NWLY COR ROBERT & BARBARA TIMMS PROP DESC L242 P475 CX CO R/D FOR POB TH CONTAL SD 1/4 LI N00DEG56'18"E 147.12FT TO SLI GARFIELD AVE TH A S LI GARFIELD AVE S89DEG41'39"E 148FT TH S00DEG56'18"W 147.16FT TO NLY LI SD TIMMS PROP TH AL SD LI N89DEG40'45"W 148FT TO POB BEING PT SW1/4 OF SE1/4 SEC 27 T34N R8W 95SP1094 FROM 227-001-100
2. **508 W. Garfield Ave.** 052-227-001-20: COM AT S1/4 COR SEC 27 T34N R8W TH AL N&S1/4 LI SD SEC N00DEG56'18"E 1155.34FT TO NWLY COR ROBERT & BARBARA TIMMS PROP DESC L242 P475 CX CO R/D TH CONT AL SD 1/4 LI N00DEG56'18"E 147.12FT TO S LI GARFIELD AVE SD PT BEING S00DEG56'18"W 16.5FT OF INTER S1/8 LI WI N&S1/4 LI SD SEC TH AL S LI SD AVE S89DEG41'39"E 148 FT FOR POB TH CONT S89DEG41'39"E 74FT THS00DEG04'11"E 138.69FT TO NLY LI SD TIMMS PROP TH AL SD PROP LI N85DEG11'48"W 47.16FT TH CONTAL SD LI S00DEG41'09"W 12.17FT(RECD AS 11.80FT) TH CONT AL SD LI N89DEG40'45"W 29.43FT TH N00DEG56'18" E 147.16FT TO POB BEING PT OF SW1/4 OF SE1/4 SEC 27 T34N R8W 95SP1094 FROM 227-001-10
3. **601 Sheridan St.** 052-227-001-15: COM AT S 1/4 COR SEC 27 T34N R8W TH AL N&S 1/4 LI SD SEC N00DEG56'18"E 1302.46 FT TO S LI GARFIELD AVE SD PT BEING S00 DEG56'18"W 16.5FT OF INTER OF S 1/8 LI WI N&S 1/4 LI SD SEC TH AL S LI SD AVE S88DEG41'39"E 222FT BEING POB TH CONT AL SD LI S89DEG41'39"E 161.16FT TO NWLY LI NORWOOD RD TH AL SD RD LI S20DEG14'23"W 156.47FT TO NELY COR OF ROBERT & BARBARATIMMS PROP DESC IN L242 P475 CHX CO REC TH AL NLY LI OF SD TIMMS PROP N85DEG11' 48"W 107.23FT TH N00DEG04'11"W 138.69FT TO POB BEING PART OF SW 1/4 OF SE 1/4 SEC 27 T34N R8W PARCEL A 90SP 1189 FROM 227-001-00
4. **602 Sheridan St.** 052-227-009-00: BEG AT PT ON ELY LI OF STATE RD 2 RDS S OF INTERSECTION OF E&W1/8 LI OF SEC 27 T34N R8W WI ELY LI OF STATE RD TH E 84.5FT TH S 120 FT TH W TO ELY LI OF STATE RD TH NELY AL ELY LI OF STATE RD TO POB
5. **603 Sheridan St.** 052-227-002-00: BEG ON THE N&S 1/4 LI SEC 27 T34N R8W 163.5 FT S OF THE S 1/8 LI SD SEC TH E PARA WITH SD S 1/8 LI 177.13 FT TH N PARA WITH SD N&S 1/4 LI 11.8 FT TH SE'LY 154.1 FT TO NW'LY LI OF NORWOOD RD TO A PTE WHICH IS PARA WITH SD S 1/8 LI AND PASSES THRU THE POB TH SW'LY AL SD NW'LY LI OF SD RD 90.28 FT TH NW'LY AT AN ANG OF 81DEG10'53" TO THE RIGHT FROM LAST DESC CRSE 85.40 FT TH SW'LY AT AN ANG OF 13DEG08'06" TO THE LEFT FROM LAST DESC CRSE 217.05 FT TO SD N&S 1/4 LI TH N AL SD 1/4 LI 75FT TO POB BEING PT OF SW 1/4 OF SE 1/4 SEC 27 T34N R8W PREVIOUSLY DESCRIBED AS: BEG ON N&S1/4 LI SEC 27 T34N R8W 163.5FTS OF S1/8 LI SD SEC TH E PARA WI S1/8 LI 177.13 FT TH N PARA WI SD N&S1/4 LI 11.8FT TH SELY 154.1 FT TO NWLY LI NORWOOD RD SD ST BEING ON LI WHICH IS PARA WI SDS1/8 LI & WHICH PASSES THRU POB TH SWLY AL NWLY LI SD RD TO INTER WI S LI OF N 492 FT OF SW1/4 OF SE1/4 SD SEC BEING ONN LI OF FORMER EARL MILLER PROP TH WLY AL NLY LI SD MILLER PROP TO SD N&S1/4 LI TH NLY AL SD 1/4 LI TO POB BEING PT OF SW1/4 OF SE1/4 SEC 27-34-8
6. **604 Sheridan St.** 052-227-011-00: N 60 FT OF FOLLOWING:COM 5 RDS & 2 FT E & 153 FT S OF INTER OF E&W1/8 LI SEC 27 T34N R8W WI E LI OF EMMET & GRAND TRAV STATE RD TH S 120 FT TO N LI OF ROBINSONAVE CLARKS ADD IF EXTEND TH DUE W TO E LI OF E> STATE RD TH NELY AL E LI SD STATE RD TO PT DUE W OF POB TH E TO POB BEING PT OF SW1/4 OF SE1/4 SEC 27-34-8
7. **605 Sheridan St.** 052-227-003-00: BEG ON THE N&S 1/4 LI SEC 27 T34N R8W 163.5 FT S OF THE S 1/8 LI SD SEC TH E PARA WITH SD S 1/8 LI 177.13 FT TH N PARA WITH SD N&S 1/4 LI 11.8 FT TH SE'LY 154.1 FT TO NW'LY LI OF NORWOOD RD TO A PTE WHICH IS PARA WITH SD S 1/8 LI AND PASSES THRU THE POB TH SW'LY AL THE NW'LY LI OF SD RD TO ITS INTER W/ THE S LI OF THE N 492 FT TO THE SW 1/4 OF SE 1/4 SD SEC BEING THE N LI OF THE FORMER EARL W MILLER PROP TH W'LY AL THE N'LY LI OF SD MILLER PROP TO SD N & S 1/4 LI TH N'LY AL SD 1/4 LI TO POB BEING PT OF THE SW 1/4 OF SE 1/4 SEC 27 T34N R8W EXC BEG ON THE N&S 1/4 LI SEC 27 T34N R8W 163.5 FT S OF THE S 1/8 LI SD SEC TH E PARA WITH SD S 1/8 LI 177.13 FT TH N PARA WITH SD N&S 1/4 LI 11.8 FT TH SE'LY 154.1 FT TO NW'LY LI OF NORWOOD RD TO A PTE WHICH IS PARA WITH SD S 1/8 LI AND PASSES THRU THE POB TH SW'LY AL SD NW'LY LI OF SD RD 90.28 FT TH NW'LY AT AN ANG OF 81DEG10'53" TO THE RIGHT FROM LAST DESC CRSE 85.40 FT TH SW'LY AT AN ANG OF 13DEG08'06" TO THE LEFT FROM LAST DESC CRSE 217.05 FT TO SD N&S 1/4 LI TH N AL SD 1/4 LI 75FT TO POB BEING PT OF SW 1/4 OF SE 1/4 SEC 27 T34N R8W PREVIOUSLY DESCRIBED AS: BEG 235.5 FT S OF NW COR OF S1/2 SE1/4 SEC 27 T34N R8W TH S 256.5 FT TH E TO WLY LI OF STATE RD TH NELY AL STATE RD TO PT E OF PT OF POB TH W TO POB PT SEC 27-34-8
8. **608 Sheridan St.** 052-227-010-00: BEG 84.5 FT E & 153 FT S INTERSECTION E&W1/8 LI SEC 27 T34N R8W WI ELY LI STATE RD S 120 FT W TO ELY LI RD NELY ALG RD TO PT W OF POB E TO POB EX:N 60FT
9. **610 Sheridan St.** 052-227-012-00: BEG 84.5 FT E & 273 FT S INTERSECTION E &W1/8 LI SEC 27 T34N R8W WI ELY LI STATE RD TH S 233.5 FT TH W TO ELY LI SD RD THNELY AL SD RD TO PT W OF POB TH E TO POB
10. **611 Sheridan St.** 052-227-005-00: COM AT A PT 40 RDS N OF SW COR OF S1/2 OF SE1/4 SEC 27 T34N R8W TH E 16 RDS TH N 10 RDS TH W 16 RDS TH S AL 1/4 LI TO POB EX:THAT PT LYING ELY OF NORWOOD RD
11. **612 Sheridan St.** 052-227-012-15: COM ON E LI EMMET GRAND TRAV STATE RD 2 RDS S FRM PT WHERE E&W1/8 LI INTER SD STATE RD IN S1/2 OF SE1/4 SEC 27 T34N R8W TH E 5 RDS 2FT TH S 548.5FT TH W132.5FT FOR POB TH N9DEG16'30"E 75.99FT TH W 120.25FT M/L TO E LI SD RD TH SLY AL SD RD 79.14FT TO PT W OF POB TH E 132.5FT M/L TO POB BEING PT S1/2 OF SE1/4 SEC 27-34-8 ALSO BEG AT A PT 660FT N & 264FT E OF SW COR OF SE1/4 SEC 27 T34N R8W TH N TO E LI STATE RD TH SWLY AL E LI SD RD TO A PT W OF POB TH E TO POB ALSO BEG 672.5FT N & 264FT E OF SW COR OF SE1/4 SEC 27-34-8 TH E 99FT TH N 66FT TH W 99FT TH S 66FT TO POB PT OF SW1/4 OF SE1/4 SEC 27-34-8 COMBINATION on 03/22/2004 from 052-227-004-20, 052-227-012-10
12. **000 Whitley St.** 052-227-012-20: COM ON E LI EMMET-GRAND TRAV STATE RD 2 RDS S FRM PT WHERE E&W 1/8 LI INTER SD RD IN S 1/2 OF SE 1/4 SEC 27 T34N R8W TH E 5 RDS 2 FT TH S 473.5 FT FOR POB TH CONT S 75 FT TH W 132.5 FT TH N9 DEG 16'30"E 75.99 FT TH E 120.25 FT M/L TO POB BEING PART OF S 1/2 OF SE 1/4 SEC 27-34-8.
13. **819 Whitley St.** 052-227-013-00: BEG 536 FT E & 640.5 FT N SW COR SE1/4 SEC 27 T34N R8W N 98 FT W 173 FT S 66 FT W 99 FT S 12.5 FT W TO SE'LY LI STATE RD SWLY ALG RD TO PT W OF BEG E TO BEG PT SEC 27-34-8.
14. **000 Sheridan St.** 052-227-006-00: BEG 660 FT S OF NW COR S1/2 SE1/4 SEC 27T34N R8W TH S 198 FT TH E TO WLY LI STATE RD TH NELY AL STATE RD TO PT E OF POB TH W TO POB PT SEC 27-34-8
15. **621 Sheridan St.** 052-227-008-00: BEG AT A PT ON N & S 1/4 LI 28 RDS N OF SW COR OF S 1/2 OF SE 1/4 TH E TO W LI OF STATE RD TH SW'LY AL W LI OF SD RD 100 FT TH W TO N & S 1/4 LI TH N TO POB BEING PT OF S 1/2 OF SE 1/4 SEC 27-34-8.

16. **000 Sheridan St.** 052-227-007-00: SEC 27 T34N R8W COM 28 RDS N OF SW COR OF S 1/2 OF SE 1/4 S ON 1/4 LI TO W LI O OF STATE RD NE AL W LI DUE E OF BEGW TO BEG EX: BEG AT PT ON N & S 1/4 LI 28 RD N OF SW COR S 1/2 OF SE 1/4 TH E TO W LI OF STATE RD TH SW'LY AL W LI OF SD RD 100 FT TH W TO N & S 1/4 LI TH N TO POB BEING PT OF S 1/2 OF SE 1/4 27-34-8.
17. **107 Stover Rd** 052-335-050-00 COM AT INTER OF MAY & STOVER MAY BEING ON W1/8 LI OF SEC 35 T34N R8W W ALG C/L STOVER 244 FT BEING POB CONT W ALG SD RD102.5FT TO SW COR FRED DECASTRO PROP N ALG W LI DECASTRO PROPERTY 315 FT E PARASTOVER TO PT 244 FT W C/L MAY ST TO POB PT SW1/4 OF NW1/4 SEC 35-34-8 SUB TO R/WOF STOVER RD

**Rezone the following parcels, fully described from (GC) General commercial to R-4 Multi Family District: in the City of Charlevoix, Charlevoix County, Michigan,**

1. **743 Petoskey Ave** 052-123-075-00: BEG 840.4 FT W E1/4 COR SEC 23 T34N R8W W ON 1/4 LI 138 FT S TO N LI PETOSKEY AVE ELY ON SD AVE TO PT S OF POB N TO POB PT N1/2 SE1/4 SEC 23 T34N R8W; NOW MORE PARTICULARLY DESCRIBED AS: COM AT WELL BOX @ E.K. ROBINSON'S (COUNTY SURVEYOR) POSITION OF THE E1/4 COR SEC 23 T34N R8W TH AL E.K. ROBINSON'S E&W1/4 LI SD SEC N89DEG55'52"W 842.82FT (RECD AS 840.4FT & MEAS 840.60FT FROM DC NETTLETON'S DEPUTY COUNTY SURVEYOR, E1/4 COR) FOR POB TH S00DEG05'02"W (RECD AS S) 31.90FT TH CONT S00DEG05'02"W (RECD AS S) 1.10FT TO S LI DIVISION ST TH CONT S00DEG05'01"W (RECD AS S) 382.66FT TO N LI PETOSKEY AVE TH AL SD AVE LI S69DEG01'16"W 147.88FT TO E LI CITY OF CHARLEVOIX PROP TH AL E LI SD CITY'S PROP N00DEG05'01"E (RECD AS N) 435.77FT TO S RD LI TH CONT N00DEG05'01"E (RECD AS N) 33FT TO SD ROBINSON'S 1/4 LI TH AL E&W1/4 LI S89DEG55'52"E 138FT TO POB BEING PT NE1/4 OF SE1/4 SEC 23-34-8
2. **745 Petoskey Ave** 052-123-076-00: COM 737.9FT W E1/4 COR SEC 23 T34N R8W S0DEG09'E 406.8FT TO C/L PETOSKEY AVE S69DEG 06'W ON PETOSKEY AVE 108.55FT N0DEG17'W 445.5FT TO E&W 1/4 LI E ON 1/4LI 102.5FTTO POB PT NE1/4 OF SE1/4
3. **747 Petoskey Ave** 052-123-077-00: COM AT A PT 737.9 FT W OF E1/4 POST SEC 23 T34N R8W TH S0DEG09'E 406.8 FT TO C/L PETOSKEY AVE TH N69DEG06'E AL SD C/L 59.2 FT TH N 406 FT TH W AL 1/4 LI SEC 23 56 FT TO POB ALSO DESC AS: BEG AT A PT 684.09FT W OF 1/4 POST BETWEEN SEC 23&24 S 384.12FT TO C/L OF PETOSKEY AVE TH SW'LY AL C/L OF PETOSKEY AVE 59.20FT TH N TO 1/4 LI TH E 56.00FT TO POB BEING PT OF N 1/2 OF SE 1/4 OF SEC 23 T34N R8W
4. **680 Division Street** 052-123-079-10: COM AT THE E 1/4 COR OF SEC 23 T34N R8W TH AL THE E-W 1/4 LI OF SD SEC N89°26'22"W 600.19 FT TO A PT IN THE C/L OF DIVISION ST BEING THE POB TH CONT AL SD 1/4 LI N89°26'22"W 81.74 FT TH S00°29'50"W 32.93 FT TO A 1 INCH PIPE ON THE S LI OF SD ST TH CONT S00°29'50"W 142.88 FT TO A 1 INCH PIPE TH S89°24'59"E 66.73 FT TO A 1 INCH PIPE TH CONT S89°24'59"E 15.68 FT TO A 1/2" IR ROD TH N00°16'58"E 142.96 FT TO A 1/2" IR ROD ON THE S LI OF SD ST TH CONT N00°16'58"E 32.89 FT TO THE POB BEING A PT OF THE NE 1/4 OF THE SE 1/4 OF SEC 23 T34N R8W AND CONT 0.331 A COMBINED ON 12/09/2022 FROM 052-123-079-00 & PT OF 052-123-080-00
5. **755 Petoskey Ave** 052-123-080-10: COM AT THE E 1/4 COR OF SEC 23 T34N R8W TH AL THE E-W 1/4 LI OF SD SEC N89°26'22"W 489.99 FT (REC AS 490.05 FT) TO A PT IN THE C/L OF DIVISION ST BEING THE POB TH CONT N89°26'22"W 110.20 FT TH S00°16'58"W 32.89 FT TO A 1/2" IR ROD ON THE S LI OF DIVISION ST TH CONT S00°16'58"W 287.44 FT TO A PK NAIL ON THE N LI OF PETOSKEY AVE (US-31 ) TH CONT S00°16'58"W 32.16 FT TO THE C/L OF SD AVE TH AL THE C/L OF SD AVE N69°55'01"E 116.29 FT TH N00°30'04"E 33.14 FT TO A 1/2" IR ROD ON THE N LI OF SD AVE TH CONT N00°30'04"E 245.42 FT TO A 1/2" SQUARE BAR ON THE S LI OF SD ST TH CONT N00°30'04"E 32.93 FT TO THE POB BEING A PT OF THE NE 1/4 OF THE SE 1/4 OF SEC 23 T34N R8W AND CONT 0.835 A SPLIT ON 12/09/2022 FROM 052-123-080-00

**Rezone the following parcels, full described from (R-2A) Residential to R-1 Residential District: In the City of Charlevoix, Charlevoix County, Michigan,**

1. **106 Dixon Ave.** E 052-126-037-15: BEG AT PT ON S LI OF DIXON AVE 294.5FT E OF E LI OF MICH AVE TH CONT E AL SD DIXON AVE 74.5FT TH S 198FT TH W 74.5FT TH N11DEG17'50"E 53.45FT TH N7DEG57'W 56FT TH N1DEG43'58"W 90.16FT TO POB BEING PT GOV LOT 2 SEC 26-34-8 .321A 97SP0996 FROM 126-037-00
2. **106 Dixon Ave.** E 052-126-037-10: BEG AT PT ON S LI OF DIXON AVE 220 FT E OF E LI OF MICH AVE TH S 198FT TH E 74.5 TH N11DEG17'50"E 53.45FT TH N7DEG57'W 56FT TH N1DEG43'58"W 90.16FT TO S LI OF DIXON AVE TH AL SD DIXON AVE W 74.5FT TOPOB BEING PT GOV LOT 2 SEC 26-34-8 .356A 97SP0996 FROM 126-037-00
3. **304 Michigan Avenue** 052-153-001-00: LOTS 1 & 2 OF BLOCK 3 OF DIXONS ADDITION
4. **1032 May Street** 052-335-062-20 87SP/COMB 335-062-10/335-062-00 PT OF SE 1/4 OF NW 1/4 OF SEC 35 T34N R8W DESC AS COM AT INTERS C/L MAY ST & STOVER RD IN CITY OF CX TH E AL C/L OF SD STOVER RD 238.37 FT TH N 269.94 FT THW 238.37 FT TO C/L OF SD MAY ST TH S ON C/L OF SD MAY ST 269.94 FT TO POB EX: COM AT 5/8 IN BAR AT W 1/4 COR OF SEC 35-34-8 TH N 0DEG 49'24"W AL W LI OF SD SEC 1229.33 FT TH N 89DEG 42'35"E 1320.49 FT TO W1/8 LI OF SD SEC TH S 0DEG 49'59" E 411.6 FT TO PT IN C/L OF MAY ST HAVINGBEEN RECD AS 27.78 CHS S OF N LI OF SD SEC BEING POB OF DESC TH N 89DEG 41'16"E 238.2 FT (RECD AS E 238.37 FT) TO A T-IR ST TH S 0DEG 51'12"E 9RECD AS S) 100 FT TO 1/2 IN ROD TH S 89DEG 41'16-"W 238.24 FT TO SD W 1/8 LI TH N 0DEG 49'59"W (RECD AS N) AL SD 1/8 LINES & AL C/L OF SD RD 100 FT TO POB BEING PT OF SE 1/4 OF NW 1/4 SEC 35-34-8.

The City of Charlevoix Planning Commission is proposing to rezone the following parcels, full described from (R-2A) Residential to R-2 Residential District: in the City of Charlevoix, Charlevoix County, Michigan,

1. **305 & 307 Crain Street** 052-280-045-00: R2 WESTPORT LOTS 45 & 48
2. **107 Stover Rd** 052-335-050-00: COM AT INTER OF MAY & STOVER MAY BEING ON W1/8 LI OF SEC 35 T34N R8W W ALG C/L STOVER 244 FT BEING POB CONT W ALG SD RD102.5FT TO SW COR FRED DECASTRO PROP N ALG W LI DECASTRO PROPERTY 315 FT E PARASTOVER TO PT 244 FT W C/L MAY ST TO POB PT SW1/4 OF NW1/4 SEC 35-34-8 SUB TO R/WOF STOVER RD

**SECTION 3. Severability**

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

**SECTION 4. Effective Date**

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. 843 was adopted on the 16th day of October 2023 A.D., by the Charlevoix City Council as follows:

Motion by Kalbfell, seconded by Hagen to approve Ordinance Amendment 843 of 2023 as presented.

Yeas: Spring, Hagen, Knapp, Kalbfell, Parr, Cole

Nays: None

Absent: None

**Motion carried.**

State of Michigan }  
City of Charlevoix } §

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Sarah J. Dvoracek

Clerk

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Lyle Gennett

Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 841 of 2023 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on October 16, 2023 and published in the *Charlevoix Courier* on October 20, 2023, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1876.

Dated: October 17, 2023

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Sarah J. Dvoracek, City Clerk