

Berlin Charter Township

8000 Swan View • Newport, MI 48166 • (734) 586-2187 • Fax (734) 586-8900



Supervisor
Mary Jo Gedelian

Clerk
Gina M. Swiercz

Treasurer
Deborah L. Masserant
MiCPT

Trustees
Kellie M. Long
Kyle R. Long
Neil J. Masserant
John S. Sorovetz

BERLIN CHARTER TOWNSHIP ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING Tuesday June 3, 2025

Public Notice is hereby given that the Berlin Charter Township Zoning Board of Appeals will hold a Public Hearing at 7:30 P.M. on Tuesday, June 3, 2025, at the Berlin Charter Township Laginess Park, located at 9505 Brandon Rd., Newport, Michigan to consider the following:

A request from James & Kristi Farley, for variance to the Berlin Charter Township Zoning Ordinance:

Section 18.57C Agricultural District Dimensional Requirements
Proposed accessory building minimum front yard setback.

Parcel ID# 5803 031 007 03

The property is located at 9881 Brandon Road, Newport, MI 48166, in Berlin Charter Township, Michigan.

A complete copy of the proposed variance request is available for review at the Office of the Building Department between the hours of 8:00 A.M. to 4:30 P.M., Monday through Friday or available on our Township website.

Sincerely,

Mary Jo Gedelian, Zoning Official

Publish Once:
Display Ad:

**BERLIN CHARTER TOWNSHIP
APPLICATION FOR APPEAL**

Please Print or Type (use back of application if more space is needed).

I/We James Farley of 9881 Brandon Rd
(name) (address)

Hereby Appeal to the Zoning Board of Appeals from the decision of the Building
Inspector, on Building Permit No. _____ Dated _____
Building Permit Denied to: Front yard setback.

- | | |
|---|---|
| <input type="checkbox"/> A Zoning Compliance Permit | <input type="checkbox"/> A Conditional Use Permit |
| <input type="checkbox"/> A Certificate of Occupancy | <input type="checkbox"/> A Site Plan Certificate |

Address of Property Involved: 9881 Brandon Rd Newport Michigan
Legal Description: 5803 031 007 03

Provisions of the Zoning Ordinance Appealed (indicate the Article, Section, Sub-section,
and paragraph of the Zoning Ordinance being appealed by number.

Do not quote the ordinance Article 4 District Regulations,
Section 18-57 c Front yard setback

TYPE OF APPEAL -- Appeal is made herewith for:

- ☒ A variance from Zoning Ordinance
- ☐ An Interpretation of the Zoning Ordinance
- ☐ A temporary use permit

For the following reasons: Front yard setback

Date: 4-29-2025 Appellant: [Signature]
(Signature)

Fee Received: \$ 750 Building Inspector [Signature]
R# 7774 ✓ # 6432 (Signature)

FOR ZONING BOARD OF APPEAL USE ONLY

At a meeting of the Zoning Board of Appeals on _____, 20____
the above described appeal was considered and it was determined that the:

REQUESTED: ☐ Variance ☐ Temporary use permit
BE: ☐ Granted ☐ Denied

For the following reason: _____

Requested interpretation be as follows: _____

by: _____
Chairman, Zoning Board of Appeals

Berlin Charter Township

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BUILDING DEPARTMENT PERMIT APPLICATION

(734) 586-2187 ext 5 maryjo@berlintwp.net or kim@berlintwp.net

NOTE: Separate applications must be completed for Plumbing, Mechanical, & Electrical Work Permits

I. ADDRESS OF PROJECT	PARCEL ID #	ESTIMATED VALUE OF PROJECT
9881 Brandon		
Description of Project: Pole Barn 24x30		Ag <input type="checkbox"/> Residential 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> RM1 <input type="checkbox"/> RM 2 <input type="checkbox"/> RM 3 <input type="checkbox"/> MH <input type="checkbox"/> B1 <input type="checkbox"/> B2 <input type="checkbox"/> L1 <input type="checkbox"/> L2 <input type="checkbox"/>
ATTACH A SITE PLAN OR DRAW ON BACK OF APPLICATION		

II. APPLICANT	
Applicant (if not Contractor— Owner or Lessee)	Address
Owner	9881 Brandon Rd
City	State
Newport	MI
Zip Code	Phone with Area Code
48166	734-777-0916
Fax Number	
Owner or Lessee	Address
City	State
Zip Code	Phone with Area Code
Fax Number	
Contractor	Address
City	State
Zip Code	Phone with Area Code
Fax Number	
Builder's License Number	Federal Employer ID Number or reason for exemption
Worker's Comp Insurance Carrier or reason for exemption	Unemployment Insurance Agency Employer Account # or reason for exemption

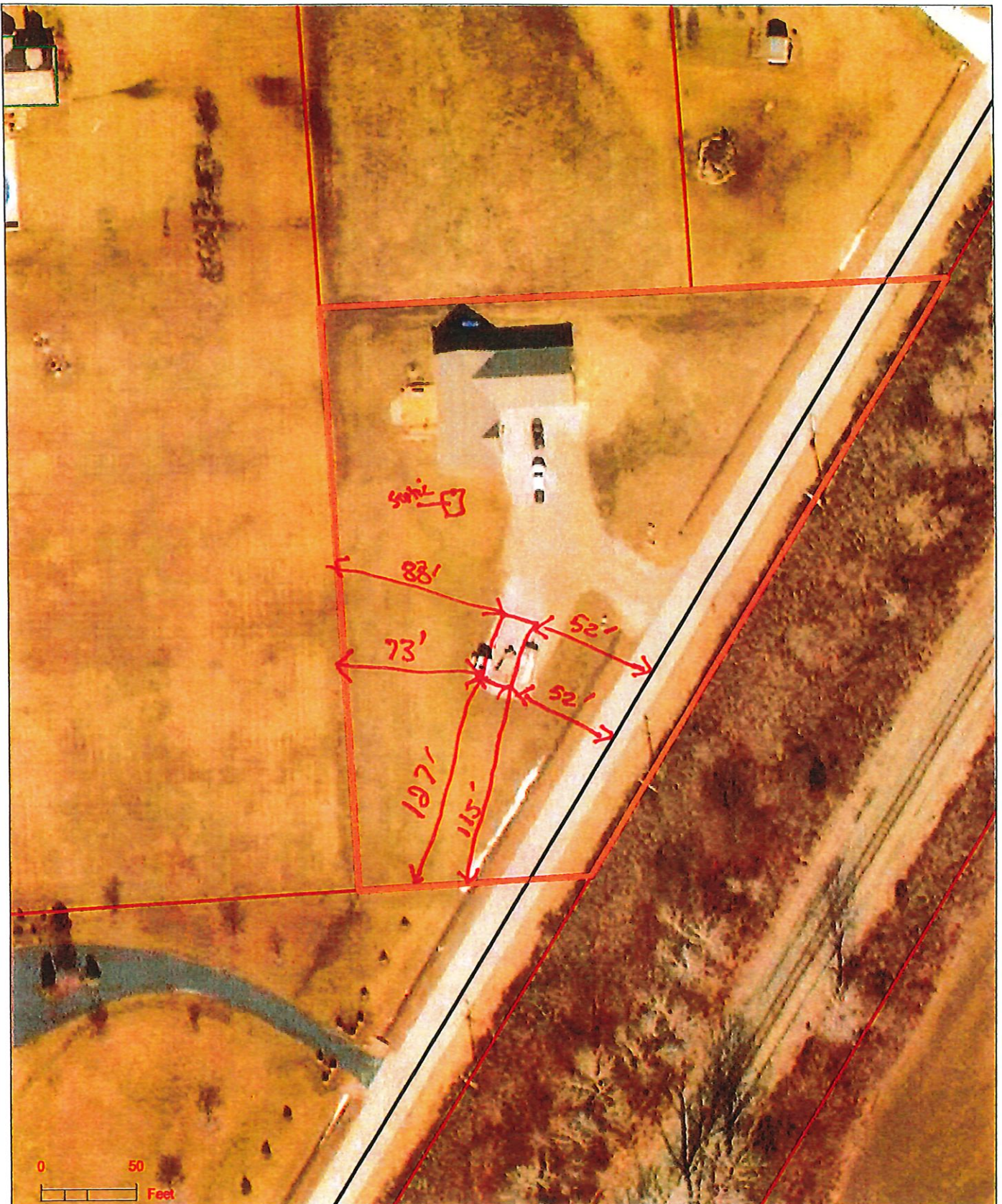
III. TYPE OF JOB (type of improvement)				
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Alteration	<input type="checkbox"/> Accessory Building	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
<input type="checkbox"/> Mobile Home Set-Up	<input type="checkbox"/> Pool	<input type="checkbox"/> Addition	<input type="checkbox"/> Demolition	<input type="checkbox"/> Other

IV. SIGNATURE	
I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE STATE OF MICHIGAN. ALL INFORMATION SUBMITTED ON THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE.	
Section 23a of the state construction code act of 1972, act no 230 of the Public Acts of 1972, being section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subject to civil fines.	
SIGNATURE OF OWNER (required)	TYPE OR PRINT
James Farley	James Farley
SIGNATURE OF BUILDER (required)	TYPE OR PRINT

BUILDING PERMIT FEE ENCLOSED \$ _____

(The first \$100.00 of an application is non-refundable) (Includes \$50.00 Certificate of Occupancy Fee)

BERLIN 2021 MAPS



52' From the center of the road
9881 Brandon Road

AFFIDAVIT OF OWNERSHIP
OF LAND IN
BERLIN CHARTER TOWNSHIP

STATE OF MICHIGAN)

COUNTY OF MONROE)

James Farner

(Name of Individual or Company)

of

9881 Brandon Rd, Newport, MI 48166

(Address, City)

the

of

(title of Officer)

(Company)

being duly sworn, deposes and says that he/ she lit is/ are the owners, by reason of being a land contract vendor, vendee or titleholder of the lands or premises described in the attached Application for Hearing by the Berlin Chaffer Township Planning Commission.

Further, that

(Name)

of

(Address, City, Telephone)

has been designated as my representative for purposes of appealing an order, denial or determination of requirement of the Berlin Charter Township Building Code, as amended, or the Berlin Township Official Zoning Ordinance, as amended.

Further, deponent sayeth not.

James Farner

Signature *Leave

blank if not applicable.

Subscribed and sworn to before me, on this day of ,

20

Kimberly Ann Copeman

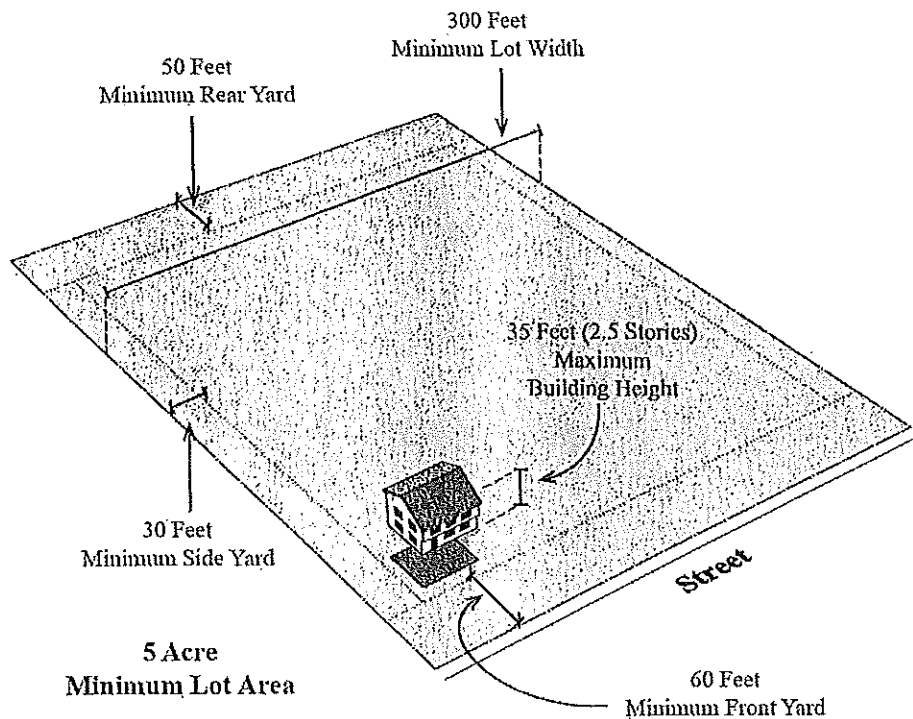
Notary Public

Monroe County, Michigan My

KIMBERLY ANN COPEMAN
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MONROE
My Commission Expires April 18, 2026
Acting in the County of Monroe

Commission expires:

April 18, 2026



D. Supplemental District Standards.

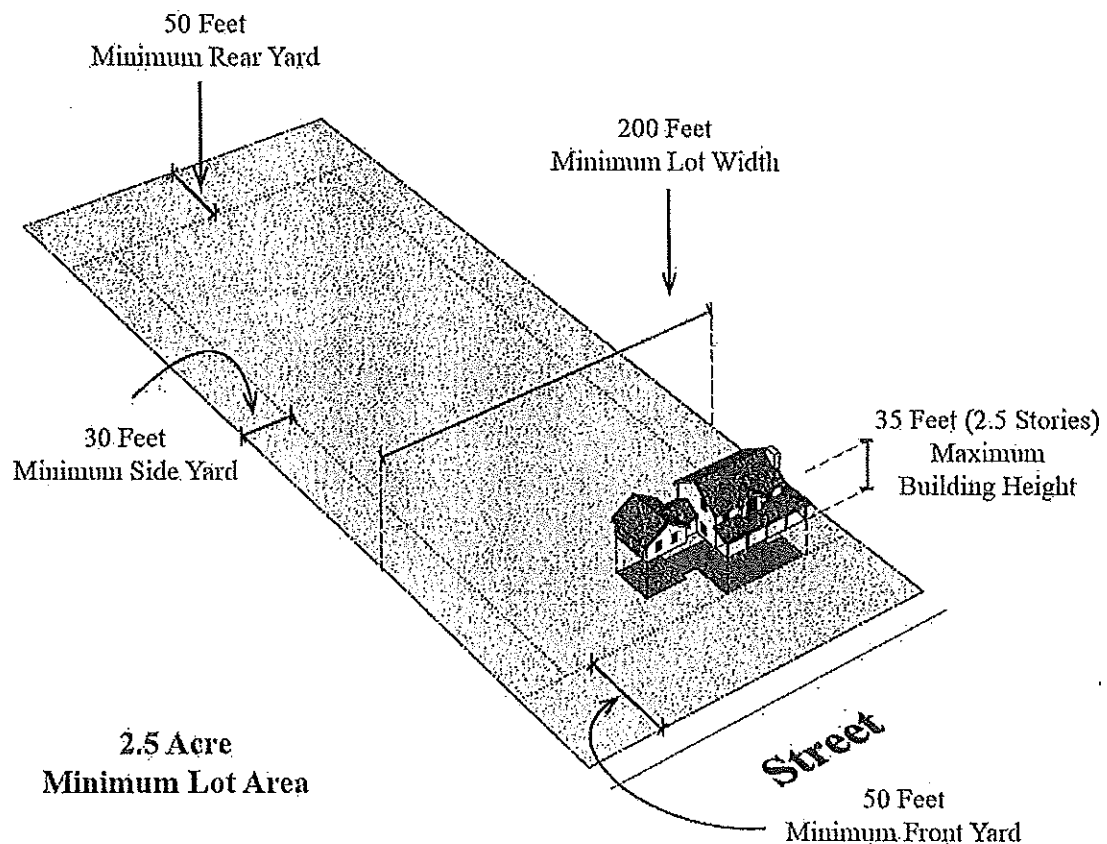
1. In addition to those bulk regulations listed in Section 18.56.C., all development shall conform to supplemental bulk regulations as listed in Section 18.67.
2. Where livestock is raised or kept, no structure, or storage of hay, feed, or manure, shall be located less than fifty (50) feet from a property line.

SECTION 18.57 AG AGRICULTURAL DISTRICT

- A. **Intent.** The Agricultural district is intended to protect and preserve agricultural land uses, maintain rural character, minimize population density, and minimize the burden on public facilities and services. It is also the intent of this district to allow only low-density residential use which promotes open space preservation and is compatible with and maintains existing agricultural operations. Accordingly, the AG district allows both agricultural uses and single-family dwellings.
- B. **Use Regulations.** Section 18.68 sets forth permitted, accessory, and special land uses allowed in the AG district.
- C. **Dimensional Requirements.** The following dimensional requirements shall apply to development within the AG District:

Table 18.57-C AG Agricultural District Dimensional Requirements								
Minimum Lot Area & Width		Maximum Lot Coverage		Minimum Yards & Setbacks			Maximum Building Height	
Area in Acres	Width in Feet	Gross	Impervious Surface Ratio	Front Yard in Feet	Each Side Yard in Feet	Rear Yard in Feet	in Feet	in Stories
2.5	200	N/A	10%	50	30	50	35	2.5

Figure 18.57-C. AG Agricultural District Dimensional Requirements



D. Supplemental District Standards.

1. In addition to those bulk regulations listed in Section 18.57.C., all development shall conform to supplemental bulk regulations as listed in Section 18.67.
2. Where livestock are raised or kept, no structure, or storage of hay, feed, or manure, shall be located less than fifty (50) feet from a property line.

**BERLIN CHARTER TOWNSHIP
ZONING ORDINANCE AMENDMENT
Ordinance No. 01 - 21 ; Date of Adoption: 03/22/21**

An Ordinance to amend the Berlin Charter Township Zoning Ordinance by modifying Section 18-204 regarding Accessory Buildings to Article 9 General Provisions.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF BERLIN HEREBY ORDAINS:

Section 1. Title:

This Ordinance shall be known and referred to as Berlin Charter Township Zoning Ordinance Amendment No. 01 - 21 revising Article 9, Section 18-204.

Section 2.

Berlin Charter Township Zoning Ordinance is hereby amended by revising Section 18-204 regarding Accessory Buildings as follows:

SECTION 18-204 Accessory Buildings.

No temporary buildings shall be erected in the Township except in compliance with the following:

- A. **Use of Accessory Buildings and Structures.** Attached and detached accessory buildings and structures associated with residential dwelling shall only be used for the storage of personal property and for the conduct of a permitted home occupation, as regulated in Section 18-213. Such buildings and structures shall not be used as dwelling units or for the conduct of any other business, profession, trade or occupations or as storage that is offered for rent.
- B. **Timing of Construction.** No accessory building or structure shall be constructed or established on a parcel unless there is a principal building, structure or use being constructed or already established on the same parcel of land, unless otherwise approved by the Zoning Board of Appeals. The Zoning Board of Appeals shall require that a cash performance guarantee be posted to ensure completion of the main building, as a condition of approval for prior construction of an accessory building.
- C. **Attached Accessory Buildings and Structures.** Where the accessory building is structurally attached to a main building (such as an attached garage, breezeway, or workshop) it shall be considered a part of the principal building for the purposes of determining conformance with setback, height, and lot coverage requirements.
- D. **Detached Accessory Buildings and Structures.**

1. **Setbacks.** In the R-1 and R-2 zoning districts, side and rear setbacks shall be three (3) feet. In all other zoning districts, side and rear setbacks of accessory structures shall comply with the with the setback requirements in Section 18-68. When a building accessory to a residential building is located on a corner lot, the side lot line of which is substantially a continuation of a front lot line of the lot to its rear, said building shall not project beyond the front yard setback required on the lot in the rear of such corner lot. A building accessory to a residential building shall in no case be located nearer than then (10) feet to a street right-of-way line.
 2. **Distance Between Buildings.** No detached building accessory to a residential building shall be located closer than ten (10) feet to any building on the site.
 3. **Height.** Accessory buildings in the R-1 and R-2 districts shall not exceed fourteen (14) feet in height. Accessory buildings and structures in all other zones shall comply with the maximum building height requirement for the district in which they are located, as established in Section 18-68. Accessory buildings and structures associated with a legal farm operation protected under the Right to Farm Act shall be exempt from the height restrictions of this section.
 4. **Lot Coverage.** Accessory buildings and structures shall be included in computations to determine compliance with maximum lot coverage standards established in Section 18-68.
- E. **Location.** Accessory buildings and structures shall not be located within a dedicated easement or right-of-way. Additionally, all accessory structures shall be located outside of the required front setbacks as established in Section 18-68 and behind the front building line of the principal structure.
- F. **Area in Relation to Principal Buildings.** The total floor area of all attached and detached accessory structures in R-1 and R-2 zoning districts shall not exceed the total floor area of the main dwelling on the same lot.

Section 3. Repeal.

All Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. Severability.

This Ordinance and the various parts, sentences, paragraphs, sections, subsections, phrases and clauses thereof are declared to be severable and if any of them are adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected.

Section 5. Effective Date.

This Ordinance shall become effective seven days after adoption and publication in a newspaper having general circulation in the Charter Township of Berlin, Monroe County, Michigan.

Parcel Number: 5803 031 007 03

Jurisdiction: BERLIN CHARTER TOWNSHIP County: MONROE

Printed on

05/01/2025

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prct. Trans.		
JEFFERIES CAROL	FARLEY JAMES & KRISTI	19,500	12/28/2016	WD	03-ARM'S LENGTH	2017R00015	PROPERTY TRANSFER	100.0		
REAUME JANET C	REAUME JANET & JEFFERIES	0	08/16/2001	QC	03-ARM'S LENGTH	2078/0104	DEED	100.0		
Property Address	Class: RESIDENTIAL-IMPRO	Zoning: AG (*)	Building Permit(s)	Date	Number	Status				
9881 BRANDON RD	School: AIRPORT COMMUNITY SCH DIST			09/20/2018	PE180087	CLOSED				
	P.R.E. 100% 12/08/2017			07/16/2018	PB180128	CLOSED				
Owner's Name/Address	MAP #:			04/18/2018	PM180044	CLOSED				
FARLEY JAMES & KRISTI	2026 Est TCV 361,216 TCV/TFA: 200.68 NEW HOUSE			06/28/2017	PB170164	CLOSED				
PO BOX 213										
FIAT ROCK MI 48134										
Tax Description	Public Improvements	Land Value Estimates for Land Table 00003.TOWNSHIP II								
A PARCEL OF LAND BEING PART OF THE N 1/2 OF SEC 31T5S R10E COM AT THE NE COR OF THE NW 1/4 OF SEC 31; TH N 89 DEG 48' 01" E 43.59 FT; TH S 33 DEG 32 00 W 411.40 FT TO POB; TH S 33 DEG 32' 00" W 361.47 FT; TH S 88 DEG 33' 02" W 121.89 FT; TH N 01 DEG 16' 34" W 301.28 FT; TH N 89 DEG 26' 36" E 328.26 FT TO POB. CONTAINING 1.549 AMOL Comments/Influences	X	Dirt Road	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
		Gravel Road	ACREAGE TABLE 'A'	1.000	Acres	42,300	100			42,300
		Paved Road	ROW AND DR RD ROW	0.55	Acres	0	100			0
		Storm Sewer		1.55	Total Acres	Total Est.	Land Value =			42,300
		Sidewalk								
		Water								
		Sewer								
		Electric								
		Gas								
		Curb								
X	Street Lights									
X	Standard Utilities									
X	Underground Utils.									
Topography of Site										
X	Level									
X	Rolling									
X	Low									
X	High									
X	Landscaped									
X	Swamp									
X	Wooded									
X	Pond									
X	Waterfront									
X	Ravine									
X	Wetland									
X	Flood Plain									
Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
			2026	21,200	159,400	180,600			120,942C	
			2025	21,200	161,100	182,300			120,942C	
			2024	15,000	148,800	163,800			117,306C	
			2023	15,000	151,600	166,600			111,720C	
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: Township of Berlin Charter, County of Monroe, Michigan										

*** Information herein deemed reliable but not guaranteed***

Building Type		(3) Roof (cont.)		(11) Heating/Cooling		(15) Built-ins		(15) Fireplaces		(16) Porches/Decks		(17) Garage	
X Single Family Mobile Home Town Home Duplex A-Frame	X Wood Frame	X Bavestrong X Insulation 0 Front Overhang 0 Other Overhang	(4) Interior X Drywall Plaster Paneled Wood T&G	X Gas Oil Elec. Wood Coal Steam	Forced Air w/o Ducts Forced Air w/ Ducts Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling	Appliance Allow. Cook Top Dishwasher Garbage Disposal Bath Heater Vent Fan Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl. Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga	Area Type 436 Treated Wood	Year Built: 2018 Car Capacity: 3 Class: C Exterior: Siding Brick Ven.: 0 Stone Ven.: 0 Common Wall: 1 Wall Foundation: 42 Inch Finished?: Auto. Doors: 2 Mech. Doors: 0 Area: 1120 \$ Good: 0 Storage Area: 0 No Conc. Floor: 0 Basement Garage: Carport Area: Roof:				
Condition: Average	Yr Built 2017 Remodeled 0	Trim & Decoration Ex X Ord Min	Size of Closets Lg X Ord Small	Central Air Wood Furnace	0 Amps Service	Cost Est. for Res. Bldg: 1 Single Family 1 STORY	Class: C Effic. Age: 8. Floor Area: 1,800 Total Base New: 300,129 Total Depr Cost: 276,118 Estimated T.C.V: 318,916	E.C.F. X 1.155					
Room List	Basement 6 1st Floor 2nd Floor 3 Bedrooms	(5) Floors	Doors Solid X H.C.	(12) Electric	No./Qual. of Fixtures Ex. X Ord. Min	Ground Area = 1800 SF Floor Area = 1800 SF. Phy/Ab. Phy/Func/Econ/Comb. & Good=92/100/100/100/92	Building Areas		Foundation Crawl Space		Size Cost New Depr. Cost		
(1) Exterior	Wood/Shingle X Aluminum/Vinyl Brick	(6) Ceilings	Kitchen: Tile Other: Carpeted	(13) Plumbing	Many X Ave. Few	Building Areas	Exterior Siding		Foundation Crawl Space		Total: 1,800 243,883 224,372		
X Insulation	(2) Windows	(7) Excavation	Basement: 0 S.F. Crawl: 1800 S.F. Slab: 0 S.F. Height to Joists: 0.0	Average Fixture(s)	2 3 Fixture Bath 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Walls Ceramic Tub Alcove 2 Vent Fan	Other Additions/Adjustments		Plumbing 3 Fixture Bath Vent Fan Deck Treated Wood Garages		Class: C Exterior: Siding Foundation: 42 Inch (Unfinished) Common Wall: 1 Wall Door Opener Base Cost Water/Sewer Public Water Public Sewer			
X Metal Sash X Vinyl Sash X Double Hung Horiz. Slide Casement X Double Glass X Patio Doors X Storms & Screens	(3) Roof	(8) Basement	Recreation SF Living SF Walkout Doors (B) No Floor SF Walkout Doors (A)	(14) Water/Sewer	1 Public Water 1 Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic	Notes:		ECF (TOWNSHIP) 1.155 => TCY: 318,916					
X Asphalt Shingle	(10) Floor Support	(9) Basement Finish	Joists: Unsupported Len: Cntr. Sup:	Lump Sum Items:									
Chimney: Brick													

*** Information herein deemed reliable but not guaranteed***