



CHEBOYGAN COUNTY PLANNING COMMISSION

870 SOUTH MAIN ST. ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

**CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING
WEDNESDAY, MAY 3, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

PUBLIC HEARING AND ACTION ON REQUESTS

- 1.) **Triple D Disposal / Erica Wheelock/ Bonnie Nagy** - Requests a Special Use Permit for Waste Hauling (Section 7.3.13.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned General Industrial Development (D-GI). *(This item was tabled at the 04/19/17 Planning Commission meeting.)*
- 2.) **Mike Sturgill / Precision Forestry Inc.** – Requests a Special Use Permit Amendment for relocation of a truck maintenance building (80 ft. x 160 ft.), construction of two (2) storage buildings (36 ft. x 72 ft. each) and placement of a fuel tank and fuel pump facility. (Section 7.3.10.) The property is located at 5708 Commerce Blvd., Tuscarora Township, section 30, parcel #162-030-300-001-04, 162-030-300-001-05, 162-030-300-001-06 and 162-030-300-001-07 and is zoned Light Industrial Development (D-LI).
- 3.) **Thomas Redman / Exodus 33:13 LLC** – Requests a Special Use Permit for a warehouse contingent upon approval of a rezoning request from Agriculture and Forestry Management District (M-AF) to Light Industrial Development (D-LI). (Section 7.3.11) The property is located at 1716 East M-68 Highway, Walker Township, section 5, parcel 220-005-200-001-01.

UNFINISHED BUSINESS

- 1.) Draft Zoning Ordinance Amendment Relating To Assembly Uses
- 2.) Draft Zoning Ordinance Amendment Relating To Convalescent Home Uses

NEW BUSINESS

STAFF REPORT

PLANNING COMMISSION COMMENTS

PUBLIC COMMENTS

ADJOURN



CHEBOYGAN COUNTY PLANNING COMMISSION

870 SOUTH MAIN ST., ROOM 103 ■ PO Box 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ TDD: (800)649-3777

CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, APRIL 19, 2017 AT 7:00 P.M.

ROOM 135 – COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill, Jazdyk
ABSENT: None
STAFF: Scott McNeil
GUESTS: Carl Muscott, Eric Boyd, Cal Gouine, Bob Lyon, Raymond P. Rocco, John F. Brown, John Moore, Russell Crawford, Cheryl Crawford, Chris Brown, Tom Redman, Bob Elliott, Debbie Elliott, Richard Bacon, Travis Babcock, Edward Jeannotte, Sandy Jeannotte, Charles Maziasz, Karen Johnson, Brian Fullford, Ed Shovan, Toni Linn, Harold Winchell, Scott Kelley, Andy Stempky, Dana Stempky

The meeting was called to order by Chairperson Croft at 7:00pm.

PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Churchill, to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES

The April 5, 2017 Planning Commission minutes were presented. **Motion** by Mr. Borowicz, seconded by Mr. Kavanaugh, to approve the meeting minutes as presented. Motion carried unanimously.

PUBLIC HEARING AND ACTION ON REQUESTS

An Ordinance to amend the Cheboygan County Zoning Ordinance #200 to amend the definition of dwelling and family to allow short term rental of dwellings.

Mr. McNeil stated this amendment will allow for short term rental of dwelling units. Mr. McNeil stated that currently the Zoning Ordinance defines a dwelling and a family and provides for that use as a permanent use. Mr. McNeil stated that there has been a lot of activity in the county where dwellings have been rented out for the week or weekend during the summer months. Mr. McNeil stated that an ordinance amendment is needed to make this use legal. Mr. McNeil stated that the Planning Commission is amending the definition of dwelling to take the reference of permanent use away and allow for the temporary use and the use by more than one family. Mr. McNeil stated that the new definition of family and the new definition of dwelling will allow the short term rental of a dwelling to be legal.

Ms. Croft asked for public comments.

Ms. Linn stated that she has owned a home in Beaugrand Estates for 20 years. Ms. Linn explained that Beaugrand Estates is a quiet and safe subdivision and that she and her neighbors would like to keep it that way. Ms. Linn stated it is not appropriate for the Planning Commission to change the ordinance to allow weekly rentals in residential areas and subdivisions. Ms. Linn purchased her home in this subdivision because it was quiet and safe. Ms. Linn stated that allowing short term rentals will allow anyone to rent their home, which will bring strangers who are possibly dangerous into the small community. Ms. Linn stated, as they have experienced in the past, this use has brought in strangers who are loud and boisterous and disregard the rights of the residents who own property and pay property taxes. Ms. Linn stated that in the past renters have driven through the subdivision at a high rate of speed and put the safety of the children riding their bikes at risk. Ms. Linn stated that she has been told that renters have walked onto the adjacent property and stolen firewood. Ms. Linn stated she was also told that the renters had a bonfire and put a log against a neighbor's tree that was still burning and it burned the tree. Ms. Linn stated that the tree had to be cut down. Ms. Linn stated that changing this ordinance may result in higher insurance rates for property owners. Ms. Linn stated that changing this ordinance will discourage future buyers from buying a home in

this subdivision as no one wants to live in a community with weekly rentals. Ms. Linn stated that weekly rentals will decrease the values of the existing homes, which is not fair to those who believed they were purchasing a home in a residential location and not a commercial location. Ms. Linn stated that Cheboygan offers numerous hotels for those that want to visit the beautiful community. Ms. Linn stated it is unjust to allow strangers to come into the subdivision in order for a small minority to prosper financially at the cost of the safety of the majority who want nothing more than to enjoy their home and feel safe in their community. Ms. Linn stated that many of those who want to rent their homes on a weekly basis do not live in Cheboygan or even in Michigan. Ms. Linn stated that they want to force their desire for financial gain on those who do live here. Ms. Linn questioned how this is fair to the homeowners of Cheboygan County who contribute to this community in so many ways including payment of taxes and spending money in Cheboygan County. Ms. Linn stated that a home may be the most important and expensive purchase that is made. Ms. Linn stated that she wants to maintain the property values for the safety of the communities. Ms. Linn stated that if the Planning Commission votes to allow weekly rentals, they are voting to put the financial desires of the minority above the interest and welfare of the majority which is not right. Ms. Linn stated that the Planning Commission is appointed to this commission to represent those who live in Cheboygan County and to do so in the best interest of all. Ms. Linn asked that the Planning Commission vote against changing the ordinance that allows weekly rentals and continue to make weekly rentals against county ordinance.

Mr. Winchell stated that he lives in Beaugrand Estates and agrees with Ms. Linn completely. Mr. Winchell stated that he has lived there for 50 years and they work hard to keep this as a quiet neighborhood. Mr. Winchell stated that he lives next to the access lot and he does not want to see a situation where people use this access lot and are noisy and stay into the night.

Mr. Jeannotte stated that he has lived in Beaugrand Estates for over 30 years. Mr. Jeannotte noted that Ms. Linn has stated many of his feelings and concerns regarding this proposed amendment. Mr. Jeannotte stated that their community is quiet and safe and that he has raised his family here. Mr. Jeannotte stated that they purchased this property because of the quiet atmosphere and because it is close to town. Mr. Jeannotte stated that weekly rentals bring a whole other element to their community. Mr. Jeannotte stated that he is not in favor of weekly rentals as their home is the biggest asset that they own. Mr. Jeannotte stated that they have been in this community for a long time. Mr. Jeannotte stated that they spent a lot of time thinking about where they wanted to live and they want to protect their home. Mr. Jeannotte stated that he and his wife are adamantly opposed to allowing rentals on weekly or weekend basis.

Mr. Kelley stated that he has lived in Beaugrand Estates for 24 years. Mr. Kelley stated that this is a quiet and peaceful community and a place where you can play street hockey in the road. Mr. Kelley stated that he understands this is a beautiful place and that is why they live there. Mr. Kelley stated that there are issues with long term rentals and landlords had to be contacted. Mr. Kelley stated that with short term rentals you can run into issues also. Mr. Kelley stated that these are individuals who are not necessarily invested in the community as they do not live in this area. Mr. Kelley stated that this community is important and a whole different world is opened up when short term rentals are allowed.

Mr. Muscott stated he appreciates the residents of Beaugrand Estates and the issues that they have regarding rentals. Mr. Muscott stated that there are hundreds of people who are looking for economic relief under lake shore properties by using short term rentals. Mr. Muscott stated it is a growing economic factor in Cheboygan County. Mr. Muscott stated that issues within Beaugrand Estates may be better controlled with homeowner association or covenants or restrictions within the neighborhood. Mr. Muscott stated that hopefully, we would not have a county wide planning that would be controlled by one or two neighborhoods that want more restrictions.

Ms. Linn appreciates Mr. Muscott's comments, but this situation not only affects Beaugrand Estates. Ms. Linn stated that they purchased their home thinking that they were in a residential area. Ms. Linn stated that weekly renters will have no regard for the neighborhood. Ms. Linn stated that the property owners may be out of the county or out of the state and they only care about the money. Ms. Linn stated that by allowing weekly rentals would be punishing the people who are here and who pay their taxes. Ms. Linn stated that Beaugrand Estates does have articles of incorporation that are legally enforceable and it does restrict the use of homes to single family dwelling homes. Ms. Linn provided an example of a property owner who lives in Florida and bought the residence in Beaugrand Estates just to rent. Ms. Linn stated that the only reason they were able to prevent this short term rental was because of the Zoning Ordinance. Ms. Linn stated that in the past they have had problems with three rental properties. Ms. Linn stated that she is talking about Beaugrand Estates but this amendment will affect everyone in the county. Ms. Linn stated that no one wants to live next to a weekly rental property because the renters do not care that it is your property or belongings. Ms. Linn stated this will allow anyone to rent a house and others will end up dealing with the same problems that they have dealt with in Beaugrand Estates.

Mr. Stempky stated that not all owners are out of state. Mr. Stempky stated that we live in a beautiful area that tourists love to come to. Mr. Stempky stated that there are hotels, but families like to come and stay at a lake location because it gives

them a unique experience. Mr. Stempky stated that some families move to this area. Mr. Stempky stated that the families spend money in the area. Mr. Stempky stated that it is not all out of state owners. Mr. Stempky stated that he tries to be a good landlord. Mr. Stempky stated that he provides his phone number and tell them to call if there are any issues. Mr. Stempky stated that the neighbors have his number and can call if there are any issues. Mr. Stempky stated that the lake association has been in support of them. Mr. Stempky stated that they provide service to people who have family members visiting. Mr. Stempky stated that he supports this amendment.

Ms. Jeannotte stated that she is adamantly opposed to this zoning ordinance amendment. Ms. Jeannotte stated that her concerns are regarding safety and security. Ms. Jeannotte stated that she does not know how people are vetted in order to rent these homes. Ms. Jeannotte stated that this is a huge concern. Ms. Jeannotte stated that when she and her husband travel and they rent places they are vetted quite extensively. Ms. Jeannotte stated that they have experienced first hand weekly rentals in Beaugrand Estates and it was disturbing when her children were home and they could not play in the yard. Ms. Jeannotte stated that many of the people who purchase these homes are not neighbors to the homes that they rent. Ms. Jeannotte stated that she is against this amendment.

Ms. Elliott asked if it is possible for this to go on a ballot for the community to vote on as opposed to being decided at this level. Ms. Elliott stated that something this significant should get a community vote.

Mr. Maziasz (Aloha Township) stated that short term rentals are an important factor in our community and around the lake. Mr. Maziasz stated that there are a lot of cottages that are short term rentals and cause no issues at all. Mr. Maziasz stated that they are family oriented. Mr. Maziasz stated that if there are any issues the Sheriff's Department can be contacted. Mr. Maziasz stated that short term rentals are being categorized as having bad people. Mr. Maziasz stated that they are not bad people. Mr. Maziasz stated that they have an extensive amount short term rentals and they do not have any issues. Mr. Maziasz stated that if there are any issues, it is dealt with through enforcement. Mr. Maziasz stated that you must consider what these people bring into the community as they spend money in the area. Mr. Maziasz stated that it is a great economic growth for our community. Mr. Maziasz stated that if there are any issues there is enforcement to take care of it.

Mr. Elliott stated that there are five cabins in his association and they have rules and regulations that they give to the renters. Mr. Elliott stated that the subdivision should have rules also and the rules should be enforced. Mr. Elliott stated that if they have any issues they will talk to the homeowner and get the matter resolved. Mr. Elliott stated that short term rentals should be allowed. Mr. Elliott stated that their cabin area is nice and it encourages families to get together and rent.

Ms. Stempky stated that she is in favor of short term rentals. Ms. Stempky stated that she lives next door to her rentals that she owns. Ms. Stempky stated that in the past 17 years she has never had an issue. Ms. Stempky stated she has quite a few people that returned numerous times. Ms. Stempky stated that they buy groceries and gas. Ms. Stempky stated that they have not had any problems and this helps Cheboygan.

Public comment closed.

Mr. Kavanaugh stated that these rentals have been going on for many years in Cheboygan County with only several incidents that needed enforcement by zoning. Mr. Kavanaugh stated that this is an economic boost. Mr. Kavanaugh stated that subdivisions can have their own ordinance against short term rentals. Mr. Kavanaugh stated that the Planning Commission has heard a lot of comments (verbal and written) from both sides. Mr. Kavanaugh believes that with proper enforcement these rentals should be allowed in all areas of Cheboygan County. Mr. Kavanaugh stated that there hasn't been a large number of complaints and police activities regarding short term rentals. Mr. Kavanaugh stated Mr. Maziasz is a township supervisor with a lake in his township and he believes this is good for the economy. Mr. Kavanaugh stated this is a good economic boost and there are ways to regulate the concerns that have been discussed.

Mr. Freese stated the taxes are astronomical for people with lake property. Mr. Freese stated that a lot of people can't afford to keep their homes and they are only able to do so by renting the home in the summer. Mr. Freese stated that the county is going down hill and we have to do something to prop it back up again. Mr. Freese stated that we have closed 3 out of the 4 primary schools in Cheboygan because the population is decreasing. Mr. Freese stated that these rentals bring a lot of money into the county. Mr. Freese stated if this money doesn't come into the county there are a lot of people who will not be able to keep these houses. Mr. Freese stated that he believes we should do anything we can to prop up Cheboygan County. Mr. Freese stated this is a good way to do it.

Mr. Jazdyk stated that he was a property owner on Mullett Lake and rented by the week and month for 16 years. Mr. Jazdyk stated that in all the time that he rented he did not have any problems. Mr. Jazdyk stated that any time he received a

complaint there was immediate follow up and he did not rent to the people again. Mr. Jazdzyk stated he understands the issues in Beaugrand Estates. Mr. Jazdzyk stated that he knows of four families that depend on rental income to stay in the area. Mr. Jazdzyk stated that he believes that people can responsible rent and take care of properties. Mr. Jazdzyk stated that the problems can be taken care of on an individual basis.

Mr. Borowicz stated that in some respect we may have more complaints if this amendment is approved. Mr. Borowicz stated that if this amendment is not passed, we will have a bigger enforcement problem because we will have to try to identify all the homes that are being rented illegally now. Mr. Borowicz stated that it is short sighted to have a regulation that you are not able to enforce.

Mr. Freese stated that the population in Cheboygan County is aging, according to the census. Mr. Freese stated that the number of young people staying in the county is decreasing and the number being produced is decreasing also. Mr. Freese stated that older people die and leave their property to their children who can't afford the taxes. Mr. Freese stated that these rentals are producing jobs. Mr. Freese stated that he owned a business for 40 years in Cheboygan County and the City of Cheboygan is happy with the way things were and they didn't want to make any changes. Mr. Freese stated that they want to become a retirement community.

Ms. Lyon stated if this amendment is approved, the rules for the rentals will not be made by the Planning Commission. Ms. Lyon stated that the rules have to be developed by the association. Ms. Lyon stated that members of the association will have to contact the association to request that rules are developed to make sure that they feel safe.

Mr. Kavanaugh stated that if there are issues the Planning Commission can reevaluate in the future.

Motion by Mr. Kavanaugh, seconded by Mr. Bartlett, to forward the amendment to the Cheboygan County Board of Commissioners with a recommendation for approval.

Board held discussion. Mr. Jazdzyk asked is the definition of family elsewhere in the Zoning Ordinance. Mr. McNeil stated that we have two family dwelling, multi-family dwelling and the term family is used in other sections of the Zoning Ordinance. Discussion was held.

Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon, Churchill, Jazdzyk), 1 Nay (Borowicz), 0 Absent

Triple D Disposal / Erica Wheelock/ Bonnie Nagy - Requests a Special Use Permit for Waste Hauling (Section 7.3.13.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned Light Industrial Development (D-LI).

Mr. McNeil stated that the applicant is proposing a waste hauling business. Mr. McNeil stated that this is not a waste disposal business and there is to be no waste on the site. Mr. McNeil stated that the only waste that would be on the site would be in a truck parked on the site overnight. Mr. McNeil referred to the site plan and noted the location of the existing office and proposed office addition. Mr. McNeil noted the location of where trucks will park and where empty dumpsters will be stored. Mr. McNeil stated that there isn't a use listing in the Zoning Ordinance for a waste hauler. Mr. McNeil stated that under section 7.3.13, the Planning Commission can make a determination that the proposed use is of the same general character as other uses allowed in Light Industrial. Mr. McNeil stated that parking is indicated on the site plan and there are two existing driveways; one on Levering Road and one on Inverness Trail Road. Mr. McNeil stated that there is also a residence on the property that the applicant is proposing to use.

Mr. Dixon stated that leachate stays in the truck and does not leak out as there is a seal. Mr. Dixon stated that they are dumping every other day and the trash is gone every two days. Mr. Dixon stated that there are five trucks. Mr. Dixon stated that he does not have as many dumpsters as he noted in the application and that he used a high number. Mr. Dixon stated that it is nice to keep everything in one area to keep an eye on. Mr. Kavanaugh asked how many dumpsters will there be on the site. Mr. Dixon stated that 100 were put on the plan, but he actually has 25. Mr. Jazdzyk asked if maintenance of the trucks will be done at this site. Mr. Dixon stated that they have a garage with a drain. Mr. Dixon stated that they talked DEQ and they are able to haul their own water. Mr. Jazdzyk asked if the trucks will be cleaned out on a regular basis. Mr. Dixon stated that they will clean the trucks out at the landfill and power wash the trucks at the car wash. Mr. Bartlett asked if the dumpsters will be cleaned on site. Mr. Dixon stated that they are not normally cleaned because they are empty. Mr. Dixon stated that there will not be any full dumpsters. Mr. Kavanaugh asked if the dumpsters are always clean. Mr. Dixon stated that usually, they are clean. Mr. Kavanaugh asked what is done with the dumpsters that are not clean. Mr. Kavanaugh asked if a closed system will be put in to pick up the leachate. Mr. Dixon stated that when they have had to wash one or two, they

were washed in the back of a truck with hot water with Dawn dish soap. Mr. Dixon stated that when the dumpster was picked up the water went into the truck and was then taken to the landfill.

Mr. Ostwald asked if there will be loading from one truck to another truck on site. Mr. Dixon stated no they are not allowed to transport it from one truck to another truck. Mr. Ostwald asked what was wrong with the other site. Mr. Dixon stated that there is more property at this location. Mr. McNeil stated that the last application reviewed was for a waste disposal facility which allowed transfer of waste on site. Mr. McNeil stated that this application does not propose the transfer of waste on site.

Mr. Jazdyk asked how long a truck will stay on site with waste in it. Mr. Dixon stated it would be two days and then they would go to the landfill. Mr. Ostwald asked what will happen on the weekend. Mr. Dixon stated that they work on Saturdays and they try to dump on Saturday.

Mr. Kavanaugh stated that historically there have been problems with waste handlers and waste haulers, so questions are being asked regarding leachate, odors, and flies. Mr. Dixon stated that he has stayed in contact with John Ozoga from the DEQ and they are meeting all the regulations.

Ms. Croft asked for public comments. Ms. Rocheleau stated that she is the Beaugrand Township Supervisor. Ms. Rocheleau stated that she submitted a letter for the Planning Commission to review. Ms. Rocheleau stated that her biggest concern is that even though waste haulers are not defined in the Solid Waste Management Plan they are mentioned in the plan. Ms. Rocheleau stated that the township board believes that this should be addressed by the Solid Waste Management Plan instead of the applicant applying for a special use permit. Ms. Rocheleau stated that there is a lot of detail in the Solid Waste Management Plan but the plan must be amended. Ms. Rocheleau stated that the Board of Commissioners is looking at amending the plan at this time. Ms. Rocheleau asked that the Planning Commission postpone any decision on this application until the plan is amended. Ms. Rocheleau stated that waste haulers are not defined in the Zoning Ordinance and after she talked to John Ozoga (DEQ) there is no DEQ oversight on waste haulers at all unless it is a type A transfer station then they have to be licensed through the DEQ. Ms. Rocheleau stated that these issues should be addressed by the Solid Waste Management Plan. Discussion was held. Ms. Rocheleau stated that the Solid Waste Management Plan was adopted by the county in 2000 and it had to be supported by all the municipalities in Cheboygan County. Ms. Rocheleau stated that the plan addresses a lot of issues with solid waste. Ms. Rocheleau stated that when the business was located on Stoney Pointe Road it was in violation of the Solid Waste Management Plan. Ms. Rocheleau stated that the Cheboygan County Board of Commissioners are aware of this and they are proposing to put together a committee to amend the Solid Waste Management Plan. Ms. Rocheleau stated that some of the surrounding counties have either adopted or amended their plans and they have included waste haulers and have cited specific criteria. Ms. Rocheleau stated that the Planning Commission should let this request go through the process it should have gone through in the first place. Mr. Jazdyk stated asked what is a reasonable timeline. Ms. Rocheleau stated that the Cheboygan County Board of Commissioners will address this issue at their meeting the end of this month and hopefully by the first part of May they will look for committee members. Ms. Rocheleau stated that the township has a cleanup day on pavement every year. Ms. Rocheleau stated that the roll offs and packers leak something onto the ground. Mr. Jazdyk asked if the applicant is required to meet the current Solid Waste Management Plan standards that are in place. Ms. Rocheleau stated that waste haulers are only mentioned in the Solid Waste Management Plan and there is nothing specifically defined. Ms. Rocheleau stated that there is ambiguity in the plan itself, but the plan is there. Ms. Rocheleau stated that civil counsel has advised the Cheboygan County Board of Commissioners abide by the adopted Solid Waste Management Plan. Mr. Freese stated that we do not know what the proposed Solid Waste Management Plan will cover. Mr. Churchill asked if they will still need a special use permit. Ms. Rocheleau stated that the Solid Waste Management Plan will replace the special use permit process and the applicant's plan will be reviewed by the committee appointed by the Cheboygan County Board of Commissioners. Mr. Kavanaugh asked if the committee or the Cheboygan County Board of Commissioners will have the final authority. Ms. Rocheleau stated that it will have to be approved by each of the townships.

Mr. Churchill stated that this should be postponed to allow legal counsel to provide an opinion to the Planning Commission. Mr. McNeil stated that legal counsel has reviewed the Solid Waste Management Plan and advised that the plan deals with type a and type b facilities and not waste haulers. Mr. McNeil stated that the request could be tabled to the next meeting if the Planning Commission wants legal counsels opinion on reviewing the application. Mr. Churchill and Mr. Kavanaugh are in favor of tabling the request.

Mr. Kavanaugh asked Commissioner Gouine and Commissioner Brown if the committee will be established in the next month or so. Commissioner Brown stated that it is on their planning agenda for April 25, 2017. Mr. McNeil stated that this will not be a quick process.

Ms. Rocheleau stated that there are a lot of issues with this location. Ms. Rocheleau stated that it is located next to the airport and there will be issues with birds. Ms. Rocheleau stated that there are issues with drainage ditches and the watershed. Ms. Rocheleau stated that most of the criteria in the Solid Waste Management Plan describe a location like an industrial park with sewer and water.

Mr. Freese stated that the action taken on the Stoney Pointe Road site was probably not legal and the Planning Commission should not have approved the application. Mr. Freese stated that there were things that were covered by the Solid Waste Management Plan, which we didn't know about at that time. Mr. Freese stated that ignorance is no excuse. Mr. Freese stated that the site was approved. Mr. Freese stated that it caused problems for a long period of time. Mr. Freese stated that a lot of the things causing problems at the Stoney Point location are not in this application but there are potential problems. Mr. Freese stated that our regulation does not cover this use so the Planning Commission must come up with a finding that the use is similar to another use. Mr. Freese stated that we cannot exclude this use and the Planning Commission must find a place for the use. Mr. Freese stated that despite the applicant saying that the trucks are sealed, the fact is that they leak. Mr. Freese stated that this may be a violation that the DEQ can cover. Mr. Freese stated that he does not want to take any action on this request until legal counsel is at the meeting. Mr. Freese stated that if the Planning Commission approves this request there will have to be many restrictions to ensure that it doesn't become another mess like Stoney Pointe Road. Mr. McNeil stated that the Planning Commission has the findings of facts, recommendations, and standards that can address concerns. Mr. McNeil stated that if the application does not meet the standards, then the application is denied. Mr. McNeil stated that if the Planning Commission wants an opinion from legal counsel regarding the Solid Waste Management Plan then the request can be tabled. Mr. McNeil stated that legal counsel has helped to put together the different responses for the Planning Commissions for each of the standards. Mr. McNeil stated that legal counsel has also reviewed the recommended conditions of approval. Mr. Freese stated that he does not like to see the applicant put off to allow the Cheboygan County Board of Commissioners time to form a committee and then come up with a plan and then get 60% of the municipality's approval. Mr. Freese stated that this will take a considerable length of time to complete this process. Mr. Borowicz stated this could take six months. Discussion was held.

Ms. Johnson stated that she lives at the corner of Levering Road and Inverness Trail Road. Ms. Johnson stated that her well is within 10 feet of the property line. Ms. Johnson stated that these trucks do leak and questioned what will happen to her well if this request is approved. Ms. Johnson asked what will happen to her property as the depreciation value of what happens in this area is significant. Ms. Johnson stated that she purchased her property hoping that it would appreciate and she would eventually sell. Ms. Johnson stated this would not be the case if this request is approved for this site. Ms. Johnson stated that the applicant does not address other buildings that are on the site plan. Ms. Johnson stated that the applicant has received a certificate of occupancy from the Department of Building Safety. Ms. Johnson questioned what is the current legal use of this property and if the buildings are being used for what has been approved. Ms. Johnson stated that a certificate of occupancy is required, it needs to go through a correct process which is through an architectural firm. Ms. Johnson stated that this process was not followed. Ms. Johnson questioned how this use that is detrimental can be put in this area.

Mr. Rocco stated he has known the applicant and his family for a long time. Mr. Rocco stated that he has owned a home on Inverness Trail Road for 7 years. Mr. Rocco stated that he has 4 children. Mr. Rocco stated that he has picked up numerous bags of garage from the ditches. Mr. Rocco stated he has found scrap metal (derby car door and bicycle) in the ditch. Mr. Rocco stated he is trying to clean up the neighborhood. Mr. Rocco stated he is not disputing that there is some sort of containment and it will not leak, but questioned what will happen if it does leak. Mr. Rocco stated that regarding the airport, he is concerned about birds being around due to the garbage. Mr. Rocco stated he does not believe this will be good for the community.

Public comment closed.

Board held discussion. Mr. Kavanaugh stated that it is reasonable to table this request until questions have been answered by legal counsel. Mr. Jazdyk stated that he would like to know what specifically the Planning Commission will be asking legal counsel. Mr. Kavanaugh stated that the questions will be: 1. How the Planning Commission can review the request, 2. What can be done for bonds, 3. What can be done for leachate.

Mr. Kavanaugh stated that it will give us time to talk to John Ozogga (DEQ) regarding collecting and hauling. Mr. Kavanaugh stated that they were not allowed to do this at the other site. Mr. Kavanaugh stated that it will allow Mr. McNeil time to check with the DEQ to see if there is any oversight. Mr. Jazdyk requested that the list of questions be provided to the Planning Commission in the next packet. Mr. Freese stated that it is up to the Planning Commission to come up with questions that need to be answered. Mr. Freese stated that by the next meeting each Planning Commission member should provide a list of

questions that they feel are pertinent to this request. Mr. Freese stated that the list of questions will be put together and presented at the next meeting to the applicant and legal counsel. Discussion was held.

Motion by Mr. Kavanaugh, seconded by Mr. Churchill, to table the request until the May 17, 2017 Planning Commission meeting to allow Planning Commission members and the public to have questions ready for the May 3, 2017 meeting. Motion carried unanimously.

RACC Enterprises, LLC and Griswold Mountain Properties, LLC - Requests a Special Use Permit for a wireless communication facility (Section 17.13.). The property is located at 6444 Griswold Mountain Drive, Tuscarora Twp., section 12, parcel #161-012-300-003-01 and #161-012-300-003-01, and is zoned Agriculture and Forestry Management (M-AF).

Mr. McNeil referred to the proposed site plan and noted the proposed location for the 120 foot communication facility for internet. Mr. McNeil noted that this is the same site plan that was submitted to the Planning Commission for another communication facility that was going to be put on a reconstructed lookout tower. Mr. McNeil noted that this is two parcels with over 190 acres.

Mr. Babcock stated that he is a wireless engineer for RACC Enterprises LLC. Mr. Babcock stated that they are trying to fill a need of the county. Mr. Babcock stated that a lot of people are looking to move to Cheboygan and one of the criteria is internet being available at their house. Mr. Babcock stated that the tower will cover a good area and it will allow them to branch out to Afton. Mr. Babcock explained that people who work from home and people who home school need the internet. Mr. Babcock stated that access to the internet is an issue and they are trying to help address this issue. Mr. Babcock stated that this is not a huge tower and is hidden in the trees. Mr. Babcock stated that the tower is short and there are no lights at the top and there are no problems with the FAA.

Mr. Churchill asked what is the frequency of this tower. Mr. Babcock stated that this tower will be using the 3.65 gigahertz band. Mr. Churchill asked how far out is the radiation pattern. Mr. Babcock stated that this one will reach about 8 miles.

Ms. Croft asked for public comments. There were no public comments. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to grant the topography waiver request. Motion carried unanimously.

The Planning Commission reviewed and approved the General Findings, Findings of Fact Under Section 17.13.1, Findings of Fact Under Section 17.13.2b, the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to approve the special use permit based on General Findings, Findings of Fact Under Section 17.13.1, Findings of Fact Under Section 17.13.2b, the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. Motion carried unanimously.

Edward Shovan - Requests a Special Use Permit for Boat Storage and Indoor Storage Facility (50 ft. x 144 ft.) and a change of use for an existing structure from Private Storage to Indoor Storage Facility (40 ft. x 144 ft.) (Sections 6.3.14. and 6.3.16.). The property is located at 1771 and 1829 South Straits Highway, Tuscarora Twp., section 7, parcel #161-007-300-010-01 and #161-012-300-010-02, and is zoned Commercial Development (D-CM).

Mr. McNeil referred to the site plan and stated the building to the north represents the existing structure that is 40 feet x 144 feet and is proposed for the change of use to indoor storage. Mr. McNeil stated that the area to rear is proposed for outdoor boat storage. Mr. McNeil stated that to the south is the location of a proposed building that will be 50 feet x 144 feet. Mr. McNeil stated that this building is proposed for indoor storage.

Mr. Fullford stated that the property is zoned Commercial Development and there is a need for commercial storage buildings. Mr. Fullford stated that Mr. Shovan has done a good job with the grading on the site. Mr. Fullford stated that there is an adequate storm retention area. Mr. Fullford stated that Mr. Shovan has put in the approaches per county requirements. Mr. Kavanaugh asked if the only outside storage is behind the building. Mr. Fullford stated yes. Mr. Fullford stated that he understands that someone may bring a boat to the site to be stored and Mr. Shovan will have it put away within one or two days. Mr. Fullford stated that he understands outside storage is limited to boats. Mr. Fullford stated that the site will be kept orderly. Mr. Fullford stated that Mr. Shovan does a good job at keeping the sites clean.

Ms. Croft asked for public comments. There were no public comments. Public comment closed.

Mr. Borowicz stated that there were a couple of waiver requests and based on the site plan they are not necessary.

The Planning Commission reviewed and approved the General Findings, the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Churchill, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to:

1. Outside storage is for boats only.
2. Department of Building Safety requirements must be met.
3. Signs must meet the requirements of Section 17.19.
4. All outdoor lighting must be notated on the site plan.

Motion carried unanimously.

Robert Andrews - Requests a Special Use Permit for an Indoor Storage Facility (30 ft. x 140 ft.) (Section 6.3.16.). The property is located at 6123 North Straits Highway, Inverness Twp., section 34, parcel #091-034-400-006-03, and is zoned Commercial Development (D-CM).

Mr. McNeil referred to the proposed site plan and stated there are existing mini storage structures currently on the site that are parallel to North Straits Highway. Mr. McNeil stated that a new structure, just like the existing structure, is proposed as indicated on the site plan. Mr. McNeil stated that the size of the proposed structure is 30 feet x 140 feet.

Ms. Croft asked for public comments. Mr. Pond stated that he is a neighbor and has lived at this location for 26 years. Mr. Pond stated that Mr. Andrews has been a good neighbor and has kept the place up. Mr. Pond stated that the site is landscaped nicely and there are no loud noises. Mr. Pond stated that this has not bothered him and he lives next door. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Borowicz, to grant the topography waiver request. Motion carried unanimously.

The Planning Commission reviewed and approved the General Findings, the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to meeting Soil and Sedimentation requirements and Department of Building Safety requirements. Motion carried unanimously.

Thomas Redman / Exodus 33:13, LLC - Requests a rezoning from Agriculture and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). The property proposed to be rezoned is located in Walker Township, Section 5 and described as follows; Parcel #220-005-200-001-01 described as, COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. Also Parcel #220-005-200-002-00 described as, COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N. SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4

Mr. McNeil stated that Mr. Redman is requesting rezoning of two parcels from Agriculture and Forestry Management to Light Industrial. Mr. McNeil stated that the size of the parcels together is 3.2 acres. Mr. McNeil stated that Mr. Redman has plans to expand the facilities for his business which lies on the north side of M-68. Mr. McNeil stated that this area is projected for Light Industrial on the Future Land Use Map.

Mr. Redman stated that he is the President of Tube Fab which is located on the north side of M-68. Mr. Redman stated that there is also a manufacturing facility located on the south side of M-68. Mr. Redman stated that he would like to build a storage facility. Mr. Redman stated that he is getting more work and it is filling up his floor space in the main factory on the north side of the road. Mr. Redman stated that machines that are used for service work periodically are pulled every six months or every two years. Mr. Redman stated that these machines must be stored when they are not being used. Mr. Redman stated that this will be the primary use. Mr. Redman stated that the front part of the building will be used as a training center. Mr. Redman stated that he wants to be the employer of choice in Cheboygan County.

Ms. Croft asked for public comments. Mr. Muscott congratulated Mr. Redman on expanding. Mr. Muscott stated that more of this is needed in Cheboygan County. Public comment closed.

The Planning Commission reviewed and approved the General Findings:

1. The Planning Commission finds that the application for rezoning is made by Thomas Redman. See exhibit 4

2. Thomas Redman is the property owner.
3. The Planning Commission finds that the applicant proposes rezoning of the property, as provided in the application, from Agricultural and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). See exhibit 4.
4. The Planning Commission finds that the legal description of the property, proposed to be rezoned, is included with the application. See exhibit 4.
5. The Planning Commission finds that the Cheboygan County Master Plan Future Land Use Map designates the area where the proposed rezoning is being proposed as Light Industrial, Forestry/Agriculture and Rural Commercial Node and the parcels proposed to be rezoned Forestry/Agriculture. See exhibit 11
6. The Planning Commission finds that the lots neighboring the property are currently zoned Light Industrial Development District (D-LI) and Agriculture and Forestry Management District (M-AF)

The Planning Commission reviewed and approved the Rezoning Factors:

1. Is the proposed rezoning reasonably consistent with surrounding uses?
 - A. The Planning Commission finds that based upon the information provided in the staff report, which includes the subject area located on the Cheboygan County Master Plan Future Land Use Map, that the property is surrounded on north, south and west by land in the Light Industrial future land use category. See exhibit 7 figure 2.
 - B. The Planning Commission finds that the neighboring property to the west and north contains industrial uses.
 - C. The Planning Commission finds that the Cheboygan County Master Plan states that actual land use goals may be better described by an adjacent Future Land Use category and the surrounding properties are mostly designated as a Light Industrial future land use category.
This standard has been met.
2. Will there be an adverse physical impact on surrounding properties?
 - A. The Planning Commission finds that there is no evidence that the proposed rezoning would result in an adverse physical impact on surrounding properties. Activities which could occur if the subject property is rezoned would not physically disturb the properties surrounding the land proposed for the rezoning. See exhibit 1 and 4.
 - B. The Planning Commission finds that, as per the adopted Cheboygan County Master Plan, the future land use categories for land surrounding the property on the north, south and west is Light Industrial and an area to the east Rural Commercial Node. There is support in the Master Plan that this proposed rezoning would allow land uses which would be compatible with surrounding properties and meet the County's land use goals. See exhibit 2.
This standard has been met.
3. Will there be an adverse effect on property values in the adjacent area?
 - A. The Planning Commission finds that there is no evidence in the form of an appraisal or other document study which shows, that if the rezoning is granted, there would be an adverse effect on property values in the area.
This standard has been met.
4. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?
 - A. The Planning Commission finds that Future Land Use Map designates an area to the east of the property as Rural Commercial Node and area to the north, west and south of the property as Light Industrial. See exhibit 2 and 11
 - B. The Planning Commission finds that the industry on the neighboring property has expanded and there is a need for jobs in the region and demand for this industry is a community need.
This standard has been met.
5. Will rezoning create a deterrent to the improvement or development of adjacent property in accordance with existing regulations?
 - A. The Planning Commission finds that light industrial uses currently exist to the west and to the north of the property and there is no evidence that the rezoning would deter the improvement or development of adjacent property in accordance with existing regulations, much less future land use plans as proposed in Cheboygan County's Future Land Use Map. See exhibits 1, 2 and 11.
This standard has been met.
6. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?

- A. The Planning Commission finds that neighboring property to the north south and west is currently zoned Light Industrial Development District (D-LI). As such, the proposed rezoning does not create a special privilege or result in spot zoning. See exhibit 11.
 - B. The Planning Commission finds that the rezoning of these properties would improve consistency of the zoning scheme for this area.
This standard has been met.
7. Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications?
- A. The Planning Commission finds light industrial uses to the west and north of the property. See exhibit 11.
 - B. The Planning Commission finds that given the Master Plan and Future Land Use Map, the rezoning would be more in line with uses allowed under the future land use designation for the area. See exhibit 2.
This standard has been met.
8. Is the rezoning in conflict with the planned use for the property as reflected in the master plan?
- A. The Planning Commission finds that the Future Land Use Map designates an area to the north, west and south of the property as Light Industrial. See exhibit 2 and 11.
 - B. The Planning Commission finds that, as per the adopted Cheboygan County Master Plan, and Future Land Use Map, the future land use categories for surrounding properties may very well better describe the desired future land for the property and there is support in the Master Plan that this proposed rezoning would allow land uses which would be compatible with surrounding properties and meet the County's land use goals. See exhibit 2.
This standard has been met.
9. Is the site served by adequate public facilities or is the applicant able to provide them?
- A. The Planning Commission finds that the property is or will be served by adequate public and private facilities by the applicant considering the type of uses which may be permitted on the property. See exhibit 3.
This standard has been met.
10. Are there sites nearby already properly zoned that can be used for the intended purposes?
- A. The Planning Commission finds that there is little land area with road frontage on sites nearby for zoned for light industrial uses. See exhibit 11.
This standard has been met.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to recommend approval of the rezoning to the Cheboygan County Board of Commissioners based on General Findings and the Rezoning Factors. Motion carried unanimously.

Colony Beach Association – Requests a Site Plan Review for a proposed condominium (Section 20.3.d). The property is located at 7491 McDonald Rd., 738 Colony Beach Ln., 694 Colony Beach Ln., 700 Colony Beach Ln., 693 Colony Beach Ln., 715 Colony Beach Ln., Benton Township, Section 29, parcel #104-029-100-056-01, #104-029-100-056-02, #104-029-100-056-03, #104-029-100-056-04, #104-029-100-056-05, and is zoned Lake and Stream Protection (P-LS).

Mr. McNeil stated that the Zoning Ordinance requires site plan review for condominiums. Mr. McNeil stated that this is a condominium conversion from a current association. Mr. McNeil stated that there are no changes being proposed to any of the structures or uses. Mr. McNeil stated that he has noted in the findings that there are a couple of non-conforming structures relative to side setback and front setback.

Mr. Fullford stated that based on the history, the original bylaws were executed in 1988 and the articles of incorporation were filed in 1989. Mr. Fullford stated that there have been many changes since this time. Mr. Fullford stated that they are nice residential units that are kept up well. Mr. Fullford stated that the reason for the conversion is for ease of ownership. Mr. Fullford stated that the units are owned with a stock certificate with undivided interest. Mr. Fullford stated that by creating a condominium each one can be fee simple ownership. Mr. Fullford stated that with the conversion, additional condominium bylaws will be created and will be more stringent to make changes. Mr. Fullford stated that 2/3 of property owners will have to agree to any changes. Mr. Fullford stated that all septic facilities and water facilities are up to code, but he is doing more homework on the water system. Mr. Fullford asked if the Planning Commission can approve the request and he will work with the Health Department as it is part of the statute.

Mr. Kavanaugh stated that the Health Department will require an inventory of what exists for sewage systems and water. Mr. Kavanaugh stated that Mr. Fullford will have to provide a schedule for sampling and maintenance of the septic systems. Mr. Kavanaugh stated that he has worked with Mr. Fullford before on other conversions.

Ms. Croft asked for public comments. There were no public comments. Public comment closed.

The Planning Commission reviewed and approved the General Findings and the Specific Finding of Fact Under Section 20.10. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to approve the site plan review based on the General Findings and Specific Findings of Fact Under Section 20.10 subject to legal approval of the master deed and Health Department approval. Motion carried unanimously.

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

No comments.

STAFF REPORT

No comments.

PLANNING COMMISSION COMMENTS

Mr. Freese provided an update on Commissioner Matelski.

PUBLIC COMMENTS

Mr. Muscott stated that he talked with Tom Eustice (City of Cheboygan). Mr. Muscott stated that Mr. Eustice has waited approximately a month to hear back from Meijer if they are interested in participating in funding the waterline which would be required with the 425 agreement as the city does not have the funds to pay for it. Mr. Muscott stated that Mr. Jones (Meijer) conveyed that they are booked out through 2017-2018 and they may look at some progress in 2019. Discussion was held.

Mr. Kavanaugh asked if there are any permits for construction on the lakeshore in Topinabee across from the cabins by the public boat launch. Mr. Kavanaugh stated that the Soil Erosion Officer should look at this work that is being done. Mr. Muscott stated that a DEQ permit has not been issued for this project.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 9:00pm.

Charles Freese
Planning Commission Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

Triple D Sanitation – Revised 05/02/17

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Use Permit Application (8 Pages)
5. Mailing List (2 Pages)
6. Site Plan (1 Page)

The following items were added to the exhibit list on 04/11/17:

7. Email dated 02/01/17 from Brent Shank, Cheboygan County Road Commission (1 Page)

The following items were added to the exhibit list on 04/13/17:

8. Email dated 04/12/17 from Brent Shank, Cheboygan County Road Commission (1 Page)
9. Cheboygan County Road Commission - Beaugrand Township Local Road Ratings Report For 2016 (6 Pages)
10. Cheboygan County Road Commission Certification Map For Beaugrand Township (1 Page)

The following items were added to the exhibit list on 04/18/17:

11. Emails between John Ozoga (DEQ), Margie Ring (DEQ) and Steve Schnell (2 Pages)
12. Letter from Karen Johnson to Cheboygan County Planning Commission (3 Pages)

The following item was added to the exhibit list on 04/19/17:

13. Letter dated 04/18/17 from Marcia Rocheleau, Supervisor, Beaugrand Township (2 pages)

The following item was added to the exhibit list on 04/25/17:

14. Emails between Steve Schnell and Christina Miller (DEQ) (3 Pages)

The following item was added to the exhibit list on 04/27/17:

15. Letter dated 04/26/17 from Peter Wendling to Scott McNeil and Steve Schnell (1 Page)

The following item was added to the exhibit list on 04/28/17:

16. Letter dated 04/26/17 from Gary Painter, Cheboygan County Airport (1 Page)

The following item was added to the exhibit list on 04/28/17:

17. Letter from Karen Johnson to Planning Commission (4 Pages)
- 18.
- 19.
- 20.
- 21.
- 22.

Note: Planning Commission members have exhibits 1 and 2.

NOTICE
CHEBOYGAN COUNTY PLANNING COMMISSION MEETING and PUBLIC HEARING
WEDNESDAY, APRIL 19, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) **An Ordinance to amend the Cheboygan County Zoning Ordinance #200** to amend the definition of dwelling and family to allow short term rental of dwellings.
- 2.) **RACC Enterprises, LLC and Griswold Mountain Properties, LLC** - Requests a Special Use Permit for a wireless communication facility (Section 17.13.). The property is located at 6444 Griswold Mountain Drive, Tuscarora Twp., section 12, parcel #161-012-300-003-01 and #161-012-300-003-01, and is zoned Agriculture and Forestry Management (M-AF).
- 3.) **Edward Shovan** - Requests a Special Use Permit for Boat Storage and Indoor Storage Facility (50 ft. x 144 ft.) and a change of use for an existing structure from Private Storage to Indoor Storage Facility (40 ft. x 144 ft.) (Sections 6.3.14. and 6.3.16.). The property is located at 1771 and 1829 South Straits Highway, Tuscarora Twp., section 7, parcel #161-007-300-010-01 and #161-012-300-010-02, and is zoned Commercial Development (D-CM).
- 4.) **Triple D Disposal / Erica Wheelock/ Bonnie Nagy** - Requests a Special Use Permit for Waste Hauling (Section 7.3.13.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned Light Industrial Development (D-LI).
- 5.) **Robert Andrews** - Requests a Special Use Permit for an Indoor Storage Facility (30 ft. x 140 ft.) (Section 6.3.16.). The property is located at 6123 North Straits Highway, Inverness Twp., section 34, parcel #091-034-400-006-03, and is zoned Commercial Development (D-CM).
- 6.) **Thomas Redman / Exodus 33:13, LLC** - Requests a rezoning from Agriculture and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). The property proposed to be rezoned is located in Walker Township, Section 5 and described as follows:
Parcel #220-005-200-001-01 described as, COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. Also Parcel #220-005-200-002-00 described as, COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N. SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4

Please visit the Planning and Zoning office or visit our website to see the proposed ordinance amendment and special use permit applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.

This is a supplemental notice regarding a public hearing for consideration of a special use permit for waste hauling by Triple D Sanitation for the property located at 1988 Levering Road. The original notice states that the subject property is in the Light Industrial Development (D-LI) zoning district. The subject property is zoned General Industrial Development (D-GI). The time and place of the public hearing, the proposed use, the location of the proposed use, the section of the zoning ordinance including the review requirements under which the proposed use can be approved remains the same as provided in the original notice.

The corrected notice reads as follows:

Triple D Disposal / Erica Wheelock/ Bonnie Nagy - Requests a Special Use Permit for Waste Hauling (Section 7.3.13., as referenced in section 8.3.1.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned General Industrial Development (D-GI).

Please visit the Planning and Zoning office or visit our website to see the proposed ordinance amendment and special use permit applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

PROPERTY LOCATION

Address 1988 Leving Rd	City / Village Cheboygan	Twp / Sec. 26 Blaugrand	Zoning District D-11
Property Tax I.D. Number 041-026-300-003-05	Plat or Condo Name / Lot or Unit No. NA		

APPLICANT

Name Triple D Sanitation ^{Erka Wheelock}	Telephone 231-445-2751	Fax
Address 14145 Stony Point	City, State & Zip Cheboygan MI 49721	E-Mail tripleddsanitation@outlook.com

OWNER (If different from applicant)

Name Bonnie Nagy	Telephone 231-290-1950	Fax 13524899529
Address 1988 Leving Rd	City, State & Zip Cheboygan 49721	E-Mail

PROPOSED WORK

<p>Type (check all that apply)</p> <p><input type="checkbox"/> New Building <input type="checkbox"/> Reconstruction</p> <p><input type="checkbox"/> Addition <input type="checkbox"/> Relocated Building</p> <p><input checked="" type="checkbox"/> Change in Use or Additional Use <input type="checkbox"/> Sign, Type: _____</p> <p><input type="checkbox"/> Other: _____</p>	<p>Building/Sign Information</p> <p>Overall Length: _____ feet</p> <p>Overall Width: _____ feet</p> <p>Floor Area: _____ sq. feet</p> <p>Overall Building Height: _____ feet</p> <p>Sign Area: _____ sq. feet</p> <p>Sign Height _____ feet</p>
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PROPOSED USE (check all that apply)

<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input type="checkbox"/> Multi-Family, # of units _____	<input type="checkbox"/> Storage	<input checked="" type="checkbox"/> Industrial	<input type="checkbox"/> Utility
<input type="checkbox"/> Other: _____			

Has there been a Site Plan or Special Use Permit approved for this parcel before? YES NO

If YES, date of approval: _____ Approved Use: _____

Directions to site: on the corner of Leving and Inverness trail rd.
next to the airport.

SPECIAL LAND USE PERMIT APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

1. Describe all anticipated activities (e.g. type of business, hours of operation, number of employees, etc). Attach additional sheets if needed

See attached

Site Plan Standards.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
No change to contours
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
Staying the same
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
Drainage is staying the same
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
Staying the same
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
Staying the same
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
N/A
- h. Exterior lighting shall be arranged as follows:
 - i. It is deflected away from adjacent properties. *N/A*
 - ii. It does not impede the vision of traffic along adjacent streets. *N/A*
 - iii. It does not unnecessarily illuminate night skies. *N/A*

SPECIAL LAND USE PERMIT APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

SPECIAL LAND USE PERMIT APPLICATION

i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.

N/A

j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.

yes

3. Size of property in sq. ft. or acres: 14.07

4. Present use of property:

Truck repair, cement plant, heavy truck hauling, plowing

5. SUP Standards:

Business, stores salt for roads and lots of big equipment

a. Is the property located in a zoning district in which the proposed special land use is allowed?

yes

b. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole? Explain. All trucks are self contained

c. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person? Explain. NO

d. Will the proposed special land use be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned? Explain. yes. will

be kept organized and clean per DEQ regulations

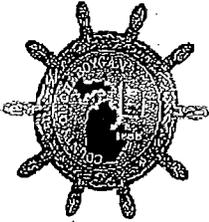
e. Will the proposed special land use place demands on fire, police, or other public resources in excess of current capacity? Explain.

NO

f. Will the proposed special land use be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services? Explain. land has its own well

and septic system

SPECIAL LAND USE PERMIT APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 • PO BOX 70 • CHEBOYGAN, MI 49721
PHONE: (231)627-8489 • FAX: (231)627-3646

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services? _____
- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? yes
- 6. Does the proposed use of the property include or involve either:
 - Junk or salvage yard (Section 3.6) YES NO
 - Mineral extraction (Section 17.17) YES NO
 If YES, this application must include a written plan as described in the Zoning Ordinance.
- 7. Attach a copy of Warranty Deed or other proof of ownership.
- 8. Attach a copy of certified Property Survey or dimensioned property land plat.

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature

[Handwritten Signature]

Date

3/14/17

Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?

Yes No

Owner's Signature

[Handwritten Signature]

Date

3-17-17

FOR PLANNING / ZONING DEPT. USE ONLY

Date Received:

Notes:

Fee Amount Received:

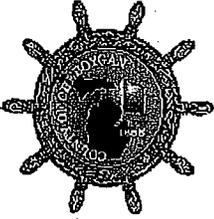
Receipt Number:

Public Hearing Date:

Planning/Zoning Administrator Approval:

Signature

Date



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services? yes
- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? yes
6. Does the proposed use of the property include or involve either:
- Junk or salvage yard (Section 3.6) YES NO
 - Mineral extraction (Section 17.17) YES NO
- If YES, this application must include a written plan as described in the Zoning Ordinance.*
7. Attach a copy of Warranty Deed or other proof of ownership.
8. Attach a copy of certified Property Survey or dimensioned property land plat.

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature

[Handwritten Signature]

Date

3/14/17

Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?

Yes No

Owner's Signature

Date

FOR PLANNING/ZONING DEPT. USE ONLY

Date Received:

12/21/16

Notes:

Fee Amount Received:

720.00

Receipt Number:

5415

Public Hearing Date:

4-19-17

Planning/Zoning Administrator Approval:

[Handwritten Signature]

Signature

3/17/17

Date

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

ALL ITEMS LISTED BELOW MUST BE SUBMITTED IN ORDER FOR THIS APPLICATION TO BE DEEMED COMPLETE. INCOMPLETE APPLICATIONS WILL NOT BE REVIEWED OR PROCESSED. EACH SITE PLAN SHALL DEPICT THE ITEMS LISTED BELOW, EXCEPT FOR THOSE ITEMS DETERMINED DURING THE PRE-APPLICATION CONFERENCE TO NOT BE APPLICABLE.

PLACE A CHECK MARK NEXT TO EACH REQUIREMENT TO SHOW THAT THE INFORMATION HAS BEEN SUPPLIED OR THAT A WAIVER IS BEING REQUESTED. IF A WAIVER IS BEING REQUESTED PLEASE NOTE ON THE NEXT PAGE THE REASON FOR THE WAIVER. SIGN AND DATE THIS CHECKLIST WHEN ALL ITEMS HAVE BEEN COMPLETED. PLEASE SUBMIT THIS CHECKLIST WITH YOUR APPLICATION.

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100ft. or less.
✓		b. Seal of the registered engineer, architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
✓		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
	✓	d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
na		e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
✓		f. Location of existing and proposed buildings and intended uses thereof.
✓		g. Details of entryway and sign locations should be separately depicted with an elevation view.
✓		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
✓		i. Location, size, and characteristics of all loading and unloading areas.
na		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
✓		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
na		l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

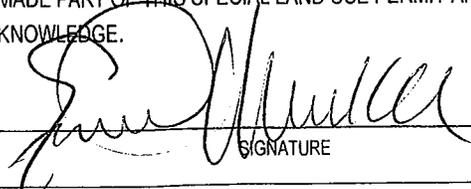
INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		m. Location and specifications for all fences, walls, and other screening features.
✓		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
✓		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
✓		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
		q. Elevation drawing(s) for proposed commercial and industrial structures.
		r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well
na		s. Floor plans, when needed to determine the number of parking spaces required.

PLEASE LIST THE REQUIREMENT FOR WHICH A WAIVER IS BEING REQUESTED. ALSO PROVIDE AN EXPLANATION/REASON FOR THE WAIVER REQUEST.

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
d	no change

AFFIDAVIT

I CERTIFY THAT ALL SITE PLAN REQUIREMENTS (A THROUGH S) ARE DRAWN ON THE SITE PLAN, ATTACHED TO THIS APPLICATION AND/OR I AM REQUESTING A WAIVER. I CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS SPECIAL LAND USE PERMIT APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



 SIGNATURE

3/14/17

 DATE

**CHEBOYGAN COUNTY PLANNING COMISSION
SPECIAL LAND USE PERMIT**

I am the owner of Triple D Sanitation, I started my business January 1, 2015. We have expanded for the better and cleaned up the area that we had walked into. I now feel that I need to expand to help my business, my customers, and my community. Where my business is located is commercial with several residential houses surrounding us. Where I want to buy is Industrial with very little residential houses around it. Right next to it is a active airport and a Salvage Yard right across the street.

I want this new location to become a permanent place for my Waste Hauling business. I am also looking into adding recycling and roll off to my company. With that in the future we will need to put up another building for the recycling and offer bird cages left outside for customers to put there cardboard into. We will also have a roll off can for customers to throw there metal in with appropriate water lids on top of it. Currently we will be using the existing two buildings that are on the premises. One will be used for our trucks to be stored/ worked on. The other is where our office will be located. I will have emptied dumpsters stored outside on the premises ready for delivery when needed. These dumpsters will vary in size any where from 2 yard to 40 yard cans. There is approximately 200 cans. These cans will be stored to the east of the big garage beside the tree line. I will use the current sign that is already up at the road with solar lights pointing in the direction of the sign. The sign will be re painted with our company name and logo on it. Our hours of operation will be from 6:00 am until 11:00pm (its on rare occasion that someone will be at the yard until 11:00pm. Only if there is a truck that needs to be fixed. Which will be done inside the buildings). Office hours will be from 9:00 am until 5:00 pm Monday through Friday, Saturday currently the office is closed but in the summer we plan on adding the office open from 9:00am until 3:00. Closed on Sundays and all major holidays. Chains/ gates will be put up in front of the drive while the office is closed. My company currently employes 4 works plus Joe and myself.

Currently with how our facility is set up all trash that is picked up is put directly into one of the garbage trucks. These trucks are self contained and plugged so that nothing put in them is leaking into the ground. We then take those trucks to the Landfill and they are emptied there. There is a drain field on the property next to the office and a well big enough to have 7 homes attached to it if needed. That is located next to the small log cabin structure. There is also a constant flowing artisan well on the property as well. Eventually in the future we would like to have our own recycling station that will help keep our cost of operation down along with the pricing for our customers. We are working with DEQ out of Gaylord to achieve these goals. When that time comes we will have all the proper drainage to keep everything contained and out of the ground. There are containers that the fluids are placed into and those are hauled away by another company.

Sent from [Outlook](#)

16-041-026-300-001-00
CHEBOYGAN AIRPORT AUTHORIT
1520 LEVERING RD
CHEBOYGAN MI 49721

16-041-027-400-008-00
LANDRIE, DALE L
2054 LEVERING RD
CHEBOYGAN MI 49721

16-041-026-300-002-00
LEDUC, JEROME & JOHN LEDUC, JT
13151 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-034-200-002-02
WILCOME, DENNIS & BARBARA H/
12900 SHALL RD
CHEBOYGAN MI 49721

16-041-026-300-003-01
URLAUB, WILMA A
13248 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-035-100-001-00
LYONS, RONALD & DOLORES, TRU
15457 PRIES RD
CHEBOYGAN MI 49721

16-041-026-300-003-03
JOHNSON, KAREN P
13090 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-035-100-004-00
GAHN, ROGER & DEBORAH H/W
1825 LEVERING RD
CHEBOYGAN MI 49721

16-041-026-300-003-04
MCWAIN, NICOLE L
13200 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-026-300-003-05
NAGY, BONNIE
1988 LEVERING RD
CHEBOYGAN MI 49721

16-041-026-300-003-09
NAGY, BONNIE L
13180 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-027-400-002-00
CHEBOYGAN AIRPORT AUTHORIT
1520 LEVERING RD
CHEBOYGAN MI 49721

16-041-027-400-006-00
KORTE, MARTIN A JR; DONNA F KO
2339 LEVERING RD
CHEBOYGAN MI 49721

16-041-027-400-007-00
LANDRIE, DANIEL & JEANNIE H/W
13099 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-026-300-001-00
OCCUPANT
1520 LEVERING RD
CHEBOYGAN, MI 49721

16-041-027-400-008-00
OCCUPANT
2054 LEVERING RD
CHEBOYGAN, MI 49721

16-041-026-300-002-00
OCCUPANT
13151 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-034-200-002-02
OCCUPANT
12870 SHALL RD
CHEBOYGAN, MI 49721

16-041-026-300-003-01
OCCUPANT
13248 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-035-100-001-00
OCCUPANT
1985 LEVERING RD
CHEBOYGAN, MI 49721

16-041-026-300-003-03
OCCUPANT
13090 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-035-100-004-00
OCCUPANT
1825 LEVERING RD
CHEBOYGAN, MI 49721

16-041-026-300-003-04
OCCUPANT
13200 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-026-300-003-05
OCCUPANT
1988 LEVERING RD
CHEBOYGAN, MI 49721

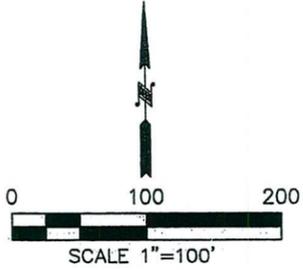
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1876 LEVERING RD
CHEBOYGAN, MI 49721

16-041-027-400-002-00
OCCUPANT
13375 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-027-400-006-00
OCCUPANT
2010 LEVERING RD
CHEBOYGAN, MI 49721

16-041-027-400-007-00
OCCUPANT
13099 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

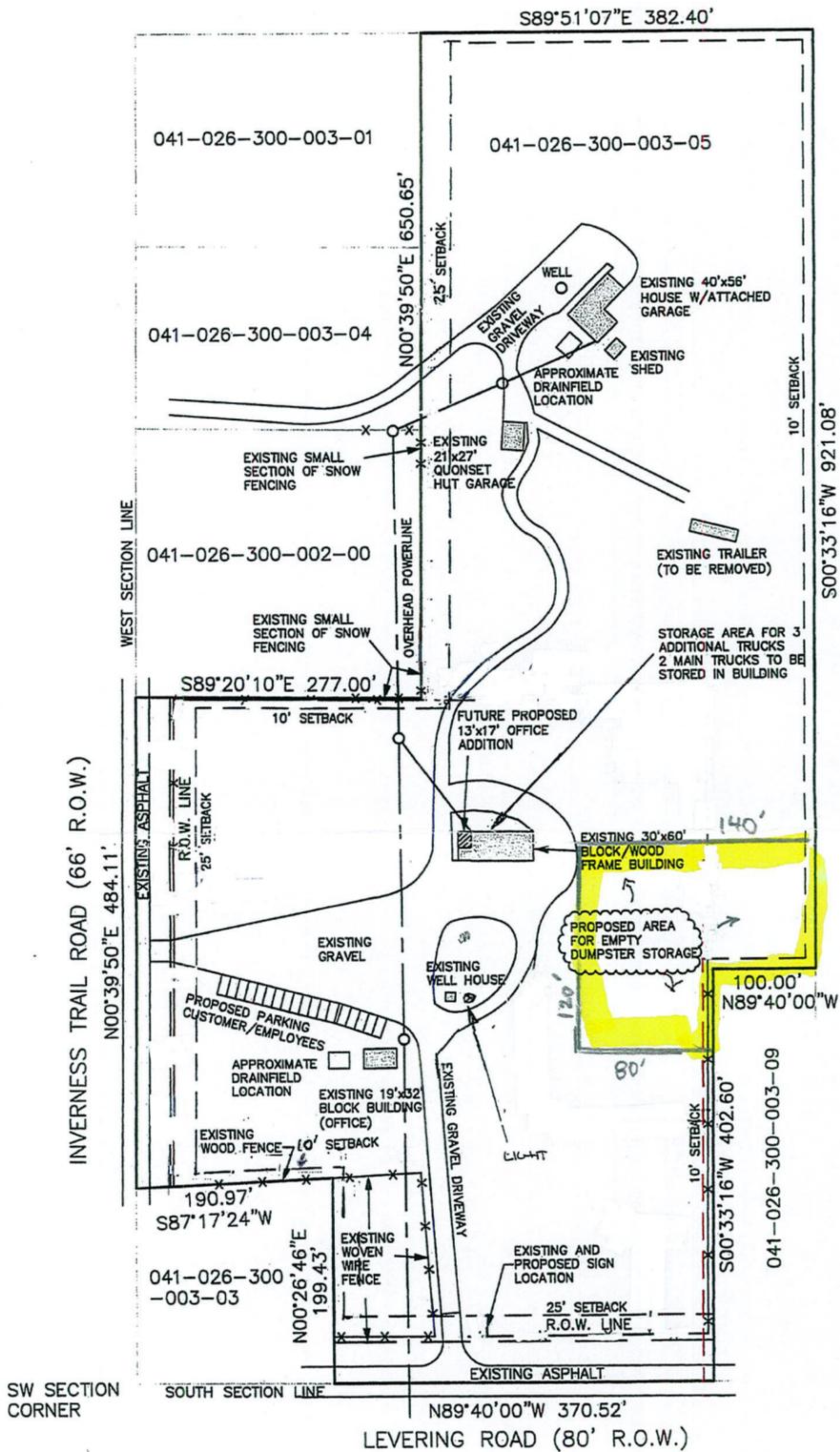
PART OF THE W1/2 OF THE SW1/4 OF THE SW1/4,
SECTION 26, T38N, R2W,
BEAUGRAND TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN



NOTE: BOUNDARY INFORMATION TAKEN FROM SURVEY BY MARVIN A. ROSS.

NOTES:

- PARCEL AREA - 14.2 ACRES
- ENTRANCES - CUSTOMER AND EMPLOYEE ENTRANCE IS FROM LEVERING ROAD. INVERNESS TRAIL ROAD ENTRANCE IS FOR INTERNAL PURPOSES ONLY.
- ENTRANCES WILL USE THE EXISTING CABLE FOR A GATEWAY AND BOTH WILL BE LOCKED DURING OFF HOURS.
- FENCING - PROPOSED FENCE IS TO BE WOOD OR CHAIN LINK AND WILL BE 4 FEET TALL.
- LIGHTING - EXISTING FLOOD LIGHT LOCATED AT SOUTHWEST CORNER OF BLOCK/WOOD BUILDING. NO ADDITIONAL OUTDOOR LIGHTING TO BE PLACED.



Alan J. Granger

DATE DEC. 12, 2016	REVISIONS ORIGINAL ISSUE	TITLE: SITE PLAN	SCALE: 1"=100'
		CLIENT: TRIPLE D SANITATION	SHEET: 1 OF 1 DRAWN BY: AJG
			JOB NO. C6877-01
			Granger and Associates, Inc. Engineers - Surveyors 224 S. Main St., Cheboygan, MI 49721 Email: grangerandassociates@gmail.com 231-627-2763

Emu Muck 3/17/17

Deborah Tomlinson

From: Brent Shank <mgr@chcrc.com>
Sent: Wednesday, February 01, 2017 8:33 AM
To: Deborah Tomlinson
Subject: Re: SUP Application for Triple D Disposal

Follow Up Flag: Follow up
Flag Status: Completed

Debbie,

Since this is a change in use for this property the Road Commission will require a driveway permit for all existing/proposed driveways. Road Commission requirements specify concrete curb and gutter along with surfacing on the driveways within the right of way for commercial driveways.

Thank you,

Brent Shank
Engineer/Manager
Cheboygan County Road Commission

Sent from my iPhone

On Feb 1, 2017, at 8:11 AM, Deborah Tomlinson <debbiet@cheboygancounty.net> wrote:

Good morning!!!

The following is a link to the Special Use Permit Application for Triple D Disposal: <http://www.cheboygancounty.net/current-applications-in-review-359/> . This application will be reviewed at the 02/15/17 Planning Commission Appeals meeting. Please review the application and call me or e-mail me if you have any questions or comments. Thank you!!!

Debbie

Debbie Tomlinson
Cheboygan County
Community Development Department
PO Box 70, 870 South Main Street
Cheboygan, MI 49721
(231)627-8489 phone
(231)627-3646 fax
debbiet@cheboygancounty.net

Deborah Tomlinson

From: Brent Shank [<mailto:mgr@chcrc.com>]

Sent: Wednesday, April 12, 2017 3:28 PM

To: Scott McNeil

Subject: Inverness Trail Road

Scott,

In regard to your question about Inverness Trail Road condition PASER Rating of 3:

A road that has a PASER rating of 3 is a road in poor condition. Typically a road in this category has structural failure and is in need of total reconstruction.

The Road Commission is not able to require a road improvement as condition of a driveway permit. If the driveway access meets Road Commission requirements for safety and design, we can not deny the access. The Road Commission would require concrete curb and gutter and surfacing with asphalt or concrete for each driveway entrance. The applicant indicates they will access both Inverness Trail Road and Levering Road. Levering Road is a much better road for commercial access. It is built to withstand the loads from commercial traffic. The Road Commission would much prefer the business to use Levering Road only as the access point.

Feel free to call if you want to discuss this further.

Have a good day,

Brent Shank

Engineer/Manager

Cheboygan County Road Commission

mgr@chcrc.com

(231) 238-7775

Cheboygan County Road Commission
Beaugrand Township Local Road Ratings Report for 2016

The goal of the Road Commission is to use Asset Management Strategies when planning projects for the roads under the jurisdiction of the Cheboygan County Road Commission. Asset management, as defined by Public Act 199 of 2007, is an “ongoing process of maintaining, upgrading and operating physical assets cost-effectively, based on a continuous physical inventory and condition assessment. Using asset management will allow the Road Commission and Township to invest the available road funds in a manner that will provide the greatest return.

PASER Road Rating System

All the local paved and gravel roads are rated each year using the PASER Road Rating system in the Township (seasonal roads are not included). PASER, or Pavement Surface Evaluation and Rating, is the rating system that is used in collecting data for RoadSoft. The roads are rated on a scale of 1 to 10 according to surface conditions of the pavement or a scale of 2 to 10 for gravel surfaces. The tables below show the rating and the suggested maintenance that would be required to preserve the road along with an estimated cost of repair.

PASER Rating and Treatments for Paved Roads

Road Rating	Recommended Repair	Estimated Cost per Mile
10	No maintenance necessary. New Road	\$ 0
9	No Maintenance necessary. Smooth Surface.	\$ 0
8	Minor Crack Sealing	\$ 600
7	General Crack Sealing and/or Minor Patching	\$ 3,200
6	Patching and Sealcoat	\$ 29,000
	Ultra-thin Asphalt Overlay	\$ 63,000
5	Asphalt Wedging	\$ 47,000
	Asphalt Wedging and Sealcoat	\$ 75,000
	Asphalt Wedging and Ultra-thin Asphalt Overlay	\$ 106,000
4	Asphalt Wedging and Overlay	\$ 142,000
3	Pulverize, gravel and pave	\$ 240,000
2	Reconstruction.	\$ 350,000
1	Reconstruction. Failed Road.	\$ 350,000

PASER Rating and Treatments for Gravel Roads

Road Rating	Existing Condition / Recommended Repair	Estimated Cost per Mile
10	No maintenance necessary. New Road	\$ 0
8	Good crown and drainage throughout. Adequate gravel for traffic. Maintain with grading and dust control.	\$ 500
6	Existing crown with drainage on 50% or more of roadway. Additional gravel needed in some areas along with ditching.	\$ 45,000
4	Little or no crown. Ditched on less than 50% of the road. Additional gravel needed on entire road along with ditching.	\$ 85,000
2	Failed road. Reconstruction.	\$ 250,000

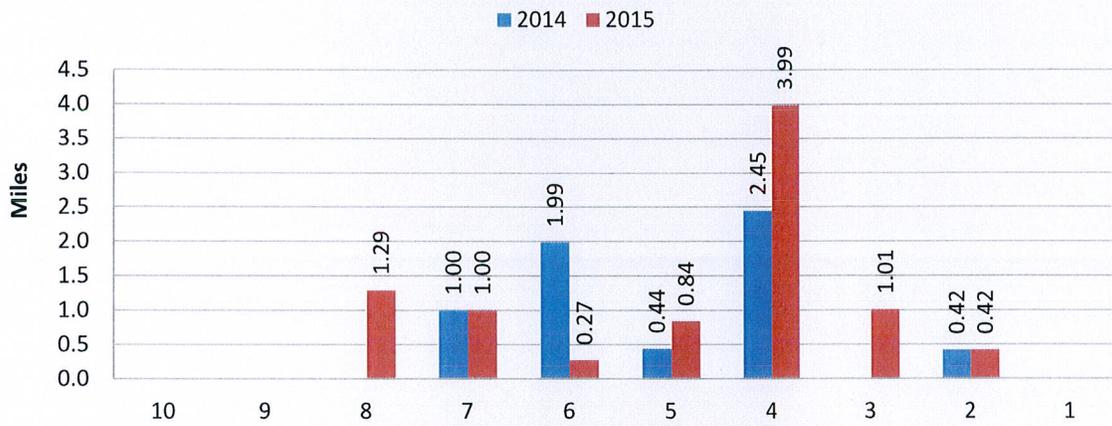
Beaugrand Township Paved Local Road Ratings

Current Road Ratings

PASER Rating	Road Name	Limits	Length (miles)
10			
9			
8	Woiderski Road	Inverness Trail to Riggsville Road.	1.29
7	Inverness Trail Road	Woiderski Road to Levering Road.	1.00
6	Shore Drive	Easterly and westerly of Coulson Drive.	0.27
5	Nicolet Drive	Michigami Drive to Beaumont Drive.	0.21
4	Beaumont Drive	US-23 to Nicolet Drive.	0.36
	Coulson Drive	US-23 to Shore Drive.	0.39
	Harmony Lane	US-23 to Nicolet Drive.	0.42
	Inverness Trail Road	Levering Road to Campbell Road.	1.00
	LaHaie Road	Cheboygan City Limits to end of pavement.	0.72
	Lake Shore Drive	Cheboygan City Limits to end of road.	0.40
	Michigami Drive	Beaumont Drive to Shore Drive.	0.18
	Nicolet Drive	Michigami Drive to end of road (westerly).	0.20
	Shore Drive	Michigami Drive to end of road (easterly).	0.14
	Slade Road	Old Mackinaw Road then south to end of pavement.	0.18
3	Inverness Trail Road	Levering Road to Old Mackinaw Road.	0.73
	Pinewood Circle		0.21
	Sunflower Street	US-23 to Pinewood Circle.	0.07
2	Old Mackinaw Road	Pries Road to end of pavement.	0.42
1			

Average PASER Rating for Paved Local Roads 4.87

2015 PASER Ratings for Paved Local Roads



Average PASER Rating for Paved Local Roads



Estimate Cost to Repair Local Paved Roads Based on 2015 PASER Ratings

Road Rating	Miles	Estimated Cost per Mile	Total Cost
10	0	\$ 0	\$ 0
9	0	\$ 0	\$ 0
8	1.29	\$ 600	\$ 774
7	1.00	\$ 3,200	\$ 3,200
6	0.27	\$ 29,000	\$ 7,830
5	0.21	\$ 47,000	\$ 9,870
4	3.99	\$ 142,000	\$ 566,580
3	1.01	\$ 240,000	\$ 242,400
2	0.42	\$ 350,000	\$ 147,000
1	0	\$ 350,000	\$ 0

Total Cost in 2016 = \$ 977,654

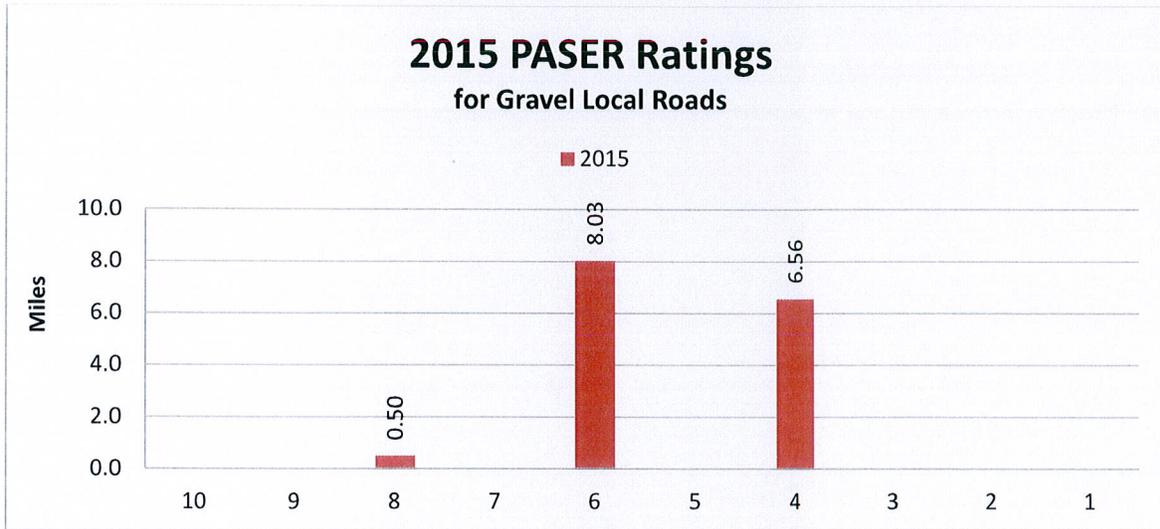
Beaugrand Township Gravel Local Road Ratings

Current Road Ratings

PASER Rating	Road Name	Limits	Length (miles)
10			
8	Woiderski Road	Schmidt Road to Inverness Trail.	0.50
6	Airport Road	LaHaie Road to Levering Road.	0.50
	Campbell Road	Goebel Road to Rose Road.	0.99
		Inverness Trail to US-23.	0.49
	Goebel Road	Campbell Road then north to end of road.	0.52
	Lahaie Road	Airport Road to pavement.	0.19
	Old Mackinaw Road	End of asphalt then westerly to Township Line.	3.09
	Phillips Road	Pries Road to end of road.	0.16
	Rose Road	Levering Road to Campbell Road.	0.99
	Shall Road	Levering Road then south to end of road.	0.51
	Slade Road	Levering Road then north to pavement.	0.59
4	Campbell Road	Rose Road to Inverness Trail.	1.00
	Garden Street	Court Street to end of road.	0.20
	Goebel Road	Levering Road then north to seasonal road.	0.06
	Hill Road	Knaffle Road to Levering Road.	0.99
	Knaffle Road	Hill Road to end of road.	0.53
	Nipigon Road	Old Mackinaw Road to US-23	1.31
	Rose Road	Campbell Road then north to end of road.	0.26
	Seymor's Road	LaHaie Road then south to end of road.	0.06
	Shall Road	Levering Road then north to end of road.	0.27
	Woiderski Road	Levering Road then south to seasonal road.	0.95

4	Wollangur Road	Levering Road to Hill Road.	0.93
2			

Average PASER Rating for Gravel Local Roads 4.75



Service Life of Treatments

Service life is the expected time that a treatment will last before needing complete reconstruction. In the table below, an expected service life for a particular treatment is listed. Before a treatment reaches the expected service life, preventative maintenance should be performed. Preventative maintenance will extend the expected service life of the pavement and treatment.

Service Life of Treatments for Paved Roads

Road Rating	Recommended Repair	Expected Service Life (years)
8	Minor Crack Sealing	5
7	General Crack Sealing and/or Minor Patching	5
6	Patching and Sealcoat	7
	Ultra-thin Asphalt Overlay	7 – 10
5	Asphalt Wedging	7
	Asphalt Wedging and Sealcoat	7 – 10
	Asphalt Wedging and Ultra-thin Asphalt Overlay	10
4	Asphalt Wedging and Overlay	12 – 15
3	Pulverize, gravel and pave	15 – 25
2	Reconstruction.	25 - 30
1	Reconstruction. Failed Road.	25 - 30

For example, if a road has a PASER rating of 6, a treatment of a ultra-thin asphalt overlay is recommended (see the Table titled PASER Ratings and Treatment on page 1). The expected service life for an ultra-thin asphalt overlay is 7-10 years. Preventative maintenance in the form of crack sealing may be required after 2 years.

Expected service life may be shorter if the road is on poor soils that are not addressed as part of the treatment. If a project is selected that is not the recommended treatment, the service life listed in the table above will be shorter and preventative maintenance will need to be performed sooner.

Service Life for a gravel road is difficult to predict. Gravel road conditions can change rapidly based on weather, grading and traffic effects on the roads.

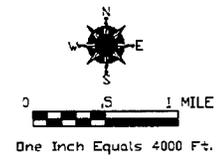
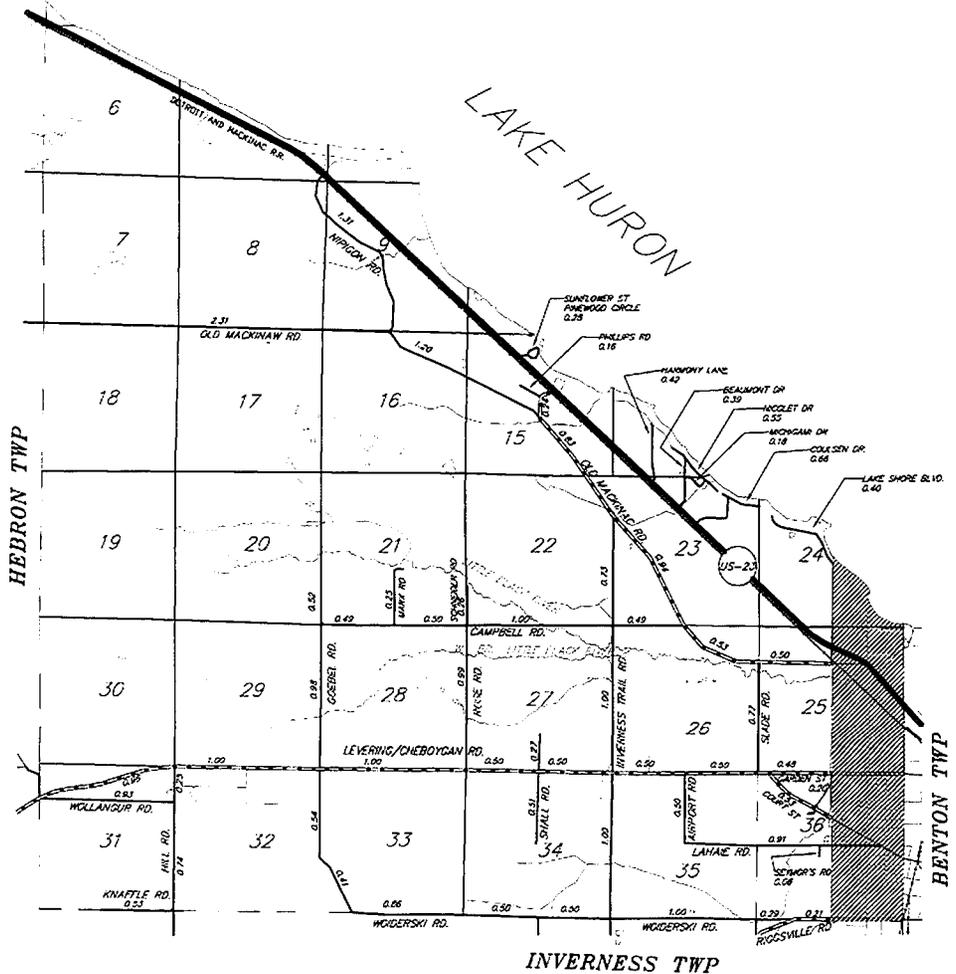
LEGEND

22

- COUNTY LINE - - - - -
- CORPORATE LIMITS - - - - -
- STATE TRUNKLINE **—————**
- COUNTY PRIMARY **—————**
- COUNTY LOCAL **—————**
- ADJACENT COUNTY **—————**
- CITY OR VILLAGE STREET **—————**

PRIMARY ROAD SYSTEM IS 9.22 MILES

LOCAL ROAD SYSTEM IS 25.84 MILES



BEAUGRAND TOWNSHIP
T38N R2W 22

Deborah Tomlinson

From: Ozoga, John (DEQ) [<mailto:OZOGAJ@michigan.gov>]
Sent: Wednesday, April 05, 2017 11:05 AM
To: Steve Schnell
Subject: FW: quick question - Hauling Turcks with 500 ft of Residence

From: Ring, Margie (DEQ)
Sent: Monday, March 27, 2017 4:09 PM
To: Ozoga, John (DEQ)
Cc: Roycraft, Phil (DEQ)
Subject: RE: quick question - Hauling Turcks with 500 ft of Residence

Sorry, I missed this last week. If you look at Rule 602(5) of Part 115 it says: " During the collection process, a solid waste transporting unit shall not be parked in a residential area longer than necessary to collect solid waste, unless it is parked more than 500 feet from adjacent residences. A solid waste transporting unit shall not be parked, stored or established at any location so as to cause a hazard to health or at any residentially zoned location so as to cause a nuisance."

So, it appears the 500-foot limit is during the collection process – presumably as it will have waste in it during that time. The second part of 602(5) doesn't set a distance limit, just says it can't cause a health hazard or nuisance. So, unless there is a specific prohibition in the County Solid Waste Management Plan, I don't think parking an empty truck in an industrial zoned area within 500 feet of a residence would be prohibited.

From: Ozoga, John (DEQ)
Sent: Thursday, March 23, 2017 10:38 AM
To: Roycraft, Phil (DEQ); Ring, Margie (DEQ)
Subject: FW: quick question - Hauling Turcks with 500 ft of Residence

Can an empty solid waste hauling truck be parked within 500 feet of a house? I think so, correct?

From: Steve Schnell [<mailto:steve@cheboygancounty.net>]
Sent: Thursday, March 23, 2017 10:28 AM
To: Ozoga, John (DEQ)
Subject: RE: quick question

John,

Can you tell me if a waste hauler can be within 500' of a residential zone? The property they are proposing is in an industrially zoned area but there is a residential zone on the other side of the street. Their proposed plan shows they would be parking their trucks and some of their empty dumpsters within 450' or less from a residentially zoned area. Does this run afoul of the rule R 299.4602(5)? Or is that only applying during the time they drive their route?

See attached for reference.

Thanks,
Steve

Steve Schnell, AICP
Community Development Director

Cheboygan County
870 S. Main St., PO BOX 70
Cheboygan, MI 49721
steve@cheboygancounty.net
www.cheboygancounty.net/planning
Phone: 231-627-8485
Fax: 231-627-3646
Cell: 231-445-2599

From: Ozoga, John (DEQ) [<mailto:OZOGAJ@michigan.gov>]
Sent: Friday, February 24, 2017 12:36 PM
To: Steve Schnell
Cc: Roycraft, Phil (DEQ)
Subject: Re: quick question

Hauler can have waste in truck for over night storage. Just can't take out onsite without being a transfer station.

Sent from my iPhone

On Feb 24, 2017, at 10:49 AM, Steve Schnell <steve@cheboygancounty.net> wrote:

John,

Can a waste hauler store overnight a garbage truck on site which has garbage in it? Or, to remain a waste hauler (and not be considered a transfer station) does that garbage truck have to remain empty overnight or whenever parked at their location?

Thanks,
Steve

Steve Schnell, AICP
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Cheboygan County Planning Commission
Cheboygan County Building
870 South Main St. Room 103
Cheboygan, MI 49721

RE: Triple D Sanitation / Erica Wheelock/ Bonnie Nagy- Special Use Permit Application

Dear Commission Members:

I write in connection with the above special use permit application. I have examined the plans and I know the site well. I wish to object to the development of this type of business in this location.

I reside at 13090 Inverness Trail Road, which on the submitted site plan is 041-026-300-003-03.

In reference to the statement by the Community Development Department in regards to a C of O from the Cheboygan County Department of Building Safety and the proposed use falling under the same use category as defined by the Michigan Uniform Construction Code. What is the current legal use of the property? Ms. Wheelock states multiple different uses of this property. My understanding is that the current legal use of the property is for a batch plant which has not operated since I moved to Cheboygan. To my knowledge there has not been an approved special use permit and site plan for any of the following uses which Ms. Wheelock refers to ie. a truck repair facility, cement plant, heavy truck hauling, plowing business, storage area for salt for roads, and lots of big equipment.

Waste Hauler is not defined within the Cheboygan County Ordinance. Per previous application it has been determined that the Solid Waste Management Plan for Cheboygan County should be updated and addressed prior to moving forward with this type of business. Isn't a waste hauler part of the Solid Waste Solution within the county and therefore in my opinion should be addressed by the Solid Waste Management Plan. Furthermore Ms. Wheelock states in the application as well as in her letter that she "is looking into adding recycling and roll off to my company" and continues to discuss the desire to have a much more elaborate transfer station business at the proposed location.

I have many of the same concerns whether this be referred to as a "transfer station", or a "waste hauling company", in my opinion it is a play on words

Household garbage is hazardous waste and should be treated as such.

- 1) Concern over contamination of the ground water for myself as well as the neighborhood.
- 2) Intrusion of disease carrying rodents, additional nuisance birds and the odors.

- 3) The environmental impact on the Lake Huron Water shed.
- 4) The existing contaminants on the site that have been left from the previous uses.
- 5) The previous unsanitary conditions of the last location for the Triple D Sanitation facility.
- 6) The disregard by the owners of Triple D Sanitation to begin using the property prior to the use being approved.
- 7) The lack of information on the submitted site plan.
- 8) Devaluation of my property and neighboring properties
- 9) The concern over Triple D Sanitation adhering to the State of Michigan regulations, DEQ regulations, Solid Waste Management Plan for Cheboygan County (which is under going changes), as well as MDOT for operation as a business .

Item #1- Ground water contamination- Ms. Wheelock indicates a constant flowing artesian well on the property- Is that the same water that feeds my well which is within 10' of the property line of the proposed use. How will I be guaranteed that leachate will not contaminate my drinking water? Previous records indicate that the DEQ also had concerns in regards to this issue.

Item #2- Intrusion of disease carrying rodents, additional nuisance birds and odors. Whenever there is garbage left out, or contained it attracts unwanted animals, birds, and produces odors that can be noxious to a person's health.

Item #3- Environmental impact on the Lake Huron WaterShed. The West Branch of the Little Black River is within 200' of this property. (Surprising this river doesn't show up on the information provided by the Community Development Department) In the spring of the year the runoff from all surrounding properties is so massive that the gullies in the area have been known to overflow onto the road. The runoff and all contaminants from this site would then be deposited in adjacent properties and into the Lake.

Item #4- Existing contaminants on the site from previous uses. It is my understanding that this property was used in the past, as a batch plant for concrete manufacturing. Since I have lived at this location there have been many commercial vehicles, junk or immobile vehicles, as well as mobile homes, and semi-trailers stored on this site. There have been many fires and excavation that have gone on at this location, including the burning of tires. What containments could exist on the site today that we don't know about?

Item #5-The previous unsanitary conditions of the last location for the Triple D Sanitation facility. I have been informed that you cannot hold a person's past indiscretions against them, I disagree with this comment only because if data is available to base a decision on then one should use the data collected to make an informed decision. The data in regards to the Special Use Permit for Triple D Sanitation is available so please use it.

Item #6 -The disregard by the owners of Triple D Sanitation to begin using the property prior to the use being approved. Triple D Sanitation has been using this site since November and more recently as of March to my knowledge. I leave my home at approximately 5:30 am and return

at 4:30 pm I have seen and continue to see the garbage trucks pulling in and out of the driveway that leads to Levering road, which is highly visible from my kitchen window. Triple D Sanitation has been informed on two occasions that I am aware of, that they cannot use the property until the Special Use Permit is approved, but they continue to do so.

Item #7 -The lack of information on the submitted site plan. The site plan depicts that the wood fence adjacent to my property is theirs that is not the case the wood fence is owned by me and is on my property. The site plan doesn't show any spaces for handicap accessible parking, there is no screening shown on the site plan. There are also other structures on the property that are not depicted on the site plan. No fencing is proposed. If this use is approved I don't feel this is adequate. There are wetlands on this property that are not shown on the site plan. The areas on the site plan that say existing gravel are actually dirt. There is no indication where they will be storing the hazardous waste water that is to be collected from washing the building and the trucks- DEQ requirement.

Item #8- My property as well as the surrounding properties will diminish in market value- I purchased my property in Cheboygan County with the intent of someday selling it, at a profit. Allowing this use in this location will impede the surrounding area from appreciation. Potentially causing depreciation of the value that property will be worth in the surrounding area. (Would you want this use in your back yard?)

I honestly believe that the County Board of Commissioners should be taking control over this and forming the Solid Waste Management Committee in order to determine what the requirements should be. The Solid Waste Management Plan was put in place to protect constituents such as myself and surrounding areas. With the information that we have to date I would encourage the Planning Commission to defer from making a decision on this SUP until further information becomes available.

Thank you for your time,
Sincerely,


Karen Johnson

BEAUGRAND TOWNSHIP
1999 Old Mackinaw Road
P.O. Box 5205
Cheboygan, Michigan 49721
(231) 627-3621

Marcia Rocheleau, Supervisor/Assessor

Terri Sarrault, Clerk
Edward Barr, Trustee

Robin Westfall, Treasurer
John Wanke, Trustee

April 18, 2017

Cheboygan County Planning Commission
Cheboygan County Building
870 South Main St.
P.O. Box 70
Cheboygan, MI 49721

RE: Triple D Sanitation – Erica Wheelock - Special Use Permit

Dear Planning Commission Members:

Beaugrand Township has reviewed the plans for the special use permit requested by Ms. Wheelock for Triple D Sanitation. The Beaugrand Township Board asks that you do not approve this request. There are items missing from the site plan of the property, there seems to be some confusion as to what usage was approved in the past for this property, Ms. Wheelock talks about expanding her business in the future, which changes the use to a transfer station (which is addressed only under the Solid Waste Management Plan), the buildings are not up to code for what they want to do in them, and this is a Solid Waste Management issue that should not be addressed by the Planning and Zoning Department.

There is no definition of a Waste Hauler in the Zoning Ordinance. The DEQ has Waste Haulers listed on their site and also spells out recommendations as to siting criteria, but they do not regulate them. Since Triple D Sanitation's previous request for a Transfer Station was supposed to be addressed by the Solid Waste Management Plan, it was discovered that the existing plan needs to be updated and clarified as to what exactly is covered under Solid Waste Management. The township board feels that even if they are applying for a Waste Hauler special use permit, it should come under the purview of the Solid Waste Plan. And with the recommendations from the DEQ for the siting criteria for Waste Haulers, we feel that it would be very appropriate that this falls under the Solid Waste Management Plan.

Beaugrand Township feels that the Solid Waste Management Plan could address all of the concerns the township has:

1. Lack of information for the submitted site plan.
2. Ground water contamination

BEAUGRAND TOWNSHIP

1999 Old Mackinaw Road
P.O. Box 5205
Cheboygan, Michigan 49721
(231) 627-3621

Marcia Rocheleau, Supervisor/Assessor

Terri Sarrault, Clerk
Edward Barr, Trustee

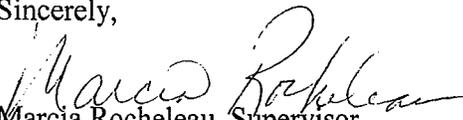
Robin Westfall, Treasurer
John Wanke, Trustee

3. Devaluation of neighboring properties
4. Offensive odors
5. Additional birds next to the airport
6. Nuisance from additional rodents
7. The environmental impact on all surrounding drains and watersheds.
8. The fact that Triple D Sanitation has already tried to use the property for waste hauling for which they have not been granted the right, whether it is thru planning and zoning or the Solid Waste Management Plan.
9. Problems the company's predecessor and the current company has at its current sight.

(Which by the way is a direct violation of the Solid Waste Management Plan and the township is wondering why a special use permit was granted by Planning and Zoning in the first place.) (This is a subject that still needs to be addressed.)

With the tremendous amount of controversy concerning this Special Use request, the Beaugrand Township board requests that this issue be passed on to the County Board of Commissioners for them to appoint a committee to go over the Solid Waste Management Plan, amend as needed, and to address this issue under that Plan.

Sincerely,


Marcia Rocheleau, Supervisor
Beaugrand Township Board

Steve Schnell

From: Miller, Christina (DEQ) <MILLERC1@michigan.gov>
Sent: Monday, March 20, 2017 8:29 AM
To: Steve Schnell
Cc: Ozoga, John (DEQ)
Subject: RE: solid waste transporting unit

A Transporting Unit is not a disposal area; it is one method on how the solid waste is going to a disposal area. Therefore, it is not subject to the SWMP.

Thanks for asking...have a great day.

Sincerely,

Christina Miller

Solid Waste Planning, Reporting and Surcharge Coordinator
Office of Waste Management and Radiological Protection
Department of Environmental Quality

Constitution Hall
4 South
525 West Allegan
P.O. Box 30241
Lansing, MI 48933

(517) 614-7426
(517) 373-4051 fax

From: Steve Schnell [<mailto:steve@cheboygancounty.net>]
Sent: Monday, March 20, 2017 8:25 AM
To: Miller, Christina (DEQ)
Cc: Ozoga, John (DEQ)
Subject: RE: solid waste transportating unit

Christina,
Thanks, just to be clear, although a solid waste transporting is in the rules, it's not considered a disposal area and not subject to the SWMP, correct?

Thanks again!
Steve

Steve Schnell, AICP
Community Development Director
Cheboygan County
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steve@cheboygancounty.net
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Phone: 231-627-8485

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Cell: 231-445-2599

From: Miller, Christina (DEQ) [<mailto:MILLERC1@michigan.gov>]
Sent: Friday, March 17, 2017 8:56 AM
To: Steve Schnell
Cc: Ozoga, John (DEQ)
Subject: RE: solid waste transportating unit

Steve,

Good morning....only a solid waste disposal area (solid waste: transfer station; processing plant; landfill; or municipal solid waste incinerator) must be consistent with a County Solid Waste Management Plan; any other operation would only need to meet local zoning requirements to be developed.

Please let me know if you have any additional questions.

Thanks,

Christina Miller
Solid Waste Planning, Reporting and Surcharge Coordinator
Office of Waste Management and Radiological Protection
Department of Environmental Quality

Constitution Hall
4 South
525 West Allegan
P.O. Box 30241
Lansing, MI 48933

(517) 614-7426
(517) 373-4051 fax

From: Steve Schnell [<mailto:steve@cheboygancounty.net>]
Sent: Wednesday, March 15, 2017 3:06 PM
To: Ozoga, John (DEQ); Miller, Christina (DEQ)
Subject: solid waste transportating unit

John or Christina,
As Triple D Sanitation is now probably applying for zoning review for a waste hauling only (solid waste transporting unit), can you confirm that this is not something that is reviewed or preempted by the County's Solid Waste Management Plan?

I believe you, John, have already indicated this but I want to make sure as we dive into another review of their company.

And it appears that this is regulated partly by Part 6, R 299.4601-299.4602.

Thanks for your guidance as always.

Steve

Steve Schnell, AICP
Community Development Director

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Bellaire, Michigan 49615
(231) 533-8635
Facsimile (231) 533-6225
pwendling@upnorthlaw.com

Bryan E. Graham
Peter R. Wendling
Eugene W. Smith
Nicole E. Essad

James G. Young, *Of Counsel*

April 26, 2017

Sent via email

Steve Schnell, Community Development Director
Scott McNeil, Community Development Planner
Cheboygan County
P.O. Box 70
Cheboygan MI 49721

SUBJECT: Cheboygan County solid waste management plan

Dear Steve and Scott:

Per Steve's recent telephone message, it is my understanding that you have completed the processing of Triple D Sanitation's SUP. As discussed earlier, the county's solid waste management plan does not address a truck storage and dispatch facility, even if the trucks are waste haulers and the business is a waste hauling business.

Previously on March 20, 2017 you had received an email from Christina Miller. Ms. Miller is the Solid Waste Planning, Reporting and Surcharge Coordinator at the Office of Waste Management and Radiological Protection, Department of Environmental Quality. As Ms. Miller pointed out, a transporting unit, such as Triple D's business, is not part of any disposal area. As such, it is not subject to the solid waste management plan for Cheboygan County.

While your solid waste management plan discusses hauling, it discusses it in the sense that the plan encourages additional haulers in order to have competition in refuse hauling. Other than some general discussions of waste hauling within the solid waste management plan, the county's solid waste management plan does not provide for any regulations which are applicable to haulers alone and does not have a section requiring an application and processing standards for waste haulers.

If you have any further questions, please do not hesitate to contact me directly.

Sincerely,

Peter R. Wendling

PRW/tac

cc: Jeff Lawson, Administrator (via email)



CHEBOYGAN COUNTY AIRPORT

1520 LEVERING RD.

CHEBOYGAN, MI 49721

Phone: 231-627-5571
AWOS Phone: 231-627-4671
AWOS: 118.175
CTAF/U: 122.8

FAA Michigan Location Identifier KSLH

April 26, 2017

Cheboygan County Planning Comm.
Cheboygan County Building
870 S. Main St.
Cheboygan, MI 49721

RECEIVED

APR 28 2017

CHEBOYGAN COUNTY
COMMUNITY DEVELOPMENT DEPT.

Re: Triple D Disposal Special Use Permit

Dear Commission Members:

The Cheboygan County Airport is concerned about the Special Use Permit if not properly enforced. The concern is that if trash is allowed to accumulate it would attract birds. This Special Use Permit must not allow storage or transferring of trash. Birds are a hazard to aircraft operations. Bird strikes can result in damage to aircraft and subsequent human injury or death.

If you find it necessary to allow the Special Use Permit, please put enforcement procedures in place if proper storage of trash is not maintained 24/7. Thank you for your consideration in this matter.

Very truly,

Gary Painter
Airport Manager

16

Cheboygan County Planning Commission
Cheboygan County Building
870 South Main St. Room 103
Cheboygan, MI 49721

RE: Triple D Sanitation / Erica Wheelock/ Bonnie Nagy- Special Use Permit Application

Dear Commission Members,

Please read and refer to the below snippets from the Solid Waste Management Plan for Cheboygan County as well as the Natural Resources and Environmental Protection Act (Excerpt) Act 451 of 1994- Part 115 Solid Waste Management Plan- Keep in mind because the Cheboygan County Zoning Ordinance does not have definitions for this type of use the definitions supplied are from the Natural Resources and Environmental Protection Act (Excerpt) Act 451 of 1994- Part 115 Solid Waste Management Plan)

The Selected Solid Waste Management System (Selected System) is a comprehensive approach to managing the County's solid waste and recoverable materials. The Selected System addresses the generation, transfer and disposal of the County's solid waste. It aims to reduce the amount of solid waste sent for final disposal by volume reduction techniques and by various resource conservation and resource recovery programs. It addresses collection processes and transportation needs that provide the most cost effective, efficient service. Proposed disposal areas locations and capacity to accept solid waste are identified as well as program management, funding, and enforcement roles for local agencies. Detailed information on recycling programs, evaluation, and coordination of the Selected System is included in Appendix A. Following is an overall description of the Selected System:

(pg.37 Solid Waste Management Plan for Cheboygan County)

B. Facilities Not included in this Plan:

A proposal for any other disposal area as defined in Part 115 of NREPA, i.e. incinerator, is not included in this Plan and, thus, is not consistent with this Plan. Should such an application be submitted this determination shall be made at the conclusion of Part 1 of the two part Siting Criteria and Process that is described in the following section of the Plan.

C. Plan Amendment for a Facility Not Included in this Plan

If a facility is proposed which is not consistent with this Plan, than the facility proposer can request to amend the County Plan. Plan amendments follow the same procedures for adopting this Plan, according to Part 115 of NREPA. A request to amend the Plan should be made to the Cheboygan County Board of Commissioners. The County Board will prepare a budget of anticipated costs to amend the Plan. Once adopted by the Board of Commissioners, the total amount of the budget shall be the fee charged to process the Plan amendment.

(pg.72 Solid Waste Management Plan for Cheboygan County)

(5) "Disposal area" means 1 or more of the following at a location as defined by the boundary identified in its construction permit or engineering plans approved by the department:

- (a) A solid waste transfer facility.
- (b) An incinerator.
- (c) A sanitary landfill.
- (d) A processing plant.

(e) Any other solid waste handling or disposal facility utilized in the disposal of solid waste. However, a waste diversion center is not a disposal area.

(Pg. 3 Natural Resources and Environmental Protection Act (Excerpt) Act 451 of 1994- Part 115 Solid Waste Management Plan)

324.11506 Definitions; S to Y.

Sec. 11506. (1) "Solid waste" means garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, municipal and industrial sludges, solid commercial waste, solid industrial waste, and animal waste. However, solid waste does not include the following:

- (a) Human body waste.
- (b) Medical waste.
- (c) Organic waste generated in the production of livestock and poultry.
- (d) Liquid waste.
- (e) Ferrous or nonferrous scrap directed to a scrap metal processor or to a reuser of ferrous or nonferrous products.
- (f) Slag or slag products directed to a slag processor or to a reuser of slag or slag products.

Etc... (Pg.7 Natural Resources and Environmental Protection Act (Excerpt) Act 451 of 1994- Part 115 Solid Waste Management Plan)

(2) "Solid waste hauler" means a person who owns or operates a solid waste transporting unit.

(3) "Solid waste processing plant" means a tract of land, building, unit, or appurtenance of a building or unit or a combination of land, buildings, and units that is used or intended for use for the processing of solid waste or the separation of material for salvage or disposal, or both, but does not include a plant engaged primarily in the acquisition, processing, and shipment of ferrous or nonferrous metal scrap, or a plant engaged primarily in the acquisition, processing, and shipment of slag or slag products.

(4) "Solid waste transporting unit" means a container, which may be an integral part of a truck or other piece of equipment used for the transportation of solid waste.

(pg. 8 Natural Resources and Environmental Protection Act (Excerpt) Act 451 of 1994- Part 115 Solid Waste Management Plan)

(7) A person shall not dispose of, store, or transport solid waste in this state unless the person complies with the requirements of this part.

(8) An ordinance, law, rule, regulation, policy, or practice of a municipality, county, or governmental authority created by statute, which prohibits or regulates the location or development of a solid waste disposal area, and which is not part of or not consistent with the approved solid waste management plan for the county, shall be considered in conflict with this part and shall not be enforceable.

(Pg. 39 Natural Resources and Environmental Protection Act (Excerpt) Act 451 of 1994- Part 115 Solid Waste Management Plan)

324.11541 State solid waste management plan; contents; duties of department.

Sec. 11541. (1) The state solid waste management plan shall consist of the state solid waste plan and all county plans approved or prepared by the department.

(Pg. 41 Natural Resources and Environmental Protection Act (Excerpt) Act 451 of 1994- Part 115 Solid Waste Management Plan)

With the information provided above I ask the following questions:

What is the current legal use of the property?

Has the Community Develop Department provided the State of Michigan and legal counsel with all the required documents that have been submitted by Triple "D" Sanitation in order for them to make an informed conclusion?

Why is this not going thru the Solid Waste Management Plan process that Cheboygan County adopted in 2000?

What type of restrictions will be issued in regards to Leachate from the trucks as well as the dumpster area?

How will the hazardous waste from this area be contained?

How will the hazardous waste from this area be removed?

What steps will be put in place for spillage?

How will the methane gas produced from leaving garbage sitting in a truck be contained?

How will the methane gas levels be measured?

Will there be a method of purification?

Will there be any painting of the dumpsters on site- either inside or outside of the building?

If so will there be a requirement to obtain the proper permits including but not limited to EPA approval, and Building Code?

If they will be using the current structure for a repair facility will an oil/water separator be required, will a carbon dioxide detector be required?

Will licensing of the trucks by the MDOT be made a requirement?

Will they have to provide proof of:

- Insurance- Vehicle

- Insurance- Workers Compensation

- Insurance- Property/Building

- Insurance- Liability

- State License Number

- Federal ID Number

Will requirements be made for reporting of solid waste within the county to ensure proper disposal such as (To ensure consistency with the Solid waste Management Plan):

- Number of trips

- Date of trips

- Cubic Yards of material deposited at landfill for each trip

- Origin of each load

- Type of material

- Name of driver

How will they deal with birds, noxious odors, and excess varmints?

How will these items be measure for enforcement?

Will there be restrictions for burning on the premises?

How will the neighborhood be protected from property devaluation?

How will the neighborhood be protected from adverse environmental impacts?

If restrictions are put in place how will they be documented and enforced?

Will they have to meet the restrictions, infrastructure implementation prior to being able to operate?(if any are imposed)

Will there be any requirements for fencing or plantings imposed?

Will they be required to remove any items not shown on the site plan?

Will a bond need to be executed prior to beginning to use property for proposed use?

Please keep in mind that the decision rendered will affect the quality of life, personal income, and, the natural resources of the area and will encroach and present a threat to the neighbor's.

Thank you for your time,

Sincerely,

Karen Johnson



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Item: Consideration of a Special Use Permit for a waste hauler in a General Industrial Development District (D-GI).	Prepared by: Steve Schnell and Scott McNeil
Date: April 27, 2017	Expected Meeting Date: April 19, 2017 tabled to May 3, 2017 and May 17, 2017

GENERAL INFORMATION

Applicant: Triple D Sanitation/Erica Wheelock
Contact person: Erica Wheelock
Phone: 231-290-1950

Requested Action: Approval of a Special Use Permit for a waste hauler business in a General Industrial Development District pursuant to Section 7.3.13. as referenced by Section 8.3.1 and Section 8.3.16.

BACKGROUND INFORMATION

The applicant is proposing a waste hauler business in a General Industrial Development District (D-GI) zoning district. The applicant has provided a statement regarding the proposed operation of the waste hauler business which is attached to the application. As a waste hauler, the applicant indicates that the waste will be picked up off site and placed in waste hauling trucks. The waste will then be taken from the truck to the final disposal site. There may be waste in a waste hauling truck when parked at the site. No transfer of waste at the site is proposed. An area for storage of empty dumpsters is indicated on the site plan in the east-central portion of the site measuring approximately 120 feet by 140 feet. The applicant proposes to use existing structures with a future addition for office use measuring 13 feet by 17 feet as indicated on the site plan. There are no other new construction, alteration of existing structures or earth changes proposed in the application. The applicant indicates that there will be no toxic wastes.

The applicant has received a certificate of occupancy for the existing structures from the Cheboygan Department of Building Safety since the proposed use falls under the same use category as defined by the Michigan Uniform Construction Code.

Waste hauler is a use which is not expressly allowed in the zoning ordinance. As a result the applicant has chosen to make application under Section 7.3.13 as referenced in Section 8.3.1 and the same as Section 8.3.16 which includes a requirement that the Planning Commission make a

determination whether the proposed use is of the same general character as other uses allowed in the zoning district.

Section 7.3.13 (which is referenced in Section 8.3.1 and the same as Section 8.3.16) reads as follows:

Uses which are not expressly authorized in any zoning district, either by right or by special use permit, or uses which have not been previously authorized by the Planning Commission pursuant to this subsection or corresponding subsections in other zoning districts may be allowed in this zoning district by special use permit if the Planning Commission determines that the proposed use is of the same general character as the other uses allowed in this zoning district, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan County Comprehensive Plan for this zoning district.

We have reviewed our record of approved special use permits and past Planning Commission meeting indexes and find no reference to waste hauler use that has been approved or has been under consideration.

The standard requires “compliance with the applicable requirements of the Cheboygan County Comprehensive Development Plan for this zoning district”. Although there are no requirements listed in a Comprehensive Development Plan, which is now called the Master Plan, consistency with that plan can be reviewed. You will find a section of the Future Land Use Map of the subject area included in figure 1 of this report.

The Planning Commission tabled discussion on this matter from the April 19, 2017 regular meeting to the May 3, 2017 regular meeting in order to allow members of the Commission to develop and submit questions for the applicant and legal counsel. Questions received to date are as follows;

Can the Planning Commission Place a performance bond on site improvements or other requirements as conditioned by the Planning Commission upon approval?

How is leaking leachate from trucks or dumpsters regulated?

Discussion was also held with regard to Waste Hauler use under the Cheboygan County Solid Waste Management Plan. By review of Exhibit 14 you will find a statement in an email message from Christina Miller, Solid Waste Planning, Reporting and Surcharge Coordinator from the Office of Waste Management and Radiological Protection of the Michigan Department of Environmental Quality that states as follows;

“only a solid waste disposal area (solid waste: transfer station; processing plant; landfill; or municipal solid waste incinerator) must be consistent with a County solid Waste Management Plan; any other operation would only need to meet local zoning requirements to be developed.

You will also find the issue regarding waste haulers and the solid waste plan addressed in a letter from County legal counsel, Peter Wendling which is provided in exhibit 15. In the last paragraph of the letter, Mr. Wendling states as follows:

“While your solid waste management plan discusses hauling, it discusses it in the sense that the plan encourages additional haulers in order to have competition in refuse hauling. Other than some general discussions of waste hauling within the solid waste management plan, the county’s solid waste management plan does not provide for any regulations which are applicable to haulers alone and does not have a section requiring an application and processing standards for waste haulers.”

The Planning Commission also further tabled final decision on the application to May 17, 2017 at which time legal counsel can be present to address questions and assist with consideration of the special use permit application.

Current Zoning:

General Industrial Development District (D-GI).

Surrounding land uses:

Commercial on the south. Single family residential to the north and west. Cheboygan County Airport to the north and east.

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain): Some possible wetlands are indicated on the National Wetland Inventory map per figure 2. There are no wetlands indicated in the area where the use activity is proposed to take place.

Historic buildings/features:

There are no known historic buildings or historic features on this site.

Traffic Implications

Commercial uses can currently be found in the immediate area. The use will have minimal impact on traffic conditions.

Parking

There are no regulations or standards found in Section 17.6 relative to the proposed use. Section 17.6 provides for 1 parking space for every 2 employees. The applicant indicates that there will be 3 employees which will require 2 parking spaces. The site plan provides for 18 parking spaces.

Access and street design: (secondary access, pedestrian access, sidewalks, residential buffer, ROW width, access to adjacent properties)

The site plan indicates 2 existing driveways. One driveway provides access to the site from Inverness Trail Road and the other from Levering Road. Levering Road is an all-season road with no seasonal weight restrictions. Inverness Trail Road is a county road with a 2016 PASER rating of 3 out of 10.

Signs

A freestanding sign is located on the site which is to be used to advertise the proposed use. No other signs are proposed with this application.

Fence/Hedge/Buffer

No additional fences, hedge or buffers are proposed.

Lighting

No new lighting is proposed

Stormwater management

The site plan provides for maintaining existing management of stormwater. No storm water management improvements are proposed.

Review or permits from other government entities:

A permit from the Department of Building Safety will be required for the proposed office addition to an existing structure. The Cheboygan County Road Commission will require a driveway permit requiring concrete curb and gutter with surfacing will be required for all existing driveways. (see exhibit 7) Approval by the Michigan Department of Environmental Quality (DEQ) may also be required. Waste hauling businesses, called Solid Waste Transporting Units by the DEQ, must operate according to administrative rules referenced in the Michigan Natural Resources and Environmental Protection Act (NREPA). Part 6, R 299.4601-299.4602 apply to solid waste transporting units. Compliance with those rules is determined by the DEQ. Initial indication is that the plan proposed meets those rules. A requirement that these transporting units must be 500' from a residence applies only during the collection process. They indicated it is acceptable for a completely sealed truck to have waste in it overnight at the location as long as no trash escapes the truck and no transferring of the waste occurs at the site of the transporting unit's operations.

Recommended conditions:

A listing of conditions upon approval for consideration by the Planning Commission are provided at the end of the Findings of Fact draft document.

R 299.4602 Operation.

Rule 602. (1) A solid waste transporting unit's openings shall be closed and doors or covers shall be secured by an adequate latch or restraining mechanism to keep them closed while transporting solid waste which may blow or fall off the vehicle. The driver shall be responsible for the proper positioning of the cover. A special covering shall be used where conditions require the control of odor, vermin, liquids, dust or smoke.

(2) A solid waste transporting unit shall be loaded in a manner that minimizes the spilling of materials.

(3) Where accidental spillage does occur from the solid waste transporting unit, the driver shall be responsible for assuring that the material is picked up as soon as possible and the area suitably cleaned.

- (4) Where solid waste is purposely dumped from a solid waste transporting unit due to a hot load or fire, the fire shall be immediately extinguished by the most effective means and the area shall be properly cleaned as soon as reasonably possible.
- (5) During the collection process, a solid waste transporting unit shall not be parked in a residential area longer than necessary to collect solid waste, unless it is parked more than 500 feet from adjacent residences. A solid waste transporting unit shall not be parked, stored or established at any location so as to cause a hazard to health or at any residentially zoned location so as to cause a nuisance.

Figure 1. Future Land Use Map (Adopted: 2014) of the subject area.

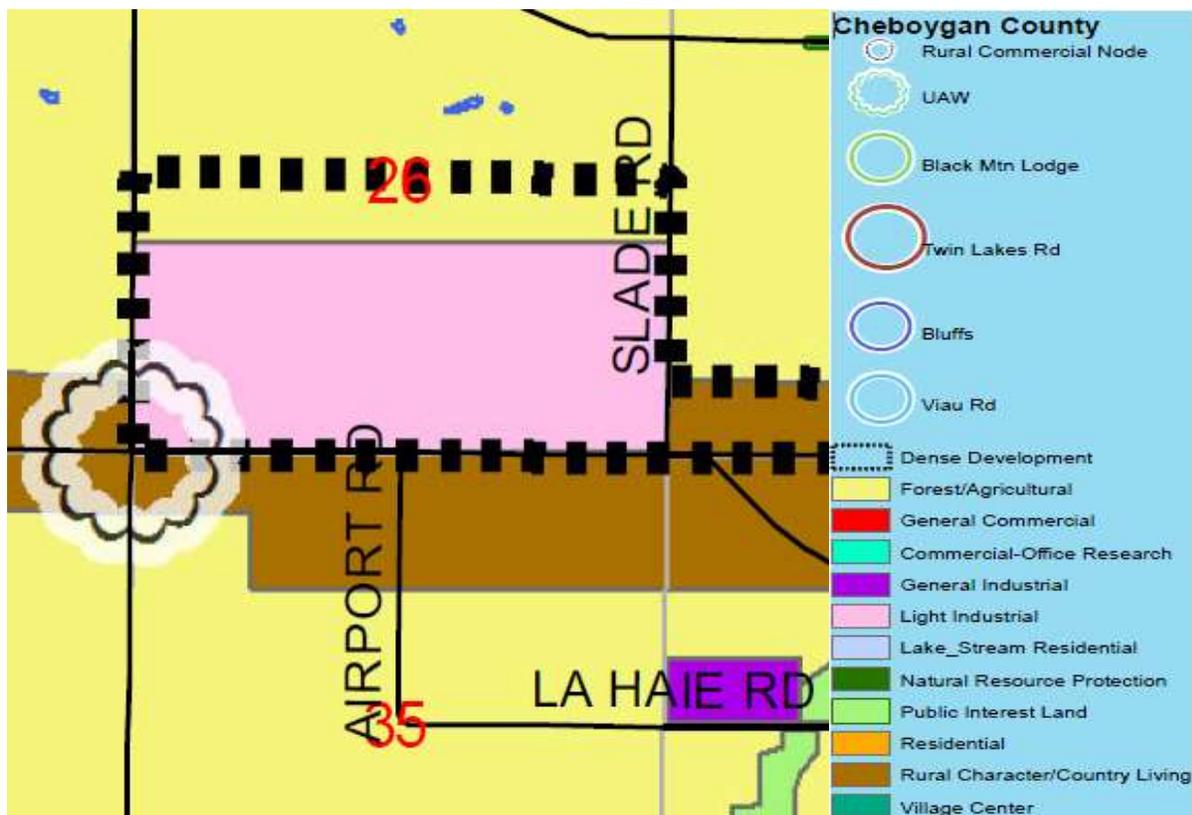


Figure 2



Part 303 Final Wetlands Inventory

- Wetlands as identified on NWI and MIRIS maps
- Soil areas which include wetland soils
- Wetlands as identified on NWI and MIRIS maps and soil areas which include wetland soils

Source:

Michigan DEQ, Final Wetland Inventory. This is a portion of a map that is intended to be used as one tool to assist in identifying wetlands and provides only potential and approximate location of wetlands and wetland conditions. It is not intended to be used to determine the specific locations and jurisdictional boundaries of wetland areas subject to Part 303, Wetlands Protection of PA 451 of 1994, as amended.

CHEBOYGAN COUNTY PLANNING COMMISSION
SPECIAL USE PERMIT REQUEST
Wednesday, May 3, 2017, 7:00 PM

Applicant

Triple D Sanitation
Erica Wheelock
14145 Stoney Point Road
Cheboygan, MI 49721

Owner

Bonnie Nagy
1988 Levering Rd.
Cheboygan, MI 49721

Parcel

1988 Levering Rd.
Beaugrand Township
Code #041-026-300-003-05

GENERAL FINDINGS

1. The applicant is seeking a Special Use Permit for a waste hauler business. (see exhibit 4)
2. The subject property is zoned General Industrial Development District (D-GI). (see exhibit 1)
3. The applicant is seeking approval of the special use permit application under Section 7.3.13. of the Cheboygan County Zoning Ordinance #200. (see exhibit 1)
4. The applicant is requesting a waiver from the topographic survey requirement. (see exhibit 4)
5. This waste hauling business proposed is also called a Solid Waste Transporting Unit, as regulated under Part 6 of Administrative Rules, referenced in the Michigan Natural Resources and Environmental Protection Act, as amended.
6. A recycling station use is not under consideration with this special use permit application. (see exhibit 3)
- 7.

DETERMINATION UNDER SECTION 7.3.13. OF THE ZONING ORDINANCE

Section 7.3.13. of the Zoning Ordinance states as follows;

Uses which are not expressly authorized in any zoning district, either by right or by special use permit, or uses which have not been previously authorized by the Planning Commission pursuant to this subsection or corresponding subsections in other zoning districts may be allowed in this zoning district by special use permit if the Planning Commission determines that the proposed use is of the same general character as the other uses allowed in this zoning district, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan County Comprehensive Plan for this zoning district.

The Planning Commission makes the following determination as required by section 7.3.13. of the Zoning Ordinance;

1. Waste hauler is a use which is not expressly authorized in any zoning district, either by right or by special use permit under the Cheboygan County Zoning Ordinance #200. (see exhibit 1)
2. Waste hauler is a use that has not been previously authorized by the Planning Commission. (see staff report)
3. Contractors yards, equipment storage and materials handling operations are uses allowed in the subject zoning district with a special use permit under sections 8.3.1., 7.3.1. and 6.3.3. (see exhibit 1)
4. Warehousing, wholesale establishments, trucking facilities and terminals, meat locker and/or freezer plants are uses allowed in the D-GI zoning district with a special use permit under sections 8.3.1 and 7.3.11. (see exhibit 1)
5. Storage facility for building materials, sand, gravel stone, lumber, storage of contractor's equipment and supplies are uses allowed in the D-GI zoning district with a special use permit under sections 8.3.1 and 7.3.14. (see exhibit 1)
6. The subject property is designated Light Industrial and Rural Commercial Node on the Cheboygan County Master Plan Future Land Use Map as provided with the Cheboygan County Master Plan. (see exhibit 2)

7. The Light Industrial future land use is described in the Cheboygan County Master Plan as follows:

Light Industrial

The Light Industrial classification designates areas, which have adequate infrastructure, and services available to support industrial uses but the uses have minimal environmental impact. With proper buffering Light Industrial uses can be compatible with adjacent residential developments. Light Industrial uses would not give off any smoke, noise, odors, glare or vibrations and typical light industrial uses would include assembly, machine shops, wholesale distribution, storage and similar activities within enclosed buildings. Limited outdoor storage of equipment or materials may be considered. (see exhibit 2)

8. The Rural Commercial Node future land use is described in the Cheboygan County Master Plan as follows:

Rural Commercial Nodes

Rural Commercial Node includes land, often at road intersections, which serve as nodes for the surrounding rural community. These areas have a mix of small-scale mixed uses. There would be usually no more than a few of these uses at any intersection due to traffic safety. Larger clustering of such commercial uses would be more appropriate in one of the other Commercial and Village Center future land use areas. Rural Commercial Nodes each have their own unique character and any rezoning must take into consideration the existing uses and uses that are compatible with the existing uses. Although these are commercial areas, they are not necessarily in need of rezoning to the Commercial zoning district. It is more likely that a new and unique zoning district or overlay zoning may be more appropriate.

The following uses may be appropriate for some Rural Commercial Nodes: assembly halls, institutional uses such as fire stations, township halls, recycling centers, schools, community centers, small scale commercial uses such as retail, restaurants, and bars. Alverno is an example of a Rural commercial node. (see exhibit 2)

9. The Planning Commission finds that limited outdoor storage of equipment or materials may be considered as appropriate uses for the Light Industrial land use as described in the Cheboygan County Master Plan. (see exhibit 2)
10. The Planning Commission determines that the waste hauler use as described by the applicant in the special use permit application is of the same general character as the other uses allowed in this zoning district, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan County Comprehensive Plan for this zoning district as described. (see exhibits 1, 2, and 4)
- 11.
- 12.

Or,

1. The subject property is designated Light Industrial and Rural Commercial Node on the Cheboygan County Master Plan Future Land Use Map as provided with the Cheboygan County Master Plan. The Light Industrial future land use is described in the Master Plan as follows:

Light Industrial

The Light Industrial classification designates areas, which have adequate infrastructure, and services available to support industrial uses but the uses have minimal environmental impact. With proper buffering Light Industrial uses can be compatible with adjacent residential developments. Light Industrial uses would not give off any smoke, noise, odors, glare or vibrations and typical light industrial uses would include assembly, machine shops, wholesale distribution, storage and similar activities within enclosed buildings. Limited outdoor storage of equipment or materials may be considered. (see exhibit 2)

2. The Planning Commission finds that a waste hauler use has the potential to emit odors and the use will largely take place out of doors and as such, is inconsistent with the Light Industrial future land use description. The Planning Commission finds that a waste hauler use as described in the applicant's application is not constant with the Cheboygan County Future Land Use Map as provided in the Cheboygan County Master Plan. (see exhibit 2 and 4)
3. The Planning Commission determines that waste hauler is a use that is not of the same general character as the other uses allowed in the G-LI zoning district, either by right or by special use permit. (see exhibit 2)
- 4.
- 5.

FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 18.7 and 20.10 of the Zoning Ordinance for each of the following standards listed:

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. The subject property is located in a General Industrial Development District (D-GI).
 2. Waste hauler is a use which can be approved with a special use permit in D-GI zoning district under Section 7.3.13.
 - 3.
 4. Standard has been met.

Or

 - 1.
 2. Standard has not been met.

- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 1. The proposed use is for a waste hauler in a General Industrial District (D-GI). (see exhibit 4)
 2. Waste hauler is a use which can be approved with a special use permit in D-GI zoning district under Section 7.3.13. (see exhibit 1)
 3. The Planning Commission finds that no waste will be transferred on site. (see exhibit 4)
 4. The applicant has demonstrated that they have adequate plans for cleaning the vehicles off-site or, if cleaned on-site, they have shown adequate measures have been taken to contain the water used for cleaning and a method for removing such water from the site. (see exhibit 4)
 - 5.
 6. Standard has been met.

Or

 1. The Planning Commission finds that waste material may be inside trucks which are parked on the property overnight. (see exhibit 4)
 2. The applicant has not adequately addressed the ability to maintain the waste hauling trucks against leaking. (see exhibit 4)
 3. The applicant has not adequately addressed cleaning methods for the waste hauling trucks and/or dumpsters which are proposed to be stored on site and the processing of the water used to clean those vehicles and receptacles. (see exhibit 4)
 - 4.
 5. Standard has not been met.

- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
1. The proposed use is for a waste hauler in a General Industrial Development District (D-GI). (see exhibit 4)
 2. No waste will be transferred on site. (see exhibit 4)
 3. Waste hauling trucks and empty dumpsters only will be stored on site. (see exhibit 4)
 4. The proposed use will not create a substantially negative impact on other conforming properties in the area.
 5. The proposed special land use is located in a General Industrial zoning district, neighboring an airport and a scrap yard, as well as residential uses.
 6. The property has been used for intensive commercial and industrial uses in the past.
 - 7.
 - 8.
 9. Standard has been met.
- Or
1. The proposed use will create additional traffic and/or noise and/or odors that will create a substantially negative impact on other conforming properties in the area due to _____. (see exhibits __)
 - 2.
 3. Standard has not been met.
- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
1. The description of activities included in the application provides for operation and maintenance of the proposed use so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. (see exhibit 4)
 2. The proposed special land use is located in a General Industrial zoning district, neighboring an airport and a scrap yard, as well as residential uses.
 3. The property has been used for intensive commercial and industrial uses in the past.
 4. Standard has been met.
- Or.
1. The Planning Commission finds that there are conforming residential land uses on surrounding properties.
 2. The proposed use will diminish the opportunity for surrounding properties to be used and developed as zoned due to _____. (see exhibits __)
 - 3.
 4. Standard has not been met.
- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
1. The proposed use is for a waste hauler in a General Industrial Development (D-GI) zoning district. (see exhibit 4)
 2. The special use, as proposed will not place demands placed on fire, police or other public resources in excess of current capacity not increase hazards from fire or other dangers to the subject property or adjacent properties. (see exhibit 4 and 6)
 - 3.
 4. Standard has been met.
- Or.
1. The proposed special use increases other dangers to the subject property and/or adjacent property due to _____. (see exhibits __)
 - 2.
 3. Standard has not been met

- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
1. The proposed use is for a waste hauler in a General Industrial Development (D-GI) zoning district. (see exhibit 4)
 2. The subject property is located on Inverness Trail Road and Levering Road. (see exhibit 6)
 3. Levering Road is an all-season road.
 4. Inverness Trail Road is not an County Major/all-season road
 5. The existing driveways on the subject property are more than 25 feet from a street intersection. (see exhibit 6)
 6. The proposed special use will not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity.
 - 7.
- Or.
1. The proposed use is for a waste hauler in a General Industrial Development (D-GI) zoning district. (see exhibit 4)
 2. The subject property is located on Inverness Trail Road and Levering Road. (see exhibit 6)
 3. Inverness Trail Road is a County Local Road and not an all-season road. (see exhibit 10)
 4. Inverness Trail Road has a PASER rating of only 3 out of 10, is not adequate for use by the waste hauling vehicles. (see exhibit 9)
 5. The proposed use will cause traffic hazards and/or cause congestion in excess of current capacity on Inverness Trail Road due to the condition of the road. (see exhibits 8, 9 and 10)
 - 6.
 7. Standard has not been met.
- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
1. The proposed use is for a waste hauler in a General Industrial Development (D-GI) zoning district. (see exhibit 4)
 2. The subject property has an existing well and septic system. (see exhibits 4 and 6)
 3. The proposed special use shall be adequately served by water and sewer facilities. (see exhibit 4)
 - 4.
 - 5.
 6. Standard has been met.
- Or.
- 1.
 2. Standard has not been met.
- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
1. The proposed special use shall comply with all specific standards required under the Cheboygan County Zoning Ordinance #200 applicable to it. (see exhibit 1)
 - 2.
 3. Standard has been met
- Or
- 1.
 2. Standard has not been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 20.10 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - 1. No changes to the overall contours of the subject property are proposed. (see exhibit 4 and 6)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - 1. No soil removal is proposed. (see exhibit 4 and 6)
 - 2. Some tree removal will be required to accommodate the area proposed for outdoor empty dumpster storage. (see exhibit 6)
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. No changes are proposed to existing site drainage. (see exhibit 4 and 6)
 - 2.
 - 3. Standard has been met.Or.
 - 1. The applicant has not adequately addressed the ability to maintain the waste hauling trucks against leaking. (see exhibit 4)
 - 2. The applicant has not adequately addressed cleaning methods for the waste hauling trucks and/or dumpsters which are proposed to be stored on site. (see exhibit 4)
 - 3. Given findings 1 and 2 above, the applicant has not adequately addressed the removal of stormwaters and the effect of leaked or washed out waste material that may be carried off site with stormwater.
 - 4.
 - 5. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. There is a dwelling located on the north portion of the subject property. (see exhibit 6)
 - 2. There are existing trees located between the dwelling and the area proposed for the waste hauler activity. (see exhibit 6)
 - 3.
 - 4. Standard has been met.Or,
 - 1.
 - 2. Standard has not been met.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
 - 1. The site plan indicates that all buildings are arranged as to permit vehicle access by a practical means. (see exhibit 6)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. The site plan indicates that all structures on the site relating to the waste hauler use have access to Inverness Trail Road and Levering Road. (see exhibit 6)
 - 2. The site plan indicates that the dwelling and accessory structures have access to Levering Road and Inverness Trail Road. (see exhibit 6)
 - 3.
 - 4. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
 - 1. This standard is not applicable. No subdivision plat or a subdivision condominium is proposed.

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.
 - 1. No additional exterior lighting is proposed. (see exhibit 4)
 - 2. Existing lighting shall be deflected away from adjacent properties, shall not impede the vision of traffic along adjacent streets and shall not unnecessarily illuminate night skies. (see exhibit 4)
 - 3.
 - 4. Standard has been met
 Or,
 - 1.
 - 2. Standard has not been met.

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. This standard is not applicable. No public common ways are proposed.

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
 - 1. The site plan conforms to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see exhibit 2 and 4)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1. The site plan does not conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan due to _____(see exhibit 2 and __)
 - 2.
 - 3. Standard has not been met.

DECISION

1. Must comply with all applicable requirements of solid waste transporting units under Public Act 451 of 1994 as amended and all applicable administrative rules as referenced in PA 451 of 1994, as amended.
2. Must utilize completely sealed waste hauling vehicles at all times.
3. Must not operate any aspect of the business including maintenance of trucks, operation of trucks, movement of dumpsters or canisters/totes outside of business hours of _____ . With customer hours of operation being _____
4. All waste hauling vehicles must use Levering Road driveway and provide proof of driveway approval by the Michigan Department of Transportation. No waste hauling vehicles may use Inverness Trail Road unless and until such time as the road has been improved to an all-season road and a driveway permit has been obtained, if required by the County Road Commission.
5. Cleaning of vehicles on the site is permitted only after proof has been provided to the County Zoning Administrator of completed installation of a method for retaining and disposing of the water and material washed from the trucks. Proof may be required by the Zoning Administrator that the installation and design of such measures does not violate DEQ or Michigan Uniform Construction Codes.
6. The maximum allowable trucks to be operated from this business is _____
7. The maximum number of dumpsters of 8 cubic yards or less to be stored on site is _____.
8. No customer drop off of waste or recyclable material is permitted on site.
- 9.
- 10.

TIME PERIOD FOR JUDICIAL REVIEW

State law provides that a person having an interest affected by the zoning ordinance may appeal a decision of the Planning Commission to the Circuit Court. Pursuant to MCR 7.101 any appeal must be filed within twenty-one (21) days after this Decision and Order is adopted by the Planning Commission.

DATE DECISION AND ORDER ADOPTED

Wednesday, May 3, 2017

Patty Croft, Chairperson

Charles Freese, Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

Mike Sturgill/Precision Forestry – Revised 04/26/17

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Use Permit Application (6 Pages)
5. Elevation Drawings (2 Page)
6. Site Plan (1 Page)
7. Fuel Tank And Pump System (1 Page)
8. Mailing List (2 Pages)

The following items were added to the exhibit list on 04/26/17:

9. Email dated 04/21/17 from David Carpenter, Tuscarora Township Fire Chief (1 Page)
- 10.

Note: Planning Commission members have exhibits 1 and 2.

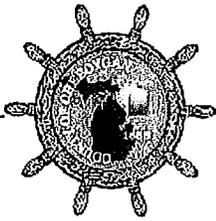
NOTICE
CHEBOYGAN COUNTY PLANNING COMMISSION MEETING and PUBLIC HEARING
WEDNESDAY, MAY 3, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) **Mike Sturgill / Precision Forestry Inc.** – Requests a Special Use Permit Amendment for relocation of a truck maintenance building (80 ft. x 160 ft.), construction of two (2) storage buildings (36 ft. x 72 ft. each) and placement of a fuel tank and fuel pump facility. (Section 7.3.10.) The property is located at 5708 Commerce Blvd., Tuscarora Township, section 30, parcel #162-030-300-001-04, 162-030-300-001-05, 162-030-300-001-06 and 162-030-300-001-07 and is zoned Light Industrial Development (D-LI).

- 2.) **Thomas Redman / Exodus 33:13 LLC** – Requests a Special Use Permit for a warehouse contingent upon approval of a rezoning request from Agriculture and Forestry Management District (M-AF) to Light Industrial Development (D-LI). (Section 7.3.11) The property is located at 1716 East M-68 Highway, Walker Township, section 5, parcel 220-005-200-001-01.

Please visit the Planning and Zoning office or visit our website to see the applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

PROPERTY LOCATION

Address 5708 Commerce Blvd.	City / Village Iron River	Twp / Sec. TOSLAROVA 30	Zoning District D-LI
Property Tax I.D. Number 162-030-300-001-04 thru 07	Plat or Condo Name / Lot or Unit No. —		

APPLICANT

Name Mike Sturgill Precision forestry	Telephone 989-619-1016	Fax 989-733-6611
Address 4285 S. county line Rd	City, State & Zip Onaway MI 49765	E-Mail

OWNER (If different from applicant)

Name As Above	Telephone	Fax
Address	City, State & Zip	E-Mail

PROPOSED WORK

<p>Type (check all that apply)</p> <p><input checked="" type="checkbox"/> New Building <input type="checkbox"/> Reconstruction</p> <p><input type="checkbox"/> Addition <input type="checkbox"/> Relocated Building</p> <p><input type="checkbox"/> Change in Use or Additional Use <input type="checkbox"/> Sign, Type: <u>none</u></p> <p><input checked="" type="checkbox"/> Other: <u>fuel system</u></p>	<p>Building/Sign Information <u>2 STORAGE BUILDINGS</u></p> <p>Overall Length: <u>72 FT. EA.</u> feet</p> <p>Overall Width: <u>36 FT. EA.</u> feet</p> <p>Floor Area: <u>2592 EA.</u> sq. feet</p> <p>Overall Building Height: <u>12' w/ra</u> feet</p> <p>Sign Area: <u>NA</u> sq. feet</p> <p>Sign Height <u>NA</u> feet</p>
--	---

PROPOSED USE (check all that apply)

<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input type="checkbox"/> Multi-Family, # of units ___	<input checked="" type="checkbox"/> Storage	<input checked="" type="checkbox"/> Industrial	<input type="checkbox"/> Utility
<input type="checkbox"/> Other: _____			

Has there been a Site Plan or Special Use Permit approved for this parcel before? YES NO

If YES, date of approval: 2/19/14 ^{2/21/16} Approved Use: ADD TRUCK MAINTENANCE BUILDING
LOW STORAGE - LOADING & UNLOADING

Directions to site: M-68 to Commerce Blvd. take Commerce Blvd. to the end. Commerce Blvd located on M-68 3/4 mile EAST of I-75

SPECIAL LAND USE PERMIT APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

SPECIAL LAND USE PERMIT APPLICATION

1. Describe all anticipated activities (e.g. type of business, hours of operation, number of employees, etc). Attach additional sheets if needed.
- 1/17-ADD 2 STORAGE BLDGS (36x72 FT) AND FUEL SYSTEM.
trucks parking, unloading and loading wood, leaving
trailers parked overnight. approx. 8 employees involved
from time to time 24 hrs a day. all employees will be there
only on a temporary basis and not stationed there

Site Plan Standards. 11-4-16 New building for maintenance of trucks and
equipment owned by Precision Forestry.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- No CHANGE to EXISTING CONTOURS. NO RESHAPING to SITE
-
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
- MINIMAL TREE REMOVAL - NO SOIL REMOVAL - NO TOPO MODIFICATIONS
-
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
- NO CHANGES EXISTING DRAINAGE
-
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
- N/A
-
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
- EMERGENCY ACCESS FROM COMMERCE BLVD.
-
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
- ACCESS FROM COMMERCE BLVD.
-
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
- N/A
-
- h. Exterior lighting shall be arranged as follows:
- i. It is deflected away from adjacent properties. YES
 - ii. It does not impede the vision of traffic along adjacent streets. YES
 - iii. It does not unnecessarily illuminate night skies. YES



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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PHONE: (231)627-8489 ■ FAX: (231)627-3646

SPECIAL LAND USE PERMIT APPLICATION

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.

N/A

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.

YES.

3. Size of property in sq. ft. or acres: 12.4 AC.

4. Present use of property: VACANT

5. SUP Standards:

- a. Is the property located in a zoning district in which the proposed special land use is allowed?

YES. LIGHT INDUSTRIAL.

- b. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole? Explain. STORAGE & MAINTENANCE OF TRUCKS AND LOGS.

- c. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person? Explain. SEE ITEM B

- d. Will the proposed special land use be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned? Explain. SURROUNDING

PROPERTY ZONED LIGHT INDUSTRIAL -

- e. Will the proposed special land use place demands on fire, police, or other public resources in excess of current capacity? Explain.

NO - SEE ANSWER TO ITEM B.

- f. Will the proposed special land use be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services? Explain. YES - COMMERCIAL BURT.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

SPECIAL LAND USE PERMIT APPLICATION

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services? FACILITIES IN BUILDING AS REQUIRED BY HEALTH DEPT.
- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? YES
6. Does the proposed use of the property include or involve either:
- Junk or salvage yard (Section 3.6) YES NO
 - Mineral extraction (Section 17.17) YES NO
- If YES, this application must include a written plan as described in the Zoning Ordinance.
7. Attach a copy of Warranty Deed or other proof of ownership.
8. Attach a copy of certified Property Survey or dimensioned property land plat.

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature Mike Stungill Date 1/13/17

Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?

Yes No

Owner's Signature Mike Stungill Date 1/13/17

FOR PLANNING/ZONING DEPT. USE ONLY

Date Received:	<u>01/18/17</u>
Fee Amount Received:	<u>\$150.00</u>
Receipt Number:	<u>5425</u>
Public Hearing Date:	<u>5/3/17</u>

Notes:

Planning/Zoning Administrator Approval:

[Signature] 4/3/17
Signature Date

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

ALL ITEMS LISTED BELOW MUST BE SUBMITTED IN ORDER FOR THIS APPLICATION TO BE DEEMED COMPLETE. INCOMPLETE APPLICATIONS WILL NOT BE REVIEWED OR PROCESSED. EACH SITE PLAN SHALL DEPICT THE ITEMS LISTED BELOW, EXCEPT FOR THOSE ITEMS DETERMINED DURING THE PRE-APPLICATION CONFERENCE TO NOT BE APPLICABLE.

PLACE A CHECK MARK NEXT TO EACH REQUIREMENT TO SHOW THAT THE INFORMATION HAS BEEN SUPPLIED OR THAT A WAIVER IS BEING REQUESTED. IF A WAIVER IS BEING REQUESTED PLEASE NOTE ON THE NEXT PAGE THE REASON FOR THE WAIVER. SIGN AND DATE THIS CHECKLIST WHEN ALL ITEMS HAVE BEEN COMPLETED. PLEASE SUBMIT THIS CHECKLIST WITH YOUR APPLICATION.

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100ft. or less.
✓		b. Seal of the registered engineer, architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
✓		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
	✓	d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
NA		e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
✓		f. Location of existing and proposed buildings and intended uses thereof.
NA		g. Details of entryway and sign locations should be separately depicted with an elevation view.
✓		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
✓		i. Location, size, and characteristics of all loading and unloading areas.
NA		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
✓		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
NA		l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
NA		m. Location and specifications for all fences, walls, and other screening features.
NA		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
✓		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
NA		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
NA		q. Elevation drawing(s) for proposed commercial and industrial structures.
	✓	r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well
NA		s. Floor plans, when needed to determine the number of parking spaces required.

PLEASE LIST THE REQUIREMENT FOR WHICH A WAIVER IS BEING REQUESTED. ALSO PROVIDE AN EXPLANATION/REASON FOR THE WAIVER REQUEST.

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
D	no change to topography or existing grades.

AFFIDAVIT

I CERTIFY THAT ALL SITE PLAN REQUIREMENTS (A THROUGH S) ARE DRAWN ON THE SITE PLAN, ATTACHED TO THIS APPLICATION AND/OR I AM REQUESTING A WAIVER. I CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS SPECIAL LAND USE PERMIT APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



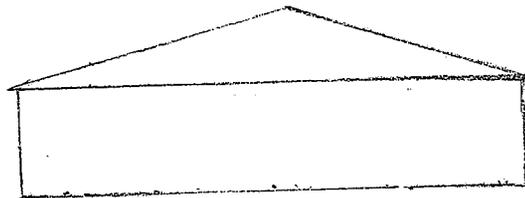
 SIGNATURE

1/13/17

 DATE

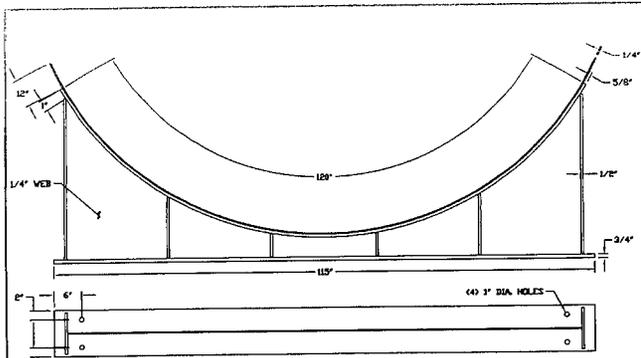


Side view

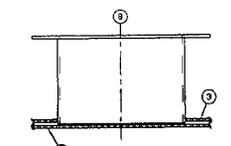
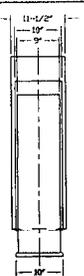


End view

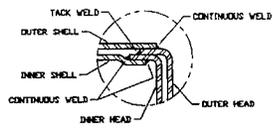
STORAGE BUILDING ELEVATIONS
SUBMITTED BY
MIKE STURZEN



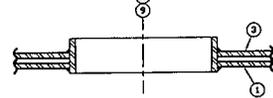
DETAIL OF ITEM #5
(SCALE 3/4\"/>



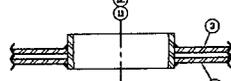
NOTE ITEM #8 DOES NOT PENETRATE INNER TANK.
DETAIL OF ITEM #8
(SCALE 3/4\"/>



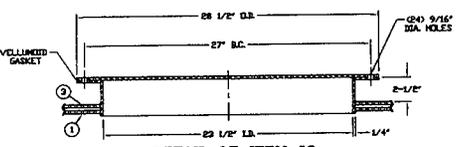
DETAIL "A"
(SCALE 3/4\"/>



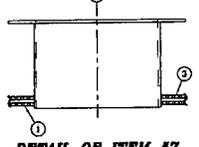
DETAIL OF ITEM #9,10
(SCALE 3/4\"/>



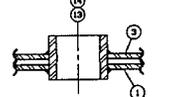
DETAIL OF ITEM #11,12
(SCALE 3/4\"/>



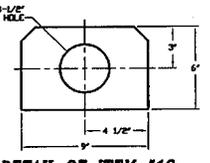
DETAIL OF ITEM #6
(SCALE 3/4\"/>



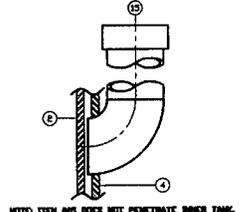
DETAIL OF ITEM #7
(SCALE 3/4\"/>



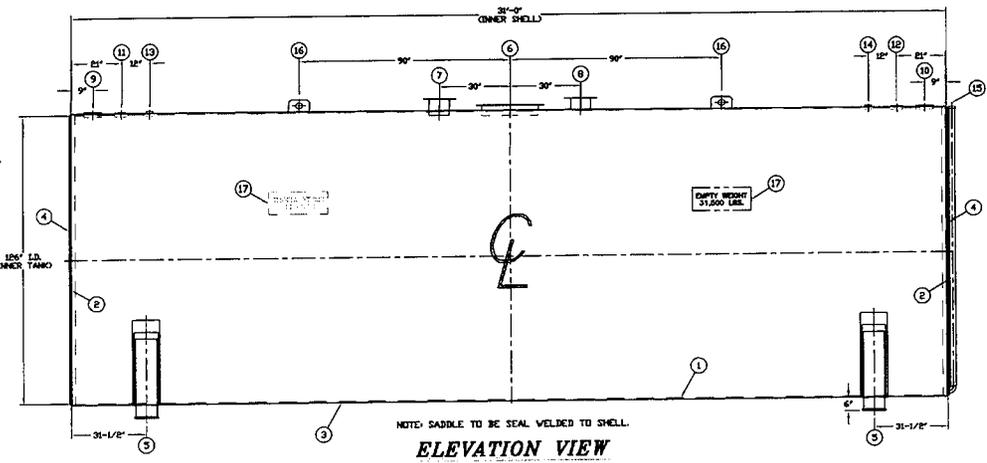
DETAIL OF ITEM #13,14
(SCALE 3/4\"/>



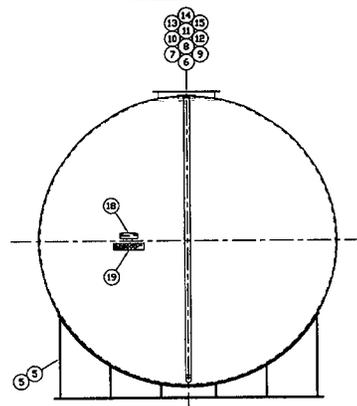
DETAIL OF ITEM #16
(SCALE 3/4\"/>



NOTE ITEM #15 DOES NOT PENETRATE INNER TANK.
DETAIL OF ITEM #15
(SCALE 3/4\"/>



NOTE: SADDLE TO BE SEAL WELDED TO SHELL.
ELEVATION VIEW



RIGHT END VIEW

SCHEDULE

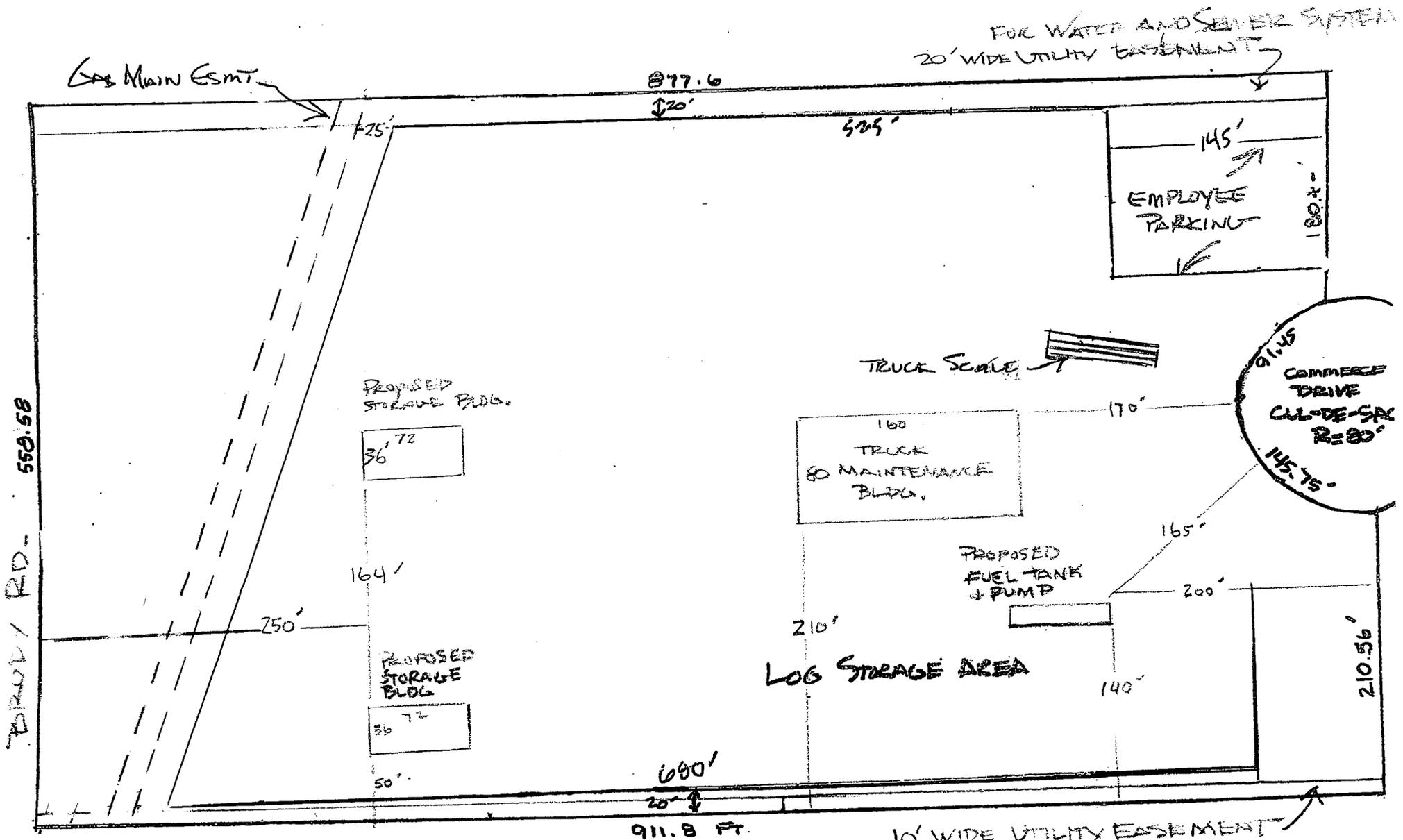
NO.	QTY.	DESCRIPTION
SA-08	1	3 72" X 48" X 1/4" PLATE - INNER SHELL
SA-08	1	18" X 48" X 1/4" PLATE
SA-08	2	30" X 12" X 1/4" PLATE - INNER HEADS
SA-08	3	5 72" X 48" X 3/16" PLATE - OUTER SHELL
SA-08	1	18" X 48" X 3/16" PLATE
SA-08	4	4 72" X 12" X 1/4" PLATE - OUTER HEADS
SA-08	2	11-1/2" X 148" X 1/4" PLATE - WEAR PLATE
SA-08	2	10" X 136" X 3/8" PLATE - TOP FLANGE
SA-08	2	10" X 135" X 3/4" PLATE - BASE PLATE
SA-08	2	34-3/8" X 109-3/8" X 1/4" PLATE - VEB
SA-08	4	9" X 34-3/8" X 1/2" PLATE - STIFFENER
SA-08	8	4-3/8" X 12-3/16" X 1/2" PLATE - STIFFENER
SA-08	8	4-3/8" X 5-1/4" X 1/2" PLATE - STIFFENER
SA-08	6	1 24" STD NIPPLE ASSEMBLY 1/4" DIA. GORSE
VOLUME	1	28-1/2" DIA. X 29-1/2" LG. GASKET W/200 3/16" HOLES ON A 27" BC.
ZINC PLATED C.S.	24	1/2" DIA. BOLT X 1-1/2" LG.
ZINC PLATED C.S.	24	1/2" DIA. NUT
SA-08	7	1 8" SHEP. FLG. FLANGE - PRIMARY EMERGENCY VENT
SA-08	1	1 8" HORIZON FLANGED EMERGENCY VENT #2442F
ZINC PLATED C.S.	2	3/4" DIA. BOLT X 2" LG.
ZINC PLATED C.S.	8	3/4" DIA. NUT
SA-08	1	1 "PRIMARY EMERGENCY" LABEL
SA-08	8	1 8" SHEP. FLG. FLANGE - SECONDARY EMERGENCY VENT
SA-08	1	1 8" HORIZON FLANGED EMERGENCY VENT #2442F
ZINC PLATED C.S.	2	3/4" DIA. BOLT X 2" LG.
ZINC PLATED C.S.	8	3/4" DIA. NUT
SA-08	1	1 "SECONDARY EMERGENCY" LABEL
SA-08	9	1 6" E308 HALF THREADED COUPLING
SA-08	10	1 6" E308 HALF THREADED COUPLING
SA-08	11	1 4" E308 HALF THREADED COUPLING
SA-08	12	1 4" E308 HALF THREADED COUPLING
SA-08	13	1 2" E308 FULL THREADED COUPLING
SA-08	14	1 2" E308 FULL THREADED COUPLING
SA-08	15	1 2" E308 HALF COUPLING - HORIZONTAL COLUMN
SA-08	1	1 2" SCH 40 PIPE X 128-1/2" LG. PE.
SA-08	1	1 2" 90° WELD ELBOW L.R.
SA-08	16	2 6" X 9" X 1/2" PLATE - HORIZONTAL LIFT LUG
SA-08	17	2 EMPTY WEIGHT STENCIL
SA-08	1	1 12-1/2" LABEL
SA-08	19	1 "EMERGENCY RELIEF" LABEL

- NOTES
- TANK IS TO BE DESIGNED AND CONSTRUCTED PER U.L. CODE 142 AND LABELED AS SUCH.
 - TANK IS TO BE AIR TESTED AT 3-5 PSI.
 - WELDING SHALL BE PER U.L. CODE 142 AND INNER AND OUTER TANK IS TO BE TESTED AT 3-5 PSI AND HELD FOR 24 HRS.
 - WORKMANSHIP PRESSURE ON THE INNER TANK, THE OUTER TANK IS AIR TESTED AT 3-5 PSI.
 - INTERIOR IS TO BE CLEANED OF RUST, WELD-SLAG AND ETC.
 - EXTERIOR IS TO BE CLEANED OF RUST, WELD-SLAG AND ETC.
 - EXTERIOR IS TO RECEIVE A COMMERCIAL BLAST.
 - EXTERIOR IS TO RECEIVE PRIMER COAT OF CARBOLINE SUE GRAY, FOLLOWED BY A FINISHED COAT OF CARBOLINE BLUE COATED.
 - NIPPLES SHOWN TO BE CUSTOMER TO SPECIFY.
 - CLAWSON TANK COMPANY IS RESPONSIBLE FOR THE PERFORMANCE OF ANY CUSTOMER SPECIFIED GASKET.
 - WARRANTY GASKET FOR SHIPPING AND TESTING PURPOSES TO BE WELDED.
 - ALL BOLT HOLE PATTERNS ARE TO STRAIGHT FLANGES WITHIN CENTER LINES.
 - NO FITTING TO FALL INTO ANY VERTICAL OR HORIZONTAL WELD SCAMS.
 - ALL FITTINGS TO BE COVER PRIOR TO SHIPPING.
 - CUSTOMER TO CONFIRM ALL FITTING LOCATIONS.

APPROXIMATE TANK EMPTY WEIGHT: 31,500 LBS.

CLAWSON TANK COMPANY		2004
NORTHERN PUMP		
NORTHERN PUMP		
DATE: 12-20-04	OFFICE: 8000 W. E. BART	FILE #
8500 GALLER U.S. 142 S.W. TANK		12216

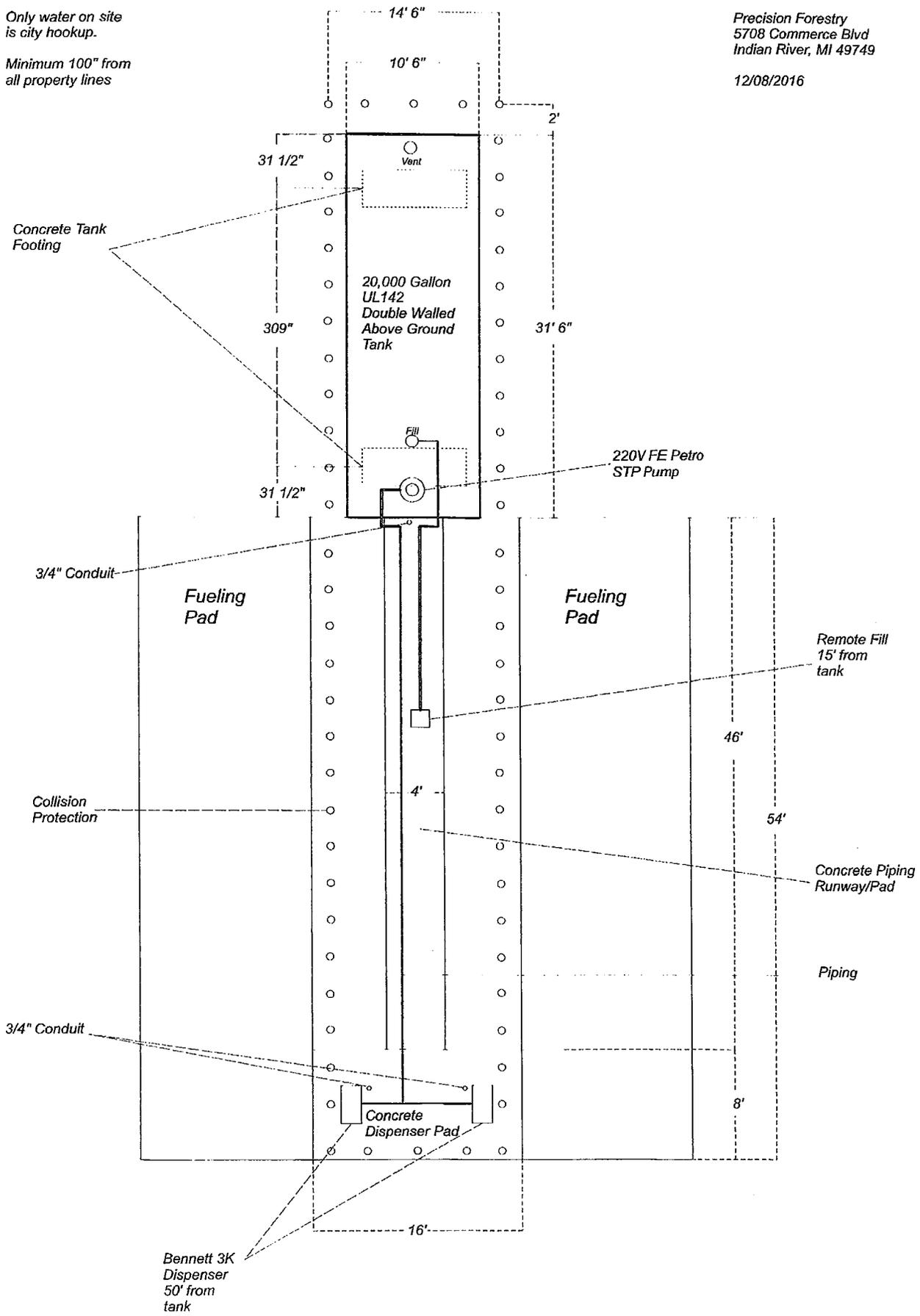
"THIS PRINT IS THE PROPERTY OF CLAWSON TANK CO. AND IS LOANED SOLELY FOR THE PURPOSES OF THAT CORPORATION AND IS SUBJECT TO RETURN UPON DEMAND. IT IS STRICTLY CONFIDENTIAL, AND IS LOANED WITH THE UNDERSTANDING THAT NEITHER IT NOR ANY INFORMATION CONTAINED THEREIN WILL BE COPIED, PUBLISHED, OR TRANSMITTED TO OTHERS."



• Mike Sturgill 1"=100'
 Mike Sturgill
 Precision Forestry
 APRIL 3, 2017

Only water on site is city hookup.
Minimum 100" from all property lines

Precision Forestry
5708 Commerce Blvd
Indian River, MI 49749
12/08/2016




Remote Emergency Fuel
Shut Off Switch

16-162-030-100-004-00
CHAMPAGNE, PETER; LARRY CHA
834 TITTABAWASSEE
SAGINAW MI 48604

16-162-030-300-001-21
TUSCARORA, TOWNSHIP OF
PO BOX 220
INDIAN RIVER MI 49749

16-162-030-100-004-03
INDIAN RIVER HOTEL REAL ESTAT
4098 HOWE ROAD
WAYNE MI 48184

16-162-030-300-001-25
MACKSOOD, THOMAS TRUST
4381 ROLSTON RD
LINDEN MI 48451

16-162-030-100-004-04
WILTSE, GARY A ET UX
1146 CAMELOT DR
PINCKNEY MI 48169

16-162-030-100-005-00
CRUMLEY CREEK ESTATES, LLC
PO BOX 847
INDIAN RIVER MI 49749

16-162-030-300-001-03
TUSCARORA, TOWNSHIP OF
PO BOX 220
INDIAN RIVER MI 49749

16-162-030-300-001-04
PRECISION FORESTRY, INC
4285 S COUNTY LINE RD
ONAWAY MI 49765

16-162-030-300-001-05
PRECISION FORESTRY, INC
4285 S COUNTY LINE RD
ONAWAY MI 49765

16-162-030-300-001-06
PRECISION FORESTRY, INC
4285 S COUNTY LINE RD
ONAWAY MI 49765

16-162-030-300-001-07
PRECISION FORESTRY, INC
4285 S COUNTY LINE RD
ONAWAY MI 49765

16-162-030-300-001-20
TUSCARORA, TOWNSHIP OF
PO BOX 220
INDIAN RIVER MI 49749

16-162-030-100-004-00
OCCUPANT
4499 TAHOE LN
INDIAN RIVER, MI 49749

16-162-030-100-004-03
OCCUPANT
4375 BRUDY RD
INDIAN RIVER, MI 49749

16-162-030-300-001-03
OCCUPANT
4649 BRUDY RD

Indian River, MI 49721

16-162-030-300-001-06
OCCUPANT
5708 COMMERCE BLVD
INDIAN RIVER, MI 49749

Deborah Tomlinson

From: Dave Carpenter [<mailto:dpcarpenter@voyager.net>]

Sent: Friday, April 21, 2017 9:20 AM

To: Deborah Tomlinson

Subject: Re: Applications for Mike Sturgill & Thomas Redman

Good Morning DEb,

I don't see any major issues in regards to the Fire Department for the Sturgill project. If you have any questions please feel free to contact me.

Respectfully,

David Carpenter
Fire Chief



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

STAFF REPORT

Item: Amendment of a Special Use Permit for relocation of a 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility in a Light Industrial zoning district	Prepared by: Scott McNeil
Date: April 25, 2017	Expected Meeting Date: May 3, 2017

GENERAL INFORMATION

Applicant:

Mike Sturgill/Precision Forestry Inc.

Contact person:

Mike Sturgill

Phone:

989-619-1016

Requested action: Approval of an amendment of a special use permit for relocation of an 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility in a Light Industrial zoning district.

BACKGROUND INFORMATION

Introduction:

The applicant/owner received original approval of a special use permit on for a warehouse use in conjunction with a logging business on February 19, 2014. The applicant/owner received an amendment to the special use permit on December 21, 2016 for truck maintenance building.

The applicant/owner (Mr. Micheal Sturgill/Precision Forestry) is now seeking an amendment of a Special Use Permit for placement of the 80 ft. x 160 ft. structure for maintenance of trucks and equipment in a different location. The maintenance structure has been constructed in the location as indicated on the site plan. This location is not the location approved with the special use permit amendment approved in December of 2016. A copy of the site plan approved in December 2016 is included in this report. The owner/applicant is also seeking this amendment to construct of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility.

You will also note the location of an easement on the December 2016 site plan where the maintenance building has been located. Supervisor Mike Ridley has indicated that the parcels will be combined and the easement vacated. Written confirmation will be provided at the meeting.

The site is located in a Light Industrial Development (D-LI) zoning district. The warehouse use (log storage) is allowed with a special use permit under section 7.3.11.

Current Zoning: Light Industrial Development District (D-LI)

Surrounding Land Uses: Commercial and vacant to the north, Vacant to the south and east. Brudy Road and I-75 to the west.

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain): No environmentally sensitive areas have been identified.

Historic buildings/features: There are no historic features in the subject lots.

Traffic Implications: No traffic increase is expected as a result of the new construction as proposed.

Parking: There is no required parking space criteria for the proposed use in Section 17.4.

Access and street design: (secondary access, pedestrian access, sidewalks, residential buffer, ROW width, access to adjacent properties): Street access to this site is provided from Commerce Blvd.

Signs; No signs are proposed.

Fence/Hedge/Buffer: No hedge or buffer is proposed or required.

Lighting: No lighting is proposed

Stormwater management: No change to current Stormwater management is proposed.

Review or permits from other government entities:

Permits from the Department of Building Safety is required. Permits from the Health Department may also be required.

Public comments received

None

Recommendations (proposed conditions)

Comply with applicable requirements of the Department of Building Safety and Health Department

CHEBOYGAN COUNTY PLANNING COMMISSION
SPECIAL USE PERMIT REQUEST
Wednesday, May 3, 2017 7:00 PM

<u>Applicant</u>	<u>Owner</u>	<u>Parcel</u>
Mike Sturgill 4285 S. County Line Rd. Onaway, Mi. 49765	Precision Forestry Inc. 4285 S. County Line Rd. Onaway, Mi. 49765	5708 Commerce Blvd. Tuscarora Township 162-030-300-001-04 162-030-300-001-05 162-030-300-001-06 162-030-300-001-07

GENERAL FINDINGS

1. The subject property is zoned Light Industrial Development District. (D-LI)
2. The applicant received approval of a special use permit for a warehousing use under Section 7.3.11. on February 19, 2014 to store logs out of doors on the subject lots and distribute the same from the subject lots.
3. The applicant received approval of an amendment to special use permit for construction of an 80 ft. x 160 ft. structure for maintenance of trucks and equipment owned by Precision Forestry on December 21, 2016 per section 7.3.10.
4. The applicant is now seeking an amendment to a special use permit for relocation of the 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility.
5. The storage buildings and fuel tank and pump facility are accessory to the warehousing use approved on February 19, 2014.
6. The applicant is seeking a waiver of the topographic survey requirement for site plans.
- 7.

FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 18.7 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. The subject property is located in a D-LI Zoning district.
 2. The applicant received approval of a special use permit for a warehousing use under Section 7.3.11. on February 19, 2014 to store logs out of doors on the subject lots and distribute the same from the subject lots.
 3. The applicant is seeking an amendment to a special use permit for relocation of the 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility. (see exhibit 4)
 4. The applicant received approval of an amendment to special use permit for construction of an 80 ft. x 160 ft. structure for maintenance of trucks and equipment owned by Precision Forestry on December 21, 2016 per section 7.3.10. (see exhibit 1)
 5. The storage buildings and fuel tank and pump facility are accessory to the main use approved on February 19, 2014.
 - 6.
 7. Standard has been met.
- Or.
 - 1.
 2. Standard has not been met.

- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
1. The subject property is located in a Light Industrial Development zoning district.
 2. The applicant is seeking an amendment to a special use permit for relocation of the 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility to be used in conjunction with the main use approved on February 19, 2014.
 3. The special use will not create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 - 4.
 5. Standard has been met.
- Or.
1. The project will create a substantially negative impact on the natural resources of the County or the natural environment as a whole due to.....(see exhibit__)
 - 2.
 3. Standard has not been met.
- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
1. The subject property is located in a Light Industrial Development zoning district.
 2. The applicant is seeking an amendment to a special use permit for relocation of the 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility to be used in conjunction with the main use approved on February 19, 2014. (see exhibit 4 and 8)
 3. The special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area. (see exhibits 4 and 8)
 - 4.
 5. Standard has been met.
- Or.
1. The proposed special land use will involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic and/or noise and/or smoke, and/or fumes, and/or glare, and /or odors due to____(see exhibit__)
 - 2.
 3. Standard has not been met.
- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
1. The subject property is located in a Light Industrial Development zoning district.
 2. The applicant is seeking an amendment to a special use permit for relocation of the 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility to be used in conjunction with the main use approved on February 19, 2014. (see exhibit 4 and 8)
 3. The ongoing use as proposed will be constructed, designed, operated and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. (see exhibits 3 and 4)
 - 4.
 5. Standard has been met.
- Or.
- 1.
 2. Standard has not been met.

- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
 - 1. The applicant received approval of a special use permit for a warehousing use under Section 7.3.11. on February 19, 2014 to store logs out of doors on the subject lots and distribute the same from the subject lots.
 - 2. The applicant is seeking an amendment to a special use permit for relocation of the 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility to be used in conjunction with the main use approved on February 19, 2014. (see exhibit 4 and 8)
 - 3. The use as proposed will not place demands of fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties. (see exhibit 3 and 4)
 - 4.
 - 5. Standard has been met.

Or.

 - 1.
 - 2. Standard has not been met.

- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
 - 1. The subject property is located on Commerce Blvd. which is in a business park. (see exhibit 4 and 8)
 - 2. The applicant is seeking an amendment to a special use permit for relocation of the 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility to be used in conjunction with the main use approved on February 19, 2014. (see exhibit 4 and 8)
 - 3. The site is served by an entrance from Commerce Blvd. which provides adequate access (see exhibit 8)
 - 4. The use will not cause congestion or increase traffic hazards in excess of current capacity.
 - 5.
 - 6. Standard has been met.

Or.

 - 1.
 - 2. Standard has not been met.

- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
 - 1. The applicant is seeking an amendment to a special use permit for relocation of the 80 ft. x 160 ft. structure for maintenance of trucks and equipment, construction of two (2) storage buildings measuring 36 ft. x 72 ft. each and placement of a fuel tank and pump facility to be used in conjunction with the main use approved on February 19, 2014. (see exhibit 4 and 8)
 - 2. The applicant shall comply with applicable requirements of the Health Department relative to water and sewer facilities.
 - 3. The special shall be adequately served for refuse collection and disposal facilities.
 - 4.
 - 5. Standard has been met.

Or.

 - 1. The special use is not adequately served by water and sewer facilities, and refuse collection and disposal facilities. (see exhibit __)
 - 2.
 - 3. Standard has not been met.

- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
 - 1. The special use complies with all the specific standards required under this Ordinance applicable to it. (see exhibit 1, 4 and 8)
 - 2.
 - 3. Standard has been met.
- Or.
 - 1.
 - 2. Standard has not been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 20.10 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - 1. Minimal changes to the overall contours of the site are proposed (see exhibit 4)
 - 2.
 - 3. Standard has been met.
- Or.
 - 1.
 - 2. Standard has not been met.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - 1. No topographic modifications are proposed. (see exhibit 4)
 - 2. No tree removal is required.
 - 4.
 - 5. Standard has been met.
- Or.
 - 1.
 - 2. Standard has not been met.
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. No changes to existing drainage are proposed. (see exhibit 4)
 - 2.
 - 3. Standard has been met.
- Or.
 - 1.
 - 2. Standard has not been met.
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. This standard is not applicable. No dwelling units are proposed. (see exhibit 4)

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
 - 1. A practical means for access by emergency vehicle is provided from Commerce Blvd. (see exhibit 4 and 8)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. The structures proposed- on the subject property shall have access to Commerce Blvd., which is a County Local Road. (see exhibit 4)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
 - 1. This standard is not applicable. No plats or subdivision condominiums are proposed. (see exhibit 4)

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.
 - 1. No new lighting is proposed. (see exhibit 4)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. This standard is not applicable as public or common ways are not proposed. (see exhibit 4)

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
 - 1. The site plan conforms to applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see exhibits 2, 4 and 8)
 - 2.
 - 3. Standard has been metOr.
 - 1.
 - 2. Standard has not been met.

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

State law provides that a person having an interest affected by the zoning ordinance may appeal a decision of the Planning Commission to the Circuit Court. Pursuant to MCR 7.101 any appeal must be filed within twenty-one (21) days after this Decision and Order is adopted by the Planning Commission.

DATE DECISION AND ORDER ADOPTED

Wednesday, May 3, 2017

Patty Croft, Chairperson

Charles Freese, Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

Thomas Redman

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Land Use Permit Application (6 Pages)
5. Warranty Deed Dated 03/11/17 – Parcel #220-005-200-001-01 (2 Pages)
6. Quit Claim Deed L1023 P528 (2 Pages)
7. Mailing List (2 Pages)
8. Site Plan (1 Page)
9. Floor Plan and Elevations (1 Page)
- 10.
- 11.
- 12.
- 13.
- 14.

Note: Planning Commission members have exhibits 1 and 2.

NOTICE
CHEBOYGAN COUNTY PLANNING COMMISSION MEETING and PUBLIC HEARING
WEDNESDAY, MAY 3, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) **Mike Sturgill / Precision Forestry Inc.** – Requests a Special Use Permit Amendment for relocation of a truck maintenance building (80 ft. x 160 ft.), construction of two (2) storage buildings (36 ft. x 72 ft. each) and placement of a fuel tank and fuel pump facility. (Section 7.3.10.) The property is located at 5708 Commerce Blvd., Tuscarora Township, section 30, parcel #162-030-300-001-04, 162-030-300-001-05, 162-030-300-001-06 and 162-030-300-001-07 and is zoned Light Industrial Development (D-LI).

- 2.) **Thomas Redman / Exodus 33:13 LLC** – Requests a Special Use Permit for a warehouse contingent upon approval of a rezoning request from Agriculture and Forestry Management District (M-AF) to Light Industrial Development (D-LI). (Section 7.3.11) The property is located at 1716 East M-68 Highway, Walker Township, section 5, parcel 220-005-200-001-01.

Please visit the Planning and Zoning office or visit our website to see the applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

1. Describe all anticipated activities (e.g. type of business, hours of operation, number of employees, etc). Attach additional sheets if needed.

ACCESSORY USE TO CURRENT MANU FACILITY - TRAINING & CONFERENCE PURPOSES - USED BY CURRENT STAFF; HOURS OF OPERATION - MONDAY - FRIDAY 7:00 AM - 5:00 PM; STORAGE FACILITIES USED FOR NON-USED CUSTOMER EQUIPMENT - SAME HOURS OF OPERATION

Site Plan Standards.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

CURRENT SITE IS FAIRLY LEVEL - NO RESHAPING REQUIRED - NO IMPACT TO ADJOINING PROPERTY

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.

TREE REMOVAL KEPT TO A MIN, MINIMAL CHANGE TO TOPOGRAPHY

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.

SITE TO REMAIN PERVIOUS -

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

EXISTING LANDSCAPE TO REMAIN - ADDITIONAL TREES ADDED FOR BUFFER

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.

ACCESS TO SITE PROVIDED FROM M-68

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.

ACCESS TO SITE PROVIDED FROM M-68 - NO OTHER COMMON USE AREAS

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.

N/A

- h. Exterior lighting shall be arranged as follows:

i. It is deflected away from adjacent properties. SHIELDED DOWN LIGHTING

ii. It does not impede the vision of traffic along adjacent streets. SHIELDED DOWN LIGHTING

iii. It does not unnecessarily illuminate night skies. SHIELDED DOWN LIGHTING

SPECIAL LAND USE PERMIT APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO Box 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

SPECIAL LAND USE PERMIT APPLICATION

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.

PRIVATE USE; NO PUBLIC OR COMMON SPACES

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.

3. Size of property in sq. ft. or acres: 38.84 ACRES

4. Present use of property:

MANUFACTURING FACILITY; VACANT RESIDENCE - CURRENTLY USED FOR STORAGE

5. SUP Standards:

- a. Is the property located in a zoning district in which the proposed special land use is allowed?

REZONING APPLIED FOR; YES

- b. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole? **Explain.** NO; OFFICE & STORAGE SPACE

- c. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person? **Explain.** NO; PROPOSED USE

OFFICE & STORAGE SPACE

- d. Will the proposed special land use be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned? **Explain.** YES

- e. Will the proposed special land use place demands on fire, police, or other public resources in excess of current capacity? **Explain.**

NONE AWARE OF

- f. Will the proposed special land use be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services? **Explain.** YES - CURRENT SERVICES

AVAILABLE WILL CONTINUE - WELL SEPTIC ON SITE; REFUSE COLLECTION TO CONTINUE



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

SPECIAL LAND USE PERMIT APPLICATION

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services? SEE F.
 - h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? YES; SEE SITE PLAN
6. Does the proposed use of the property include or involve either:
- Junk or salvage yard (Section 3.6) YES NO
 - Mineral extraction (Section 17.17) YES NO
- If YES, this application must include a written plan as described in the Zoning Ordinance.*
7. Attach a copy of Warranty Deed or other proof of ownership.
8. Attach a copy of certified Property Survey or dimensioned property land plat.

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature Date 3/23/17

Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?

Yes No

Owner's Signature Date 3/23/17

FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	<u>3/23/17</u>	Notes:
Fee Amount Received:	<u>\$225.00</u>	
Receipt Number:	<u>5489</u>	
Public Hearing Date:		

Planning/Zoning Administrator Approval:

Signature

Date

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

ALL ITEMS LISTED BELOW MUST BE SUBMITTED IN ORDER FOR THIS APPLICATION TO BE DEEMED COMPLETE. INCOMPLETE APPLICATIONS WILL NOT BE REVIEWED OR PROCESSED. EACH SITE PLAN SHALL DEPICT THE ITEMS LISTED BELOW, EXCEPT FOR THOSE ITEMS DETERMINED DURING THE PRE-APPLICATION CONFERENCE TO NOT BE APPLICABLE.

PLACE A CHECK MARK NEXT TO EACH REQUIREMENT TO SHOW THAT THE INFORMATION HAS BEEN SUPPLIED OR THAT A WAIVER IS BEING REQUESTED. IF A WAIVER IS BEING REQUESTED PLEASE NOTE ON THE NEXT PAGE THE REASON FOR THE WAIVER. SIGN AND DATE THIS CHECKLIST WHEN ALL ITEMS HAVE BEEN COMPLETED. PLEASE SUBMIT THIS CHECKLIST WITH YOUR APPLICATION.

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100ft. or less.
✓		b. Seal of the registered engineer, architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
✓		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
	✓	d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
	N/A	e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
✓		f. Location of existing and proposed buildings and intended uses thereof.
✓		g. Details of entryway and sign locations should be separately depicted with an elevation view.
✓		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
✓		i. Location, size, and characteristics of all loading and unloading areas.
✓		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
✓		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
	N/A	l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		m. Location and specifications for all fences, walls, and other screening features.
✓		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
✓		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
✓		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
✓		q. Elevation drawing(s) for proposed commercial and industrial structures.
	N/A	r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well
✓		s. Floor plans, when needed to determine the number of parking spaces required.

PLEASE LIST THE REQUIREMENT FOR WHICH A WAIVER IS BEING REQUESTED. ALSO PROVIDE AN EXPLANATION/REASON FOR THE WAIVER REQUEST.

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
D	<u>SITE TO REMAIN LEVEL - SITE TO REMAIN PERVIOUS, NO CHANGE TO DRAINAGE</u>

AFFIDAVIT

I CERTIFY THAT ALL SITE PLAN REQUIREMENTS (A THROUGH S) ARE DRAWN ON THE SITE PLAN, ATTACHED TO THIS APPLICATION AND/OR I AM REQUESTING A WAIVER. I CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS SPECIAL LAND USE PERMIT APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



 SIGNATURE

3/23/17

 DATE

WARRANTY DEED

Redman Company, a Michigan limited liability company, whose address is P.O. Box 4215, Troy, Michigan 48099-4215 (Grantor), conveys and warrants to Exodus 33:13, L.L.C., a Michigan limited liability company, whose address is 1715 M-68 East, Afton, Michigan 49705 (Grantee), the real property in the Township of Walker, County of Cheboygan, Michigan, and described as:

Commencing at the Northeast corner of the NW ¼ of the NE ¼ of Section 5, T34N, R1W; thence in a Westerly direction 250.00 feet along North line of NW ¼ of the NE ¼, Section 5, T34N, R1W; thence 300.00 feet in a Southerly direction; thence 250.00 feet in an Easterly direction to the East line of the NW ¼ of the NE ¼ of Section 5, T34N, R1W; thence in a Northerly direction 300.00 feet along the East line of the NW ¼ of the NE ¼ of Section 5, T34N, R1W to the Point of Beginning; being a rectangular piece of land in the Northeast corner of the NW ¼ of the NE ¼, Section 5, T34N, R1W.

Tax Parcel ID# 220-005-200-001-01

Commonly known as the Hanel property (the Premises)

For \$30,000.00, Thirty Thousand and no/100 Dollar,

subject to any easements and building and use restrictions of record and the lien of taxes not yet due and payable.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

Dated: March 11, 2017

Redman Company, L.L.C., a Michigan limited liability company

/s/ 
Robert J. Redman, Member

STATE OF MICHIGAN)
COUNTY OF CHEBOYGAN)

Acknowledged before me in Cheboygan County, Michigan on March 11, 2017 by
Robert J. Redman.

/s/ Annette L. Ross
Notary public, State of Michigan, County of EMMET
My commission expires: 09-13-2019
Acting in the County of Cheboygan

Drafted by and when recorded return to:

John R. Fowler, Jr., Esq.
Law Office of John R. Fowler, Jr., P.L.L.C.
P.O. Box 360361

When recorded return to:

Exodus 33:13, L.L.C., 1715 M-68, Afton, MI 49705

Send subsequent tax bills to:

Exodus 33:13, L.L.C., 1715 M-68, Afton, MI 49705

Recording Fee:

Transfer Tax:



RECEIVED FOR RECORD
 MARY ELLEN TRYBAN, CLERK/REGISTER
 CHEBOYGAN COUNTY, MICHIGAN
 03/06/2006 12:23:35 PM

RECEIPT# 9409, STATION 2
 \$17.00 QUIT CLAIM DEED



CHEBOYGAN COUNTY
 MARCH 6, 2006
 RECEIPT #9409

STATE OF MICHIGAN \$ 110.00-CO
 REAL ESTATE \$ 750.00-ST
 TRANSFER TAX STAMP # 3886



LIBER 1023 PAGE 528

**QUIT CLAIM DEED
 STATUTORY FORM
 FOR CORPORATIONS**

M.C.L. 1948, 565.152 M.S.A. 26.572

KNOW ALL MEN BY THESE PRESENTS: That the Redman Company, L.L.C., a Michigan limited liability company, whose address is 1715 M-68 East, Afton, Michigan, 49705, Quit Claim(s) to Exodus 33:13, L.L.C., a Michigan limited liability company, whose address is 1614 M-68 East, Afton, Michigan, the following described premises situated in the Township of Walker, County of Cheboygan State of Michigan, to wit:

SEE ATTACHED LEGAL DESCRIPTION

Commonly known as 1614 M-68, Afton, Michigan.

together with all improvements, appurtenances, tenements and hereditaments thereto, and subject to easements and restrictions of record. for the full consideration of \$100,000.00.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act

Dated this 27th day of December, 2005.

Signed and sealed:

Redman Company, L.L.C., a Michigan limited liability company

Robert J. Redman

By: Robert J. Redman
 Its Member/Manager

STATE OF MICHIGAN } S.S.
 COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 30th day of January, 2006, by Robert J. Redman, Member/Manager of the Redman Company, L.L.C., a Michigan limited liability on behalf of said limited liability company.

My commission expires 10-13-2011

Marjorie A. Malak
 MARJORIE A. MALAK Notary Public

State of Michigan, County of: OAKLAND
 Acting in the County of: OAKLAND
 Business Address: 2701 Troy Center Drive, Suite 400
 Troy, Michigan 48084

Instrument Drafted by: John R. Fowler, Jr., Esq.
 Biber, O'Toole, Fowler & Clarkson, PLLC

Recording Fee: \$17.00
 State Transfer Tax: \$750.00
 County Transfer Tax: \$110.00
 Tax parcel I.D.#: 220-005-200-001-00

When recorded return to: John R. Fowler, Jr., Esq. ✓
 2701 Troy Center Drive, Ste. 400, Troy, Michigan 48084
 Send subsequent bills to: Grantee



LIBER 1023

PAGE 529

ATTACHMENT - LEGAL DESCRIPTION

Commonly known as 1614 M-68 East, Afton, Michigan 49705

A parcel of land in part of the NW 1/4 of the NE 1/4 of Section 5, T34N-R1W, Walker Township, Cheboygan County, Michigan, described as:

Commencing at the North 1/4 corner of Section 5; thence South 01° 31' 28" West along the North & South 1/4 line of said Section 79.59 feet to the Southerly Right of Way line of Highway M-68 and POINT OF BEGINNING; thence South 89° 17' 04" East along said Right of Way line, 782.05 feet; thence South 00° 49' 10" West 221.84 feet; thence South 89° 10' 50" East 200.00 feet; thence North 00° 49' 10" East 222.20 feet to the Southerly Right of Way line of Highway M-68; thence South 89° 17' 04" East 74.18 feet; thence South 01° 25' 17" West parallel with the East 1/8 line 222.33 feet; thence South 89° 10' 50" East 250.00 feet to the East 1/8 line; thence South 01° 25' 17" West along said 1/8 line 1082.14 feet to the North 1/8 line; thence North 88° 19' 50" West along said 1/8 line 1308.46 feet to the North & South 1/4 line; thence North 01° 31' 28" East along said 1/4 line 1283.17 feet to the POINT OF BEGINNING. Containing 36.54 acres land more or less. Subject to and including easements, restrictions, and reservations of record, if any.

16-172-032-300-001-00 HARRIS, WILLIAM LIVING TRUST 1001 E M-68 HWY AFTON MI 49705-9715	16-220-005-200-005-01 JACOBS, MARK & JENNIFER DOMK 6200 N WALKER RD AFTON MI 49705
16-172-032-400-001-00 REDMAN COMPANY, LLC 1715 E M-68 HWY AFTON MI 49705	16-220-005-200-005-02 HAGER, DUSTIN & AMBER H/W 6120 N WALKER RD AFTON MI 49705
16-172-032-400-003-00 JEWELL, BUDD J & DWAYNE E JEW 82 BURNTIAH LN LAKE ORION MI 48362	16-220-005-200-008-00 KEENAN, TERRY P & AMY H/W 6308 N WALKER RD AFTON MI 49705
16-172-032-400-004-00 NUTT, DANA & JEANNIE NUTT, JT PO BOX 667 INDIAN RIVER MI 49749	16-220-005-200-008-01 KEENAN, TERRY P & AMY H/W 6308 N WALKER RD AFTON MI 49705
16-220-005-100-001-00 PASSINO, DOUGLAS & MARSHA H/ 6952 MONTGOMERY RD AFTON MI 49705	
16-220-005-100-004-00 PASSINO, MICHAEL & BRENDA H/ PO BOX 2184 INDIAN RIVER MI 49749	
16-220-005-200-001-00 EXODUS 33:13, LLC 1715 M-68 EAST AFTON MI 49705	
16-220-005-200-001-01 REDMAN COMPANY, LLC 1715 E M-68 HWY AFTON MI 49705	
16-220-005-200-002-00 REDMAN COMPANY, LLC 1715 E M-68 HWY AFTON MI 49705	
16-220-005-200-004-00 CRAWFORD, MARK AND 1776 E M-68 HWY AFTON MI 49705	

16-172-032-300-001-00
OCCUPANT
1001 E M-68 HWY
AFTON, MI 49705-9715

16-220-005-200-008-00
OCCUPANT
6308 N WALKER RD
AFTON, MI 49705

16-172-032-400-001-00
OCCUPANT
1715 E M-68 HWY
AFTON, MI 49705

16-220-005-200-008-01
OCCUPANT
6408 N WALKER RD
AFTON, MI 49705

16-172-032-400-003-00
OCCUPANT
1795 E M-68 HWY
AFTON, MI 49705

16-172-032-400-004-00
OCCUPANT
1757 E M-68 HWY
AFTON, MI 49705

16-220-005-200-001-00
OCCUPANT
1662 E M-68 HWY
AFTON, MI 49705

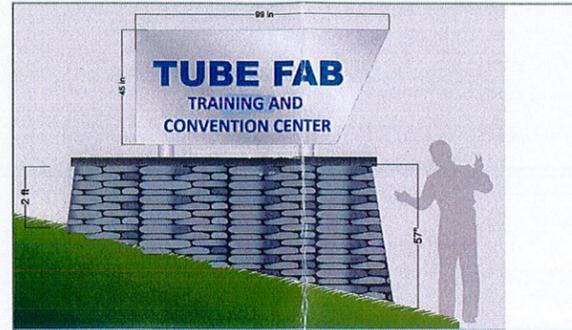
16-220-005-200-001-01
OCCUPANT
1716 E M-68 HWY
AFTON, MI 49705

16-220-005-200-002-00
OCCUPANT
1668 E M-68 HWY
AFTON, MI 49705

16-220-005-200-004-00
OCCUPANT
1776 E M-68 HWY
AFTON, MI 49705

16-220-005-200-005-01
OCCUPANT
6200 N WALKER RD
AFTON, MI 49705

16-220-005-200-005-02
OCCUPANT
6120 N WALKER RD
AFTON, MI 49705-9758



SIGN ELEVATION NTS

INFORMATION

BUILDING 1:
 2,027 SQUARE FEET - TRAINING CENTER
 2,142 SQUARE FEET - HEATED STORAGE
 2,292 SQUARE FEET - COLD STORAGE
 TOTAL SQUARE FEET = 6,461 SQUARE FEET

PARKING REQUIREMENTS:
 PARKING REQUIREMENTS FIGURED AT 1/300 SQUARE FEET FOR BUSINESS / PROFESSIONAL OFFICE = 6,461/300=22 SPACES REQUIRED- 31 PROVIDED

BUILDING 2:
 1,792 SQUARE FEET - COLD STORAGE

PARKING REQUIREMENTS:
 PARKING REQUIREMENTS NOT FIGURED- BUILDING IS AN ACCESSORY STORAGE BUILDING

LEGAL DESCRIPTION:

PROPERTY# 220-005-200-001-00 COM N1/4 COR SEC 5, T34N,R1W; TH S 01D 31M 28S W ALG N-S 1/4 LI 79.59FT TO SLY R/W OF HWY M-68 & POB; TH S 89D 17M 4S E ALG SD R/W 782.05FT; TH S 0D 49M 10S W 221.84FT; TH S 89D 10M 50S E 200FT; TH N 0D 49M 10S E 222.20FT TO SLY R/W OF HWY M-68; TH S 89D 17M 4S E 74.18FT; TH S 01D 25M 17S W 222.33FT; TH S 89D 10M 50S E 250FT; TH S 01D 25M 17S W 1082.14FT; TH N 88D 19M 50S W 1308.48FT TO N-S 1/4 LI; TH N 01D 31M 28S E 1283.17FT TO POB, PT OF NW1/4 OF NE1/4.

PROPERTY# 220-005-200-001-01 COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. 752/924

PROPERTY INFORMATION:

PROPERTY #220-005-200-001-00
 ZONED: LIGHT INDUSTRIAL
 TOWNSHIP: WALKER

PROPERTY #220-005-200-001-01
 ZONED: AF REZONING APPLIED FOR TO: LIGHT INDUSTRIAL
 TOWNSHIP: WALKER

LIGHTING INFORMATION:

LIGHTING TO BE FULLY SHIELDED DOWN
 LIGHTING NOT TO INTERFERE WITH
 ADJACENT PROPERTY OR ROAD TRAFFIC

SIGHT DRAINAGE INFORMATION:

THERE WILL BE MINIMAL CHANGE TO SIGHT
 DRAINAGE. PARKING LOT IS PERVIOUS

LEGEND

- SETBACK LINE
- PROPERTY LINE
- ▲ LIGHT
- SMALL SHRUB/FLOWER
- DECIDUOUS TREE
- CONIFEROUS TREE
- EXISTING TREES TO REMAIN



PROPERTY INFORMATION OBTAINED FROM CHEBOYGAN COUNTY PROPERTY INFORMATION DATA BASE

TRAINING AND CONFERENCE CENTER

1662 E. M-68 HWY
 AFTON, MI 49705

SITE PLAN

date 15 MAR 17 for REVISED SUBMITTAL
 date 15 FEB 17 for SUBMITTAL
 date 17 JAN 17 for REVIEW
 date 15 JAN 17 for REVIEW

DRAWN BY: K. JOHNSON

S1

1082.14' S01DEG 25'17" WEST

1283.17' N01DEG 31'28" EAST

10'-0"

OVERHEAD ELECTRICAL LINES

SNOW

TWO PARCELS TO BE COMBINED INTO ONE

PROPERTY# 220-005-200-001-00

SNOW 250.00' S89D 10'50" EAST

222-33' S91DEG 25' WEST

220.00' N0DEG49'10" EAST

221.84' S0DEG 49'10" WEST

74.18' S89DEG 17'04" EAST

300' SOUTH

300' NORTH

150'-0" PROJ. N

250' WEST

M-68

EXISTING HOME

EXISTING GARAGE

EXISTING BUILDING

PROPOSED BUILDING 1

PROPOSED BUILDING 2

PROPOSED SIGN

PROPOSED SEPTIC DRAIN FIELD

PROPOSED PH INTERNET

PROPOSED GRAVEL CONCRETE WALK AND APPROACH

PROPOSED GRAVEL

PROPOSED GARAGE DUMPSITE

PROPOSED GRASS DRIVEWAY

SITE PLAN

SCALE 1"=100'-0"

8



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

STAFF REPORT

Item: Special Use Permit for warehouse use, and site plan review approval for a private school (training facility/conference) and office uses contingent on approval of rezoning by the Cheboygan County Board of Commissioners from Agriculture and Forestry Management zoning district (M-AF) to Light Industrial Development zoning district (D-LI)	Prepared by: Scott McNeil
Date: April 26, 2017	Expected Meeting Date: May 3, 2017

GENERAL INFORMATION

Applicant:

Thomas Redman/Exodus 33:13 LLC

Contact person:

Thomas Redman

Phone:

231-238-9366

Requested action: Approval of a Special Use Permit for warehouse use and site plan review approval for a private school (training/conference facility) and office contingent on approval of rezoning by the Cheboygan County Board of Commissioners from Agriculture and Forestry Management zoning district (M-AF) to Light Industrial Development zoning district (D-LI).

BACKGROUND INFORMATION

Introduction:

The applicant/owner has submitted an application for rezoning the subject property from Agriculture and Forestry Management (M-AF) to Light Industrial Development (D-LI). The Planning Commission held a public hearing regarding the rezoning application on April 19, 2017. The Planning Commission has recommended approval of the rezoning application to the Cheboygan County Board of Commissioners. The applicant now seeks a special use permit for warehouse use and site plan review approval for private school (training facility) and office uses. The applicant is seeking this approval contingent upon approval of the rezoning by the Cheboygan County Board of Commissioners. You will find statements to this effect offered in the General Findings of Fact.

The applicant/owner is proposing construction of a structure with an overall width of 58 feet and an overall length of 136 ft. for warehouse, office and private school uses and another 32 ft. x 56 ft. structure for warehouse use. Warehouse is a use which requires a special use permit in a D-LI zoning district per section 7.3.11. Private school is a use which requires site plan review approval in the D-LI zoning district per sections 7.2.1, 6.2.1 and 4.2.4. Office is a use which requires site plan review in the D- LI district per sections 7.2.1 and 6.2.15.

Current Zoning: Agriculture and Forestry Management. The Planning Commission has recommended that the subject property be rezoned to Light Industrial Development District (D-LI) to the Cheboygan County Board of Commissioners after a Public Hearing held on April 19, 2017.

Surrounding Land Uses: Residential and industrial to the west. Industrial to the north. Vacant to the south. Residential to the east. Property to the west, north and south is zoned D-LI

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain): No environmentally sensitive areas have been identified.

Historic buildings/features: There are no historic features in the subject lot.

Traffic Implications: The project is proposed to be located on M-68 highway and across from an industrial facility. Minimal traffic increase is expected as a result of the new construction and uses as proposed.

Parking: There are no required parking space criteria for the proposed warehouse use in Section 17.4. Parking space requirements for schools are 1 per teacher, 1 per class room and one per 10 students. By review of the floor plan there is 1 class room and seating for up to 27 requiring 5 parking spaces. Office use requires one parking space per 300 square feet. Based on the floor plan there is 672 square feet of office space requiring 3 parking spaces. There are 31 parking spaces indicated on the site plan.

Access and street design: (secondary access, pedestrian access, sidewalks, residential buffer, ROW width, access to adjacent properties): The site plan provides for two driveways from M-68 highway.

Signs; One freestanding sign which meet requirements of section 17.19 is proposed.

Fence/Hedge/Buffer: A tree buffer is indicated on the site plan at the southeast corner of the subject site.

Lighting: lighting is indicated to be located on the structures.

Stormwater management: No change to current Stormwater management is proposed.

Review or permits from other government entities:

Permits from the Department of Building Safety is required. Permits from the Health Department may also be required.

Public comments received

None

Recommendations (proposed conditions)

Comply with applicable requirements of the Department of Building Safety, Health Department and Cheboygan County Road Commission.

Approval of SUP and Site Plan review contingent upon approval of the rezoning by the Cheboygan County Board of Commissioners from Agriculture and Forestry Management (M-AF) to Light Industrial Development (D-LI).

CHEBOYGAN COUNTY PLANNING COMMISSION
SPECIAL USE PERMIT REQUEST
Wednesday, May 3, 2017 7:00 PM

Applicant

Thomas Redman
1715, M-68 Highway
Afton, Mi. 49705

Owner

Exodus 33:13 LLC
1715, M-68 Highway
Afton, Mi. 49705

Parcel

1716 M-68.
Walker Township
220-005-200-001-01

GENERAL FINDINGS

1. The subject property is zoned currently zoned Agriculture and Forestry Management District (M-AF)
2. The applicant has submitted an application to rezone the subject property to Light Industrial Development District. (D-LI).
3. The Planning Commission reviewed the rezoning application at a Public hearing held on April 19, 2017 and recommended approval of the rezoning application to the Cheboygan County Board of Commissioners.
4. The applicant is seeking a special use permit for warehouse use and site plan review approval for private school and office uses.
5. Warehouse is a use which requires a special use permit in a D-LI zoning district per section 7.3.11.
6. Private school is a use which requires site plan review approval in the D-LI zoning district per sections 7.2.1, 6.2.1 and 4.2.4.
7. Office is a use which requires site plan review in the D- LI district per sections 7.2.1 and 6.2.15.
- 8.

FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 18.7 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. Approval of this special use permit is contingent upon approval of the rezoning application by the Cheboygan County Board of Commissioners, as cited under General Findings 2 and 3.
 2. The applicant is seeking a special use permit for a warehouse use. (see exhibit 4)
 3. Warehouse is a use which requires a special use permit in a D-LI zoning district per section 7.3.11.
 - 4.
 - 5.
 7. Standard has been met.

Or.

 - 1.
 2. Standard has not been met.
- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 1. The subject property is surrounded on the west and north with light industrial uses which are located in a Light Industrial Development zoning district. (see staff report dated April 26, 2017)
 2. The subject property is surrounded on the west, north and south by property zoned Light Industrial Development. (see staff report dated April 26, 2017)
 3. The special use will not create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 - 4.
 5. Standard has been met.

Or.

1. The project will create a substantially negative impact on the natural resources of the County or the natural environment as a whole due to.....(see exhibit__)
- 2.
3. Standard has not been met.

c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.

1. The subject property is surrounded on the west and north with light industrial uses which are located in a Light Industrial Development zoning district.
2. The applicant is seeking a special use permit for a warehouse use. (See exhibit 4)
3. The warehouse use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
- 4.
5. Standard has been met.

Or.

1. The proposed special land use will involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic and/or noise and/or smoke, and/or fumes, and/or glare, and /or odors due to____(see exhibit__)
- 2.
3. Standard has not been met.

d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.

1. The applicant is seeking a special use permit for a warehouse use.
2. The use as proposed will be constructed, designed, operated and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. (see exhibits 3 and 4)
- 3.
4. Standard has been met.

Or.

- 1.
2. Standard has not been met.

e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.

1. The applicant is seeking a special use permit for a warehouse use.
2. The use as proposed will not place demands of fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties. (see exhibit 3 and 4)
5. Standard has been met.

Or.

- 1.
2. Standard has not been met.

- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
 - 1. The subject property is located on M-68 highway. (see exhibit 8)
 - 2. The subject property is surrounded on the west and north with light industrial uses.
 - 3. The applicant is seeking a special use permit for a warehouse use. (see exhibit 4)
 - 4. The use will not cause congestion or increase traffic hazards in excess of current capacity.
 - 5.
 - 6. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
 - 1. The applicant will comply with applicable requirements of the Health Department relative to water and sewer facilities. (see exhibit 4)
 - 2. The special shall be adequately served for refuse collection and disposal facilities.
 - 3.
 - 4. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
 - 1. The special use complies with all the specific standards required under this Ordinance applicable to it. (see exhibit 1, 4 and 8)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 20.10 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - 1. Minimal changes to the overall contours of the site are proposed (see exhibit 4)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - 1. Minimal topographic modifications are proposed. (see exhibit 4)
 - 2. Minimal tree removal is proposed. (see exhibit 4)
 - 4.
 - 5. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. No changes to existing drainage are proposed. (see exhibit 4)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. This standard is not applicable. No dwelling units are proposed. (see exhibit 4)

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
 - 1. A practical means for access by emergency vehicle is provided from M-68 Highway. (see exhibit 4 and 8)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. The structures proposed- on the subject property shall have access to M-68 Highway. (see exhibit 8)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
 - 1. This standard is not applicable. No plats or subdivision condominiums are proposed. (see exhibit 4)

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.
 - 1. Lighting is proposed on structures. (see exhibit 8)
 - 2. Exterior lighting shall be deflected away from adjacent properties, shall not impede the vision of traffic along adjacent streets and shall not unnecessarily illuminate night skies. (see exhibit 4)
 - 3.
 - 4. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. This standard is not applicable as public or common ways are not proposed. (see exhibit 4)

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
 - 1. The site plan conforms to applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see exhibits 2, 4 and 8)
 - 2.
 - 3. Standard has been met
 Or.
 - 1.
 - 2. Standard has not been met.

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

State law provides that a person having an interest affected by the zoning ordinance may appeal a decision of the Planning Commission to the Circuit Court. Pursuant to MCR 7.101 any appeal must be filed within twenty-one (21) days after this Decision and Order is adopted by the Planning Commission.

DATE DECISION AND ORDER ADOPTED

Wednesday, May 3, 2017

Patty Croft, Chairperson

Charles Freese, Secretary



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Date: April 26, 2017

To: Planning Commission

From: Scott McNeil, Planner

Re; Draft zoning ordinance amendment relating to Assembly uses.

Included with this memo is a draft ordinance amendment relative to the subject dated 4/26/17 which has been subject legal review. Changes recommended as a result and reflected in the draft amendment are as follows:

Section 2. Removed the definition language relative to Club with regard to repeal of the same.

Section 3. Changed the use listing of Arcades, bowling alleys, pool or billiard parlors to Arcades, bowling alleys or billiard parlors.

Section 6. Changed the use listing from Assembly, Educational or Social Event Facility to Assembly, Educational or Social Event Facilities.

I believe this proposed amendment is ready for review at a public hearing. As noted previously, there are provisions in the amendment which affect the Indian River and Topinabee Village Center districts. Consideration to provide for review and comment by Mullett and Tuscarora township officials may be in order.

4/26/17

CHEBOYGAN COUNTY

ZONING ORDINANCE AMENDMENT # _____

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200

Section 1. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add in its appropriate alphabetical location the following definition, which shall read in its entirety as follows:

ASSEMBLY, EDUCATIONAL or SOCIAL EVENT FACILITY

A building or portion thereof which is used for civic, educational, entertainment, governmental, political, religious or social purposes.

Section 2. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to repeal following definition:

CLUB

Section 3. Amendment of Sections 6.2.5., 13.2.4., 13A.2.1., 13B.3.1., 13C.2.1 and 13D.3.1.

Sections 6.2.5., 13.2.4., 13A.2.1., 13B.3.1., 13C.2.1. and 13D.3.1. of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

- 6.2.5. Arcades, bowling alleys or billiard parlors
- 13.2.4. Arcades, bowling alleys or billiard parlors
- 13A.2.1. Arcades, bowling alleys or billiard parlors
- 13B.3.1. Arcades, bowling alleys or billiard parlors
- 13C.2.1. Arcades, bowling alleys or billiard parlors
- 13D.3.1. Arcades, bowling alleys or billiard parlors

Section 4. Repeal of Sections 4.2.4. 4.2.5, 4.3.10, 13E.2.4., 13E.2.5., 13E.3.9. and 14.3.14

Sections 4.2.4. 4.2.5, 4.3.10, 13E.2.4., 13E.2.5., 13E.3.9. and 14.3.14 of the Cheboygan County Zoning Ordinance No. 200 are hereby repealed and reserved for future use.

Section 5. Amendment of Sections 9.3.4. and 14.3.5.

Section 9.3.4. and 14.3.5. of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

- 9.3.4. Public parks and recreational areas, playgrounds and campgrounds.
- 14.3.5. Public parks and recreational areas and playgrounds.

Section 6. Amendment of Sections 4.3.12., 6.2.22., 9.3.3., 10.3.10., 13.3.4. 13A.3.4., 13C.3.6. and 14.3.7.

Sections 4.3.12., 6.2.22., 9.3.3., 10.3.10., 13.3.4., 13A.3.4., 13C.3.6. and 14.3.7. of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to the read in their entirety as follows:

- 4.3.12. Assembly, Educational or Social Event Facilities
- 6.2.22. Assembly, Educational or Social Event Facilities
- 9.3.3. Assembly, Educational or Social Event Facilities

10.3.10. Assembly, Educational or Social Event Facilities
13.3.4. Assembly, Educational or Social Event Facilities
13A.3.4. Assembly, Educational or Social Event Facilities
13C.3.6. Assembly, Educational or Social Event Facilities
14.3.7. Assembly, Educational or Social Event Facilities

Section 7. Repeal of Section 17.3.

Section 17.3. of the Cheboygan County Zoning Ordinance No. 200 is hereby repealed and reserved for future use.

Section 8. Repeal of Section 21.9.2.

Section 21.9.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby repealed.

Section 9. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 10. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By:

Its: Chairperson

By:

Karen L. Brewster

Its: Clerk



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

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PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Date: April 26, 2017

To: Planning Commission

From: Scott McNeil, Planner

Re; Draft zoning ordinance amendment relating to Convalescent Home uses.

Included with this memo is a draft ordinance amendment relative to the subject dated 4/26/17 which has been subject legal review. One change is recommended as a result and reflected in the draft amendment as follows:

Section 2. Removed the definition language relative to Convalescent Home with regard to repeal of the same.

The remainder of the amendment remains as last reviewed.

I believe this proposed amendment is ready for review at a public hearing. As noted previously, there are provisions in the amendment which affect the Indian River and Topinabee Village Center districts. Consideration to provide for review and comment by Mullett and Tuscarora township officials may be in order.

4/26/17

CHEBOYGAN COUNTY

ZONING ORDINANCE AMENDMENT # _____

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO.
200

Section 1. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add in their appropriate alphabetical location the following definitions, which shall read in their entirety as follows:

ADULT DAY CARE CENTER

A facility which provides care for the elderly and/or functionally impaired adults in a protective setting for a portion of a 24-hour day.

ASSISTED LIVING CENTER

A facility which provides primarily nonmedical services and living facilities to individuals in need of personal assistance essential for sustaining the activities of daily living; however, state-licensed residential facilities, as provided under Public Act 110 of 2006 are not subject to regulation under this ordinance.

HEALTHCARE LIVING CENTER

A facility which provides healthcare services and living facilities for individuals suffering or recovering from illness, injury or mental or physical infirmity; however, state-licensed residential facilities, as provided under Public Act 110 of 2006 are not subject to regulation under this ordinance.

Section 2. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to delete the following definition:

CONVALESCENT OR NURSING HOME

Section 3. Amendment of Sections 4.3.2. and 13E.3.2.

Sections 4.3.3. and 13E.3.2. of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

4.3.3. Assisted Living Center

13E.3.2. Assisted Living Center

Section 4. Amendment of Sections 13A.3.1. and 13C.3.1.

Sections 13A.3.1. and 13C.3.1. of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

13A.3.1. Assisted Living Center or Adult Daycare Center

13C.3.1. Assisted Living Center or Adult Daycare Center

Section 5. Amendment of Sections 6.2.26., 9.3.14. and 14.3.13.

Sections 6.2.26., 9.3.14. and 14.3.13. of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

6.2.26. Adult Daycare Center, Assisted Living Center or Health Care Living Center

9.3.14. Adult Daycare Center, Assisted Living Center or Health Care Living Center

14.3.13. Adult Daycare Center, Assisted Living Center or Health Care Living Center

Section 6. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 7. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By:

Its: Chairperson

By:

Karen L. Brewster

Its: Clerk