



# 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 16, 2018 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.) **Mike Bieniek, Agent on behalf of Tillman Infrastructure and Todd and Tammi Gall** - Requests a Special Use Permit for a wireless communication facility (section 17.13.). The property is located at 1980 S. Extension Road, Mullett Twp., sections 19 and 30, parcel #130-030-100-001-02, # 130-019-300-002-01 and #130-030-100-001-01, and is zoned Agriculture and Forestry Management (M-AF).
- 2.) **Mike Bieniek, Agent on behalf of Tillman Infrastructure and David and Carolyn Sackett** - Requests a Special Use Permit for a wireless communication facility (section 17.13.). The property is located at 3616 Bowman Dr., Tuscarora Twp., section 21, parcel #161-021-300-002-03, and is zoned Agriculture and Forestry Management (M-AF).
- 3.) **K.P. Neuman and Dave Fernelius/Fernelius Land II, LLC** - Requests a Site Plan Review for an auto detail shop addition (section 6.2.2). The property is located at 11165 North Straits Highway, Inverness Township, section 6, parcel # 092-006-300-012-01 and is zoned Commercial Development (D-CM).

### UNFINISHED BUSINESS

- 1.) Review Draft Language For Solar Arrays

### 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 18, 2018 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

- PRESENT:** Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Jazdyk  
**ABSENT:** Churchill  
**STAFF:** Jeff Lawson  
**GUESTS:** Eric Boyd, Carl Muscott, Bob Lyon, Karen Johnson, Ben Varney, Russell Crawford, Cheryl Crawford, Charles Maziasz, Roberta Matelski, John F. Brown, John Moore, Larry Hanson, Rick Tromble

The meeting was called to order by Vice-Chairperson Borowicz at 7:00pm.

### PLEDGE OF ALLEGIANCE

Vice-Chairperson Borowicz led the Pledge of Allegiance.

### APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to approve the agenda as presented. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Ostwald, Lyon, Jazdyk), 0 Nays, 2 Absent (Churchill, Croft)

### APPROVAL OF MINUTES

The April 4, 2018 Planning Commission minutes were presented. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to approve the meeting minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Ostwald, Lyon, Jazdyk), 0 Nays, 2 Absent (Churchill, Croft)

### PUBLIC HEARING AND ACTION ON REQUESTS

**ERS Telecom Properties and Bernard Jankoviak** - Requests a one year extension for a Special Use Permit for a wireless communication facility (section 17.13). The property is located on South Extension Road, Mullett Twp., section 7, parcel #130-007-100-001-00, and is zoned Agriculture and Forestry Management (M-AF).

Mr Borowicz asked for public comments. There were no public comments. Public comment closed.

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved 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 one year extension for a special use permit based on the General Findings, Finding of Fact Under Section 17.13.1.a, Findings, Finding of Fact Under Section 17.13.2.b, Conditions And Standards Under Subsections 17.13.2.b.1 Through 17.13.2.b.6, Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section

20.10 subject to meeting the standards for screening. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Ostwald, Lyon, Jazdyk), 0 Nays, 2 Absent (Churchill, Croft)

*Ms. Croft entered the meeting.*

## **UNFINISHED BUSINESS**

### **Continued Discussion Of Planned Unit Development Draft Language**

Mr. Lawson stated that information regarding the proposed amendment has been provided in the packet for the Planning Commission. Mr. Lawson stated that Mr. Freese has been working on a use matrix. Mr. Freese discussed the use matrix. Discussion was held regarding establishing a committee to discuss the matrix and make recommendations to the Planning Commission.

### **Escrow Account Recommendation For Heritage Cove Farm**

Mr. Lawson stated that the county has received information from Heritage Cove Farm related to review by law enforcement and emergency services. Mr. Lawson stated that before a public hearing can be scheduled the Planning Commission must set a new escrow for further review. Mr. Lawson stated the recommendation of \$1,000 is primarily for legal review. Mr. Lawson stated that the Planning Commission could add another \$500 if a special meeting is to be considered. Mr. Lawson stated that once this is set, staff will move forward and post this for a public hearing. Mr. Freese stated that the fee for a special meeting is \$900 and a special use permit amendment is \$150. Mr. Freese stated that this could be reviewed at a regular meeting. Ms. Croft asked if the applicant has indicated a timeframe that they would like this reviewed. Mr. Lawson stated that this is a product of a court decision and this is needed information. Mr. Lawson stated that he believes the applicant would want this reviewed as soon as possible. Mr. Kavanaugh asked if \$1150 is acceptable. Mr. Lawson stated that is what legal counsel recommended. Mr. Lawson stated whatever is remaining will be returned to the applicant. Mr. Lawson stated if additional is required to continue the review, the Planning Commission could set another fee at a future meeting. Discussion was held. **Motion** by Mr. Kavanaugh, seconded by Mr. Freese, to set the escrow for Heritage Cove Farm at \$1,150.00. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 1 Absent (Churchill)

Mr. Freese explained that commercial storage is authorized in various districts. Mr. Freese stated that a property owner in Agriculture and Forestry Management Zoning District on the corner of Inverness Trail and Woiderski Road had a special use permit approved for indoor storage several years ago. Mr. Freese stated that after this approval the Planning Commission put a restriction on Indoor Storage Facilities that it shall be located on a county primary road or state trunkline. Mr. Freese stated that the property owner applied for a variance from section 17.27.3 which states that Indoor Storage Facilities shall be located on a county primary road or state trunkline.

Mr. Freese stated that each Planning Commission member has a map of the existing state trunklines and county primary roads. Mr. Freese stated that neither Inverness Trail and Woiderski Road are a county primary road. Mr. Freese stated that there was a similar indoor storage request for the Inverness Dairy property. Mr. Freese noted that the applicant applied for a conditional rezoning to eliminate the problem. Mr. Freese stated that there was a request for indoor storage on Indian Trail, which is not on a county primary road or state trunkline. Mr. Freese stated that the property backed up to Straits Highway, which is a state trunkline. Mr. Freese stated that the original address of the property was on Indian Trail. Mr. Freese stated that the address was changed to an address off of Straits Highway to eliminate this problem. Mr. Freese questioned why indoor storage is restricted in Agriculture and Forestry Management to county primary roads and state trunklines. Discussion was held. Mr.

Freese stated that he does not believe the county primary road or state trunkline requirement is a reasonable requirement and he would like to see this restriction removed. Mr. Freese suggested changing “county primary road” to “county road or county primary road”. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to amend the Zoning Ordinance to allow indoor storage buildings on a county road, county primary road or state trunkline. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 1 Absent (Churchill)

## **NEW BUSINESS**

No comments.

## **STAFF REPORT**

### **Discussion Regarding Solar Arrays**

Mr. Lawson stated that he met with Grant Township and Orion Renewable Energy to discuss solar development in the county and specifically Grant Township. Mr. Lawson stated that Orion Renewable Energy is securing leases for solar arrays. Mr. Lawson stated that there are no specific provisions for solar whether it be small scale accessory or commercial grade. Mr. Lawson stated the only district, we permit utility grade development is in the industrial districts. Mr. Lawson stated that Orion Renewable Energy will secure leases for approximately 1000 acres. Mr. Lawson stated that the proposed project will be up to 50 megawatt capacity facility and will end up being approximately 300-400 acres. Mr. Lawson stated that MSU Extension had a webinar online on this topic. Mr. Lawson stated that Mr. Muscott has provided information on a solar project that is being developed down state. Mr. Lawson stated that Lapeer County used a conditional rezoning to move this type of project forward. Mr. Lawson stated that currently that the Planning Commission is entering the policy stage will eventually make a recommendation to the Board of Commissioners who will review and make a decision. Mr. Lawson stated that the traditional way of developing language is to start from the beginning and complete an overall analysis by reviewing the Master Plan and build language from it. Mr. Lawson stated that there is a time element to this process, but this may not fit into the timing for a developer. Mr. Lawson stated another tool is a conditional rezoning where we permit developments with industrial uses in an area that would not have otherwise permitted such uses by changing the zone. Mr. Lawson stated that there are pros and cons to the conditional rezoning process.

Mr. Freese stated that this is another wind farm situation that the Planning Commission can come up with a regulation that will be thorough and this proposed development will pass by the time the language is complete. Mr. Freese stated that he

believes the Planning Commission should get behind this as it is a good idea. Mr. Freese stated that there are areas set aside as industrial parks, however no one wants to develop these areas. Mr. Freese stated that there are two Industrial Districts that are doing superbly, Moran Iron Works and Tube Fab. Mr. Freese stated that we can figure out a way to get these approved or we can research it to death and possibly miss out on this development. Mr. Freese asked if this could be reviewed as a PUD with other agricultural uses. Discussion was held. Mr. Kavanaugh stated that this is new information to some Planning Commission members and he believes it would be beneficial to have someone provide information on solar arrays. Mr. Kavanaugh stated that he would like to see the pros and cons of solar arrays. Mr. Lawson stated that he can provide a link to the MSU videos and slide presentation for the Planning Commission to review.

### **Village of Mackinaw City - Adopted 2018 Master Plan**

Mr. Lawson stated that the notification of the adopted 2018 Master Plan for the Village of Mackinaw City is a requirement under the legislation. Mr. Lawson stated that a response is not required, but the Planning Commission may respond if they chose to do so. Discussion was held.

Discussion was held regarding enforcement issues.

Mr. Lawson asked if it is the Planning Commission's intention to allow multiple animals on an acre or less parcel in the Agriculture and Forestry Management Zoning District. Mr. Freese and Mr. Kavanaugh stated that GAAMP's should be referenced in this type of situation. Mr. Borowicz stated that the Michigan Supreme Court has recently decided that GAAMP's overrule local ordinances. Mr. Lawson stated that the Planning Commission may want to consider residential parcels that are adjacent to one another where one parcel is Residential and the other is Agriculture and Forestry Management. Mr. Lawson stated that currently, the ordinance allows horses and goats on a parcel zoned Agriculture and Forestry Management that is adjacent to a parcel with a dwelling that is in a subdivision and zoned Residential. Discussion was held.

### **PLANNING COMMISSION COMMENTS**

No comments.

### **PUBLIC COMMENTS**

Mr. Muscott stated that business works different than government and if you snooze you lose. Mr. Muscott stated that he

doesn't really think we could fault Cheboygan County for losing Meijer. Mr. Muscott stated that big box retail is changing so fast and he is not holding his breath waiting for Meijer. Mr. Muscott stated that Mr. Lawson brought up a great idea of having one meeting a month for hearings and one meeting a month for work sessions. Mr. Muscott stated that Emmet County's online ordinance is user friendly and was facilitated by NEMCOG. Mr. Muscott stated that the software is from a company down state. Mr. Muscott stated that he brought this information to the Cheboygan County Board of Commissioners annual meeting last year.

Mr. Muscott stated a self storage commercial building is not allowed in Agriculture and Forestry Management. Mr. Freese stated yes it is allowed. Mr. Muscott stated that no one is moving to the country to enjoy the ambience when there can be a 300 unit self storage unit put right next to them regardless of whether it's primary road or not a primary road. Mr. Muscott referred to a development on M-27 and stated that there is a loophole that if it's commercial property, there is no size restriction on a private storage building. Mr. Muscott stated that a 5000sf private storage building can be built and then request a change of use to commercial.

Mr. Muscott stated that he has an audio recording of the Grant Township meeting with the representatives of Orion Renewable Energy. Mr. Muscott stated that if any Planning Commission members would like to listen to the audio recording he will provide a link to Debbie Tomlinson.

Mr. Boyd stated that he is a resident of Grant Township and he lives right in the middle of the proposed development. Mr. Boyd stated that he has a 200 acre field right across from his house. Mr. Boyd stated that a thousand acres is a lot of property and does not want to see it destroyed. Mr. Boyd stated that he is in favor of green energy, but not when you have to live in the middle of it and you're looking at that on a daily basis. Mr. Boyd stated that it will wreck the environment and the reason why he lives where he lives. Mr. Boyd hopes that the Planning Commission keeps in mind that there are residents that have lived in this area for many, many years and this proposed development will destroy the beauty of the area.

Mr. Boyd stated that he was at the public hearing when Triple D was approved and the Planning Commission placed conditions on the approval. Mr. Boyd stated that permits are required and inspectors are supposed to make sure all the conditions are met. Mr. Boyd stated that in his opinion, this place should have been shut down because they didn't meet regulations that they agreed to at the meeting.

**ADJOURN**

**Motion** by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 9:20pm.

---

Charles Freese  
Planning Commission Secretary

# CHEBOYGAN COUNTY PLANNING COMMISSION

Mike Bieniek, Agent On Behalf of Tillman Infrastructure / Todd and Tami Gall

## 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. Mailing List (2 Pages)
6. Letter of Application (1 Page)
7. Site Data Sheet (1 Page)
8. Legal Description (1 Page)
9. Narrative Overview (2 Pages)
10. Standards For Special Use Permit Approval (7 Pages)
11. Fall Zone Letter (2 Pages)
12. AT&T License (2 Pages)
13. Propagation Maps (5 Pages)
14. Overall Site Plan T-1 (1 Page)
15. Topographic Site Survey B-1 (1 Page)
16. Overall Site Plan C-1 (1 Page)
17. Enlarged Site Plan C-2 (1 Page)
18. Elevation Drawing C-3 (1 Page)
19. Topographic Site Survey B-1 (1 Page)
- 20.
- 21.
- 22.

Note: Planning Commission members have exhibits 1 and 2.

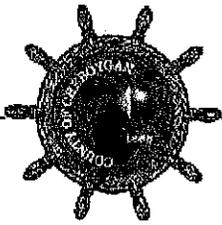
NOTICE

CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING  
WEDNESDAY, MAY 16, 2018 AT 7:00 PM  
ROOM 135 – COMMISSIONERS ROOM  
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) **Mike Bieniek, Agent on behalf of Tillman Infrastructure and Todd and Tammi Gall** - Requests a Special Use Permit for a wireless communication facility (section 17.13.). The property is located at 1980 S. Extension Road, Mullett Twp., sections 19 and 30, parcel #130-030-100-001-02, # 130-019-300-002-01 and #130-030-100-001-01, and is zoned Agriculture and Forestry Management (M-AF).
- 2.) **Mike Bieniek, Agent on behalf of Tillman Infrastructure and David and Carolyn Sackett** - Requests a Special Use Permit for a wireless communication facility (section 17.13.). The property is located at 3616 Bowman Dr., Tuscarora Twp., section 21, parcel #161-021-300-002-03, and is zoned Agriculture and Forestry Management (M-AF).

Please visit the Planning and Zoning office or visit our website to see the applications and associated documents. These documents may be viewed at [www.cheboygancounty.net/planning/](http://www.cheboygancounty.net/planning/). Comments, questions, and correspondence may be sent to [planning@cheboygancounty.net](mailto: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**

<i>Address</i> 1980 S. Extension Road	<i>City / Village</i> Cheboygan, MI 49721	<i>Twp / Sec.</i> T 36 S 19 R2W	<i>Zoning District</i>  M-AF
<i>Property Tax I.D. Number</i> 130-030-100-001-02, 130-019-300-002-01, 130-030-100-001-01		<i>Plat or Condo Name / Lot or Unit No.</i>	

**APPLICANT**

<i>Name</i> Mike Bieniek, AICP - Agent on behalf Tillman Infrastructure	<i>Telephone</i> 847-380-5569 (o) 847-287-1156 (c)	<i>Fax</i> 847-608-1299
<i>Address</i> 10700 W. Higgins, Suite 240	<i>City, State &amp; Zip</i> Rosemont, IL 60018	<i>E-Mail</i> mbieniek@lcctelecom.com

**OWNER (If different from applicant)**

<i>Name</i> Todd & Tami Gall	<i>Telephone</i> 740-973-0707	<i>Fax</i>
<i>Address</i> 1980 S. Extension Road	<i>City, State &amp; Zip</i> Cheboygan, MI 49721	<i>E-Mail</i>

**PROPOSED WORK**

<p><i>Type (check all that apply)</i></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 type="checkbox"/> Change in Use or Additional Use                      <input type="checkbox"/> Sign, Type: _____</p> <p style="padding-left: 100px;"><input checked="" type="checkbox"/> Other: <u>Wireless</u> telecommunications facility</p>	<p><b>Building/Sign Information (lease parcel)</b></p> <p>Overall Length: <u>100'-0"</u> feet</p> <p>Overall Width: <u>100'-0"</u> feet</p> <p>Floor Area: <u>8'-0" x 10'-0"</u> = 80 sq. feet</p> <p>Overall Building Height: <u>190'-0"</u> feet</p> <p>Sign Area: <u>N/a</u> sq. feet</p> <p>Sign Height <u>N/a</u> feet</p>
--	---

**PROPOSED USE (check all that apply)**

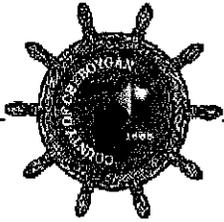
<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input type="checkbox"/> Commercial	<input type="checkbox"/>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

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: \_\_\_\_\_

**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.

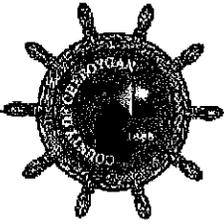
Tillman Infrastructure is proposing to erect a 190'-0" self support lattice tower with a 9'-0" lightning rod to be located within a 100'-0" x 100'-0" lease parcel. AT&T Mobility is proposing to locate on the tower at the 190'-0" level and install cabinets and support equipment on a 8'-0" x 10'-0" platform.

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.  
See attached narrative
- 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.
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
- 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.
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
- h. Exterior lighting shall be arranged as follows:
  - i. It is deflected away from adjacent properties. \_\_\_\_\_
  - ii. It does not impede the vision of traffic along adjacent streets. \_\_\_\_\_
  - iii. It does not unnecessarily illuminate night skies. \_\_\_\_\_

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.
- 
- 

- 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: Approximately 32.82

4. Present use of property:  
Single family home

5. SUP Standards:

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

See attached narrative

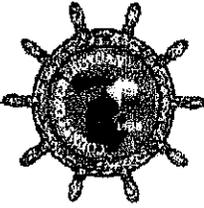
- b. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole? **Explain.** \_\_\_\_\_

- 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.** \_\_\_\_\_
- 
- 

- 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.** \_\_\_\_\_
- 
- 

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

- 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.** \_\_\_\_\_
- 
-



# 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? \_\_\_\_\_
- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? \_\_\_\_\_
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.

<b>AFFIDAVIT</b>	
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 <u></u>	Date <u>3/21/18</u>

Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Owner's Signature <u></u>	Date <u>3-21-18</u>

FOR PLANNING /ZONING DEPT. USE ONLY		
Date Received:	<u>03/28/18</u>	Notes:
Fee Amount Received:	<u>\$225.00</u>	
Receipt Number:	<u>6101</u>	
Public Hearing Date:	<u>5/16/18</u>	
Planning/Zoning Administrator Approval:		
<u></u>		
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
X		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.
X		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.
X		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
X		d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
X		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.
X		f. Location of existing and proposed buildings and intended uses thereof.
N/a		g. Details of entryway and sign locations should be separately depicted with an elevation view.
N/a		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.
N/a		i. Location, size, and characteristics of all loading and unloading areas.
N/a		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
X		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
X		m. Location and specifications for all fences, walls, and other screening features.
X		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
X		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
X		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
X		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
N/a		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.

**SECTION**

**REASON FOR WAIVER REQUEST**


**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

3/21/18  
 \_\_\_\_\_  
 DATE

120-024-400-008-01  
PUGH, DEBRA  
1254 SOUTH STRAITS HWY  
INDIAN RIVER, MI 49749

120-B10-000-015-00  
SEA JAY DEVELOPMENT INC  
PO BOX 1122  
INDIAN RIVER, MI 49749

120-025-200-005-00  
BOWDISH, LARRY; DIANE BOWDISH;  
10292 N SKYVIEW DR  
KALAMAZOO, MI 49009

120-025-200-004-00  
BARBOUR, ALBERT & NORMA, TRUSTEES  
3367 13 MILE RD  
ROCKFORD, MI 49341

120-025-200-003-00  
WHITEHEAD, WILLIAM & NILA, TTEES  
18826 DEXTER TRL  
GREGORY, MI 48137

130-019-300-002-01  
GALL, TODD & TAMMI H/W  
1980 S EXTENSION RD  
CHEBOYGAN, MI 49721

130-019-300-002-02  
TOPINABEE COMMUNITY CHURCH INC  
PO BOX 78  
TOPINABEE, MI 49791

120-025-200-007-04  
ARMBRUSTER, GEORGE L  
1675 S EXTENSION RD  
CHEBOYGAN, MI 49721

120-024-408-074-00  
BURTCH, SANDRA LIVING TRUST  
8135 WHITECLIFT LN  
GRAND BLANC, MI 48439

130-019-300-001-00  
MARDI LAND COMPANY, LLC  
26982 HAMPSTEAD BLVD  
FARMINGTON HILLS, MI 48331

130-030-100-001-01  
GALL, TODD & TAMMI H/W  
1980 S EXTENSION RD  
CHEBOYGAN, MI 49721

130-030-100-002-00  
ANTHONY, LINDA K &  
1945 TOPINABEE MAIL RTE  
CHEBOYGAN, MI 49721

130-030-100-001-02  
GALL, TODD & TAMMI H/W  
1980 S EXTENSION RD  
CHEBOYGAN, MI 49721

130-030-100-004-02  
BERGQUIST, HAROLD & JULIE H/W  
PO BOX 117  
TOPINABEE, MI 49791

130-030-109-082-05  
BERGQUIST, HAROLD & JULIE H/W  
PO BOX 117  
TOPINABEE, MI 49791

130-019-303-021-00  
LINDGREN, BRETT & EMILY  
2312 S EXTENSION RD  
CHEBOYGAN, MI 49721

130-019-300-002-03  
HADDEN, KEITH  
52349 CREEK LANE  
CHESTERFIELD, MI 48047

130-019-300-003-01  
FAIRCHILD, MICHAEL J  
2201 TOPINABEE MAIL RTE  
CHEBOYGAN, MI 49721

130-019-300-003-02  
LEMON, ROBERT W ET UX  
2051 TOPINABEE MAIL RTE  
CHEBOYGAN, MI 49721

120-024-400-008-02  
PUGH, DEBRA  
1254 SOUTH STRAITS HWY  
INDIAN RIVER, MI 49749

120-B10-000-002-00  
SEA JAY DEVELOPMENT INC  
PO BOX 1122  
INDIAN RIVER, MI 49749

120-B10-000-014-00  
SEA JAY DEVELOPMENT INC  
PO BOX 1122  
INDIAN RIVER, MI 49749

120-B10-000-003-00  
SEA JAY DEVELOPMENT INC  
PO BOX 1122  
INDIAN RIVER, MI 49749

120-B10-000-016-00  
SEA JAY DEVELOPMENT INC  
PO BOX 1122  
INDIAN RIVER, MI 49749

120-B10-000-001-00  
SEA JAY DEVELOPMENT INC  
PO BOX 1122  
INDIAN RIVER, MI 49749

130-030-109-082-06  
BERGQUIST, HAROLD & JULIE H/W  
PO BOX 117  
TOPINABEE, MI 49791

120-024-400-008-01  
OCCUPANT  
2325 TOPINABEE MAIL RTE  
INDIAN RIVER, MI 49749

120-B10-000-015-00  
OCCUPANT  
, MI

120-025-200-005-00  
OCCUPANT  
1845 S EXTENSION RD  
INDIAN RIVER, MI 49749

120-025-200-004-00  
OCCUPANT  
1905 S EXTENSION RD  
INDIAN RIVER, MI 49749

120-025-200-003-00  
OCCUPANT  
1969 S EXTENSION RD  
INDIAN RIVER, MI 49749

130-019-300-002-01  
OCCUPANT  
, MI

130-019-300-002-02  
OCCUPANT  
2279 TOPINABEE MAIL RTE  
, MI

120-025-200-007-04  
OCCUPANT  
1675 S EXTENSION RD  
CHEBOYGAN, MI 49721

120-024-408-074-00  
OCCUPANT  
2324 TOPINABEE MAIL RTE  
CHEBOYGAN, MI 49721

130-019-300-001-00  
OCCUPANT  
, MI

130-030-100-001-01  
OCCUPANT  
1980 S EXTENSION RD  
TOPINABEE, MI 49791

130-030-100-002-00  
OCCUPANT  
1945 TOPINABEE MAIL RTE  
INDIAN RIVER, MI 49749

130-030-100-001-02  
OCCUPANT  
, MI

130-030-100-004-02  
OCCUPANT  
, MI

130-030-109-082-05  
OCCUPANT  
, MI

130-019-303-021-00  
OCCUPANT  
2312 S EXTENSION RD  
CHEBOYGAN, MI 49721

130-019-300-002-03  
OCCUPANT  
2267 TOPINABEE MAIL RTE  
TOPINABEE, MI 49791

130-019-300-003-01  
OCCUPANT  
2201 TOPINABEE MAIL RTE  
CHEBOYGAN, MI 49721

130-019-300-003-02  
OCCUPANT  
2051 TOPINABEE MAIL RTE  
, MI

120-024-400-008-02  
OCCUPANT  
2319 TOPINABEE MAIL RTE  
INDIAN RIVER, MI 49749

120-B10-000-002-00  
OCCUPANT  
, MI

120-B10-000-014-00  
OCCUPANT  
, MI

120-B10-000-003-00  
OCCUPANT  
, MI

120-B10-000-016-00  
OCCUPANT  
, MI

120-B10-000-001-00  
OCCUPANT  
1781 S EXTENSION RD  
INDIAN RIVER, MI 49749

130-030-109-082-06  
OCCUPANT  
, MI

# Letter of Application

---

March 20, 2018

Jeffery Lawson  
County Administrator  
870 South Main Street  
PO Box 70  
Cheboygan, MI 49721

RE: Tillman/AT&T Site Number: 14362168  
1980 S. Extension Road  
Cheboygan, MI 49721

Dear Mr. Lawson:

Tillman Infrastructure, on behalf of AT&T Mobility is in the process of finalizing a lease agreement with the landowners of the site referenced above to construct a wireless telecommunications service facility. The proposed facility is designed to house the equipment necessary to provide the technology needed to provide clear and uninterrupted wireless telecommunications services to the residents of the Cheboygan County.

The proposed wireless telecommunications facility will consist of a 190'-0" tall self-support lattice tower to be located within a 100'-0" x 100'-0" lease parcel. The proposed tower will be erected, owned and managed by Tillman Infrastructure and upon construction; AT&T Mobility will locate their equipment on the tower at the 190'-0" level. The facility is unmanned and will require service technicians, in a pick-up/van sized vehicle, to visit the site approximately once per month.

On behalf of Tillman Infrastructure and AT&T Mobility, LCC Telecom Services has submitted all required documentation for the proposed tower in accordance with Cheboygan County's Zoning Ordinance. Should you have any questions please feel free to contact me. I look forward to working with you during the approval process in order to provide the residents of the Cheboygan County the best possible PCS coverage.

Sincerely,



Michael Bieniek, AICP  
Zoning Director

# Site Data Sheet

---

**Applicant:** Tillman Infrastructure, LLC  
152 West 57<sup>th</sup> Street  
8<sup>th</sup> Floor  
New York, New York 10019

AT&T Mobility  
475 Morosgo Drive NE  
Atlanta, Georgia 30324

**Agent:** Michael Bieniek, AICP  
LCC Telecom Services  
10700 Higgins Road  
Suite 240  
Rosemont, IL 60018

**Tower Owner:** Tillman Infrastructure, LLC  
152 West 57<sup>th</sup> Street  
8<sup>th</sup> Floor  
New York, New York 10019

**Applicant's Interest in the Property:** Leasehold

**Property Owner:** Todd and Tami Gall  
1980 S. Extension Road  
Cheboygan, MI 49721

**Address of Property:** 1980 S. Extension Road  
Cheboygan, MI 49721

**Request:** Application for a Special Use Permit and any other approvals to erect a 190'-0" self-support lattice tower to be located within a 100'-0" x 100'-0" lease parcel.

# Legal Description

---

The following described premises situated in the Township of Mullett, County of Cheboygan, State of Michigan, to wit:

Commencing at the Southwest corner of Section 19, Township 36 North, Range 2 West, thence North 0°59'20" West along the West Section line 1085.72 feet (recorded as South 0°58' West 1085.47 feet) to a bar and cap #41099 on the Southerly Right of Way line of Topinabee Mail Route; thence South 54°50'59" East (recorded as South 54°28'50" East) along said Right of Way 142.40 feet to a bar and cap #41099; thence South 0°59'20" East parallel with the West Section Line 1004.31 feet to a bar and cap #41099 on the South Section line; thence South 89°42'20" East along said Section line 868.40 feet to an iron pipe; thence North 0°42'20" West parallel with the West 1/8 line 427.30 feet to the centerline of Topinabee Mail Route; thence South 54°17'46" East along said centerline 49.61 feet; thence South 0°42'20" East along the West 1/8 line 398.55 feet to a bar and cap #41099 on the South Section line; thence South 0°58'55" East along the West 1/8 line 1303.92 feet to an iron pipe at the 1/8 corner; thence North 89°49'12" West 1059.38 feet to a bar and cap #16041 on the West line of Section 30, Township 36 North, Range 2 West, thence North 0°36'00" East along said Section line 1305.73 feet to the Point of Beginning.

AND BEING the same property conveyed to Todd Gall and Tammi Gall from Claudia Collins, Surviving Trustee of The Floyd and Claudia Collins Revocable Family Trust of June 05, 2003 by Warranty Deed dated May 15, 2017 and recorded May 17, 2017 in Liber 1332, Page 961.

Tax Parcel Nos. 130-030-100-001-02, 130-019-300-002-01, 130-030-100-001-01

# Narrative Overview

---

Tillman Infrastructure, LLC. (“Tillman Infrastructure”) and AT&T Mobility, seeks a Special Use Permit and any other necessary approvals in order to install a wireless telecommunications facility on property located at 1980 S. Extension Road, Cheboygan, MI 49721. Tillman Infrastructure and its affiliates have acquired the necessary licenses from the Federal Communications Commission (“FCC”) to provide Personal Communications Services (“PCS”) coverage throughout the United States. These licenses include Cheboygan County, Michigan.

The wireless telecommunications facility which Tillman Infrastructure is proposing to install on behalf of AT&T Mobility on the property is necessary in order to provide uninterrupted PCS services to the residents of Cheboygan County, including wireless telephone service, voice paging, messaging and wireless internet and broadband data transmission. All registered wireless provider’s technology operates at various radio frequency bands allocated by the FCC as part of their license.

PCS systems operate on a grid system with overlapping cells mesh together, forming a seamless network. No one site can function as a stand-alone entity as each site is interconnected, forming the network. The technical criteria for establishing cell sites are very exacting as to the location and height. Within the Cheboygan area, cell sites are generally located approximately one (1) to three (3) miles apart. Tillman Infrastructure is proposing to erect a 190’-0” self-support lattice within a 100’-0” x 100’-0” lease area. The proposed site at 1980 S. Extension Road, Cheboygan, MI 49721, is within the geographic area deemed necessary for AT&T Mobility and various other wireless telecommunications providers in order to provide uninterrupted services.

In accordance with the Cheboygan County Zoning Ordinance, Tillman Infrastructure has made application to install a wireless telecommunications facility. The proposed wireless telecommunications facility will consist of a 190’-0” tall self-support lattice tower to be located within a 100’-0” x 100’-0” lease parcel.

The facility is unmanned and will require service technicians, in a pick-up/van sized vehicle, to visit the site approximately once per month. Access will be provided via an

easement and the proposed property entry at 1980 S. Extension Road, Cheboygan, MI 49721. The site is entirely self-monitored through a sophisticated alarm system which is connected to a main switch station. The system alerts personnel to any equipment malfunction or breach of security. Additionally, there is no impact on any County services such as water, sanitation, police and fire. The only services used in connect with the wireless telecommunications facility are power and land-line telephone.

In accordance with FCC regulations, the wireless telecommunications facility will not interfere with any form of communications, including but not limited to, land-line phones, cable and satellite television and radio broadcasts. PCS technology has become a vital part of emergency services, aiding local residents and motorists in a variety of situations, thus helping to protect the general public's health, safety and welfare. The proposed wireless telecommunications facility at this site will further enhance AT&T's goals of providing the most reliable network possible in this area.

The proposed wireless telecommunications facility will be designed and constructed to meet all applicable governmental and industry safety standards. Specifically, Tillman Infrastructure and AT&T Mobility will comply with all FCC and FAA rules and regulations regarding construction requirements and technical standards. Any and all RF emissions are subject to the exclusive jurisdiction of the FCC. Any height, lighting or marking issues are subject to the exclusive jurisdiction of the FAA.

LCC Telecom Services, on behalf of Tillman Infrastructure and AT&T Mobility, looks forward to working with Cheboygan County to bring the benefits of the proposed service to the entire Cheboygan County area. The addition of the wireless telecommunications facility will ensure the best uninterrupted wireless services for the citizens of Cheboygan County.

# Standards for Special Use Approval

---

In considering a Special Use Permit application, the Planning Commission shall establish that the following standards and/or criteria shall have been satisfied, together with other requirements of the Ordinance. The standards enumerated herein are intended to promote the intent and purpose of the Ordinance and to ensure that the land use or activity authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use. In addition, these standards shall also ensure that the land use or activity is consistent with the public health, safety, and welfare of the County.

- 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.

**The proposed wireless telecommunications facility has been situated on the lot within a relatively flat, wooded area so as not to require reshaping of the lot. The development of the site was designed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance. To the contrary, improved wireless telecommunications services in the area will enhance development in the area while providing enhanced services for the existing residents.**

- 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.

**As stated above, the proposed wireless telecommunications facility has been situated on the lot within a relatively flat, wooded area so as not to require reshaping of the lot. Due to the chosen location, little modifications will result to the sites in relation to slope and vegetation.**

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

**Due to the diminutive size of the proposed wireless telecommunications facility, there will be no adverse effect on the neighboring properties associated with storm water. The proposed 100'-0" x 100'-0" lease parcel will consist of a gravel base which will allow for percolation of storm water.**

- 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.

**The site has been designed to maximize visual and sound privacy for all dwelling units in the area. Wireless telecommunications facilities do not generate noise, other than that of a window air conditioner unit; therefore the sound privacy of this site is maximized. The proposed tower is to be located within an area surrounded by existing trees. There should be minimal impact on surrounding properties due to the location on the site. Additionally, the proposed wireless telecommunications facility is proposed to be 190'-0" and according to FAA guidelines will not require lighting of the tower which will further minimize the visual impact of the site.**

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

**All buildings or groups of buildings will be arranged so as to permit emergency vehicle access. The site will be accessed by a 12'-0" gravel drive which will come off of the existing driveway on the property.**

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

**All structures within the lease area for the proposed tower will have direct access to a public street in the sense that the lease compound has that access. However, the structures will be within a fenced area surrounding the tower.**

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

**The proposed wireless telecommunications facility will not require a subdivision plat. The 100'-0" x 100'-0" parcel will be leased from the existing property owners.**

- h. Exterior lighting shall be arranged as follows:
- i. It is deflected away from adjacent properties.
  - ii. It does not impede the vision of traffic along adjacent streets.
  - iii. It does not unnecessarily illuminate night skies

**The only exterior lighting on this site will include a porch type light that will provide lighting for any technicians needing to visit the site in an emergency. The ground lighting will not impact traffic or any adjacent properties. Additionally, there will be no illumination of the night skies. As stated above, the proposed wireless telecommunications facility is below the 200'-0" threshold, therefore, no lighting**

**of the tower is required.**

- 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.

**Since the proposed wireless telecommunications facility does not have significant vehicular traffic, the existing streets and pedestrian/bicycle pathways will not be impacted. The site is visited by a technician in a van sized vehicle approximately one time per month. The access to the site is through an existing driveway, therefore the traffic pattern will not be impacted.**

- 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.

**Wireless telecommunications facilities are governed by the Federal Communications Commission (FCC) and the Federal Aviation Administration (FAA). As such, this wireless telecommunications facility will be designed in accordance with all local, state and federal regulations.**

SUP Standards:

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

**The subject parcel is zoned M-AF, which in accordance with section 17.13 of the Cheboygan County Code of Ordinance, wireless communications facilities are permitted as authorized by Special Use Permit.**

- 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.

**The proposed wireless telecommunications facility will not involve any activities, processes, materials or equipment that will create a substantially negative impact on the natural resources of the natural environment. The proposed facility will consist of a 100'-0" x 100'-0" lease area which is unmanned. The special land use will enhance wireless telecommunications coverage which will have a positive influence on the area.**

- 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.

**The proposed wireless telecommunications facility will not involve any activities, processes, materials or equipment that will create a substantially negative impact on the natural resources of the natural environment. The proposed wireless telecommunications facility will not affect traffic, noise, smoke, fumes, glare, odor, or the accumulation of scrap material in any way. Other than during construction, no storage of materials will be present on the site. Likewise, a wireless telecommunications facility does not generate traffic, noise, smoke, fumes, glare, or odor.**

- 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.

**The proposed wireless telecommunications facility will be designed, constructed, operated and maintain so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. As stated above, the proposed facility will be situated on a portion of this lot which will minimize the visual impact from ground level. The site does not generate noise or traffic which would be detrimental to surrounding properties. The enhanced wireless signal will enhance the development of the surrounding properties which are all similarly zoned.**

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

**The proposed wireless telecommunications facility will not place demands on fire, police or other public resources. A wireless telecommunications facility is unmanned and does not require any public resources for its existence. The proposed wireless telecommunications facility is secured by a 6'-0" fence which is topped with three (3) strands of barbed wire and is connected to a central monitoring station. In the event of a breach of the compound, the monitoring station is alerted. The only public demands would be on police and fire on extremely rare occasions.**

- 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.

**The proposed wireless telecommunications facility will be adequately served by public streets. As stated above, the proposed tower will be serviced by a 12'-0" gravel access road which will tie into the existing driveway. Therefore no new curb cuts will be required. The only utilities needed for a wireless telecommunications facility are power and teleco which are readily available to the site. No water, sewer facilities nor refuse collection and disposal is required.**

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services?

**As stated above, the only utilities needed for a wireless telecommunications facility are power and teleco which are readily available to the site. No water, sewer facilities nor refuse collection and disposal is required.**

- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)?

**The proposed wireless telecommunications facility will be designed with all local, state and federal regulations.**

Section 17.13.2. Standards required for all Wireless Communication Facilities:

1. The proposed height meets FCC and/or FAA regulations.

**AT&T Mobility and Tillman Infrastructure are governed by all FCC and FAA regulations including but not limited to height regulations. As tower owner, Tillman Infrastructure has applied for FAA approval for this site. AT&T's FCC license for this market has been attached to this document for your reference.**

2. Towers must be equipped with devices to prevent unauthorized climbing.

**The proposed tower is equipped with anti-climbing devices. The proposed lease compound will have a six foot chain link fence with three (3) strands of barbed wire on top along with a locked gate. Should any unauthorized person get into the fenced area, the site is connected to a switch station that monitors the site. Finally, the tower has climbing pegs which do not start until approximately 20'-0" up on the tower.**

3. All reasonable measures are taken to blend the tower into the landscape, including greenbelt planting and/or screening, painting, and/or concealing the tower in a "stealth design.

**The proposed tower is to be located in an area of trees which will help conceal the base of the tower. Since the tower is designed to be 199'-0" at its highest point (190'-0" tower with 9'-0" lightning rod), the tower will not require lighting per FAA standards, which will help the tower blend into the surrounding area.**

4. New towers should be engineered as appropriate for co-location of other antennae.

**The proposed tower will be engineered to allow for co-location of multiple users. Tillman Infrastructure is a tower owner and they derive their profits by allowing co-location on**

**their facilities. Not only will Tillman allow for co-location, they actively pursue other carriers to co-locate on their facilities.**

5. Protective fencing and screening may be required to be placed around all guy wire anchor points as appropriate to the site.

**The proposed tower will not have guy wire anchors as this tower is a monopole design, therefore this provision does not apply. However, the proposed lease compound will have a six foot chain link fence with three (3) strands of barbed wire on top along with a locked gate.**

6. All new towers must meet the applicable requirements for a commercial tower, per Article 17.13.1 of this Ordinance.

- a. May be permitted by the Planning commission after a Hearing, in D-CM, D-LI, D-GI and M-AF Districts provided said use shall be located centrally on a contiguous parcel of not less than one (1) times the height of the tower measured from the base of said tower to all points on each property line. The isolation standard may be reduced by up to fifty (50%) percent, if the construction plan, the tower, and its guying/anchoring systems are Certified by a Registered Professional Engineer as being safe from the hazard of falling onto public roads or adjoining properties. All guy wires/cables and anchors shall meet the zoning setback of the district.

**The proposed tower is located on property zoned M-AF which is allowed following a hearing by the Planning Commission. The proposed tower is located closer than the one (1) times height from each property line, however, we have provided a Certified Engineer "fall zone letter" which details the radius within which the tower would collapse in the unlikely event of failure. The proposed tower is designed to be a monopole design and will not include any guy wires or cables which are required to meet the zoning setbacks.**

- b. In order to protect the rural dark sky environment and reduce lighting confusion for approaching aircraft, all towers shall be designed or painted to be without lighting. If the FAA requires lighting, the applicant shall apply to the FAA for painting requirements and red lighting. Intermittent strobes shall be a last option and only then with written documentation from the FAA certifying its necessity.

**The tower is designed to be 199'-0" at its highest point (190'-0" tower with 9'-0" lightning rod), the tower will not require lighting per FAA standards, which will help the tower blend into the surrounding area.**

- c. No antenna or similar sending/receiving devices appended to the tower, following its approved construction, shall be permitted if it exceeds the engineered design capacity of the tower thereby jeopardizing the tower's structural integrity.

**No antenna or similar sending/receiving devices appended to the tower, following its approved construction, will be placed on the tower which exceeds the engineered design. As part of any co-location on the proposed tower, Tillman Infrastructure hires a structural engineer to review the existing and proposed loading. If the proposed installation exceeds the allowable structural capacity the request for co-location will be denied until a suitable solution can be made such as the carrier utilizing different equipment or a modification of the tower's structure.**

# Fall Zone Letter

---

March 20, 2018

Mr. Michael Vanselow  
Tillman Infrastructure  
Schaumburg, IL 60173

RE: Proposed 190' Self-Supporting Tower for 14362168 – Gall, MI

Dear Mr. Vanselow,

Upon receipt of order, we propose to design and supply the above referenced tower for a Basic Wind Speed of 89 mph with no ice (115 mph ultimate per the 2012 International Building Code) and 40 mph with 1/2" radial ice, Structure Class II, Exposure Category C, and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

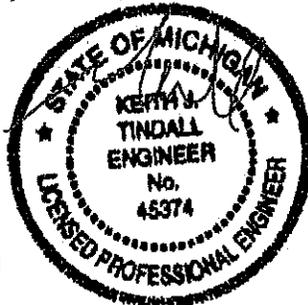
When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the tower will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one or more of the tower members in the upper portion. This would result in a buckling failure mode, where the loaded member would bend beyond its elastic limit (beyond the point where the member would return to its original shape upon removal of the wind load).

Therefore, it is likely that the overall effect of such an extreme wind event would be localized buckling of a tower section. Assuming that the wind pressure profile is similar to that used to design the tower, the tower is most likely to buckle at the location of the highest combined stress ratio in the upper portion of the tower. This would result in the portion of the tower above the failure location "folding over" onto the portion of the tower below the failure location. ***Please note that this letter only applies to the above referenced tower designed and manufactured by Sabre Towers & Poles.*** In the unlikely event of total separation, this would result in collapse within a radius of 190 feet.

Sincerely,

Keith J. Tindall, P.E.  
Vice President of Engineering



3/20/18

# AT&T License

---

ULS License

**Cellular License - KNKN834 - AT&T Mobility Spectrum LLC**

Call Sign	KNKN834	Radio Service	CL - Cellular
Status	Active	Auth Type	Regular
<b>Market</b>			
Market	CMA475 - Michigan 4 - Cheboygan	Channel Block	A
Submarket	0	Phase	2
<b>Dates</b>			
Grant	11/15/2011	Expiration	10/01/2021
Effective	06/08/2017	Cancellation	

**Five Year Buildout Date**

11/27/1996

**Control Points**

**1** 1322 Hayes Road, OTSEGO, GAYLORD, MI  
P: (989)732-7335

**Licensee**

FRN	0014980726	Type	Limited Liability Company
-----	------------	------	---------------------------

**Licensee**

AT&T Mobility Spectrum LLC 208 S Akard St., RM 1016 Dallas, TX 75202 ATTN Leslie Wilson	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
--	---

**Contact**

AT&T Mobility LLC Michael P Goggin 1120 20th Street, NW - Suite 1000 Washington, DC 20036 ATTN Michael P. Goggin	P:(202)457-2055 F:(202)457-3073 E:michael.p.goggin@att.com
--	--

**Ownership and Qualifications**

Radio Service Type	Mobile
Regulatory Status	Common Carrier Interconnected Yes

**Alien Ownership**

The Applicant answered "No" to each of the Alien Ownership questions.

**Basic Qualifications**

The Applicant answered "No" to each of the Basic Qualification questions.

**Demographics**

Race

Ethnicity

Gender

# Propagation Maps

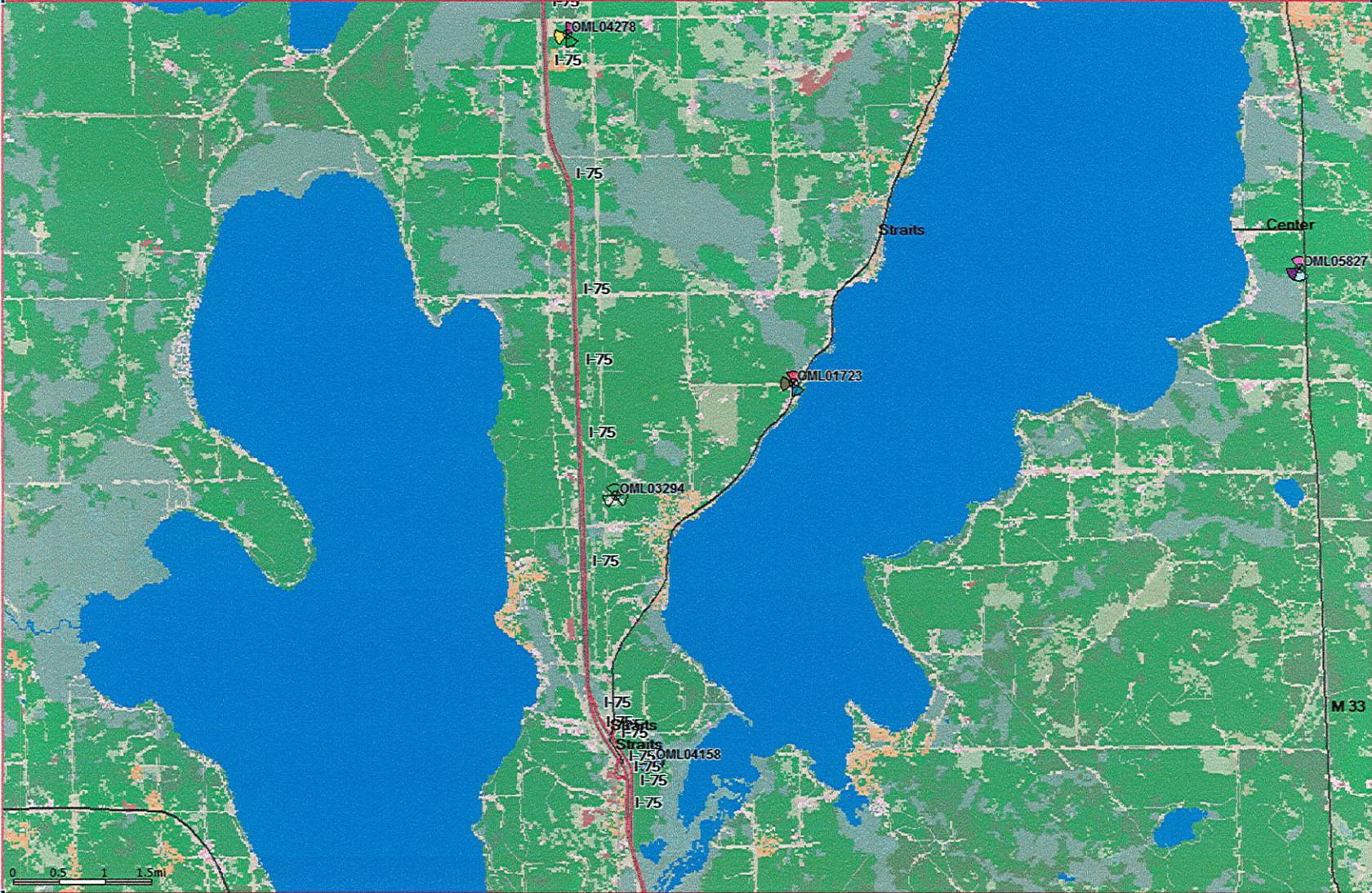
---

# AT&T Zoning Maps for OML03294

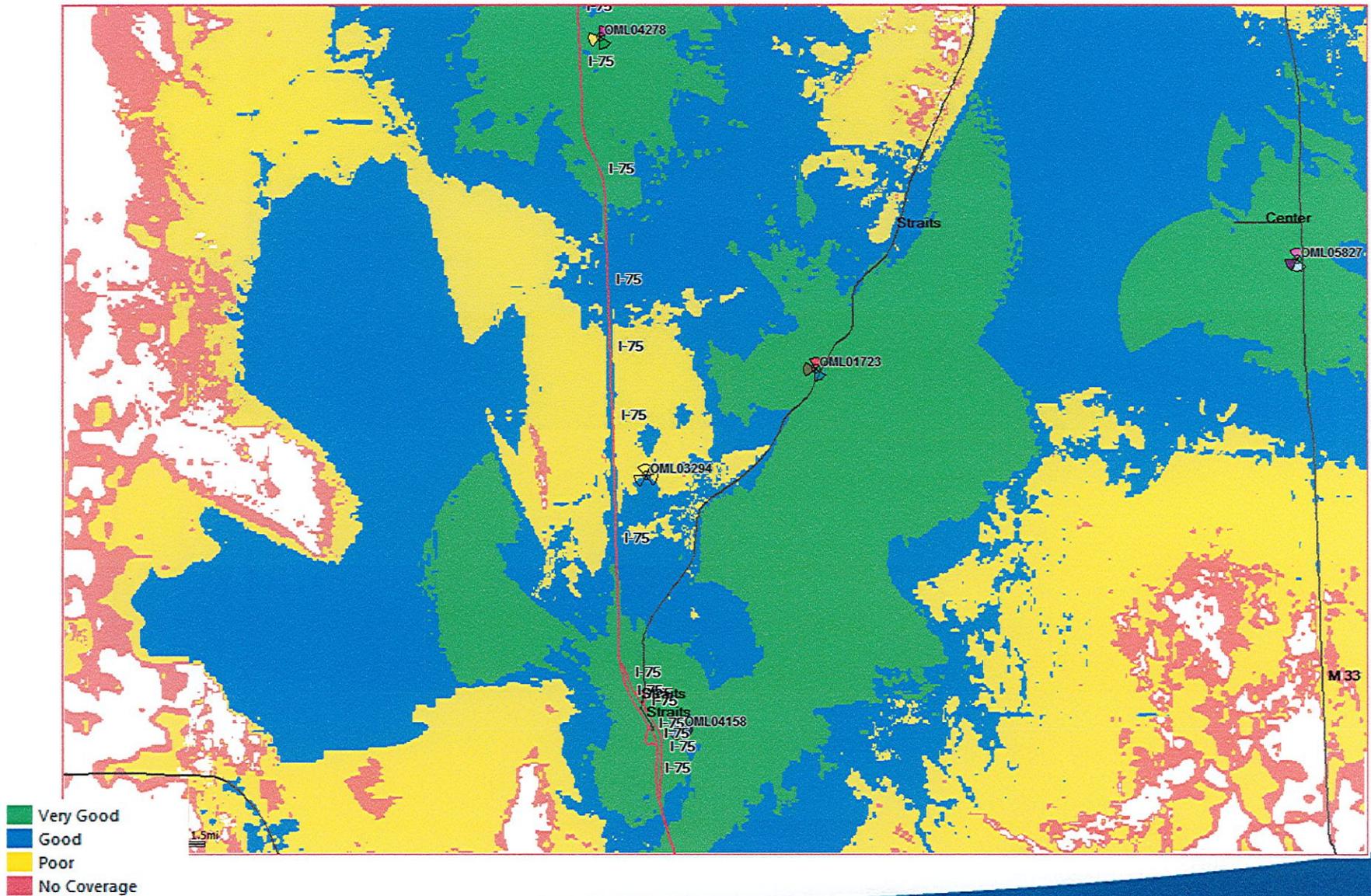
RF Design 02/07/2018



# Surrounding sites and clutter



# AT&T In door LTE 700 MHz Existing Coverage



# AT&T In door LTE 700 MHz Coverage After OML03294 Active



# TILLMAN INFRASTRUCTURE

FA NUMBER: 14362168 / SITE ID: \_\_\_\_\_

PAGE NUMBER: \_\_\_\_\_

PROJECT TRACKING #: \_\_\_\_\_

SITE NAME: TOPINABEE

1980 S. EXTENSION RD.  
CHEBOYGAN, MI 49721  
CHEBOYGAN COUNTY



TILLMAN  
INFRASTRUCTURE



IRISH TOWER

GENERAL CONSTRUCTION | ENGINEERING | PROJECT MANAGEMENT  
4803 Bermuda Drive, Sugar Land, TX 77479  
Voice: (281) 799-2851 | Fax: (281) 598-3136  
irishtower.com

ZONING DRAWINGS  
NOT FOR CONSTRUCTION

DRAWN BY: DL

CHECKED BY: JRG

REV	DATE	DESCRIPTION
A	02/28/2018	ISSUED FOR REVIEW
B	03/07/2018	ISSUED FOR REVIEW
C	03/20/2018	ISSUED FOR REVIEW

## SITE INFORMATION

SITE ADDRESS: 1980 S. EXTENSION RD.  
CHEBOYGAN, MI 49721

LATITUDE (NAD 83): 45° 29' 17.61"  
LONGITUDE (NAD 83): -84° 36' 28.40"

GROUND ELEVATION: 766.05' (AMSL)

JURISDICTION: CHEBOYGAN COUNTY

ZONING JURISDICTION CONTACT: CHEBOYGAN COUNTY ZONING DEPARTMENT  
870 S MAIN ST.  
CHEBOYGAN, MI 49721  
debbie@cheboygancounty.net  
(231) 527-8489

PARCEL/MAP NUMBER: 130-030-100-001-02

PARCEL OWNER: GALL, TODD & TAMMI

TOWER OWNER: TILLMAN INFRASTRUCTURE LLC  
152 WEST 57TH STREET 8TH FLOOR  
PROPOSED YORK, NY 10019

STRUCTURE TYPE: SELF-SUPPORT

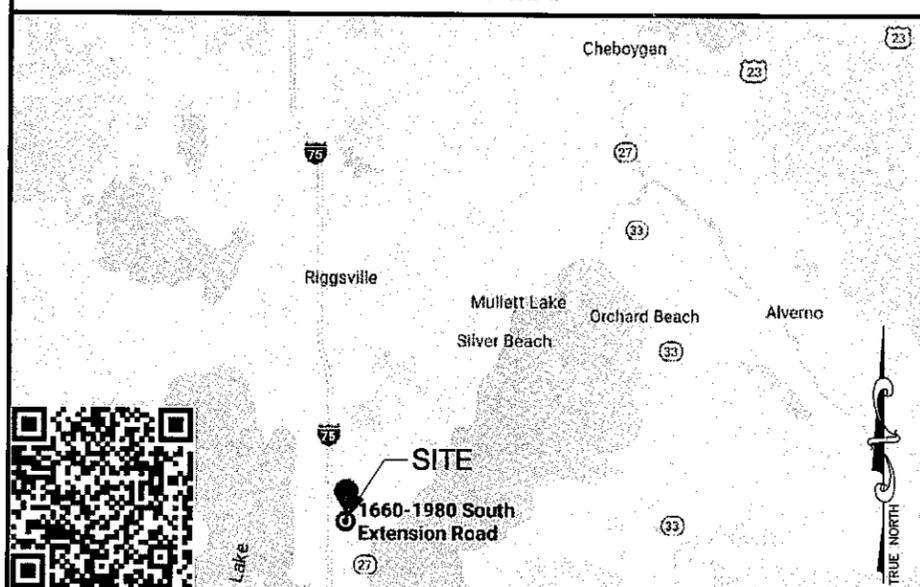
STRUCTURE HEIGHT: 190' (AGL)

POWER SUPPLIER: CONSUMERS ENERGY  
1 ENERGY PLAZA  
JACKSON, MI 49201  
800-477-5050

TELCO SUPPLIER: AT&T  
444 MICHIGAN AVE  
DETROIT, MI 48226  
877-444-6944

GAS SUPPLIER: CONSUMERS ENERGY  
1 ENERGY PLAZA  
JACKSON, MI 49201  
800-477-5050

## VICINITY MAP



## DIRECTIONS

FROM 870 S MAIN ST CHEBOYGAN, MI 49721  
HEAD SOUTHEAST ON M-27 S/S MAIN ST TOWARD COUNTY RD, CONTINUE TO FOLLOW M-27 S 12.5 MI  
TURN RIGHT ONTO TOPINABEE MAIL RTE RD 249 FT  
TURN LEFT ONTO NUMBERS ST 0.7 MI  
TURN RIGHT ONTO S EXTENSION RD 0.3 MI  
1980 S EXTENSION RD CHEBOYGAN, MI 49721

## CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- 2009 MICHIGAN BUILDING CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- 2014 NATIONAL ELECTRIC CODE CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- 2012 MICHIGAN MECHANICAL CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- 2012 MICHIGAN PLUMBING CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- NFPA 101, LIFE SAFETY CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- 2012 INTERNATIONAL FUEL GAS CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- AMERICAN CONCRETE INSTITUTE
- ANSI/TIA-222-G
- TIA 607
- INSTITUTE FOR ELECTRICAL & ELECTRONICS ENGINEER 81
- IEEE C2 NATIONAL ELECTRIC SAFETY CODE LATEST EDITION
- TELECORDIA GR-1275
- ANSIT 311
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION
- MANUAL OF STEEL CONSTRUCTION 13TH EDITION

## DRAWING INDEX

- T-1 TITLE SHEET
- B-1 SURVEY
- C-1 OVERALL SITE PLAN
- C-2 ENLARGED SITE PLAN
- C-3 ELEVATION

## DRAWING SCALE

THESE DRAWINGS ARE SCALED TO FULL SIZE AT 22"X34" AND HALF SIZE AT 11"X17". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

## SCOPE OF WORK

THIS PROJECT CONSISTS OF:

- CONSTRUCTION OF A PROPOSED UNMANNED TELECOMMUNICATIONS FACILITY.
- SITE WORK: PROPOSED TOWER, UNMANNED EQUIPMENT CABINET ON PLATFORM AND UTILITY INSTALLATIONS.

## PROJECT TEAM

APPLICANT: TILLMAN INFRASTRUCTURE LLC  
152 WEST 57TH STREET 8TH FLOOR  
PROPOSED YORK, NY 10019

PROJECT MANAGEMENT FIRM: LCC TELECOM SERVICES  
10700 HIGGINS ROAD, SUITE 240  
ROSEMONT, IL 60018  
(847) 608-6300

A+E FIRM: IRISH TOWER  
4603 BERMUDA DR.  
SUGAR LAND, TX, 77479  
JACOB.GORALSKI@IRISHTOWER.COM

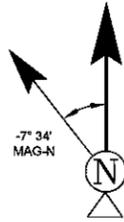
ENGINEER: IRISH TOWER  
4603 BERMUDA DR.  
SUGAR LAND, TX, 77479  
JACOB.GORALSKI@IRISHTOWER.COM

SHEET TITLE

OVERALL SITE PLAN

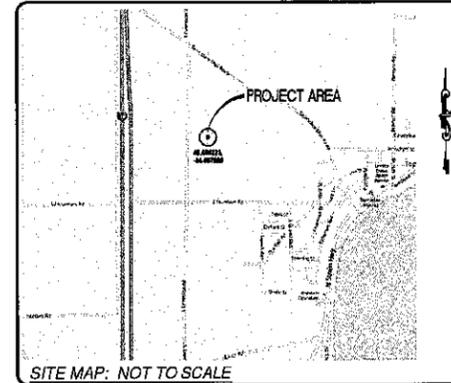
SHEET NUMBER

T-1



**PROPOSED LEASE AREA**  
 A PORTION OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 2 WEST, MULLET TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT A FOUND 3/4" IP BEING THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN LIBER 1332 PAGE 961.  
 THENCE ALONG THE SOUTH LINE OF SAID PARCEL, NORTH 88 DEGREES 55 MINUTES 44 SECONDS WEST, A DISTANCE OF 458.19 FEET;  
 THENCE NORTH 01 DEGREES 04 MINUTES 16 SECONDS EAST, A DISTANCE OF 180.32 FEET TO THE POINT OF BEGINNING;  
 THENCE WEST, A DISTANCE OF 100.00 FEET;  
 THENCE NORTH, A DISTANCE OF 100.00 FEET;  
 THENCE EAST, A DISTANCE OF 100.00 FEET;  
 THENCE SOUTH, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING  
 10,000 SQUARE FEET OR 0.2295 ACRES, MORE OR LESS

**PROPOSED ACCESS & UTILITY EASEMENT**  
 A PORTION OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 2 WEST, MULLET TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN, CONSISTING OF A 25 FEET WIDE ACCESS AND UTILITY EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT A FOUND 3/4" IP BEING THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN LIBER 1332 PAGE 961.  
 THENCE ALONG THE SOUTH LINE OF SAID PARCEL, NORTH 88 DEGREES 55 MINUTES 44 SECONDS WEST, A DISTANCE OF 458.19 FEET;  
 THENCE NORTH 01 DEGREES 04 MINUTES 16 SECONDS EAST, A DISTANCE OF 180.32 FEET;  
 THENCE WEST, A DISTANCE OF 100.00 FEET;  
 THENCE CONTINUE WESTERLY ALONG SAID LINE, A DISTANCE OF 12.50 FEET TO THE POINT OF BEGINNING OF A 25 FEET WIDE ACCESS AND UTILITY EASEMENT LYING 12.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;  
 THENCE NORTH, A DISTANCE OF 91.02 FEET;  
 THENCE NORTH 71 DEGREES 22 MINUTES 05 SECONDS WEST, A DISTANCE OF 140.15 FEET;  
 THENCE SOUTH 55 DEGREES 45 MINUTES 00 SECONDS WEST, A DISTANCE OF 48.04 FEET;  
 THENCE SOUTH 36 DEGREES 47 MINUTES 16 SECONDS WEST, A DISTANCE OF 44.04 FEET;  
 THENCE SOUTH 28 DEGREES 09 MINUTES 45 SECONDS WEST, A DISTANCE OF 134.81 FEET;  
 THENCE SOUTH 45 DEGREES 17 MINUTES 56 SECONDS WEST, A DISTANCE OF 30.36 FEET;  
 THENCE SOUTH 78 DEGREES 48 MINUTES 53 SECONDS WEST, A DISTANCE OF 107.08 FEET;  
 THENCE SOUTH 56 DEGREES 54 MINUTES 05 SECONDS WEST, A DISTANCE OF 127.75 FEET TO THE POINT OF TERMINUS.

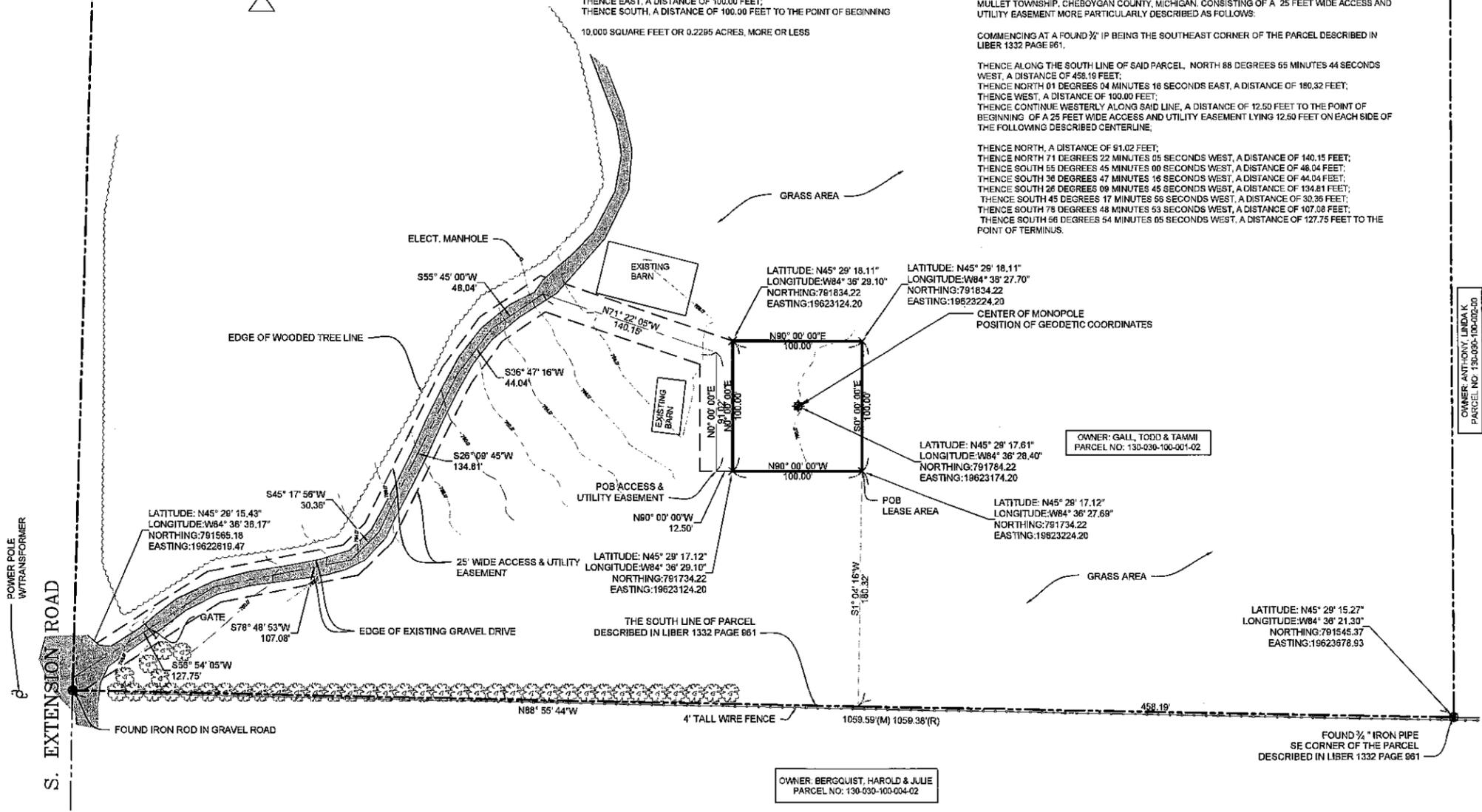


SITE MAP: NOT TO SCALE

**BENCHMARK**  
 ELEVATION ESTABLISHED FROM GPS OBSERVATIONS CONSTRAINED TO OPUS SOLUTIONS, APPLYING GEOID 12A SEPARATIONS NAVD88 DATUM,  
**BASIS OF BEARINGS**  
 BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM MICHIGAN, CENTRAL ZONE US FOOT, DETERMINED BY GPS OBSERVATIONS, COMPLETED ON 1.8.18  
**UTILITY NOTES**  
 SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT LOCAL 811 AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

**SURVEYOR NOTES**  
 NO SEARCH OF PUBLIC RECORDS HAS BEEN COMPLETED TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE OF THE PARENT PARCEL.  
 THIS SURVEY IS FOR THE PROPOSED LEASE AREA AND THE PROPOSED ACCESS AND UTILITY EASEMENT ONLY, AND ONLY A PARTIAL BOUNDARY SURVEY OF THE PARENT TRACT HAS BEEN PERFORMED  
 THIS PROPERTY IS SUBJECT TO ANY RECORD EASEMENTS AND/OR RIGHT OF WAY SHOWN HEREON OR NOT.  
 THIS SURVEY IS NOT INTENDED FOR LAND TRANSFER.  
 SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

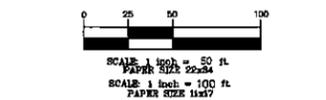
THIS PLAN IS NOT TO BE CONSIDERED A PROPERTY BOUNDARY SURVEY AS DEFINED UNDER MICHIGAN ACT 132, P.A. 1970. DIMENSIONS (IF SHOWN) ALONG THE PERIMETER OF THE LANDOWNER'S PROPERTY ARE PROVIDED UNDER THIS SURVEYOR'S SCOPE OF SERVICES WITH AT&T AND ARE TO BE CONSIDERED FOR REFERENCE ONLY. THE EXACT LOCATION OF THE LANDOWNER'S PROPERTY MAY DIFFER UPON THE PREPARATION OF A FULL BOUNDARY SURVEY IN ACCORDANCE WITH THE REQUIREMENTS ESTABLISHED BY THE STATE OF MICHIGAN.



**SITE INFO**  
 TAX PARCEL NO: 130-030-100-001-02  
 PROPERTY OWNER: GALL, TODD & TAMMI  
 SOURCE OF TITLE: LIBER 132 PG 961

**TITLE REPORT INFO**  
 REFERENCE IS MADE TO THE TITLE REPORT ORDER #26396463, ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED 12.18.17.  
 ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED (EXCEPT FOR ROOFTOPS).  
 SCHEDULE B ITEMS:  
 8. RIGHT OF WAY IN FAVOR OF CHEBOYGAN COUNTY, STATE OF MICHIGAN, SET FORTH IN INSTRUMENT RECORDED ON 10/25/1954 IN LIBER 163, PAGE 312. (ROAD EASEMENT IS NORTH OF "TOPINABEE" MAIL ROUTE ROAD, NOT PLOTTED)  
 9. CONVEYANCE OF EASEMENT FOR RIGHT OF WAY IN FAVOR OF PRESQUE ISLE ELECTRIC COOPERATIVE, INC., A CORPORATION, SET FORTH IN INSTRUMENT RECORDED ON 12/16/1980 IN LIBER 412, PAGE 514. (BLANKET EASEMENT, NOT ABLE TO PLOT)

**LAND SURVEYOR'S CERTIFICATE**  
 I, TRAVIS VAN NESTE, HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MICHIGAN.  
 SIGNED: Travis W Van Neste 3.15.18 DATE

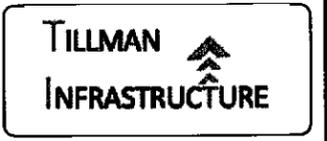


**FAA COORDINATE POINT** (NAD83)  
 CENTER OF MONOPOLE  
 LATITUDE 45° 29' 17.61" NORTH  
 LONGITUDE 84° 38' 28.40" WEST  
 ELEVATION 766.05' (NAVD88)

**1-A ACCURACY CERTIFICATION**  
 THE HORIZONTAL ACCURACY OF THE LATITUDE AND LONGITUDE OF THE GEODETIC COORDINATES FALL WITHIN TWENTY (20) FEET. THE ELEVATIONS (NAVD88) OF THE GROUND AND FIXTURES FALL WITHIN THREE (3) FEET.

**FLOOD INFORMATION**  
 THE PROPOSED LEASE AREA SHOWN HEREON IS NOT LOCATED IN A 100-YEAR FLOOD PLAIN PER FLOOD HAZARD BOUNDARY MAP, COMMUNITY-PANEL NO. 26031C0350C, DATED 08.16.2012. THE PROPOSED LEASE AREA IS LOCATED IN ZONE "X".

**LEGEND**  
 POB POINT OF BEGINNING  
 POT POINT OF TERMINUS  
 PUE PUBLIC UTILITY EASEMENT  
 ROW RIGHT OF WAY  
 DW DRIVEWAY  
 SW SIDEWALK  
 FOUND AS NOTED  
 SPOT ELEVATION  
 POSITION OF GEODETIC COORDINATES  
 WATER CONTROL VALVE  
 FIRE HYDRANT  
 POWER POLE  
 ELECTRIC MANHOLE  
 TELCO MANHOLE  
 OVERHEAD ELECTRIC  
 PROPERTY LINE  
 BARBED WIRE FENCE



DRAWN BY: MD  
 CHECKED BY: JC/ACR

REV	DATE	DESCRIPTION
A	1.22.18	REVIEW

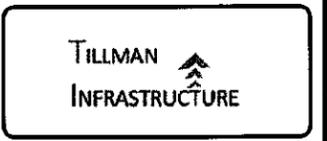
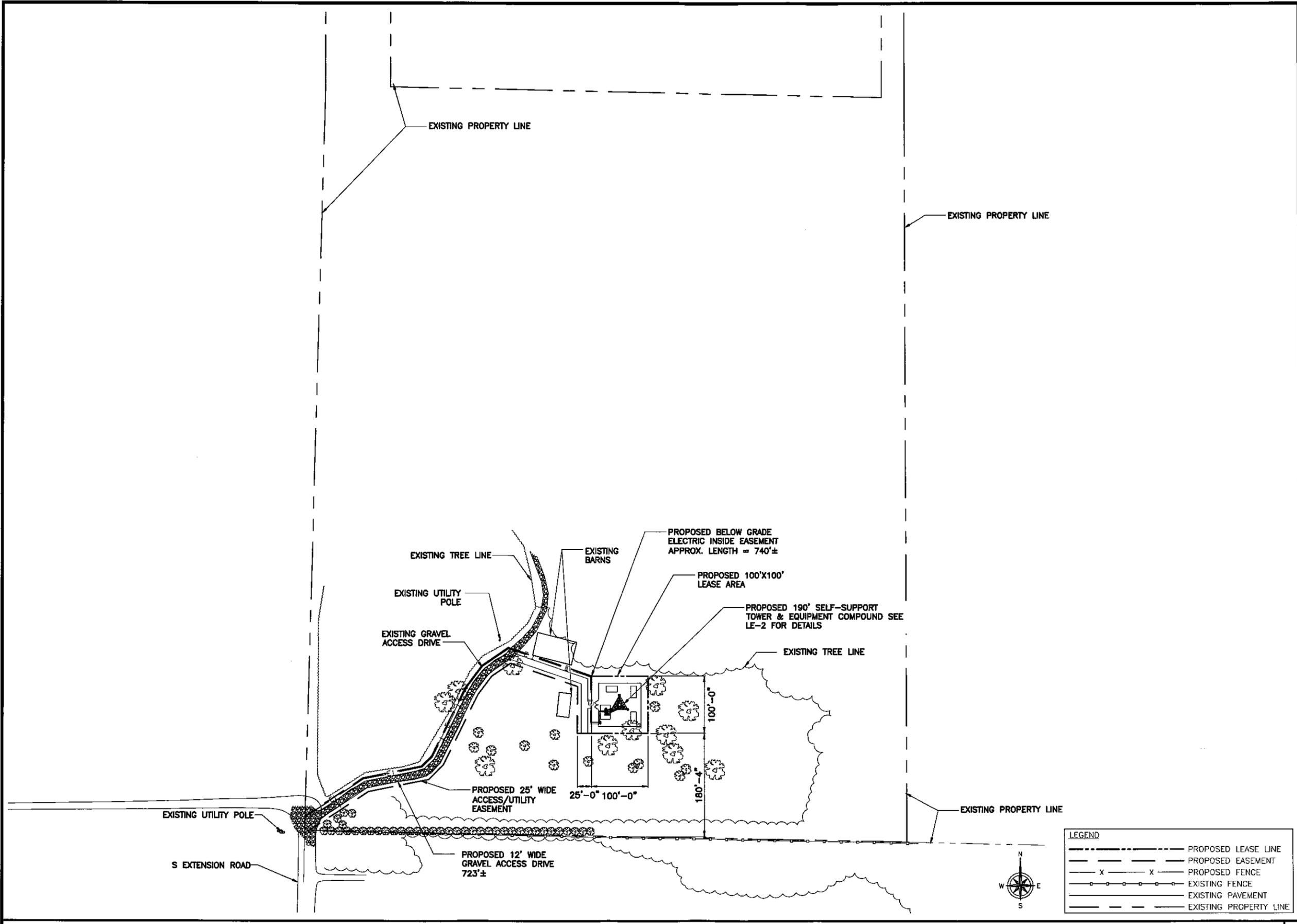


FA #  
 SITE #  
 14362168  
 SITE NAME:  
 TOPINABEE  
 SITE ADDRESS:  
 1980 S. EXTENSION RD  
 CHEBOYGAN, MI 49721  
 CHEBOYGAN COUNTY

SHEET TITLE  
**TOPOGRAPHIC  
 SITE  
 SURVEY**

SHEET NUMBER  
**B-1**



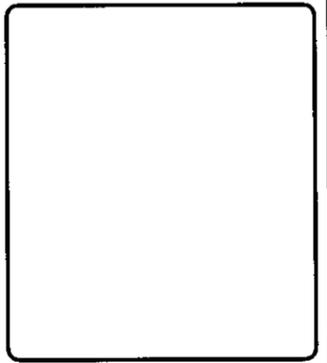


**IRISH TOWER**  
GENERAL CONSTRUCTION | ENGINEERING | PROJECT MANAGEMENT  
 4503 Bermuda Drive, Sugar Land, TX 77478  
 Voice: (281) 796-2551 | Fax: (866) 596-3136  
 irishtower.com

ZONING DRAWINGS  
 NOT FOR CONSTRUCTION

DRAWN BY: DL  
 CHECKED BY: JRG

REV	DATE	DESCRIPTION
A	02/28/2018	ISSUED FOR REVIEW
B	03/07/2018	ISSUED FOR REVIEW
C	03/20/2018	ISSUED FOR REVIEW



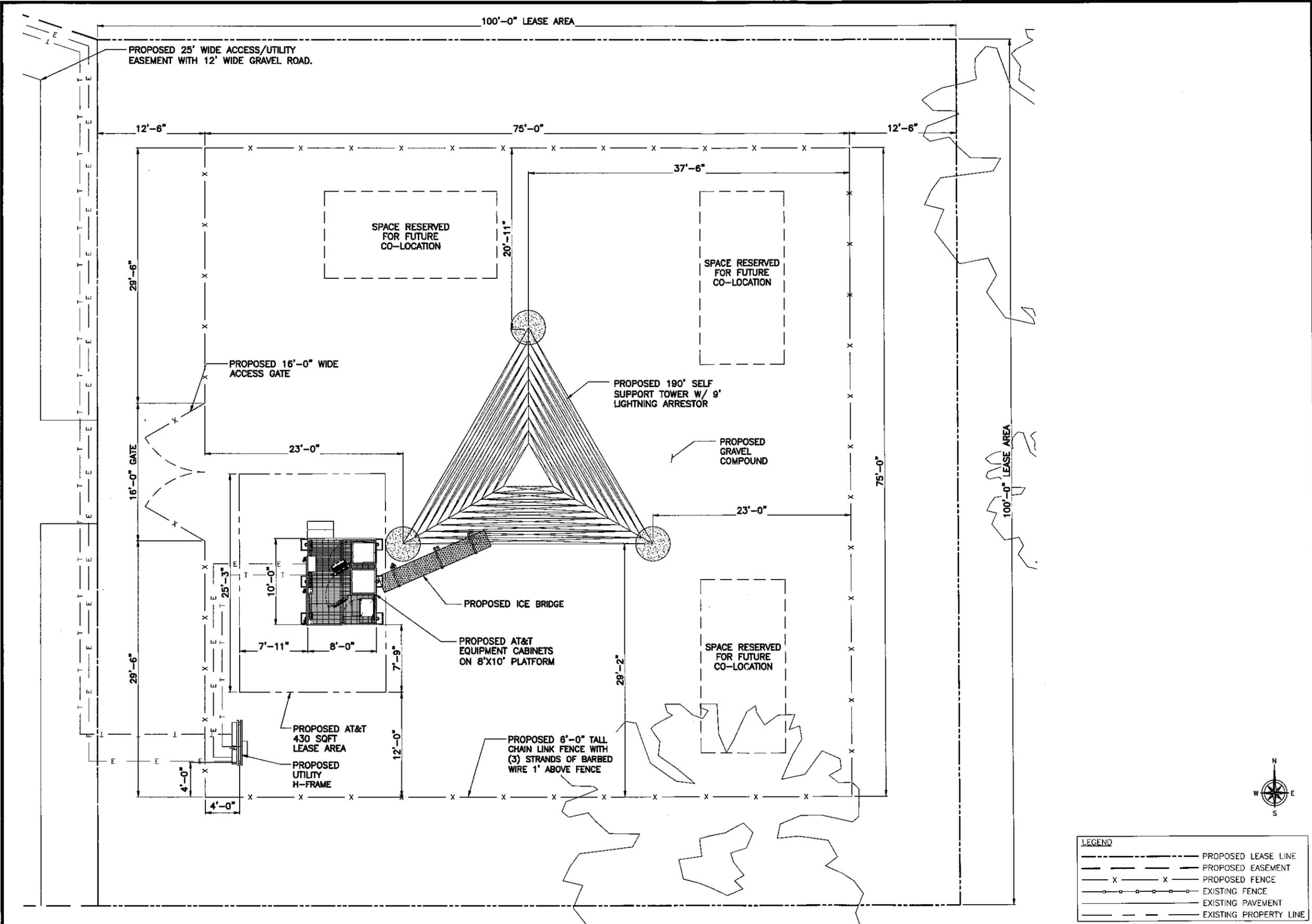
FA #  
 14362168  
 SITE NAME:  
 TOPINABEE  
 SITE ADDRESS:  
 1980 S. EXTENSION RD.  
 CHEBOYGAN, MI 49721

SHEET TITLE  
**OVERALL SITE PLAN**

SHEET NUMBER  
**C-1**

OVERALL SITE PLAN

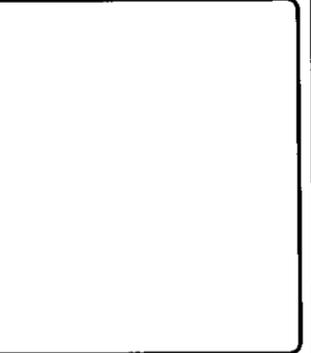
22"x34" SCALE: 1" = 80'-0"  
 11"x17" SCALE: 1" = 160'-0"  
 80' 40' 0' 80'



ZONING DRAWINGS  
NOT FOR CONSTRUCTION

DRAWN BY: DL  
CHECKED BY: JRG

REV	DATE	DESCRIPTION
A	02/26/2018	ISSUED FOR REVIEW
B	03/07/2018	ISSUED FOR REVIEW
C	03/20/2018	ISSUED FOR REVIEW



FA #  
14362168  
SITE NAME:  
TOPINABEE  
SITE ADDRESS:  
1980 S. EXTENSION RD.  
CHEBOYGAN, MI 49721

SHEET TITLE  
**ENLARGED SITE PLAN**

SHEET NUMBER  
**C-2**

LEGEND

	PROPOSED LEASE LINE
	PROPOSED EASEMENT
	PROPOSED FENCE
	EXISTING FENCE
	EXISTING PAVEMENT
	EXISTING PROPERTY LINE



22"x34" SCALE: 3/16" = 1'-0"  
11"x17" SCALE: 3/32" = 1'-0"

ENLARGED SITE PLAN



TILLMAN  
INFRASTRUCTURE



IRISH TOWER

GENERAL CONSTRUCTION | ENGINEERING | PROJECT MANAGEMENT

4603 Bermuda Drive, Sugar Land, TX 77479  
Voice: (281) 799-2851 | Fax: (866) 598-3138  
IrishTower.com

ZONING DRAWINGS  
NOT FOR CONSTRUCTION

DRAWN BY: DL

CHECKED BY: JRG

REV	DATE	DESCRIPTION
A	02/28/2018	ISSUED FOR REVIEW
B	03/07/2018	ISSUED FOR REVIEW
C	03/20/2018	ISSUED FOR REVIEW

FA #

14362168

SITE NAME:

TOPINABEE

SITE ADDRESS:

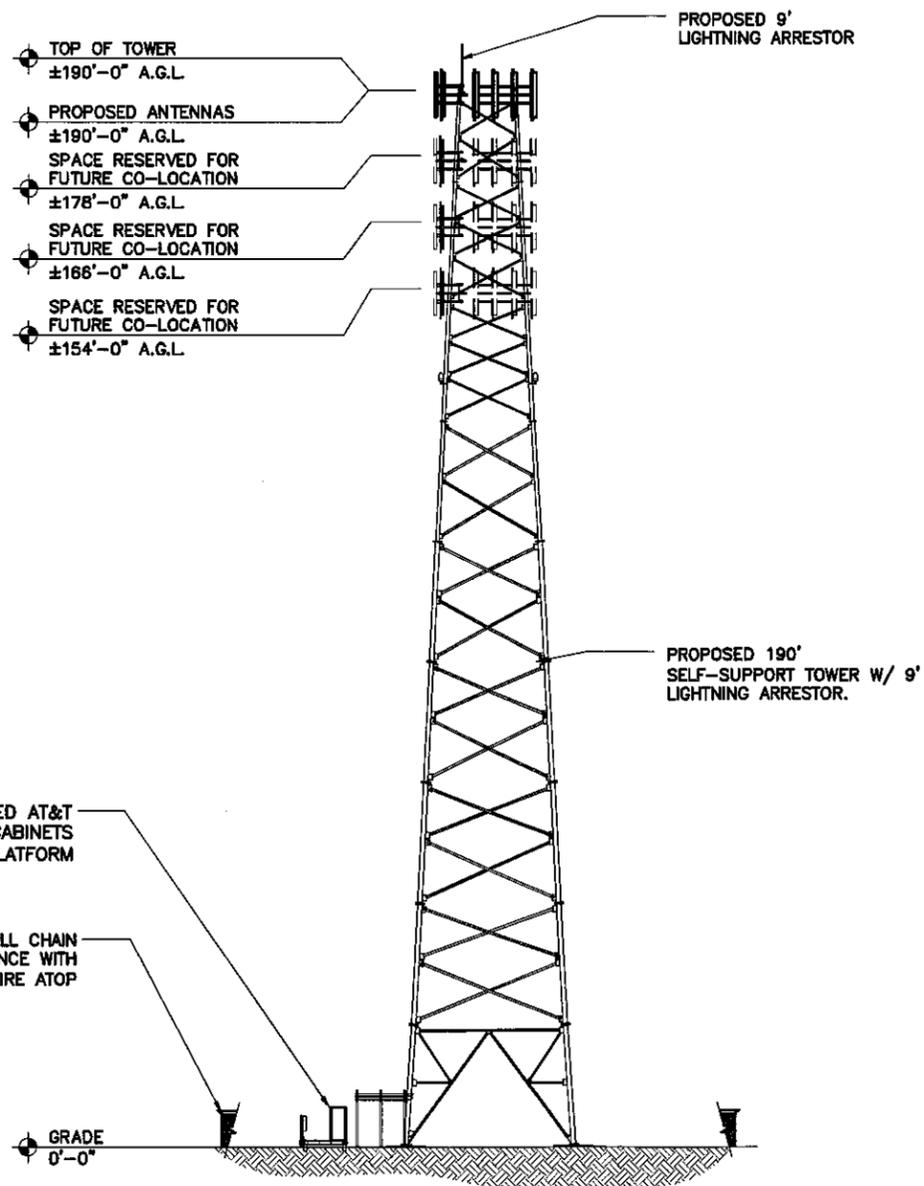
1980 S. EXTENSION RD.  
CHEBOYGAN, MI 49721

SHEET TITLE

ELEVATION

SHEET NUMBER

C-3

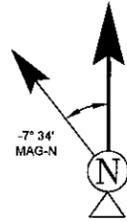


ELEVATION

22"x34" SCALE: 1/16" = 1'-0"  
11"x17" SCALE: 1/32" = 1'-0"



1



**PROPOSED LEASE AREA**

A PORTION OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 2 WEST, MULLET TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 3/4" IP BEING THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN LIBER 1332 PAGE 961.

THENCE ALONG THE SOUTH LINE OF SAID PARCEL, NORTH 88 DEGREES 55 MINUTES 44 SECONDS WEST, A DISTANCE OF 458.19 FEET;  
 THENCE NORTH 01 DEGREES 04 MINUTES 16 SECONDS EAST, A DISTANCE OF 180.32 FEET TO THE POINT OF BEGINNING;

THENCE WEST, A DISTANCE OF 100.00 FEET;  
 THENCE NORTH, A DISTANCE OF 100.00 FEET;  
 THENCE EAST, A DISTANCE OF 100.00 FEET;  
 THENCE SOUTH, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING

10,000 SQUARE FEET OR 0.2295 ACRES, MORE OR LESS

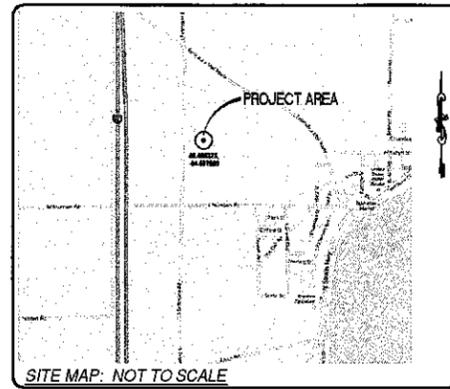
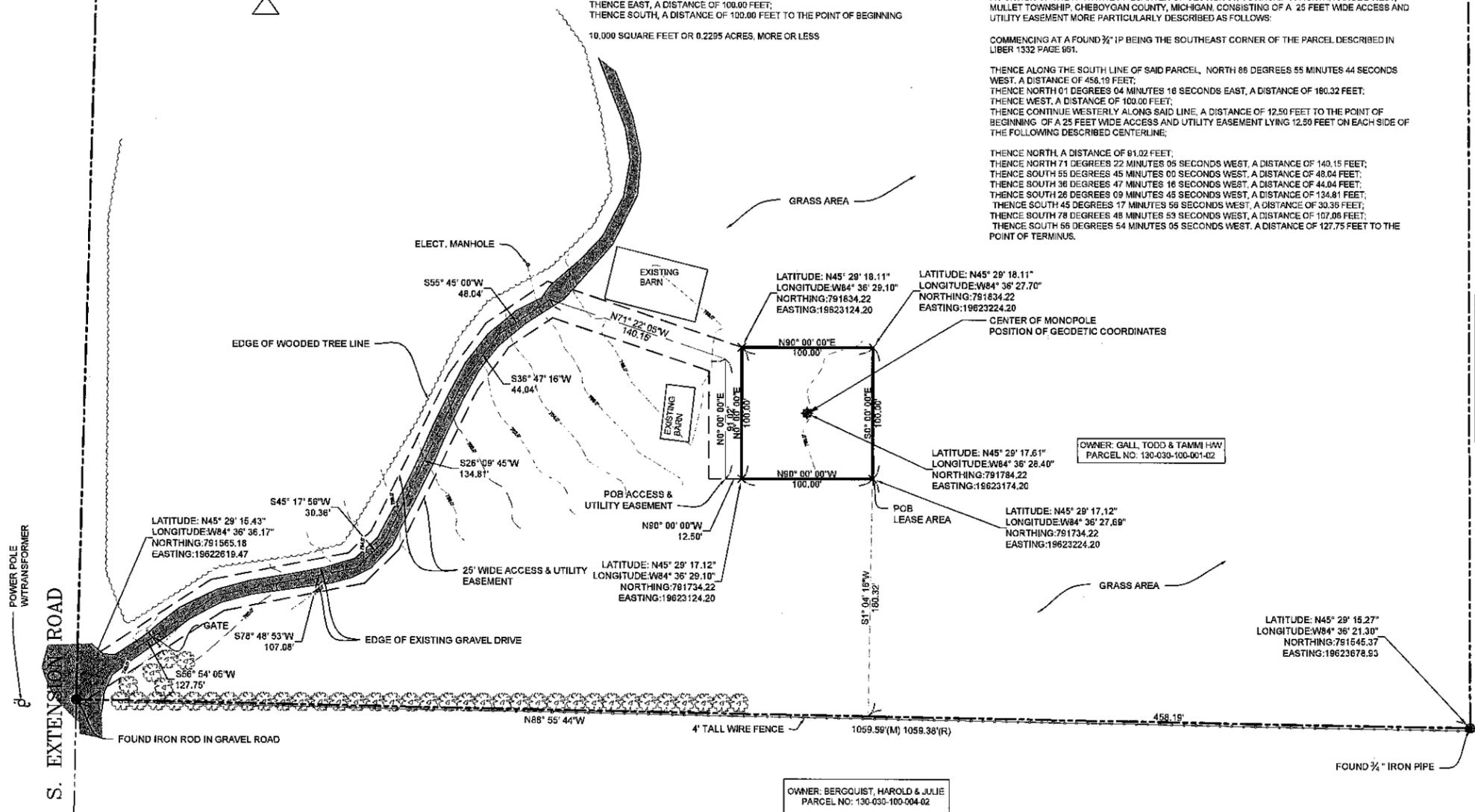
**PROPOSED ACCESS & UTILITY EASEMENT**

A PORTION OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 2 WEST, MULLET TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN, CONSISTING OF A 25 FEET WIDE ACCESS AND UTILITY EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 3/4" IP BEING THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN LIBER 1332 PAGE 961.

THENCE ALONG THE SOUTH LINE OF SAID PARCEL, NORTH 88 DEGREES 55 MINUTES 44 SECONDS WEST, A DISTANCE OF 458.19 FEET;  
 THENCE NORTH 01 DEGREES 04 MINUTES 16 SECONDS EAST, A DISTANCE OF 180.32 FEET;  
 THENCE WEST, A DISTANCE OF 100.00 FEET;  
 THENCE CONTINUE WESTERLY ALONG SAID LINE, A DISTANCE OF 12.50 FEET TO THE POINT OF BEGINNING OF A 25 FEET WIDE ACCESS AND UTILITY EASEMENT LYING 12.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

THENCE NORTH, A DISTANCE OF 61.02 FEET;  
 THENCE NORTH 71 DEGREES 22 MINUTES 05 SECONDS WEST, A DISTANCE OF 140.15 FEET;  
 THENCE SOUTH 55 DEGREES 45 MINUTES 00 SECONDS WEST, A DISTANCE OF 48.04 FEET;  
 THENCE SOUTH 36 DEGREES 47 MINUTES 16 SECONDS WEST, A DISTANCE OF 44.04 FEET;  
 THENCE SOUTH 26 DEGREES 09 MINUTES 49 SECONDS WEST, A DISTANCE OF 134.81 FEET;  
 THENCE SOUTH 45 DEGREES 17 MINUTES 59 SECONDS WEST, A DISTANCE OF 30.35 FEET;  
 THENCE SOUTH 78 DEGREES 48 MINUTES 59 SECONDS WEST, A DISTANCE OF 107.06 FEET;  
 THENCE SOUTH 66 DEGREES 54 MINUTES 05 SECONDS WEST, A DISTANCE OF 127.75 FEET TO THE POINT OF TERMINUS.



**BENCHMARK**  
 ELEVATION ESTABLISHED FROM GPS OBSERVATIONS CONSTRAINED TO OPUS SOLUTIONS, APPLYING GEDD 12A SEPARATIONS NAVD88 DATUM.

**BASIS OF BEARINGS**  
 BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM MICHIGAN, CENTRAL ZONE US FOOT, DETERMINED BY GPS OBSERVATIONS, COMPLETED ON 1.8.18

**UTILITY NOTES**  
 SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT LOCAL 811 AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

**SURVEYOR NOTES**  
 NO SEARCH OF PUBLIC RECORDS HAS BEEN COMPLETED TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE OF THE PARENT PARCEL.

THIS SURVEY IS FOR THE PROPOSED LEASE AREA AND THE PROPOSED ACCESS AND UTILITY EASEMENT ONLY, AND ONLY A PARTIAL BOUNDARY SURVEY OF THE PARENT TRACT HAS BEEN PERFORMED.

THIS PROPERTY IS SUBJECT TO ANY RECORD EASEMENTS AND/OR RIGHT OF WAY SHOWN HEREON OR NOT.

THIS SURVEY IS NOT INTENDED FOR LAND TRANSFER.

SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

THIS PLAN IS NOT TO BE CONSIDERED A PROPERTY BOUNDARY SURVEY AS DEFINED UNDER MICHIGAN ACT 132, P.A. 1970. DIMENSIONS (IF SHOWN) ALONG THE PERIMETER OF THE LANDOWNER'S PROPERTY ARE PROVIDED UNDER THIS SURVEYOR'S SCOPE OF SERVICES WITH AT&T AND ARE TO BE CONSIDERED FOR REFERENCE ONLY. THE EXACT LOCATION OF THE LANDOWNER'S PROPERTY MAY DIFFER UPON THE PREPARATION OF A FULL BOUNDARY SURVEY IN ACCORDANCE WITH THE REQUIREMENTS ESTABLISHED BY THE STATE OF MICHIGAN.

OWNER: ANTHONY, LINDA K. PARCEL NO. 130-030-100-024-00

OWNER: GALL, TODD & TAMMI HW PARCEL NO. 130-030-100-001-02

OWNER: BERGQUIST, HAROLD & JULIE PARCEL NO. 130-030-100-004-02

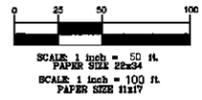
**SITE INFO**  
 TAX PARCEL NO: 130-030-100-001-02  
 PROPERTY OWNER: GALL, TODD & TAMMI  
 SOURCE OF TITLE: LIBER 132 PG 961

**LAND SURVEYOR'S CERTIFICATE**

I, TRAVIS VAN NESTE, HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MICHIGAN.

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

**TITLE REPORT INFO**  
 A TITLE REPORT WAS NOT PROVIDED AT THE TIME THIS SURVEY WAS PERFORMED. ANY EASEMENTS OR OTHER ITEMS CONTAINED WITHIN THE TITLE REPORT WHICH MAY AFFECT THE LEASE AREA HAVE NOT BEEN PLOTTED.



**FAA COORDINATE POINT** ◆ (NAD83)  
 CENTER OF MONOPOLE  
 LATITUDE 45° 29' 17.61" NORTH  
 LONGITUDE 84° 36' 28.40" WEST  
 ELEVATION 766.05' (NAVD88)

**1-A ACCURACY CERTIFICATION**  
 THE HORIZONTAL ACCURACY OF THE LATITUDE AND LONGITUDE OF THE GEODETIC COORDINATES FALL WITHIN TWENTY (20) FEET. THE ELEVATIONS (NAVD88) OF THE GROUND AND FIXTURES FALL WITHIN THREE (3) FEET.

**FLOOD INFORMATION**  
 THE PROPOSED LEASE AREA SHOWN HEREON IS NOT LOCATED IN A 100-YEAR FLOOD PLAIN PER FLOOD HAZARD BOUNDARY MAP, COMMUNITY-PANEL NO. 26031C0350C, DATED 08.16.2012. THE PROPOSED LEASE AREA IS LOCATED IN ZONE "X".

**LEGEND**

POB	POINT OF BEGINNING	SPOT ELEVATION
POT	POINT OF TERMINUS	POSITION OF GEODETIC COORDINATES
PUE	PUBLIC UTILITY EASEMENT	WATER CONTROL VALVE
ROW	RIGHT OF WAY	FIRE HYDRANT
DW	DRIVEWAY	POWER POLE
SW	SIDEWALK	ELECTRIC MANHOLE
●	FOUND AS NOTED	TELCO MANHOLE

—●— OVERHEAD ELECTRIC    - - - - - PROPERTY LINE    ——— BARBED WIRE FENCE



DRAWN BY: \_\_\_\_\_ MD  
 CHECKED BY: \_\_\_\_\_ JC/ACR

REV	DATE	DESCRIPTION
A	1.22.18	REVIEW



FA # \_\_\_\_\_  
 SITE # 14362168  
 SITE NAME: TOPINABEE  
 SITE ADDRESS: 1980 S. EXTENSION ROAD, TOPINABEE, MI 43055, CHEBOYGAN COUNTY

SHEET TITLE: **TOPOGRAPHIC SITE SURVEY**

SHEET NUMBER: **B-1**





# 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/](http://www.cheboygancounty.net/planning/)

## STAFF REPORT

<b>Item:</b> Special Use Permit for a wireless communication facility (Tower and related equipment. section 17.13.).	<b>Prepared by:</b> Jeff Lawson
<b>Date:</b> May 4, 2018	<b>Expected Meeting Date:</b> May 16, 2018

### GENERAL INFORMATION

**Applicant:** Tillman Infrastructure.

**Owner:** Todd and Tami Gall

**Location:** 1980 S. Extension Road

**Contact person:** Mike Bieniek – Tillman Infrastructure

**Phone:** 847-380-5569

**Requested Action:** Special Use Permit per Section 17.13. for construction of a new Wireless Communication Tower and Related Facilities.

### BACKGROUND INFORMATION

#### **Introduction:**

The applicant is seeking approval of a special use permit for construction of a new cellular tower 190 ft. in height. Tower includes related facilities which include an equipment proposed to be located at the base of the tower. The tower and related facilities are proposed to be placed on a parcel of leased land measuring 100 ft. x 100ft. with access via a driveway from S. Extension Road in Mullett Township.

The subject parcel is zoned Agriculture and Forestry Management (M-AF). Wireless Communication Facilities are authorized by special use permit in M-AF district pursuant to Sections 17.13.1 and 17.13.2. of the Zoning Ordinance.

Section 17.13.1 requires not less than one (1) times the height of the tower to all points of the property line. The height of the proposed tower is 190 ft. The site plan indicates a lot width at the nearest property line of 199.76 feet and provides a sealed engineer letter identifying any potential collapse would occur within a radius of 190 feet.

The applicant has provided a coverage map for the proposed site along with other information relative to collocation. Please note that I have provided proposed findings in the draft findings of fact document relative to reasonable opportunity for collocation for the proposed facilities on existing structures as required in section 17.13.1.b. The applicant has also provided information relative to all other requirements of section 17.13.1. and requirements under the special use permit approval standards of section 18.7 and site plan review standards of section 20.10.

**Current Zoning:**

Agriculture and Forestry Management District (M-AF)

**Surrounding Land Uses:**

Residential and vacant land uses surround the subject site.

**Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):** There are no known environmentally sensitive areas.

**Historic buildings**

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

**Traffic Implications**

This project will have minimal effect on current traffic conditions.

**Parking**

There are no parking requirements for this use.

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

Access to the site is provided via South Extension Rd. and an access roadway to the proposed communication facility structures.

**Signs**

No signs are proposed for the site with the exception of emergency contact information, FCC registration number information and FCC call sign on the equipment shelter.

**Fence/Hedge/Buffer**

A locked chain link fence 8ft. high is located around the leased area. No other screening or buffers are proposed.

**Lighting**

Lighting per FAA requirement may prevail. No other exterior lighting is proposed.

**Stormwater management**

There is no significant change to stormwater runoff.

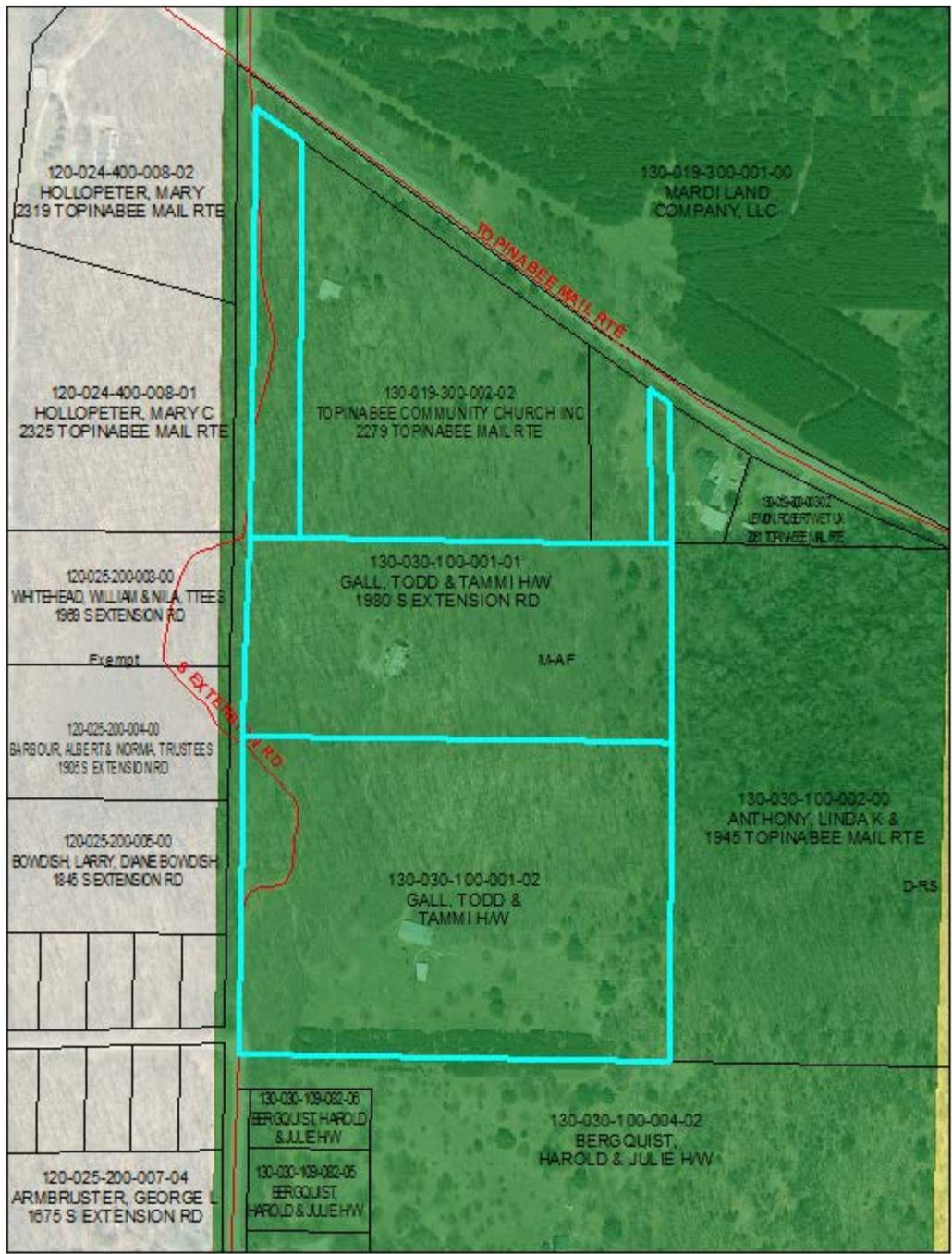
**Review or permits from other government entities:**

FAA requirements may prevail. FCC and Building Code requirements prevail.

**Recommendations (proposed conditions)**

Written confirmation of meeting FAA and FCC requirements before construction.





D-RS        M-AF      
Exempt



**CHEBOYGAN COUNTY PLANNING COMMISSION**  
**SPECIAL USE PERMIT REQUEST**  
Wednesday, May 16, 2018, 7:00 PM

Applicant

Tillman Wireless  
10700 W. Higgins Suite 240  
Rosemont, Ill. 60018

Property Owner

Todd and Tami Gall  
1980 S. Extension Road  
Cheboygan, MI 49721

Parcel

1980 S. Extension Road  
Mullett Township  
130-030-100-001-01  
130-030-100-001-02  
130-019-300-002-01

**GENERAL FINDINGS**

1. The property is located in an Agriculture and Forestry management Zoning District (M-AF)
2. The Applicant is seeking approval of a special use permit for location of a wireless communications facility which includes tower up to 190 feet above ground level and related equipment to be located on leased land.
3. New Wireless Communication Facilities are allowed an M-AF zoning district pursuant to Section 17.13.2 by special use permit. (See Exhibit 1)
4. The proposed tower meets the isolation standard per section 17.13.1.
- 5.

**Findings of Fact Under Section 17.13.1. of the Zoning Ordinance**

17.13.1 Radio and television towers, public utility microwaves and public utility T.V. transmitting towers.

- a. May be permitted by the Planning commission after a Hearing, in D-CM, D-LI, and M-AF Districts provided said use shall be located centrally on a contiguous parcel of not less than one (1) times the height of the tower measured from the base of said tower to all points on each property line. The isolation standard may be reduced by up to fifty (50%) percent, if the construction plan, the tower, and its guy/anchoring systems are Certified by a Registered Professional Engineer as being safe from the hazard of falling on to public roads or adjoining properties. All guy wires/cables and anchors shall meet zoning setback of the district.

1. The subject property is in an M-AF District.
2. The application and site plan indicates a proposed tower 190 ft. tall.
3. An isolation standard of 190 ft. is required pursuant to Section 17.13.1.a..
4. The Planning Commission finds that the fall zone indicated on the site plan of 199.76 feet along with the sealed engineering letter indicating a collapse would occur within a 190 ft. radius confirms the tower is clear of falling on to the public road and adjoining properties. (see exhibit 11)
- 5.
6. Requirement has been met.

Or.

1. The Planning Commission finds that the construction plan, the tower is not adequately certified by a Registered Professional Engineer as being safe from the hazard of falling on to public roads or adjoining properties.
- 2.
3. Requirement has not been met.

### **Finding of Fact under Section 17.13.2.b of the Zoning Ordinance**

Wireless Communication Facilities may be permitted by the Planning Commission, after a public hearing, by special use permit if it is found that there is no reasonable opportunity to locate per item 1 above. Information must be submitted to show efforts made to screen, co-locate or place such facilities on an existing structure. The proposed tower must also meet the following conditions and standards.

- The reference to item 1 in this section states as follows;  
Wireless Communication Facilities may locate in any zoning district if located on an existing building or structure, or a new structure is built within fifty (50) feet of the base of an existing tower and the Wireless Communication Facility is located within the new structure, or is otherwise hidden from view by being incorporated in an existing building, or if it collocates on an existing tower, and the proposed does not require a change in lighting by FCC and/or FAA regulations.

The Planning Commission finds that the documentation has been submitted and/or statements have been made on the record which demonstrates that there is no reasonable opportunity for collocation or placement of the proposed facility on an existing structure. (see exhibit 9)

Or

The Planning Commission finds that the applicant has not submitted adequate documentation to show that there is no reasonable opportunity for collocation or placement of the proposed facility on an existing structure.

### **Conditions and Standards under subsections 17.13.2.b.1. through 17.13.2.b.6.**

1. The proposed height meets FCC and/or FAA Regulations.
  - a. Evidence of FCC and FAA approval shall be required
  - b. The application indicates that the tower will be subject to all FAA and FCC standards (see exhibit 10)
  - c. Standard has been met.Or.
  - a. The applicant has not provided information regarding applicable FAA and FCC requirements
  - b.
  - c. Standard has not been met.
2. Towers must be equipped with devices to prevent unauthorized climbing.
  - a. The site plan indicates that the tower will be surrounded by an 8 ft. tall locked chain link fence. (see exhibit 17)
  - b.
  - c. Standard has been metOr.
  - a.
  - b. Standard has not been met.
3. All reasonable measures are taken to blend the tower into the landscape, including greenbelt planting and/or screening, painting, and/or concealing the tower in a “stealth design”.
  - a. The tower is to be placed near existing trees.
  - b.
  - c. Standard has not been metOr.
  - a. The facilities are proposed to be placed in clear view and will not blend with the landscape.
  - b.
  - c. Standard has not been met.

4. New towers should be engineered as appropriate for co-location of other antennae.
  - a. The tower design proposes several antennae. (see exhibit 18)
  - b.
  - c. Standard has been met.
 Or.
  - a. No information has been provided regarding future collocation on the subject.
  - b.
  - c. Standard has not been met.
  
5. Protective fencing and screening may be required to be placed around all guy wire anchor points as appropriate to the site.
  - a. A self-support tower is proposed. (see exhibit 18)
  - b.
  - c. Standard has been met.
 Or.
  - a.
  - b. Standard has not been met.
  
6. All new towers must meet the applicable requirements for a commercial tower, per Article 17.13.1 of this Ordinance.
  1. See applicable findings above.
  2. Requirements have been met.
 Or.
  1. See applicable findings above
  - 2.
  3. Requirements have not been met.

**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 property is located in an Agriculture and Forest Management District (M-AF) which allows Wireless Communication Facilities by special use permit per Section 17.13.
  - 2.
  3. 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 tower and related facilities are unmanned stand alone facilities and finds on evidence that proposed wireless communication facilities will not cause the use of materials or involve processes that will create substantially negative impacts on county natural resources or the natural environment. This use is compatible with surrounding land uses. (see exhibit 9 )
  - 2.
  3. Standard has been met.
 Or.
  - 1.
  2. 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 tower and equipment shelter are unmanned standalone facilities and will not cause the use of materials or involve equipment or processes which would generate noise or traffic which is incompatible with the surrounding land uses. No smoke, glare, fumes or odors will be produced. (see exhibit 9)
  - 2.
  3. Standard has been met.
- Or.
- 1.
  2. 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 proposed tower and facilities are to be placed in the center of the subject property on a parcel of leased land and will not diminish the opportunity for surrounding properties to be used and developed as zoned.(see exhibit 15)
  - 2.
  3. 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 proposed use will not require public resources greater than current capacity nor increase hazards from fire or other dangers. The facilities are unmanned and secured by locked fencing. (see exhibit 7, 9 and 15)
  - 2.
  3. 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. Adequate access to the site is provided via an access driveway from S. Extension Road. (see exhibit 15).
  2. The entrance roadway is not within 25 feet of an intersection. (see exhibit 15 )
  - 3.
  4. 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 proposed use is an unmanned stand alone wireless communication facility and will not require a water well, septic facilities or refuse collection.
  - 2.
  - 3. 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 shall comply with all relevant standards required under the ordinance. (see exhibit 10)
  - 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. Changes to the overall natural features of the site will be minimal. (see exhibit 10)
  - 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 changes are proposed that would affect the landscape or natural state of the site. (see exhibit 10 )
  - 2.
  - 3. 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 in drainage on the site are proposed. (See exhibit 10)
  - 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. Not applicable. No dwellings are proposed.
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
1. Emergency access is provided via South Extension Rd. (see exhibit 15)
  - 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. Access is provided via South Extention Road. (see exhibit 15)
  - 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. Not applicable. No subdivision plats or subdivision condominiums are 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. Lighting per applicable FAA requirements shall be required for the tower and will not affect adjacent properties, impede vision of traffic and will not unnecessarily illuminate night skies. (See exhibit 7 and 9)
  2. No additional outdoor lighting is proposed. (see exhibit 7 and 9)
  - 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. Not applicable. No 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. The site plan will conform to state and federal statutes and the Cheboygan County Master Plan.)
1. The site plan shall conform to all applicable requirements. (see exhibit 15 and 17)
  - 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 16, 2018

---

Patty Croft, Chairperson

---

Charles Freese, Secretary

# CHEBOYGAN COUNTY PLANNING COMMISSION

Mike Bieniek, Agent On Behalf of Tillman Infrastructure / David and Carolyn Sackett

## 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. Mailing List (2 Pages)
6. Letter of Application (1 Page)
7. Site Data Sheet (1 Page)
8. Legal Description (1 Page)
9. Narrative Overview (2 Pages)
10. Standards For Special Use Permit Approval (7 Pages)
11. Fall Zone Letter (2 Pages)
12. AT&T License (2 Pages)
13. Propagation Maps (5 Pages)
14. Overall Site Plan T-1 (1 Page)
15. Topographic Site Survey B-1 (1 Page)
16. Overall Site Plan C-1 (1 Page)
17. Enlarged Site Plan C-2 (1 Page)
18. Elevation Drawing C-3 (1 Page)
- 19.
- 20.
- 21.
- 22.

Note: Planning Commission members have exhibits 1 and 2.

NOTICE

CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING  
WEDNESDAY, MAY 16, 2018 AT 7:00 PM  
ROOM 135 – COMMISSIONERS ROOM  
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) **Mike Bieniek, Agent on behalf of Tillman Infrastructure and Todd and Tammi Gall** - Requests a Special Use Permit for a wireless communication facility (section 17.13.). The property is located at 1980 S. Extension Road, Mullett Twp., sections 19 and 30, parcel #130-030-100-001-02, # 130-019-300-002-01 and #130-030-100-001-01, and is zoned Agriculture and Forestry Management (M-AF).
- 2.) **Mike Bieniek, Agent on behalf of Tillman Infrastructure and David and Carolyn Sackett** - Requests a Special Use Permit for a wireless communication facility (section 17.13.). The property is located at 3616 Bowman Dr., Tuscarora Twp., section 21, parcel #161-021-300-002-03, and is zoned Agriculture and Forestry Management (M-AF).

Please visit the Planning and Zoning office or visit our website to see the applications and associated documents. These documents may be viewed at [www.cheboygancounty.net/planning/](http://www.cheboygancounty.net/planning/). Comments, questions, and correspondence may be sent to [planning@cheboygancounty.net](mailto: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

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.

Tillman Infrastructure is proposing to erect a 175'-0" self support lattice tower with a 19'-0" lightning rod to be located within a 100'-0" x 100'-0" lease parcel. AT&T Mobility is proposing to locate on the tower at the 170'-0" level and install cabinets and support equipment on a 8'-0" x 10'-0" platform.

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.

See attached narrative

- 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.

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

- 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.

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

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

- h. Exterior lighting shall be arranged as follows:

- i. It is deflected away from adjacent properties. \_\_\_\_\_
- ii. It does not impede the vision of traffic along adjacent streets. \_\_\_\_\_
- iii. It does not unnecessarily illuminate night skies. \_\_\_\_\_



# 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.

\_\_\_\_\_

- 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: Approximately 5.00

4. Present use of property:

Single family home

5. SUP Standards:

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

See attached narrative

- 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.** \_\_\_\_\_

- 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.** \_\_\_\_\_

\_\_\_\_\_

- 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.** \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

- 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.** \_\_\_\_\_

\_\_\_\_\_



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO Box 78 ■ 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? \_\_\_\_\_
- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? \_\_\_\_\_
- 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 [Signature] Date 3/21/18

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

Yes  No

Owner's Signature [Signature] Date 3/21/18

FOR PLANNING /ZONING DEPT. USE ONLY		
Date Received:	3/28/18	Notes:
Fee Amount Received:	\$225.00	
Receipt Number:	6102	
Public Hearing Date:	5/16/18	
Planning/Zoning Administrator Approval:		
<u>[Signature]</u> 3. Hansen 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
X		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.
X		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.
X		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
X		d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
X		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.
X		f. Location of existing and proposed buildings and intended uses thereof.
N/a		g. Details of entryway and sign locations should be separately depicted with an elevation view.
N/a		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.
N/a		i. Location, size, and characteristics of all loading and unloading areas.
N/a		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
X		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
X		m. Location and specifications for all fences, walls, and other screening features.
X		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
X		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
X		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
X		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
N/a		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.

**SECTION**

**REASON FOR WAIVER REQUEST**


**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

3/21/18  
 \_\_\_\_\_  
 DATE

161-021-300-005-01  
HALL, ROBERT ANDREW  
9814 KING RD  
ALANSON, MI 49706

161-021-300-005-03  
KRUSSELL, MATTHEW & MICHELLE H/W  
9758 KING RD  
ALANSON, MI 49706

161-021-300-002-03  
SACKETT, DAVID & CAROLYN H/W  
3616 BOWMAN RD  
ALANSON, MI 49706

161-021-300-001-02  
SAUTEBIEN, NANCY  
5526 BINGHAM  
DEARBORN, MI 48126

161-021-300-011-00  
DUEWEKE, PATRICK & PAMELA H/W  
3771 RESORT RD  
ALANSON, MI 49706

161-021-300-002-02  
MUSHIER, RAYMOND M & CHRISTINE R  
19624 WEST MEADOWBROOK AVE  
LITCHFIELD PARK, AZ 85340

161-021-300-002-04  
SACKETT, STEVEN & LINDA H/W  
3510 BOWMAN RD  
ALANSON, MI 49706

161-021-300-005-02  
HALL, JEFFREY & SHARON POINTER,  
9776 KING RD  
ALANSON, MI 49706

161-021-400-021-00  
HOPE, SHAUN  
4600 AFTON RD  
AFTON, MI 49705

161-021-300-001-01  
MALAK, JOCELYN M  
PO BOX 69  
TOPINABEE, MI 49791

161-021-300-004-04  
BROVAGE, ALVIN & JUDITH H/W  
3885 BOWMAN RD  
ALANSON, MI 49706

161-021-300-003-00  
HASSE, BRAD & KRISTIN H/W  
3800 BOWMAN RD  
ALANSON, MI 49706

161-021-300-005-01  
OCCUPANT  
9784 KING RD  
ALANSON, MI 49706

161-021-300-005-03  
OCCUPANT  
9758 KING RD  
ALANSON, MI 49706

161-021-300-002-03  
OCCUPANT  
3616 BOWMAN RD  
ALANSON, MI 49706

161-021-300-001-02  
OCCUPANT  
, MI 49706

161-021-300-011-00  
OCCUPANT  
3771 RESORT RD  
ALANSON, MI 49706

161-021-300-002-02  
OCCUPANT  
3702 BOWMAN RD  
ALANSON, MI 49706

161-021-300-002-04  
OCCUPANT  
3510 BOWMAN RD  
ALANSON, MI 49706

161-021-300-005-02  
OCCUPANT  
, MI 49706

161-021-400-021-00  
OCCUPANT  
, MI 49706

161-021-300-001-01  
OCCUPANT  
3719 RESORT RD  
ALANSON, MI 49706

161-021-300-004-04  
OCCUPANT  
3885 BOWMAN RD  
ALANSON, MI 49706

161-021-300-003-00  
OCCUPANT  
3800 BOWMAN RD  
ALANSON, MI 49706

# Letter of Application

---

March 20, 2018

Jeffery Lawson  
County Administrator  
870 South Main Street  
PO Box 70  
Cheboygan, MI 49721

RE: Tillman/AT&T Site Number: 14431277  
3616 Bowman Road  
Alanson, MI 49706

Dear Mr. Lawson:

Tillman Infrastructure, on behalf of AT&T Mobility is in the process of finalizing a lease agreement with the landowners of the site referenced above to construct a wireless telecommunications service facility. The proposed facility is designed to house the equipment necessary to provide the technology needed to provide clear and uninterrupted wireless telecommunications services to the residents of the Cheboygan County.

The proposed wireless telecommunications facility will consist of a 175'-0" tall self-support lattice tower to be located within a 100'-0" x 100'-0" lease parcel. The proposed tower will be erected, owned and managed by Tillman Infrastructure and upon construction; AT&T Mobility will locate their equipment on the tower at the 170'-0" level. The facility is unmanned and will require service technicians, in a pick-up/van sized vehicle, to visit the site approximately once per month.

On behalf of Tillman Infrastructure and AT&T Mobility, LCC Telecom Services has submitted all required documentation for the proposed tower in accordance with Cheboygan County's Zoning Ordinance. Should you have any questions please feel free to contact me. I look forward to working with you during the approval process in order to provide the residents of the Cheboygan County the best possible PCS coverage.

Sincerely,



Michael Bieniek, AICP  
Zoning Director

# Site Data Sheet

---

**Applicant:** Tillman Infrastructure, LLC  
152 West 57<sup>th</sup> Street  
8<sup>th</sup> Floor  
New York, New York 10019

AT&T Mobility  
475 Morosgo Drive NE  
Atlanta, Georgia 30324

**Agent:** Michael Bieniek, AICP  
LCC Telecom Services  
10700 Higgins Road  
Suite 240  
Rosemont, IL 60018

**Tower Owner:** Tillman Infrastructure, LLC  
152 West 57<sup>th</sup> Street  
8<sup>th</sup> Floor  
New York, New York 10019

**Applicant's Interest in the Property:** Leasehold

**Property Owner:** David and Carolyn Sackett  
3616 Bowman Road  
Alanson, MI 49706

**Address of Property:** 3616 Bowman Road  
Alanson, MI 49706

**Request:** Application for a Special Use Permit and any other approvals to erect a 175'-0" self-support lattice tower to be located within a 100'-0" x 100'-0" lease parcel.

# Legal Description

---

Beginning at the Northwest corner of Section 21, Town 36 North, Range 2 West, thence South 03 degrees 06 minutes West along the West line of Section 21, 33 feet to the South line of the County Road, thence South 86 degrees 23 minutes East along the South line of County Road, thence South 86 degrees 23 minutes East along the South line of the County Road and parallel to the North line of Section 21, 150 feet, thence South 03 degrees 06 minutes West and parallel to the West line of Section 21, 100 feet for the point of beginning; thence South 86 degrees 23 minutes East and parallel to the South line of the County Road 609.27 feet to the westerly right of way line of Trunkline of U.S. 27 thence South 31 degrees 14 minutes West along the westerly right of way line of Trunkline of U.S. 27; 225.72 feet, thence North 86 degrees 23 minutes West and parallel to the South line of the County Road 502.85 feet thence North 03 degrees 06 minutes East and parallel to the West line of Section 21; 200 feet to the point of beginning.

Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

# Narrative Overview

---

Tillman Infrastructure, LLC. (“Tillman Infrastructure”) and AT&T Mobility, seeks a Special Use Permit and any other necessary approvals in order to install a wireless telecommunications facility on property located at 3616 Bowman Road, Alanson, MI 49706. Tillman Infrastructure and its affiliates have acquired the necessary licenses from the Federal Communications Commission (“FCC”) to provide Personal Communications Services (“PCS”) coverage throughout the United States. These licenses include Cheboygan County, Michigan.

The wireless telecommunications facility which Tillman Infrastructure is proposing to install on behalf of AT&T Mobility on the property is necessary in order to provide uninterrupted PCS services to the residents of Cheboygan County, including wireless telephone service, voice paging, messaging and wireless internet and broadband data transmission. All registered wireless provider’s technology operates at various radio frequency bands allocated by the FCC as part of their license.

PCS systems operate on a grid system with overlapping cells mesh together, forming a seamless network. No one site can function as a stand-alone entity as each site is interconnected, forming the network. The technical criteria for establishing cell sites are very exacting as to the location and height. Within the Cheboygan area, cell sites are generally located approximately one (1) to three (3) miles apart. Tillman Infrastructure is proposing to erect a 175’-0” self-support lattice within a 100’-0” x 100’-0” lease area. The proposed site at 3616 Bowman Road, Alanson, MI 49706, is within the geographic area deemed necessary for AT&T Mobility and various other wireless telecommunications providers in order to provide uninterrupted services.

In accordance with the Cheboygan County Zoning Ordinance, Tillman Infrastructure has made application to install a wireless telecommunications facility. The proposed wireless telecommunications facility will consist of a 175’-0” tall self-support lattice tower to be located within a 100’-0” x 100’-0” lease parcel.

The facility is unmanned and will require service technicians, in a pick-up/van sized vehicle, to visit the site approximately once per month. Access will be provided via an

easement and the proposed property entry at 3616 Bowman Road, Alanson, MI 49706. The site is entirely self-monitored through a sophisticated alarm system which is connected to a main switch station. The system alerts personnel to any equipment malfunction or breach of security. Additionally, there is no impact on any County services such as water, sanitation, police and fire. The only services used in connect with the wireless telecommunications facility are power and land-line telephone.

In accordance with FCC regulations, the wireless telecommunications facility will not interfere with any form of communications, including but not limited to, land-line phones, cable and satellite television and radio broadcasts. PCS technology has become a vital part of emergency services, aiding local residents and motorists in a variety of situations, thus helping to protect the general public's health, safety and welfare. The proposed wireless telecommunications facility at this site will further enhance AT&T's goals of providing the most reliable network possible in this area.

The proposed wireless telecommunications facility will be designed and constructed to meet all applicable governmental and industry safety standards. Specifically, Tillman Infrastructure and AT&T Mobility will comply with all FCC and FAA rules and regulations regarding construction requirements and technical standards. Any and all RF emissions are subject to the exclusive jurisdiction of the FCC. Any height, lighting or marking issues are subject to the exclusive jurisdiction of the FAA.

LCC Telecom Services, on behalf of Tillman Infrastructure and AT&T Mobility, looks forward to working with Cheboygan County to bring the benefits of the proposed service to the entire Cheboygan County area. The addition of the wireless telecommunications facility will ensure the best uninterrupted wireless services for the citizens of Cheboygan County.

# Standards for Special Use Approval

---

In considering a Special Use Permit application, the Planning Commission shall establish that the following standards and/or criteria shall have been satisfied, together with other requirements of the Ordinance. The standards enumerated herein are intended to promote the intent and purpose of the Ordinance and to ensure that the land use or activity authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use. In addition, these standards shall also ensure that the land use or activity is consistent with the public health, safety, and welfare of the County.

- 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.

**The proposed wireless telecommunications facility has been situated on the lot within a relatively flat, wooded area so as not to require reshaping of the lot. The development of the site was designed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance. To the contrary, improved wireless telecommunications services in the area will enhance development in the area while providing enhanced services for the existing residents.**

- 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.

**As stated above, the proposed wireless telecommunications facility has been situated on the lot within a relatively flat, wooded area so as not to require reshaping of the lot. Due to the chosen location, little modifications will result to the sites in relation to slope and vegetation.**

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

**Due to the diminutive size of the proposed wireless telecommunications facility, there will be no adverse effect on the neighboring properties associated with storm water. The proposed 100'-0" x 100'-0" lease parcel will consist of a gravel base which will allow for percolation of storm water.**

- 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.

**The site has been designed to maximize visual and sound privacy for all dwelling units in the area. Wireless telecommunications facilities do not generate noise, other than that of a window air conditioner unit; therefore the sound privacy of this site is maximized. The proposed tower is to be located within an area surrounded on the south and west by existing trees, approximately 90' from the front property line. There should be minimal impact on surrounding properties due to the location on the site. Additionally, the proposed wireless telecommunications facility is proposed to be 175'-0" and according to FAA guidelines will not require lighting of the tower which will further minimize the visual impact of the site.**

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

**All buildings or groups of buildings will be arranged so as to permit emergency vehicle access. The site will be accessed by a 12'-0" gravel drive which will come off of the existing driveway on the property.**

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

**All structures within the lease area for the proposed tower will have direct access to a public street in the sense that the lease compound has that access. However, the structures will be within a fenced area surrounding the tower.**

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

**The proposed wireless telecommunications facility will not require a subdivision plat. The 100'-0" x 100'-0" parcel will be leased from the existing property owners.**

- h. Exterior lighting shall be arranged as follows:
- i. It is deflected away from adjacent properties.
  - ii. It does not impede the vision of traffic along adjacent streets.
  - iii. It does not unnecessarily illuminate night skies

**The only exterior lighting on this site will include a porch type light that will provide lighting for any technicians needing to visit the site in an emergency. The ground lighting will not impact traffic or any adjacent properties. Additionally, there will be no illumination of the night skies. As stated above, the proposed wireless**

**telecommunications facility is below the 200'-0" threshold, therefore, no lighting of the tower is required.**

- 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.

**Since the proposed wireless telecommunications facility does not have significant vehicular traffic, the existing streets and pedestrian/bicycle pathways will not be impacted. The site is visited by a technician in a van sized vehicle approximately one time per month. The access to the site is through an existing driveway, therefore the traffic pattern will not be impacted.**

- 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.

**Wireless telecommunications facilities are governed by the Federal Communications Commission (FCC) and the Federal Aviation Administration (FAA). As such, this wireless telecommunications facility will be designed in accordance with all local, state and federal regulations.**

SUP Standards:

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

**The subject parcel is zoned M-AF, which in accordance with section 17.13 of the Cheboygan County Code of Ordinance, wireless communications facilities are permitted as authorized by Special Use Permit.**

- 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.

**The proposed wireless telecommunications facility will not involve any activities, processes, materials or equipment that will create a substantially negative impact on the natural resources of the natural environment. The proposed facility will consist of a 100'-0" x 100'-0" lease area which is unmanned. The special land use will enhance wireless telecommunications coverage which will have a positive influence on the area.**

- 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.

**The proposed wireless telecommunications facility will not involve any activities, processes, materials or equipment that will create a substantially negative impact on the natural resources of the natural environment. The proposed wireless telecommunications facility will not affect traffic, noise, smoke, fumes, glare, odor, or the accumulation of scrap material in any way. Other than during construction, no storage of materials will be present on the site. Likewise, a wireless telecommunications facility does not generate traffic, noise, smoke, fumes, glare, or odor.**

- 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.

**The proposed wireless telecommunications facility will be designed, constructed, operated and maintain so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. As stated above, the proposed facility will be situated on a portion of this lot which will minimize the visual impact from ground level. The site does not generate noise or traffic which would be detrimental to surrounding properties. The enhanced wireless signal will enhance the development of the surrounding properties which are all similarly zoned.**

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

**The proposed wireless telecommunications facility will not place demands on fire, police or other public resources. A wireless telecommunications facility is unmanned and does not require any public resources for its existence. The proposed wireless telecommunications facility is secured by a 6'-0" fence which is topped with three (3) strands of barbed wire and is connected to a central monitoring station. In the event of a breach of the compound, the monitoring station is alerted. The only public demands would be on police and fire on extremely rare occasions.**

- 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.

**The proposed wireless telecommunications facility will be adequately served by public streets. As stated above, the proposed tower will be serviced by a 12'-0" gravel access road which will tie into the existing driveway. Therefore no new curb cuts will be required. The only utilities needed for a wireless telecommunications facility are power and teleco which are readily available to the site. No water, sewer facilities nor refuse**

**collection and disposal is required.**

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services?

**As stated above, the only utilities needed for a wireless telecommunications facility are power and teleco which are readily available to the site. No water, sewer facilities nor refuse collection and disposal is required.**

- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)?

**The proposed wireless telecommunications facility will be designed with all local, state and federal regulations.**

Section 17.13.2. Standards required for all Wireless Communication Facilities:

1. The proposed height meets FCC and/or FAA regulations.

**AT&T Mobility and Tillman Infrastructure are governed by all FCC and FAA regulations including but not limited to height regulations. As tower owner, Tillman Infrastructure has applied for FAA approval for this site. AT&T's FCC license for this market has been attached to this document for your reference.**

2. Towers must be equipped with devices to prevent unauthorized climbing.

**The proposed tower is equipped with anti-climbing devices. The proposed lease compound will have a six foot chain link fence with three (3) strands of barbed wire on top along with a locked gate. Should any unauthorized person get into the fenced area, the site is connected to a switch station that monitors the site. Finally, the tower has climbing pegs which do not start until approximately 20'-0" up on the tower.**

3. All reasonable measures are taken to blend the tower into the landscape, including greenbelt planting and/or screening, painting, and/or concealing the tower in a "stealth design.

**The proposed tower is to be located in an area of trees which will help conceal the base of the tower. Since the tower is designed to be 194'-0" at its highest point (175'-0" tower with 19'-0" lightning rod), the tower will not require lighting per FAA standards, which will help the tower blend into the surrounding area.**

4. New towers should be engineered as appropriate for co-location of other antennae.

**The proposed tower will be engineered to allow for co-location of multiple users. Tillman**

**Infrastructure is a tower owner and they derive their profits by allowing co-location on their facilities. Not only will Tillman allow for co-location, they actively pursue other carriers to co-locate on their facilities.**

5. Protective fencing and screening may be required to be placed around all guy wire anchor points as appropriate to the site.

**The proposed tower will not have guy wire anchors as this tower is a monopole design, therefore this provision does not apply. However, the proposed lease compound will have a six foot chain link fence with three (3) strands of barbed wire on top along with a locked gate.**

6. All new towers must meet the applicable requirements for a commercial tower, per Article 17.13.1 of this Ordinance.
  - a. May be permitted by the Planning commission after a Hearing, in D-CM, D-LI, D-GI and M-AF Districts provided said use shall be located centrally on a contiguous parcel of not less than one (1) times the height of the tower measured from the base of said tower to all points on each property line. The isolation standard may be reduced by up to fifty (50%) percent, if the construction plan, the tower, and its guying/anchoring systems are Certified by a Registered Professional Engineer as being safe from the hazard of falling onto public roads or adjoining properties. All guy wires/cables and anchors shall meet the zoning setback of the district.

**The proposed tower is located on property zoned M-AF which is allowed following a hearing by the Planning Commission. The proposed tower is located closer than the one (1) times height from each property line, however, we have provided a Certified Engineer "fall zone letter" which details the radius within which the tower would collapse in the unlikely event of failure. The proposed tower is designed to be a monopole design and will not include any guy wires or cables which are required to meet the zoning setbacks.**

- b. In order to protect the rural dark sky environment and reduce lighting confusion for approaching aircraft, all towers shall be designed or painted to be without lighting. If the FAA requires lighting, the applicant shall apply to the FAA for painting requirements and red lighting. Intermittent strobes shall be a last option and only then with written documentation from the FAA certifying its necessity.

**The tower is designed to be 194'-0" at its highest point (175'-0" tower with 19'-0" lightning rod), the tower will not require lighting per FAA standards, which will help the tower blend into the surrounding area.**

- c. No antenna or similar sending/receiving devices appended to the tower, following its approved construction, shall be permitted if it exceeds the engineered design capacity of the tower thereby jeopardizing the tower's structural integrity.

**No antenna or similar sending/receiving devices appended to the tower, following its approved construction, will be placed on the tower which exceeds the engineered design. As part of any co-location on the proposed tower, Tillman Infrastructure hires a structural engineer to review the existing and proposed loading. If the proposed installation exceeds the allowable structural capacity the request for co-location will be denied until a suitable solution can be made such as the carrier utilizing different equipment or a modification of the tower's structure.**

# Fall Zone Letter

---

March 21, 2018

Ms. Jill Castaneda  
Tillman Infrastructure

RE: Proposed 175' Self-Supporting Tower for 14431277 – Sackett, MI

Dear Ms. Castaneda,

Upon receipt of order, we propose to design and supply the above referenced tower for a Basic Wind Speed of 89 mph with no ice (115 mph ultimate per the 2012 International Building Code) and 40 mph with 1/2" radial ice, Structure Class II, Exposure Category D, and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

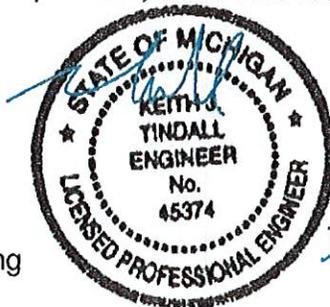
When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the tower will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one or more of the tower members in the upper portion. This would result in a buckling failure mode, where the loaded member would bend beyond its elastic limit (beyond the point where the member would return to its original shape upon removal of the wind load).

Therefore, it is likely that the overall effect of such an extreme wind event would be localized buckling of a tower section. Assuming that the wind pressure profile is similar to that used to design the tower, the tower is most likely to buckle at the location of the highest combined stress ratio in the upper portion of the tower. This would result in the portion of the tower above the failure location "folding over" onto the portion of the tower below the failure location. ***Please note that this letter only applies to the above referenced tower designed and manufactured by Sabre Towers & Poles.*** In the unlikely event of total separation, this would result in collapse within a radius of 58 feet.

Sincerely,

Keith J. Tindall, P.E.  
Vice President of Engineering



3/21/18

# AT&T License

---

ULS License

# Cellular License - KNKN834 - AT&T Mobility Spectrum LLC

Call Sign	KNKN834	Radio Service	CL - Cellular
Status	Active	Auth Type	Regular
<b>Market</b>			
Market	CMA475 - Michigan 4 - Cheboygan	Channel Block	A
Submarket	0	Phase	2
<b>Dates</b>			
Grant	11/15/2011	Expiration	10/01/2021
Effective	06/08/2017	Cancellation	

**Five Year Buildout Date**

11/27/1996

**Control Points**

**1** 1322 Hayes Road, OTSEGO, GAYLORD, MI  
P: (989)732-7335

**Licensee**

FRN	0014980726	Type	Limited Liability Company
-----	------------	------	---------------------------

**Licensee**

AT&T Mobility Spectrum LLC 208 S Akard St., RM 1016 Dallas, TX 75202 ATTN Leslie Wilson	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
--	---

**Contact**

AT&T Mobility LLC Michael P Goggin 1120 20th Street, NW - Suite 1000 Washington, DC 20036 ATTN Michael P. Goggin	P:(202)457-2055 F:(202)457-3073 E:michael.p.goggin@att.com
--	--

**Ownership and Qualifications**

Radio Service Type	Mobile
Regulatory Status	Common Carrier Interconnected Yes

**Alien Ownership**

The Applicant answered "No" to each of the Alien Ownership questions.

**Basic Qualifications**

The Applicant answered "No" to each of the Basic Qualification questions.

**Demographics**

Race	
Ethnicity	Gender

# Propagation Maps

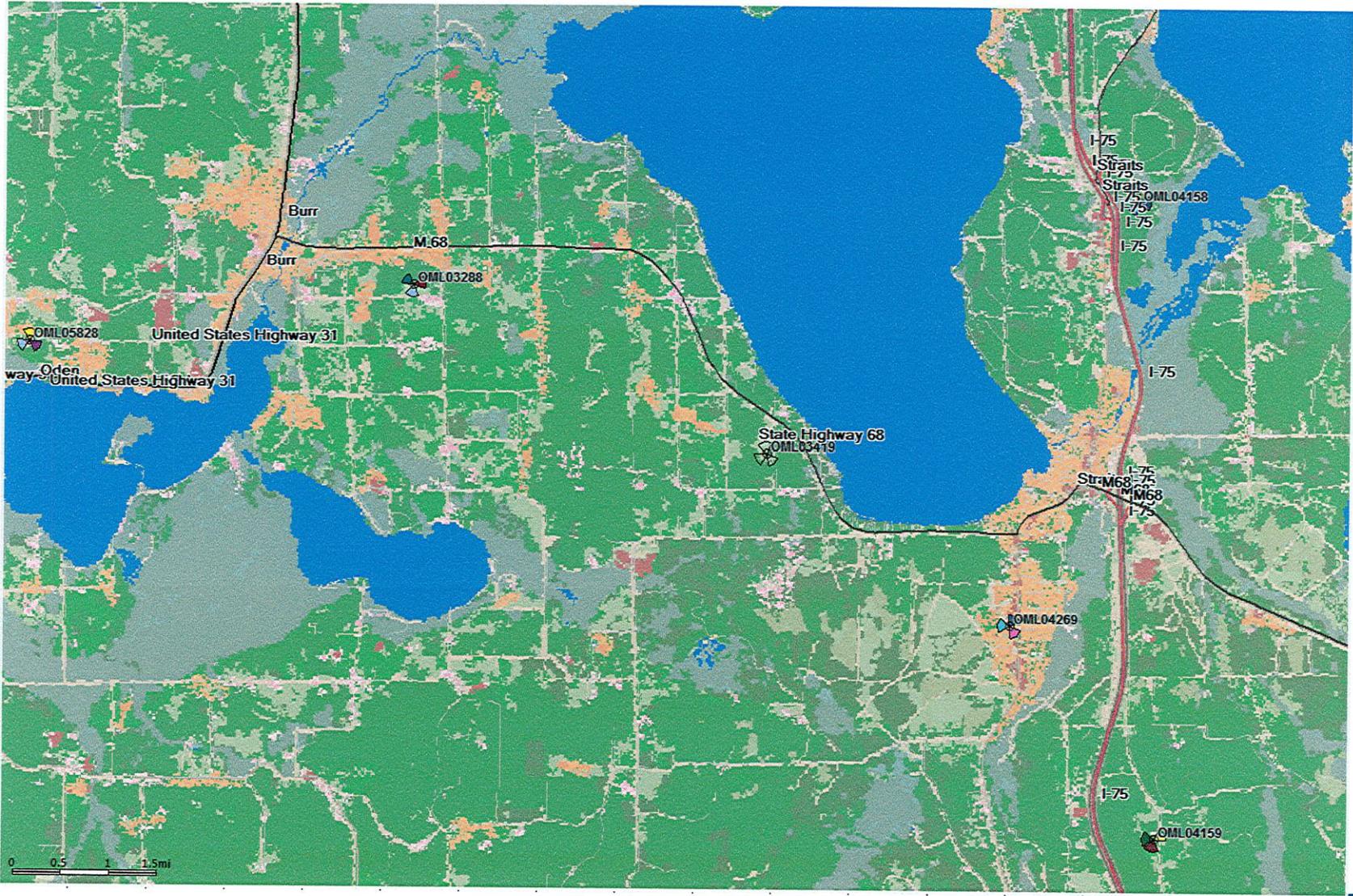
---

# AT&T Zoning Maps for OML03419

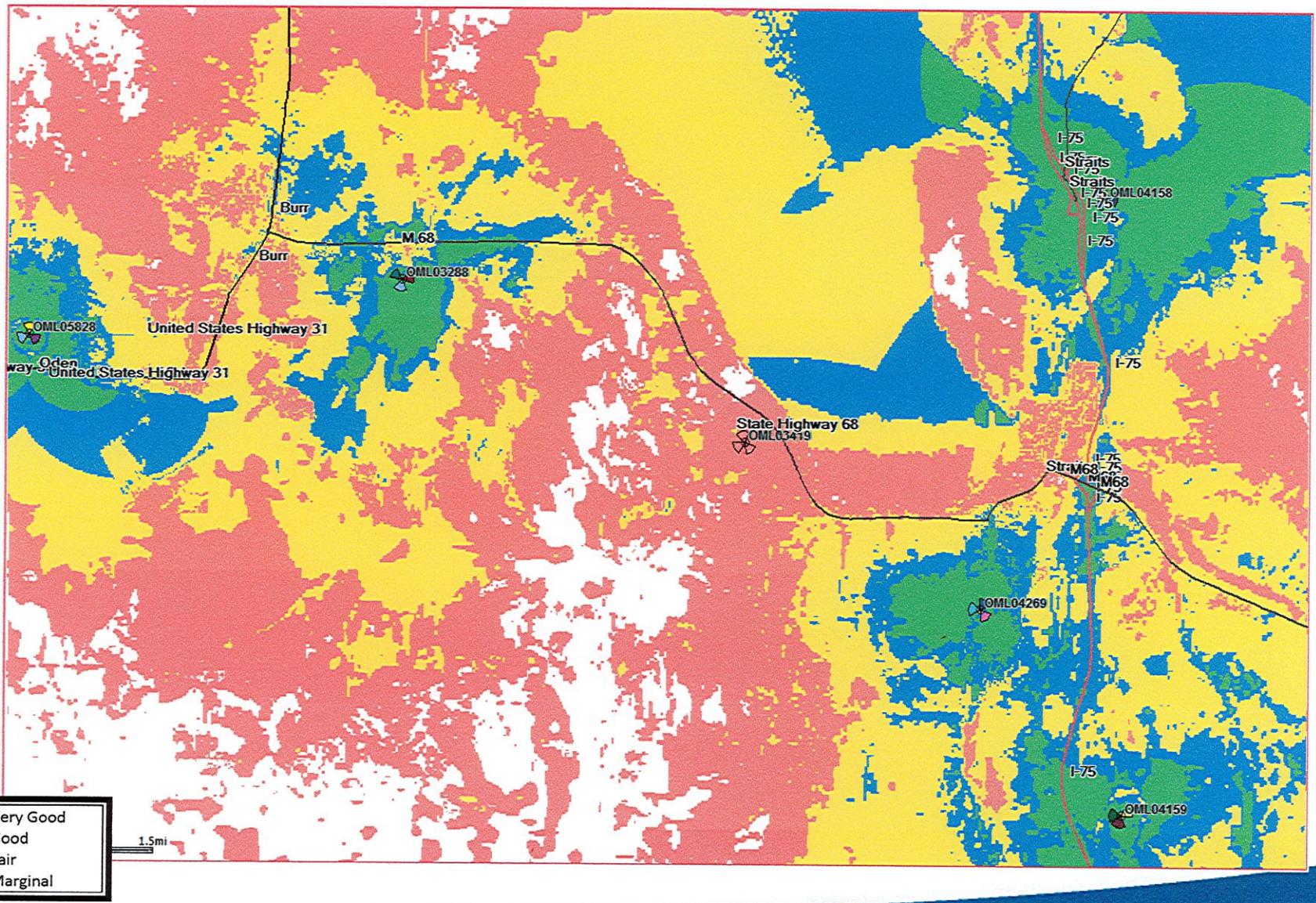
RF Design 02/14/2018



# Surrounding sites and clutter



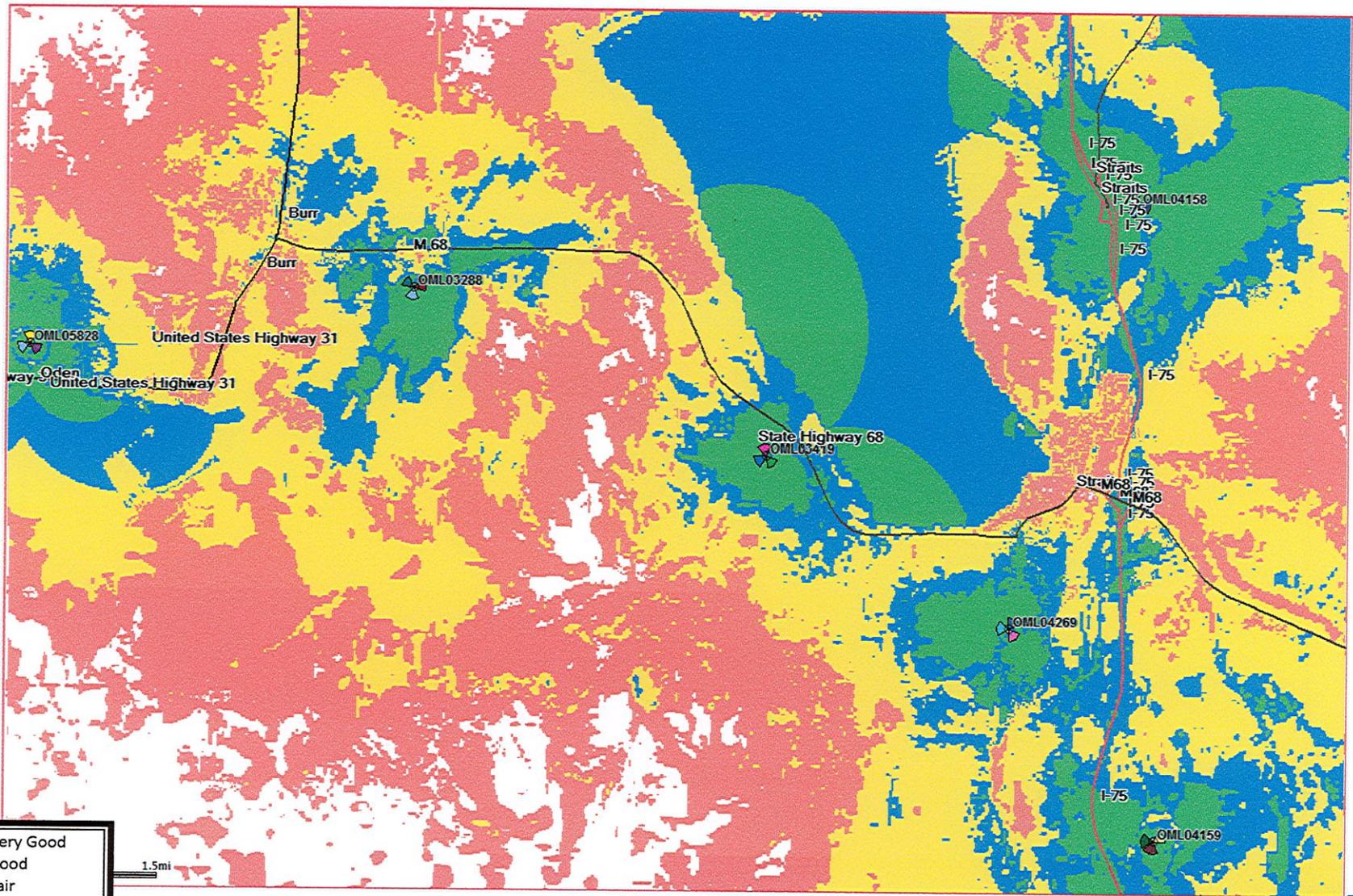
# AT&T In door LTE 700 MHz Existing Coverage



Very Good
Good
Fair
Marginal

1.5mi

# AT&T In door LTE 700 MHz Coverage After OML03419 Active



# TILLMAN INFRASTRUCTURE

**FA NUMBER: 14431277 / SITE ID: \_\_\_\_\_**

**PACE NUMBER: \_\_\_\_\_**

**PROJECT TRACKING #: \_\_\_\_\_**

**SITE NAME: \_\_\_\_\_**

3616 BOWMAN DR.  
ALANSON, MI 49706  
CHEBOYGAN COUNTY

## SITE INFORMATION

**SITE ADDRESS:** 3616 BOWMAN DR.  
ALANSON, MI 49706

**LATITUDE (NAD 83):** 45° 24' 33.45"  
**LONGITUDE (NAD 83):** -84° 40' 55.34"

**GROUND ELEVATION:** 728.7' (AMSL)

**JURISDICTION:** CHEBOYGAN COUNTY

**ZONING JURISDICTION CONTACT:** CHEBOYGAN COUNTY PLANNING AND ZONING  
870 SOUTH MAIN STREET, ROOM 103 PO BOX 70  
CHEBOYGAN, MI 49721  
PLANNING@CHEBOYGANCOUNTY.NET  
(231) 627-8489

**PARCEL/MAP NUMBER:** 161-021-300-002-03

**PARCEL OWNER:** SACKETT, DAVID & CAROLYN

**TOWER OWNER:** TILLMAN INFRASTRUCTURE LLC  
152 WEST 57TH STREET 8TH FLOOR  
PROPOSED YORK, NY 10019

**STRUCTURE TYPE:** SELF-SUPPORT

**STRUCTURE HEIGHT:** 175' (AGL)

**POWER SUPPLIER:** CONSUMERS ENERGY  
1 ENERGY PLAZA  
JACKSON, MI 49201  
800-477-5050

**TELCO SUPPLIER:** AT&T  
444 MICHIGAN AVE  
DETROIT, MI 48226  
877-444-6944

**GAS SUPPLIER:** CONSUMERS ENERGY  
1 ENERGY PLAZA  
JACKSON, MI 49201  
800-477-5050

## VICINITY MAP



## DIRECTIONS

FROM 870 S MAIN ST #103 CHEBOYGAN, MI 49721  
HEAD SOUTHEAST ON M-27 S/S MAIN ST TOWARD COUNTY RD CONTINUE TO FOLLOW M-27 S 15.4 MI  
CONTINUE ONTO S STRAITS HWY 3.7 MI  
TURN RIGHT ONTO M-68 W/STURGEON ST 2.8 MI  
TURN LEFT ONTO E WEST FISHER TRAIL 0.4 MI  
3616 BOWMAN RD ALANSON, MI 49706

## CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- 2009 MICHIGAN BUILDING CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- 2014 NATIONAL ELECTRIC CODE CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- 2012 MICHIGAN MECHANICAL CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- 2012 MICHIGAN PLUMBING CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- NFPA 101, LIFE SAFETY CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- 2012 INTERNATIONAL FUEL GAS CODE, CURRENT EDITION AS ADOPTED BY LOCAL JURISDICTION
- AMERICAN CONCRETE INSTITUTE
- ANSI/TIA-222-G
- TIA 607
- INSTITUTE FOR ELECTRICAL & ELECTRONICS ENGINEER 81
- IEEE C2 NATIONAL ELECTRIC SAFETY CODE LATEST EDITION
- TELECORDIA GR-1275
- ANSI/T 311
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION
- MANUAL OF STEEL CONSTRUCTION 13TH EDITION

## DRAWING INDEX

- T-1 TITLE SHEET
- B-1 SURVEY
- C-1 OVERALL SITE PLAN
- C-2 ENLARGED SITE PLAN
- C-3 ELEVATION

## DRAWING SCALE

THESE DRAWINGS ARE SCALED TO FULL SIZE AT 22"X34" AND HALF SIZE AT 11"X17". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

## SCOPE OF WORK

THIS PROJECT CONSISTS OF:

- CONSTRUCTION OF A PROPOSED UNMANNED TELECOMMUNICATIONS FACILITY.
- SITE WORK: PROPOSED TOWER, UNMANNED EQUIPMENT CABINET ON PLATFORM AND UTILITY INSTALLATIONS.

## PROJECT TEAM

**APPLICANT:** TILLMAN INFRASTRUCTURE LLC  
152 WEST 57TH STREET 8TH FLOOR  
PROPOSED YORK, NY 10019

**PROJECT MANAGEMENT FIRM:** LCC TELECOM SERVICES  
10700 HIGGINS ROAD, SUITE 240  
ROSEMONT, IL 60018  
(847) 608-6300

**A+E FIRM:** IRISH TOWER  
4603 BERMUDA DR.  
SUGAR LAND, TX, 77479  
JACOB.GORALSKI@IRISHTOWER.COM

**ENGINEER:** IRISH TOWER  
4603 BERMUDA DR.  
SUGAR LAND, TX, 77479  
JACOB.GORALSKI@IRISHTOWER.COM



TILLMAN  
INFRASTRUCTURE

LCC  
TELECOM SERVICES



IRISH TOWER

GENERAL CONSTRUCTION | ENGINEERING | PROJECT MANAGEMENT  
4603 Bermuda Drive, Sugar Land, TX 77479  
Voice: (281) 796-2651 | Fax: (866) 598-3136  
irishtower.com

ZONING DRAWINGS  
NOT FOR CONSTRUCTION

**DRAWN BY:** DL  
**CHECKED BY:** JRG

REV	DATE	DESCRIPTION
A	03/01/2018	ISSUED FOR REVIEW
B	03/19/2018	ISSUED FOR REVIEW

FA #  
14431277  
SITE NAME:

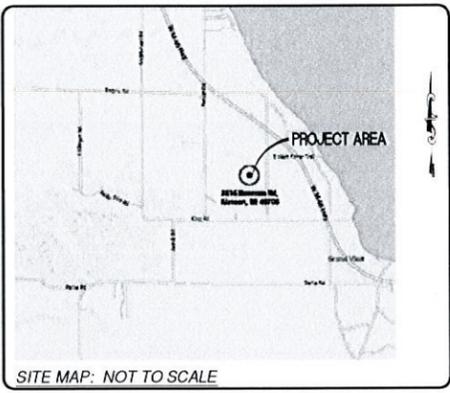
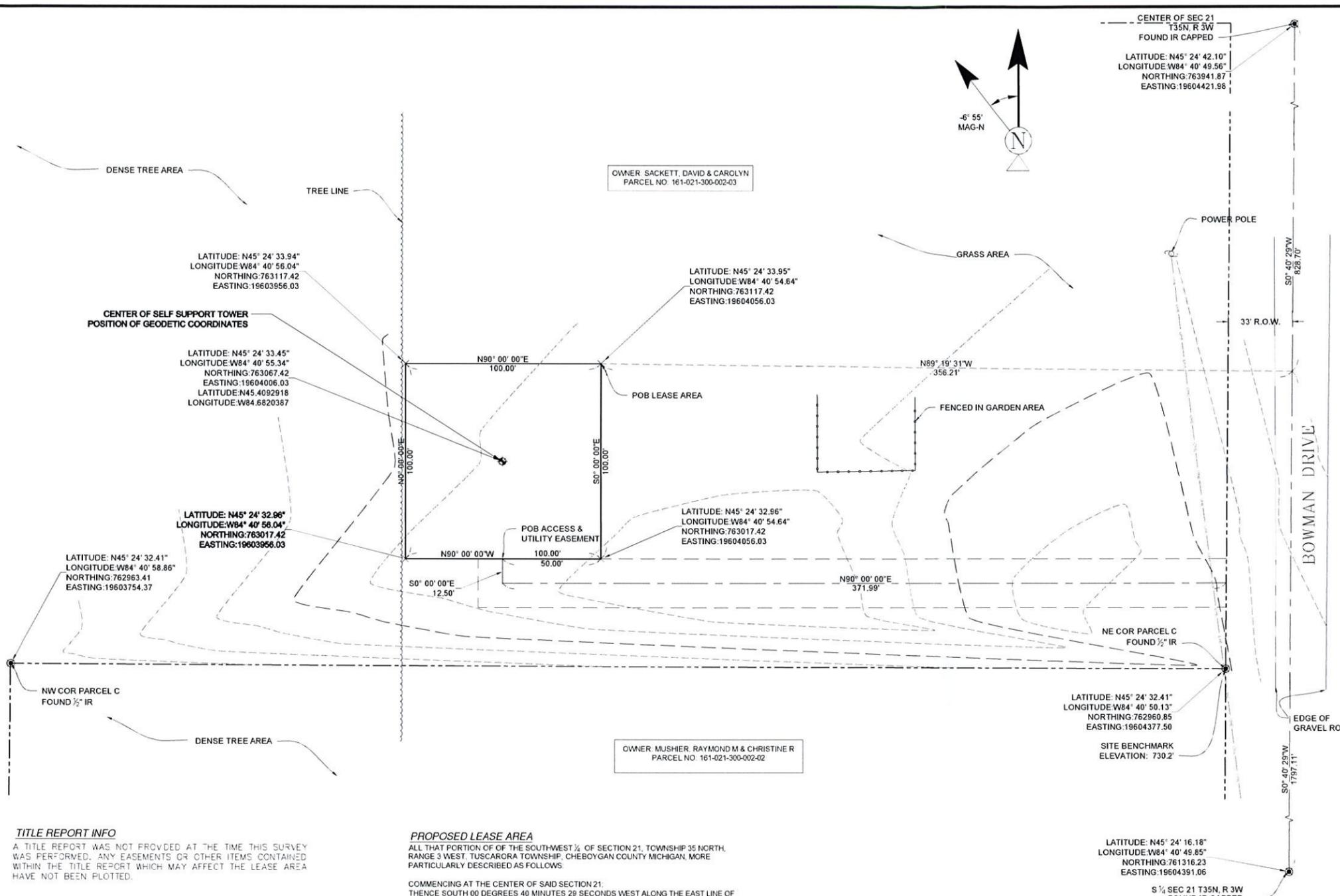
SITE ADDRESS:  
3616 BOWMAN DR.  
ALANSON, MI 49706

SHEET TITLE

OVERALL SITE PLAN

SHEET NUMBER

T-1



**BENCHMARK**  
ELEVATION ESTABLISHED FROM GPS OBSERVATIONS CONSTRAINED TO OPLS SOLUTIONS, APPLYING GEOID 12A SEPARATIONS NAVD88 DATUM.

**BASIS OF BEARINGS**  
BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM MICHIGAN CENTRAL ZONE US FOOT, DETERMINED BY GPS OBSERVATIONS, COMPLETED ON 2.7.18

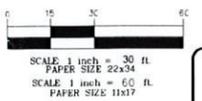
**UTILITY NOTES**  
SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT LOCAL 811 AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

**SURVEYOR NOTES**  
NO SEARCH OF PUBLIC RECORDS HAS BEEN COMPLETED TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE OF THE PARENT PARCELS.  
THIS SURVEY IS FOR THE PROPOSED LEASE AREA AND THE PROPOSED ACCESS AND UTILITY EASEMENT ONLY, AND ONLY A PARTIAL BOUNDARY SURVEY OF THE PARENT TRACT HAS BEEN PERFORMED.  
THIS PROPERTY IS SUBJECT TO ANY RECORD EASEMENTS AND/OR RIGHT OF WAY SHOWN HEREON OR NOT.  
THIS SURVEY IS NOT INTENDED FOR LAND TRANSFER.  
SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.  
THIS PLAN IS NOT TO BE CONSIDERED A PROPERTY BOUNDARY SURVEY AS DEFINED UNDER MICHIGAN ACT 132, P.A. 1970. DIMENSIONS (IF SHOWN) ALONG THE PERIMETER OF THE LANDOWNER'S PROPERTY ARE PROVIDED UNDER THIS SURVEYOR'S SCOPE OF SERVICES WITH AT&T AND ARE TO BE CONSIDERED FOR REFERENCE ONLY. THE EXACT LOCATION OF THE LANDOWNER'S PROPERTY MAY DIFFER UPON THE PREPARATION OF A FULL BOUNDARY SURVEY IN ACCORDANCE WITH THE REQUIREMENTS ESTABLISHED BY THE STATE OF MICHIGAN.

**TITLE REPORT INFO**  
A TITLE REPORT WAS NOT PROVIDED AT THE TIME THIS SURVEY WAS PERFORMED. ANY EASEMENTS OR OTHER ITEMS CONTAINED WITHIN THE TITLE REPORT WHICH MAY AFFECT THE LEASE AREA HAVE NOT BEEN PLOTTED.

**SITE INFO**  
TAX PARCEL NO: 161-021-300-002-03  
PROPERTY OWNER: SACKETT, DAVID & CAROLYN  
SOURCE OF TITLE: 723/578

**LAND SURVEYOR'S CERTIFICATE**  
I, TRAVIS W. VAN NESTE, HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MICHIGAN.  
SIGNED: \_\_\_\_\_ DATE \_\_\_\_\_



**FAA COORDINATE POINT**  
CENTER OF SELF-SUPPORT TOWER (NA83)  
LATITUDE: 45° 24' 33.45" NORTH  
LONGITUDE: 84° 40' 55.34" WEST  
ELEVATION: 728.7' (NAVD88)

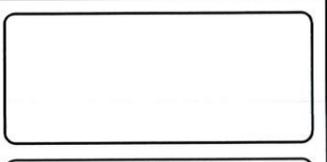
**1-A ACCURACY CERTIFICATION**  
THE HORIZONTAL ACCURACY OF THE LATITUDE AND LONGITUDE OF THE GEODETIC COORDINATES FALL WITHIN TWENTY (20) FEET. THE ELEVATIONS OF THE GROUND AND FIXTURES FALL WITHIN THREE (3) FEET.

**FLOOD INFORMATION**  
THE PROPOSED LEASE AREA SHOWN HEREON IS NOT LOCATED IN A 100-YEAR FLOOD PLAIN PER FLOOD HAZARD BOUNDARY MAP, COMMUNITY-PANEL NO. 260310325C, DATED 8.16.2012. THE PROPOSED LEASE AREA IS LOCATED IN ZONE 'X'.

**LEGEND**

- POB POINT OF BEGINNING
- POT POINT OF TERMINUS
- PUE PUBLIC UTILITY EASEMENT
- ROW RIGHT OF WAY
- DW DRIVEWAY
- SW SIDEWALK
- FOUND AS NOTED
- SPOT ELEVATION
- POSITION OF GEODETIC COORDINATES
- WATER CONTROL VALVE
- FIRE HYDRANT
- POWER POLE
- ELECTRIC MANHOLE
- TELCO MANHOLE

—●— OVERHEAD ELECTRIC  
— — — — — PROPERTY LINE  
— — — — — BARBED WIRE FENCE



**TILLMAN**  
INFRASTRUCTURE

**IRISH TOWER**  
GENERAL CONSTRUCTION/ENGINEERING/PROJECT MANAGEMENT  
4603 Ferriss Drive, Sugar Land, TX 77478  
Voice: (281) 756-2651 | Fax: (281) 558-3136  
irishtower.com

DRAWN BY: MD  
CHECKED BY: TVN

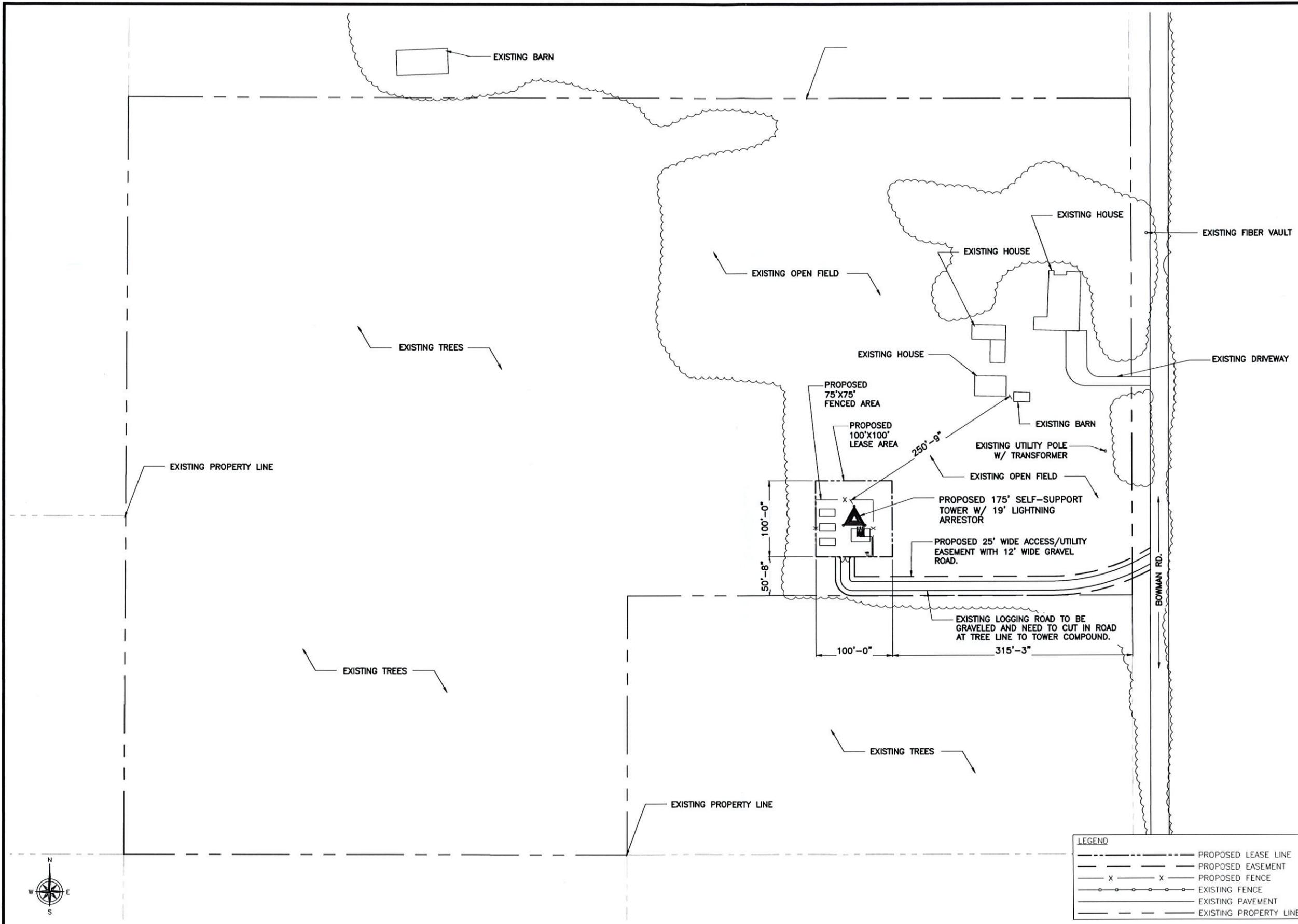
REV	DATE	DESCRIPTION
A	2.21.18	REVIEW



FA #  
SITE #  
**14431277**  
SITE NAME:  
SITE ADDRESS:  
**3616 BOWMAN DR.  
ALANSON, MI 49706  
CHEBOYGAN COUNTY**

SHEET TITLE  
**TOPOGRAPHIC  
SITE  
SURVEY**

SHEET NUMBER  
**B-1**



**LEGEND**

---	PROPOSED LEASE LINE
- - - -	PROPOSED EASEMENT
- x - x -	PROPOSED FENCE
- o - o -	EXISTING FENCE
—	EXISTING PAVEMENT
- - - -	EXISTING PROPERTY LINE

22"x34" SCALE: 1" = 60'-0"  
 11"x17" SCALE: 1" = 120'-0"  
 60' 30' 0' 60'

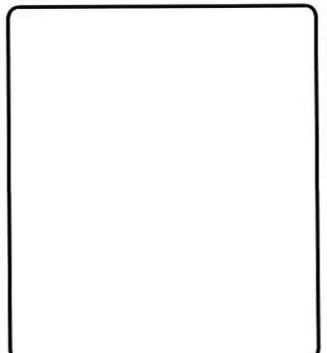
OVERALL SITE PLAN



ZONING DRAWINGS  
 NOT FOR CONSTRUCTION

DRAWN BY: DL  
 CHECKED BY: JRG

REV	DATE	DESCRIPTION
A	03/01/2018	ISSUED FOR REVIEW
B	03/19/2018	ISSUED FOR REVIEW

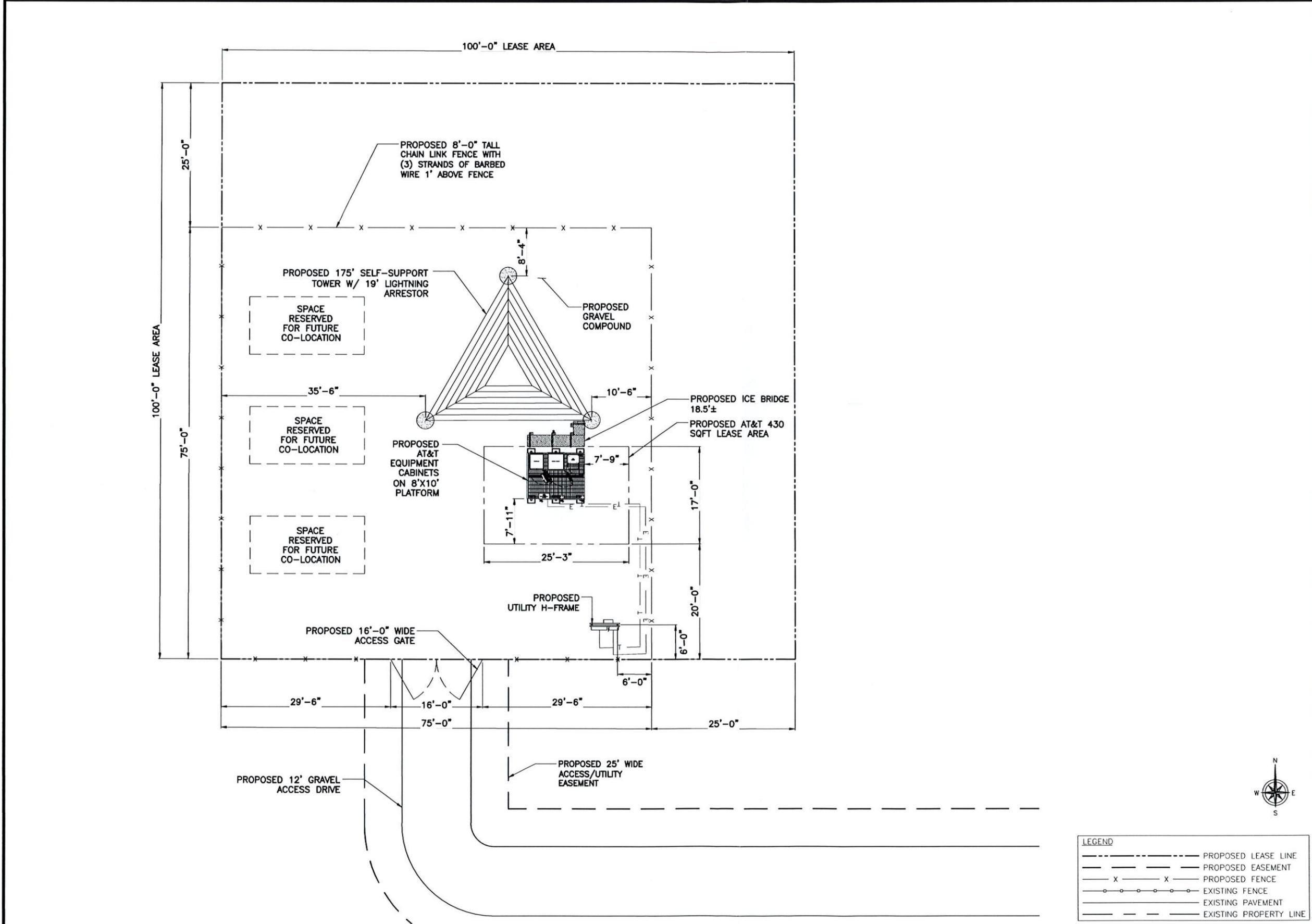


FA #  
 14431277  
 SITE NAME:  
 SITE ADDRESS:  
 3616 BOWMAN DR.  
 ALANSON, MI 49706

SHEET TITLE  
**OVERALL SITE PLAN**

SHEET NUMBER  
**C-1**

14



ZONING DRAWINGS  
NOT FOR CONSTRUCTION

DRAWN BY: DL  
CHECKED BY: JRG

REV	DATE	DESCRIPTION
A	03/01/2018	ISSUED FOR REVIEW
B	03/19/2018	ISSUED FOR REVIEW

FA #  
14431277  
SITE NAME:  
SITE ADDRESS:  
3616 BOWMAN DR.  
ALANSON, MI 49706

SHEET TITLE  
**ENLARGED SITE PLAN**

SHEET NUMBER  
**C-2**

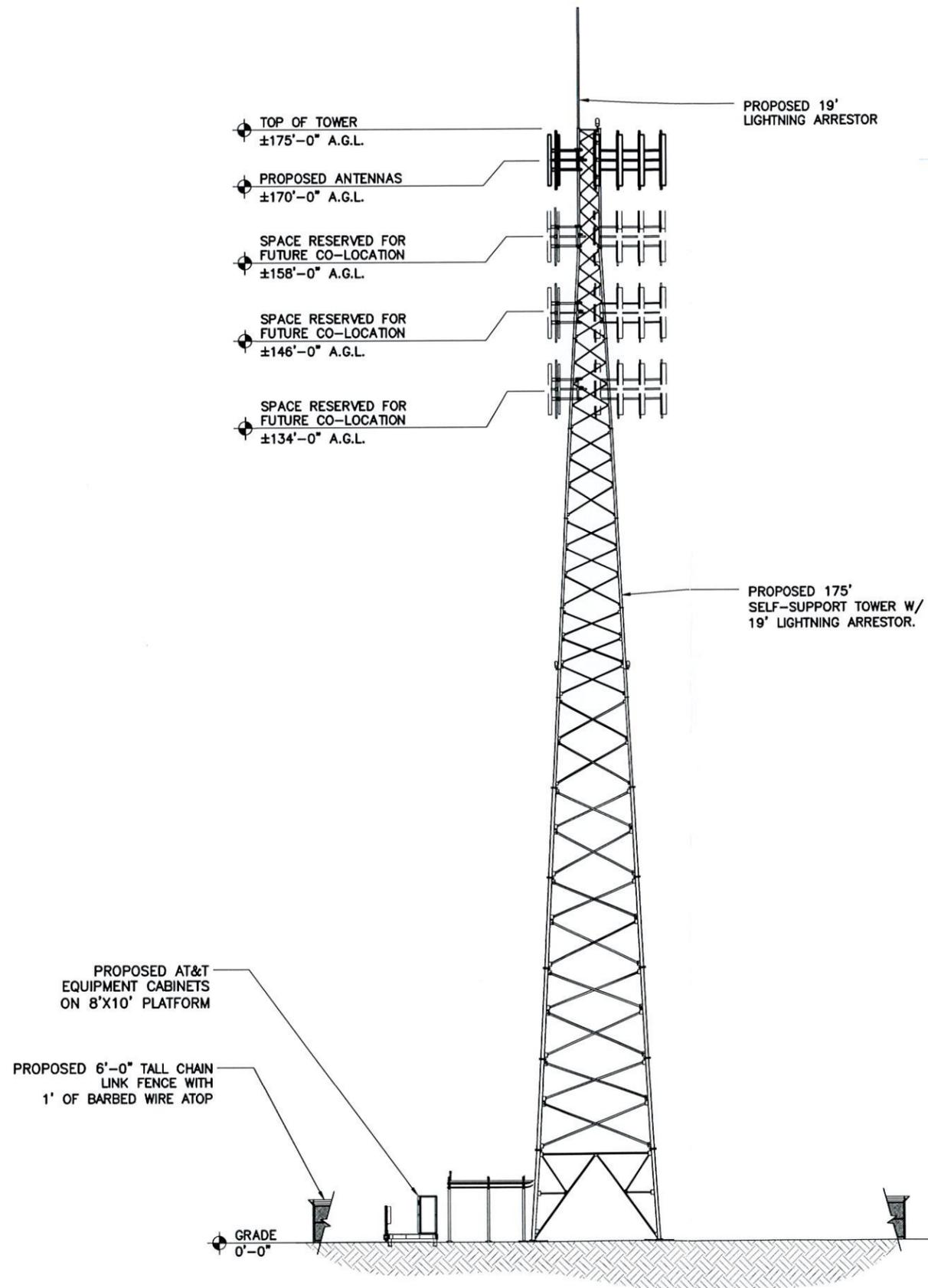


LEGEND

-----	PROPOSED LEASE LINE
-----	PROPOSED EASEMENT
-x-x-x-	PROPOSED FENCE
-o-o-o-	EXISTING FENCE
-----	EXISTING PAVEMENT
-----	EXISTING PROPERTY LINE

22"x34" SCALE: 1/8" = 1'-0"  
11"x17" SCALE: 1/16" = 1'-0"  
8' 6' 4' 2' 0'

ENLARGED SITE PLAN



TILLMAN  
INFRASTRUCTURE

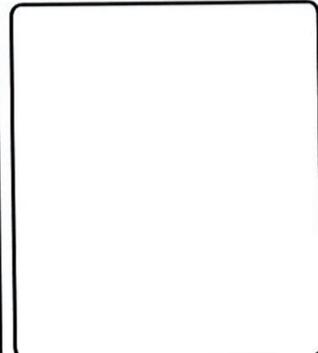
LCC  
TELECOM SERVICES

IRISH TOWER  
 GENERAL CONSTRUCTION | ENGINEERING | PROJECT MANAGEMENT  
 4603 Bermuda Drive, Sugar Land, TX 77479  
 Voice: (281) 796-2651 | Fax: (866) 596-3136  
 irishtower.com

ZONING DRAWINGS  
NOT FOR CONSTRUCTION

DRAWN BY: DL  
CHECKED BY: JRG

REV	DATE	DESCRIPTION
A	03/01/2018	ISSUED FOR REVIEW
B	03/19/2018	ISSUED FOR REVIEW



FA #  
14431277  
SITE NAME:  
  
SITE ADDRESS:  
3616 BOWMAN DR.  
ALANSON, MI 49706

SHEET TITLE  
ELEVATION

SHEET NUMBER  
C-3

ELEVATION

22"x34" SCALE: 3/32" = 1'-0"  
11"x17" SCALE: 3/64" = 1'-0"



1

18



# 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/](http://www.cheboygancounty.net/planning/)

## STAFF REPORT

<b>Item:</b> Special Use Permit for a wireless communication facility (Tower and related equipment. section 17.13.).	<b>Prepared by:</b> Jeff Lawson
<b>Date:</b> May 4, 2018	<b>Expected Meeting Date:</b> May 16, 2018

### GENERAL INFORMATION

**Applicant:** Tillman Infrastructure.

**Owner:** David and Carolyn Sackett

**Location:** 3616 Bowman Drive

**Contact person:** Mike Bieniek – Tillman Infrastructure

**Phone:** 847-380-5569

**Requested Action:** Special Use Permit per Section 17.13. for construction of a new Wireless Communication Tower and Related Facilities.

### BACKGROUND INFORMATION

#### **Introduction:**

The applicant is seeking approval of a special use permit for construction of a new cellular tower 175 ft. in height with a 19' lightning rod. Tower includes related facilities which include an equipment proposed to be located at the base of the tower. The tower and related facilities are proposed to be placed on a parcel of leased land measuring 100 ft. x 100ft. with access via a driveway from Bowman Drive in Tuscarora Township

The subject parcel is zoned Agriculture and Forestry Management (M-AF). Wireless Communication Facilities are authorized by special use permit in M-AF district pursuant to Sections 17.13.1 and 17.13.2. of the Zoning Ordinance.

Section 17.13.3 requires not less than one (1) times the height of the tower to all points of the property line. This section also provides that the isolation standard may be reduced by up to 50% if the construction plan, the tower, and its guying/anchoring systems are certified by a registered professional engineer as being safe from the hazard of falling onto public roads or adjoining properties. The applicant has provided a letter from a registered engineer (see exhibit 11) stating that this standard is met due to the fact that height of the proposed tower is 175 ft. with a 19 ft.

lightning rod and that the nearest property line is approximately 360 feet and the signed engineer letter indicates a fall radius of 58 feet is needed.

The applicant has provided a coverage map for the proposed site along with other information relative to collocation. Please note that I have provided proposed findings in the draft findings of fact document relative to reasonable opportunity for collocation for the proposed facilities on existing structures as required in section 17.13.1.b. The applicant has also provided information relative to all other requirements of section 17.13.1. and requirements under the special use permit approval standards of section 18.7 and site plan review standards of section 20.10.

**Current Zoning:**

Agriculture and Forestry Management District (M-AF)

**Surrounding Land Uses:**

Residential and vacant land uses surround the subject site.

**Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):** There are no known environmentally sensitive areas.

**Historic buildings**

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

**Traffic Implications**

This project will have minimal effect on current traffic conditions.

**Parking**

There are no parking requirements for this use.

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

Access to the site is provided via N. Straits Highway and an access roadway to the proposed communication facility structures.

**Signs**

No signs are proposed for the site with the exception of emergency contact information, FCC registration number information and FCC call sign on the equipment shelter.

**Fence/Hedge/Buffer**

A locked chain link fence 8ft. high is located around the leased area. No other screening or buffers are proposed.

**Lighting**

Lighting per FAA requirement may prevail. No other exterior lighting is proposed.

**Stormwater management**

There is no significant change to stormwater runoff.

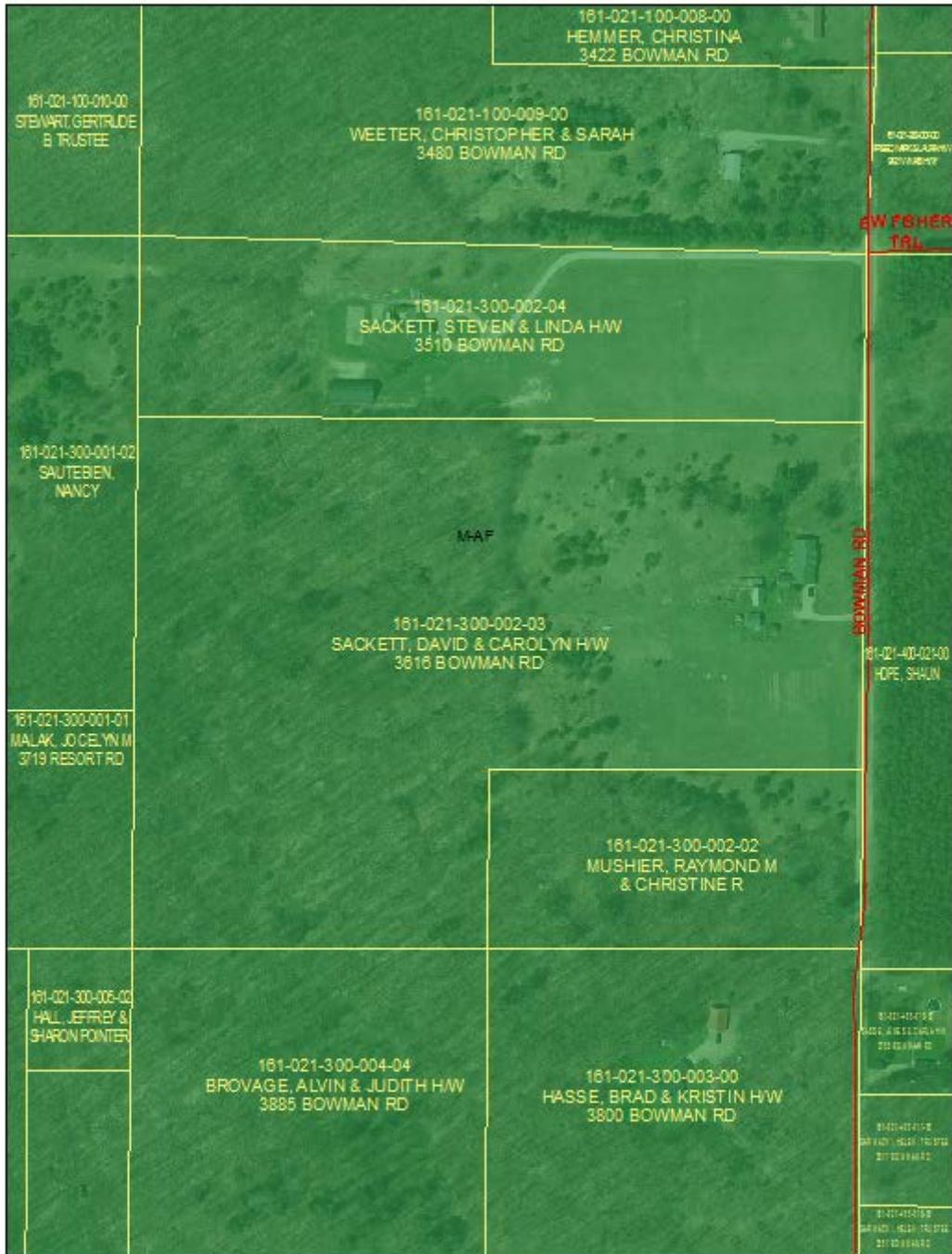
**Review or permits from other government entities:**

FAA requirements may prevail. FCC and Building Code requirements prevail.

**Recommendations (proposed conditions)**

Written confirmation of meeting FAA and FCC requirements before construction.





M-AF



**CHEBOYGAN COUNTY PLANNING COMMISSION**  
**SPECIAL USE PERMIT REQUEST**  
Wednesday, May 16, 2018, 7:00 PM

Applicant

Tillman Wireless  
10700 W. Higgins Suite 240  
Rosemont, Ill. 60018

Property Owner

David and Carolyn Sackett  
3616 Bowman Drive  
Alanson, MI 49706

Parcel

3616 Bowman Drive  
Tuscarora Township  
161-021-300-002-03

**GENERAL FINDINGS**

1. The property is located in an Agriculture and Forestry management Zoning District (M-AF)
2. The Applicant is seeking approval of a special use permit for location of a wireless communications facility which includes tower up to 175 feet with a 19 foot lightning rod above ground level and related equipment to be located on leased land.
3. New Wireless Communication Facilities are allowed an M-AF zoning district pursuant to Section 17.13.2 by special use permit. (See Exhibit 1)
4. The proposed tower meets the isolation standard per section 17.13.1.
- 5.

**Findings of Fact Under Section 17.13.1. of the Zoning Ordinance**

17.13.1 Radio and television towers, public utility microwaves and public utility T.V. transmitting towers.

- a. May be permitted by the Planning commission after a Hearing, in D-CM, D-LI, and M-AF Districts provided said use shall be located centrally on a contiguous parcel of not less than one (1) times the height of the tower measured from the base of said tower to all points on each property line. The isolation standard may be reduced by up to fifty (50%) percent, if the construction plan, the tower, and it guy/anchoring systems are Certified by a Registered Professional Engineer as being safe from the hazard of falling on to public roads or adjoining properties. All guy wires/cables and anchors shall meet zoning setback of the district.

1. The subject property is in an M-AF District.
2. The application and site plan indicates a proposed tower 175ft. tall.
3. An isolation standard of 175 ft. is required pursuant to Section 17.13.1.a..
4. The Planning Commission finds that the fall zone indicated on the site plan of 360 feet along with the sealed engineering letter indicating a collapse would occur within a 58 ft. radius confirms the tower is clear of falling on to the public road and adjoining properties. (see exhibit 11).

8.

9.Requirement has been met.

Or.

1.The Planning Commission finds that the construction plan, the tower is not adequately certified by a Registered Professional Engineer as being safe from the hazard of falling on to public roads or adjoining properties.

2.

3. Requirement has not been met.

### **Finding of Fact under Section 17.13.2.b of the Zoning Ordinance**

Wireless Communication Facilities may be permitted by the Planning Commission, after a public hearing, by special use permit if it is found that there is no reasonable opportunity to locate per item 1 above. Information must be submitted to show efforts made to screen, co-locate or place such facilities on an existing structure. The proposed tower must also meet the following conditions and standards.

- The reference to item 1 in this section states as follows;  
Wireless Communication Facilities may locate in any zoning district if located on an existing building or structure, or a new structure is built within fifty (50) feet of the base of an existing tower and the Wireless Communication Facility is located within the new structure, or is otherwise hidden from view by being incorporated in an existing building, or if it collocates on an existing tower, and the proposed does not require a change in lighting by FCC and/or FAA regulations.

The Planning Commission finds that the documentation has been submitted and/or statements have been made on the record which demonstrates that there is no reasonable opportunity for collocation or placement of the proposed facility on an existing structure. (see exhibit 9 and 17)  
Or

The Planning Commission finds that the applicant has not submitted adequate documentation to show that there is no reasonable opportunity for collocation or placement of the proposed facility on an existing structure.

### **Conditions and Standards under subsections 17.13.2.b.1. through 17.13.2.b.6.**

1. The proposed height meets FCC and/or FAA Regulations.
  - a. Evidence of FCC and FAA approval shall be required
  - b. The application indicates that the tower will be subject to all FAA and FCC standards (see exhibit 10)
  - c. Standard has been met.Or.
  - a. The applicant has not provided information regarding applicable FAA and FCC requirements
  - b.
  - c. Standard has not been met.
2. Towers must be equipped with devices to prevent unauthorized climbing.
  - a. The site plan indicates that the tower will be surrounded by an 8 ft. tall locked chain link fence. (see exhibit 16)
  - b.
  - c. Standard has been metOr.
  - a.
  - b. Standard has not been met.
3. All reasonable measures are taken to blend the tower into the landscape, including greenbelt planting and/or screening, painting, and/or concealing the tower in a "stealth design".
  - a. The tower is to be placed near existing trees.
  - b.
  - c. Standard has not been metOr.
  - a. The facilities are proposed to be placed in clear view and will not blend with the landscape.
  - b.
  - c. Standard has not been met.

4. New towers should be engineered as appropriate for co-location of other antennae.
  - a. The tower design proposes several antennae. (see exhibit 18)
  - b.
  - c. Standard has been met.
 Or.
  - a. No information has been provided regarding future collocation on the subject.
  - b.
  - c. Standard has not been met.
  
5. Protective fencing and screening may be required to be placed around all guy wire anchor points as appropriate to the site.
  - a. A self-support tower is proposed. (see exhibit 18)
  - b.
  - c. Standard has been met.
 Or.
  - a.
  - b. Standard has not been met.
  
6. All new towers must meet the applicable requirements for a commercial tower, per Article 17.13.1 of this Ordinance.
  1. See applicable findings above.
  2. Requirements have been met.
 Or.
  1. See applicable findings above
  - 2.
  3. Requirements have not been met.

**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 property is located in an Agriculture and Forest Management District (M-AF) which allows Wireless Communication Facilities by special use permit per Section 17.13.
  - 2.
  3. 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 tower and related facilities are unmanned stand alone facilities and finds on evidence that proposed wireless communication facilities will not cause the use of materials or involve processes that will create substantially negative impacts on county natural resources or the natural environment. This use is compatible with surrounding land uses.
  - 2.
  3. Standard has been met.
 Or.
  - 1.
  2. 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 tower and equipment shelter are unmanned standalone facilities and will not cause the use of materials or involve equipment or processes which would generate noise or traffic which is incompatible with the surrounding land uses. No smoke, glare, fumes or odors will be produced. (see exhibit 10)
  - 2.
  3. Standard has been met.
- Or.
- 1.
  2. 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 proposed tower and facilities are to be placed in the center of the subject property on a parcel of leased land and will not diminish the opportunity for surrounding properties to be used and developed as zoned.(see exhibit 16)
  - 2.
  3. 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 proposed use will not require public resources greater than current capacity nor increase hazards from fire or other dangers. The facilities are unmanned and secured by locked fencing. (see exhibit 10 and 16)
  - 2.
  3. 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. Adequate access to the site is provided via an access driveway from Bowman Drive. (see exhibit 16 )
  2. The entrance roadway is not within 25 feet of an intersection. (see exhibit 16 )
  - 3.
  4. 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 proposed use is an unmanned stand alone wireless communication facility and will not require a water well, septic facilities or refuse collection.
  - 2.
  - 3. 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 shall comply with all relevant standards required under the ordinance. (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. Changes to the overall natural features of the site will be minimal. (see exhibit 10)
  - 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 changes are proposed that would affect the landscape or natural state of the site. (see exhibit 10)
  - 2. 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 in drainage on the site are proposed. (see exhibit 10)
  - 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. Not applicable. No dwellings are proposed.
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
1. Emergency access is provided via Bowman Drive and connecting easement. (see exhibit 16
  - 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. Access is provided via Bowman Drive and connecting easement. (see exhibit 16)
  - 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. Not applicable. No subdivision plats or subdivision condominiums are 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. Lighting per applicable FAA requirements shall be required for the tower and will not affect adjacent properties, impede vision of traffic and will not unnecessarily illuminate night skies. (See exhibit 7 and 9)
  2. No additional outdoor lighting is proposed. (see exhibit 10)
  - 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. Not applicable. No 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. The site plan will conform to state and federal statutes and the Cheboygan County Master Plan.)
1. The site plan shall conform to all applicable requirements. (see exhibit 10 and 16)
  - 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 16, 2018

---

Patty Croft, Chairperson

---

Charles Freese, Secretary

# CHEBOYGAN COUNTY PLANNING COMMISSION

Kevin Neuman/Dave Fernelius

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Site Plan Review Application (6 Pages)
4. Site Plan (1 Page)
5. Existing Detail Shop (1 Page)
6. Warranty Deed L1348 P380 (4 Pages)
7. Elevation Drawing (1 Page)
- 8.
- 9.
- 10.
- 11.
- 12.

Note: Planning Commission members have exhibits 1 and 2.



# 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 <i>11165 N. Straits Hwy.</i>	City / Village <i>Cheboygan</i>	Twp / Sec. <i>Jnw.</i>	Zoning District
Property Tax I.D. Number <i>092-006-300-012-01</i>	Plat or Condo Name / Lot or Unit No.		

### APPLICANT

Name <i>K. P. Neuman</i>	Telephone <i>231-420-5891</i>	Fax <i>627-5061</i>
Address <i>P.O. Box 37</i>	City, State & Zip <i>Cheb. MI 49721</i>	E-Mail <i>kpneuman@stglobal.net</i>

### OWNER (If different from applicant)

Name <i>DAVE FERNELIUS</i>	Telephone	Fax
Address <i>11165 N. Straits</i>	City, State & Zip <i>Cheb. MI</i>	E-Mail

### PROPOSED WORK

Type (check all that apply) <input type="checkbox"/> New Building <input checked="" type="checkbox"/> Addition <input type="checkbox"/> Change in Use or Additional Use <input type="checkbox"/> Reconstruction <input type="checkbox"/> Relocated Building <input type="checkbox"/> Sign, Type: _____ <input type="checkbox"/> Other: _____	Building/Sign Information Overall Length: <u>42</u> feet Overall Width: <u>40</u> feet Floor Area: <u>1680</u> sq. feet Overall Building Height: <u>13</u> feet Sign Area: <u>N/A</u> sq. feet Sign Height: <u>N/A</u> feet
---	---

### PROPOSED USE (check all that apply)

<input type="checkbox"/> Single-Family Residence	<input checked="" 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 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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

SITE PLAN REVIEW 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

SITE PLAN REVIEW APPLICATION

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

Auto detail shop addition. Hours 8:00 A.M - 5:00 P.M 3-4 employees

2. 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.

This Property is flat

- 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.

It is recent property with no trees.

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

A natural drainage at rear of site.

- 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.

This is all commercial property area

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

Would still access to property.

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

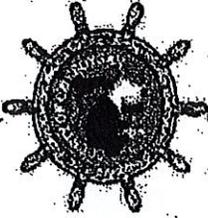
See attached drawings

- 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. \_\_\_\_\_
- ii. It does not impede the vision of traffic along adjacent streets.
- iii. It does not unnecessarily illuminate night skies. \_\_\_\_\_



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 • P.O. BOX 70 • CHEBOYGAN, MI 49721  
PHONE: (231)627-8489 • FAX: (231)627-3648

SITE PLAN REVIEW 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.

*There should be ~~no~~ effect.*

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.

*N/A*

3. Size of property in sq. ft. or acres: 0.8

4. Present use of property: Auto Detail Shop

5. 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.*

6. Attach a copy of Warranty Deed or other proof of ownership.

7. 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 *[Signature]*

Date 4/16/18

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

- Yes  No

Owner's Signature *[Signature]*

Date 4-16-2018

X



# 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

## FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	4/17/18	Notes:
Fee Amount Received:	\$ 170 <sup>00</sup> ✓ # 9864	
Receipt Number:	6135	
Public Hearing Date:	5/16/18	
Planning/Zoning Administrator Approval:		
<u>Jeffrey S. Hansen</u> Signature		<u>4-16-18</u> Date

SITE PLAN REVIEW APPLICATION

# SITE PLAN REVIEW 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 = 100 ft. 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.
✓		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.
✓	N/A	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.
✓	N/A	i. Location, size, and characteristics of all loading and unloading areas.
✓	N/A	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.

# SITE PLAN REVIEW APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓	N/A	m. Location and specifications for all fences, walls, and other screening features.
✓	N/A	n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
✓	N/A	o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
✓	N/A	p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
✓	N/A	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
✓	N/A	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.	Parcel will remain relatively flat. No proposed major topography changes.

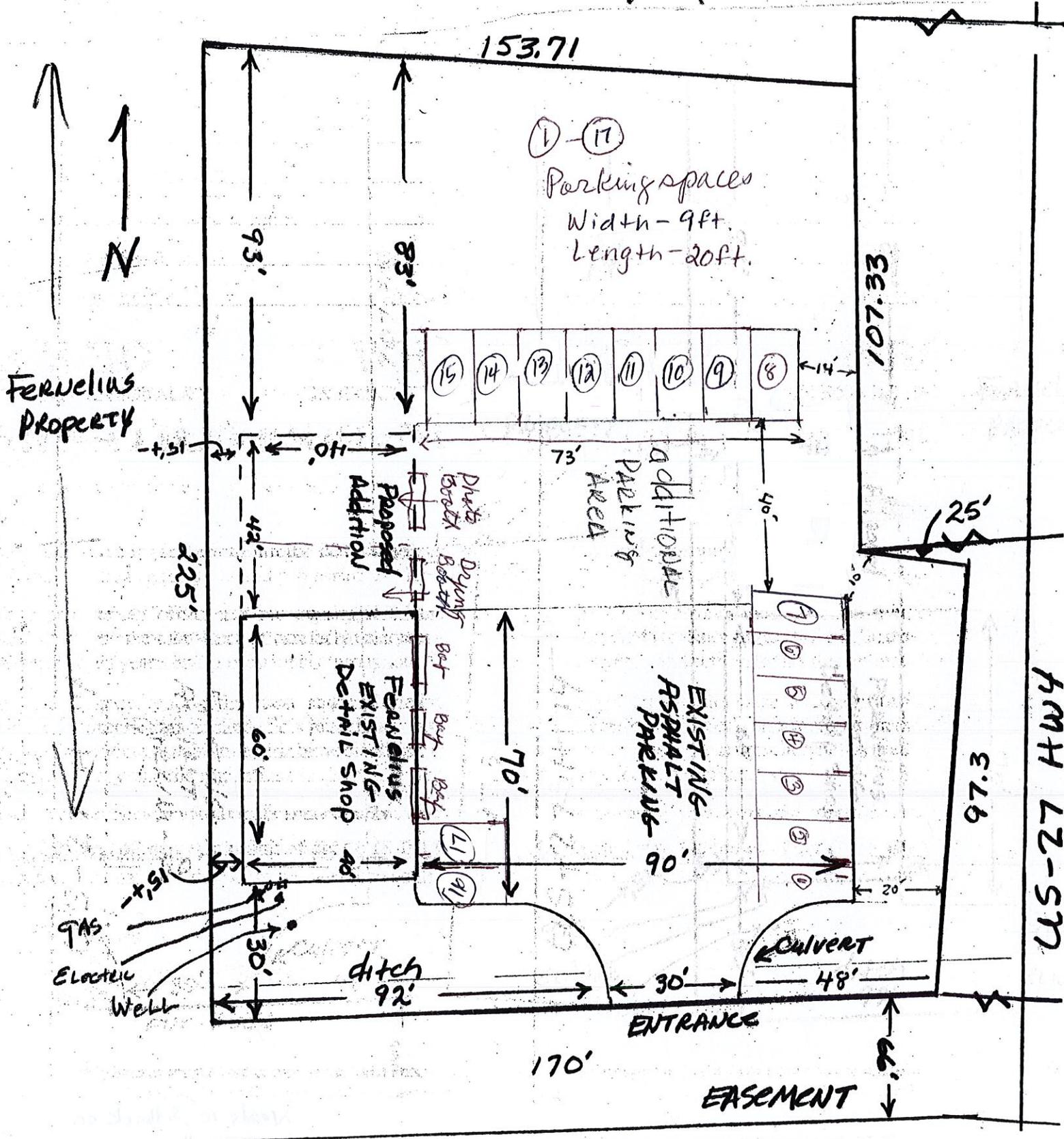
**AFFIDAVIT**

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

4/16/18  
 \_\_\_\_\_  
 DATE

FERNELIUS  
PROPERTY



SCALE 1" = 30'

K. P. Weisman  
231-420-5891

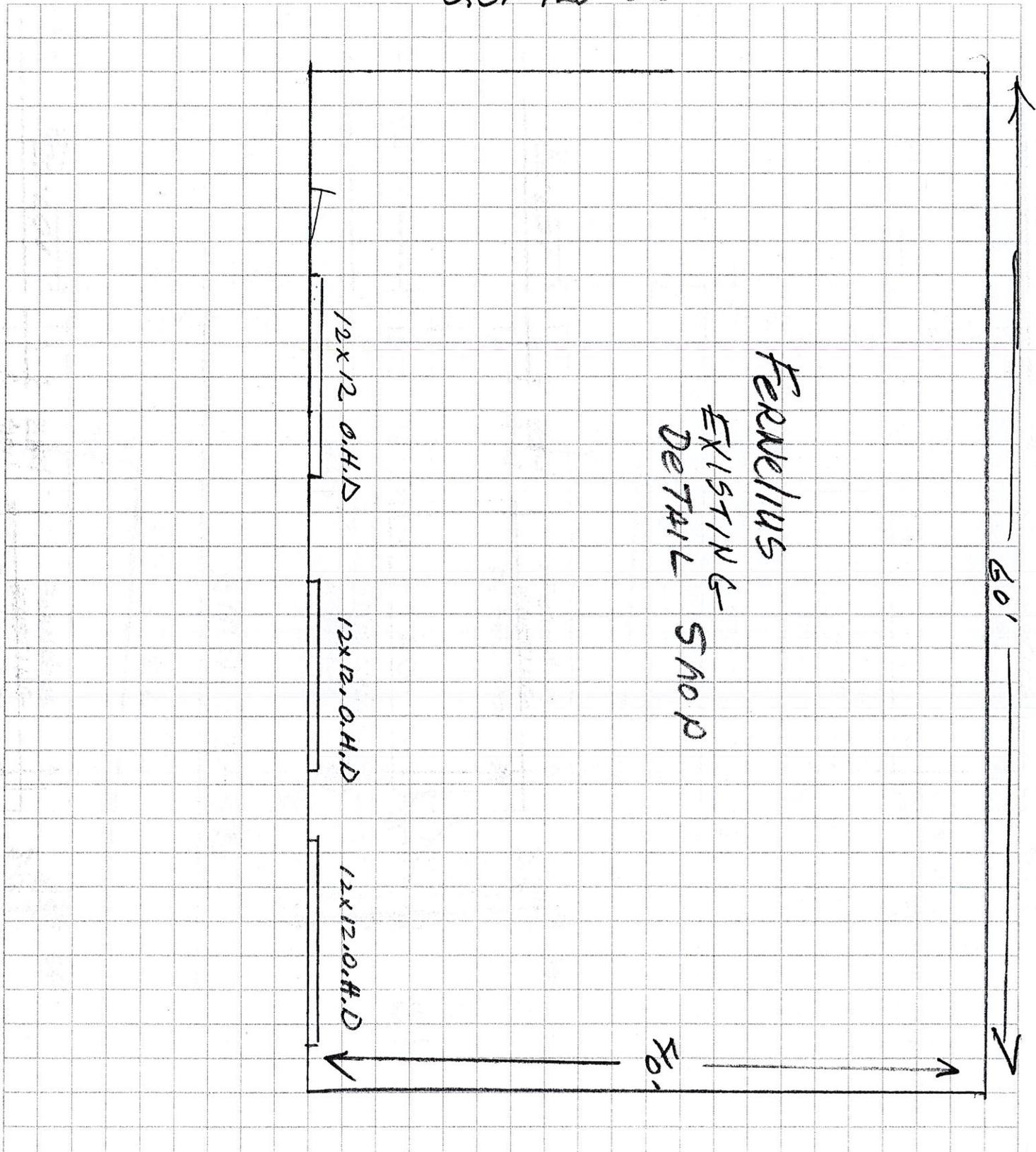
300 Mill Street • Suite 23  
P.O. Box 37  
Cheboygan, MI 49721

Phone: (231) 627-3773  
Fax: (231) 627-5061



# K.P. Neuman & Sons Construction, Inc.

231-420-5891







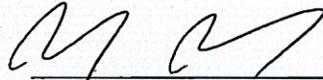
**NOTICE OF PRIVATE ROAD**

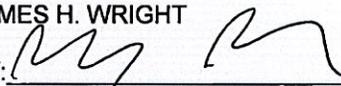
This Notice of Private Road is attached to and made a part of a certain Warranty Deed between the parties herein. The parties acknowledge that this disclosure is given as required by the statute set forth herein.

The sellers hereby notify the purchasers that pursuant to Section 261 of the Subdivision Control Act of 1967, that they are purchasing a parcel of land that abuts a private road that is not required to be maintained by the Board of County Road Commissioners.

The adjoining property owners may therefore be required to maintain the said roadway.

DATED: 11/22/17

  
MITCHELL DAVID JAMES, Seller

JAMES H. WRIGHT  
BY:   
MITCHELL DAVID JAMES, Seller  
Pursuant to Power of Attorney

**PURCHASER'S ACKNOWLEDGMENT OF NOTICE OF PRIVATE ROAD**

Purchaser hereby acknowledges that he/she has read and received this Notice of Private Road.

DATED: 11/22/17

PURCHASER:  
FERNELIUS LAND II, L.L.C.  
BY: 

DRAFTED BY: CTA/C-59281  
DANIEL MARTIN (P47567)  
Attorney at Law  
214 Water Street, Suite D  
Cheboygan, MI 49721  
(231) 627-7634



**\*\* EXHIBIT A – LEGAL DESCRIPTION \*\***

Situated in the Township of Inverness, Cheboygan County, Michigan:

PARCEL 2: Part of Government Lot 4, Section 6, T37N, R1W, described as follows:  
Commencing at the South ¼ corner of Section 6; proceeding thence South 86°02'40" East along the South line of Section 6, a distance of 1,154.55 feet; thence North 03°57'20" East 281.50 feet; thence South 86°02'40" East 175.66 feet to the Right-of-Way of M-27 Highway; thence Northerly along the arc of a curved Right-of-Way with a chord bearing North 08°28'37" West 188.79 feet to the Northerly Right-of-Way of a Private Road; thence North 86°02'40" West along said Right-of-Way 189.60 feet to the Point of Beginning; thence South 87°49'05" West along said Right-of-Way 92.46 feet; thence South 87°44'57" West along said Right-of-Way 77.54 feet; thence North 00°46'20" West 225.00 feet; thence South 86°02'40" East 153.71 feet; thence South 00°46'20" East 107.33 feet; thence South 86°02'40" East 25.00 feet; thence South 03°57'20" West 99.00 feet to the Point of Beginning.

Parcel ID No. 092-006-300-012-01 ✓

I hereby certify that for the five years preceding date of said instrument there are no tax liens or Titles held by the State for any unpaid taxes, except such taxes as may be in the process of collecting.

David J. [Signature]  
Cheboygan, MI

[Signature]  
Cheboygan County Treasurer  
Clerk

**DURABLE POWER OF ATTORNEY**

KNOW ALL PERSONS BY THESE PRESENTS THAT I, JAMES H. WRIGHT, whose address is 1794 MULLETT LAKE Rd, does hereby make, constitute and appoint MITCHELL DAVID JAMES, whose address is 1804 Winifred, Cheboygan, MI 49721, my true and lawful attorney-in-fact for me and in my name to represent me in all matters concerning the sale by me of certain real property situated in the Township of Inverness, Cheboygan County, Michigan, more commonly known as 11165 N Straits Hwy, Cheboygan, MI 49721, and described as follows:

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

Said attorney is hereby authorized to make, sign deeds execute and deliver such sales agreements, affidavits, closing statements and other documents as may be deemed necessary to complete sale of said property.

Said attorney shall have full power and authority to do and perform all acts necessary or expedient to sell said real property as I could do if personally present, and I hereby ratify and confirm all that said attorney shall do or cause to be done.

This power of attorney is to be construed and interpreted as a Durable Power of Attorney. This Durable Power of Attorney shall not be affected by my disability or incapacity, except as provided by statute, it being my intent that this Durable Power of Attorney shall be exercisable and continue in full force and effect notwithstanding my subsequent mental or physical disability or incapacity and shall be valid until I die, am judicially declared incompetent, or revoke this Power of Attorney by recording a written instrument to that effect in the Office of the Register of Deeds for Cheboygan County, Michigan.

Executed this 31 day of OCTOBER 2017

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

James H. Wright  
James H. Wright

State of Michigan  
County of Cheboygan

The foregoing instrument was acknowledged before me this 31st day of October, 2017, by JAMES H. WRIGHT.

STACY KING  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF CHEBOYGAN  
My Commission Expires 01/14/2021  
Acting in the County of Cheboygan

[Signature]  
\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County,  
My Commission Expires \_\_\_\_\_

Drafted By and When Recorded Return To:  
James H. Wright







# 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/](http://www.cheboygancounty.net/planning/)

## STAFF REPORT

<b>Item:</b> Site Plan Review for Auto Detail Shop under Article 20.	<b>Prepared by:</b> Jeff Lawson
<b>Date:</b> May 4, 2018	<b>Expected Meeting Date:</b> May 16, 2018

### GENERAL INFORMATION

**Applicant:** Kevin Neuman

**Owner:** Dave Fernelius

**Location:** 11165 N. Straits Highway

**Contact person:** Kevin Neuman

**Phone:** 231-420-5891

**Requested Action:** Site Plan Review for an auto detail shop addition (section 6.2.2).

### BACKGROUND INFORMATION

**Introduction:**

The applicant is seeking approval of a Site Plan Review for an auto detail shop addition of 40' x 42' (section 6.2.2).

**Current Zoning:**

Commercial Development (D-CM)

**Surrounding Land Uses:**

Commercial and vacant land uses surround the subject site.

**Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):** There are no known environmentally sensitive areas.

**Historic buildings**

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

**Traffic Implications**

This project will have minimal effect on current traffic conditions.

## **Parking**

Section 17.6 identifies four stacking spaces per 20 ft. wash operating line as well as one space per employee. The development is proposing five wash and/or drying bays and will employ up to four employees for a total parking requirement of 22 spaces. Pursuant to a previously approved site plans for Automobile wash establishments one space is counted inside each wash/or drying bay. All spaces are a minimum of 9'x20'. All maneuvering aisles meet minimum requirements.

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

Access to the site is provided via N. Straits Highway.

## **Signs**

No signs proposed.

## **Fence/Hedge/Buffer**

No fence/ hedge/ buffer proposed

## **Lighting**

No lighting proposed.

## **Stormwater management**

All stormwater to be contained on site or property owned by the owner.

## **Review or permits from other government entities:**

Permit through the Cheboygan County Department of Building Safety will be required.



092-006-300-012-00  
FERNELIUS  
LAND II, LLC

092-006-314-138-00  
FERNELIUS LAND II, LLC  
11281 N STRAITS HWY

092-006-314-140-00  
JOHNSON, ROGER & SHEILAH W  
11193 N STRAITS HWY

092-006-300-012-01  
JAMES, MITCHELL & JAMES WRIGHT  
11165 N STRAITS HWY

092-006-313-132-00  
LAHAIE, RODNEY & DEBRA W  
11177 N STRAITS HWY

092-006-313-130-00  
LAHAIE, RODNEY & DEBRA W  
11151 N STRAITS HWY

092-006-300-012-02  
LAHAIE, RODNEY &  
DEBRA TRUSTEES

092-006-313-130-00  
LAHAIE, RODNEY & DEBRA W  
11151 N STRAITS HWY





D-CM



# CHEBOYGAN COUNTY PLANNING COMMISSION

## SITE PLAN REVIEW

Wednesday, May 16, 2018, 7:00 PM

Applicant

Kevin Neuman  
PO Box 37  
Cheboygan, MI 49721

Property Owner

Dave Fernelius  
11165 N. Straits Hwy.  
Cheboygan, MI 49721

Parcel

11165 N. Straits Hwy.  
Inverness Township  
092-006-300-012-01

### GENERAL FINDINGS

1. The property is located in a Commercial Development Zoning District (D-CM)
2. Automobile, boat, equipment, and farm machinery sales, repair, rental and washing establishments are a permitted use under Section 6.2.2 of the Zoning Ordinance.
3. The applicant is seeking site plan review approval for an auto detail shop addition.

### 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. The proposed site plan indicates a limited change in overall contours and minimal reshaping of the site.
  2. 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. The proposed site plan indicates minimal tree and soil removal.
  2. 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. All site drainage will be maintained on site or on property owned by the owner.
  2. 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. Not applicable. No dwellings are proposed.
- 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 provides for building locations arranged in order to permit a practical means of access for emergency vehicles.
    - 1.
    2. 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 is located on, and has access to N. Straits Hwy (M-27).
  - 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. Not applicable. No subdivision plats or subdivision condominiums are 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.
  - 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. Not applicable. No 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. The site plan will conform to state and federal statutes and the Cheboygan County Master Plan.)
1. This site plan will conform to the Master Plan, zoning ordinance, and any applicable state and federal laws.
  - 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 16, 2018

---

Patty Croft, Chairperson

---

Charles Freese, Secretary

**CHEBOYGAN COUNTY  
ZONING ORDINANCE AMENDMENT #  
AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200  
RELATIVE TO SOLAR ENERGY SYSTEMS**

**Section 1. Amendment of Section 2.2**

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

**Solar Energy System (SES)** - the components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing or property lines. The term applies, but is not limited to, solar photovoltaic (PV) systems, solar thermal systems, and solar hot water systems. A system fits into one of three system types as follows:

- a). **Business Activity Solar:** A solar electric system that provides power and or financial benefit to, or is owned by a business and under .5 Megawatt alternating current (AC).
- b). **Private Solar-** A solar electric system that is owned by a homeowner or tenant to provide solar electricity for the residence or net metering. These installations are permitted as “Accessory Structures or Uses” under Section 3.3.7.
- c). **Solar Farms:** A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics, concentrating solar thermal devices or any other various experimental solar technologies for the primary purpose of wholesale or retail sales of generated electricity off-site.

**Section 2. Amendment of Section 3.3.7**

Section 3.3.7 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

3.3.7 A solar electric system that is owned by homeowner or tenant to provide solar electricity for the residence or net metering is permitted as “Accessory Structures or Uses”. System must be located on the structure or in the rear yard and is subject to setback requirements.

**Section 3. Amendment of Section 6.3 Commercial Development District**

Section 6.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add 6.3.18 as follows:

6.3.18 Business Activity Solar and Solar Farms subject to Section 17.30

**Section 4. Amendment of Section 7.3 Light Industrial Development District (D-LI)**

Section 7.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add 7.3.19 as follows:

7.3.19 Business Activity Solar and Solar Farms subject to Section 17.30.

**Section 5. Amendment of Section 8.3 General Industrial Development District (D-GI)**

Section 8.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add 8.3.18 as follows:

8.3.18 Business Activity Solar and Solar Farms subject to Section 17.30.

**Section 6. Amendment of Section 9.3. Agricultural and Forestry Management District (M-AF)**

Section 9.3 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add 9.2.17 as follows:

9.3.22 Business Activity Solar and Solar Farms subject to Section 17.30.

**Section 7. Addition of Section 17.30 Business Activity Solar and Solar Farms**

Addition of Section 17.30 Business Activity Solar and Solar Farms to the Cheboygan County Zoning Ordinance No. 200 is hereby created to read in its entirety as follows:

**Section 17.30 Business Activity Solar and Solar Farms**

**PURPOSE:** To allow and promote the use of solar energy within the County as a clean alternative energy source and to provide associated placement, land development, installation and construction regulations for Business Activity Solar and Solar Farms subject to reasonable conditions that will protect the public health, safety and welfare. These regulations establish minimum requirements for Business Activity Solar and Solar Farms, while promoting a renewable energy source in a safe, effective and efficient manner.

- A. Solar Farm Development Project Area: A Solar Farm development project area may consists of parcels that are contiguous to each other but not required to be under the same ownership.
- B. Business Activity Solar Development Project Area: A Business Activity Solar development project area must be located on a parcel under the same ownership.
- C. Minimum Lot Size: There is no minimum lot size. Each Business Activity Solar and Solar Farms is permitted as a special land use which review will consider its compatibility with the surrounding area.
- D. Height Restrictions: All ground mounted photovoltaic panels and support structures located in a Business Activity Solar or Solar Farms shall be restricted to a maximum height of twenty (20) feet when oriented at a maximum tilt.
- E. Setbacks: All photovoltaic solar panels and support structures associated with Solar Farms including any perimeter fencing shall be setback a minimum of one

hundred (100) feet from a dwelling and fifty (50) feet from the perimeter of the Solar Farm development project area not located adjacent to a public road right-of-way. Solar Farms shall be a minimum of eighty (80) feet from any public road right-of-way within the development project area.

All photovoltaic solar panels and support structures associated with a Business Activity Solar project shall be fifty (50) feet from a side or rear lot line and a minimum of eighty feet (80) feet from any public road right-of-way except if the panels are attached to the business structure in which case they must meet the minimum setback standards of the district.

- F. Maximum Lot Coverage: Maximum lot coverage restrictions shall not apply to photovoltaic solar panels. Any other regulated structures on the parcel are subject to the maximum lot coverage restrictions of the underlying zoning district.
- G. Safety/Access: A security/ Access plan shall be proposed and reviewed/approved through the special land use permit process for a Business Activity Solar and Solar Farms. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
- H. Noise: No Business Activity Solar or Solar Farms shall exceed sixty (60) dBA as measured at the perimeter of the project development area.
- I. Glare: Business Activity Solar or Solar Farms shall be located or placed so that concentrated solar glare shall not be directed toward or onto nearby properties or roadways at any time of the day.
- J. Landscaping: The special land use application for a Business Activity Solar or Solar Farms shall include a proposed landscaping and screening/buffering plan prepared by a licensed landscape architect. This plan will be reviewed through the special land use approval process to assure that the proposed facility is appropriately landscaped in relation to adjacent land uses and road right-of-ways. The use of berms and evergreen plantings along the perimeter of the project development are adjacent to residential land uses is strongly encouraged. Trees shall be a minimum of four (4) feet tall at time of planting and shall remain in good condition for the life of the solar farm.
- K. Local, State and Federal Permits: Business Activity Solar and Solar Farms shall be required to obtain all necessary permits and licensing from the underlying Township, Cheboygan County, State of Michigan and U.S. Government as applicable prior to construction and shall maintain any necessary approvals as required by the respective jurisdictions or agencies.
- L. Engineering and installation: A copy of the manufacturer's installation instructions shall be provided. Included as part of or as an attachment to the

installation instructions shall be standard drawings of the structural components of the solar farm, including base and footings provided along with engineering data and calculations to demonstrate compliance with the structural design provisions of the County Building Code at time of submittal for building permit; drawings and engineering calculations shall be certified by a registered engineer licensed to practice in the State of Michigan.

- M. Electrical Interconnections: All electrical interconnections or distribution lines shall comply with all applicable codes and standard commercial large-scale utility requirements. Only existing above ground transmission lines as well as above ground transmission lines from the project substation to the point of interconnection are permitted.
- N. Additional Special Use Criteria: In addition to the special land use (and site plan) requirements contained in Article 18 and Article 20, the applicant shall address the following topics in the application for Business Activity Solar and Solar Farms:
1. Project Description and Rationale: Identify the perimeter of the project development area, proposed type of system, size, rated power output, performance, safety and noise characteristics of the system including the transmission line/grid connection for the project. Identify the project construction time frame, project life, potential development phases (and potential future expansions).
  2. Visual Impacts: Graphically demonstrate the visual impact of the project using photos or renditions of the project with consideration given to setbacks and proposed landscaping.
  3. Waste: Identify any solid or hazardous waste generated by the project and provide a disposal plan for such waste.
  4. Lighting: Provide plans showing all lighting within the facility. No light may adversely affect adjacent parcels. All lighting shall be shielded from adjoining parcels. Light poles are restricted to a maximum height of eighteen (18) feet.
  5. Transportation Plan: Provide a proposed access plan during construction and operational phases. Show proposed project service road ingress and egress locations onto adjacent roadways and the layout of the facility service road system. Due to infrequent access following construction, it is not required to pave or curb solar panel access drives unless required by the State or County Road Commission.
  6. Public Safety: Identify emergency and normal shutdown procedures.

Identify potential hazards to adjacent properties, public roadways and to the general public that may be created.

7. Life of the Project and Final Reclamation: Describe the decommissioning and final reclamation plan after the anticipated useful life or abandonment/termination of the project. Decommissioning of solar panels and facilities shall occur in the event they are not used for (12) consecutive months unless a (6) month extension is requested identifying the need for extension or indicating the system will be placed back in use. Extension request must be reviewed and approved by the Zoning Administrator. The company or land owners have six months to complete the removal of all equipment and restoration of the site.

To ensure proper removal of the project upon abandonment/termination of the project, applicants shall include a description of the financial security guaranteeing removal of the system which must be posted with the County within fifteen (15) days after approval or before a building or construction permit is issued for the project. The financial security shall be: 1) a cash bond; or 2) an irrevocable bank letter of credit or a performance bond, in a form approved by the County. The amount of such guarantee shall be no less than the estimated cost of removal and may include a provision for inflationary cost adjustments. The estimate shall be prepared by a registered engineer for the applicant and shall be subject to approval by the County.

If the owner of the project or the underlying property owner fails to remove or repair any defective, abandoned or terminated project, the County, in addition to any other remedy under this Ordinance, may pursue legal action to abate the violation by seeking to remove the project and recover any and all costs, including attorney fees.

8. County Review: Because of the ever changing technical capabilities of photovoltaic solar panels and of new technology in general, the County Planning Commission and Board of Commissioners shall have the authority to review and consider alternatives in both the dimensional and physical requirements contained in this Section as part of the special land use review process.

TO: Cheboygan County Planning Commission

FROM: Jeffery B. Lawson  
Cheboygan County Administrator

RE: Attorney Opinion- Reposting of Slanec Rezoning, Amendment Language and Draft Solar Language.

DATE: 5-10-18

Slanec Rezoning- After review by legal counsel, the ZBA can only interpret the zoning ordinance when there was a true ambiguity of a district boundary. Therefore the planning commission should proceed with the determination of the Slanec rezoning request and send to the Board of Commissioners for final determination. The Planning Commission will need to make a motion to rescind its prior motion to send the matter to the ZBA.

Motor Vehicle and  
Fuel Sales Use  
Language  
Amendment:

After review by legal counsel the proposed language concerning Motor Vehicle Maintenance and Fuel Sales will need to be reposted for Public Hearing and approval by the Planning Commission due to the fact that items that were identified as permitted uses were re-identified as Special Uses when approved changing the original provisions of the posted notice.

Draft Solar Energy  
Systems Language:

The Cheboygan County Board of Commissioners identified at their May 8, 2018 meeting that the development of zoning ordinance language to regulate solar energy systems is a top priority. Attached you will find draft language for review by the Planning Commission at the May 16, 2018 meeting. The majority of language utilized was obtained from reviewing various ordinances including ordinances approved by two counties in mid -Michigan. Language guidance was also provided from "Becoming a Solar-Ready Community" prepared by the Clean Energy Coalition funded by MEDC.