



# CHEBOYGAN COUNTY PLANNING COMMISSION

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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, SEPTEMBER 6, 2017 AT 7:00 PM  
ROOM 135 – COMMISSIONERS ROOM  
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

## AGENDA

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### APPROVAL OF AGENDA

### APPROVAL OF MINUTES

### PUBLIC HEARING AND ACTION ON REQUESTS

- 1.) **Philip Campbell** – Requests a Special Use Permit for a Contractor’s yard. (Section 9.3.20.) The property is located at 2018 M-68/33 Highway and 6201 North Walker Road, Walker Township, section 4, parcel #220-004-100-002-00, parcel #220-004-100-007-01 and part of parcel #220-004-100-007-02 and is zoned Agriculture and Forestry Management (M-AF).
- 2.) **Mullett Township** – Requests an Amendment to a Special Use Permit for a new parking lot and other site improvements at a township park. (Section 13D.3.5.) The property is located at 1576 North Straits Highway, section 30, parcel #130-030-200-013-00. The park is zoned Lake and Stream Protection (P-LS) and Village Center Topinabee Overlay (VC-T-O). The portion of the park where the new parking lot and site improvements are to be located is in the Village Center Topinabee Overlay (VC-T-O) zoning district.
- 3.) **Andrew Sweet** – Requests a Site Plan Review for an accessory storage building, 51ft. x 26ft. (Section 6.2.19 Retail, specialty). The property is located at 4502 Onaway Rd., Koehler Township, section 20, parcel #172-109-000-011-00 and is zoned Commercial Development (D-CM).

### UNFINISHED BUSINESS

### NEW BUSINESS

- 1.) **Michelle Walk, Michigan State University Extension Educator, Community Food Systems & Tourism – Agritourism Presentation**

### 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, AUGUST 16, 2017 AT 7:00 P.M. ROOM 135 – COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

**PRESENT:** Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Jazdyk  
**ABSENT:** Lyon, Churchill  
**STAFF:** Scott McNeil  
**GUESTS:** Eric Boyd, Karen Johnson, John F. Brown, John Moore, Carl Muscott, Russell Crawford, Cheryl Crawford, Cal Gouine, Kim Pappas

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

### PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

### APPROVAL OF AGENDA

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

### APPROVAL OF MINUTES

The August 2, 2017 Planning Commission minutes were presented. **Motion** by Mr. Borowicz, seconded by Mr. Bartlett, to approve the meeting minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Jazdyk), 0 Nays, 2 Absent (Lyon, Churchill)

### PUBLIC HEARING AND ACTION ON REQUESTS

**DFC of Cheboygan LLC** – Requests an Amendment to a Special Use Permit to construct a parking garage (18 ft. x 24 ft.) at an assisted/independent living facility as reviewed under Section 9.3.14. (Nursing and convalescent homes). The property is located at 11965 Townline Rd., Inverness Township, section 1, parcel #091-001-400-004-00 and is zoned Agriculture and Forestry Management (M-AF).

Mr. McNeil stated that the applicant is seeking to build an addition that is 18ft. x 24ft. on to an existing garage. Mr. McNeil stated that the existing garage is 24ft. x 72ft. Mr. McNeil stated that this site is located in an Agriculture and Forestry Management zoning district. Mr. McNeil stated that the convalescent home use that this was originally approved under is a use that requires a special use permit. Mr. McNeil stated that there are no other proposed improvements. Mr. McNeil stated that the Findings of Fact and Staff Report have been updated to reflect that this is an addition to an existing garage.

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

Mr. Freese referred to the waiver requests and noted that a lot of the information is included on the original site plan. Mr. Freese stated that the only waiver that is needed is for building elevations. Mr. McNeil agreed with Mr. Freese and noted that the application file has been updated with the required information. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to waive the elevation drawings. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Jazdyk), 0 Nays, 2 Absent (Lyon, Churchill)

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. Kavanaugh seconded by Mr. Freese, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to Department of Building Safety approval. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Jazdyk), 0 Nays, 2 Absent (Lyon, Churchill)

## **UNFINISHED BUSINESS**

### **Zoning Ordinance Amendment Regarding Bar And Restaurant Uses.**

Mr. McNeil stated that he received information from Tuscarora Township Planning Commission regarding bar and restaurant uses in the Indian River Village Center zoning district. Mr. McNeil stated that he prepared a proposed amendment. Mr. McNeil noted that Section 1 provides a new definition for Bar, Drive through, Restaurant, Restaurant, carry out, Restaurant, drive in, and Restaurant fast food. Mr. McNeil stated that Section 2 is a housekeeping type measure to clarify that an individual or group is covered under the definition of Family and allowed to occupy a dwelling under the zoning ordinance. Mr. McNeil stated that Section 3 provides for a drive through to be allowed in the Commercial Development zoning district with site plan review approval. Mr. McNeil explained that Section 4 provides for Drive in eating establishments, fast food establishment and restaurants with Restaurant, carry out, Restaurant, drive in, and Restaurant fast food as uses which require site plan review in the Commercial Development zoning district. Mr. McNeil stated Section 5 requires site plan review for Bar and Restaurant uses in the Commercial Development zoning district and a special use permit in the Agriculture and Forestry Management and Lake and Stream Protection zoning district for Bar and Restaurant uses. Mr. McNeil explained that Section 6 replaces the current use listing of Bars and taverns with Bar as a use which require site plan review in the Village Center, Village Center Indian River, Village Center Indian River Overlay, Village Center Topinabee and Village Center Topinabee Overlay zoning districts. Mr. McNeil stated that Section 7 replaces the current use listing of Restaurant with Restaurant and Restaurant, carry out as uses which require site plan review in the Village Center, Village Center Indian River, Village Center Indian River Overlay. Mr. McNeil explained that Section 8 changes language in section 13A.4.5 to allow outdoor seating on a public sidewalk or in a public right-of-way in the Indian River Village Center zoning district with approval of the governing body with jurisdiction.

Mr. Freese noted that in some sections of the ordinance bars and restaurants are listed separately. Mr. Freese suggested combining bars and restaurants as one use listing throughout the ordinance. Discussion was held.

Ms. Croft asked if this amendment has been reviewed by legal counsel. Mr. McNeil stated no. The Planning Commission requested that Mr. McNeil forward the amendment to legal counsel to review.

### **Draft Zoning Ordinance Amendment Regarding Lake And Stream Protection Shelter Overlay District**

Mr. McNeil stated that he has removed language limiting the depth of a boat shelter from section 10A.3.1. and he has added an illustration of a boat shelter to section 10A.3.1.b. Mr. McNeil stated that he has added a reference to building height in section 10A.4.2.b. Mr. McNeil stated that the remainder of the amendment document remains as last reviewed.

Mr. Kavanaugh asked if there should be a limit on the length. Mr. Freese stated that the property owner will need an approval from the DEQ and Army Corps of Engineers before they can put the boat well in. Mr. Freese stated that he does not see any reason that it should be limited if it is approved by the DEQ and Army Corps of Engineers.

Mr. McNeil stated that there were comments regarding including other canals besides those that are located off of the rivers that have been identified in the amendment. Mr. McNeil stated that he reviewed the aerial photos and found 2-3 boat houses. Mr. McNeil stated that he reviewed three canals (2 off of Burt Lake and 1 off of Black Lake). Mr. McNeil stated that there doesn't appear to be a lot of boat houses on the canals off of these lakes. Mr. McNeil stated that he does not believe that these canals should be included in the amendment. Discussion was held.

Ms. Croft asked if this amendment has been reviewed by legal counsel. Mr. McNeil stated no. The Planning Commission requested that Mr. McNeil forward the amendment to legal counsel to review.

### **Sign Ordinance Amendment Relative To Content Based Regulation**

Mr. McNeil stated that he is proposing the sign surface area for a temporary sign to be increased from 32sf to 40sf. Mr. McNeil stated that 32sf is allowed for temporary signs and 8sf for political signs in the current ordinance. Mr. McNeil stated that under the current regulation you could have both signs. Mr. McNeil stated that the 40sf would be allowed on lots with a front lot line up to 100 feet. Mr. McNeil stated that an additional 10 square feet would be allowed for each additional 100 feet of front lot line up to a maximum of 80 square feet. Mr. Freese stated his only concern is regarding parcels with water frontage in which case the water frontage would govern rather than the road frontage. Mr. Jazdyk stated that there may be a problem when a property owner has 7-8 deeded lots that have 25ft. of frontage. Mr. Borowicz stated that it could be clarified by stating "road frontage". Mr. McNeil stated that he can review the basis of determining the amounts. Mr. Freese stated that he agrees that it should be opened up to allow more on larger road frontage lots. Mr. Freese stated his concerns regarding "front lot line". Mr. Borowicz asked if there is a problem with changing it to road frontage. Mr. McNeil stated he will review it as he like to tie it back into what is defined if possible. Mr. McNeil stated that he made the requested changes to prohibited signs.

Mr. Jazdyk asked if it is possible to have a temporary sign that is not tied to a specific date such as a Right to Life sign. Mr. McNeil stated yes. Mr. McNeil stated that there is a definition for a temporary sign and if the sign meets the definition it would fall under the terms of the definition. Mr. Jazdyk stated that it would be considered an incidental sign and could remain. Mr. McNeil stated that the type of construction could help to identify a temporary sign.

#### **NEW BUSINESS**

No comments.

#### **STAFF REPORT**

##### **Review Of Charlevoix County's Future Land Use Plan Draft**

Mr. McNeil stated that a copy of the Charlevoix County Draft Master Plan was included in the Planning Commission packet. Mr. McNeil stated that a memo from Steve Schnell was included to provide an evaluation of their proposed future land uses to the area that borders Cheboygan County. Mr. McNeil stated that this is for the Planning Commission to review and make comments.

Mr. McNeil stated he will start the existing conditions review next week regarding small lots and small buildings in Topinabee.

#### **PLANNING COMMISSION COMMENTS**

Mr. Kavanaugh asked for an update on Triple D Disposal and Heritage Cove Farm. Mr. McNeil stated that we are still waiting for a date for the appeal hearing for Heritage Cove Farm. Mr. McNeil stated that he has been receiving complaints regarding Triple D Disposal and they have been monitoring the site. Mr. McNeil stated he visited the site at 6pm. Mr. McNeil stated that there may be evidence available from neighbors. Discussion was held.

#### **PUBLIC COMMENTS**

Mr. Muscott stated that he believes there are still issues with the sign ordinance and he realizes that the Planning Commission is trying to stay content neutral on signs. Mr. Muscott referred to section 17.19.3.C and stated that MDOT and the Road Commission will not want to give written consent for a sign. Mr. Muscott stated that this is the Planning Commission going out of the private property regulation into a public right of way regulation. Mr. Muscott stated that he will ask the Road Commission their opinion. Mr. Muscott stated there are two different entities with jurisdiction over two different areas and there is no point in trying to control their jurisdiction. Mr. McNeil stated that there are a few areas in Indian River where the right of way is wide and the Road Commission has given a permit for a sign to be in their right of way. Mr. McNeil stated that with this language we ensure the continuity of the sign ordinance. Discussion was held.

Ms. Rocheleau stated that Triple D Disposal is operating at their new location. Ms. Rocheleau stated that a sign is put up each morning and taken down each evening. Ms. Rocheleau stated that the sign just lies in the ditch. Ms. Rocheleau stated that they are operating out of this location because people have stopped across the street to ask where Triple D Disposal is located as they have garbage to drop off. Ms. Rocheleau stated that the Fire Chief followed a garbage truck down Inverness Trail Rd. and they turned into the driveway leading into the private residence. Ms. Rocheleau stated that there are trucks going in and out and the special use permit was approved for the entire parcel which includes the private residence. Ms. Rocheleau stated she does not understand why the Zoning Department can't go on the property and check on what is going on. Mr. McNeil stated that he understands that zoning officials can't go on property without permission. Mr. McNeil stated that we haven't observed them operating out of this location yet, but we will catch them. Mr. Kavanaugh stated that if someone sees them operating out of this location they should call the Zoning Department. Mr. McNeil stated that there may be photos available and people willing to testify. Discussion was held.

#### **ADJOURN**

**Motion** by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 7:37pm.

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Charles Freese  
Planning Commission Secretary

# CHEBOYGAN COUNTY PLANNING COMMISSION

Philip Campbell – Revised 08/31/17

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Use Permit Application (6 Pages)
5. Mailing List (2 Pages)
6. Site Plan (1 Page)
7. Warranty Deed L1338 P6478 (6 Pages)
8. Warranty Deed L1337 P937 (3 Pages)

*The following items were added to the exhibit list on 08/31/17:*

9. Email dated 08/31/17 From Brent Shank, Cheboygan County Road Commission (1 Page)
- 10.
- 11.
- 12.

Note: Planning Commission members have exhibits 1 and 2.

**NOTICE**  
**CHEBOYGAN COUNTY PLANNING COMMISSION MEETING and PUBLIC HEARING**  
**WEDNESDAY, SEPTEMBER 6, 2017 AT 7:00 PM**  
**ROOM 135 – COMMISSIONERS ROOM**  
**CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

A Public Hearing will be held to receive public input on the following matters:

- 1.) **Philip Campbell** – Requests a Special Use Permit for a Contractor's yard. (Section 9.3.20.) The property is located at 2018 M-68/33 Highway and 6201 North Walker Road, Walker Township, section 4, parcel #220-004-100-002-00, parcel #220-004-100-007-01 and part of parcel #220-004-100-007-02 and is zoned Agriculture and Forestry Management (M-AF).
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Please visit the Planning and Zoning office or visit our website to see the applications and the associated drawings and documents. These documents and staff report may be viewed at [www.cheboygancounty.net/planning/](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.



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### PROPERTY LOCATION

Address <i>6201 Walker Rd</i>	City / Village <i>Afton</i>	Twp / Sec. <i>Walker / Sec. 4</i>	Zoning District <i>M-AF</i>
Property Tax I.D. Number <i>220-004-100-002-00</i> <i>220-004-100-007-01</i>	Plat or Condo Name / Lot or Unit No.		

### APPLICANT *Part of 220-004-100-007-02*

Name <i>Philip Campbell</i>	Telephone <i>231-420-1962</i>	Fax
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Address <i>6201 Walker Rd</i>	City, State & Zip <i>Afton Mi. 49705</i>	E-Mail <i>pcampbell@campbellelectric.mi.com</i>
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### OWNER (If different from applicant)

Name <i>see AS above</i>	Telephone	Fax
Address	City, State & Zip	E-Mail

### PROPOSED WORK

Type (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Addition <input checked="" 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: _____ feet Overall Width: _____ feet Floor Area: _____ sq. feet Overall Building Height: _____ feet Sign Area: _____ sq. feet Sign Height _____ feet
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### PROPOSED USE (check all that apply)

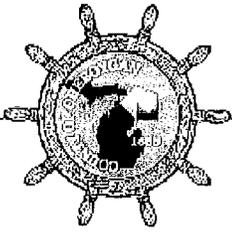
<input checked="" type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input type="checkbox"/> Multi-Family, # of units ____	<input 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: *Corner of E M-68 Hwy and N. Walker Road, Access from N. Walker Rd.*

SPECIAL LAND USE PERMIT APPLICATION



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

7-5 Monday-Friday equipment storage for underground  
1 employee

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.

mostly level no changes

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

Minimal tree and soil removal for placement of parking only

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

no changes

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.

fencing as required

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

driveway from walker Rd

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

access to walker Rd

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

NA

h. Exterior lighting shall be arranged as follows:

i. It is deflected away from adjacent properties. yes

ii. It does not impede the vision of traffic along adjacent streets. yes

iii. It does not unnecessarily illuminate night skies. yes

SPECIAL LAND USE PERMIT APPLICATION

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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.

NA

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

yes

3. Size of property in sq. ft. or acres: 13.5

4. Present use of property:

living, residential

5. SUP Standards:

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

yes

- b. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole? **Explain.** No will meet requirements

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

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

will meet requirements with proper screening

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

No equipment yard use only

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

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

### AFFIDAVIT

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

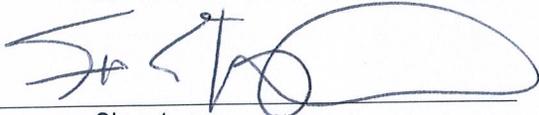
Applicant's Signature [Signature] Date 8-2-17

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

Yes  No

Owner's Signature [Signature] Date \_\_\_\_\_

### FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	<u>8/2/17</u>	Notes:
Fee Amount Received:	<u>\$ 225.00</u>	
Receipt Number:	<u>5785</u>	
Public Hearing Date:	<u>9/6/17</u>	
Planning/Zoning Administrator Approval:		
 _____ Signature	<u>8/3/17</u> _____ Date	

# SPECIAL LAND USE PERMIT APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

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

# SPECIAL LAND USE PERMIT APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

**SECTION**

**REASON FOR WAIVER REQUEST**

D

relatively flat parcel

**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

8-2-17  
DATE

172-032-400-003-00  
JEWELL, BUDD J & DWAYNE E JEWELL  
82 BURNIAH LN  
LAKE ORION, MI 48362

172-033-300-003-03  
FENSTERMAKER, DONALD & NICHOLE H/W  
5965 M-33 HWY  
AFTON, MI 49705

172-033-300-004-04  
FINGERBOARD CORNERS, LLC  
23995 FREEWAY PARK DR  
FARMINGTON HILLS, MI 48335

172-033-300-005-00  
MICHIGAN DEPT OF TRANSPORTATION  
STATE TRANSPORTATION BLDG  
PO BOX 30050  
LANSING, MI 48909

220-004-100-001-00  
STATE OF MICHIGAN  
PO BOX 30448  
LANSING, MI 48909

220-004-100-002-00  
CAMPBELL, PHILIP & DOLLY H/W  
6201 WALKER RD  
AFTON, MI 49705

220-004-100-003-00  
STATE OF MICHIGAN  
PO BOX 30448  
LANSING, MI 48909

220-004-100-005-00  
ROUGHTON, PAUL J JR  
2292 M-68/33 HWY  
AFTON, MI 49705

220-004-100-005-01  
BREWBAKER, ROGER REVOC TRUST  
11861 WAVERLY  
ONAWAY, MI 49765

220-004-100-007-01  
CAMPBELL, PHILIP & DOLLY, CO-TTEES  
6201N WALKER RD  
AFTON, MI 49705

220-004-100-007-02  
BREWBAKER, ROGER J REVOCABLE  
PO BOX 155  
ONAWAY, MI 49765

220-004-100-008-00  
BREWBAKER, ROGER REVOCABLE  
PO BOX 155  
ONAWAY, MI 49765

220-005-200-005-01  
JACOBS, MARK & JENNIFER DOMKE  
6200 N WALKER RD  
AFTON, MI 49705

220-005-200-005-02  
HAGER, DUSTIN & AMBER H/W  
6120 N WALKER RD  
AFTON, MI 49705

220-005-200-006-00  
BEEBE, DAVID & LONDA H/W  
955 PIGEON RIVER RD  
AFTON, MI 49705

220-005-200-007-00  
STATE OF MICHIGAN  
PO BOX 30448  
LANSING, MI 48909

220-005-200-008-00  
KEENAN, TERRY P & AMY H/W  
6308 N WALKER RD  
AFTON, MI 49705

220-005-206-053-00  
DEMELLO, DANNY & CYNTHIA H/W  
1942 M-68 HWY  
AFTON, MI 49705

172-032-400-003-00  
OCCUPANT  
1795 E M-68 HWY  
AFTON, MI 49749

172-033-300-003-03  
OCCUPANT  
5965 M-33 HWY  
AFTON, MI 49749

220-004-100-002-00  
OCCUPANT  
2018 M-68/33 HWY  
AFTON, MI 49749

220-004-100-005-00  
OCCUPANT  
2292 M-68/33 HWY  
AFTON, MI 49749

220-004-100-007-01  
OCCUPANT  
6201 N WALKER RD  
AFTON, MI 49749

220-005-200-005-01  
OCCUPANT  
6200 N WALKER RD  
AFTON, MI 49749

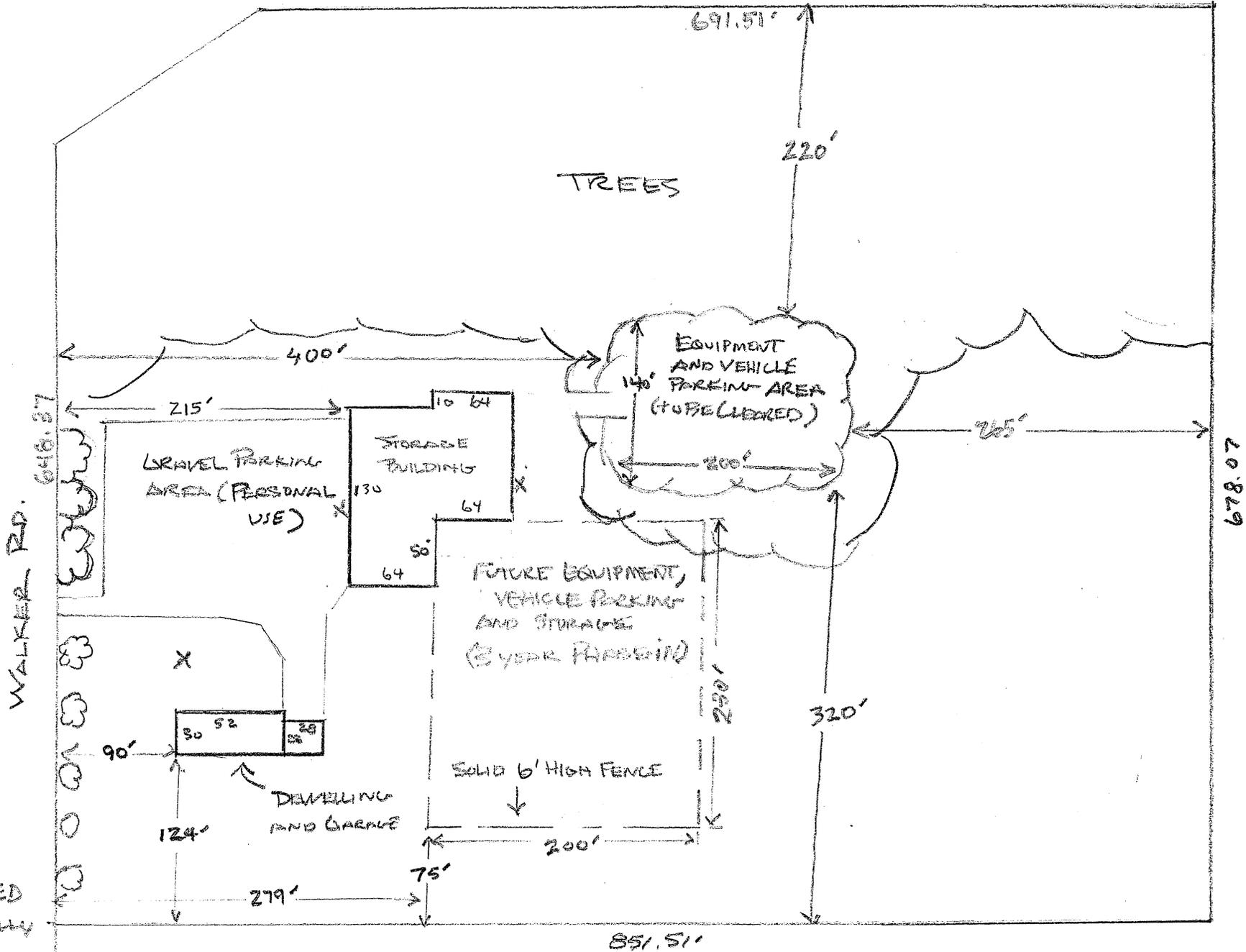
220-005-200-005-02  
OCCUPANT  
6120 N WALKER RD  
AFTON, MI 49749

220-005-200-006-00  
OCCUPANT  
1962 E M-68 HWY  
AFTON, MI 49749

220-005-200-008-00  
OCCUPANT  
6308 N WALKER RD  
AFTON, MI 49749

220-005-206-053-00  
OCCUPANT  
1942 M-68 HWY  
AFTON, MI 49749

M-68 Hwy.



SCALE 1" = 100'

SITE PLAN PROVIDED BY: PAUL & DOLLY CAMPBELL

DATE: 8-3-17

X = LIGHTING

6



RECEIVED FOR RECORD  
KAREN L BREWSTER, CLERK/REGISTER  
CHEBOYGAN COUNTY, MICHIGAN  
08/02/2017 10:42:17 AM

RECEIPT # 5402 STATION 2  
\$30.00 WARRANTY DEED  
\$5.00 TAX CERTIFICATION



CHEBOYGAN COUNTY  
AUGUST 2, 2017  
RECEIPT #5402

STATE OF MICHIGAN \$ 5.50  
REAL ESTATE \$ 37.50  
TRANSFER TAX STAMP # 12



LIBER 1338 PAGE 647

WARRANTY DEED

The Grantor(s) ROGER J. BREWBAKER, TRUSTEE OF THE ROGER J. BREWBAKER REVOCABLE LIVING TRUST UTAD 09/19/2000, pursuant to the Certificate of Trust attached hereto, whose address is 11861 Waverly Avenue, Onaway, MI 49765, convey(s) and warrant(s) to PHILIP CAMPBELL, whose address is 6201 Walker Road, Afton, MI 49705, the following described premises situated in the Township of Walker, County of Cheboygan, and State of Michigan:

SEE ATTACHED LEGAL DESCRIPTION MARKED AS EXHIBIT "A"

for the sum of FIVE THOUSAND AND NO/100---(\$5,000.00)--DOLLARS, subject to easements and building and use restrictions of record and further subject to the restrictions, reservations and easements of record, if any.

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

This grantor grants to the grantee the right to make \_\_\_\_\_ division(s) under section 108 of the land division act, Act No. 288 of the Public Acts of 1967.

Dated this 2nd day of August, 2017.

GRANTOR:

THE ROGER J. BREWBAKER REVOCABLE  
LIVING TRUST UTAD 09/19/2000

BY:   
ROGER J. BREWBAKER, Trustee



STATE OF MICHIGAN )  
 )ss.  
COUNTY OF CHEBOYGAN )

The foregoing instrument was acknowledged before me this 2nd day of August, 2017, by ROGER J. BREWBAKER, TRUSTEE OF THE ROGER J. BREWBAKER REVOCABLE LIVING TRUST UTAD 09/19/2000, pursuant to the Certificate of Trust attached hereto.

Mary O'Henley  
MARY O'HENLEY, Notary Public  
Cheboygan County, Michigan  
Acting in Cheboygan County, Michigan  
My commission expires: 10/25/2017

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

WHEN RECORDED RETURN TO AND SEND  
SUBSEQUENT TAX BILLS TO: GRANTEE ✓



EXHIBIT "A"

NEW PARCEL

PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, SECTION 4, T34N, R1W, WALKER TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE S 00°59'08" W, ALONG THE WEST LINE OF SAID SECTION, 330.00 FT.; THENCE S 89°19'48" E (PREVIOUSLY RECORDED AS S 89°19'54" E), PARALLEL TO THE NORTH LINE OF SAID SECTION, 610.51 FT., TO THE POINT OF BEGINNING; THENCE N 00°59'08" E, PARALLEL TO SAID WEST LINE, 330.00 FT., TO SAID NORTH LINE; THENCE S 89°19'48" E, ALONG SAID NORTH LINE, 241.00 FT.; THENCE S 00°59'08" W, PARALLEL TO SAID WEST LINE, 748.37 FT.; THENCE N 89°19'48" W, PARALLEL TO SAID NORTH LINE, 851.51 FT., TO SAID WEST LINE; THENCE N 00°59'08" E, ALONG SAID WEST LINE, 95.50 FT.; THENCE S 89°19'48" E, PARALLEL TO SAID NORTH LINE, 436.32 FT. (PREVIOUSLY RECORDED AS S 89°19'54" E 436.33 FT.); THENCE N 00°59'08" E, PARALLEL TO SAID WEST LINE, 51.79 FT.; THENCE S 89°19'48" E (PREVIOUSLY RECORDED AS S 89°19'54" E), PARALLEL TO SAID NORTH LINE, 303.03 FT.; THENCE N 00°59'08" E, PARALLEL TO SAID WEST LINE, 271.08 FT.; THENCE N 89°19'48" W (PREVIOUSLY RECORDED AS N 89°19'54" W), PARALLEL TO SAID NORTH LINE, 128.84 FT., TO THE P.O.B. CONTAINS 4.9 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF WALKER ROAD AND HIGHWAY M-68. SUBJECT TO RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF RECORD, IF ANY.

OUT OF: 220-004-100-007-02 ✓

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

August 20 17 Wendy R. Hoff  
 Cheboygan County Treasurer



### Certificate of Trust Existence

NOW COMES Roger J. Brewbaker, Settlor of the Roger J. Brewbaker Revocable Living Trust, established under a Trust Agreement dated September 19, 2000, and having been duly sworn; certifies as follows:

(1) THAT THE TITLE of the Trust is Roger J. Brewbaker Revocable Living Trust and that the Trust is a revocable grantor trust. Under the terms of that Trust, the Trustee is given broad powers of administration without the need for judicial confirmation including, but not by way of limitation, the power to sell, mortgage, pledge, hypothecate, exchange, invest, and reinvest real estate or personal property;

(2) THAT THE DATE of the Trust Agreement is September 19, 2000;

(3)(a) THAT THE SETTLOR is Roger J. Brewbaker of 11861 Waverly Ave., Onaway, Michigan 49765;

(3)(b) THAT THE NAMES OF ALL Trustees and successor Trustees and their address are:

Roger J. Brewbaker of 11861 Waverly Ave., Onaway, Michigan 49765, initial and current Trustee;

Jean M. Brewbaker, Successor Trustee, 11861 Waverly Ave., Onaway, Michigan 49765;

Samuel Brewbaker, 21465 Bonz Beach Hwy, Onaway, Michigan 49765, second Successor Trustee.

(4) That the real property affected is described as

the following described premises situated in the Township of Walker, County of Cheboygan, State of Michigan, described as follows:

The East 200 feet of Government Lot 3 of Section 19, Township 45 North, Range 11 West.

Commonly known as 6201 Walker Road, Afton, MI 49705;



T.I.N.: 220-004-100-007-01

(5) THAT VERBATIM REPRODUCTIONS of the powers of the Trustee,

(a) relating to property, including any interest in real property, is as follows:

**"SECTION VIII  
"Rights, Powers and Duties of Trustee"**

**"8.1 General Powers**

"The rights, powers and duties of the Trustee with respect to the investment and management of the trust estate of any trust created herein shall include:

...

"B. To sell, exchange, assign, transfer, and convey any security or property, real or personal, held in the trust estate, at public or private sale, at such time and price and upon such terms and conditions (including credit) as the Trustee may determine and to grant options to purchase or acquire any trust estate property."

(b) relating to the governing law of the Trust is as follows:

**"SECTION X  
Miscellaneous Provisions**

**"10.7 Applicable Law**

"The validity, construction and all rights under this trust shall be governed by the laws of the State of Michigan, and if any provision should be invalid or unenforceable, the remaining provisions shall continue to be fully effective. In any proceeding involving the construction or operation of this Trust, the then living beneficiaries shall represent all unknown and undetermined beneficiaries, and any order, judgment or decree rendered in such proceeding shall be binding upon all unknown and undetermined beneficiaries."

That this Trust is being administered in Michigan at this time, and has always been administered in Michigan during its existence.

(c) (ii) THE UNDERSIGNED FURTHER CERTIFIES that the Roger J. Brewbaker Revocable Living Trust remains in full force and effect; and

(c) (iii) THAT THE ONLY TRUSTEE of the Trust at the time of execution of this Certificate of Trust is:



Roger J. Brewbaker  
11861 Waverly Ave.,  
Onaway, Michigan 49765

Dated: April 4, 2017

Roger J. Brewbaker  
Settlor of the Roger J. Brewbaker  
Revocable Living Trust  
UTAD September 19, 2000

STATE OF MICHIGAN )  
COUNTY OF CHEBOYGAN )

On this 4<sup>th</sup> day of April 2017, before me, a Notary Public in and for said County, personally appeared Roger J. Brewbaker, Settlor of the Roger J. Brewbaker Revocable Living Trust UTAD September 19, 2000, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.

\* Mary O'Hanley  
Notary Public,  
Cheboygan County, Michigan  
Acting in Cheboygan County, MI  
My Commission Expires: 10/25/2017

\* PRINT OR TYPE NAME BENEATH SIGNATURE

Prepared by:  
Paul M. Brewster  
LEWINSKI & BREWSTER, P.C.  
P.O. Box 708, 111 Ashmun St.  
Sault Ste. Marie, Michigan 49783  
(906) 635-5104

1211 / Brewbaker; CTE



RECEIVED FOR RECORD  
KAREN L BREWSTER, CLERK/REGISTER  
CHEBOYGAN COUNTY, MICHIGAN  
07/24/2017 10:37:16 AM

RECEIPT# 5376, STATION 2  
\$30.00 QUIT CLAIM DEED

**Prepared By:**  
Mr. Philip Campbell  
6201 Walker Rd  
Afton, Michigan 49705



CHEBOYGAN COUNTY  
JULY 24, 2017  
RECEIPT #5376

STATE OF MICHIGAN \$ 5.50  
REAL ESTATE \$ 37.50  
TRANSFER TAX STAMP # 121



LIBER 1337 PAGE 937

**After Recording Return To:**  
Mr. Philip Campbell & Dolly Campbell  
H/W  
6201 Walker Rd  
Afton, Michigan 49705

TAX PARCEL ID #:

220-004-100-002-00

## QUIT CLAIM DEED

BE IT KNOWN BY ALL, that Mr. Russell & Karen Brosseau, ("Grantor"), a married male whose address is 1700 Brosseau Rd Afton, Michigan 49705, hereby **REMISES, RELEASES AND FOREVER QUITCLAIMS TO** Mr. Philip Campbell & Dolly Campbell H/W ("Grantee"), whose address is 6201 Walker rd Afton, Michigan 49705, all right, title, interest and claim to the following real estate property located at 2018 M-68-33 Hwy Afton located in the County of and State of Michigan and ZIP code of 49705, to-wit:

Property having Lot No. , with the Section No. , and property beginning at

**Property Description**

COM NW COR NW1/4, SEC 4, T34N,R1W; TH S ALG SEC LI 165FT TO POB; TH CONT S 165 FT; TH E AT R/A TO SEC LI 610.5FT; TH N AT R/A 330FT; TH W ALG N SEC LI 346.5FT; TH S AT R/A 165FT; TH W AT R/A 264FT TO POB. \*\*AND\*\* N 165FT OF W 264FT OF W1/2 OF NW1/4, SEC 4, T34N,R1W \*EXC: N 75FT WHICH LIES SELY OF A LI DESC AS: BEG AT PTE ON W LI SD SEC 200FT S OF NW COR OF SEC; TH NELY TO POE ON N LI OF SD SEC WHICH IS 300FT E OF NW COR OF SEC.  
423/148;460/285; 1156/587;

**FOR A VALUABLE CONSIDERATION**, in the amount of \$5,000.00 dollars, given in hand and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged as of 07/24/2017.

**TO HAVE AND TO HOLD** all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever; so

that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any party thereof.

*Russell A Brosseau*  
\_\_\_\_\_  
(Grantor's Signature)



LIBER 1337

PAGE 938

RUSSELL A BROSSÉAU  
\_\_\_\_\_  
(Grantor's Printed Name)

*Karen K Brosseau*  
\_\_\_\_\_  
KAREN K BROSSÉAU

\_\_\_\_\_  
(Grantee's Signature)

Signed in our presence:

\_\_\_\_\_  
(Witness #1 Signature)

\_\_\_\_\_  
(Witness #2 Signature)

\_\_\_\_\_  
(FIRST WITNESS NAME TYPED)

\_\_\_\_\_  
(SECOND WITNESS NAME TYPED)

**Grantee's Address:**

**Grantor's Address:**

Mr. Philip Campbell & Dolly Campbell  
H/W  
6201 Walker Rd.  
Afton, Michigan 49749

**Mail Subsequent Tax Bills To:**

Mr. Philip Campbell & Dolly Campbell  
6201 Walker Rd, Afton, Michigan 49705



STATE OF MICHIGAN

COUNTY OF

)  
) SS.  
)

The foregoing Quit Claim Deed was acknowledged before me on 7/24/2017 by Mr. RUSSELL BROSEAU & KAREN BROSEAU who is personally known to me or who has produced a valid driver's license and/or passport as identification, and such individual(s) having executed aforementioned instrument of his/her/their free and voluntary act and deed.

IN WITNESS THEREOF, to this Quit Claim Deed, I set my hand and seal.

Signed, sealed and delivered in the presence of:

Rachel G. Vallance  
(Signature of Notary)

Rachel G. Vallance  
Notary Public, Cheboygan Co. MI  
My Commission Expires 12-12-2018

\_\_\_\_\_  
(Printed Notary Name) , Michigan

My Commission expires: \_\_\_\_\_

**Deborah Tomlinson**

---

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

**Sent:** Thursday, August 31, 2017 10:22 AM

**To:** Scott McNeil

**Subject:** Re: Special use permit Applications for Philip Campbell and Mullett Township

Scott,

The driveway for Mr. Campbell would be considered commercial under the Road Commission permit regulations. Commercial driveways have a requirement for concrete curb and gutter along with surfacing requirements.

The driveway for Mullett Township has been permitted without the requirement of concrete curb and gutter by Board Action.

Have a good day,

Brent Shank

Engineer/Manager

Cheboygan County Road Commission

[mgr@chcrc.com](mailto:mgr@chcrc.com)

(231) 238-7775



# 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> Request for a special use permit a for Contractors yard in an Agriculture and Forestry Management zoning district pursuant to Section 9.3.20.	<b>Prepared by:</b> Scott McNeil
<b>Date:</b> August 25, 2017	<b>Expected Meeting Date:</b> July 5, 2017

### GENERAL INFORMATION

**Owner/Applicant:** Phillip Campbell

**Phone:** 231-420-1962

**Requested Action:** Approval of special use permit for a contractor's yard in an Agriculture and Forestry Management zoning district pursuant to Section 9.3.20.

### BACKGROUND INFORMATION

#### **Introduction:**

The applicant is seeking a special use permit for a contractor's yard in an Agriculture and Forestry Management (M-AF) zoning district pursuant to Section 9.3.20.

The applicant proposes to place equipment and related materials on property which is currently under three different descriptions. The applicant proposes to combine the parcels into one parcel under one property tax code number. The site plan indicates the single parcel. A copy of deeds are provided with the application regarding parcels recently acquired with parcel number 220-004-100-007-01 and part of parcel number 200-004-100-007-02.

This application comes to the Planning Commission as a result of enforcement action. The applicant proposes to move the equipment on the subject parcel using the forested area to screen the equipment. The site plan provides for a future screen fenced area.

Contractor's yard is a use which requires a special use permit in the M-AF zoning district pursuant to section 9.3.20. which reads as follows:

- 9.3.20. Contractor's Yards, provided all of the following requirements are met:
  - 9.3.20.1. Minimum 10 acre parcel.
  - 9.3.20.2. Minimum 330' of road frontage / lot width.
  - 9.3.20.3. Minimum Setbacks: 100' front; 75' side; 100' rear.

9.3.20.4. All related equipment and materials must be stored within an enclosed building, not to exceed 5,000 square feet, or screened from view from public or private roads and adjoining properties under different ownership behind a wooden fence or greenbelt.

9.3.20.5. Buildings and uses permitted herein shall only be approved for parcels occupied by the parcel owner and which shall contain the owner's primary residence.

By review of the site plan you will find property ownership information, setbacks and fencing/screening to meet the requirements of sections 9.3.20.1 to 9.3.20.5. You will also find proposed findings in the findings of fact document relative to these requirements.

**Current Zoning:**

Agriculture and Forestry Management (M-AF).

**Surrounding Land Uses:**

Residential to the west, M-68 Highway to the north, Vacant agricultural to the east and south.

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

**Historic buildings/features:**

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

**Traffic Implications**

This project will have minimal effect on current traffic conditions.

**Parking:**

The special use permit application for placement of contractors equipment and related materials. Section 17.6. does not require parking for the subject use.

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

Access to the site is facilitated via North Walker Rd.

**Signs**

No signage is proposed.

**Fence/Hedge/Buffer**

By review of the site plan you will find fence, natural screening or buffer indicated per requirements of sections 9.3.20.3. and 9.3.20.4. are proposed.

**Lighting**

No new lighting is proposed.

**Stormwater management**

There are no changes proposed to the management of stormwater on the site.

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

Approval by the County Road Commission will be required for new driveways

**Public comments received**

None

# CHEBOYGAN COUNTY PLANNING COMMISSION

## SPECIAL USE PERMIT REQUEST

Wednesday, September 6, 2017, 7:00 PM

### Applicant

Philip Campbell  
6201 Walker Road  
Afton , Mi.

### Owner

Philip Campbell  
6201 Walker Road  
Afton , Mi.

### Parcel

6201 North Walker Road  
Walker Township  
220-004-100-002-00  
220-004-100-007-01  
Part of 200-004-100-007-02

### GENERAL FINDINGS

1. The subject property is zoned Agriculture and Forestry Management District (M-AF)
2. Contractor's yard is a use requiring a special use requiring a special use permit in an M-AF zoning district pursuant to Section 9.3.20.
3. The applicant shall combine the subject parcels under one property tax code number upon approval of the subject special use permit application.
4. The applicant is seeking a waiver to the topographic survey and minimum scale requirements for site plans.
- 5.

### FINDINGS OF FACT UNDER SECTION 9.3.20. OF THE ZONING ORDINANCE

9.3.20. Contractor's Yards, provided all of the following requirements are met:

9.3.20.1. Minimum 10 acre parcel.

a. The application and site plan provides for a lot proposed for the contractor's yard use with a total of 13.5 acres. (see exhibits 4 and 6)

b.

c. Requirement has been met.

Or

a.

b. Requirement has not been met.

9.3.20.2. Minimum 330' of road frontage / lot width.

a. The site plan provides for the lot with the contractor's yard use to contain 648.37 feet of frontage on North Walker Road and 371.0 feet with an average width of 668 feet. (see exhibit 6)

b.

c. Requirement has been met.

Or

a.

b. Requirement has not been met.

9.3.20.3. Minimum Setbacks: 100' front; 75' side; 100' rear.

a. the site plan indicates a 400 ft. setback from North Walker Rd. a 220 ft. side setback and a 265 ft. rear setback for the contractor's yard use. (see exhibit 6)

The site plan indicates a 300 ft. setback from North Walker Rd. a 75 ft. side setback and a 372 ft. rear setback for the future contractor's yard use. (see exhibit 6)

b.

c. Requirement has been met.

Or

a.

b Requirement has not been met.

9.3.20.4. All related equipment and materials must be stored within an enclosed building, not to exceed 5,000 square feet, or screened from view from public or private roads and adjoining properties under different ownership behind a wooden fence or greenbelt.

- a. The site plan indicates that the contractor's yard use which includes equipment and related materials, will be screened from view from public roads with natural screening and fencing. (see exhibit 4 and 6)
- b. The site plan indicates that the contractor's yard use will be screened from view from the view of adjoining property with natural screening and fencing. (see exhibit 6)
- c. There are no private roads which require to be screened from view. (see exhibit 6)
- d.
- e. Requirement has been met.

Or

- a.
- b. Requirement has not been met.

9.3.20.5. Buildings and uses permitted herein shall only be approved for parcels occupied by the parcel owner and which shall contain the owner's primary residence.

- a. The property proposed for the contractor's yard use contains the primary dwelling of the parcel owner with an address of 6201 Walker Road. (see exhibit 4 and 6)
- b.
- c. Requirement has been met.

Or

- a.
- b. Requirement has 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 subject property is zoned Agriculture and Forestry Management District (M-AF)
  - 2. Contractor's yard is a use requires a special use requiring a special use permit in an M-AF zoning district pursuant to Section 9.3.20.
  - 3.
  - 4. Standard has been met.
- Or.
  - 1.
  - 2. Standard has not been met.
- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
  - 1. The applicant proposes to park equipment and place related material as indicated on the site plan. No other activity will take place on the site. (see exhibit 4 and 6)
  - 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 applicant proposes to park equipment and place related material as indicated on the site plan. No other activity will take place on the site. (see exhibit 4 and 6)
  - 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 applicant proposes to park equipment and related material as indicated on the site plan. No other activity will take place on the site. (see exhibit 6)
  2. The proposed contactors yard use complies with requirements of section 9.3.20.
  - 3.
  4. Standard has been met.
- Or.
1. Neighboring properties contain a residential uses which are diminished due to\_\_\_\_\_.
  2. The proposed contactors yard use does not comply with requirements of section 9.3.20.
  - 3.
  4. Standard has not been met.
- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
1. The applicant proposes to park equipment and related material as indicated on the site plan. No other activity will take place on the site. (see exhibit 4 and 6)
  - 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. The subject property is located on North Walker Road which is a County Local Road. (see exhibit 4 and 6)
  2. The access drive will be more than 25 ft. from a street intersection. (see exhibit 6)
  3. The uses as proposed do not interfere with driver visibility. No buildings are proposed. (see exhibit 4 and 6)
  - 4.
  5. 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 special use permit is for a Contractors yard.
  - 2. The property proposed for the contactors yard use contains the primary dwelling of the parcel owner with an address of 6201 North Walker Road. (see exhibit 4 and 6)
  - 3.
  - 4. Standard has been met.
 Or.
  - 1. The special use is not adequately served by water and sewer facilities, and/or refuse collection and/or disposal facilities.
  - 2.
  - 3. Standard has not been met.
  
- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
  - 1. The special use complies with all the specific standards required under this Ordinance and other specific standards applicable to it. (see exhibit 1, 2, 4 and 6)
  - 2.
  - 3. Standard has been met.
 Or.
  - 1. The special use does not comply with all the specific standards required under section \_\_\_\_ of this Ordinance.
  - 2.
  - 3.
  - 4. Standard has not been met.

**SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE**

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

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

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
  - 1. Trees are proposed to be removed to facilitate a screened area for contractor equipment and materials. (see exhibit 6)
  - 2. No topographic modifications are proposed. (see exhibit 4)
  - 3.
  - 4. Standard has been met.Or.
  - 1.
  - 2. Standard has not been met.
  
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
  - 1. No changes to site drainage are proposed. (see exhibit 4)
  - 2.
  - 3. Standard has been met.Or.
  - 1.
  - 2. Standard has not been met.
  
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
  - 1. Not applicable. No Dwelling units are proposed
  
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
  - 1. A practical means for access by emergency vehicle is provided via Walker Rd. (see exhibit 6)
  - 2. No buildings are proposed. (see exhibits 4 and 6)
  - 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. All structures and dwelling have access to Walker Rd. (see exhibit 6)
  - 2.
  - 3. Standard has been metOr
  - 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 exterior lighting is proposed (see exhibit 4)
  - 2.
  - 3. Standard has been met.Or.
  - 1.
  - 2. Standard has not been met.
- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
  - 1. Not applicable. No public common ways are proposed.
- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
  - 1. The site plan conforms to applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see exhibit 2)
  - 2.
  - 3. Standard has been metOr.
  - 1.
  - 2. Standard has not been met.

**DECISION**

**TIME PERIOD FOR JUDICIAL REVIEW**

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

**DATE DECISION AND ORDER ADOPTED**

September 6, 2017

\_\_\_\_\_  
Patty Croft, Chairperson

\_\_\_\_\_  
Charles Freese, Secretary

# CHEBOYGAN COUNTY PLANNING COMMISSION

Mullett Township – Revised 08/31/17

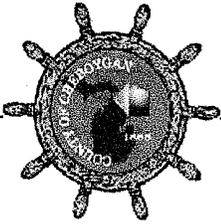
## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Use Permit Application (6 Pages)
5. Mailing List (4 Pages)
6. Mullett Pavilion Project Sign (1 Page)
7. Site Plan (1 Page)
8. Mullett Township Village Center Streetscape – Existing Topographic Survey (1 Page)
9. Mullett Township Topinabee Village Center – Pavilion Enhancement Construction Details (1 Page)
10. Mullett Township Topinabee Village Center – Pavilion Enhancement Existing Conditions Plan (1 Page)
11. Mullett Township Topinabee Village Center – Pavilion Enhancement Proposed Site Plan and Sections Page)

*The following items were added to the exhibit list on 08/31/17:*

12. Email dated 08/31/17 From Brent Shank, Cheboygan County Road Commission (1 Page)
- 13.
- 14.
- 15.

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 <b>1576 No. STRAITS HWY</b>	City / Village <b>TOPINABEE</b>	Twp / Sec. <b>130/30</b>	Zoning District <b>VCT-0</b>
Property Tax I.D. Number <b>130-030-200-013-00</b>	Plat or Condo Name / Lot or Unit No. <b>VILLAGE OF TOPINABEE PART OF LOT 6</b>		

### APPLICANT

Name <b>MULLETT TOWNSHIP</b>	Telephone <b>231-627-4475</b>	Fax <b>231-268-3146</b>
Address <b>1491 No STRAITS HWY</b>	City, State & Zip <b>TOPINABEE</b>	E-Mail <b>CRYSHOUSE@CHARTER.NET</b>

### OWNER (If different from applicant)

Name <b>MULLETT TOWNSHIP</b>	Telephone <b>231-627-4475</b>	Fax <b>231-268-3146</b>
Address	City, State & Zip	E-Mail

### PROPOSED WORK

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

### PROPOSED USE (check all that apply)

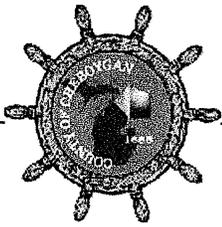
<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input type="checkbox"/> Commercial	<input type="checkbox"/>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

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

If YES, date of approval: 2008 Approved Use: Municipal Park + restroom

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.

*Parking only*

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.

*parking lot with minimal changes, improved access  
+ vehicular movement*

- 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.

*yes!*

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

*yes!*

- 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.

*yes!*

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

*NA*

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

*NA*

- h. Exterior lighting shall be arranged as follows:

*No lighting added*

- 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.

Engineered to be compatible with local streets.

- 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.

This will meet applicable requirements.

3. Size of property in sq. ft. or acres: 1.7 Acres

4. Present use of property:

PARKING LOT

5. SUP Standards:

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

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

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

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

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

No

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

only public & private streets



# SPECIAL LAND USE PERMIT APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

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

**SPECIAL LAND USE PERMIT APPLICATION**

**SITE PLAN REQUIREMENT CHECKLIST**

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

*Rachel Osborn, Clerk*

SIGNATURE

*08-02-2017*

DATE

130-029-100-002-00  
MICHIGAN DEPT OF NATURAL RESOURCES  
PO BOX 30722  
LANSING, MI 48909

130-030-100-005-00  
MICHIGAN DEPT OF NATURAL RESOURCES  
PO BOX 30722  
LANSING, MI 48909

130-030-200-013-00  
MULLETT TOWNSHIP  
PO BOX 328, 1491 N STRAITS HWY  
TOPINABEE, MI 49791

130-030-200-013-00  
MULLETT TOWNSHIP  
PO BOX 328, 1491 N STRAITS HWY  
TOPINABEE, MI 49791

130-030-200-015-00  
VROOMAN, ROBERT W ET UX  
24191 CHARLEVOIX ST  
BROWNSTOWN, MI 48134

130-L05-001-001-00  
VROOMAN, ROBERT & NANCY H/W  
24191 CHARLEVOIX ST  
BROWNSTOWN, MI 48134

130-L05-001-002-00  
DOCK, ROBERT W L/E & NANCY DOCK;  
2056 HOWELL RD  
WILLIAMSTON, MI 48895

130-L05-001-003-00  
DOCK, ROBERT W L/E & NANCY DOCK;  
2056 HOWELL RD  
WILLIAMSTON, MI 48895

130-L05-001-004-00  
WIDRIG, DAVID G 1/3 INT; LISA COVER  
302 BLOSSOM AVE  
CADILLAC, MI 49601

130-L05-001-005-00  
WIDRIG, DAVID G 1/3 INT; LISA COVER  
302 BLOSSOM AVE  
CADILLAC, MI 49601-9041

130-L05-001-006-00  
NARTKER, RUDOLPH & PHYLLIS H/W  
3579 WEDGEWOOD DR  
LAPEER, MI 48446

130-L05-001-007-00  
PARKER, JULIA; BARBARA DAUER &  
2 LITCHFIELD LANE  
CHAMPAIGN, IL 61820

130-L05-001-008-00  
MANSON, MARY, TTEE MARY E MANSON  
3188 W COON LAKE RD  
HOWELL, MI 48843

130-L05-001-009-00  
GIETEK, CAMILLE; WENDY GIETEK;  
8565 GLEN HAVEN DR  
HOWELL, MI 48843

130-L05-001-010-00  
GIETEK, CAMILLE; WENDY GIETEK;  
8565 GLEN HAVEN DR  
HOWELL, MI 48843

130-L05-001-011-00  
SUCHER, KELLY M  
5675 SHAUN RD  
WEST BLOOMFIELD, MI 48322

130-L05-001-012-00  
RICHARDS, MICHAEL & CYNTHIA H/W  
45485 TOURMENT DR  
NORTHVILLE, MI 48168

130-L05-001-013-00  
BIEBUYCK, BRUCE & LELA AND  
5705 SANDSTONE DR  
OXFORD, MI 48371

130-L05-001-014-00  
ROBERTS, MARJORIE & WENDY LAMOTHE,  
32599 CADILLAC ST  
FARMINGTON HILLS, MI 48336

130-L05-001-015-00  
VANALSTYNE, JEREMY & HEATHER H/W  
820 3RD ST  
ANN ARBOR, MI 48103

130-L05-001-016-00  
ADAMS, DONALD & DEBBIE H/W  
PO BOX 43  
TOPINABEE, MI 49791

130-L05-001-017-00  
ROBERTS, MARJORIE & WENDY LAMOTHE,  
32599 CADILLAC ST  
FARMINGTON HILLS, MI 48336

130-L05-001-018-00  
WRIGHT, PETER; ROBIN WRIGHT &  
PO BOX 4  
TOPINABEE, MI 49791

130-L05-002-001-00  
WRIGHT, DOUGLAS SCOTT  
PO BOX 4  
TOPINABEE, MI 49791

130-L05-002-003-01  
MULLETT TOWNSHIP  
PO BOX 328, 1491 N STRAITS HWY  
TOPINABEE, MI 49791

130-L05-002-004-00  
BRIGGS, THOMAS P, TRUSTEE  
171 HORSESHOE BAY LN, PO BOX 835  
SAINT IGNACE, MI 49781

130-L05-003-001-00  
HADDEN, KEITH D  
52349 CREEK LN  
CHESTERFIELD, MI 48047

130-L05-003-002-00  
HADDEN, KEITH D  
52349 CREEK LN  
CHESTERFIELD, MI 48047

130-L05-003-003-00  
HADDEN, KEITH D  
52349 CREEK LN  
CHESTERFIELD, MI 48047

130-L05-003-004-00  
MULLETT TOWNSHIP HALL  
PO BOX 328, 1491 N STRAITS HWY  
TOPINABEE, MI 49791

130-L05-003-006-00  
MULLETT TOWNSHIP  
PO BOX 328, 1491 N STRAITS HWY  
TOPINABEE, MI 49791

130-L05-004-002-00  
GEYER, MERI JO & JENIFER GEYER  
5186 CRESCENT ST, PO BOX 97  
TOPINABEE, MI 49791-0097

130-L05-004-004-00  
BELMONT, MARTIN J  
1496 LAMESA CIR  
RANGELY, CO 81648

130-L05-004-006-00  
DOCK, ROBERT W L/E; NANCY DOCK;  
2056 HOWELL RD  
WILLIAMSTON, MI 48895

130-L05-004-007-00  
HEISNER, JOHN & CAROL H/W  
2605 RUBBINS RD  
HOWELL, MI 48843

130-L05-004-008-00  
HOEK, DOUGLAS & BETTY H/W  
524 NUGGETT DR  
LANSING, MI 48917

130-T25-001-005-00  
LEGATO, JEFFREY D  
1415 STANDISH AVE  
PETOSKEY, MI 49770

130-T25-001-009-00  
MCDUGAL, JAMES & SUSAN H/W AND  
2219 SUNSET DR WEST  
UNIVERSITY PLACE, WA 98466

130-T25-001-011-00  
CUSUMANO, PAUL & DIANNE H/W  
41680 CHATTMAN ST  
NOVI, MI 48375

130-T25-001-012-00  
WIDRIG, DAVID G 1/3 INT; LISA COVER  
302 BLOSSOM AVE  
CADILLAC, MI 49601-9041

130-T25-002-001-00  
FRICK, THOMAS & MARIE H/W  
PO BOX 332  
TOPINABEE, MI 49791

130-T25-002-002-00  
RESIDENTIAL GROUP 231, LLC  
PO BOX 244  
GOODELLS, MI 48027

130-T25-002-003-00  
KOHLE, ELLEN A & ELLEN MARIE JONES  
5464 HOLLOW CORNERS  
DRYDEN, MI 48428

130-T25-002-004-00  
WIDRIG, DAVID G 1/3 INT; LISA COVER  
302 BLOSSOM AVE  
CADILLAC, MI 49601-9041

130-T25-006-004-00  
THREE G'S PROPERTIES, LLC  
30959 SUTTER HILL CT  
FARMINGHAM HILLS, MI 48331

130-T25-006-006-00  
PARKER, JULIA; BARBARA DAUER &  
2 LITCHFIELD LANE  
CHAMPAIGN, IL 61820

130-T25-007-001-00  
UNITED STATES POSTAL SERVICE  
CENTRAL REGION OFF  
CHICAGO, IL 60699

130-T25-007-003-00  
VANDERMEER, DIRK  
8440 KENBERTON  
OAK PARK, MI 48237

130-T25-007-004-00  
VANDERMEER, DIRK  
8440 KENBERTON  
OAK PARK, MI 48237

130-T25-007-005-00  
VANDERMEER, DIRK  
8440 KENBERTON  
OAK PARK, MI 48237

130-T25-007-008-00  
RUEDIGER, IRENE & MICHAEL BUNKER,  
14778 RING RD  
SAINT CHARLES, MI 48655

130-T25-007-012-00  
PARKER, JULIA; BARBARA DAUER &  
2 LITCHFIELD LANE  
CHAMPAIGN, IL 61820

130-T25-008-003-00  
BALTIERRA, ENRICO & MEGAN H/W  
13871 HOUGH RD  
ALLENTON, MI 48002

130-T25-013-010-04  
TILLOTSON, GRAHAM & CATHERINE H/W  
PO BOX 175  
TOPINABEE, MI 49791

130-T25-013-011-00  
TOPP, MARGARET MOLONEY  
PO BOX 92  
TOPINABEE, MI 49791

130-T25-013-012-00  
MILLER, LINDA HOBBS, TRUSTEE  
PO BOX 356  
TOPINABEE, MI 49791

130-T25-013-013-00  
PEMBERTON, MICHAEL W L/EWPTS  
1301 CAMILLE DR SE  
GRAND RAPIDS, MI 49546

130-T25-013-014-00  
MACPHERSON, CARL D III&MARCIA, TTEES  
1640 TOPINABEE SHORE DR, PO BOX 107  
TOPINABEE, MI 49791

130-T25-013-015-00  
BOWER, MARILYN A, TRUSTEE  
12460 CRABAPPLE RD, STE 202-369  
ALPHARETTA, GA 30004

130-T25-014-001-00  
NISSLEY, MARY F, TRUSTEE  
32380 ARLINGTON DR  
BEVERLY HILLS, MI 48025

130-030-200-013-00  
OCCUPANT  
1576 N STRAITS HWY  
TOPINABEE, MI 49749

130-030-200-013-00  
OCCUPANT  
1576 N STRAITS HWY  
TOPINABEE, MI 49749

130-030-200-015-00  
OCCUPANT  
1556 TOPINABEE SHORE DR  
CHEBOYGAN, MI 49749

130-L05-001-001-00  
OCCUPANT  
1550 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-002-00  
OCCUPANT  
1532 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-003-00  
OCCUPANT  
1520 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-004-00  
OCCUPANT  
1516 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-005-00  
OCCUPANT  
1500 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-006-00  
OCCUPANT  
1484 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-007-00  
OCCUPANT  
1464 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-008-00  
OCCUPANT  
1450 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-009-00  
OCCUPANT  
1440 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-010-00  
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1438 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-011-00  
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1436 TOPINABEE SHORE DR  
TOPINABEE, MI 49749

130-L05-001-012-00  
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130-L05-001-013-00  
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130-L05-001-014-00  
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130-L05-001-015-00  
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130-L05-001-016-00  
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1418 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-017-00  
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1412 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-001-018-00  
OCCUPANT  
1408 TOPINABEE SHORE DR  
INDIAN RIVER, MI 49749

130-L05-002-001-00  
OCCUPANT  
1456 N STRAITS HWY  
INDIAN RIVER, MI 49749

130-L05-002-004-00  
OCCUPANT  
1482 N STRAITS HWY  
TOPINABEE, MI 49749

130-L05-003-002-00  
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1465 N STRAITS HWY  
TOPINABEE, MI 49749

130-L05-003-003-00  
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1473 N STRAITS HWY  
TOPINABEE, MI 49749

130-L05-003-004-00  
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1491 N STRAITS HWY  
TOPINABEE, MI 49749

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5195 MANCHESTER DR  
TOPINABEE, MI 49749

130-L05-004-004-00  
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5187 MANCHESTER DR  
TOPINABEE, MI 49749

130-L05-004-006-00  
OCCUPANT  
5175 MANCHESTER DR  
TOPINABEE, MI 49749

130-L05-004-007-00  
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130-T25-001-005-00  
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1523 N STRAITS HWY  
TOPINABEE, MI 49749

130-T25-001-009-00  
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1559 N STRAITS HWY  
TOPINABEE, MI 49749

130-T25-001-011-00  
OCCUPANT  
1567 N STRAITS HWY  
TOPINABEE, MI 49749

130-T25-002-001-00  
OCCUPANT  
1576 PORTAGE ST  
TOPINABEE, MI 49749

130-T25-002-002-00  
OCCUPANT  
5115 PRUYN ST  
TOPINABEE, MI 49749

130-T25-002-003-00  
OCCUPANT  
5097 PRUYN ST  
TOPINABEE, MI 49749

130-T25-002-004-00  
OCCUPANT  
1600 PHELPS ST  
TOPINABEE, MI 49749

130-T25-006-004-00  
OCCUPANT  
1602 PHELPS ST  
TOPINABEE, MI 49749

130-T25-006-006-00  
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1606 PHELPS ST  
TOPINABEE, MI 49749

130-T25-007-001-00  
OCCUPANT  
1593 N STRAITS HWY  
TOPINABEE, MI 49749

130-T25-007-005-00  
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1617 N STRAITS HWY  
TOPINABEE, MI 49749

130-T25-007-008-00  
OCCUPANT  
1627 N STRAITS HWY  
TOPINABEE, MI 49749

130-T25-008-003-00  
OCCUPANT  
1614 BEESON ST  
TOPINABEE, MI 49749

130-T25-013-010-04  
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1680 LAKE SHORE DR  
TOPINABEE, MI 49749

130-T25-013-011-00  
OCCUPANT  
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TOPINABEE, MI 49749

130-T25-013-012-00  
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1654 LAKE SHORE DR  
TOPINABEE, MI 49749

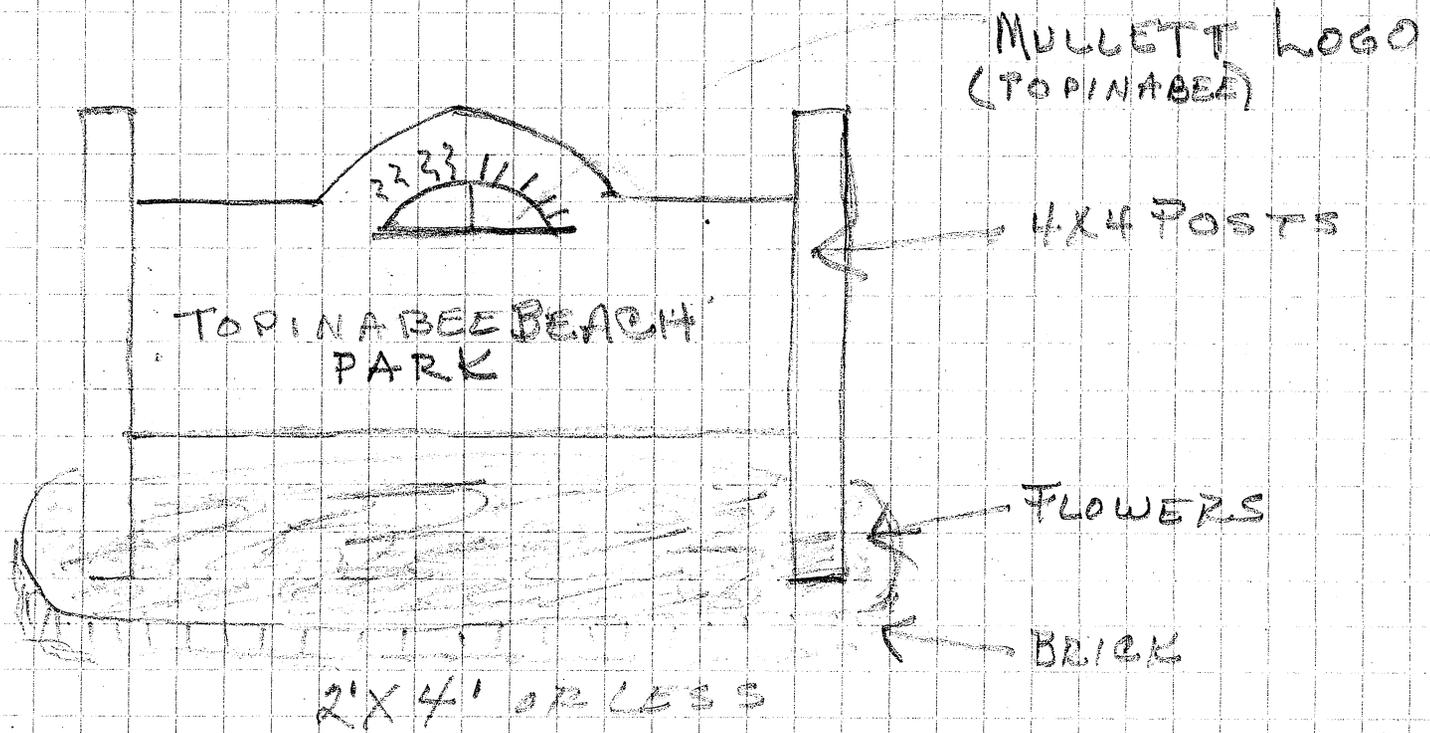
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TOPINABEE, MI 49749

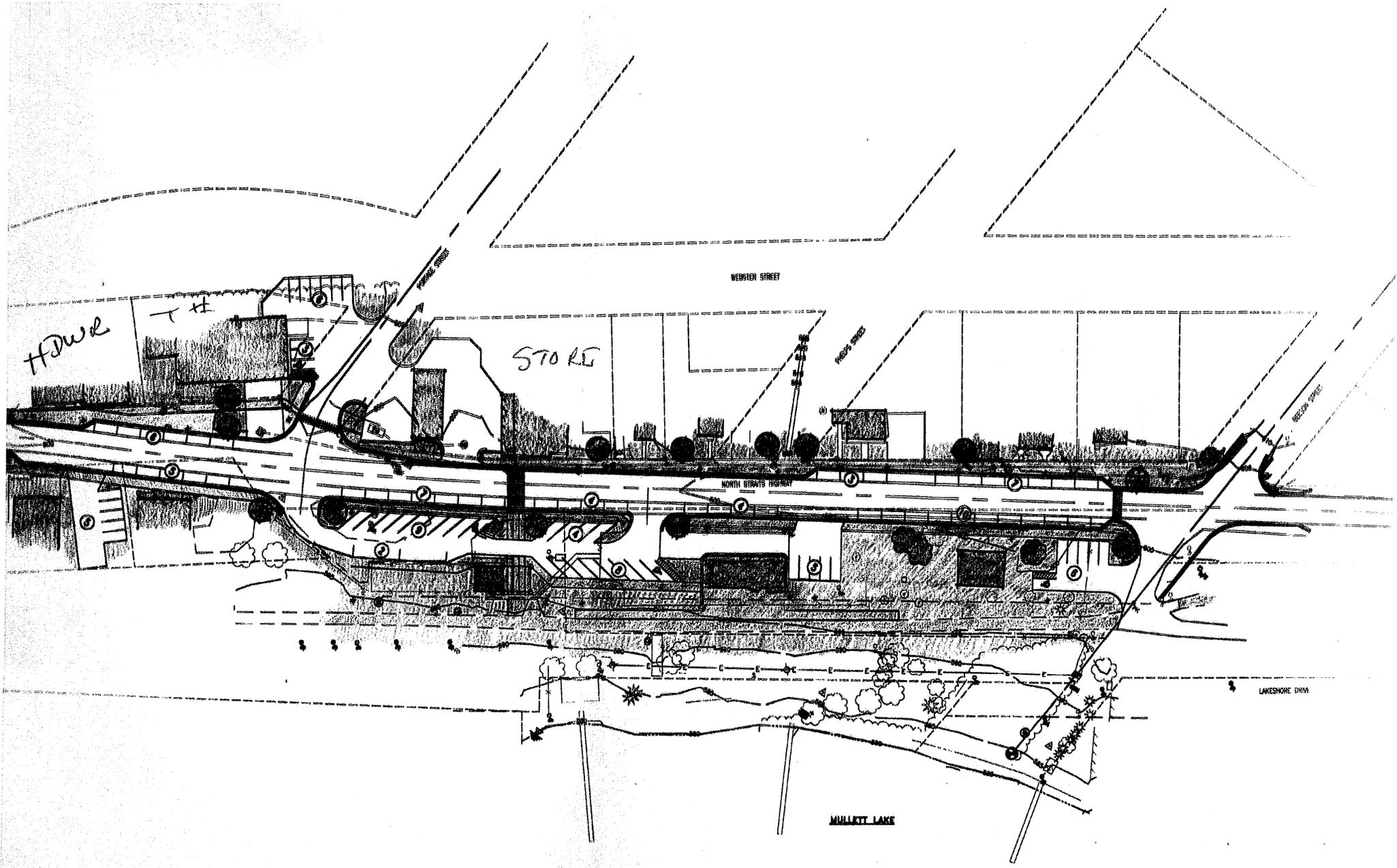
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TOPINABEE, MI 49749

130-T25-013-015-00  
OCCUPANT  
1632 LAKE SHORE DR  
TOPINABEE, MI 49749

130-T25-014-001-00  
OCCUPANT  
1624 LAKE SHORE DR  
TOPINABEE, MI 49749

# MULLETT PAVILION PROJECT SIGN





PLAN

7

11

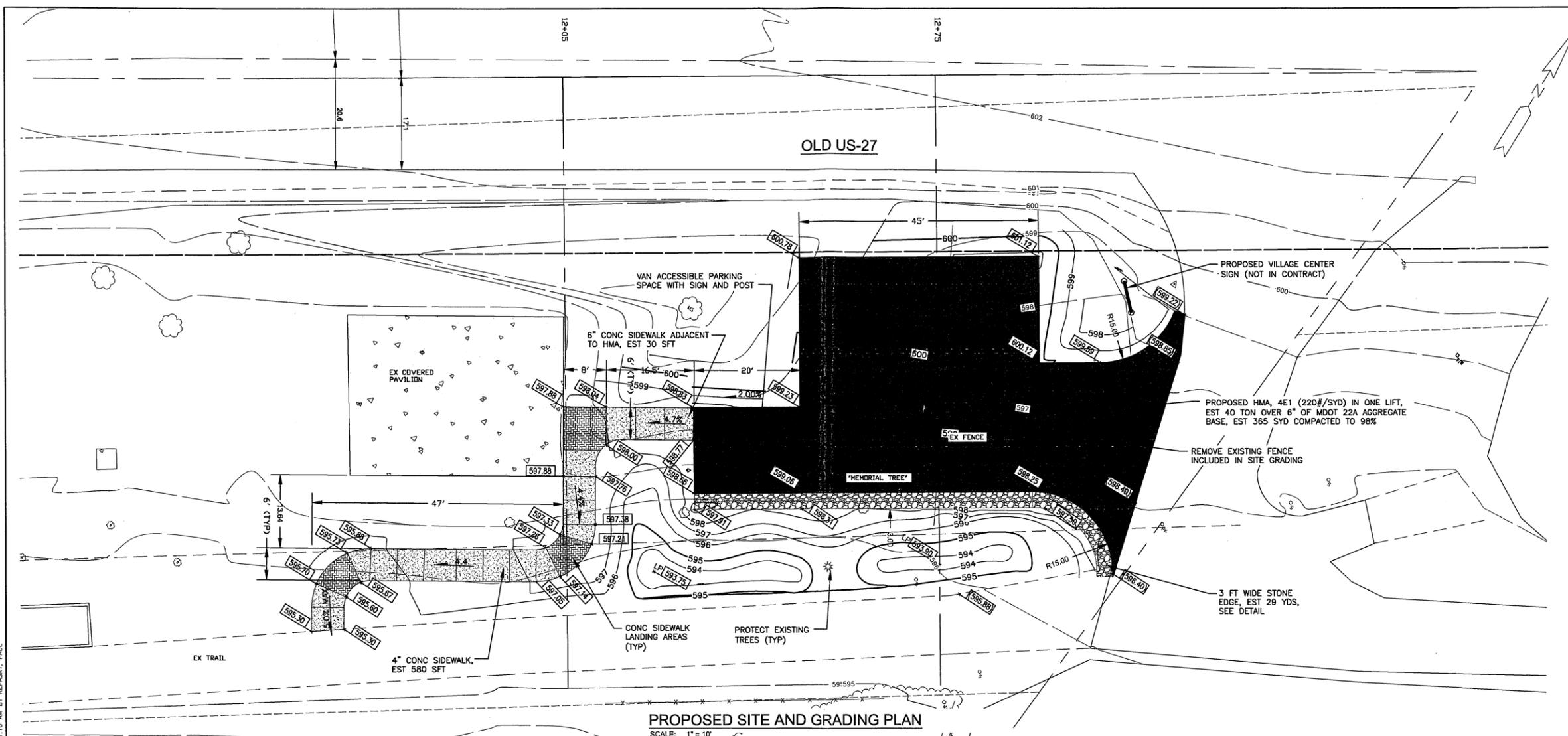








PROJECT MANAGER: F. REPASKY  
 C:\PW\_WORK\2\08\2017\1\1\16 AM BY REPASKY, PAUL  
 FIELD BOOK INFORMATION: PLOTTED 3/23/2017 11:16 AM BY REPASKY, PAUL  
 C:\PW\_WORK\2\08\2017\1\1\16 AM BY REPASKY, PAUL



## Deborah Tomlinson

---

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

**Sent:** Thursday, August 31, 2017 10:22 AM

**To:** Scott McNeil

**Subject:** Re: Special use permit Applications for Philip Campbell and Mullett Township

Scott,

The driveway for Mr. Campbell would be considered commercial under the Road Commission permit regulations. Commercial driveways have a requirement for concrete curb and gutter along with surfacing requirements.

The driveway for Mullett Township has been permitted without the requirement of concrete curb and gutter by Board Action.

Have a good day,

Brent Shank

Engineer/Manager

Cheboygan County Road Commission

[mgr@chcrc.com](mailto:mgr@chcrc.com)

(231) 238-7775



# 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 parking lot addition to an existing Township park (Section 13D.3.5.) in the Village Center Topinabee Overlay zoning district. Mullett Township	<b>Prepared by:</b> Scott McNeil
<b>Date:</b> August 29, 2017	<b>Expected Meeting Date:</b> September 6, 2017

### GENERAL INFORMATION

**Applicant:**

Mullett Township

**Contact person:**

Rachel Osborn, Township Clerk

**Phone:**

231-238-8808

**Requested Action:**

Approval of a special use permit for construction of a parking lot facility in an existing township park.

### BACKGROUND INFORMATION

This special use permit application comes as a result of enforcement. Construction of the parking lot (six parking spaces) and adjoining sidewalk has taken place. Municipal uses require a special use permit in the Village Center Topinabee Overlay (VC-T-O) zoning district per section 13D.3.5.

**Current Zoning:**

Current zoning is Village Center Topinabee Overlay District (P-LS)

**Surrounding Land Uses:** Commercial, Municipal and Residential uses surround the subject site.

**Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):** The subject area of the park is located to adjacent to the North Central State Trail and M-27

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

**Traffic Implications**

The subject park is existing. The new parking lot contains six (6) parking spaces. A minimal increase in traffic increase is expected as a result of the added parking.

**Parking**

Section 17.6 requires does not provide standards for parks or public access sites. The Planning Commission will need to make an adequate parking determination per section 17.4.1.

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

Street access to this site is provided from Lake Shore Drive which is a Village or City Street per the Cheboygan County Road Commission 2015 Certification Maps.

**Signs;** A 2 ft. x 4 ft. freestanding sign is proposed. (see exhibit 6)

**Fence/Hedge/Buffer**

No hedge or buffer is proposed.

**Lighting**

No exterior new lights are proposed.

**Stormwater management.**

Two small stormwater retention areas are proposed on the site plan at the south side of the parking lot. Based on my site inspection they have not been put in. Provided the special use permit is approved, the retention areas will be required to be put in as presented on the site plan unless the Planning Commission waives the same. I have provided findings relative to sections 20.10.b. and 20.10.c. which note the retention areas on the site plan. A Soil Sedimentation permit has been issued for this project.

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

A Soil Sedimentation permit has been issued for this project.

**Public comments received;** None

**CHEBOYGAN COUNTY PLANNING COMMISSION**  
**SPECIAL USE PERMIT REQUEST**  
Wednesday, September 6, 2017, 7:00 PM

Applicant

Mullett Township  
1491 N. Straits Hwy.  
Topinabee, Mi. 49791

Owner

Mullett Township  
1491 N. Straits Hwy.  
Topinabee, Mi. 49791

Parcel

1576 N. Straits Hwy.  
Mullett Township  
130-030-200-013-00

**GENERAL FINDINGS**

1. The subject property is in a Village Center Topinabee Overlay zoning district. (VC-T-O)
2. The owner/applicant is seeking a special use permit for construction of a parking lot facility at an existing Township Park.
3. Municipal uses are uses which require a special use permit in a VC-T-O zoning district under Section 13D.3.5.
- 4.

**FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE**

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

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
  1. The subject property is located in a VC-T-O Zoning district.
  2. Municipal uses require a special use permit in a VC-T-O zoning district under Section 13D.3.5.
  - 3.
  4. Standard has been met.Or.
  1. Standard has not been met.
- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
  1. The subject property is located in a VC-T-O zoning district.
  2. The special land use permit is for construction of a parking lot facility at an existing Township park and will not create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
  - 3.
  4. 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 subject property is located in a VC-T-O zoning district.
  - 2. The special land use permit is for a parking lot facility at an existing Township park and will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area. (see exhibits 4 and 11)
  - 3.
  - 4. 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 subject property is located in a VC-T-O zoning district.
  - 2. The special land use permit is for a parking lot facility at an existing Township park. The ongoing use as proposed will be constructed, designed, operated and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. (see exhibits 4 and 11)
  - 3.
  - 4. Standard has been met.
 Or.
  - 1.
  - 2. Standard has not been met.
  
- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
  - 1. The special land use permit is for a parking lot facility at an existing Township park and will not place demands of fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties. (see exhibits 4 and 11)
  - 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. The special land use permit is for a parking lot facility with 6 parking spaces at an existing Township park.
  - 2. The use will not cause congestion or increase traffic hazards in excess of current capacity. (see exhibits 4 and 11)
  - 3. The access drive is more than 25 ft. from a street intersection. (see exhibit 11)
  - 4.
  - 5. 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 special land use permit is for a parking lot facility at an existing Township park. (see exhibits 4 and 11)
  - 2. The special use is adequately served by water and sewer facilities, and refuse collection and disposal facilities. (see exhibit 4)
  - 3.
  - 4. Standard has been met.
 Or.
  - 1.
  - 2. Standard has not been met.
  
- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
  - 1. The special use complies with all the specific standards required under this Ordinance applicable to it. (see exhibit 1 and 2)
  - 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. A change in contour to provide a 5% slope for drainage on the parking lot. (see exhibit 11)
  - 2. Drainage retention areas are proposed on the site plan. (see exhibit 11)
  - 3. The changes in natural contours are the minimum necessary for the project.
  - 4.
  - 5. 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. Topographic modifications are proposed to facilitate drainage. (see exhibit 11)
  - 2. Trees and soil removal have been minimized with smooth natural appearing slopes.
  - 3.
  - 4. Standard has been met.
 Or.
  - 1. Reshaping of the area has not resulted in smooth natural appearing slopes.
  - 2.
  - 3. 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. A change in contour to provide a 5% slope for drainage on the parking lot. (see exhibit 11)
  - 2. Drainage retention areas are proposed on the site plan. (see exhibit 11)
  - 3.
  - 4. Standard has been met.Or.
  - 1. The applicant has not adequately demonstrated that removal of storm waters will not adversely affect neighboring properties.
  - 2.
  - 3. 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. A practical means for access by emergency vehicle is provided . (see exhibit 11)
  - 2.
  - 3. Standard has been met.Or.
  - 1.
  - 2. Standard has not been met.
  
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
  - 1. The structures on the subject property have access to M-27., which is a State Highway. (see exhibit 11)
  - 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 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 new outdoor lighting is proposed. (see exhibit 4)
  - 2. Existing lighting is deflected away from adjacent properties, does not impede the vision of traffic along adjacent streets, is pointed downward and does not unnecessarily illuminate night skies
  - 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 public or common ways are proposed.
  
- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
  - 1. The site plan conforms to applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see exhibit 2)
  - 2.
  - 3. Standard has been metOr.
  - 1.
  - 2. Standard has not been met.

**DECISION**

**TIME PERIOD FOR JUDICIAL REVIEW**

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

**DATE DECISION AND ORDER ADOPTED**

Wednesday, September 6, 2017

\_\_\_\_\_  
Patty Croft, Chairperson

\_\_\_\_\_  
Charles Freese, Secretary

# CHEBOYGAN COUNTY PLANNING COMMISSION

Andrew Sweet – Revised 08/31/17

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Site Plan Review Application (6 Pages)
4. Site Plan (1 Page)

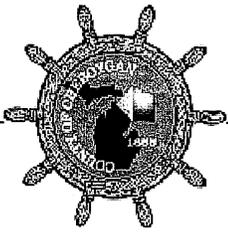
*The following items were added to the exhibit list on 08/29/17:*

5. Email From Dave Carpenter, Tuscarora Township Fire Chief (1 Page)

*The following items were added to the exhibit list on 08/31/17:*

6. Email dated 08/31/17 From Brent Shank, Cheboygan County Road Commission (1 Page)
- 7.
- 8.

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 <b>4502 Onaway Rd.</b>	City / Village <b>INDIAN RIVER</b>	Twp / Sec. <b>20</b> <b>KOOTHER</b>	Zoning District <b>COMMERCIAL</b>
Property Tax I.D. Number <b>172-109-000-011-00</b>	Plat or Condo Name / Lot or Unit No. <b>Lot 11</b>		<b>D-CM</b>

### APPLICANT

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

### OWNER (If different from applicant)

Name <b>ANDREW SWEET</b>	Telephone <b>231-420-2531</b>	Fax
Address <b>2900 E. MULLETT LAKE</b>	City, State & Zip <b>INDIAN RIVER, MI 49749</b>	E-Mail <b>SWEET.ANDREW@YANKEE.COM</b>

### PROPOSED WORK **P.O. BOX 488 R.D.**

<b>Type (check all that apply)</b> <input checked="" type="checkbox"/> New Building <input 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: _____	<b>Building/Sign Information</b> Overall Length: <u>51</u> feet Overall Width: <u>26</u> feet Floor Area: _____ sq. feet Overall Building Height: _____ feet Sign Area: _____ sq. feet Sign Height _____ feet
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### PROPOSED USE (check all that apply)

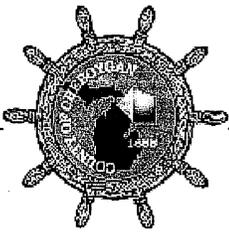
<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input type="checkbox"/> Multi-Family, # of units _____	<input checked="" 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: **5-16-12** <sup>4-17-13</sup> Approved Use: **Specialty Retail / Restaurant / Bakery**

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

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

GARDEN CENTER - LANDSCAPING / FASWOOD. - 2 Part time -  
Fulltime Employees - 7am to 5pm.

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.

No Change to Topo - No Reshaping

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.

No Topo Mods. - No Tree or Soil Removal

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

No Changes to Storm Water Run off

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

N/A

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

Access via Onaway Rd & E. Miller Rd + Industrial Drive.

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

Onaway Rd. + E Miller Lane Rd.

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

N/A

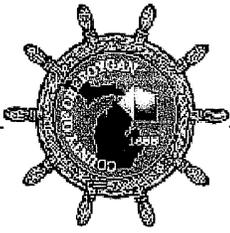
h. Exterior lighting shall be arranged as follows:

i. It is deflected away from adjacent properties. Yes

ii. It does not impede the vision of traffic along adjacent streets. Yes

iii. It does not unnecessarily illuminate night skies. Yes.

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

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

N/A

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

U/S

3. Size of property in sq. ft. or acres: 1.3 AC.

4. Present use of property: Landscaping Supply / Firewood ← Special Retail

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

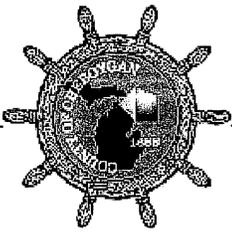
The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

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

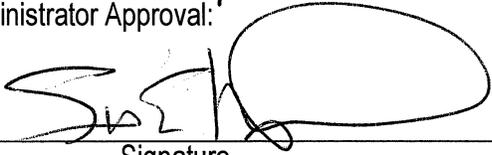
- Yes  No

Owner's Signature [Signature] Date 8-18-17



# 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

PLANNING & ZONING DEPARTMENT		
Date Received:	08/18/17	Notes:
Fee Amount Received:	\$110.00	
Receipt Number:	5826	
Public Hearing Date:	9/6/17	
Planning/Zoning Administrator Approval:		
		8/18/17
Signature		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
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 = 100 ft. 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.
NA		e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
X		f. Location of existing and proposed buildings and intended uses thereof.
X		g. Details of entryway and sign locations should be separately depicted with an elevation view.
X		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.
X		i. Location, size, and characteristics of all loading and unloading areas.
NA		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
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.
NA		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)

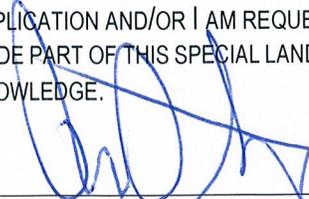
INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
X		m. Location and specifications for all fences, walls, and other screening features.
X		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
X		o. Exterior lighting locations with 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.
NA		q. Elevation drawing(s) for proposed commercial and industrial structures.
NA		r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well
NA		s. Floor plans, when needed to determine the number of parking spaces required.

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

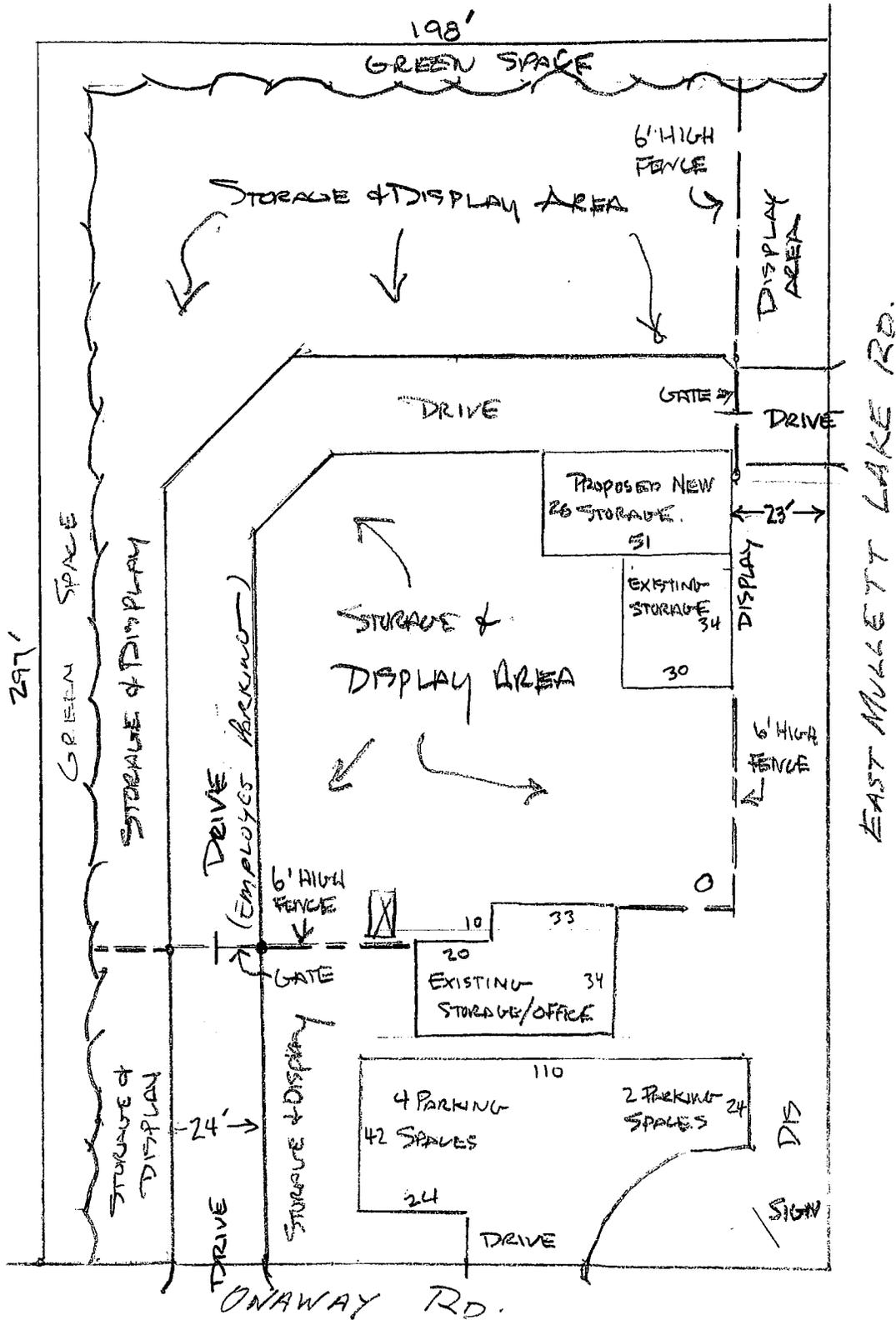
<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
d.	Level too - No topo CHANGE

**AFFIDAVIT**

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

  
 \_\_\_\_\_  
 SIGNATURE

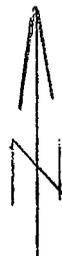
8-18-17  
 \_\_\_\_\_  
 DATE



SITE PLAN PROVIDED BY  
 ANDY SWEET  
 AUGUST 18, 2017  
 SCALE - 1" = 40'

SEPTIC OWELL

4



## Deborah Tomlinson

---

**From:** Dave Carpenter <dpcarpenter@voyager.net>  
**Sent:** Tuesday, August 29, 2017 9:58 AM  
**To:** Deborah Tomlinson  
**Subject:** Re: Site Plan Review Application for Andrew Sweet

Hi Deb,

Some how I missed this. I don't see any major issues in regards to the Fire Department for Andrew Sweet project. Should you have any questions please feel free to contact me.

Respectfully,

David Carpenter  
Fire Chief

**From:** Deborah Tomlinson  
**Sent:** Tuesday, August 22, 2017 2:33 PM  
**To:** David Carpenter ([dpcarpenter@voyager.net](mailto:dpcarpenter@voyager.net))  
**Subject:** Site Plan Review Application for Andrew Sweet

Hi Dave,

The following is a link to a site plan review application for Andrew Sweet: <http://www.cheboygancounty.net/current-applications-in-review-359/>. This application will be reviewed at the 09/06/17 Planning Commission meeting. Please review this application and call me or e-mail me if you have any questions or comments. Thank you!!!

Debbie

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

**Deborah Tomlinson**

---

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

**Sent:** Thursday, August 31, 2017 10:24 AM

**To:** Scott McNeil

**Subject:** Re: Site Plan Review Application for Andrew Sweet

Scott,

The driveway for Mr. Sweet would be considered commercial under the Road Commission permit regulations. Commercial driveways have a requirement for concrete curb and gutter along with surfacing requirements. The locations of the existing driveways satisfy our requirements.

Have a good day,

Brent Shank  
Engineer/Manager  
Cheboygan County Road Commission  
[mgr@chcrc.com](mailto:mgr@chcrc.com)  
(231) 238-7775



# 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> – Approval of site plan amendment for a new accessory storage building (51 x 26) in a Commercial Development District pursuant to Section 6.2.19., Retail sales establishment, Specialty.	<b>Prepared by:</b> Scott McNeil
<b>Date:</b> August 23, 2017	<b>Expected Meeting Date</b> September 6, 2017

### GENERAL INFORMATION

**Applicant:** Andrew Sweet

**Contact person:** Andrew Sweet

**Phone:** 231-420-2531

**Requested Action:** Approval of site plan amendment for a new accessory storage building (51 x 26) in a Commercial Development District pursuant to Section 6.2.19., Retail sales establishment, Specialty.

### BACKGROUND INFORMATION

#### **Introduction:**

The subject site is located at the northwest corner of East Mullett Lake Road and Onaway Road (4502 Onaway Road). The applicant is seeking site plan amendment approval for a new accessory storage building (51 ft. x 26ft.) in a Commercial Development District (P-LS) pursuant to Section 6.2.19., Retail sales establishment, Specialty. The current use includes sale of fire wood and landscaping materials with outdoor display.

The Planning Commission approved a site plan for the Specialty retail use (garden center and landscaping materials with outdoor display) on May 13, 2012 and a site plan amendment for an additional restaurant use (restaurant and bakery) on May 1 2013 at the subject site.

#### **Current Zoning:**

Commercial Development District. (D-CM)

**Surrounding Land Uses:**

Vacant residential to the north, and west. Vacant commercial and residential to the east. Commercial to the south.

**Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):** There is no known environmentally sensitive areas on the subject site.

**Historic buildings/features:**

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

**Traffic Implications**

This project will have minimal effect on current traffic conditions.

**Parking:**

Section 17.6 does not provide a parking standard for retail outdoor display area. The site plan provides for 6 parking spaces. The applicant indicates that there are 2 part time employees and 1 full time employee. Section 17.6. requires 1 parking space for every 2 employees which will require 2 parking spaces. Employee parking is designated along the drive area on the west portion of the site plan. The Planning Commission will need to make a determination of adequate parking under section 17.4.1. regarding the outdoor display.

In order to assist the Planning Commission with an adequate parking determination Section 17.6. provides the following relative to a similar use;

Roadside stands – 5 per establishment

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

Access to the site is facilitated by two driveways to Onaway Road. One driveway to Onaway Road is used to access the parking lot. There is one driveway from East Mullett Lake Road.

**Signs**

Existing signage on site is to remain. No additional signs are proposed

**Fence/Hedge/Buffer**

The site plan indicates a green belt of existing trees to act a buffer to neighboring properties to the west and north. A 6 ft. high fence is indicated on the site plan

**Lighting**

No additional lighting is proposed.

**Stormwater management**

No changes are proposed for storm water management.

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

Permits will be required from the Department of Building Safety

**Public comments received**

None

**CHEBOYGAN COUNTY PLANNING COMMISSION**  
**SPECIAL USE PERMIT REQUEST**  
Wednesday, September 6, 2017, 7:00 PM

Applicant

Andrew Sweet  
P.O. Box 488  
Indian River , Mi. 49749

Owner

Andrew Sweet  
P.O. Box 488  
Indian River , Mi. 49749

Parcel

4502 Onaway Rd.  
Koehler Township  
172-I09-000-011-00

**GENERAL FINDINGS**

1. The subject property is zoned Commercial Development District. (D-CM)
2. The Planning commission approved a site plan for a Retail, specialty use at the subject site on May 16, 2012.
3. The Planning commission approved a site plan review amendment approval to add a Restaurant use on May 1, 2013.
4. The applicant is seeking site plan review amendment approval to add an accessory storage structure to the Retail, specialty use measuring 51 feet long and 26 feet wide.
5. Retail, specialty is a permitted use in a D-CM zoning district per section 6.2.19.
6. The applicant is seeking a waiver to the site topographic survey requirement for site plans.
- 7.
- 8.

**SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE**

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
  1. No changes to the overall contours of the site are proposed (see exhibit 3 and 4)
  - 2.
  3. Standard has been met.Or.
  - 1.
  2. Standard has not been met.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
  1. No topographic modifications are proposed. (see exhibit 3 and 4 )
  2. No tree removal is proposed.
  3. Minimal soil removal is proposed to facilitate construction of the accessory storage structure
  4. .
  5. Standard has been met.Or.
  - 1.
  2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
  - 1. No changes to site drainage are proposed. (see exhibit 3 )
  - 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. There are no dwelling units located therein or proposed.
  
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
  - 1. A practical means for access by emergency vehicles is provided via access driveways to and from Onaway Road and East Mullett Lake Road. (see exhibit 4)
  - 2.
  - 3. Standard has been met.Or.
  - 1.
  - 2. Standard has not been met.
  
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
  - 1. The structures on the subject site have access from Onaway Road and East Mullett Lake Road. which are public roads. (see exhibit 4)
  - 2.
  - 3. Standard has been met.Or.
  - 1.
  - 2. Standard has not been met.
  
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
  - 1. Not applicable. No subdivision plan 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. Existing exterior lighting is deflected away from adjacent properties and does not impede vision of traffic and does not unnecessarily illuminate night skies. (see exhibit 3 )
  - 2. No new exterior lighting is proposed (see exhibit 3 )
  - 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
  - 2.
  - 3.
  
- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
  - 1. The site plan conforms to applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see exhibit 2)
  - 2.
  - 3. Standard has been metOr.
  - 1.
  - 2. Standard has not been met.

**DECISION**

**TIME PERIOD FOR JUDICIAL REVIEW**

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

**DATE DECISION AND ORDER ADOPTED**

Wednesday, September 6, 2017

\_\_\_\_\_  
Patty Croft, Chairperson

\_\_\_\_\_  
Charles Freese, Secretary