



# 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, FEBRUARY 20, 2019 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. **TeleSite Wireless on behalf of Verizon Wireless and TowerCo and Michael O' Grady** – A request for an extension of an approved Special Use Permit for a wireless communications facility. Per Section 18.12. , an approved Special Use Permit shall expire one year following approval by the Planning Commission unless substantial construction has begun pursuant to the permit prior to permit expiration or the property owner applies to the Planning Commission for an extension prior to expiration. The subject property is zoned Agriculture and Forestry Management (M-AF) and located at 130 W. Devereaux Lake Rd., Mullett Twp., Section 24, Parcel # 130-024-400-002-03.
2. **Team Andrews Enterprises/ Bob Andrews** - Requests an amendment of a Special Use Permit to construct a 30-ft. x 130-ft. Indoor Storage Facility, per Sections 6.3.16 and 18.11 of the Zoning Ordinance. The subject property is zoned Commercial Development (D-CM) and is located at 6123 North Straits Highway, Inverness Twp., Section 34, Parcel #091-034-400-006-03.
3. **Sunrise Structures** - Requests Site Plan Review approval for outdoor retail sales of storage sheds, gazebos, livestock shelters and small cabins in a Commercial Development (D-CM) zoning district, per Section 6.2.19 (of the Zoning Ordinance (Retail Sales, Specialty). The 2.4-acre subject property is zoned Commercial Development (D-CM), is currently unaddressed, but located just east of the junction of State Highways 27 and 33 in Inverness Township.

### UNFINISHED BUSINESS

### NEW BUSINESS

1. Discussion Regarding Possible Amendment to Zoning Ordinance No. 200 to Permit Home Occupations and/or Bathrooms in Private Storage Buildings.

**STAFF REPORT**

**PLANNING COMMISSION COMMENTS**

**PUBLIC COMMENTS**

**ADJOURN**

# CHEBOYGAN COUNTY PLANNING COMMISSION

Verizon Wireless and TowerCo/TeleSite

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Letter from David Hockey (1 Page; dated 1.11.2019)
4. Special Use Application (6 Pages; 1.14.2019)
5. Special Use Application (6 Pages; 1.12.2018)
6. Site Plans (2 Pages)
7. Verizon Wireless Site #3263/TowerCo Site #M10337 Zoning Ordinance Responses (4 Pages)
8. Letter from Keith J. Tindall, P.E., Structural Integrity RE: Reduced Isolation Standard (1 Page)
9. Planning Commission Minutes (3 Pages; 2.21.2018)
10. Special Use Permit Approval Letter (1 Page; dated 3.8.2018)
11. Current Verizon Wireless Coverage Without Proposed Site #3263 Mullett Lake East (1 Page)
12. Proposed Verizon Wireless Coverage With Site #3263 Mullett Lake East (1 Page)
13. Mailing List (1 Page)
14. Staff Report (3 Pages)
15. Findings of Fact (6 Pages)
- 23.
- 24.
- 25.

Note: Planning Commission members have Exhibits 1 and 2.

January 11, 2019

Cheboygan County  
Department of Planning & Zoning  
Attn: Michael Turisk, Director  
870 South Main Street, Room 103  
Cheboygan, MI 49721

Re: Special Use Permit Time Extension Request- Cell Tower

Dear Mr. Turisk,

Please accept this letter accompanying the special use permit application as TowerCo's formal request for a one-time 1 year time extension request to the existing special use permit granting approval for a wireless communication facility.

TowerCo was originally granted planning and zoning approval on February 21<sup>st</sup> 2018 allowing a wireless communication facility to be placed at 130 West Devereaux Lake Road, Mullet Twp, section 24, parcel #130-024-400-002-03. The facility was requested in order to allow Verizon to expand their wireless coverage in this area of the county. Since that time, due to budgetary reasons, this site has been delayed and scheduled for construction at the end of 2019/beginning of 2020.

It is important to note that TowerCo is not requesting any changes to the physical layout or design of the approved site.

As a result, TowerCo respectfully requests the additional time needed in order to maintain the site's zoning status and construct the site within the above noted timeframe.

Included with this letter are the following:

- 1) Completed special use permit application (requesting the time extension)
- 2) Copy of the original special use permit approval
- 3) \$150 check for application fee

Should you have any questions, please feel free to reach me on my cell at (843)-452-6242.



TowerCo

Sincerely,

David Hockey  
Director of Zoning

5000 Vallestone Dr.  
Suite 200  
Cary, NC 27519

address

919.469.5559

main

919.469.5530

fax

info@towerco.com

email

towerco.com

website



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

### PROPERTY LOCATION

<i>Address</i> 130 W Devereaux Lake Road	<i>City / Village</i> Indian River	<i>Twp / Sec.</i> Mullett/24	<i>Zoning District</i> M-AF
<i>Property Tax I.D. Number</i> 130-024-400-002-03	<i>Plat or Condo Name / Lot or Unit No.</i>		

### APPLICANT

<i>Name</i> Verizon Wireless and TowerCo	<i>Telephone</i> 919-653-5746	<i>Fax</i>
<i>Address</i> 5000 Valleystone Drive	<i>City, State &amp; Zip</i> Cary, NC 27519	<i>E-Mail</i> dhockey@towerco.com

### OWNER (If different from applicant)

<i>Name</i> Michael O'Grady	<i>Telephone</i> 231-420-5365	<i>Fax</i>
<i>Address</i> 130 W Devereaux Lake Rd	<i>City, State &amp; Zip</i> Indian River, MI 49749	<i>E-Mail</i>

### PROPOSED WORK

<i>Type (check all that apply)</i> <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 checked="" type="checkbox"/> Other: <u>Extension of existing special use permit to allow a cell tower</u>	<i>Building/Sign Information</i> Overall Length: <u>N/A</u> feet Overall Width: <u>N/A</u> feet Floor Area: <u>N/A</u> sq. feet Overall Building Height: <u>N/A</u> feet Sign Area: <u>N/A</u> sq. feet Sign Height <u>N/A</u> 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 type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input type="checkbox"/> Multi-Family, # of units ____	<input type="checkbox"/> Storage	<input type="checkbox"/> Industrial	<input type="checkbox"/> Utility
<input checked="" type="checkbox"/> Other: <u>Cell Tower</u>			

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

If YES, date of approval: 02/21/2018 Approved Use: Cell Tower

Directions to site: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SPECIAL LAND USE PERMIT APPLICATION



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SPECIAL LAND USE PERMIT APPLICATION

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

No changes from original application . This request is to extend the existing special use permit approval issued on 02/21/18. Attached narrative provides more detailed explanation

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.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
- h. Exterior lighting shall be arranged as follows:
- i. It is deflected away from adjacent properties.
  - ii. It does not impede the vision of traffic along adjacent streets.
  - iii. It does not unnecessarily illuminate night skies.



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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.

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

3. Size of property in sq. ft. or acres: \_\_\_\_\_

4. Present use of property:

\_\_\_\_\_

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

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

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_



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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? Please see attached narrative
- 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 *Duffley* Date 01/011/19

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

Yes  No

Owner's Signature See signature from previous approved application Date \_\_\_\_\_

### FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:		Notes:
Fee Amount Received:	<u>150.00</u>	
Receipt Number:	<u>6590</u>	
Public Hearing Date:		
Planning/Zoning Administrator Approval:		
<u><i>[Signature]</i></u>		<u>1.16.2019</u>
Signature		Date

# SPECIAL LAND USE PERMIT APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
		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.

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**AFFIDAVIT**

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

\_\_\_\_\_   
SIGNATURE

\_\_\_\_\_ 01/14/19 \_\_\_\_\_  
DATE





# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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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.

Hours of operation are 24/7. The proposed facility will be un-manned.

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 existing environmental features on the subject property will be altered. No additional access points are needed as existing access will be utilized.
- 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.  
This is understood by the applicant. All efforts will be made to comply with this section.
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.  
The proposed tower site will not create a change in the existing drainage pattern onsite.
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.  
N/A
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.  
Emergency vehicle access has been planned for as it relates to access to the site.
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.  
N/A
- 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. Understood by the applicant.
  - ii. It does not impede the vision of traffic along adjacent streets. Understood by the applicant.
  - iii. It does not unnecessarily illuminate night skies. Understood by the applicant.

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.

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.

Understood and agreed to by the applicant.

3. Size of property in sq. ft. or acres: \_\_\_\_\_

4. Present use of property:  
The space the tower would occupy is currently undeveloped land.

5. SUP Standards:

a. Is the property located in a zoning district in which the proposed special land use is allowed?  
Yes. The M-AF zoning district allows towers to be established as a special land use.

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. Please see attached narrative.

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. Please see attached narrative.

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. Please see the attached narrative

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

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. Please see the attached narrative.



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SPECIAL LAND USE PERMIT APPLICATION

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- 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  Date 1/12/18

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

Yes  No

Owner's Signature  Date 1-23-18

**FOR PLANNING /ZONING DEPT. USE ONLY**

Date Received:	01/18/18	Notes:
Fee Amount Received:	\$225.00	
Receipt Number:	6041	
Public Hearing Date:	2/21/18	
Planning/Zoning Administrator Approval:		
<u></u>		<u>1/23/18</u>
Signature		Date

# SPECIAL LAND USE PERMIT APPLICATION

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

SPECIAL LAND USE PERMIT APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
X		m. Location and specifications for all fences, walls, and other screening features.
	N/A	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.
	N/A	p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
X		q. Elevation drawing(s) for proposed commercial and industrial structures.
X		r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well
	N/A	s. Floor plans, when needed to determine the number of parking spaces required.

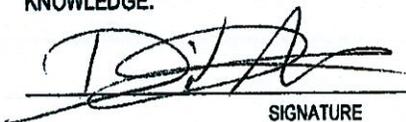
PLEASE LIST THE REQUIREMENT FOR WHICH A WAIVER IS BEING REQUESTED. ALSO PROVIDE AN EXPLANATION/REASON FOR THE WAIVER REQUEST.

**SECTION**

**REASON FOR WAIVER REQUEST**


**AFFIDAVIT**

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

  
 \_\_\_\_\_  
 SIGNATURE

11/21/18  
 \_\_\_\_\_  
 DATE





# Verizon Wireless Site #3263 / TowerCO Site #MI0337

## Zoning Ordinance Responses

### Section 17.13 Commercial Television and Radio Towers and Public Utility Microwaves and TV Transmitting Towers and Wireless Communication Facilities, Authorized by Special Use Permit (Rev. 08/2001, Amendment #20)

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

a. May be permitted by the Planning commission after a Hearing, in D-CM, D-LI, D-GI and M-AF Districts provided said use shall be located centrally on a contiguous parcel of not less than one (1) times the height of the tower measured from the base of said tower to all points on each property line. The isolation standard may be reduced by up to fifty (50%) percent, if the construction plan, the tower, and its guying/anchoring systems are Certified by a Registered Professional Engineer as being safe from the hazard of falling onto public roads or adjoining properties. All guy wires/cables and anchors shall meet the zoning setback of the district. **Response: The subject parcel is located in the M-AF Zoning District. The proposed tower is 245' in height. A 125' fall zone is labeled on the site plan. In accordance with this section of the ordinance a fall zone letter indicating that the tower, should it ever fail structurally, will collapse upon itself and not fall onto any adjoining properties.**

b. In order to protect the rural dark sky environment and reduce lighting confusion for approaching aircraft, all towers shall be designed or painted to be without lighting. If the FAA requires lighting, the applicant shall apply to the FAA for painting requirements and red lighting. Intermittent strobes shall be a last option and only then with written documentation from the FAA certifying its necessity. **Response: TowerCo has filed with the FAA in December with an expected response from the FAA by February. The FAA determination will be provided to the jurisdiction at that time confirming results. If the Planning Commission hearing is held prior to receiving the FAA determination, TowerCo respectfully requests approval based on the condition of providing a copy of the determination**

c. No antenna or similar sending/receiving devices appended to the tower, following its approved construction, shall be permitted if it exceeds the engineered design capacity of the tower thereby jeopardizing the tower's structural integrity. **Response: Understood and agreed to by the applicant.**

17.13.2. The following standards will be required for all Wireless Communication Facilities:

a. Wireless Communication Facilities may locate in any zoning district if located on an existing building or structure, or a new structure is built within fifty (50) feet of the base of an existing tower and the Wireless Communication Facility is located within the new structure, or is otherwise hidden from view by being incorporated in an existing building, or if it collocates on an existing tower, and the proposed does not require a change in lighting by FCC and/or FAA regulations. (Rev. 02/23/11, Amendment #90). **Response: This section is not applicable to this project.**

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

1. The proposed height meets FCC and/or FAA regulations. **Response: Understood and agreed to by the applicant.**

2. Towers must be equipped with devices to prevent unauthorized climbing. **Understood and agreed to by the applicant. Details regarding these devices will appear on construction drawings submitted for building permits.**

3. All reasonable measures are taken to blend the tower into the landscape, including greenbelt planting and/or screening, painting, and/or concealing the tower in a "stealth design. **Response: The applicant has taken measure to place the proposed tower on a parcel of land utilized for a commercial use. It is setback 473' feet from W. Devereaux Lake Road. With respect to landscaping, it is important to note that the landowner has placed landscaping treatments around the perimeter of the subject property, additionally, it is important to note that the base of the tower will not be visible to the public. The applicant respectfully requests that it not have to establish landscaping around the perimeter of the security fence as no one will see it or benefit from its placement. The applicant is proposing to construct a self-supporting style of tower versus a "stealth" design. This type of tower lends itself to maximum collocation opportunities due to its structural capabilities. Since the tower will be located in an area (and on a land parcel) that is not a particularly public zone it is the opinion of the applicant that a stealth design is not appropriate.**

4. New towers should be engineered as appropriate for co-location of other antennae. **Response: This item was addressed, in part, in the previous section. The applicant proposes to construct a 245' tall self-supporting tower which will create a maximum collocation environment for other licensed entities to utilize. Stealth designs drastically limit collocation opportunities as they limit the number of antennas that can be mounted by users. The self-supporting tower will accommodate multiple tenants/collocations, in addition to the anchor tenant, Verizon.**

5. Protective fencing and screening may be required to be placed around all guy wire anchor points as appropriate to the site. **Response: A six-foot tall chain link fence with barbed wire treatments is proposed in order to protect the compound and to discourage unauthorized access to the tower facility grounds.**

6. All new towers must meet the applicable requirements for a commercial tower, per Article 17.13.1 of this Ordinance. **Response: Understood and agreed to by the applicant.**

c. All wireless communication facilities shall be removed and the site restored to its original condition by the property owner or lessee within ninety (90) days of being abandoned (no longer used). **Response: Understood and agreed to by the applicant.**

d. Visible damage must be repaired within 90 days of occurrence. 1. The proposed height meets FCC and/or FAA regulations. **Response: Understood and agreed to by the applicant.**

2. Towers must be equipped with devices to prevent unauthorized climbing. **Response: Details regarding anti-climbing devices will be shown on the final construction plans.**

3. All reasonable measures are taken to blend the tower into the landscape, including greenbelt planting and/or screening, painting, and/or concealing the tower in a "stealth design. **Response: The applicant chose the subject property because it hosts a commercial land use, it is not accessible to the public and it features existing landscaping along its east and west property lines.**

4. New towers should be engineered as appropriate for co-location of other antennae. **Response: As explained previously, the proposed self-support tower was chosen in order to maximize collocation potential.**

5. Protective fencing and screening may be required to be placed around all guy wire anchor points as appropriate to the site. **Response: There are no guy wire points proposed for this tower. This section is not applicable.**

6. All new towers must meet the applicable requirements for a commercial tower, per Article 17.13.1 of this Ordinance. **Response: Understood by the applicant.**

c. All wireless communication facilities shall be removed and the site restored to its original condition by the property owner or lessee within ninety (90) days of being abandoned (no longer used). **Response: Understood and agreed to by the applicant.**

d. Visible damage must be repaired within 90 days of occurrence. **Response: Understood and agreed to by the applicant.**

17.13.3. Wireless communication facilities may be permitted after a public hearing by special use permit, approved for locations in the Residential Development District (D-RS), subject to the following conditions and findings: (Rev. 05/23/15, Amendment #127) **Response: Since the proposed tower is NOT located in the D-RS Zoning District the applicant finds that this section is not applicable to this project.**

a. All reasonable measures to co-locate or locate on or adjacent to an existing structure must be documented; and such location proves feasible.

b. The type of facility is a pole, and not a tower.

c. All reasonable efforts to locate in Commercial or Forestry/Ag zones have been made and are proven to infeasible, unavailable, or not a compatible land use as deemed by the Planning Commission.

d. The structure shall not exceed a height of 115 feet, including the antenna, and no lights are used or required.

e. The applicant must find a location, and/or use construction materials that will blend the pole into the physical or natural landscape in such a manner as to be compatible with the surrounding neighborhood, and so as not to be a dominant structural feature in the neighborhood skyline. The Planning Commission finds that the structure or planned site, does not change the character of the residential area.

f. The applicant proposed, or can incorporate innovative design and construction methods (or materials), and by locating in a Residential District, the applicant uses poles that are lower in height and/or narrower in profile than towers.

g. The Planning Commission finds that a location in a Residential District is the best overall alternative considering tall factors of land use, visibility, and satisfactory signal coverage and that the proposed pole complies with the standards of Article 17.13.1, of this ordinance.

h. Four (4) known County Airports to be provided copies of the Special Use Permits.

i. Tower shall not encumber the normal air traffic within the district.

17.13.4. Maximum height of structures recited in tables of 17.1 does not apply. **Response: Understood by the applicant.**

17.13.5. The conditions of this section are in addition to the conditions imposed by Section 18.7. (Rev. 04/28/08, Amendment #73). **Response: Understood by the applicant.**

17.13.6. Advertising is prohibited on towers or antennas. **Response: No advertising of any kind shall appear on the tower or within the site compound. Only signage that is required by government regulation and signage identifying ownership of the tower will appear.**

**SECTION 18.7. STANDARDS FOR SPECIAL LAND USE APPROVAL (Rev. 04/26/08, Amendment #74)**

The Planning Commission shall approve, or approve with conditions, an application for a special land use permit only upon a finding that the proposed special land use complies with all of the following standards:

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed. **Response: The proposed tower project is located in the M-AF zoning district. Wireless communications towers are permitted in this district as a special land use.**
- 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. **Response: The proposed tower will no negative impact upon the natural environment. It is an innocuous land use in that it does not generate any fumes, dust, smoke or noise and only requires electricity, telephone and internet services to operate.**
- 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. **Response: As mentioned above, wireless communications tower do not create or generate any of the negative conditions mentioned in this section.**
- 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. **Response: Wireless communications towers do not diminish developmental opportunities for neighboring properties, in fact, it's quite the opposite. Wireless towers of today offer nearby developments an opportunity to be adjacent to high-speed communications systems that offer not only telephone service but many forms of data transmission services as well. In addition, it will enhance E911 communication abilities in the area.**
- 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. **Response: Wireless communications towers are not manned facilities nor do they require hazardous materials to operate. No demands on police or fire services are expected.**
- 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. **Response: It is expected that a wireless communications tower will generate 1-2 vehicle trips per month per user that is located on the tower. These visits are for the purpose of routine maintenance and occasional equipment upgrades. These vehicle trips generally go completely unnoticed.**
- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services. **Response: None of the services mentioned in this section are needed.**
- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it. **Response: Understood by the applicant.**

January 2, 2018

Ms. Amanda V. Fry  
TowerCo

RE: Proposed 245' Self-Supporting Tower for MI0337 Mullet Lake E, MI

Dear Ms. Fry,

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

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

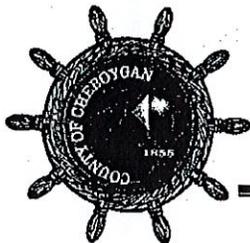
Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within one or more of the tower members in the upper portion. This would result in a buckling failure mode, where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

Therefore, it is likely that the overall effect of such an extreme wind event would be localized buckling of a tower section. Assuming that the wind pressure profile is similar to that used to design the tower, the tower is most likely to buckle at the location of the highest combined stress ratio in the upper portion of the tower. This would result in the portion of the tower above the failure location "folding over" onto the portion of the tower below the failure location. **Please note that this letter only applies to the above referenced tower designed and manufactured by Sabre Towers & Poles.** In the unlikely event of total separation, this would result in collapse within a radius of 125 feet.

Sincerely,

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





# 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, FEBRUARY 21, 2018 AT 7:00 P.M. ROOM 135 - COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

**PRESENT:** Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon  
**ABSENT:** Borowicz, Churchill, Jazdzyk  
**STAFF:** Scott McNeil  
**GUESTS:** David Antoun, Rob LaBelle, Carl Muscott, Jeff Lawson, Betsy Hanson, Larry Hanson, Cal Gouine, Bob Lyon, Roberta Matelski, Russell Crawford, Cheryl Crawford, Karen Johnson, Carl Muscott, C. Veneros, John Moore, John F. Brown Hobart Kirsch

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

### PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

### APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the agenda as presented. Motion carried. 6 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon), 0 Nays, 3 Absent (Borowicz, Churchill, Jazdzyk)

### APPROVAL OF MINUTES

The February 7, 2018 Planning Commission minutes were presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the meeting minutes as presented. Motion carried. 6 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon), 0 Nays, 3 Absent (Borowicz, Churchill, Jazdzyk)

### PUBLIC HEARING AND ACTION ON REQUESTS

**TeleSite Wireless on behalf of Verizon Wireless and TowerCo and Michael O'Grady** - Requests a Special Use Permit for a wireless communication facility (section 17.13.). The property is located at 130 West Devereaux Lake Road, Mullett Twp., section 24, parcel #130-024-400-002-03, and is zoned Agriculture and Forestry Management (M-AF).

Mr. McNeil stated that the applicant is seeking approval for construction of a new cellular tower in the Agriculture and Forestry Management zoning district. Mr. McNeil stated that the facilities are proposed to be located in a 100ft. x 100ft. leased area with easement access via the driveway. Mr. McNeil stated that the applicant is proposing a 245ft. tower. Mr. McNeil stated that there is a 125ft. fall zone indicated on the site plan. Mr. McNeil stated that regarding the isolation standard, the applicant has submitted the letter from an engineer that is required to reduce the standard up to 50%. Mr. McNeil stated that there is an existing 80ft. tower that will be removed before this tower will be constructed.

Mr. Antoun stated that he represents TowerCo and Verizon Wireless. Mr. Antoun introduced Rick Russell, who is counsel for TowerCo and Verizon Wireless. Mr. Antoun introduced Bill Duffy, who is a Verizon Wireless Engineer. Mr. Antoun stated that this is a 245ft. tower (including the lightning rod). Mr. Antoun stated that he did submit a fall zone letter showing that the tower will collapse upon itself. Mr. Antoun stated that the tower and the fencing will be galvanized steel and will not rust. Mr. Antoun stated that all the equipment will be located in cabinets. Mr. Antoun stated that the proposed access drive is the existing access drive that is used by Mullett Tree Services. Mr. Antoun referred to the propagation maps and explained that there are areas with no coverage. Mr. Antoun stated that over 50% of people do not use land lines. Mr. Antoun stated that 97% of 911 calls are made from a cell phone. Mr. Antoun stated that it is very important for our health, safety, and welfare to have coverage in this area. Mr. Antoun stated that the existing tower will be removed and a new tower will be constructed. Mr. Antoun stated that the proposed tower is a much taller tower so that they will be able to achieve Verizon's objectives. Mr. Antoun stated that TowerCo is building this tower for Verizon and TowerCo want co-locators on this tower.

Mr. Freese asked if the dish antennas on the ground will also be removed. Mr. Antoun stated that everything on the existing tower will be removed and if these dishes are not needed he will have them taken down as well. Discussion was held. Mr.

Freese noted that the application states that screening is not needed, however, the adjacent property owners are objecting to the fact that there isn't any screening. Mr. Antoun stated that they could screen around the compound. Mr. Freese stated that the regulation explains what is allowed for screening.

Mr. Kavanaugh stated that there have been several letters of opposition to this request. Mr. Kavanaugh asked how the tower site location is determined. Mr. Antoun stated that it is a science and they use the propagation maps. Mr. Antoun stated that the coverage provided by the towers have to barely touch each other and if they overlap it will cause interference. Mr. Antoun stated that if they are too far away from each other there will be a gap that will never be filled. Discussion was held.

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

Board held discussion. Mr. Kavanaugh stated that there were several letters of opposition submitted regarding this request.

The Planning Commission reviewed and approved the General Findings, Findings Of Fact Under Section 17.13.1, Findings Of Fact Under Section 17.13.2.b, Conditions And Standards Under Subsections 17.13.2.b.1. Through 17.13.2.b.6, Findings of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to approve the special use permit based on the General Findings, Findings Of Fact Under Section 17.13.1, Findings Of Fact Under Section 17.13.2.b, Conditions And Standards Under Subsections 17.13.2.b.1 Through 17.13.2.b.6, Findings of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to meeting the screening requirements and documentation must be submitted that FAA requirements are met. Motion carried. 6 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon), 0 Nays, 3 Absent (Borowicz, Churchill, Jazdyk)

#### **UNFINISHED BUSINESS**

##### **Draft Zoning Ordinance Amendment For Planned Unit Development**

Mr. McNeil stated that he has removed the reference to the PUD zoning district as this is not a zoning district and the review will be based on the standards under the approval of the Planning Commission.

Mr. McNeil stated that the following has been added to section 19.3: "Also, common open space, water access facilities, single family, two family and multi-family dwelling uses shall be allowed within three hundred and fifty (350) feet of the highwater mark of any lake, river or perennial stream for a PUD proposed in a Lake and Stream Protection (P-LS) zoning district." Mr. McNeil stated that the following has been added under a new section 19.4.2.b: "Uses proposed in a Lake and Stream Protection (P-LS) zoning district shall comply with all applicable minimum yard setbacks and minimum lot size per dwelling as required under section 17.1 and Shared Waterfront Access provisions as required in section 10.4.4." Mr. McNeil stated that the following has been added to section 19.4.4: "Common open space provided along a lake or river shall contain a minimum average depth from the high water mark of fifty (50) feet." Mr. McNeil noted that the ability for the Planning Commission to waive any standard is in section 19.7.3. Mr. McNeil stated that in section 19.7.3 there should be language regarding waivers for minimum lot size and minimum dwelling requirements. Mr. Freese requested that the new language in section 19.3 be changed to "Also, only common open space, water access facilities, single family, two family and multi-family dwelling uses shall be allowed within three hundred and fifty (350) feet of the highwater mark of any lake, river or perennial stream for a PUD proposed in a Lake and Stream Protection (P-LS) zoning district."

Mr. Kavanaugh referred to section 19.7.3 and stated that because this is a protection district he would like to see that any standard can be waived except in the Lake and Stream Protection zoning district. Mr. Kavanaugh stated that this would allow PUD's in the Lake and Stream Protection zoning district but the applicant would have to meet the standards. Mr. McNeil asked if this should also apply to section 19.7.4 and 19.7.5 (minimum dwelling size and minimum lot size). Discussion was held. Mr. Freese stated that we could get by with restricting the waivers in the Lake and Stream Protection zoning district at this time and it is something that can be changed in the future. Mr. Freese stated that waivers should be allowed in the other districts. Mr. Kavanaugh agreed with Mr. Freese. Mr. McNeil stated that he will add language as requested.

Mr. Kavanaugh asked if this proposed amendment has been reviewed by legal counsel. Mr. McNeil stated that it has not been reviewed by legal counsel. Mr. Freese asked Mr. McNeil to add the proposed language before sending it to legal counsel for review. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to make the changes to the proposed amendment and forward to legal counsel for review. Motion carried. 6 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon), 0 Nays, 3 Absent (Borowicz, Churchill, Jazdyk)

#### **NEW BUSINESS**

No comments.

**STAFF REPORT**

**Work Plan - Remaining Priority Items**

Mr. McNeil provided the Planning Commission a document that listed the priority items that have been identified with an update for each priority item. Mr. McNeil stated that regarding the use terminology review he has provided the Planning Commission with information regarding existing definitions, proposed definitions and use listings that can be eliminated.

Mr. Lawson stated that the director position has been open for approximately 2½ months and he is currently talking with a couple of candidates. Mr. Lawson stated that there has not been a lot of response. Mr. Lawson stated that if these candidates do not work out, he may have to hire a planner who will have to be mentored. Mr. Lawson stated that he would like to see a director and support staff. Mr. Lawson stated the clerk has been promoted to the assistant to the director and will continue with the same responsibilities along with approving residential zoning applications. Mr. Lawson explained that there will also be another position that will be for enforcement and possibly soil erosion or planning. Mr. Lawson stated that there will be three people in the office. Mr. Lawson stated that he will be attending the Planning Commission meetings and arrangements have been made with NEMCOG for support on the findings of fact.

**PLANNING COMMISSION COMMENTS**

Mr. Kavanaugh wished Mr. McNeil good luck in his retirement. Mr. Kavanaugh stated that it has been nice working with Mr. McNeil who is very professional, personable and dedicated. Mr. Kavanaugh thanked Mr. McNeil and stated he will be missed. Mr. Freese agreed with Mr. Kavanaugh and stated that Mr. McNeil will be missed. Discussion was held.

**PUBLIC COMMENTS**

Mr. Muscott thanked Mr. McNeil and stated that he the type of valuable employee that is very rare nowadays.

Ms. Crawford asked if there is something that can be done about the applicant leaving during the meeting and having a conversation outside the door. Ms. Crawford stated that it is very distracting. Ms. Croft stated that this is an open meeting and the door can't be closed. Mr. Kavanaugh stated that the Chairperson should be notified of the disturbance and she will deal with it at that time. Discussion was held.

**ADJOURN**

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 7:38pm.



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Charles Freese  
Planning Commission Secretary



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., #103 ▪ PO BOX 70 ▪ CHEBOYGAN, MI 49721  
PHONE: (231)627-8489 ▪ TDD: (800)649-3777

Thursday, March 8, 2018

David Antoun  
TeleSite Wireless  
1015 S. Lake Drive  
Novi, MI 48377

Dear Mr. Antoun,

Please be advised that the Planning Commission met on Wednesday, February 21, 2018 and took action on your request for a Special Use Permit for a wireless communication facility (section 17.13.). The property is located at 130 West Devereaux Lake Road, Mullett Twp., section 24, parcel #130-024-400-002-03, and is zoned Agriculture and Forestry Management (M-AF).

The board voted to approve the special use permit based on the General Findings, Findings Of Fact Under Section 17.13.1, Findings Of Fact Under Section 17.13.2.b, Conditions And Standards Under Subsections 17.13.2.b.1 Through 17.13.2.b.6, Findings of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to meeting the screening requirements and submitting documentation that FAA requirements are met.

Cheboygan County Zoning Ordinance # 200 requires a Zoning Certificate of Occupancy be issued before a permitted use of land or building begins. The Zoning Certificate of Occupancy ensures that the proposed use of the property and the site plan are in conformance with the special use permit or site plan review permit that was approved by the Planning Commission. There is no fee for the Certificate of Occupancy application or the Zoning Certificate of Occupancy.

Once your project is complete and before the building is occupied for the approved use, a Certificate of Occupancy must be issued. Please fill out the enclosed Zoning Certificate of Occupancy Application and return it with 2 as built site plans and 2 floor plans. Please note that the Zoning Certificate of Occupancy does not replace the Construction Code Certificate of Occupancy.

If you have any questions, please contact me at (231)627-8489.

Sincerely,

A handwritten signature in black ink that reads "Jeffery 3 Lawson".

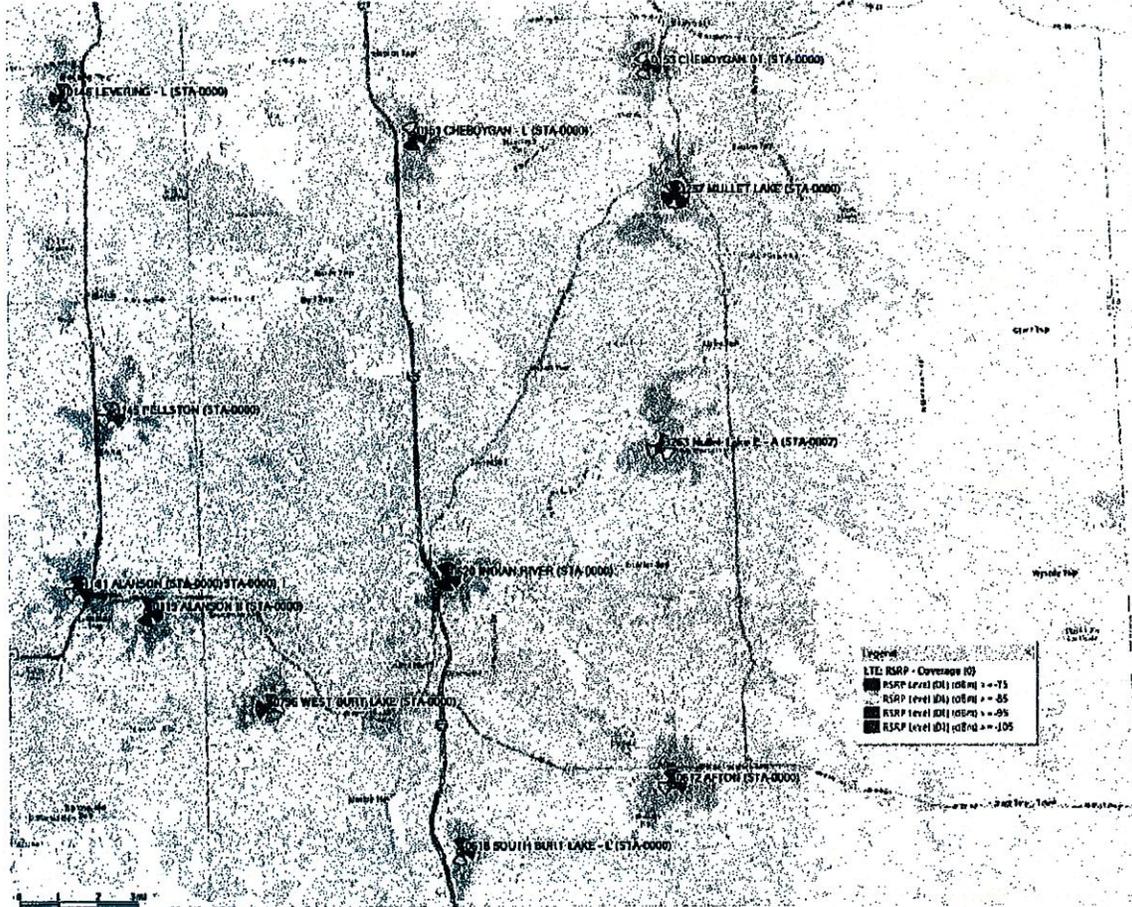
Jeffery Lawson  
Cheboygan County Administrator

cc: Township Supervisor  
Michael O'Grady

JL/dt



# Proposed Verizon Wireless Coverage WITH Site #3263 Mullett Lake East



130-025-200-004-00  
PARROTT, JOHN R L/EWPTS;  
83 W DEVEREAUX LAKE RD  
INDIAN RIVER, MI 49749

130-025-200-005-01  
BROWN, JOHN & CARLENE H/W  
21 W DEVEREAUX LAKE RD  
INDIAN RIVER, MI 49749

130-024-400-002-01  
PATRICK, PETER JR & SARAH FURMAN  
186 PATRICK DR  
INDIAN RIVER, MI 49749

130-024-400-002-00  
BROWN, GERALD  
2150 BROWN RD  
INDIAN RIVER, MI 49749

130-024-400-002-04  
LUND, DENNIS CRAIG  
1163 W GRAND RIVER  
OKEMOS, MI 48864

130-024-400-003-01  
BROWN, GERALD A  
2150 BROWN RD  
INDIAN RIVER, MI 49749

130-024-400-002-03  
O'GRADY, MICHAEL  
130 W DEVEREAUX LAKE RD  
INDIAN RIVER, MI 49749

130-024-400-001-02  
POWELL, GARY DANA L/EWPTS &  
298 RANCH RD  
INDIAN RIVER, MI 49749

130-025-200-003-00  
PARROTT, JOHN R L/EWPTS;  
83 W DEVEREAUX LAKE RD  
INDIAN RIVER, MI 49749

130-024-400-002-03  
OCCUPANT  
130 W DEVEREAUX LAKE RD  
INDIAN RIVER, MI 49721

130-025-200-005-01  
OCCUPANT  
21 W DEVEREAUX LAKE RD  
INDIAN RIVER, MI 49721

130-025-200-003-00  
OCCUPANT  
83 W DEVEREAUX LAKE RD  
INDIAN RIVER, MI 49721

130-024-400-002-00  
OCCUPANT  
2171 BROWN RD  
INDIAN RIVER, MI 49721

130-024-400-002-04  
OCCUPANT  
218 W DEVEREAUX LAKE RD  
INDIAN RIVER, MI 49721

130-024-400-003-01  
OCCUPANT  
2137 BROWN RD  
CHEBOYGAN, MI 49721



# CHEBOYGAN COUNTY PLANNING AND ZONING 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

<p><b>Item:</b> Request for a one-year extension of a Special Use Permit approved for a new wireless communication facility, per Section 18.12. (Expiration of a Special Use Permit) of the Zoning Ordinance</p>	<p><b>Prepared by:</b> Michael Turisk</p>
<p><b>Date:</b> January 29, 2019</p>	<p><b>Expected Meeting Date:</b> February 6, 2019</p>

### GENERAL INFORMATION

**Applicant:** TeleSite Wireless on behalf of Verizon Wireless and Tower Co.

**Property Owner:** Michael O’Grady

**Property Location:** 130 W. Devereaux Lake Rd., Mullett Township

**Current Zoning:** Agriculture and Forestry Management (M-AF)

**Contact:** David Antoun, TeleSite Wireless

**Phone:** 248.798.4429

### BACKGROUND INFORMATION

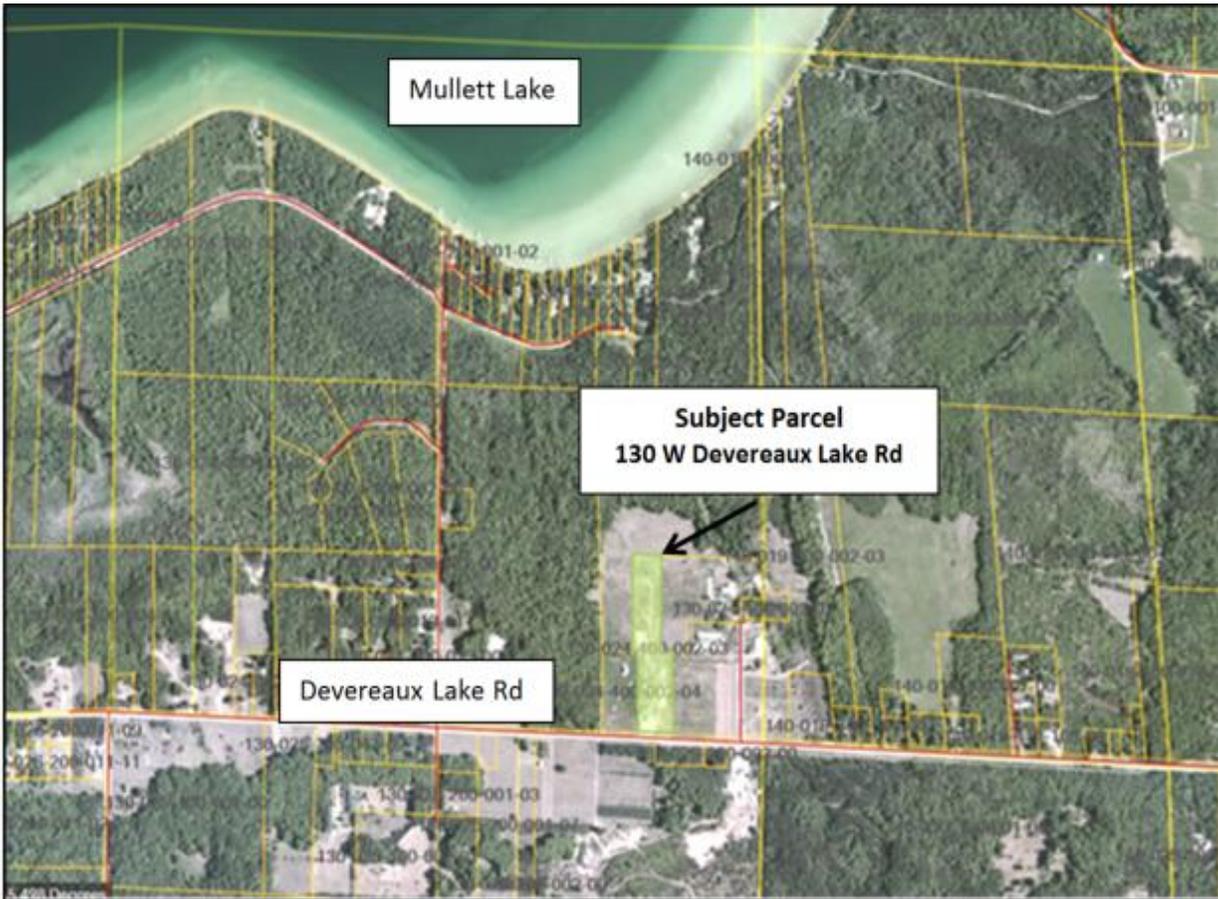
**Introduction:**

The applicant is seeking approval of an extension of a Special Use Permit approved on February 21, 2018 for construction of a new 245-ft. wireless self-supporting lattice tower and related facilities including an equipment cabinet. Wireless Communication Facilities are authorized by Special Use Permit in the Agriculture and Forestry Management (M-AF) districts pursuant to Section 17.13.1.a of the Zoning Ordinance.

The unmanned facility is to be placed on a leased eight-acre parcel with access provided from Devereaux Lake Rd. in Mullett Township. There is an existing 80-ft. tower with related equipment (Special Use Permit approved on July 2, 2008) slated for removal to accommodate the new tower and associated equipment.

The applicant is seeking an isolation standard reduction under Section 17.13.1.a. This Section requires not less than one (1) times the height of the tower to all points to the property lines, and also provides for up to a 50% reduction in the isolation standard if the construction plan, the tower, and its guying/anchoring systems are certified by a registered professional engineer as being safe from the hazard of falling onto public roads or adjoining properties.

The applicant has provided a letter from a registered engineer relative to this request stating that this standard is met. As noted, the height of the proposed tower is 245-ft. The applicant is indicating the nearest separation distance is 125-ft. on the site plan and is requesting a reduction in the isolation standard accordingly.



*Fig. 1; Location of subject property at 130 W. Devereaux Lake Rd.; Mullett Twp.*

**Surrounding land uses:**

Surrounding properties are zoned M-AF and show primarily low-density residential uses.

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

**Historic buildings/features:**

There are no known historic buildings or historic features on the subject property.

**Traffic implications:**

The project will have minimal, if any, impact upon current area traffic conditions.

**Parking:**

A specific parking standard for the use is not noted in the parking table (Section 17.6.) However, a designated parking area would be provided in order for technicians to service the facility.

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

Access to the site is provided via W. Devereaux Lake Rd. and an access roadway that runs north from the Devereaux Lake Rd. right-of-way.

**Signs:**

Emergency contact information and Federal Communications Commission (FCC) registration number and related information would be provided on the equipment shelter.

**Fence/Hedge/Buffer:**

A locked chain link fence 6-ft. in height is located around the leased area. No other screening or buffers are proposed or required.

**Lighting:**

Lighting would be installed on the tower per Federal Aviation Administration (FAA) requirements. No other exterior lighting is proposed.

**Stormwater management:**

There would not be any significant change to existing stormwater runoff flows and/or patterns.

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

Applicable FAA and FCC review.

**Recommendations (proposed conditions):**

The same conditions attached to the Special Use approval in February 2018 are recommended, including:

1. Removal of existing tower and related facilities.
2. Written confirmation of meeting FAA and FCC requirements before construction.

**CHEBOYGAN COUNTY PLANNING COMMISSION**

**SPECIAL USE PERMIT**

**EXTENSION REQUEST**

Wednesday, February 6, 2019, 7:00 PM

<u>Applicant</u>	<u>Property Owner</u>	<u>Parcel</u>
TeleSite Wireless 1015 S. Lake Dr. Novi, Mi. 48370	Michael O'Grady 130 W. Devereaux Lake Rd. Indian River, Mi. 49749	130 W. Devereaux Lake Rd. Mullett Township 130-024-400-005-03

**GENERAL FINDINGS**

1. The property is located in an Agriculture and Forestry Management Zoning District (M-AF).
2. The Applicant is seeking approval of a Special Use Permit extension application for construction of a Wireless Communications Facility that includes a tower up to 245-ft. above ground level and related equipment to be located on leased land in Mullett Township.
3. New Wireless Communication Facilities are allowed in the M-AF zoning districts pursuant to Section 17.13.2 by Special Use Permit. (see Exhibit 14)
4. There is an existing 80-ft. communication tower and related communication facilities located on the subject property. (see Exhibit 14)
5. The existing communications tower and facilities were approved by Special Use Permit on July 2, 2008.
6. The exiting communication tower and facilities are to be removed prior to the new Wireless Communications Facility are constructed.
7. The applicant is seeking a reduction in the isolation standard, per section 17.13.1.

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

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

- a. May be permitted by the Planning commission after a Hearing, in D-CM, D-LI, and M-AF Districts provided said use shall be located centrally on a contiguous parcel of not less than one (1) times the height of the tower measured from the base of said tower to all points on each property line. The isolation standard may be reduced by up to fifty (50%) percent, if the construction plan, the tower, and it guy/anchoring systems are Certified by a Registered Professional Engineer as being safe from the hazard of falling on to public roads or adjoining properties. All guy wires/cables and anchors shall meet zoning setback of the district.
  1. The subject property is in an M-AF District.
  2. The application and site plan indicates a proposed tower 245-ft. in height.
  3. An isolation standard of 245-ft. is required pursuant to Section 17.13.1.a.
  4. Section 17.13.1.a. also provides that the isolation standard may be reduced by up to fifty (50%) percent if the construction plan, the tower, and its guy/anchoring systems are Certified by a Registered Professional Engineer as being safe from the hazard of falling on to public roads or adjoining properties.
  5. The site plan indicates a 125-ft. fall zone which is a 49% reduction in the isolation standard (see Exhibit 8).
  6. The applicant has submitted a letter from a registered professional engineer certifying the tower as being safe form the hazard of falling outside of the fall zone indicated on the site plan (see Exhibit 5)
  7. The Planning Commission finds that the fall zone indicated on a site plan is clear of falling on to a public road and adjoining properties. (see Exhibits 5, 6 and 14)
  - 8.
  9. Requirement has been met.

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

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

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

The Planning Commission finds that the documentation has been submitted and/or statements have been made on the record which demonstrates that there is no reasonable opportunity for collocation or placement of the proposed facility on an existing structure. (see Exhibits 5 and 6)

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

1. The proposed height meets FCC and/or FAA Regulations.
  - a. Evidence of FCC and FAA approval shall be required.
  - b. The application indicates that the tower will be subject to all FAA and FCC standards (see Exhibit 5)
  - c.
  - d. Standard has been met.
2. Towers must be equipped with devices to prevent unauthorized climbing.
  - a. The site plan indicates that the tower will be surrounded by a 6-ft. in height locked chain link fence. (see Exhibits 5 and 6)
  - b.
  - c. Standard has been met
3. All reasonable measures are taken to blend the tower into the landscape, including greenbelt planting and/or screening, painting, and/or concealing the tower in a “stealth design.”
  - a. The proposed tower and associated facilities are to be constructed at the location where the existing 80-ft. tower is located – generally at the central portion of the eight-acre subject property. (see Exhibit 6)
  - b.
  - c. Standard has not been met
4. New towers should be engineered as appropriate for co-location of other antennae.
  - a. The tower design proposes several antennae. (see Exhibit 6)
  - b.
  - c. Standard has been met.
5. Protective fencing and screening may be required to be placed around all guy wire anchor points as appropriate to the site.
  - a. A self-support tower is proposed. (see Exhibit 6)
  - b.. Screening will be provided on the exterior of the proposed compound.
  - c.
  - d. Standard has been met.

6. All new towers must meet the applicable requirements for a commercial tower, per Section 17.13.1 of the Zoning Ordinance.
  - a. See applicable findings above.
  - b.
  - c. Requirements have been met.

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

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

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
  1. The property is located in an Agriculture and Forest Management District (M-AF) which allows Wireless Communication Facilities by Special Use Permit, per Section 17.13. (see Exhibit 14)
  - 2.
  3. Standard has been met.
- b. The proposed Special Use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
  1. The proposed tower and related facilities are unmanned stand-alone facilities and finds on evidence that proposed wireless communication facilities will not cause the use of materials or involve processes that will create substantially negative impacts on county natural resources or the natural environment. (see Exhibits 5 and 14)
  2. This use is compatible with surrounding land uses. (see Exhibits 4 and 8)
  - 3.
  4. Standard has been met.
- c. The proposed Special Use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
  1. The proposed tower and associated facilities are unmanned stand-alone facilities and would not cause the use of materials or involve equipment or processes which would generate noise or traffic which is incompatible with surrounding land uses. No smoke, glare, fumes or odors will be produced. (see Exhibits 5 and 6)
  - 2.
  3. Standard has been met.
- d. The Special Use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
  1. The proposed tower and facilities are to be constructed approximately 500-ft. from the W. Devereaux Lake Rd. right-of -way on an eight-acre parcel of leased land zoned M-AF, and will not diminish the opportunity for surrounding properties to be used and developed as zoned.(see Exhibit 6)
  - 2.
  3. Standard has been met.

- e. The proposed Special Use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
  - 1. The proposed use will not require public resources greater than current capacity nor increase hazards from fire or other dangers. The facility would be unmanned and secured by locked fencing. (see Exhibit 5)
  - 2.
  - 3. Standard has been met.
  
- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
  - 1. Adequate access to the site is provided via W. Devereaux Lake Rd. (see Exhibits 5, 6 and 14)
  - 2. The entrance roadway is not within 25 feet of an intersection. (see Exhibit 6)
  - 3.
  - 4. Standard has been met.
  
- g. The Special Use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
  - 1. The use is an unmanned stand-alone wireless communications facility and thus will not require a water well, septic facilities or refuse collection. (see Exhibit 5)
  - 2.
  - 3. Standard has been met.
  
- h. The Special Use will comply with all specific standards required under this Ordinance applicable to it.
  - 1. The Special Use will comply with all relevant standards required under the Ordinance. (see Exhibit 5)
  - 2.
  - 3. Standard has been met.

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

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
  - 1. Changes to the overall natural features of the site will be minimal. (see Exhibits 5 and 6)
  - 2.
  - 3. Standard has 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 major changes are proposed that would significantly affect the landscape or natural state of the site. (see Exhibit 5)
  - 2.
  - 3. Standard has been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
  - 1. No changes in drainage on the site are proposed or anticipated (see Exhibits 5, 6 and 14)
  - 2.
  - 3. Standard has been met.
  
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
  - 1. Not applicable. No dwellings are proposed.
  
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
  - 1. Emergency vehicle access is provided via W. Devereaux Lake Rd. and a connecting easement. (see Exhibit 6)
  - 2.
  - 3. Standard has been met.
  
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
  - 1. Access to the structures is provided via W. Devereaux Lake Rd. and a connecting easement. (see Exhibit 6)
  - 2.
  - 3. Standard has been met.
  
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
  - 1. Not applicable. No subdivision plats or subdivision condominiums are proposed.
  
- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.
  - 1. Lighting per FAA requirements are proposed for the tower and will not affect adjacent properties, impede vision of traffic and should not unnecessarily illuminate night skies. (See Exhibits 6 and 14)
  - 2.
  - 4. Standard has been met
  
- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
  - 1. Not applicable. No common ways are proposed.
  
- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits. The site plan will conform to state and federal statutes and the Cheboygan County Master Plan.
  - 1. The site plan shall conform to all applicable requirements.

**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, February 6, 2019

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Patty Croft, Chairperson

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Charles Freese, Secretary

# CHEBOYGAN COUNTY PLANNING COMMISSION

Team Andrews Enterprises, LLC/Robert Andrews

## Exhibit List

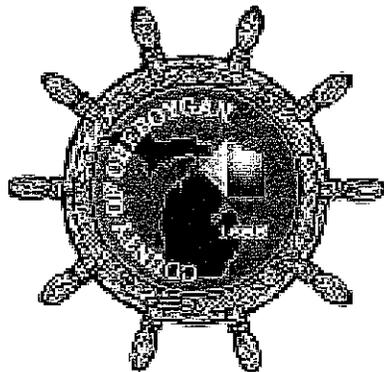
1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Special Use Permit Application (7 Pages)
4. Site Plan (2 Page)
5. Elevation Photographs (3 Pages)
6. Email Dated 2/4/19 From Kyle Keller, District 4 Health (1 Page)
7. Email dated 2/4/19 From Gabe Phelps, MDOT (1 Page)
8. Staff Report (3 Pages)
9. Mailing List (1 Page)
- 10.
- 11.
- 12.
- 13.
- 14.

Note: Planning Commission members have Exhibits 1 and 2.

# CHEBOYGAN COUNTY PLANNING COMMISSION

PO Box 70  
870 SOUTH MAIN ST., ROOM 103  
CHEBOYGAN, MI 49721  
(231)627-8489 (PHONE)  
(231)627-3646 (FAX)  
[www.cheboygancounty.net/planning](http://www.cheboygancounty.net/planning)

RECEIVED  
FEB 01 2019  
Cheboygan County  
Planning & Zoning Department



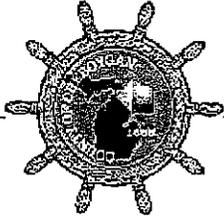
THE PLANNING COMMISSION MEETS THE  
1ST AND 3RD WEDNESDAY OF EVERY MONTH AT 7:00 PM  
IN THE COMMISSIONER'S ROOM (ROOM #135)  
OF THE CHEBOYGAN COUNTY BUILDING.  
DATE, TIME AND LOCATION ARE SUBJECT TO CHANGE.

ALL SPECIAL USE PERMIT APPLICATIONS WILL BE REVIEWED ADMINISTRATIVELY AND WILL BE PLACED ON A PLANNING COMMISSION AGENDA WHEN DEEMED COMPLETE. THE FOLLOWING ITEMS MUST BE SUBMITTED TO BE REVIEWED BY THE ZONING ADMINISTRATOR:

1. COMPLETED SPECIAL USE PERMIT APPLICATION WITH APPLICANT AND OWNER SIGNATURES (4 PAGES)
2. COMPLETED SITE PLAN REQUIREMENT CHECKLIST WITH SIGNATURE (2 PAGES)
3. SITE PLAN
4. WARRANTY DEED OR OTHER PROOF OF OWNERSHIP
5. CERTIFIED PROPERTY SURVEY OR DIMENSIONED PROPERTY LAND PLAT
6. APPLICATION FEE

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.

Self Storage Facility - Open 24hrs

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.

Yes

- 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. All drive access roads will be asphalt

- 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.

Driveway from M-27 - Driveway between each building

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

M-27

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

N/A

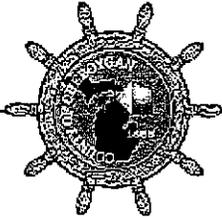
- h. Exterior lighting shall be arranged as follows: On buildings only

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.

N/A

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

Yes

3. Size of property in sq. ft. or acres: 3.3 acres

4. Present use of property:

Self Storage Facility

5. SUP Standards:

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

Yes - commercial zoning

- 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 - Existing

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

No, - See Above

- 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



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SPECIAL LAND USE PERMIT APPLICATION

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services? 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 Bob Andrews Date 1/30/19

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

Yes  No

Owner's Signature Bob Andrews Date 1/30/19

### FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	<u>2-1-19</u>	Notes:
Fee Amount Received:	<u>\$ 150.00</u>	
Receipt Number:	<u>6594</u>	
Public Hearing Date:	<u>2-20-19</u>	

Planning/Zoning Administrator Approval:

[Signature]  
Signature

2.1.2019  
Date

# SPECIAL LAND USE PERMIT APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

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

SPECIAL LAND USE PERMIT APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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.

Robert Andrew

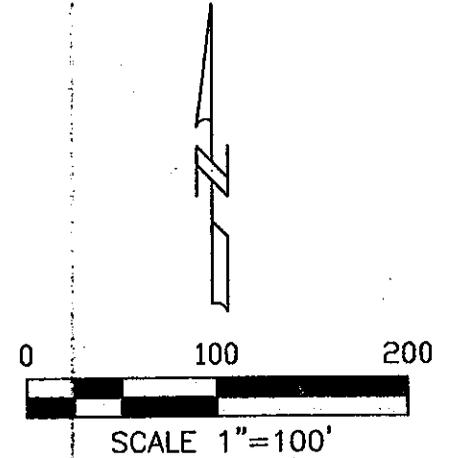
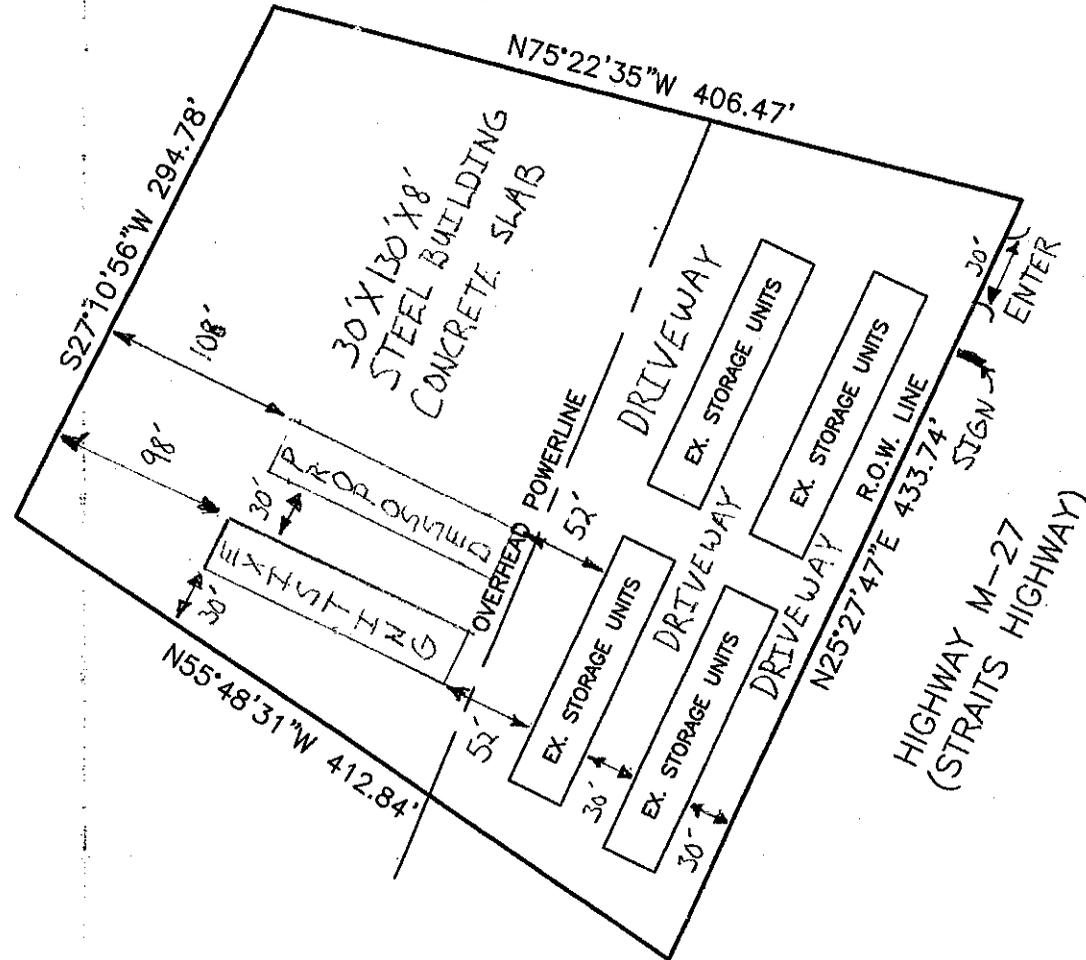
SIGNATURE

1/30/19

DATE

# LOCATION SKETCH

PART OF THE SW1/4 OF THE SE1/4, SECTION 34, T37N, R2W,  
INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN



BEARINGS, DISTANCES, AND BUILDINGS AS SHOWN TAKEN FROM PREVIOUS SURVEY BY GRANGER & ASSOCIATES.

CLIENT:  
BOB ANDREWS  
DATE: MARCH 8, 2017

**Granger and Associates, Inc.**  
Engineers • Surveyors  
224 S. Main St., Cheboygan, MI 49721  
Email: grangerandassociates@gmail.com  
231-627-2763

SEC. 34, T37N, R2W		
DRAWN	AJG	SHEET 1 OF 2
JOB NO.	C6671-26	



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## LOCATION SKETCH

PART OF THE SW1/4 OF THE SE1/4, SECTION 34, T37N, R2W,  
INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN

**PARCEL B**

PART OF THE SW1/4 OF THE SE1/4, SECTION 34, T37N, R2W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN DESCRIBED AS COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE N 01°06'39" E, ALONG THE N-S 1/4 LINE OF SAID SECTION, 230.00 FT.; THENCE S 89°07'40" E 569.41 FT. (PREVIOUSLY RECORDED AS S 89°11'30" E 570.52 FT.); THENCE S 89°02'49" E 71.45 FT. (PREVIOUSLY RECORDED AS S 89°11'30" E 71.48 FT.); THENCE S 01°23'31" W (PREVIOUSLY RECORDED AS S 00°48'30" E) 53.00 FT.; THENCE S 89°10'26" E (PREVIOUSLY RECORDED AS S 89°11'30" E) 270.80 FT.; THENCE S 52°53'11" E 88.83 FT. (PREVIOUSLY RECORDED AS S 52°56'15" E 68.70 FT.), TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY M-27; THENCE N 25°27'47" E (PREVIOUSLY RECORDED AS N 25°47'15" E), ALONG SAID R.O.W. LINE, 251.54 FT., TO THE NORTHERLY LINE OF A 30 FT. INGRESS/EGRESS EASEMENT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N 25°27'47" E (PREVIOUSLY RECORDED AS N 25°47'15" E), ALONG SAID R.O.W. LINE, 433.74 FT.; THENCE N 75°22'35" W 406.47 FT. (PREVIOUSLY RECORDED AS N 75°56'00" W 408.54 FT.); THENCE S 27°10'56" W (PREVIOUSLY RECORDED AS S 25°47'15" W) 294.78 FT., TO SAID NORTHERLY EASEMENT LINE; THENCE S 55°48'31" E, ALONG SAID NORTHERLY EASEMENT LINE, 412.84 FT., TO THE P.O.B. CONTAINS 3.4 ACRES, MORE OR LESS.

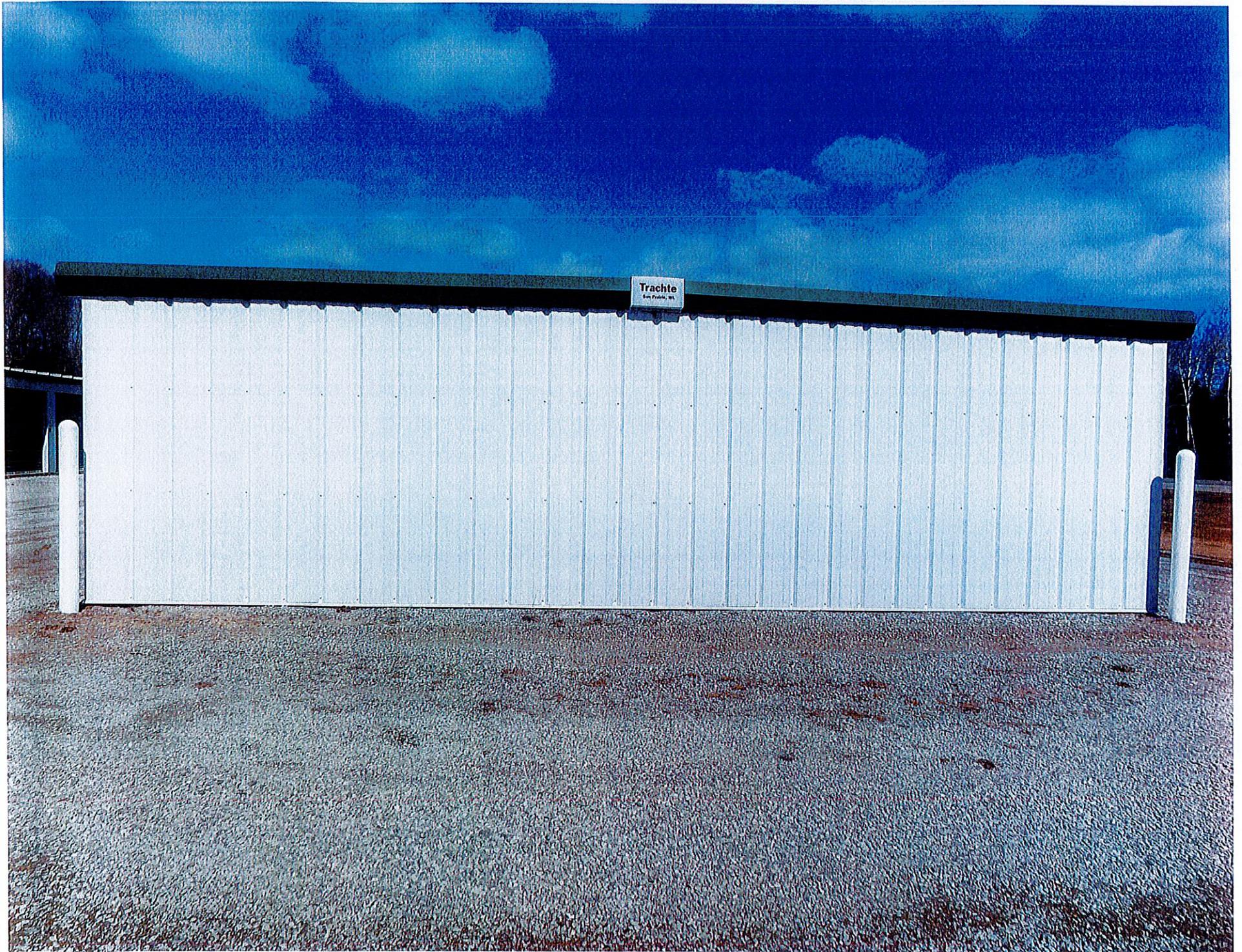
SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS OF RECORD, IF ANY.

TOGETHER WITH A 30 FT. WIDE INGRESS/EGRESS EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER, SECTION 34, T37N, R2W; THENCE N 01°06'39" E, ALONG THE N-S 1/4 LINE OF SAID SECTION, 230.00 FT.; THENCE S 89°07'40" E 569.41 FT. (PREVIOUSLY RECORDED AS S 89°11'30" E 570.52 FT.), TO THE POINT OF BEGINNING; THENCE S 89°02'49" E 71.45 FT. (PREVIOUSLY RECORDED AS S 89°11'30" E 71.48 FT.); THENCE S 01°23'31" W (PREVIOUSLY RECORDED AS S 00°48'30" E) 53.00 FT.; THENCE S 89°10'26" E (PREVIOUSLY RECORDED AS S 89°11'30" E) 270.80 FT.; THENCE S 52°53'11" E 88.83 FT. (PREVIOUSLY RECORDED AS S 52°56'15" E 68.70 FT.), TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY M-27; THENCE N 25°27'47" E (PREVIOUSLY RECORDED AS N 25°47'15" E), ALONG SAID R.O.W. LINE, 251.54 FT., TO THE POINT OF BEGINNING; THENCE N 55°48'31" W 412.84 FT.; THENCE S 27°10'56" W (PREVIOUSLY RECORDED AS S 25°47'15" W) 30.23 FT.; THENCE S 55°48'31" E 413.76 FT., TO SAID R.O.W. LINE; THENCE N 25°27'47" E (PREVIOUSLY RECORDED AS N 25°47'15" E), ALONG SAID R.O.W. LINE, 30.35 FT., TO THE P.O.B.

COPYRIGHTED GRANGER & ASSOCIATES INC. 2010

CLIENT:  BOB ANDREWS  DATE: MARCH 8, 2017	 <p><b>Granger and Associates, Inc.</b>                  Engineers • Surveyors                  224 S. Main Street                  Cheboygan, Michigan 49721                  231-627-2763</p>	SEC. 34, T37N, R2W <hr/> DRAWN    AJG    SHEET 2 OF 2 <hr/> JOB NO.    C6671-26
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ANDREWS - WEST FLORIDA (5)



6 ANDREWS - EAST EXTENSION



ANDREWS - NORTH END SOUTH SIDE

**Deborah Tomlinson**

---

**From:** Kyle Keller <kkeller@dhd4.org>  
**Sent:** Monday, February 04, 2019 8:21 AM  
**To:** Deborah Tomlinson  
**Subject:** RE: 02/20/19 PC Meeting - Special Use Permit Application For Team Andrews Enterprise

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

All good on the Andrews project doesn't look like he will have a need for on-site water/sewage permits from us at the LHD, unless his project changes scope no problem.

Kyle Keller RS  
Environmental Sanitarian  
DHD4-Cheboygan County  
PH# 231-627-8850  
[kkeller@dhd4.org](mailto:kkeller@dhd4.org)  
[www.dhd4.org](http://www.dhd4.org)

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---

**From:** Deborah Tomlinson <[debbiet@cheboygancounty.net](mailto:debbiet@cheboygancounty.net)>  
**Sent:** Friday, February 01, 2019 12:43 PM  
**To:** Ron Neuman <[dgronn@gmail.com](mailto:dgronn@gmail.com)>; Johanna Pluszcynski <[invernesswptreasurer@gmail.com](mailto:invernesswptreasurer@gmail.com)>; Lisa Porter <[invernessclerk@gmail.com](mailto:invernessclerk@gmail.com)>; Kyle Keller <[kkeller@dhd4.org](mailto:kkeller@dhd4.org)>; Brent Shank ([mgr@chcrc.com](mailto:mgr@chcrc.com)) <[mgr@chcrc.com](mailto:mgr@chcrc.com)>; Jay Gailitis ([gailitis@michigan.gov](mailto:gailitis@michigan.gov)) <[gailitis@michigan.gov](mailto:gailitis@michigan.gov)>; Gabe Phelps ([phelpsg@michigan.gov](mailto:phelpsg@michigan.gov)) <[phelpsg@michigan.gov](mailto:phelpsg@michigan.gov)>  
**Subject:** 02/20/19 PC Meeting - Special Use Permit Application For Team Andrews Enterprise

The following is a link to a special use permit amendment application for Team Andrews Enterprises: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093>. Please review this application and email any comments to me by 02/13/19.

Thank you!!

Debbie

**Debbie Tomlinson**  
*Cheboygan County*  
*Planning & Zoning Department*  
PO Box 70, 870 South Main Street  
Cheboygan, MI 49721

**Deborah Tomlinson**

---

**From:** Phelps, Gabe (MDOT) <PhelpsG@michigan.gov>  
**Sent:** Monday, February 04, 2019 10:12 AM  
**To:** Deborah Tomlinson  
**Cc:** Gailitis, Jason (MDOT)  
**Subject:** RE: 02/20/19 PC Meeting - Special Use Permit Application For Team Andrews Enterprise

Debbie,

The existing driveway on M-27 is adequate for the proposed additional storage building. A MDOT permit is not required. No other comments or concerns.

Thank you,  
Gabe

---

**From:** Deborah Tomlinson [<mailto:debbiet@cheboygancounty.net>]  
**Sent:** Friday, February 01, 2019 12:43 PM  
**To:** Ron Neuman <[dgronn@gmail.com](mailto:dgronn@gmail.com)>; Johanna Pluszcynski <[invernesswptreasurer@gmail.com](mailto:invernesswptreasurer@gmail.com)>; Lisa Porter <[invernessclerk@gmail.com](mailto:invernessclerk@gmail.com)>; Kyle Keller <[kkeller@dhd4.org](mailto:kkeller@dhd4.org)>; Brent Shank ([mgr@chcrc.com](mailto:mgr@chcrc.com)) <[mgr@chcrc.com](mailto:mgr@chcrc.com)>; Gailitis, Jason (MDOT) <[GailitisJ@michigan.gov](mailto:GailitisJ@michigan.gov)>; Phelps, Gabe (MDOT) <[PhelpsG@michigan.gov](mailto:PhelpsG@michigan.gov)>  
**Subject:** 02/20/19 PC Meeting - Special Use Permit Application For Team Andrews Enterprise

The following is a link to a special use permit amendment application for Team Andrews Enterprises: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093>. Please review this application and email any comments to me by 02/13/19.

Thank you!!

Debbie

**Debbie Tomlinson**  
*Cheboygan County*  
*Planning & Zoning 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)



# CHEBOYGAN COUNTY PLANNING AND ZONING 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 an amendment to a Special Use Permit for an Indoor Storage Facility structure in a Commercial Development (D-CM) zoning district, pursuant to Section 6.3.16 of the Zoning Ordinance.	<b>Prepared by:</b> Michael Turisk
<b>Date:</b> February 14, 2019	<b>Expected Meeting Date:</b> February 20, 2019

## GENERAL INFORMATION

**Applicant:** Bob Andrews

**Property Owner:** Team Andrews Enterprises, LLC/

**Contact:** Robert Andrews

**Phone:** 231.420.2722

**Property Location:** 6123 N. Straits Hwy., Inverness Township

## BACKGROUND INFORMATION

### Introduction:

The applicant is seeking an amendment to a Special Use Permit to construct an additional Indoor Storage Facility (mini- or self-storage) structure measuring 30-ft. x 130-ft. on the subject property located at 6123 N. Straits Highway in Inverness Township, approximately one-mile south of Polish Line Rd. Indoor Storage Facility is a use requiring a Special Use Permit in the D-CM district, per Section 6.3.16. This expansion project is proposed on a site with an existing driveway and five existing self-storage structures. The original Special Use Permit was issued on May 13, 1980 and amended on June 21, 2000.

Indoor Storage Facility is defined in the Zoning Ordinance as follows;

### INDOOR STORAGE FACILITY

Any structure that is limited to indoor storage, for a fee, of goods, materials, or personal property which may provide individual renters to control individual storage spaces. No other commercial activities shall be allowed.

8

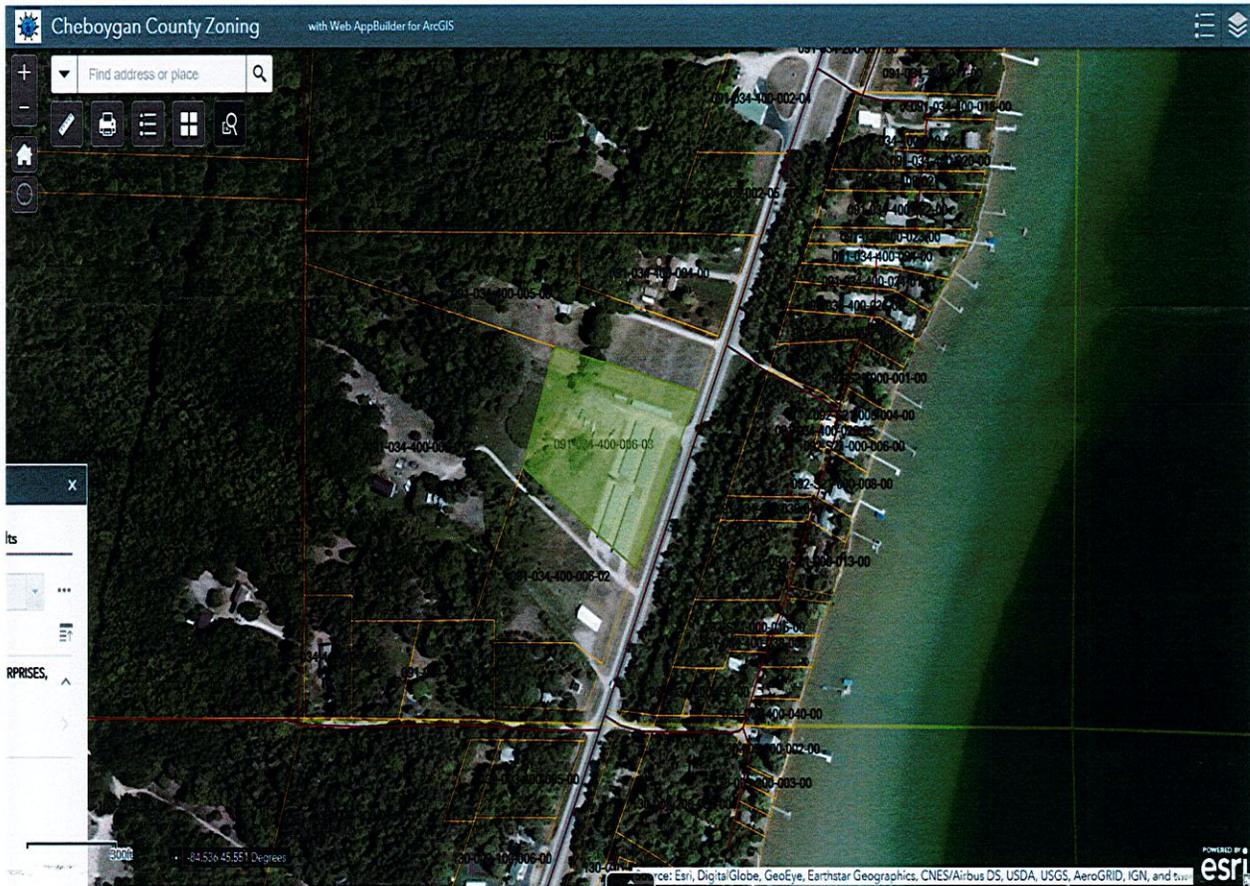


Fig. 1; Subject property at center at 6123 N. Straits Hwy., approximately one-mile south of Polish Line Rd., Inverness Township

**Current Zoning:**

Commercial Development District. (D-CM)

**Surrounding Land Uses:**

Commercial zoning bounds the subject property, with Agriculture and Forestry Management (M-AF) and Lake and Stream Protection (P-LS) zoning farther to the west. Residential uses predominate in this area.

**Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):** There are no known environmentally sensitive areas on the subject site. Note that a waiver from the topography requirement is requested.

**Historic buildings/features:**

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

**Traffic Implications:**

The expansion of the Indoor Storage Facility will have minimal impact upon current traffic conditions. Per MDOT, a permit will not be required.

**Parking:**

Section 17.6. does not provide parking standards for the indoor storage facility or a commercial

storage use for individuals. As a result, the Planning Commission will have to make an adequate parking determination relative to the use, per section 17.4.1.

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

Access to the site is to be facilitated by a driveway to N. Straits Highway.

**Signs:**

No additional signs are proposed.

**Fence/Hedge/Buffer:**

No hedge or other type of buffer is proposed nor required.

**Lighting:**

Outdoor lighting is mounted on the storage buildings and would on the new structure. No other outdoor lighting is proposed.

**Stormwater management:**

No changes are proposed to stormwater management.

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

Building permits from the Department of Building Safety required.

**Recommendation (Proposed Condition):**

1. Prior to construction, obtain building permit(s) from the County's Department of Building Safety.

091-034-400-028-01  
FRYE, JAMES & MARGARET H/W  
175 E NAWAKWA RD, APT 200  
ROCHESTER HILLS, MI 48307

091-034-400-004-00  
ELLIOTT, MARK & JANETTE H/W L/EWPTS  
6167 N STRAITS HWY  
CHEBOYGAN, MI 49721

091-034-400-006-03  
TEAM ANDREWS ENTERPRISES, INC  
7850 GOLFVIEW DR  
CHEBOYGAN, MI 49721

091-034-400-008-00  
POND, GERALD & LISA H/W  
2350 W SILVER BEACH RD  
CHEBOYGAN, MI 49721

091-034-400-028-00  
MULLETT LAKE HOUSE, LLC  
57483 JUNCTION CT  
WASHINGTON, MI 48094

091-034-400-030-01  
KEATING, TERRENCE & NOREEN H/W  
6114 SILVER BEACH RD  
CHEBOYGAN, MI 49721

091-034-400-030-00  
CARROLL ILENE M, TRUSTEE  
71 GOLFVIEW DR  
YPSILANTI, MI 48197

091-034-400-031-00  
PAUL, DEAN & ANN H/W 1/2 INT &  
5036 W CEDAR DR  
SAULT SAINTE MARIE, MI 49783

092-S21-000-015-00  
MICUS, SCOTT & JENNIFER H/W  
6659 AVONLEA CT SE  
GRAND RAPIDS, MI 49546

091-034-400-027-00  
DIBLEY, STEWART & KATHERINE H/W  
29485 TAWAS  
MADISON HEIGHTS, MI 48071

091-034-400-002-06  
POLLARD, TOM & MARGARET H/W  
6275 N STRAITS HWY  
CHEBOYGAN, MI 49721

091-034-400-006-01  
DODD, SPENCER  
6101 N STRAITS HWY  
CHEBOYGAN, MI 49721

091-034-400-005-00  
FISH, PATRICK & AMY H/W  
6151 N STRAITS HWY  
CHEBOYGAN, MI 49721

091-034-200-017-00  
MICHIGAN DEPT OF NATURAL RESOURCES  
PO BOX 30722  
LANSING, MI 48909

091-034-400-006-02  
BECKERT, JAMES & CHRISTINE H/W  
1703 RIVERSIDE DR  
BEAUFORT, SC 29902

091-034-400-006-02  
OCCUPANT  
6047 N STRAITS HWY  
CHEBOYGAN, MI 49721

091-034-400-004-00  
OCCUPANT  
6167 N STRAITS HWY  
CHEBOYGAN, MI 49721

091-034-400-006-03  
OCCUPANT  
6123 N STRAITS HWY  
CHEBOYGAN, MI 49721

091-034-400-008-00  
OCCUPANT  
2350 W SILVER BEACH RD  
CHEBOYGAN, MI 49721

091-034-400-028-00  
OCCUPANT  
6151 SILVER BEACH RD  
CHEBOYGAN, MI 49721

091-034-400-005-00  
OCCUPANT  
6151 N STRAITS HWY  
CHEBOYGAN, MI 49721

091-034-400-027-00  
OCCUPANT  
6186 SILVER BEACH RD  
CHEBOYGAN, MI 49721

091-034-400-031-00  
OCCUPANT  
6001 SILVER BEACH RD  
CHEBOYGAN, MI 49721

092-S21-000-015-00  
OCCUPANT  
6120 N STRAITS HWY  
CHEBOYGAN, MI 49721

091-034-400-006-01  
OCCUPANT  
6101 N STRAITS HWY  
CHEBOYGAN, MI 49721

9

**CHEBOYGAN COUNTY PLANNING COMMISSION**  
**SPECIAL USE PERMIT AMENDMENT REQUEST**  
Wednesday, February 20, 2019, 7:00 PM

<u>Applicant</u>	<u>Owner</u>	<u>Parcel</u>
Bob Andrews 7850 Golf View Dr. Cheboygan , Mi. 49721	Team Andrews Enterprises 7850 Golf View Dr. Cheboygan , Mi. 49721	6132 N. Straits Hwy. Inverness Township 091-034-400-006-03

**GENERAL FINDINGS**

1. The subject property is zoned Commercial Development District. (D-CM)
2. The owner/applicant is seeking an amendment to a special use permit for an additional indoor storage structure which will contain individual rental storage units.
3. The original special use permit for the subject lot was issued on May 13, 1980 and amended on June 21, 2000.
4. Indoor Storage Facility is a use which requires a special use permit in a D-CM zoning district, per Section 6.3.16.
5. The applicant is seeking a waiver from the topography survey requirement.

**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 Commercial Development (D-CM) Zoning district.
  2. The applicant is seeking a special use permit for an additional indoor storage structure. (see Exhibit 3)
  3. Indoor Storage Facility is a use which requires a special use permit in the D-CM zoning districts, per Section 6.3.16. (see Exhibit 1)
  - 4.
  5. Standard has 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. Indoor Storage Facility is a use which requires a special use permit in the D-CM zoning districts, per Section 6.3.16.
  2. The applicant is seeking a special use permit amendment for an additional indoor storage structure. (see exhibit 3)
  - 3.
  4. Standard has 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 is seeking a special use permit for an additional indoor storage structure. (see exhibit 3)
  2. The proposed use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area. (see exhibit 3 and 5)

- 3.
  4. Standard has 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 owner/applicant is seeking a special use permit for an additional indoor storage structure. (see exhibit 3)
  2. The ongoing use as proposed will be constructed, designed, operated and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. (see exhibits 3 and 5)
  - 3.
  4. Standard has been met.
- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
1. The applicant is seeking a special use permit for an additional indoor storage structure. (see exhibit 3)
  2. The proposed use will not place demands of fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers. (see exhibit 3 and 5)
  - 3.
  4. Standard has 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 applicant is seeking a special use permit amendment for an additional indoor storage structure. (see exhibit 3)
  2. The use will not cause congestion on North Straits Highway or increase traffic hazards in excess of current capacity. (see exhibit 5)
  - 3.
  4. Standard has 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 owner/applicant is seeking a special use permit amendment for an additional indoor storage structure.
  2. Water and sewer facilities or refuse collection are not necessary for this use
  - 3.
  4. Standard has 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 amendment complies with all the specific standards required under this Ordinance applicable to it and is of the same general character as the uses described in Section 6.3. (see Exhibit 1, 3 and 5)
  - 2.
  3. Standard has been met.

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

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
  1. Changes to the natural contours of the site are limited to the construction of the additional storage structure. (see Exhibit 7)
  - 2.
  3. Standard has 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 change is proposed to the landscape. (see Exhibit 3 and 7)
  - 2.
  3. Standard has 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 change is proposed to existing stormwater management. (see Exhibits 3 and 7)
  - 2.
  3. Standard has 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 vehicles is provided via an access driveway from North Straits Highway and drive lanes between buildings. (see Exhibit 7)
  - 2.
  3. Standard has 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 have access to North Straits Highway, which is a County Primary Road. (see Exhibit 7)
  - 2.
  3. Standard has 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 condominiums or subdivision plats 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. Outdoor lighting is located on the building only. Lighting will be down directional wall packs located on the buildings which deflected away from adjacent properties and does not impede vision of traffic and does

- not unnecessarily illuminate night skies. (see Exhibit 3)
2. No other exterior lighting is proposed (see exhibit 3)
  - 3.
  4. Standard has 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 Exhibits 2 and 7)
  - 2.
  3. Standard has 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, February 20, 2019

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

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

# CHEBOYGAN COUNTY PLANNING COMMISSION

Sunrise Structures

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Site Plan Review Application (7 Pages)
4. Site Plan (1 Page)
5. 2018 Winter Property Tax Bill (1 Page)
6. Location Map/Aerial Photo (1 Page)
7. Email Dated 1/30/19 From Kyle Keller, District Health Department #4 (1 Page)
8. Email Dated 1/30/19 From Brent Shank, Road Commission (1 Page)
9. Staff Report (3 Pages)
- 10.
- 11.
- 12.
- 13.
- 14.

Note: Planning Commission members have Exhibits 1 and 2.

# CHEBOYGAN COUNTY PLANNING COMMISSION

PO Box 70  
870 SOUTH MAIN ST., ROOM 103  
CHEBOYGAN, MI 49721  
(231)627-8489 (PHONE)  
(231)627-3646 (FAX)  
[www.cheboygancounty.net/planning](http://www.cheboygancounty.net/planning)



THE PLANNING COMMISSION MEETS THE  
1ST AND 3RD WEDNESDAY OF EVERY MONTH AT 7:00 PM  
IN THE COMMISSIONER'S ROOM (ROOM #135)  
OF THE CHEBOYGAN COUNTY BUILDING.  
DATE, TIME AND LOCATION ARE SUBJECT TO CHANGE.

ALL SITE PLAN REVIEW APPLICATIONS WILL BE REVIEWED ADMINISTRATIVELY AND WILL BE PLACED ON A PLANNING COMMISSION AGENDA WHEN DEEMED COMPLETE. THE FOLLOWING ITEMS MUST BE SUBMITTED TO BE REVIEWED BY THE ZONING ADMINISTRATOR:

1. COMPLETED SITE PLAN REVIEW APPLICATION WITH APPLICANT AND OWNER SIGNATURES (4 PAGES)
2. COMPLETED SITE PLAN REQUIREMENT CHECKLIST WITH SIGNATURE (2 PAGES)
3. SITE PLAN
4. WARRANTY DEED OR OTHER PROOF OF OWNERSHIP
5. CERTIFIED PROPERTY SURVEY OR DIMENSIONED PROPERTY LAND PLAT
6. APPLICATION FEE

3

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

### PROPERTY LOCATION

Address <b>NA</b>	City / Village <b>Cheboygan</b>	Twp / Sec. <b>Waverly/17</b>	Zoning District <b>D-CM</b>
Property Tax I.D. Number <b>092-017-100-005-03</b>	Plat or Condo Name / Lot or Unit No.		

### APPLICANT

Name <b>Sunrise Structures</b>	Telephone <b>989-766-2676</b>	Fax
Address <b>4369 Lake Augusta Hwy</b>	City, State & Zip <b>Hawks MI 49743</b>	E-Mail

### OWNER (If different from applicant)

Name <b>PAUL FRANCE</b>	Telephone <b>231.627.4323</b>	Fax
Address <b>9750 N. STRAITS Hwy</b>	City, State & Zip <b>CHEBOYGAN, MI 49721</b>	E-Mail <b>Pfrance@AirBearTravel.com</b>

### 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 checked="" type="checkbox"/> Other: <b>display sheds</b>	Building/Sign Information 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
<input checked="" type="checkbox"/> Other: <b>display sheds</b>			

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: **M-27 M33 Junction**

SITE PLAN REVIEW APPLICATION



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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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.

display lot for Sunrise Structures  
like sheds, gazebos, live stock shelters, small cabins  
up to 15' portable sheds

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.

ONLY display sheds, and small buildings (portable)  
will be set there.

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.

Wont be doing any changes on landscape

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

Wont change anything on drainage

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

display Barns not to be occupied.

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

yes we can do that

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

no permanent buildings, only one driveway

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

not applicable

h. Exterior lighting shall be arranged as follows:

i. It is deflected away from adjacent properties. ~~not~~ NO lighting

ii. It does not impede the vision of traffic along adjacent streets. NO lighting

iii. It does not unnecessarily illuminate night skies. NO lighting

SITE PLAN REVIEW APPLICATION



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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.

yes

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: 2.4

4. Present use of property: Vacant / selling sheds

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.

NO Survey

### 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 Mark [Signature] Date 1-22-19

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 1-22-19



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

## FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	1.22.2019	Notes:
Fee Amount Received:	\$170	
Receipt Number:	CASH	
Public Hearing Date:	2.20.2019	
Planning/Zoning Administrator Approval:		
		1.22.2019
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
✓		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.
	NA	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.
Level sight	✓	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.
	NA	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.
	NA	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.
	NA	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.
	NA	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
	NA	m. Location and specifications for all fences, walls, and other screening features.
	NA	n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
	NA	o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
	NA	p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
Level sight	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

	sight is level topography
	not needed

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.

Mark [Signature]  
SIGNATURE

1-22-19  
DATE



2018

INVERNESS

Winter

Tax Bill

INVERNESS TOWNSHIP  
JOHANNA PLUSZCZYNSKI, TREASURER  
PO BOX 620  
CHEBOYGAN, MI 49721

PLEASE RETURN THIS PORTION WITH PAYMENT. THANK YOU.
This tax is due by: 02/28/2019 After 02/28/2019 additional interest and fees apply
2018 Winter Tax for Prop #: 092-017-100-005-03

To: FRANCE, PAUL & SHELLI H/W  
1951 HENNINGS RD  
CHEBOYGAN MI 49721

Make Check Payable To: INVERNESS TOWNSHIP

TOTAL AMOUNT DUE: 745.58

Amount Remitted: \_\_\_\_\_

Check must clear or receipt is void.

Check box for a receipt returned by mail.

Taxpayer Note: Is your mailing address correct? If not, please make corrections above. Thank you



\*\*\*\*Please detach and send top portion with payment to assure proper posting.\*\*\*\*

2018

INVERNESS

Winter

<p>MESSAGE TO TAXPAYER</p> <p>DUE DECEMBER 1, 2018, TO AND INCLUDING, FEBRUARY 28, 2019, TO PAY WITHOUT PENALTY. MARCH 1, 2019 ALL DELINQUENT TAXES ARE PAYABLE TO THE COUNTY TREASURER, EXCEPT FOR PERSONAL PROPERTY TAXES, WHICH REMAIN PAYABLE TO THE TOWNSHIP TREASURER. MARCH 1, 2019 A 4% P.T.A.F OR \$1 MINIMUM, AND 1% PER MONTH WILL BE ADDED.</p>	<p>Pay by mail to: INVERNESS TOWNSHIP JOHANNA PLUSZCZYNSKI, TREASURER PO BOX 620 CHEBOYGAN, MI 49721 231-445-9085 <a href="mailto:INVERNESSTWPTRASURER@GMAIL.COM">INVERNESSTWPTRASURER@GMAIL.COM</a></p> <p><u>TAXES ARE PAYABLE AT CITIZENS NATIONAL BANK.</u></p>																																																
<p>PROPERTY INFORMATION</p> <p>Property Assessed To: FRANCE, PAUL &amp; SHELLI H/W 1951 HENNINGS RD CHEBOYGAN, MI 49721</p> <p>Prop #: 092-017-100-005-03 Prop Addr:</p> <p>CHEBOYGAN 16015 School: 16015</p> <p>Legal Description: PARCEL 2 COM AT NW COR SEC 17 TH S 1D W ALG W LI SD SEC 1662.61 FT TO POB TH S 89D 10M E 499.61 FT TH S 1D W 221.22 FT TH N 86D 44M 05S W 500 FT TO W LI SD SEC TH N 1D E ALG SD SEC LI 200 FT TO POB BEING PART OF GOVT LOT 4 SEC 17 T 37 N R 1 W</p>	<p>TAX DETAIL</p> <table border="0"> <tr><td>Taxable Value:</td><td>50,893</td><td>200 COMMERCIAL</td></tr> <tr><td>State Equalized Value:</td><td>62,100</td><td>Class: 200</td></tr> <tr><td>Assessed Value:</td><td>62,100</td><td>US 27 DDA</td></tr> <tr><td>P.R.E. %:</td><td>0.0000</td><td>Mort Code:</td></tr> </table> <p>Taxes are based upon Taxable Value. 1 mill equals \$1.00 per \$1000 of Taxable Value. Amounts with no millage are either Special Assessments or other charges added to this bill.</p> <table border="0"> <thead> <tr><th>DESCRIPTION</th><th>MILLAGE</th><th>AMOUNT</th></tr> </thead> <tbody> <tr><td>SENIOR CITIZEN</td><td>0.50000</td><td>25.44</td></tr> <tr><td>AMBULANCE</td><td>0.25000</td><td>12.72</td></tr> <tr><td>COUNTY ROAD</td><td>1.00000</td><td>50.89</td></tr> <tr><td>CCE 911</td><td>0.50000</td><td>25.44</td></tr> <tr><td>TWP ALLOCATED</td><td>0.98500</td><td>50.12</td></tr> <tr><td>TWP FIRE</td><td>0.97900</td><td>49.82</td></tr> <tr><td>TWP ROAD</td><td>0.98500</td><td>50.12</td></tr> <tr><td>LIBRARY OPER</td><td>1.09590</td><td>55.77</td></tr> <tr><td>LIBRARY CONST</td><td>0.43900</td><td>22.34</td></tr> <tr><td>COPISD</td><td>1.74760</td><td>88.94</td></tr> <tr><td>Sewer Project</td><td></td><td>306.60</td></tr> </tbody> </table>	Taxable Value:	50,893	200 COMMERCIAL	State Equalized Value:	62,100	Class: 200	Assessed Value:	62,100	US 27 DDA	P.R.E. %:	0.0000	Mort Code:	DESCRIPTION	MILLAGE	AMOUNT	SENIOR CITIZEN	0.50000	25.44	AMBULANCE	0.25000	12.72	COUNTY ROAD	1.00000	50.89	CCE 911	0.50000	25.44	TWP ALLOCATED	0.98500	50.12	TWP FIRE	0.97900	49.82	TWP ROAD	0.98500	50.12	LIBRARY OPER	1.09590	55.77	LIBRARY CONST	0.43900	22.34	COPISD	1.74760	88.94	Sewer Project		306.60
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<p>OPERATING FISCAL YEARS</p> <p>The taxes on bill will be used for governmental operations for the following fiscal year(s):</p> <p>County: 01/01/2018 - 12/31/2019 Twp/Vil/City: 04/01/2018 - 03/31/2019 School: 07/01/2018 - 06/30/2019 State: 10/01/2018 - 09/30/2019</p> <p>Does NOT affect when the tax is due or its amount</p>	<table border="0"> <tr><td>Total Tax</td><td>8.48150</td><td>736.20</td></tr> <tr><td>Administration Fee</td><td></td><td>7.38</td></tr> <tr><td><b>TOTAL AMOUNT DUE</b></td><td></td><td><b>745.58</b></td></tr> </table> <p style="text-align: center;">5</p>	Total Tax	8.48150	736.20	Administration Fee		7.38	<b>TOTAL AMOUNT DUE</b>		<b>745.58</b>																																							
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Deborah Tomlinson

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**From:** Kyle Keller <kkeller@dhd4.org>  
**Sent:** Wednesday, January 30, 2019 9:38 AM  
**To:** Deborah Tomlinson  
**Subject:** RE: 02/20/19 PC Meeting - Sunrise Structures Site Plan Review Application

Debbie, unless they construct a store for sales which would require on-site water/sewage usage I don't see the need for any involvement on our part at the Health Dept for the Sunrise Structures project.

Kyle Keller RS  
Environmental Sanitarian  
DHD4-Cheboygan County  
PH# 231-627-8850  
[kkeller@dhd4.org](mailto:kkeller@dhd4.org)  
[www.dhd4.org](http://www.dhd4.org)

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---

**From:** Deborah Tomlinson <[debbiet@cheboygancounty.net](mailto:debbiet@cheboygancounty.net)>  
**Sent:** Tuesday, January 29, 2019 3:50 PM  
**To:** Ron Neuman <[dgronn@gmail.com](mailto:dgronn@gmail.com)>; Johanna Pluszcynski <[invernessstwtreasurer@gmail.com](mailto:invernessstwtreasurer@gmail.com)>; Lisa Porter <[invernessclerk@gmail.com](mailto:invernessclerk@gmail.com)>; Kyle Keller <[kkeller@dhd4.org](mailto:kkeller@dhd4.org)>; Brent Shank ([mgr@chcrc.com](mailto:mgr@chcrc.com)) <[mgr@chcrc.com](mailto:mgr@chcrc.com)>; Jay Gailitis ([gailitisj@michigan.gov](mailto:gailitisj@michigan.gov)) <[gailitisj@michigan.gov](mailto:gailitisj@michigan.gov)>; Gabe Phelps ([phelpsg@michigan.gov](mailto:phelpsg@michigan.gov)) <[phelpsg@michigan.gov](mailto:phelpsg@michigan.gov)>  
**Subject:** 02/20/19 PC Meeting - Sunrise Structures Site Plan Review Application

The following is a link to a site plan review application for Sunrise Structures: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093>. Please review this application and email any comments to me by 02/13/19.

Thank you!!

Debbie

**Debbie Tomlinson**  
**Cheboygan County**  
**Planning & Zoning 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 <mgr@chcrc.com>  
**Sent:** Wednesday, January 30, 2019 10:26 AM  
**To:** Deborah Tomlinson  
**Subject:** Re: 02/20/19 PC Meeting - Sunrise Structures Site Plan Review Application  
**Attachments:** mgr.vcf

Hello,

No comments, all access is onto a State highway.

Thank you,

**Brent Shank, P.E.**

Engineer/Manager

Cheboygan County Road Commission

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

(231) 238-7775

On 1/29/2019 3:49 PM, Deborah Tomlinson wrote:

The following is a link to a site plan review application for Sunrise Structures: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093>. Please review this application and email any comments to me by 02/13/19.

Thank you!!

Debbie

**Debbie Tomlinson**

***Cheboygan County***

***Planning & Zoning 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)



# CHEBOYGAN COUNTY PLANNING AND ZONING DEPARTMENT

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

## STAFF REPORT

<p><b>Item:</b> Request for a Site Plan Review approval for outdoor retail sales of storage sheds, gazebos, livestock shelters and small cabins in a Commercial Development (D-CM) zoning district, per Section 6.2.19 of the Zoning Ordinance (Retail Sales, Specialty)</p>	<p><b>Prepared by:</b> Michael Turisk</p>
<p><b>Date:</b> February 13, 2019</p>	<p><b>Expected Meeting Date:</b> February 20, 2019</p>

### GENERAL INFORMATION

**Applicant:** Sunrise Structures

**Property Owner:** Paul France

**Property Location:** Unaddressed. Located just east of the State Highways 27 and 33 junction and south of Pine Ridge Trail in Inverness Township.

**Current Zoning:** Commercial Development (D-CM)

**Contact:**, Paul France

**Phone:** 269.627.4323

### BACKGROUND INFORMATION

**Introduction:**

The applicant requests Site Plan Review approval for outdoor specialty retail sales of various small, portable storage buildings and cabins. The subject property is zoned Commercial Development (D-CM), is currently unaddressed, and located just east of the State Highways 27 and 33 junction (adjacent to Air Bear Travel). Retail sales establishment, Specialty, is a permitted use, per Section 6.2.19. and defined as follows:

**1. RETAIL SALES ESTABLISHMENT, SPECIALTY**

Unless otherwise noted in this Ordinance, retail operation establishments that carry goods in one type of line or merchandise and may include but not limited to shoe stores, jewelry stores, antique stores, book stores, clothing stores, and similar stores.

The applicant indicates that no construction of permanent buildings or structures would occur as part of this application. Rather, the applicant proposes only the display and sale of the aforementioned small,

portable buildings of which no more than 12 would be on display at any given time. Although the subject property is comparatively deep, the buildings would be displayed roughly on the western third near to the access and parking and loading area and within site from the State Highways 27 and 33 junction.

The submitted site plan indicates conformance with the minimum setback standards for the Commercial Development zoning districts.



Fig. 1; Location of subject property (at center) near to the junction of State Highways 27 and 33 in Inverness Township

#### **Surrounding land uses:**

Surrounding properties are zoned Commercial Development with Agriculture and Forestry Management (M-AF) to the east, and accommodate primarily commercial uses.

**Environmentally sensitive areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):** There are no known environmentally sensitive areas on the subject property. Note that the applicant has requested a waiver of the requirement to provide topographical data given the lack of significant slope.

#### **Historic buildings/features:**

There are no known historic buildings or historic features on the subject property.

#### **Traffic implications:**

Although the use would generate public vehicular traffic, it would not be significant and thus would have minimal impact on current area traffic conditions.

**Parking:**

Section 17.6 provides for one parking space per two employees. However, the applicant indicates that employees are not anticipated. There is no specific parking standard for the use provided in Section 17.6. The submitted site plan shows a parking and loading area at the west side of the subject property near to the display area and currently unnamed access, but without a specific number of parking spaces and associated dimensions. Given the approximately 2.4-acre size of the subject property and using the outdoor auto sales display parking standard of one space per 5,000 square-feet of outdoor display area, 21 dedicated parking spaces is suggested. However, the use is not anticipated to generate any strong measure of parking demand; therefore, the Planning Commission will need to make an adequate parking determination, per Section 17.4.1.

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

The site plan indicates outdoor display and sales area only. No other permits are required for the use as proposed.

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

Access to the site is provided via an unnamed north-south road off Pine Ridge Trail to the north of the subject property. Although the use would attract the general public via a State Highway and in an area that can experience heavy traffic counts, it will have minimal impact upon current area traffic conditions. Note a recommended condition of approval speaks to obtaining an address from the County's Geographic Information Systems (GIS) and Addressing Coordinator.

**Signs:**

No signs advertising the use are proposed.

**Fence/Hedge/Buffer:**

No new fence, hedge or other type of buffer is proposed nor required.

**Lighting:**

No lighting is proposed.

**Stormwater management:**

There are no on-site changes proposed that would trigger on- or off-site stormwater management.

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

The site plan indicates outdoor display area only. No other permits are required unless permanent buildings and/or signage is requested beyond that indicated in the application and on the site plan.

**Recommendations (proposed conditions):**

1. Prior to operation, obtain an address for the use from the County's Geographic Information Systems (GIS) and Addressing Coordinator.
2. All structures on site shall comply with the minimum setback requirements for the Commercial Development zoning district.
3. Any future expansion(s) shall require submittal and approval of a Site Plan Review amendment application, per the standards set forth in Section 20.14.

**CHEBOYGAN COUNTY PLANNING COMMISSION**

**SITE PLAN REVIEW REQUEST**

Wednesday, February 20, 2019, 7:00 PM

Applicant

Sunrise Structures  
4369 Lake Augusta Hwy.  
Hawks, MI 49743

Owner

Mark France  
9750 N. Straits Hwy.  
Cheboygan, MI 49721

Parcel

unaddressed  
Inverness Township  
092-017-100-005-03

**GENERAL FINDINGS**

1. The subject property is zoned Commercial Development. (D-CM).
2. The applicant is seeking site plan review approval, per 6.2.19., Retail Sales, Specialty, a permitted use in the D-CM zoning district.
3. No building or construction is proposed with this application.
4. The applicant is seeking a waiver from the topography survey requirement.

**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 Exhibits 3 and 9).
  - 2.
  3. Standard has been met.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
  1. No changes to the natural state of the subject property are proposed (see Exhibits 3 and 9).
  - 2.
  3. Standard has 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 Exhibits 3 and 9).
  - 2.
  3. Standard has 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 means for access for emergency vehicle is provided via an access point from the currently unnamed road. (see Exhibit 3 and 9).
  - 2.
  3. Standard has been met.
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to

common use.

1. Not applicable. No structures or dwellings are proposed.
- 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. Not applicable. No lighting is proposed. (see Exhibits 3 and 9).
- 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.
  2. ....
  3. Standard has 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, February 20, 2019

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

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