

**THE CHEBOYGAN COUNTY PLANNING COMMISSION *SPECIAL MEETING* and PUBLIC HEARINGS SCHEDULED FOR WEDNESDAY, MAY 13, 2020 at (7:00 P.M.) at 870 S. Main Street, Cheboygan Michigan will be conducted via Telephonic Attendance by Cheboygan County Resolution 2020-06 and Executive Order 2020-75.**

In accordance with Gov. Gretchen Whitmer and the Michigan Department of Health and Human Services's recommendations designed to help prevent the spread of Coronavirus Disease 2019 (COVID-19) and Executive Order 2020-75 that declares public bodies subject to the Open Meetings Act can use telephone conferencing technology to meet and conduct business, the Cheboygan County Planning Commission will hold its special meeting at **7:00 P.M. on Wednesday, May 13, 2020** via telephone conferencing.

**Please join the meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/258859677>

**The public may access the meeting telephonically by dialing:**

**United States (Toll Free): [1-866-899-4679](tel:1-866-899-4679)**

**Access Code: 258-859-677**

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Those who are hearing impaired can dial 7-1-1 as a free service in Michigan. Provide the operator the toll free number and access code above to be connected to the phone call with help from MI Relay. If other aids and services are needed for individuals with disabilities please contact the County Clerk. The Planning Commission packet is available for download at: [www.cheboygancounty.net](http://www.cheboygancounty.net)

**ELECTRONIC PLANNING COMMISSION MEETING PARTICIPATION**

The public will be asked to identify themselves. When you call in please state your name until acknowledged for the record.

- Public comments -- will be taken only during the Public Comment portion of the meeting agenda.
- Please make your public comments when called upon to do so or state no comment.
- The time limit for an individual's public comments shall be 3 minutes.

The following Planning Commission members will be attending the meeting by phone:

- Patty Croft, [pmattson@freeway.net](mailto:pmattson@freeway.net)
- Harold Borowicz, [hborowicz@yahoo.com](mailto:hborowicz@yahoo.com)
- Michael Kavanaugh, [kavandann@gmail.com](mailto:kavandann@gmail.com)
- Stuart Bartlett, [sbartlett@cheboygancounty.net](mailto:sbartlett@cheboygancounty.net)
- Sharon Lyon, [sjl07@juno.com](mailto:sjl07@juno.com)
- Karen Johnson, [karenpjohnson@sbcglobal.net](mailto:karenpjohnson@sbcglobal.net)
- Ed Delana, [edelana@cheboygancounty.net](mailto:edelana@cheboygancounty.net)
- Charles Freese

- Chum Ostwald
- Cheboygan County Director of Planning and Zoning – Michael Turisk  
[mturisk@cheboygancounty.net](mailto:mturisk@cheboygancounty.net)



# 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 *SPECIAL MEETING & PUBLIC HEARING***  
**WEDNESDAY, MAY 13, 2020 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.) **BOB ANDREWS/TEAM ANDREWS ENTERPRISES, INC.** - Requests a Special Use Permit for boat storage per section 6.3.14 of the Zoning Ordinance. The property is located at 6123 N. Straits Hwy., Inverness Township, section 34, parcel # 091-034-400-006-03 and is zoned Commercial Development (D-CM).
  
- 2.) **FULLFORD SURVEYING & MAPPING, PC/ECS INVESTMENTS** - Requests an amendment to a Special Use Permit per section 18.11 of the Zoning Ordinance for an additional indoor storage facility per section 6.3.16 and expansion of an outdoor boat storage area per section 6.3.14 and a Special Use Permit for change of use from indoor storage facility to motor vehicle sales and/or repair facility per section 6.3.4. The property is located at 1771 and 1829 S. Straits Hwy., Tuscarora Township, section 7, parcel # 162-007-300-010-01 and 162-007-300-010-02 and is zoned Commercial Development (D-CM).

**UNFINISHED BUSINESS**

**NEW BUSINESS**

- 1.) Discussion regarding zoning amendment to help local business and the general public during the COVID-19 pandemic.

**STAFF REPORT WITH UPDATE ON MASTER PLAN REVISION**

**PLANNING COMMISSION COMMENTS**

**PUBLIC COMMENTS**

**ADJOURN**



# CHEBOYGAN COUNTY PLANNING COMMISSION

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

## CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, MARCH 4, 2020 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

- PRESENT:** Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson, Delana  
**ABSENT:** None  
**STAFF:** Mike Turisk, Jen Merk  
**GUESTS:** Eric Boyd, Cal Gouine, John Moore, Bob Lyon, Russell Crawford, Cheryl Crawford

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

### PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

### APPROVAL OF AGENDA

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

### APPROVAL OF MINUTES

The February 5, 2020 Planning Commission minutes were presented. **Motion** by Mr. Kavanaugh, seconded by Ms. Lyon, to approve the meeting minutes as presented. Motion carried unanimously.

The February 19, 2020 Planning Commission minutes were presented. **Motion** by Mr. Borowicz, seconded by Ms. Lyon, to approve the meeting minutes as presented. Motion carried unanimously.

### PUBLIC HEARING AND ACTION ON REQUESTS

No public hearings were scheduled.

### UNFINISHED BUSINESS

#### **Continued discussion regarding proposed Zoning Ordinance Amendment #155 relative to Nonconforming Buildings or Structures, Properties and Uses.**

Mr. Turisk stated that a revised copy of Amendment #155 was distributed to the Planning Commission. Mr. Turisk stated that minor changes were made to the amendment based on a discussion with legal counsel. Mr. Turisk stated that the primary effort is to provide clarification and ease the standards for those wishing to maintain, convey or develop a nonconforming lot, continue a nonconforming use or expand a nonconforming building, etc. Mr. Turisk referred to Section 22.3.A and stated that the term “nonbearing” was deleted. Mr. Turisk referred to Section 22.3.E and stated that “or the cost of replacement” was added to the first sentence and “or replaced” was added to the second sentence. Mr. Borowicz stated that the cost to replace will automatically exceed 50%. Mr. Turisk stated that he will discuss this with legal counsel. Mr. Turisk stated that Section F was deleted because it is redundant. Mr. Freese noted that it is already included in Section D3. Mr. Turisk read and reviewed Sections 22.3.A and 22.3.D. Mr. Turisk stated that Section 22.3.D eliminates the need to submit a dimensional variance application for an addition to an existing structure that already encroaches in the setback so long as it does not encroach any further. Mr. Turisk stated that such an addition would maintain the same degree of nonconformity as already existed. Mr. Turisk stated that this development scenario would be approved as part of a zoning permit for an addition. Mr. Borowicz referred to Section 22.3.D and stated that this increases the extent of the nonconformity. Mr. Turisk stated that this situation would not increase the degree of nonconformity but it would increase the extent of the nonconformity. Mr. Turisk asked if the Planning Commission would like to keep 22.3.D.1 and 22.3.D.2 and delete 22.3.D.3. Mr. Freese stated that this is one of the reasons he requested that Article 22 be revised. Mr. Freese stated that the Zoning Board of Appeals has routinely granted variances in these types of situations. Discussion was held regarding Section 22.3.D.3 being deleted which would eliminate the need to apply for a variance. Mr. Freese stated that the nonconformity cannot be corrected whether this is allowed or not allowed. Mr. Kavanaugh stated that it could make it worse for someone who lives

next door and had a view of a lake. Mr. Borowicz stated that it would be a problem for a lakefront setback if someone wants to widen an existing porch and prohibit the view of the lake. Mr. Borowicz and Mr. Kavanaugh agreed that this would only be an issue in the Lake and Stream Protection Zoning District. Mr. Delana stated an exception can be made for the Lake and Stream Protection Zoning District. Discussion was held regarding diagrams presented by Mr. Turisk. Mr. Freese suggested revising Section 22.3.D.3 be applicable for the front setback only in the Lake and Stream Protection Zoning District and Natural Rivers Protection Zoning District.

Mr. Turisk referred to Section 22.3.C and noted that if a nonconforming building that contains a nonconforming use is damaged or destroyed then this section would limit a rebuild to its original configuration and on its original foundation. Mr. Turisk asked if property owners should only be allowed to build to the original footprint or should they be allowed to expand under Section 22.3.D. Mr. Borowicz stated if a building is voluntarily removed by the property owner then the new building should conform to the Zoning Ordinance. Mr. Borowicz stated that it is different if the building is destroyed. Mr. Kavanaugh agreed with Mr. Borowicz. Mr. Freese stated that the property owner should not be able to rebuild if the structure is totally destroyed or voluntarily removed. Mr. Freese stated that it should be allowed to be rebuilt only if it is in compliance. Mr. Turisk stated this would be an opportunity to gain conformance. Mr. Delana noted that a basement may not be damaged. Discussion was held. Mr. Borowicz stated that if the building is voluntarily removed then the new building should conform to the Zoning Ordinance. Mr. Freese stated that if the building is completely destroyed, then the new building should conform to the Zoning Ordinance. Mr. Kavanaugh agreed with Mr. Freese.

Mr. Turisk referred to Section 22.3.F and stated that this section addresses replacing a nonconforming building or structure with another nonconforming building or structure. Mr. Turisk stated that this scenario would need to be approved by the Zoning Board of Appeals. Mr. Turisk stated that this would limit the opportunity to replace a particular nonconformity with a new nonconformity. Mr. Freese stated that actually addresses the use of the building or structure. Mr. Delana noted that "building or structure" should be deleted from all of Section 22.3.F. Mr. Turisk reviewed the process and the standards for the Zoning Board of Appeals to review the proposed new nonconforming use. Mr. Borowicz referred to 22.3.F.1.a and suggested replacing this section with "The proposed new nonconforming use, building, or structure would not create a greater nonconformity than previously existed on the property prior to the requested replacement." Mr. Freese stated that it could be a new use that is not listed in the Zoning Ordinance. Mr. Delana suggested changing "nonconformity" to "nonconforming use". Ms. Johnson and Mr. Borowicz stated that Section 22.3.F.1.a can be deleted based on the wording of Section 22.3.F.1.c. Ms. Johnson and Mr. Borowicz agreed that Section 22.3.F.1 pertains to nonconforming uses and not nonconforming buildings or structures. Mr. Freese stated that the point of Section 22.3.F is to allow a new nonconforming use that is better than the old nonconforming use. It was decided that Section 22.3.F.a is to be deleted and the Planning Commission will review Section 22.3.F at a future meeting.

Mr. Turisk referred to Section 22.4.A and noted that this section states that the owner of nonconforming lots may hold, develop, sell or convey them as separate nonconforming lots of record. Mr. Turisk stated that the nonconforming lots of record may be developed with the caveat that development comply with the Zoning Ordinance. Mr. Turisk noted that typically these types of lots are small and there are significant lot constraints due to their small size. Mr. Turisk stated that this is currently allowed as long as they comply with minimum setback requirements. Mr. Turisk stated that this section codifies the policy. Mr. Turisk read from Section 22.4.A "Provided, however, no dimensional variance shall be granted for such lot or parcel when the need for that dimensional variance would be eliminated by combining those contiguous lots, parcels, or portions of lots or parcels as an undivided lot or parcel for the purposes of this Ordinance under Subsection B, below." Mr. Turisk stated that Section 22.4.B clarifies that if combining nonconforming lots of record results in a conforming lot then that conforming lot may be developed as any other conforming lot in Cheboygan County and that development would need to comply with the minimum applicable dimensional requirements, namely building setbacks as measured from the exterior lot lines of the new lot. Mr. Turisk stated that if combining nonconforming lots of record does not create a conforming lot, then the newly created lot may be developed as any other nonconforming lot in Cheboygan County. Mr. Borowicz asked if he owns three lots and decides to sell all three lots, will the new owners be restricted. Mr. Freese stated no they are not restricted as they are individual lots. Ms. Johnson stated that it becomes a problem when you decide to develop the lot. Mr. Freese stated that if there are two lots that are 50ft. wide and a setback variance was requested for the center lot line, the Zoning Board of Appeals would look at this as if it was self-created because the applicant has the means to eliminate the need. Mr. Freese stated that this is one of the five standards that the Zoning Board of Appeals reviews. Ms. Johnson noted that many subdivisions in Cheboygan County have established lots that are 40ft., 50ft. and 60ft. wide. Ms. Johnson stated that even in these subdivisions, the property owners would have to comply. Ms. Croft stated that there are many subdivisions that were platted in the early 1900's and the lots are assumed to be legal lots. Ms. Croft stated that this amendment is saying that they are not legal lots because a variance would be necessary to build. Mr. Freese stated that individual lots, even though nonconforming, can be built on. Mr. Freese stated that if you own two lots you can't ask for a dimensional variance on the center lot line. Mr. Freese explained that a property owner who owns two 50ft. lots can build on

one of the lots as long as he complies with the minimum setback requirements and that he can apply for a variance for any property line other than the common property line to both contiguous lots. Ms. Johnson stated that the amendment does not say that and read from Section 22.4.A "Provided, however, no dimensional variance shall be granted for such lot or parcel when the need for that dimensional variance would be eliminated by combining those contiguous lots, parcels, or portions of lots or parcels as an undivided lot or parcel for the purposes of this Ordinance under Subsection B, below." Discussion was held. Ms. Johnson stated that if a person owns two lots and wants to develop and sell the lots separately they are not able to do so. Ms. Johnson stated that this person is restricted because they own two lots. Mr. Delana stated that one lot would have to be sold. Mr. Borowicz stated that the property owner could sell one lot to someone that they know, request a variance and then buy the lot back after the variance is approved. Mr. Freese stated that you can do what you want on the two lots as long as you are not asking for a dimensional variance from the common line between the two lots. Ms. Johnson stated that she understands this but does not agree that a person would not be able to request a dimensional variance because he wants to develop two lots separately. Mr. Freese stated that this is not what is stated in the amendment. Mr. Borowicz agreed with Ms. Johnson. Mr. Kavanaugh suggested adding "shared property line" to Section 22.4.A to help make this section easier to understand. Mr. Freese stated that the wording is clear. Mr. Delana questioned if using the common lot line reference easier to understand. Mr. Turisk and Mr. Kavanaugh agreed that is easier to understand. Mr. Borowicz stated that there is no such thing as a need for a dimensional variance. Mr. Borowicz stated that there is a desire for a dimensional variance. Mr. Kavanaugh suggested reviewing with legal counsel the common line and the desire, instead of a need, for a variance.

### **NEW BUSINESS**

No comments.

### **STAFF REPORT**

Mr. Turisk stated that there will be a Risk Management Decision Making training that will be held from 6:00pm to 8:30pm on Tuesday, March 31, 2020 at the Littlefield Community Building in Alanson. Mr. Turisk asked that the Planning Commission members let him know if they will be available for this training. Mr. Turisk noted that the registration deadline is March 20, 2020

Mr. Turisk stated that the Planning Commission has also been invited to attend two Green Infrastructure workshops. Mr. Turisk stated that the first workshop will be held from 1:30pm - 4:00pm on March 23, 2020. Mr. Turisk stated that the second workshop will be held from 1:30pm - 4:00pm on April 24, 2020. Mr. Turisk stated that both workshops will be held at the Cheboygan Public Library. Mr. Turisk asked that the Planning Commission members let him know their availability for this training as soon as possible.

Mr. Turisk noted that binders have been distributed to the Planning Commission. Mr. Turisk stated that these binders include an application from Orion Renewable Energy for a project in Grant Township. Mr. Turisk explained that this will allow the Planning Commission more time to review the application as there is a lot of material to review. Mr. Turisk stated that the application has been forwarded to the appropriate agencies and property owners within 300ft. have been notified of the meeting and application. Mr. Turisk stated that public comments will be forwarded to the Planning Commission. Mr. Kavanaugh asked if this will be reviewed by legal counsel and if an engineer will review this application also. Mr. Turisk stated that legal counsel will attend the meeting on 03/18/20. Mr. Turisk stated that the Building Official has a copy of the application and he has a strong measure of expertise to review the technical aspects of this application. Mr. Turisk stated that he has not talked with administration yet about this application being reviewed by an engineer. Mr. Turisk stated that level of detail normally comes after the approval by the Planning Commission. Mr. Turisk stated that this is normally reviewed as part of the building permit application. Mr. Kavanaugh stated that we need someone that is experienced to review the application as there is a lot of technical information. Mr. Kavanaugh stated that he doesn't believe we should rely on people who are not experts. Mr. Borowicz stated that the technical aspect is not what the Planning Commission is reviewing. Mr. Kavanaugh stated that someone will also need to review the contracts and leases to make sure that applicant is responsible for the removal of all equipment from the site if the project ends. Mr. Turisk stated he will discuss the agreements with legal counsel. Mr. Turisk stated he will also discuss this with the applicant as they will incur the charge for the review by legal counsel. Mr. Freese stated that he believes that the Planning Commission will not be able to ask for the leases, however, there is a requirement to remove the material at the end of the life of the project and if one of the landowners requests certain things to remain then the Planning Commission may have a basis for asking for that portion of the lease. Mr. Freese stated that the applicant has provided portions of the lease for the Planning Commission to show that the land owners want certain things to remain. Mr. Freese stated that the Planning Commission should put tabs on specific sections in the binder. Mr. Freese noted that the applicant has requested a waiver on the scale of the drawings. Mr. Freese stated that they asked for 1 inch to 400 feet and none of the information that they provided is 1 inch.

**PLANNING COMMISSION COMMENTS**

Mr. Kavanaugh asked for an update on Heritage Cove Farm. Mr. Turisk stated he does not have any information to report at this point.

**PUBLIC COMMENTS**

Mr. Moore referred to Section 22.3.F and noted that use should be separate from structure. Mr. Moore stated that the building is not going to change. Mr. Moore questioned how someone would determine that a use is less nonconforming. Discussion was held. Mr. Moore referred to Section 22.4 and noted that the Planning Commission is not considering a situation with a proposed private storage building on two larger parcels. Mr. Moore stated there is no need for a common line to be discussed. Mr. Moore noted that this section states that a dimensional variance can't be granted unless the parcels are combined. Mr. Freese stated that this is not a nonconformity. Discussion was held.

**ADJOURN**

**Motion** by Mr. Borowicz to adjourn. Motion carried. Meeting was adjourned at 8:36pm.

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Charles Freese  
Planning Commission Secretary

DRAFT

# CHEBOYGAN COUNTY PLANNING COMMISSION

Bob Andrews/Team Andrews Enterprises, Inc

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Special Use Permit Application (6 Pages)
4. Proof of Ownership (1 Page)
5. Location Sketch (2 Pages)
6. Mailing List (2 Pages)
7. Staff Report (4 Pages)
- 8.
- 9.
- 10.
- 11.
- 12.

Note: Planning Commission members have exhibits 1 and 2.



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

### PROPERTY LOCATION

Address <u>6123 N. Straits Hwy</u>	City / Village <u>Cheboygan</u>	Twp / Sec. <u>Inverness/34</u>	Zoning District
Property Tax I.D. Number <u>16-091-034-400-006-03</u>	Plat or Condo Name / Lot or Unit No.		<u>D-CM</u>

### APPLICANT

Name <u>Bob Andrews</u>	Telephone <u>420-2722</u>	Fax
Address <u>9728 John Werner Dr.</u>	City, State & Zip <u>Cheb.</u>	E-Mail <u>carwash11147@gmail.com</u>

### OWNER (If different from applicant)

Name <u>Team Andrews Enterprises, Inc</u>	Telephone <u>Same</u>	Fax
Address <u>Same</u>	City, State & Zip	E-Mail

### PROPOSED WORK

Type (check all that apply)	Building/Sign Information
<input type="checkbox"/> New Building <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Change in Use or Additional Use <input type="checkbox"/> Reconstruction <input type="checkbox"/> Relocated Building <input type="checkbox"/> Sign, Type: _____ <input type="checkbox"/> Other: _____	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"/> Duplex <input type="checkbox"/> Multi-Family, # of units ____	<input type="checkbox"/> Expansion / Addition <input type="checkbox"/> Garage or Accessory <input type="checkbox"/> Storage	<input type="checkbox"/> Office <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial	<input type="checkbox"/> Agricultural <input type="checkbox"/> Institutional <input type="checkbox"/> Utility <input checked="" type="checkbox"/> Other: <u>outdoor storage</u>
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Has there been a Site Plan or Special Use Permit approved for this parcel before?  YES  NO

If YES, date of approval: 3/19 Approved Use: Indoor storage

Directions to site: one mile south of Polish Line Rd on N. Straits Hwy

SPECIAL LAND USE PERMIT APPLICATION

# SPECIAL LAND USE PERMIT APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

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

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

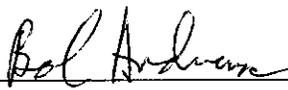
INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
X		m. Location and specifications for all fences, walls, and other screening features.
X		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
N/A		o. Exterior lighting locations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

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

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
d.	no change to topography, boat storage area is flat

**AFFIDAVIT**

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

  
 \_\_\_\_\_  
 SIGNATURE

3/5/20  
 \_\_\_\_\_  
 DATE



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

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

Outdoor boat trailer storage

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 changes to existing property

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

No changes to existing

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

No changes to existing

- 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.

Natural berm and tree line existing

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

No change to existing

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

No change

- 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. No change

ii. It does not impede the vision of traffic along adjacent streets. No change

iii. It does not unnecessarily illuminate night skies. No change

SPECIAL LAND USE PERMIT APPLICATION



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

SPECIAL LAND USE PERMIT APPLICATION

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

No change

- 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.

No change

3. Size of property in sq. ft. or acres: 4.17 acres

4. Present use of property:

Indoor self storage

5. SUP Standards:

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

Yes

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

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

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

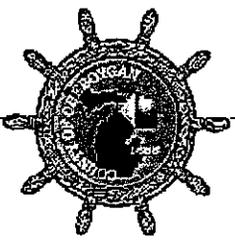
Yes

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

No

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

SPECIAL LAND USE PERMIT APPLICATION



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services? 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 Andrew Date 3/5/20

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 Andrew Date 3/5/20

### FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	<u>3/12/20</u>	Notes:
Fee Amount Received:	<u>\$ 225.00</u>	
Receipt Number:	<u>7196</u>	
Public Hearing Date:	<u>5-13-20</u>	

Planning/Zoning Administrator Approval:

Jennifer Meek  
Signature

4-28-20  
Date



RECEIVED FOR RECORD  
MARY ELLEN TRYBAN, CLERK/REGISTER  
CHEBOYGAN COUNTY, MICHIGAN  
10/22/2010 11:56:02 AM

RECEIPT# 16653, STATION 2  
\$14.00 QUIT CLAIM DEED



CHEBOYGAN COUNTY  
OCTOBER 22, 2010  
RECEIPT #16653

STATE OF MICHIGAN \$ 170 50-CO  
REAL ESTATE \$ 1162 50-ST  
TRANSFER TAX STAMP # 7381



LIBER 1163 PAGE 742

**QUITCLAIM DEED**

Grantor, Citizens National Bank, a national banking association whose address is 303 N. Main Street, Cheboygan, Michigan 49721, quitclaims to Grantee, Team Andrews Enterprises, Inc., a Michigan corporation whose address is 7850 Golfview Dr, Cheboygan, Michigan 49721, property located in the Township of Inverness, County of Cheboygan, and State of Michigan, to wit:

Part of the SW 1/4 of the SE 1/4 of Section 34, T37N, R2W, described as follows:  
Commencing at the South 1/4 corner of said Section; thence North 01°06'39" East along the North and South 1/4 line of said Section, a distance of 230.00 feet; thence South 89°07'40" East 569.41 feet (previously recorded as South 89°11'30" East 570.52 feet); thence South 89°02'49" East 71.45 feet (previously recorded as South 89°11'30" East 71.48 feet); thence South 01°23'31" West (previously recorded as South 00°48'30" East) 53.00 feet; thence South 89°10'26" East (previously recorded as South 89°11'30" East) 270.80 feet; thence South 52°53'11" East 88.83 feet (previously recorded as South 52°56'15" East 68.70 feet) to the Westerly Right-of-Way of M-27; thence North 25°27'47" East (previously recorded as North 25°47'15" East) along said Right-of-Way line 251.54 feet to the Northerly line of a 30.00 foot ingress/egress Easement also the Point of Beginning; thence continuing North 25°27'47" East (previously recorded as North 25°47'15" East) along said Right of Way line 433.74 feet; thence North 75°22'35" West 406.47 feet (previously recorded as North 75°56'00" West 408.54 feet); thence South 27°10'56" West (previously recorded as South 25°47'15" West) 294.78 feet to said Northerly Easement line; thence South 55°48'31" East along said Northerly Easement line, 412.84 feet to the Point of Beginning.

for the full consideration of One Hundred Fifty Four Thousand Eight Hundred Seventy-Five and 00/100 Dollars (\$154,875.00.00), subject to any easements and building and use restrictions of record and the lien of taxes not yet due and payable.

Grantor grants to the Grantees the right to make all divisions under section 108 of the Land Division Act, Act No 288 of the Public Acts of 1967, as amended.

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

Dated: October 15, 2010

By: Douglas W. Damm  
As: Executive Vice President

STATE OF MICHIGAN )  
CHEBOYGAN COUNTY )

Acknowledged before me in Cheboygan County, Michigan, on October 15, 2010 by Douglas W. Damm, Executive Vice President on behalf of Citizens National Bank.

Darren Selden, Notary Public  
State of Michigan, County of Cheboygan  
My commission expires 1/10/2013

When recorded return to and  
send subsequent tax bills to:  
Grantee  
7850 Golfview Dr,  
Cheboygan, MI 49721

Drafted by:  
James C. Conboy, Jr.  
303 N. Main St.  
Cheboygan, MI 49721

Tax Parcel #  
091-034-400-006-00

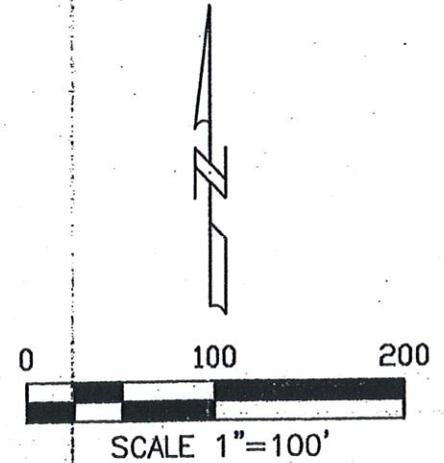
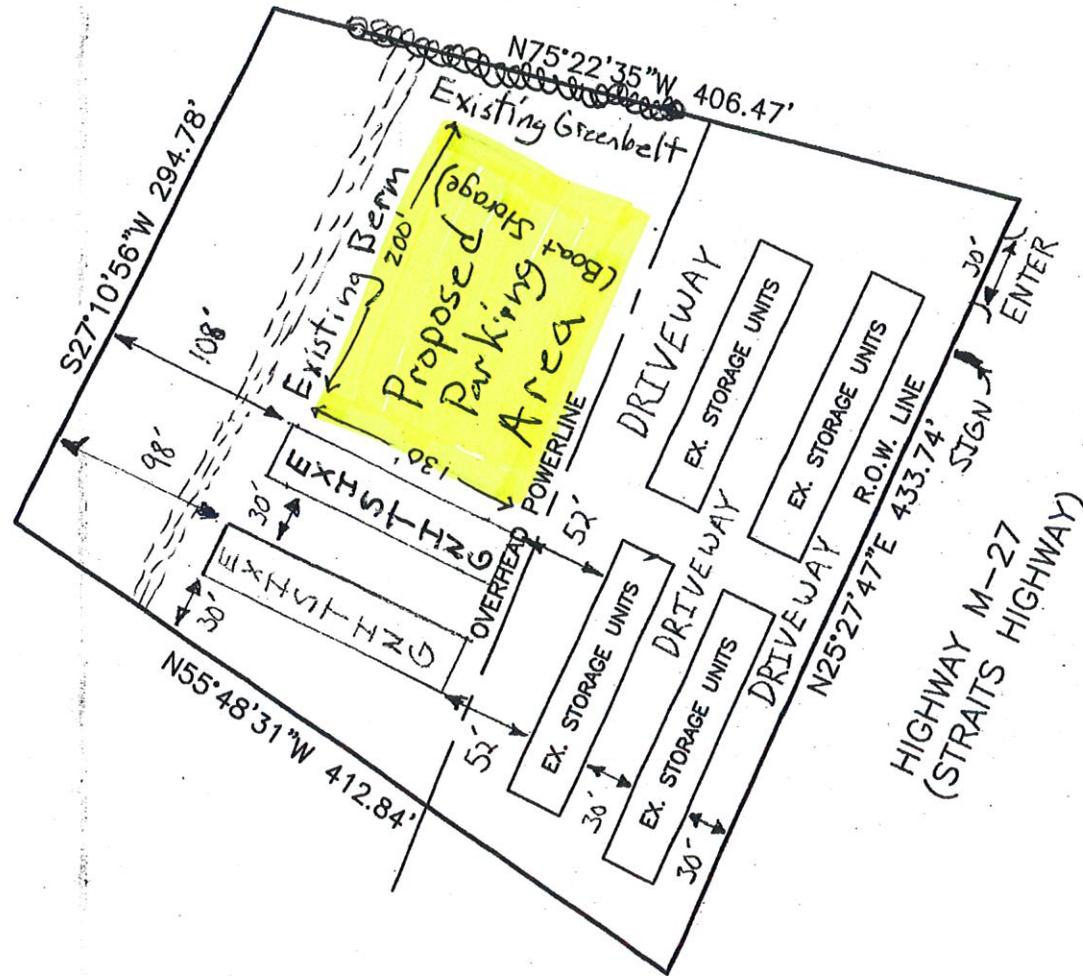
Recording Fee  
\$14.00

Transfer Tax  
State: \$1,162.50  
County: \$170.50

*B.C.N.B.*

# 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	 <b>Granger and Associates, Inc.</b> Engineers • Surveyors 224 S. Main St., Cheboygan, MI 49721 Email: grangerandassociates@gmail.com 231-627-2763	SEC. 34, T37N, R2W	
		DRAWN JOB NO.	AJG SHEET 1 OF 2 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><i>Granger and Associates, Inc.</i>                  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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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 GOLFPVIEW 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  
6144 SILVER BEACH RD  
CHEBOYGAN, MI 49721

091-034-400-030-00  
CARROLL ILENE M, TRUSTEE  
33 STILL PONE DRIVE  
NEW FREEDOM, PA 17349

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

092-521-000-015-00  
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

091-034-400-027-00  
OCCUPANT  
6186 SILVER BEACH RD  
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

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

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

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

092-521-000-015-00  
OCCUPANT  
6120 SILVER BEACH RD  
CHEBOYGAN, MI, 49721

091-034-400-006-01  
OCCUPANT  
6101 N STRAITS HWY  
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

<b>Item:</b> A request for a Special Use Permit for boat storage in a Commercial Development (D-CM) zoning district per section 6.3.14 of the Zoning Ordinance.	<b>Prepared by:</b> Jennifer Merk
<b>Date:</b> May 6, 2020	<b>Expected Meeting Date:</b> May 13, 2020

### GENERAL INFORMATION

**Property Owner(s):** Team Andrews Enterprises, Inc.

**Applicant:** Bob Andrews

**Property Location(s):** 6123 North Straits Highway., Inverness Township

**Phone:** 420-2722

**Requested Action:** Approval of a Special Use Permit for boat storage.

### BACKGROUND INFORMATION

The subject property is 4.17 acres, is zoned Commercial Development (D-CM) and located approximately one mile south of Polish Line Road in Inverness Township. The applicant requests approval of a special use permit for outdoor boat storage adjacent to existing and permitted indoor storage facilities. Boat storage is authorized by special use permit in the D-CM zoning districts pursuant to Section 6.3.14 of the Zoning Ordinance.

The applicant is proposing to offer space for lease for outdoor boat storage, but mainly boat trailers. The site plan submitted with the application depicts an outdoor boat storage area approximately 130 feet x 200 feet (26,000 square-feet), so no new construction is proposed. There are six (6) existing indoor storage buildings on the subject property.

Four buildings existed on the parcel before the applicant bought the property in 2010. A special use permit for one indoor storage facility was approved on April 19, 2017, and an amendment to the special use permit to construct one additional indoor storage facility was approved on February 20, 2019. These existing indoor storage buildings help to screen the proposed boat storage area to the south and east. Natural vegetation and trees screen the north side of the proposed boat storage area while a berm exists to the west.

Note that one (1) site plan waiver is requested (see attached special use application).

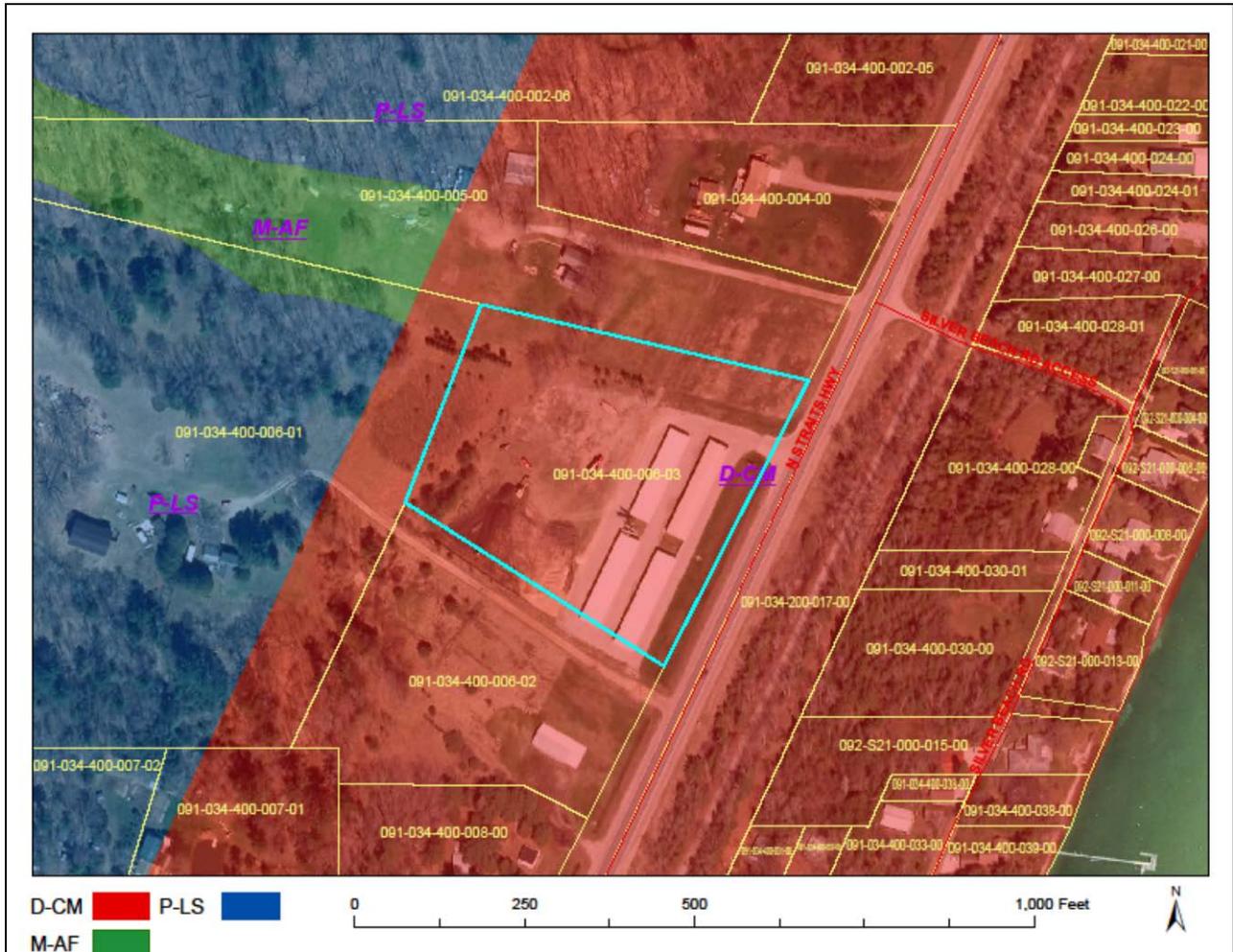


Fig. 1: Location and zoning of the subject parcel (at center highlighted in blue) and surrounding properties

**Current and Surrounding Zoning:**

The current and surrounding zoning of the subject property is Commercial Development (D-CM) and is essentially part of an extended commercial zoning corridor along North Straits Highway. Lake and Stream Protection (P-LS) and Agriculture and Forestry Management (M-AF) zoning is located west of the subject property (see Figure 1).

**Surrounding Land Uses:**

The land use surrounding the subject property consists of large residential properties west of North Straits Highway and smaller residential waterfront properties to the east along Mullett Lake.

**Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):**

A portion of the subject property is within 500 feet of a waterbody as depicted by the Soil Sedimentation and Pollution Control Permit boundary layer in Figure 2. The proposed boat/trailer storage area will use existing undeveloped area (approximately 130 feet x 200 feet) on the subject property and will not require grading or soil disturbance; therefore, no Soil Erosion and Sedimentation Control Permit is necessary. Given this, however, an Affidavit for Soil Erosion and Sedimentation Control Permit Waiver may be required prior to operation.

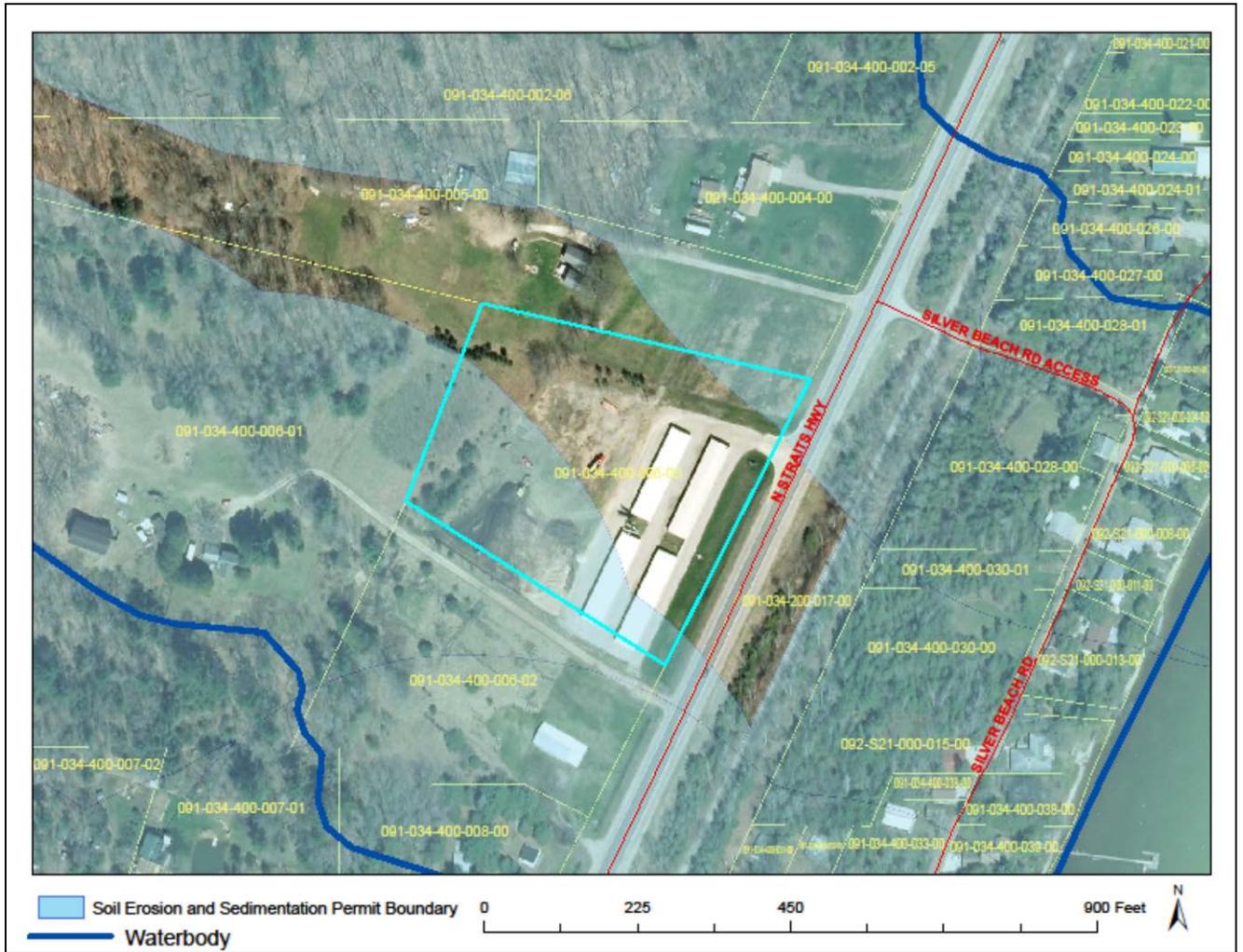


Fig. 2: Soil Erosion and Sedimentation Control Permit boundary on the subject parcel and surrounding properties

### Utilities/Disposal Services

No water, sewer or disposal services are necessary or proposed for the use.

### Historic Buildings/Features:

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

### Traffic Implications:

This project would have little to no impact upon current local traffic conditions, as minimal traffic would be generated by the boat storage land use.

### Parking:

The Zoning Ordinance does not provide for minimum parking requirements for boat storage; therefore, the Planning Commission shall determine if adequate parking exists. The submitted site plan suggests there is adequate space to safely perform internal turning movements.

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

Access to the site is provided via a two-way driveway from North Straits Highway.

**Signs:**

A freestanding sign exists near the north driveway entrance off N. Straits Hwy. No additional sign(s) are proposed with this application.

**Fence/Hedge/Buffer:**

No other screening or buffers are proposed, nor are required. As noted on Page 1 of this report, an existing vegetation buffer is located along the northwest portion of the subject property which is at the north side of the outdoor boat storage area. Furthermore, a berm runs along the western portion of the parcel, and the existing indoor storage buildings screen the outdoor boat storage area from the public right-of-way along the south and east property lines.

**Lighting:**

No outdoor lighting is proposed for this use.

**Stormwater management:**

Given that no grading and/or construction would occur as part of the proposed outdoor boat storage use, no significant changes to stormwater flows will occur.

**Master Plan/Future Land Use Map:**

The subject property is designated Forest/Agriculture on the Cheboygan County Future Land Use Map. Although the proposed project might be considered an extension of the existing indoor storage facility land use; however, boat storage is not a land use specifically addressed in the Cheboygan County Master Plan, nor is it identified in the description of uses encouraged in the Forest/Agriculture future land use category, per the County's Future Land Use Map and Master Plan. The Forest/Agriculture designation is obviously appropriate for agricultural and natural resource activities and management such as timber production and mining, but other land uses considered reasonable in more rural areas of the county, such as small to mid-size campgrounds and similar rural tourist lodging uses, are appropriately described. It is expected, however, that limited types of other business or commercial uses are appropriate in areas designated Forest/Agriculture depending on the use, its location and scope, among other characteristics. This, considered with the subject property's Commercial Development zoning and location along a significant commercial corridor, suggests that the use as proposed is appropriate.

**Public Comment:**

No public comments have been received as of the date of this report.

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

An Affidavit for Soil Erosion and Sedimentation Control Permit Waiver may be required by the Planning and Zoning Department.

**Recommendations (proposed condition):**

1. Prior to operation, the applicant shall submit an Affidavit for Soil Erosion and Sedimentation Control Permit Waiver if determined necessary.

**CHEBOYGAN COUNTY PLANNING COMMISSION**  
**SPECIAL USE PERMIT REQUEST**  
Wednesday, May 13, 2020; 7:00 PM

**Applicant**

Bob Andrews  
9728 John Werner Drive  
Cheboygan, MI 49721

**Owner(s)**

Team Andrews Enterprises, Inc.

**Parcel(s)**

6123 North Straits Highway  
091-034-400-006-03  
Inverness Township

**GENERAL FINDINGS**

1. The subject property is located at 6123 North Straits Highway in Inverness Township approximately one mile south of Polish Line Road.
2. The subject property is 4.17 acres and is zoned Commercial Development (D-CM).
3. The applicant requests a Special Use Permit for outdoor boat storage pursuant to section 6.3.14 of the Zoning Ordinance.
4. Six (6) indoor storage facility buildings exist on the subject property.
5. Four (4) buildings existed on the parcel before the applicant purchased the property in 2010.
6. A special use permit for one (1) indoor storage facility was approved on April 19, 2017.
7. An amendment to the special use permit to construct one (1) additional indoor storage facility was approved on February 20, 2019.
8. The applicant is proposing to offer space for lease for outdoor boat storage, mainly boat trailers.
9. The proposed outdoor boat storage area is approximately 130 feet x 200 feet (26,000 square feet).
10. The proposed outdoor boat storage area is screened to the north by natural vegetation and trees, a berm to the west and the existing indoor storage buildings to the south and east.

**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 applicant requests a special use permit for outdoor boat storage on the subject property located at 6123 North Straits Highway in Inverness Township that is zoned Commercial Development (D-CM).
    2. Boat storage is a use permitted by special use permit per section 6.3.14 of the Zoning Ordinance. (Exhibit 1)
    - 3.
    4. Standard has been met.
- OR
- 1.
  2. Standard has not been met.

b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.

1. The applicant is proposing to offer space for lease for outdoor boat storage, mainly boat trailers, on an existing open area (130 feet x 200 feet) on the subject property and adjacent to existing indoor storage facilities. (see Exhibit 5) No grading is planned or needed for this use on the subject property.

2.

3. Standard has been met.

OR

1.

2. Standard has not been met.

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

1. The applicant is proposing to offer space for lease for outdoor boat storage, mainly boat trailers, on an existing open area (130 feet x 200 feet) of the subject property and adjacent to existing indoor storage facilities.

2. The proposed outdoor boat storage area is screened to the north by natural vegetation and trees, a berm to the west and existing indoor storage buildings to the south and east. (see Exhibit 5)

3.

4. Standard has been met.

OR

1.

2. Standard has not been met.

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

1. The applicant is proposing to offer space for lease for outdoor boat storage, mainly boat trailers, on an existing open area (130 feet x 200 feet) of the subject property and adjacent to existing indoor storage facilities.

2. The design, construction, operation, and maintenance of the proposed project would not diminish opportunities for surrounding property owners to use and develop their properties as zoned.

3.

4. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

1. The applicant is proposing to offer space for lease for outdoor boat storage, mainly boat trailers, on an existing open area (130 feet x 200 feet) of the subject property and adjacent to existing indoor storage facilities.
2. The project would not require public resources greater than current capacity, nor increase hazards from fire or other dangers.
- 3.
4. Standard has been met.

OR

- 1.
2. Standard has not been met.

f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. 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 proposing to offer space for lease for outdoor boat storage, mainly boat trailers, on an existing open area (130 feet x 200 feet) of the subject property and adjacent to existing indoor storage facilities.
2. One existing driveway off North Straits Highway provides adequate access to and from the subject property. (see Exhibit 5)
3. The use as proposed will not generate significant traffic in excess of current capacity on North Straits Highway.
- 4.
5. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

1. The applicant is proposing to offer space for lease for outdoor boat storage, mainly boat trailers, on an existing open area (130 feet x 200 feet) of the subject property and adjacent to existing indoor storage facilities.
2. Water and sewer facilities or refuse collection are not necessary for the proposed use.
- 3.
4. Standard has been met.

OR

- 1.
2. Standard has not been met.

h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.

1. The Special Use request complies with all the specific standards required under this Ordinance applicable to it and is of the same general character as the use described in Section 6.3.14. (see Exhibit 1)
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

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

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

1. The applicant is proposing to offer space for lease for outdoor boat storage, mainly boat trailers, on an existing open area (130 feet x 200 feet) of the subject property and adjacent to indoor storage facilities. (see Exhibit 5) No grading is planned or needed for this use on the subject property.
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

1. The applicant is proposing to offer space for lease for outdoor boat storage, mainly boat trailers, on an existing open area (130 feet x 200 feet) of the subject property and adjacent to indoor storage facilities. No grading is planned or needed for this use on the subject property.
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

1. Stormwater would be maintained on the project site.
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

**Not applicable**, as 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 existing driveway off North Straits Highway. (see Exhibit 5)
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

**Not applicable**, as no structures or dwelling units are proposed.

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

**Not applicable**, as 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.

**Not applicable**, as no exterior lighting is proposed.

- 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.

**Not applicable**, as 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 the applicable requirements of state and federal statutes and to the extent possible, the Cheboygan County Master Plan (see Exhibits 2 and 7).
- 2.
- 3. Standard has been met.

OR

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

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

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

DATE DECISION AND ORDER ADOPTED

Wednesday, May 13, 2020

---

Patty Croft, Chairperson

---

Charles Freese, Secretary

# CHEBOYGAN COUNTY PLANNING COMMISSION

Brian Fullford/Ed Shovan-ECS Investments, Inc.

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Special Use Permit Application (6 Pages)
4. Warranty Deeds (4 Pages)
5. Site Plan (1 Page)
6. Storage Building Plans (3 Pages)
7. Mailing List (2 Pages)
8. Staff Report (6 Pages)
9. Email from David Carpenter/Tuscarora Township Fire Chief dated April 29, 2020 (1 Page)
10. Email from Kyle Keller/District Health Department #4 dated May 6, 2020 (2 Pages)
- 11.
- 12.
- 13.

Note: Planning Commission members have exhibits 1 and 2.



# 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.

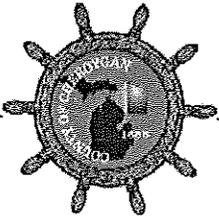
<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
0	<u>LOCATIONS SHOWN, FUTURE DETAIL FORTHCOMING</u>
5	<u>SQUARE FOOTAGE SHOWN IS CORRECT</u>

**AFFIDAVIT**

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

  
 \_\_\_\_\_  
 SIGNATURE

3/13/2020  
 \_\_\_\_\_  
 DATE



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

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

Expand the existing Indoor Storage Facility with the addition of a new 40' x 144' Building. Change the use of the centrally located building to Motor Vehicle Sales and Repair Facility as described in Section 6.3.4.

## 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.

Grading and clearing on the site was substantially complete when ECS Investments acquired the site and commenced adding improvements.  
Only final grading is required for the new building, parking, maneuvering, and inventory areas as shown on the site plan.

- 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.

The site was a former borrow area, and the final graded slopes will be stabilized and seeded.

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

Site drainage will be directed to the low area West of I-75.

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

The existing vegetation on the North end and South end will remain intact as best as possible. Site visibility is paramount for this use.

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

All maneuvering aisles meet zoning requirements, and approaches have been approved by the County Road Commission.

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

As shown.

- 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:

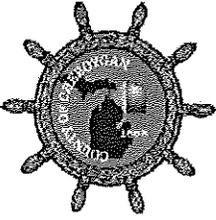
i. It is deflected away from adjacent properties. See note No. 9.

ii. It does not impede the vision of traffic along adjacent streets. See note No. 9.

iii. It does not unnecessarily illuminate night skies. See note No. 9.

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.

Approaches to the site have been approved by the County Road Commission.

- 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.

We believe we comply with all laws, and understand conditional approval.

3. Size of property in sq. ft. or acres: 6.0

4. Present use of property:  
Boat Storage & Indoor Storage Facility

5. SUP Standards:

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

Yes.

- b. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole? **Explain.** The site was previously graded, and the proposed uses are low intensity and passive.

- 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.** Inventory will be seen, but will not be offensive.

- 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.** Activity will likely

enhance the surrounding property as the proposed Commercial Use requires a neat and orderly site.

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

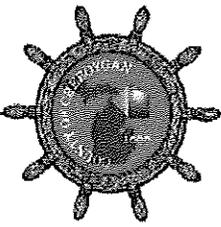
No.

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

Onsite water and septic permitted by Health Department. Refuse will be minimal and disposed of appropriately.

# 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. } SUBMITTED IN 2017.

### AFFIDAVIT

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

Applicant's Signature [Signature] Date 3/13/2020

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 2-25-2020

### FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	03/13/20	Notes:
Fee Amount Received:	\$225.00	
Receipt Number:	7197	
Public Hearing Date:	5-13-20	
Planning/Zoning Administrator Approval:		
 _____ Signature	_____ Date	



RECEIVED FOR RECORD  
MARY ELLEN TRYBAN, CLERK/REGISTER  
CHEBOYGAN COUNTY, MICHIGAN  
03/10/2016 4:09:40 PM

RECEIPT# 4123, STATION 2  
\$17.00 WARRANTY DEED  
\$5.00 TAX CERTIFICATION



CHEBOYGAN COUNTY  
MARCH 10, 2016  
RECEIPT #4123

STATE OF MICHIGAN \$ 88.00  
REAL ESTATE \$ 600.00  
TRANSFER TAX STAMP # 11



UBER 1302 PAGE 17

### WARRANTY DEED

(Unplatted Land)

3 of 3

Know All Persons by These Presents: That **B. James Jewell and Roseanne Mauro Jewell, Co-Trustees of the B. James Jewell Trust dated September 15, 2010** whose address is 82 Burniah Lane, Lake Orion, MI 48362

Convey(s) and Warrant(s) to **ECS Investments, LLC, a Michigan limited liability company** whose address is PO Box 2083, Indian River, MI 49749

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

**Parcel 2B: Commencing at the Southwest corner of Section 7, Township 35 North, Range 2 West; thence N0°45'22" West along the West section line 500.08 feet (recorded as N0°45'22" West 500.00 feet) to the Point of Beginning; thence continuing N0°45'22" West along said West section line 300.00 feet; thence N89°04'26" East 421.21 feet to the Westerly right of way line of Interstate 75 and bar & cap #16041; thence along said Right of Way 301.71 feet along a curve to the left radius of 4834.44 feet and whose long chord bears S6°56'04" East 301.66 feet to a bar & cap #12020; thence S89°04'26" West 453.68 feet to the Point of Beginning. Being part of the Southwest 1/4 of the Southwest 1/4, Section 7, Township 35 North, Range 2 West.**

*CUT OF 162-007-300-010-00V*

More commonly known as: v/l Straits Hwy, Indian River, MI 49749

For the full consideration of: REAL ESTATE TRANSFER VALUATION AFFIDAVIT FILED HEREWITH

#### Subject To:

Existing building and use restrictions, easements of record, and zoning ordinances, if any.

#### If the property conveyed is unplatted, the following applies:

The grantor grants to the grantee the right to make all available division(s) under section 108 of the land division act, Act No. 288 of the Public Acts of 1967. This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

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

*3/10/16*  
*Rachelle Johnson*  
Cheboygan County Treasurer



~~xxx~~



Dated this March 4, 2016.

**Seller(s):**  
**The B. James Jewell Trust dated September 15, 2010**

*B. Jewell*

**By: B. James Jewell, Co-Trustee**

*Roseanne Mauro Jewell*

**By: Roseanne Mauro Jewell, Co-Trustee**

State of MICHIGAN  
County of OAKLAND

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of March, 2016 by **B. James Jewell and Roseanne Mauro Jewell, Co-Trustees of the B. James Jewell Trust dated September 15, 2010.**

*Paula Bailey*

Notary Public:  
Notary County/State: / **PAULA BAILEY**  
County Acting In: **NOTARY PUBLIC - STATE OF MICHIGAN**  
Commission Expires: **COUNTY OF OAKLAND**  
**My Commission Expires June 6, 2019**  
Acting in the County of OAKLAND

**Drafted By:**  
Burke T. Lewis, Attorney  
932 Spring Street, Suite 203  
Petoskey, MI 49770

**Return To:**  
ECS Investments, LLC  
PO Box 2083  
Indian River, MI 49749

**Send Tax Bills To:**  
ECS Investments, LLC  
PO Box 2083  
Indian River, MI 49749

Recording Fee: \$22.00  
File Number: 16020051

State Transfer Tax: \$retva  
County Transfer Tax: \$retva

PART OF Tax Parcel No.:  
162-007-300-010-00





RECEIVED FOR RECORD  
 MARY ELLEN TRYBAN, CLERK/REGISTER  
 CHEBOYGAN COUNTY, MICHIGAN  
 08/26/2016 12:32:25 PM

RECEIPT# 4624, STATION 2  
 WARRANTY DEED  
 TAX CERTIFICATION  
 \$17.00  
 \$5.00



LIBER 1313 PAGE 630

**WARRANTY DEED**

(Unplatted Land)

Know All Persons by These Presents: That **B. James Jewell and Roseanne Mauro Jewell, Co-Trustees of the B. James Jewell Trust dated September 15, 2010** whose address is 82 Burniah Lane, Lake Orion, MI 48362

Convey(s) and Warrant(s) to **ECS Investments, LLC, a Michigan limited liability company** whose address is PO Box 2083, Indian River, MI 49749

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

**Parcel 2A: Part of the Southwest 1/4 of the Southwest 1/4, Section 7, Township 35 North, Range 2 West, Tuscarora Township, Cheboygan County, Michigan described as: Commencing at the Southwest corner of Section 7, Township 35 North, Range 2 West; thence N0°45'22" along the West section line 800.08 feet (recorded as N0°45'22" West 500.00 feet) to the Point of Beginning; thence continuing N0°45'22" West along said West section line 321.92 feet; thence S89°29'55" East 407.47 feet to a bar & cap #16041 on the Westerly right of way line of Interstate 75; thence along said right of way 312.09 feet along a curve to the left radius of 4834.44 feet and whose long chord bears S3°17'50" East 312.04 feet to a bar & cap #41099; thence S89°04'26" West 421.21 feet to the Point of Beginning. 102-007-300-010-01 ✓**

More commonly known as: v/l Straits Hwy, Indian River, MI 49749

For the full consideration of: REAL ESTATE TRANSFER VALUATION AFFIDAVIT FILED HEREWITH

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

*[Signature]*  
 Cheboygan, MI  
*[Signature]*  
 Cheboygan County Treasurer  
 Clerk

**Subject To:**

Existing building and use restrictions, easements of record, and zoning ordinances, if any.

**If the property conveyed is unplatted, the following applies:**

The grantor grants to the grantee the right to make all available division(s) under section 108 of the land division act, Act No. 288 of the Public Acts of 1967. This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.



xxx



Dated this August 23, 2016.

**Seller(s):**  
**The B. James Jewell Trust dated September 15, 2010**

*B. Jewell*  
By: **B. James Jewell, Co-Trustee**

*Roseanne Mauro Jewell*  
By: **Roseanne Mauro Jewell, Co-Trustee**

State of Michigan  
County of Oakland

The foregoing instrument was acknowledged before me this 24 day of August, 2016 by **B. James Jewell and Roseanne Mauro Jewell, Co-Trustees of the B. James Jewell Trust dated September 15, 2010.**

Kristhal Portugal  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires February 25, 2023

*Kristhal Portugal*  
Notary Public: Kristhal Portugal  
Notary County/State: Oakland, Michigan  
County Acting In: Oakland  
Commission Expires: 2-25-2023

**Drafted By:**  
Burke T. Lewis, Attorney  
932 Spring Street, Suite 203  
Petoskey, MI 49770

**Return To:**  
ECS Investments, LLC  
PO Box 2083  
Indian River, MI 49749

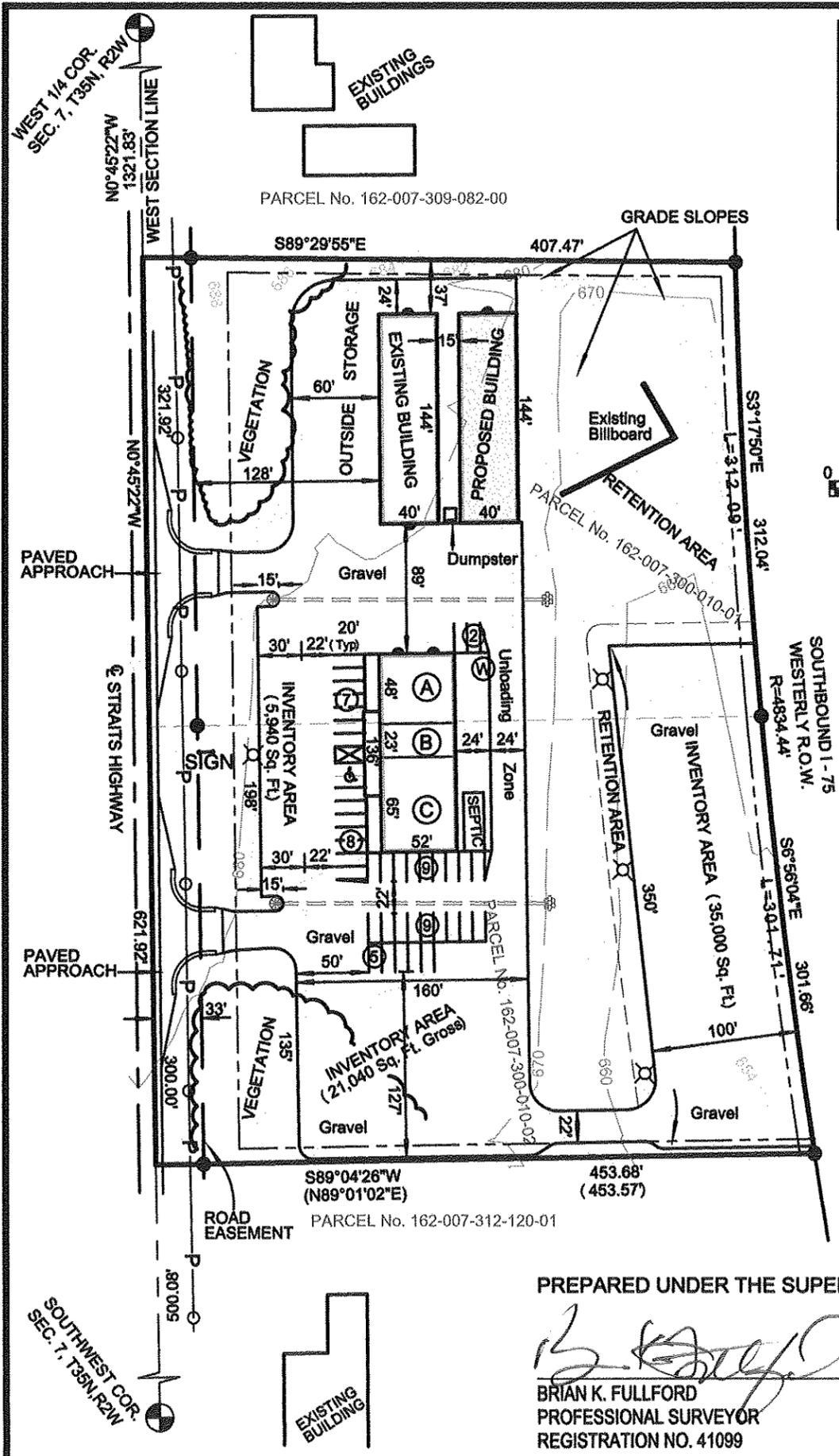
**Send Tax Bills To:**  
ECS Investments, LLC  
PO Box 2083  
Indian River, MI 49749

Recording Fee: \$22.00  
File Number: 16080404

State Transfer Tax: \$retva  
County Transfer Tax: \$retva

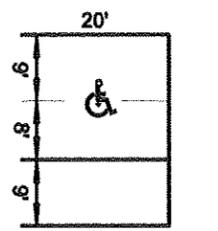
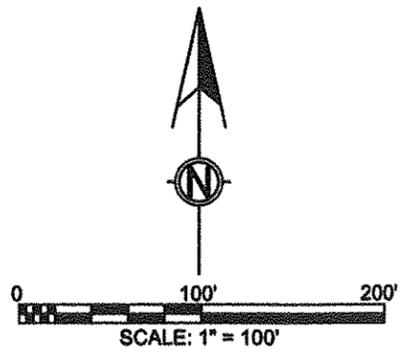
PART OF Tax Parcel No.:  
162-007-300-010-01 ✓





**CHEBOYGAN COUNTY ZONING INFORMATION**  
**ZONING ORDINANCE No. 200, ADOPTED FEBRUARY 8, 1983**

ZONING DISTRICT	MINIMUM PARCEL SIZE	YARD SETBACKS (FT)		
		FRONT	SIDE	REAR
D-CM COMMERCIAL DEVELOPMENT	SITE PLAN	25	10	10



- EXISTING BUILDING PROPOSED SPACE USAGE**
- (A) 2 SERVICE BAYS
  - (B) OFFICE SPACE  
1,120 Sq. Ft.
  - (C) INDOOR DISPLAY  
3,368 Sq. Ft.



PREPARED UNDER THE SUPERVISION OF:

*[Signature]*  
**BRIAN K. FULLFORD**  
 PROFESSIONAL SURVEYOR  
 REGISTRATION NO. 41099

March 13, 2020

- GUY ANCHOR
- POWER POLE
- P — OVERHEAD ELECTRIC
- PROPOSED GRAVEL
- - - ZONING SETBACK
- PROPERTY LINE
- ⊙ PARKING SPACE
- ⊗ PROPOSED LIGHT POLE
- ⊙ WELL
- 5' INDEX CONTOUR (NAVD88)
- 2' CONTOUR (NAVD88)
- E — PROPOSED U.G. ELECTRIC
- ⊙ STORMWATER INLET
- ▲ BUILDING PACK LIGHTS

**PARKING SCHEDULE**

10 Employees @ 1 / 2 Employees	5 SPACES
Office Space: 1,120 Sq. Ft. @ 1 / 300 Sq. Ft.	4 SPACES
2 Service Bays @ 2 / Bay	4 SPACES
Indoor Display: 3,368 Sq. Ft. @ 1 / 250 Sq. Ft.	14 SPACES
Outdoor Sales: 61,980 Sq. Ft. @ 1 / 5,000 Sq. Ft.	13 SPACES
<b>TOTAL PARKING REQUIRED:</b>	<b>40 SPACES</b>
<b>TOTAL EXISTING PARKING SPACES:</b>	
A.D.A. PARKING:	1 SPACES
STANDARD PARKING:	39 SPACES
<b>TOTAL PARKING PROVIDED:</b>	<b>40 SPACES</b>

**NOTES**

- The purpose of this Site Plan is to add a 40' x 144' building for commercial storage, expand the outside storage area to 60' wide West of the northerly building, and change the use of the existing building located in the approximate center of the site to Motor Vehicle sales and repair facility per Section 6.3.4 of the Zoning Ordinance.
- The area depicted as outdoor storage in proximity of the existing northerly cool storage building will be for temporary staging of items to be serviced and stored indoors, and is reasonably screened from the public and the adjoining commercial properties.
- The proposed parking and inventory area are associated with the new use of the center building. Uses within the building include 2 service bays for repair and installation of components, office space for sales, and indoor display and sale of components associated with the use permitted under Section 6.3.4.
- The construction of the Motor Vehicle Sales building including customer restrooms have been, or will be in conformance of all building codes as required for commercial use.
- To date since the first Site Plan was approved, there have been no drainage issues. The grading for the site is substantially complete with all drainage directed to the large low area between the buildings and I-75. In order to utilize the low area along the I-75 fence for inventory display, grading as required will be completed to provide for storm water retention between the inventory area and the slope to the West. Some additional finished slope grading will occur North of the billboard to dress the slope up. Slopes and excavated areas will be seeded for stabilization. To further manage stormwater, inlets will be installed at each approach and underground piping will be installed to carry the water to the stormwater retention area to the East. Gutters and downspouts on the buildings will carry water into this system.
- Gas, Electric, Water, have been installed. On site septic has been permitted and the utility will be installed as required.
- The buildings at the Northerly end of the site will continue to be cool storage. The management of the buildings will be continued by the owner with regard to actual entry and maneuvering inside the building.
- The interior dimensions shown on the building are rounded to the nearest foot. The square footage table should be used for building space use and parking space calculations.
- Outdoor lighting as shown is downward pointing to reduce uplighting.

**SITE PLAN AMENDMENT for**  
**COMMERCIAL STORAGE & ADDITION**  
**of MOTOR VEHICLE SALES / REPAIR**

FOR:  ECS INVESTMENTS, LLC Parcel No. 162-007-300-010-01 & Parcel No. 162-007-300-010-02	SEC. 7, T35N, R3W FB: CS 15	DRAWN: <u>BKF</u> CHECK: <u>BKF</u>	PROJECT NO. 20-011S
	 <b>FULLFORD SURVEYING &amp; MAPPING, P.C.</b> PO BOX 969 5097 S. STRAITS HIGHWAY, SUITE A INDIAN RIVER, MI 49749 PHONE: 231-238-9199 FAX: 231-238-9195		

# Shovan Cold Storage Barn

NEW COLD STORAGE BUILDING

1770 SOUTH STRAITS HWY

INDIAN RIVER, MI 49749

## DRAFTING SERVICES



## PROJECT ENGINEER



## SHEET INDEX:

A1.0	COVER SHEET
A2.1	FLOOR PLAN, FOUNDATION PLAN, ROOF FRAMING PLAN
A3.1	ELEVATIONS BUILDING SECTION

## BUILDING DATA:

USE GROUP:	S-2 STORAGE
CONSTRUCTION TYPE:	V-B
TOTAL AREA:	5,760 SQ. FT.
ALLOWABLE AREA:	13,500 SQ. FT. PER FLOOR

## CONSTRUCTION NOTES

### CODE REQUIREMENTS:

ALL DESIGN AND CONSTRUCTION SHALL CONFORM TO THE MICHIGAN BUILDING CODE, 2012 EDITION MICHIGAN UNIFORM ENERGY CODE 2009 EDITION

### DESIGN LOADS:

LIVE LOADS:	SNOW 60 PSF (GROUND)
WIND:	115 MPH EXPOSURE "B"
SEISMIC	DESIGN CATEGORY "A"
DESIGN SOIL BEARING	2000 PSF

### SAWN LUMBER:

SAWN LUMBER SHALL BE GRADED AND MARKED IN CONFORMANCE WITH WWPA GRADING RULES. SEASONED S4S S-P-F #2 UNLESS NOTED OTHERWISE. COLUMNS SHALL BE SELECT STRUCTURAL. MAXIMUM MOISTURE CONTENT SHALL BE 19 PERCENT. ALL LUMBER IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED. ALL WOOD LEDGERS, PLATES, SILLS AND NAILERS IN CONTACT WITH EARTH OR WITHIN 6 INCHES OF EARTH SHALL BE P.T. WOOD EXPOSED TO WEATHER SHALL BE CEDAR OR PRESSURE TREATED. ALL NAILS, BOLTS, HANGERS, ETC. SHALL BE G-185 GALVANIZED OR STAINLESS STEEL IN CONTACT WITH ACQ TREATED LUMBER.

### FRAMING:

FRAMING ACCESSORIES AND STRUCTURAL FASTENERS SHALL BE AS MANUFACTURED BY SIMPSON COMPANY (OR APPROVED EQUAL). ATTACH JOISTS TO FLUSH HEADERS AND BEAMS WITH SIMPSON SERIES JOIST HANGERS TO SUIT THE JOIST SIZE, FILL ALL ROUND NAIL HOLES. ATTACH EVERY ROOF ELEMENT WITH SIMPSON HURRICANE TIES. NAILS SHALL BE COMMON. NAILING NOT SHOWN SHALL BE PER TABLE R602.3(1) M.R.C. PROVIDE SOLID BLOCKING AT BEARING POINTS. TIMBER CONNECTORS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS AND WHERE CONNECTORS STRAP TWO MEMBERS TOGETHER, PLACE ONE HALF OF THE NAILS OR BOLTS IN EACH MEMBER. PROVIDE WASHERS UNDER ALL BOLT HEADS AND NUTS WITH WOOD CONTACT. WALL BOTTOM PLATE NAILING TO ACQ TREATED SILL PLATES TO BE G-185 GALVANIZED OR STAINLESS. FLASHING IN CONTACT W/ ACQ P.T. LUMBER SHALL BE COPPER OR BE SEPARATED FROM P.T. LUMBER W/ BITUTHANE MEMBRANE

### ANCHOR BOLTS:

GALV. 1/2" ANCHOR BOLTS W/ NUT AND WASHER MAX. 4' oc AND 12" FROM CORNERS AND SPLICES UNLESS NOTED OTHERWISE. STAINLESS STEEL SHALL NOT BE IN CONTACT W/ GALV.

### ROOF VENTING:

ALL ROOFS TO BE HAVE CONTINUOUS VENTING FROM EAVE TO ROOF. MAINTAIN 1 1/2" MIN. AIR SPACE BETWEEN INSULATION AND UNDERSIDE OF ROOF SHEATHING.

### PRE-ENGINEERED WOOD TRUSSES:

ALL PRE-ENGINEERED WOOD TRUSSES SHALL BE BRACED ACCORDING TO BCSI TEMPORARY AND PERMANENT BRACING REQUIREMENTS.

## CONCRETE:

CONCRETE SHALL CONFORM TO AMERICAN CONCRETE INSTITUTE STANDARD 318, "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS". AN AIR ENTRAINING ADMIXTURE CONFORMING TO 2012 MICHIGAN BUILDING CODE SHALL BE ADDED TO ALL CONCRETE EXPOSED TO EARTH OR WEATHER. PROVIDE 5%+1% ENTRAINING AIR. 4,000 PSI CONCRETE SHALL BE USED FOR SLABS ON GRADE, WALLS, FOOTINGS, AND GRADE BEAMS. 4,500 PSI CONCRETE W/ 100% CRUSHED DOLOMITE AGGREGATE SHALL BE USED FOR EXTERIOR SIDEWALKS. 4 INCH MAXIMUM SLUMP, 3/4 INCH MAXIMUM AGGREGATE SIZE. THE USE OF WATER-SOLUBLE CHLORINE ION SHALL NOT BE USED UNLESS APPROVED BY THE ENGINEER. AS AN ALTERNATIVE TO THE ABOVE, THE CONTRACTOR MAY SUBMIT A CONCRETE MIX DESIGN FOR APPROVAL TWO WEEKS PRIOR TO PLACING ANY CONCRETE. THE ALTERNATIVE MIX DESIGN SHALL BE REVIEWED FOR CONFORMANCE.

COLD WEATHER, DO NOT USE FROZEN MATERIALS OR MATERIALS MIXED OR COATED WITH ICE. DO NOT BUILD ON FROZEN SUBSTRATES. REMOVE AND REPLACE MASONRY DAMAGED BY FREEZING CONDITIONS. COMPLY WITH COLD WEATHER CONSTRUCTION PER ACI 520.1/ASCE 6/TMS 602.

DO NOT USE ADMIXTURES, INCLUDING ANTIFREEZE, RETARDERS, ACCELERATORS OR CALCIUM CHLORIDE IN MORTAR OR GROUT UNLESS OTHERWISE INDICATED. ALL VERTICAL REINFORCING SHALL BE SUPPORTED BY ACCESSORIES TO PROPERLY LOCATE AND STABILIZE REINFORCING PRIOR TO GROUT PLACEMENT.

## REINFORCING:

ASTM A-615 GRADE 60 (fy=60ksi) DEFORMED BARS. ASTM A-185 (fy=75ksi) FOR SMOOTH WELDED WIRE FABRIC. REINFORCEMENT FOR SLABS ON GRADE SHALL BE W.W.M. 6X6 W1.4XW1.4 UNLESS NOTED OTHERWISE. DETAILS PER ACI MANUAL OF "STANDARD PRACTICE FOR DETAILING OF REINFORCED CONCRETE STRUCTURES", WALLS, COLUMNS, AND FOOTINGS SHALL BE REINFORCED AS SHOWN ON PLANS. MINIMUM CONCRETE COVER SHALL BE:

CONCRETE CAST AGAINST EARTH	3"
FORMED SURFACE EXPOSED TO EARTH OR WEATHER	2"
CONCRETE NOT EXPOSED TO WEATHER OR EARTH	3/4"

EPOXIED THREADED ROD ANCHOR BOLTS: DRILL HOLE, BLOW W/ AIR, BRUSH AND BLOW AGAIN

FOOTING REINFORCEMENT MUST BE GROUNDED TO A GROUNDING ELECTRODE PER CURRENT MICHIGAN ELECTRIC CODE. CALL FOR INSPECTION BEFORE POUR.

NO WET SETTING OF REBAR IN WALLS OR FOOTINGS. ALL REINFORCING SHALL BE TIED AND CAST.

## EXCAVATION:

THREE FULL WORKING DAYS BEFORE YOU DIG, CALL THE MISS DIG SYSTEM AT 800-482-7171 or 811

## DIMENSIONS:

DIMENSIONS SHALL BE TO FACE OF FRAMING OR FACE OF CONCRETE UNLESS OTHERWISE INDICATED. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER DRAWING SCALE. DO NOT SCALE DRAWINGS.

## PLYWOOD:

PLYWOOD PANELS SHALL HAVE THE APA GRADE TRADEMARK OF THE AMERICAN PLYWOOD ASSOCIATION. PLYWOOD SHALL BE C-D INT APA WITH EXTERIOR GLUE (CDX) OR ORIENTED STRAND BOARD OF THE SAME THICKNESS AND RATING.

	PLYWOOD	EDGE	FIELD	BLOCKED	
ROOF	5/8" 32/16	10d@6"	10d@12"	NO	W/ PLY-CLIPS
FLOOR1	3/4" 32/16 T&G	8d@6"	8d@12"	NO	
EXTERIOR WALLS					
	1/2" 32/16 CDX	8d@3"	8d@12"	YES	
	OR OSB EXT.	SEE SHEAR WALL NOTES			

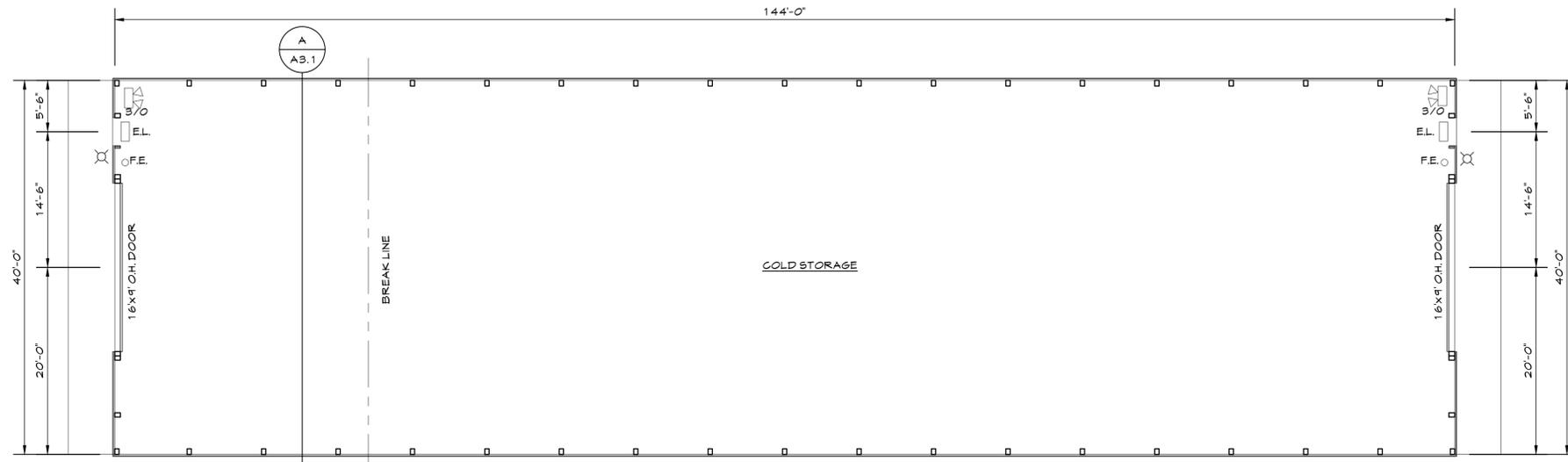


**Shovan Storage Barn**  
**New Storage Barn**  
 1770 S Straits Highway  
 Indian River, MI 49749

REVISED:	xx-xx-xx
RELEASED FOR REVIEW	

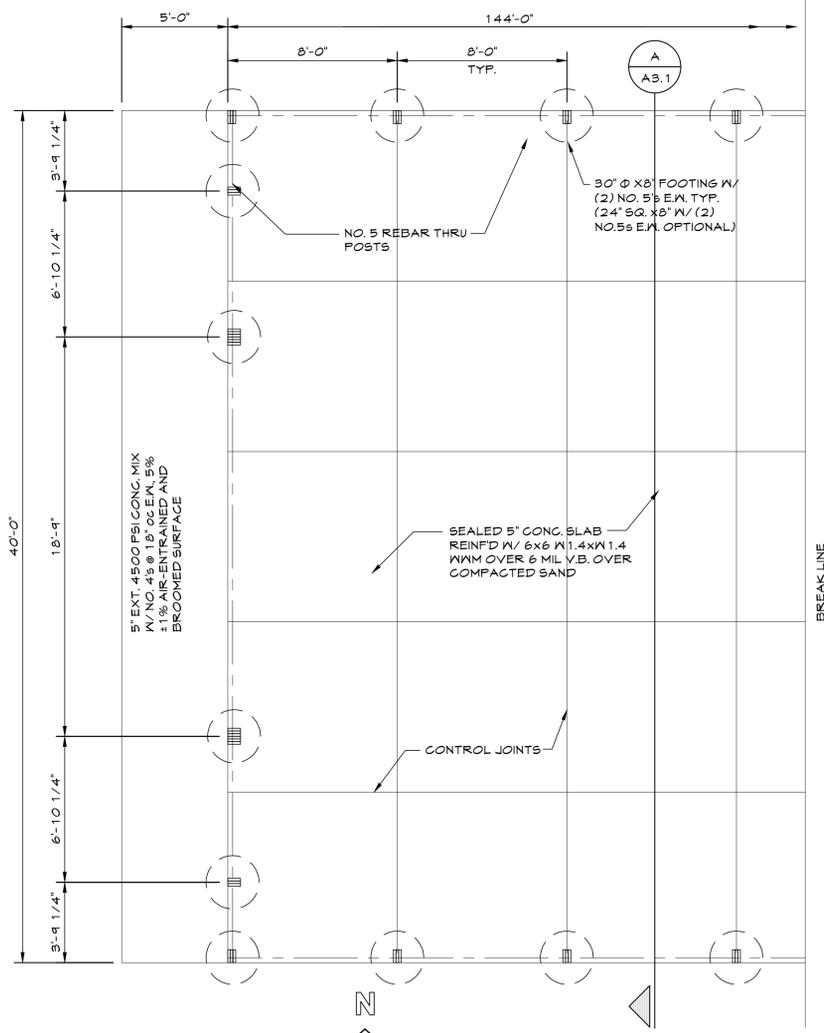
NOTE: THESE PLANS HAVE BEEN PREPARED FOR THIS CLIENT AND THIS SPECIFIC ADDRESS AND ARE TO BE USED TO CONSTRUCT THIS STRUCTURE AT THIS ADDRESS ONLY. NO OTHER USE OF THESE DRAWINGS ARE PERMITTED WITHOUT PERMISSION FROM BOTH JOHNSTON ENGINEERING LLC AND SUPERIOR DRAFTING AND DESIGN.

SHEET:  
**A 1.0**

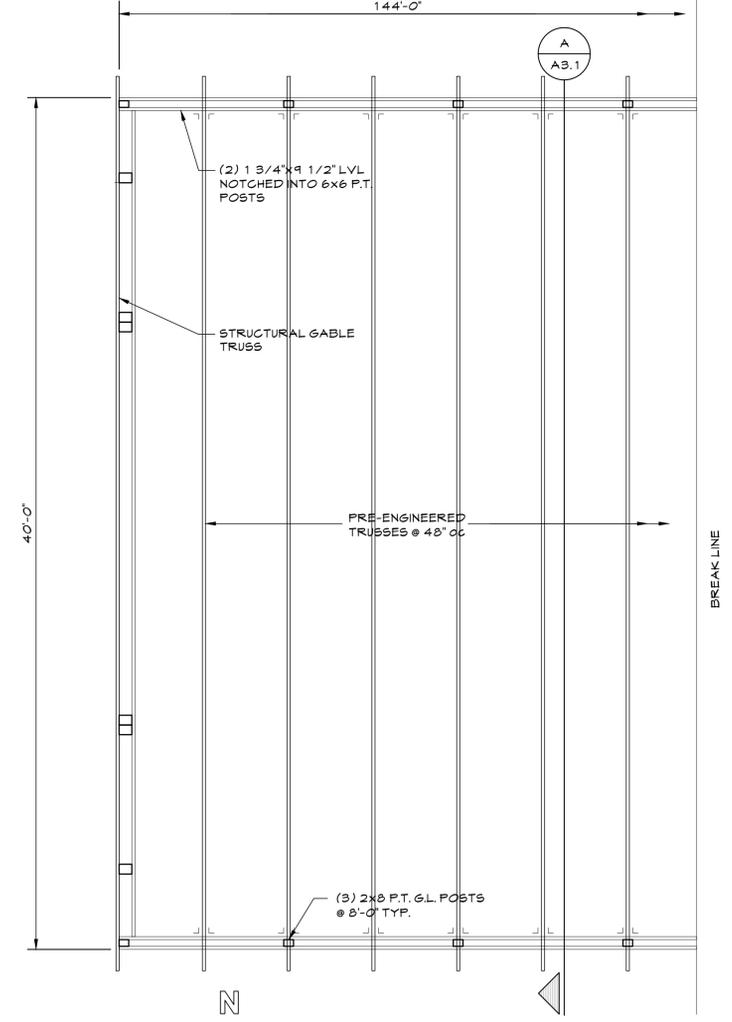


- EL = EXIT LIGHT
- ☒ = EXTERIOR LIGHT
- F.E. = FIRE EXTINGUISHER
- ☒ = EMERGENCY LIGHT

**FLOOR PLAN**  
 SCALE: 1/8"=1'-0"



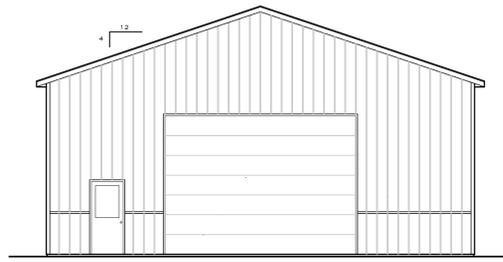
**FOUNDATION PLAN**  
 SCALE: 1/4"=1'-0"



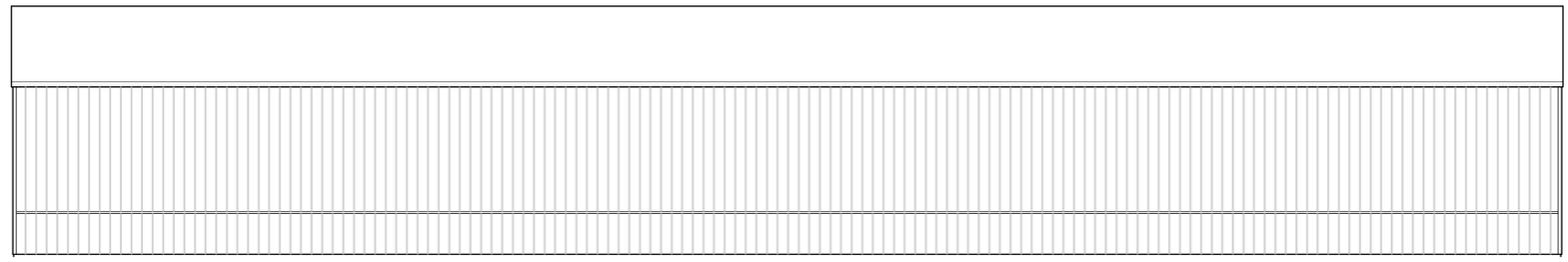
**ROOF FRAMING PLAN**  
 SCALE: 1/4"=1'-0"

**Shovan Storage Barn**  
**New Storage Barn**  
 1770 S Stratts Highway  
 Indian River, MI 49749

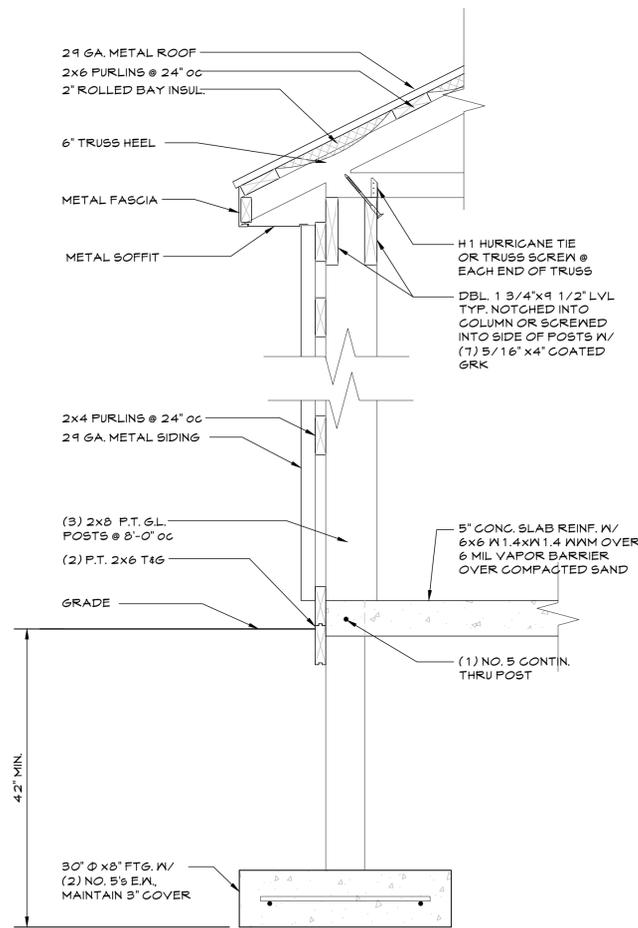
REVISID:	xx-xx-xx
RELEASED FOR REVIEW	



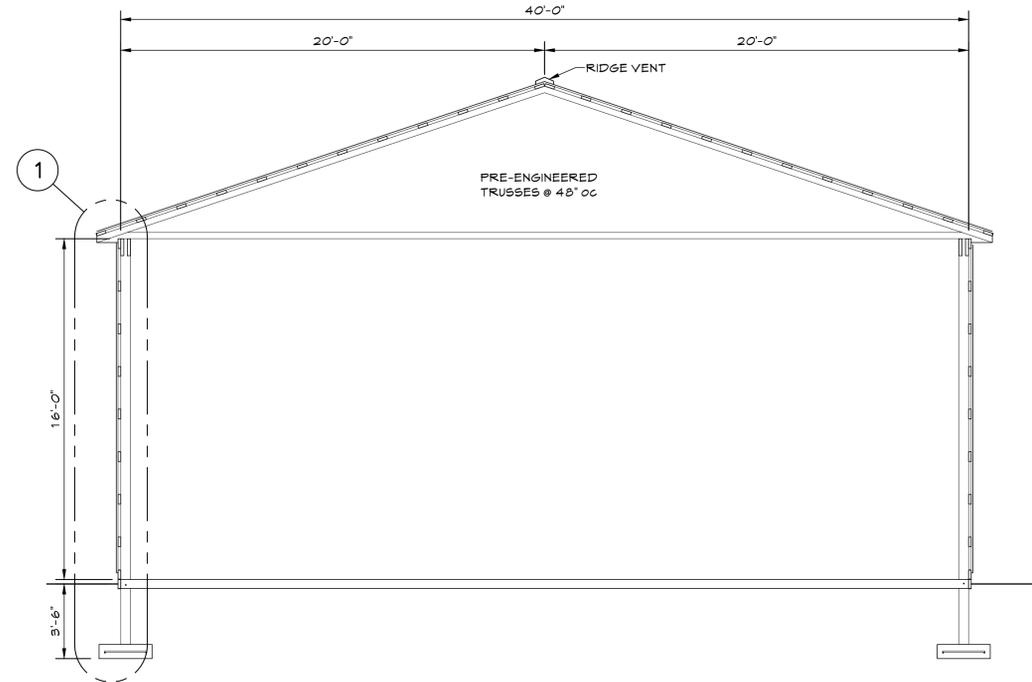
**EAST ELEVATIONS (WEST SIMILAR)**  
SCALE: 1/8"=1'-0"



**NORTH AND SOUTH ELEVATIONS**  
SCALE: 1/8"=1'-0"



**1 WALL SECTION**  
SCALE: 1"=1'-0"



**A SECTION**  
SCALE: 1/4"=1'-0"

161-012-400-008-02  
OCCUPANT  
1750 S STRAITS HWY  
INDIAN RIVER, MI, 49721

162-007-312-120-01  
OCCUPANT  
1855 S STRAITS HWY  
INDIAN RIVER, MI, 49721

162-007-300-006-00  
OCCUPANT  
1627 S STRAITS HWY  
INDIAN RIVER, MI, 49721

162-007-309-082-00  
OCCUPANT  
1661 S STRAITS HWY  
INDIAN RIVER, MI, 49721

162-007-312-120-02  
OCCUPANT  
1865 S STRAITS HWY  
INDIAN RIVER, MI, 49721

162-007-300-010-02  
OCCUPANT  
1829 S STRAITS HWY  
INDIAN RIVER, MI, 49721

162-007-300-010-01  
OCCUPANT  
1771 S STRAITS HWY  
INDIAN RIVER, MI, 49721

161-012-400-007-03  
BENSON, THEODORE & PATRICIA J  
2371 EAST MULLETT LAKE RD  
INDIAN RIVER, MI 49749

162-007-312-120-01  
RAMSBY, MICHAEL & PATRICIA H/W  
9820 S RIVER RD  
CHEBOYGAN, MI 49721

162-007-300-006-00  
TIP OF THE MITT, LLC  
3051 44TH AVE NORTH  
SAINT PETERSBURG, FL 33714

162-007-309-082-00  
NORTHERN ESCAPE ENTERPRISES LLC  
PO BOX 281  
TOPINABEE, MI 49791

162-007-312-120-02  
RAMSBY, WILLIAM & TERRY H/W  
2712 VANYEA RD  
CHEBOYGAN, MI 49721

162-007-300-010-02  
ECS INVESTMENTS LLC  
PO BOX 2083  
INDIAN RIVER, MI 49749

162-007-300-010-01  
ECS INVESTMENTS, LLC  
PO BOX 2083  
INDIAN RIVER, MI 49749

162-007-309-081-00  
NORTHERN ESCAPE ENTERPRISES LLC  
PO BOX 281  
TOPINABEE, MI 49791

161-012-400-008-02  
NIFFON, MASON, ALLOR & HILL,  
PO BOX 248  
WOLVERINE, MI 49799

161-012-400-008-06  
GRISWOLD MOUNTAIN PROPERTIES, LLC  
PO BOX 158  
INDIAN RIVER, MI 49749

161-012-400-008-05  
NIFFON, MASON & ALLOR,  
PO BOX 248  
WOLVERINE, MI 49799



# 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> A request for an Amendment to a Special Use Permit for an additional indoor storage facility and expansion of outdoor boat storage, and a Special Use Permit for a change of use of an existing indoor storage facility to motor vehicle sales and/or repair in a Commercial Development (D-CM) zoning district per Sections 6.3.16, 6.3.14 and 6.3.4 of the Zoning</p>	<p><b>Prepared by:</b> Jennifer Merk</p>
<p><b>Date:</b> May 6, 2020</p>	<p><b>Expected Meeting Date:</b> May 13, 2020</p>

### GENERAL INFORMATION

**Property Owner(s):** Edward Shovan, ECS Investments, Inc.

**Applicant:** Fullford Surveying & Mapping, PC

**Property Location(s):** 1771 and 1829 South Straits Highway, Tuscarora Township

**Contact:** Brian Fullford

**Phone:** 231-238-9199

**Requested Action:** Amendment to a Special Use Permit for one additional indoor storage facility and expansion of an outdoor boat storage area, and a Special Use Permit to change the use of an existing indoor storage facility to motor vehicle sales and/or repair.

### BACKGROUND INFORMATION

The two properties that are the subject of the requests, parcel no. 162-007-300-010-01 and 162-007-300-010-02, are a combined 5.85 acres, are zoned Commercial Development (D-CM) and located immediately south of the “American Chillers” bookstore at the east side of South Straits Highway in Tuscarora Township.

The requests are as follows:

1. Approval of an amendment to a special use permit for an additional indoor storage facility and expansion of an outdoor boat storage area; and
2. A special use permit to change the use of an existing indoor storage facility to motor vehicle sales and/or repair.

An indoor storage facility, expansion of boat storage area and motor vehicle sales and/or repair are uses authorized by special use permit in the D-CM zoning districts pursuant to Sections 6.3.16, 6.3.14 and 6.3.4 of the Zoning Ordinance.

The owner is proposing to construct one additional indoor storage facility on parcel no. 162-007-300-010-01 with dimensions of 40 feet by 144 feet nearest to the north side lot line and immediately east of an existing indoor storage facility. The previously approved site plan (April 19, 2017) depicted two outdoor storage areas for boat storage; however, the easternmost boat storage area will be removed and replaced with the proposed indoor storage facility.

Also, an area for outdoor boat storage located to the west of an existing indoor storage facility is described on the site plan as “Notes, No. 2” and is proposed to be expanded to 60 feet in width (from the previously approved area that is 40 feet by approximately 144 feet). In addition to boat storage the owner proposes to use this outdoor storage area as an accessory staging area (to the principal uses of indoor storage and motor vehicle sales and/or repair) for watercraft and other items waiting servicing and/or storage.

Another existing indoor storage facility located at the center of the two properties is proposed for the motor vehicle sales and/or repair use. The site plan submitted with the application (see Exhibit 5) depicts this building as having three sections: two service bays (A), office space (B), and indoor display area (C). Parking surrounds the central building associated with the motor vehicle sales and/or repair use. There are three areas proposed for inventory display that total 61,980 square feet. The smaller inventory area (5,940 square feet) is shown directly west alongside South Straits Highway. Another larger inventory area (21,040 square feet) is shown along the south side lot line, while the largest inventory area (35,000 square feet) would be located along I-75 South on the east lot line.

The following permits have been approved for the subject properties:

- A soil erosion and sedimentation control permit for a grade change on both parcels was issued on October 18, 2016.
- A zoning permit was issued on November 30, 2016 for a 40 feet x 144 feet private storage building on the north side lot line of tax parcel no. 162-007-300-010-01.
- A special use permit (PSUP17-0552) for boat storage and an indoor storage facility (50 feet x 144 feet) and a change of use from private storage building to indoor storage facility (40 feet x 144 feet) was approved on April 19, 2017.
- On April 17, 2018, an amendment to the special use permit (PSUP17-0552) to change the centrally located indoor storage facility from 50 feet x 144 feet to 52 feet x 136 feet with a 10 feet x 40 feet covered entrance was administratively approved by the Planning and Zoning Department.
- A zoning permit for a freestanding sign (4 feet x 7 feet) was approved on August 31, 2018.

Note that two (2) site plan waivers are requested (see attached special use application).

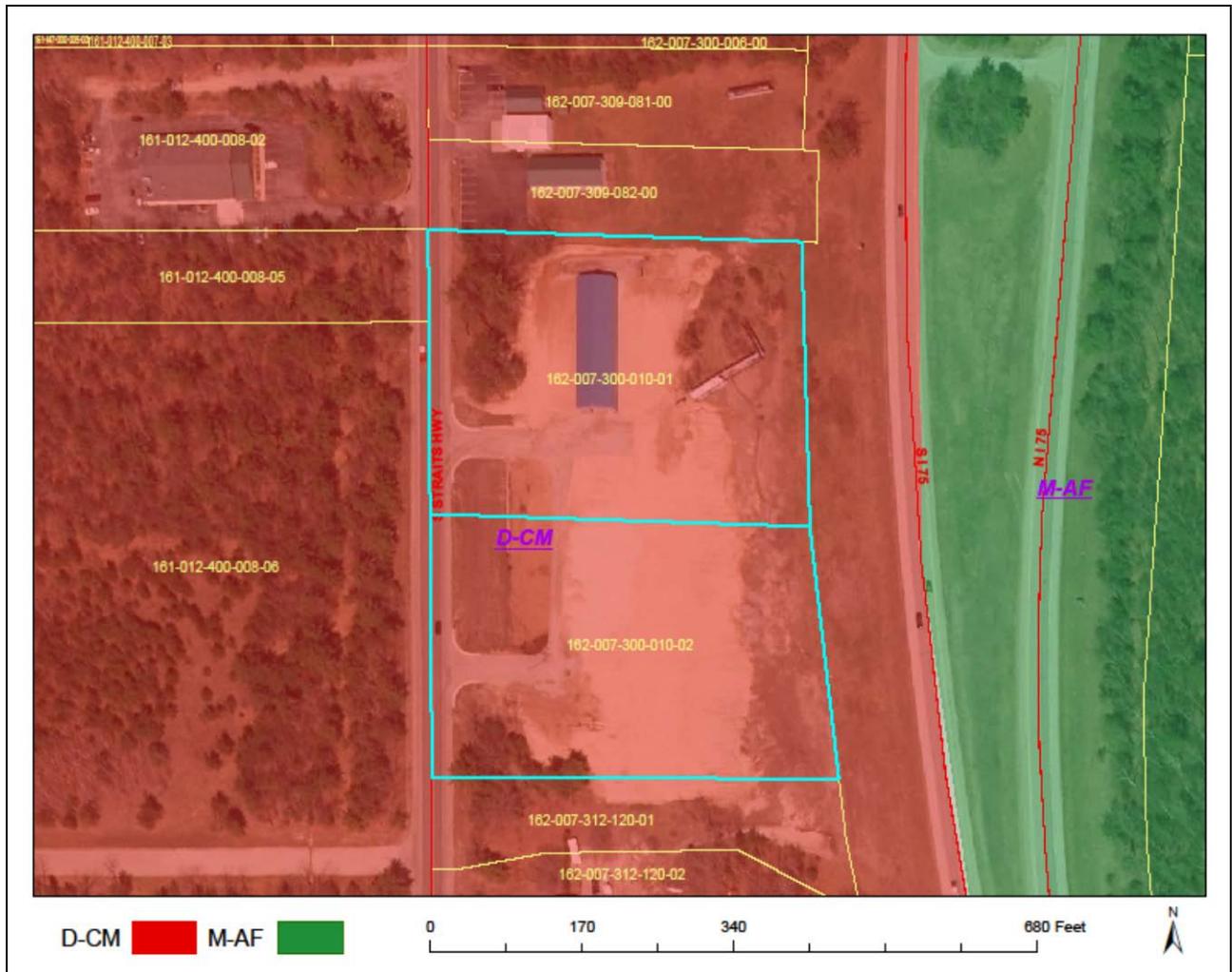


Fig. 1: Location and zoning of the 5.85-acre subject parcels (at center highlighted in blue) and surrounding properties

**Current and Surrounding Zoning:**

The current and surrounding zoning of the subject properties is Commercial Development (D-CM), and part of a long-established commercial zoning corridor along Straits Highway. Agriculture and Forestry Management (M-AF) zoning is found east of I-75. (see Figure 1)

**Surrounding Land Uses:**

Commercial land uses surround the subject properties to the north, west and south. The I-75 highway is located to the west.

**Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):**

The proposed subject property is not within 500 feet of a waterbody; however, the commercial nature of the project and extent of grading to be done in establishing the inventory areas, parking and internal drive lanes will require a Soil Erosion and Sedimentation Control Permit.

**Utilities/Disposal Services**

Gas, electric and water has already been installed on the subject properties. A septic system has

been permitted by the District Health Department No. 4. The proposed septic and existing well is indicated on the site plan behind the proposed motor vehicle sales and/or repair building.

**Historic Buildings/Features:**

There are no known historic buildings or features on the subject property. The special use permit application states the site was a former borrow pit. (In construction, a borrow pit is an area where material -- usually soil, gravel or sand -- has been extracted for use at another location).

**Traffic Implications:**

The submitted site plan indicates two existing commercial access driveways along the east side of South Straits Highway. A modest increase in vehicle trip generation can be expected with both the expansion of uses and the change of use from indoor storage to motor vehicle sales and/or repair, but any increase is unlikely to warrant traffic calming strategies, for example, to reduce any negative impacts from motor vehicles.

**Parking:**

Per Section 17.4 of the Zoning Ordinance (Off-street Parking for Motor Vehicles), the following parking spaces are required for the motor vehicle sales and/or repair use (boldfaced):

- **All uses require 1 (one) parking space per 2 (two) employees.**  
(Ten (10) employees total/2 = 5 parking spaces)
- **Two (2) parking spaces per service bay for automobile repair garages.**  
(2 service bays x 2 = 4 parking spaces)
- **One (1) parking space per 300 sq. ft. of gross floor area for offices.**  
(1,120 sq. ft. of office space/300 sq. ft. = 4 parking spaces)
- **One (1) parking space per 250 sq. ft. of indoor display area.**  
(3,368 sq. ft. of indoor display area/250 sq. ft. = 14 parking spaces)
- **One (1) parking space per 5,000 sq. ft. of outdoor display area.**  
(61,980 sq. ft. of outdoor display area/5,000 sq. ft. = 13 parking spaces)

The development is required to have forty 40 parking spaces per Section 17.4. Forty (40) spaces including one (1) barrier free space is indicated on the submitted site plan.

According to Section 17.4.8.i, space for all necessary loading and unloading operations for any commercial, industrial or other use must be provided in addition to the required off-street parking spaces.

Furthermore, loading and unloading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per linear foot of front building wall. The site plan indicates that there is

136 linear feet of building frontage and sufficient loading/unloading space has been provided: 24 feet x 136 feet or 3,264 square feet.

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

Access to the site is provided via two, two-way driveways from South Straits Highway. The driveways have been permitted by the County Road Commission and improved.

**Signs:**

A sign exists approximately at the center of the subject properties near South Straits Highway. No additional sign(s) are proposed with this application.

**Fence/Hedge/Buffer:**

No other screening or buffers are proposed, nor are required. Section 1.d. in the special use permit application states the existing vegetation on the north and south property boundary will remain intact as much as possible.

**Lighting:**

Four light poles are depicted on the site plan. One light pole is proposed west of the existing sign along South Straits Highway. The remaining three light poles will be located directly west of the large inventory area along I-75. Directional pack lighting will be installed and directed downward on all the buildings as noted on the site plan.

**Stormwater management:**

Stormwater management is described under number 5 of the “Notes” section on the site plan. The current slope diverts water to a retention area along the eastern property boundary. The retention area will require additional grading to permit the large inventory area along I-75 South. Inlets attached to piping will also be installed in order to carry stormwater from the west to the retention area to the east. The applicant states gutters and downspouts on buildings will direct water into this stormwater retention system.

**Master Plan/Future Land Use Map**

While land use in Tuscarora Township is regulated by the Cheboygan County Zoning Ordinance, the Township has an approved Master Plan to help guide land use (Tuscarora Township 2012 Master Plan Update). The subject property is designated as General Commercial on the Tuscarora Township Future Land Use Map; this designation encourages commercial uses requiring proportionately larger scale sites, and provides the following example of appropriate large-scale commercial uses in Tuscarora Township:

“Additionally, *highway oriented uses such as vehicle sales*, automobile service stations, motels and restaurants are appropriate in the general commercial area. Design standards in this area would ideally include off-street parking, a landscaped setback from the highway, access controls to minimize interference with through traffic on the highway, and highway-oriented sign regulations.”

The proposed motor vehicle sales and/or repair use and the addition of an indoor storage facility are appropriate uses in General Commercial according to the Tuscarora Township Master Plan.

**Public Comment:**

No public comments have been received as of the date of this report.

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

Soil Erosion and Sedimentation Control Permit and building permit applications review by the Department of Building Safety. Note that Kyle Keller, District Health Department #4, stated that the property owner has the appropriate well and septic permits for the uses. David Carpenter, Tuscarora Township Fire Chief, stated that he has no issues regarding the project.

**Recommendations (proposed conditions):**

1. Prior to construction, obtain a Soil Erosion and Sedimentation Control Permit.
2. Prior to construction, obtain building permits as applicable from the County's Department of Building Safety.

**Deborah Tomlinson**

---

**From:** Dave Carpenter <dpcarpenter@voyager.net>  
**Sent:** Wednesday, April 29, 2020 9:24 AM  
**To:** Deborah Tomlinson  
**Subject:** Re: 05/13/20 Special Planning Commission Meeting - Team Andrews Enterprises/Bob Andrews & Ed Shovan/ECS Investments

**CAUTION:** This email originated from outside of the Cheboygan County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Deb,

I see any issues in regards to the Ed Shovan/Ecs Investments project.

Respectfully,

David Carpenter  
Fire Chief

**From:** Deborah Tomlinson  
**Sent:** Tuesday, April 28, 2020 7:06 PM  
**To:** [invernesswpsupervisor@gmail.com](mailto:invernesswpsupervisor@gmail.com) ; Lisa Porter ; Johanna Pluszcynski ; Brent Shank ([mgr@chcrc.com](mailto:mgr@chcrc.com)) ; Kyle Keller ; Scott Fisher ([FisherS22@michigan.gov](mailto:FisherS22@michigan.gov)) ; Jay Gaillitis ([gaillitisj@michigan.gov](mailto:gaillitisj@michigan.gov)) ; Dan Socha ; David Carpenter ([dpcarpenter@voyager.net](mailto:dpcarpenter@voyager.net)) ; Bobbi Balazovic ([treasurer@tuscaroratwp.com](mailto:treasurer@tuscaroratwp.com)) ; Craig Waldron ([cwaldron@centurylink.net](mailto:cwaldron@centurylink.net)) ; Jane McGinnis ([jane@mcvideo.com](mailto:jane@mcvideo.com)) ; Tuscarora ; Sue Fisher ([clerk@tuscaroratwp.com](mailto:clerk@tuscaroratwp.com)) ; Dan Nivelte ([d-repair@sbcglobal.net](mailto:d-repair@sbcglobal.net)) ; [jhschams@outlook.com](mailto:jhschams@outlook.com) ; Kelly Ashford ; Mike Cherveney  
**Cc:** Jennifer Merk  
**Subject:** 05/13/20 Special Planning Commission Meeting - Team Andrews Enterprises/Bob Andrews & Ed Shovan/ECS Investments

The following is a link to **Bob Andrews/Team Andrews Enterprises Inc.** (Inverness Township) special use permit application and **Ed Shovan/ECS Investments/Fullford Surveying and Mapping PC** (Tuscarora Township) special use permit application that will be reviewed by the Planning Commission at the 05/13/20 special meeting: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093>. The following is a link to the 05/13/20 Special Planning Commission notice: <http://www.cheboygancounty.net/planning-commission-182/#sect-1217>.

THE CHEBOYGAN COUNTY PLANNING AND ZONING COMMISSION SPECIAL MEETING and PUBLIC HEARING SCHEDULED FOR WEDNESDAY, May 13, 2020 at (7:00 P.M) will be conducted via Telephonic Attendance by Cheboygan County Resolution 2020-06 and Executive Order 2020-48. Please review the notice for details (telephone number and access code) regarding accessing the meeting telephonically.

Please review the documents and email me prior to 05/06/20 if you have any comments that you would like to submit to the Planning Commission. Thank you!

Debbie Tomlinson  
**Assistant to Director of Planning & Zoning**  
**Cheboygan County Planning & Zoning Department**  
PO Box 70, 870 South Main Street  
Cheboygan, MI 49721  
(231)627-8489 phone  
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Deborah Tomlinson

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**From:** Kyle Keller <kkeller@dhd4.org>  
**Sent:** Wednesday, May 06, 2020 10:25 AM  
**To:** Deborah Tomlinson  
**Subject:** RE: 05/13/20 Special Planning Commission Meeting - Team Andrews Enterprises/Bob Andrews & Ed Shovan/ECS Investments

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

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Debbie: 1. Bob Andrews Project-project does not appear to have any Health Dept requirements. 2. Mark Hansen Project will definitely require an Existing Sewage System Evaluation and/or Sewage Permit from DHD4. 3. Ann Arbor YMCA Project will definitely require at a minimum an Existing Sewage System Evaluation as they propose changes to the lodge/kitchen facilities. 4. Ed Shovan Project-Mr. Shovan **does have** on-site well and sewage permits for the original project and it doesn't appear that this project with a storage building needs HD approval. Thanks hope all is well!

PS: Can you call on a couple other issues I am working on try my cell 231-290-3097, thanks again.

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, April 28, 2020 7:06 PM  
**To:** [invernesstwp-supervisor@gmail.com](mailto:invernesstwp-supervisor@gmail.com); Lisa Porter <[invernessclerk@gmail.com](mailto:invernessclerk@gmail.com)>; Johanna Pluszcynski <[invernesstwp-treasurer@gmail.com](mailto:invernesstwp-treasurer@gmail.com)>; Brent Shank ([mgr@chcrc.com](mailto:mgr@chcrc.com)) <[mgr@chcrc.com](mailto:mgr@chcrc.com)>; Kyle Keller <[kkeller@dhd4.org](mailto:kkeller@dhd4.org)>; Scott Fisher ([FisherS22@michigan.gov](mailto:FisherS22@michigan.gov)) <[FisherS22@michigan.gov](mailto:FisherS22@michigan.gov)>; Jay Gailitis ([gailitisj@michigan.gov](mailto:gailitisj@michigan.gov)) <[gailitisj@michigan.gov](mailto:gailitisj@michigan.gov)>; Dan Socha <[inverness.fire@gmail.com](mailto:inverness.fire@gmail.com)>; David Carpenter ([dpcarpenter@voyager.net](mailto:dpcarpenter@voyager.net)) <[dpcarpenter@voyager.net](mailto:dpcarpenter@voyager.net)>; Bobbi Balazovic ([treasurer@tuscaroratwp.com](mailto:treasurer@tuscaroratwp.com)) <[treasurer@tuscaroratwp.com](mailto:treasurer@tuscaroratwp.com)>; Craig Waldron ([cwaldron@centurylink.net](mailto:cwaldron@centurylink.net)) <[cwaldron@centurylink.net](mailto:cwaldron@centurylink.net)>; Jane McGinnis ([jane@mcvideo.com](mailto:jane@mcvideo.com)) <[jane@mcvideo.com](mailto:jane@mcvideo.com)>; Tuscarora <[supervisor@tuscaroratwp.com](mailto:supervisor@tuscaroratwp.com)>; Sue Fisher ([clerk@tuscaroratwp.com](mailto:clerk@tuscaroratwp.com)) <[clerk@tuscaroratwp.com](mailto:clerk@tuscaroratwp.com)>; Dan Nivelte ([d-repair@sbcglobal.net](mailto:d-repair@sbcglobal.net)) <[d-repair@sbcglobal.net](mailto:d-repair@sbcglobal.net)>; [jhschams@outlook.com](mailto:jhschams@outlook.com); Kelly Ashford <[kashford@racc2000.com](mailto:kashford@racc2000.com)>; Mike Cherveney <[cherv179@aol.com](mailto:cherv179@aol.com)>  
**Cc:** Jennifer Merk <[jmerk@cheboygancounty.net](mailto:jmerk@cheboygancounty.net)>  
**Subject:** 05/13/20 Special Planning Commission Meeting - Team Andrews Enterprises/Bob Andrews & Ed Shovan/ECS Investments

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## CHEBOYGAN COUNTY PLANNING COMMISSION

### SPECIAL USE PERMIT REQUEST

Wednesday, May 13, 2020; 7:00 PM

#### Applicant

Fullford Surveying & Mapping, PC  
P.O. Box 969  
Indian River, MI 49749

#### Owner(s)

Edward Shovan  
ECS Investments, Inc.  
P.O. Box 2083  
Indian River, MI 49749

#### Parcel(s)

1771 South Straits Highway  
1829 South Straits Highway  
Indian River, MI 49749  
162-007-300-010-01  
162-007-300-010-02

### GENERAL FINDINGS

1. Two properties make up the project area, parcel no. 162-007-300-010-01 and 162-007-300-010-02.
2. The two subject properties are 5.85 acres and are zoned Commercial Development (D-CM).
3. The applicant requests approval of an amendment to a special use permit for one (1) additional indoor storage facility (40 feet x 144 feet) and the expansion of one (1) outdoor storage area for boat storage on parcel no. 162-007-300-010-01.
4. The applicant proposes the outdoor boat storage area also for the temporary staging of items accessory to the principal uses on both properties.
5. An area for outdoor storage (boat storage) is described on the site plan as being expanded to 60 feet wide west of an existing indoor storage facility on parcel no. 162-007-300-010-01.
6. The applicant also requests a special use permit to change the use of a centrally located existing indoor storage facility to motor vehicle sales and/or repair.
7. Indoor storage facility and motor vehicle sales and/or repair are uses authorized by special use permit in the D-CM zoning districts pursuant to Section 6.3.16 and 6.3.4 of the Zoning Ordinance.
8. A soil erosion and sedimentation control permit for a grade change on both parcels was issued on October 18, 2016.
9. A zoning permit was issued on November 30, 2016 for a 40 feet x 144 feet private storage building on the north side lot line of tax parcel no. 162-007-300-010-01.
10. A special use permit (PSUP17-0552) for boat storage and indoor storage facility (50 feet x 144 feet) and a change of use from private storage building to indoor storage facility (40 feet x 144 feet) was approved on April 19, 2017.
11. An amendment to the special use permit (PSUP17-0552) to change the centrally located indoor storage facility from 50' x 144' to 52' x 136' with a 10' x 40' covered entrance was approved through the Planning and Zoning Department by administrative review on April 17, 2018.
12. A zoning permit for a freestanding sign (4 feet x 7 feet) was approved on August 31, 2018.

## 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 uses are allowed.
1. The applicant requests an amendment to a special use permit for one (1) additional indoor storage facility (40 feet x 144 feet) and expansion of one (1) outdoor storage area for boat storage.
  2. The applicant also requests a special use permit for a change of use for the existing indoor storage facility to motor vehicle sales and/or repair.
  3. An indoor storage facility and motor vehicle sales and/or repair are uses authorized by special use permit in the D-CM zoning districts pursuant to Section 6.3.16 and 6.3.4 of the Zoning Ordinance.
  - 4.
  5. Standard has been met.
- OR
- 1.
  2. Standard has not been met.
- b. The proposed special land uses will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
1. The applicant requests an amendment to a special use permit for one (1) additional indoor storage facility (40 feet x 144 feet) and expansion of one (1) outdoor storage area for boat storage.
  2. The applicant also requests a special use permit for a change of use for the existing indoor storage facility to motor vehicle sales and/or repair.
  3. The special use permit application states the site was a former borrow area (pit). (see Exhibit 3)
  - 4.
  5. Standard has been met.
- OR
- 1.
  2. Standard has not been met.
- c. The proposed special land uses 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 requests an amendment to a special use permit for one (1) additional indoor storage facility (40 feet x 144 feet) and expansion of one (1) outdoor storage area for boat storage.
2. The applicant also requests a special use permit for a change of use for the existing indoor storage facility to motor vehicle sales and/or repair.
3. The proposed special uses are characteristic activities in the Commercial Development (D-CM) zoning district and will not create a substantially negative impact on other conforming properties in the area.
- 4.
5. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

1. The applicant requests an amendment to a special use permit for one (1) additional indoor storage facility (40 feet x 144 feet) and expansion of one (1) outdoor storage area for boat storage.
2. The applicant also requests a special use permit for a change of use for the existing indoor storage facility to motor vehicle sales and/or repair.
3. The design, construction, operation, and maintenance of the proposed Project would not diminish opportunities for surrounding property owners to use and develop their properties as zoned.
- 4.
5. Standard has been met.

OR

- 1.
2. Standard has not been met.

e. The proposed special land uses 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 requests an amendment to a special use permit for one (1) additional indoor storage facility (40 feet x 144 feet) and expansion of one (1) outdoor storage area for boat storage.
2. The applicant also requests a special use permit for a change of use for the existing indoor storage facility to motor vehicle sales and/or repair.
3. The Project would not require public resources greater than current capacity, nor increase hazards from fire or other dangers. (see Exhibit 9)
- 4.
5. Standard has been met.

OR

- 1.
2. Standard has not been met.

f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. 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 requests an amendment to a special use permit for one (1) additional indoor storage facility (40 feet x 144 feet) and expansion of one (1) outdoor storage area for boat storage.
2. The applicant also requests a special use permit for a change of use for the existing indoor storage facility to motor vehicle sales and/or repair.
3. The submitted site plan indicates two existing commercial access driveways along the east side of South Straits Highway. (see Exhibit 5)
4. Entrance driveways are more than 400 feet from the nearest street intersection (Benson Lane) north of the properties.
- 5.
6. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

1. The applicable special use will be served by a private water system and sewer facilities permitted by the Health Department. A dumpster will be available for refuse and collected by waste disposal services. (see Exhibits 3 and 5)
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.

1. The Special Use amendments (indoor storage facility and expansion of outdoor boat storage area) and Special Use Permit request (motor vehicle sales and/or repair) complies with all specific standards required under this Ordinance applicable to it. (see Exhibit 1)
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

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

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

1. The special use permit application states that grading and clearing was substantially completed after the owner acquired the properties. (see Exhibit 3)
2. A soil erosion and sedimentation control permit for a grade change on both parcels was issued on October 18, 2016. (see Exhibit 8)
3. Final grading will be limited to the proposed indoor storage facility and parking, inventory areas and internal drive lanes. (see Exhibit 3)
- 4.
5. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

1. The special use permit application states the site was a former borrow area (pit) and that grading and clearing was substantially completed after the owner acquired the properties. (see Exhibit 3)
2. The special use permit application states that existing vegetation on the north and south end will remain intact as best as possible. (see Exhibit 3)
3. Final grading will be limited to the proposed indoor storage facility and parking, inventory areas and internal drive lanes associated with the new proposed motor vehicle sales and/or repair use. Final graded slopes will be stabilized and seeded. (see Exhibit 3)
- 4.
5. Standard has been met.

OR

- 1.

2. Standard has not been met.

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

1. Current grading diverts water to a retention area along the eastern property boundary. The retention area will require additional grading to permit the large inventory area along I-75 South. (see Exhibit 5)
2. Inlets attached to piping will also be installed in order to carry stormwater from the west to the retention area in the east. The applicant states gutters and downspouts on buildings will direct water into this stormwater retention system. (see Exhibit 5)
- 3.
4. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

**Not applicable**, as 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 two existing two-way driveways at the east side of South Straits Highway and internal drive lanes of adequate size to accommodate access. (see Exhibit 5)
- 2.
3. Standard has been met.

OR

- 1.
2. Standard has not been met.

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

1. The proposed and existing indoor storage facilities and building proposed for motor vehicle sales and/or repair have access to South Straits Highway by way of two existing two-way driveways. (see Exhibit 5)
- 2.
3. Standard has been met.

OR

- 1.

2. Standard has not been met.

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

**Not applicable**, as 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. Four light poles are depicted on the site plan. One light pole is proposed west of the existing sign along South Straits Highway. The remaining three light poles will be located directly west of the large inventory area along I-75. Pack lights will be placed on all the buildings as noted on the site plan. (see Exhibit 5)

2. The site plan indicates outdoor lighting as directed downward. (see Exhibit 5)

3.

4. Standard has been met.

OR

1.

2. Standard has not been met.

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

**Not applicable**, as 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. Tuscarora Township has an approved Master Plan and associated Tuscarora Township Future Land Use Map to guide land use in the township.

2. The subject property is designated as General Commercial on the Tuscarora Township Future Land Use Map. The general commercial land use category encourages commercial uses requiring proportionately larger scale sites.

3. The General Commercial land use category provides the following example of appropriate large-scale commercial uses: "Additionally, highway oriented uses such as vehicle sales, automobile service stations, motels and restaurants are appropriate in the general commercial area."

4. The site plan conforms to the applicable requirements of state and federal statutes and the Tuscarora Township Master Plan.

5.

6. Standard has been met.

OR

- 1.
2. Standard has not been met.

**DECISION**

**TIME PERIOD FOR JUDICIAL REVIEW**

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

**DATE DECISION AND ORDER ADOPTED**

Wednesday, May 13, 2020

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

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