

CHEBOYGAN COUNTY PLANNING COMMISSION

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

**CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING
WEDNESDAY, MAY 15, 2019 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

PUBLIC HEARING AND ACTION ON REQUESTS

1. **TUSCARORA TOWNSHIP** – Requests an amendment to a special use permit to construct a roof over existing hockey/skating rink; pavilion for summer activities such as family reunions, protection from inclement weather, roller blading and other recreational uses (Section 9.3.4.). The property is located at 5454 S. Straits Hwy., Tuscarora Township, section 35, parcel #161-035-200-031-03 and is zoned Agriculture & Forestry Management (M-AF) and Commercial Development (D-CM).
2. **BRENT AND ERICA MARLATT** - Requests a special use permit to construct an Indoor Storage Facility (Sections 6.3.16). The parcels are located at 4579 S. Straits Hwy. and 4599 Van Etten Court, Tuscarora Township, section 25, parcels #161-025-300-013-01 and #161-025-300-013-02 and are zoned Commercial Development (D-CM) and Agriculture and Forestry Management (M-AF). The proposed Indoor Storage Facility will be located in the Commercial Development Zoning District (D-CM).
3. **MATT WHITENER/WHITEWOOD INC** – Requests a site plan review for a proposed change of use from salon to Bar and Restaurant with production and consumption of alcohol product on site, proposed patio and food trucks that includes an existing coffee shop and real estate office. The property is located at 3798 S. Straits Hwy., 3792 S. Straits Hwy. and 3842 S. Straits Hwy., Tuscarora Township section 24, parcels 161-024-400-230-12, parcels 161-024-400-230-13, parcels 161-024-400-230-14 and parcels 161-024-400-230-15 and is zoned Commercial Development (D-CM).

UNFINISHED BUSINESS

NEW BUSINESS

STAFF REPORT

PLANNING COMMISSION COMMENTS

PUBLIC COMMENTS

ADJOURN



CHEBOYGAN COUNTY PLANNING COMMISSION

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

CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, APRIL 17, 2019 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson
ABSENT: Churchill
STAFF: Jen Merk, Jeff Lawson
GUESTS: Eric Boyd, Carl Muscott, Bob Lyon, Cal Gouine, Jack Tucker, John Moore, Amy Hall, C. Maziasz, Ed Delana, Deanna Prevo, Roy Prevo, Terri Tringali, Robert MacGregor, Rick Steiger, Jill Merchant, Marcia Rocheleau

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

PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the agenda as presented. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson), 0 Nays, 1 Absent (Churchill)

APPROVAL OF MINUTES

The April 3, 2019 Planning Commission minutes were presented. **Motion** by Mr. Borowicz, seconded by Mr. Kavanaugh, to approve the meeting minutes as presented. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson), 0 Nays, 1 Absent (Churchill)

PUBLIC HEARING AND ACTION ON REQUESTS

Brent Marlatt – Requests a rezoning from Agriculture and Forestry Management (M-AF) and Commercial Development (D-CM) to Commercial Development (D-CM). The subject property is located at 4599 Van Etten Court, Tuscarora Township, section 25, parcel #161-025-300-013-02 and is described as follows: *COM W 1/4 COR OF SEC 25, T35N, R3W, TH S 1D 45M 30S W 430.0FT ALG SEC LI; TH S 87D 49M 25S E 28.24FT TO C/L OF OLD 27; TH CONT S 87D 49M 25S E 370.0FT TO POB; TH CONT S 87D 49M 25S E 289.70FT; TH N 1D 45M 30S E 99.6FT; TH N 87D 53M 49S W 289.82FT; TH S 1D 41M 20S W 99.23FT TO POB. BEING PART OF NW 1/4 OF SW 1/4 OF SEC 25, T35N, R3W.*

Mr. Lawson reviewed the background information contained in the staff report.

Ms. Croft asked for public comments.

Mr. Prevo stated that he owns property at 4643 Van Etten Court and stated his concerns regarding the trees being removed from the property. Mr. Prevo stated that he has an affidavit from every resident on Van Etten Court that does not want this application to be approved. Mr. Prevo stated that there are residences with children on Van Etten Court and this is a private community. Mr. Prevo stated that Mr. Marlatt would like to construct a storage unit and he does not want a storage unit next to his bedroom as his property is adjacent to where Mr. Marlatt plans to build. Mr. Prevo explained that the buffer zone has been removed and he can now see the neighbor’s house. Mr. Prevo stated that he has a small motor shop and repair facility on his property where he resides. Mr. Prevo stated he received zoning approval for his small motor shop and repair facility. Mr. Prevo stated he knows every customer that comes into his facility and they have to sign a work order with their name, address and phone number. Mr. Prevo explained that the storage units create a lot of illegal activity and there are 6 houses in this area. Mr. Prevo stated that his storage unit is fully fenced off and there is an access from Straits Highway. Mr. Prevo stated that this storage unit existed prior to him purchasing his property. Mr. Prevo stated his concerns about property values depreciating by trying to turn this into an industrial park. Mr. Prevo stated his concerns regarding a private road being used as a commercial access for the storage unit. Mr. Prevo stated that Mr. Marlatt did not ask any of the neighbors what they thought about the proposed project. Mr. Prevo stated his concerns about his family not being safe. Mr. Prevo stated his concerns regarding

people coming in all hours of the night. Ms. Croft explained that the Planning Commission is not discussing a proposed use for this parcel. Ms. Croft explained that the Planning Commission is reviewing a request for a rezoning. Mr. Prevo stated that everyone on Van Etten Court is against turning this into a commercial site.

Mr. Marlatt stated in May 2013 he bought a commercial lot in Tuscarora Township with the intent of developing it. Mr. Marlatt stated that when he bought the property there was a tiny cottage on the property that was close to being condemned. Mr. Marlatt stated that there were feral cats living in the shed and skunks under the foundation and mice inside the building. Mr. Marlatt stated that the previous Building Official, Al Hoard, walked the property and inspected the building and said that he thought it could be saved. Mr. Marlatt stated that he created a business called Antiques Roadhouse. Mr. Marlatt stated the commercial lot is 660ft. deep and in the Agriculture and Forestry Management you can salvage trees. Mr. Marlatt stated he will salvage the logs and take them to the mill and put that money back into the property. Mr. Marlatt stated that the neighbor to the east contacted him and asked about purchasing property from him. Mr. Marlatt stated he split the property and presented a proposal for the sale of the property to the neighbor. Discussion was held. Mr. Marlatt explained that the neighbor did not purchase the property. Mr. Marlatt explained that he looked into storage units and thought that it complimented the antique business. Mr. Marlatt stated that he has never seen any of the illegal activities transpiring in his research. Mr. Marlatt stated that he thought it would be a great way to utilize the lot. Mr. Marlatt stated that when he submitted his application to the Zoning Department he was informed that his property was zoned Commercial and Agriculture and Forestry Management. Mr. Marlatt stated that he was informed that he would have to submit a rezoning application for the Planning Commission to review.

Public comment closed.

Discussion was held regarding setbacks and useable area. Mr. Lawson noted that the area to be rezoned is slightly less than one acre. Mr. Freese asked how the boundary of the Commercial Zoning District was determined. Mr. Lawson stated that it is based on the zoning map. Ms. Croft stated that 660ft. on Straits Highway is zoned Commercial Development. Mr. Freese asked for the distance from the highway to end of the parcel. Mr. Marlatt stated 660ft. from South Straits Hwy. to the end of the parcel. Mr. Freese stated that the map is not correct. Mr. Borowicz stated that the first parcel is 369.89ft. and the second parcel is 289.82ft. Mr. Freese stated that he believes the rear property line is the east boundary of the Commercial Zoning District and that a rezoning is not necessary. Mr. Freese stated that the map is not correct. Discussion was held. Mr. Freese stated the Commercial Zoning District should be 660ft. on either side of the centerline, unless there is an exception by rezoning a parcel and having it extend beyond 660ft.

Motion by Mr. Borowicz, seconded by Mr. Kavanaugh, to clarify that the GIS map is incorrect and that this parcel lies within the 660ft. Commercial Development Zoning District boundary from the centerline of Straits Highway. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson), 0 Nays, 1 Absent (Churchill)

Dana Nutt – Requests a special use permit for an addition to a campground on an existing lawful nonconforming lot of record (Section 10.3.2). The property is located at 9994 M-68/33 Hwy. and 9940 Peninsular Dr., Forest Township, section 3, parcel #s 231-T03-004-001-00 and 231-T03-004-004-00 and is zoned Lake and Stream Protection (P-LS).

Mr. Lawson stated that legal counsel has provided a background for this parcel and the Planning Commission can make a decision on whether or not there is enough evidence to show the parcel was used for camping prior to 1983 then the review of the special use permit can proceed.

Mr. Lawson reviewed the background information contained in the staff report.

Ms. Croft asked if the Planning Commission has any questions. Ms. Johnson asked why 1983 is being used as the date for the adoption of the Zoning Ordinance as there was a Zoning Ordinance #100 which was adopted on December 1, 1969. Mr. Lawson stated that it is explained in Zoning Ordinance #200. Ms. Johnson stated that the 1983 Zoning Ordinance replaces the previous Zoning Ordinance, which replaced a previous Zoning Ordinance. Ms. Johnson asked if this would be the date to consider for the operation of this facility. Mr. Lawson explained that Zoning Ordinance #200 is the current ordinance. Ms. Johnson stated that the 10 acre requirement was in the previous ordinance also. Ms. Johnson stated that if we are looking at this as a lot of record prior to an ordinance being in place in Cheboygan County, wouldn't we go back to the original ordinance date. Mr. Freese stated that you have to determine when the parcel became a legal non-conforming parcel. Ms. Johnson stated that if this use was not in use until 1970 and there was a Zoning Ordinance in place in 1969 this is not a non-conforming use. Ms. Johnson stated that the Zoning Ordinance that she has from September 1982 does have a 10 acre requirement. Mr. Freese stated that the Planning Commission will have to determine whether or not this was a campground prior to the adoption of the Zoning Ordinance. Ms. Johnson stated that the burden of proof falls upon the applicant to prove that the campground existed

prior to the adoption of the Zoning Ordinance. Mr. Kavanaugh stated that the Planning Commission can also request more information be provided. Discussion was held.

Ms. Croft asked for public comments.

Mr. Steiger stated that he is serving as legal counsel for Ms. Tringali and Mr. MacGregor, who are neighbors that are adjacent to the Tower Motel. Mr. Steiger stated that Ms. Tringali has lived there since 2004 and Mr. MacGregor is a lifelong resident of this area. Mr. Steiger stated that he has lived in Northern Michigan for eighteen years and has passed the Tower Motel many times and visits his friend Ms. Tringali over the years and has never seen advertising for camping or a tent. Mr. Steiger stated that he has seen a recreational vehicle. Mr. Steiger stated that Mr. MacGregor has lived in the area 64 years and he has passed the motel more than 1000 times and has not seen a campground even once. Mr. Steiger stated that the applicant claims he has taken out only dead trees, but that is not true. Mr. Steiger stated that he believes that the Planning Commission has already made up their minds as the notice states "Dana Nutt – Requests a special use permit for an addition to a campground on an existing lawful nonconforming lot of record." Mr. Steiger stated that this has not been established by the applicant. Mr. Steiger stated that it does establish a campground because someone camped back in the 1950's - 1960's. Mr. Steiger does not believe this is a lawful use. Mr. Steiger stated that his clients are aggrieved parties, if the Planning Commission decides to allow the extension of a campground that never existed. Mr. Steiger stated his concerns regarding the property values declining and they will have a difficult time selling the property. Mr. Steiger believes that the applicant should apply for a variance for the campground use as it is a new use. Mr. Steiger stated that there was once a little motel and now there are signs for camping, snowmobile rental and kayak rental. Mr. Steiger asked if the proper procedures have been followed for these uses. Mr. Steiger stated that the applicant should apply for a variance. Mr. Steiger stated that the Planning Commission should deny the request before them tonight. Mr. Steiger noted that the definition of abandonment in Zoning Ordinance #200 states that it occurs after 6 months. Mr. Steiger stated that there hasn't been camping on this site since he and Ms. Tringali lived in this area. Mr. Steiger asked that the agenda be changed to reflect that this is not an existing non-conforming use and to deny the application.

Ms. Tringali stated that she is an attorney and that she and Mr. Steiger have researched this matter. Ms. Tringali stated that when Mr. Nutt purchased the property a year ago, he started demolishing the trees. Ms. Tringali stated that Mr. Nutt is proposing 16 campsites, 1 existing cabin, 2 additional cabins and 7 RV sites. Ms. Tringali stated that there is no place for parking. Ms. Tringali stated her concerns regarding noise, drugs and sanitation. Ms. Tringali stated that Mr. Nutt bought parcel 1 and parcel 2 and she bought half of parcel 2. Ms. Tringali stated that she had the first option to buy the cabin. Ms. Tringali stated that there is a letter from legal counsel in the packet dated 04/15/19 stating that this could be factually argued that the lawful non-conforming use existed only on the motel parcel. Ms. Tringali stated that there were never campsites as it is a wooded parcel. Ms. Tringali stated that the applicant demolished the woods to create the campsites. Ms. Tringali referred to the 1981 aerial photo and stated that there are no RV's and campsites. Ms. Tringali stated that if the Planning Commission reviews a current aerial photo, it is totally different from the aerial photos in the packet. Ms. Tringali stated that she does not believe that Mr. Nutt has the authority to make these changes without approval from the Planning Commission. Ms. Tringali stated that she asked for the meeting to be adjourned. Ms. Tringali asked that the Planning Commission do the legally right thing. Ms. Tringali stated that Mr. Nutt has 3 RVs on the land and there is no special use permit. Ms. Tringali stated that she wants the RV's removed. Ms. Tringali questioned how Mr. Nutt will ever receive approval from the State of Michigan. Ms. Tringali stated that the reason that 10 acres is required for a campground is due to sanitation, sewage and parking. Ms. Tringali asked that the Planning Commission deny the special use permit application and have Mr. Nutt remove the RVs.

Mr. MacGregor stated he lives on the north side of the Tower Motel and he has lived here all of his life and has not seen any camping on the subject parcel. Mr. MacGregor stated that he looked at pictures on the campground's website and questioned if this will or will not be a family oriented business.

Mr. Tucker stated that he is third generation and he owns property across the road from the motel. Mr. Tucker stated that there have been campsites (tents, not campers) along the river. Mr. Tucker stated that they may be rough campsites, but they have been there. Mr. Tucker stated that they received permission in 2006 to put the 3 to 4 out by the road.

Public comment closed.

Mr. Nutt stated that he is an outdoors man and he grew up in the timber business and construction business. Mr. Nutt stated that he has not taken out one live red pine or one live white pine. Mr. Nutt stated that he has only taken out trees that are spruce and balsam. Mr. Nutt stated that poplar trees are at the mature age and are danger trees. Mr. Nutt stated that one just fell down. Mr. Nutt stated he is trying to make the property look better. Mr. Nutt stated that he has fed the wildlife all winter

long. Mr. Nutt stated he is trying to make this a nice property and has received good comments. Mr. Nutt stated that he caters to the families and has donated rooms to the community. Mr. Nutt stated that he understands he has to apply to the State of Michigan for licensing and the Health Department for sanitation. Mr. Nutt stated that he plans to put in 3 bath houses. Mr. Nutt stated that he grew up in Afton and he knows a man who camped in a pop-up camper at this campground when M-68 was rebuilt. Mr. Nutt stated that he plans on abiding by all the laws and rules.

Mr. Steiger stated that if the Planning Commission finds this to be a conforming use it cannot be extended.

Charlotte Maynard stated that she is the manager of the Tower Shore Motel and it states RV camping on the building. Ms. Maynard stated that she has lived here for 18 years and there were campers on the site when she moved here.

Public comment closed.

Board held discussion. Mr. Kavanaugh stated that more information is needed. Mr. Kavanaugh stated that people have stated that there was camping and other people have stated that there wasn't camping. Mr. Kavanaugh stated that the Planning Commission has a responsibility to find out if there was camping. Mr. Kavanaugh referred to Ms. Johnson's comments and questioned if there is any impact from previous ordinances. Mr. Kavanaugh stated that there is more work to be done before the Planning Commission is able to make a decision. Mr. Kavanaugh stated that he has personally known that there was camping at the motel unit for some years in the past. Ms. Croft stated that she has seen it too. Mr. Freese stated that he has also seen the camping along the motel property. Mr. Freese stated he had a question if there was camping on the second parcel which is to the north. Mr. Freese stated that there was testimony that there was camping on the second parcel and there was testimony that there wasn't camping on the second parcel and the Planning Commission will have to evaluate these statements and make a decision. Mr. Freese stated that there was camping on the motel property and believes it is a legal non-conforming use and can be expanded anywhere on that parcel. Mr. Freese stated that the trees that he saw that were cut down were poplar trees and not red pine or white pine. Mr. Freese stated he checked the stumpage. Mr. Freese stated that the real question is if there was camping on the second parcel. Mr. Freese stated that Mr. Nutt will also have to comply with the State's regulations and provisions in Zoning Ordinance #200 such as screening.

Ms. Johnson stated that she agrees with Mr. Freese and that she does see some other issues. Ms. Johnson stated that the effective date of the Zoning Ordinance is a crucial date because of merger requirements and if there were any merger requirements because these lots (1-18) were owned by a single person and could have been merged to meet the 10 acre requirement at one time within this timeframe. Ms. Johnson stated that these are questions that legal counsel needs to answer. Ms. Johnson stated that the site plan is lacking information such as parking, setbacks and garbage dumpsters. Mr. Freese agreed that the site plan is inadequate. Ms. Johnson asked if Mr. Nutt will have to submit a revised plan to the Planning Commission if the State of Michigan requires changes to the site plan. Mr. Freese stated the State of Michigan requirements will apply if they are more restrictive than Cheboygan County's restriction. Discussion was held. Mr. Freese stated the Planning Commission could place a condition on the approval of the special use permit that the applicant provide a copy of the licensing from the State of Michigan. Mr. Freese stated that Mr. Nutt will have to comply with the State of Michigan and until he does, he is not fulfilling the conditions of the special use permit if the special use permit is conditioned on furnishing proof of State licensing. Ms. Johnson stated she understands and disagrees with it because of past things that have happened and continually happen with putting conditions on approvals. Mr. Freese stated that this has been a complaint for years and there is now a Zoning Enforcement Officer and hopefully he is following up on conditions that the Planning Commission puts on special use permits. Ms. Johnson stated her concerns regarding additional signage on the building that are not in the pictures. Ms. Johnson stated that if there is a campfire wood sign should it be considered an accessory use. Mr. Freese stated that the campground is the question before the Planning Commission and stated snowmobile rental and kayak rental may be another issue. Mr. Kavanaugh stated that applying for zoning is a good first step. Mr. Kavanaugh stated that the Planning Commission can ask for letters and proof. Mr. Kavanaugh stated that the Planning Commission can request parking, second dumpster location and dump site on the site plan. Mr. Kavanaugh stated the Planning Commission needs to allow the applicant and the opposition time to prepare. Mr. Freese noted that the regulation requires a stamped site plan, but it has never been enforced and we can't start with this request. Mr. Freese stated that the State of Michigan will require a stamped site plan and that can be a condition if this special use permit is approved.

Board held discussion regarding the following items being added to the site plan: parking, dumpster location, sewage location, topography at 5ft. intervals, elevations of the watercourse, setbacks, easements and internal roads. Discussion was held regarding the applicant submitting a statement that lighting is downward lighting and that District Health Department #4 approval will be required. Discussion was held regarding legal counsel reviewing whether or not Zoning Ordinance #100 will affect this use because of how long it has existed and also reviewing the ownership and merger requirements as lots were under single ownership until 1993. Discussion was held regarding information on the previous use being submitted.

Ms. Johnson stated that she does not know if Cheboygan County's Zoning Ordinance ever required combining lots to make a non-conforming use conforming if the adjacent lot is sold. Ms. Johnson stated it should have been researched at the time when the lots were sold. Ms. Johnson stated that just because it wasn't done doesn't necessarily mean that this is a non-conforming lot now and should go through a variance. Mr. Freese agreed with Ms. Johnson and stated that there may be a voluntary relinquishment of the use at the point in time when the parcels were sold separately on the north lot. Mr. Freese stated that the regulation states that a 6 month period of non-use of a non-conforming use terminates the non-conforming use, however, this provision is not legally enforceable. Mr. Freese stated that there has to be evidence of a voluntary abandonment. Mr. Freese stated the length of time is not sufficient evidence, but the fact that the lots were divided and sold separately may be a question for legal counsel to consider regarding a voluntary abandonment of the use.

Discussion was held regarding the cabins doors not being handicap accessible. Mr. Freese stated the State of Michigan does not allow water, but the Zoning Ordinance does not allow cooking. Mr. Kavanaugh stated the cabins have to be on a skid or something similar as they can't be permanent. Ms. Johnson stated that there is a State requirement of 1 ½ parking spaces per campsite.

Motion by Mr. Borowicz, seconded by Ms. Johnson, to table this request until information is received from Mr. Nutt and legal counsel. Board held discussion. Mr. Freese stated that we will have to establish the sequence of sale of the original parcel and when it was split. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson), 0 Nays, 1 Absent (Churchill)

Mr. Kavanaugh asked if the letter from legal counsel is available for the public. Mr. Lawson stated that a letter was provided in the packet regarding this request. Mr. Lawson stated that there was a question about a previous opinion regarding another parcel and staff does not have authorization to release documents that are stated Attorney Client Privilege without Cheboygan County Board of Commissioners approval. Mr. Lawson stated that legal counsel wrote the opinion in the packet specifically for this parcel without Attorney Client Privilege so it could be provided to the public.

Discussion was held regarding when the packet will be available for review on the website.

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

No comments.

STAFF REPORT

No comments.

PLANNING COMMISSION COMMENTS

No comments.

PUBLIC COMMENTS

Mr. Muscott distributed copies of an Emmet County Zoning Evaluation Form for a PUD. Mr. Muscott reviewed the form with the Planning Commission. Discussion was held.

ADJOURN

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

Charles Freese
Planning Commission Secretary

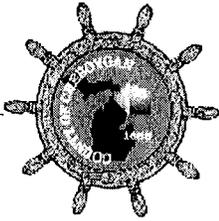
CHEBOYGAN COUNTY PLANNING COMMISSION

Tuscarora Township

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Special Use Permit Application (6 Pages)
4. Mailing List (2 Pages)
5. Real Estate Summary Sheet (1 Page)
6. Warranty Deed L1332 P740 (2 Pages)
7. Indian River Skating Pavilion-JBS Contracting Inc. (4 Pages)
Title Sheet, Foundation Plan & Details, Floor Plan, Elevation & Wall Section
8. Site Plan (2 Pages)
9. Email Dated 05/01/19 From Dave Carpenter, Tuscarora Township Fire Chief (1 Page)
10. Email Dated 05/02/19 From Brent Shank, Road Commission (1 Page)
11. Staff Report (4 Pages)
12. Email Dated 05/08/19 From Scott Fisher, MDOT (1 Page)
- 13.
- 14.
- 15.
- 16.

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 5454 S. Straits Hwy		City / Village Indian River	Twp / Sec. 161/35	Zoning District
Property Tax I.D. Number 161-035-200-031-03		Plat or Condo Name / Lot or Unit No.		M-AF

APPLICANT

Name Tuscarora Township		Telephone 231-238-0970	Fax 231-238-7955
Address 3546 S. Straits Hwy	City, State & Zip Indian River, MI 49749	E-Mail supervisor@tuscaroratwp.com	

OWNER (If different from applicant)

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

PROPOSED WORK

Type (check all that apply)		Building/Sign Information
<input type="checkbox"/> New Building	<input type="checkbox"/> Reconstruction	Overall Length: <u>220</u> feet
<input type="checkbox"/> Addition	<input type="checkbox"/> Relocated Building	Overall Width: <u>90</u> feet
<input checked="" type="checkbox"/> Change in Use or Additional Use	<input type="checkbox"/> Sign, Type: _____	Floor Area: <u>19800</u> sq. feet
	<input type="checkbox"/> Other: _____	Overall Building Height: <u>18'</u> feet
		Sign Area: _____ sq. feet
		Sign Height _____ feet

PROPOSED USE (check all that apply)

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

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

If YES, date of approval: 2004 (?) Approved Use: Hockey Rink

Directions to site: S. Straits Hwy, one driveway past Cheboygan County Road Commission, turn right, first road turn left to end.

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.
	X	e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
X		f. Location of existing and proposed buildings and intended uses thereof.
X		g. Details of entryway and sign locations should be separately depicted with an elevation view.
X		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carpools, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
	X	i. Location, size, and characteristics of all loading and unloading areas.
X		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
X		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
X		l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

SECTION

REASON FOR WAIVER REQUEST

- | | |
|----|---------------------------------------|
| d. | Graded level as is. |
| e. | No bodies of water within 1 mile |
| i. | No loading docks |
| n. | No perimeter landscaping or buffering |

AFFIDAVIT

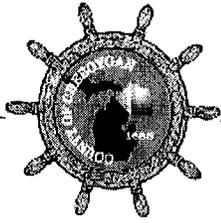
I CERTIFY THAT ALL SITE PLAN REQUIREMENTS (A THROUGH S) ARE DRAWN ON THE SITE PLAN, ATTACHED TO THIS APPLICATION AND/OR I AM REQUESTING A WAIVER. I CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS SPECIAL LAND USE PERMIT APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



 SIGNATURE



 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

SPECIAL LAND USE PERMIT APPLICATION

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

Hockey/Skating Rink; Pavillion for summer activities (famuiily reunions, protection from inclement weather, roller blading, etc.

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.

The footprint will be expanmded by ten felt (10') on the ends adn five felt (5') on the sides. It is located well within the park boundaries.

- 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.

There will be no tree removal

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

The runoff wioll be absorbed immediately adjacent to the structure. It is primarily sand and loose soil.

- 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 structure is a for the protection and easier maintenance, and extended season of the rink.

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

Thre is an ingress/egress at the west end of the structure. There are gates surrounding the facility as well as access through the pole buildinga the east end.

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

Curerently, there is no change to access.

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

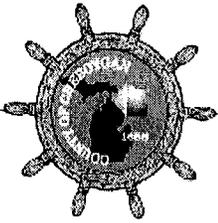
n/a

- h. Exterior lighting shall be arranged as follows:

i. It is deflected away from adjacent properties. Interior lighting (no change in exterior)

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

iii. It does not unnecessarily illuminate night skies. interior lighting



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.

No change in the master plan.

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

Yes.

3. Size of property in sq. ft. or acres: 55 acres

4. Present use of property:

Hockey, recreational skating and rollerblading 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.** No. It is a roof over an existing facility

- 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. It is a municipal park.

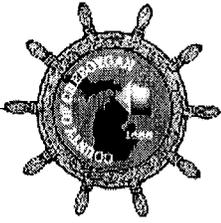
- d. Will the proposed special land use be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned? **Explain.** No.

It is zoned Commercial and used as a recreational facility.

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

No change in current demands.

- 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. No change in requirements.



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

AFFIDAVIT

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

Applicant's Signature [Signature] Date 4/15/19

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

Yes No

Owner's Signature [Signature] Date 4/15/19

FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	<u>4-15-19</u>	Notes:
Fee Amount Received:	<u>\$ 150.00</u>	
Receipt Number:	<u>6665</u>	
Public Hearing Date:	<u>5-15-19</u>	

Planning/Zoning Administrator Approval:

[Signature] Signature Date 4-30-19

161-P66-000-016-00
OBERLEAS, MICHAEL & ANN MARIE H/W
7190 TUSCARORA CIR
INDIAN RIVER, MI 49749

161-P66-000-014-00
BEEBE, SHAWN & KATIE H/W
7170 TUSCARORA CIR
INDIAN RIVER, MI 49749

161-P66-000-013-00
WEICK, NICHOLAS & CHELSEA H/W
7160 TUSCARORA CIR
INDIAN RIVER, MI 49749

161-P66-000-012-00
HOLTON, BRYAN & SHELLY H/W
7150 TUSCARORA CIR
INDIAN RIVER, MI 49749

161-035-100-001-01
KRL LTD
PO BOX 3050
INDIAN RIVER, MI 49749

161-035-100-001-02
STATE OF MICHIGAN
PO BOX 30448
LANSING, MI 48909

161-036-109-090-00
INDIAN RIVER III, LTD
150 COMMERCE CT
GLADWIN, MI 48624

161-036-100-025-01
INDIAN RIVER III, LTD
150 COMMERCE CT
GLADWIN, MI 48624

161-035-200-031-01
PAST MATRONS & PAST PATRONS, INC
PO BOX 458
INDIAN RIVER, MI 49749

161-035-200-029-00
CHEBOYGAN COUNTY ROAD
5302 S STRAITS HWY
INDIAN RIVER, MI 49749

161-035-207-064-00
KRL LEASING, LLC
PO BOX 550
INDIAN RIVER, MI 49749

161-035-200-026-00
KRL LEASING, LLC
PO BOX 550
INDIAN RIVER, MI 49749

161-035-200-025-00
BOWEN, DONALD A
6109 INDEPENDENCE AVE
INDIAN RIVER, MI 49749

161-035-200-024-00
BRASSEUR, VICTOR & TINA H/W
7200 BUNKER RD
INDIAN RIVER, MI 49749

161-035-200-031-03
TUSCARORA, TOWNSHIP OF
INDIAN RIVER, MI 49749

161-P66-000-016-00
OCCUPANT
7190 TUSCARORA CIR
INDIAN RIVER, MI 49721

161-P66-000-014-00
OCCUPANT
7170 TUSCARORA CIR
INDIAN RIVER, MI 49721

161-P66-000-013-00
OCCUPANT
7160 TUSCARORA CIR
INDIAN RIVER, MI 49721

161-P66-000-012-00
OCCUPANT
7150 TUSCARORA CIR
INDIAN RIVER, MI 49721

161-035-200-031-03
OCCUPANT
5454 S STRAITS HWY
INDIAN RIVER, MI 49721

161-035-200-024-00
OCCUPANT
7200 BUNKER RD
INDIAN RIVER, MI 49721

161-036-109-090-00
OCCUPANT
5321 S STRAITS HWY
INDIAN RIVER, MI 49721

161-035-200-025-00
OCCUPANT
7220 BUNKER RD
INDIAN RIVER, MI 49721

161-035-200-031-01
OCCUPANT
5470 S STRAITS HWY
INDIAN RIVER, MI 49721

161-035-200-029-00
OCCUPANT
7055 BUNKER RD
INDIAN RIVER, MI 49721

161-035-200-026-00
OCCUPANT
7244 BUNKER RD
INDIAN RIVER, MI 49721

161-035-200-029-00
OCCUPANT
5331 S STRAITS HWY
INDIAN RIVER, MI 49721

161-035-200-031-00
OCCUPANT
5468 S STRAITS HWY
INDIAN RIVER, MI 49721

161-035-200-031-00
OCCUPANT
5472 S STRAITS HWY
INDIAN RIVER, MI 49721

161-035-200-031-00
OCCUPANT
5474 S STRAITS HWY
INDIAN RIVER, MI 49721

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

04/30/2019 9:26 AM

Parcel: 161-035-200-031-03
Owner's Name: TUSCARORA, TOWNSHIP OF
Property Address: 5454 S STRAITS HWY
INDIAN RIVER, MI 49749

Current Class: 700.700 EXEMPT
Previous Class: 700.700 EXEMPT
Gov. Unit: 161 TUSCARORA
MAP #: 2019 NEW
School: 16050 INLAND LAKES 16050
Neighborhood:

Liber/Page: 1165/733
Split: / /
Public Impr.: None
Topography: None

Created: 01/31/2019

Active: Active

Mailing Address:

TUSCARORA, TOWNSHIP OF
INDIAN RIVER MI 49749

Description:

N1/2 OF S1/2 OF SE1/4 OF NE 1/4, SEC 35, T35N,R3W. **AND** S 80FT OF N1/2 OF SE1/4 OF NE1/4, SEC 35, T35N,R3W. **AND** SW1/4 OF NE1/4, SEC 35 T35N,R3W. **AND** COM E1/4 COR SEC 35, T35N,R3W; TH N 89D 25' 8" W 921.76FT TO POB; TH N 89D 25' 8" W 396.03FT; TH N 0D 5' 59" W 330.22FT; TH S 89D 21' 13" E 1040.08FT; TH S 80D 10' 12" W 164.99FT; TH N 89D 21' 13" W 481.42FT; TH S 0D 5' 59" E 299.77FT TO POB. SPLIT ON 01/10/2008 FROM 161-035-200-031-00; COMBINED ON 1/25/19 FROM 161-035-200-030-00 & 161-035-200-031-02 395/429;965/689;1083/457;1165/733;1332/740

Most Recent Sale Information

Sold on 11/09/2010 for 0 by PAST MATRONS & PAST PATRONS OF OES .

Terms of Sale: NOT VALID SALE

Liber/Page: 1165/733

Most Recent Permit Information

None Found

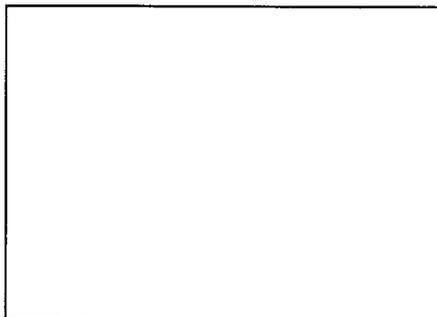
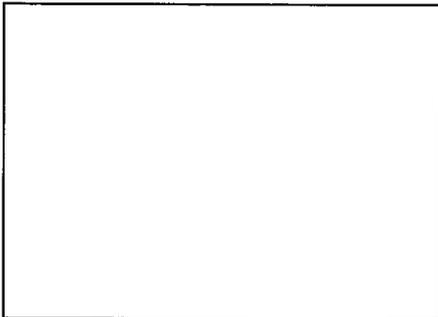
Physical Property Characteristics

2020 S.E.V.: 0	2020 Taxable: 0	Lot Dimensions:
2019 S.E.V.: 0	2019 Taxable: 0	Acreage: 0.00
Zoning:	Land Value: 0	Frontage: 0.0
PRE: 0.000	Land Impr. Value: 0	Average Depth: 0.0

Improvement Data

None

Image/Sketch





RECEIVED FOR RECORD
KAREN L BREWSTER, CLERK/REGISTER
CHEBOYGAN COUNTY, MICHIGAN
05/15/2017 2:20:02 PM

RECEIPT# 3902, STATION 1
\$30.00 WARRANTY DEED
\$5.00 TAX CERTIFICATION

WARRANTY DEED

Know All Persons by These Presents: Past Matrons & Past Patrons, Inc., a Michigan Non-Profit Corporation F/K/A Past Matrons and Past Patrons of O.E.S. Primrose Chapter of Indian River Michigan whose address is 5470 S Straits Hwy, Indian River, MI 49749

Convey(s) and Warrant(s) to Tuscarora Township, a Michigan Municipal Statutory Entity whose address is PO Box 220, Indian River, MI 49749

the following described premises situated in the Township of TUSCARORA, County of CHEBOYGAN, State of Michigan, to wit:

SEE ATTACHED LEGAL DESCRIPTION

For the full consideration of: Twenty Six Thousand Dollars (\$26,000.00)

This deed is given in fulfillment of a land contract between the above parties, dated October 29, 2007 and recorded November 7, 2007 in Liber 1083, Page 457, Cheboygan County Records.

This conveyance is exempt from real estate transfer tax under the provisions of MCL 207.526(u) and MCL 207.505(h).

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.

Dated this 25 day of April, 2017



LIBER 1332 PAGE 740

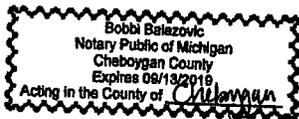
Seller(s):

Pat Nardizzi
Past Matrons & Past Patrons, Inc.
BY: PAT NARDIZZI
ITS: PRESIDENT

State of Michigan
County of Cheboygan

The foregoing instrument was acknowledged before me this 25th day of April, 2017 by Past Matrons & Past Patrons, Inc. BY:

Pat Nardizzi
ITS: President



Notary Public: _____
Notary County/State: _____/Michigan
County Acting In: _____
Commission Expires: _____

DRAFTED BY AND RETURN TO: Tuscarora Township, PO Box 220, Indian River, MI 49749 ✓

Commencing at the East 1/4 corner, Section 35, T35N-R3W; thence N 89 deg 25' 08" W along the North line of Pine Trails No. 2 and the East and West 1/4 line 921.76 feet to a 1/2" bar and cap #41099 and the POINT OF BEGINNING; thence continuing N 89 deg 25' 08" W 396.03 feet to a concrete monument; thence N 0 deg 05' 59" W 330.22 feet to an iron pipe; thence S 89 deg 21' 13" E 1040.08 feet to a 1/2" bar and cap #41099; thence S 80 deg 10' 12" W 164.99 feet to a 1/2" bar and cap #41099; thence N 89 deg 21' 13" W 481.42 feet to a 1/2" bar and cap #41099; thence S 0 deg 05' 59" E 299.77 to the East and West 1/4 line and the POINT OF BEGINNING. Contains 3.38 acres of land more or less. Subject to easements, restrictions, and reservations of record if any.

161-035-200-031-02v

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.

5/15 2017

Rachel K. Wallace AT
Cheboygan County Treasurer



LIBER 1332

PAGE 741

INDIAN RIVER SKATING PAVILION

SHEET INDEX:

<u>PAGE</u>	<u>CONTENT</u>
	TITLE SHEET
S1	FOUNDATION/AB & DETAILS
A1	PAVILION FLOOR PLAN
A2	ELEVATIONS & SECTIONS

CODE REVIEW:

BASED ON MICHIGAN BUILDING CODE 2015

1. USE GROUP - A5 - ASSEMBLY BASED ON SECTIONS 303.4 & 304.
2. CONSTRUCTION TYPE - 3B BASED ON SECTION 602.5.
3. MAXIMUM ALLOWABLE BUILDING AREA = UNLIMITED PER SECTION 506.
TOTAL PROPOSED BUILDING TOTAL AREA = 20,250 S.F.
4. OCCUPANT LOAD = 276 PEOPLE BASED ON TABLE 1004.1.2
SKATING AREA = 12,500 S.F./50 = 250 PEOPLE
ACCESSORY AREA = 7,750 S.F./300 = 26 PEOPLE
TOTAL OCCUPANT LOAD = 276 PEOPLE
5. MEANS OF EGRESS NOT APPLICABLE (ROOF ONLY STRUCTURE)
6. AUTOMATIC SPRINKLER SYSTEM IS NOT REQUIRED PER SECTION 903.2.1.5
7. GROUND SNOW LOAD = 70PSF PER FIGURE 1608.2
GROUND SNOW LOAD EXPOSURE FACTOR - 1.0
GROUND SNOW LOAD IMPORTANCE FACTOR - 1.0
GROUND SNOW LOAD THERMAL FACTOR - 1.0
8. WIND LOAD = 115 MPH PER FIGURE 1609A
EXPOSURE CATEGORY - B
IMPORTANCE FACTOR - 1.0
TOPOGRAPHICAL FACTOR - 1.0
9. SEISMIC USE GROUP - I
10. SEISMIC SITE CLASS - D
IMPORTANCE FACTOR - 1.0



Todd Dailey

COMMERCIAL / INDUSTRIAL
CONSTRUCTION

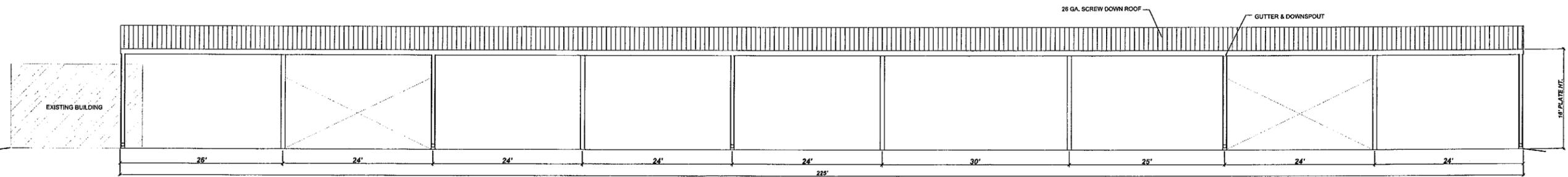
JBS Contracting Inc.

JBS

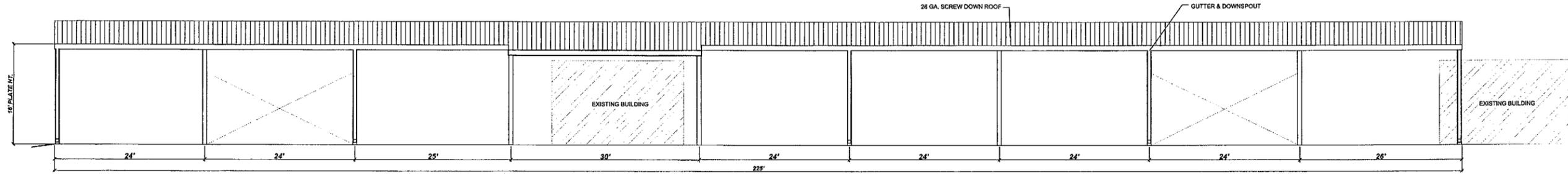
P.O. BOX 370
MT. PLEASANT, MI 48804
(800) 773-1132

DATE: 2/6/2019

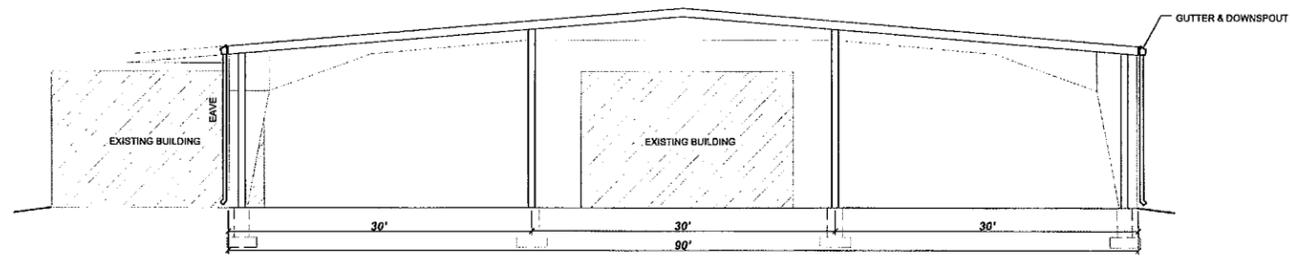
INDIAN RIVER
SKATING PAVILION



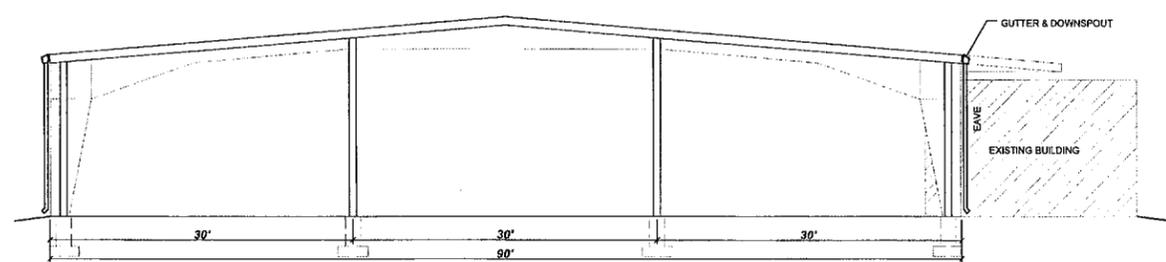
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



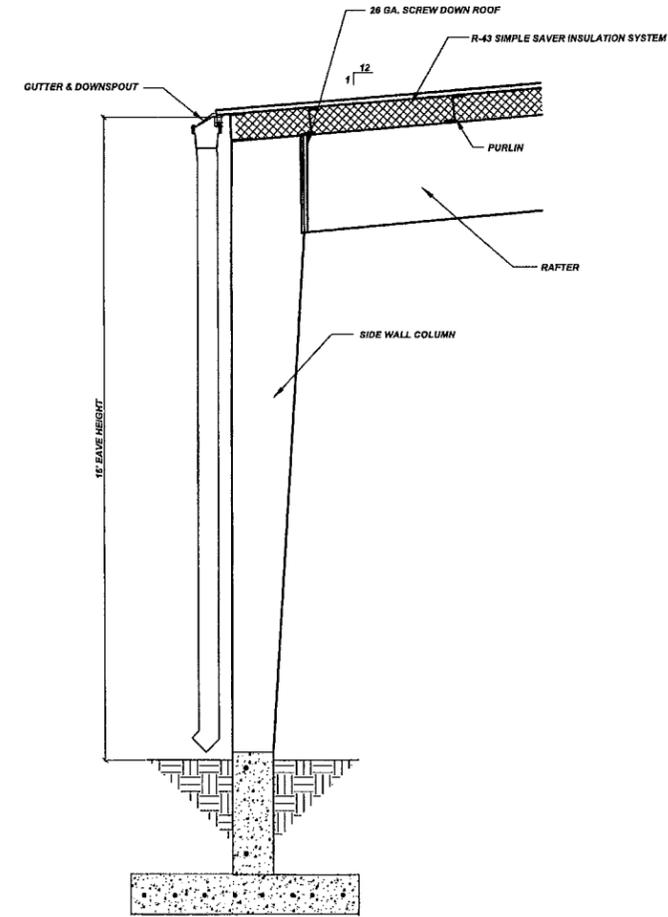
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



1 WALL SECTION
SCALE: 1/2" = 1'-0"

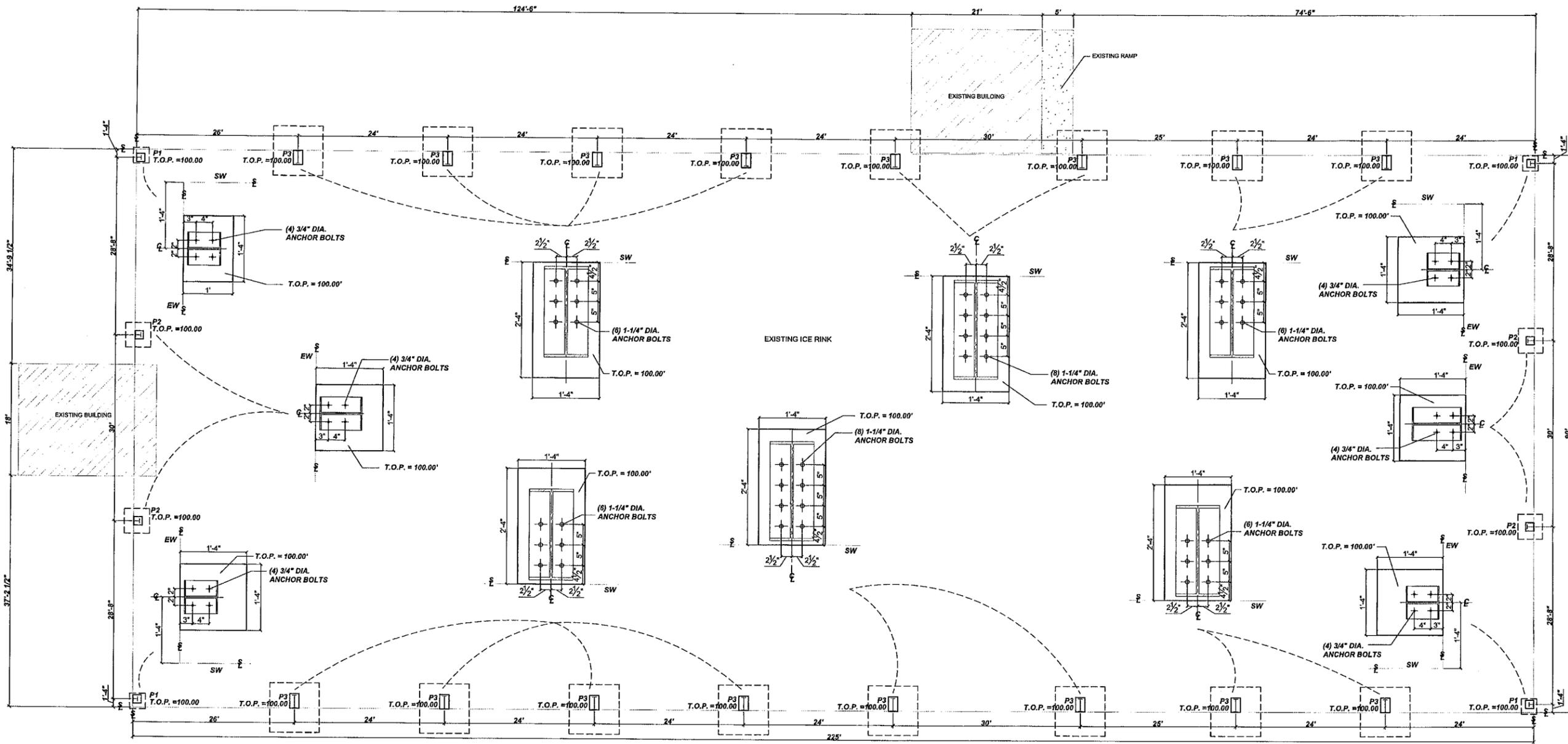
REVISIONS	
DATE:	CHANGE:

JBS JOB NUMBER:
DRAWING NAME: ELEVATIONS & WALL SECTION
DRAWN BY: D.C.
REVIEWED BY:
FIELD SUPERVISOR:
DATE: 2/6/2019
ENGINEER'S SEAL:

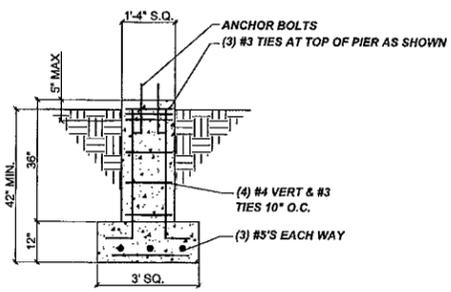
INDIAN RIVER SKATE RINK
INDIAN RIVER, MI 49749

JBS Contracting Inc.
COMMERCIAL/INDUSTRIAL CONSTRUCTION
1650 COVER PARKWAY
MT. PLEASANT, MI 48858
(989) 775-0770

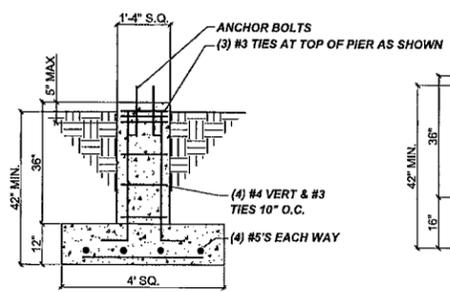
SCALE:
VARIES
A2
SKATE PAVILION



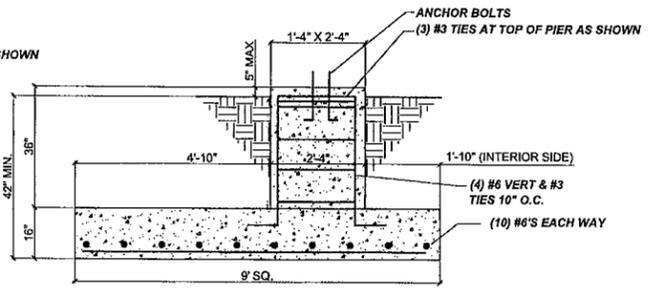
FOUNDATION/AB PLAN
SCALE: 1/8" = 1'-0"



1 P1 PIER DETAIL
SCALE: 1/2" = 1'-0"



2 P2 PIER DETAIL
SCALE: 1/2" = 1'-0"



3 P3 PIER DETAIL
SCALE: 1/2" = 1'-0"

- ### FOUNDATION NOTES
- FOOTINGS ARE DESIGNED TO BEAR ON NATURAL MATERIAL OR ENGINEERED FILL WITH AN ALLOWABLE 2500 PSF SOIL BEARING CAPACITY (VERIFY IN THE FIELD BY A QUALIFIED TESTING AGENCY). IF BEARING CAPACITY IS NOT ACHIEVED AT THE BEARING ELEVATION, THE FOOTING SHALL BE ENLARGED OR LOWERED. NOTIFY ENGINEER FOR REQUIRED ADJUSTMENTS.
 - COORDINATE ALL UNDERGROUND WORK WITH MECHANICAL AND ELECTRICAL TRADES (IF ANY). VERIFY AND COORDINATE ALL SLEEVE OPENINGS, EMBEDDED ITEMS, ETC. WITH APPROPRIATE TRADES.
 - REINFORCEMENT STEEL FY: 60,000 PSI.
 - ALL REINFORCEMENT TO HAVE MIN. 3" COVER.
 - FOOTINGS FORMED TO MEET SIZES IN SPECIFICATION.
 - CONCRETE MATERIAL, PLACEMENT, ETC. SHALL BE IN ACCORDANCE WITH ACI CODE FOR CONCRETE CONSTRUCTION.

JBS JOB NUMBER: FOUNDATION PLAN & DETAILS
DRAWN BY: DJC
REVIEWED BY:
FIELD SUPERVISOR:
DATE: 2/17/2019
ENGINEER'S SEAL:

INDIAN RIVER SKATE RINK
INDIAN RIVER, MI 49749

COMMERCIAL/INDUSTRIAL
CONSTRUCTION

JBS Contracting Inc.
1650 COVER PARKWAY
MT PLEASANT, MI 48856
(989) 775-0770

SCALE:
VARIES

S1
SKATE PAVILION

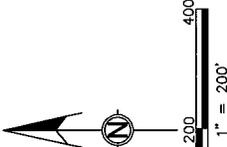
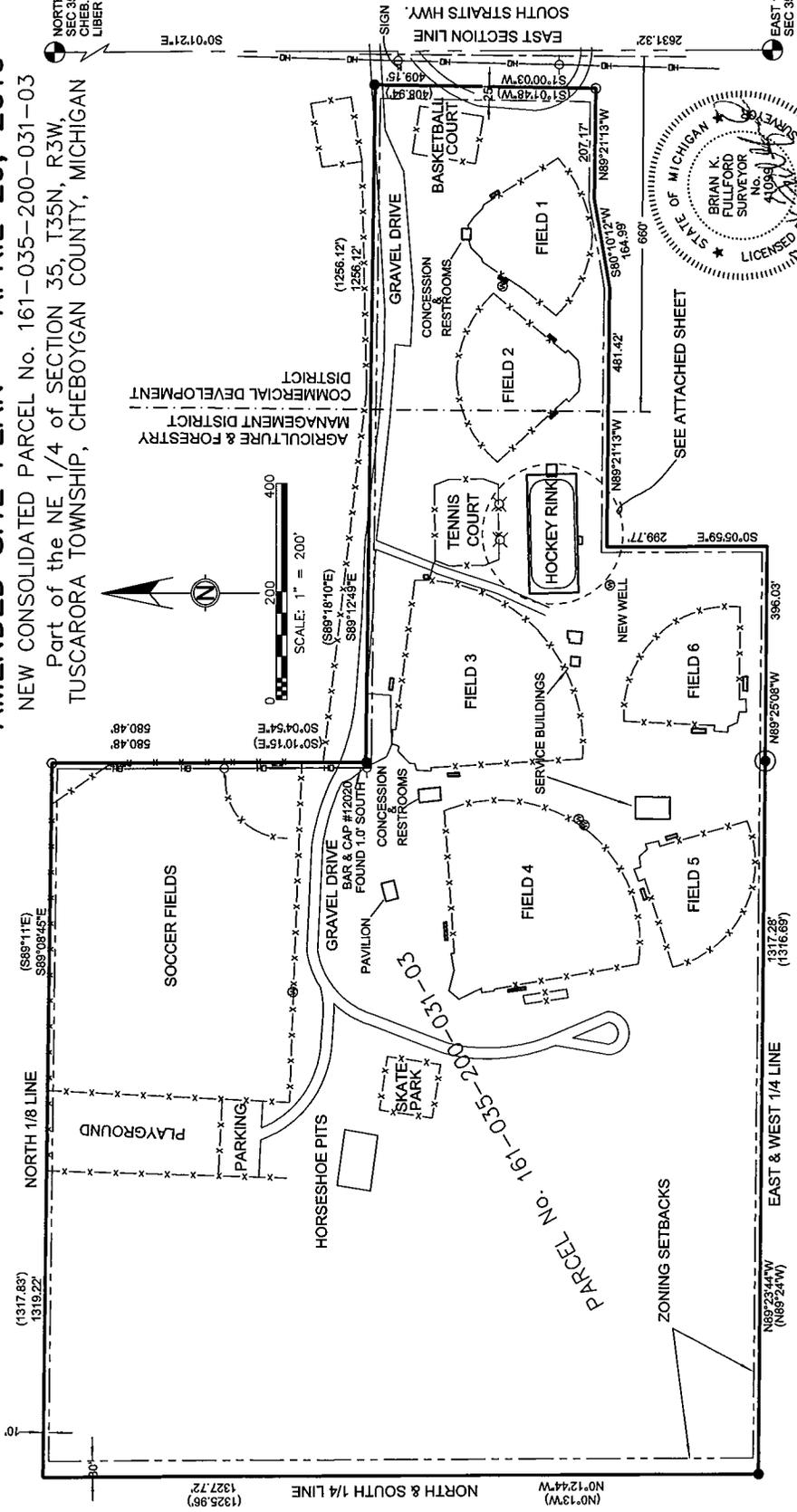
AMENDED SITE PLAN - APRIL 29, 2019

NEW CONSOLIDATED PARCEL No. 161-035-200-031-03

Part of the NE 1/4 of SECTION 35, T35N, R3W,
TUSCARORA TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN

NORTHEAST COR.
SEC. 35, T35N, R3W,
CHEB. COUNTY REMON.
LIBER 11, PAGE 61

EAST 1/4 COR.
SEC. 35, T35N, R3W,
CHEB. COUNTY REMON.
LIBER 11, PAGE 62



- () RECORDED DIMENSIONS
- () GOVERNMENT CORNER
- GRVEL DRIVE
- 1/2" BAR & CAP #2020
- PROPERTY BOUNDARY
- IRON PIPE RECOVERED
- POWERLINE
- CONCRETE MONUMENT RECOVERED
- CHAINLINK FENCE
- WELL
- POWER POLE
- LAMP POST
- BLEACHERS

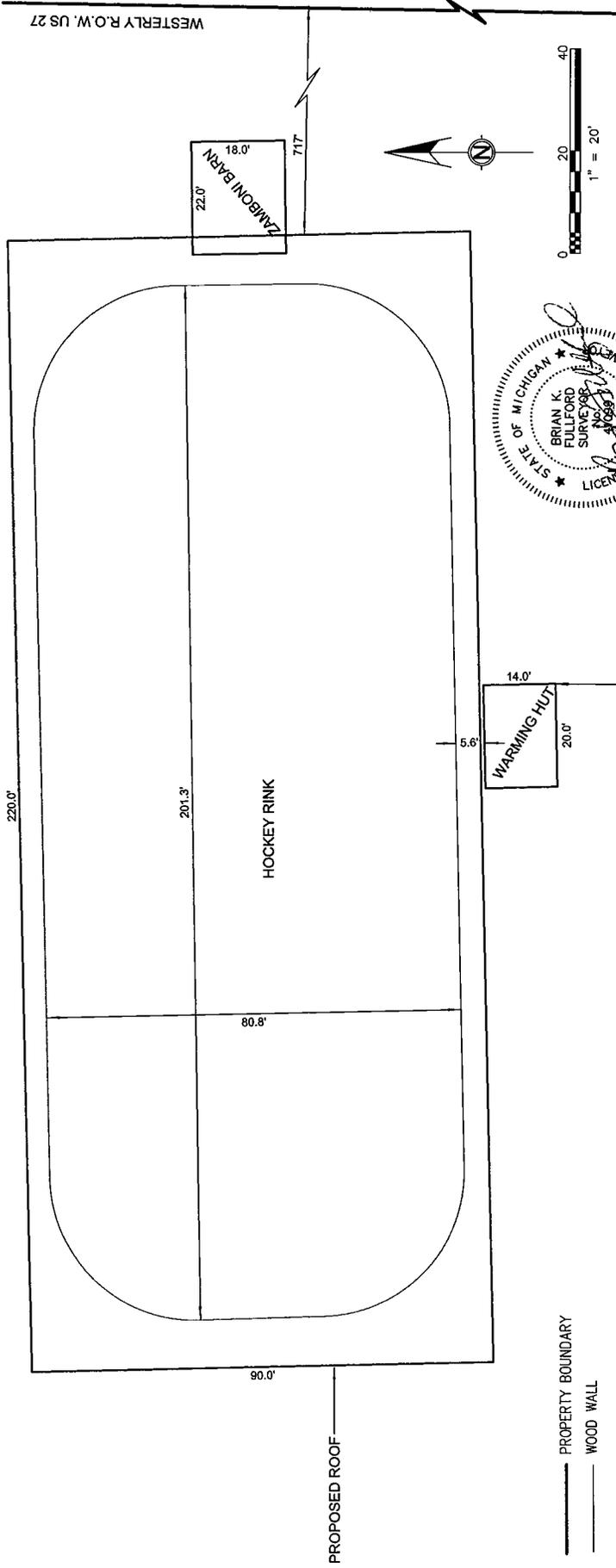
NOTE: ALL PARCELS HAVE BEEN CONSOLIDATED INTO A SINGLE PARCEL NUMBER AND SHOWN AS THE PROPERTY BOUNDARY DEPICTED HEREON.

FOR:	TUSCARORA TOWNSHIP
SEC. 35 T35N, R3W FB: TUSC-6	
DRAWN: LCR CHECK: BKE	
PROJECT NO. 04-137S	
SHEET 1 OF 2	
FULLFORD SURVEYING & MAPPING, P.C. PO BOX 969 5097 S. STRAITS HIGHWAY, SUITE A INDIAN RIVER, MI 49749 PHONE: 231-238-9199 FAX: 231-238-9195	

REVISED 4/29/2019 - HOCKEY RINK ROOF
REVISED 8/18/05 - ZAMBONI BARN

AMENDED SITE PLAN DETAIL – APRIL 29, 2019

HOCKEY RINK DETAIL



_____ PROPERTY BOUNDARY
 _____ WOOD WALL

NOTE: LIGHTING WILL BE ATTACHED TO THE ROOF STRUCTURE INTERIOR.

REVISED 4/29/2019 - NEW FIELD, HOCKEY RINK ROOF REVISED 8/18/05 - ZAMBONI BARN	DRAWN: <u>JLE</u> CHECK: <u>BKF</u>	PROJECT NO. 04-137S	SHEET 2 OF 2
FOR:			
TUSCARORA TOWNSHIP		FULLFORD SURVEYING & MAPPING, P.C. PO BOX 969 5097 S. STRAITS HIGHWAY, SUITE A INDIAN RIVER, MI 49749 PHONE: 231-238-9199 FAX: 231-238-9195	

Deborah Tomlinson

From: Dave Carpenter <dpcarpenter@voyager.net>
Sent: Wednesday, May 01, 2019 9:59 AM
To: Deborah Tomlinson
Subject: Re: Tuscarora Township - Special Use Application

Good Morning Deb,

I don't see any major issues regarding the fire department for the Tuscarora Township or Brent & Erica Marlatt projects.

If you have any questions please feel free to contact anytime.

Respectfully,

David Carpenter
Fire Chief

From: Deborah Tomlinson
Sent: Wednesday, May 01, 2019 8:39 AM
To: David Carpenter (dpcarpenter@voyager.net) ; Kyle Keller ; Brent Shank (mgr@chcrc.com) ; Jay Gailitis (gailitisj@michigan.gov) ; Scott Fisher (FisherS22@michigan.gov) ; Bobbi Balazovic (treasurer@tuscaroratwp.com) ; Craig Waldron (cwaldron@centurylink.net) ; Jane McGinnis (jane@mcvideo.com) ; Mike Ridley (supervisor@tuscaroratwp.com) ; Sue Fisher (clerk@tuscaroratwp.com) ; Dan Nivelt (d-repair@sbcglobal.net) ; jhschams@outlook.com ; Kelly Ashford ; Mike Cherveney ; Mike Vizina
Subject: Tuscarora Township - Special Use Application

The following is a link to an application for a special use permit for Tuscarora Township: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093> This application will be reviewed by the Cheboygan County Planning Commission at the May 15, 2019 meeting. Please review this application and email me comments prior to Wednesday, May 8, 2019. Thank you!!!

Debbie

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

Deborah Tomlinson

From: Brent Shank <mgr@chcrc.com>
Sent: Thursday, May 02, 2019 11:24 AM
To: Deborah Tomlinson
Subject: Re: Brent and Erica Marlatt - Special Use Application
Attachments: mgr.vcf

Hello,

No comments from the Road Commission on this application or the Tuscarora Township application.

Thank you,

Brent Shank, P.E.

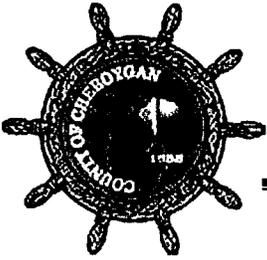
Engineer/Manager
Cheboygan County Road Commission
mgr@chcrc.com
(231) 238-7775

On 5/1/2019 8:40 AM, Deborah Tomlinson wrote:

The following is a link to an application for a special use permit for Brent and Erica Marlatt: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093> This application will be reviewed by the Cheboygan County Planning Commission at the May 15, 2019 meeting. Please review this application and email me comments prior to Wednesday, May 8, 2019. Thank you!!!

Debbie

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



CHEBOYGAN COUNTY

COMMUNITY DEVELOPMENT DEPARTMENT

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

AMENDMENT OF A SPECIAL USE PERMIT STAFF REPORT

Item: A request for an amendment of an approved Special Use in order to construct a roof over the existing Ice Rink to serve Cooperation Park in Tuscarora Township.	Prepared by: Jeff Lawson
Date: May 6, 2019	Expected Meeting Date: May 15, 2019

GENERAL INFORMATION

Applicant: Tuscarora Township

Property Owner: Same

Contact Person: Mike Ridley, Township Supervisor

Phone: 231.238.7088

BACKGROUND INFORMATION

The applicant seeks approval of an amendment of an approved Special Use to construct a roof over the existing Ice Rink to create covered area for use as Ice Rink, Pavilion and recreation area to serve Cooperation Park (addressed as 5454 South Straits Highway) in Tuscarora Township, per Section 9.3.4. of the Zoning Ordinance (public parks and recreational areas, playgrounds and campgrounds). Cooperation Park provides various community recreational opportunities and includes multiple ball fields, tennis courts and soccer fields, a skateboard park, basketball court, a lighted outdoor ice rink, sledding hill and cross-country ski trails. Per the submitted application, the area to be covered with roof structure has been used as an Ice Rink and recreation area. The property is largely zoned Agriculture and Forestry Management (M-AF), but with a small portion at the extreme east nearer to the South Straights Highway corridor zoned Commercial Development (D-CM). The subject area is in the Agriculture and Forest Management (M-AF) zoned portion of the property.

The Special Use for Cooperation Park was approved in 2004, with an amendment approved in 2006 for a horse pavilion and in 2018 for addition of ball diamond and associated parking.

Currently, Section 18.11. of the Zoning Ordinance provides guidance regarding the review and decision-making authority for Special Use amendment applications. This application specifically includes the addition of a roof structure over existing Ice Rink area to create a covered rink, pavilion and recreation area. Despite what might be considered minimal scope of work, it is determined that the Planning Commission holds decision-making authority over this amendment request.

Note that the applicant seeks a waiver from the requirement to provide topography and existing and proposed grades, with the rationale that site topography is level and will remain so.

Surrounding Zoning:

North: Agriculture and Forestry Management (M-AF); Commercial Development (D-CM)

East: Commercial Development (D-CM)

South: Residential Development (D-RS); Commercial Development (D-CM)

West: Agriculture and Forestry Management (M-AF)

Surrounding Land Uses:

Commercial land uses are to the north (e.g., Cheboygan County Road Commission; Burt Lake Marina). To the east and across South Straits Highway are residential uses (South Pointe I, II and III apartments; Inland Lakes Estates). Residential zoning and land use is to the south, with Commercial Development (D-CM) zoning and several commercial uses near to South Straits Highway (e.g., Masonic Activities Center; Lange & Associate CPAs; Indian River Pet Resort). To the west are largely vacant State lands.

Historic Buildings:

There are no known historic buildings or historic features on the proposed project site.

Traffic Implications:

The project represents covering an existing Ice Rink and recreation area with a roof. As proposed, the amendment would likely have minimal impact on current local traffic patterns and volume. Potential traffic implications also consider, generally speaking, the anticipated concentrated trip generation (as opposed to a more consistent trip generation pattern) for the recreation-type use associated with the proposed amendment and Cooperation Park as a whole.

Parking:

Proposed amendment covers an existing area used for recreational use. No additional parking proposed or required. Planning Commission can make a determination regarding the availability of parking to adequately serve the use.

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

Access to the property and the various recreational uses thereon is provided by a two-way driveway cut at the west side of South Straits Highway. This driveway also serves as an internal road for on-site circulation.

Signs:

No additional signage is proposed.

Fence/Hedge/Buffer:

No change in landscaping proposed.

Lighting:

No change in outdoor lighting is proposed.

Stormwater management:

There are no changes proposed relative to stormwater management.

Review or permits from other government entities:

The Michigan Department of Transportation (MDOT) has indicated that no adverse impacts upon the State highway are anticipated.

Public comments received:

None to date

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

There are no recognized environmentally sensitive areas at the location of the proposed project.

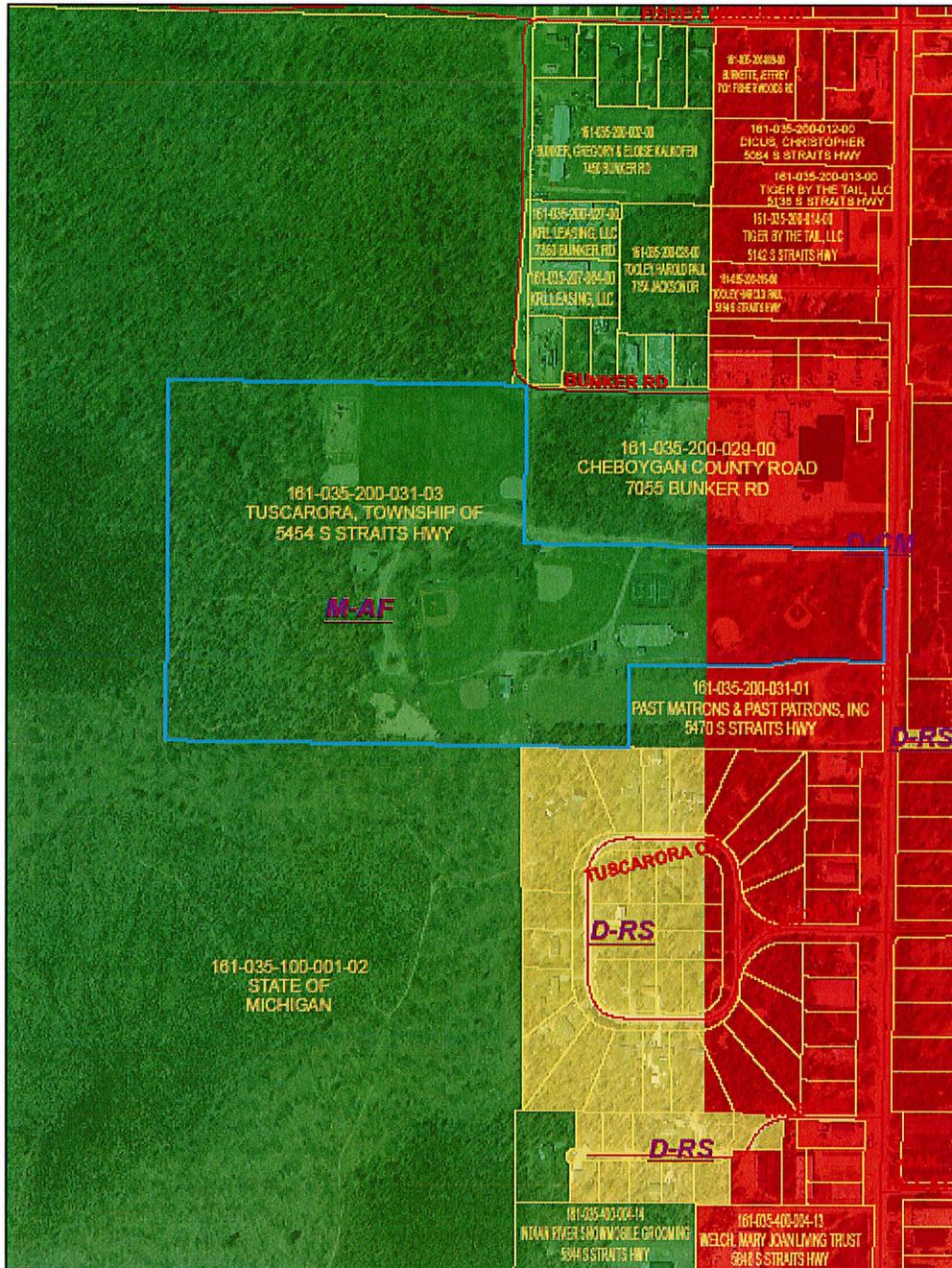
Public Comments:

No comments have been received to date.

Recommendation (condition[s]):

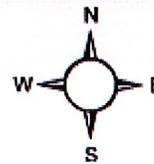
1. The applicant shall obtain building permits as applicable from the County Department of Building Safety.

Zoning of Subject Site



D-CM ■ M-AF ■
 D-RS ■

0 210 420 840 Feet



Deborah Tomlinson

Subject: FW: Tuscarora Township - Special Use Application

From: Fisher, Scott (MDOT) [<mailto:FisherS22@michigan.gov>]
Sent: Wednesday, May 08, 2019 8:18 AM
To: Deborah Tomlinson
Subject: RE: Tuscarora Township - Special Use Application

Sorry for the late responses, these messages for some reason went to my junk e-mail...

MDOT has no issues with this.

Thanks,
-Scott

CHEBOYGAN COUNTY PLANNING COMMISSION
SPECIAL USE PERMIT MODIFICATION
Wednesday May 15, 2019, 7:00 PM

<u>Applicant</u>	<u>Owner</u>	<u>Parcel</u>
Tuscarora Township P.O. Box 220 Indian River , MI. 49749	Tuscarora Township P.O. Box 220 Indian River , MI 49749	5454 S. Straits Hwy. Tuscarora Township 161-035-200-031-03

GENERAL FINDINGS

1. The subject property is zoned Agriculture and Forestry Management (M-AF) and Commercial Development (D-CM).
2. The applicant was approved for a special use permit for a public park and recreational area land use. Public park and recreational area land uses require special use approval in the M-AF zoning districts, pursuant to Section 9.3.4. of the Zoning Ordinance.
3. The applicant is seeking a modification of the approved special use permit for a public park and recreational area land use. Per Section 18.11 of the Zoning Ordinance, an amendment of the approved special use is required to cover an existing ice rink and recreational area.
4. The applicant is seeking a waiver from the topographic survey requirement for site plans.

FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE

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

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. The subject property is located in M-AF and D-CM Zoning districts.
 2. The applicant is seeking a modification of an approved special use for a public park and recreational area, per Section 18.11. of the Zoning Ordinance.
 3. Public park and recreational area land uses require special use approval in the M-AF zoning districts, pursuant to Section 9.3.4.
 - 4.
 5. Standard has been met. (see exhibits 3 and 11)
- b. The proposed modification of an approved 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 seeking a modification of an approved special use for a public park and recreational area, per Section 18.11. of the Zoning Ordinance (see exhibit 3).
 2. The subject property is located in M-AF and D-CM Zoning districts along South Straits Highway.
 3. The modification of an approved special use for a public park and recreational area will not create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 - 4.
 5. Standard has been met. (see exhibits 3 and 11)

- c. The proposed modification of an approved 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 modification of an approved special use is for a public park and recreational area land use.
 - 2. The subject property is located in M-AF and D-CM Zoning districts along South Straits Highway (see exhibit 11).
 - 3. The addition of a roof over an existing ice rink and public park and recreational area will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area. (see exhibits 3 and 11)
 - 4.
 - 5. Standard has been met.

- d. The proposed modification of an approved 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 modification of an approved special use is to place a roof over an existing ice rink and recreational area use in a M-AF zoning district. (see exhibit 3)
 - 2.
 - 3. Standard has been met.

- e. The proposed modification of an approved 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 modification of an approved special use is to place a roof over an existing ice rink and recreational area in a M-AF zoning district and 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 (see exhibit 3).
 - 2.
 - 3. Standard has been met. (see exhibits 3, 9 and 11)

- f. The proposed modification of an approved special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
 - 1. The subject property is located along South Straits Highway. The use will not cause congestion or increase traffic hazards in excess of current capacity.
 - 2. The property is served by a two-way driveway from South Straits Highway that provides adequate access. The access drive is more than 25 ft. from a street intersection.
 - 3. Proposed signage, buildings, other elements and do not interfere with driver visibility.
 - 4.
 - 5. Standard has been met. (see exhibits 3, 10, 11 and 12)

- g. The proposed modification of an approved special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
 - 1. The modification of an approved special land use shall be adequately served by water and sewer facilities, and refuse collection and disposal facilities (see exhibit 3).
 - 2.
 - 3. Standard has been met. (see exhibit 3)
- h. The modification of an approved special land use shall comply with all specific standards required under this Ordinance applicable to it.
 - 1. The modification of an approved special land use complies with all the specific standards required under this Ordinance and other specific standards applicable to it (see exhibit 3).
 - 2.
 - 3. Standard has been met. (see exhibits 3 and 11)

DECISION

Motion by _____, seconded by _____, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 with the following conditions:

__Ayes __Nays,

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 thirty (30) days after this Decision and Order is adopted by the Planning Commission.

DATE DECISION AND ORDER ADOPTED

May 15, 2019

Patty Croft, Chairperson

Charles Freese, Secretary

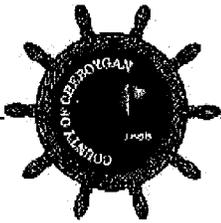
CHEBOYGAN COUNTY PLANNING COMMISSION

Brent Marlatt

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Special Use Permit Application (6 Pages)
4. Mailing List (2 Pages)
5. Certificate of Survey (1 Page)
6. Warranty Deed (1 Page)
7. LED Lighting (2 Pages)
8. Sign Elevation (1 Page)
9. Building Elevation (1 Page)
10. Site Plan (2 Pages)
11. Email Dated 05/01/19 From Dave Carpenter, Tuscarora Township Fire Chief (1 Page)
12. Email Dated 05/02/19 From Brent Shank, Cheboygan County Road Commission (1 Page)
13. Staff Report (3 Pages)
14. Email Dated 05/08/19 From Scott Fisher, MDOT (1 Page)
- 15.
- 16.
- 17.

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

<i>Address</i> 4599 Van Etten Court	<i>City / Village</i> Indian River	<i>Twp / Sec.</i> Tusc./25	<i>Zoning District</i> D-CM & M-AF
<i>Property Tax I.D. Number</i> 161-025-300-013-01/02		<i>Plat or Condo Name / Lot or Unit No.</i>	

APPLICANT

<i>Name</i> Brent & Erica Marlatt		<i>Telephone</i> (231) 675-0041	<i>Fax</i>
<i>Address</i> 5850 South Rainbow	<i>City, State & Zip</i> Indian River, MI 49749	<i>E-Mail</i> finsnfeathers@hotmail.com	

OWNER (If different from applicant)

<i>Name</i> Same As Above		<i>Telephone</i>	<i>Fax</i>
<i>Address</i>	<i>City, State & Zip</i>	<i>E-Mail</i>	

PROPOSED WORK

<p><i>Type (check all that apply)</i></p> <table style="width: 100%;"> <tr> <td><input checked="" type="checkbox"/> New Building</td> <td><input type="checkbox"/> Reconstruction</td> </tr> <tr> <td><input type="checkbox"/> Addition</td> <td><input type="checkbox"/> Relocated Building</td> </tr> <tr> <td><input type="checkbox"/> Change in Use or Additional Use</td> <td><input checked="" type="checkbox"/> Sign, Type: <u>Non-electrical</u></td> </tr> <tr> <td></td> <td><input type="checkbox"/> Other: _____</td> </tr> </table>	<input checked="" type="checkbox"/> New Building	<input type="checkbox"/> Reconstruction	<input type="checkbox"/> Addition	<input type="checkbox"/> Relocated Building	<input type="checkbox"/> Change in Use or Additional Use	<input checked="" type="checkbox"/> Sign, Type: <u>Non-electrical</u>		<input type="checkbox"/> Other: _____	<p>Building/Sign Information</p> <p>Overall Length: <u>340</u> feet</p> <p>Overall Width: <u>30</u> feet</p> <p>Floor Area: <u>10,200</u> sq. feet</p> <p>Overall Building Height: <u>9' 2.5"</u> feet</p> <p>Sign Area: <u>25</u> sq. feet</p> <p>Sign Height <u>10</u> feet</p>
<input checked="" type="checkbox"/> New Building	<input type="checkbox"/> Reconstruction								
<input type="checkbox"/> Addition	<input type="checkbox"/> Relocated Building								
<input type="checkbox"/> Change in Use or Additional Use	<input checked="" type="checkbox"/> Sign, Type: <u>Non-electrical</u>								
	<input type="checkbox"/> Other: _____								

PROPOSED USE (check all that apply)

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

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

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

Directions to site: Just south of the intersection of South Straits Hwy. and M-68 in Indian River. Turn left onto Van Etten Court. The site is directly east of Antiques Roadhouse and runs east/west along the north side of Van Etten Court.

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.
	X	e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
X		f. Location of existing and proposed buildings and intended uses thereof.
X		g. Details of entryway and sign locations should be separately depicted with an elevation view.
X		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
X		i. Location, size, and characteristics of all loading and unloading areas.
n/a		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
X		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
n/a		l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SPECIAL HANDPUMP PERMITS

(To be completed by the applicant and returned to the Department of Health Services)

Information Requested	Warmer Requested	Information
n/a		m. Location and specifications for all fences, walls, and other screening devices.
x		n. Location and specifications for all existing and proposed perimeter and interior landscaping and other buffering devices.
x		o. Exterior lighting locations, with areas of illumination illustrated as well as the type of fixtures and shielding to be used.
n/a		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
x		q. Elevation drawing(s) for proposed commercial and industrial structures.
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 as.
n/a		s. Floor plans, when needed to determine the number of parking spaces required.

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

SECTION	REASON FOR WARMER REQUEST
d.	The topography is extremely flat.
e.	The nearest body of water is .63 miles away.
e.	<i>The Next Nearest Surface Water Available is Located</i>
e.	<i>At the Snowmelt when Rainfall is Still.</i>

ATTORNEY:

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

Sanjay K. Singh
 Signature

March 4, 2019

1. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL AFFECTED AGENCIES AND AGENCIES WITH JURISDICTION OVER THE PROPOSED DEVELOPMENT.



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.

This site will be developed for a self storage business. Hours of operation will be 24/7 with 2 employees - the owners of the property and business.

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.

The structure will be earth tones in color (beige with forest green trim and doors) and have natural buffers to the north and the east. Building will be across Van Etten Court opposite of existing storage unit buildings.

- 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 grade will remain nearly identical to the current topography - nearly flat with minimal slope for adequate drainage.

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

Natural features and extremely sandy soil will serve as aides for storm water run-off.

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

As noted, natural features/buffers will be retained for the benefit of aesthetics and adjoining private property owners.

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

Open and accessible

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

Yes it will.

- 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. LED photocell exterior lighting units - See attachment

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

iii. It does not unnecessarily illuminate night skies. No it will not.

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.

Correct

- 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.

Correct

3. Size of property in sq. ft. or acres: 42,330

4. Present use of property:

No present use

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 it will not. The building will be in congruence with other storage unit buildings neighboring this property.

- 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.** This special land use is of minimal impact regarding the above mentioned negative terms, and in most cases, is not relative to any of them.

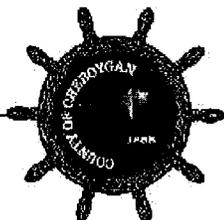
- d. Will the proposed special land use be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned? **Explain.** Yes it will. My wife and I are sensitive to others needs and to the needs of the surrounding environment.

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

No it will not. Storage unit facilities are one of the most least demanding small businesses in virtually any community per feasibility studies.

- 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 for the public and private streets. Water/sewer facilities and refuse collection will not be as these are not necessary for the development.

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? No - there is no need for these.
- 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 it will
6. Does the proposed use of the property include or involve either:
- Junk or salvage yard (Section 3.6) YES NO
 - Mineral extraction (Section 17.17) YES NO
- If YES, this application must include a written plan as described in the Zoning Ordinance.*
7. Attach a copy of Warranty Deed or other proof of ownership.
8. Attach a copy of certified Property Survey or dimensioned property land plat.

AFFIDAVIT

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

Applicant's Signature

[Handwritten Signature]

Date March 4, 2019

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

Yes No

Owner's Signature

[Handwritten Signature]

Date March 4, 2019

FOR PLANNING/ZONING DEPT. USE ONLY

Date Received:	3-4-19	Notes:
Fee Amount Received:	\$225.00	
Receipt Number:	6609	
Public Hearing Date:	5-15-19	
Planning/Zoning Administrator Approval:		
<p><i>[Handwritten Signature]</i></p> <p>Signature</p>		<p>4-30-19</p> <p>Date</p>

161-025-300-013-02
MARLATT, BRENT & ERICA H/W
5850 S RAINBOW TRL
INDIAN RIVER, MI 49749

161-025-301-001-00
K & W GROUP, LLC
4225 E BURT LAKE RD
CHEBOYGAN, MI 49721

161-025-300-014-05
KASPER, ERIC J
779 PARK AVE
NAPLES, FL 34110

161-025-300-014-04
TIGER BY THE TAIL, LLC
PO BOX 159
INDIAN RIVER, MI 49749

161-025-300-014-02
K & W GROUP, LLC
4225 E BURT LAKE RD
CHEBOYGAN, MI 49721

161-025-300-013-01
MARLATT, BRENT & ERICA H/W
5850 S RAINBOW TRL
INDIAN RIVER, MI 49749

161-025-300-001-01
OSWALD, KURT & ANGELA H/W
6895 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-009-00
BOWEN, DONALD A
6109 INDEPENDENCE AVE
INDIAN RIVER, MI 49749

161-025-300-008-00
LAPRAIRIE, TODD
6835 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-007-00
LAPRAIRIE, TODD
6835 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-014-09
KASPER, ERIC J
779 PARK AVE
NAPLES, FL 34110

161-026-406-058-00
BLARNEY CASTLE OIL CO
12218 WEST ST
BEAR LAKE, MI 49614

161-026-406-056-00
BLARNEY CASTLE, INC
PO BOX 246
BEAR LAKE, MI 49614

161-026-406-053-00
BLARNEY CASTLE, INC
PO BOX 246
BEAR LAKE, MI 49614

161-025-300-006-00
STORY, JAMES I
6873 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-005-00
RHINE, GAIL
6891 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-004-00
OSWALD, KURT & ANGELA H/W
6895 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-003-00
BOWEN, DONALD A
6109 INDEPENDENCE AVE
INDIAN RIVER, MI 49749

161-025-300-002-00
OSWALD, KURT & ANGELA H/W
6895 W WILSON RD
INDIAN RIVER, MI 49749

161-026-400-007-01
FISHER, THOMAS & ROSEMARY H/W
PO BOX 310
INDIAN RIVER, MI 49749

161-026-400-010-00
BREITBARTH HOLDINGS LLC
4646 S STRAITS HWY
INDIAN RIVER, MI 49749

161-026-400-008-00
VFW COCHRAN-ROBERTS POST
6897 LOUISE ST
INDIAN RIVER, MI 49749

161-025-300-014-07
PREVO, ROY L
PO BOX 1128
INDIAN RIVER, MI 49749

161-025-300-014-06
OSWALD, KURT & ANGELA H/W
6895 WILSON RD.
INDIAN RIVER, MI 49749

161-025-300-014-08
OSWALD, KURT & ANGELA H/W
6895 WILSON RD
INDIAN RIVER, MI 49749

161-025-300-013-02
OCCUPANT
4599 VAN ETTEN CT
INDIAN RIVER, MI 49749

161-025-301-001-00
OCCUPANT
4653 S STRAITS HWY
INDIAN RIVER, MI 49749

161-025-300-014-04
OCCUPANT
4601 S STRAITS HWY
INDIAN RIVER, MI 49749

161-025-300-013-01
OCCUPANT
4579 S STRAITS HWY
INDIAN RIVER, MI 49749

161-025-300-001-01
OCCUPANT
4531 S STRAITS HWY
INDIAN RIVER, MI 49749

161-025-300-009-00
OCCUPANT
6817 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-008-00
OCCUPANT
6835 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-014-09
OCCUPANT
4671 VAN ETTEN CT
INDIAN RIVER, MI 49749

161-025-300-007-00
OCCUPANT
6861 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-003-00
OCCUPANT
6909 W WILSON RD
INDIAN RIVER, MI 49749

161-026-406-053-00
OCCUPANT
7027 W M-68 HWY
INDIAN RIVER, MI 49749

161-025-300-006-00
OCCUPANT
6873 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-005-00
OCCUPANT
6891 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-004-00
OCCUPANT
6895 W WILSON RD
INDIAN RIVER, MI 49749

161-026-400-008-00
OCCUPANT
4584 S STRAITS HWY
INDIAN RIVER, MI 49749

161-025-300-002-00
OCCUPANT
6929 W WILSON RD
INDIAN RIVER, MI 49749

161-025-300-014-07
OCCUPANT
4627 VAN ETTEN CT
INDIAN RIVER, MI 49749

161-026-400-010-00
OCCUPANT
4646 S STRAITS HWY
INDIAN RIVER, MI 49749

161-025-301-001-00
OCCUPANT
4667 S STRAITS HWY
INDIAN RIVER, MI 49749

DONALD E. MARLATT

Professional Surveyor

7570 M-32

Atlanta, Michigan 49709

Phone: 989-785-4748

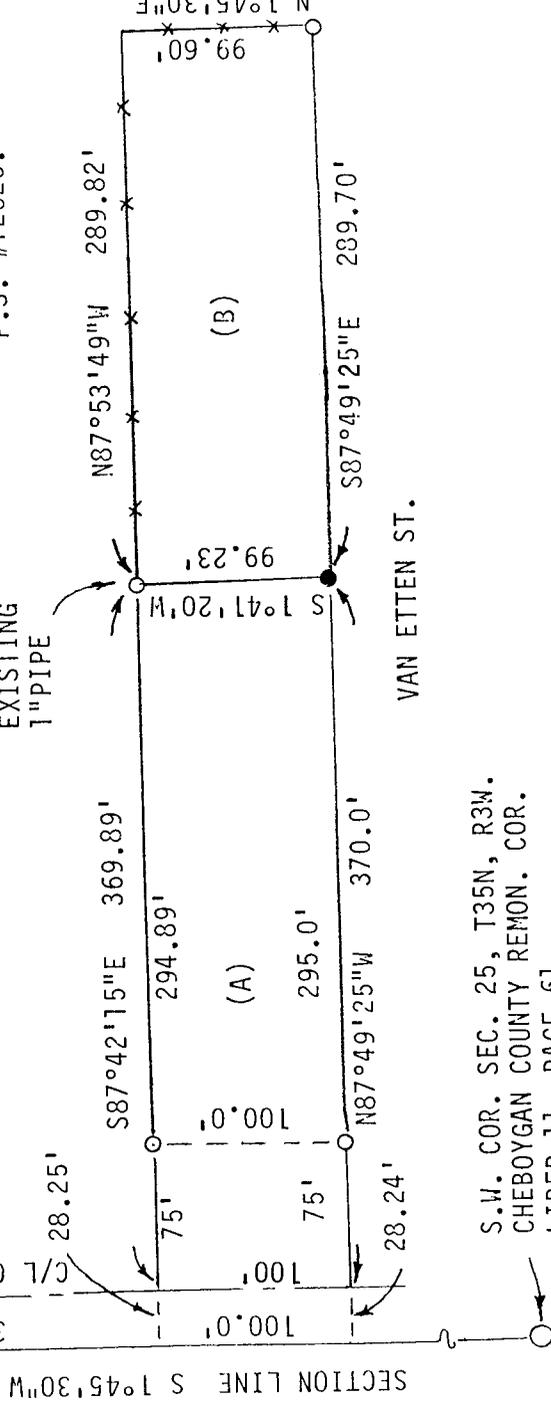
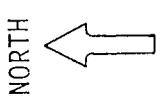
CERTIFICATE OF SURVEY

I, DONALD E. MARLATT, a Registered Surveyor in the State of Michigan, HEREBY CERTIFY that I have surveyed the parcel(s) of land described and delineated hereon: that said plat is a true representation of the survey as performed by me; that said survey was performed with an error of closure no greater than 1 in 5000, and that I have fully complied with the requirements of Section No.3, Act No.132, P.A. 1970. This survey was made from a legal description furnished by the client. If this survey was made for the purpose of describing a parcel for conveyance of title, the proprietor is required to record the survey with Register of Deeds when title is conveyed.

W. 1/4 COR. SEC. 25, T35N, R3W
CHEBOYGAN COUNTY REMON. COR.
LIBER 11, PAGE 60.

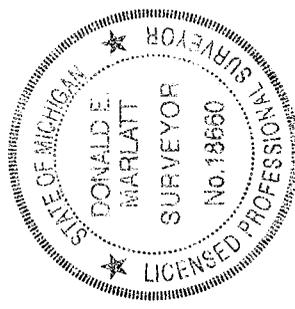
DESCRIPTION FURNISHED: LIBER 1233, PAGE 866
BEGINNING AT THE N.W. COR. OF THE N.W. 1/4
OF THE S.W. 1/4 OF SEC. 25, T35N, R3W,
THENCE SOUTH ALONG U.S. 27 330' TO THE POINT
OF BEGINNING, THENCE EAST 660', THENCE SOUTH
100', THENCE WEST 660', THENCE NORTH 100' TO
THE POINT OF BEGINNING.

SCALE 1" = 100'
O-FD IRON & CAPS
●-SET 1/2" ROD & CAP
BEARINGS FROM PREVIOUS
SURVEYS IN AREA. THIS
SURVEY IS IN AGREEMENT
WITH A SURVEY BY R.C.
P.S. #12020.



PARCEL "A"
COMMENCING AT THE WEST 1/4 COR. OF SEC. 25, T35N, R3W, THENCE S 1°45'30"W 330.0' ALON
SECTION LINE, THENCE S87°42'15"E 28.25' TO THE CENTERLINE OF OLD 27 AND THE POINT OF
BEGINNING, THENCE CONTINUING S87°42'15"E 369.89', THENCE S 1°41'20"W 99.23', THENCE
N87°49'25"W 370.0' TO THE CENTERLINE OF OLD 27, THENCE N 1°45'30"E 100' ALONG SAI
CENTERLINE TO THE POINT OF BEGINNING, THE WEST 75' IS SUBJECT TO A ROAD RIGHT OF WAY.
BEING A PART OF THE N.W. 1/4 OF THE S.W. 1/4 OF SEC. 25, T35N, R3W, CHEBOYGAN COUNTY,
MI. AND CONTAINS 0.85 ACRES. SUBJECT TO ANY OTHER RIGHT OF WAYS, EASEMENTS, RESERVAT
RESTRICTIONS AND LEASES OF RECORD, IF ANY.

PARCEL "B"
COMMENCING AT THE WEST 1/4 COR. OF SEC. 25, T35N, R3W, THENCE S 1°45'30"W 430.0' ALON
SECTION LINE, THENCE S87°49'25"E 28.24' TO THE CENTERLINE OF OLD 27, THENCE CONTINUIN
S87°49'25"E 370.0' TO THE POINT OF BEGINNING, THENCE CONTINUING S87°49'25"E 289.70', TH
THENCE N 1°45'30"E 99.6', THENCE N87°53'49"W 289.82', THENCE S 1°41'20"W 99.23' TO TH
POINT OF BEGINNING. BEING PART OF THE N.W. 1/4 OF THE S.W. 1/4 OF SEC. 25, T35N, R3W,
CHEBOYGAN COUNTY, MI. AND CONTAINS 0.67 ACRES. SUBJECT TO RIGHT OF WAYS, EASEMENTS,
RESTRICTIONS, RESERVATIONS AND LEASES OF RECORD, IF ANY.



BRENT MARLATT

Survey made for 5850 S. RAINBOW TRAIL
Address INDIAN RIVER, MI. 49749

At request of same Date 12/22/15
W.O. No.

Donald E. Marlatt

Professional Surveyor



MARY ELLEN TRYBANI, CLERK/REGISTRAR
CHEBOYGAN COUNTY, MICHIGAN
05/22/2013 11:18:55 AM

RECEIVED
WARRANTY DEED
\$14.00
TAX CERTIFICATION

8215-1



LIBER 1233 PAGE 866



RECEIVED
MAY 22, 2013
RECEIPT #8215

MICHIGAN
REAL ESTATE
TRANSFER TAX STAMP # 9128

WARRANTY DEED

The Grantors: **GERALD KLOOSTER II and MARY KLOOSTER, HUSBAND AND WIFE,** whose address is 5254 COASTAL WOODS COURT, BAY HARBOR, MICHIGAN 49770,

convey and warrant to The Grantees: **BRENT MARLATT and ERICA MARLATT, HUSBAND AND WIFE,** whose address is 5850 S. RAINBOW TRAIL, INDIAN RIVER, MICHIGAN 49749,

the following described property Situated in the Township of Tuscarora, Cheboygan County, Michigan:

Beginning at the Northwest corner of the Northwest 1/4 of the Southwest 1/4 of Section 25, Township 35 North, Range 3 West; thence South along US 27 330 feet to the Point of Beginning; thence East 660 feet; thence South 100 feet; thence West 660 feet; thence North 100 feet to the Point of Beginning.

Subject to easements, covenants and building and use restrictions of record, if any;

The Grantors grant the Grantees the right to make ALL divisions allocated to this parcel under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended;

The property described above may be located within the vicinity of farmland or 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;

for the sum of **SIXTY-SEVEN THOUSAND and 00/100 DOLLARS (\$67,000.00).**

DATED: 5-15-13

GRANTORS:

GERALD KLOOSTER II

MARY KLOOSTER

STATE OF MICHIGAN)
COUNTY OF EMMET)

The foregoing WARRANTY DEED was acknowledged before me this 15 day of May, 2013, by GERALD KLOOSTER II and MARY KLOOSTER, HUSBAND AND WIFE.

My Commission Expires: 8/9/2018

* CHRISTINA ANN FITE
Notary Public

EMMET County, Michigan
Acting in Emmet County, Michigan

CHRISTINA ANN FITE
Notary Public, State of Michigan
My Commission Expires 08-09-2018

Send Subsequent Tax Bills To: GRANTEE
 GRANTEE

Drafted By: Steven C. Cross
Attorney at Law
407 Michigan Street
Petoskey, MI 49770
(231) 439-5910

Tax Parcel No. 16-161-025-300-013-00 Recording Fee: \$15.00 Transfer Tax: County: \$ 73.70
State: \$ 502.50
* TYPE OR PRINT NAMES UNDER SIGNATURE Total \$ 576.20

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.

May 20 2013

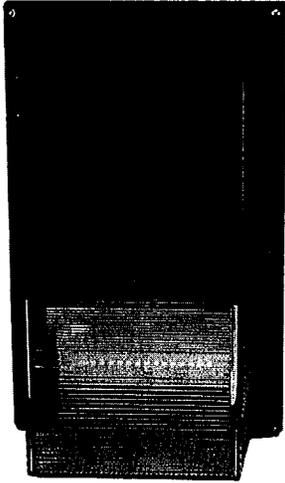
STEVEN C. CROSS
Treasurer

6

✓ T. Pet

PROJECT NAME:
NOTES:
PART NUMBER:
DATE:

LED DOOR PACK



PRODUCT DESCRIPTION:

TechBrite's LED Door Pack is the quick, easy-to-install solution for general outdoor lighting. The TechBrite LED Door Pack has many applications: building facades, parking garages, stairways, pathways, storage areas, etc. The LED Door Pack has two power options—15w or 25w. The Dusk to Dawn Photocell is standard. Small in design, the TechBrite LED Door Pack exceeds 100 LPW and boasts a 1600 lumen or 2600 lumen output. The bronze powder coated body is designed for the harshest elements, and the polycarbonate lens reduces discoloration and cracking. Save energy and improve light output by installing TechBrite's LED Door Pack.

FEATURES:

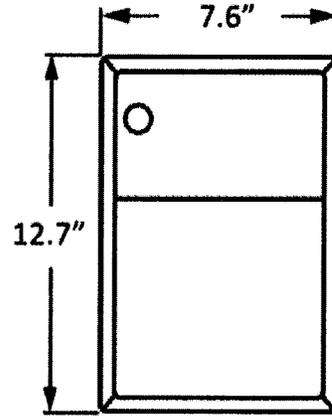
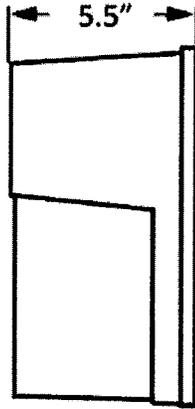
- IP65 Rated
- Dusk to Dawn photocell included
- Easy to install
- Powder coated aluminum die cast body
- Polycarbonate lens
- Limited warranty: 5 years on luminaire

PERFORMANCE SPECIFICATION:

Lumens	1600 / 2600
Watts	15 / 25
LPW	109 / 110
Color	5000
CRI	79
L70	L70 @ > 50,000 hrs
Max Ambient Temp	104° F
Min Ambient Temp	-40° F
Dimming	N/A
Driver Voltage	120/277
IP Rating	IP 65
Chip	Phillips 3030
Driver	Weled



DIMENSIONS:

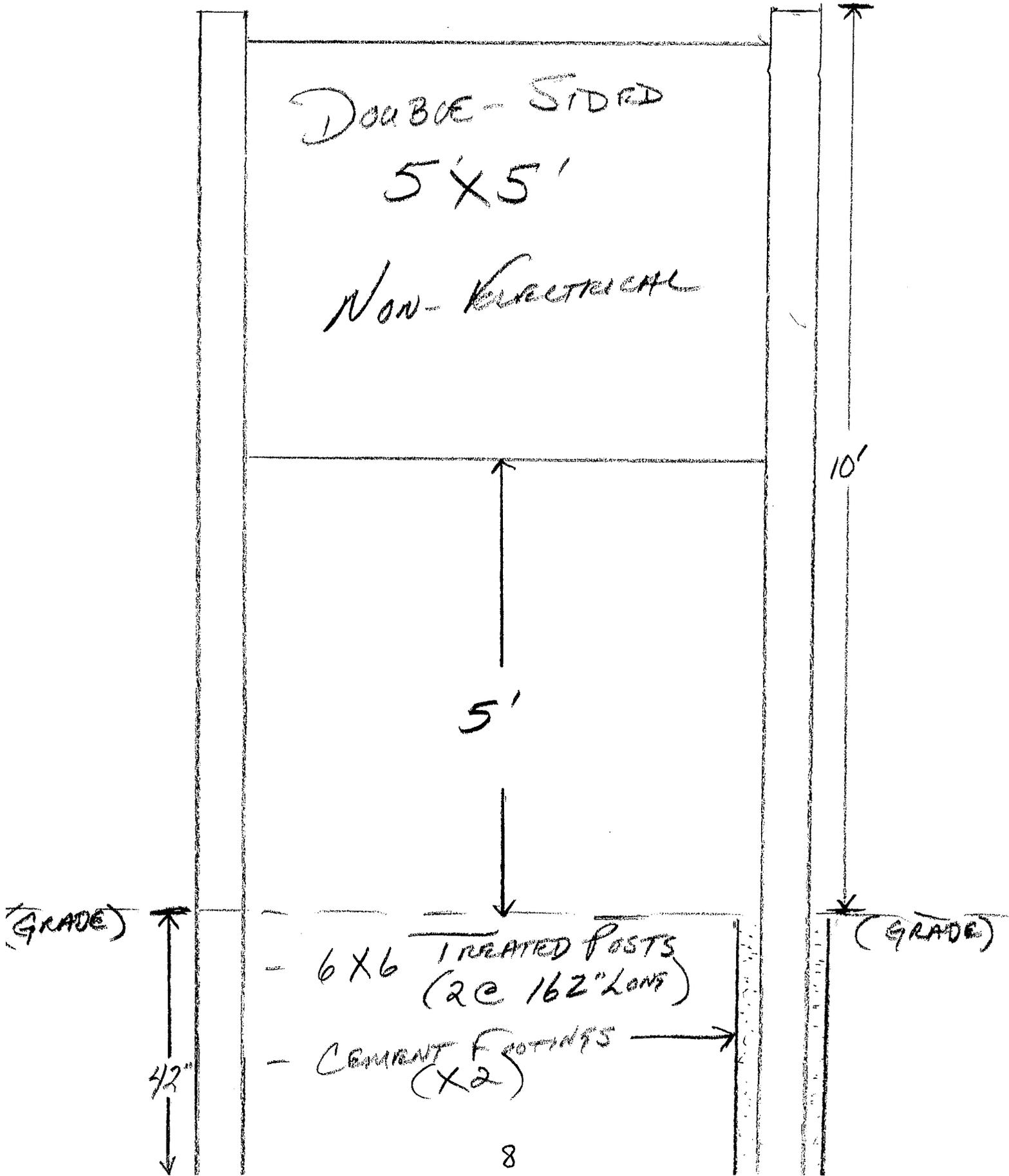


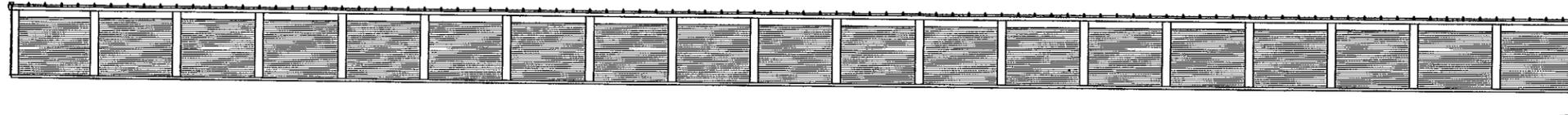
FREQUENTLY ORDERED PART NUMBERS:

Part Number	Lumens	Watts	LPW	Color	Description	Dimensions	Weight
TB-DP-15W	1600	15	106	5000K	LED Door Pack	12.70 x 7.60 x 5.50 (inches)	2.65 (lbs)
TB-DP-25W	2600	25	104	5000K	LED Door Pack	12.70 x 7.60 x 5.50 (inches)	3.09 (lbs)



- SOUTH STREETS STORAGE SIGN -



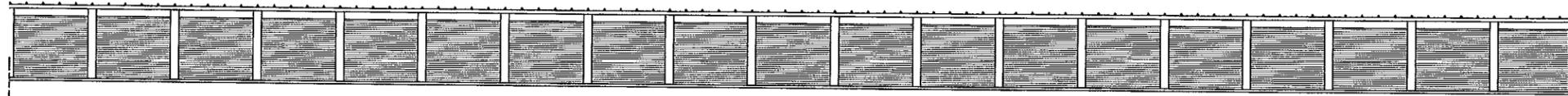


MATCH LINE

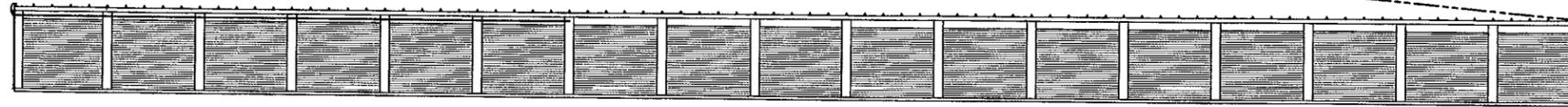


SIDE WALL ELEVATION

1/8"=1'-0"

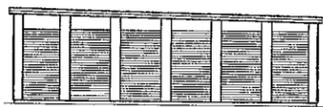


MATCH LINE

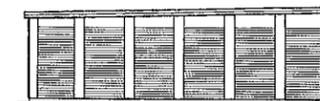


SIDE WALL ELEVATION

1/8"=1'-0"



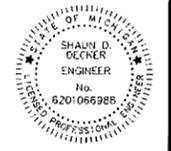
END WALL ELEVATION



END WALL ELEVATION

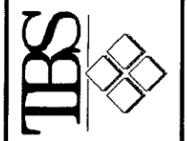
9

REVISION	By	Date



Shaun Decker
2019.02.18
13.28.58-08'00"

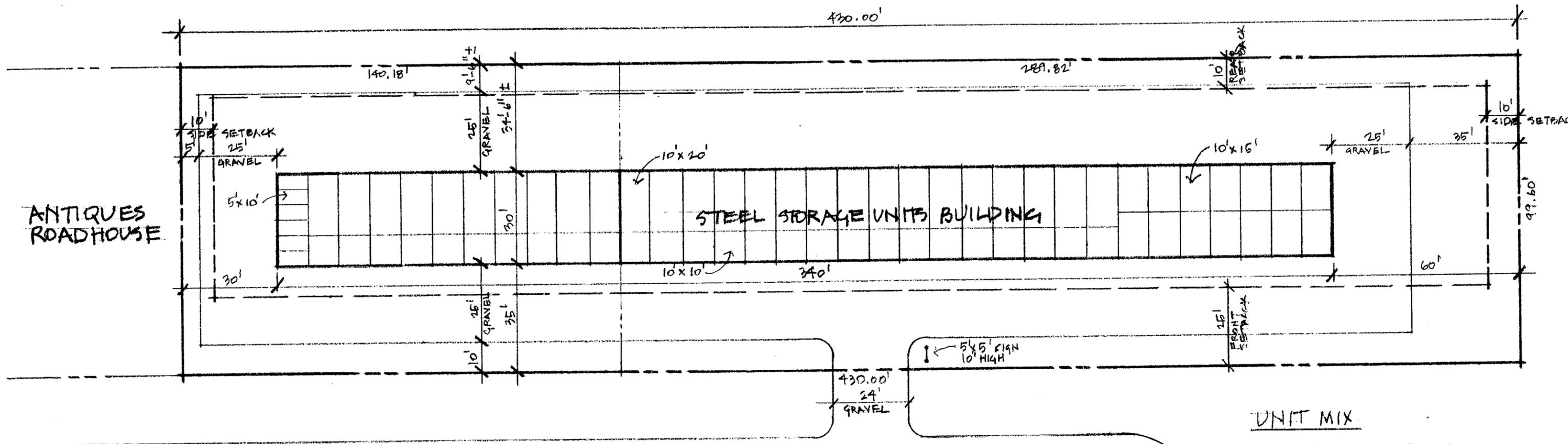
TRACHTE BUILDING SYSTEMS, Inc.
This drawing and all parts thereof
is the exclusive property of
Trachte Building Systems, Inc.
314 Wilburn Road, Sun Prairie, Wisconsin
(800)356-5824 (Local 608/837-7899)
and may not be reproduced in whole
or part without written permission.



BRENT MARLATT
INDIAN RIVER, MI
FLOOR PLAN

Date 2/15/2019
Drawn by CAB
Scale 1/8" = 1'-0"
Plan No. P51165
Order No. -
Sheet No. -

A1.1



ANTIQUES ROADHOUSE

STEEL STORAGE UNITS BUILDING

VAN ETTEN COURT

UNIT MIX

6 - 5x10	=	300 SF
26 - 10x10	=	2,600
14 - 10x15	=	2,100
26 - 10x20	=	5,200
72		10,200 SF

SOUTH STRAITS STORAGE

BRENT & ERICKA MAF. LATT
 4599 VAN ETTEN COURT
 INDIAN RIVER, MICHIGAN



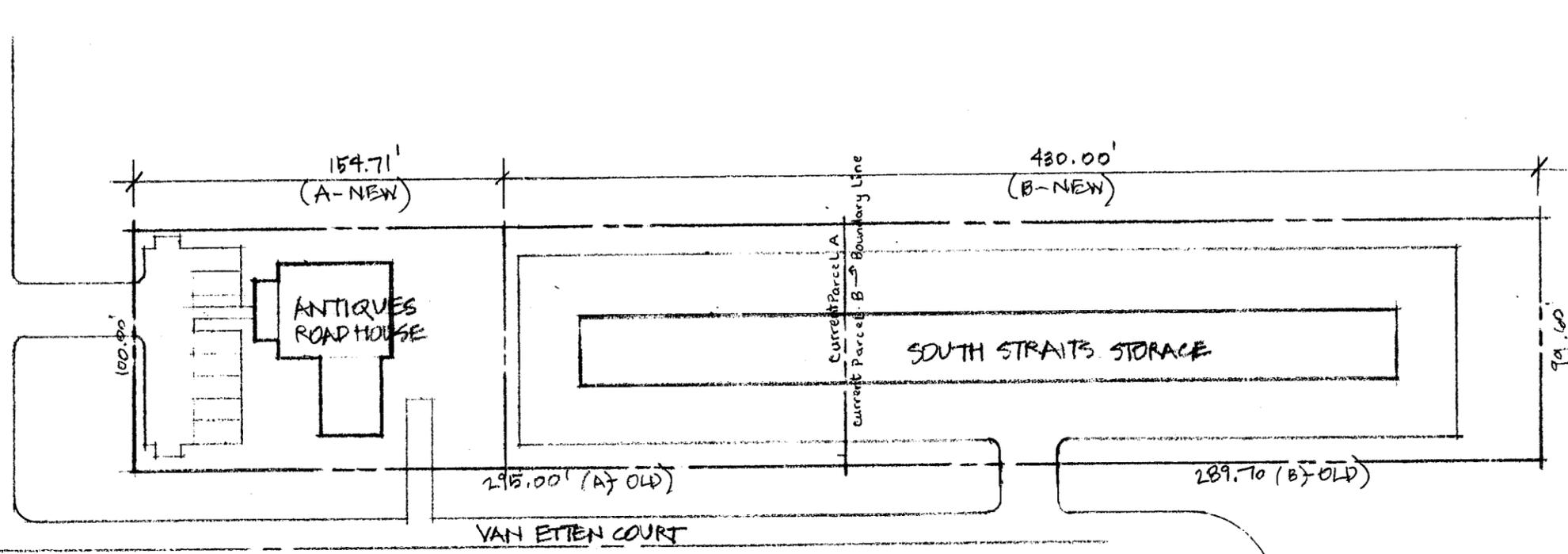
SITE PLAN

1" = 30'

RICHARD NEUMANN ARCHITECT
 4.29.2019

Richard Neumann
 4.29.2019

OLP 05-27



SITE PLAN
 1" = 60'

RICHARD NEUMANN ARCHITECT
 2.28.2019, 4.29.19

SOUTH STRAITS STORAGE
 BRENT & ERICKA MARLATT
 4599 VAN ETIEN COURT
 INDIAN RIVER, MICHIGAN

Richard Neumann
 4.29.2019

Deborah Tomlinson

From: Dave Carpenter <dpcarpenter@voyager.net>
Sent: Wednesday, May 01, 2019 9:59 AM
To: Deborah Tomlinson
Subject: Re: Tuscarora Township - Special Use Application

Good Morning Deb,

I don't see any major issues regarding the fire department for the Tuscarora Township or Brent & Erica Marlatt projects.

If you have any questions please feel free to contact anytime.

Respectfully,

David Carpenter
Fire Chief

From: Deborah Tomlinson
Sent: Wednesday, May 01, 2019 8:39 AM
To: David Carpenter (dpcarpenter@voyager.net) ; Kyle Keller ; Brent Shank (mgr@chcrc.com) ; Jay Gailitis (gailitisj@michigan.gov) ; Scott Fisher (FisherS22@michigan.gov) ; Bobbi Balazovic (treasurer@tuscaroratwp.com) ; Craig Waldron (cwaldron@centurylink.net) ; Jane McGinnis (jane@mcvideo.com) ; Mike Ridley (supervisor@tuscaroratwp.com) ; Sue Fisher (clerk@tuscaroratwp.com) ; Dan Nivelte (d-repair@sbcglobal.net) ; jhschams@outlook.com ; Kelly Ashford ; Mike Cherveney ; Mike Vizina
Subject: Tuscarora Township - Special Use Application

The following is a link to an application for a special use permit for Tuscarora Township: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093> This application will be reviewed by the Cheboygan County Planning Commission at the May 15, 2019 meeting. Please review this application and email me comments prior to Wednesday, May 8, 2019. Thank you!!!

Debbie

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

Deborah Tomlinson

From: Brent Shank <mgr@chcrc.com>
Sent: Thursday, May 02, 2019 11:24 AM
To: Deborah Tomlinson
Subject: Re: Brent and Erica Marlatt - Special Use Application
Attachments: mgr.vcf

Hello,

No comments from the Road Commission on this application or the Tuscarora Township application.

Thank you,

Brent Shank, P.E.

Engineer/Manager
Cheboygan County Road Commission
mgr@chcrc.com
(231) 238-7775

On 5/1/2019 8:40 AM, Deborah Tomlinson wrote:

The following is a link to an application for a special use permit for Brent and Erica Marlatt: <http://www.cheboygancounty.net/planning--zoning-31/#sect-1093> This application will be reviewed by the Cheboygan County Planning Commission at the May 15, 2019 meeting. Please review this application and email me comments prior to Wednesday, May 8, 2019. Thank you!!!

Debbie

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



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

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

STAFF REPORT

Item: Special use permit for Indoor Storage Facility use in the Commercial Development (D-CM) zoning district.	Prepared by: Jeff Lawson
Date: May 7, 2019	Expected Meeting Date: May 15, 2019

Applicant and Contact: Brent Marlatt

Site Location: 4579 S. Straits Hwy and 4599 Van Etten Court, Tuscarora Township.

Requested Action: Approval of a special use permit for Indoor Storage Facility use in a Commercial Development (D-CM) zoning district.

BACKGROUND INFORMATION

The applicant is seeking a special use permit approval for Indoor Storage Facility use. The site plan identifies the construction of a structure consisting of individual storage units on the proposed site. The applicant is proposing to rent units to individuals under indoor storage facility use within the structure.

The subject property is zoned Commercial Development (D-CM) and Agriculture and Forestry Management (M-AF). Storage Building construction will only be located within the Commercial Development (D-CM) portion of the property.

Indoor storage facility is a use which requires a special use permit in the Commercial Development zoning district per section 6.3.16.

Indoor Storage Facility is defined as follows:

INDOOR STORAGE FACILITY

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

Current Zoning:

Current zoning is Commercial Development District (D-CM) and Agriculture and Forestry Management (M-AF) district. A copy of the zoning map is provided at the end of this report and is depicted on the site plan drawing provided by the applicant. The development of Indoor Storage Facility building will only be located in the Commercial Development District (D-CM) area of the parcel.

Surrounding Land Uses:

Residential land uses to the north and northeast are bordered by commercial uses. Land use to the east is residential. Residential-commercial uses are present to the south. Commercial land use exists to the west.

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

There are no known environmentally sensitive areas identified.

Historic buildings/features:

The site is currently vacant. There are no historic buildings on the property.

Traffic Implications:

The site is located off of North Straits Hwy on Van Etten Court. The proposed storage use will have a minimal effect on traffic.

Parking:

There are no parking requirements for an indoor storage facility. The Planning Commission will need to make an adequate parking determination per section 17.4.1.

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

Street access to this site is provided by a proposed driveway from Van Etten Court.

Signs:

One free standing sign is proposed near the property's access point on Van Etten Court. At ten (10) feet in height and 25 sq.-ft. of sign surface, the proposed sign meets the standards for freestanding signs in D-CM zoning districts.

Fence/Hedge/Buffer:

No buffer is required within the Commercial Development zoning district.

Lighting:

Outdoor lighting is proposed to be placed on the buildings and face downward. No other lighting is proposed.

Stormwater management:

The applicant indicates storm water retention will be maintained on property. No storm water from site can drain to adjacent properties.

Review or permits from other government entities:

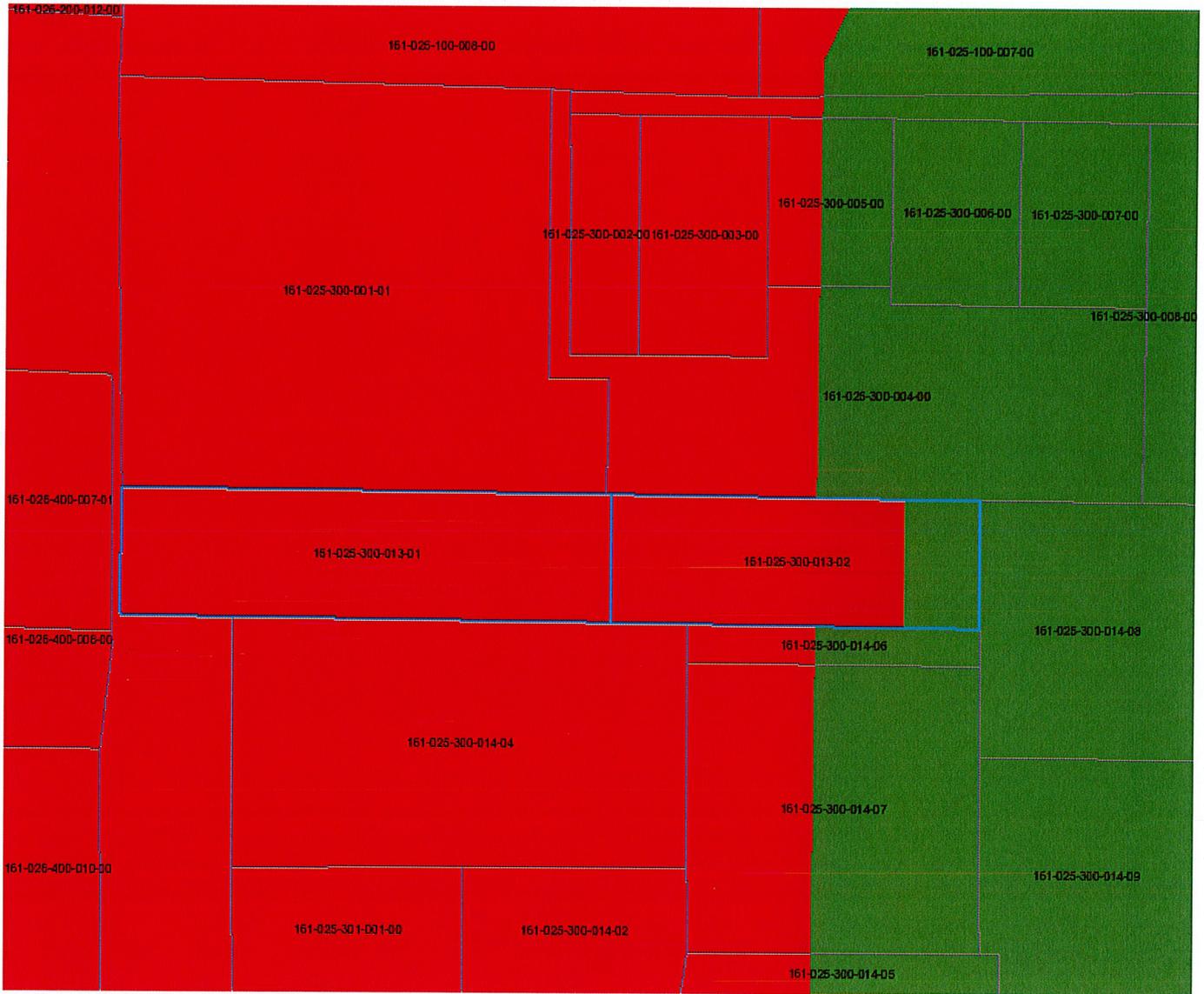
Building code permit will be required.

Recommendations (proposed conditions):

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

Zoning of subject site

Red=Commercial Development (D-CM)
Green=Agriculture and Forestry Management (M-AF)



Deborah Tomlinson

From: Fisher, Scott (MDOT) [<mailto:FisherS22@michigan.gov>]
Sent: Wednesday, May 08, 2019 8:21 AM
To: Deborah Tomlinson
Subject: RE: Brent and Erica Marlatt - Special Use Application

MDOT does not have any issues with this proposed self storage.

CHEBOYGAN COUNTY PLANNING COMMISSION
SPECIAL USE PERMIT AMENDMENT REQUEST
Wednesday May 15, 2019, 7:00 PM

Applicant

Brent & Erica Marlatt
5850 South Rainbow Trail
Indian River, MI 49749

Owner

Brent & Erica Marlatt
5850 South Rainbow Trail
Indian River, MI 49749

Parcels

4579 S. Straits Hwy
Tuscarora Township
161-025-300-013-01

4599 Van Etten Court
Tuscarora Township
161-025-300-013-02

GENERAL FINDINGS

1. The subject property is zoned Commercial Development District (D-CM) and Agriculture and Forestry Management (M-AF).
2. The owner/applicant is seeking a special use permit for an indoor storage structure which will contain individual rental storage units to be located on the Commercial Development District (D-CM) portion of property.
3. Indoor Storage Facility is a use which requires a special use permit in a D-CM zoning district, per Section 6.3.16.
4. The applicant is seeking a waiver from the topography survey requirement.

FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE

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

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. The development area is located in a Commercial Development (D-CM) Zoning district.
 2. The applicant is seeking a special use permit for the construction of an indoor storage structure. (see Exhibits 3 and 10)
 3. Indoor Storage Facility is a use which requires a special use permit in the D-CM zoning districts, per Section 6.3.16. (see Exhibit 1)
 - 4.
 5. Standard has been met.
- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 1. Indoor Storage Facility is a use which requires a special use permit in the D-CM zoning districts, per Section 6.3.16.
 2. The applicant is seeking a special use permit for construction of an indoor storage structure. (see Exhibits 3 and 10)
 - 3.
 4. Standard has been met.
- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.

1. The applicant is seeking a special use permit for construction of an indoor storage structure. (see Exhibits 3 and 10)
 2. The proposed use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area.
 - 3.
 4. Standard has been met.
- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
1. The owner/applicant is seeking a special use permit for construction of an indoor storage structure. (see Exhibits 3 and 10)
 2. The use as proposed will be constructed, designed, operated and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. (see Exhibit 10)
 - 3.
 4. Standard has been met.
- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
1. The applicant is seeking a special use permit for construction of an indoor storage structure. (see Exhibits 3 and 10)
 2. The proposed use will not place demands of fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers.
 - 3.
 4. Standard has been met.
- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
1. The applicant is seeking a special use permit for construction of an indoor storage structure. (see Exhibits 3 and 10)
 2. The use will not cause congestion on North Straits Highway or Van Etten Court or increase traffic hazards in excess of current capacity.
 - 3.
 4. Standard has been met.
- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
1. The owner/applicant is seeking a special use permit to construct an indoor storage structure.
 2. Water and sewer facilities or refuse collection are not necessary for this use
 - 3.
 4. Standard has been met.
- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
1. The special use request complies with all the specific standards required under this Ordinance applicable to it and is of the same general character as the uses described in Section 6.3. (see Exhibits 1, 3, 10 and 13)
 - 2.
 3. Standard has been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 1. Changes to the natural contours of the site are limited to the construction of the storage structure. (see Exhibits 3 and 10)
 - 2.
 3. Standard has been met.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 1. No change is proposed to the landscape. (see Exhibits 3 and 10)
 - 2.
 3. Standard has been met.
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 1. No change is proposed to existing stormwater management. Stormwater to be maintained on property (see Exhibits 3 and 10)
 - 2.
 3. Standard has been met.
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 1. Not applicable. No dwelling units are proposed.
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
 1. A practical means for access by emergency vehicles is provided via an access driveway from Van Etten Court and drive lane around building. (see Exhibit 10)
 - 2.
 3. Standard has been met.
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 1. All structures have access to Van Etten Court. (see Exhibit 10)
 - 2.
 3. Standard has been met.
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
 1. Not applicable. No subdivision condominiums or subdivision plats are proposed.
- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.

1. Outdoor lighting is located on the building only. Lighting will be down directional wall packs located on the buildings which deflected away from adjacent properties and does not impede vision of traffic and does not unnecessarily illuminate night skies. (see Exhibits 3 and 7)
 2. No other exterior lighting is proposed.
 - 3.
 4. Standard has been met.
- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
1. Not applicable . No public common ways are proposed.
- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
1. The site plan conforms to applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see Exhibit 2)
 - 2.
 3. Standard has been met

DECISION

Motion by _____, seconded by _____, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to meeting Department of Building Safety requirements. Motion carried.

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 15, 2019

Patty Croft, Chairperson

Charles Freese, Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

Matt Whitener

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Site Plan Review Application (6 Pages)
4. Property Ownership Information (6 Pages)
5. Floor Plan – Bar and Restaurant use (1 Page)
6. Photo of existing salon sign to be used for Bar and Restaurant use. (1 Page)
7. Site Plan (2 Pages)
8. Email Dated 05/08/19 From Scott Fisher/MDOT
9. Staff Report (4 Pages)
- 10.
- 11.
- 12.
- 13.

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

<i>Address</i> 3792, 3798 and 3842 S Straits Hwy	<i>City / Village</i> Indian River	<i>Twp / Sec.</i> Tuscarora/24	<i>Zoning District</i> D-CM
<i>Property Tax I.D. Number</i> 161-024-400-230-12 (also 230-13, 14, 15)	<i>Plat or Condo Name / Lot or Unit No.</i>		

APPLICANT

<i>Name</i> Matt Whitener	<i>Telephone</i> 231-590-9248	<i>Fax</i>
<i>Address</i> 5482 Powers Rd	<i>City, State & Zip</i> Alanson, MI 49706	<i>E-Mail</i> mwhitener@voyager.net

OWNER (If different from applicant)

<i>Name</i> Whitewood Inc	<i>Telephone</i> 231-590-9248	<i>Fax</i>
<i>Address</i> po box 1030	<i>City, State & Zip</i> indian river, mi 49749	<i>E-Mail</i> mwhitener@voyager.net

PROPOSED WORK

<p><i>Type (check all that apply)</i></p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> New Building</td> <td><input type="checkbox"/> Reconstruction</td> </tr> <tr> <td><input type="checkbox"/> Addition</td> <td><input type="checkbox"/> Relocated Building</td> </tr> <tr> <td><input checked="" type="checkbox"/> Change in Use or Additional Use</td> <td><input type="checkbox"/> Sign, Type: _____</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Other: _____</td> </tr> </table>	<input type="checkbox"/> New Building	<input type="checkbox"/> Reconstruction	<input type="checkbox"/> Addition	<input type="checkbox"/> Relocated Building	<input checked="" type="checkbox"/> Change in Use or Additional Use	<input type="checkbox"/> Sign, Type: _____		<input type="checkbox"/> Other: _____	<p>Building/Sign Information</p> <p>Overall Length: <u>44</u> feet</p> <p>Overall Width: <u>33</u> feet</p> <p>Floor Area: <u>1254</u> sq. feet</p> <p>Overall Building Height: <u>18</u> feet</p> <p>Sign Area: <u>24</u> sq. feet</p> <p>Sign Height <u>10</u> feet</p>
<input type="checkbox"/> New Building	<input type="checkbox"/> Reconstruction								
<input type="checkbox"/> Addition	<input type="checkbox"/> Relocated Building								
<input checked="" type="checkbox"/> Change in Use or Additional Use	<input type="checkbox"/> Sign, Type: _____								
	<input type="checkbox"/> Other: _____								

PROPOSED USE (check all that apply)

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

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

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

Directions to site: US 27 to Corner of 27 and South Ave in Indian River.

SITE PLAN REVIEW APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

SITE PLAN REVIEW APPLICATION

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

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

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

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

SITE PLAN REVIEW APPLICATION

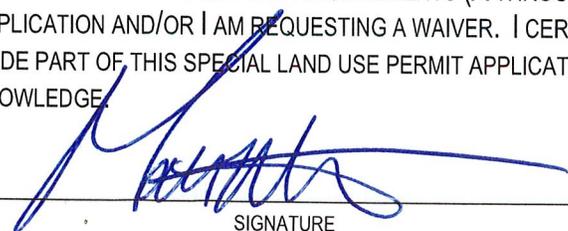
INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
X		m. Location and specifications for all fences, walls, and other screening features.
X		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
	N/A	o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
X		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
X		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 topography provided because no significant topography changes are proposed.

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

5/1/19

 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.

Existing Coffee Shop and Real Estate Office to continue current, allowed use (2 employees each).

Existing Salon building will be developed as a small nano-brewery. First year limited hours/employees.

Hours will be from noon-10PM and will employ 2-4 people (2 F/T, 2 P/T) once capacity is reached (2-3 years)

2. Site Plan Standards.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

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

Site impact will be minimal, utilizing almost exclusively existing structures, grade and feature/improvements

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

Minimal changes planned to add necessary sidewalk and improve landscape aesthetics.

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

Site is well drained, sandy soil. Natural contours will be retained, runoff will be absorbed immediately.

- 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.

Landscaping and privacy fences are used per plan to screen site from neighboring properties.

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

Emergency vehicles can easily access the entire property via two public streets.

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

Each structure has access to S. Straits Hwy, South Ave and the shared parking lot.

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

N/A

- h. Exterior lighting shall be arranged as follows:

i. It is deflected away from adjacent properties. _____

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

iii. It does not unnecessarily illuminate night skies. _____

SITE PLAN REVIEW APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SITE PLAN REVIEW APPLICATION

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

All streets, driveways parking areas, sidewalks, etc are currently in use and remain unchanged.

- 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.

Will apply for necessary state and federal permits for brewery as soon as site plan is approved.

Federal permit requires approved site plan and building plan as part of application.

3. Size of property in sq. ft. or acres: 37,000 sq ft (.85acres)

4. Present use of property:
Commercial

5. Does the proposed use of the property include or involve either:

- Junk or salvage yard (Section 3.6) YES NO
- Mineral extraction (Section 17.17) YES NO

If YES, this application must include a written plan as described in the Zoning Ordinance.

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

7. Attach a copy of certified Property Survey or dimensioned property land plat.

AFFIDAVIT

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

Applicant's Signature

Date

5/1/19

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

Yes No

Owner's Signature

Date

5/1/19



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	5/2/19
Fee Amount Received:	170.-
Receipt Number:	6675
Public Hearing Date:	05/15/19

Notes:

Planning/Zoning Administrator Approval:

Jennifer Mark
Signature

5-3-19
Date

SITE PLAN REVIEW APPLICATION



RECEIVED FOR RECORD
MARY ELLEN TRYBAN, CLERK/REGISTRAR
CHEBOYGAN COUNTY, MICHIGAN
11/01/2013 10:51:51 AM

RECEIPT# 1964, STATION 2
\$17.00 QUIT CLAIM DEED



LIBER 1246 PAGE 878

QUIT CLAIM DEED

The Grantor, **Kathryn McClutchey, f/k/a Kathryn Whitener**, whose address is PO Box 143, Indian River, Michigan 49749,

Quit Claims all her interest, right and title to **Rockwell L. Whitener**, a single man, **President of Whitewood, Inc.**, address: 3792 S Straits Highway, Indian River, Michigan 49749,

The following premises located in the Township of Tuscarora, County of Cheboygan and State of Michigan, to wit:

All that part of the Southeast 1/4 of Section 24, T35N, R3W, described as commencing at the South 1/4 corner of said Section 24; thence North 01° 02 Minutes West along the North-South 1/4 line of said Section 1301.19 feet to the South side of South Avenue; thence North 69° 58 Minutes East 863 feet for a Place of Beginning; thence North 89° 58 Minutes East 370 feet; thence along the arc of a 35.82 foot radius curve to the right 27.43 feet; thence along the arc of a 35.82 foot curve to the left 24.43 feet; thence North 89° 58 Minutes East 28.8 feet; thence on the arc of a 18.32 foot radius curve to the right 34.38 feet to the Westerly side of Sturgeon River Street; thence South 17° 30 Minutes West 237.09 feet; thence South 89° 58 Minutes West 390.52 feet; thence North 01° 02 Minutes West 270 feet to the Place of Beginning of this Description. Also Known as Lots 230-237 inclusive and Lots 269-276 inclusive, Unrecorded Plat of Pinecrest

Together with all and singular the tenements, hereditaments, and appurtenances thereunder belonging or in anywise appertaining thereto, subject to rights, rights-of-way-, defects, liens, encumbrances, adverse claims, covenants, conditions, easements, and building and use restrictions of record.

Further subject to a Judgment Recorded at Liber 1057, Page 154, Cheboygan County Records.

This Deed is given pursuant to a Judgment of Divorce between the parties (Cheboygan County Circuit Court Family Division File No. 12-9862-DO) and is exempt from Real Estate Transfer Tax pursuant to MCL 207.505(i).

The Grantor grants to the Grantee the right to make all divisions under Section 109(3) of the Subdivision Control Act of 1967, as amended.

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

Dated: 7/9/2013

Kathryn McClutchey
Kathryn McClutchey, f/k/a Kathryn
Whitener

4



STATE OF MICHIGAN)
)ss.
COUNTY OF CHEBOYGAN)

The foregoing instrument was acknowledged before me this 9 day of July 2013
by Kathryn McClutchey, f/k/a Kathryn Whitener.

Allison Buchman
Allison Buchman Notary Public
Cheboygan County, State of Michigan
My commission expires: 9/19/19
Acting in Cheboygan County

Send subsequent tax bills to:
Rockwell Whitener
658 W Shore View
Indian River, MI 49749

PO Box 1030

Drafted by & When Recorded Return To:
Sharon R. Stack (P26751)
10595 N Straits Hwy, Ste. 201
Cheboygan, Michigan 49721

This Instrument prepared without title search, from information prepared by the Grantor

2

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That Gerald L. Stanley and Patricia M. Stanley, his wife, of 3575 Prospect, Indian River, Mi. 49749

Coveys and Warrants to Rockwell L. Whitener and Kathryn A. Whitener, his wife, of 3526 Sturgeon, Indian River, Mi. 49749

the following described property situated in the Township of County of and State of Michigan, to wit: All that part of the Southeast 1/4 of Section 24, Town 35 North, Range 3 West, Township of Tuscarora, Cheboygan County, Michigan, Described as; Commencing at the South 1/4 corner of said Section 24; thence North 01 degrees 02 minutes West along the North-South 1/4 line of said Section 1301.19 feet to the South side of South Avenue; thence North 89 degrees 58 minutes East 863 feet for a place of beginning; thence North 89 degrees 58 minutes East 370 feet; thence along the arc of a 35.82 foot radius curve to the right 27.43 feet; thence along the arc of a 35.82 foot curve to the left 27.43 feet; thence North 89 degrees 58 minutes East 28.8 feet; thence on the arc of a 18.32 foot radius curve to the right 34.38 feet to the Westerly side of Sturgeon River Street; thence South 17 degrees 30 minutes West 237.09 feet; thence South 89 degrees 58 minutes West 390.52 feet; thence North 01 degrees 02 minutes West 270 feet to the place of beginning of this description. ALSO KNOWN AS: Lots 230-237 inclusive and Lots 269-276 inclusive, Unrecorded Plat of Pinecrest.

161-24-400-230-00

This Deed is given pursuant to a certain Land Contract dated May 4, 1991 and assigned to Whitewood Inc. and subsequently assigned to Rockwell L. Whitener and Kathryn A. Whitener.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of TWO HUNDRED AND SIXTY FIVE THOUSAND -----(\$265,000.00) DOLLARS.

Subject to easements and building and use restrictions of record and further the warranty of title herein does not cover under warranty those encumbrances which have attached to the above land due to acts or omissions of any party other than the grantors beyond the date of the land contract.

LIBER 607 PAGE 432

Dated this 28th day of January 1994

Signed in the presence of:

Signed by:

Paul Breed

Paul Breed

Gerald L. Stanley

Gerald L. Stanley

Mary Fairchild

Mary Fairchild

Patricia M. Stanley

Patricia M. Stanley

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.
2/22/94 Linda Adams
Cheboygan, Mich Cheboygan County Treasurer

State of Michigan, County of Cheboygan.
On this 28th day of January 1994, before me appeared Gerald L. Stanley and Patricia M. Stanley to me known to be the same persons described in and who executed the foregoing instrument and acknowledged the same to be free act and deed.

My commission expires 12-18-96

Paul Breed

Paul Breed
Notary Public,
Cheboygan County, Michigan

County Treasurer's Certificate

When recorded return to: Rockwell L. Whitener, 3526 Sturgeon, Indian River, Mi. 49749

Send Subsequent Tax Bills To:
No Change

Drafted By:
Gerald L. Stanley 3575 Prospect, Indian River, Michigan 49749

RECEIVED
FOR RECORD

94 FEB 22 AM 10:42

J. J. Spray
CLERK/REGISTER
CHEBOYGAN COUNTY, MICHIGAN

CHEBOYGAN
151



02-22-94

STATE OF MICHIGAN
REAL ESTATE TRANSFER TAX

\$291.50

7309

LBER 607 PAGE 433

<p style="text-align: center;">MESSAGE TO TAXPAYER</p> <p>DUE DECEMBER 1, 2018, TO AND INCLUDING, FEBRUARY 14, 2019, TO PAY WITHOUT PENALTY. FEBRUARY 15, 2019 A 3% PENALTY WILL BE ADDED. MARCH 1, 2019 ALL DELINQUENT TAXES ARE PAYABLE TO THE COUNTY TREASURER, EXCEPT FOR PERSONAL PROPERTY TAXES, WHICH REMAIN PAYABLE TO THE TOWNSHIP TREASURER. MARCH 1, 2019 A 4% P.T.A.F OR \$1 MINIMUM, AND 1% PER MONTH WILL BE ADDED. TUSCARORA TOWNSHIP TREASURER (231) 238-4220</p>	<p style="text-align: center;">PAYMENT INFORMATION</p> <p>PAYMENTS ACCEPTED AT CITIZENS NATIONAL BANK (IR BRANCH). PAYMENT BY CREDIT CARD CAN BE MADE THROUGH TUSCARORATWP.COM. A FEE OF 3% OF TOTAL TAX BILL IS CHARGED BY VENDOR ON CREDIT CARD TRANSACTIONS. PLEASE NOTE CHANGE: WE CAN NO LONGER ACCEPT PAYMENTS AT AWAKON FCU.</p>																																																												
<p style="text-align: center;">PROPERTY INFORMATION</p> <p>Property Assessed To: WHITENER, ROCKWELL 3792 STRAITS HWY. INDIAN RIVER, MI 49749</p> <p style="text-align: right; margin-right: 100px;"><i>4-59 parcels</i></p> <p style="text-align: center;">INLAND LAKES</p> <p>Prop #: 161-024-400-230-11 School: 16050 Prop Addr: 3792 S STRAITS HWY</p> <p>Legal Description: COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 24, T35N, R3W, THENCE N1° 03'32"W ALONG THE PREVIOUSLY ESTABLISHED NORTH & SOUTH 1/4 LINE 1301.40 FEET (RECORDED AS N1°02'W 1301.19 FEET) TO THE SOUTH LINE OF SOUTH AVENUE; THENCE N89°58'00"E 1162.98 FEET TO THE POINT OF BEGINNING; THENCE N89°58'00"E 70.08 FEET; THENCE 27.43 FEET ON A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 35.82 FEET AND A CHORD WHICH BEARS S68° 05'41"E 26.77 FEET; THENCE 27.43 FEET ON A CURVE TO THE LEFT SAID CURVE HAVING A RADIUS OF 35.82 FEET AND A CHORD WHICH BEARS S68°05'41"E 26.77 FEET; THENCE N89°58'00"E 29.18 FEET; THENCE 34.39 FEET ON A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 18.32 FEET AND A CHORD WHICH BEARS S36°15' 42"E 26.56 FEET TO THE WESTERLY LINE OF STRAITS HIGHWAY (RECORDED AS STURGEON RIVER STREET) THENCE S17°30'36"W 237.13 FEET (RECORDED AS THENCE S17°30'W 237.09 FEET); THENCE S89°56'21"W 130.51 FEET; THENCE N15°39'07"E 140.24 FEET; THENCE N00°58'20"W 135.01 FEET; TO THE POINT OF BEGINNING. CONTAINS 37,463 SQUARE FEET OF LAND, MORE OR LESS. BEING KNOWN AS LOTS 236, 237, 275, 276 & PART OF LOT 274 OF THE UNRECORDED PLAT OF PINECREST SUBJECT TO AND INCLUDING EASEMENTS, RESTRICTIONS, AND RESERVATIONS, OF RECORD IF ANY. SUBJECT TO AND INCLUDING THE 12' WIDE UTILITY EASEMENT AND THE 35' WIDE ACCESS & UTILITY EASEMENTS NO. 1 & NO. 2 DESCRIBED HEREON.</p> <p style="text-align: center;">*BALANCE OF DESCRIPTION ON FILE*</p>	<p style="text-align: center;">SUMMER TAXES OWING</p> <p style="text-align: center;">TAX DETAIL</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Taxable Value:</td> <td style="width:15%;">144,691</td> <td style="width:25%;">COMM/IMPROVED</td> </tr> <tr> <td>State Equalized Value:</td> <td>191,400</td> <td>Class: 201</td> </tr> <tr> <td>PRE/MBT %:</td> <td>0.0000</td> <td>1995 BASE PARCEL</td> </tr> <tr> <td></td> <td></td> <td>Mort Code: MULTI</td> </tr> </table> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p style="text-align: center;">Taxes are based upon Taxable Value. 1 mill equals \$1.00 per \$1000 of Taxable Value. 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Please detach along perforation. Keep the top portion.

Mort Code MULTI

1995 BASE PARCEL

Pay this tax to:
Tuscarora Township
P.O. Box 220
Indian River, MI 49749

PLEASE RETURN THIS PORTION WITH PAYMENT. THANK YOU.

This tax is due by: 02/14/2019
After 02/14/2019 additional interest and fees apply

2018 Winter Tax for Prop #: 161-024-400-230-11

TAXPAYER NOTE: Is your name & mailing address correct? If not, please make corrections below. Thank You.

Make Check Payable To: Tuscarora Township

TOTAL AMOUNT DUE: 4,495.94

Property Addr: 3792 S STRAITS HWY

CHECK HERE FOR RECEIPT
RETURNED BY MAIL _____

To: WHITENER, ROCKWELL
3792 STRAITS HWY.
INDIAN RIVER MI 49749



<p align="center">MESSAGE TO TAXPAYER</p> <p>DUE DECEMBER 1, 2018, TO AND INCLUDING, FEBRUARY 14, 2019, TO PAY WITHOUT PENALTY. FEBRUARY 15, 2019 A 3% PENALTY WILL BE ADDED. MARCH 1, 2019 ALL DELINQUENT TAXES ARE PAYABLE TO THE COUNTY TREASURER, EXCEPT FOR PERSONAL PROPERTY TAXES, WHICH REMAIN PAYABLE TO THE TOWNSHIP TREASURER. MARCH 1, 2019 A 4% P.T.A.F OR \$1 MINIMUM, AND 1% PER MONTH WILL BE ADDED. TUSCARORA TOWNSHIP TREASURER (231) 238-4220</p>	<p align="center">PAYMENT INFORMATION</p> <p>PAYMENTS ACCEPTED AT CITIZENS NATIONAL BANK (IR BRANCH). PAYMENT BY CREDIT CARD CAN BE MADE THROUGH TUSCARORATWP.COM. A FEE OF 3% OF TOTAL TAX BILL IS CHARGED BY VENDOR ON CREDIT CARD TRANSACTIONS. PLEASE NOTE CHANGE: WE CAN NO LONGER ACCEPT PAYMENTS AT AWAKON FCU.</p>
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Please detach along perforation. Keep the top portion.

Mort Code MULTI

1995 BASE PARCEL

PLEASE RETURN THIS PORTION WITH PAYMENT. THANK YOU.

Pay this tax to:
Tuscarora Township
P.O. Box 220
Indian River, MI 49749

This tax is due by: 02/14/2019
After 02/14/2019 additional interest and fees apply

2018 Winter Tax for Prop #: 161-024-400-230-00

TAXPAYER NOTE: Is your name & mailing address correct? If not, please make corrections below. Thank You.

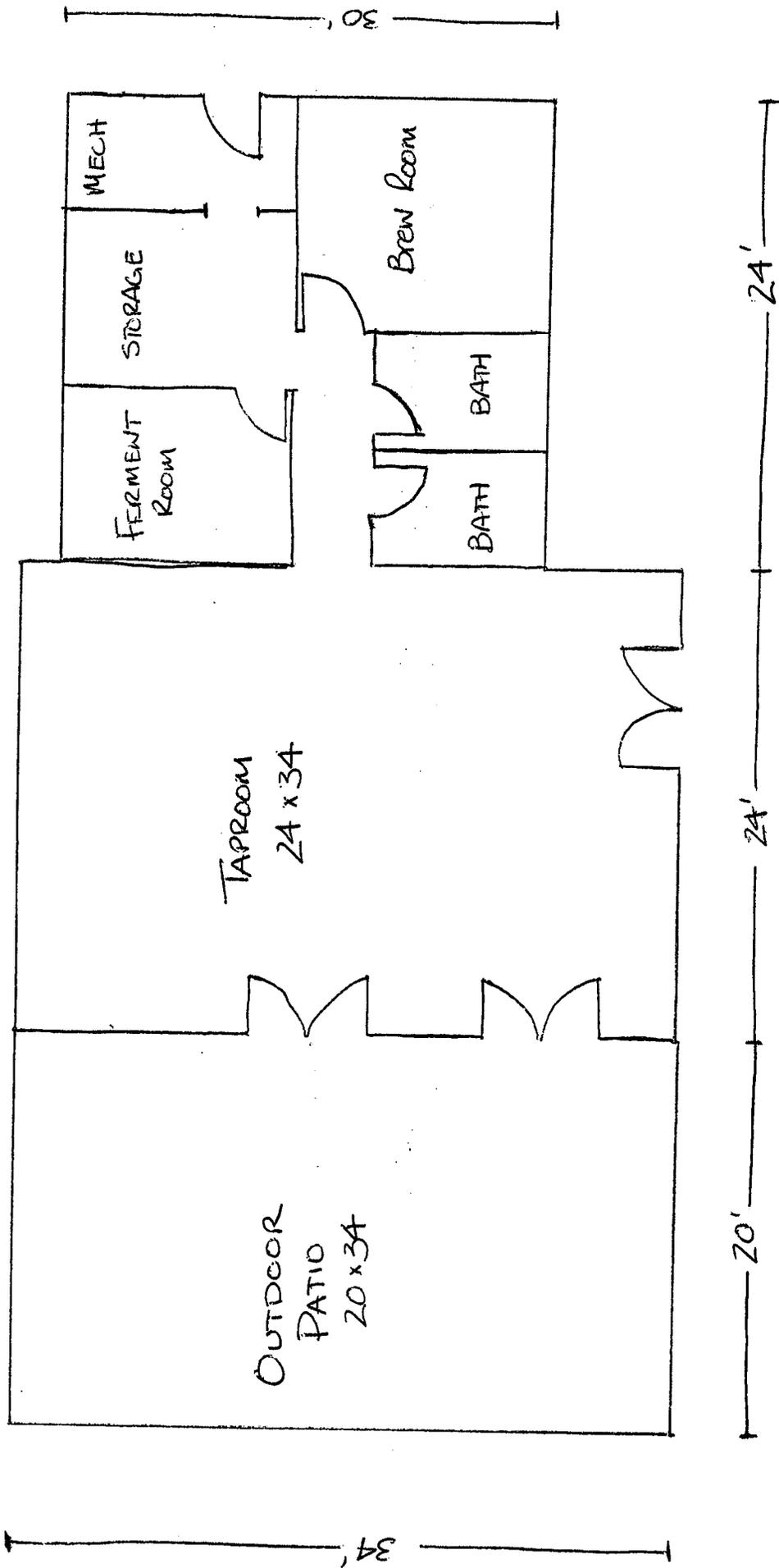
Make Check Payable To: Tuscarora Township
TOTAL AMOUNT DUE: 3,437.23

Property Addr: S **RETIRED PARCEL**

To: WHITENER, ROCKWELL
3792 STRAITS HWY.
INDIAN RIVER MI 49749

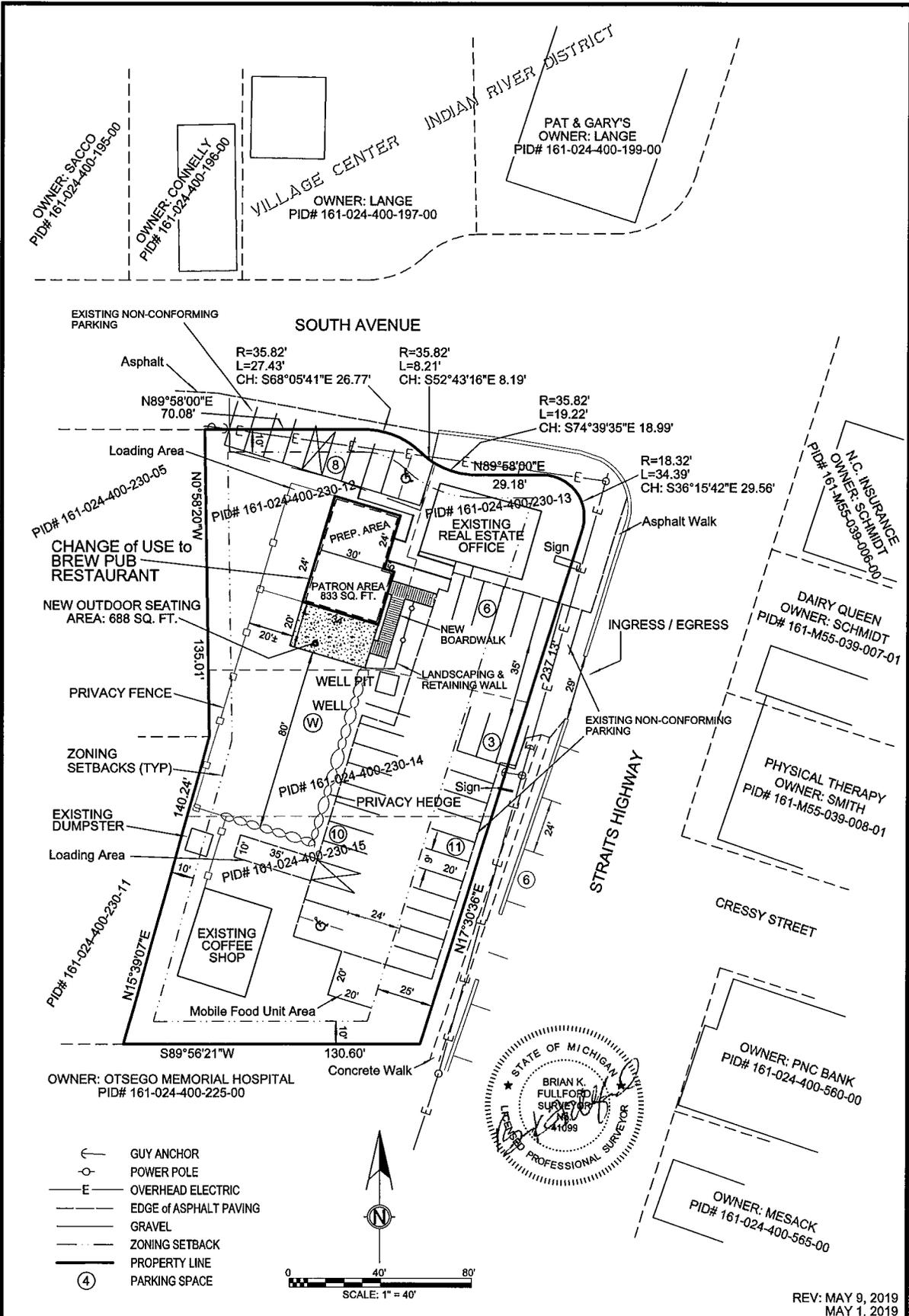
CHECK HERE FOR RECEIPT
RETURNED BY MAIL _____







Existing Salon Sign to be
refaced and used for brewery.



WHITEWOOD, LLC
 3792, 3798, & 3842 S. STRAITS HWY., INDIAN RIVER
 PARCELS No. 161-024-400-230-12, 161-024-400-230-13,
 161-024-400-230-14, 161-024-400-230-15,
 in SEC. 24, T35N, R3W, TUSCARORA TOWNSHIP, CHEBOYGAN COUNTY
SITE PLAN for CHANGE of USE to BREW PUB

SEC. 24, T35N, R3W FB: CS 15	DRAWN: <u>BKF</u> CHECK: <u>BKF</u>	PROJECT NO. 19-0045
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FULLFORD SURVEYING & MAPPING, P.C.
 PO BOX 969
 5097 S. STRAITS HIGHWAY, SUITE A
 INDIAN RIVER, MI 49749
 PHONE: 231-238-9199 FAX: 231-238-9195

REV: MAY 9, 2019
 MAY 1, 2019

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	PER SITE PLAN	25	10	10

PARKING SCHEDULE

BREWERY / BAR
1,521 S.F.@ 1 Space / 100 S.F.: 16 SPACES
4 Employees 2 SPACE

COFFEE SHOP
14 Seats at 1 Space per 3 Seats: 5 SPACES
2 Employees 1 SPACE

REAL ESTATE OFFICE:
2,400 S.F.@ 1 Space / 300 S.F.: 8 SPACES
1 Employee 1 SPACE

MOBILE FOOD UNITS: 4 SPACE

TOTAL PARKING REQUIRED: 37 SPACES

TOTAL EXISTING PARKING SPACES:
A.D.A. PARKING: 2 SPACES
STANDARD PARKING: 36 SPACES

TOTAL PARKING PROVIDED: 38 SPACES

** CURB SIDE PARKING ON
STRAITS HIGHWAY ADJOINING SITE 6 SPACES
PARKING NEXT TO LOADING AREAS 2 SPACES

NOTES:

- The purpose of this Site Plan is to show the change in use of an existing building (Jan's Salon) and associated parking to a small local Brew Pub Restaurant (bar/restaurant) in accordance with Section 6.2.3. the primary use of which is a Bar. Commercial distribution of products made on site is not planned at this business.
- 38 Existing Parking spaces are shown for all uses on the property. See Parking Schedule.
- Only minor earth changes for landscaping and boardwalk is proposed to bring grade around the building to existing finished floor grade. The existing site drainage impacts are negligible.
- No changes are proposed for the Coffee Shop or Real Estate Office.
- Deliveries will be scheduled to occur during non-business hours to the extent possible. Loading/unloading areas are shown. Parking may occur in the space adjoining those areas, but will be managed by supervising employees.
- Dumpster will be screened by a wooden fence as shown.
- Ingress/Egress is proposed at the Northerly existing entrance, and will be modified as required by Cheboygan County Road Commission.
- The existing sign locations will be utilized. The coffee shop will have a wall sign on the building.
- Mobile Food Units will be utilized in compliance with local laws.
- The fenced area shown will be used for recreation incidental to the Brew Pub.
- No changes are proposed to the existing and functioning gas and electric service.



PREPARED UNDER THE SUPERVISION OF:

Brian K. Fullford
BRIAN K. FULLFORD
PROFESSIONAL SURVEYOR
REGISTRATION NO. 41099
REV: MAY 9, 2019
MAY 1, 2019

WHITEWOOD, LLC
3792, 3798, & 3842 S. STRAITS HWY., INDIAN RIVER
PARCELS No. 161-024-400-230-12, 161-024-400-230-13,
161-024-400-230-14, 161-024-400-230-15,
in SEC. 24, T35N, R3W, TUSCARORA TOWNSHIP, CHEBOYGAN COUNTY
SITE PLAN for CHANGE of USE to BREW PUB

SEC. 24, T35N, R3W
FB: CS 15

DRAWN: BKF
CHECK: BKF

PROJECT NO.
19-004S

Page 2 of 2



FULLFORD SURVEYING & MAPPING, P.C.

PO BOX 969
5097 S. STRAITS HIGHWAY, SUITE A
INDIAN RIVER, MI 49749
PHONE: 231-238-9199 FAX: 231-238-9195

Deborah Tomlinson

From: Fisher, Scott (MDOT) [<mailto:FisherS22@michigan.gov>]

Sent: Wednesday, May 08, 2019 8:22 AM

To: Deborah Tomlinson

Subject: RE: Site Plan Review Application for Matt Whitener/Whitewood Inc

MDOT has no issues with this site development.

-Scott



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

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

STAFF REPORT

<p>Item: Site plan review for a proposed change of use from salon to Bar and Restaurant with production and consumption of alcohol product on site, proposed patio and food trucks that includes an existing coffee shop and real estate office.</p>	<p>Prepared by: Jennifer Merk</p>
<p>Date: May 10, 2019</p>	<p>Expected Meeting Date: May 15, 2019</p>

GENERAL INFORMATION

Applicant: Matt Whitener

Contact person: Matt Whitener

Phone: 231-590-9248

Requested Action: The applicant is seeking site plan review approval for a proposed change of use from salon to bar and restaurant with production and consumption of alcohol product on site, proposed patio and food trucks that includes an existing coffee shop and real estate office.

Although the Ordinance does not address a brewpub, microbrewery or nanobrewery, after discussion with legal counsel the most appropriate use falls under Bar and Restaurant.

BACKGROUND INFORMATION

The subject property is composed of four parcels in the Commercial Development (D-CM) zoning district in Indian River. All parcels are owned by the same company, Whitewood, Inc., and were originally part of one larger piece of property (parcel 161-024-400-230-00). The original parcel had a site plan approved in 2013 for an auto sales/dealership that was amended in 2014 for additional display area. The 2013 site plan also included buildings to accommodate: Jan's Salon and Real Estate One. The original parcel was split in 2017 into 11 parcels. On June 28, 2017, an 8-ft. setback variance was approved for parcel 161-024-400-230-11 to allow for land division indicating a change in the 2013 site plan development envelope. Parcel 161-024-400-230-11 was split on February 21, 2019 into the four parcels currently under site plan review. This application would combine these parcels into one site plan development envelope.

Current Zoning: Commercial Development (D-CM) (Figure 1)

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

Historic buildings/features: There are no historic buildings or features on this site.

Traffic Implications

The uses on the subject property can be accessed from South Straits Highway and to a lesser extent parking is available off of South Avenue. The proposed Bar and Restaurant with production and consumption of alcohol product on site and food truck along with existing uses will likely noticeably increase traffic to the subject property.

Parking

The applicant is seeking site plan review approval for a proposed change of use from salon to Bar and Restaurant with production and consumption of alcohol product on site with an accessory patio and proposed food trucks. The subject properties include an existing coffee shop and real estate office. Existing conforming and non-conforming parking is located off South Straits Highway with limited parking available off South Avenue. The parking areas are made up of paved and unpaved areas. No changes have been proposed to the parking areas as part of this application.

The following minimum parking requirements have been determined for each use under Section 17.6 of the Zoning Ordinance:

- One parking space per two employees for all uses (coffee shop, Bar and Restaurant with production and consumption of alcohol product on site, real estate office).
- One parking space per 100 square feet of useable floor area under Bar, Night Clubs, the most appropriate use in the Ordinance for a Bar and Restaurant with production and consumption of alcohol product on site.
- One parking space per 3 three persons of seating capacity for Restaurants-regular (coffee shop).
- One parking space per 300 square feet gross floor area for the real estate office use.

Under section 17.29 of the ordinance, mobile food units shall have a minimum of two off-street parking spaces if no accessory seating is offered. Additionally, loading and unloading areas are addressed in section 17.4.8.i which states in part that loading and unloading areas shall be provided in the rear yard in the ratio of at least 10 square feet per linear foot of building wall that was determined to be 300 square feet.

Given the aforementioned calculations, 37 total parking spaces are required. Thirty-eight (38) parking spaces are available, thus providing adequate parking for the identified uses. Twenty-six (26) of the existing parking spaces appear to be non-conforming.

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

Access to the sites' shared parking is permitted by an ingress/egress off of South Straits Highway. The site plan indicates the access is 29 feet wide. As noted above, limited parking is available off South Avenue.

Signs

The applicant proposes to re-face an existing freestanding salon sign for the Bar and Restaurant with production and consumption of alcohol product on site use. The sign meets the minimum dimensional requirements for freestanding signs in a Commercial Development zoning district. The sign area totals 24 square feet with a height of 10 feet. No sign permit is needed if it meets the Ordinance requirement of Section 17.19.2.E.

Fence/Hedge/Buffer

The site plan and application indicates privacy fence and landscaping is proposed to screen the site from neighboring properties. The existing dumpster and loading/unloading area behind the Bar and Restaurant with production and consumption of alcohol product on site will be screened by a wooden fence. An existing hedge will be maintained for screening.

Lighting

No new lighting is proposed.

Stormwater management

No changes to existing stormwater management are proposed.

Review or permits from other government entities:

Permits from the Department of Building Safety and Health Department will be required.

Recommendations (proposed conditions):

Prior to operation obtain the requisite Building Safety and Health Department permits.

Any proposed expansion shall require submittal of Site Plan Review application(s) for review by staff and/or Planning Commission.

CHEBOYGAN COUNTY PLANNING COMMISSION
SITE PLAN REVIEW

Wednesday, May 15, 2019, 7:00PM

Applicant

Matt Whitener
5482 Powers Road
Alanson, MI 49706

Owner

Whitewood, Inc.
PO Box 1030
Indian River, MI 49749

Parcel

3792, 3798 and 3842
S. Straits Highway
Tuscarora Township
Parcels 161-024-400-
230-12 and 13-14-15

GENERAL FINDINGS

1. The subject property is zoned Commercial Development District (D-CM).
2. The applicant is seeking site plan review approval for proposed change of use from salon to Bar and Restaurant with production and consumption of alcohol product on site, proposed patio and food trucks including existing coffee shop and real estate office.
3. Bar and Restaurant is a permitted use in a Commercial District (D-CM) per section 6.2.3 of the Ordinance.
4. Mobile food unit is a permitted use in a D-CM district per section 6.2.30. subject to the requirements of section 17.29.
5. The subject property includes a coffee shop and real estate office.
6. Coffee shop is a permitted use in a D-CM district per section 6.2.3. Restaurant.
7. Real estate office is a permitted use in D-CM district per section 6.2.15. Offices.
8. The applicant requests a waiver from the topography survey requirement.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 1. No changes to the overall natural contours of the site are proposed. All existing building footprints and parking areas will remain unchanged. (see exhibits 3 and 7)
 - 2.
 3. Standard has been met.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 1. The site plan minimizes tree and soil removal and topographic modifications by using existing buildings and parking lot areas on site. Minimal changes planned for the installation of a proposed patio adjacent south of the proposed Bar and Restaurant with production and consumption of alcohol on site along with sidewalk and landscaping. (see exhibits 3 and 7)
 - 2.
 3. Standard has been met.
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 1. No changes to site drainage are proposed. (see exhibits 3 and 7)
 - 2.
 3. Standard has been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. Not applicable. No dwelling units are proposed.
 - 2. The site plan does indicate privacy fencing to be used for recreation incidental to the Bar and Restaurant with production and consumption of alcohol on site along with sidewalk and landscaping. (see exhibit 7)
 - 3. The application states landscaping and privacy fences are to be used to screen site from neighboring properties. (see exhibit 3 and 7)

- 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 from South Straits Highway and South Avenue. (see exhibit 7)
 - 2.
 - 3. Standard has been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. The site is located on and has access to South Straits Highway, South Avenue and shared parking lot. (see exhibit 7)
 - 2.
 - 3. Standard has been met.

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

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

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the MasterPlan.
 - 1. No changes are proposed to ingress/egress and shared parking areas. No pedestrian or bicycle pathways are proposed. (see exhibit 3 and 7)
 - 2.
 - 3. Standard has been met.

- 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. This site plan will conform to the Master Plan, zoning ordinance, and any applicable state and federal laws. (see exhibit 1, 2, 3 and 7)
 - 2.
 - 3. Standard has been met.

DECISION

Motion by _____, seconded by _____, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10.

TIME PERIOD FOR JUDICIAL REVIEW

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

DATE DECISION AND ORDER ADOPTED

Wednesday, May 15, 2019

Patty Croft, Chairperson

Charles Freese, Secretary