



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, APRIL 19, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

PUBLIC HEARING AND ACTION ON REQUESTS

- 1.) **An Ordinance to amend the Cheboygan County Zoning Ordinance #200** to amend the definition of dwelling and family to allow short term rental of dwellings.
- 2.) **Triple D Disposal / Erica Wheelock/ Bonnie Nagy** - Requests a Special Use Permit for Waste Hauling (Section 7.3.13.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned Light Industrial Development (D-LI).
- 3.) **RACC Enterprises, LLC and Griswold Mountain Properties, LLC** - Requests a Special Use Permit for a wireless communication facility (Section 17.13.). The property is located at 6444 Griswold Mountain Drive, Tuscarora Twp., section 12, parcel #161-012-300-003-01 and #161-012-300-003-01, and is zoned Agriculture and Forestry Management (M-AF).
- 4.) **Edward Shovan** - Requests a Special Use Permit for Boat Storage and Indoor Storage Facility (50 ft. x 144 ft.) and a change of use for an existing structure from Private Storage to Indoor Storage Facility (40 ft. x 144 ft.) (Sections 6.3.14. and 6.3.16.). The property is located at 1771 and 1829 South Straits Highway, Tuscarora Twp., section 7, parcel #161-007-300-010-01 and #161-012-300-010-02, and is zoned Commercial Development (D-CM).
- 5.) **Robert Andrews** - Requests a Special Use Permit for an Indoor Storage Facility (30 ft. x 140 ft.) (Section 6.3.16.). The property is located at 6123 North Straits Highway, Inverness Twp., section 34, parcel #091-034-400-006-03, and is zoned Commercial Development (D-CM).
- 6.) **Thomas Redman / Exodus 33:13, LLC** - Requests a rezoning from Agriculture and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). The property proposed to be rezoned is located in Walker Township, Section 5 and described as follows;

Parcel #220-005-200-001-01 described as, COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. Also Parcel #220-005-200-002-00 described as, COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N. SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4



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- 7.) **Colony Beach Association** – Requests a Site Plan Review for a proposed condominium (Section 20.3.d). The property is located at 7491 McDonald Rd., 738 Colony Beach Ln., 694 Colony Beach Ln., 700 Colony Beach Ln., 693 Colony Beach Ln., 715 Colony Beach Ln., Benton Township, Section 29, parcel #104-029-100-056-01, #104-029-100-056-02, #104-029-100-056-03, #104-029-100-056-04, #104-029-100-056-05, and is zoned Lake and Stream Protection (P-LS).

UNFINISHED BUSINESS

NEW BUSINESS

STAFF REPORT

PLANNING COMMISSION COMMENTS

PUBLIC COMMENTS

ADJOURN

This is a supplemental notice regarding a public hearing for consideration of a special use permit for waste hauling by Triple D Sanitation for the property located at 1988 Levering Road. The original notice states that the subject property is in the Light Industrial Development (D-LI) zoning district. The subject property is zoned General Industrial Development (D-GI). The time and place of the public hearing, the proposed use, the location of the proposed use, the section of the zoning ordinance including the review requirements under which the proposed use can be approved remains the same as provided in the original notice.

The corrected notice reads as follows:

Triple D Disposal / Erica Wheelock/ Bonnie Nagy - Requests a Special Use Permit for Waste Hauling (Section 7.3.13., as referenced in section 8.3.1.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned General Industrial Development (D-GI).

Please visit the Planning and Zoning office or visit our website to see the proposed ordinance amendment and special use permit applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.



CHEBOYGAN COUNTY PLANNING 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 5, 2017 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

- PRESENT:** Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Jazdyk
ABSENT: Churchill
STAFF: Scott McNeil
GUESTS: Eric Boyd, Bob Lyon, John Moore, Cal Gouine, Carl Muscott, John F. Brown, Tim Maylone, Austin Babich, Rob LaBelle

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

PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

Mr. Freese asked the Planning Commission for a moment of silence for Tony Matelski, Cheboygan County Board of Commissioners Chairman.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

The March 15, 2017 Planning Commission minutes were presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Jazdyk, to approve the meeting minutes as presented. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 1 Absent (Churchill)

PUBLIC HEARING AND ACTION ON REQUESTS

Cherry Capital Connection and Robert and Patsy Knaffle

Requests a Special Use Permit for a wireless communication facility (section 17.13). The property is located at 3044 Gilpin Road, Benton Twp., section 10, parcel #104-010-100-002-01, and is zoned Agriculture and Forestry Management (M-AF).

Mr. McNeil stated there is a residential dwelling at the north of the property with an address on Gilpin Road. Mr. McNeil stated that the location of the proposed tower could be better identified as Wartella Road. Mr. McNeil stated that the tower is proposed to be 128 feet tall and meets the 1:1 ratio for setbacks from the lot lines. Mr. McNeil stated that the applicant has responded to the specific requirements under section 17.13 that the Planning Commission will review.

Mr. Maylone stated that he is the General Manager for Cherry Capital Connection. Mr. Maylone stated that they currently provide high-speed internet service and telephone service to 12 counties in Northern Michigan. Mr. Maylone stated that Cherry Capital Connection is a wireless internet service provider (WISP). Mr. Maylone stated that the wireless internet service provider (WISP) industry addresses telephone needs and internet needs in rural areas. Mr. Maylone stated that there are approximately 67 WISP's in Michigan and approximately 700 WISP's in the United States. Mr. Maylone stated that Cherry Capital Connection builds small 128 foot towers wherever there is a demand in their region. Mr. Maylone stated that they use licensed and unlicensed frequencies for the high-speed internet. Mr. Maylone explained that the towers are a distribution point for fiber to the home. Mr. Maylone stated that they received approval from Benton Township for a franchise agreement which is planned for 3-7 years in the future. Mr. Maylone stated that the location is suited to the demand. Mr. Maylone stated that they have 16 reservations on file for this neighborhood who are waiting for the tower to be erected. Mr. Maylone stated that this will be the first of 20-30 more towers that they plan to build in Cheboygan County over the next 4-5 years. Mr. Maylone stated this is an agricultural property that is no longer being used for agricultural purposes. Mr. Maylone stated that the tower will be located on Wartella Road and will be set back off of the road so it will not be in the direct line of sight. Mr.

Maylone stated that this is a relatively small tower with a triangular cross section 12 inches on a side and at ½ mile away the visual impact is reduced. Mr. Maylone stated that collocation is not an option because this will be a light weight tower and will only hold 7 square wind load at 100 miles per hour, which is a State of Michigan requirement. Mr. Maylone stated that they do not use commercial towers due to the cost factor. Mr. Maylone stated that generally, a lease on a commercial tower is \$500 - \$1000 per month. Mr. Maylone stated that these towers are built for under \$5,000. Mr. Maylone stated that he has not heard back from the FFA yet about this location. Mr. Maylone stated that the FFA is doing a survey which will also go to MDOT for approval. Mr. Maylone stated that the FFA has 45 days to make a determination. Mr. Maylone stated that Patsy Knaffle is attending this meeting. Mr. Maylone stated that Mrs. Knaffle and her husband own the property and they believe this tower is good for the neighborhood.

Mr. Ostwald asked how far will one tower will provide service. Mr. Maylone stated that they have a tower at the Grand Hotel on Mackinaw Island, which reaches 11-12 miles. Mr. Maylone stated that they are building a tower in Levering on Hare Road, which is a 13 mile link. Mr. Maylone stated that this tower is engineered for 6 miles (3 mile radius). Mr. Maylone stated that they have towers that go as far as 28 – 29 miles. Mr. Maylone stated that it depends on the terrain and tree coverage.

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

The Planning Commission reviewed and approved the General Findings, Finding of Fact Under Section 17.13.1.a, Finding of Fact Under Section 17.13.2.b, Findings of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to approve the special use permit based on the General Findings, Finding of Fact Under Section 17.13.1.a, Finding of Fact Under Section 17.13.2.b, Findings of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to FAA letter of approval is to be submitted to Planning & Zoning Department and Department of Building Department Safety requirements are to be met. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 1 Absent (Churchill)

ERS Telecom Properties and Bernard Jankoviak

Requests a Special Use Permit for a wireless communication facility (section 17.13). The property is located on South Extension Road, Mullett Twp., section 7, parcel #130-007-100-001-00, and is zoned Agriculture and Forestry Management (M-AF). Ms. Croft asked for public comments. There were no public comments. Public comment closed.

Mr. McNeil stated that this is a request for a special use permit for a tower and this property is zoned Agriculture and Forestry Management. Mr. McNeil stated that the proposed height of this tower is 250 feet and it does not meet the isolation standard from the lot line. Mr. McNeil stated that section 17.3.1 does allow the Planning Commission to reduce the isolation standard up to 50% if they can show the structure is built to collapse within that 50% reduction. Mr. McNeil stated that the applicant has provided a letter from an engineer which would set the isolation standard at 60%. Mr. McNeil stated that the applicant has addressed section 17.13.

Ms. Croft referred to the application and noted that site plan standard d states that there will be a 6 foot tall chain link fence around the “sixty foot by sixty foot (6’ x 6’) compound”. Ms. Croft asked if this is 60 foot x 60 foot or 6 foot x 6 foot. Mr. McNeil stated that this will be verified with the applicant.

Mr. Jazdyk asked Mr. McNeil to review the variances that the applicant can receive through use of a professional engineer. Mr. McNeil stated that the ordinance requires that the tower is set back from property lines the same distance as the height of the tower. Mr. McNeil stated that the ordinance also allows the Planning Commission to reduce that requirement up to 50% if they can show that the tower will collapse within the area provided for the setback. Mr. McNeil stated that the applicant has provided this information and based on his calculations it is approximately 60%. Mr. Kavanaugh asked if it could be reduced to 50%. Mr. McNeil stated that it can be reduced to 50%.

Mr. Babich stated that he is with Pyramid Network Services and he is representing ERS Telecom Properties. Mr. Babich introduced Rob LaBelle, who is with Williams, Williams, Rattner & Plunkett, PC. Mr. Babich stated that ERS Telecom Properties is requesting a special use permit for a wireless telecommunication facility in an Agriculture and Forestry Management Zoning District in Mullett Township on property that is owned by Bernard Jankoviak. Mr. Babich stated that the communication facility is designed for Verizon Wireless. Mr. Babich stated that ERS Telecom Properties will provide support for emergency services by providing wireless communications to paramedics, firefighters and law enforcement agencies. Mr. Babich stated that ERS Telecom Properties has determined this location based on thorough computerized studies. Mr. Babich stated the technical criteria for establishing cell sites is very exacting as to the height and location of the communications facility. Mr. Babich stated that based on computerized patterns and topography, engineers have identified the necessary location for this personal communication service. Mr. Babich referred to the propagation maps and explained the existing

coverage and the proposed coverage. Mr. Babich clarified that the barbed wire fence compound will be 60' x 60'. Mr. Babich stated that they will be utilizing an existing drive. Mr. Babich stated that this will be a 250 foot guyed tower. Mr. Babich stated that this tower is designed for collocation for three additional carriers. Mr. Babich stated that ERS Telecom Properties requests that the Planning Commission approve this special use permit and site plan.

Mr. LaBelle stated this tower will be owned by ERS Telecom Properties and the first entity on the tower will be Verizon Wireless. Mr. LaBelle stated that the data on the propagation map is Verizon Wireless data. Mr. LaBelle explained that Verizon Wireless has the biggest network in the state. Mr. LaBelle stated that this tower is being built to Verizon Wireless engineering specifications and as a result, the fall zone certificate is from an engineer that has been hired by Verizon Wireless. Mr. LaBelle stated that these towers are extremely stable and there are no Verizon Wireless towers that have ever collapsed. Mr. LaBelle stated that if the tower ever did fall it would collapse on itself. Mr. LaBelle stated that they already have FAA approval and a copy of the FAA letter is included in the Planning Commission packet. Mr. LaBelle explained that this tower will cover a 3 mile radius. Mr. LaBelle stated this tower will cover a coverage gap in the area and it will also help to off-load capacity or take up slack on existing Verizon Wireless towers as there is so much demand that it is exceeding the capacity of the antennas. Mr. LaBelle stated that they meet all of the requirements for the special use permit and request that the Planning Commission's approval for this request.

Ms. Croft asked for public comment. There was no public comment. Public comment closed.

Mr. Kavanaugh asked if the proposed tower will affect Mr. VanDoorn's plans to build in the future. Mr. McNeil stated that there are no concerns from a zoning stand point. Mr. McNeil stated that he forwarded the email to Mr. Babich so he is aware of Mr. VanDoorn's concerns. Mr. Babich stated that Mr. VanDoorn is concerned about apple trees being removed. Mr. Babich stated that the trees are on Mr. VanDoorn's property and will not be removed.

The Planning Commission reviewed and approved the General Findings, Finding of Fact Under Section 17.13.1.a, Finding of Fact Under Section 17.13.2.b, Findings of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to approve the special use permit based on the General Findings, Finding of Fact Under Section 17.13.1.a, Finding of Fact Under Section 17.13.2.b, Findings of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to Department of Building Department Safety requirements. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Jazdzyk), 0 Nays, 1 Absent (Churchill)

Toni Wilson

Requests a Site Plan Review Amendment for a change of use from Restaurant, Salon (Office) and Retail Use with outdoor seating and outdoor display to Bar Use with outdoor seating (Sections 13B.2.2). The property is located at 3499 South M-27, Tuscarora Township, section 24, parcel #161-024-200-006-00 and is zoned Village Center Indian River Overlay (VC-IR-O).

Mr. McNeil stated that it was brought to his attention yesterday that Ms. Wilson's site plan amendment approval could be approved as an administrative amendment which is approved by staff. Mr. McNeil provided a copy of section 20.14 that sets forth the provisions for administrative approval of site plan review amendments. Mr. McNeil stated that Ms. Wilson's site plan amendment application was approved under section 20.14.7. Mr. McNeil reviewed that the four conditions that must be met under this section when there is an administrative approval. Mr. McNeil stated that he notified Ms. Wilson that this application was approved administratively.

UNFINISHED BUSINESS

2018 Capital Improvement Program – Program Summary and Project Descriptions

Mr. McNeil stated that the Planning Commission has received the project descriptions and the summary sheet for their review. Mr. McNeil stated there is only one new project by the Road Commission relative to Levering Road. Mr. McNeil stated he was notified that there will probably be changes to the Cheboygan County Maintenance Department. Discussion was held. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, that the Cheboygan County Road Commission Levering Road project be classified as a needed project. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Jazdzyk), 0 Nays, 1 Absent (Churchill)

Draft Zoning Ordinance Amendment Relating To Assembly Halls

Mr. McNeil stated that he has reviewed private clubs and lodges and he recommends that those uses can also be placed under the Assembly, Educational or Social Event Facility definition. Mr. McNeil stated that the amendment document has been amended accordingly. The Planning Commission asked that Mr. McNeil forwards the proposed amendment to legal counsel for review.

NEW BUSINESS

No comments.

STAFF REPORT

Mr. McNeil stated that there are four special use permit applications, one site plan review application, a public hearing for the ordinance amendment on the dwellings and a rezoning application scheduled for the April 19, 2017 Planning Commission meeting. Discussion was held.

PLANNING COMMISSION COMMENTS

Mr. Freese provided an update on Commissioner Tony Matelski. Discussion was held.

PUBLIC COMMENTS

Mr. Muscott stated that he talked with Mr. McNeil regarding the boathouse amendment that was discussed last year. Mr. Muscott stated he does not know that it needs a survey or if it will just require being properly noticed that an amendment is being discussed. Mr. Muscott stated he would like to see this amendment moving forward in case someone would like to build a boat house before the end of summer.

Mr. Brown asked if the Capital Improvement Plan only includes 2018 or does it also include 2017. Ms. Croft stated that it is for the next year. Mr. Brown stated that the 2016 Capital Improvement Plan included money for the Humane Society expansion which was not done. Mr. Brown asked if this project should have been included in the 2017 Capital Improvement Plan. Mr. McNeil stated that the Capital Improvement Plan is a plan for the next year. Mr. McNeil stated that it is a forward proposed document. Mr. McNeil stated that many places use it as a budgeting document for the upcoming year. Mr. McNeil stated that the current year is not included in the document. Mr. McNeil stated that if the project was not completed it may be appropriated for the current year or it may be deemed complete. Mr. Kavanaugh asked if a project is automatically added to the next Capital Improvement Plan if it is not completed. Mr. McNeil stated no. Mr. McNeil stated that just because a project is included in the Capital Improvement Plan does not mean that it will be done. Discussion was held.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 7:51 pm.

Charles Freese
Planning Commission Secretary



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Date: March 29, 2017

To: Planning Commission

From: Scott McNeil, Planner

Re: Public Hearing; Zoning Ordinance Amendment relative to definition of a dwelling.

The subject zoning ordinance amendment is proposed in order to provide short term commercial rental of all dwellings within Cheboygan County.

By review of the amendment document you will find a new proposed definition for Dwelling or Dwelling Unit which provides for permanent or temporary use by one or more families. The current definition for Dwelling or Dwelling Units reads as follows:

DWELLING or DWELLING UNIT

A single unit building, or portion thereof, providing complete independent living facilities for one (1) family for residential purposes, including permanent provisions for living, sleeping, heating, cooking, and sanitation.

The new proposed definition reads as follows:

DWELLING or DWELLING UNIT

Any building or portion thereof which is occupied in whole or in part as a home, residence, or sleeping place, either permanently or temporarily, by one or more families, but not including bed and breakfast, boarding or lodging houses, resorts, resort hotels, recreation farms, vacation lodges, motor inns, hotels, motels and other tourist lodging

A new definition for family is also proposed in order to remove reference to a domicile and specific groups in the current definition. The current definition reads as follows:

FAMILY

1. An individual or group of two or more persons related by blood, marriage or adoption, together with foster children and servants of the principal occupants, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit, or
2. A group of individuals domiciled together in one dwelling unit whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, group of students, child caring institution, or other individuals whose domestic relationship is of a transitory or seasonal nature.

The new proposed definition reads as follows:

Family

A group of individuals, whether related or unrelated, who are occupying a dwelling.

I will look forward to review of the proposed amendment during the public hearing scheduled for April 19, 2017.

Draft for April 19, 2017 Public Hearing
CHEBOYGAN COUNTY
Zoning Ordinance Amendment # ___

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE No. 200 TO PROVIDE DEFINITIONS FOR DWELLINGS, DWELLING UNITS and FAMILY.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS

Section 1. Amendment of Section 2.2.

Section 2.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to amend the following new definitions in their appropriate alphabetical location, which new definitions shall read in their entirety as follows:

Dwelling or Dwelling Unit

Any building or portion thereof which is occupied in whole or in part as a home, residence, or sleeping place, either permanently or temporarily, by one or more families, but not including bed and breakfast, boarding or lodging houses, resorts, resort hotels, recreation farms, vacation lodges, motor inns, hotels, motels and other tourist lodging facilities.

Family

A group of individuals, whether related or unrelated, who are occupying a dwelling.

Section 2. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 3. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By: Anthony M. Matelski
Its: Chairperson

By: Karen L. Brewster
Its: Clerk

To; Community Development Director Mr. Steve Schnell,

Dear Steve,

I am a lodge owner in Indian River, MI. I purchased the property about seven years ago as an old motel that was due for a total remodel. I could have opened it up in the condition I purchased it but choose to give a community I loved as a child something better that would improve our community. I spent in excess of over \$250,000 to bring the lodging into the 21st century.

My initial plan was to have senior lodging but as we discussed four years ago that would entail changing zoning and state permits that I just decided not to apply for at that time. My property does however fall within the zoning guidelines of a motel commercial property as intended from its inception in 1954. I pay for insurance, my LLC license, taxes, and all things affiliated with owning and operating a lodging retail business. My overhead runs about \$2,600 per month.

I find it ironic that I could have purchased two or three homes in areas not zoned for commercial rentals, saved myself literally thousands of dollars in overhead, not needing permits, commercial building insurance or paying certain taxes and could have avoided all the hard work and effort that went into upgrading my frontage in Indian River.

If you owned a business and complied with all the rules and regulations that were applicable to that business how would you or anybody on the planning commission like it if someone decided to compete with you but they had zero compliance or restrictions? Can you imagine if I start selling groceries out of my shop or if I decide to buy a bunch of vehicles, boats, quads and sell them from a vacant lot down the street from the Indian River Sports Center.

The logic I have heard from those that want to rent their homes is they want to retire here someday and the few weeks they can rent during the summer helps with the mortgage! They also have stated how much more revenue that their renters bring into Indian River for the businesses. Does anybody understand that every rental they have during the summer months is one more rental businesses like mine loose? So if I open up a fireworks stand to help pay for my overhead so I can retire someday that is OK? I think not!

I am big on communication and seeking to understand all sides of a discussion! A logical step here is to first of all distinguish how we all can benefit from these home owners that want to own a rental income property that isn't zoned for rental income properties? Initially a letter should be sent out to every home owner in the county notifying all neighbors what the intent is. To avoid conflict with neighbors not knowing who is living in their neighborhoods on any given week it is only fair to let them know which homes are rentals. It would also give all communities the opportunity to form an association to keep out rental homes if they choose. With regards to these non-compliant rental homes a permit should be applied for, maybe at a \$500.00 cost per summer, which includes information like what weeks out of year they are renting their homes. How many people will be living there and then dropping off the name of the responsible party temporarily living there to the police department. If there is a problem that the police are called out for, the home owner will lose their rental rights!

I can't imagine working my whole life to come to Indian River or anywhere in Cheboygan County, purchasing a home on the water or not, settling in, and then find out that what you just invested in was a neighborhood full of rental homes and strangers?

I understand what it would take to enforce a law to cover all of the items I have mentioned but at the very least these part time landlords should have to purchase a permit at a reasonable cost? Not \$50.00! Many of these homes rent for \$1,000 per week! Our full time residents deserve to know who is in their neighborhoods! The monies could be used to help clean up our communities and enforce the blight ordinance!

In closing I know you, the planning commission have your hands full with all of the requests and challenges that confront you daily. Thank you for all that you do! Being a business owner in compliance is not easy when many individuals want to diminish you potential revenue through black market rentals. We as a county have the leverage to, at the very least, generate revenue from this situation and perhaps create some goodwill between neighbors that are willing to be good neighbors and show concern about their neighbors prior to living here full time.

Respectfully,

John Thompson

Indian River, MI

Deborah Tomlinson

From: carl muscott <carlmuscott@yahoo.com>
Sent: Sunday, February 12, 2017 1:38 PM
To: Steve Schnell; Scott McNeil
Cc: Tony Matelski; Chris Brown; Cal Gouine; Michael "Mike" Newman; Rich Sangster; John Wallace; L. Scott Swanson; Brady Hebert; Deborah Tomlinson
Subject: Vacation rentals? Amendments ? More work for Mr Schnell's Counter-Tourism efforts

Hello Mr Schnell,

This is an open a public letter. Please feel free to share it.

The P & Z staff managed to fill the room to overflowing with concerned citizens and protesters at the last Planning meeting. Those protests were the result of your actions. Ignoring Chuck Freese's comments with additional input from other Planning Commissioners to keep an amendment to allow for short term rentals SHORT, your department has now created a page long amendment. Were you listening?

The amendment needed to stop your enforcement and harassment of people can be as short as this example inserted in any district that allows dwellings: ***An owner may rent a dwelling for any period not restricted by deed, association, or other third party control with adherence to health, safety, and local ordinances in any zoning district allowing a dwelling.*** That adequately addresses that the Ordinance does not define a dwelling based on a rental period and does allow rental subject to restriction by covenant, HOA, or condo by-laws. There are deed restrictions and association rules that presently protect many L & S areas. Speaking with several L & S owners I have discovered many are openly ignoring their own restrictions to accommodate owner's desires and avoid litigation.

The only reason for the amendment is the need to thwart your counter-tourism actions. You created the problem. You falsely stated the short term rentals were a growing problem. You falsely stated to civil counsel in an email there were "more and more complaints". My FOIA uncovered NO documented complaints; only your documents showing VRBO webpages and records of your attempts to enforce an unwritten law.

You now propose to ignore the broad "short term rentals" and narrowly define the use as "vacation rentals". Why would you use the term "vacation rental" when a renter could be a professional or worker here for a short period seeking accommodation more comfortable than a motel room? Your vacation rental:

A commercial use of a single-family or two-family dwelling where the dwelling or a portion which is rented for less than thirty (30) days.

That seems an attempt on your part to erroneously define a "vacation rental" as "commercial use". The majority of protesters at the meeting clearly stated they rent to cover costs, not as a for profit enterprise. Were you listening? Let the owner, state, and IRS determine if any particular home rental is a commercial use under their laws. It's not in your jurisdiction. Why would a planning official state this is a "commercial use" and then allow it in Lake & Stream, possibly opening the door to more issues? You then muddy the water more by adding "a portion thereof"; meaning a room?

You now propose amending under 17.6 adding minimum parking requirements for "vacation rentals". Two spaces per "vacation home rental" with 3 bedrooms or less plus an additional space for each 2 additional bedrooms. More efforts from your department to create a draconian environment here in Cheboygan County more suited to a gated community with HOA or a condominium.

You also appear to be attempting to make a surreptitious change with your proposed amendment to Section 20.3.c. This section excludes uses not requiring a site plan review by the Planning Commission. Your amendment has added "home occupations" to "c"; it was not there before.

SECTION 20.3. SITE PLAN REVIEW REQUIRED.

Site plan review shall be required in the following situations:

c. Any development, except single family dwellings, two family dwellings for which off- street parking areas are provided as required in this Ordinance. (Rev. 11/24/13, Amendment #120)

As a homeowner, I feel a home occupation starting next door to me warrants a public hearing and site plan review. If a neighbor wants to rent a dwelling for 3 days, 3 weeks, or 3 years and does not affect the peaceful enjoyment of my home, more power to them.

Almost 10 years of your efforts to edit Ordinance #200 into a concise and useful planning document can only be considered a failure. Those elected and appointed Cheboygan County officials, and the residents and taxpayers who have trusted you to act on our behalf have been poorly served. Ordinance amendments are now being processed through your staff in such numbers, at least 4 in play at this at this time, that they are appearing before the Planning Commission and public with a blank space for the amendment number.

Thank you for your time,

Carl Muscott

Future enforcement letter sample for Mr Schnell:

Dear TAXPAYER,

It has come to our attention that a home on your property is being used as a Vacation Home Rental at XXXX BS Drive in Cheboygan County. In accordance with section 17.6 of Zoning Ordinance No. 200, there was a complaint from P & Z staff that 4 vehicles were parked in your drive. Section 17.6 defines the parking requirements for this use. You normally have 2 vehicles parked there. If these guests compensated you financially for rental of all or a portion of this home, you may be in violation of my law. Please provide an affidavit or sworn statement that these vehicles belonged to guests that are part of your family. Please see Ordinance #200 for definition of family.

We are sending this notice in hope that being aware of this violation you will voluntarily take steps to correct the situation. This notice therefore allows 30 days for such compliance. The use of a home as a vacation home rental is not a permitted use in the Lake and Stream zoning district unless it is in compliance with

Section 17.6. If you feel this notice was sent in error or have any questions or concerns please do not hesitate to call me.

Thank you in advance for your cooperation.

Sincerely,

Steve Schnell

Community Development Director.

2/10/17

CHEBOYGAN COUNTY

Zoning Ordinance Amendment # _____

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE No. 200 TO PROVIDE DEFINITION, REGULATIONS FOR VACATION HOME RENTAL

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS

Section 1. Amendment of Section 2.2.

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

Vacation Home Rental

A commercial use of a single-family or two-family dwelling where the dwelling or a portion thereof which is rented for less than thirty (30) days.

Section 2. Amendment of Sections _____

LIST ZONING DISTRICTS FOR VACATION HOME RENTAL HERE...

Sections _____ of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add new Sections _____ which shall read in their entirety as follows:

_____ Vacation home rental

Section 3. Amendment of Article 17.6.

Article 17.6. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following rows in their appropriate alphabetical location which shall read in their entirety as follows:

Vacation home rental	Two (2) spaces per vacation home rental plus one (1) for each two (2) bedrooms where there are more than three (3) bedrooms in the vacation home rental.
----------------------	--

Section 4. Amendment of Section 20.3.c.

Section 20.3.c. of the Cheboygan County Zoning #200 is hereby amended to read in its entirety as follows:

- c. Any development, except single family dwellings, two family dwellings, home occupations, or vacation home rental, for which off- street parking areas are provided as required in this Ordinance.

Section 5. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

RECEIVED

FEB 08 2017

**CHEBOYGAN COUNTY
COMMUNITY DEVELOPMENT DEPT.**

Cheboygan County Planning/Zoning Department

870 S. Main, Cheboygan, MI 49721

February 6, 2017

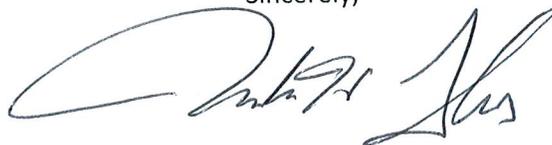
I am very concerned about restrictions that might be placed on lakefront homeowners who rent their homes to resorters. While I do not own waterfront property I understand the value these tourists bring to our county. The value that these rentals bring are both short and long-term. Businesses in the area are immediately impacted and renters who are exposed to our county might later decide to move here.

If noise is a concern property owners could be encouraged to include noise restrictions in their short term lease. When I travel I often rent vacation homes and I am subject to house rules such as noise restrictions, parking boundaries, age (often signer of the lease must be 25 years of age or older) and clutter (no towels or swimwear on outside railings).

To be fair lakefront landowners already pay higher than average property taxes. Short term rentals might make this more affordable to some.

We need these vacation rentals and should be encouraging them in order for Cheboygan County to be more competitive with the surrounding counties of Northern Michigan.

Sincerely,



Michael H Florek, DO

December 19, 2016
Cheboygan County Planning Commission

Dear Commission:

My wife and I own a small house on Long Lake in Cheboygan County. We originally purchased the home in 1991 and proceeded to live there for 4-5 years prior to moving to a home closer to town to raise a family, making it more convenient to attend school functions etc. Since that time we have kept the home up and rented it out in the summer months, on a weekly basis, to make the payments. Our goal was to use the rental income as a means to pay off the mortgage and perhaps move out to the Lake property in our retirement years. This fall we received a notice of violation concerning a Cheboygan County zoning ordinance prohibiting "transient rentals" on properties bordering Lakes and Streams. We had no idea there was a zoning provision prohibiting the rental of our property. While we understand the reasoning behind the zoning, to protect property values, we do not believe renting out our property, on a weekly basis during the summer months negatively affects the value of nearby homes. We rent the cottage as a quiet getaway and try to be selective as to who we rent to in that regard.

We are blessed with an abundance of beautiful lakes in Cheboygan County. While most people cannot afford to purchase a home and live on a lake in the county, a weekly stay with their family allows them to experience northern Michigan at its finest for a reasonable price. The people who stay at our cottage are generally not the same people who would stay in a hotel or motel. They wish to experience a quiet lake experience where they have a chance to get away from the hustle and reconnect with family members (we do not have phone or internet service at our cottage). If they do not find that opportunity in Cheboygan County they will simply take their dollars and vacation in a county which allows for that service. This would deprive Cheboygan County of on average about \$2,000 to \$3,000 per family which the weekly rental spends locally in the area, including rental, gas, groceries, shopping, dining and entertainment. Over a summer this would equate to upwards of \$40,000 generated from our cottage alone which is spent in the local area. In addition to the people who travel, "up north" to vacation, we often get a booking from locals who have family who grew up here and moved away and are visiting with their families. We provide a local place to stay for a weeks' vacation with a more home like experience than a hotel or the crowded experience they may get staying in Mackinaw City.

In my discussion with Mr. Schnell he indicated the main issue is usually noise. We present our house as a quiet getaway and try to rent to smaller families only, with a maximum of 6 people. We are in touch with each renter personally as we talk to them prior to booking and meet every renter upon arrival. We provide our renters and neighbors with our personal phone number, and, should problems arise, we live 15-minutes away and handle it personally.

My wife and I have purchased the home as an investment with the hope of living there again someday. While the rental income does not cover all expenses it helps to defer the cost of the mortgage enough allowing us to make the payments and to provide the necessary repairs and improvements. We

typically rent at the most 14 weeks a year. This includes one week which we donate to a local organization for their fundraiser every year.

In this regard we are requesting a variance which would allow us to rent out our property, on a weekly basis for a maximum of 14 weeks a year. We would rent during the summer months only; screen our renters to a maximum of 6 people. We are requesting this variance for a period of 7 years until we are of retirement age and the home is paid off. We believe this would benefit Cheboygan County including the local bank we have the mortgage with, the local businesses and vendors who provide services to those visiting, the local nonprofit who benefit from the donation of a week's rental donation each summer and local families who are able to rent a home where visiting family members can stay, relax, and reconnect with Northern Michigan. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andy and Nancy Stempky". The signature is stylized and cursive, with the first name "Andy" and last name "Stempky" being the most legible parts.

Andy and Nancy Stempky

Deborah Tomlinson

From: Scott A. Herceg, CAE [<mailto:scott@cheboygan.com>]
Sent: Wednesday, February 01, 2017 12:56 PM
To: Steve Schnell
Subject: Discussion of Vacation Rentals in Cheboygan County

Steve,

Thanks for taking the time today to go over the background for the "Discussion Of Vacation Rentals" that is the Planning Commission agenda for tonight. As Executive Director of both the Cheboygan Area Chamber of Commerce and the Cheboygan Area Visitors Bureau I know our Members and our Boards of Directors of both organizations will be interested in this discussion. For some of our members this discussion could also be a great concern for the furtherance of their business.

How can we help? As we talked about on the phone today, good communication and informed discussion is the key to reaching an equitable solution to most any issue. I would like to at least offer our assistance in helping to let people and businesses know how they can be a part of this important discussion. If there is any additional way that you think we can help with this process, let's talk.

I am going to try to be present this evening but I do have another commitment that may prevent that. If I am not able to make it, thank you for your offer to keep me in the loop. I'm interested to hear how the discussion goes tonight.

Thanks again! Talk to you soon.....

Scott A. Herceg, CAE

Executive Director

**Cheboygan Area Chamber of Commerce
& Visitors Bureau**
124 N. Main Street
Cheboygan, Michigan 49721
Main Office Line: 231-627-7183
Travel Info: 1800-968-3302

scott@cheboygan.com
www.cheboygan.com



February 1, 2017

To: Steve Schnell
Cheboygan County Planning & Zoning

This letter is concerning the front page article in the January 26th issue of the Straitsland Resorter about county zoning in the lake and stream district. I totally agree with the county that it should not be allowed. This has been going on for years and not enforced. I have owned a piece of property on Wildwood Lake in Nunda Township since 1980. Approximately 20 years ago I had a neighbor on my street who would rent out his place on a weekly basis. It wasn't just one family. Sometimes multiple families would all be there at the same time. There would be 4 or more cars, 1 or 2 boats and many children of all ages. These renters let the kids run wild and swim in front of my cottage, fish off of my dock and climb on my pontoon boat. Some of the renters would bring dogs, even though pets were not allowed. The dogs would run free and bark constantly because their owners brought them to a strange environment. Needless to say, the dogs would leave deposits on my lawn and the renters made no effort to clean up the mess. I had more than one confrontation with different renters about the above stated facts.

After a couple of years of this, the owners were also tired of people not taking care of their property, and they quit renting it out. I thought finally that my troubles were over.

Then, about 15 years ago, a new home went up about 500 feet down the road. The owners seemed to be nice people, but then they started renting the home out. The same conditions occurred - multiple families, boats, kids – and this particular place had very little parking. The renters would park on the street and create a dangerous situation because it was up a hill going into a curve. Three years after that home went in, another home was built two lots further up the street. The same things were going on there as well.

What I have observed is that these renters have no respect for their neighbors. They are on vacation and feel it is their right to play loud music and stay up late partying and drinking, sometimes using profanity. Anyone who lives on a lake knows how far voices can travel. They will blow off fireworks any weekend of the summer. I have no problem with 4th of July fireworks. The trouble with transient renters is the owner is not around to see what goes on and they obviously never had to put up with disruptive neighbors.

I'm not saying all of these renters are like this, but the ones that display these behaviors are a good reason why zoning was put in effect in the first place. I understand that any property owner can apply for a special use permit in any zoning district, but I think anyone who applies should be aware of the laws that apply to transient rentals and check with the Cheboygan County Building Department. I talked to Dan Chase, and he said any building used for these rentals must have adequate parking, handicap ramps for access, bathroom with handicap (ADA approved fixtures), wheelchair accessible doors to bedrooms and bathrooms, plus whatever other rules and regulations apply.

Why do I know so much about this? Because I've been a licensed builder in Cheboygan County for over 40 years, and also because I built my own transient rental unit 23 years ago and a second one 15 years ago. Yes, I needed a special use permit

because my property was zoned forestry and agriculture. I applied and received it both times. I also needed engineer stamped plans approved by the Building Department and had to follow all Building Department codes during construction and had all required inspections before I could start renting. So I would expect anyone who applies for a special use permit to be ready for the rules and codes that will be required. Also, they should not forget to check with a CPA about registering with the Michigan Department of Treasury and apply for a tax I.D. number so they can pay the 6% use tax on a monthly basis. Yes, that's the law. You must file every month whether you have a rental or not.

If you go on the VRBO.com or Homeaway.com websites, you will be amazed at how many places on Burt & Mullett Lakes are available for transient renters. I suggest you seek input from their neighbors. The nicer homes get between \$2000 - \$3000 per week. Even these rentals on Wildwood Lake get as much as \$2200 a week in the summer. I don't know what kind of place the Stempky's have on Long Lake, but lets face it – the reason you rent your home out is to have someone else help pay for it, and help to pay the high taxes for being a lake property owner.

Rules are rules and should be enforced.

Thank you.

Richard T. Jurewicz
Indian River, Michigan

Deborah Tomlinson

Attachments:

Statement Regarding Vacation Rentals in Cheboygan County.docx

From: Bill [<mailto:northernlakespm@hotmail.com>]

Sent: Wednesday, February 01, 2017 7:32 AM

To: Scott McNeil

Subject: Statement for Planning Commission Members

Dear Planning Commission Members,

We have noticed an agenda item for tonight's meeting regarding vacation rentals. In an effort to provide you with important information regarding that topic, I have attached a statement from our company. We hope that the statement will be provided to the members of the commission.

Sincerely yours,
Bill and Peg Stark

Northern Lakes Property Management One
Bill and Peg Stark, owners
8230 Cordwood Trail
Cheboygan, MI. 49721
231-627-1055

Statement Regarding Vacation Rentals in Cheboygan County

Our company, Northern Lakes Property Management One, located in Cheboygan County, Michigan, is in the business of renting waterfront homes for their owners. We have been in business for 7 years. We currently rent about 15 homes in the area on both a weekly and longer term basis. Our customers are primarily families. These families are from all over the United States. We also provide corporate rentals on a short term basis. In the last few years, we have provided housing for the Walmart Corporation, Enbridge Corporation, Hammond Bay Biological Station, and Michigan State University.

- The homeowners who employ us do so because of their need for a revenue stream to help them pay for their expenses and property taxes.
- Proactive measures are the best way to handle potential problems that may occur in vacation rentals. Companies such as ours, as well as responsible other individuals, do everything possible to vet potential renters, have strict rental agreements that do everything possible to ensure that tenants respect neighbors, and ensure that tenants abide by occupancy maximums. These companies and individuals employ local agents who take care of problems immediately. Because of these proactive measures we take, we are proud to report that we have never had to resort to eviction of tenants.
- Because the vacation rental business is very competitive, our owners are constantly improving, remodeling, and adding value to their homes. These improvements are done by local contractors, which provide needed jobs in our area, and of course raise the value of the homes.
- We employ approximately 6 area people to clean our vacation rentals. These people depend on this income, as do local trades people we employ.
- Because our renters are here in the area for a week or more, they spend thousands of dollars each year in our local grocery and other retail stores, restaurants, marinas, and tourist destinations. For the past 7 years, we have done approximately 100 vacation rentals per year. It cannot be stressed enough that these rentals bring thousands of dollars of needed revenue to both our homeowners and area.

Submitted by;

Bill and Peg Stark
Northern Lakes Property Management One
8230 Cordwood Trail
Cheboygan, MI 49721
231-627-1055

TO: Bob Bolinger
County Commissioner District 7

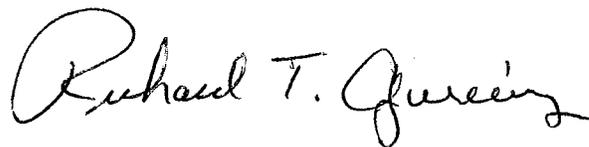
Since you don't have an e-mail address on the county website, I am sending this information to you through the mail.

I have owned property on Wildwood Lake for many years and would like to see these transient rentals stop.

Transient rentals, I am told, are only allowed in commercial zoning or Forestry and Agriculture Districts with a special use permit. It seems like the planning commission wants to allow this in the Lake and Stream zoning district. If they allow this, then what is next? Open it up for other commercial ventures? Maybe fast food next to all boat launches in the county, or perhaps a small body shop in someone's garage or a bump and paint shop on a small scale? I don't think property owners in the Lake & Stream District would be very happy.

I hope you and your fellow commissioners take a good look at this issue.

Thank you.

A handwritten signature in black ink that reads "Richard T. Jurewicz". The signature is written in a cursive style with a large initial 'R' and a long, sweeping tail on the 'z'.

Richard T. Jurewicz
Indian River, MI and Wildwood Lake
(231) 420-8225

Dear Representative Sue Allor,

As a property owner on Wildwood Lake in Nunda Township, I have dealt with transient rentals for a number of years. I think this issue needs more thought than the planning commission is willing to give it. The following is a letter to the editor that I have sent out to the Cheboygan Daily Tribune and the Straitsland Resorter.

EDITOR:

I am deeply concerned about articles in the newspaper in the last month about transient rentals in the lake and stream zoning district.

County zoning was established to protect the rights of property owners in the district. The lake and stream zoning does not allow transient rental, not even by special use permit.

I think that the planning commission seems to believe that these rentals will be an economic boom to Cheboygan County. They fail to realize that most of the money spent by these renters go directly to the owner of the property, and they are all looking for ways to have other people pay for their lake homes. If you wonder why I am against this, it is because I own property on a lake in southern Cheboygan County and had my first run-in with transient rentals 20 years ago when a neighbor rented his place out. They had strict rules also – sleeping for six people, no dogs, no loud parties, etc. Well guess what? The renters show up and there are 3 – 4 cars of people, at least one boat, sometimes more, and dogs are allowed by the renters to run free and make deposits on the neighbor's property. Fortunately, my neighbor got tired of the renters not taking proper care of his property and stopped renting his place out.

Now, there are two more rental homes within 500 feet of my place, and these people are just as bad, but more with parking problems since the owners have very limited parking. These renters park on the road and create traffic problems. I 'm not saying all transient rentals are bad, but it only takes 1 or 2 a summer to make your life miserable.

The last thing the planning commission needs to address is the laws of the State of Michigan. If you are a transient rental facility, you need a Sales and Use Tax Number from the Michigan Department of Treasury, and they must file monthly returns. Also, state law requires that these rental units be handicap accessible and meet all ADA requirements. Just talk to the local building department and they will inform you that these are state codes and cannot be changed.

I urge any neighbors who are unhappy with transient renters to voice their opinions and attend all future meetings on this issue.

Richard T. Jurewicz
P.O. Box 621
Indian River, MI 49749
231-420-8225
richjurewicz@yahoo.com

Cheboygan County
Planning & Zoning Dept.
P.O. Box 70
Cheboygan, Michigan 49721

April 1, 2017 **RECEIVED**

APR 06 2017

CHEBOYGAN COUNTY
COMMUNITY DEVELOPMENT DEPT.

Planning and Zoning Department
Lake & Stream Protection (P-LS) zoning district

It is my understanding that the Zoning Department is considering changing the County Ordinance to allow "Transients rentals." This change is an extremely bad idea for the following reasons.

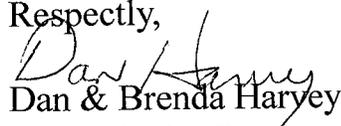
My wife and I own a residence at 1646 Nicolet Dr. (Beaugrand Estates) Cheboygan, Michigan, since 1974. We have had our share of weekly rental experiences with the house next door. This house was rented out every week all summer long, year after year. Every week we had to contend with a new set of **impolite, rude & disrespectful** vacationers, who want to have a good time no matter what!

Bon fires, firecrackers, loud music, profane language, with a total disrespect for any and all neighbors. If you vote to change the ordinance, you're opening up a County wide can of worms, please leave the ordinance in effect!! The bottom line is: It's not about providing a quiet getaway that allows them to experience northern Michigan at it's finest for a reasonable price. Make no mistake, these weekly rentals generate huge profits.

I was not aware that there was such an ordinance when I was having all the trouble with vacation renters. We have enough problems with long term renters in the neighborhood, without having to contend with the additional weekly rental problems, which will also effect property values.

Please protect the property rights of the quiet, law abiding citizens of your county.

Respectly,


Dan & Brenda Haryey
1646 Nicolet Dr.
Cheboygan, Michigan 49721

CHEBOYGAN COUNTY PLANNING COMMISSION

Triple D Sanitation – Revised 04/18/17

Exhibit List

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

The following items were added to the exhibit list on 04/11/17:

7. Email dated 02/01/17 from Brent Shank, Cheboygan County Road Commission (1 Page)

The following items were added to the exhibit list on 04/13/17:

8. Email dated 04/12/17 from Brent Shank, Cheboygan County Road Commission (1 Page)
9. Cheboygan County Road Commission - Beaugrand Township Local Road Ratings Report For 2016 (6 Pages)
10. Cheboygan County Road Commission Certification Map For Beaugrand Township (1 Page)

The following items were added to the exhibit list on 04/18/17:

11. Emails between John Ozoga (DEQ), Margie Ring (DEQ) and Steve Schnell (2 Pages)
12. Letter from Karen Johnson to Cheboygan County Planning Commission (3 Pages)
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.

Note: Planning Commission members have exhibits 1 and 2.

NOTICE
CHEBOYGAN COUNTY PLANNING COMMISSION MEETING and PUBLIC HEARING
WEDNESDAY, APRIL 19, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) An Ordinance to amend the Cheboygan County Zoning Ordinance #200 to amend the definition of dwelling and family to allow short term rental of dwellings.
- 2.) RACC Enterprises, LLC and Griswold Mountain Properties, LLC - Requests a Special Use Permit for a wireless communication facility (Section 17.13.). The property is located at 6444 Griswold Mountain Drive, Tuscarora Twp., section 12, parcel #161-012-300-003-01 and #161-012-300-003-01, and is zoned Agriculture and Forestry Management (M-AF).
- 3.) Edward Shovan - Requests a Special Use Permit for Boat Storage and Indoor Storage Facility (50 ft. x 144 ft.) and a change of use for an existing structure from Private Storage to Indoor Storage Facility (40 ft. x 144 ft.) (Sections 6.3.14. and 6.3.16.). The property is located at 1771 and 1829 South Straits Highway, Tuscarora Twp., section 7, parcel #161-007-300-010-01 and #161-012-300-010-02, and is zoned Commercial Development (D-CM).
- 4.) Triple D Disposal / Erica Wheelock/ Bonnie Nagy - Requests a Special Use Permit for Waste Hauling (Section 7.3.13.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned Light Industrial Development (D-LI).
- 5.) Robert Andrews - Requests a Special Use Permit for an Indoor Storage Facility (30 ft. x 140 ft.) (Section 6.3.16.). The property is located at 6123 North Straits Highway, Inverness Twp., section 34, parcel #091-034-400-006-03, and is zoned Commercial Development (D-CM).
- 6.) Thomas Redman / Exodus 33:13, LLC - Requests a rezoning from Agriculture and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). The property proposed to be rezoned is located in Walker Township, Section 5 and described as follows:
Parcel #220-005-200-001-01 described as, COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. Also Parcel #220-005-200-002-00 described as, COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N. SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4

Please visit the Planning and Zoning office or visit our website to see the proposed ordinance amendment and special use permit applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.

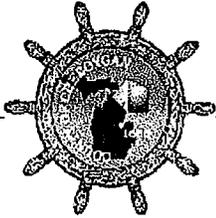
This is a supplemental notice regarding a public hearing for consideration of a special use permit for waste hauling by Triple D Sanitation for the property located at 1988 Levering Road. The original notice states that the subject property is in the Light Industrial Development (D-LI) zoning district. The subject property is zoned General Industrial Development (D-GI). The time and place of the public hearing, the proposed use, the location of the proposed use, the section of the zoning ordinance including the review requirements under which the proposed use can be approved remains the same as provided in the original notice.

The corrected notice reads as follows:

Triple D Disposal / Erica Wheelock/ Bonnie Nagy - Requests a Special Use Permit for Waste Hauling (Section 7.3.13., as referenced in section 8.3.1.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned General Industrial Development (D-GI).

Please visit the Planning and Zoning office or visit our website to see the proposed ordinance amendment and special use permit applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

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

See attached

Site Plan Standards.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
No change to contours
- 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.
Staying the same
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
Drainage is staying the same
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
Staying the same
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
Staying the same
- 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. *N/A*
 - ii. It does not impede the vision of traffic along adjacent streets. *N/A*
 - iii. It does not unnecessarily illuminate night skies. *N/A*

SPECIAL LAND USE PERMIT APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SPECIAL LAND USE PERMIT APPLICATION

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

N/A

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

yes

3. Size of property in sq. ft. or acres: 14.07

4. Present use of property:

Truck repair, cement plant, heavy truck hauling, plowing

5. SUP Standards:

Business, stores salt for roads and lots of big equipment

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.

All trucks are self contained

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

NO

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

yes. will be kept organized and clean per DEQ regulations

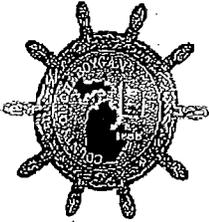
e. Will the proposed special land use place demands on fire, police, or other public resources in excess of current capacity? Explain.

NO

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

land has its own well and septic system

SPECIAL LAND USE PERMIT APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

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

[Handwritten Signature]

Date

3/14/17

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

Yes No

Owner's Signature

[Handwritten Signature]

Date

3-17-17

FOR PLANNING / ZONING DEPT. USE ONLY

Date Received:

Notes:

Fee Amount Received:

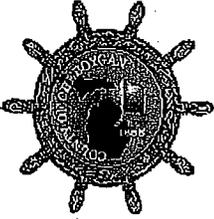
Receipt Number:

Public Hearing Date:

Planning/Zoning Administrator Approval:

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

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

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Applicant's Signature

Date

3/14/17

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Yes No

Owner's Signature

Date

FOR PLANNING/ZONING DEPT. USE ONLY

Date Received:

12/21/16

Notes:

Fee Amount Received:

720.00

Receipt Number:

5415

Public Hearing Date:

4-19-17

Planning/Zoning Administrator Approval:

Signature

3/17/17

Date

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

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

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

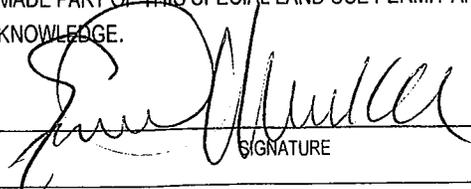
INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		m. Location and specifications for all fences, walls, and other screening features.
✓		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
✓		o. Exterior lighting locations with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

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

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
d	no change

AFFIDAVIT

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



 SIGNATURE

3/14/17

 DATE

**CHEBOYGAN COUNTY PLANNING COMISSION
SPECIAL LAND USE PERMIT**

I am the owner of Triple D Sanitation, I started my business January 1, 2015. We have expanded for the better and cleaned up the area that we had walked into. I now feel that I need to expand to help my business, my customers, and my community. Where my business is located is commercial with several residential houses surrounding us. Where I want to buy is Industrial with very little residential houses around it. Right next to it is a active airport and a Salvage Yard right across the street.

I want this new location to become a permanent place for my Waste Hauling business. I am also looking into adding recycling and roll off to my company. With that in the future we will need to put up another building for the recycling and offer bird cages left outside for customers to put there cardboard into. We will also have a roll off can for customers to throw there metal in with appropriate water lids on top of it. Currently we will be using the existing two buildings that are on the premises. One will be used for our trucks to be stored/ worked on. The other is where our office will be located. I will have emptied dumpsters stored outside on the premises ready for delivery when needed. These dumpsters will vary in size any where from 2 yard to 40 yard cans. There is approximately 200 cans. These cans will be stored to the east of the big garage beside the tree line. I will use the current sign that is already up at the road with solar lights pointing in the direction of the sign. The sign will be re painted with our company name and logo on it. Our hours of operation will be from 6:00 am until 11:00pm (its on rare occasion that someone will be at the yard until 11:00pm. Only if there is a truck that needs to be fixed. Which will be done inside the buildings). Office hours will be from 9:00 am until 5:00 pm Monday through Friday, Saturday currently the office is closed but in the summer we plan on adding the office open from 9:00am until 3:00. Closed on Sundays and all major holidays. Chains/ gates will be put up in front of the drive while the office is closed. My company currently employes 4 works plus Joe and myself.

Currently with how our facility is set up all trash that is picked up is put directly into one of the garbage trucks. These trucks are self contained and plugged so that nothing put in them is leaking into the ground. We then take those trucks to the Landfill and they are emptied there. There is a drain field on the property next to the office and a well big enough to have 7 homes attached to it if needed. That is located next to the small log cabin structure. There is also a constant flowing artisan well on the property as well. Eventually in the future we would like to have our own recycling station that will help keep our cost of operation down along with the pricing for our customers. We are working with DEQ out of Gaylord to achieve these goals. When that time comes we will have all the proper drainage to keep everything contained and out of the ground. There are containers that the fluids are placed into and those are hauled away by another company.

Sent from [Outlook](#)

16-041-026-300-001-00
CHEBOYGAN AIRPORT AUTHORIT
1520 LEVERING RD
CHEBOYGAN MI 49721

16-041-027-400-008-00
LANDRIE, DALE L
2054 LEVERING RD
CHEBOYGAN MI 49721

16-041-026-300-002-00
LEDUC, JEROME & JOHN LEDUC, JT
13151 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-034-200-002-02
WILCOME, DENNIS & BARBARA H/
12900 SHALL RD
CHEBOYGAN MI 49721

16-041-026-300-003-01
URLAUB, WILMA A
13248 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-035-100-001-00
LYONS, RONALD & DOLORES, TRU
15457 PRIES RD
CHEBOYGAN MI 49721

16-041-026-300-003-03
JOHNSON, KAREN P
13090 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-035-100-004-00
GAHN, ROGER & DEBORAH H/W
1825 LEVERING RD
CHEBOYGAN MI 49721

16-041-026-300-003-04
MCWAIN, NICOLE L
13200 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-026-300-003-05
NAGY, BONNIE
1988 LEVERING RD
CHEBOYGAN MI 49721

16-041-026-300-003-09
NAGY, BONNIE L
13180 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-027-400-002-00
CHEBOYGAN AIRPORT AUTHORIT
1520 LEVERING RD
CHEBOYGAN MI 49721

16-041-027-400-006-00
KORTE, MARTIN A JR; DONNA F KO
2339 LEVERING RD
CHEBOYGAN MI 49721

16-041-027-400-007-00
LANDRIE, DANIEL & JEANNIE H/W
13099 INVERNESS TRAIL RD
CHEBOYGAN MI 49721

16-041-026-300-001-00
OCCUPANT
1520 LEVERING RD
CHEBOYGAN, MI 49721

16-041-027-400-008-00
OCCUPANT
2054 LEVERING RD
CHEBOYGAN, MI 49721

16-041-026-300-002-00
OCCUPANT
13151 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-034-200-002-02
OCCUPANT
12870 SHALL RD
CHEBOYGAN, MI 49721

16-041-026-300-003-01
OCCUPANT
13248 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-035-100-001-00
OCCUPANT
1985 LEVERING RD
CHEBOYGAN, MI 49721

16-041-026-300-003-03
OCCUPANT
13090 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-035-100-004-00
OCCUPANT
1825 LEVERING RD
CHEBOYGAN, MI 49721

16-041-026-300-003-04
OCCUPANT
13200 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-026-300-003-05
OCCUPANT
1988 LEVERING RD
CHEBOYGAN, MI 49721

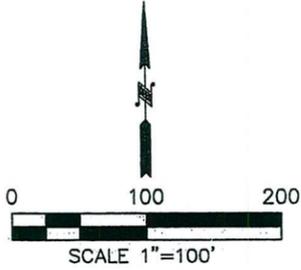
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1876 LEVERING RD
CHEBOYGAN, MI 49721

16-041-027-400-002-00
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13375 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

16-041-027-400-006-00
OCCUPANT
2010 LEVERING RD
CHEBOYGAN, MI 49721

16-041-027-400-007-00
OCCUPANT
13099 INVERNESS TRAIL RD
CHEBOYGAN, MI 49721

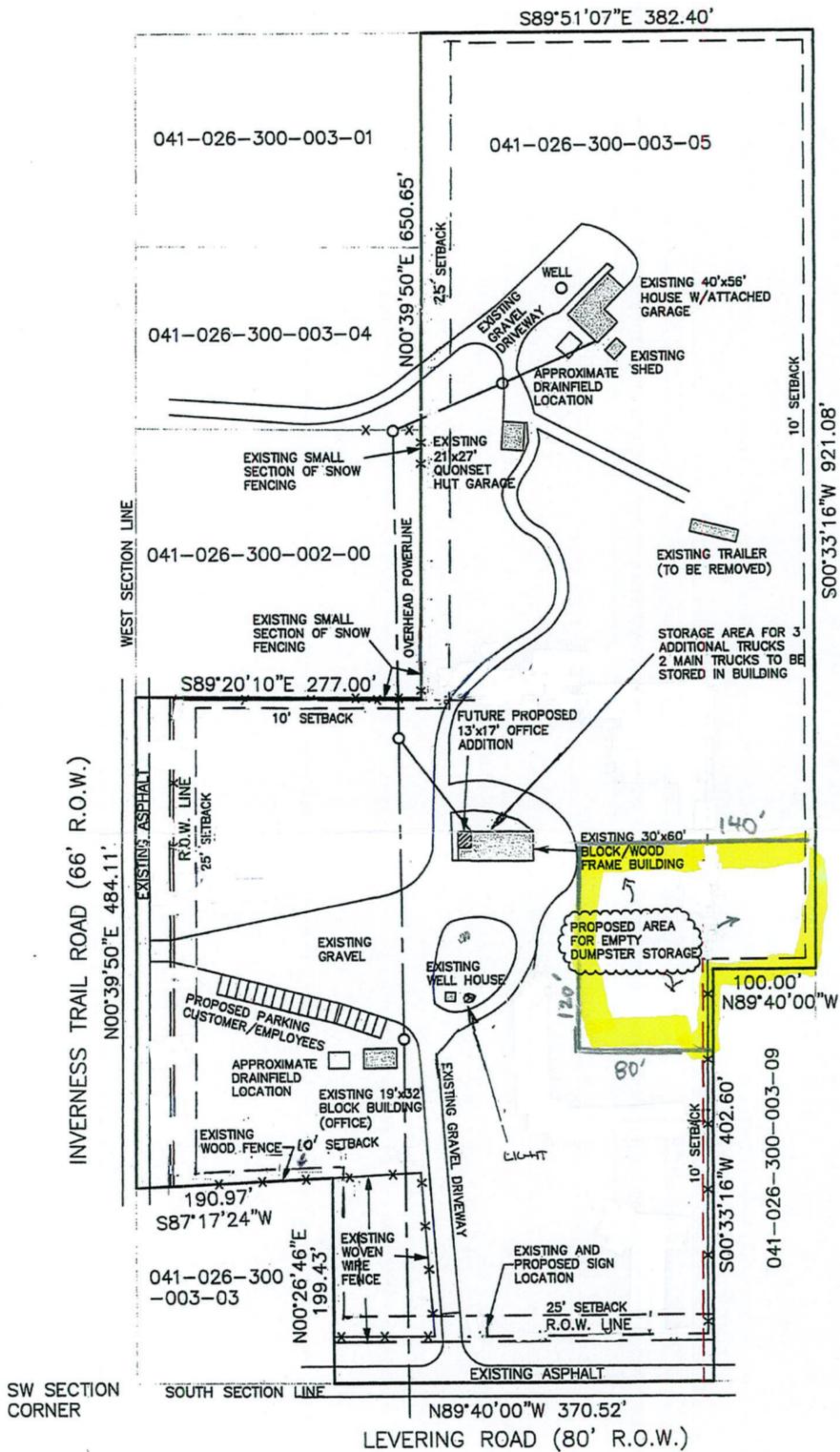
PART OF THE W1/2 OF THE SW1/4 OF THE SW1/4,
SECTION 26, T38N, R2W,
BEAUGRAND TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN



NOTE: BOUNDARY INFORMATION TAKEN FROM SURVEY BY MARVIN A. ROSS.

NOTES:

- PARCEL AREA - 14.2 ACRES
- ENTRANCES - CUSTOMER AND EMPLOYEE ENTRANCE IS FROM LEVERING ROAD. INVERNESS TRAIL ROAD ENTRANCE IS FOR INTERNAL PURPOSES ONLY.
- ENTRANCES WILL USE THE EXISTING CABLE FOR A GATEWAY AND BOTH WILL BE LOCKED DURING OFF HOURS.
- FENCING - PROPOSED FENCE IS TO BE WOOD OR CHAIN LINK AND WILL BE 4 FEET TALL.
- LIGHTING - EXISTING FLOOD LIGHT LOCATED AT SOUTHWEST CORNER OF BLOCK/WOOD BUILDING. NO ADDITIONAL OUTDOOR LIGHTING TO BE PLACED.



Alan J. Granger

DATE DEC. 12, 2016	REVISIONS ORIGINAL ISSUE	TITLE: SITE PLAN	SCALE: 1"=100'
		CLIENT: TRIPLE D SANITATION	SHEET: 1 OF 1 DRAWN BY: AJG
			JOB NO. C6877-01
			Granger and Associates, Inc. Engineers - Surveyors 224 S. Main St., Cheboygan, MI 49721 Email: grangerandassociates@gmail.com 231-627-2763

Alan J. Granger 3/17/17

Deborah Tomlinson

From: Brent Shank <mgr@chcrc.com>
Sent: Wednesday, February 01, 2017 8:33 AM
To: Deborah Tomlinson
Subject: Re: SUP Application for Triple D Disposal

Follow Up Flag: Follow up
Flag Status: Completed

Debbie,

Since this is a change in use for this property the Road Commission will require a driveway permit for all existing/proposed driveways. Road Commission requirements specify concrete curb and gutter along with surfacing on the driveways within the right of way for commercial driveways.

Thank you,

Brent Shank
Engineer/Manager
Cheboygan County Road Commission

Sent from my iPhone

On Feb 1, 2017, at 8:11 AM, Deborah Tomlinson <debbiet@cheboygancounty.net> wrote:

Good morning!!!

The following is a link to the Special Use Permit Application for Triple D Disposal: <http://www.cheboygancounty.net/current-applications-in-review-359/> . This application will be reviewed at the 02/15/17 Planning Commission Appeals meeting. Please review the application and call me or e-mail me if you have any questions or comments. Thank you!!!

Debbie

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

Deborah Tomlinson

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

Sent: Wednesday, April 12, 2017 3:28 PM

To: Scott McNeil

Subject: Inverness Trail Road

Scott,

In regard to your question about Inverness Trail Road condition PASER Rating of 3:

A road that has a PASER rating of 3 is a road in poor condition. Typically a road in this category has structural failure and is in need of total reconstruction.

The Road Commission is not able to require a road improvement as condition of a driveway permit. If the driveway access meets Road Commission requirements for safety and design, we can not deny the access. The Road Commission would require concrete curb and gutter and surfacing with asphalt or concrete for each driveway entrance. The applicant indicates they will access both Inverness Trail Road and Levering Road. Levering Road is a much better road for commercial access. It is built to withstand the loads from commercial traffic. The Road Commission would much prefer the business to use Levering Road only as the access point.

Feel free to call if you want to discuss this further.

Have a good day,

Brent Shank

Engineer/Manager

Cheboygan County Road Commission

mgr@chcrc.com

(231) 238-7775

Cheboygan County Road Commission
Beaugrand Township Local Road Ratings Report for 2016

The goal of the Road Commission is to use Asset Management Strategies when planning projects for the roads under the jurisdiction of the Cheboygan County Road Commission. Asset management, as defined by Public Act 199 of 2007, is an “ongoing process of maintaining, upgrading and operating physical assets cost-effectively, based on a continuous physical inventory and condition assessment. Using asset management will allow the Road Commission and Township to invest the available road funds in a manner that will provide the greatest return.

PASER Road Rating System

All the local paved and gravel roads are rated each year using the PASER Road Rating system in the Township (seasonal roads are not included). PASER, or Pavement Surface Evaluation and Rating, is the rating system that is used in collecting data for RoadSoft. The roads are rated on a scale of 1 to 10 according to surface conditions of the pavement or a scale of 2 to 10 for gravel surfaces. The tables below show the rating and the suggested maintenance that would be required to preserve the road along with an estimated cost of repair.

PASER Rating and Treatments for Paved Roads

Road Rating	Recommended Repair	Estimated Cost per Mile
10	No maintenance necessary. New Road	\$ 0
9	No Maintenance necessary. Smooth Surface.	\$ 0
8	Minor Crack Sealing	\$ 600
7	General Crack Sealing and/or Minor Patching	\$ 3,200
6	Patching and Sealcoat	\$ 29,000
	Ultra-thin Asphalt Overlay	\$ 63,000
5	Asphalt Wedging	\$ 47,000
	Asphalt Wedging and Sealcoat	\$ 75,000
	Asphalt Wedging and Ultra-thin Asphalt Overlay	\$ 106,000
4	Asphalt Wedging and Overlay	\$ 142,000
3	Pulverize, gravel and pave	\$ 240,000
2	Reconstruction.	\$ 350,000
1	Reconstruction. Failed Road.	\$ 350,000

PASER Rating and Treatments for Gravel Roads

Road Rating	Existing Condition / Recommended Repair	Estimated Cost per Mile
10	No maintenance necessary. New Road	\$ 0
8	Good crown and drainage throughout. Adequate gravel for traffic. Maintain with grading and dust control.	\$ 500
6	Existing crown with drainage on 50% or more of roadway. Additional gravel needed in some areas along with ditching.	\$ 45,000
4	Little or no crown. Ditched on less than 50% of the road. Additional gravel needed on entire road along with ditching.	\$ 85,000
2	Failed road. Reconstruction.	\$ 250,000

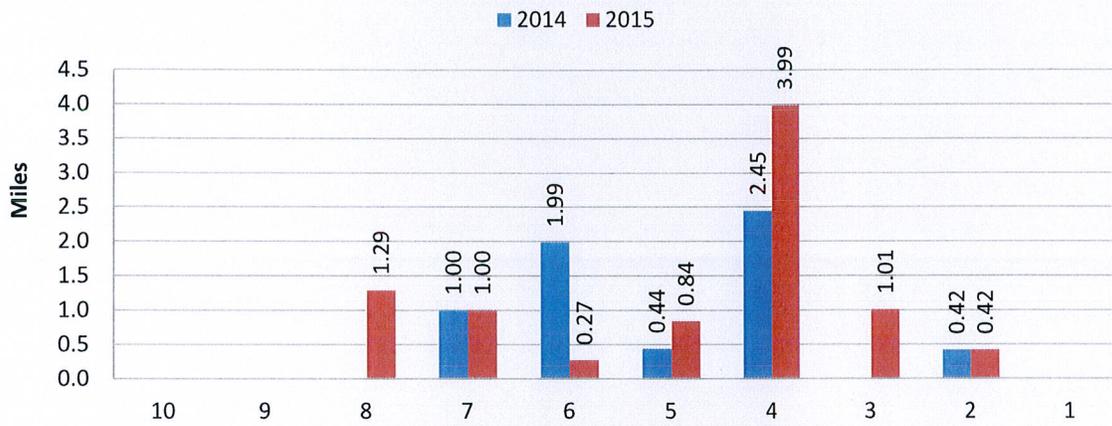
Beaugrand Township Paved Local Road Ratings

Current Road Ratings

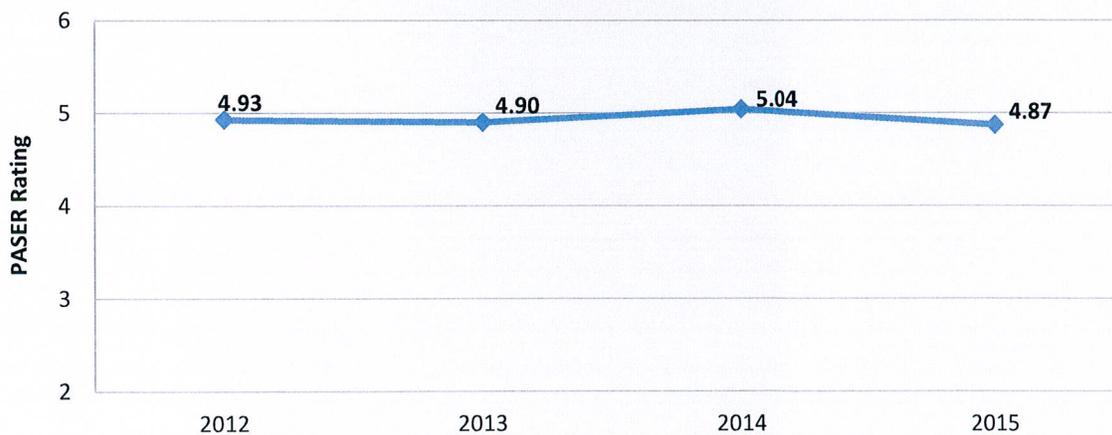
PASER Rating	Road Name	Limits	Length (miles)
10			
9			
8	Woiderski Road	Inverness Trail to Riggsville Road.	1.29
7	Inverness Trail Road	Woiderski Road to Levering Road.	1.00
6	Shore Drive	Easterly and westerly of Coulson Drive.	0.27
5	Nicolet Drive	Michigami Drive to Beaumont Drive.	0.21
4	Beaumont Drive	US-23 to Nicolet Drive.	0.36
	Coulson Drive	US-23 to Shore Drive.	0.39
	Harmony Lane	US-23 to Nicolet Drive.	0.42
	Inverness Trail Road	Levering Road to Campbell Road.	1.00
	LaHaie Road	Cheboygan City Limits to end of pavement.	0.72
	Lake Shore Drive	Cheboygan City Limits to end of road.	0.40
	Michigami Drive	Beaumont Drive to Shore Drive.	0.18
	Nicolet Drive	Michigami Drive to end of road (westerly).	0.20
	Shore Drive	Michigami Drive to end of road (easterly).	0.14
	Slade Road	Old Mackinaw Road then south to end of pavement.	0.18
3	Inverness Trail Road	Levering Road to Old Mackinaw Road.	0.73
	Pinewood Circle		0.21
	Sunflower Street	US-23 to Pinewood Circle.	0.07
2	Old Mackinaw Road	Pries Road to end of pavement.	0.42
1			

Average PASER Rating for Paved Local Roads 4.87

2015 PASER Ratings for Paved Local Roads



Average PASER Rating for Paved Local Roads



Estimate Cost to Repair Local Paved Roads Based on 2015 PASER Ratings

Road Rating	Miles	Estimated Cost per Mile	Total Cost
10	0	\$ 0	\$ 0
9	0	\$ 0	\$ 0
8	1.29	\$ 600	\$ 774
7	1.00	\$ 3,200	\$ 3,200
6	0.27	\$ 29,000	\$ 7,830
5	0.21	\$ 47,000	\$ 9,870
4	3.99	\$ 142,000	\$ 566,580
3	1.01	\$ 240,000	\$ 242,400
2	0.42	\$ 350,000	\$ 147,000
1	0	\$ 350,000	\$ 0

Total Cost in 2016 = \$ 977,654

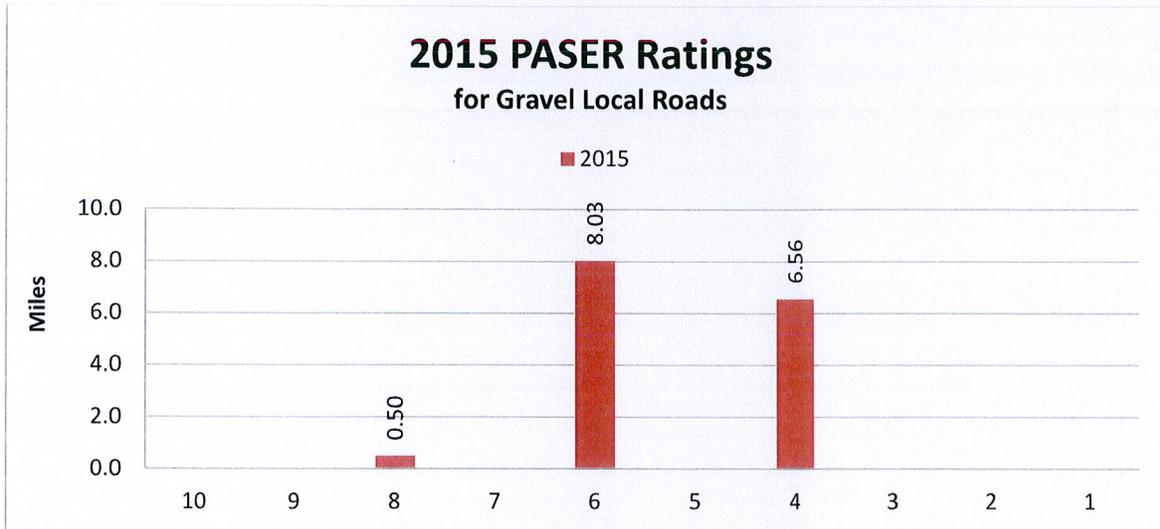
Beaugrand Township Gravel Local Road Ratings

Current Road Ratings

PASER Rating	Road Name	Limits	Length (miles)
10			
8	Woiderski Road	Schmidt Road to Inverness Trail.	0.50
6	Airport Road	LaHaie Road to Levering Road.	0.50
	Campbell Road	Goebel Road to Rose Road.	0.99
		Inverness Trail to US-23.	0.49
	Goebel Road	Campbell Road then north to end of road.	0.52
	Lahaie Road	Airport Road to pavement.	0.19
	Old Mackinaw Road	End of asphalt then westerly to Township Line.	3.09
	Phillips Road	Pries Road to end of road.	0.16
	Rose Road	Levering Road to Campbell Road.	0.99
	Shall Road	Levering Road then south to end of road.	0.51
	Slade Road	Levering Road then north to pavement.	0.59
4	Campbell Road	Rose Road to Inverness Trail.	1.00
	Garden Street	Court Street to end of road.	0.20
	Goebel Road	Levering Road then north to seasonal road.	0.06
	Hill Road	Knaffle Road to Levering Road.	0.99
	Knaffle Road	Hill Road to end of road.	0.53
	Nipigon Road	Old Mackinaw Road to US-23	1.31
	Rose Road	Campbell Road then north to end of road.	0.26
	Seymor's Road	LaHaie Road then south to end of road.	0.06
	Shall Road	Levering Road then north to end of road.	0.27
	Woiderski Road	Levering Road then south to seasonal road.	0.95

4	Wollangur Road	Levering Road to Hill Road.	0.93
2			

Average PASER Rating for Gravel Local Roads 4.75



Service Life of Treatments

Service life is the expected time that a treatment will last before needing complete reconstruction. In the table below, an expected service life for a particular treatment is listed. Before a treatment reaches the expected service life, preventative maintenance should be performed. Preventative maintenance will extend the expected service life of the pavement and treatment.

Service Life of Treatments for Paved Roads

Road Rating	Recommended Repair	Expected Service Life (years)
8	Minor Crack Sealing	5
7	General Crack Sealing and/or Minor Patching	5
6	Patching and Sealcoat	7
	Ultra-thin Asphalt Overlay	7 – 10
5	Asphalt Wedging	7
	Asphalt Wedging and Sealcoat	7 – 10
	Asphalt Wedging and Ultra-thin Asphalt Overlay	10
4	Asphalt Wedging and Overlay	12 – 15
3	Pulverize, gravel and pave	15 – 25
2	Reconstruction.	25 - 30
1	Reconstruction. Failed Road.	25 - 30

For example, if a road has a PASER rating of 6, a treatment of a ultra-thin asphalt overlay is recommended (see the Table titled PASER Ratings and Treatment on page 1). The expected service life for an ultra-thin asphalt overlay is 7-10 years. Preventative maintenance in the form of crack sealing may be required after 2 years.

Expected service life may be shorter if the road is on poor soils that are not addressed as part of the treatment. If a project is selected that is not the recommended treatment, the service life listed in the table above will be shorter and preventative maintenance will need to be performed sooner.

Service Life for a gravel road is difficult to predict. Gravel road conditions can change rapidly based on weather, grading and traffic effects on the roads.

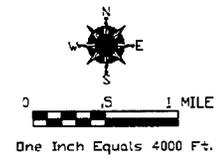
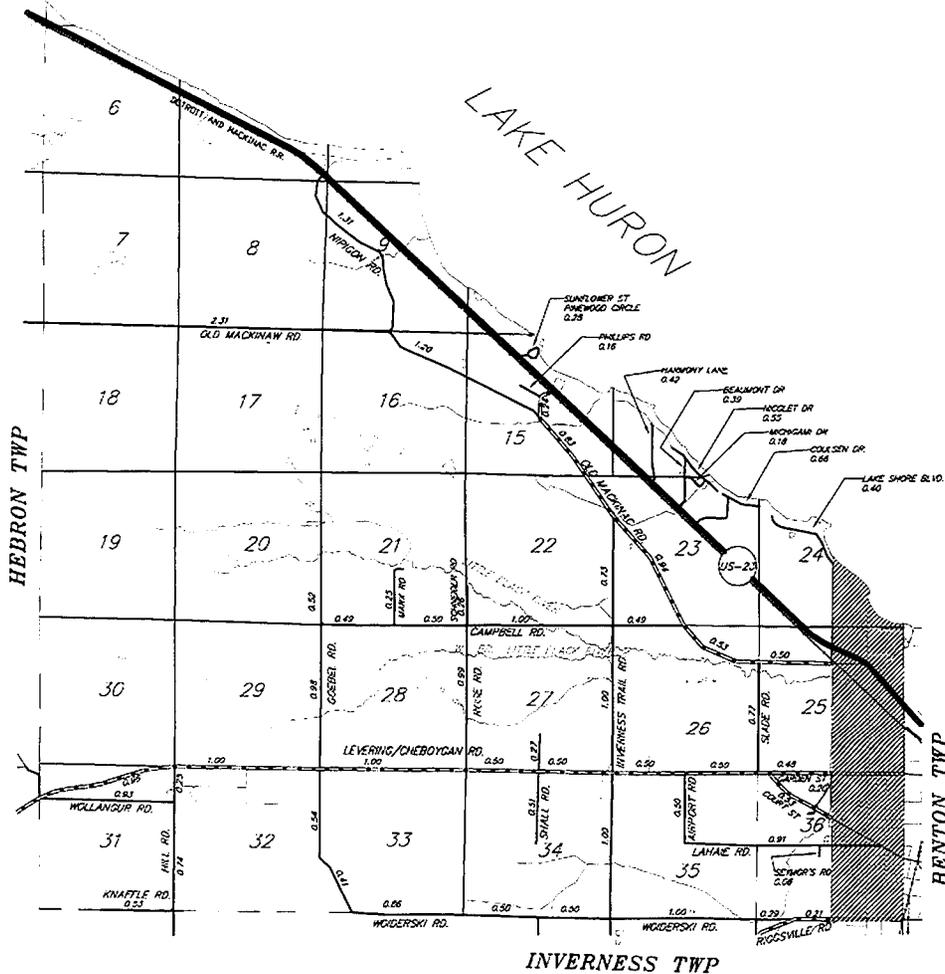
LEGEND

22

- COUNTY LINE - - - - -
- CORPORATE LIMITS - - - - -
- STATE TRUNKLINE **—————**
- COUNTY PRIMARY **—————**
- COUNTY LOCAL **—————**
- ADJACENT COUNTY **—————**
- CITY OR VILLAGE STREET **—————**

PRIMARY ROAD SYSTEM IS 9.22 MILES

LOCAL ROAD SYSTEM IS 25.84 MILES



BEAUGRAND TOWNSHIP T38N R2W 22

Deborah Tomlinson

From: Ozoga, John (DEQ) [<mailto:OZOGAJ@michigan.gov>]
Sent: Wednesday, April 05, 2017 11:05 AM
To: Steve Schnell
Subject: FW: quick question - Hauling Turcks with 500 ft of Residence

From: Ring, Margie (DEQ)
Sent: Monday, March 27, 2017 4:09 PM
To: Ozoga, John (DEQ)
Cc: Roycraft, Phil (DEQ)
Subject: RE: quick question - Hauling Turcks with 500 ft of Residence

Sorry, I missed this last week. If you look at Rule 602(5) of Part 115 it says: " During the collection process, a solid waste transporting unit shall not be parked in a residential area longer than necessary to collect solid waste, unless it is parked more than 500 feet from adjacent residences. A solid waste transporting unit shall not be parked, stored or established at any location so as to cause a hazard to health or at any residentially zoned location so as to cause a nuisance."

So, it appears the 500-foot limit is during the collection process – presumably as it will have waste in it during that time. The second part of 602(5) doesn't set a distance limit, just says it can't cause a health hazard or nuisance. So, unless there is a specific prohibition in the County Solid Waste Management Plan, I don't think parking an empty truck in an industrial zoned area within 500 feet of a residence would be prohibited.

From: Ozoga, John (DEQ)
Sent: Thursday, March 23, 2017 10:38 AM
To: Roycraft, Phil (DEQ); Ring, Margie (DEQ)
Subject: FW: quick question - Hauling Turcks with 500 ft of Residence

Can an empty solid waste hauling truck be parked within 500 feet of a house? I think so, correct?

From: Steve Schnell [<mailto:steve@cheboygancounty.net>]
Sent: Thursday, March 23, 2017 10:28 AM
To: Ozoga, John (DEQ)
Subject: RE: quick question

John,

Can you tell me if a waste hauler can be within 500' of a residential zone? The property they are proposing is in an industrially zoned area but there is a residential zone on the other side of the street. Their proposed plan shows they would be parking their trucks and some of their empty dumpsters within 450' or less from a residentially zoned area. Does this run afoul of the rule R 299.4602(5)? Or is that only applying during the time they drive their route?

See attached for reference.

Thanks,
Steve

Steve Schnell, AICP
Community Development Director

Cheboygan County
870 S. Main St., PO BOX 70
Cheboygan, MI 49721
steve@cheboygancounty.net
www.cheboygancounty.net/planning
Phone: 231-627-8485
Fax: 231-627-3646
Cell: 231-445-2599

From: Ozoga, John (DEQ) [<mailto:OZOGAJ@michigan.gov>]
Sent: Friday, February 24, 2017 12:36 PM
To: Steve Schnell
Cc: Roycraft, Phil (DEQ)
Subject: Re: quick question

Hauler can have waste in truck for over night storage. Just can't take out onsite without being a transfer station.

Sent from my iPhone

On Feb 24, 2017, at 10:49 AM, Steve Schnell <steve@cheboygancounty.net> wrote:

John,

Can a waste hauler store overnight a garbage truck on site which has garbage in it? Or, to remain a waste hauler (and not be considered a transfer station) does that garbage truck have to remain empty overnight or whenever parked at their location?

Thanks,
Steve

Steve Schnell, AICP
Community Development Director
Cheboygan County
870 S. Main St., PO BOX 70
Cheboygan, MI 49721
steve@cheboygancounty.net
www.cheboygancounty.net/planning
Phone: 231-627-8485
Fax: 231-627-3646
Cell: 231-445-2599

Cheboygan County Planning Commission
Cheboygan County Building
870 South Main St. Room 103
Cheboygan, MI 49721

RE: Triple D Sanitation / Erica Wheelock/ Bonnie Nagy- Special Use Permit Application

Dear Commission Members:

I write in connection with the above special use permit application. I have examined the plans and I know the site well. I wish to object to the development of this type of business in this location.

I reside at 13090 Inverness Trail Road, which on the submitted site plan is 041-026-300-003-03.

In reference to the statement by the Community Development Department in regards to a C of O from the Cheboygan County Department of Building Safety and the proposed use falling under the same use category as defined by the Michigan Uniform Construction Code. What is the current legal use of the property? Ms. Wheelock states multiple different uses of this property. My understanding is that the current legal use of the property is for a batch plant which has not operated since I moved to Cheboygan. To my knowledge there has not been an approved special use permit and site plan for any of the following uses which Ms. Wheelock refers to ie. a truck repair facility, cement plant, heavy truck hauling, plowing business, storage area for salt for roads, and lots of big equipment.

Waste Hauler is not defined within the Cheboygan County Ordinance. Per previous application it has been determined that the Solid Waste Management Plan for Cheboygan County should be updated and addressed prior to moving forward with this type of business. Isn't a waste hauler part of the Solid Waste Solution within the county and therefore in my opinion should be addressed by the Solid Waste Management Plan. Furthermore Ms. Wheelock states in the application as well as in her letter that she "is looking into adding recycling and roll off to my company" and continues to discuss the desire to have a much more elaborate transfer station business at the proposed location.

I have many of the same concerns whether this be referred to as a "transfer station", or a "waste hauling company", in my opinion it is a play on words

Household garbage is hazardous waste and should be treated as such.

- 1) Concern over contamination of the ground water for myself as well as the neighborhood.
- 2) Intrusion of disease carrying rodents, additional nuisance birds and the odors.

- 3) The environmental impact on the Lake Huron Water shed.
- 4) The existing contaminants on the site that have been left from the previous uses.
- 5) The previous unsanitary conditions of the last location for the Triple D Sanitation facility.
- 6) The disregard by the owners of Triple D Sanitation to begin using the property prior to the use being approved.
- 7) The lack of information on the submitted site plan.
- 8) Devaluation of my property and neighboring properties
- 9) The concern over Triple D Sanitation adhering to the State of Michigan regulations, DEQ regulations, Solid Waste Management Plan for Cheboygan County (which is under going changes), as well as MDOT for operation as a business .

Item #1- Ground water contamination- Ms. Wheelock indicates a constant flowing artesian well on the property- Is that the same water that feeds my well which is within 10' of the property line of the proposed use. How will I be guaranteed that leachate will not contaminate my drinking water? Previous records indicate that the DEQ also had concerns in regards to this issue.

Item #2- Intrusion of disease carrying rodents, additional nuisance birds and odors. Whenever there is garbage left out, or contained it attracts unwanted animals, birds, and produces odors that can be noxious to a person's health.

Item #3- Environmental impact on the Lake Huron WaterShed. The West Branch of the Little Black River is within 200' of this property. (Surprising this river doesn't show up on the information provided by the Community Development Department) In the spring of the year the runoff from all surrounding properties is so massive that the gullies in the area have been known to overflow onto the road. The runoff and all contaminants from this site would then be deposited in adjacent properties and into the Lake.

Item #4- Existing contaminants on the site from previous uses. It is my understanding that this property was used in the past, as a batch plant for concrete manufacturing. Since I have lived at this location there have been many commercial vehicles, junk or immobile vehicles, as well as mobile homes, and semi-trailers stored on this site. There have been many fires and excavation that have gone on at this location, including the burning of tires. What containments could exist on the site today that we don't know about?

Item #5-The previous unsanitary conditions of the last location for the Triple D Sanitation facility. I have been informed that you cannot hold a person's past indiscretions against them, I disagree with this comment only because if data is available to base a decision on then one should use the data collected to make an informed decision. The data in regards to the Special Use Permit for Triple D Sanitation is available so please use it.

Item #6 -The disregard by the owners of Triple D Sanitation to begin using the property prior to the use being approved. Triple D Sanitation has been using this site since November and more recently as of March to my knowledge. I leave my home at approximately 5:30 am and return

at 4:30 pm I have seen and continue to see the garbage trucks pulling in and out of the driveway that leads to Levering road, which is highly visible from my kitchen window. Triple D Sanitation has been informed on two occasions that I am aware of, that they cannot use the property until the Special Use Permit is approved, but they continue to do so.

Item #7 -The lack of information on the submitted site plan. The site plan depicts that the wood fence adjacent to my property is theirs that is not the case the wood fence is owned by me and is on my property. The site plan doesn't show any spaces for handicap accessible parking, there is no screening shown on the site plan. There are also other structures on the property that are not depicted on the site plan. No fencing is proposed. If this use is approved I don't feel this is adequate. There are wetlands on this property that are not shown on the site plan. The areas on the site plan that say existing gravel are actually dirt. There is no indication where they will be storing the hazardous waste water that is to be collected from washing the building and the trucks- DEQ requirement.

Item #8- My property as well as the surrounding properties will diminish in market value- I purchased my property in Cheboygan County with the intent of someday selling it, at a profit. Allowing this use in this location will impede the surrounding area from appreciation. Potentially causing depreciation of the value that property will be worth in the surrounding area. (Would you want this use in your back yard?)

I honestly believe that the County Board of Commissioners should be taking control over this and forming the Solid Waste Management Committee in order to determine what the requirements should be. The Solid Waste Management Plan was put in place to protect constituents such as myself and surrounding areas. With the information that we have to date I would encourage the Planning Commission to defer from making a decision on this SUP until further information becomes available.

Thank you for your time,
Sincerely,


Karen Johnson



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: Consideration of a Special Use Permit for a waste hauler in a General Industrial Development District (G-LI).	Prepared by: Steve Schnell and Scott McNeil
Date: April 12, 2017	Expected Meeting Date: April 19, 2017

GENERAL INFORMATION

Applicant: Triple D Sanitation/Erica Wheelock
Contact person: Erica Wheelock
Phone: 231-290-1950

Requested Action: Approval of a Special Use Permit for a waste hauler business in a General Industrial Development District pursuant to Section 7.3.13. as referenced by Section 8.3.1.

BACKGROUND INFORMATION

The applicant is proposing a waste hauler business in a General Industrial Development District (D-GI) zoning district. The applicant has provided a statement regarding the proposed operation of the waste hauler business which is attached to the application. As a waste hauler, the applicant indicates that the waste will be picked up off site and placed in waste hauling trucks. The waste will then be taken from the truck to the final disposal site. There may be waste in a waste hauling truck when parked at the site. No transfer of waste at the site is proposed. An area for storage of empty dumpsters is indicated on the site plan in the east-central portion of the site measuring approximately 120 feet by 140 feet. The applicant proposes to use existing structures with a future addition for office use measuring 13 feet by 17 feet as indicated on the site plan. There are no other new construction, alteration of existing structures or earth changes proposed in the application. The applicant indicates that there will be no toxic wastes.

The applicant has received a certificate of occupancy for the existing structures from the Cheboygan Department of Building Safety since the proposed use falls under the same use category as defined by the Michigan Uniform Construction Code.

Waste hauler is a use which is not expressly allowed in the zoning ordinance. As a result the applicant has chosen to make application under Section 7.3.13 which includes a requirement that the Planning Commission make a determination whether the proposed use is of the same general character as other uses allowed in the zoning district.

Section 7.3.13 (which is referenced in Section 8.3.1 and the same as Section 8.3.16) reads as follows:

Uses which are not expressly authorized in any zoning district, either by right or by special use permit, or uses which have not been previously authorized by the Planning Commission pursuant to this subsection or corresponding subsections in other zoning districts may be allowed in this zoning district by special use permit if the Planning Commission determines that the proposed use is of the same general character as the other uses allowed in this zoning district, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan County Comprehensive Plan for this zoning district.

We have reviewed our record of approved special use permits and past Planning Commission meeting indexes and find no reference to waste hauler use that has been approved or has been under consideration.

The standard requires “compliance with the applicable requirements of the Cheboygan County Comprehensive Development Plan for this zoning district”. Although there are no requirements listed in a Comprehensive Development Plan, which is now called the Master Plan, consistency with that plan can be reviewed. You will find a section of the Future Land Use Map of the subject area included in figure 1 of this report.

Current Zoning:

General Industrial Development District (D-GI).

Surrounding land uses:

Commercial on the south. Single family residential to the north and west. Cheboygan County Airport to the north and east.

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain): Some possible wetlands are indicated on the National Wetland Inventory map per figure 2. There are no wetlands indicated in the area where the use activity is proposed to take place.

Historic buildings/features:

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

Traffic Implications

Commercial uses can currently be found in the immediate area. The use will have minimal impact on traffic conditions.

Parking

There are no regulations or standards found in Section 17.6 relative to the proposed use. Section 17.6 provides for 1 parking space for every 2 employees. The applicant indicates that there will be 3 employees which will require 2 parking spaces. The site plan provides for 18 parking spaces.

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

The site plan indicates 2 existing driveways. One driveway provides access to the site from Inverness Trail Road and the other from Levering Road. Levering Road is an all-season road with no seasonal weight restrictions. Inverness Trail Road is a county road with a 2016 PASER rating of 3 out of 10.

Signs

A freestanding sign is located on the site which is to be used to advertise the proposed use. No other signs are proposed with this application.

Fence/Hedge/Buffer

No additional fences, hedge or buffers are proposed.

Lighting

No new lighting is proposed

Stormwater management

The site plan provides for maintaining existing management of stormwater. No storm water management improvements are proposed.

Review or permits from other government entities:

A permit from the Department of Building Safety will be required for the proposed office addition to an existing structure. The Cheboygan County Road Commission will require a driveway permit requiring concrete curb and gutter with surfacing will be required for all existing driveways. (see exhibit 7) Approval by the Michigan Department of Environmental Quality (DEQ) may also be required. Waste hauling businesses, called Solid Waste Transporting Units by the DEQ, must operate according to administrative rules referenced in the Michigan Natural Resources and Environmental Protection Act (NREPA). Part 6, R 299.4601-299.4602 apply to solid waste transporting units. Compliance with those rules is determined by the DEQ. Initial indication is that the plan proposed meets those rules. A requirement that these transporting units must be 500' from a residence applies only during the collection process. They indicated it is acceptable for a completely sealed truck to have waste in it overnight at the location as long as no trash escapes the truck and no transferring of the waste occurs at the site of the transporting unit's operations.

Recommended conditions:

A listing of conditions upon approval for consideration by the Planning Commission are provided at the end of the Findings of Fact draft document.

R 299.4602 Operation.

Rule 602. (1) A solid waste transporting unit's openings shall be closed and doors or covers shall be secured by an adequate latch or restraining mechanism to keep them closed while transporting solid waste which may blow or fall off the vehicle. The driver shall be responsible for the proper positioning of the cover. A special covering shall be used where conditions require the control of odor, vermin, liquids, dust or smoke.

(2) A solid waste transporting unit shall be loaded in a manner that minimizes the spilling of materials.

- (3) Where accidental spillage does occur from the solid waste transporting unit, the driver shall be responsible for assuring that the material is picked up as soon as possible and the area suitably cleaned.
- (4) Where solid waste is purposely dumped from a solid waste transporting unit due to a hot load or fire, the fire shall be immediately extinguished by the most effective means and the area shall be properly cleaned as soon as reasonably possible.
- (5) During the collection process, a solid waste transporting unit shall not be parked in a residential area longer than necessary to collect solid waste, unless it is parked more than 500 feet from adjacent residences. A solid waste transporting unit shall not be parked, stored or established at any location so as to cause a hazard to health or at any residentially zoned location so as to cause a nuisance.

Figure 1. Future Land Use Map (Adopted: 2014) of the subject area.

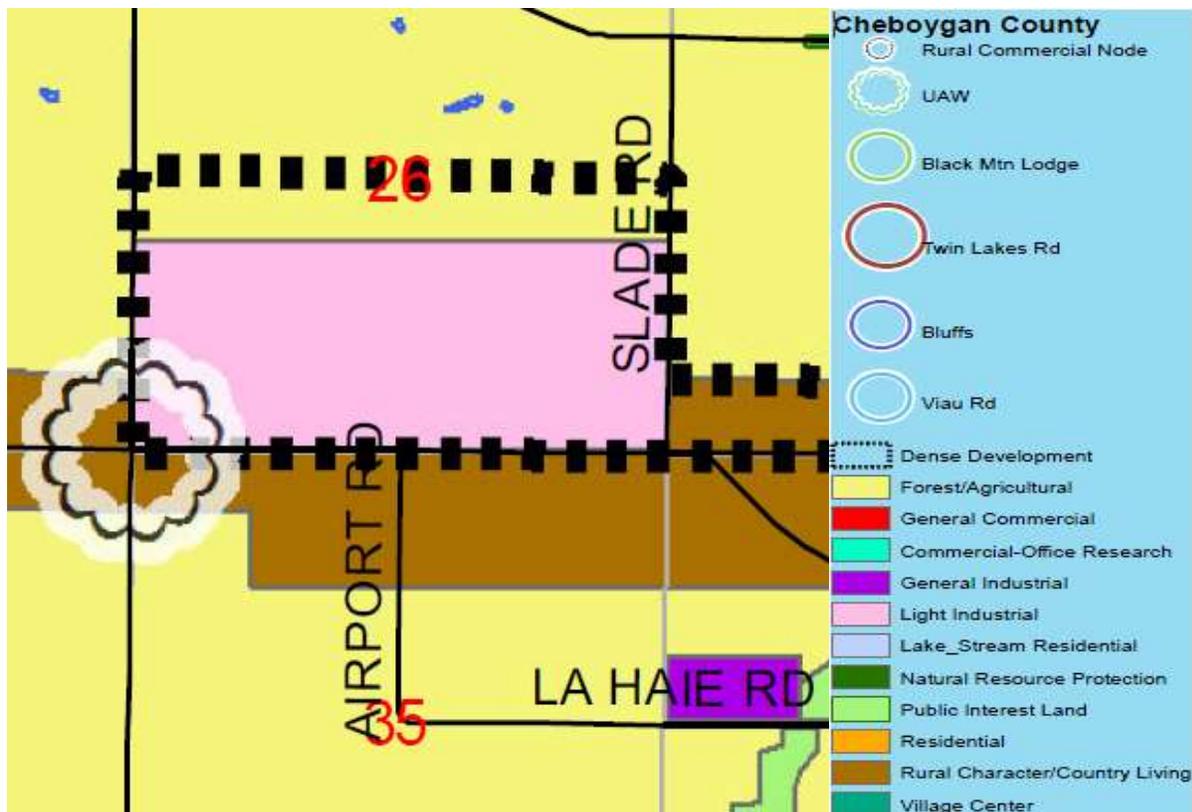


Figure 2



Part 303 Final Wetlands Inventory

- Wetlands as identified on NWI and MIRIS maps
- Soil areas which include wetland soils
- Wetlands as identified on NWI and MIRIS maps and soil areas which include wetland soils

Source:
Michigan DEQ, Final Wetland Inventory. This is a portion of a map that is intended to be used as one tool to assist in identifying wetlands and provides only potential and approximate location of wetlands and wetland conditions. It is not intended to be used to determine the specific locations and jurisdictional boundaries of wetland areas subject to Part 303, Wetlands Protection of PA 451 of 1994, as amended.

CHEBOYGAN COUNTY PLANNING COMMISSION
SPECIAL USE PERMIT REQUEST
Wednesday, April 19, 2017, 7:00 PM

Applicant

Triple D Sanitation
Erica Wheelock
14145 Stoney Point Road
Cheboygan, MI 49721

Owner

Bonnie Nagy
1988 Levering Rd.
Cheboygan, Mi49706

Parcel

1988 Levering Rd.
Beaugrand Township
Code #041-026-300-003-05

GENERAL FINDINGS

1. The applicant is seeking a Special Use Permit for a waste hauler business. (see exhibit 4)
2. The subject property is zoned General Industrial Development District (D-GI). (see exhibit 1)
3. The applicant is seeking approval of the special use permit application under Section 7.3.13. of the Cheboygan County Zoning Ordinance #200. (see exhibit 1)
4. The applicant is requesting a waiver from the topographic survey requirement. (see exhibit 4)
5. This waste hauling business proposed is also called a Solid Waste Transporting Unit, as regulated under Part 6 of Administrative Rules, referenced in the Michigan Natural Resources and Environmental Protection Act, as amended.
6. A recycling station use is not under consideration with this special use permit application. (see exhibit 3)
- 7.

DETERMINATION UNDER SECTION 7.3.13. OF THE ZONING ORDINANCE

Section 7.3.13. of the Zoning Ordinance states as follows;

Uses which are not expressly authorized in any zoning district, either by right or by special use permit, or uses which have not been previously authorized by the Planning Commission pursuant to this subsection or corresponding subsections in other zoning districts may be allowed in this zoning district by special use permit if the Planning Commission determines that the proposed use is of the same general character as the other uses allowed in this zoning district, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan County Comprehensive Plan for this zoning district.

The Planning Commission makes the following determination as required by section 7.3.13. of the Zoning Ordinance;

1. Waste hauler is a use which is not expressly authorized in any zoning district, either by right or by special use permit under the Cheboygan County Zoning Ordinance #200. (see exhibit 1)
2. Waste hauler is a use that has not been previously authorized by the Planning Commission. (see staff report)
3. Contractors yards, equipment storage and materials handling operations are uses allowed in the subject zoning district with a special use permit under sections 8.3.1., 7.3.1. and 6.3.3. (see exhibit 1)
4. Warehousing, wholesale establishments, trucking facilities and terminals, meat locker and/or freezer plants are uses allowed in the D-GI zoning district with a special use permit under sections 8.3.1 and 7.3.11. (see exhibit 1)
5. Storage facility for building materials, sand, gravel stone, lumber, storage of contractor's equipment and supplies are uses allowed in the D-GI zoning district with a special use permit under sections 8.3.1 and 7.3.14. (see exhibit 1)
6. The subject property is designated Light Industrial and Rural Commercial Node on the Cheboygan County Master Plan Future Land Use Map as provided with the Cheboygan County Master Plan. (see exhibit 2)

7. The Light Industrial future land use is described in the Cheboygan County Master Plan as follows:

Light Industrial

The Light Industrial classification designates areas, which have adequate infrastructure, and services available to support industrial uses but the uses have minimal environmental impact. With proper buffering Light Industrial uses can be compatible with adjacent residential developments. Light Industrial uses would not give off any smoke, noise, odors, glare or vibrations and typical light industrial uses would include assembly, machine shops, wholesale distribution, storage and similar activities within enclosed buildings. Limited outdoor storage of equipment or materials may be considered. (see exhibit 2)

8. The Rural Commercial Node future land use is described in the Cheboygan County Master Plan as follows:

Rural Commercial Nodes

Rural Commercial Node includes land, often at road intersections, which serve as nodes for the surrounding rural community. These areas have a mix of small-scale mixed uses. There would be usually no more than a few of these uses at any intersection due to traffic safety. Larger clustering of such commercial uses would be more appropriate in one of the other Commercial and Village Center future land use areas. Rural Commercial Nodes each have their own unique character and any rezoning must take into consideration the existing uses and uses that are compatible with the existing uses. Although these are commercial areas, they are not necessarily in need of rezoning to the Commercial zoning district. It is more likely that a new and unique zoning district or overlay zoning may be more appropriate.

The following uses may be appropriate for some Rural Commercial Nodes: assembly halls, institutional uses such as fire stations, township halls, recycling centers, schools, community centers, small scale commercial uses such as retail, restaurants, and bars. Alverno is an example of a Rural commercial node. (see exhibit 2)

9. The Planning Commission finds that limited outdoor storage of equipment or materials may be considered as appropriate uses for the Light Industrial land use as described in the Cheboygan County Master Plan. (see exhibit 2)
10. The Planning Commission determines that the waste hauler use as described by the applicant in the special use permit application is of the same general character as the other uses allowed in this zoning district, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan County Comprehensive Plan for this zoning district as described. (see exhibits 1, 2, and 4)
- 11.
- 12.

Or,

1. The subject property is designated Light Industrial and Rural Commercial Node on the Cheboygan County Master Plan Future Land Use Map as provided with the Cheboygan County Master Plan. The Light Industrial future land use is described in the Master Plan as follows:

Light Industrial

The Light Industrial classification designates areas, which have adequate infrastructure, and services available to support industrial uses but the uses have minimal environmental impact. With proper buffering Light Industrial uses can be compatible with adjacent residential developments. Light Industrial uses would not give off any smoke, noise, odors, glare or vibrations and typical light industrial uses would include assembly, machine shops, wholesale distribution, storage and similar activities within enclosed buildings. Limited outdoor storage of equipment or materials may be considered. (see exhibit 2)

2. The Planning Commission finds that a waste hauler use has the potential to emit odors and the use will largely take place out of doors and as such, is inconsistent with the Light Industrial future land use description. The Planning Commission finds that a waste hauler use as described in the applicant's application is not constant with the Cheboygan County Future Land Use Map as provided in the Cheboygan County Master Plan. (see exhibit 2 and 4)
3. The Planning Commission determines that waste hauler is a use that is not of the same general character as the other uses allowed in the G-LI zoning district, either by right or by special use permit. (see exhibit 2)
- 4.
- 5.

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 and 20.10 of the Zoning Ordinance for each of the following standards listed:

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. The subject property is located in a General Industrial Development District (D-GI).
 2. Waste hauler is a use which can be approved with a special use permit in D-GI zoning district under Section 7.3.13.
 - 3.
 4. Standard has been met.

Or

 - 1.
 2. Standard has not been met.

- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 1. The proposed use is for a waste hauler in a General Industrial District (D-GI). (see exhibit 4)
 2. Waste hauler is a use which can be approved with a special use permit in D-GI zoning district under Section 7.3.13. (see exhibit 1)
 3. The Planning Commission finds that no waste will be transferred on site. (see exhibit 4)
 4. The applicant has demonstrated that they have adequate plans for cleaning the vehicles off-site or, if cleaned on-site, they have shown adequate measures have been taken to contain the water used for cleaning and a method for removing such water from the site. (see exhibit 4)
 - 5.
 6. Standard has been met.

Or

 1. The Planning Commission finds that waste material may be inside trucks which are parked on the property overnight. (see exhibit 4)
 2. The applicant has not adequately addressed the ability to maintain the waste hauling trucks against leaking. (see exhibit 4)
 3. The applicant has not adequately addressed cleaning methods for the waste hauling trucks and/or dumpsters which are proposed to be stored on site and the processing of the water used to clean those vehicles and receptacles. (see exhibit 4)
 - 4.
 5. Standard has not been met.

- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
 - 1. The proposed use is for a waste hauler in a General Industrial Development District (D-GI). (see exhibit 4)
 - 2. No waste will be transferred on site. (see exhibit 4)
 - 3. Waste hauling trucks and empty dumpsters only will be stored on site. (see exhibit 4)
 - 4. The proposed use will not create a substantially negative impact on other conforming properties in the area.
 - 5. The proposed special land use is located in a General Industrial zoning district, neighboring an airport and a scrap yard, as well as residential uses.
 - 6. The property has been used for intensive commercial and industrial uses in the past.
 - 7.
 - 8.
 - 9. Standard has been met.

Or

 - 1. The proposed use will create additional traffic and/or noise and/or odors that will create a substantially negative impact on other conforming properties in the area due to _____. (see exhibits __)
 - 2.
 - 3. Standard has not been met.

- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
 - 1. The description of activities included in the application provides for operation and maintenance of the proposed use so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. (see exhibit 4)
 - 2. The proposed special land use is located in a General Industrial zoning district, neighboring an airport and a scrap yard, as well as residential uses.
 - 3. The property has been used for intensive commercial and industrial uses in the past.
 - 4. Standard has been met.

Or.

 - 1. The Planning Commission finds that there are conforming residential land uses on surrounding properties.
 - 2. The proposed use will diminish the opportunity for surrounding properties to be used and developed as zoned due to _____. (see exhibits __)
 - 3.
 - 4. Standard has not been met.

- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
 - 1. The proposed use is for a waste hauler in a General Industrial Development (D-GI) zoning district. (see exhibit 4)
 - 2. The special use, as proposed will not place demands placed on fire, police or other public resources in excess of current capacity not increase hazards from fire or other dangers to the subject property or adjacent properties. (see exhibit 4 and 6)
 - 3.
 - 4. Standard has been met.

Or.

 - 1. The proposed special use increases other dangers to the subject property and/or adjacent property due to _____. (see exhibits __)
 - 2.
 - 3. Standard has not been met

- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
1. The proposed use is for a waste hauler in a General Industrial Development (D-GI) zoning district. (see exhibit 4)
 2. The subject property is located on Inverness Trail Road and Levering Road. (see exhibit 6)
 3. Levering Road is an all-season road.
 4. Inverness Trail Road is not an County Major/all-season road
 5. The existing driveways on the subject property are more than 25 feet from a street intersection. (see exhibit 6)
 6. The proposed special use will not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity.
 - 7.
- Or.
1. The proposed use is for a waste hauler in a General Industrial Development (D-GI) zoning district. (see exhibit 4)
 2. The subject property is located on Inverness Trail Road and Levering Road. (see exhibit 6)
 3. Inverness Trail Road is a County Local Road and not an all-season road. (see exhibit 10)
 4. Inverness Trail Road has a PASER rating of only 3 out of 10, is not adequate for use by the waste hauling vehicles. (see exhibit 9)
 5. The proposed use will cause traffic hazards and/or cause congestion in excess of current capacity on Inverness Trail Road due to the condition of the road. (see exhibits 8, 9 and 10)
 - 6.
 7. Standard has not been met.
- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
1. The proposed use is for a waste hauler in a General Industrial Development (D-GI) zoning district. (see exhibit 4)
 2. The subject property has an existing well and septic system. (see exhibits 4 and 6)
 3. The proposed special use shall be adequately served by water and sewer facilities. (see exhibit 4)
 - 4.
 - 5.
 6. Standard has been met.
- Or.
- 1.
 2. Standard has not been met.
- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
1. The proposed special use shall comply with all specific standards required under the Cheboygan County Zoning Ordinance #200 applicable to it. (see exhibit 1)
 - 2.
 3. Standard has been met
- Or
- 1.
 2. Standard has not been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - 1. No changes to the overall contours of the subject property are proposed. (see exhibit 4 and 6)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - 1. No soil removal is proposed. (see exhibit 4 and 6)
 - 2. Some tree removal will be required to accommodate the area proposed for outdoor empty dumpster storage. (see exhibit 6)
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. No changes are proposed to existing site drainage. (see exhibit 4 and 6)
 - 2.
 - 3. Standard has been met.Or.
 - 1. The applicant has not adequately addressed the ability to maintain the waste hauling trucks against leaking. (see exhibit 4)
 - 2. The applicant has not adequately addressed cleaning methods for the waste hauling trucks and/or dumpsters which are proposed to be stored on site. (see exhibit 4)
 - 3. Given findings 1 and 2 above, the applicant has not adequately addressed the removal of stormwaters and the effect of leaked or washed out waste material that may be carried off site with stormwater.
 - 4.
 - 5. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. There is a dwelling located on the north portion of the subject property. (see exhibit 6)
 - 2. There are existing trees located between the dwelling and the area proposed for the waste hauler activity. (see exhibit 6)
 - 3.
 - 4. Standard has been met.Or,
 - 1.
 - 2. Standard has not been met.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
 - 1. The site plan indicates that all buildings are arranged as to permit vehicle access by a practical means. (see exhibit 6)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. The site plan indicates that all structures on the site relating to the waste hauler use have access to Inverness Trail Road and Levering Road. (see exhibit 6)
 - 2. The site plan indicates that the dwelling and accessory structures have access to Levering Road and Inverness Trail Road. (see exhibit 6)
 - 3.
 - 4. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

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

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.
 - 1. No additional exterior lighting is proposed. (see exhibit 4)
 - 2. Existing lighting shall be deflected away from adjacent properties, shall not impede the vision of traffic along adjacent streets and shall not unnecessarily illuminate night skies. (see exhibit 4)
 - 3.
 - 4. Standard has been met
 Or,
 - 1.
 - 2. Standard has not been met.

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. This standard is 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 all applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see exhibit 2 and 4)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1. The site plan does not conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan due to _____(see exhibit 2 and __)
 - 2.
 - 3. Standard has not been met.

DECISION

1. Must comply with all applicable requirements of solid waste transporting units under Public Act 451 of 1994 as amended and all applicable administrative rules as referenced in PA 451 of 1994, as amended.
2. Must utilize completely sealed waste hauling vehicles at all times.
3. Must not operate any aspect of the business including maintenance of trucks, operation of trucks, movement of dumpsters or canisters/totes outside of business hours of _____ . With customer hours of operation being _____
4. All waste hauling vehicles must use Levering Road driveway and provide proof of driveway approval by the Michigan Department of Transportation. No waste hauling vehicles may use Inverness Trail Road unless and until such time as the road has been improved to an all-season road and a driveway permit has been obtained, if required by the County Road Commission.
5. Cleaning of vehicles on the site is permitted only after proof has been provided to the County Zoning Administrator of completed installation of a method for retaining and disposing of the water and material washed from the trucks. Proof may be required by the Zoning Administrator that the installation and design of such measures does not violate DEQ or Michigan Uniform Construction Codes.
6. The maximum allowable trucks to be operated from this business is _____
7. The maximum number of dumpsters of 8 cubic yards or less to be stored on site is _____.
8. No customer drop off of waste or recyclable material is permitted on site.
- 9.
- 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, April 19, 2017

Patty Croft, Chairperson

Charles Freese, Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

RACC Enterprises LLC / Griswold Mountain Properties, LLC – Revised 04/18/17

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Use Permit Application (6 Pages)
5. Aerial Photo (2 Page)
6. Parcel Map (1 Page)
7. Guyed Towers – 45G – Standard Design (2 Pages)
8. Mailing List (3 Pages)
9. Letter dated 03/07/17 from R. Travs Babcock (1 Page)
10. Site Plan Dated 02/17/17 (1 Page)

The following items were added to the exhibit list on 04/06/17:

11. Email dated 03/28/17 from Dave Carpenter, Tuscarora Township Fire Chief (1 Page)
12. Email dated 04/03/17 from Richard Bacon (21 Pages)

The following items were added to the exhibit list on 04/11/17:

13. Email dated 04/11/17 from Richard Bacon to Scott McNeil (5 Pages)

The following items were added to the exhibit list on 04/18/17:

14. Letter Dated 04/17/17 from Judith D. Turner Williams To Planning Commission (2 Pages)
- 15.
- 16.
- 17.

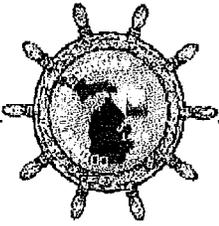
Note: Planning Commission members have exhibits 1 and 2.

NOTICE
CHEBOYGAN COUNTY PLANNING COMMISSION MEETING and PUBLIC HEARING
WEDNESDAY, APRIL 19, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) **An Ordinance to amend the Cheboygan County Zoning Ordinance #200** to amend the definition of dwelling and family to allow short term rental of dwellings.
- 2.) **RACC Enterprises, LLC and Griswold Mountain Properties, LLC** - Requests a Special Use Permit for a wireless communication facility (Section 17.13.). The property is located at 6444 Griswold Mountain Drive, Tuscarora Twp., section 12, parcel #161-012-300-003-01 and #161-012-300-003-01, and is zoned Agriculture and Forestry Management (M-AF).
- 3.) **Edward Shovan** - Requests a Special Use Permit for Boat Storage and Indoor Storage Facility (50 ft. x 144 ft.) and a change of use for an existing structure from Private Storage to Indoor Storage Facility (40 ft. x 144 ft.) (Sections 6.3.14. and 6.3.16.). The property is located at 1771 and 1829 South Straits Highway, Tuscarora Twp., section 7, parcel #161-007-300-010-01 and #161-012-300-010-02, and is zoned Commercial Development (D-CM).
- 4.) **Triple D Disposal / Erica Wheelock/ Bonnie Nagy** - Requests a Special Use Permit for Waste Hauling (Section 7.3.13.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned Light Industrial Development (D-LI).
- 5.) **Robert Andrews** - Requests a Special Use Permit for an Indoor Storage Facility (30 ft. x 140 ft.) (Section 6.3.16.). The property is located at 6123 North Straits Highway, Inverness Twp., section 34, parcel #091-034-400-006-03, and is zoned Commercial Development (D-CM).
- 6.) **Thomas Redman / Exodus 33:13, LLC** - Requests a rezoning from Agriculture and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). The property proposed to be rezoned is located in Walker Township, Section 5 and described as follows:
Parcel #220-005-200-001-01 described as, COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. Also Parcel #220-005-200-002-00 described as, COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N. SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4

Please visit the Planning and Zoning office or visit our website to see the proposed ordinance amendment and special use permit applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

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

Communication tower at a height of 120' to be used to provide high-speed internet to rural areas

Site Plan Standards.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

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

No land development required besides for tower footings, this tower has a small footprint

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

No tree removal required. Soil removal only for footings

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

Tower will not affect current drainage

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

Tower will not generate noise, minimal visual impact

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

Road access to tower

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

access to Ehipewas Beach rd.

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

Not Applicable

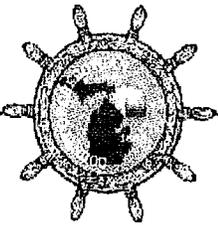
- h. Exterior lighting shall be arranged as follows: No exterior lighting will be added

i. It is deflected away from adjacent properties. _____

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

iii. It does not unnecessarily illuminate night skies. _____

SPECIAL LAND USE PERMIT APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SPECIAL LAND USE PERMIT APPLICATION

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

Not applicable

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

3. Size of property in sq. ft. or acres: parcel 10.18 acres, total property size 196,944 acres including

4. Present use of property:

Residential

5. SUP Standards:

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

Yes

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

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, same reason as

B:

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,

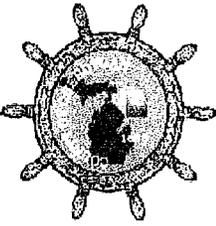
a small footprint tower will not affect neighbouring properties

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

No, tower access will only be granted to RACI employees No additional demands of public resources required

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, tower access

available via current streets



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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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? These services are not required for ~~the~~ our tower
 - 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 2-17-17

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

Yes No

Owner's Signature [Signature] Date 2-17-17

FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	<u>3/6/17</u>	Notes:
Fee Amount Received:	<u>\$225.00</u>	
Receipt Number:	<u>5458</u>	
Public Hearing Date:	<u>4-19-17</u>	

Planning/Zoning Administrator Approval:

[Signature] 3/15/17
Signature Date

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

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

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

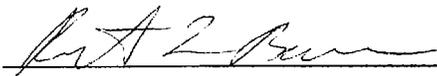
SECTION

REASON FOR WAIVER REQUEST

<u>a</u>	Not Applicable to building small tower, large parcel.

AFFIDAVIT

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

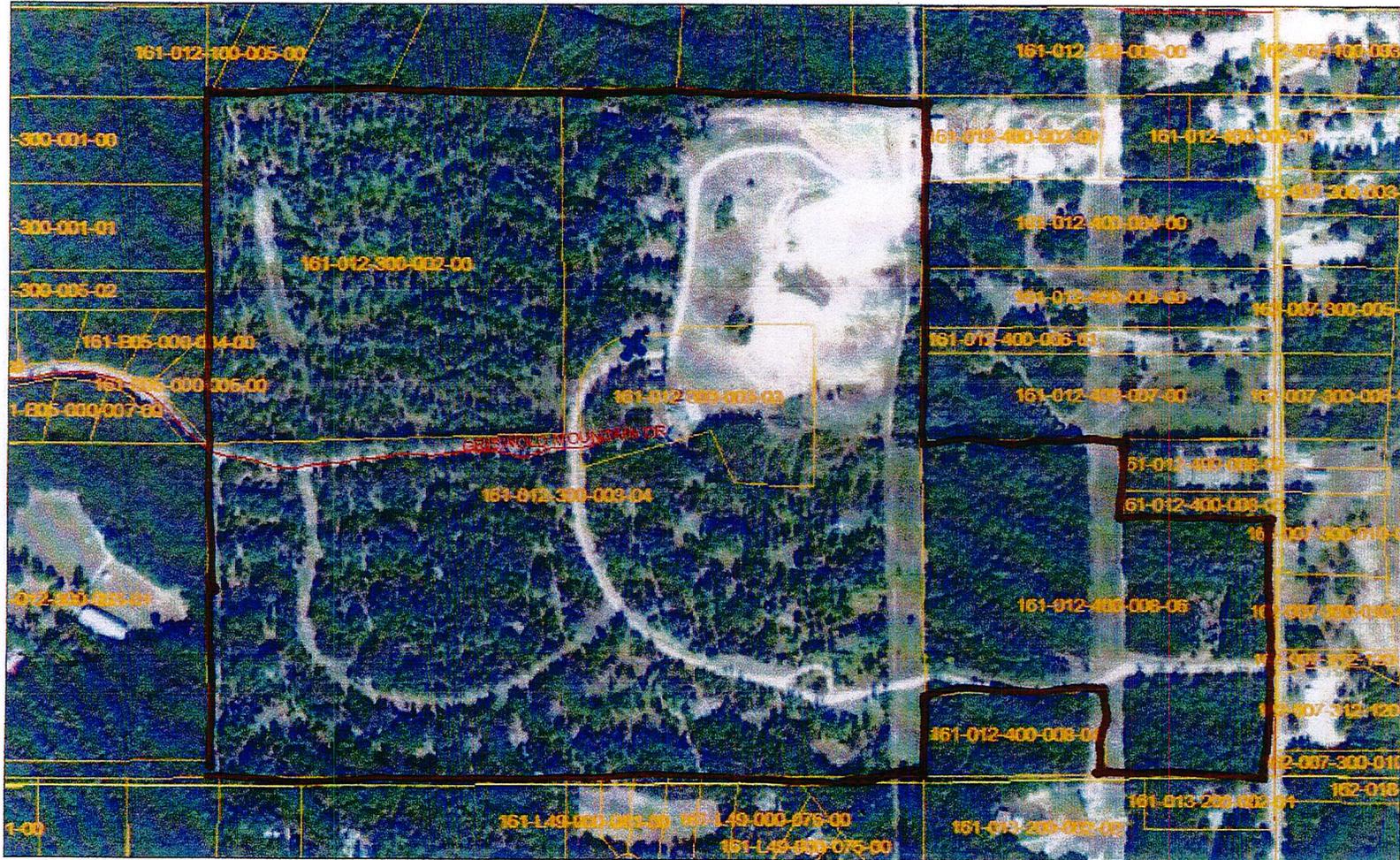


 SIGNATURE

2-15-17

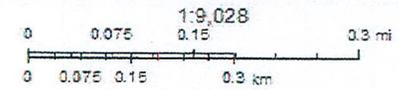
 DATE

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Cheboygan County



February 10, 2017

Parcels_and_legals



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Cheboygan County makes no warranty, express or implied, as to the accuracy, completeness, or usefulness of the information presented. The site is to be used solely as a reference tool for locating and identifying property ownership and other information about the scope of USCA/FSA, DigitalGlobe, GeoEye, Microsoft, CNES/Airbus DS.



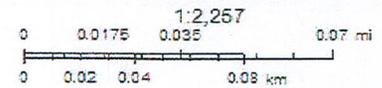
Cheboygan County

≈ 150' From tower to shed
≈ 276' From tower to house



February 10, 2017

Parcels_and_legals

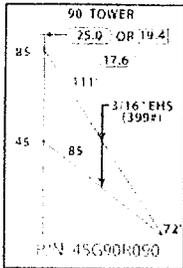


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Cheboygan County makes no warranty, express or implied, as to the accuracy, completeness, or usefulness of the information presented. The site is to be used solely as a reference tool for locating and identifying property ownership and other information about real property. (DigitalGlobe, Microsoft)

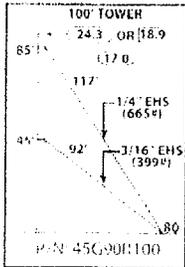
GUYED TOWERS - 45G

STANDARD DESIGN - 45G 90MPH REV. G, 70MPH REV. F



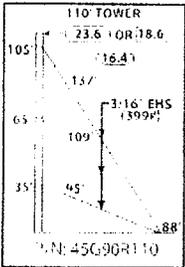
TOWER PARTS INCLUDED	45G	45AG2	BPC45G	GA45GD	FDNS	
					BASE	ANCHOR
	8	1	1	2	CB1G	AB2
GUYS & CONNECTIONS INCLUDED	3/16EHS	BG2142	5/16THH	1/2TBE&J	TBSAFETY	
	625'	12	12	6	3	
ANCHORS & GROUNDING INCLUDED	GAC3455TOP	AGK1GGX	BGK3GGX	CPC 5/75	3/4x12PP	
	3	1	3	3	1	

90' ROHN 45G
All parts shown in table are included when ordering Part No. 45G90R090



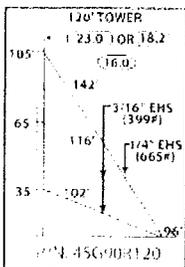
TOWER PARTS INCLUDED	45G	45AG2	BPC45G	GA45GD	FDNS		
					BASE	ANCHOR	
	9	1	1	2	CB1G	AB2	
GUYS & CONNECTIONS INCLUDED	3/16EHS	1/4EHS	BG2142	BG2144	5/16THH	3/8THH	1/2TBE&J
	300'	375'	6	6	6	6	6
ANCHORS & GROUNDING INCLUDED	GAC3455TOP	AGK1GGX	BGK3GGX	CPC 5/75	3/4x12PP	TBSAFETY	
	3	1	3	3	1	3	

100' ROHN 45G
All parts shown in table are included when ordering Part No. 45G90R100



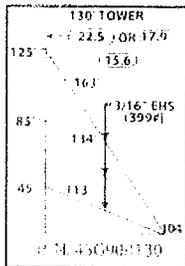
TOWER PARTS INCLUDED	45G	45AG2	BPC45G	GA45GD	FDNS	
					BASE	ANCHOR
	10	1	1	3	CB1G	AB2
GUYS & CONNECTIONS INCLUDED	3/16EHS	BG2142	5/16THH	1/2TBE&J	TBSAFETY	
	1100'	18	18	9	3	
ANCHORS & GROUNDING INCLUDED	GAC3455TOP	AGK1GGX	BGK3GGX	CPC 5/75	3/4x12PP	
	3	1	3	3	1	

110' ROHN 45G
All parts shown in table are included when ordering Part No. 45G90R110



TOWER PARTS INCLUDED	45G	45AG2	BPC45G	GA45GD	FDNS		
					BASE	ANCHOR	
	11	1	1	3	CB1G	AB2	
GUYS & CONNECTIONS INCLUDED	3/16EHS	1/4EHS	BG2142	BG2144	5/16THH	3/8THH	1/2TBE&J
	700'	475'	12	6	12	6	9
ANCHORS & GROUNDING INCLUDED	GAC3455TOP	AGK1GGX	BGK3GGX	CPC 5/75	3/4x12PP	TBSAFETY	
	3	1	3	3	1	3	

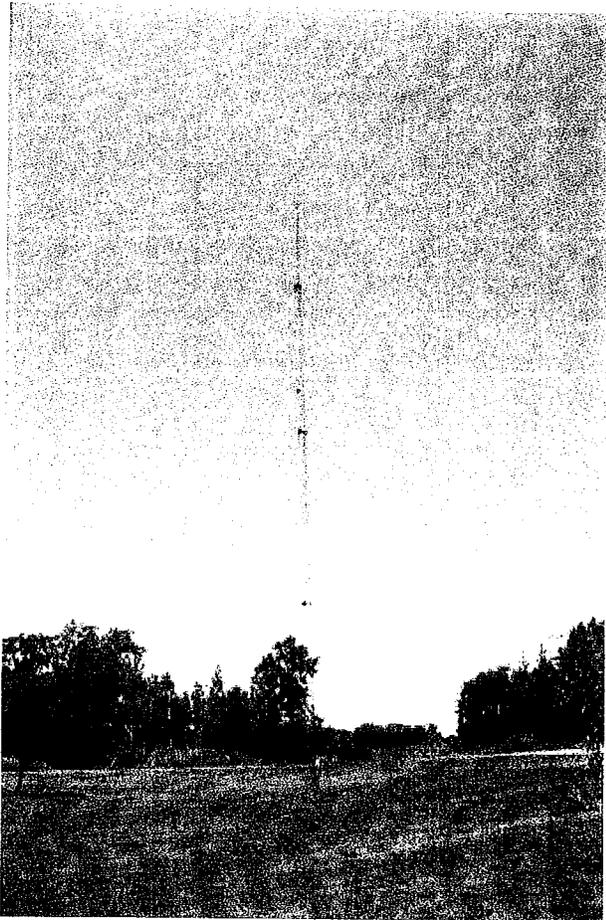
120' ROHN 45G
All parts shown in table are included when ordering Part No. 45G90R120



TOWER PARTS INCLUDED	45G	45AG2	BPC45G	GA45GD	FDNS	
					BASE	ANCHOR
	12	1	1	3	CB1G	AB2
GUYS & CONNECTIONS INCLUDED	3/16EHS	BG2142	5/16THH	1/2TBE&J	TBSAFETY	
	1325'	18	18	9	3	
ANCHORS & GROUNDING INCLUDED	GAC3455TOP	AGK1GGX	BGK3GGX	CPC 5/75	3/4x12PP	
	3	1	3	3	1	

130' ROHN 45G
All parts shown in table are included when ordering Part No. 45G90R130





16-161-011-400-001-07 LEE, GREG W PO BOX 461 INDIAN RIVER MI 49749	16-161-012-300-003-04 GRISWOLD MOUNTAIN PROPERTIE PO BOX 158 INDIAN RIVER MI 49749	16-161-013-100-001-00 PETTEYS, RONALD ALLEN 5901 ENGLISH AVE COMSTOCK PARK MI 49321
16-161-011-400-001-08 REKOWSKI, MICHAEL & DIANA H/ 1939 MAC A VISTA DR INDIAN RIVER MI 49749	16-161-012-300-004-06 REKOWSKI, MICHAEL & DIANA H/ 1939 MAC A VISTA DR INDIAN RIVER MI 49749	16-161-013-100-005-00 YNOT MOT, LTD 4410 W ALEXIS RD TOLEDO OH 43623
16-161-012-100-008-00 PASANT, PAUL 6447 WAUBUN RD INDIAN RIVER MI 49749	16-161-012-300-004-07 LEE, GREG W PO BOX 461 INDIAN RIVER MI 49749	16-161-013-100-006-00 WILLIAMS, JUDITH DEE TURNER 3248 KEEMONT DR TOLEDO OH 43613
16-161-012-100-009-00 DOUGLAS, JAMES & SHERRIE H/W 6389 WAUBUN RD INDIAN RIVER MI 49749	16-161-012-400-002-00 GRISWOLD MOUNTAIN PROPERTIE PO BOX 158 INDIAN RIVER MI 49749	16-161-013-100-007-00 JEWELL, BUDD & ROSEANNE H/W 62 BURNIAH LN LAKE ORION MI 48362
16-161-012-100-010-00 REICHLIN, LOUIS & JUDITH 6347 WAUBUN RD INDIAN RIVER MI 49749	16-161-012-400-004-00 AUGUST, PETE & SHIRLEY TTEES PO BOX 280 INDIAN RIVER MI 49749	16-161-013-100-008-03 HOLES, FRANK & MARIAN H/W AN 6526 VAN TASSEL TRL INDIAN RIVER MI 49749
16-161-012-100-012-00 STEVICK, WALDO & MARY H/W 10915 CLYDE RD FENTON MI 48430	16-161-012-400-005-00 DUNCAN, DANIEL & HEATHER H/W 1546 S STRAITS HWY INDIAN RIVER MI 49749	16-161-013-101-001-00 FORTUNA, GERALD 15311 CHETWYN LANSING MI 48906
16-161-012-200-006-00 AUGUST, PETE & SHIRLEY TTEES PO BOX 280 INDIAN RIVER MI 49749	16-161-012-400-006-01 KNIGHT, EDWIN L JR & ANGELA H 1664 S STRAITS HWY INDIAN RIVER MI 49749	16-161-013-200-001-03 LDS ASSOCIATES 43855 PLYMOUTH OAKS BLVD PLYMOUTH MI 48170
16-161-012-300-002-00 GRISWOLD MOUNTAIN PROPERTIE PO BOX 158 INDIAN RIVER MI 49749	16-161-012-400-007-00 BENSON, THEODORE & PATRICIA 2496 EAST MULLETT LAKE RD INDIAN RIVER MI 49749	16-161-013-200-002-02 KIEL, JEFFREY & CHANDA H/W 2030 S STRAITS HWY INDIAN RIVER MI 49749
16-161-012-300-003-01 WAMSLEY, BARBARA J 6196 PROSPECT ST INDIAN RIVER MI 49749	16-161-012-400-008-04 KIEL, CHANDA & JEFFREY W/H 2030 S STRAITS HWY INDIAN RIVER MI 49749	16-161-014-202-014-01 FORTUNA, GERALD 15311 CHETWYN LANSING MI 48906
16-161-012-300-003-03 GRISWOLD MOUNTAIN PROPERTIE PO BOX 158 INDIAN RIVER MI 49749	16-161-012-400-008-06 GRISWOLD MOUNTAIN PROPERTIE PO BOX 158 INDIAN RIVER MI 49749	16-161-B05-000-005-00 GRISWOLD MOUNTAIN PROPERTIE PO BOX 158 INDIAN RIVER MI 49749

16-161-B05-000-006-00
GRISWOLD MOUNTAIN PROPRTIE
PO BOX 158
INDIAN RIVER MI 49749

16-161-L49-000-074-00
BILLINGSLEY, DIANE
6530 LINK BLVD
INDIAN RIVER MI 49749

16-161-L49-000-075-00
COLE, HOWARD & KATHLEEN H/W,
6538 LINK BLVD
SAINT IGNACE MI 49781

16-161-L49-000-076-00
CRONK, KEVIN & DEBORAH H/W
6548 LINK BLVD
INDIAN RIVER MI 49749

16-161-L49-000-077-00
LDS ASSOCIATES
43855 PLYMOUTH OAKS BLVD
PLYMOUTH MI 48170

16-161-L49-000-078-00
LDS ASSOCIATES
43855 PLYMOUTH OAKS BLVD
PLYMOUTH MI 48170

16-161-L49-000-079-00
LDS ASSOCIATES
43855 PLYMOUTH OAKS BLVD
PLYMOUTH MI 48170

16-161-L49-000-080-00
LDS ASSOCIATES
43855 PLYMOUTH OAKS BLVD
PLYMOUTH MI 48170

16-161-L49-000-081-00
LDS ASSOCIATES
43855 PLYMOUTH OAKS BLVD
PLYMOUTH MI 48170

16-161-012-100-008-00
OCCUPANT
6447 WAUBUN RD
INDIAN RIVER, MI 49749

16-161-012-400-006-01
OCCUPANT
1664 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-L49-000-074-00
OCCUPANT
6530 LINK BLVD
INDIAN RIVER, MI 49749

16-161-012-100-009-00
OCCUPANT
6389 WAUBUN RD
INDIAN RIVER, MI 49749

16-161-012-400-007-00
OCCUPANT
1720 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-L49-000-075-00
OCCUPANT
6538 LINK BLVD
INDIAN RIVER, MI 49749

16-161-012-100-010-00
OCCUPANT
6347 WAUBUN RD
INDIAN RIVER, MI 49749

16-161-013-100-001-00
OCCUPANT
2031 CHIPPEWA BEACH RD
INDIAN RIVER, MI 49749

16-161-L49-000-076-00
OCCUPANT
6548 LINK BLVD
INDIAN RIVER, MI 49749

16-161-012-100-012-00
OCCUPANT
6287 WAUBUN RD
INDIAN RIVER, MI 49749

16-161-013-100-005-00
OCCUPANT
6844 VAN TASSEL TRL
INDIAN RIVER, MI 49749

16-161-L49-000-077-00
OCCUPANT
6550 LINK BLVD
INDIAN RIVER, MI 49749

16-161-012-200-006-00
OCCUPANT
1444 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-013-100-006-00
OCCUPANT
6780 VAN TASSEL TRL
INDIAN RIVER, MI 49749

16-161-L49-000-078-00
OCCUPANT
6560 LINK BLVD
INDIAN RIVER, MI 49749

16-161-012-300-003-01
OCCUPANT
1741 CHIPPEWA BEACH RD
INDIAN RIVER, MI 49749

16-161-013-100-007-00
OCCUPANT
6720 VAN TASSEL TRL
INDIAN RIVER, MI 49749

16-161-L49-000-079-00
OCCUPANT
6570 LINK BLVD
INDIAN RIVER, MI 49749

16-161-012-300-003-03
OCCUPANT
6444 GRISWOLD MOUNTAIN DR
INDIAN RIVER, MI 49749

16-161-013-100-008-03
OCCUPANT
6526 VAN TASSEL TRL
INDIAN RIVER, MI 49749

16-161-L49-000-080-00
OCCUPANT
6576 LINK BLVD
INDIAN RIVER, MI 49749

16-161-012-400-002-00
OCCUPANT
1510 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-013-200-002-02
OCCUPANT
2030 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-L49-000-081-00
OCCUPANT
6580 LINK BLVD
INDIAN RIVER, MI 49749

16-161-012-400-004-00
OCCUPANT
1522 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-B05-000-005-00
OCCUPANT
6796 GRISWOLD MOUNTAIN DR
INDIAN RIVER, MI 49749

16-161-012-400-005-00
OCCUPANT
1546 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-B05-000-006-00
OCCUPANT
6805 GRISWOLD MOUNTAIN DR
INDIAN RIVER, MI 49749



March 7, 2017

Dear Sir or Madam:

This is a brief letter to explain why we cannot use an existing structure for our rural expansion plans. The major factors are financial feasibility and the coverage area, to be explained further in the following paragraphs.

Financial Feasibility

We have previously inquired renting tower space with radio towers, cell towers, and 911 towers. The cost of collocating on these towers can cost up to a few hundred dollars per month per square foot. Factor in the bandwidth cost and the end result would mean higher monthly fees for our customers. In rural Michigan, many people would not be able to afford these higher fees for internet. Our goal is to provide reliable service and competitive pricing.

Coverage

Our goal for this expansion project is to cover the West side of Burt Lake (and beyond) as well as some of the rural areas in Cheboygan County outside of Indian River. There is not an existing tower that meets these criteria due to the terrain. Griswald Mountain provides a great location to put up one of our low-profile towers while being able to service the areas that need it. This location will also allow us to expand out to future sub towers, further addressing the internet dead spots in Cheboygan and adjoining counties.

Thank you for your consideration and feel free to contact me with any questions or concerns.

R. Travis Babcock

Wireless Engineer

travisb@racc2000.com

RADIO TOWER PLAN

PART of the SOUTHWEST 1/4 of SOUTHEAST 1/4
SECTION 12, T35N-R3W, TUSCARORA TOWNSHIP
CHEBOYGAN COUNTY, MICHIGAN

FOR:
**GRISWOLD MOUNTAIN
PROPERTIES**

SEC. 12, T35N-R3W
FB: FILE

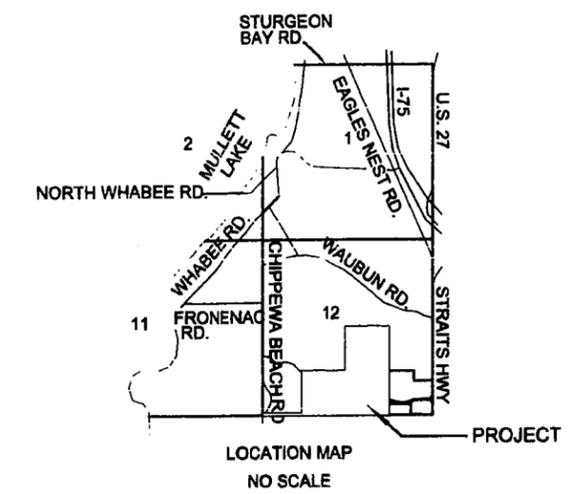
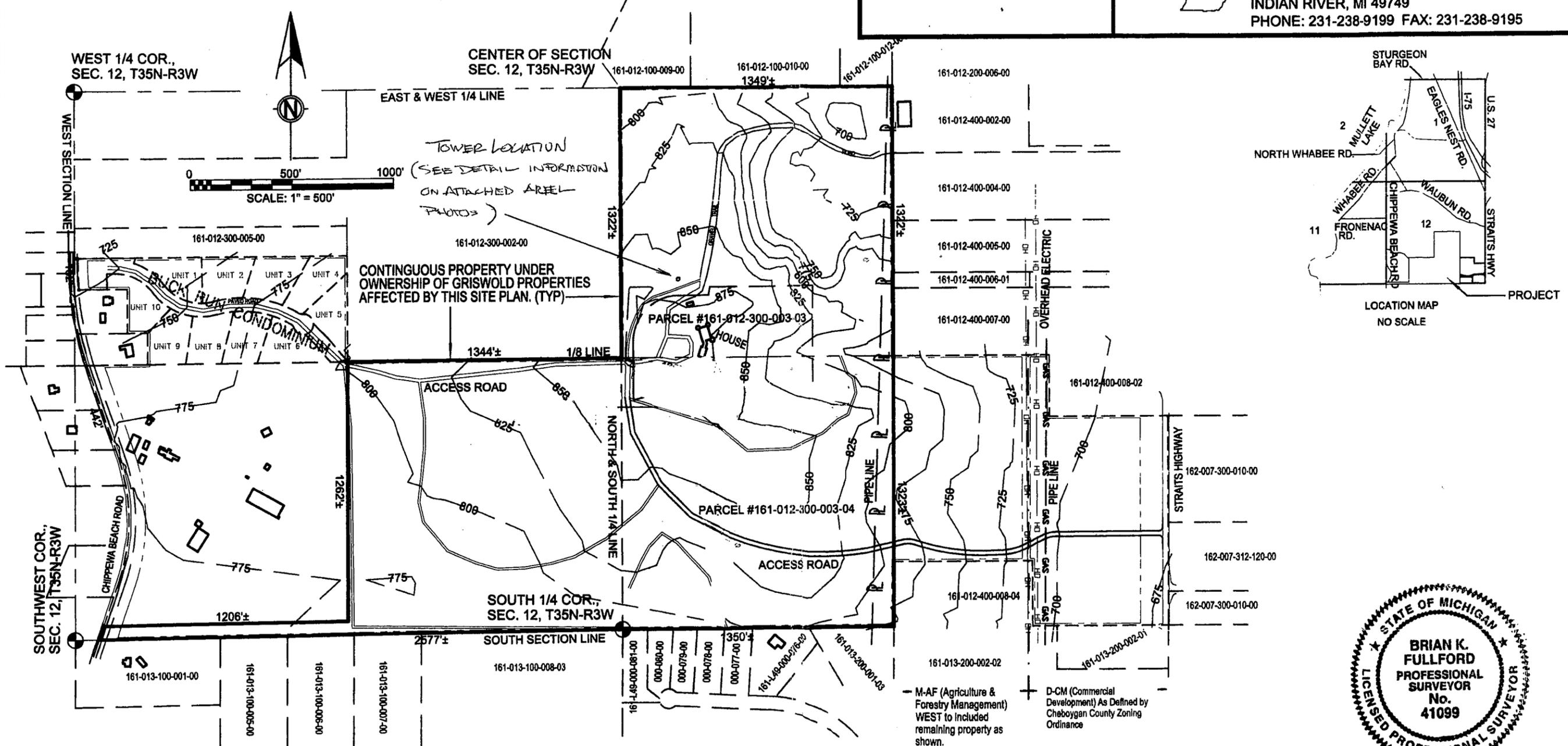
DRAWN: BKF
CHECK: BKF

PROJECT NO.
12-046S



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



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

ZONING DISTRICT	MAXIMUM HEIGHT OF STRUCTURES	YARD SETBACKS (FT)		
		FRONT	SIDE	REAR
M-AF Agriculture & Forestry Management	35 Ft.	50	10	30

PREPARED UNDER THE SUPERVISION OF:
Brian K. Fullford
BRIAN K. FULLFORD
PROFESSIONAL SURVEYOR
REGISTRATION NO. 41099

7/31/13

UPDATED 2/17/17 BY KEVIN HALL

Deborah Tomlinson

From: Dave Carpenter [<mailto:dpcarpenter@voyager.net>]
Sent: Tuesday, March 28, 2017 11:56 AM
To: Deborah Tomlinson
Subject: Re: Applications for Ed Shovan and RACC Enterprises

Hi Deb,

I don't see any major concerns regarding the Fire Department for either Ed Shovan's project or RACC 2000.

Should you have any questions please feel free to contact me at my office.

Sincerely,

Dave Carpenter
Fire Chief

Scott McNeil

From: Richard Bacon <rick@racc2000.com>
Sent: Monday, April 3, 2017 12:59 PM
To: Scott McNeil
Subject: RE: Cheboygan County Special Use Permit Application.
Attachments: In response to Article 17.pdf; 45G-ASSYPKG.90 mph(1).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Scott:

I went over the application with Travis (Technician) and hopefully we have answered all your questions in the attached PDF. One other comment I wish to make is the 115 ft limit, Our towers (Rohn pre-engineered) use 10' increment tower sections, and to stay within the 115' limit may present engineering issues since we will need to modify a pre-engineered tower. Yes a typical tv tower antenna does use a tapered top with a 5' antenna rotator pipe which would easily meet the 115' limit, but we don't nor can we use that analogy due to the weight limitations of the 5' mast. Yes we can drop back to 110' but now that can cause a slight degradation in the signal level in certain areas which may make the signal much less desirable for a useful signal pattern.

The only major difference in our towers are the typical tv tower has a width of 10" x 10" or 12" x 12" compared to the Rohn 45G which is 18" x 18". We use that tower which easily handles the weights we deal with and still remains a very stealth design above the tree tops. The first tower we ever built (2004) is on the bluff above ODEN, Mi. and even today most people, unless they actually look for it, don't even know it is there. The last one we built is on the corner of Mission road (off m 68 2miles before Alanson) and Armock at a height of 120' with the same effect. That was built in 2014 as a 100% solar and wind powered. Very effective until 2016 when we brought in power due to additional equipment additions and the electrical upgrades outweighed the cost of upgrading the solar and wind equipment. We are not Cell towers, we are small communication towers internet based. We also have a 100 ft. free standing tower located off 4500 Indian rd. on Lynn Lords Property.

We actually prefer a range between 120 to 150 ft. Our radio equipment is great for line of site (40 Miles) or non-line of site 1.5 miles through medium density forest, so the higher the tower the better throughput for our customers. We run in the unlicensed band so are limited to power out by the FCC which also greatly effects throughput with in the hills and tree line so performance is also based on the height above the trees as well as on the user end.

Hope this gives you an idea of who we are, and how we work. Ask the boys at Emmet county, if it isn't right we make it right. Would be more than happy to send you some pictures of our existing towers if you wish.

The staff ant Racc
Serving the Northern lower and eastern upper Michigan since 1985. Internet since 1997.

From: Scott McNeil [<mailto:scott@cheboygancounty.net>]
Sent: Monday, April 3, 2017 8:34 AM
To: rick@racc2000.com
Subject: Cheboygan County Special Use Permit Application.

Dear Rick;

Attached please find a copy of Section 17.13 of the zoning ordinance relative to communication facilities. Please respond in writing to Sections 17.13.2., subsection b1. to b6. I would like to have it to me by Tuesday of next week.

Please accept my apologies for not asking for this sooner. I have been processing a few of these type of applications and thought I had this information from you already.

Response by email is fine. Don't hesitate to contact me with questions. I will follow up with you by phone in the next couple of days.

Thanks,

Scott McNeil

Community Development Planner

Cheboygan County Planning and Zoning Department

Phone - 231-627-8475

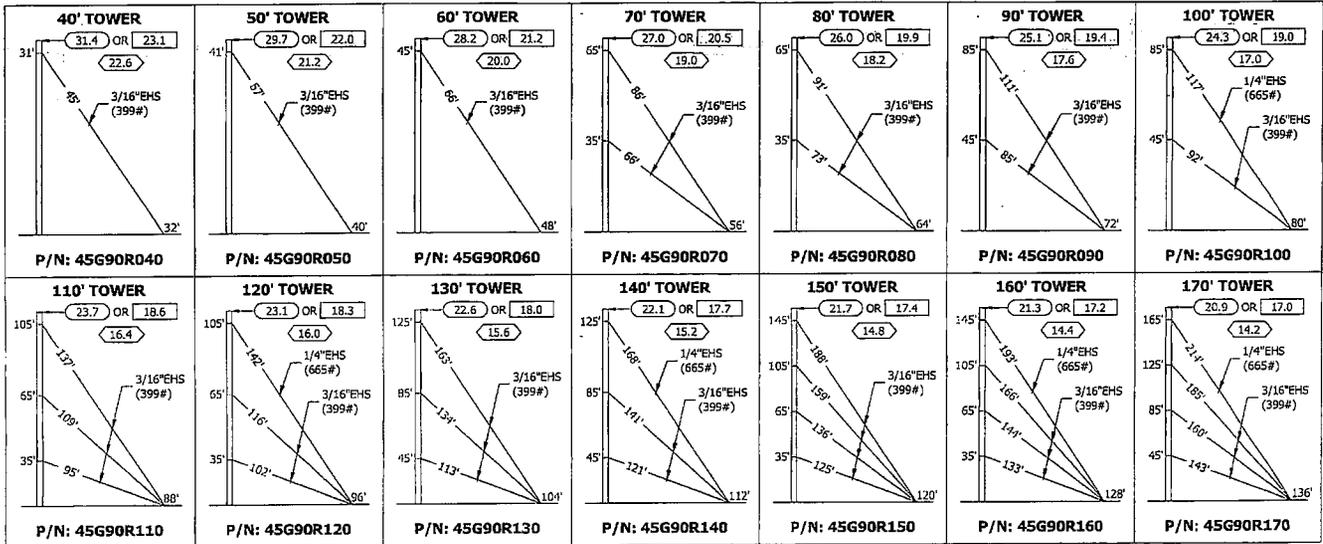
Fax - 231-627-3646

scott@cheboygancounty.net

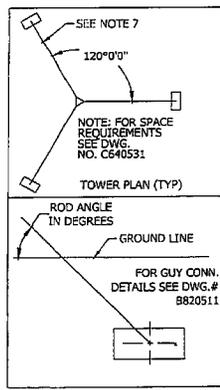
www.cheboygancounty.net/planning

In response to Article 17.13.1 and Section 17.13.2 subsection B

1. The FCC does not have specific tower requirements as long as the tower meets local regulations. The FCC does not require tower registration for towers below 200'. The FAA requires towers 200' or taller to be lighted, the proposed tower is 120' which requires no lighting or other identifiers at this time.
2. The tower will have anti climbing safeguards, either a gated fence surrounding the tower or anti climb sheets mounted to the base of the tower.
3. The tower by nature is of a stealth design, it has a small footprint and will only be about 40ft above the trees. Compared to the local 911 and cellular towers, this tower will go unnoticed by most people unless they are looking for it specifically.
4. RACC Enterprises will entertain co-location proposals for other antennae on this tower. RACC Enterprises is not able to co-locate on an existing tower due to feasibility. A letter was given to the County Planner, Scott McNeil, explaining this.
5. All guyed anchor points will be equipped with yellow guyed markers
6. Engineering specifications for this tower are attached to this document.



**45G TOWER GUYING DETAILS
40' - 170'
90MPH 3-SECOND GUST WIND SPEED
NO ICE (REV G)
70 MPH FASTEST MILE WIND SPEED
NO ICE (REV F)**



TOWER HT.	BASE PIER (DWG: B090549)		ANCHOR DATA (DWG: B090550)	
	NO.	BLOCK NO.	ROD NO.	ROD ANGLE
40'	CB1G	AB2	GAC3455TOP	45
50'	CB1G	AB2	GAC3455TOP	46
60'	CB1G	AB2	GAC3455TOP	43
70'	CB1G	AB2	GAC3455TOP	43
80'	CB1G	AB2	GAC3455TOP	41
90'	CB1G	AB2	GAC3455TOP	42
100'	CB1G	AB2	GAC3455TOP	42
110'	CB1G	AB2	GAC3455TOP	40
120'	CB1G	AB2	GAC3455TOP	39
130'	CB1G	AB2	GAC3455TOP	40
140'	CB1G	AB2	GAC3455TOP	39
150'	CB1G	AB2	GAC3455TOP	38
160'	CB1G	AB2	GAC3455TOP	37
170'	CB1G	AB2	GAC3455TOP	38

GENERAL NOTES:

- TOWER DESIGNS ARE IN ACCORDANCE WITH ANSI/TIA-222-F & ANSI/TIA-222-G, CLASS I STRUCTURES.
- ALLOWABLE PROJ. AREA (SQ. FT.) FOR EXPOSURE B - (REV G).
- ALLOWABLE PROJ. AREA (SQ. FT.) FOR EXPOSURE C - (REV G).
- ◇ ALLOWABLE PROJ. AREA (SQ. FT.) - (REV F).
- EFFECTIVE PROJ. AREAS MUST NOT EXCEED THE AREAS SHOWN.
- ANTENNAS AND MOUNTS ARE ASSUMED SYMMETRICALLY PLACED AT THE TOWER TOP.
- DESIGNS ASSUME TWO 1/2" DIA. LINES ON EACH TOWER FACE.
- FOR GUY HARDWARE INSTALLATION DETAILS, SEE DWG. A871382.
- ANCHOR RADIUS IS FROM TOWER BASE TO INTERSECTION OF ROD WITH GROUND.
- TOWER DESIGNS AND GUY CHORD LENGTHS SHOWN ARE BASED ON LEVEL GROUND. ADD 6 PERCENT TO CHORD LENGTHS (FOR SAG AND CONNECTIONS) FOR FINAL CUT LENGTHS. () INDICATES INITIAL TENSION FOR GUY WIRES IN POUNDS AT 60 DEGREES FAHRENHEIT.
- DO NOT INSTALL OR DISMANTLE TOWERS WITHIN FALLING DISTANCE OF ELECTRICAL AND/OR TELEPHONE LINES.
- TOWER ERECTION AND DISMANTLING MUST BE DONE BY QUALIFIED AND EXPERIENCED PERSONNEL.
- TEMPORARY STEEL GUYS, WHEN REQUIRED DURING ERECTION OR DISMANTLING, MUST BE SUPPLIED AND INSTALLED BY THE ERECTOR.
- INSTALL WARNING PLATE (P/N: ACWS) IN A HIGHLY VISIBLE LOCATION.
- ALL ANTENNA INSTALLATIONS MUST BE GROUNDED IN ACCORDANCE WITH LOCAL AND NATIONAL CODES.
- EXTRA CABLE CLAMPS HAVE BEEN PROVIDED FOR TURNBUCKLE SAFETY REQUIREMENTS. FOR DETAILS SEE DWG. B668024 LATEST REVISION.
- PURCHASER SHALL VERIFY THE INSTALLATION IS IN CONFORMANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS FOR OBSTRUCTION MARKING AND LIGHTING.
- TOLERANCE ON TOWER STEEL IS EQUAL TO PLUS 1% AND MINUS 1/2%.
- DESIGNS ASSUME THAT, AS A MINIMUM, MAINTENANCE AND INSPECTION WILL BE PERFORMED OVER THE LIFE OF THE STRUCTURE IN ACCORDANCE WITH ANSI/TIA/EIA-222-G.
- ANCHOR RODS CORROSION PROTECTION METHODS TO BE PROVIDED BY OTHERS.

FILE NO. **Standard-45G**

REVISIONS				
REV	DESCRIPTION	DWN	CHK	APP
1	REVISED NOTE #5 FROM "ONE 1/2" DIA LINE" TO "TWO 1/2" DIA LINES"	JWS	KTL	HA
2	DATE: Rev#242010 REVISED ANCHOR BLOCK # FOR 40'-70' ELEVATIONS FROM 8E1 TO 8E2 DATE: Jan102010	JWS	KTL	HA

DWG REFERENCE	

ROHN
PRODUCTS LLC
PO BOX 5999
PEORIA, IL 61601-5999
TOLL FREE 800-727-ROHN

THIS DRAWING IS THE PROPERTY OF ROHN. IT IS NOT TO BE REPRODUCED, COPIED OR TRACED IN WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.

**SECTION ASSEMBLY
45G/90MPH 3-SECOND GUST/NO ICE**

DWN:	JWS	CHKD:	KTL	DATE:	Feb/09/2010
ENGR:	HA				
DRAWING NO:	DWG-0105-1	REV:	2		

**FOUNDATION AND ANCHOR TOLERANCES
ALL FOUNDATIONS**

1. CONCRETE DIMENSIONS - PLUS OR MINUS 1" (25mm).
2. DEPTH OF FOUNDATION - PLUS 3" (76mm) OR MINUS 0".
3. DRILLED FOUNDATIONS OUT OF PLUMB - 1.0 DEGREE.
4. REINFORCING STEEL PLACEMENT - PER A.C.I. 301.
5. PROJECTION OF EMBEDMENTS - PLUS OR MINUS 1/8" (3mm).
6. VERTICAL EMBEDMENTS OUT OF PLUMB - 0.5 DEGREE.

ANCHOR BOLTS

7. MAXIMUM DISTANCE FROM CENTERLINE OF ANCHOR BOLTS TO CENTERLINE OF FOUNDATION - 1/24 OF PIER DIAMETER UP TO A MAXIMUM OF 2" (51mm).
8. ANCHOR BOLT SPACING - 1/16" (2mm).
9. ANCHOR BOLT CIRCLE ORIENTATION - 0.25 DEGREE.
10. ANCHOR BOLT CIRCLE DIAMETER - PLUS OR MINUS 1/16" (2mm).

SELF-SUPPORTING TOWERS

11. FACE SPREAD DIMENSION CENTER TO CENTER OF ANCHOR BOLT CIRCLES - PLUS OR MINUS 1/16" (2mm) OR 1/16" (2mm) PER 20 FT. (6m) OF FACE SPREAD.
12. MAXIMUM DIFFERENCE BETWEEN ANY TWO FOUNDATION ELEVATIONS - 1/2" (13mm).

GUYED TOWERS

13. GUY RADIUS - PLUS OR MINUS 5% OF DISTANCE SPECIFIED.
14. ANCHOR ELEVATION - PLUS OR MINUS 5% OF GUY RADIUS.
15. ANCHOR ALIGNMENT (PERPENDICULAR TO GUY RADIUS) - 1.0 DEGREE.
16. ANCHOR ROD SLOPE - PLUS OR MINUS 1.0 DEGREE.
17. ANCHOR ROD ALIGNMENT WITH GUY RADIUS PLUS OR MINUS 1.0 DEGREE.
18. ANCHOR HEAD OUT OF PLUMB - 1.0 DEGREE.
19. GUY INITIAL TENSION - PLUS OR MINUS 10% OF TENSION SPECIFIED.

NOTE: TOLERANCES IN NOTES 13 AND 14 CAN NOT OCCUR SIMULTANEOUSLY

WARNING!!!

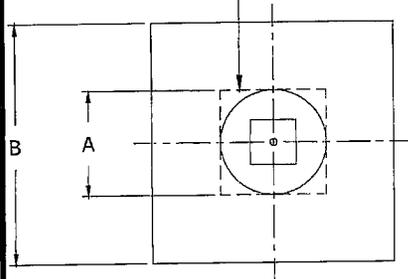
AFTER ANCHOR BOLTS ARE INSTALLED IN CONCRETE HAS TAKEN ITS INITIAL SET, ANCHOR BOLTS MUST NOT BE MOVED, BENT OR REALIGNED IN ANY MANNER. A NUT LOCKING DEVICE MUST BE INSTALLED ON ALL ANCHOR BOLTS.

FILE NO. Standard-SSV				
REVISIONS				
REV#	DESCRIPTION	DWN	CHK	APP
8	REVISION TO AUTOCAD	JDA	JDH	H.A
DATE: 2/17/2008				
DWG REFERENCE				
 6718 WEST PLANK ROAD PEORIA, IL 61604 TOLL FREE 800-727-ROHN				
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FOUNDATION & ANCHOR TOLERANCE				
DWR:	CSR:	CHKD:	KTL:	DATE:
				SEP/25/1987
ENGR:	XK			
DRAWING NO:	A810214			REV:
				8

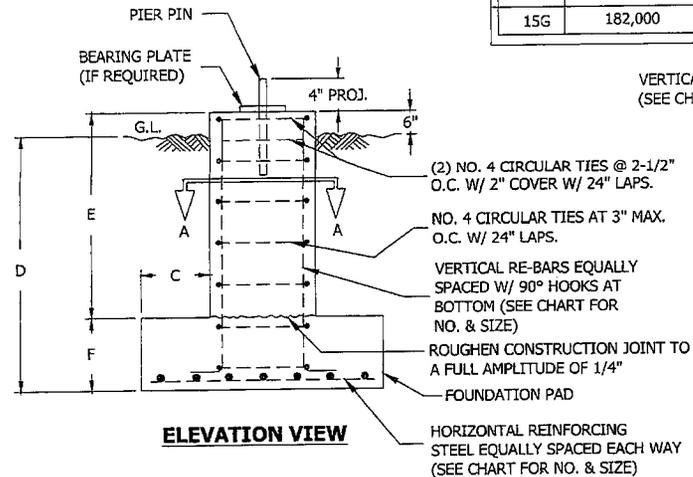
DWGNO: 212127

15-0001

ALTERNATE SQUARE PIER
(SEE NOTE 3)



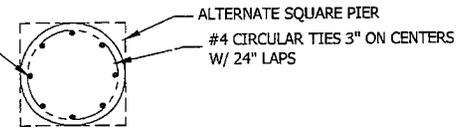
PLAN VIEW



ELEVATION VIEW

CONCRETE BASE SCHEDULE FOR ANSI/TIA-222-G PRESUMPTIVE CLAY SOIL											
CB NO.	TOWER BASE REACTION (LBS)	DIMENSIONS						BEARING PLATE	CONC. (CU. YDS RD PIER)	VERTICAL BARS (NO. & SIZE)	HORIZ. BARS IN PAD (NO. & SIZE)
		* A	B	C	D	E	F				
1G	12,000	2'-6"	2'-6"	0	4'-0"	0	0	BP6	0.80	8 NO. 7	NONE
2G	17,000	3'-0"	3'-0"	0	4'-0"	0	0	BP6	1.20	10 NO. 7	NONE
3G	23,000	3'-6"	3'-6"	0	4'-0"	0	0	BP6	1.60	12 NO. 7	NONE
4G	30,000	4'-0"	4'-0"	0	4'-0"	0	0	BP6	2.10	12 NO. 8	NONE
5G	38,000	2'-0"	4'-0"	1'-0"	4'-0"	3'-3"	1'-3"	BP6	1.10	8 NO. 6	5 NO. 5
6G	48,000	2'-0"	4'-6"	1'-3"	4'-0"	3'-3"	1'-3"	BP6	1.30	8 NO. 6	6 NO. 5
7G	58,000	2'-0"	5'-0"	1'-6"	4'-6"	3'-9"	1'-3"	BP10	1.60	8 NO. 6	6 NO. 5
8G	71,000	2'-0"	5'-6"	1'-9"	4'-6"	3'-9"	1'-3"	BP10	1.80	8 NO. 6	7 NO. 5
9G	84,000	2'-0"	6'-0"	2'-0"	4'-6"	3'-6"	1'-6"	BP10	2.40	8 NO. 6	7 NO. 6
10G	99,000	2'-0"	6'-6"	2'-3"	4'-6"	3'-6"	1'-6"	BP10	2.80	8 NO. 6	8 NO. 5
11G	111,000	2'-6"	7'-0"	2'-3"	5'-0"	3'-9"	1'-9"	BP15	3.90	8 NO. 7	8 NO. 6
12G	127,000	2'-6"	7'-6"	2'-6"	5'-0"	3'-9"	1'-9"	BP15	4.30	8 NO. 7	9 NO. 6
13G	145,000	2'-6"	8'-0"	2'-9"	5'-0"	3'-9"	1'-9"	BP15	4.80	8 NO. 7	9 NO. 6
14G	162,000	3'-0"	8'-6"	2'-9"	5'-0"	3'-6"	2'-0"	BP15	6.30	12 NO. 7	9 NO. 7
15G	182,000	3'-0"	9'-0"	3'-0"	5'-0"	3'-6"	2'-0"	BP15	6.90	12 NO. 7	10 NO. 7

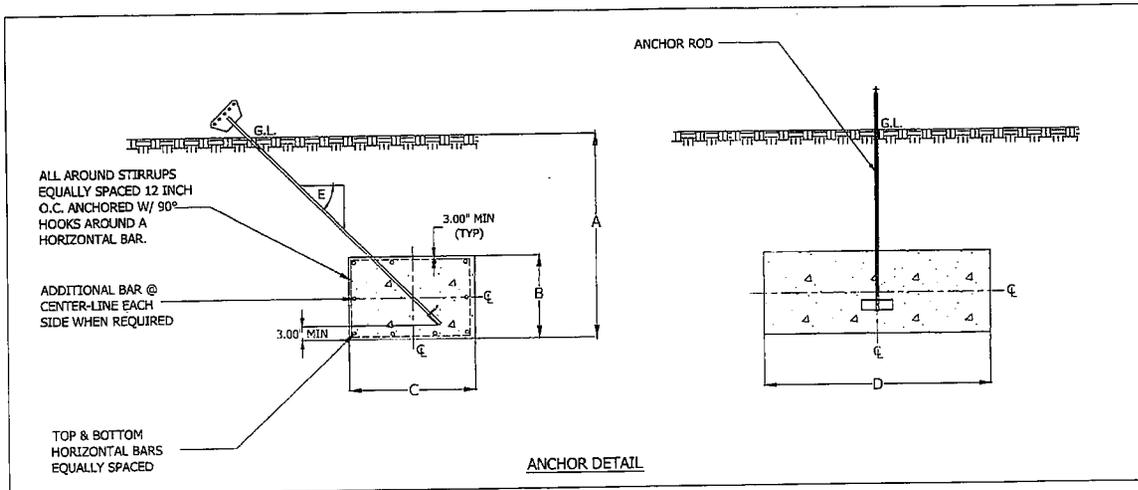
VERTICAL BARS EQUALLY SPACED
(SEE CHART FOR NO. & SIZE)



SECTION A-A

- NOTES:
- SEE TOWER ASSEMBLY DRAWING FOR FOUNDATION LAYOUT AND PART NUMBERS FOR BEARING PLATE & PIER PIN.
 - SEE DRAWING NUMBER B090548 FOR STANDARD FOUNDATION NOTES.
 - *3. USE MIN. 2'-6" SQ. OR 3'-0" DIA. ROUND PIER WHEN BPC45G OR BPC55G IS USED.
 - VERTICAL REINFORCING STEEL SHALL BE REPLACED WITH STRAIGHT BARS WHEN NO PAD IS REQUIRED.
 - HORIZ. BARS IN CHART REFER ONLY TO THE BARS IN THE FOUNDATION PAD.

FILE NO.	STDPUBLIC		
REVISIONS			
REV.	DESCRIPTION	DWN	CHK APP
DWG REFERENCE			
 6738 WEST PLANK ROAD PEORIA, IL 61604 TOLL FREE 800-722-ROHN			
<small>THIS DRAWING IS THE PROPERTY OF ROHN. IT IS NOT TO BE REPRODUCED, COPIED OR TRACED IN WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.</small>			
FOUNDATION BASE PIER FOR REV. G PRESUMPTIVE CLAY			
DWN:	FAD	CHK'D:	HA
ENG'R:	HA	DATE:	Nov/24/2009
DRAWING NO:	B090549		REV:
			0



FILE NO. STDPUBLIC				
REVISIONS				
REV	DESCRIPTION	DWN	CHK	APP
1	ISSA ADDED	FAD	HA	HA
2	DATE: Dec/21/2009 SLOPE 'E' NOTES CHANGED	56m	HA	HA
3	DATE: 3m/21/2010 UPDATED LAYOUT	FAD	HA	HA

DWG REFERENCE

CONCRETE ANCHOR BLOCK DATA FOR ANSI/TIA-222-G PRESUMPTIVE CLAY SOIL									
BLOCK	ANCHOR DIMENSIONS (IN.)				HORIZONTAL BARS QTY./SIZE	STIRRUPS SIZE & SPACING	CONCRETE VOL. (CU. YDS.)	UPLIFT CAPACITY(LBS)	LATERAL CAPACITY(LBS)
	A	B	C	D					
AB1	3'-0"	1'-0"	3'-0"	4'-0"	(8) #5 BARS TOTAL (4) #5 BARS TOP AND BOTTOM LAYERS (0) ADDITIONAL BAR EACH SIDE	#3 @ 12" O.C.	0.44 PER BLOCK 1.3 TOTAL FOR 3	4,800	2,150
AB2	4'-0"	1'-6"	4'-0"	6'-0"	(10) #6 BARS TOTAL (5) #6 BARS TOP AND BOTTOM LAYERS (0) ADDITIONAL BAR EACH SIDE	#3 @ 12" O.C.	1.33 PER BLOCK 4.0 TOTAL FOR 3	12,600	6,480
AB3	6'-0"	1'-6"	3'-0"	6'-0"	(8) #6 BARS TOTAL (4) #6 BARS TOP AND BOTTOM LAYERS (0) ADDITIONAL BAR EACH SIDE	#3 @ 12" O.C.	1.0 PER BLOCK 3.0 TOTAL FOR 3	18,700	10,500
AB4	6'-0"	1'-6"	4'-0"	9'-0"	(10) #6 BARS TOTAL (5) #6 BARS TOP AND BOTTOM LAYERS (0) ADDITIONAL BAR EACH SIDE	#4 @ 12" O.C.	2.0 PER BLOCK 6.0 TOTAL FOR 3	32,500	15,800
AB5	8'-0"	2'-0"	3'-0"	10'-0"	(10) #7 BARS TOTAL (4) #7 BARS TOP AND BOTTOM LAYERS (1) ADDITIONAL BAR EACH SIDE	#4 @ 12" O.C.	2.22 PER BLOCK 6.7 TOTAL FOR 3	43,000	21,000
AB6	8'-0"	2'-0"	4'-0"	10'-0"	(12) #7 BARS TOTAL (5) #7 BARS TOP AND BOTTOM LAYERS (1) ADDITIONAL BAR EACH SIDE	#4 @ 12" O.C.	2.95 PER BLOCK 8.9 TOTAL FOR 3	52,000	26,500

- GENERAL NOTES**
- SEE DRAWING NUMBER B090548 FOR STANDARD FOUNDATION NOTES.
 - ALL HORIZONTAL BARS MUST BE CONTINUOUS.
 - DUE TO VARIABLES INVOLVED DURING INSTALLATION, IT SHALL BE THE CUSTOMER'S OR INSTALLER'S RESPONSIBILITY TO PROVIDE STRUCTURALLY ADEQUATE SUPPORTS FOR BASE AND ANCHOR CONNECTIONS. IT MAY ALSO BE NECESSARY FOR THE CUSTOMER OR INSTALLER TO SECURE THE SERVICE OF A LOCAL ENGINEER TO DETERMINE THAT INSTALLATION COMPLIES WITH LOCAL BUILDING CODES.
 - ADDITIONAL CORROSION PROTECTION MAY BE REQUIRED FOR STEEL GUY ANCHORS IN DIRECT CONTACT WITH SOIL.

ROH PRODUCTS
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 PEORIA, IL 61604
 TOLL FREE 800-727-ROHM

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FOUNDATION ANCHOR BLOCK REV. G PRESUMPTIVE CLAY			
DWN:	FAD	CHKD:	HA
ENGR:	HA	DATE:	Nov/24/2009
DRAWING NO.:	B090550	REV:	3

(SEE TOWER ASSEMBLY DRAWING FOR ANCHOR ROD SLOPE 'E'.)

STANDARD FOUNDATION NOTES
ANSI/TIA-222-G

1. STANDARD FOUNDATION DESIGNS ARE IN ACCORDANCE WITH ANSI/TIA-222-G, "STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES", SECTION 9 AND ANNEX F FOR THE FOLLOWING PRESUMPTIVE CLAY SOIL PARAMETERS:

N (blows/ft) [blows/m]	φ (deg)	Y (lb/ft ³) [kN/m ³]	C (psf) [kPa]	Ultimate Bearing (psf) [kPa]		Ultimate Skin Friction (psf) [kPa]	k (pcf) [kN/m ³]	e _s
				Shallow Fnds.	Deep Fnds.			
8 [26]	0	110 [17]	1000 [48]	5000 [240]	9000 [431]	500 [24]	150 [41,000]	0.01

2. THE PURCHASER MUST VERIFY THAT ACTUAL SITE SOIL PARAMETERS MEET OR EXCEED ANSI/TIA-222-G PRESUMPTIVE CLAY SOIL DESIGN PARAMETERS AND THAT THE PENETRATION AND/OR ZONE OF SEASONAL MOISTURE VARIATION AT THE SITE. FOUNDATION DESIGN MODIFICATIONS MAY BE REQUIRED IN THE EVENT PRESUMPTIVE CLAY SOIL PARAMETERS ARE NOT APPLICABLE FOR THE ACTUAL SUBSURFACE CONDITIONS ENCOUNTERED.
3. A SITE-SPECIFIC INVESTIGATION IS REQUIRED FOR CLASS III STRUCTURES IN ACCORDANCE WITH ANSI/TIA-222-G.
4. FOUNDATION DESIGNS ASSUME FIELD INSPECTIONS WILL BE PERFORMED BY THE PURCHASER'S REPRESENTATIVE TO VERIFY THAT CONSTRUCTION MATERIALS, INSTALLATION METHODS AND ASSUMED DESIGN PARAMETERS ARE ACCEPTABLE BASED ON THE CONDITIONS EXISTING AT THE SITE.
5. WORK SHALL BE IN ACCORDANCE WITH LOCAL CODES, SAFETY REGULATIONS AND UNLESS OTHERWISE NOTED, THE LATEST REVISION OF ACI 318, "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE". PROCEDURES FOR THE PROTECTION OF EXCAVATIONS, EXISTING CONSTRUCTION AND UTILITIES SHALL BE ESTABLISHED PRIOR TO FOUNDATION INSTALLATION.
6. CONCRETE MATERIALS SHALL CONFORM TO THE APPROPRIATE STATE REQUIREMENTS FOR EXPOSED STRUCTURAL CONCRETE.
7. PROPORTIONS OF CONCRETE MATERIALS SHALL BE SUITABLE FOR THE INSTALLATION METHOD UTILIZED AND SHALL RESULT IN DURABLE CONCRETE FOR RESISTANCE TO LOCAL ANTICIPATED AGGRESSIVE ACTIONS. THE DURABILITY REQUIREMENT OF ACI 318 CHAPTER 4 SHALL BE SATISFIED BASED ON THE CONDITIONS EXPECTED AT THE SITE. AS A MINIMUM, CONCRETE SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI (27.6 MPa) IN 28 DAYS.
8. MAXIMUM SIZE OF AGGREGATE SHALL NOT EXCEED SIZE SUITABLE FOR INSTALLATION METHOD UTILIZED OR 1/3 CLEAR DISTANCE BEHIND OR BETWEEN REINFORCING. MAXIMUM SIZE MAY BE INCREASED TO 2/3 CLEAR DISTANCE PROVIDED WORKABILITY AND METHODS OF CONSOLIDATION SUCH AS VIBRATING WILL PREVENT HONEYCOMBS OR VOIDS.
9. REINFORCEMENT SHALL BE DEFORMED AND CONFORM TO THE REQUIREMENTS OF ASTM A615 GRADE 60 UNLESS OTHERWISE NOTED. SPLICES IN REINFORCEMENT SHALL NOT BE ALLOWED UNLESS OTHERWISE INDICATED.
10. REINFORCING CAGES SHALL BE BRACED TO RETAIN PROPER DIMENSIONS DURING HANDLING, THROUGHOUT PLACEMENT OF CONCRETE AND DURING EXTRACTION OF TEMPORARY CASING.
11. WELDING IS PROHIBITED ON REINFORCING STEEL AND EMBEDMENTS.

12. MINIMUM CONCRETE COVER FOR REINFORCEMENT SHALL BE 3 INCHES (76 mm) UNLESS OTHERWISE NOTED. APPROVED SPACERS SHALL BE USED TO INSURE A 3 INCH (76 mm) MINIMUM COVER ON REINFORCEMENT. CONCRETE COVER FROM TOP OF FOUNDATION TO ENDS OF VERTICAL REINFORCEMENT SHALL NOT EXCEED 3 INCHES (76 mm) NOR BE LESS THAN 2 INCHES (51 mm).
13. SPACERS SHALL BE ATTACHED INTERMITTENTLY THROUGHOUT THE ENTIRE LENGTH OF VERTICAL REINFORCING CAGES TO INSURE CONCENTRIC PLACEMENT OF CAGES IN EXCAVATIONS.
14. FOUNDATION DESIGNS ASSUME STRUCTURAL BACKFILL TO BE COMPACTED IN 8 INCH (200 mm) MAXIMUM LAYERS TO 95% OF MAXIMUM DRY DENSITY AT OPTIMUM MOISTURE CONTENT IN ACCORDANCE WITH ASTM D698. ADDITIONALLY, STRUCTURAL BACKFILL MUST HAVE A MINIMUM COMPACTED UNIT WEIGHT OF 100 POUNDS PER CUBIC FOOT (16 kN/m³).
15. FOUNDATION DESIGNS ASSUME LEVEL GRADE AT THE SITE.
16. FOUNDATION INSTALLATION SHALL BE SUPERVISED BY PERSONNEL KNOWLEDGEABLE AND EXPERIENCED WITH THE PROPOSED FOUNDATION TYPE. CONSTRUCTION SHALL BE IN ACCORDANCE WITH GENERALLY ACCEPTED INSTALLATION PRACTICES.
17. FOR FOUNDATION AND ANCHOR TOLERANCES SEE DRAWING A810214.
18. LOOSE MATERIAL SHALL BE REMOVED FROM BOTTOM OF EXCAVATION PRIOR TO CONCRETE PLACEMENT. SIDES OF EXCAVATION SHALL BE ROUGH AND FREE OF LOOSE CUTTINGS.
19. CONCRETE SHALL BE PLACED IN A MANNER THAT WILL PREVENT SEGREGATION OF CONCRETE MATERIALS, INFILTRATION OF WATER OR SOIL AND OTHER OCCURRENCES WHICH MAY DECREASE THE STRENGTH OR DURABILITY OF THE FOUNDATION.
20. FREE FALL CONCRETE MAY BE USED PROVIDED FALL IS VERTICAL DOWN WITHOUT HITTING SIDES OF EXCAVATION, FORMWORK, REINFORCING BARS, FORM TIES, CAGE BRACING OR OTHER OBSTRUCTIONS. UNDER NO CIRCUMSTANCES SHALL CONCRETE FALL THROUGH WATER.
21. CONCRETE SHALL BE PLACED AGAINST UNDISTURBED SOIL EXCEPT FOR PIERS OR PIER AND PAD FOUNDATIONS. FORMS FOR PIERS SHALL BE REMOVED PRIOR TO PLACING STRUCTURAL BACKFILL.
22. CONSTRUCTION JOINTS, IF REQUIRED IN PIER MUST BE AT LEAST 12 INCHES (305 mm) BELOW BOTTOM OF EMBEDMENTS AND MUST BE INTENTIONALLY ROUGHENED TO A FULL AMPLITUDE OF 1/4 INCH (6 mm). FOUNDATION DESIGN ASSUMES NO OTHER CONSTRUCTION JOINTS.
23. CASING, IF USED, SHALL NOT BE LEFT IN PLACE. EQUIPMENT, PROCEDURES, AND PROPORTIONS OF CONCRETE MATERIALS SHALL INSURE CONCRETE WILL NOT BE ADVERSELY DISTURBED UPON CASING REMOVAL. DRILLING FLUID, IF USED, SHALL BE FULLY DISPLACED BY CONCRETE AND SHALL NOT BE DETRIMENTAL TO CONCRETE OR SURROUNDING SOIL. CONTAMINATED CONCRETE SHALL BE REMOVED FROM TOP OF FOUNDATION AND REPLACED WITH FRESH CONCRETE.
24. TOP OF FOUNDATION SHALL BE SLOPED TO DRAIN WITH A FLOATED FINISHED. EXPOSED EDGES OF CONCRETE SHALL BE CHAMFERED 3/4" X 3/4" (19 mm X 19 mm) MINIMUM.
25. FOR ANCHOR BLOCK TYPE FOUNDATIONS, FOR GUYED TOWERS, ADDITIONAL CORROSION PROTECTION MAY BE REQUIRED FOR STEEL GUY ANCHORS IN DIRECT CONTACT WITH SOIL. DESIGN ASSUMES PERIODIC INSPECTIONS WILL BE PERFORMED OVER THE LIFE OF THE STRUCTURE TO DETERMINE IF ADDITIONAL ANCHOR CORROSION PROTECTION MEASURES MUST BE IMPLEMENTED BASED ON OBSERVED SITE-SPECIFIC CONDITIONS.

FILE NO.

REVISIONS				
REV	DESCRIPTION	DWN	CHK	APP
1	REVISED NOTES AND DESCRIPTION	JOC	JON	HA
DATE: 6/8/2012				

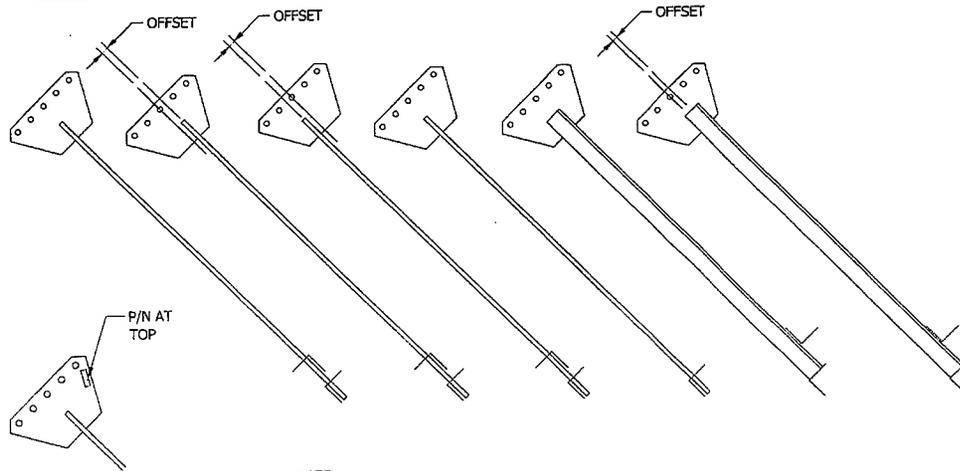


PO BOX 5999
PEORIA, IL 61601-5999
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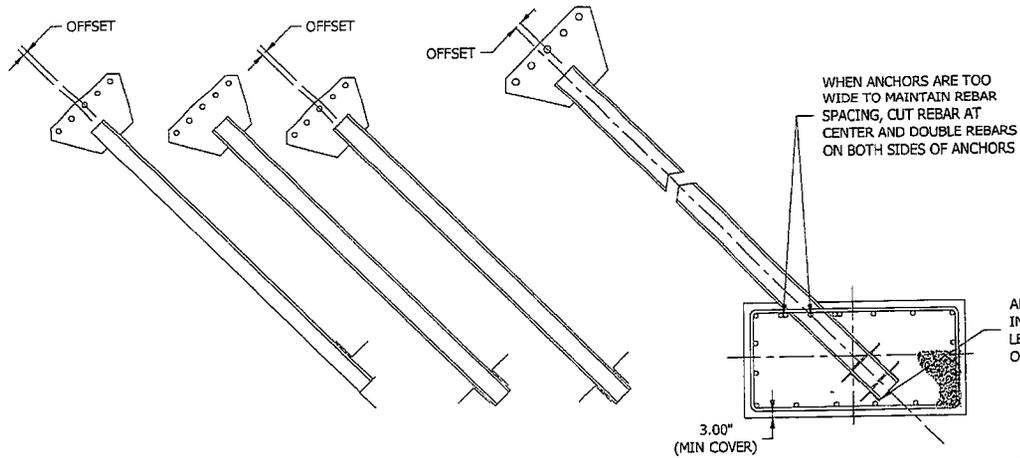
ANSI/TIA-222-G
STANDARD FOUNDATION NOTES

DWR:	FAD	CHKD:	HA	DATE:	Nov/28/2009	
ENGR:	HA	SHEET #:	1 OF 1			
PRJ. ENGR:						
DRAWING NO:	B090548				REV:	1



TYPICAL DETAIL

NOTE:
INSTALL ANCHORS IN BLOCKS WITH EMBEDMENT
ANGLES ORIENTED AS SHOWN AND WITH P/N AT
TOP AS SHOWN.



ANCHOR TO BE INSERTED
INTO CONCRETE BLOCK TO
LEVEL WITH BOTTOM LAYER
OF REINFORCING BARS

FILE NO. Standard-80				
REVISIONS				
REV	DESCRIPTION	DWN	CHK	APP
2	RENAME IN AUTOCAD	M.F	JCM	HA
DATE: May/22/2006				
3	ADDED ANCHOR INSERTION NOTE TO BLOCK DETAIL	JWS	HA	HA
DATE: Oct/15/2010				

DWG REFERENCE



6718 WEST PLANK ROAD
PEORIA, IL 61604
TOLL FREE 800-727-ROHN

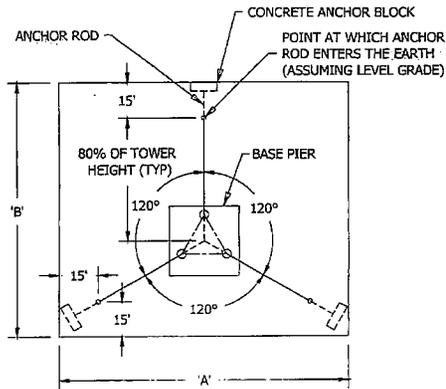
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ANCHOR INSTALLATION DETAIL
ANCHOR INSTALLATION DETAIL

DWN: B_N	CHKD: WDU	DATE: Mar/22/1995
ENGR: TWS		
DRAWING NO: A951409	REV: 3	

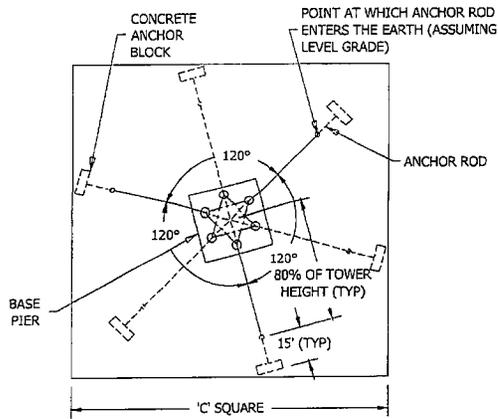
DATE PLOTTED: 11-20-2014

DWGNO: 11-20-2014



LAYOUT A

THIS IS THE MINIMUM AREA OF LAND REQUIRED. HOWEVER, THIS AREA WILL NOT ALWAYS PERMIT ORIENTING TOWER INTO THE BEST POSITION FOR ANTENNA PATH DIRECTION.



LAYOUT B

THIS IS THE MINIMUM AREA OF LAND REQUIRED TO PERMIT ORIENTING THE TOWER IN ANY POSITION FOR ANTENNA PATH DIRECTION.

TOWER HEIGHT	LAYOUT A		LAYOUT B	
	ACRES	A	B	C
20'	0.08	60'	55'	0.10
30'	0.12	75'	70'	0.15
40'	0.17	90'	80'	0.21
50'	0.21	100'	90'	0.28
60'	0.28	115'	105'	0.39
70'	0.35	130'	115'	0.48
80'	0.43	145'	130'	0.59
90'	0.50	155'	140'	0.70
100'	0.59	170'	150'	0.83
110'	0.70	185'	165'	1.01
120'	0.80	200'	175'	1.16
130'	0.94	215'	190'	1.32
140'	1.04	225'	200'	1.49
150'	1.16	240'	210'	1.67
160'	1.32	255'	225'	1.93
170'	1.46	270'	235'	2.14
180'	1.64	285'	250'	2.35
190'	1.76	295'	260'	2.58
200'	1.92	310'	270'	2.81
210'	2.13	325'	285'	3.14
220'	2.31	340'	295'	3.40
230'	2.50	350'	310'	3.67
240'	2.68	365'	320'	3.95
250'	2.88	380'	330'	4.24
260'	3.13	395'	345'	4.65
270'	3.34	410'	355'	4.96
280'	3.57	420'	370'	5.29
290'	3.80	435'	380'	5.63
300'	4.03	450'	390'	5.97
310'	4.33	465'	405'	6.45
320'	4.53	475'	415'	6.82
330'	4.84	490'	430'	7.20
340'	5.10	505'	440'	7.59
350'	5.37	520'	450'	8.00
360'	5.71	535'	465'	8.54
370'	5.94	545'	475'	8.97
380'	6.30	560'	490'	9.40
390'	6.60	575'	500'	9.85
400'	6.91	590'	510'	10.31
410'	7.23	600'	525'	10.93
420'	7.55	615'	535'	11.41
430'	7.96	630'	550'	11.90
440'	8.29	645'	560'	12.40
450'	8.64	660'	570'	12.91
460'	9.00	670'	585'	13.61
470'	9.36	685'	595'	14.15
480'	9.80	700'	610'	14.69
490'	10.18	715'	620'	15.25
500'	10.49	725'	630'	15.81

TOWER HEIGHT	LAYOUT A		LAYOUT B	
	ACRES	A	B	C
550'	12.59	795'	690'	19.01
600'	14.89	865'	750'	22.50
650'	17.39	935'	810'	26.28
700'	19.97	1000'	870'	30.36
750'	22.85	1070'	930'	34.73
800'	25.91	1140'	990'	39.40
850'	29.17	1210'	1050'	44.35
900'	32.62	1280'	1110'	49.61
950'	36.26	1350'	1170'	55.15
1000'	40.10	1420'	1230'	61.00
1050'	43.98	1485'	1290'	67.13
1100'	48.19	1555'	1350'	73.56
1150'	52.60	1625'	1410'	80.28
1200'	57.20	1695'	1470'	87.30

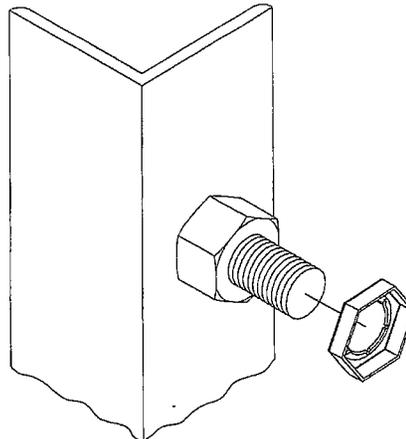
GENERAL NOTES

1. DUE TO VARIABLES INVOLVED IN ROOF AND OTHER INSTALLATIONS, IT SHALL BE THE RESPONSIBILITY OF THE CUSTOMER OR INSTALLER TO PROVIDE STRUCTURALLY ADEQUATE SUPPORTS FOR PIER AND ANCHOR CONNECTIONS. IT MAY ALSO BE NECESSARY FOR THE CUSTOMER OR INSTALLER TO SECURE THE SERVICE OF A LOCAL ENGINEER TO DETERMINE THAT THE INSTALLATION COMPLIES WITH LOCAL BUILDING CODES.
2. FOR RESTRICTED SITES, CUSTOM DESIGNS WITH STRONGER MASTS AND LARGER GUYS MAY BE PROVIDED BY REDUCING THE GUY RADIUS FROM 80% TO 40% OF THE TOWER HEIGHT.

FILE NO. Standard-80				
REVISIONS				
REV	DESCRIPTION	DWN	CHK	APP
4	REVISIONS TO AUTOCAD & ADDED NOTE #4	JDA	JOH	HA
DATE: 04/15/2005				
DWG REFERENCE				
<p>6718 WEST PLANK ROAD PEORIA, IL 61604 TOLL FREE 800-727-ROIN</p> <p>THIS DRAWING IS THE PROPERTY OF ROIN. IT IS NOT TO BE REPRODUCED, COPIED OR TRACED IN WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.</p>				
GUY ANCHOR LAND REQUIREMENT DETAIL				
DWN:	MSR	CHKD:	CH	DATE: Apr/15/1975
ENG'N:	CW			REV:
DRAWING NO: C640531				4

- ASSEMBLY BOLT INSTALLATION**
- UNLESS OTHERWISE SPECIFIED, ASSEMBLY BOLTS AND ANCHOR BOLTS ARE TO BE TIGHTENED TO A SNUG TIGHT CONDITION (MEMBERS IN FIRM CONTACT) AND MUST INCLUDE A NUT LOCKING DEVICE. NO MINIMUM BOLT TENSION OR TORQUE VALUES ARE REQUIRED. WHEN LOCK WASHERS ARE PROVIDED AS A NUT LOCKING DEVICE, REPLACE ANY DAMAGED WASHERS DUE TO OVER TIGHTENING.
 - WASHERS ARE TO BE INSTALLED OVER SLOTTED HOLES.

- PAL NUT INSTALLATION**
- PAL NUTS ARE TO BE INSTALLED AFTER NUTS ARE TIGHT AND WITH EDGE LIP OUT (SEE PICTURE). PAL NUTS ARE NOT REQUIRED WHEN SELF-LOCKING NUTS OR LOCK WASHERS ARE PROVIDED.



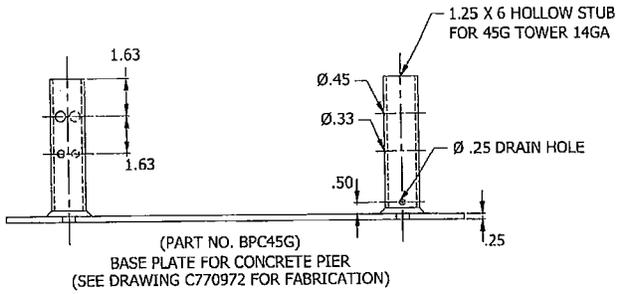
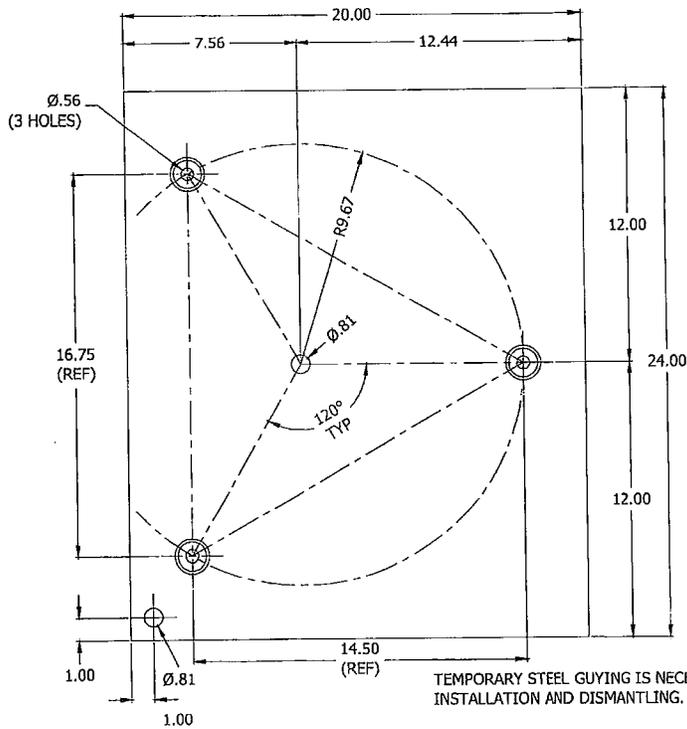
FILE NO.				
REVISIONS				
REV	DESCRIPTION	DWN	CHK	APP
7	CHANGE NOTATION	JEC	JOM	PA
DATE: 05/13/12				
 <small>PO BOX 5999 PEORIA, IL 61601-5999 TOLL FREE 800-727-ROHN</small>				
THIS DRAWING IS THE PROPERTY OF ROHN. IT IS NOT TO BE REPRODUCED, COPIED OR TRACED IN WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.				
BOLT ASSEMBLY INSTALLATION				
DWN:	OH	CHKD:	DATE: 07/05/79	
ENG:	TWS		SHEET #:	1 OF 1
DRAWING NO:	A790135			REV:
				7

FILE NO. Standard-45G		REVISIONS		DWN CXC JRP	
REV	DESCRIPTION	DATE	BY	CHK	APP
8	REWORK & REISSUE	06/20/94	DA	RTL	NA
7	DATE	06/20/94			

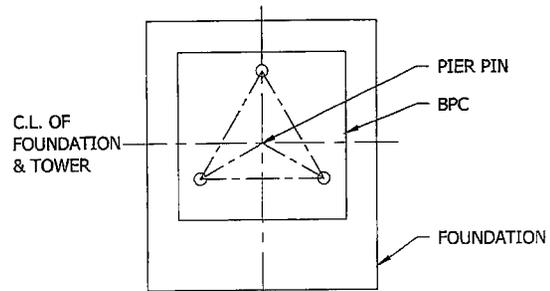
DWG REFERENCE	C770972
	B69066

ROHN PRODUCTS 6718 MUST PLANK ROAD PEORIA, IL 61604 TOLL FREE 800-727-ROHN	
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BASE SECTION 45G CONCRETE BASE PLATE ASSY	
DWN: CH	DATE: JUN/20/94
ENGR: RAM	
DRAWING NO: C64-0645	REV: 8

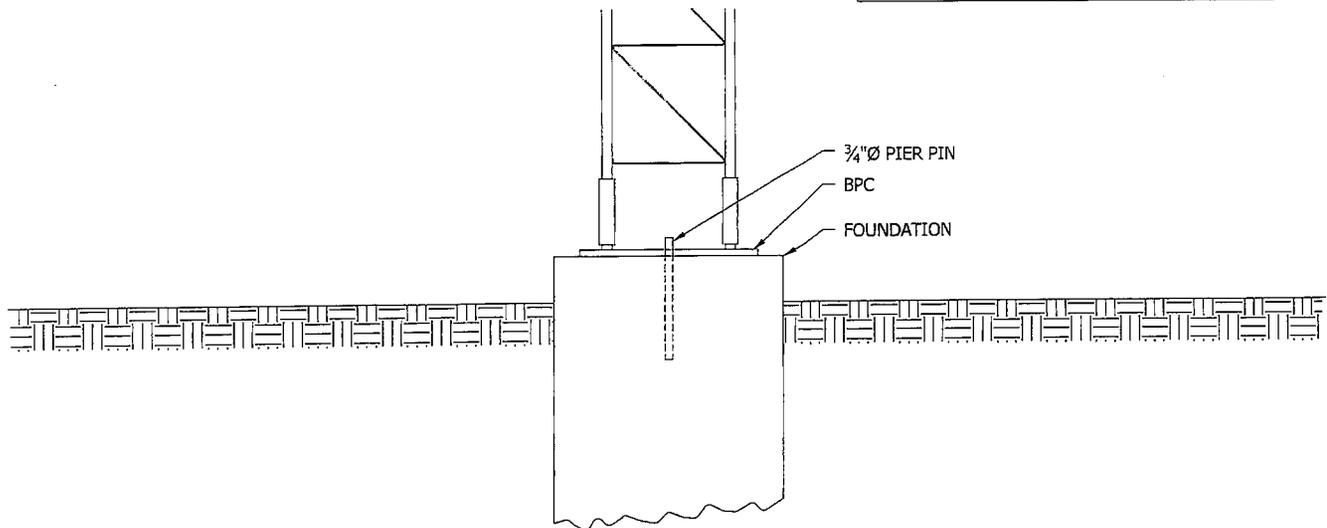


- NOTES:
1. DUE TO VARIABLES INVOLVED IN ROOF AND OTHER INSTALLATIONS, IT SHALL BE THE CUSTOMER'S OR INSTALLERS RESPONSIBILITY TO PROVIDE STRUCTURALLY ADEQUATE SUPPORTS FOR PIER & ANCHOR CONNECTIONS. IT MAY ALSO BE NECESSARY FOR THE CUSTOMER OR INSTALLER TO SECURE THE SERVICE OF A LOCAL ENGINEER TO DETERMINE THAT INSTALLATION COMPLIES WITH LOCAL BUILDING CODES.
 2. AFTER GALVANIZING CHECK DRAIN HOLES TO SEE THAT THEY ARE NOT PLUGGED.
 3. FOR USE WITH GUYED AND BRACKETED TOWERS ONLY.



C.L. OF FOUNDATION & TOWER

NOTE: TOWER IS NOT TO STAND UNGUYED IN ANY CASE. TOWER MUST BE TEMPORARILY OR PERMANENTLY GUYED WITH STEEL GUYES AT ALL TIMES.

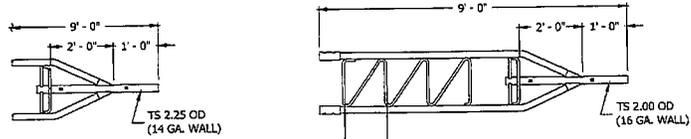


3/4"Ø PIER PIN
BPC
FOUNDATION

FILE NO. Standard-SSV					
REVISIONS					
REV	DESCRIPTION	DWN	CHK	APP	
2	REDRAWN	CHH	KTL	HA	
DATE: Mar/18/2005					
DWG REFERENCE					
 5718 WEST PLANK ROAD PEORIA, IL 61604 TOLL FREE 800-727-ROHN					
<small>THIS DRAWING IS THE PROPERTY OF ROHN, IT IS NOT TO BE REPRODUCED, COPIED OR TRACED IN WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.</small>					
DWG BPC ASSEMBLY DETAILS					
DWN:	CHKD:	DATE:			
OH	GR	Jun/05/1968			
ENGR:					
TWS					
DRAWING NO:	REV:				
B680606	2				

5/21/2007 12:52:24

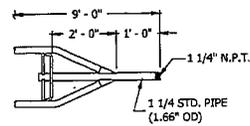
11/25/04



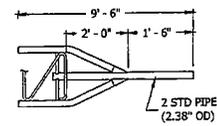
ASSY P/N: 45AG3
1 - 45AJBK
1 - KS160

* 15 3/4" EACH FOR ALL TOP SECTIONS

ASSY P/N: 45AG
1 - 45AJBK
1 - KS157

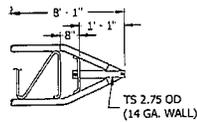


ASSY P/N: 45AG1
1 - 45JBK
1 - KS158



ASSY P/N: 45AG2
1 - 45JBK
1 - KS159

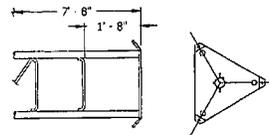
*NOTE: SPECIFICATIONS OF TOP SECTIONS ARE THE SAME AS SECTION NO. 45 EXCEPT AS NOTED ABOVE.



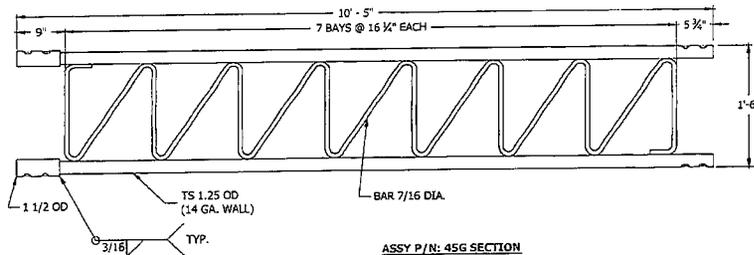
ASSY P/N: 45AG5
1 - 45JBK
1 - KS162



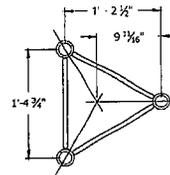
TYPICAL PLAN VIEW
(FOR ALL SECTIONS EXCEPT 45AG4)



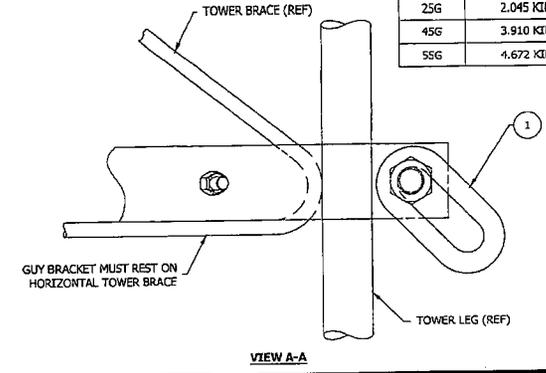
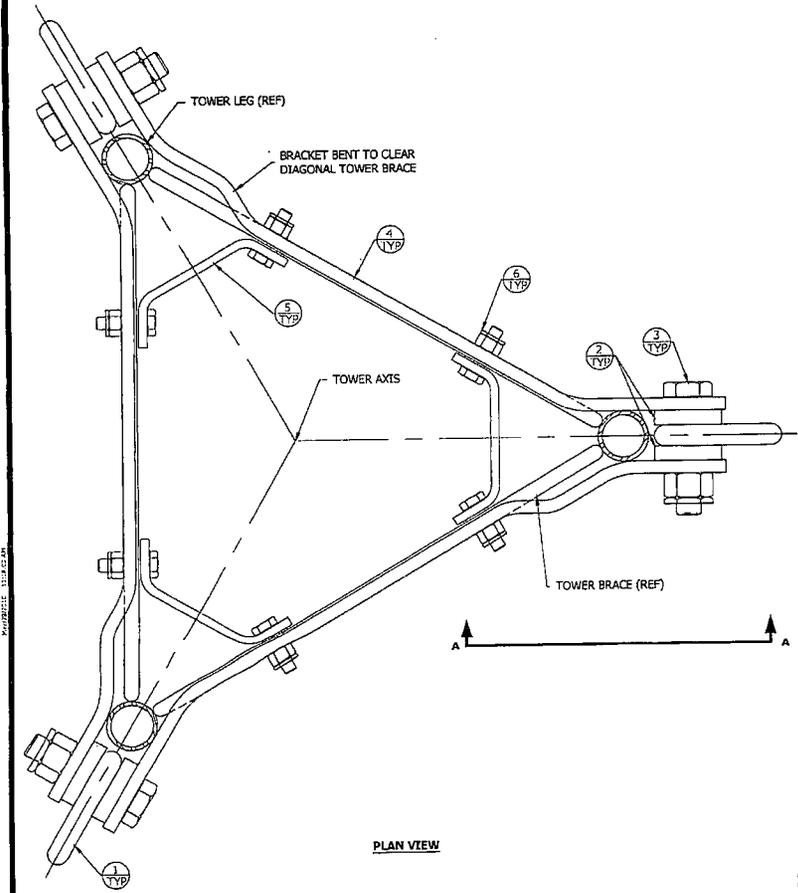
ASSY P/N: 45AG4
1 - 45JBK
1 - KS161



ASSY P/N: 45G SECTION
1 - 45JBK
1 - 45GX



FILE NO.			
REVISIONS			
REV	DESCRIPTION	DWN	CHK APP
PO BOX 5999 PEORIA, IL 61601-5999 TOLL FREE 800-227-ROHN			
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45G SECTION ASSEMBLY			
DWN:	CHK'D:	DATE:	
ZAW	JDM	05/05/12	
ENGR:	HA	SHEET #:	
DRAWING NO:		REV:	
DWG-0526		0	



25G GUY BRACKET ASSEMBLY GA25GD - BILL OF MATERIALS

ITEM	QTY	PART NO.	DESCRIPTION
1	3	GL1/2	LINK GB25D, 5" DIAx1.75x3.38"
2	6	KH386	RINGFILL PL .38X1.5" DIA .563"
3	3	210152GA	BOLT ASSY 1/2x3 HSB A325 HDG
4	3	GB25D	BRACKET GUY BAR FORM .25X1.50"
5	3	KC688	BAR FLAT BRACE 1.5X1.9X4.72"
6	6	210005GA	BOLT ASSY 3/8 X 1-1/4 HCS G5 HDG
7	1	22208A	CARTON FOR GA25GD GUY ASSY

45G GUY BRACKET ASSEMBLY GA45GD - BILL OF MATERIALS

ITEM	QTY	PART NO.	DESCRIPTION
1	3	GL5/8	LINK GB45 & 55D .63"DIA X 4.5"
2	6	KH3423	RINGFILL PL .31X2" DIA. 688"
3	3	210072GA	BOLT ASSY 5/8x3-1/4 HSB A325 HDG
4	3	GB45D	BRACKET GUY BAR FORM
5	3	KC192	BAR FLAT BRACE .25X1.5X6"
6	6	210008GA	BOLT ASSY 3/8 X 1-1/2 HCS G5 HDG
7	1	22209A	CARTON FOR GA45GD & GA55GD

55G GUY BRACKET ASSEMBLY GA55GD - BILL OF MATERIALS

ITEM	QTY	PART NO.	DESCRIPTION
1	3	GL5/8	LINK GB45 & 55D .63"DIA X 4.5"
2	6	KH3424	RINGFILL PL .44x2.0" DIA. 81"
3	3	210054GA	BOLT ASSY 3/4x3-1/2 HSB A325 HDG
4	3	GB55D	BRACKET GUY BAR FORM
5	3	KC192	BAR FLAT BRACE .25X1.5X6"
6	6	210008GA	BOLT ASSY 3/8 X 1-1/2 HCS G5 HDG
7	1	22209A	CARTON FOR GA45GD & GA55GD

THIMBLE DATA

GUY BRACKET P/N	MAXIMUM THIMBLE SIZE	MINIMUM THIMBLE SIZE
GA25GD	3/8 THH	1/4TH-5/16THH
GA45GD	9/16THH	1/4TH-5/16THH
GA55GD	9/16THH	1/4TH-5/16THH

SECTION	MAXIMUM REV 'F' VERTICAL PULL	MAXIMUM GUY WIRE SIZE
25G	1.90 KIPS	3/16" EHS
45G	3.40 KIPS	1/4" EHS
55G	3.94 KIPS	5/16" EHS

SECTION	MAXIMUM REV 'G' VERTICAL PULL	MAXIMUM GUY WIRE SIZE
25G	2.045 KIPS	3/16" EHS
45G	3.910 KIPS	1/4" EHS
55G	4.672 KIPS	5/16" EHS

FILE NO. Standard-45G

REV#	DESCRIPTION	DWN	CHK	APP
5	ADDED INFO AUTOCAD		JDA	JDA
6	DATE: Aug/16/2006 UPDATED TO REF 'F' DOWN PULL ADDED MAX GUY WIRE SIZE		ABS	JOM
7	DATE: Dec/17/2008 UPDATED TO STANDARDS REVISED REV 'G' VERTICAL PULL		ABS	JOM
	DATE: Nov/27/2010			

DWG REFERENCE

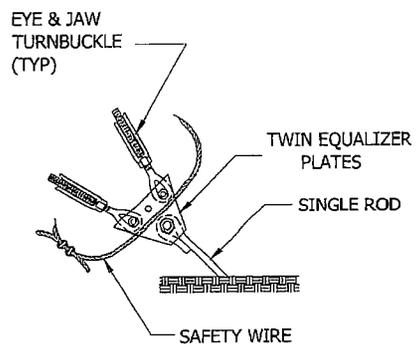
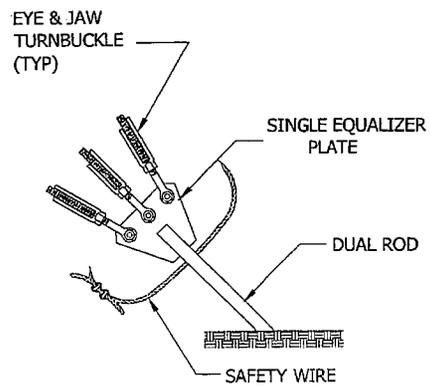
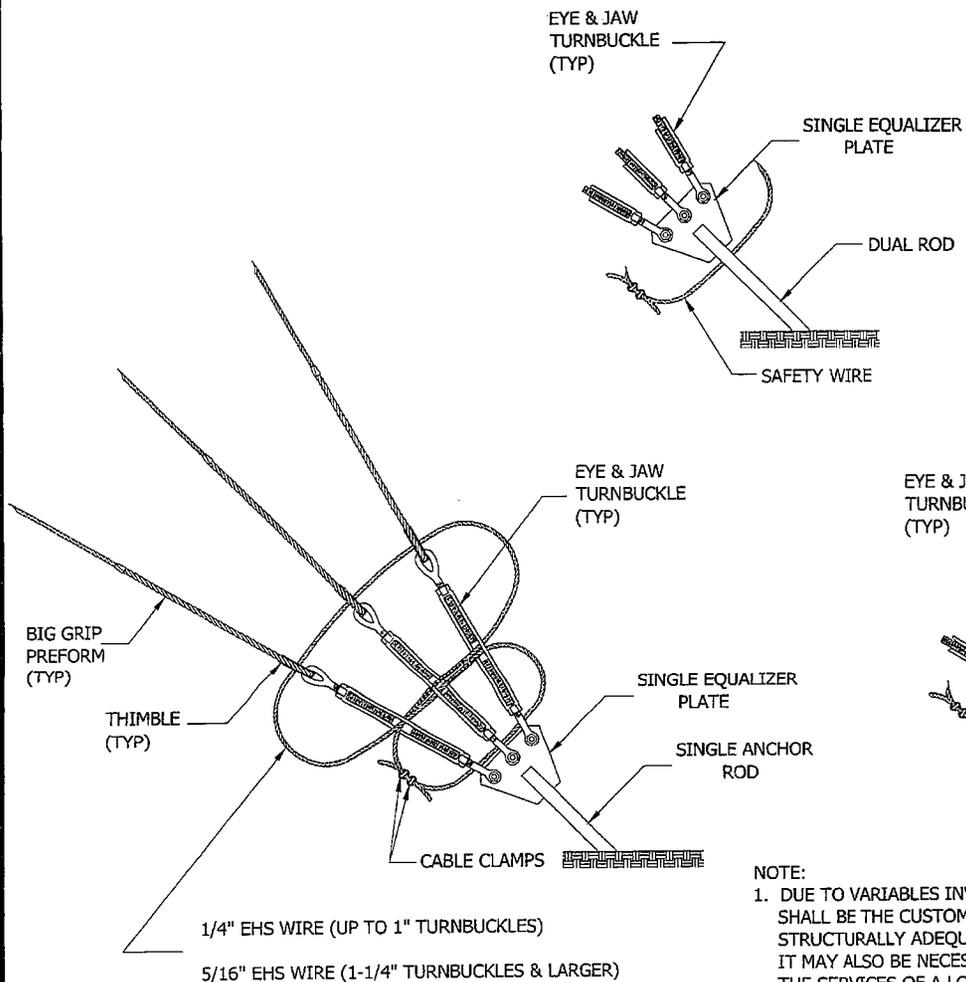
ROHN
PRODUCTS
6718 WEST PLANK ROAD
PEORIA, IL 61604
TOLL FREE 800-727-ROHN

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GUY BRACKET ASSY & HARDWARE
25, 45, 55 TOWERS

DWN: WDU	CHK'D: GPW	DATE: Apr/15/1988
ENGR: ROB		
DRAWING NO: C870710		REV: 7

6/10/2006 4:51:32 PM
 6/10/2006



NOTE:
 1. DUE TO VARIABLES INVOLVED IN ROOF AND OTHER INSTALLATIONS, IT SHALL BE THE CUSTOMER'S OR INSTALLER'S RESPONSIBILITY TO PROVIDE STRUCTURALLY ADEQUATE SUPPORTS FOR PIER AND ANCHOR CONNECTIONS. IT MAY ALSO BE NECESSARY FOR THE CUSTOMER OR INSTALLER TO SECURE THE SERVICES OF A LOCAL ENGINEER TO DETERMINE THAT INSTALLATION COMPLIES WITH LOCAL BUILDING CODES.

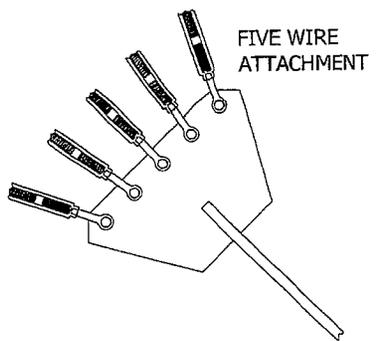
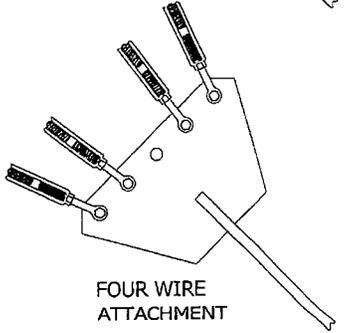
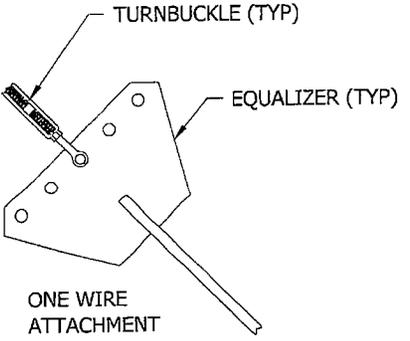
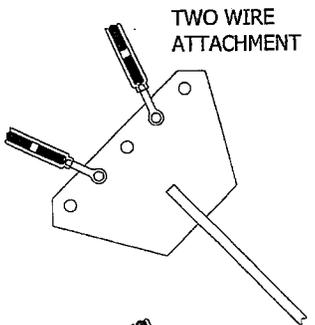
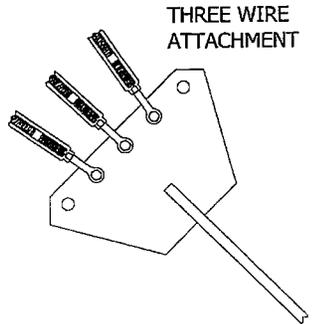
FILE NO. Standard-80				
REVISIONS				
REV	DESCRIPTION	OWN	CHK	APP
7	REDRAWN IN AUTOCAD	JDM	M.F.	HA
DATE: Mar/17/2006				
8	REVISED NOTE #1	JDM	M.F.	HA
DATE: Apr/02/2006				
DWG REFERENCE				
 6718 WEST PLANK ROAD PEORIA, IL 61604 TOLL FREE 800-727-ROHN				
<small>THIS DRAWING IS THE PROPERTY OF ROHN. IT IS NOT TO BE REPRODUCED, COPIED OR TRACED IN WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.</small>				
TURNBUCKLE SAFETY METHOD				
OWN:	KTL	CHKD:	O.H	DATE: Mar/04/1998
ENGR:	TWS			
DRAWING NO:	B680324			REV: 8

WIRE SIZE	ANCHOR ROD	TURNBUCKLE	THIMBLE
3/16 EHS	GAR30	5/8TBE&J	5/16THH
	GAC303,305	3/8TBE&E	5/16THH
	GAC3455	1/2TBE&J	5/16THH
	GAC5655	5/8TBE&J	5/16THH
1/4 EHS	GAR30	5/8TBE&J	3/8THH
	GAC303,305	1/2TBE&E	3/8THH
	GAC3455	1/2TBE&J	3/8THH
	GAC5655	5/8TBE&J	3/8THH
5/16 EHS	GAR30	5/8TBE&J	7/16THH
	GAC303,305	5/8TBE&J	7/16THH
	GAC3455	5/8TBE&J	7/16THH
	GAC5655	5/8TBE&J	7/16THH
3/8 EHS	GAR30	5/8TBE&J	1/2THH
	GAC3455	5/8TBE&J	1/2THH
	GAC5655	5/8TBE&J	1/2THH

FILE NO.				
Standard-90				
REVISIONS				
REV	DESCRIPTION	DWN	CHK	APP
3	REDRAWN INTO AUTOCAD		JLF	JDM
	DATE: Apr/04/2006			
4	ADDED NOTATION		JLK	JDM
	DATE: Sep/12/2007			
DWG REFERENCE				
 6738 WEST PLANK ROAD PEORIA, IL 61604 TOLL FREE 800-727-ROHN				
<small>THIS DRAWING IS THE PROPERTY OF ROHN. IT IS NOT TO BE REPRODUCED, COPIED OR TRACED IN WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.</small>				
GUY WIRE HARDWARE KIT				
DWN:	CHKD:	DATE:		
WHW	W.M	Sep/30/1987		
ENGR:				
RDM				
DRAWING NO:	REV:			
A871382	4			

5/11/2008 1:24:14 PM

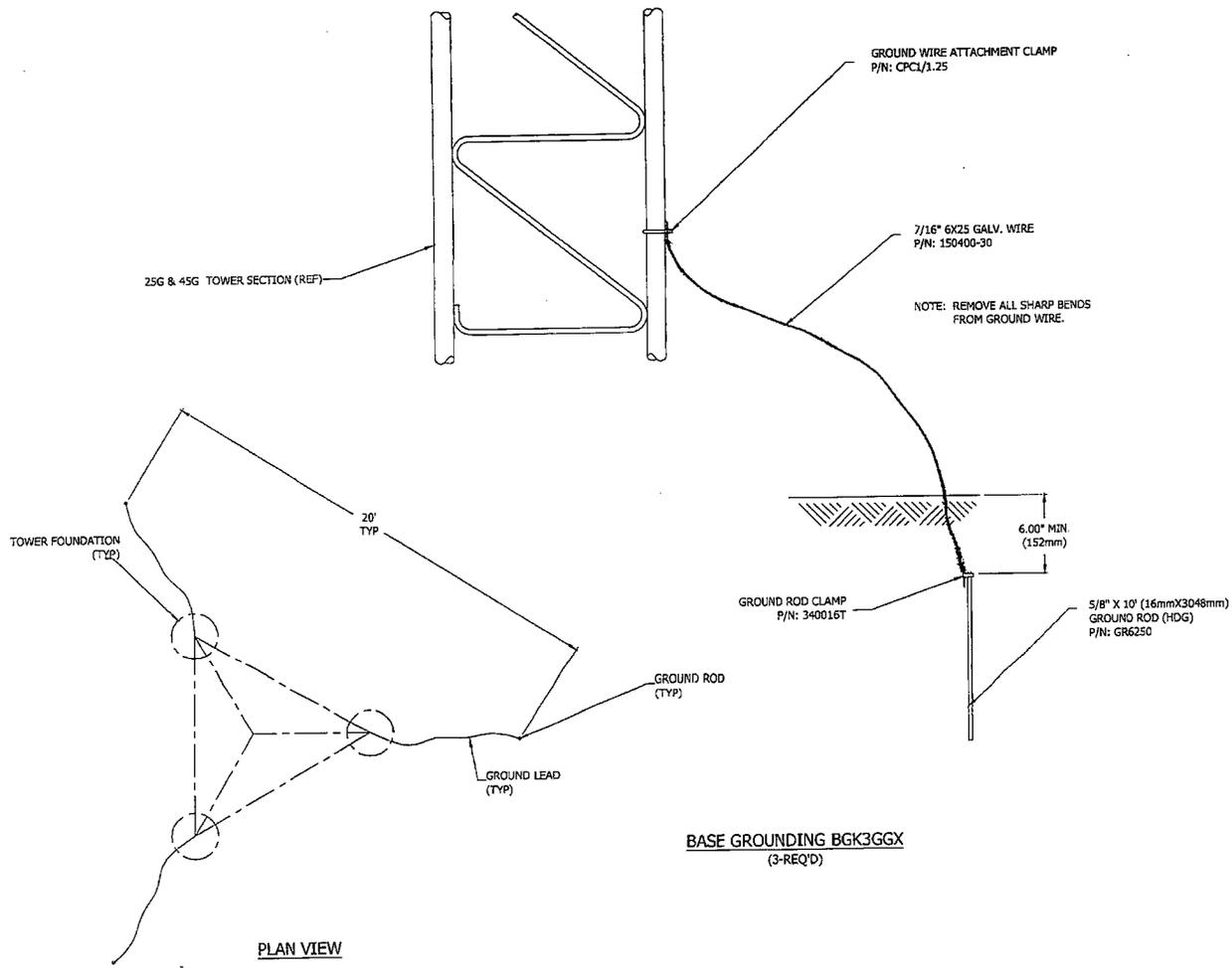
11/24/07



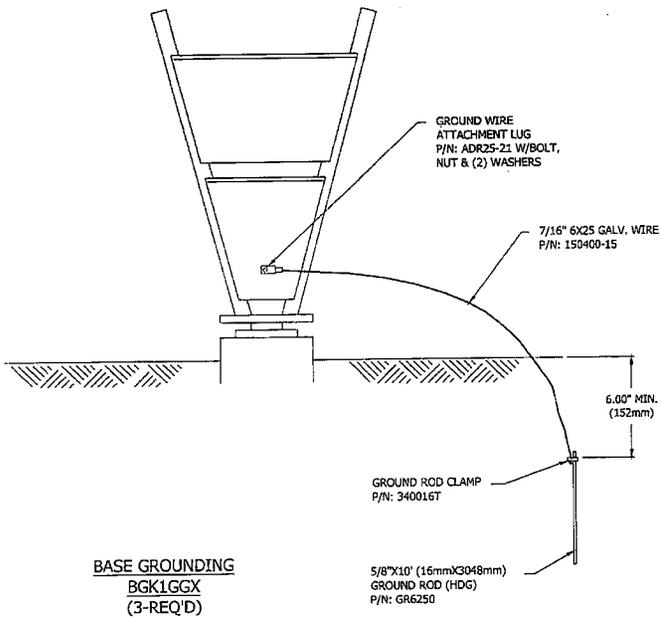
NOTE: SEE TOWER ASSEMBLY DRAWING FOR SIZE AND QTY OF TURNBUCKLES REQUIRED.

FILE NO.		Standard-80		
REVISIONS				
REV.	DESCRIPTION	DWN	CHK	APP
2	REWORK TO AUTOCAD	JDA	JDA	H.A
DATE: 10/19/2006				
DWG REFERENCE				
<p>ROHN PRODUCTS 6718 WEST PLANK ROAD PEORIA, IL 61604 TOLL FREE 800-727-ROHN</p>				
<small>THIS DRAWING IS THE PROPERTY OF ROHN. IT IS NOT TO BE REPRODUCED, COPIED OR FILED BY WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.</small>				
ANCHOR ATTACHMENT DETAIL				
DWR:	AJG	CHKD:	WDU	DATE: Jun/23/1982
ENGR:	RAM			
DRAWING NO:	8820511			REV: 2

8820511 11/24/04
 UNLESS

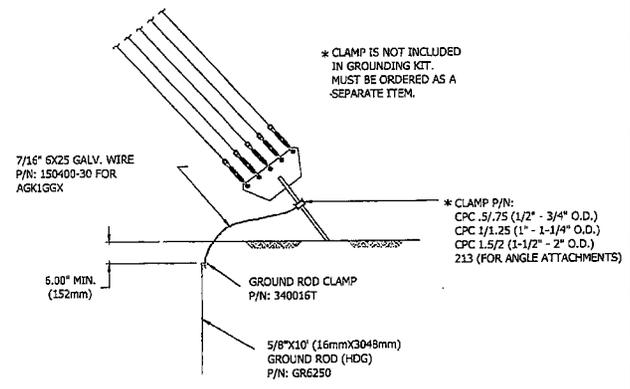


FILE NO.				
REVISIONS				
REV.	DESCRIPTION	DWN	CHK	APP
2	UPDATE BOM AND STANDARDS	JEC		HA
DATE: 02/01/11				
 PO BOX 5999 PEORIA, IL 61601-5999 TOLL FREE 800-727-ROHN				
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KIT BASE GRD 25 & 45 TOWER				
DWN:	CHKD:	IDM:	DATE:	
CHW			FEB/2/2009	
ENGR:	SHBET #:		1 OF 1	
HA				
DRAWING NO:	REV:			2
B090128				



BASE GROUNDING
BGK1GGX
(3-REQ'D)

NOTE: REMOVE ALL SHARP BENDS FROM GROUND WIRE.



GUY WIRE GROUNDING - AGK1GGX
(1-REQ'D PER ANCHOR RADIUS)

APPLICATION
 80 & 90 TAPERED BASES

FILE NO.					
REVISIONS					
REV	DESCRIPTION	DWN	CHK	APP	
1	UPDATE BOM AND STANDARDS	JXC	KTL	HA	
DATE: 02/27/11					
<p>ROHN PRODUCTS</p> <p>PO BOX 5999 PEORIA, IL 61601-5999 TOLL FREE 800-727-ROHN</p> <p><small>THIS DRAWING IS THE PROPERTY OF ROHN. IT IS NOT TO BE REPRODUCED, COPIED OR TRACED IN WHOLE OR IN PART WITHOUT OUR WRITTEN CONSENT.</small></p>					
REV. G 80 & 90 TOWERS					
DWG:	CHK'D:	DATE:			
JK	JDM	DEC/27/2007			
ENGR:	DWG:	SHEET #:			
		1 OF 1			
DRAWING NO:	REV:				
B070996	3				

Deborah Tomlinson

From: Richard Bacon [mailto:rick@racc2000.com]
Sent: Tuesday, April 11, 2017 3:39 PM
To: Scott McNeil
Cc: travisb@racc2000.com
Subject: Additional Pictures of our towers:

Scott:

I just had a chance to put several additional items together that may also enlighten the questions you have asked. 2 separate towers using the RG45 frame, and how they do tend to blend into the landscape, and also a projected radio pattern off the proposed Tower on Griswold Mountain, as well as a typical American tower pattern if used as a colocation tower. As you can see the difference in the patterns which is the biggest reason for not using one of their colocation towers, as well as the cost would be prohibitive. (Just in case the question does come up on the colocation that is the reason why!)

Hope it makes sense.

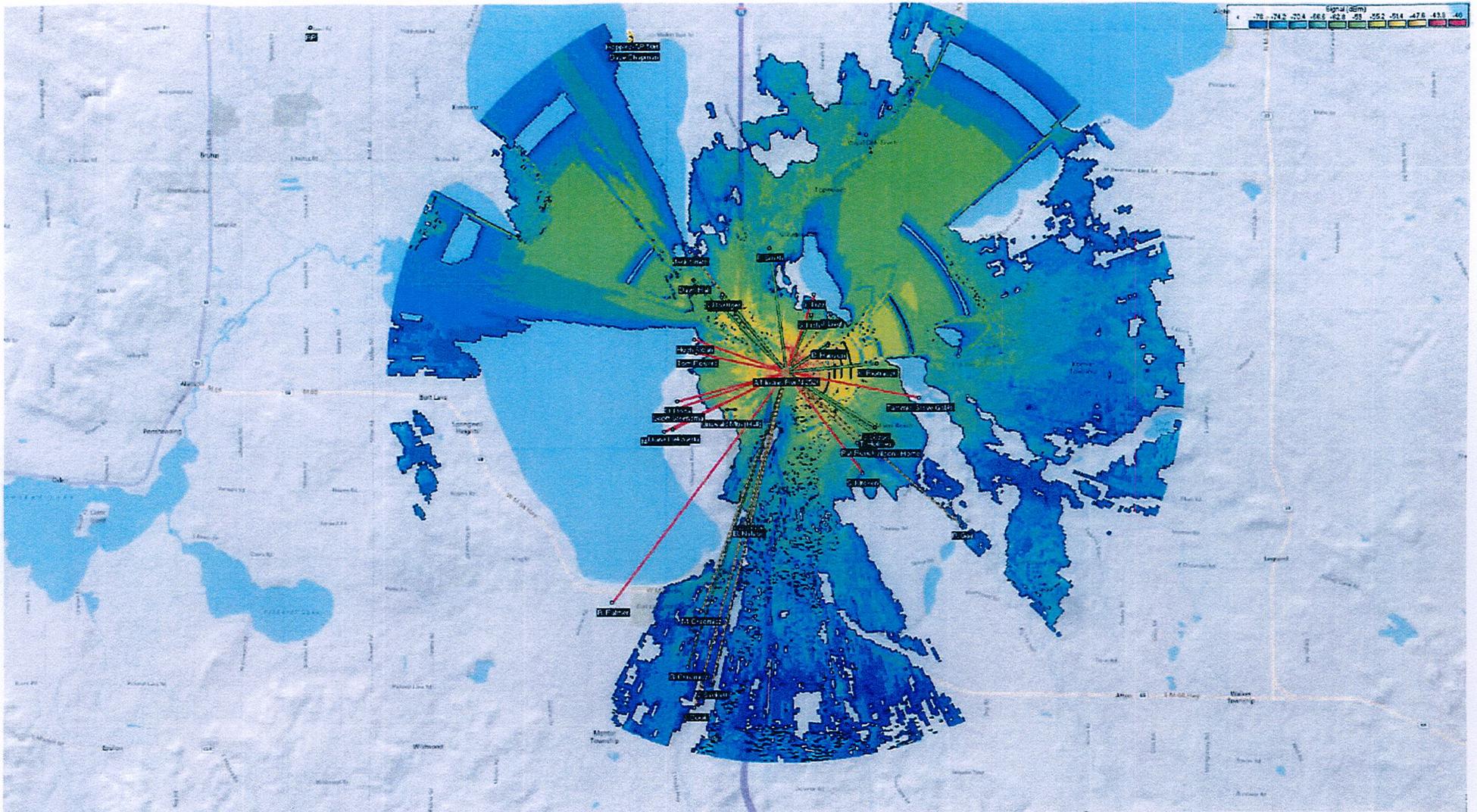


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Alanson, MI 49706

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(231) 348-5551
1 800-968-5551
Fax (231) 548-2000



AT Indian Rvr N - Coverage 6 miles. LTE AP at 120ft.
CPE at 20ft

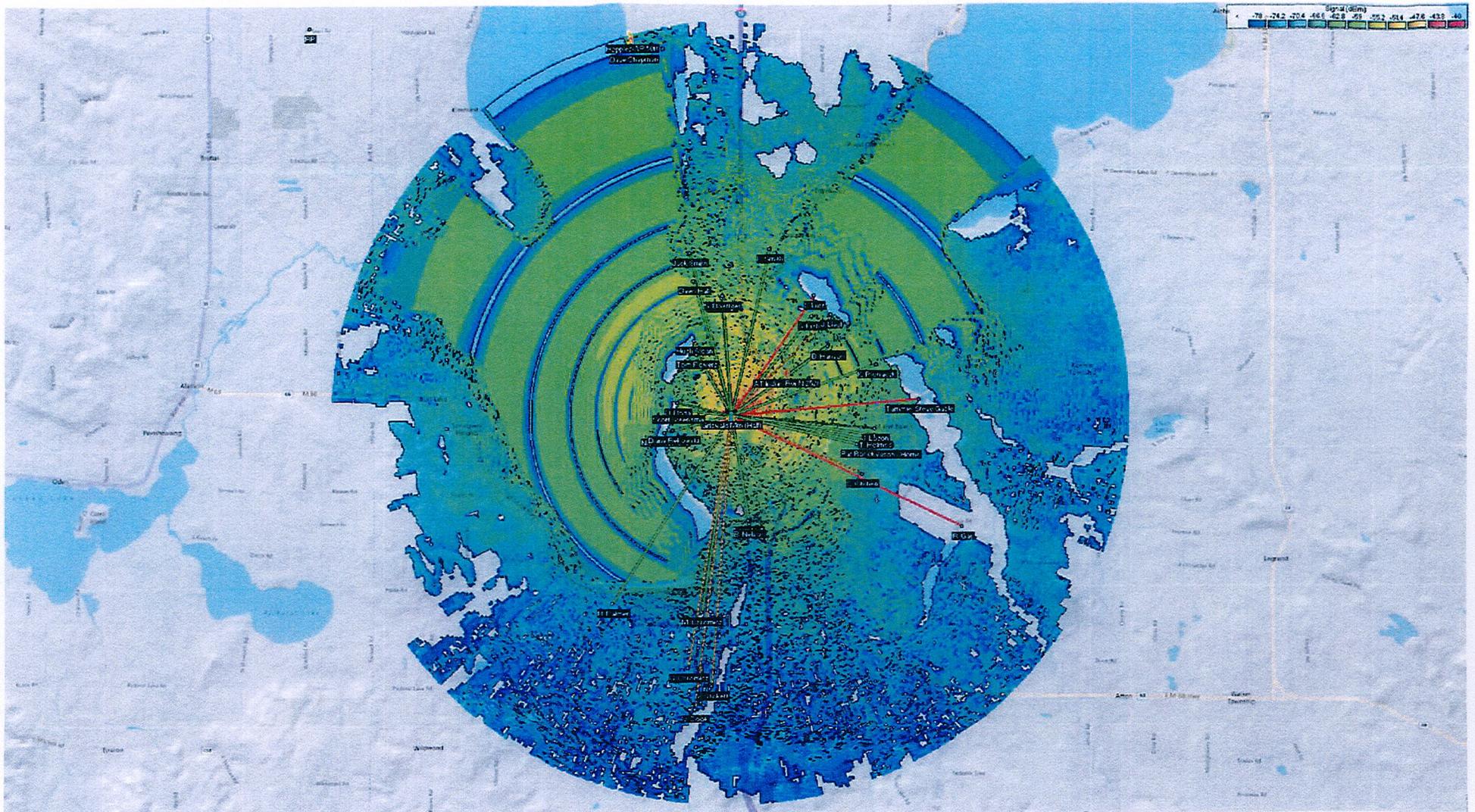
Signal Level based on our
equipment located on the
nearest existing tower if
Colocation Granted on that Tower

Submitted by Racc Enterprises LLC
As Exhibit 1

Armock Tower, Located off Mission rd.
And the cross rd. of Armock. Just off
M-68 2 miles east of Alanson



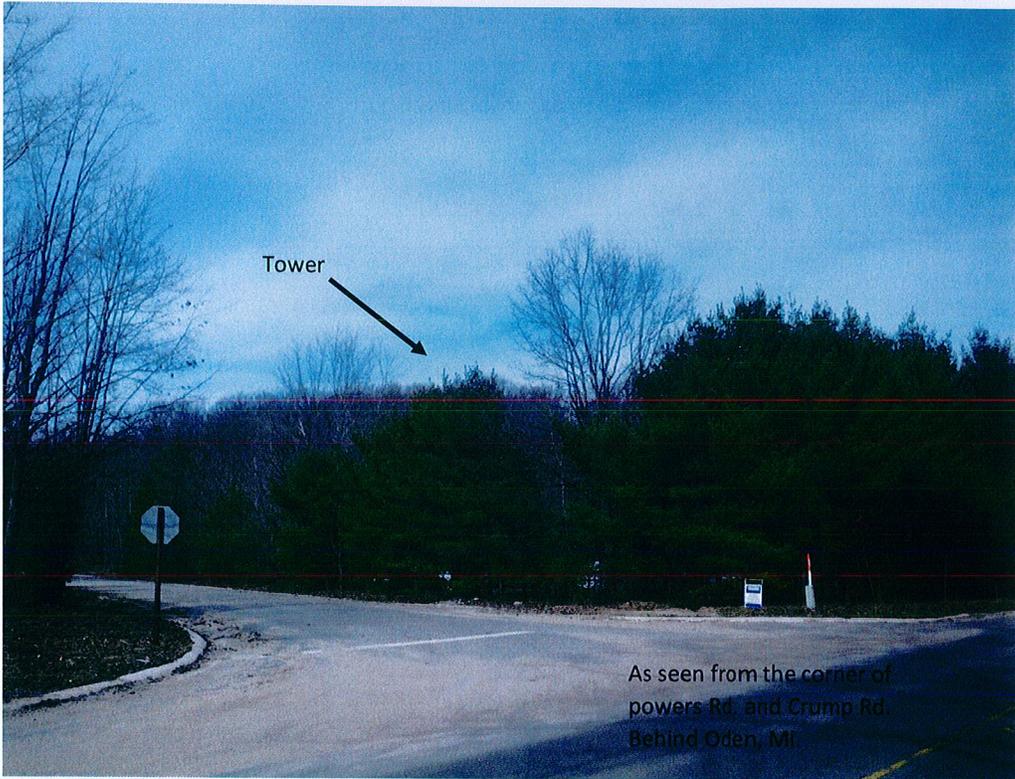
This is a
closeup view
of the Ar-
mock Tower
just after ini-
tial comple-
tion. 120" in
Height



Griswold Tower - Coverage 6 miles. LTE AP 120ft.
CPE at 20ft.

Signal Level based on our
equipment located on a New
Tower on Griswold Mountain as
proposed.

Racc Enterprises LLC
Proposed tower on
Griswold Mountain



(Regarding Meeting and Public Hearing)
Wednesday, April 19, 2017 @ 7:00pm)

Cheboygan County Planning Commission
Cheboygan Building, 870 S. Main St.
Cheboygan, MI 49721

April 17, 2017

I received a letter from the Cheboygan County Planning Commission recently. The notice states that RACC Enterprises, LLC and Griswold Mountain Properties, LLC requests a special use permit for a wireless communication facility (Section 17,13). The property is located at Griswold Mountain Drive, Tuscarora Twp., Section 12, parcel # 161-012-300-003-01 and # 161-012-300-003-01 and is zoned Agriculture and Forestry Management (M-AF)

If this property is directly behind my property as it was before, and needs a tower to be built, I Do Not want it to be built were I have this tower to be in my back yard.

I feel that RACC Enterprises, LLC and Griswold Mountain Properties, LLC own enough acres that the owners should build their towers where they will not ruin the landscape of smaller properties.

The owner has made his road to the mountain private and fenced in his home at the top of the mountain so he can

To the Cheboygen County Planning Commission²
Cheboygan Building, 870 S Main St.
Cheboygan, MI 49721

enjoy his privacy.

I feel he should build towers and other necessary structures away from other property owners land and have all of these structure be built where they are not in his neighbors back yard.

We (all property owners) worked hard to purchase our property and we value the quiet, peaceful surroundings that we have at this time.

I do not want to have:

towers, campgrounds, or the noise of racing facilities to be what I see or hear when I arise in the morning or when I am trying to sleep at night.

The quiet, the privacy and the deer, the birds and other animals is why my family purchased this property.

We would like our neighborhood to stay quiet and private.

Sincerely,

Judith D. Turner Williams



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. Proposed Wireless Communication Facility	Prepared by: Scott McNeil
Date: April 7, 2017	Expected Meeting Date: April 19, 2017

GENERAL INFORMATION

Applicant: RACC Enterprises LLC.
Owner: Griswold Mountain Properties LLC
Location: 6444 Griswold Mountain Dr.
Contact person: Richard Bacon, RACC Enterprises
Phone: 231-330-3548

Requested Action: Special Use Permit per Section 17.13 for Wireless Communication Facility.

BACKGROUND INFORMATION

Introduction:

The applicant is seeking approval of a Wireless Communication Facility special use permit for construction tower 120 ft. in height with additional height for antennas. The tower is proposed to be placed on property containing 196 acres of with access from Griswold Mt. Dr. in Tuscarora Township.

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

The owner received approval for a Wireless Communication Facility special use permit for construction of a former fire tower 110 ft. in height with additional height for antennas on October 2, 2013. The tower was not constructed.

The applicant has provided information relative to the requirements, conditions and standards under Sections 17.13.1. and 17.13.1.b. (see exhibit 9 and 12)

Attached you will find a map produced by the GIS department indicating the existing communication towers within the county.

Current Zoning:

Agriculture and Forestry Management District (M-AF)

Surrounding Land Uses:

Parcels located to the north, east and west are zoned Agriculture Forestry Management District (M-AF). Parcels to the south which are included in the plat of Marina Links Estates are zoned Residential Development (D-RS). Other parcels to north, west and south contain residential uses. The parcels to the east contain commercial use.

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

Historic buildings/features:

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

Traffic Implications

This project will have minimal effect on current traffic conditions.

Parking

There are no parking requirements for this use.

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

Access to the site is provided via Chippewa Beach Road and Griswold Mt. Dr.

Signs

No signs are proposed.

Fence/Hedge/Buffer

No screening or buffers are proposed.

Lighting

No lighting is proposed.

Stormwater management

There is no change to stormwater runoff.

Review or permits from other government entities:

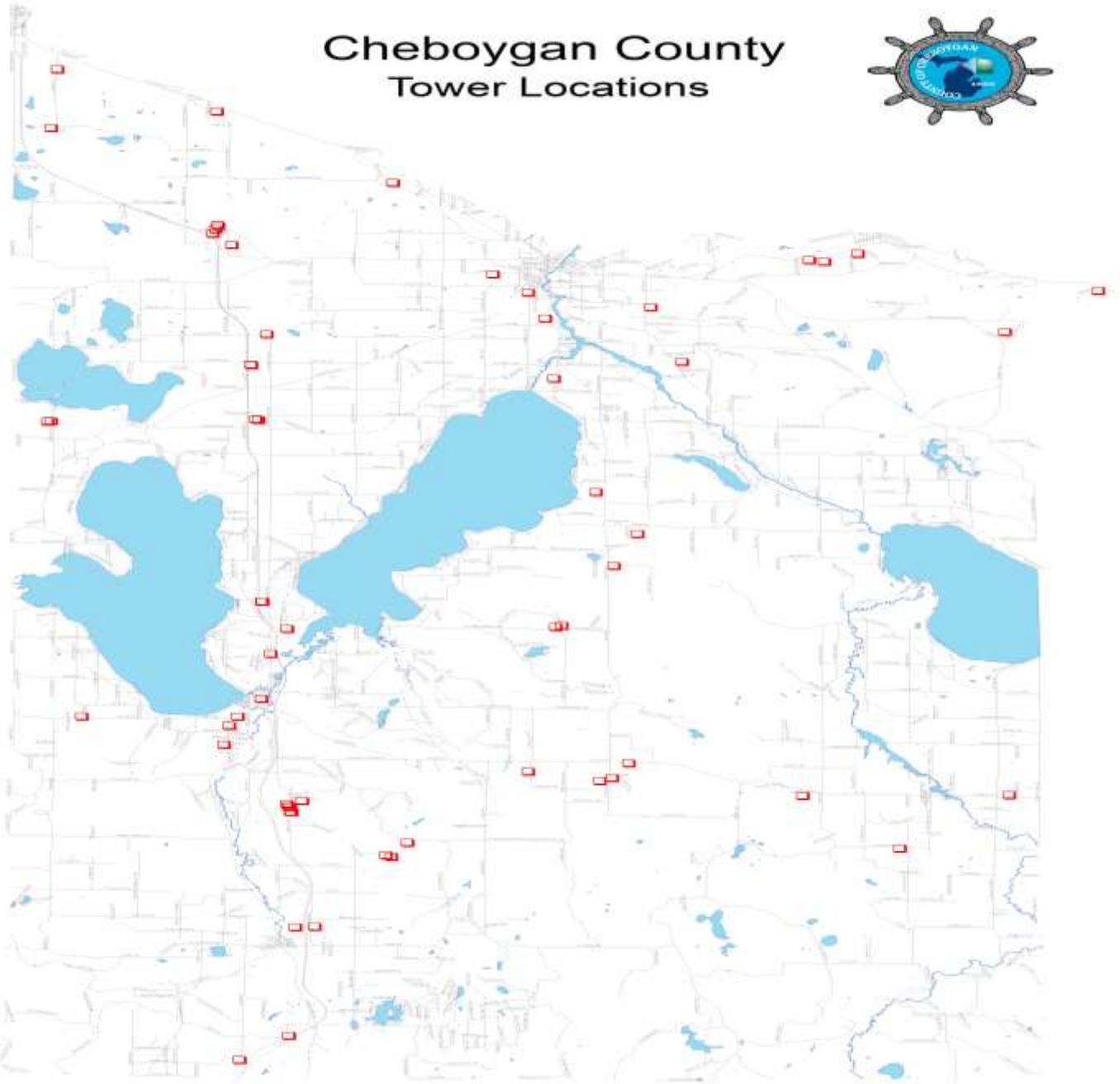
FCC requirements may prevail. The tower may not fall under FAA requirement due to the height.

Public comments received

None

Recommendations (proposed conditions) Written confirmation of meeting any and all FAA and FCC requirements.

Cheboygan County Tower Locations



CHEBOYGAN COUNTY PLANNING COMMISSION
SPECIAL USE PERMIT REQUEST
Wednesday, April 19, 2017, 7:00 PM

Applicant

RACC Enterprises, LLC
P.O. Box 1200
Alanson, Mi. 48740
C/O Mr. Richard Bacon

Owner

Griswold Mountain Properties,
LLC
6444 Griswold Mt. Dr.
Indian River, Mi. 49749

Parcel

6444 Griswold Mt. Rd.
Tuscarora Township
161-012-300-003-03
161-012-300-003-04

GENERAL FINDINGS

1. The property is located in an Agriculture and Forestry management Zoning District (M-AF)
2. The applicant is seeking a special use permit for
3. New Wireless Communication Facilities are allowed an M-AF zoning district pursuant to Section 17.13.2 by special use permit. (See Exhibit 1)
4. The applicant is seeking a waiver from the site plan minimum drawing scale requirement.
- 5.
- 6.
- 7.

Findings of Fact Under Section 17.13.1 of the Zoning Ordinance

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

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

1. The subject property is in an M-AF District.
 2. The application and site plan indicates a proposed tower 120 ft. tall.
 3. An isolation standard of 120 ft. is required pursuant to Section 17.13.1.a.
 4. The site plan and application indicates a minimum 120 foot fall zone. (see exhibits 5, 6 and 10)
 - 5.
 6. Requirement has been met.
- Or.
- 1.
 2. Requirement has not been met.

- b. In order to protect the rural dark sky environment and reduce lighting confusion for approaching aircraft, all towers shall be designed or painted to be without lighting. If the FAA requires lighting, the applicant shall apply to the FAA for painting requirements and red lighting. Intermittent strobes shall be a lost option and only then with written documentation from the FAA certifying its necessity.
 - 1. The application states that no lighting is planned for the tower. (see exhibit 4)
 - 2.
 - 3. Requirement has been met.
 Or
 - 1.
 - 2. Requirement has not been met.

- c. No antenna or similar sending/receiving devices appended to the tower, following its approved construction, shall be permitted if it exceeds the engineered designed capacity of the tower thereby jeopardizing the tower's structural integrity.
 - 1. The applicant states no antenna or other device will be permitted if it exceeds the design capacity of the tower. (see exhibit 12)
 - 2.
 - 3. Requirement has been met.
 Or.
 - 1. .
 - 2.
 - 3. Requirement has not been met.

Findings of Fact under Section 17.13.2.b of the Zoning Ordinance

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

- 1. The Planning Commission finds that the applicant has shown that co-location or placement of such facilities on an existing structure is not feasible. (see exhibit 9)
- Or
- 1. The Planning Commission finds that the applicant has not submitted adequate documentation to show that efforts made to screen, co-locate or place such facilities on an existing structure.

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

- 1. The proposed height meets FCC and/or FAA Regulations.
 - a. The applicant states that the height and location of the tower meets FCC requirements (see exhibit 12)
 - b.
 - c. Standard has been met.
 Or.
 - a. There is not adequate information to demonstrate that the structure meets FCC and/or FAA requirements.
 - b.
 - c. Standard has not been met.

2. Towers must be equipped with devices to prevent unauthorized climbing.
 - a. The applicant states that the proposed tower will be equipped with a fence or anti-climb sheets on the tower. (see exhibit 12)
 - b.
 - d. Standard has been metOr.
 - a. The application and site plan does not provide adequate evidence that the tower will be equipped with devices that will prevent unauthorized climbing.
 - b.
 - c. Standard has not been met.

3. All reasonable measures are taken to blend the tower into the landscape, including greenbelt planting and/or screening, painting, and/or concealing the tower in a "stealth design".
 - a. The proposed tower is 120 feet tall and is proposed to be placed on a large parcel of property containing 120 acres and the tower will blend with the landscape. (see exhibit 12)
 - b.
 - c.
 - d. Standard has not been metOr.
 - a. The tower is proposed to be placed in clear view without screening on a high elevation area the tower and will not blend with the landscape and is not proposed in a stealth design.
 - b.
 - c. Standard has not been met.

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

The applicant states that the proposed tower will be capable of co-location of other antennae and that the contract with the broadband provider deals with this issue. incorporated in an existing building (see SUPPLEMENT to APPLICATION, exhibit 3)

 - a. The proposed 120 ft. tower is not designed for co-location (see exhibit 9 and 12)
 - b.
 - c. Standard has been met.Or.
 - a. Adequate information has not been provided regarding engineering for capability for future collocation.
 - b.
 - c. Standard has not been met.

5. **Protective fencing and screening may be required to be placed around all guy wire anchor points as appropriate to the site.**
 - a. The applicant states that the proposed tower will be equipped with a fence or anti-climb sheets on the tower. (see exhibit 12)
 - b. Standard has been metOr.
 - a.
 - b. Standard has not been met.

6. All new towers must meet the applicable requirements for a commercial tower, per Article 17.13.1 of this Ordinance.
 1. See applicable findings above.
 2. Requirements have been met.
 Or.
 1. See applicable findings above
 2. Requirements have not been met.

FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE

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

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. The property is located in an Agriculture and Forest Management District (M-AF) which allows Wireless Communication Facilities by special use permit per Section 17.13. (see exhibit 1)
 - 2.
 3. Standard has been met.
 Or.
 - 1.
 2. Standard has not been met.

- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 1. The proposed tower is a standalone communication facility and will not cause the use of materials or involve processes that will create substantially negative impacts on county natural resources or the natural environment. This use is compatible with surrounding land uses. (see exhibit 4, 5, 6 and 10)
 - 2.
 3. Standard has been met.
 Or.
 - 1.
 2. Standard has not been met.

- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
 1. The proposed tower is a standalone communication facility and will not cause the use of materials or involve equipment or processes which would generate noise or traffic which is incompatible with the surrounding land uses. No smoke, glare, fumes or odors will be produced. (see exhibit 4)
 - 2.
 3. Standard has been met.
 Or.
 - 1.
 2. Standard has not been met.

- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
1. The proposed tower and is to be placed on 196 acres and will not diminish the opportunity for surrounding properties to be used and developed as zoned.(see exhibit 4, 5, 6 and 10)
 2. Standard has been met.
- Or.
- 1.
 2. Standard has not been met.
- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties. The proposed use will not require public resources greater than current capacity nor increase hazards from fire or other dangers.
1. The facility is an unmanned communication facility 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.
 - 2.
 3. Standard has been met.
- Or.
- 1.
 2. Standard has not been met.
- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
1. Adequate access to the site is provided via Chippewa Beach and Griswold Mt. Dr. (see exhibit 10)
 2. The entrance roadway is not within 25 feet of an intersection. (see exhibit 10)
 - 3.
 4. Standard has been met.
- Or.
- 1.
 2. Standard has not been met.
- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
1. The proposed use is an unmanned stand alone wireless communication facility and will not require a water well, septic facilities or refuse collection. (see exhibit 4)
 - 2.
 3. Standard has been met.
- Or.
- 1.
 2. Standard has not been met.

- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
 - 1. The special use will comply with all relevant standards required under the ordinance. (see exhibit 1)
 - 2.
 - 3. Standard has been met.Or.
 - 1. Standard has not been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - 1. No changes to the overall natural contours of the site are proposed. (see exhibit 4 and 9)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - 1. No tree removal or topographic modifications are proposed. Soil removal will be minimal. (see exhibit 4)
 - 2.
 - 3. Standard has been metOr.
 - 1.
 - 2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. No changes in drainage on the site are proposed. (See exhibit 4)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. The application is for a communication tower facility on a property containing 196 acres. (see exhibit 4, 5, 6 and 10)
 - 2. The site plan provides reasonable, visual and sound privacy for all dwelling units located therein. (see exhibit 10)
 - 3.
 Or
 - 1.
 - 2. Standard has not been met.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
 - 1. Emergency vehicle access is provided via Chippewa Beach Rd .and Griswold Mt. Dr.. (see exhibit 10)
 - 2.
 - 3. Standard has been met.
 Or
 - 1.
 - 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. Access to the structures is provided via Chippewa Beach Rd .and Griswold Mt. Dr. (see exhibit10)
 - 2.
 - 3. Standard has been met.
 Or
 - 1.
 - 2. Standard has not been met.

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

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.
 - 1. No outdoor lighting is proposed. (see exhibit 4)
 - 2.
 - 3. Standard has been met
 Or
 - 1.
 - 2. Standard has not been met.

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. Not applicable. No common ways are proposed.

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits. The site plan will conform to state and federal statutes and the Cheboygan County Master Plan. (see exhibit 2)
1. The site plan shall conform to all applicable requirements..
 - 2.
 3. Standard has been met
- Or.
- 1.
 2. Standard has not been met

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

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

DATE DECISION AND ORDER ADOPTED

Wednesday, April 19, 2017

Patty Croft, Chairperson

Charles Freese, Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

Ed Shovan – Revised 04/06/17

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Use Permit Application (6 Pages)
5. Certificate of Survey Dated 09/27/11 (1 Page)
6. Site Plan (1 Page)
7. Elevation Drawings (2 Pages)
8. Floor Plan, Foundation Plan and Roof Framing Plan (1 Page)
9. Mailing List (2 Pages)

The following items were added to the exhibit list on 03/27/17:

10. Warranty Deed L1302 P17 (2 Pages)
11. Warranty Deed L1313 P630 (2 Pages)

The following items were added to the exhibit list on 04/06/17:

12. Email dated 03/28/17 from Dave Carpenter, Tuscarora Township Fire Chief (1 Page)
- 13.
- 14.
- 15.
- 16.

Note: Planning Commission members have exhibits 1 and 2.

NOTICE
CHEBOYGAN COUNTY PLANNING COMMISSION MEETING and PUBLIC HEARING
WEDNESDAY, APRIL 19, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) **An Ordinance to amend the Cheboygan County Zoning Ordinance #200** to amend the definition of dwelling and family to allow short term rental of dwellings.
- 2.) **RACC Enterprises, LLC and Griswold Mountain Properties, LLC** - Requests a Special Use Permit for a wireless communication facility (Section 17.13.). The property is located at 6444 Griswold Mountain Drive, Tuscarora Twp., section 12, parcel #161-012-300-003-01 and #161-012-300-003-01, and is zoned Agriculture and Forestry Management (M-AF).
- 3.) **Edward Shovan** - Requests a Special Use Permit for Boat Storage and Indoor Storage Facility (50 ft. x 144 ft.) and a change of use for an existing structure from Private Storage to Indoor Storage Facility (40 ft. x 144 ft.) (Sections 6.3.14. and 6.3.16.). The property is located at 1771 and 1829 South Straits Highway, Tuscarora Twp., section 7, parcel #161-007-300-010-01 and #161-012-300-010-02, and is zoned Commercial Development (D-CM).
- 4.) **Triple D Disposal / Erica Wheelock/ Bonnie Nagy** - Requests a Special Use Permit for Waste Hauling (Section 7.3.13.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned Light Industrial Development (D-LI).
- 5.) **Robert Andrews** - Requests a Special Use Permit for an Indoor Storage Facility (30 ft. x 140 ft.) (Section 6.3.16.). The property is located at 6123 North Straits Highway, Inverness Twp., section 34, parcel #091-034-400-006-03, and is zoned Commercial Development (D-CM).
- 6.) **Thomas Redman / Exodus 33:13, LLC** - Requests a rezoning from Agriculture and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). The property proposed to be rezoned is located in Walker Township, Section 5 and described as follows:
Parcel #220-005-200-001-01 described as, COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. Also Parcel #220-005-200-002-00 described as, COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N. SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4

Please visit the Planning and Zoning office or visit our website to see the proposed ordinance amendment and special use permit applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

PROPERTY LOCATION

Address <i>1771 #1829 S. Straits Hwy</i>	City / Village <i>Tuscarora Twp.</i>	Twp / Sec. <i>Tusc. / 7</i>	Zoning District <i>Commercial</i>
Property Tax I.D. Number <i>1771 102-007-300-010-01</i> <i>1829 102-007-300-010-02</i>	Plat or Condo Name / Lot or Unit No.		

APPLICANT

Name <i>Edward Shevan</i>	Telephone <i>231-290-1429</i>	Fax <i>231-238-4268</i>
Address <i>P.O. Box 2083</i>	City, State & Zip <i>Indian River, Mi. 49749</i>	E-Mail <i>edshewan@gmail.com</i>

OWNER (If different from applicant)

Name <i>E.C.S. Investments LLC</i>	Telephone <i>231-290-1429</i>	Fax <i>231-238-4268</i>
Address <i>P.O. Box 2083</i>	City, State & Zip <i>Indian River, Mi 49749</i>	E-Mail <i>edshewan@gmail.com</i>

PROPOSED WORK

Type (check all that apply) <input checked="" type="checkbox"/> New Building <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Change in Use or Additional Use <input type="checkbox"/> Reconstruction <input type="checkbox"/> Relocated Building <input checked="" type="checkbox"/> Sign, Type: <u>Attached to Bldg.</u> <input type="checkbox"/> Other: _____	Building/Sign Information Overall Length: <u>144</u> feet Overall Width: <u>50</u> feet Floor Area: <u>7200</u> sq. feet Overall Building Height: <u>25</u> feet Sign Area: <u>32</u> sq. feet Sign Height <u>8'-12'</u> feet
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PROPOSED USE (check all that apply)

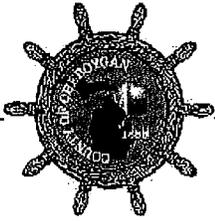
<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> 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: From Cheboygan - Travel South on Straits Hwy approx. 15 miles to 1771 Straits Hwy on the left or East side. From Indian River - Travel North on Straits Hwy. approx. 2 miles to 1771 Straits Hwy on the right or East side.

SPECIAL LAND USE PERMIT APPLICATION



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

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

Boat & RV Storage use

9am - 5pm

Owner Only - no employees

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.

Most site work already complete with approved soil and erosion permit P616-0189

- 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.

Improvements have been made to existing slopes and are now less than 30%, steps will be taken to prevent erosion on hillsides.

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

Site is sandy and well drained. Has been graded to 1% with large area for run off to the East.

- 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.

No dwellings/occupants

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

Yes

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

Yes

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

No sub

- h. Exterior lighting shall be arranged as follows:

i. It is deflected away from adjacent properties. agree

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

iii. It does not unnecessarily illuminate night skies. agree

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.

30' wide, curbed driveways already exist and entrances will be paved beyond to road r/w.

- 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.

agree

3. Size of property in sq. ft. or acres: (6) acres total

4. Present use of property:
Residential Storage / Vacant

5. SUP Standards:

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

Yes

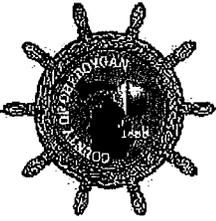
- b. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole? **Explain.** No, the area is suitable for this type of development.

- 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 will be very similar to what already exists in this area.

- 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 should impact the surrounding properties in a positive way.

- e. Will the proposed special land use place demands on fire, police, or other public resources in excess of current capacity? **Explain.** No, again, very typical use for this area. No special 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, all already exists.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SPECIAL LAND USE PERMIT APPLICATION

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services? Yes
- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? Yes
- 6. Does the proposed use of the property include or involve either:
 - Junk or salvage yard (Section 3.6) YES NO
 - Mineral extraction (Section 17.17) YES NO
 If YES, this application must include a written plan as described in the Zoning Ordinance.
- 7. Attach a copy of Warranty Deed or other proof of ownership. Can provide if requested.
- 8. Attach a copy of certified Property Survey or dimensioned property land plat. Yes

AFFIDAVIT

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

Applicant's Signature [Signature] Date 3-10-2017

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] ECS Investments LLC Date 3-10-2017

FOR PLANNING/ZONING DEPT. USE ONLY

Date Received:	<u>3/15/17</u>
Fee Amount Received:	<u>\$225.00</u>
Receipt Number:	<u>5892</u>
Public Hearing Date:	<u>4-17-17</u>

Notes:

Planning/Zoning Administrator Approval:

[Signature]
Signature

3/15/17
Date

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

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

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

SECTION

REASON FOR WAIVER REQUEST

d.	No seal. Site plan provided by owner, but does include required information.
e	Using existing graded lot

AFFIDAVIT

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

SIGNATURE

3-10-2017

DATE

248-568-0963

#B02360113

James Jewell 1942@sbcglobal.net

DEC 05 14 11:47a

Roseanne Jewell

2487837039

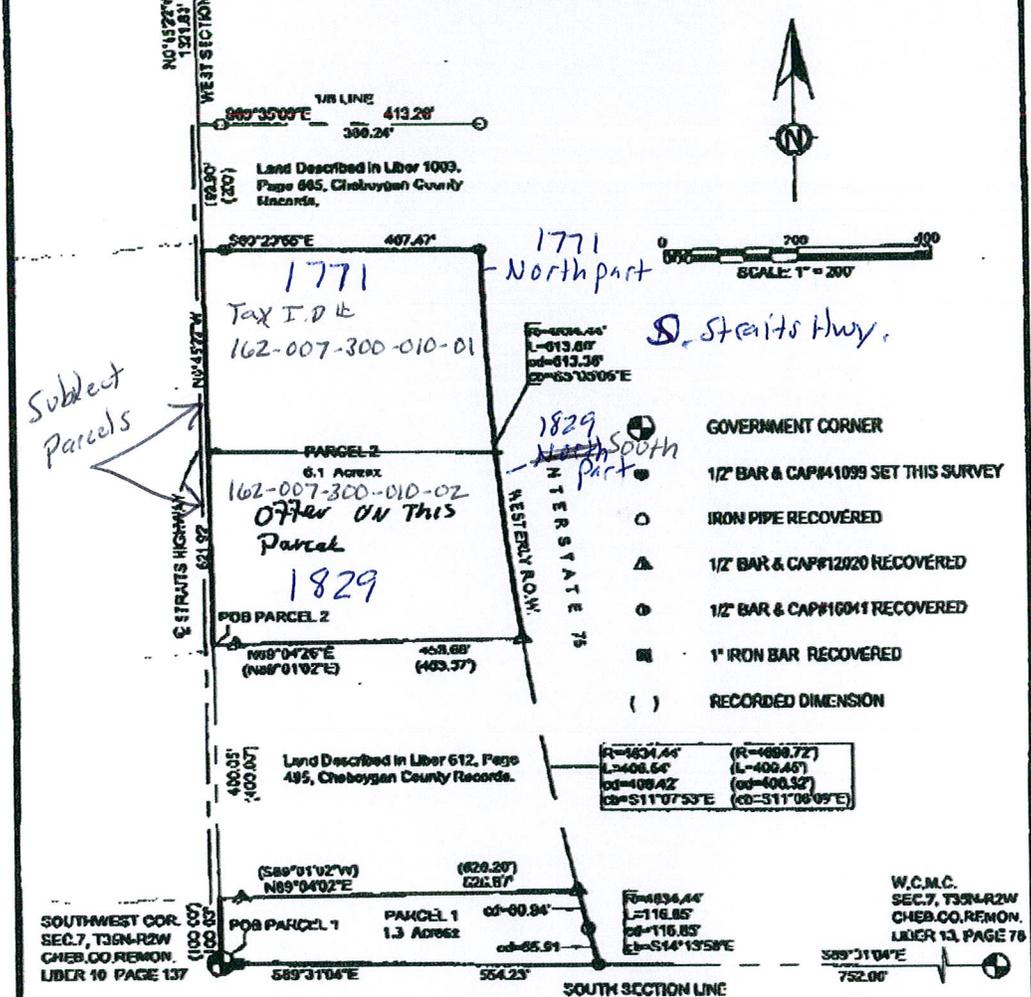
P.2

CERTIFICATE OF SURVEY

WEST 1/4 COR.
SEC. 7, T35N-R2W
CHEB. CO. REMON.
LIBER 10 PAGE 136

PART OF THE SW 1/4 OF THE SW 1/4
SECTION 7, T35N-R2W, TUSCARORA TOWNSHIP
CHEBOYGAN COUNTY, MICHIGAN

23rd
Tues.



1863
S. STRAITS

1867
S. STRAITS

CERTIFICATE OF SURVEY

I, THE UNDERSIGNED, BEING A PROFESSIONAL SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL OF LAND, THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS IS NO GREATER THAN 1 IN 5,000 AND THAT I HAVE FULLY COMPLIED WITH THE REGULATIONS OF P.A. 132 OF 1976 AS AMENDED.

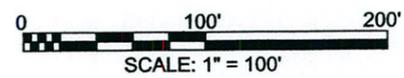
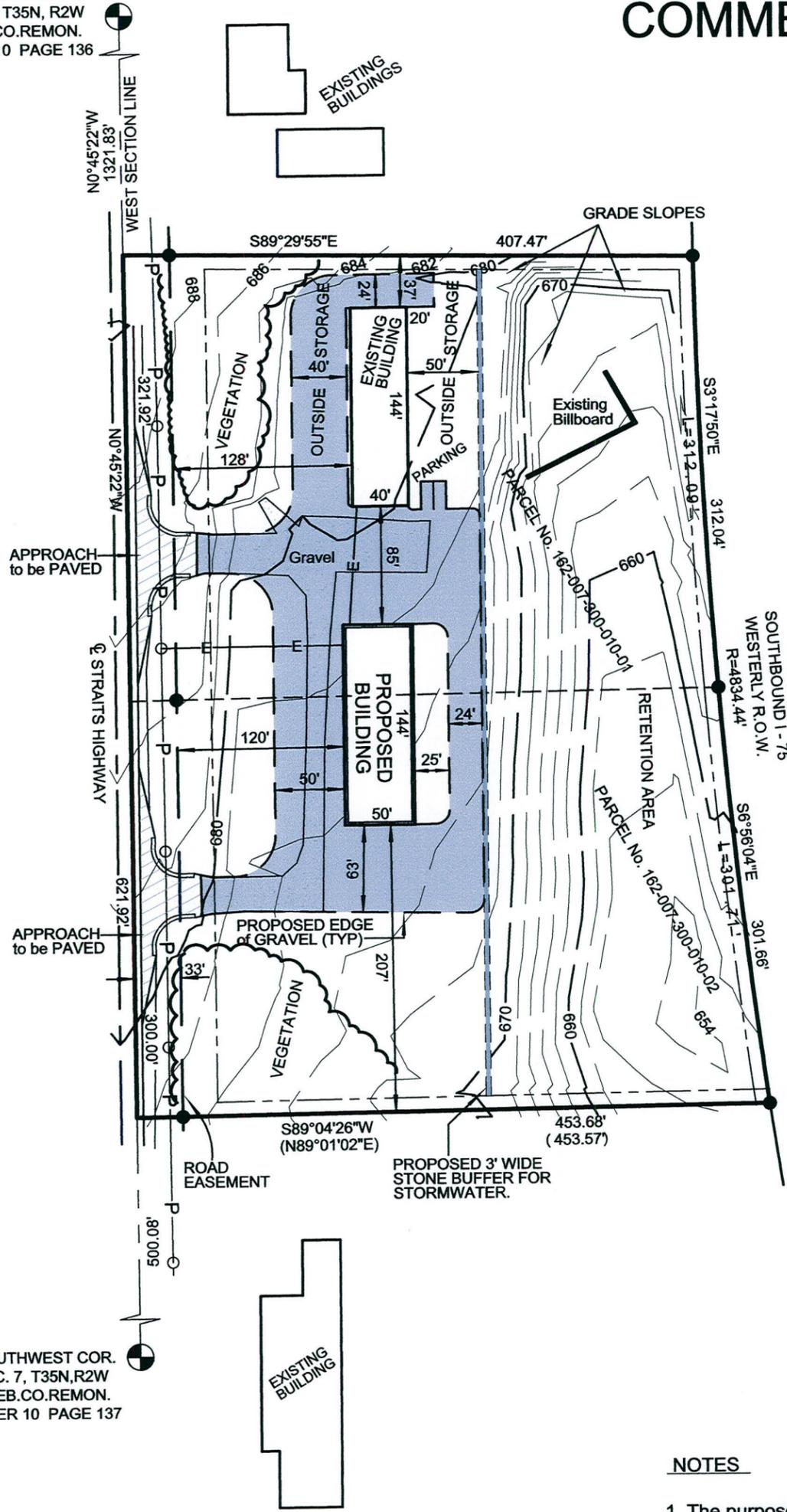
[Signature]
BRAND K. FULLFORD
PROFESSIONAL SURVEYOR
REGISTRATION NO. 41059



FOR:	SEC. 7, T35N-R2W Pt. TUSCARORA	DRAWN: BEZELLE CHECK: BISE	PROJECT NO. 14-0415	SHEET 1 OF 2
JIM JEWELL	FULLFORD SURVEYING & MAPPING, P.C. PO BOX 969 5087 S. STRAITS HIGHWAY, SUITE A INDIAN RIVER, MI 49749 PHONE: 231-238-9199 FAX: 231-238-9195			

SITE PLAN FOR COMMERCIAL STORAGE

WEST 1/4 COR.
SEC. 7, T35N, R2W
CHEB.CO.REMON.
LIBER 10 PAGE 136



- PROPERTY CORNER
- PROPOSED GRAVEL
- ZONING SETBACKS
- E— PROPOSED U.G. ELECTRIC
- EDGE OF GRAVEL
- PROPERTY LINE
- P— OVERHEAD ELECTRIC
- 5' INDEX CONTOUR (NAVD88)
- 2' CONTOUR (NAVD88)



PREPARED UNDER THE SUPERVISION OF:

Brian K. Fullford
BRIAN K. FULLFORD
PROFESSIONAL SURVEYOR
REGISTRATION NO. 41099 3/24/17

NOTES

1. The purpose of this Site Plan is to a change of use for the existing building to commercial storage, and to add the other building as shown for use as commercial storage. The areas depicted as outdoor storage will only be for boats and temporary staging of items to be stored indoors, and are reasonably screened from the public and the adjoining commercial properties.
2. The grading for the site is substantially complete with all drainage directed to the large low area between the buildings and I-75. Some additional finished slope grading will occur North of the billboard to dress the slope up. Slopes and excavated areas will be seeded for stabilization.
3. No additional utilities are planned for the buildings at this time.
4. The proposed building will be cool storage. The management of the building will be done by the owner with regard to actual entry and maneuvering inside the building.

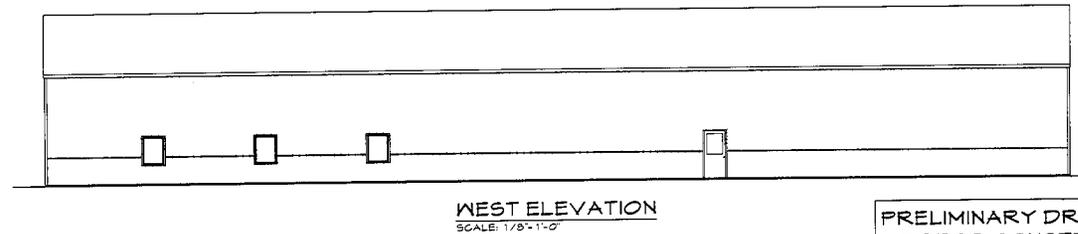
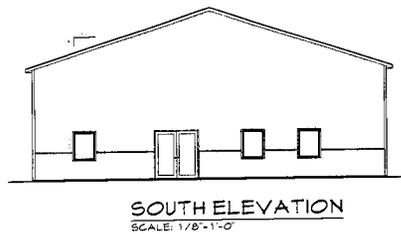
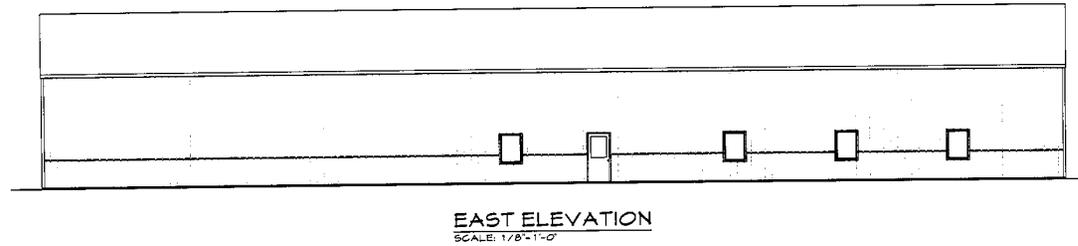
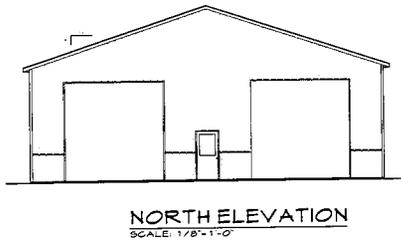
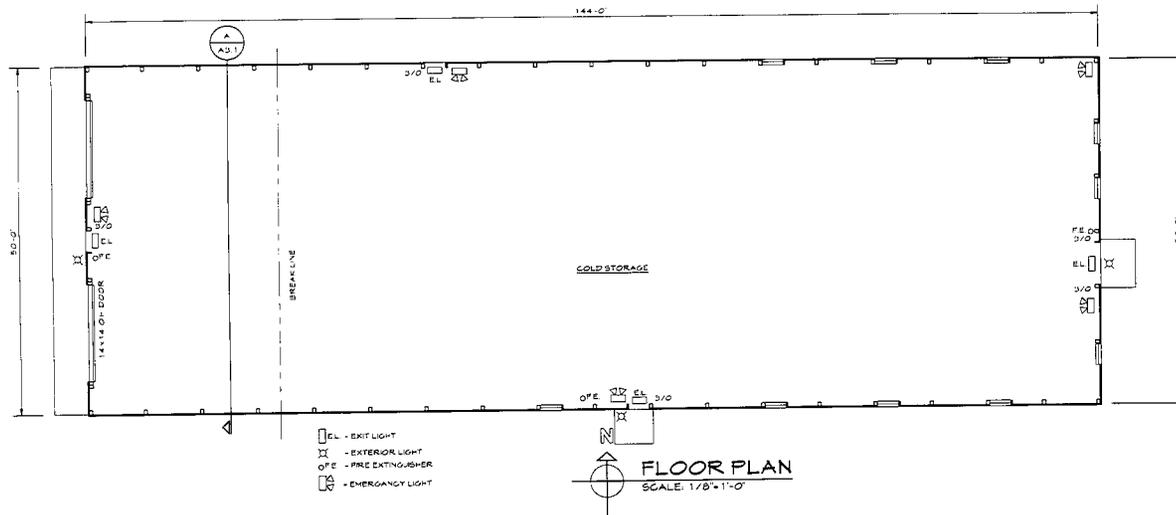
CHEBOYGAN COUNTY ZONING INFORMATION ZONING ORDINANCE No. 200, ADOPTED FEBRUARY 8, 1983				
ZONING DISTRICT	MINIMUM PARCEL SIZE	YARD SETBACKS (FT)		
		FRONT	SIDE	REAR
D-CM COMMERCIAL DEVELOPMENT	SITE PLAN	25	10	10

SOUTHWEST COR.
SEC. 7, T35N, R2W
CHEB.CO.REMON.
LIBER 10 PAGE 137

ECS INVESTMENTS, LLC

SEC. 7, T35N, R2W FB: CS15	DRAWN: <u>BKF</u> CHECK: <u>BKF</u>	PROJECT NO. 17-0115
 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		

6



**PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION**

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

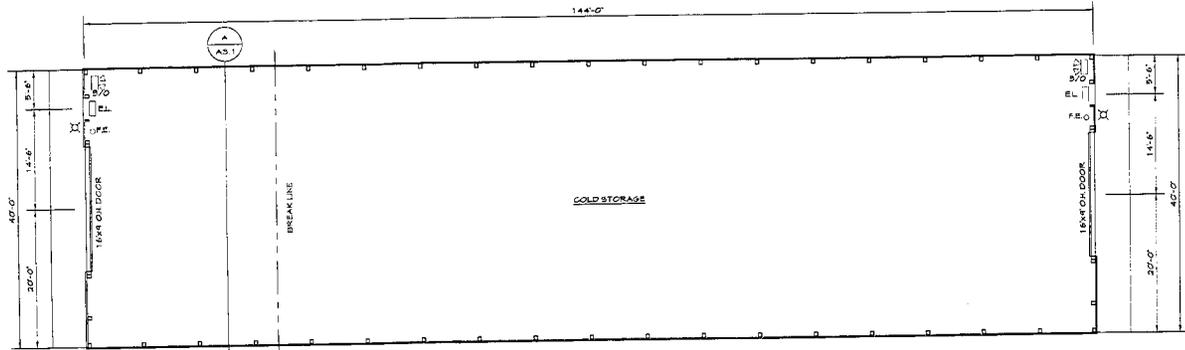


Ryan J. Johnston, P.E.
Structural Engineer
Johnston Engineering LLC
6817 Republic Road
Hudson Springs, MI 49740
231-427-9999 • 231-428-9700

**Shovan Storage Barn 2
New Storage Barn**
S Straits Highway
Indian River, MI 49749

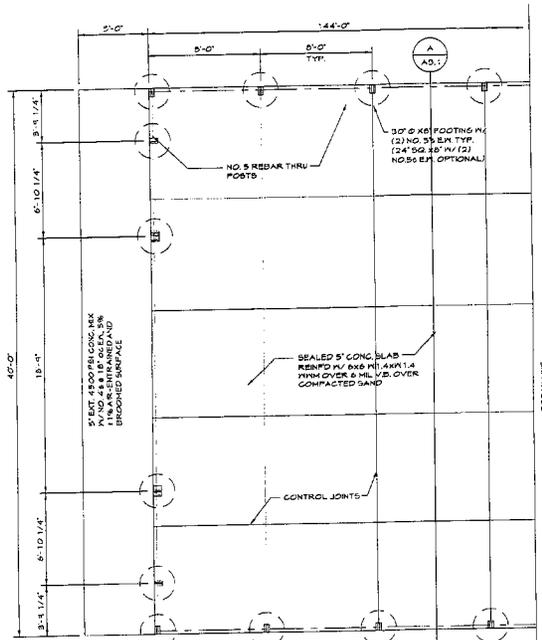
REVISED	3/16/17
RELEASED FOR REVIEW	

SHEET:
A2.1

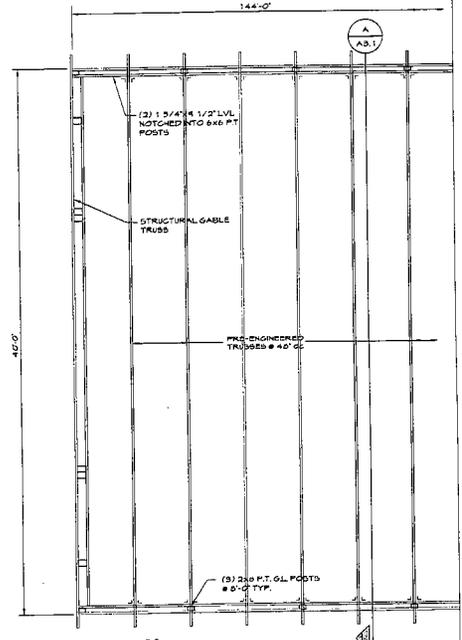


- EL - EXT LIGHT
- ⊗ EX - EXTERIOR LIGHT
- ⊕ FE - FIRE EXTINGUISHER
- ⊕ EL - EMERGENCY LIGHT

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



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



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



Superior Drafting and Design
 • Computer Aided Design
 • Home Design
 • AutoCAD
 273 N. Main, P.O. Box 326 Pellston,
 MI 49759-0326 Ph: 231-533-3322 Fx:

Ryan J. Johnston, P.E.
 Structural Engineer
 Johnston Engineering LLC
 6817 Hedrick Road
 Harbor Springs, MI 49740
 231-242-0099 Ph. 231-838-0912 Cde

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

REVISED:	90-00000
RELEASED FOR REVIEW:	
SHEET:	

A2.1

8

16-161-012-400-007-00
BENSON, THEODORE & PATRICIA
2471 EAST MULLETT LAKE RD
INDIAN RIVER MI 49749

16-162-007-312-120-02
RAMSBY, WILLIAM & TERRY H/W
2712 VANYEA RD
CHEBOYGAN MI 49721

16-161-012-400-008-02
NIFFON, MASON, ALLOR & HILL,
PO BOX 248
WOLVERINE MI 49799

16-161-012-400-008-05
NIFFON, MASON & ALLOR,
PO BOX 248
WOLVERINE MI 49799

16-161-012-400-008-06
GRISWOLD MOUNTAIN PROPERTIE
PO BOX 158
INDIAN RIVER MI 49749

16-162-007-300-006-00
TIP OF THE MITT, LLC
3051 44TH AVE NORTH
SAINT PETERSBURG FL 33714

16-162-007-300-010-01
ECS INVESTMENTS, LLC
PO BOX 2083
INDIAN RIVER MI 49749

16-162-007-300-010-02
ECS INVESTMENTS LLC
PO BOX 2083
INDIAN RIVER MI 49749

16-162-007-309-081-00
NORTHERN ESCAPE ENTERPRISES
PO BOX 281
TOPINABEE MI 49791

16-162-007-309-082-00
NORTHERN ESCAPE ENTERPRISES
PO BOX 281
TOPINABEE MI 49791

16-162-007-312-120-01
RAMSBY, MICHAEL & PATRICIA H/
9820 S RIVER RD
CHEBOYGAN MI 49721

9

16-161-012-400-007-00
OCCUPANT
1720 S STRAITS HWY
INDIAN RIVER, MI 49749

16-161-012-400-008-02
OCCUPANT
1750 S STRAITS HWY
INDIAN RIVER, MI 49749

16-162-007-300-006-00
OCCUPANT
1627 S STRAITS HWY
INDIAN RIVER, MI 49749

16-162-007-300-010-01
OCCUPANT
1771 S STRAITS HWY
INDIAN RIVER, MI 49749

16-162-007-300-010-02
OCCUPANT
1829 S STRAITS HWY
INDIAN RIVER, MI 49749

16-162-007-309-082-00
OCCUPANT
1661 S STRAITS HWY
INDIAN RIVER, MI 49749

16-162-007-312-120-01
OCCUPANT
1855 S STRAITS HWY
INDIAN RIVER, MI 49749

16-162-007-312-120-02
OCCUPANT
1865 S STRAITS HWY
INDIAN RIVER, MI 49749



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

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



CHEBOYGAN COUNTY
MARCH 10, 2016
RECEIPT #4123

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



LIBER 1302 PAGE 17

WARRANTY DEED

(Unplatted Land)

3 of 3

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

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

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

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

CUT OF 162-007-300-010-00 ✓

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

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

Subject To:

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

If the property conveyed is unplatted, the following applies:

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

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

3/10/16 Rachelle Johnson CII
Cheboygan County Treasurer





Dated this March 4, 2016.

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

B. Jewell

By: B. James Jewell, Co-Trustee

Roseanne Mauro Jewell

By: Roseanne Mauro Jewell, Co-Trustee

State of MICHIGAN
County of OAKLAND

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

Paula Bailey

Notary Public:

Notary County/State: /

PAULA A. BAILEY

County Acting In:

Commission Expires:

**NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND**

**My Commission Expires June 6, 2019
Acting in the County of OAKLAND**

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

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

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

Recording Fee: \$22.00
File Number: 16020051

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

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





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

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



LIBER 1313

PAGE 630

WARRANTY DEED

(Unplatted Land)

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

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

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

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

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

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

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

Quaranta 2016
Cheboygan, MI
Wendy L. Hoffe
Cheboygan County Treasurer
Certified

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.





LIBER 1313

PAGE 631

Dated this August 23, 2016.

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

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

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

State of Michigan
County of Oakland

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

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

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

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

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

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

Recording Fee: \$22.00
File Number: 16080404

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

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



Deborah Tomlinson

From: Dave Carpenter [<mailto:dpcarpenter@voyager.net>]

Sent: Tuesday, March 28, 2017 11:56 AM

To: Deborah Tomlinson

Subject: Re: Applications for Ed Shovan and RACC Enterprises

Hi Deb,

I don't see any major concerns regarding the Fire Department for either Ed Shovan's project or RACC 2000.

Should you have any questions please feel free to contact me at my office.

Sincerely,

Dave Carpenter
Fire Chief



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 change of use from Private Storage to Indoor Storage Facility and a new Indoor Storage Facility structure and Boat storage use in a Commercial Development (D-CM) zoning district.	Prepared by: Scott McNeil
Date: April 6, 2017	Expected Meeting Date: April 19, 2017

Applicant: Ed Shovan

Contact person: Ed Shovan

Phone: 231-290-1429

Requested Action:

Approval of a special use permit for change of use from Private Storage to Indoor Storage Facility and new Indoor Storage Facility and Boat Storage uses in a Commercial Development (D-CM) zoning district.

BACKGROUND INFORMATION

The applicant is seeking a special use permit approval for a change of use from Private Storage to Indoor Storage Facility and for construction of a new Indoor Storage Facility along with a new Boat storage use. The existing private storage building for which a change of use is proposed measures 40 feet x 144 feet (5,760 S.F.) The new proposed indoor storage facility structure measures 50 feet x 144 feet (7,200 S.F.) Outdoor boat storage and storage staging area is also proposed at the front and rear of the existing structure.

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.

The site was filled and leveled in 2016 prior to construction of the existing private storage structure. A permit under the Cheboygan County Soil Sedimentation and Storm Water Control Ordinance was issued on October 18, 2016. A zoning permit was issued for the existing private storage building on November 30, 2016 pursuant to section 6.2.29. Private storage is a use which does not require site plan review in the D-CM zoning district per section 20.3.b.

Current Zoning:

Current zoning is Commercial Development District (D-CM)

Surrounding Land Uses:

Residential land west, commercial to the north and south and I-75 to the east.

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain): No environmentally sensitive areas have been identified.

Historic buildings/features:

There are no historic buildings in the subject area.

Traffic Implications:

The site is located on S. Straits Hwy. The proposed uses will have a minimal effect on traffic.

Parking:

There are no parking requirements for boat storage or 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 two existing driveways from S. Straits Hwy.

Signs:

No signs are proposed.

Fence/Hedge/Buffer:

No fence, hedge or buffer is proposed.

Lighting:

No outdoor lighting is indicated on the site plan

Stormwater management:

The applicant indicates a drainage pattern toward the south east portion of the property based on the topography survey data. Fill and leveling have taken place. A permit has been issued under the Cheboygan County soil sedimentation and stormwater control ordinance.

Review or permits from other government entities:

Permits have been issued for construction code pursuant to the private storage zoning permit. Permits under the building code will need to be issued for the indoor storage uses.

Recommendations (proposed conditions):

Approval by Cheboygan County Department of Building Safety.

Meet any applicable requirements of the Health Department.

Signage must meet requirements of section 17.19.

Location of proposed outdoor lighting shall be placed on the site plan.

CHEBOYGAN COUNTY PLANNING COMMISSION
SPECIAL USE PERMIT

Wednesday, April 19, 2017, 7:00 PM

Applicant

Ed Shovan
P.O. Box 2083
Indian River, Mi. 49749

Owner

E.C.S. Investments LLC
P.O. Box 2083.
Indian River, Mi. 49749

Parcels

Tuscarora Township
1771 S. Straits Hwy.
162-007-300-010-01
1829 S. Straits Hwy.
162-007-300-010-02

GENERAL FINDINGS

1. The property is located in a Commercial Development (D-CM) zoning district.
2. The applicant is requesting a special use permit for a change of use from private storage to indoor storage for an existing structure, indoor storage facility use for a new structure and boat storage use.
3. Boat storage and indoor storage facility are uses which require a special use permit in a D-CM zoning district per sections 6.3.14 and 6.3.16.
4. A permit under the Cheboygan County Soil Sedimentation and Storm Water Control Ordinance was issued for the property on October 18, 2016.
5. A zoning permit was issued for the existing private storage building on November 30, 2016 pursuant to section 6.2.29.
6. Private storage is a use which does not require site plan review in the D-CM zoning district per section 20.3.b.
- 7.

FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE

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

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. The subject property is located in a Commercial Development (D-CM) Zoning district.
 2. The applicant is seeking a special use permit for an indoor storage facility and boat storage. (see exhibit 3)
 3. Indoor Storage Facility is a use which requires a special use permit in a D-CM zoning district per Section 6.3.16. (see exhibit 1)
 4. Boat storage is a use which requires a special use permit in a D-CM zoning district per Section 6.3.14.
 - 5.
 6. Standard has been met.

Or.

 - 1.
 2. Standard has not been met.
- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 1. The applicant is seeking a special use permit for an indoor storage facility and boat storage in a D-CM zoning district. (see exhibit 3)
 - 2.
 3. Standard has been met.

Or.

 - 1.
 2. Standard has not been met.

- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
 - 1. The applicant is seeking a special use permit for an indoor storage facility and boat storage uses in a D-CM zoning district. (see exhibit 4)
 - 2. The subject property is located on S. Straits Highway. (see exhibit 6)
 - 3. The proposed use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area. (see exhibit 4 and 6)
 - 4.
 - 5. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
 - 1. The applicant is seeking a special use permit for an indoor storage facility and boat storage. (see exhibit 4)
 - 2. The ongoing use as proposed will be constructed, designed, operated and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. (see exhibits 4 and 6)
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
 - 1. The applicant is seeking a special use permit for an indoor storage facility and boat storage. (see exhibit 4)
 - 2. The proposed use will not place demands of fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers. (see exhibit 4 and 6)
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met

- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
 - 1. The applicant is seeking a special use permit for an indoor storage facility and boat storage in a D-CM zoning district. (see exhibit 4)
 - 2. The use will not cause congestion on S. Straits Highway or increase traffic hazards in excess of current capacity. (see exhibit 6)
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
 - 1. The applicant is seeking a special use permit for an indoor storage facility and boat storage.(see exhibit 4).
 - 2. Water and sewer facilities or refuse collection are not necessary for this use.
 - 3.
 - 4. Standard has been met.
 Or.
 - 1. The applicant has not adequately demonstrated that water and/or sewer and/or refuse collection is not needed.
 - 2. Standard has not been met.

- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
 - 1. The special use complies with all the specific standards required under this Ordinance applicable to it. (see exhibit 1, 4 and 6)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - 1. The applicant is seeking a special use permit for an indoor storage facility and boat storage in a D-CM zoning district.(see exhibit 4).
 - 2. A permit was issued under the Cheboygan County Soil Sedimentation and Storm Water Control Ordinance to fill and level a portion of the subject property prior to construction of the existing structure in October of 2016.
 - 3. No further change to the contours of the subject property is proposed.
 - 4. The site plan indicates that the subject property will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.(see exhibit 6)
 - 5.
 - 6. Standard has been met.
 Or..
 - 1.
 - 2. Standard has not been met.

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - 1. A permit was issued under the Cheboygan County Soil Sedimentation and Storm Water Control Ordinance to fill and level a portion of the subject property prior to construction of the existing structure in October of 2016.
 - 2. No further change will take place to the landscape.
 - 3.
 - 4. Standard has been met
 Or.
 - 1.
 - 2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. A permit was issued under the Cheboygan County Soil Sedimentation and Storm Water Control Ordinance to fill and level a portion of the subject property prior to construction of the existing structure in October of 2016.
 - 2. No further change will to stormwater management will take place. (see exhibit 4)
 - 3. Current topographic survey is provided on the site plan. (See exhibit 6)
 - 4.
 - 5. Standard has been met.Or.
 - 1. The applicant has not adequately demonstrated that proper site drainage is provided so that removal of storm waters will not adversely affect neighboring properties.
 - 2.
 - 3. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. Not applicable. No dwelling units are proposed to be located therein.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means
 - 1. Emergency vehicle access is provided to all buildings via gravel surface drive areas in the front and rear portion of the proposed structures. (see exhibit 6)
 - 2. Access to the site is provided via S. Straits Hwy. (see exhibit 6)
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. The site is located on, and has access to S. Straits Hwy. (see exhibit 6)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met

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

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.
 - 1. No new exterior lighting is proposed. (see exhibit 6)
 - 2. Any added exterior lighting shall be deflected away from adjacent properties, shall not impede the vision of traffic along adjacent streets and shall not unnecessarily illuminate night skies.
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

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

1. Not applicable. No public or common ways for vehicular and pedestrian circulation is proposed.

k. 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 and any applicable state and federal laws.

2.

3. Standard has been met.

Or.

1.

2. Standard has not been met.

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

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

DATE DECISION AND ORDER ADOPTED

Wednesday, April 19, 2017

Patty Croft, Chairperson

Charles Freese, Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

Bob Andrews

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Use Permit Application (6 Pages)
5. Mailing List (2 Pages)
6. Pictures (3 Pages)
7. Site Plan/Location Sketch (2 Pages)
8. Quit Claim Deed L1163 P742 (1 Page)
- 9.
- 10.
- 11.
- 12.
- 13.

Note: Planning Commission members have exhibits 1 and 2.

NOTICE
CHEBOYGAN COUNTY PLANNING COMMISSION MEETING and PUBLIC HEARING
WEDNESDAY, APRIL 19, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) **An Ordinance to amend the Cheboygan County Zoning Ordinance #200** to amend the definition of dwelling and family to allow short term rental of dwellings.
- 2.) **RACC Enterprises, LLC and Griswold Mountain Properties, LLC** - Requests a Special Use Permit for a wireless communication facility (Section 17.13.). The property is located at 6444 Griswold Mountain Drive, Tuscarora Twp., section 12, parcel #161-012-300-003-01 and #161-012-300-003-01, and is zoned Agriculture and Forestry Management (M-AF).
- 3.) **Edward Shovan** - Requests a Special Use Permit for Boat Storage and Indoor Storage Facility (50 ft. x 144 ft.) and a change of use for an existing structure from Private Storage to Indoor Storage Facility (40 ft. x 144 ft.) (Sections 6.3.14. and 6.3.16.). The property is located at 1771 and 1829 South Straits Highway, Tuscarora Twp., section 7, parcel #161-007-300-010-01 and #161-012-300-010-02, and is zoned Commercial Development (D-CM).
- 4.) **Triple D Disposal / Erica Wheelock/ Bonnie Nagy** - Requests a Special Use Permit for Waste Hauling (Section 7.3.13.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned Light Industrial Development (D-LI).
- 5.) **Robert Andrews** - Requests a Special Use Permit for an Indoor Storage Facility (30 ft. x 140 ft.) (Section 6.3.16.). The property is located at 6123 North Straits Highway, Inverness Twp., section 34, parcel #091-034-400-006-03, and is zoned Commercial Development (D-CM).
- 6.) **Thomas Redman / Exodus 33:13, LLC** - Requests a rezoning from Agriculture and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). The property proposed to be rezoned is located in Walker Township, Section 5 and described as follows:
Parcel #220-005-200-001-01 described as, COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. Also Parcel #220-005-200-002-00 described as, COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N. SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4

Please visit the Planning and Zoning office or visit our website to see the proposed ordinance amendment and special use permit applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SPECIAL LAND USE PERMIT APPLICATION

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

Self Storage Facility - open 24 hrs

Site Plan Standards.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

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

Yes

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

Yes

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

Yes. All drive access roads will be after stone.

- 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.

No driveway

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

Driveway from M-22 - Driveway between each building

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

M-22

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

NA

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

i. It is deflected away from adjacent properties. _____

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

iii. It does not unnecessarily illuminate night skies. _____



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
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SPECIAL LAND USE PERMIT APPLICATION

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

N/A

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

Yes

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

4. Present use of property:
Self storage facility

5. SUP Standards:

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

Yes - Commercial Zoning

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

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 - Existing Storage Row

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 - As

EXISTING

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

No - See Above

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



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SPECIAL LAND USE PERMIT APPLICATION

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

AFFIDAVIT

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

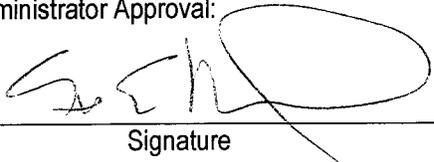
Applicant's Signature Bol Andrews Date 3/20/17

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

Yes No

Owner's Signature Bol Andrews Date 3/20/17

FOR PLANNING/ZONING DEPT. USE ONLY

Date Received:	<u>3/22/17</u>	Notes:
Fee Amount Received:	<u>\$150.00</u>	
Receipt Number:	<u>5483</u>	
Public Hearing Date:	<u>4/19/17</u>	
Planning/Zoning Administrator Approval:		
 _____ Signature	<u>3/22/17</u> _____ Date	

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

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

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
d.	No Change to Requirements

AFFIDAVIT

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



 SIGNATURE

 3/20/17
 DATE

16-091-034-200-017-00
MICHIGAN DEPT OF NATURAL RES
PO BOX 30722
LANSING MI 48909

16-091-034-400-028-01
FRYE, JAMES & MARGARET H/W
6815 WOODSIDE TRAIL
WEST BLOOMFIELD MI 48322-3916

16-091-034-400-002-06
POLLARD, TOM & MARGARET H/W
6275 N STRAITS HWY
CHEBOYGAN MI 49721

16-091-034-400-030-00
CARROLL ILENE M, TRUSTEE
71 GOLFVIEW DR
YPSILANTI MI 48197

16-091-034-400-004-00
ELLIOTT, MARK & JANETTE H/W L/
6167 N STRAITS HWY
CHEBOYGAN MI 49721

16-091-034-400-030-01
KEATING, TERRENCE & NOREEN H/
3551 LEXINGTON DR
AUBURN HILLS MI 48326-3978

16-091-034-400-005-00
FISH, PATRICK & AMY H/W
6151 N STRAITS HWY
CHEBOYGAN MI 49721

16-091-034-400-031-00
PAUL, DEAN & ANN H/W 1/2 INT &
5036 W CEDAR DR
SAULT SAINTE MARIE MI 49783

16-091-034-400-006-01
DODD, SPENCER
6101 N STRAITS HWY
CHEBOYGAN MI 49721

16-092-S21-000-015-00
MICUS, SCOTT & JENNIFER H/W
6 WHISPERING PINES DR
SIGNAL MOUNTAIN TN 37377-2038

16-091-034-400-006-02
BECKERT, JAMES & CHRISTINE H/
1703 RIVERSIDE DR
BEAUFORT SC 29902

16-091-034-400-006-03
TEAM ANDREWS ENTERPRISES, IN
7850 GOLFVIEW DR
CHEBOYGAN MI 49721

16-091-034-400-008-00
POND, GERALD & LISA H/W
2350 W SILVER BEACH RD
CHEBOYGAN MI 49721

16-091-034-400-027-00
DIBLEY, STEWART & KATHERINE
29485 TAWAS
MADISON HEIGHTS MI 48071

16-091-034-400-028-00
MULLETT LAKE HOUSE, LLC
57483 JUNCTION CT
WASHINGTON MI 48094

16-091-034-400-004-00
OCCUPANT
6167 N STRAITS HWY
CHEBOYGAN, MI 49721

16-091-034-400-005-00
OCCUPANT
6151 N STRAITS HWY
CHEBOYGAN, MI 49721

16-091-034-400-006-01
OCCUPANT
6101 N STRAITS HWY
CHEBOYGAN, MI 49721

16-091-034-400-006-02
OCCUPANT
6047 N STRAITS HWY
CHEBOYGAN, MI 49721

16-091-034-400-006-03
OCCUPANT
6123 N STRAITS HWY
CHEBOYGAN, MI 49721

16-091-034-400-008-00
OCCUPANT
2350 W SILVER BEACH RD
CHEBOYGAN, MI 49721

16-091-034-400-027-00
OCCUPANT
6186 SILVER BEACH RD
CHEBOYGAN, MI 49721

16-091-034-400-028-00
OCCUPANT
6151 SILVER BEACH RD
CHEBOYGAN, MI 49721

16-091-034-400-031-00
OCCUPANT
6001 SILVER BEACH RD
CHEBOYGAN, MI 49721

16-092-S21-000-015-00
OCCUPANT
6120 N STRAITS HWY
CHEBOYGAN, MI 49721



6 ANDREWS - EAST CREATION



Trachte
Sun Prairie, WI

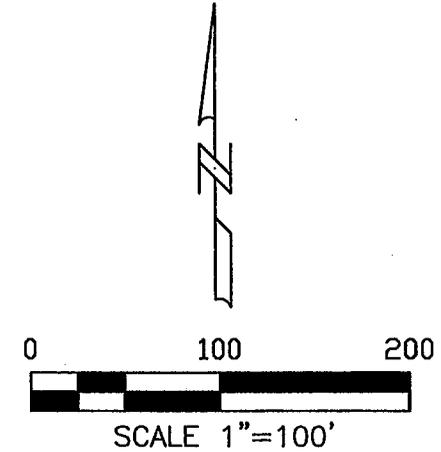
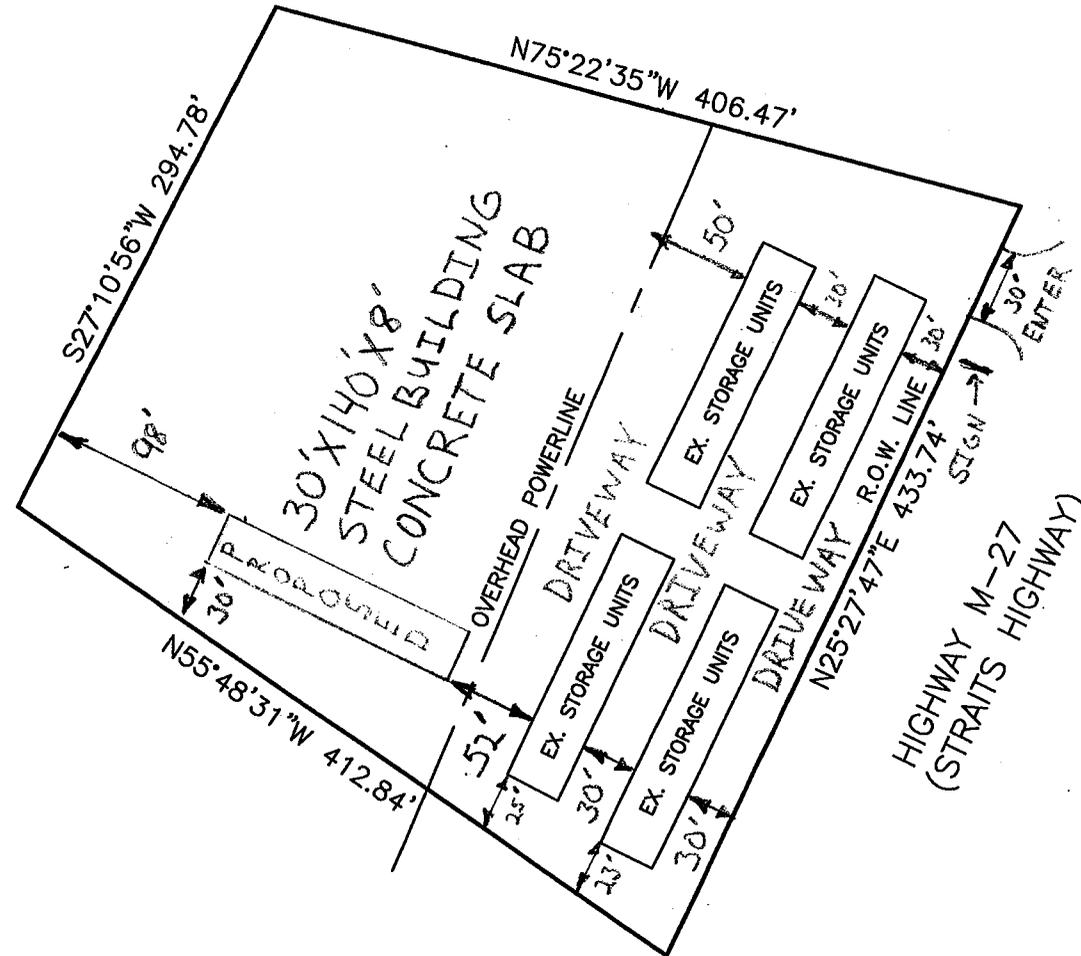
ANDREWS - WEST ELEVATION



ANDREWS - NORTH END SAVING CENTER

LOCATION SKETCH

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



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

CLIENT:
BOB ANDREWS
DATE: MARCH 8, 2017

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

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

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LOCATION SKETCH

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

PARCEL B

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

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

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

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

COPYRIGHTED GRANGER & ASSOCIATES INC. 2010

CLIENT: BOB ANDREWS DATE: MARCH 8, 2017	 <p><i>Granger and Associates, Inc.</i> Engineers • Surveyors 224 S. Main Street Cheboygan, Michigan 49721 231-627-2763</p>	SEC. 34, T37N, R2W <hr/> DRAWN AJG SHEET 2 OF 2 <hr/> JOB NO. C6671-26
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RECEIVED FOR RECORD
MARY ELLEN TRYBAN, CLERK/REGISTER
CHEBOYGAN COUNTY, MICHIGAN
10/22/2010 11:56:02 AM

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



CHEBOYGAN COUNTY
OCTOBER 22, 2010
RECEIPT #16653

STATE OF MICHIGAN \$ 170.50-CO
REAL ESTATE \$ 1162.50-ST
TRANSFER TAX STAMP * 7381



LIBER 1163 PAGE 742

QUITCLAIM DEED

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

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

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

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

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

Dated: October 15, 2010

By: Douglas W. Damm
As: Executive Vice President

STATE OF MICHIGAN)
CHEBOYGAN COUNTY)

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

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

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

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

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

Recording Fee
\$14.00

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

B. Conboy



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: Request for an amendment to Special Use Permit for additional Indoor storage facility structure in a Commercial Development (D-CM) zoning district.	Prepared by: Scott McNeil
Date: April 4, 2017	Expected Meeting Date: April 19, 2017

GENERAL INFORMATION

Applicant: Robert Andrews

Owner: Team Andrews Enterprises LLC

Contact person: Robert Andrews

Phone: 231-420-2722

Requested Action: Approval an amendment of a special use permit to construct an additional indoor storage facility structure pursuant to Section 6.3.16.

BACKGROUND INFORMATION

Introduction:

The applicant is seeking an amendment to a special use permit for a mini storage structure measuring 30 ft. wide x 140 ft. deep. There are four (4) existing mini storage structures on the lot. The subject site is located at 6123 N. Straits Highway. The original special use permit for the subject lot was issued on May 13, 1980 and amended on June 21, 2000.

The property is zoned Commercial Development District (D-CM). Indoor Storage Facility is a use which requires a special use permit in the D-CM district per Section 6.3.16.

Indoor storage facility is defined in the zoning ordinance as follows;

INDOOR STORAGE FACILITY

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

Current Zoning:

Commercial Development District. (D-CM)

Surrounding Land Uses:

Residential uses s.

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

Historic buildings/features:

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

Traffic Implications

This project is proposed on a site with an existing driveway and four (4) existing mini storage structures. The lot is located on N. Straits Highway which is a County Primary Road. This use will have minimal effect on current traffic conditions.

Parking:

Section 17.6. does not provide parking standards for the indoor storage facility or a commercial storage use for individuals. As a result the Planning Commission will have to make an adequate parking determination relative to the use per section 17.4.1.

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

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

Signs

No signs are proposed.

Fence/Hedge/Buffer

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

Lighting

Outdoor lights are mounted on the buildings. No other outdoor lighting is proposed.

Stormwater management

No change is proposed to stormwater management.

Review or permits from other government entities:

Building Code and Soil and Sedimentation permits will be required

CHEBOYGAN COUNTY PLANNING COMMISSION
SPECIAL USE PERMIT REQUEST
Wednesday, April 19, 2017, 7:00 PM

Applicant

Bob Andrews
7850 Golf View Dr.
Cheboygan , Mi. 49721

Owner

Team Andrews Enterprises
7850 Golf View Dr.
Cheboygan , Mi. 49721

Parcel

6132 N. Straits Hwy.
Inverness Township
091-034-400-006-03

GENERAL FINDINGS

1. The subject property is zoned Commercial Development District. (D-CM)
2. The owner/applicant is seeking an amendment to a special use permit for an additional indoor storage structure which will contain individual rental storage units.
3. The original special use permit for the subject lot was issued on May 13, 1980 and amended on June 21, 2000.
4. Indoor Storage Facility is a use which requires a special use permit in a D-CM zoning district per Section 6.3.16.
5. The applicant is seeking a waiver from the topography survey requirement.
- 6.

FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE

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

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. The subject property is located in a Commercial Development (D-CM) Zoning district.
 2. The applicant is seeking a special use permit for an additional indoor storage structure. (see exhibit 3)
 3. Indoor Storage Facility is a use which requires a special use permit in a D-CM zoning district per Section 6.3.16. (see exhibit 1)
 - 4.
 5. Standard has been met.Or.
 - 1.
 2. Standard has not been met.
- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 1. Indoor Storage Facility is a use which requires a special use permit in a D-CM zoning district per Section 6.3.16.
 2. The applicant is seeking a special use permit for an additional indoor storage structure. (see exhibit 3)
 - 3.
 4. Standard has been met.Or.
 - 1.
 2. Standard has not been met.

- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
 - 1. The applicant is seeking a special use permit for additional indoor storage structure. (see exhibit 3)
 - 2. The proposed use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area. (see exhibit 3 and 5)
 - 3.
 - 4. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
 - 1. The owner/applicant is seeking a special use permit for additional indoor storage structure. (see exhibit 3)
 - 2. The ongoing use as proposed will be constructed, designed, operated and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned. (see exhibits 3 and 5)
 - 3.
 - 4. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
 - 1. The applicant is seeking a special use permit for additional indoor storage structure. (see exhibit 3)
 - 2. The proposed use will not place demands of fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers. (see exhibit 3 and 5)
 - 3.
 - 4. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met

- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
 - 1. The applicant is seeking a special use permit for additional indoor storage structure. (see exhibit 3)
 - 2. The use will not cause congestion on North Straits Highway or increase traffic hazards in excess of current capacity. (see exhibit 5)
 - 3.
 - 4. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
 - 1. The owner/applicant is seeking a special use permit for additional indoor storage structure.
 - 2. Water and sewer facilities or refuse collection are not necessary for this use
 - 3.
 - 4. Standard has been met.
 Or.
 - 1. The applicant has not adequately demonstrated that water and/or sewer and/or refuse collection is not needed.
 - 2. Standard has not been met.

- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
 - 1. The special use complies with all the specific standards required under this Ordinance applicable to it and is of the same general character as the uses described in sections 6.2 and 6.3 pursuant to Section 6.3.11. (see exhibit 1, 3 and 5)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - 1. Changes to the natural contours of the site are limited to the construction of the additional storage structure. (see exhibit 7)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - 1. No change is proposed to the landscape. (see exhibit 3 and 7)
 - 2.
 - 3. Standard has been met.
 Or.
 - 1.
 - 2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. No change is proposed to existing stormwater management. (see exhibit 3 and 7)
 - 2.
 - 3. Standard has been met.Or.
 - 1. The applicant has not demonstrated that removal of storm waters will not adversely affect neighboring properties.
 - 2.
 - 3. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. Not applicable. No dwelling units are proposed.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
 - 1. A practical means for access by emergency vehicles is provided via an access driveway from North Straits Highway and drive lanes between buildings. (see exhibit 7)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. All structures have access to North Straits Highway, which is a County Primary Road. (see exhibit 7)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
 - 1. Not applicable. No subdivision 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 buildings only. Lighting will be down directional wall packs located on the buildings which deflected away from adjacent properties and does not impede vision of traffic and does not unnecessarily illuminate night skies. (see exhibit 3)
 - 2. No other exterior lighting is proposed (see exhibit 3)
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. Not applicable . No public common ways are proposed.

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
 - 1. The site plan conforms to applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see exhibit 2 and 7)
 - 2.
 - 3. Standard has been metOr.
 - 1.
 - 2. Standard has not been met.

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

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

DATE DECISION AND ORDER ADOPTED

Wednesday, April 19, 2017

Patty Croft, Chairperson

Charles Freese, Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

Thomas Redman

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Zoning Amendment Application (2 Pages)
5. Warranty Deed Dated 03/11/17 – Parcel # 220-005-200-002-00 (2 Pages)
6. Warranty Deed Dated 03/11/17 – Parcel #220-005-200-001-01 (2 Pages)
7. Notice of Assessment, Taxable Valuation and Property Classification – Parcel 220-005-200-002-00 (1 Page)
8. Notice of Assessment, Taxable Valuation and Property Classification – Parcel 220-005-200-001-01 (1 Page)
9. Mailing List (2 Pages)
10. Site Plan (1 Page)
- 11.
- 12.
- 13.
- 14.
- 15.

Note: Planning Commission members have exhibits 1 and 2.

NOTICE
CHEBOYGAN COUNTY PLANNING COMMISSION MEETING and PUBLIC HEARING
WEDNESDAY, APRIL 19, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

- 1.) **An Ordinance to amend the Cheboygan County Zoning Ordinance #200** to amend the definition of dwelling and family to allow short term rental of dwellings.
- 2.) **RACC Enterprises, LLC and Griswold Mountain Properties, LLC** - Requests a Special Use Permit for a wireless communication facility (Section 17.13.). The property is located at 6444 Griswold Mountain Drive, Tuscarora Twp., section 12, parcel #161-012-300-003-01 and #161-012-300-003-01, and is zoned Agriculture and Forestry Management (M-AF).
- 3.) **Edward Shovan** - Requests a Special Use Permit for Boat Storage and Indoor Storage Facility (50 ft. x 144 ft.) and a change of use for an existing structure from Private Storage to Indoor Storage Facility (40 ft. x 144 ft.) (Sections 6.3.14. and 6.3.16.). The property is located at 1771 and 1829 South Straits Highway, Tuscarora Twp., section 7, parcel #161-007-300-010-01 and #161-012-300-010-02, and is zoned Commercial Development (D-CM).
- 4.) **Triple D Disposal / Erica Wheelock/ Bonnie Nagy** - Requests a Special Use Permit for Waste Hauling (Section 7.3.13.) The property is located at 1988 Levering Rd, Beaugrand Township, parcel #041-026-300-003-05 and is zoned Light Industrial Development (D-LI).
- 5.) **Robert Andrews** - Requests a Special Use Permit for an Indoor Storage Facility (30 ft. x 140 ft.) (Section 6.3.16.). The property is located at 6123 North Straits Highway, Inverness Twp., section 34, parcel #091-034-400-006-03, and is zoned Commercial Development (D-CM).
- 6.) **Thomas Redman / Exodus 33:13, LLC** - Requests a rezoning from Agriculture and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). The property proposed to be rezoned is located in Walker Township, Section 5 and described as follows:
Parcel #220-005-200-001-01 described as, COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. Also Parcel #220-005-200-002-00 described as, COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N. SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4

Please visit the Planning and Zoning office or visit our website to see the proposed ordinance amendment and special use permit applications and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.

Id- Receipt # 5489
Fee \$ 225- Date _____

ZONING AMENDMENT APPLICATION

Application Approved by: _____

CHEBOYGAN COUNTY
PLANNING & ZONING DEPT.
870 S. MAIN ST., RM 103. PO BOX 103
CHEBOYGAN, MI 49721

TELEPHONE: (231) 627-8489
FAX: (231) 627-3646
www.cheboygancounty.net

PLEASE PRINT

LOCATION (For property rezoning)

Address 1668 E-M68 HWY AFTON, MI 49705 1716 E M-68 HWY AFTON, MI 49705	City / Village AFTON	Township/Sec. T34N, R1W	Zoning District
Property Tax I.D. (Parcel) Number 16-220-005-200-002-00 16-220-005-200-001-01	Subdivision or Condo. Name/Plat or Lot No.		

APPLICANT

Name THOMAS J. REDMAN	Telephone 231-238-9366	Fax
Address 1715 M-68 EAST,	City & State AFTON, MI	Zip Code 49705
		E-Mail TREDMAN@TUBEFAB.ORG

PROPERTY OWNER (If different from applicant)

Name EXODUS 33:13, LLC	Telephone 231-238-9366	Fax 231-238-9918
Address 1715 M-68 EAST,	City & State AFTON, MI	Zip Code 49705

I. Action Requested

I (we) the undersigned do hereby request that the Cheboygan County Board of Commissioners approve the following petition for a zoning amendment.

A. Text Amendment: Amend Article ____ Section ____ of Cheboygan County Zoning Ordinance No. 200 by making the following change(s):

B. Rezone from AGRICULTURAL to LIGHT INDUSTRIAL the property(s) described in Section II. A previous application for a variance, special use permit, or rezoning on this land has has not been made with respect to these premises in the last year. If a previous appeal, special use permit, or rezoning application was made, state the date _____, nature of action requested _____, and the decision _____.

II. Property Information (For rezoning)

A. Legal description of property(s) proposed for rezoning:

SEE ATTACHED FORMS L-4400

B. List all deed restrictions, if applicable:

NONE KNOWN

C. Names and addresses of all other persons, firms, or corporations having a legal or equitable interest in the land, if applicable.

NONE

D. This area is X unplatted, _____ platted, _____ will be platted. If platted, name of plat:

E. Present use of the property is: 1668 M-68 EAST - RESIDENTIAL RENTAL
1716 M-68 EAST - UNOCCUPIED RESIDENCE USED FOR STORAGE

F. Attach a drawing of the property.

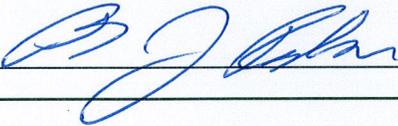
III. Justification for Requested Action

X State specifically the reason(s) for this text amendment request at this time. Also attach any supporting documentation.

B. If this is a proposed rezoning, what possible negative impacts could occur and what proposed mitigation would take place?

NONE KNOWN

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 3/6/17

IV. Affidavit

The undersigned affirms that he or she is the OWNER (owner, lessee, other type of interest) involved in the Petition and that the answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his or her knowledge and belief.


Applicant's Signature

3/6/17
Date

WARRANTY DEED

Redman Company, a Michigan limited liability company, whose address is P.O. Box 4215, Troy, Michigan 48099-4215 (Grantor), conveys and warrants to Exodus 33:13, L.L.C., a Michigan limited liability company, whose address is 1715 M-68 East, Afton, Michigan 49705 (Grantee), the real property in the Township of Walker, County of Cheboygan, Michigan, and described as:

Commencing at the Northeast corner of the NW ¼ of the NE ¼ of Section 5, T34N, R1W; thence West on the North Section line 325.00 feet to the Place of Beginning of this description; thence South at right angles 300.00 feet; thence West at right angles 200.00 feet; thence North at right angles 300.00 feet to the North Section line; thence East on the North Section line to the Place of Beginning; being a part of the NW ¼ of the NE ¼ of Section 5, T34N, R1W.

Tax Parcel ID# 220-005-200-002-00

Commonly known as the Wilson property (the Premises)

For \$60,000.00, Sixty Thousand and no/100 Dollar,

subject to any easements and building and use restrictions of record and the lien of taxes not yet due and payable.

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: March 11, 2017

Redman Company, L.L.C., a Michigan limited liability company

/s/ 
Robert J. Redman, Member

STATE OF MICHIGAN)
COUNTY OF CHEBOYGAN)

Acknowledged before me in Cheboygan County, Michigan on March 11, 2017 by
Robert J. Redman.

/s/ Emmet L. Ross
Notary public, State of Michigan, County of EMMET
My commission expires: 09-13-2019
Acting in the County of Cheboygan

Drafted by and when recorded return to:

John R. Fowler, Jr., Esq.
Law Office of John R. Fowler, Jr., P.L.L.C.
P.O. Box 360361

When recorded return to:

Exodus 33:13, L.L.C., 1715 M-68, Afton, MI 49705

Send subsequent tax bills to:

Exodus 33:13, L.L.C., 1715 M-68, Afton, MI 49705

Recording Fee:

Transfer Tax:

WARRANTY DEED

Redman Company, a Michigan limited liability company, whose address is P.O. Box 4215, Troy, Michigan 48099-4215 (Grantor), conveys and warrants to Exodus 33:13, L.L.C., a Michigan limited liability company, whose address is 1715 M-68 East, Afton, Michigan 49705 (Grantee), the real property in the Township of Walker, County of Cheboygan, Michigan, and described as:

Commencing at the Northeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, T34N, R1W; thence in a Westerly direction 250.00 feet along North line of NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 5, T34N, R1W; thence 300.00 feet in a Southerly direction; thence 250.00 feet in an Easterly direction to the East line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, T34N, R1W; thence in a Northerly direction 300.00 feet along the East line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, T34N, R1W to the Point of Beginning; being a rectangular piece of land in the Northeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 5, T34N, R1W.

Tax Parcel ID# 220-005-200-001-01

Commonly known as the Hanel property (the Premises)

For \$30,000.00, Thirty Thousand and no/100 Dollar,

subject to any easements and building and use restrictions of record and the lien of taxes not yet due and payable.

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: March 11, 2017

Redman Company, L.L.C., a Michigan
limited liability company

/s/



Robert J. Redman, Member

STATE OF MICHIGAN)
COUNTY OF CHEBOYGAN)

Acknowledged before me in Cheboygan County, Michigan on March 11, 2017 by
Robert J. Redman.

/s/ Spittle L. Ross
Notary public, State of Michigan, County of EMMET
My commission expires: 09-13-2019
Acting in the County of Cheboygan

Drafted by and when recorded return to:

John R. Fowler, Jr., Esq.
Law Office of John R. Fowler, Jr., P.L.L.C.
P.O. Box 360361

When recorded return to:

Exodus 33:13, L.L.C., 1715 M-68, Afton, MI 49705

Send subsequent tax bills to:

Exodus 33:13, L.L.C., 1715 M-68, Afton, MI 49705

Recording Fee:

Transfer Tax:

Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec.211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM DIANN MOST WALKER TOWNSHIP ASSESSOR 18443 1 MILE HWY ONAWAY, MI 49765	PARCEL IDENTIFICATION PARCEL CODE NUMBER: 16-220-005-200-002-00 PROPERTY ADDRESS: 1668 E M-68 HWY AFTON, MI 49705
NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL: REDMAN COMPANY, LLC 1715 E M-68 HWY AFTON MI 49705	PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": .00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 400 (400 RESIDENTIAL)

PRIOR YEAR'S CLASSIFICATION: 400 (400 RESIDENTIAL)

	PRIOR AMOUNT YEAR: 2016	CURRENT TENTATIVE AMOUNT YEAR: 2017	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):	40,400	38,700	-1,700
2. ASSESSED VALUE:	40,400	38,700	-1,700
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	40,400	38,700	-1,700
5. There WAS/WAS NOT a transfer of ownership on this property in 2016 . WAS NOT			

The 2017 Inflation rate Multiplier is: 1.009

Legal Description: COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4. 616/448;754/88;754/91

March Board of Review Appeal Information:

The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission at www.michigan.gov/treasury. Click on Forms (at top of page), then click on Property Tax, then click on Board of Review to obtain Form L-4035.

March Board of Review Information:

WALKER TOWNSHIP HALL, 7021 MONTGOMERY RD
 MONDAY, MARCH 13, 9:00AM - 3:00PM
 THURSDAY, MARCH 16, 3:00PM - 9:00PM

****NOTICES WERE REPRINTED AND MAILED TO CORRECT ASSESSOR INFORMATION 2.27.2017****

Not less than 14 days before the meeting of the Board of Review, the assessment notice shall be mailed to the property owner.

Property taxes were calculated on the Taxable Value (see line 1 above). The Taxable Value number entered in the "Change from Prior Year to Current Year" column, does not indicate a change in your taxes. This number indicates the change in Taxable Value.

State Equalized Value is the Assessed Value multiplied by the Equalized Factor, if any. State Equalized Value must approximate 50% of the market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2016, your 2017 Taxable Value will be the same as your 2017 State Equalized Value.

IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2016, your 2017 Taxable Value is calculated by multiplying your 2016 Taxable Value by 1.009 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2017 Taxable Value cannot be higher than your 2017 State Equalized Value.

The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.

Filing a protest at the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9o. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.

HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 114 OF 2012. If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediate succeeding winter tax levy and all subsequent tax levies.

Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec.211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM DIANN MOST WALKER TOWNSHIP ASSESSOR 18443 1 MILE HWY ONAWAY, MI 49765	PARCEL IDENTIFICATION PARCEL CODE NUMBER: 16-220-005-200-001-01 PROPERTY ADDRESS: 1716 E M-68 HWY AFTON, MI 49705
NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL: REDMAN COMPANY, LLC 1715 E M-68 HWY AFTON MI 49705	PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": .00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 400 (400 RESIDENTIAL)

PRIOR YEAR'S CLASSIFICATION: 400 (400 RESIDENTIAL)

	PRIOR AMOUNT YEAR: 2016	CURRENT TENTATIVE AMOUNT YEAR: 2017	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):	27,674	27,923	249
2. ASSESSED VALUE:	31,400	29,600	-1,800
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	31,400	29,600	-1,800
5. There WAS/WAS NOT a transfer of ownership on this property in 2016 . WAS NOT			

The 2017 Inflation rate Multiplier is: 1.009

Legal Description: COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4. 752/924

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16-172-032-300-001-00 HARRIS, WILLIAM LIVING TRUST 1001 E M-68 HWY AFTON MI 49705-9715	16-220-005-200-005-01 JACOBS, MARK & JENNIFER DOMK 6200 N WALKER RD AFTON MI 49705
16-172-032-400-001-00 REDMAN COMPANY, LLC 1715 E M-68 HWY AFTON MI 49705	16-220-005-200-005-02 HAGER, DUSTIN & AMBER H/W 6120 N WALKER RD AFTON MI 49705
16-172-032-400-003-00 JEWELL, BUDD J & DWAYNE E JEW 82 BURNIAH LN LAKE ORION MI 48362	16-220-005-200-008-00 KEENAN, TERRY P & AMY H/W 6308 N WALKER RD AFTON MI 49705
16-172-032-400-004-00 NUTT, DANA & JEANNIE NUTT, JT PO BOX 667 INDIAN RIVER MI 49749	16-220-005-200-008-01 KEENAN, TERRY P & AMY H/W 6308 N WALKER RD AFTON MI 49705
16-220-005-100-001-00 PASSINO, DOUGLAS & MARSHA H/ 6952 MONTGOMERY RD AFTON MI 49705	
16-220-005-100-004-00 PASSINO, MICHAEL & BRENDA H/ PO BOX 2184 INDIAN RIVER MI 49749	
16-220-005-200-001-00 EXODUS 33:13, LLC 1715 M-68 EAST AFTON MI 49705	
16-220-005-200-001-01 REDMAN COMPANY, LLC 1715 E M-68 HWY AFTON MI 49705	
16-220-005-200-002-00 REDMAN COMPANY, LLC 1715 E M-68 HWY AFTON MI 49705	
16-220-005-200-004-00 CRAWFORD, MARK AND 1776 E M-68 HWY AFTON MI 49705	

16-172-032-300-001-00
OCCUPANT
1001 E M-68 HWY
AFTON, MI 49705-9715

16-220-005-200-008-00
OCCUPANT
6308 N WALKER RD
AFTON, MI 49705

16-172-032-400-001-00
OCCUPANT
1715 E M-68 HWY
AFTON, MI 49705

16-220-005-200-008-01
OCCUPANT
6408 N WALKER RD
AFTON, MI 49705

16-172-032-400-003-00
OCCUPANT
1795 E M-68 HWY
AFTON, MI 49705

16-172-032-400-004-00
OCCUPANT
1757 E M-68 HWY
AFTON, MI 49705

16-220-005-200-001-00
OCCUPANT
1662 E M-68 HWY
AFTON, MI 49705

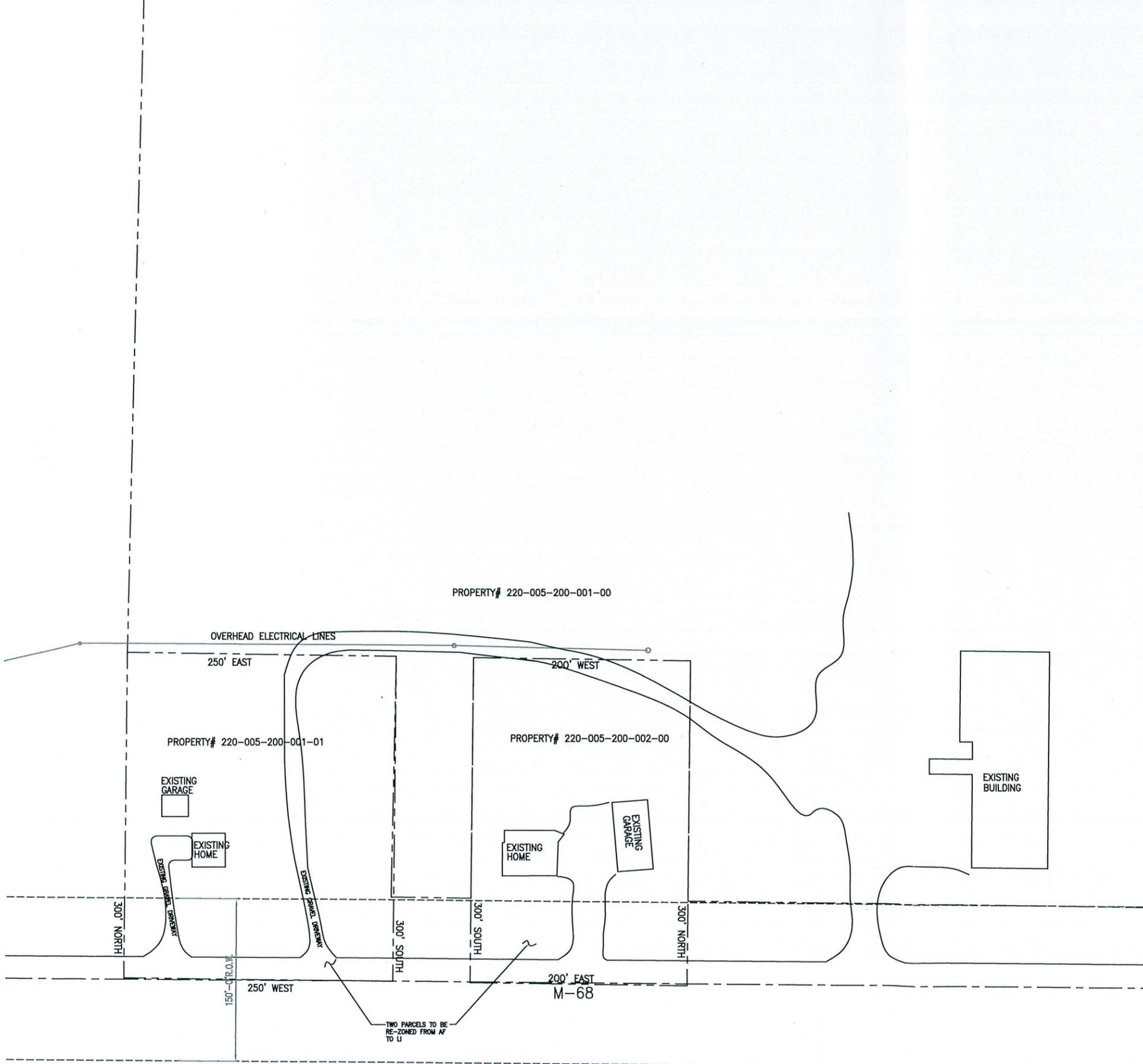
16-220-005-200-001-01
OCCUPANT
1716 E M-68 HWY
AFTON, MI 49705

16-220-005-200-002-00
OCCUPANT
1668 E M-68 HWY
AFTON, MI 49705

16-220-005-200-004-00
OCCUPANT
1776 E M-68 HWY
AFTON, MI 49705

16-220-005-200-005-01
OCCUPANT
6200 N WALKER RD
AFTON, MI 49705

16-220-005-200-005-02
OCCUPANT
6120 N WALKER RD
AFTON, MI 49705-9758



INFORMATION

LEGAL DESCRIPTION:

PROPERTY# 220-005-200-001-00 COM N1/4 COR SEC 5, T34N,R1W; TH S 01D 31M 28S W ALG N-S 1/4 LI 79.59FT TO SLY R/W OF HWY M-68 & POB; TH S 89D 17M 4S E ALG SD R/W 782.05FT; TH S 0D 49M 10S W 221.84FT; TH S 89D 10M 50S E 200FT; TH N 0D 49M 10S E 222.20FT TO SLY R/W OF HWY M-68; TH S 89D 17M 4S E 74.18FT; TH S 01D 25M 17S W 222.33FT; TH S 89D 10M 50S E 250FT; TH S 01D 25M 17S W 1082.14FT; TH N 88D 19M 50S W 1308.48FT TO N-S 1/4 LI; TH N 01D 31M 28S E 1283.17FT TO POB, PT OF NW1/4 OF NE1/4.

PROPERTY# 220-005-200-001-01 COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4.

PROPERTY# 220-005-200-002-00 COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4.

PROPERTY INFORMATION:

PROPERTY #220-005-200-001-00
ZONED: LIGHT INDUSTRIAL
TOWNSHIP: WALKER

PROPERTY #220-005-200-001-01
ZONED: AF REZONING APPLIED FOR TO: LIGHT INDUSTRIAL
TOWNSHIP: WALKER

PROPERTY #220-005-200-002-00
ZONED: AF REZONING APPLIED FOR TO: LIGHT INDUSTRIAL
TOWNSHIP: WALKER

LEGEND

— PROPERTY LINE



RE-ZONING FROM AF TO LI

1662 E M-68 HWY
AFTON, MI 49705

SITE PLAN

date 16 MAR 17 for REVIEW
DRAWN BY: K. JOHNSON

S1.1

SITE PLAN

SCALE 1"=100'-0"



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

To: Cheboygan County Planning Commission

From: Scott McNeil

Re: STAFF REPORT; Rezoning application by Thomas Redman

Date: April 6, 2017

Introduction

The subject properties proposed to be rezoned are currently in the Agriculture and Forestry Management (M-AF) zoning district. The applicant is requesting a rezoning to Light Industrial Development (D-LI). These parcels are located in Walker Township and identified by parcel code numbers 220-005-200-001-01 and 220-005-200-002-00. The applicant has provided a drawing with the rezoning application depicting the parcels proposed for rezoning.

Figure 1 shows the current zoning of the area and the parcels which are proposed to be rezoned.

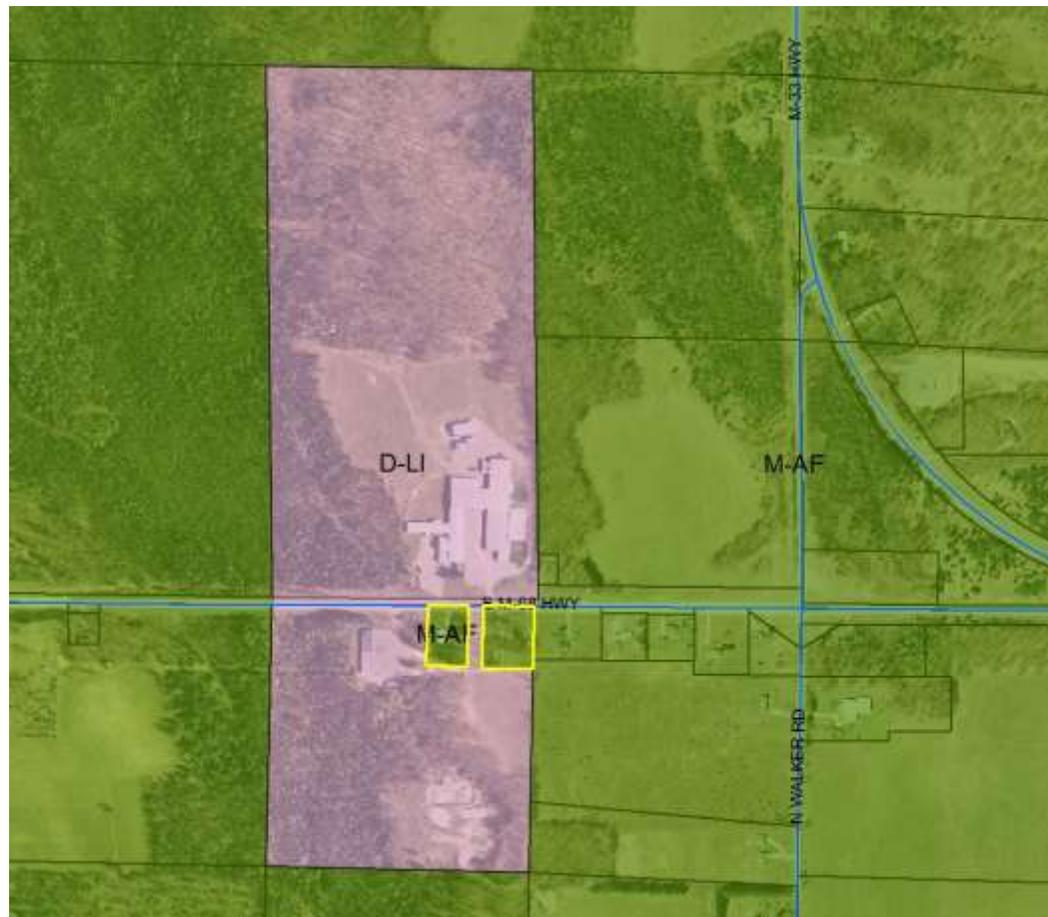


Figure 1 – Subject parcels and existing zoning – parcels highlighted in yellow

General Facts

1. Subject Parcels

The proposed rezoning includes two parcels which are currently zoned M-AF. The area requested to be rezoned totals 3.16 acres (the westerly parcel = 1.38 acres and the easterly parcel = 1.78 acres). Each parcel contains a dwelling and accessory structures.

2. Site Conditions

The parcels have access from East M-68 Highway. The easterly parcel is flat and slightly above road grade. The westerly parcel changes in topography from east to west with existing structures located at road grade. The parcels are comprised entirely of upland and currently have residential structures.

3. Neighboring Parcels

Existing land uses on neighboring parcels lying to north and west are light industrial in use and zoned D-LI. The land to the south is vacant and also currently zoned D-LI. Neighboring parcels to the east are improved with single family dwellings and are zoned M-AF.

4. Comparisons in the zoning setback and area requirements

	M-AF (existing)	D-LI (proposed)
Minimum Dwelling Floor Area	720	Site plan
Minimum Dwelling Width	No minimum	Site plan
Minimum Lot Area	1 acre	Site plan
Minimum Lot Width	150	Site plan
Minimum Front Setback	50	25
Minimum Side Setback	10	10
Minimum Rear Setback	30	10
Maximum Structure Height	35 ^L	

(L. Commercial Farm Buildings are exempt from maximum structure height requirements.)

5. Uses allowed in the existing M-AF zoning district under Article 9

SECTION 9.2. PERMITTED USES

9.2.1. Single and two family homes.

9.2.2. Farm dwellings, barns, stables, silos, housing for farm labor, and accessory buildings, structures and uses customarily incidental to any of the foregoing permitted uses.

9.2.3. Agricultural, horticultural, dairy farming, cattle raising, poultry raising, livestock raising, forestry and other similar enterprises excluding however, rendering plants, commercial fertilizer production, garbage feeding or disposal activities.

9.2.4. Greenhouses and nurseries.

9.2.5. Markets for the sale of products grown or produced upon the premises together with incidental products related thereto not grown or produced upon the premises but which are an unsubstantial part of said business.

9.2.6. Home occupations as defined in this ordinance.

9.2.7. Essential services.

SECTION 9.2. PERMITTED USES (continued)

- 9.2.8. Cemeteries.
- 9.2.9. Private aircraft landing strips.
- 9.2.10. Temporary mobile homes and travel trailers maintained in sound running condition with a current vehicle license. (See Section 17.7)
- 9.2.11. Tree farms, forest production and forest harvesting operations including portable sawmills, log storage yards and related activities.
- 9.2.12. Hunting grounds, fishing sites and wildlife preserves.
- 9.2.13. Private hunting and fishing cabins.
- 9.2.14. Agricultural Building, Private Storage / Workshop Building, and Agricultural / Private Storage / Workshop Building

SECTION 9.3. USES REQUIRING SPECIAL LAND USE PERMITS

- 9.3.1. See ARTICLE 17, SUPPLEMENTAL REGULATIONS for standards and conditions for special uses and ARTICLE 18, SPECIAL LAND USE (SLU) PERMIT PROCEDURES AND STANDARDS for instructions on applying for permits.
- 9.3.2. Automobile repair and service and gasoline stations.
- 9.3.3. Churches and parish houses, schools and educational institutions and other municipal buildings, structures and uses.
- 9.3.4. Community buildings, public parks and recreational areas, playgrounds and campgrounds.
- 9.3.5. Entertainment and eating establishments.
- 9.3.6. Commercial Hunting and fishing cabins. (Rev. 04/28/00, Amendment #14)
- 9.3.7. Golf courses, country clubs and sportsmen's' associations or clubs.
- 9.3.8. Grocery and party stores.
- 9.3.9. Resorts, resort hotels, recreation farms, vacation lodges, motor inns, motels and other tourist lodging facilities.
- 9.3.10. Slaughter houses and meat packing plants.
- 9.3.11. Travel trailer courts, tenting areas and general camping grounds.
- 9.3.12. Public airports and landing fields, with appurtenant facilities.
- 9.3.13. Non-essential public utility and service buildings.
- 9.3.14. Nursing or convalescent homes.
- 9.3.15. Animal feedlots or piggeries.
- 9.3.16. Earth removal, quarrying, gravel processing, mining and related mineral extraction businesses.
- 9.3.17. Kennels, pet shops and veterinary hospitals.
- 9.3.18. Junk yards, salvage yards, and waste disposal sites. (Rev. 04/26/08, Amendment #75)
- 9.3.19. Commercial composting (Rev. 04/28/00, Amendment #14)
- 9.3.20. Contractor's Yards, provided all of the following requirements are met:
 - 9.3.20.1. Minimum 10 acre parcel.
 - 9.3.20.2. Minimum 330' of road frontage / lot width.
 - 9.3.20.3. Minimum Setbacks: 100' front; 75' side; 100' rear.
 - 9.3.20.4. All related equipment and materials must be stored within an enclosed building, not to exceed 5,000 square feet, or screened from view from public or private roads and adjoining properties under different ownership behind a wooden fence or greenbelt.
 - 9.3.20.5. Buildings and uses permitted herein shall only be approved for parcels occupied by the parcel owner and which shall contain the owner's primary residence.
- 9.3.21. Public and private wind generation and anemometer towers. (Rev. 06/17/04, Amendment #31)

SECTION 9.3. USES REQUIRING SPECIAL LAND USE PERMITS (continued)

9.3.22. Uses which are not expressly authorized in any zoning district, either by right or by special use permit, or uses which have not been previously authorized by the Planning Commission pursuant to this subsection or corresponding subsections in other zoning districts may be allowed in this zoning district by special use permit if the Planning Commission determines that the proposed use is of the same general character as the other uses allowed in this zoning district.

6. Uses allowed in proposed D-LI zoning district under Article 7

SECTION 7.2. PERMITTED USES

7.2.1. Any use permitted in the D-CM, Commercial Development District which does not require a Special Land Use Permit.

6.2.1. Any use permitted in the D-RS, Residential Development District.

6.2.2. Automobile, boat, equipment, and farm machinery sales, repair, rental and washing establishments.

6.2.3. Bars and taverns.

6.2.4. Bed and Breakfast .

6.2.5. Bowling alleys, pool or billiard parlors and clubs.

6.2.6. Cabinet making shops.

6.2.7. Dance, music, voice studios.

6.2.8. Dress making, millinery, clothing stores.

6.2.9. Drive in eating establishments, fast food establishments, and restaurants.

6.2.10. Farm product stands.

6.2.11. Funeral homes, undertaking establishments.

6.2.12. Hotels, motels.

6.2.13. Laboratories.

6.2.14. Nurseries for flowers and plants.

6.2.15. Offices.

6.2.16. Parking lots, buildings and garages.

6.2.17. Retail sales establishment, General

6.2.18. Retail sales establishment, Household

Uses permitted in the D-RS, Residential Development District per section 6.2.1.;

4.2.1. Single Family Dwellings and Two Family Dwellings

4.2.2. Gardening.

4.2.3. Existing farms and agricultural uses.

4.2.4. Public, parochial and private schools, libraries and municipal structures and uses.

4.2.5. Churches

4.2.6. Home occupations subject to the limitations as defined.

4.2.7. Office or studio of a physician, dentist or other professional person residing on the premises.

4.2.8. Essential public utility services, excluding buildings and regulator stations.

4.2.9. *Reserved for future use*

4.2.10. State licensed residential facilities (6 or less persons).

4.2.11. Private storage buildings, subject to the requirements of Section 17.23

SECTION 7.3. USES REQUIRING SPECIAL LAND USE PERMITS

7.3.1. Any use which requires a Special Land Use Permit in the D-CM, Commercial Development District, except Child Caring Institutions.

6.3.1. Bus Terminals.

6.3.2. Commercial cleaning plants, dry cleaning, laundry establishments.

SECTION 7.3. USES REQUIRING SPECIAL LAND USE PERMITS (continued)

- 6.3.3. Contractor's yards, equipment storage and materials handling operations.
- 6.3.4. Gasoline service stations and garages.
- 6.3.5. Commercial kennels, pet shops, and veterinary hospitals, according to Section 17.16.
- 6.3.6. Outdoor, drive-in theaters.
- 6.3.7. Outdoor commercial recreation activities.
- 6.3.8. Trailer and mobile home parks.
- 6.3.9. Manufacturing, production, processing and fabrication when the operational effects are determined to be no greater than the other uses permitted in this district with respect to noise, glare, radiation, vibration, smoke, odor and/or dust.
- 6.3.10. Junk yards, salvage yards and waste disposal sites.
- 6.3.11. Uses which are not expressly authorized in any zoning district, either by right or by special use permit, or uses which have not been previously authorized by the Planning Commission pursuant to this subsection or corresponding subsections in other zoning districts may be allowed in this zoning district by special use permit if the Planning Commission determines that the proposed use is of the same general character as the other uses allowed in this zoning district, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan County Comprehensive Plan for this zoning district.
- 6.3.12. Public and private wind generation and anemometer towers.
- 6.3.14 Boat Storage
- 6.3.15 Truck Terminals or Warehouses subject to the requirements of Section 17.26
- 6.3.16 Indoor Storage Facilities
- 6.3.17 Planned Projects subject to provisions of Section 17.2
- 7.3.2. Greenhouses and plant materials.
- 7.3.3. Junk yards, salvage yards and waste disposal sites.
- 7.3.4. Commercial kennels and veterinarian hospitals, according to Section 17.16
- 7.3.5. Manufacturing, fabricating, processing and assembling activities.
- 7.3.6. Manufacture and processing of products such as food, cosmetics, pharmaceuticals and hardware.
- 7.3.7. Petroleum, gas a flammable liquid storage when accessory to a use permitted in the district, excluding tank farms or bulk storage.
- 7.3.8. Public utilities.
- 7.3.9. Tool, die, gauge and machine shops.
- 7.3.9. Tool, die, gauge and machine shops.
- 7.3.10. Vehicle and equipment repair and maintenance, engine overhaul, vehicle body repair, undercoating and rustproofing.
- 7.3.11. Warehousing, wholesale establishments, trucking facilities and terminals, meat locker and/or freezer plants.
- 7.3.12. Water treatment plants and reservoirs, recycling operations and sewage treatment plants.
- 7.3.13. Uses which are not expressly authorized in any zoning district, either by right or by special use permit, or uses which have not been previously authorized by the Planning Commission pursuant to this subsection or corresponding subsections in other zoning districts may be allowed in this zoning district by special use permit if the Planning Commission determines that the proposed use is of the same general character as the other uses allowed in this zoning district, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan County Comprehensive Plan for this zoning district.
- 7.3.14. Storage facility for building materials, sand, gravel stone, lumber, storage of contractor's equipment and supplies.

SECTION 7.3. USES REQUIRING SPECIAL LAND USE PERMITS (continued)

- 7.3.14. Commercial composting
- 7.3.16. Public and private wind generation and anemometer towers.
- 7.3.17 Indoor Storage Facilities
- 7.3.18 Outdoor Storage Facilities

7. Review of the Master Plan

When evaluating this property for a possible rezoning it should be evaluated based on several factors which include compatibility with surrounding land uses and conformance with the land use goals established in the County’s Master Plan.

It’s important to remember also this statement from the Master Plan:

The Future Land Use category descriptions should be relied upon over the future land use map. In addition, boundaries along the edges of these Future Land Use areas on the map should be interpreted loosely and the actual land use goals may be better described by an adjacent Future Land Use category.

The Future Land Use Map in the Cheboygan County Master Plan determines the recommended land uses in Walker Township and throughout the county respectively. These plans are intended to be a guide for future zoning ordinance amendments, which include rezoning.

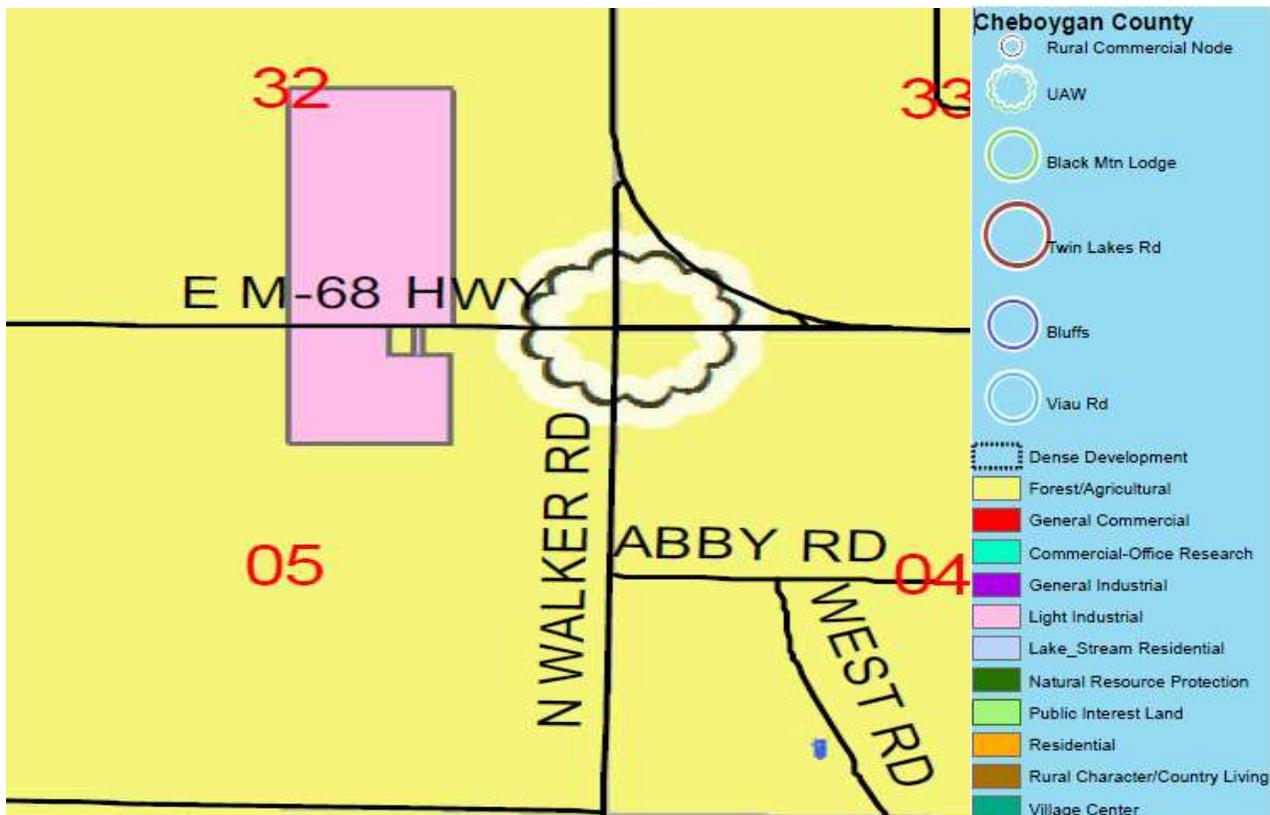


Figure 2 – Subject area - Cheboygan County Master Plan Future Land Use Map.

7. Review of the Master Plan (continued)

The map in Figure 2 shows the portion of the Cheboygan County Master Plan Future Land Use Map for the subject area. Forest/Agricultural, Light Industrial, and Rural Commercial Node future land use categories are noted. These future land use categories are described in the Cheboygan County Master Plan as follows:

Forest / Agricultural

The Forest / Agricultural designation is intended to provide areas where management and production of crops and timber is the predominant land use. For comprehensive planning purposes, private lands in Cheboygan County were included in this category to include forestry or agriculture where they are well suited for future farm and forestry use. Forestry operations, farming and pasture are anticipated future uses for this area. Residential uses are consistent with farm and forestry operations when properly designed and located to minimize lands taken out of agricultural or forestry. Mineral extraction, especially sand and gravel operations, is anticipated to continue in the Forest / Agricultural areas. Specific uses directly related to forestry and agriculture, such as sawmills or agricultural product processing, are also consistent with the forest and agricultural classification. Ideally, a parcel size of forty acres or more is consistent with maintaining economically viable forestry and agricultural uses. However, it is also important to recognize that niche, high-value agricultural crops can be grown on as little as 1-2 acres. Open space or cluster residential incentives could encourage maintenance of larger lots for agriculture or forestry use.

Appropriate uses for this area include forestry, agricultural operations, mineral extraction (such as oil & gas production), timber production, sawmills and agricultural product processing centers, smaller niche farming operations, open space or clustered residential. Also, appropriate uses include small to mid-size campgrounds and similar rural tourist lodging uses.

Rural Commercial Nodes

Rural Commercial Node includes land, often at road intersections, which serve as nodes for the surrounding rural community. These areas have a mix of small-scale mixed uses. There would be usually no more than a few of these uses at any intersection due to traffic safety. Larger clustering of such commercial uses would be more appropriate in one of the other Commercial and Village Center future land use areas. Rural Commercial Nodes each have their own unique character and any rezoning must take into consideration the existing uses and uses that are compatible with the existing uses. Although these are commercial areas, they are not necessarily in need of rezoning to the Commercial zoning district. It is more likely that a new and unique zoning district or overlay zoning may be more appropriate.

The following uses may be appropriate for some Rural Commercial Nodes: assembly halls, institutional uses such as fire stations, township halls, recycling centers, schools, community centers, small scale commercial uses such as retail, restaurants, and bars. Alverno is an example of a Rural commercial node.

Light Industrial

The Light Industrial classification designates areas, which have adequate infrastructure, and services available to support industrial uses but the uses have minimal environmental impact. With proper buffering Light Industrial uses can be compatible with adjacent residential developments. Light Industrial uses would not give off any smoke, noise, odors, glare or vibrations and typical light industrial uses would include assembly, machine shops, wholesale distribution, storage and similar activities within enclosed buildings. Limited outdoor storage of equipment or materials may be considered.

8. Summary

The subject property is located on a state highway (East M-68). The Cheboygan County Master Plan Future Land Use map indicates the subject area to be in the Light Industrial category. The subject parcels are indicated in the Forest/Agricultural future land use category.

The surrounding properties to the north and west are currently zoned Light Industrial (D-LI) and are industrial in use. The area of the area to the south is vacant and currently zoned D-LI. There are single family dwellings located to the east of the subject property and are zoned Agriculture and Forestry Management. This proposed rezoning appears consistent with most of the surrounding future land use categories indicated on the Master Plan Future Land Use Map. The parcels proposed to be rezoned are in the Forest/Agriculture future land use category while being surrounded on three (3) sides by property in the Light Industrial future land use category.

Correspondence Received Concerning The Rezoning Application:

Any correspondence received are added to the rezoning application file as exhibits and provided to the Planning Commission accordingly.

DRAFT
CHEBOYGAN COUNTY
PLANNING
COMMISSION

Thomas Redman
Rezoning

Applicant: Thomas Redman
1715 East M-68
Afton, MI 49705

Owner: Exodus 33:13 LLC
1715 East M-68
Afton, MI 49705

Parcel: Section 5, Walker Township
Parcel Nos. 200-005-200-001-01 and 220-005-200-002-00.

Hearing Date: Wednesday April 19, 2017 at 7:00 p.m.

PROPERTY DESCRIPTION

The property proposed to be rezoned is described more fully as: Situated in the Township of Walker, County of Cheboygan and State of Michigan, Parcel #161-005-200-001-01, COM NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH WLY 250FT ALG N SEC LI; TH S 300FT; TH E 250FT TO E LI OF NW1/4 OF NE1/4; TH N 300FT TO POB, PT OF NW1/4 OF NE1/4.

Also Parcel #220-005-200-002-00, COM AT NE COR OF NW1/4 OF NE1/4, SEC 5, T34N,R1W; TH W 325FT TO POB; TH S 300FT; TH W 200FT; TH N 300FT TO N. SEC LI; TH E TO POB, PT OF NW1/4 OF NE1/4.
Hereinafter referred to as the "Property".

APPLICATION

The Applicants seeks a rezoning to D-LI (Light Industrial Development District) from M-AF (Agriculture and Forestry Management District)

The Planning Commission having considered the Application, the Planning Commission having heard the statements of the Applicants, the Planning Commission having considered letters submitted by members of the public and comments by members of the public and written evidence and exhibits on the record, and the Planning Commission having reached a decision on this matter, states as follows:

GENERAL FINDINGS OF FACT

1. The Planning Commission finds that the application for rezoning is made by Thomas Redman. See exhibit 4
2. Thomas Redman is _____ in relation to the property owner, Exodus 33:13 LLC.
3. The Planning Commission finds that the applicant proposes rezoning of the property, as provided in the application, from Agricultural and Forestry Management District (M-AF) to Light Industrial Development District (D-LI). See exhibit 4.
3. The Planning Commission finds that the legal description of the property, proposed to be rezoned, is included with the application. See exhibit 4.
4. The Planning Commission finds that the Cheboygan County Master Plan Future Land Use Map designates the area where the proposed rezoning is being proposed as Light Industrial, Forestry/Agriculture and Rural Commercial Node and the parcels proposed to be rezoned Forestry/Agriculture. See exhibit 11
5. The Planning Commission finds that the lots neighboring the property are currently zoned Light Industrial Development District (D-LI) and Agriculture and Forestry Management District (M-AF)
6. The Planning Commission finds
7. The Planning Commission finds

REZONING
FACTORS

1. Is the proposed rezoning reasonably consistent with surrounding uses?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds that based upon the information provided in the staff report, which includes the subject area located on the Cheboygan County Master Plan Future Land Use Map, that the property is surrounded on north, south and west by land in the Light Industrial future land use category. See exhibit 7 figure 2.
- B. The Planning Commission finds that the neighboring property to the west and north contains industrial uses.
- C. The Planning Commission finds that the Cheboygan County Master Plan states that actual land use goals may be better described by an adjacent Future Land Use category and the surrounding properties are mostly designated as a Light Industrial future land use category.
- D. The Planning Commission finds
- E. The Planning Commission finds
- F. The Planning Commission finds

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that land uses to the east are residential in nature. Thus, the Planning Commission finds that the proposed rezoning is not reasonably consistent with surrounding uses. See exhibit 7.
- B. The Planning Commission finds that based upon the information provided in the staff report which includes the Cheboygan County Master Plan Future Land Use Map that the property is in the Forestry/Agriculture future land use category. See exhibit 7 figure 2.

This standard has/has not been met

2. Will there be an adverse physical impact on surrounding properties?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds that there is no evidence that the proposed rezoning would result in an adverse physical impact on surrounding properties. Activities which could occur if the subject property is rezoned would not physically disturb the properties surrounding the land proposed for the rezoning. See exhibit 1 and 4.
- B. The Planning Commission finds that, as per the adopted Cheboygan County Master Plan, the future land use categories for land surrounding the property on the north, south and west is Light Industrial and an area to the east Rural Commercial Node. There is support in the Master Plan that this proposed rezoning would allow land uses which would be compatible with surrounding properties and meet the County's land use goals. See exhibit 2.
- C. The Planning Commission finds that

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that there is evidence that the proposed rezoning in and of itself would result in adverse physical impact on surrounding properties as the activities which could occur would physically disturb the properties neighboring the land proposed for the rezoning. See exhibit ___ .
- B. The Planning Commission finds that the neighboring properties to the east are currently residential in use. See exhibit 11.
- C. The Planning Commission finds that

This standard has/has not been met.

3. Will there be an adverse effect on property values in the adjacent area?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds that there is no evidence in the form of an appraisal or other document study which shows, that if the rezoning is granted, there would be an adverse effect on property values in the area.
- B. The Planning Commission finds that
- C. The Planning Commission finds that

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that information has been submitted regarding an adverse impact on neighboring property values and the evidence presented proves that if the rezoning is granted that there would be an adverse impact on property values in the area. See exhibit ____.
- B. The Planning Commission finds that

This standard has/has not been met.

4. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds that Future Land Use Map designates an area to the east of the property as Rural Commercial Node and area to the north, west and south of the property as Light Industrial. See exhibit 2 and 11
- B. The Planning Commission finds that the industry on the neighboring property has expanded and there is a need for jobs in the region and demand for this industry is a community need.
- C. The Planning Commission finds

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that changes which have occurred in the vicinity of the property have trended towards residential and agricultural uses as opposed to light industrial uses. As such, the changes that have occurred, albeit they have been slow over the past few years, do not favor the rezoning.
- B. The Planning Commission finds

This standard has/has not been met.

5. Will rezoning create a deterrent to the improvement or development of adjacent property in accordance with existing regulations?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds that light industrial uses currently exist to the west and to the north of the property and there is no evidence that the rezoning would deter the improvement or development of adjacent property in accordance with existing regulations, much less future land use plans as proposed in Cheboygan County's Future Land Use Map. See exhibits 1, 2 and 11.
- B. The Planning Commission finds that

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that there is evidence that the proposed rezoning would deter the improvement or development of adjacent property in accordance with existing regulations since most properties are agricultural and residential uses. See exhibits 1, 2 and _____
- B. The Planning Commission finds that

This standard has/has not been met.

6. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds that neighboring property to the north south and west is currently zoned Light Industrial Development District (D-LI). As such, the proposed rezoning does not create a special privilege or result in spot zoning. See exhibit 11.
- B. The Planning Commission finds that the rezoning of these properties would improve consistency of the zoning scheme for this area.
- C. The Planning Commission finds

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that given the residential uses neighboring the property, that the rezoning will result in the granting of a special privilege to the applicant for uses not available for development by surrounding property owners. See exhibit 2 future land use map.
- B. The Planning Commission finds that

This standard has/has not been met.

7. Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds light industrial uses to the west and north of the property. See exhibit 11.
- B. The Planning Commission finds that given the Master Plan and Future Land Use Map, the rezoning would be more in line with uses allowed under the future land use designation for the area. See exhibit 2.
- B. The Planning Commission finds that

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that given the existing uses to the east and other current land uses in the area, that the property can be used for purposes listed under its current zoning classification. See exhibit 2 and 11.
- B. The Planning Commission finds that

This standard has/has not been met.

8. Is the rezoning in conflict with the planned use for the property as reflected in the master plan?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds that the Future Land Use Map designates and area to the north, west and south of the property as Light Industrial. See exhibit 2 and 11.
- B. The Planning Commission finds that, as per the adopted Cheboygan County Master Plan, and Future Land Use Map, the future land use categories for surrounding properties may very well better describe the desired future land for the property and there is support in the Master Plan that this proposed rezoning would allow land uses which would be compatible with surrounding properties and meet the County's land use goals. See exhibit 2.
- C. The Planning Commission finds that

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that the County's Master Plan depicts the future use of the property as being in the Forestry/Agriculture category. See exhibit 2 and 11.
- B. The Planning Commission finds that

This standard has/has not been met.

9. Is the site served by adequate public facilities or is the applicant able to provide them?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds that the property is or will be served by adequate public and private facilities by the applicant considering the type of uses which may be permitted on the property. See exhibit 3.
- B. The Planning Commission finds that

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that the applicant has not sufficiently proven that that the property is or will be served by adequate public and private facilities. See exhibit 3.
- B. The Planning Commission finds that

This standard has/has not been met.

10. Are there sites nearby already properly zoned that can be used for the intended purposes?

WILL SUPPORT THE FACTOR

- A. The Planning Commission finds that there is little land area with road frontage on sites nearby for zoned for light industrial uses. See exhibit 11.
- B. The Planning Commission finds that

WILL NOT SUPPORT THE FACTOR

- A. The Planning Commission finds that, with respect to the proposed rezoning, nearby land is available and zoned Light Industrial Development (D-LI). See exhibit 11.
- B. The Planning Commission finds that
This standard has/has not been met.

DECISION

In considering the foregoing, it is important to recognize that the considerations are general in nature, may overlap somewhat, and that there may be other factors not listed. When pondering the above questions, the decision maker must also give due consideration to (a) the general character of the area in which the subject property is located, (b) the property itself and its attendant physical limitations and suitability to particular uses, (c) the general desire to conserve property values and, (d) the general trend and character of population development. The community should evaluate whether other local remedies are available.

The decision maker should not focus on any one concern among the various factors to be taken into consideration when passing upon a rezoning request.

Motion made by _____, supported by _____ that based upon the general findings of fact and the rezoning factors that the applicant's request to conditional rezone the property identified in the aforementioned property description in this document is hereby recommended to be denied/approved.

Ayes: _____

Nays: _____

DATE DECISION AND ORDER ADOPTED

April 19, 2017

Date

Chair, Patty Croft

Secretary, Charles Freese

CHEBOYGAN COUNTY PLANNING COMMISSION

Colony Beach Association – **Revised 03/30/17**

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Site Plan Review Application (8 Pages) – **Updated 03/30/17**
4. Colony Beach By-Laws, L496 P479 (7 Pages)
5. Memorandum Of Land Contract Dated 10/16/93, L602 P453 (2 Pages)
6. Site Plan (1 Page)

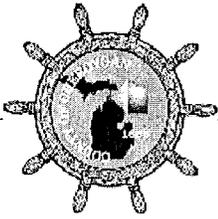
The following items were added to the exhibit list on 01/11/17:

7. Email dated 01/09/17 from Brent Shank, Cheboygan County Road Commission Engineer/Manager (1 Page)

The following items were added to the exhibit list on 03/30/17:

8. Colony Beach Association, Inc. Minutes for Special Meeting February 2017 (6 Pages)
- 9.
- 10.
- 11.

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

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

The sole purpose of this Site Plan is to convert the existing 5 unit Colony Beach Association to a Condominium Association complying with Condominium Act PA 59 and as s required by Section 20.20D of the Cheboygan County Zoning Ordinance. No change in use is proposed.

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.
All existing conditions will remain unchanged. No changes proposed.
- 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.
All existing conditions will remain unchanged. No changes proposed.
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
All existing conditions appear adequate and will remain unchanged. No changes proposed.
- 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.
All existing conditions will remain unchanged. No changes proposed.
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
All existing conditions will remain unchanged. No changes proposed. Access is adequate.
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
All existing conditions are adequate and will remain unchanged.
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
All grounds are General Common Area.
- h. Exterior lighting shall be arranged as follows:
- It is deflected away from adjacent properties. None Proposed.
 - It does not impede the vision of traffic along adjacent streets. True.
 - It does not unnecessarily illuminate night skies. True.

SITE PLAN REVIEW APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
x		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100 ft. or less.
x		b. Seal of the registered engineer, architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
x		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
x		d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
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.
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.

SITE PLAN REVIEW APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

SECTION

REASON FOR WAIVER REQUEST

AFFIDAVIT

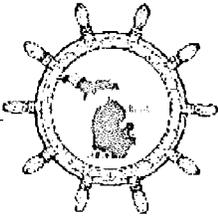
I CERTIFY THAT ALL SITE PLAN REQUIREMENTS (A THROUGH S) ARE DRAWN ON THE SITE PLAN, ATTACHED TO THIS APPLICATION AND/OR I AM REQUESTING A WAIVER. I CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS SPECIAL LAND USE PERMIT APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



 SIGNATURE

3/24/17

 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

SITE PLAN REVIEW APPLICATION

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

There are no changes to the existing improvements or public dedications 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.

Since no changes are anticipated, only Health Department approval for on site water and septic disposal is required for creation of the Condominium.

3. Size of property in sq. ft. or acres: 2.18 Acres

4. Present use of property:
5 Unit Residential.

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

3/24/17

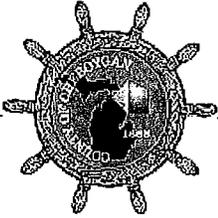
Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?

Yes No

Owner's Signature

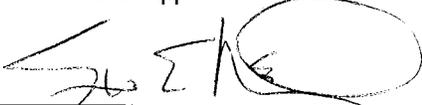
Date

3/24/2017



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

FOR PLANNING/ZONING DEPT USE ONLY		
Date Received:	1/4/17	Notes:
Fee Amount Received:		
Receipt Number:		
Public Hearing Date:	4/19/17	
Planning/Zoning Administrator Approval:		
		3/29/17
Signature		Date

SITE PLAN REVIEW APPLICATION

Parcel

PARCEL_NO 104-029-100-056-04

OWNER VARGA, RONALD ET UX

PROP_ADD 693 COLONY BEACH LN

PROP_CITY CHEBOYGAN

OWN_ADD 3328 AURORA DR

OWN_CITY PETOSKEY

OWN_STATE MI

OWN_ZIP 49770-9050

PRE 0.00

legal UNIT 4 & AN UNDIVIDED 1/5 INTEREST IN: COM W 1/4 SEC 29 TH S 02D 30M W ALG W SEC LI
182.27 FT TH S 87D 30M E 33 FT TO ELY R/W CO RD TH S 43D 15M E ALG SH OF MULLETT LAKE
200 FT TO POB TH CONT S 43D 15M E ALG SD SH 200 FT TH N 46D 45M E 460.0 FT TO SLY R/W CO
RD TH N 44D 30M W ALG SD R/W 200.04 FT TH S 46D 45M W 455.60 FT TO POB SEC 29, T 37 N, R 1 W

LIBER_PAGE 000/000

Parcel

PARCEL_NO 104-029-100-056-05

OWNER MCCOY, STEVEN ET UX

PROP_ADD 715 COLONY BEACH LN

PROP_CITY CHEBOYGAN

OWN_ADD 2430 WESTBROOK

OWN_CITY GRAND RAPIDS

OWN_STATE MI

OWN_ZIP 49504

PRE 0.00

legal UNIT 5 & AN UNDIVIDED 1/5 INTEREST IN: COM W 1/4 SEC 29 TH S 02D 30M W ALG W SEC LI
182.27 FT TH S 87D 30M E 33 FT TO ELY R/W CO RD TH S 43D 15M E ALG SH OF MULLETT LAKE
200 FT TO POB TH CONT S 43D 15M E ALG SD SH 200 FT TH N 46D 45M E 460.0 FT TO SLY R/W CO
RD TH N 44D 30M W ALG SD R/W 200.04 FT TH S 46D 45M W 455.60 FT TO POB SEC 29, T 37 N, R 1 W

LIBER_PAGE 602/453

Parcel

PARCEL_NO 104-029-100-056-01
OWNER CANNONS, DAVE ET UX
PROP_ADD 738 COLONY BEACH LN
PROP_CITY CHEBOYGAN
OWN_ADD 18418 COMSTOCK
OWN_CITY LIVONIA
OWN_STATE MI
OWN_ZIP 48152
PRE 0.00

legal UNIT 1 & AN UNDIVIDED 1/5 INTEREST IN: COM W 1/4 SEC 29 TH S 2D30M W ALG SEC LI 182.27FT TH S 87D 30M E 33FT TO ELY R/W CO RD TH S 43D15M E ALG SH OF MULLETT LK 200FT TO POB TH CONT S 43D 15M E ALG SD SH 200 FT TH N 46D 45M E 460.0 FT TO SLY R/W CO RD TH N 44D 30M W ALG SD R/W 200.04 FT TH S 46D 45 M W 455.60 FT TO POB SEC 29, T 37 N, R 1 W

LIBER_PAGE

Parcel

PARCEL_NO 104-029-100-056-02
OWNER MOURSI, MAHMOUD ET UX
PROP_ADD 694 COLONY BEACH LN
PROP_CITY CHEBOYGAN
OWN_ADD 694 COLONY BEACH LN
OWN_CITY CHEBOYGAN
OWN_STATE MI
OWN_ZIP 49721
PRE 100.00

legal UNIT 2 & AN UNDIVIDED 1/5 INTEREST IN: COM W 1/4 COR SEC 29 TH S 02D 30M W ALG W SEC LI 182.27 FT TH S 87D 30M E 33 FT TO ELY R/W CO RD TH S 43D 15M E ALG SH OF MULLETT LAKE 200 FT TO POB TH CONT S 43D 15M E ALG SD SH 200 FT TH N 46D 45M E 460.0 FT TO SLY R/W CO RD TH N 44D 30M W ALG SD R/W 200.04 FT TH S 46D 45M W 455.60 FT TO POB SEC 29, T 37 N, R 1 W

LIBER_PAGE

Parcel

PARCEL_NO 104-029-100-056-03
OWNER KOSANKE, EDWARD
PROP_ADD 700 COLONY BEACH LN
PROP_CITY CHEBOYGAN
OWN_ADD 1180 SHARILL LN
OWN_CITY CHEBOYGAN
OWN_STATE MI
OWN_ZIP 49721
PRE 0.00

legal UNIT 3 & AN UNDIVIDED 1/5 INTEREST IN: COM W 1/4 COR SEC 29 TH S 02D 30M W ALG W SEC LI 182.27 FT TH S 87D 30M E 33 FT TO ELY R/W CO RD TH S 43D 15M E ALG SH OF MULLETT LAKE 200 FT TO POB TH CONT S 43D 15M E ALG SD SH 200 FT TH N 46D 45M E 460.0 FT TO SLY R/W CO RD TH N 44D 30M W ALG SD R/W 200.04 FT TH S 46D 45M W 455.60 FT TO POB SEC 29, T 37 N, R 1 W

LIBER_PAGE

COLONY BEACH BY-LAWS
A CO-OWNER PROJECT

SEP 1 1988
RECEIVED FOR RECORD
of 9:50 O'Clock A.M.
Joanne Spray
CLERK/REGISTRAR
CHEBOYGAN COUNTY, MICHIGAN

ARTICLE I

ASSOCIATION OF CO-OWNER

Section 1. COLONY BEACH, a project, located in the County of Cheboygan, State of Michigan, shall be administered by an Association of Co-owners, hereinafter called the "Association", organized under the applicable laws of the state of Michigan, and responsible for the management, maintenance, operation and administration of the common elements, easements and affairs of the project in accordance with these By-laws, the Articles of Association, By-laws and duly adopted rules and regulations of the Association and the laws of the state of Michigan. All members of the Association and all persons using or entering upon or acquiring any interest in any unit therein or the common elements thereof shall be subject to the provisions and terms set forth in the By-laws.

Colony Beach common elements are defined as follows: The entire beach front, and from side boundary to side boundary, and to the rear to McDonald Road boundary line, as described in Exhibit A and titled "Property Description". Excluded are individual cottages #1, #2, #3, #4 and #5, and further identified by revised allowable expansion and not to exceed the dimensions set forth using Article IV, Section 3, item (a) as guidelines governing allowable expansion to existing cottages.

Included in the common elements are all existing septic units and fields; pump house and well, telephone, electric and gas lines leading to all cottages, pump house and garage. Trees, driveway, parking area and surrounding lawn are also included as common elements.

Section 2. Membership in the Association and voting by members of the Association shall be in accordance with the following provisions:

- (a) The Association shall consist of five LIBER 496 PAGE 479 shares. Ownership of one of the five shares in the Association shall entitle the owner or co-owners to one of the cottages.
- (b) The vote of each member may be cast by the individual owner or his appointed representative.

Section 3. The Association shall keep detailed books of account showing all expenditures and receipts of administration which shall specify the maintenance and repair expenses of the common elements and any other expenses incurred by or on behalf of the Association and the co-owners. Such accounts shall be open for inspection by the co-owners during reasonable working hours and income, expense and position statements shall be prepared at least annually.

Section 4. It is understood and agreed that the members shall hold individual title to their respective structure and that the common area not otherwise reserved or designated on the attached diagram shall be considered to be jointly owned by the members. The structures designated on the attached diagram are owned and occupied and controlled by the following persons:

Share #1 Structure 1 - Mr. and Mrs. Bill Nelson;
Share #2 Structure 2 - Dr. and Mrs. William Mead;
Share #3 Structure 3 - Dr. Edward Kosanke;
Share #4 Structure 4 - Dr. and Mrs. Philip Johnson;
Share #5 Structure 5 - Dr. and Mrs. Philip Johnson and Dr. and Mrs. William Mead.

Section 5. Ownership, Control and Restriction Upon Sale. The owner has the right to mortgage, remodel (without additions other than those stated in this agreement) or use said unit as security on any note without the consent of others within the common property lines. A member shall not sell his structure without first offering to sell said structure to the remaining members.

In the event a member receives a bona fide offer to purchase his respective structure, said member shall offer to the other members of the Association, the opportunity to purchase said property under terms identical to that of the bona fide offer. The selling member shall provide to the remaining members a written notice by certified mail, return receipt requested, including the offer to purchase said property. The remaining members shall have thirty (30) days from receipt of said notice to exercise their option to purchase said property. In the event the remaining members individually or collectively do not match the offer to purchase by a written offer to purchase, the selling member may proceed to complete the sale with the bona fide offeror.

ARTICLE II
ASSESSMENTS

LISEB 496 PAGE 480

Section 1. Assessments shall be determined in accordance with the following provisions:

(a) The Association shall establish an annual budget in advance for each fiscal year and such budget shall project all expenses for the forthcoming year which may be required for the proper operation, management and maintenance of the common areas

and the Association, including a reasonable allowance for contingencies and reserves. Upon adoption of such annual budget, copies of said budget shall be delivered to each co-owner and the assessment for said year shall be established, based upon said budget, although the delivery of a copy of the budget to each co-owner shall not affect the liability of any co-owner for any existing or future assessments.

(b) Special assessments, in addition to those required in the above-described paragraph 1(a) may be made only upon the written consent of four of the five members.

Section 2. Each individual co-owner will be assessed for property tax based on his proportionate share of valuation on the tax rolls developed by the local assessor.

Section 3. Any individual building changes by a co-owner which would cause a cost increase to other members of the association (e.g. an addition to a building which would require a new septic system) shall either obtain 100% approval in writing from the other co-owners and/or pay the total cost of the charges himself.

ARTICLE III

INSURANCE

Section 1. The Association shall carry liability insurance appropriate to the common ownership of property, and worker's compensation insurance if applicable.

ARTICLE IV

RESTRICTIONS

Section 1. No living unit shall be used for other than single family residence purposes. A family shall mean one person or a group of two or more persons related by bonds of consanguinity or affinity.

Section 2. A member may lease his unit, but the lessees are bound by the restrictions set forth herein.

LIBER 496 PAGE 481

Section 3. The members shall be entitled to make structural additions or modifications to their property within the areas delineated on the attached diagram.

(a) No member shall make alterations or modifications to the structure or exterior of his respective unit without the express written unanimous consent of the members. Exterior

alterations or structural modifications are intended to include but be not limited to structural changes, exterior painting, or the erection of antennas, lights, aerials, awnings, doors, shutters, or other exterior attachments.

Approval by members shall not be unreasonably withheld. All proposed modifications shall be designed with an attempt to maintain the continuity and aesthetic uniformity with the other structures located on the Association property.

Section 4. No member shall use, or permit the use of any occupant, agent, employee, invitee, guest or member of his family of any firearms, air rifles, pellet guns, BB guns, bows and arrows or other similar dangerous weapons, projectiles or devices anywhere on or about the project premises.

Section 5. No member shall maintain and allow on the premises more than two beach boats per unit. No member, his guest, or his tenant shall operate, dock, or store said boats in such a manner as to cause interference with the sunbathing and swimming areas of the beach.

Section 6. No signs or other advertising devices shall be displayed which are visible from the exterior of a unit or on the common elements, including "for sale" signs without written permission from the Association.

Section 7. No member shall perform any landscaping or cut any trees, shrubs or flowers or place any ornamental materials upon the common elements unless approved by the Association, in writing.

Section 8. Use of motorized vehicles anywhere on the premises other than passenger cars, authorized maintenance vehicle, commercial vehicles and snowmobiles, as provided is prohibited. The members may, by duly adopted regulations, make reasonable exceptions to this.

Section 9. No pets shall be allowed without unanimous written approval by all members. Approval shall be limited to a specifically identified animal, and it shall not be considered to allow replacement of a pet.

Section 10. No devices providing additional living space such as tents, campers or motorhomes are allowed.

Section 11. With the exception of the provisions set forth herein requiring 4/5 vote or unanimous vote, these by-laws may be amended by a vote of a majority of the members.

ARTICLE V

LIBER 496 PAGE 482

MORTGAGES

Section 1. Any member who mortgages his unit shall notify the Association of the name and address of the mortgagee, and the

Association shall maintain such information in a book entitled "Mortgages of Units". The Association shall, at the written request of a mortgagee of any such unit, report any unpaid assessment due from the member of such unit.

Dated this 28 day of July, 1988.

Bill Nelson
BILL NELSON

Helen E. Nelson
HELEN NELSON

William Mead
DR. WILLIAM MEAD

Roulene Mead
ROULENE MEAD

Philip Johnson
DR. PHILIP JOHNSON

Dorothy Johnson
DOROTHY JOHNSON

Edward P. Kosanke
DR. EDWARD P. KOSANKE

WITNESS:

Valerie A. Jones
VALERIE A. JONES

Michael J. Hackett
MICHAEL J. HACKETT

Subscribed and sworn to before me by the above named persons on this 28th day of July, 1988.

Michael J. Hackett
MICHAEL J. HACKETT, Notary Public
Cheboygan County, Michigan
My Commission Expires: 05/26/91

DRAFTED BY:

LIBER 496 PAGE 483

Michael J. Hackett
Attorney at Law
P.O. Box 248, 201 S. Main
Cheboygan, Michigan 49721
(616) 627-3138

Cottage #1

Owners - Mr. and Mrs. Bill Nelson

Current size - 20' x 40'

Allowed expansion - this unit shall be allowed the expansion of a deck or porch 12' x 20' from the existing structure. The expansion may be accomplished by adding an additional 4 feet of cement to the existing 8' x 20' cement porch, or by constructing a 12' x 20' wood deck running from the structure and covering the cement porch. In addition, this structure may be expanded by 10' x 20' width to the rear.

Cottage #2

Owners - Dr. and Mrs. Bill Mead

Current size - 49' x 20'

Allowed expansion - a 12' x 20' deck shall be allowed on the southeast corner.

Cottage #3

Owner - Dr. Ed Kosanke

Current size - 33' x 20'

Allowed expansion - a deck, 12' x 20' width toward the lake; addition 17' x 20' width to the rear.

Cottage #4

Owner - Dr. and Mrs. Philip Johnson

No further exterior expansion to be allowed.

Present dimensions - 20' x 50' structure, 12' x 20' deck.

Cottage #5

Owner - Dr. and Mrs. Bill Mead and Dr. and Mrs. Philip Johnson

Current size - 33' x 25'

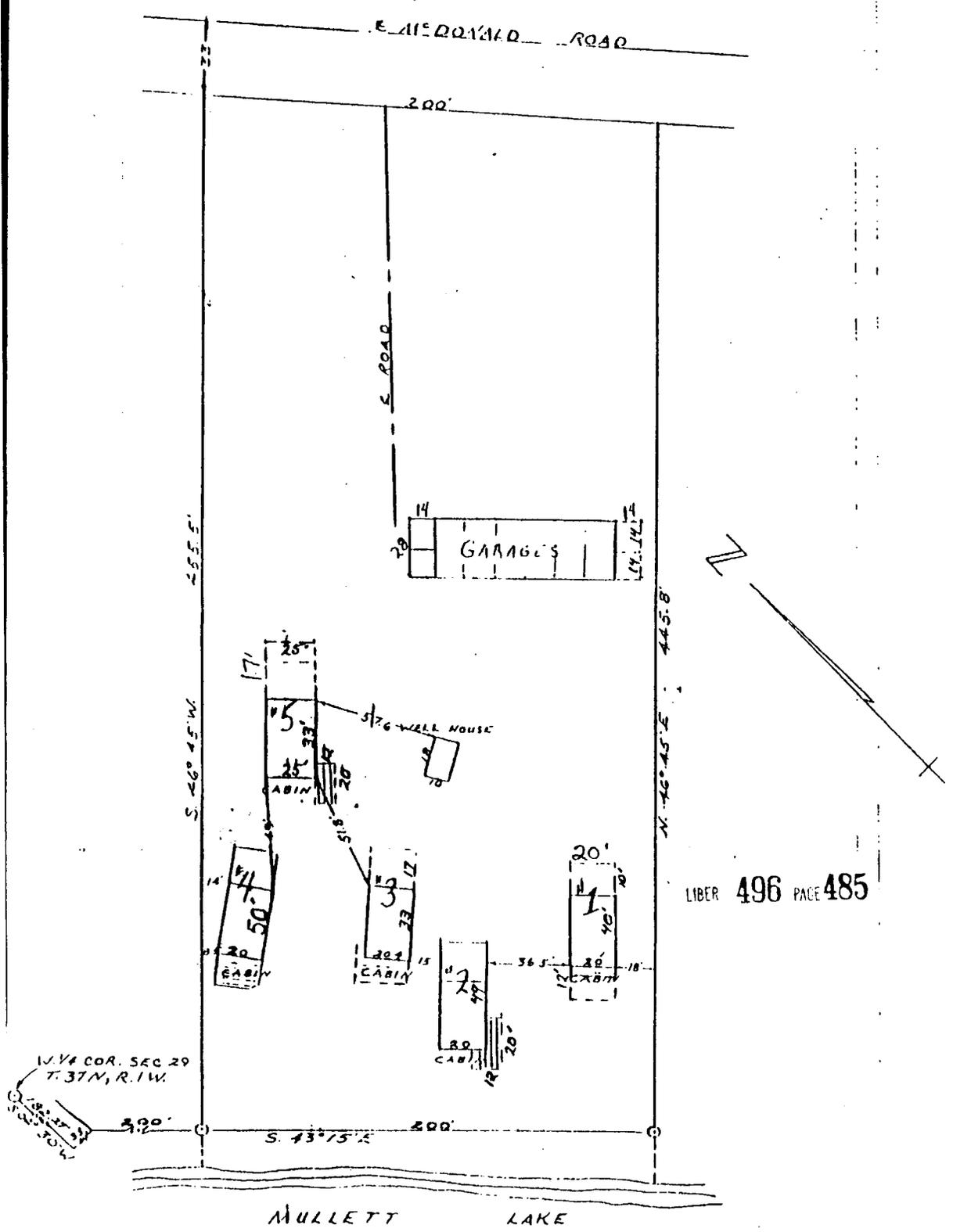
Allowed expansion - an addition of 17' x 25' width to the rear;

A 12' x 20' deck shall be allowed to the southeast of said structure.

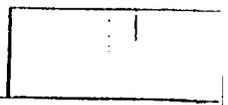
Garage

LIBER 496 PAGE 484

The owners of cottage #2 and cottage #4 constructed an addition to the garage, allowing each additional storage of 14' x 14'. The owners of cottage #1 and cottage #3 shall be allowed to construct an addition to the east end of said garage, additional storage space of 14' x 14' (see attached drawing).



LIBER 496 PAGE 485



MEMORANDUM OF LAND CONTRACT
47-071-023



THIS MEMORANDUM OF LAND CONTRACT entered into this 16 day of October

19 93, by and between:

Ronald C. Bishop and Glenna M. Bishop, husband and wife, whose address is
193 Beechwood Ct., Mt. Pleasant, Michigan 48858, hereinafter referred to as

"Seller" and Steven McCoy and Linda S. McCoy, husband and wife,
whose address is 2430 Westbrook, Grand Rapids, Michigan 49504, hereinafter
referred to as "Purchaser".

WITNESSETH:

The Purchaser and Seller have entered into a land contract of even date herewith and they desire to enter into this Memorandum of Land Contract to give record notice of the existence of the said land contract.

In consideration of the premises and other good and valuable consideration, the Seller acknowledges and agrees that the property described below was sold to the Purchaser on land contract of even date:

Cottage #5, Located On The Common Grounds Described As
Follows:

SEE ATTACHED ADDENDUM FOR LEGAL DESCRIPTION.

RECEIVED
FOR RECORD
93 DEC -2 PM 1:45

Said property being located in the _____ Township of
Benton, Cheboygan County, Michigan.

Joanna Spray
CLERK/REGISTER
CHEBOYGAN COUNTY, MICHIGAN

The purpose of this Memorandum of Land Contract is to give record notice of the existence of the aforesaid land contract.
IN WITNESS WHEREOF, the parties have executed this Memorandum of Land Contract and have caused their hands and seals to be affixed hereto the day and year first above written.

Signed, Sealed, and Delivered
in Presence of:

Henry Hopper
Henry Hopper
Michael J. Vizina
Michael J. Vizina

Ronald C. Bishop (i.s.)
Ronald C. Bishop
Glenna M. Bishop (i.s.)
Glenna M. Bishop
Steven McCoy (i.s.)
Steven McCoy
Linda S. McCoy (i.s.)
Linda S. McCoy

STATE OF MICHIGAN }
COUNTY OF Cheboygan } ss.

The foregoing instrument was acknowledged before me this 16 day of October
19 93 by Ronald C. Bishop, Glenna M. Bishop, Steven McCoy, and
Linda S. McCoy

My Commission expires Feb 94 Michael J. Vizina Notary Public,
Cheboygan County, Michigan

STATE OF MICHIGAN }
COUNTY OF _____ } ss.

LIBER 602 PAGE 453

The foregoing instrument was acknowledged before me this _____ day of _____

19 _____ by _____
(Individual Name(s) and Office(s) Held)
_____ of _____
(Corporate Name)
_____ corporation, on behalf of the corporation.
(State of Incorporation)

My Commission expires _____, 19 _____
Notary Public,
County, Michigan

Drafted by: Richard A. Smith Attorney at Law
220 N. Main Street
Cheboygan, Michigan
Business address: _____

FIRST AMERICAN TITLE INSURANCE COMPANY OF MID-AMERICA - BURTON ABSTRACT DIVISION - SERVING YOU SINCE 1866

MAKE YOUR REAL ESTATE TRANSFERS SAFE BY USING FIRST AMERICAN TITLE INSURANCE COMPANY OF MID-AMERICA

ADDENDUM

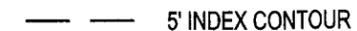
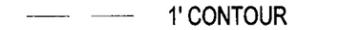
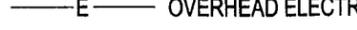
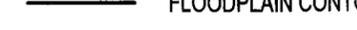
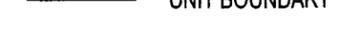
Situated in Township of Benton, Cheboygan County, Michigan:

A parcel of land situated in part of Government Lot 1, and part of the Southwest 1/4 of the Northwest 1/4, Section 29, T37N, R1W, described as: Beginning at the 1/4 corner between Sections 29 and 30, T37N, R1W; thence S 02°30' West on Section line 182.27 feet; thence S 87°30' East to the East right of way line of County Highway 33 feet; thence S 43°15' East along the shore of Mullett Lake 200 feet to the POB; thence S 43°15' East along the shore of Mullett Lake 200 feet; thence N 46°45' East 460.0 feet to the Southerly line of County Highway right of way line; thence N 44°30' West along said right of way line 200.04 feet; thence S 46° West 455.6 feet to the shore of Mullett Lake and POB.

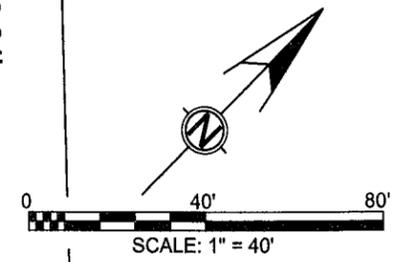
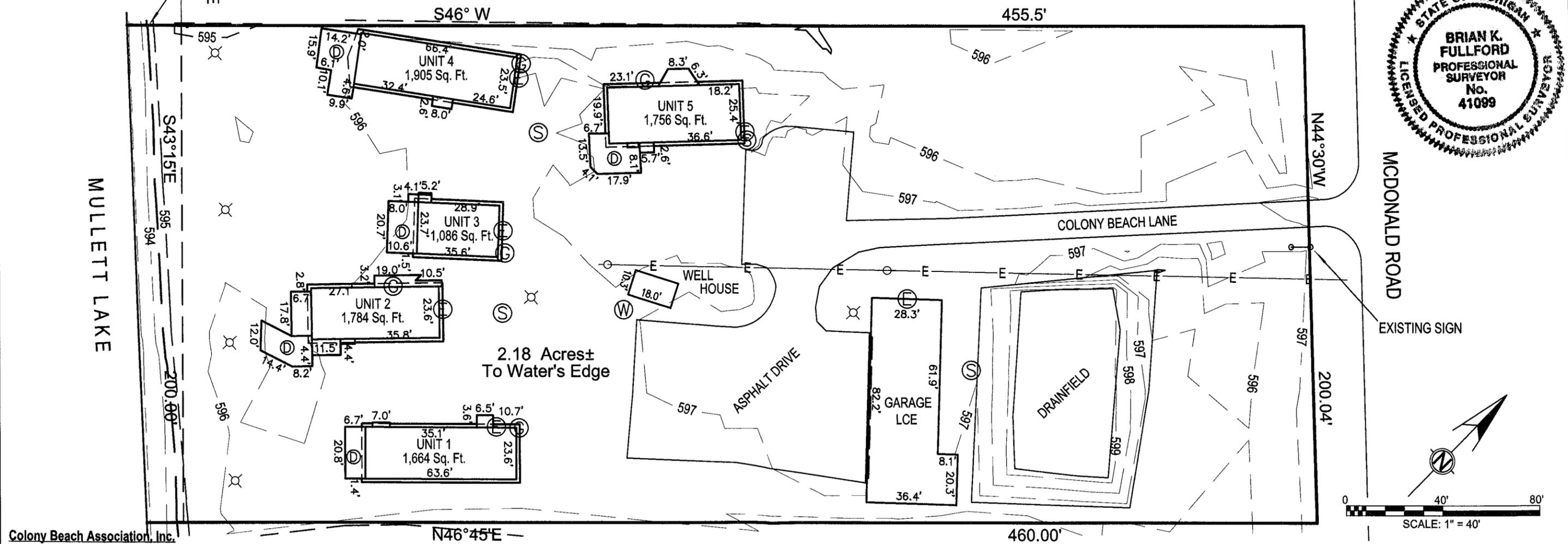
West 1/4 Cor.,
Sec. 29, T37N, R1W

NOTES:

1. The purpose of this Site Plan is to seek approval to create a Condominium meeting the requirements of Condominium Act PA 59 pf 1978 as amended, as required in Section 20.30.D of the Cheboygan County Zoning ordinance.
2. Currently the use consists of 5 individual detached residences which make up Colony Beach Association. There are no changes being proposed to the existing use of the individual units, the land, or the common use buildings consisting of the garage and well house.
3. Elevations shown are referenced to NAVD1988.
4. The bird's eye footprint of each building as they exist today will define the boundary for each individual unit to allow for maintenance of the unit by the respective owner.
5. The garage will be part of a limited common element (LCE) wherein the sole use and upkeep of the assigned space will be by the individual unit owners.
6. Septic facilities associated with a unit will be a limited common element of the respective unit.
7. All other improvements on site will be general common elements.

-  GOVERNMENT CORNER
-  POWER POLE
-  LAMP POST
-  SEPTIC TANK/PUMP
-  WELL
-  ELECTRIC RISER
-  GAS METER
-  5' INDEX CONTOUR
-  1' CONTOUR
-  PROPERTY LINE
-  OVERHEAD ELECTRIC
-  FLOODPLAIN CONTOUR
-  UNIT BOUNDARY
-  DECK

FLOODPLAIN CONTOUR
ELEV: 594.5' NAVD1988



A parcel of land situated in part of Gov't Lot 1, and part of the SW 1/4 of the NW 1/4, Sec 29, T37N, RIW, described as: Beginning at the 1/4 corner between Sees 29 and 30, T37N, RIW; th S 2 deg. 30' W on Section line, 182.27 ft. th S 87 deg 30' E to the E right of way line of County Highway, 33 ft; the S 43 deg 15' E along the shore of Mullett Lake 200 ft to the point of beginning of this description; the S 43 deg. 15' E along the shore of Mullett Lake, 200 ft; th N 46 deg 45' E 460.00 ft to the S'ly line of County Highway right of way line; th N 44 deg 30' W along said right of way line 200.04 ft; th S 46 deg W 455.6 ft to the shore of Mullett Lake and point of beginning of this description.

PREPARED UNDER THE SUPERVISION OF:
B. Fullford
BRIAN K. FULLFORD
PROFESSIONAL SURVEYOR
REGISTRATION NO. 41099

FOR: COLONY BEACH ASSOCIATION, Inc. CONDOMINIUM CONVERSION McDonald Rd./Colony Beach Ln.	SEC. 29, T37N, R1W FB: CS15	DRAWN: <u>BKF</u> CHECK: <u>BKF</u>	PROJECT NO. 2016 COLONY BEACH
	 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: 1/4/2017 - ADDED SIGN

Deborah Tomlinson

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

Sent: Monday, January 09, 2017 2:30 PM

To: Deborah Tomlinson

Subject: Re: Site Plan Review Application for Colony Beach Association

Debbie,

The existing condition of the driveway is acceptable to the Road Commission.

Thank you,

Brent Shank

Engineer/Manager

Cheboygan County Road Commission

mgr@chcrc.com

(231) 238-7775

COLONY BEACH ASSOCIATION, INC.
a Michigan nonprofit corporation

**MINUTES
OF A SPECIAL
MEETING OF THE MEMBERS OF COLONY BEACH ASSOCIATION, INC.**

A meeting of the above named nonprofit corporation was held on FEBRUARY ____, 2017.

The meeting was called to order by the Chairman of the Meeting (EDWARD KOSANKE) and DAVID CANNONS acted as the Secretary. The Chairman reported that the Association has drafted all the necessary condominium documents for form a condominium on the Association's premises, the description, terms and conditions of which are memorialized in the condominium documents, copies of which is attached hereto.

All of the members of the Association were present.

Upon motion duly made, it was:

RESOLVED, that ASSOCIATION, is hereby authorized to execute and record with the appropriate Register of Deeds all of the necessary condominium documents and any attendant documents related thereto, copies of which are attached hereto.

FURTHER RESOLVED that EDWARD KOSANKE shall be authorized to execute any and all documents deemed necessary to effectuate said condominium on behalf of the ASSOCIATION, copies of which are attached hereto.

The Minutes of this meeting have been filed with the ASSOCIATION'S records.

Upon motion, duly made, seconded and carried, the meeting thereupon adjourned.

COLONY BEACH ASSOCIATION, INC.

Edward Kosanke

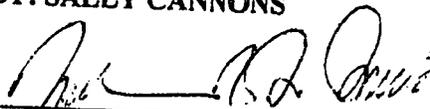
BY: EDWARD KOSANKE

ITS: PRESIDENT

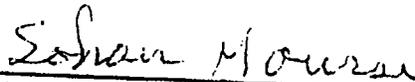
ATTEST AND APPROVED BY MEMBERS:

BY: DAVE CANNONS

BY: SALLY CANNONS



BY: MAMOUD MOURSI



BY: SOHAIR MOURSI

BY: EDWARD KOSANKE

BY: CHARLOTTE KOSANKE

BY: RONALD VARGA

BY: JUDY VARGA

BY: STEVEN McCOY

BY: LINDA McCOY

ATTEST AND APPROVED BY MEMBERS:

BY: DAVE CANNONS

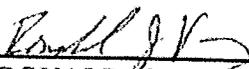
BY: SALLY CANNONS

BY: MAMOUD MOURSI

BY: SOHAIR MOURSI

BY: EDWARD KOSANKE

BY: CHARLOTTE KOSANKE



BY: RONALD VARGA



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Charlotte Kosanke

BY: CHARLOTTE KOSANKE

BY: RONALD VARGA

BY: JUDY VARGA

BY: STEVEN McCOY

BY: LINDA McCOY

ATTEST AND APPROVED BY MEMBERS:

Dave Cannons

BY: DAVE CANNONS

Sally Cannons

BY: SALLY CANNONS

BY: MAMOUD MOURSI

BY: SOHAIR MOURSI

BY: EDWARD KOSANKE

BY: CHAR KOSANKE

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BY: STEVEN McCOY

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ATTEST AND APPROVED BY MEMBERS:

BY: DAVE CANNONS

BY: SALLY CANNONS

BY: MAMOUD MOURSI

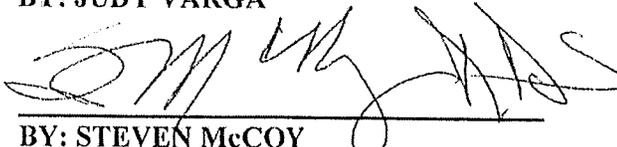
BY: SOHAIR MOURSI

BY: EDWARD KOSANKE

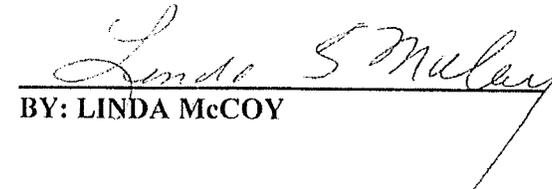
BY: CHARLOTTE KOSANKE

BY: RONALD VARGA

BY: JUDY VARGA



BY: STEVEN McCOY



BY: LINDA McCOY



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: Approval of Condominium. (Conversion from an existing Association)	Prepared by: Scott McNeil
Date: April 4, 2017	Expected Meeting Date: April 19, 2017

GENERAL INFORMATION

Applicant: Colony Beach Association/ James Wynn

Contact person: James Wynn

Phone: 231-347-6929

Requested Action: Site Plan Approval of a condominium conversion.

BACKGROUND INFORMATION

The applicant is seeking site plan review approval of a proposed condominium from an existing association pursuant to section 20.3.d. The subject property is located in a Lake and Stream Protection (P-LS) zoning district.

All structures are existing where condo units are proposed. There are two (2) nonconforming structures relative to front setback and side setback. There are four (4) structures which are nonconforming relative to dwelling width and the lot is nonconforming relative area per dwelling. The use of the structures is single family residential and accessory buildings. No new structures or uses are proposed. No change of use is proposed. The existing dwelling structures possess a legal description by unit number of the association. Included at the end of this report is an image of the site with the unit locations base on the existing legal descriptions.

Current Zoning:

Lake and Stream Protection District (D-CM)

Surrounding Land Uses: Residential land uses surrounding the subject site.

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain): The site is located on Mullett Lake. There are no other known environmentally sensitive areas.

Historic buildings/features: There are no known historic features on the site.

Traffic Implications: This is a conversion of an existing association with residential units described by unit number to a Condominium with the same number of units in the same location with the same use. There will be no effect on traffic conditions.

Parking: Parking is provided by an existing common parking area and accessory garage.

Access and street design: (secondary access, pedestrian access, sidewalks, residential buffer, ROW width, access to adjacent properties) The site has direct access Sand Road. The site plan provides for and ingress and egress to each unit from Sand Road.

Signs: There are no signs proposed in conjunction with this request.

Fence/Hedge/Buffer; There is no fence, hedge or other form of buffer proposed.

Lighting: No lighting is proposed.

Stormwater management. No change to stromwater management is proposed.

Review or permits from other government entities: Approval under applicable Condominium law will be required.

Public comments received: None

Recommendations (proposed conditions): Review and approval of the applicable Master Deed by legal counsel to insure that provisions of the site plan, findings of fact and any other conditions for approval by the Planning Commission are appropriately included in the same.

Image of Colony Beach Association and existing units.



CHEBOYGAN COUNTY PLANNING COMMISSION

SITE PLAN REVIEW

Wednesday, April 19, 2017, 7:00 PM

Applicant

Colony Beach Assoc.
C/O James Wynn
P.O. Box 702
Petoskey, Mi. 49770

Owner

Colony Beach Assoc.
Cheboygan, Mi. 49721

Parcel

Benton Township
104-029-100-056-01
104-029-100-056-02
104-029-100-056-03
104-029-100-056-04
104-029-100-056-05

GENERAL FINDINGS

1. The applicant is seeking site plan review for a proposed condominium pursuant to section 20.3.d.
2. This is a conversion of an existing Association to a Condominium with the same number of units in the same location with the same use.
3. The current and proposed use is single family residential.
4. The property is located in a Lake and Stream Protection District. (P-LS)
5. Single family residential is a permitted use in the P-LS zoning district per section 10.2.1
6. No changes to existing structures, use of structures or use of the land are proposed.
7. The lot is nonconforming relative the number of dwellings.
8. Units 1, 2, 3, and 4 are nonconforming dwelling structures relative to dwelling width.
9. Unit 2 contains a nonconforming dwelling structure relative to front setback.
10. Unit 4 is a nonconforming dwelling structure relative to side setback.
- 11.
- 12.
- 13.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

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

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

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - 1. No soil removal or topographic modifications are proposed. (see exhibit 3).
 - 2.
 - 3.
 - 4. Standard has been met.Or
 - 1.
 - 2.
 - 3. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. No change to stormwater management is proposed. (see exhibit 3).
 - 2.
 - 4. Standard has been met.Or
 - 1. No evidence has been provided to indicate that neighboring properties will not be adversely affected.
 - 2.
 - 3. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. This is a conversion of an existing Association to a Condominium with the same number of units in the same location with the same use.
 - 2. No change to existing privacy conditions is proposed.
 - 3.
 - 4. Standard has been met.Or
 - 1.
 - 2. Standard has not been met.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means
 - 1. Emergency vehicle access is provided via Colony Beach Lane from McDonald Road. (see exhibit 6)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. Each unit is provided access via Colony Beach Lane from McDonald Road. (see exhibit 6)
 - 2. McDonald Road is a public road.
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
 - 1. The use of the proposed subdivision condominium is conversion of an existing Association to a Condominium with the same number of units in the same location with the same use. A pedestrian circulation system is not proposed nor needed. (see exhibit 3 and 6)
 - 2.
 Or.
 - 1.
 - 2. Standard has not been met.

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

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. Not applicable. No public common ways are proposed.

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
 - 1. The site plan conforms to Cheboygan County Master Plan and shall meet state and federal requirements. (see exhibit 1, 2, 3 and 6)
 - 2.
 - 3. Standard has been met
 Or
 - 1.
 - 2. Standard has not been met

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

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

DATE DECISION AND ORDER ADOPTED

Wednesday, April 19, 2017

Patty Croft, Chairperson

Charles Freese, Secretary