



# CHEBOYGAN COUNTY PLANNING COMMISSION

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

**CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING  
WEDNESDAY, OCTOBER 4, 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**

1. **TRAVIS CONNERS** - Requests a Special Use Permit Amendment for boat storage (6.3.14). The property is located at 1225 South Grandview Beach Road, Tuscarora Twp., section 6, parcel #162-006-300-004-00 parcel #162-006-300-005-00, and is zoned Commercial Development (D-CM).
2. **PORTER'S SURVEY/RIVERS EDGE COMMUNITY ASSOCIATION** – Requests a Site Plan Review amendment to reduce the size of Unit 5 of the Rivers Edge Site Condominium and to create a new Unit 6 (20.3.d). The property is located at 9656 N. M-33 Hwy., Inverness Twp., section 17, parcel #092-R25-000-005-00 and is zoned Lake and Stream Protection (P-LS) and Commercial Development (D-CM).
3. **GERALD B. WOLFGAM / MIKE SAKER & DAVE DRISKILL** – Requests a Site Plan Review for change of use from office and retail to dwelling unit (13A.2.11). The property is located at 3696 S. Straits Hwy., Tuscarora Twp, section 24, parcel #161-024-400-130-00 and is zoned Village Center Indian River (VC-IR).

### **APPROVAL OF MINUTES**

### **PUBLIC HEARING AND ACTION ON REQUESTS**

### **UNFINISHED BUSINESS**

### **NEW BUSINESS**

1. Zoning Ordinance Amendment regarding Vehicle Repair and Fuel Sales Uses
2. Consideration to rezone intermittent stream area from Carter Rd. to Garbraith Rd. from Lake and Stream Protection (P-LS) to Agriculture and Forestry Management (M-AF)

### **STAFF REPORT**

### **PLANNING COMMISSION COMMENTS**

### **PUBLIC COMMENTS**

### **ADJOURN**



# CHEBOYGAN COUNTY PLANNING COMMISSION

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

## CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, SEPTEMBER 6, 2017 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

**PRESENT:** Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill, Jazdyk  
**ABSENT:** None  
**STAFF:** Scott McNeil  
**GUESTS:** Eric Boyd, Karen Johnson, Cal Gouine, John Moore, Bob Lyon, Rachel Osborn, Russell Crawford, Cheryl Crawford, Carl Muscott, Mark Jacobs, Jennifer Jacobs, Timothy Freeman, Amy Keenan, Terry Keenan, Tom O’Hare

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

### PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

### APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Churchill, by Mr. Freese, to approve the agenda as presented. Motion carried unanimously.

### APPROVAL OF MINUTES

The August 16, 2017 Planning Commission minutes were presented. **Motion** by Mr. Borowicz, seconded by Mr. Kavanaugh, to approve the meeting minutes as presented. Motion carried unanimously.

### PUBLIC HEARING AND ACTION ON REQUESTS

**Philip Campbell** – Requests a Special Use Permit for a contractor’s yard. (Section 9.3.20.) The property is located at 2018 M-68/33 Highway and 6201 North Walker Road, Walker Township, section 4, parcel #220-004-100-002-00, parcel #220-004-100-007-01 and part of parcel #220-004-100-007-02 and is zoned Agriculture and Forestry Management (M-AF).

Mr. McNeil stated that the applicant is seeking a special use permit for a contractor’s yard in an Agriculture and Forestry Management zoning district. Mr. McNeil explained that the applicant has enough property to meet the 10 acre requirement for a contractor’s yard. Mr. McNeil reviewed the requirements for a Contractor’s yard. Mr. McNeil referred to the site plan and noted an area located within the trees that is 140ft. x 200ft. that will be used for the Contractor’s yard. Mr. McNeil stated that there is another area to be used in the future that is 200ft. x 280ft. Mr. McNeil stated that 6ft. screening is indicated in this area and the required setbacks will be met. Mr. McNeil stated that this request is the result of enforcement. Mr. McNeil stated that on the site plan the gravel parking area is noted for personal use only and will not be used as part of the Contractor Yard area. Mr. McNeil stated that the owner’s residence is on the same property as the Contractor’s yard use which is a requirement.

Mr. Jazdyk asked if the both areas noted on the site plan will be used long term for the Contractor’s yard. Mr. Campbell stated the area in the trees will be used until the 200ft. x 280ft. area can be completed. Mr. Jazdyk asked if the equipment can be kept in this area or will the area in the trees also be needed. Mr. Campbell stated that in the future, he would like to make it bigger, but this is adequate for now. Mr. Jazdyk asked what would deem the 200ft. x 280ft. area ready to use. Mr. Jazdyk asked if only a fence is needed to make the area ready. Mr. Campbell stated that gravel is also needed. Mr. Jazdyk stated that the gravel parking area is now being used for personal use. Mr. Jazdyk asked what happens now as a result of this designation. Mr. Campbell stated that this will stay personal use. Discussion was held.

Mr. Freese asked if Brent Shank (Cheboygan County Road Commission) will require curb and gutter. Mr. McNeil stated that it was deemed a commercial driveway and it appears that curb and gutter are required. Discussion was held regarding Mr. Campbell contacting the Road Commission to see if curb and gutter is a requirement or if it can be waived.

Ms. Lyon stated if the operation will be open between 7:00am – 5:00pm. Mr. Campbell stated yes. Ms. Lyon asked if repair work will be done at this location. Mr. Campbell stated yes. Ms. Lyon asked if there will be additional lighting in the parking area. Mr. Campbell stated no as there is already existing lighting. Mr. McNeil asked if the repair work will take place within the designated areas for the contractor's yard. Mr. Campbell stated yes. Mr. Freese asked if the repair work will be done outside or inside the building. Mr. Campbell stated in the building. Mr. McNeil stated that it should be noted on the site plan that the building will be used as part of the operation.

Ms. Croft asked for public comment. Mr. Muscott stated that he thought that the Road Commission had a policy that all commercial driveways were to have curb and gutter. Mr. Muscott stated his concern regarding cutting slack for certain entities. Mr. Muscott stated that the small car lot at the Wigwam parking lot was required to have curb and gutter. Mr. Muscott stated that the owner has not put in the curb and gutter yet and the Road Commission will be starting enforcement on this issue. Mr. Muscott stated that Mullett Township was able to have this requirement waived. Mr. Muscott noted that this contractor's yard will have less traffic than Mullett Township will have at their public parking lot.

Mr. Jacobs stated that he and his wife are opposed to this request. Mr. Jacobs stated that he has lived on the south-west side of Mr. Campbell's parcel for 16 years and his wife has lived here for 10 years. Mr. Jacobs stated that while they have lived at this location, there haven't been any issues, and they haven't had to contact the township or Cheboygan County. Mr. Jacobs stated that in the past 6 months, they have had to contact both the township and the county due to the activity taking place at the Campbell residence. Mr. Jacobs stated that Tube Fab is also located nearby and there hasn't been any noise, commotion or excessive equipment in the 16 years that he has lived at this location. Mr. Jacobs stated that this does not appear to be just an area for storing equipment. Mr. Jacobs stated that it is a fully functioning operation for their underground utility business. Mr. Jacobs stated that numerous employees are entering and exiting at all times of the day and night including weekends. Mr. Jacobs stated that they have observed and heard maintenance being done on equipment as late as 9:45pm and as recently as 08/31/17. Mr. Jacobs stated that all three homes closest to the Campbell home (including his home) on Walker Road are listed for sale based on the constant disturbances that are taking place. Mr. Jacobs stated that the gravel proposed for personal use in front of the barn is being used as a mechanic/shop area. Mr. Jacobs stated that the gravel area is being used as a point of departure and return daily for their employee's trucks and trailers. Mr. Jacobs stated that with the number of vehicles that have entered and exited in the past several months there is damage to Walker Road as it has a chip and seal coating. Mr. Jacobs asked how this continued use will impact the road surface. Mr. Jacobs stated that the Campbells have not followed the county ordinance. Mr. Jacobs stated that it took two notifications and a fine from the county before the Campbells submitted a special use permit application. Mr. Jacobs stated that according to Mr. Schnell, the Campbells were asked to stop any further activity until the special use permit application was reviewed. Mr. Jacobs stated that activity stopped for two weeks and then added heavy equipment, conduit, wire, employees, etc. Mr. Jacobs stated that this morning there were at least 10 trucks and several employees on the property preparing for the day. Mr. Jacobs asked if the guidelines will be followed if the special use permit is granted. Mr. Jacobs stated that he is concerned that his property value will be affected should the permit be granted. Mr. Jacobs stated that he is also concerned that the noise and traffic will escalate beyond what it is currently. Mr. Jacobs stated that this type of business activity would be better suited outside of a rural residential area and located in a commercial or an industrial park setting.

Mr. Keenan stated that he is a neighbor of Mr. Campbell. Mr. Keenan stated that he doesn't fault anyone for having a career and life. Mr. Keenan stated this business is not in compliance with the township or county expectations. Mr. Keenan stated that his concerns are that this is a major focal point for a major business activity. Mr. Keenan stated that this is blight for the neighborhood. Mr. Keenan stated that there is noise in the early and late hours related to fixing equipment. Mr. Keenan stated that he feels like he is living next to an industrial park as there is constant beeping of safety horns. Mr. Keenan explained that there is noise late in the evening when an employee returns to this location because he may have been hung up on a job on the other side of the state. Mr. Keenan stated that there are sounds throughout the day of tools and equipment being worked on. Mr. Keenan stated that other noise concerns are equipment running and test driving up and down the roads. Mr. Keenan stated that when the workers leave at the end of the day they peel rubber. Mr. Keenan stated that a friend came to his house to work and during lunch, he stated that there wasn't noise previously, but today he heard equipment banging, trucks running and work going on.

An audience member asked if hours could be restricted to help with the noise concerns.

Mr. Campbell apologized to his neighbors and asked that they let him know when there is an issue, and he will try to fix the problem.

Public comment closed.

Mr. Kavanaugh asked if Mr. Campbell will be able to control the use of the gravel parking area and the hours of operation from 7:00am - 5:00pm. Mr. Campbell stated that he will be able to control the use of the parking area and the hours of operation. Mr. Campbell stated that a good solution would be to put in an access off of M-68. Mr. Campbell stated that he would not be bothering the neighbors. Mr. Campbell stated that if an employee comes in late, he will have them go to the Afton store instead. Mr. Freese stated asked if the storage building doors facing Walker Road are the only doors on the building. Mr. Campbell stated there are doors on the back of the building and he will start using the back doors. Mr. Freese suggested closing the doors facing Walker Road as it may help reduce the noise. Mr. Freese asked if the hours of operation from 7:00am to 5:00pm will be 5 days a week or 7 days a week. Mr. Campbell stated 5 days a week and that they do not normally work on weekends. Mr. Bartlett stated that based on the public comments it appears that the hours of operation far exceeds the 7:00am - 5:00pm for 5 days a week. Mr. Bartlett stated that it sounds like the biggest problem is the traffic on Walker Road. Mr. Bartlett stated if there is an option to have an access off of M-68, it will alleviate a lot of the neighbor's concerns.

Mr. Jazdyk stated that the gravel parking area has been used for parking and working on equipment during non-business hours. Mr. Jazdyk stated that as this unit goes away maintenance activity will occur in the storage building. Mr. Jazdyk stated that it will help to maintain the hours of operation, keep the doors shut and stop the activity in the gravel parking area.

Mr. Freese stated that he will be requesting that the site plan be revised to include a proposed drive off of M-68. Mr. Freese noted that this access will also have to be approved by the Road Commission.

Mr. Ostwald asked how many trucks Mr. Campbell uses. Mr. Campbell stated that he has 4 crews which mean that there are 8 vehicles. Mr. Ostwald stated that coming off of M-68 may be cost prohibitive. Discussion was held.

**Motion** by Mr. Bartlett, seconded by Mr. Kavanaugh, to grant the topography waiver request and minimum scale requirement waiver. Motion carried unanimously.

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved the Findings of Fact Under Section 9.3.20, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the special use permit based on the General Findings, Findings of Fact Under Section 9.3.20, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 with the following conditions:

1. Storage building doors on Walker Road are to be kept closed
2. Gravel parking area is for personal use only
3. Hours of operation are from 7:00am - 5:00pm, Monday - Friday
4. Submit revised site plan showing proposed drive off of M-68 with MDOT approval
5. Repair work is to be done within the repair shop

Motion carried unanimously.

**Mullett Township** - Requests an Amendment to a Special Use Permit for a new parking lot and other site improvements at a township park. (Section 13D.3.5.) The property is located at 1576 North Straits Highway, section 30, parcel #130-030-200-013-00. The park is zoned Lake and Stream Protection (P-LS) and Village Center Topinabee Overlay (VC-T-O). The portion of the park where the new parking lot and site improvements are to be located is in the Village Center Topinabee Overlay (VC-T-O) zoning district.

Mr. McNeil referred to the site plan and noted the location of the parking lot and stated that there will be 5 parking spaces and 1 handicap parking space. Mr. McNeil stated other amenities include the sidewalk and landscaping on the south side of the parking lot. Mr. McNeil stated that the site plan also indicates swail areas (elevations dropping 1-2 feet) and based on his site inspection he could not distinguish those swails being installed. Mr. McNeil stated that if the Planning Commission determines that the swails do not need to be installed it should be noted as a finding or noted in the motion. Mr. McNeil stated that the parcel is zoned Village Center Topinabee Overlay and a special use permit is required. Mr. McNeil stated that the improvements have been put in and this request is the result of enforcement.

Mr. Freese stated that the swails are retention ponds and if the engineer believes they should be installed then they should be required. Mr. Kavanaugh stated that he agrees with Mr. Freese. Mr. Jazdyk stated that he doesn't believe that 1 foot will make a huge difference in a retention pond. Mr. Jazdyk asked if it the Soil Erosion Officer could make a determination regarding the swails. Mr. Freese stated that due to the size of the impervious surface, there will be a lot more water that will run off than before. Mr. Kavanaugh stated that if the engineer believes they should be installed then they should be required.

Ms. Croft asked for public comments. Mr. Muscott stated that he saw this being built, and he assumed it was done properly, but there was no soil permit issued and the Road Commission was not aware of the project. Mr. Muscott stated that the Road Commission charged \$100 for the driveway permit and a \$250 fine for building without a permit. Mr. Muscott stated that the Road Commission waived the curb requirement and he encourages the Road Commission to curb around the corner to M-27 as there has been evidence of people driving across the lawn. Mr. Muscott stated that this is an ill-conceived parking lot as there are five 90 degree parking spaces and if he parks his truck he would have 9 inches on each side of the tire and the mirrors are a foot into each of the adjacent parking spaces. Mr. Muscott stated that it is important to add the swails as there is a lot of run off of the hard surface and a good portion runs onto Beeson Street. Mr. Muscott stated that neighbor at the end of Beeson Street has already complained to the township about the washout.

Mr. O'Hare stated that he is the director of the Topinabee Development Association (TBA) which is a non-profit organization with 200 dues-paying members. Mr. O'Hare stated that there were 60 people at the annual meeting in June which is a good showing for a community the size of Topinabee. Mr. O'Hare stated that they greatly appreciate the efforts of Mullett Township to improve the infrastructure and aesthetics of the community. Mr. O'Hare stated that they appreciate the efforts of the Planning Commission to address the Village Center zoning issues in Topinabee. Mr. O'Hare stated that the mission of the Topinabee Development Association is to preserve and enhance the unique historical character and charm of Topinabee while promoting future growth and development of its business district. Mr. O'Hare stated that this project has been planned for quite some time now. Mr. O'Hare stated that several years ago, the conceptual plan for improvements to the community was presented to the Planning Commission and this board passed a resolution of support. Mr. O'Hare stated that the Cheboygan County Board of Commissioners and Cheboygan County Road Commission also passed a resolution of support. Mr. O'Hare distributed a copy of the resolution and the drawing of the proposed parking lot. Mr. O'Hare hopes that the Planning Commission will approve the amendment to the special use permit. Mr. O'Hare noted Beeson Street is a road end to the lake. Mr. O'Hare stated that there have been discussions with the township and Tip of the Mitt Watershed Council regarding putting in a rain garden in the swail areas. Mr. O'Hare stated that these are currently some depressions. Mr. O'Hare stated that along the south side of the plan, there is a wide rock border that was designed to absorb the runoff coming from the impervious surface. Mr. O'Hare stated that they will be working with the township and Tip of the Mitt Watershed Council to obtain a grant for the rain garden. Mr. O'Hare stated that the estimates were much higher than what they planned and the rain garden was cut from the plan. Mr. O'Hare stated that there will also be additional landscaping and a sign on the corner. Mr. O'Hare stated that they will do what they can to support the township. Mr. O'Hare stated that he hopes the Planning Commission will approve this request.

Ms. Osborn stated that a couple of things did slip through the cracks. Ms. Osborn stated that she is meeting with Tip of the Mitt Watershed on 09/24/17 and because the township did not vote to put the rain garden in at the beginning they did not say it would never be put in. Ms. Osborn stated that they intend to put in the rain garden. Ms. Osborn stated that the rains that have come through have not done any damage to the trail. Ms. Osborn stated that they will safeguard the swail and the Tip of the Mitt Watershed will help them obtain grants to minimize their costs. Ms. Osborn asked that the Planning Commission approve this plan.

Public comment closed.

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Borowicz, seconded by Mr. Jazdyk, to approve the special use permit amendment based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 with the following conditions:

1. Rain garden be installed per engineering design
2. Soil and Sedimentation requirements be met

Motion carried unanimously.

**Andrew Sweet** – Requests a Site Plan Review for an accessory storage building, 51ft. x 26ft. (Section 6.2.19 Retail, specialty). The property is located at 4502 Onaway Rd., Koehler Township, section 20, parcel #172-109-000-011-00 and is zoned Commercial Development (D-CM).

Mr. McNeil stated that this is an amendment to a site plan review that was approved in May 2012. Mr. McNeil stated that the approval was for a landscaping and garden center. Mr. McNeil stated that Mr. Sweet is seeking approval for a new storage building and display areas as indicated on the site plan. Mr. McNeil stated that there was an approval in May 2013 for a restaurant/bakery. Mr. McNeil stated that this approval remains in place although it is not operating at this time. Mr. McNeil

stated that the drive areas and parking areas remain as last approved. Mr. McNeil stated that this parcel is located in a Commercial zoning district and specialty retail is a use that requires site plan review.

Mr. Freese stated that one driveway has been eliminated. Mr. McNeil stated that was a requirement of the previous approval. Mr. Kavanaugh stated that the site is neat and clean. Discussion was held regarding an email from Brent Shank, Road Commissioner Engineer/Manager. Mr. Bartlett asked if there will be a bakery. Mr. Sweet stated that eventually there will be a bakery. Mr. Freese asked if equipment will be stored inside the fenced area or outside. Mr. Sweet explained that the equipment will be stored inside the storage building. Mr. Kavanaugh asked if Mr. Sweet has any issues with storing equipment in the building and inside the fenced area when it is not being used. Mr. Sweet stated no.

Ms. Croft asked for public comments. Mr. Muscott congratulated Mr. Sweet for taking an under-utilized corner and turning it into a viable business corner. Mr. Muscott stated it is great to see the growth on the corner.

Mr. Crawford stated that he is the Koehler Township Supervisor and he disapproves of the display area being located in the right of way. Mr. Crawford stated that trucks and trailers with wood are being parked in the right of way. Mr. Crawford stated this is not right and they should be put inside. Discussion was held regarding the right of way being 66ft. wide. Mr. Kavanaugh asked Mr. Sweet if there would be any issues with keeping these items out of the right of way. Mr. Sweet stated no.

Public comment closed.

Board held discussion. Mr. Kavanaugh stated that by keeping the equipment in the storage building and by keeping equipment and other items out of the right of way, this will be a good utilization of the corner parcel.

**Motion** by Mr. Freese, seconded by Mr. Borowicz, to grant the topography waiver request. Motion carried unanimously.

The Planning Commission reviewed and approved the General Findings. The Planning Commission reviewed and approved the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the amended site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 with the following conditions:

1. Material to be moved off of the right of way
2. Equipment to be stored behind the fence
3. Department of Building Safety requirements be met
4. Revised site plan to be submitted to not indicate the display area

Motion carried unanimously.

#### **UNFINISHED BUSINESS**

No comments.

#### **NEW BUSINESS**

##### **Michelle Walk, Michigan State University Extension Educator, Community Food Systems & Tourism – Agritourism Presentation**

Ms. Walk stated that she is with MSU Extension and is based in Sault Ste. Marie. Ms. Walk stated she covers the Upper Peninsula and does some work state wide. Ms. Walk stated her area is community food systems such as farmer's markets and small farms that would like to sell direct to restaurants. Ms. Walk stated that the other part of her area is tourism. Ms. Walk presented information regarding agritourism (see attachment A).

#### **STAFF REPORT**

Mr. McNeil stated that at the next meeting there will be several ordinance amendments for the Planning Commission to discuss. Mr. McNeil stated that the agenda will be distributed early to allow the Planning Commission enough time to review the amendments.

#### **PLANNING COMMISSION COMMENTS**

Mr. Kavanaugh asked for an update on Triple D Disposal. Mr. McNeil stated that the 30-day warning letter has been issued and the time frame is coming to an end. Mr. McNeil stated that by standard procedure, there is a 14-day warning letter before citation.

## **PUBLIC COMMENTS**

Mr. Muscott thanked Ms. Walk for her agritourism presentation. Mr. Muscott stated that we have vineyards, wineries and some failed agritourism businesses. Mr. Muscott stated that it is important to promote agritourism and to get zoning ahead of the game. Discussion was held.

Mr. Freeman stated he is the President of the Wolverine Volunteer Fireman's Association and he lives at a residence in Mentor Township and he holds events at his residence. Mr. Freeman stated that he would like to answer any questions that the Planning Commission may have and to dismiss the allegations that have been made falsely about him and what he does on his farm. Mr. Freeman stated that he and a few friends adopted an abandoned, hiking trail called the Lost Tamarack Pathway. Mr. Freeman stated that the DNR gave him stewardship. Mr. Freeman explained that he invites people to his home for a weekend of music, fun, friends, and family. Mr. Freeman stated that over the past five years he has resurrected an abandoned trail and made it available for public use. Mr. Freeman stated that he has encouraged the community to participate in goat hikes, horseback riding, etc. Mr. Freeman stated that when this became an issue he talked with Mr. Schnell and he was given two options. Mr. Freeman stated that one option was to change the zoning on his property. Mr. Freeman stated the second option was to ask the township board to ask for a special event permit. Mr. Freeman stated he chose to ask the township for a special event permit. Mr. Freeman stated he is a contractor and his wife is a microbiologist. Mr. Freeman stated that they hold these events to make the community a better place. Mr. Freeman stated he received permission from his township board and paid his fees for permits. Mr. Freeman stated that there are two neighbors who are not happy and have made erroneous calls to the FAA and police. Mr. Freeman stated he has sought legal counsel and is considering a slander suit against the neighbors. Mr. Freeman stated he would like to answer any of the Planning Commission's questions. Ms. Croft noted that Mr. Freeman's event use has never been discussed by the Planning Commission. Mr. Freeman stated that he did have a wedding on the farm this summer and he received township approval for the event. Mr. Freeman explained that the event was a wedding for a friend and he did not charge the friend. Discussion was held.

Mr. Jazdyk suggested that Mr. Freeman find out what his property is zoned and what are his property rights. Mr. Jazdyk suggested that Mr. Freeman have a discussion with Mr. McNeil or someone from the Planning Commission regarding his proposed use. Mr. Jazdyk stated that Mr. Freeman should talk to his neighbors because even though he may be following the zoning laws, there may be something he can do to alleviate the neighbor's concerns. Mr. Freeman stated that regarding this use being a commercial endeavor, he raised \$1,200 during the last event for the volunteer firefighters. Mr. Freeman stated he makes money as a builder and the energy that goes into putting on these events would never meet the value. Mr. Freeman stated he does not know what he wants to do with the property yet. Mr. Freeman stated that he has friends, family and community members that like coming to his farm and enjoying the trail. Mr. Freeman stated that in the 4 years he has held this event, there has not been any security on the farm as there wasn't a fist raised in anger and there hasn't been any issue that would require calling law enforcement.

Ms. Lyon asked how many people attend the event. Mr. Freeman stated between 300-500 people. Mr. Freeman stated that this is not a lot of people as he owns a 44-acre farm. Mr. Freeman stated that there are port-a-jons on site and water is tested as required. Mr. Freeman stated he fills out the temporary campground permit as required. Ms. Lyon asked how long the event lasts. Mr. Freeman stated his friends come from downstate on Thursday and leave on Sunday. Ms. Lyon asked how often the event is held. Mr. Freeman stated one time per summer. Discussion was held. Mr. Freeman stated that in the fall they go horseback riding on the trail to see the fall colors.

Mr. McNeil stated that it is his understanding that there have been two events taking place each year for quite a few years. Mr. McNeil stated that Mr. Schnell considers this a regular land use beyond the special event parameter that might be approved by the township. Mr. McNeil stated that Mr. Schnell has had conversations with Mr. Freeman about applying for a special use permit.

Mr. Freeman stated he lives at the top of the ridge and sound travels and there are several neighbors who have written letters of support. Mr. Freeman stated that there has not been any mention of the number of times that the event could be held before it would change the use of his property. Mr. Freeman stated that 4 events were arbitrarily picked. Mr. Freeman stated that his farm right now is very quiet and docile and he has not made any improvements to handle any kind of business activity. Mr. Freeman stated this is not his source of income and he does this as something to give back to the community.

Mr. Kavanaugh noted that Mr. Freeman's neighbors attended a Cheboygan County Board of Commissioners meeting to discuss the events being held on the property. Mr. Kavanaugh suggested that Mr. Freeman attend a Cheboygan County Board of Commissioners meeting.

**ADJOURN**

**Motion** by Mr. Kavanaugh adjourn. Motion carried. Meeting was adjourned at 9:04pm.

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Charles Freese  
Planning Commission Secretary

DRAFT

Attachment A

# Promoting Agritourism in your Community

Cheboygan County Planning  
Commission  
September 6, 2017

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**“AND  
JUSTICE  
FOR ALL”**

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Para presentar una queja sobre discriminación, escriba a USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410, o llame al (202) 720-5964 (voz y TDD). USDA es un proveedor y empleador que ofrece oportunidad igual a todos.



# Outline

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- ◉ Why Agritourism
- ◉ What is Agritourism
- ◉ Considerations

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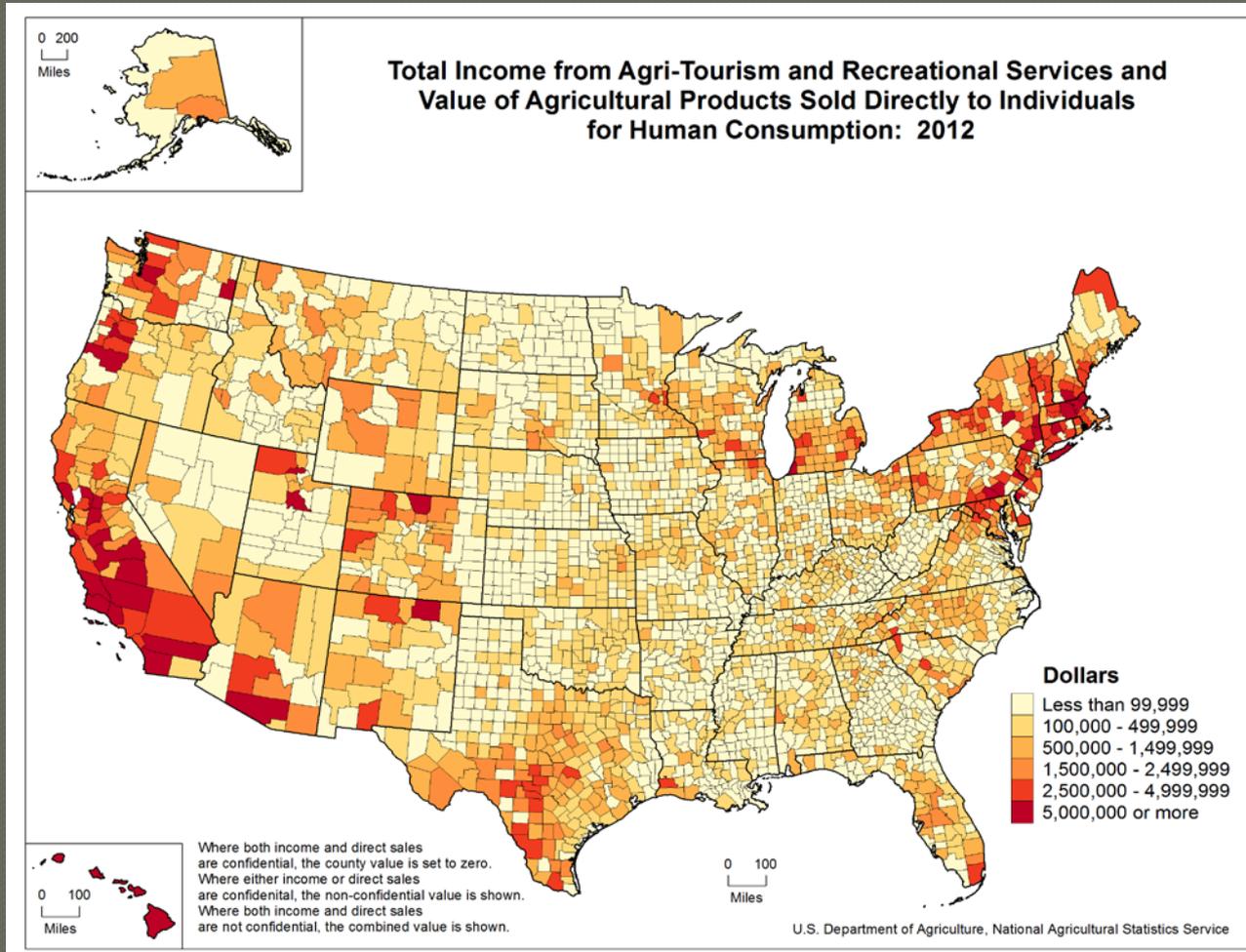
# Why Agritourism

# Why Agritourism

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- Additional income to farms
- Diversification
- Education
- Preservation
- Increase community economic activity

# Direct Sales and Agritourism



Direct Sales plus Agri-tourism & recreational services, such as farm or winery tours, hay rides, hunting, fishing, etc.

"Farm vacations offer urbanites, looking for ways to reconnect to the land, a chance to experience an almost forgotten world." USA Today



"People are looking for more than cookie-cutter vacations, and agritourism is a way to help sustain small family farmers." USA Today

# Why Agritourism in MI?

Agriculture and tourism are the second and third largest industries in MI



Department of  
Agriculture & Rural Development

PURE *M* ICHIGAN®

---

MI ranks  
2<sup>nd</sup> in the  
US in  
terms of  
crop  
diversity

---

# Defining “Agritourism”

# Defining Agritourism

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- Activities that include visiting a working farm or any agricultural, horticultural or agribusiness operations to enjoy, be educated or be involved in what is happening on the locale.



# Defining Agritourism

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"a commercial enterprise on a working farm conducted for the enjoyment, education, and/or active involvement of the visitor, generating supplemental income for the farm"

~Vermont Farms! Association

# Defining Agritourism

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- **Agritourism defines the places where agriculture and tourism connect. Anytime a farming operation opens its doors to the public and invites visitors to enjoy their products and services-- that's agritourism.**

**~ Michigan Agritourism Association**

Agritourism  
Farm Visits

Agritainment Agrotourism

Farm Tourism Agricultural Tourism

# Types of Agritourism

## Farm Direct Sales

- Purchasing farm products at the farm
- CSA, Pick Your Own (PYO), farm stand

## Hospitality

- Farm stays
- Ranch stays
- Outfitter services

## Education

- Classes
- Tours
- Tastings
- Farm-work experience

## Recreational activities

- Fishing
- Hunting
- Wildlife viewing
- Horseback riding

## Entertainment

- Festivals
- Events
- Corn maze
- Petting farms

## Off-farm Sales and Events

- Farmers markets
- Agricultural fairs
- Harvest festivals

# Agritourism

---

- Sleigh Rides
- Hay Rides
- Pumpkin Patch
- Christmas Tree Farms
- Farm stands
- Farm markets
- Bed and Breakfast
- Festivals
- Tours
- Wineries
- Pick Your Own
- Hands On Chores
- Petting Zoo

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# Considerations

# Considerations

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- The protection of a community's natural environment and sustainable use of renewable resources is imperative in maintaining the quality of life for residents and ensuring that future generations live in healthy productive surroundings.
- Preservation of agricultural land is important to the community.

# Visual Appearance

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# Knowledge of Staff

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- About the farm
- About the farm products
- About the community

○ Customer Service!



# Parking



# Restrooms

---



# Concessions

---



# Marketing



PINTEREST

**SOCIAL SITE THAT IS ALL ABOUT DISCOVERY**

**LARGEST OPPORTUNITIES**



**USERS ARE:**

**20% MALE**  
**80% FEMALE**

**70 MILLION USERS**



TWITTER

**MICRO BLOGGING SOCIAL SITE THAT LIMITS EACH POST TO 140 CHARACTERS**

**LARGEST PENETRATION**



**BUT SPREADING SLOWLY AND STEADILY**

**9,100 TWEETS**

**HAPPEN EVERY SECOND**

**289 MILLION ACTIVE USERS**



FACEBOOK

**MOBILE IS FACEBOOK'S CASH COW**

**1.31 BILLION MONTHLY ACTIVE MOBILE USERS**

**MOBILE AD REVENUE MAKES UP 76% OF ALL AD REVENUE (\$2.9 BILLION IN Q2 OF 2015)**

**USERS SHARE 1 MILLION LINKS EVERY 20 MINUTES**

**1.5 BILLION MONTHLY ACTIVE USERS**



INSTAGRAM

**SOCIAL SHARING SITE ALL AROUND PICTURES AND NOW 15 SECOND VIDEOS**

**MANY BRANDS ARE PARTICIPATING THROUGH THE USE OF # HASHTAGS**

**AND POSTING PICTURES CONSUMERS CAN RELATE TO**

**MOST FOLLOWED BRAND IS NIKE**

**300 MILLION ACTIVE USERS**



GOOGLE+

**SOCIAL NETWORK BUILT BY GOOGLE THAT ALLOWS FOR BRANDS AND USERS TO BUILD CIRCLES**

**NOT AS MANY BRANDS ACTIVE, BUT THE ONES THAT ARE TEND TO BE A GOOD FIT WITH A GREAT FOLLOWING**

**HANGOUTS AND PHOTOS HAVE BEEN SEPARATED FROM GOOGLE+ BUT POSTS WILL REMAIN AS "STREAMS"**

**300 MILLION ACTIVE USERS**



LINKEDIN

**BUSINESS ORIENTED**

**SOCIAL NETWORKING SITE BRANDS THAT ARE PARTICIPATING ARE CORPORATE BRANDS GIVING POTENTIAL AND CURRENT ASSOCIATES A PLACE TO NETWORK & CONNECT**



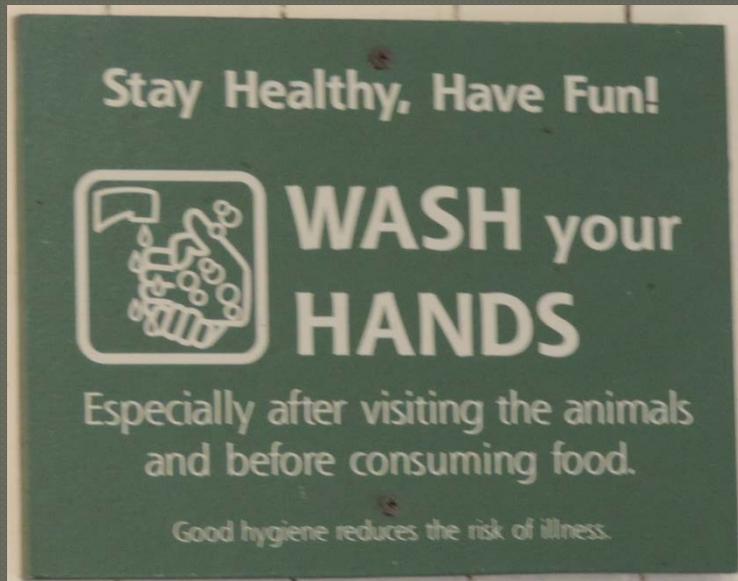
**79% OF USERS ARE 35 OR OLDER**

**380 MILLION USERS WORLDWIDE**

# On-Farm Signage

- Directional
- Safety
- Educational

**CAUTION  
THIS IS A  
WORKING  
FARM**



# Top Concerns According to Operators

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- Marketing
- Liability
- Availability and/or cost of insurance
- Zoning
- Signage
- Safety
- Networking with other operators



# Considerations

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- ◉ Zoning
- ◉ Permits & Licenses
- ◉ Insurance
- ◉ Tax Issues

# Considerations - GAAMPS

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- ◉ Permitted by right:
  - GAAMPS for Farm Markets – farm markets where at least 50% of the products marketed (including CSA and U-pick) are produced on and by the affiliated farm
- ◉ Other entertainment/recreation activities are encouraged to be supported but not covered under the RTF Act.

# Considerations - Zoning

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- Permit value-added farming activities within zoning districts where active farming is present
- Special land use
- Minimum number of acres for events such as weddings



## Michigan Agritourism

*Experience Our Local Farm Fun*

Michigan Agritourism is a nonprofit association that supports the agritourism industry through promotion, education, advocacy, problem resolution, and networking. Our goal is to keep family farms sustainable, support local economic growth, and provide rich and unique experiences for visitors to make lasting memories.

[www.michiganfarmfun.com](http://www.michiganfarmfun.com)

# For More Information

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Michelle Walk  
Extension Educator  
Community Food Systems & Tourism

Michigan State University Extension  
319 Court Street  
Sault Ste. Marie, Michigan 49783

Office: (906) 635-6368  
Cell: (906) 440-4732  
Fax: (906) 635-7610  
Email: [walkmich@msu.edu](mailto:walkmich@msu.edu)

# CHEBOYGAN COUNTY PLANNING COMMISSION

Travis Conners – *Revised 10/03/17*

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Use Permit Application (6 Pages)
5. Mailing List (2 Pages)
6. Memorandum of Land Contract Dated 05/19/16, Liber 1306 Page 674 (2 Pages)
7. Elevation Drawings (2 Page)
8. Site Plan (2 Pages)
9. Site Plan – Outdoor Storage Location (1 Page)

### ***The following items were added to the exhibit list on 09/07/17:***

10. Email dated 09/06/17 From Dave Carpenter, Tuscarora Township Fire Chief (1 Page)

### ***The following items were added to the exhibit list on 10/02/17:***

11. Email dated 09/28/17 From Brent Shank, Road Commission Engineer/Manager (1 Page)

### ***The following items were added to the exhibit list on 10/03/17:***

12. Email dated 10/03/17 From Brent Shank, Road Commission Engineer/Manager (1 Page)
- 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, OCTOBER 4, 2017 AT 7:00 PM**  
**ROOM 135 – COMMISSIONERS ROOM**  
**CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

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

1. **TRAVIS CONNERS** - Requests a Special Use Permit Amendment for boat storage - Section 6.3.14. The property is located at 1225 South Grandview Beach Road, Tuscarora Twp., section 6, parcel #162-006-300-004-00 parcel #162-006-300-005-00, and is zoned Commercial Development (D-CM).

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

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





# 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.

Add Commercial Outdoor Display area related to Boats, ATV's, Trailers, Docks,

Add 2 - 60' x 180' Indoor Storage Building

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.  
There is no conflict. We own adjoining land. This proposed additions are all compatible with Commercial Development
- 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.  
Some grading is necessary for the building, but drainage will be managed and grading will be finished.
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.  
All drainage will be retained on our land. Soil is well drained Rubicon sand.
- 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.  
Our proposed uses are compatible with the highway to the West and our land to the east.
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.  
Access is not a problem.
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.  
Access is acceptable.
- 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. any lights will be installed per applicable codes.
  - ii. It does not impede the vision of traffic along adjacent streets. lights will be installed per applicable codes
  - iii. It does not unnecessarily illuminate night skies. lights will be installed per applicable codes

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.

No new access to the property is 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.

We believe it is compliance

3. Size of property in sq. ft. or acres: 22.4 Acres

4. Present use of property:

Motel / Vacant / Commercial Storage / Outdoor Display

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. Traffic & Highway Noise could not get worse.

- 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.** The site will be kept orderly and it will be a passive use with very little activity.

- 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. We own the land to the East and have plans which will conform with this use.

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

No. It is a passive use.

- 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.** No expansion is necessary.



# 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 comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? Yes

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

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

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

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

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

### AFFIDAVIT

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

Applicant's Signature

Date

9-1-17

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

9-1-17

### FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:

9/1/17

Notes:

Fee Amount Received:

\$150.00

Receipt Number:

5857

Public Hearing Date:

10/4/17

Planning/Zoning Administrator Approval:

Signature

9/4/17  
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
x		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100ft. or less.
x		b. Seal of the registered engineer, architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
x		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
x		d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
x		e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
x		f. Location of existing and proposed buildings and intended uses thereof.
x		g. Details of entryway and sign locations should be separately depicted with an elevation view.
x		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
x		i. Location, size, and characteristics of all loading and unloading areas.
x		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
x		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
x		l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

**SPECIAL LAND USE PERMIT APPLICATION**

**SITE PLAN REQUIREMENT CHECKLIST**

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

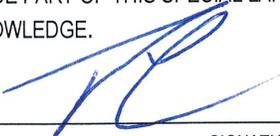
PLEASE LIST THE REQUIREMENT FOR WHICH A WAIVER IS BEING REQUESTED. ALSO PROVIDE AN EXPLANATION/REASON FOR THE WAIVER REQUEST.

**SECTION**

**REASON FOR WAIVER REQUEST**


**AFFIDAVIT**

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

  
 \_\_\_\_\_  
 SIGNATURE

8-1-17  
 \_\_\_\_\_  
 DATE

162-006-200-001-01  
LAFFERTY, DAVID & KATHRYN H/W  
24587 HICKORY DR  
GROSSE ILE, MI 48138

162-006-300-001-00  
LITTLE TRAVERSE CONSERVANCY  
3264 POWELL RD  
HARBOR SPRINGS, MI 49740

162-006-300-002-01  
MYERS, WAYNE & ELAINE H/W  
PO BOX 389  
INDIAN RIVER, MI 49749

162-006-300-002-03  
SCHUBERT, PATRICIA A & JEREMY M  
11307 JEWETT AVE  
WARREN, MI 48089

162-006-300-002-06  
CONNERS, TRAVIS & RENEE, TTEES  
1275 CHIPPEWA BEACH RD, PO BOX 726  
INDIAN RIVER, MI 49749

162-006-300-003-00  
CONNERS, TRAVIS & RENEE H/W  
562 S STRAITS HWY  
INDIAN RIVER, MI 49749

162-006-300-004-00  
CONNERS, TRAVIS & RENEE H/W  
562 S STRAITS HWY  
INDIAN RIVER, MI 49749

162-006-300-005-00  
CONNERS, TRAVIS & RENEE H/W  
562 S STRAITS HWY  
INDIAN RIVER, MI 49749

162-006-200-001-01  
OCCUPANT  
618 W INDIAN WOODS TRL  
INDIAN RIVER, MI 49749

162-006-300-002-01  
OCCUPANT  
785 GOERKE RD  
INDIAN RIVER, MI 49749

162-006-300-005-00  
OCCUPANT  
1225 S GRANDVIEW BEACH RD  
INDIAN RIVER, MI 49749



RECEIVED FOR RECORD  
 MARY ELLEN TRYBAN, CLERK/REGISTER  
 CHEBOYGAN COUNTY, MICHIGAN  
 05/20/2016 10:48:05 AM

RECEIPT# 331, STATION 1  
 MEMORANDUM OF LAND C  
 TAX CERTIFICATION  
 \$17.00  
 \$3.00



UBER 1306

PAGE 674

**MEMORANDUM OF LAND CONTRACT**

**THIS MEMORANDUM OF LAND CONTRACT** entered into this 19 day of May, 2016, by and between, Alan R. Thompson, also known as Alan Thompson, and Diane M. Thompson, husband and wife, whose address is 1760 Cedar Springs Lane, Indian River, MI 49749 (Seller), and Travis Connors and Renee Connors, husband and wife, whose address is 562 S Straits Highway, Indian River, Michigan 49749 (Buyer).

**WITNESSETH:**

**WHEREAS**, Buyer and Seller have entered into a Land Contract of even date herewith; and

**WHEREAS**, the parties desire to enter into this memorandum of Land Contract to give record notice of the existence of said land Contract.

**NOW THEREFORE**, in consideration of the premises and for other good and valuable consideration, Seller acknowledges and agrees that they have sold to Buyer on the Land Contract dated May 19, 2016, the following described premises situated in the Township of Tuscarora, County of Cheboygan, and State of Michigan, to-wit:

Parcel 1: That part of the North 1/2 of the South 1/2 of the Southwest 1/4 of the Southwest 1/4, Section 6, lying East of Highway I-75, Section 6, T35N, R2W.

Parcel 2: North 20 acres of the Southwest 1/4 of the Southwest 1/4, EXCEPT: Right of Way, Section 6, T35N, R2W.

Parcel 3: The South 330.00 feet of the Southwest 1/4 of the Southwest 1/4, Section 6, T35N, R2W

Commonly known as: 5875 Grandview Beach Road

Parcel ID Nos. 162-006-300-003-00 ✓  
 162-006-300-004-00 ✓  
 162-006-300-005-00 ✓

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.

5/20/16 *[Signature]*  
 Cheboygan, MI Cheboygan County Treasurer

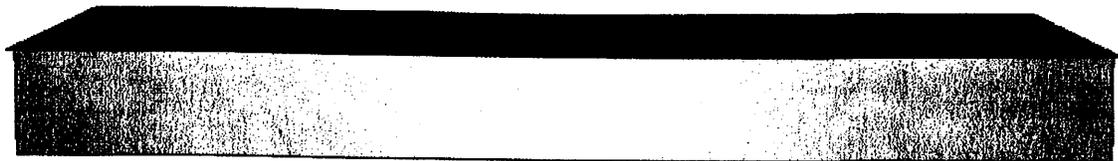
The purpose of this memorandum of Land Contract is to give record notice to the Existence of the aforesaid Land Contract.

4

T. CT







Please feel free to contact me with any questions or changes

Thank you

Check us out at.

<http://www.hansenpolebuildings.com/>

--

Brenda Holtz  
Hansen Buildings  
1-866-200-9657

Remember to confirm your design criteria, with your permitting office, before purchasing your building.

Attachments:

Questionnaire - Comparison 4_24_15-1.pdf	294 KB
ConnersTravis 60x180x17 Quote1473278109.pdf	629 KB
ConnersTravis 60x180x17 Quote1473277868.pdf	637 KB

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

NOTES

1. The purpose of this Site Plan Amendment pursuant to Section 6.2.12, to expand an area for outdoor display of boat/atv/associated equipment pursuant to Section 6.2.2., and to add a 2 proposed buildings for boats and indoor storage pursuant to Special Use under Section 6.3.14 & Section 6.3.16.
2. The grading will direct drainage to the wooded area to the east. Soil is well drained Rubicon Sand. Land to East & South is owned by applicant.
3. The use of the 3 existing signs will continue.
4. The proposed buildings 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.
5. No changes are proposed to the existing motel.
6. Lighting will only be provided as required by applicable building/construction codes.
7. The 100' wide easement in the Northwest corner of the parcel was granted to the Michigan State Highway Department in 1934 for highway purposes. It is an easement only, and not a fee simple transfer. The highway fence was erected and maintained by MDOT.

LAND CONTAINED IN THIS SITE PLAN

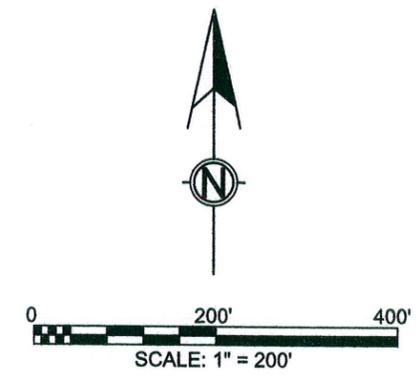
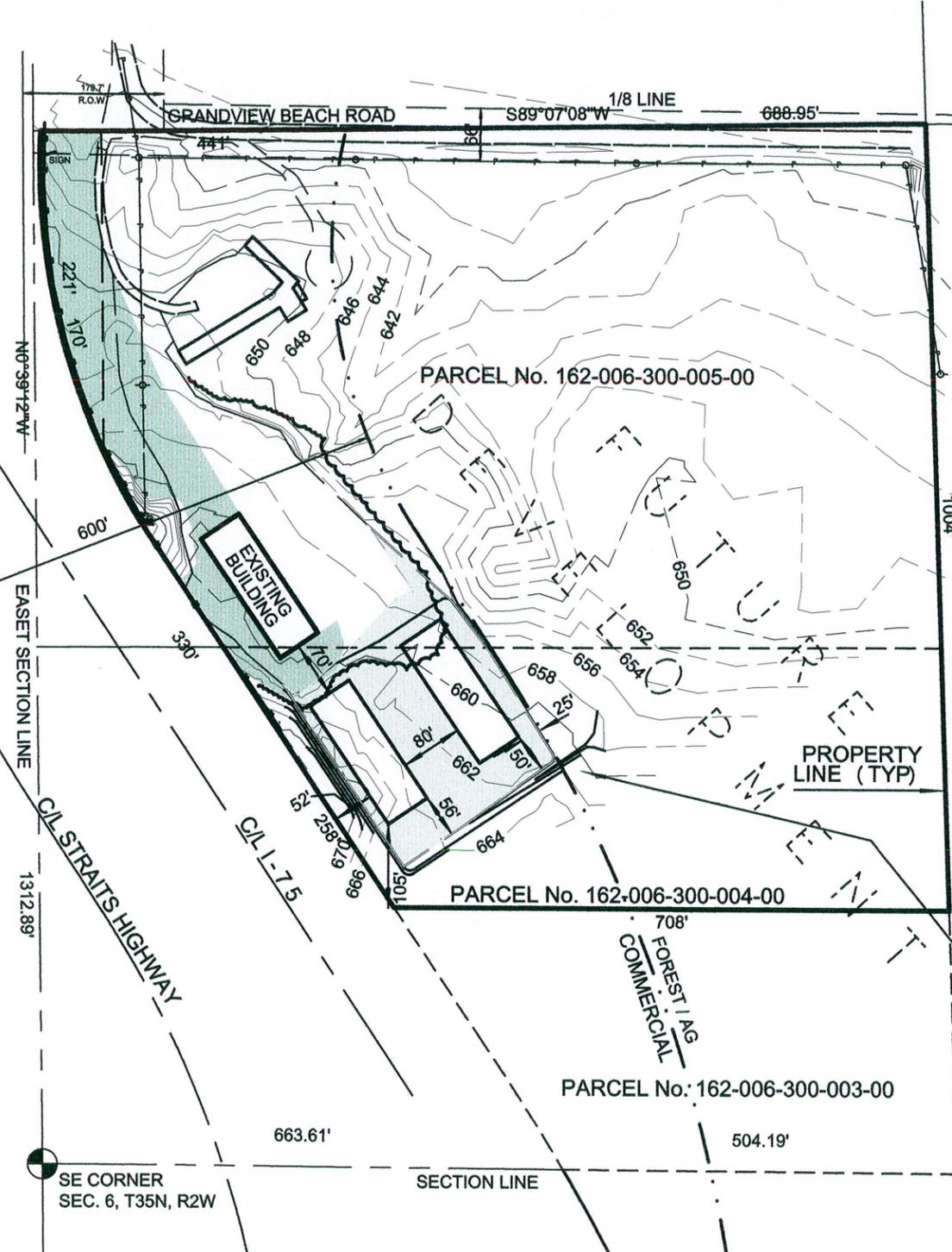
That portion of the the following parcels lying within the Commercial Zoning District according to the Cheboygan County Zoning Ordinance No. 200:

Parcel 162-006-300-004-00: The North 1/2 of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 6, lying East of Highway I-75, Section 6, T35N, R2W.

AND

Parcel 162-006-300-005-00: The North 20 Acres of the Southwest 1/4 of the Southwest 1/4 EXCEPT Right of Way, Section 6, T35N, R2W.

**THIS SITE PLAN AMENDMENT  
2 BUILDINGS PROPOSED**

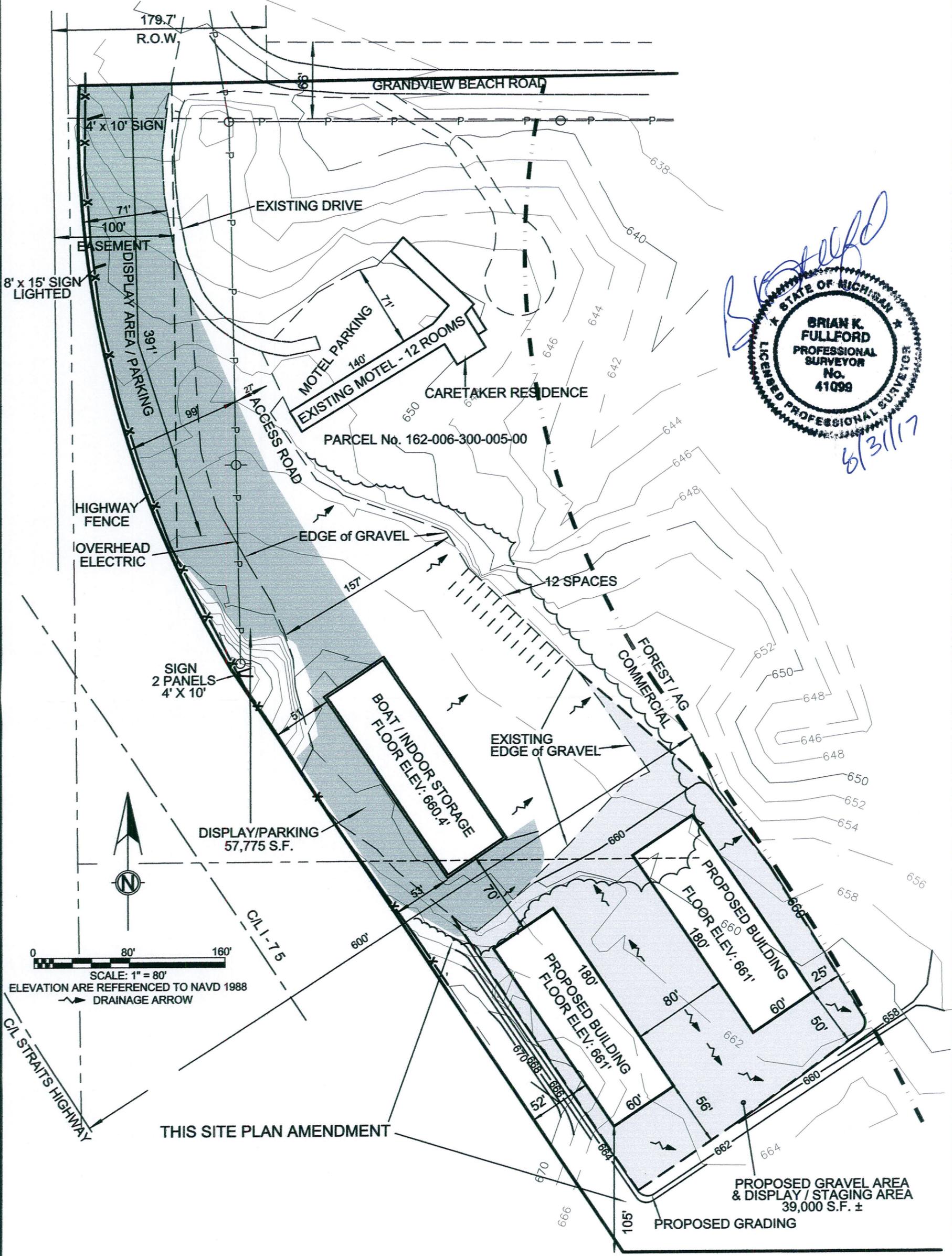


PREPARED UNDER THE SUPERVISION OF:

*Brian K. Fullford* 9/31/17  
BRIAN K. FULLFORD  
PROFESSIONAL SURVEYOR  
REGISTRATION NO. 41099

FOR:  TRAVIS & RENEE CONNERS SITE PLAN AMENDMENT	SEC. 6, T35N, R2W FB: CS15 / PAD	DRAWN: <u>BKF</u> CHECK: <u>BKF</u>	PROJECT NO. 16-035S <i>102</i>
	 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		

# SITE PLAN AMENDMENT FOR BOAT/EQUIPMENT DISPLAY & S.U.P. for BOAT/INDOOR STORAGE

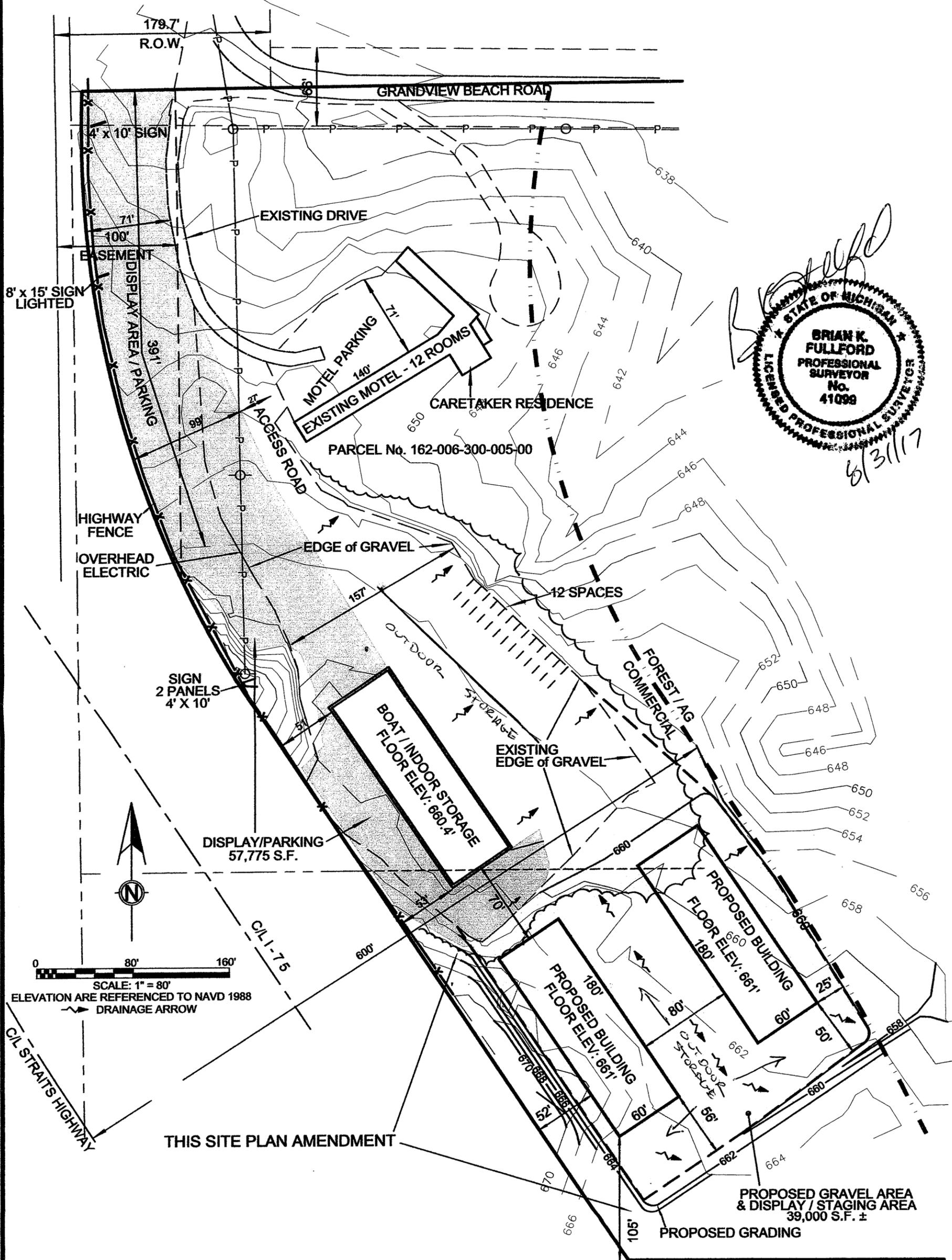


6/3/17

AUGUST 31, 2017

<p>TRAVIS &amp; RENEE CONNERS SITE PLAN AMENDMENT</p>	<p>SEC. 6, T35N, R2W FB: CS 15 / PAD</p>	<p>DRAWN: <u>BKF</u> CHECK: <u>BKF</u></p>	<p>PROJECT NO. 16-035S <span style="float: right; font-size: 1.5em;">262</span></p>
<p>FULLFORD SURVEYING &amp; MAPPING, P.C.</p> <p>PO BOX 969 5097 S. STRAITS HIGHWAY, SUITE A INDIAN RIVER, MI 49749 PHONE: 231-238-9199 FAX: 231-238-9195</p>			

# SITE PLAN AMENDMENT FOR BOAT/EQUIPMENT DISPLAY & S.U.P. for BOAT/INDOOR STORAGE



  
 6/31/17



SCALE: 1" = 80'  
ELEVATION ARE REFERENCED TO NAVD 1988  
DRAINAGE ARROW

AUGUST 31, 2017

SEC. 6, T35N, R2W FB: CS 15 / PAD	DRAWN: <u>BKF</u> CHECK: <u>BKF</u>	PROJECT NO. 16-0355 <span style="float: right; font-size: 1.5em;">262</span>
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TRAVIS & RENEE CONNERS  
SITE PLAN AMENDMENT  
*OUTDOOR STORAGE LOCATIONS*



FULLFORD SURVEYING & MAPPING, P.C.  
PO BOX 969  
5097 S. STRAITS HIGHWAY, SUITE A  
INDIAN RIVER, MI 49749  
PHONE: 231-238-9199 FAX: 231-238-9195

## Deborah Tomlinson

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

**Sent:** Wednesday, September 06, 2017 4:00 PM

**To:** Deborah Tomlinson

**Subject:** Re: Application for Travis Conners

Hi Deb,

I don't see any major concerns in regards to the Fire Department with Travis Conners project.

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

Respectfully,

David Carpenter  
Fire Chief

## **Deborah Tomlinson**

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

**Sent:** Thursday, September 28, 2017 2:04 PM

**To:** Deborah Tomlinson

**Subject:** Re: Applications for Gerld Wolfgram/Mike Saker/Dave Driskill & Porter's Survey/River's Edge Community

Debbie,

I have reviewed the applications you have sent to me.

Travis Conners:

It is my understanding that this request is additional buildings that will be added. If this is the case, then Mr. Conners will need to upgrade the driveway on Grandview Beach Dr. The additional buildings and increased outdoor storage will generate more trips in and out on the road. The driveway upgrade will help protect the road edge from the increased traffic.

Telcad:

The Road Commission will require a permit for the driveway work, it will be considered an access driveway per Road Commission permit guidelines.

Dave Nash, et al.:

No concerns, it appears all proposed work is outside of road right of way.

River's Edge Community Association:

No concerns from Road Commission, project is located on State Highway.

Wolfgram/Saker/Driskill:

No concerns, existing commercial business.

Have a great day,

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

## Deborah Tomlinson

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

**Sent:** Tuesday, October 03, 2017 1:19 PM

**To:** Deborah Tomlinson

**Subject:** Followup to Travis Conners Site

Hello,

I have spoken to Mr. Conners about the driveway improvements that the Road Commission is requesting. Mr. Conners is planning some paving on the site already and will include the upgrading of the driveway at Grandview Beach as part of his project. Mr. Conners has informed me that this work will be completed by the end of 2018. With the amount of time left this year for this type of construction, the Road Commission is agreeable to wait for the work to be completed in 2018.

If you have questions, please let me know.

Thank you,

Brent Shank

Engineer/Manager

Cheboygan County Road Commission

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

(231) 238-7775



# CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

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

## STAFF REPORT

<b>Item:</b> Amendment to a special use permit for two (2) additional Boat storage buildings and outdoor boat storage in a Commercial Development (D-CM) zoning district	<b>Prepared by:</b> Scott McNeil
<b>Date:</b> September 12, 2017	<b>Expected Meeting Date:</b> October 4, 2017

### GENERAL INFORMATION

#### **Introduction:**

The applicant received site plan review approval for boat and trailer sales and special use permit approval for a change of use for a boat storage building (180 ft. x 60 ft.) and special use permit approval for outdoor boat storage on October 19, 2016.

The applicant is seeking an amendment to the special use permit for two additional boat storage buildings each measuring 180 feet long and 60 feet wide along with additional outdoor boat storage.

#### **Applicant:**

Travis Conners

#### **Contact person:**

Travis Conners

#### **Phone:**

231-420-9696

#### **Requested Action:**

Approval of an amendment to a special use permit for two (2) additional Boat storage buildings and outdoor boat storage.

### BACKGROUND INFORMATION

#### **Current Zoning:**

Current zoning is Commercial Development District (D-CM)

**Surrounding Land Uses:**

Vacant land uses to north, south, and east, with I-75 exit ramp to the west.

**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 subject site is located on S. Grand View Beach Road and adjacent to off ramp of I-75 with existing motel, display and boat storage use. The additional boat storage will have a minimal effect on traffic.

**Parking**

There are no parking requirements for boat storage per section 17.4.1.

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

Street access to this site is provided from Grand View Beach Road. There are no changes proposed to the access driveways.

**Signs**

No new signs are proposed.

**Fence/Hedge/Buffer**

An existing fence is located on the south property line along the I-75 exit ramp right-of-way. No other fence, hedge or buffer is proposed.

**Lighting**

No outdoor lighting is indicated on the site plan. Reference to future installation of outdoor lighting is indicated in the application. A condition that the location of proposed outdoor lighting shall be placed on the site plan is recommended upon approval.

**Stormwater management**

The applicant indicates a drainage pattern toward the south and east portion of the property with arrows on the site plan.

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

Permits will be required under the building code.

**Recommendations (proposed conditions)**

Approval by Cheboygan County Department of Building Safety.

# CHEBOYGAN COUNTY PLANNING COMMISSION

## Special Use Permit

Wednesday, October 4, 2017, 7:00 PM

Applicant	Owner	Parcel
Travis Conners P.O. Box 1236 Indian River , Mi. 49749	Travis Conners P.O. Box 1236 Indian River, Mi. 49749	1225 S. Grandview Beach Rd. Tuscarora Township 161-006-300-004-00 161-006-300-005-00

### GENERAL FINDINGS

1. The property is located in a Commercial Development (D-CM) zoning district.
2. The applicant received site plan review approval for outdoor display for ATVs Trailers, Boats, Boat docks and Trailers on October 19, 2016.
3. The applicant received Special use permit approval for a change of use for a Boat storage building and special use permit for outdoor boat storage on October 19, 2016.
4. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage.
5. Boat storage is a use which requires a special use permit in the D-CM zoning district per section 6.3.14.
6. There is an existing motel on the subject property.
- 7.
- 8.
- 9.
- 10.

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

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

a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.

1. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage. (see exhibits 4, 8 and 9)
2. The subject property where the special use is proposed is located in a Commercial Development (D-CM) Zoning district
3. Boat storage is a use which requires a special use permit in the D-CM district per section 6.3.14. (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. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage. (see exhibits 4, 8 and 9)

2. The property currently contains a motel.

3. The applicant received Special use permit approval for a change of use for a Boat storage building and special use permit for outdoor boat storage on October 19, 2016.

4.

5. 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 received Special use permit approval for a change of use for a Boat storage building and special use permit for outdoor boat storage on October 19, 2016.

2. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage in a D-CM zoning district. (see exhibits 4, 8 and 9)

3.

4. Standard has been met.

Or.

1.

2. Standard has not been met.

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

1. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage in a D-CM zoning district. (see exhibits 4, 8 and 9)

2.

3. 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 approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage in a D-CM zoning district. (see exhibits 4, 8 and 9)

1. The site is accessed from S. Grand View Beach Road, which is a County Local Road. (see exhibit 8)

2.

3. Standard has been met.

Or.

1.

2. Standard has not been met.

f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.

1. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage in a D-CM zoning district. (see exhibits 4, 8 and 9)

2. The site is accessed from S. Grand View Beach Road, which is a County Local Road.

3. The site plan indicates that s Signs, buildings, plantings, or other elements of the proposed project do not interfere with driver visibility or safe vehicle operation.

4. The entrance drive to the use and to off-street parking areas is more than 25 feet from a street intersection.

5.

6. Standard has been met.

Or.

1.

2. Standard has not been met.

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

1. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage. (see exhibits 4, 8 and 9)

2.

3.

4. Standard has been met.

Or.

1. No water and sewer facilities are indicated by the applicant. The applicant has not demonstrated that water and sewer facilities will not be needed or that water and sewer service will be adequately served.

2.

3. Standard has not been met.

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

1. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage. (see exhibits 4, 8 and 9)

2.

3. Standard has been met.

Or.

1. The special use does not comply with the following standards; \_\_\_\_\_

2.

3. 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 approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage. (see exhibits 4, 8 and 9)

2.

3. Standard has been met.

Or.

1. The site as proposed to be developed which will impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance due to \_\_\_\_\_.

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. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage. (see exhibits 4, , 8 and 9)

2. Landscaping and topographic modifications are proposed to the extent necessary to facilitate the project. (see exhibit 4)

3.

4. Standard has been met

Or.

1. The landscape has not been preserved in its natural state, insofar as practical, due to \_\_\_\_\_.

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. The applicant is seeking approval of an amendment to a special use permit for two (2) additional boat storage buildings and additional outdoor boat storage (see exhibits 4, 8 and 9)

2. Clearing and leveling and tree removal is proposed to facilitate the proposed uses.

3. The site plan indicates a drainage pattern toward the south and east portion of the property with arrows on the site plan in an area where fill and leveling have taken place. (see exhibit 8)

4.

5. Standard has been met.

Or.

1. There is no information provided which insures that site drainage 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 site and to the rear to the proposed boat storage structures. (see exhibit 8)

2. Access to the site is provided via S. Grand View Beach Road. (see exhibit 8)

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. All structures have access to S. Grand View Beach Road. (see exhibit 8)

2. S. Grand View Beach Road is a County Local 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. 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 exterior lighting is proposed on the site plan.

2. All 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. No change is proposed to existing streets and driveway locations.

2.

3. Standard has been met.

Or

1.

2. Standard has not been met.

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 shall conform to the Master Plan and any applicable state and federal laws. (see exhibit 4)

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, October 4, 2017

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Patty Croft, Chairperson

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Charles Freese, Secretary

# CHEBOYGAN COUNTY PLANNING COMMISSION

Porter's Survey P.C. / River's Edge Community Association – Revised 10/04/17

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Site Plan Review Application (6 Pages)
4. Site Plan – Cover Sheet (1 Page)
5. Survey Plan & Site Plan (1 Page)
6. Site Plan – Easements (1 Page)

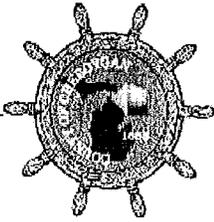
The following items were added to the exhibit list on 10/02/17:

7. Email dated 09/28/17 From Brent Shank, Road Commission Engineer/Manager (1 Page)

The following items were added to the exhibit list on 10/04/17:

8. Site Plan (1 Page)
9. Utility Plan (1 Page)
10. Floodplain Plan (1 Page)
- 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

### PROPERTY LOCATION

Address 9656N, M-33 HWY	City / Village CITY OF CHEBOYGAN	Twp / Sec. T37N R1W SEC 17	Zoning District D-CM COMMERCIAL DEVELOPMENT
Property Tax I.D. Number 092-R25-00-005-00	Plat or Condo Name / Lot or Unit No. RIVERS EDGE SITE CONDOMINIUM		

### APPLICANT

Name PORTER'S SURVEY P.C.	Telephone 989-733-8813	Fax 989-733-2977
Address P.O. BOX 159	City, State & Zip ONAWAY, MI 49765	E-Mail PS@PORTERSURVEY.COM

### OWNER (If different from applicant)

Name RIVER'S EDGE COMMUNITY ASSOCIATION	Telephone 810-247-0088	Fax
Address 1114 WATSEEDGE DR	City, State & Zip CHEBOYGAN, MI 49721	E-Mail

### PROPOSED WORK

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

### PROPOSED USE (check all that apply)

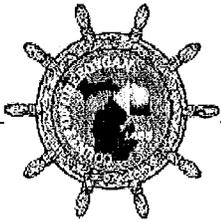
<input checked="" type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input type="checkbox"/> Multi-Family, # of units ____	<input type="checkbox"/> Storage	<input checked="" 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: M-27 TO M-33 SOUTH 600' TO BLUE STEEL BUILDING ON LEFT

SITE PLAN REVIEW APPLICATION



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SITE PLAN REVIEW APPLICATION

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

EXISTING AUTO/MACHINERY REPAIR AND REPAIR FABRICATION. NO OTHERS CURRENTLY ANTICIPATED

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.

THERE WILL BE ZERO CHANGE FROM EXISTING PERMITTED USAGE

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

THERE WILL BE NO CHABGE FROM EXISTING

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

THERE WILL BE NO CHANGE FROM EXISTING

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

ALL EXISTING BARRIERS WILL REMAIN

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

EXISTING BUILDING ON SITE

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

DIRECT ACCESS TO M-33

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

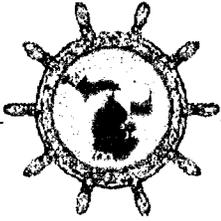
NONE EXISTING (SPLIT UNIT INTO TWO UNITS)

- h. Exterior lighting shall be arranged as follows:

i. It is deflected away from adjacent properties. CURRENT OK

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

iii. It does not unnecessarily illuminate night skies. CURRENT OK



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SITE PLAN REVIEW APPLICATION

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

N/A

i. 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: 28.55 TOTAL

4. Present use of property:

RESIDENTIAL/RESTAURANT/DOCKAGE

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

9-19-17

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

Yes  No

Owner's Signature

*Deborah Rivas*  
Rivas Edge Community Association  
Sec/Treasurer

Date

9-14-17



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

## FOR PLANNING /ZONING DEPT. USE ONLY

Date Received: 9/21/17

Notes:

Fee Amount Received: \$110.-

Receipt Number: 5905

Public Hearing Date: 10/4/17

Planning/Zoning Administrator Approval:

Signature

9/25/17

Date

SITE PLAN REVIEW APPLICATION

# SITE PLAN REVIEW APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
X		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100 ft. or less.
X		b. Seal of the registered engineer, architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
X		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
X		d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
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.
		f. Location of existing and proposed buildings and intended uses thereof.
N/A	N/A	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.
X		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
X		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
N/A	N/A	p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
N/A	N/A	q. Elevation drawing(s) for proposed commercial and industrial structures.
N/A	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	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.

Baey d. [Signature]

---

SIGNATURE

9-19-17

---

DATE

REPLAT NUMBER 2 OF CHEBOYGAN COUNTY CONDOMINIUM SUBDIVISION PLAN NUMBER 81.

# RIVER'S EDGE (A SITE CONDOMINIUM)

CONDOMINIUM SUBDIVISION PLANS SHALL BE NUMBERED CONSECUTIVELY WHEN RECORDED BY THE REGISTER OF DEEDS AND SHALL BE DESIGNATED CHEBOYGAN COUNTY CONDOMINIUM SUBDIVISION PLAN NUMBER \_\_\_\_\_ IN ACCORDANCE WITH PUBLIC ACT 59, 1978, MSA 26.50(166) SECTION 66(3)

EXHIBIT "B" TO THE MASTER DEED OF RIVER'S EDGE (A SITE CONDOMINIUM)

ALL BEING A PART OF GOVERNMENT LOTS 4 & 5, SECTION 17, T37N, R1W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN

PREPARED BY:

PORTER'S SURVEY P.C.  
21529 M-68 HIGHWAY  
P.O. BOX 159  
ONAWAY, MICHIGAN 49765

PH. (989) 733-8813

DEVELOPER:

RIVER'S EDGE COMMUNITY ASSOCIATION  
1114 WATERSEDGE DR CHEBOYGAN MI 49721  
(610) 247-0088

DESCRIPTION: CONDOMINIUM BOUNDARY

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 17, TOWN 37 NORTH RANGE 1 WEST, THENCE ALONG THE WEST LINE OF SAID SECTION NORTH 03° 06' 37" EAST A DISTANCE OF 148.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 03° 06' 37" EAST A DISTANCE OF 256.50 FEET ALONG THE WEST LINE OF SAID SECTION; THENCE SOUTH 84° 27' 42" EAST A DISTANCE OF 1395.62 FEET TO THE BANK OF CHEBOYGAN RIVER; THENCE SOUTH 01° 14' 48" EAST A DISTANCE OF 171.34 FEET; THENCE SOUTH 28° 46' 47" EAST A DISTANCE OF 203.39 FEET ALL BEING ALONG THE BANK OF THE CHEBOYGAN RIVER; THENCE LEAVING THE CHEBOYGAN RIVER NORTH 86° 58' 42" WEST A DISTANCE OF 200.00 FEET; THENCE SOUTH 14° 08' 23" WEST A DISTANCE OF 320.01 FEET; THENCE NORTH 86° 59' 44" WEST A DISTANCE OF 67.27 FEET; THENCE NORTH 14° 09' 14" EAST A DISTANCE OF 252.78 FEET; THENCE NORTH 86° 58' 42" WEST A DISTANCE OF 234.72 FEET; THENCE SOUTH 03° 01' 37" WEST A DISTANCE OF 16.97 FEET; THENCE NORTH 85° 26' 20" WEST A DISTANCE OF 125.59 FEET; THENCE N 04° 33' 40" E 13.60 FEET; THENCE N 86° 58' 42" W 353.96 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 145.00 FEET, A DELTA OF 23° 18' 08", AN ARC LENGTH OF 58.97 FEET, AND A CHORD WHICH BEARS S 11° 43' 24" E 58.57 FEET; THENCE S 00° 04' 17" E 46.35 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 135.00 FEET, A DELTA OF 41° 34' 56", AN ARC LENGTH OF 97.98 FEET, AND A CHORD WHICH BEARS S 20° 51' 50" E 95.84 FEET; THENCE S 04° 29' 00" E 59.00 FEET; THENCE SOUTH 86° 57' 41" E 215.20'; THENCE SOUTH 15° 18' 14" EAST A DISTANCE OF 503.08 FEET TO THE BANK OF CHEBOYGAN RIVER; THENCE ALONG THE INTERMEDIATE TRAVERSE LINE NORTH 79° 43' 30" WEST A DISTANCE OF 336.95 FEET; THENCE SOUTH 02° 09' 53" WEST 85.67'; THENCE NORTH 86° 03' 50" WEST A DISTANCE OF 504.77 FEET; THENCE NORTH 01° 08' 07" WEST A DISTANCE OF 829.92 FEET; THENCE NORTH 86° 58' 42" WEST A DISTANCE OF 27.26 FEET; THENCE NORTH 03° 06' 37" EAST 148.50 FEET; THENCE NORTH 86° 58' 42" WEST 33.00 FEET TO THE POINT OF BEGINNING. CONTAINING 26.03 ACRES OF LAND, MORE OR LESS. ALL BEING PART OF GOVERNMENT LOTS 4 & 5, SECTION 17, TOWN 37 NORTH, RANGE 1 WEST, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN. PROPERTY EXTENDING TO THE CENTER THREAD OF THE CHEBOYGAN RIVER.

DESCRIPTION: WELL ISOLATION AND OVERFLOW EASEMENT

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 17, T37N, R1W, THENCE NORTH ALONG THE WEST LINE OF SAID SECTION N 03° 06' 37" E 182.20' TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST SECTION LINE; THENCE N 03° 06' 37" E 222.80'; THENCE S 84° 27' 42" E 327.67'; THENCE S 03° 29' 37" W 208.72'; THENCE N 86° 55' 28" W 325.98' TO THE POINT OF BEGINNING. CONTAINING 1.62 ACRES. ALL BEING A PART OF GOVERNMENT LOT 5, SECTION 17, T37N, R1W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN.

BURDENED BILLBOARD EASEMENT AS RECORDED LIBER 949, PAGES 871 THRU 873, CHEBOYGAN COUNTY RECORDS.

MOVABLE BURDENED & BENEFIT INGRESS & EGRESS AND UTILITY EASEMENT FOR THE BENEFIT OF UNITS 3 & 4 AND OTHERS AS DEPICTED IN LIBER 1099, PAGES 291 THRU 306, CHEBOYGAN COUNTY RECORDS.

ALL PUBLIC UTILITIES RESIDE IN GENERAL COMMON AREAS, UNLESS OTHERWISE NOTED.

DESCRIPTION: ROADWAY NATALIE LANE (BURDENED & BENEFIT EASEMENT)

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 17, T37N, R1W, THENCE ALONG THE EAST-WEST 1/4 LINE S 86° 58' 42" E 60.26' TO THE EASTERLY RIGHT-OF-WAY OF STATE ROADWAY M-33 AND THE POINT OF BEGINNING; THENCE S 89° 55' 20" E 222.42'; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2577.30', A DELTA OF 04° 28' 55", AN ARC LENGTH OF 201.60' AND A CHORD WHICH BEARS S 87° 40' 47" E 201.55'; THENCE S 85° 26' 20" E 392.83'; THENCE N 04° 33' 40" E 17.00'; THENCE S 85° 26' 20" E 122.93'; THENCE S 03° 01' 37" W 100.00'; THENCE N 85° 26' 20" W 125.59'; THENCE N 04° 33' 40" E 13.60'; THENCE N 86° 58' 42" W 809.70' TO THE EASTERLY RIGHT-OF-WAY OF STATE ROADWAY M-33; THENCE ALONG SAID RIGHT-OF-WAY N 01° 08' 07" W 66.17' TO THE POINT OF BEGINNING. CONTAINING 1.69 ACRES. ALL BEING A PART OF GOVERNMENT LOTS 4 & 5, SECTION 17, T37N, R1W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN.

DESCRIPTION: INGRESS, EGRESS & UTILITY EASEMENT (BURDENED & BENEFIT EASEMENT) NATALIE LANE EXTENDED

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 17, T37N, R1W, THENCE ALONG THE EAST-WEST 1/4 LINE S 86° 58' 42" E 999.95' TO THE POINT OF BEGINNING; THENCE CONTINUING S 86° 58' 42" E 314.89'; THENCE S 14° 08' 23" W 320.01'; THENCE N 86° 59' 44" W 67.27'; THENCE N 14° 09' 14" E 252.78'; THENCE N 86° 58' 42" W 234.72'; THENCE N 03° 01' 37" E 66.00' TO THE POINT OF BEGINNING. CONTAINING 0.85 ACRES. ALL BEING A PART OF GOVERNMENT LOT 5, SECTION 17, T37N, R1W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN.

DESCRIPTION: BURDENED 20' WIDE STORM SEWER EASEMENT OVER UNIT #5 TO BENEFIT UNITS #1 & #2

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 17, T37N, R1W, THENCE ALONG THE EAST-WEST 1/4 LINE S 86° 59' 02" E 60.26'; THENCE ALONG THE NORTHERLY LINE OF NATALIE LANE S 89° 55' 20" E 222.42'; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2577.30', A DELTA OF 04° 28' 55", AN ARC LENGTH OF 201.60' AND A CHORD WHICH BEARS S 87° 40' 47" E 201.55'; THENCE S 85° 26' 20" E 4.08' TO THE POINT OF BEGINNING; THENCE N 48° 09' 06" E 87.40'; THENCE S 41° 50' 54" E 20.00'; THENCE S 48° 09' 06" W 68.36'; THENCE N 85° 26' 20" W 27.61' TO THE POINT OF BEGINNING. CONTAINING 0.04 ACRES. ALL BEING A PART OF GOVERNMENT LOT 4, SECTION 17, T37N, R1W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN.

DELMER E. PORTER P.S. 15410

DATE

## SHEET INDEX

- 1. ....COVER SHEET (ORIGINAL)
- 1A. ....COVER SHEET (NEW 08/26/2016)
- 1B. ....COVER SHEET (NEW 09/20/2017)
- 2. ....SURVEY PLAN & SITE PLAN (ORIGINAL)
- 2A. ....SURVEY PLAN & SITE PLAN (NEW 08/26/2016)
- 2B. ....SURVEY PLAN & SITE PLAN (NEW 09/20/2017)
- 3. ....SITE PLAN (EASEMENTS)(ORIGINAL)
- 3A. ....SITE PLAN (EASEMENTS)(NEW 08/26/2016)
- 3B. ....SITE PLAN (EASEMENTS)(NEW 09/20/2017)
- 4. ....UTILITY PLAN (ORIGINAL)
- 4A. ....UTILITY PLAN (NEW 08/26/2016)
- 4B. ....UTILITY PLAN (NEW 09/20/2017)
- 5. ....FLOODPLAIN & SECTION PLAN (ORIGINAL)
- 5A. ....FLOODPLAIN & SECTION PLAN (NEW 08/26/2016)
- 5B. ....FLOODPLAIN & SECTION PLAN (NEW 09/20/2017)

# EXHIBIT "B"

## COVER SHEET

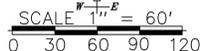
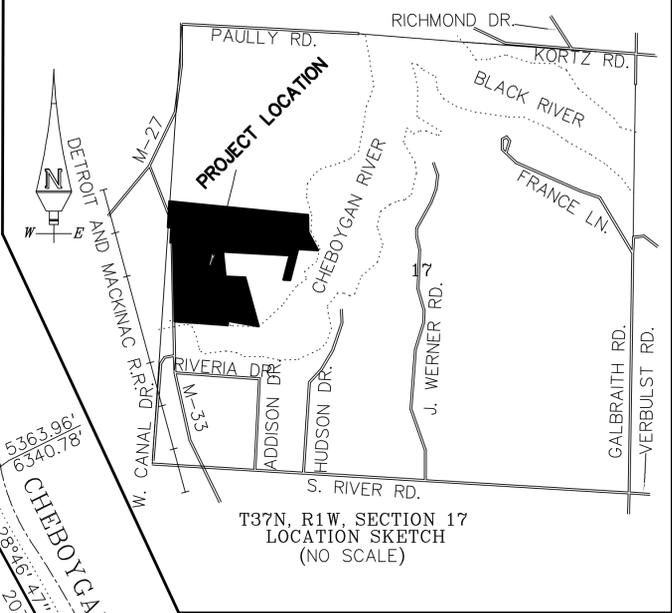
AS-BUILT 09/20/2017

PAGE 1B OF 5

# RIVER'S EDGE (A SITE CONDOMINIUM)

PREPARED BY:  
PORTER'S SURVEY P.C.  
21529 M-68 HIGHWAY  
P.O. BOX 159  
ONAWAY, MICHIGAN  
PH. (989) 733-8813

ALL BEING A PART OF GOVERNMENT LOTS 4 & 5, SECTION 17, T37N,  
R1W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN



- LEGEND  
BEARING BASE ESTABLISHED  
BY WGS-84, TRUE NORTH
- ☒ = CONCRETE MONUMENT
  - S— = NOT TO SCALE
  - = CONCRETE MONUMENT MUST BE SET
  - = SET 1/2" ROD & CAP 15410

- R = RADIUS  
Δ = DELTA  
L = ARC LENGTH  
T = TANGENT  
Ch = CHORD DISTANCE  
Chd = CHORD BEARING

### SURVEYOR'S CERTIFICATE

I, Delmer E. Porter, registered land surveyor of the state of Michigan, hereby certify: That the subdivision plan known as River's Edge (A Site Condominium) plan no. \_\_\_\_\_, as shown on the accompanying drawings, represents a survey on the ground made under my direction, (that there are no existing encroachments upon the lands and property herein described. That the required monuments and iron markers have been located in the ground as required by rules promulgated under Section 142 of Act No. 59 of the Public Acts of 1978. That the accuracy of this survey is within the limits required by the rules promulgated under section 142 of Act No. 59 of the Public Acts of 1978. That the bearings, as shown, are noted on the survey plan as required by the rules promulgated under section 142 of the Public Acts of 1978.

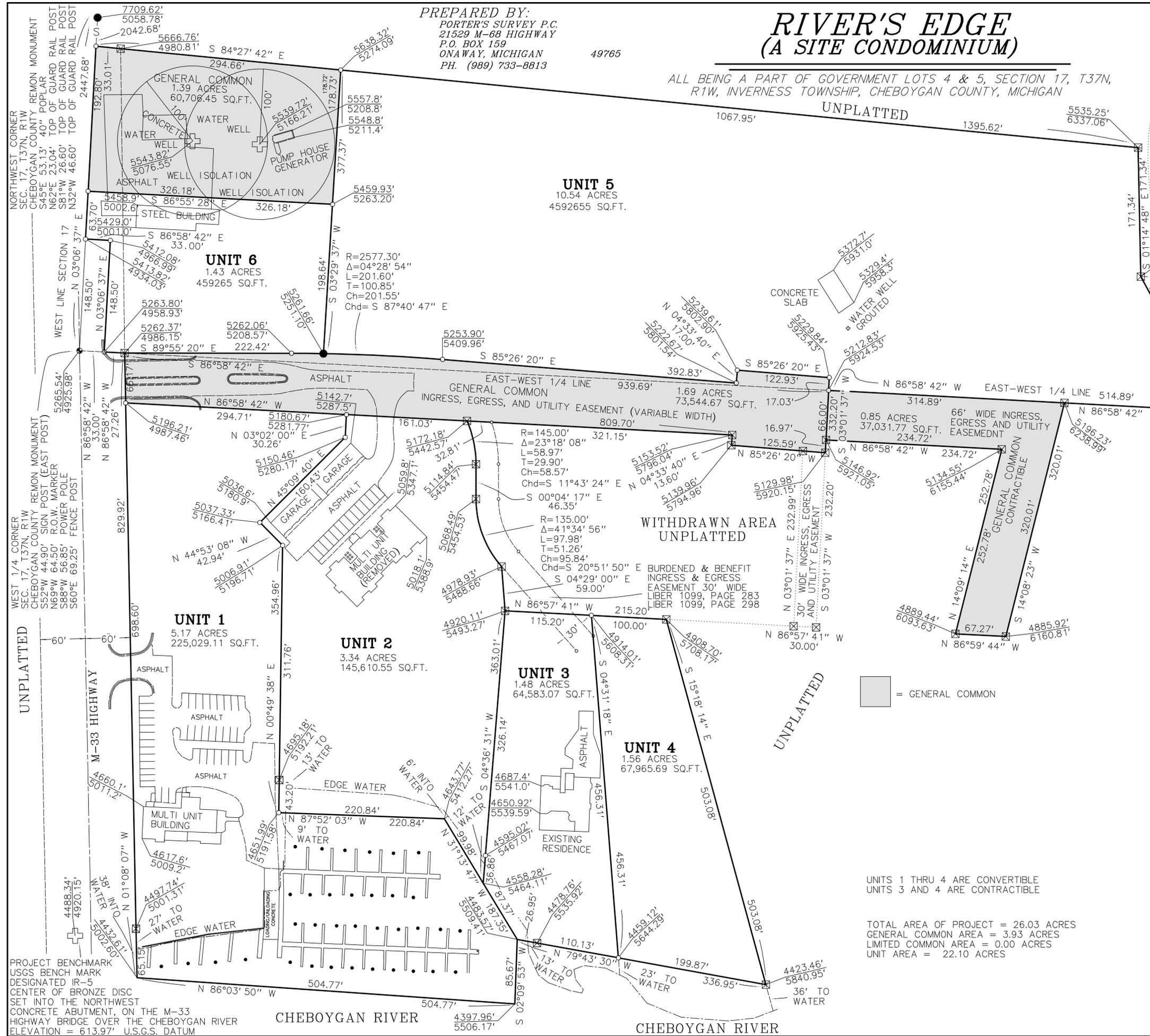
Delmer E. Porter  
Registered Land Surveyor  
Registration No. 15410  
PORTER'S SURVEY P.C.  
21529 M-68 Highway  
P.O. Box 159  
Onaway, Michigan 49765

DATE \_\_\_\_\_

UNITS 1 THRU 4 ARE CONVERTIBLE  
UNITS 3 AND 4 ARE CONTRACTIBLE

TOTAL AREA OF PROJECT = 26.03 ACRES  
GENERAL COMMON AREA = 3.93 ACRES  
LIMITED COMMON AREA = 0.00 ACRES  
UNIT AREA = 22.10 ACRES

## SURVEY PLAN & SITE PLAN

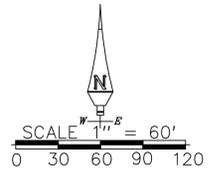


PROJECT BENCHMARK  
USGS BENCH MARK  
DESIGNATED IR-5  
CENTER OF BRONZE DISC  
SET INTO THE NORTHWEST  
CONCRETE ABUTMENT, ON THE M-33  
HIGHWAY BRIDGE OVER THE CHEBOYGAN RIVER  
ELEVATION = 613.97' U.S.G.S. DATUM

PREPARED BY:  
 PORTER'S SURVEY P.C.  
 21529 M-68 HIGHWAY  
 P.O. BOX 159  
 ONAWAY, MICHIGAN  
 PH. (989) 733-8813

# RIVER'S EDGE (A SITE CONDOMINIUM)

ALL BEING A PART OF GOVERNMENT LOTS 4 & 5, SECTION 17, T37N,  
 R1W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN

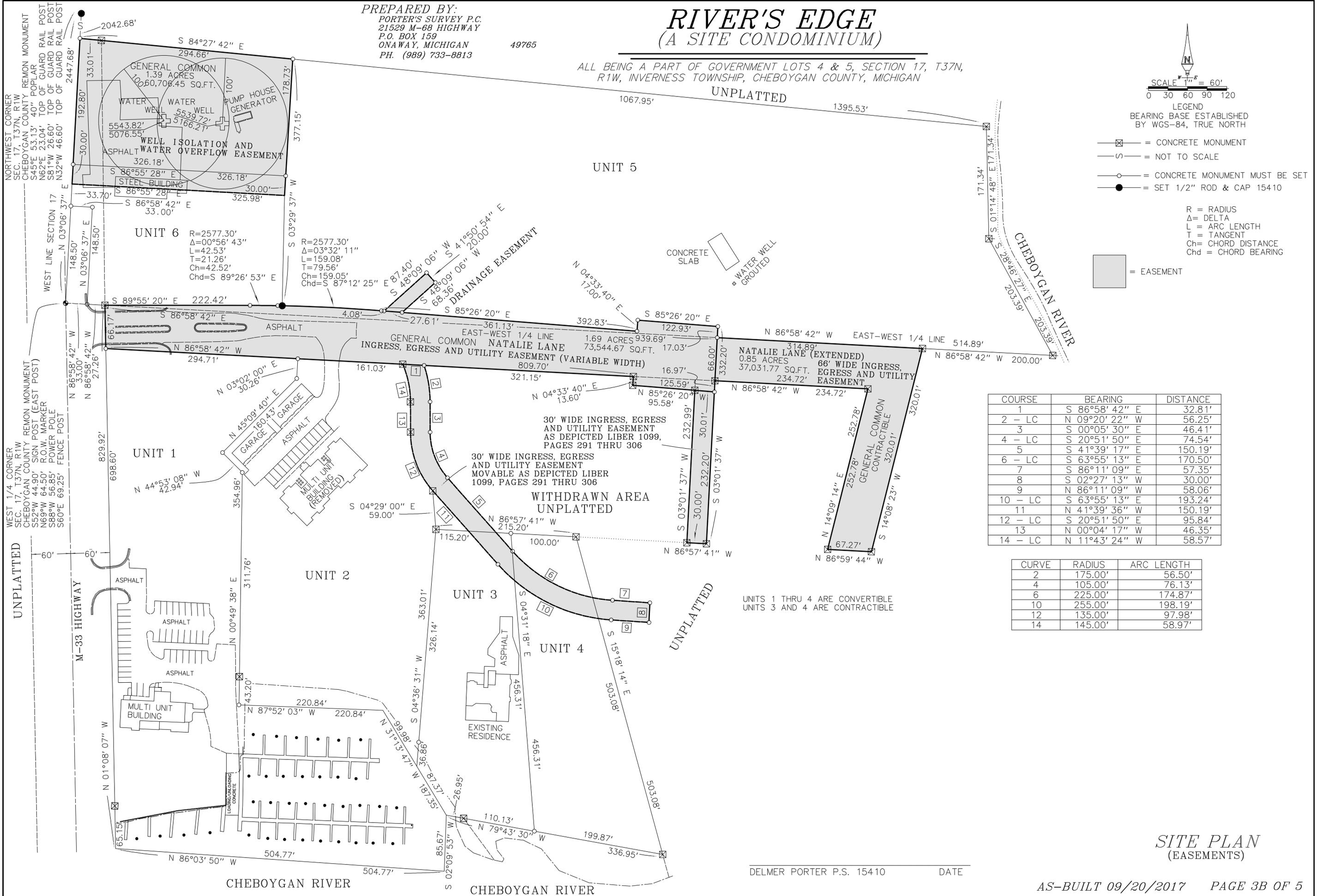


LEGEND  
 BEARING BASE ESTABLISHED  
 BY WGS-84, TRUE NORTH

- ☒ = CONCRETE MONUMENT
- S — = NOT TO SCALE
- = CONCRETE MONUMENT MUST BE SET
- = SET 1/2" ROD & CAP 15410

R = RADIUS  
 Δ = DELTA  
 L = ARC LENGTH  
 T = TANGENT  
 Ch = CHORD DISTANCE  
 Chd = CHORD BEARING

☐ = EASEMENT



COURSE	BEARING	DISTANCE
1	S 86°58' 42" E	32.81'
2 - LC	N 09°20' 22" W	56.25'
3	S 00°05' 30" E	46.41'
4 - LC	S 20°51' 50" E	74.54'
5	S 41°39' 17" E	150.19'
6 - LC	S 63°55' 13" E	170.50'
7	S 86°11' 09" E	57.35'
8	S 02°27' 13" W	30.00'
9	N 86°11' 09" W	58.06'
10 - LC	S 63°55' 13" E	193.24'
11	N 41°39' 36" W	150.19'
12 - LC	S 20°51' 50" E	95.84'
13	N 00°04' 17" W	46.35'
14 - LC	N 11°43' 24" W	58.57'

CURVE	RADIUS	ARC LENGTH
2	175.00'	56.50'
4	105.00'	76.13'
6	225.00'	174.87'
10	255.00'	198.19'
12	135.00'	97.98'
14	145.00'	58.97'

UNITS 1 THRU 4 ARE CONVERTIBLE  
 UNITS 3 AND 4 ARE CONTRACTIBLE

DELMER PORTER P.S. 15410 DATE

SITE PLAN  
 (EASEMENTS)

## Deborah Tomlinson

---

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

**Sent:** Thursday, September 28, 2017 2:04 PM

**To:** Deborah Tomlinson

**Subject:** Re: Applications for Gerld Wolfgram/Mike Saker/Dave Driskill & Porter's Survey/River's Edge Community

Debbie,

I have reviewed the applications you have sent to me.

Travis Conners:

It is my understanding that this request is additional buildings that will be added. If this is the case, then Mr. Conners will need to upgrade the driveway on Grandview Beach Dr. The additional buildings and increased outdoor storage will generate more trips in and out on the road. The driveway upgrade will help protect the road edge from the increased traffic.

Telcad:

The Road Commission will require a permit for the driveway work, it will be considered an access driveway per Road Commission permit guidelines.

Dave Nash, et al.:

No concerns, it appears all proposed work is outside of road right of way.

River's Edge Community Association:

No concerns from Road Commission, project is located on State Highway.

Wolfgram/Saker/Driskill:

No concerns, existing commercial business.

Have a great day,

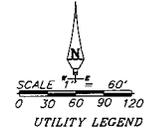
Brent Shank  
Engineer/Manager  
Cheboygan County Road Commission  
[mgr@chcrc.com](mailto:mgr@chcrc.com)  
(231) 238-7775



# RIVER'S EDGE (A SITE CONDOMINIUM)

ALL BEING A PART OF GOVERNMENT LOTS 4 & 5, SECTION 17, T37N,  
R1W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN

PREPARED BY:  
PORTER'S SURVEY P.C.  
21589 M-68 HIGHWAY  
P.O. BOX 159  
ONAWAY, MICHIGAN 49765  
PH. (989) 733-8813



- UNDERGROUND TELEPHONE (AMERITECH (SBC))
- OVERHEAD ELECTRICITY (CONSUMERS ENERGY)
- UNDERGROUND ELECTRICITY (CONSUMERS ENERGY)
- SANITARY FORCE MAIN SEWER
- UNDERGROUND NATURAL GAS (MICHIGAN CONSOLIDATED (DTE))
- WATER MAIN
- STORM SEWER (12" DIAMETER UNLESS NOTED)
- 6" FIRE SUPPRESSION LINE
- ▲ SEWER GRINDER PUMP
- ⊕ POWER POLE
- SQUARE CATCH BASIN
- ROUND CATCH BASIN/MANHOLE
- SET 1/2" ROD & CAP 15410

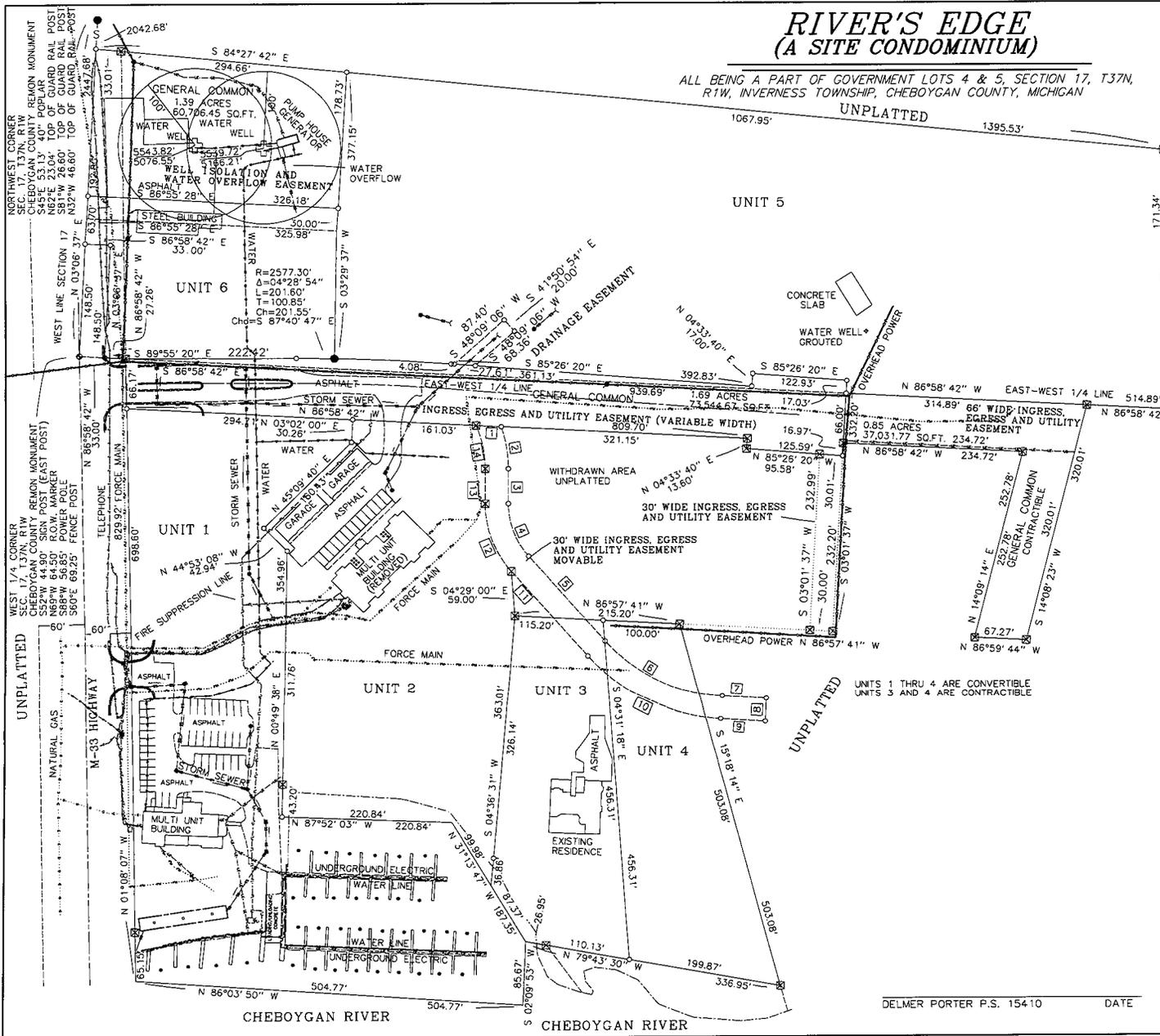
COURSE	BEARING	DISTANCE
1	S 86°58'42" E	32.81'
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3	S 00°05'30" E	46.41'
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5	S 41°39'17" E	150.19'
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12	135.00'	97.98'
14	145.00'	58.97'

SOURCES OF UTILITY DATA:  
DESIGN DRAWINGS  
CHEBOYGAN DEPARTMENT OF WATER AND SEWER.  
FIELD VERIFICATION TO THE BEST OF OUR ABILITY.

ALL UTILITIES HAVE A 10' LEFT AND RIGHT  
EASEMENT FROM EXISTING LOCATION.

ALL UTILITY LOCATIONS ARE APPROXIMATE.



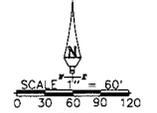
DELMER PORTER P.S. 15410 DATE

9

PREPARED BY:  
PORTER'S SURVEY P.C.  
21529 M-66 HIGHWAY  
P.O. BOX 159  
ONAWAY, MICHIGAN  
PH. (989) 733-8813

# RIVER'S EDGE (A SITE CONDOMINIUM)

ALL BEING A PART OF GOVERNMENT LOTS 4 & 5, SECTION 17, T37N,  
R1W, INVERNESS TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN



LEGEND  
BEARING BASE ESTABLISHED BY WGS-84, TRUE NORTH

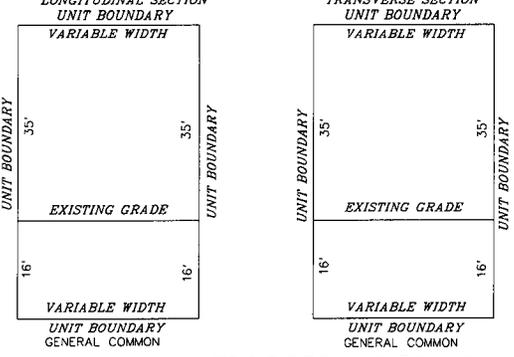
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- L = ARC LENGTH
- Ch = CHORD DISTANCE
- Chd = CHORD BEARING

CONTOUR INTERVAL = 2'

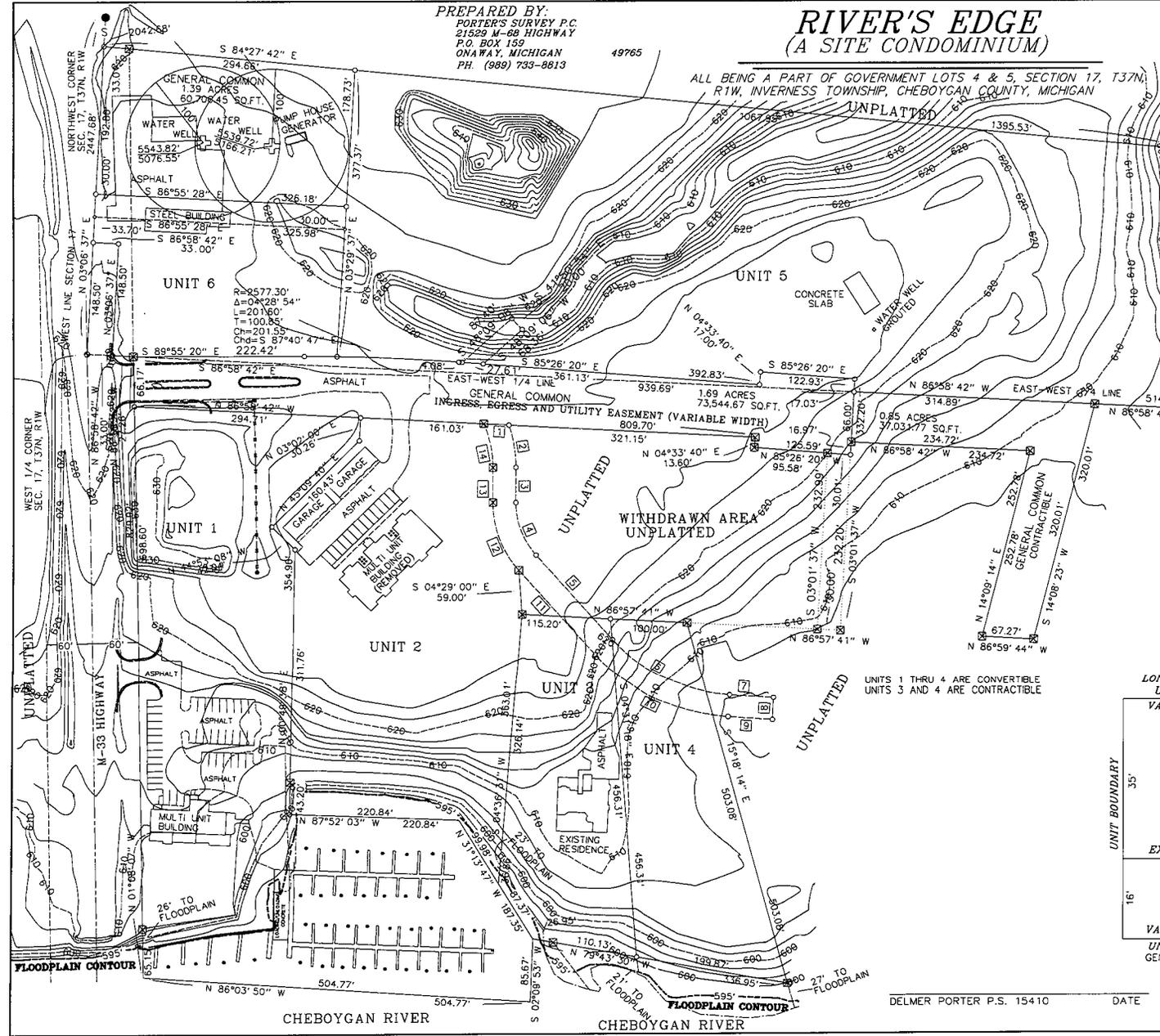
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12 - LC	S 20°51'50" E	95.84'
13	N 00°04'17" W	46.35'
14 - LC	N 11°43'24" W	58.57'

VERTICAL MEASUREMENTS ARE TO BE MADE FROM EXISTING GRADE.  
TYPICAL SECTIONS UNITS 1 THRU 6



FLOODPLAIN PLAN



DELMER PORTER P.S. 15410 DATE



# CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

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

## STAFF REPORT

<b>Item:</b> Site Plan Review Amendment for proposed division of Unit 5 of Rivers Edge Site Condominium to create a new Unit 6.	<b>Prepared by:</b> Scott McNeil
<b>Date:</b> September 25, 2017	<b>Expected Meeting Date:</b> October 4, 2017

### GENERAL INFORMATION

#### **Introduction:**

The applicant is seeking an amendment to site plan approval for an amendment to Unit 5 of the Rivers Edge Site Condominium. The Planning Commission approved a site plan application on April 7, 2010 which expanded unit 5 from 1.43 Acres to 10.54 acres. This amendment, if approved, would divide Unit 5 and create a new Unit 6 and reduce the size of Unit 5 from 10.54 acres to 9.11 acres.

The property where Unit 6 is proposed is in a Commercial Development zoning district. There are no minimum lot size requirements under section 17.1.

There is an existing structure with an existing auto and equipment repair business is located on proposed Unit 6. The structure is nonconforming relative to front setback from M-33 Highway. The proposed division meets side setback requirements relative to the structure.

#### **Applicant:**

Porters Survey P.C.

**Contact person:** Brad Porter

**Phone:** 989-733-2977

#### **Requested Action:**

Approval of amendment to reduce the size of Unit 5 of Rivers Edge Site Condominium and to create a new Unit 6.

## **BACKGROUND INFORMATION**

### **Current Zoning:**

Current zoning is Lake and Stream Protection District (P-LS) within fifty (50) feet of the Cheboygan River. The remainder of the site is zoned Commercial Development District (D-CM)

### **Surrounding Land Uses:**

Surrounding land uses are residential and commercial

**Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain):** The site contains frontage on the Cheboygan River. The topographic survey shows a drain area with associated elevation contour reduction averaging fifteen (15) ft. from the predominate elevation. No other environmentally sensitive areas have been identified.

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

There are no buildings in the subject area.

### **Traffic Implications**

There will be no implications on traffic relative to consideration of this request.

### **Parking**

No parking facility improvements are proposed.

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

Street access to this site can be provided from M-33 and Natalie Lane which is a private road providing ingress and egress rights. No improvements are proposed for the site at this time.

### **Signs**

No signs are proposed

### **Fence/Hedge/Buffer**

No fence, hedge or buffers are proposed.

### **Lighting**

No lighting improvements are proposed

### **Stormwater management**

No earth changes are proposed.

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

No land improvements or earth changes are proposed. As such, no other review or permit requirements have been identified.

### **Public comments received**

None

# CHEBOYGAN COUNTY PLANNING COMMISSION

## SITE PLAN REVIEW

Wednesday, October 4, 2017, 7:00 PM

### Applicant

Porters Survey Inc.  
P.O. Box 159.  
Onaway, Mi. 49765

### Owner

Rivers Edge Community Assoc.  
1114 Watersedge Dr.  
Cheboygan, Mi. 49721

### Parcel

9656 North M-33 Hwy.  
Inverness Township  
092-R25-000-005-00

### GENERAL FINDINGS

1. The property is located primarily in a Commercial Development (D-CM) zoning district with a 50 ft. wide in the Lake and Stream Protection (P-LS) zoning district buffer along the Cheboygan River.
2. The property currently includes a structure used for auto and equipment repair.
3. An amendment to Unit 5 of Rivers Edge Site Condominium adding 9.11 acres of property creating a new unit 5 with 10.54 acres of property was approved by the Planning Commission on April 7, 2010.
4. The applicant seeks a site plan review amendment to create a new Unit 6 proposed to be divided from Unit 5. No property improvements or earth changes are proposed at this time.
- 5.

### 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 earth changes are proposed in conjunction with this request.
  - 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 landscape or topographic changes are proposed at this time.
  - 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 changes to drainage are proposed at this time.
  - 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. No new uses are proposed at this time.
  - 2.
  - 3. 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. No new buildings are proposed at this time.
  - 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. No new structure or dwelling unit is proposed at this time.
  - 2. The subject site is served by M-33 which is a State Highway and Natalie Lane which is a private street with general common and ingress egress rights to the same.
  - 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. No changes relative to pedestrian circulation is proposed from that contained in the original Site Condominium.
  - 2.
  - 3. Standard has been met.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 exterior lighting is proposed at this time.
  - 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. No changes to common ways, vehicular or pedestrian circulation from that established by the original Site Condominium is being proposed.
  - 2.
  - 3. Standard has been met.  
Or,
    - 1.
    - 2. Standard has not been met.
- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
  - 1. The site plan conforms to Cheboygan County Master Plan and shall meet state and federal 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, October 4, 2017

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

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

# CHEBOYGAN COUNTY PLANNING COMMISSION

Gerald B Wolfgram / Mike Saker & Dave Driskill – Revised 10/02/17

## Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Site Plan Review Application (6 Pages)
4. 2017 Winter & Summer Tax Info (1 Page)
5. Certificate of Survey (1 Page)
6. Site Plan (2 Pages)
7. Medical Clinic Off Site Leased Parking (1 Page)

The following items were added to the exhibit list on 10/02/17:

8. Unit #4 Floor Plan Submitted to Department of Building Safety (1 Page)
9. Email Dated 09/28/17 From Brent Shank, Road Commission Engineer/Manager (1 Page)
10. Email Dated 09/28/17 From David Carpenter, Tuscaora Township Fire Chief (1 Page)
- 11.
- 12.
- 13.

Note: Planning Commission members have exhibits 1 and 2.



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

### PROPERTY LOCATION

Address 3757 S. STRAITS HWY.	City / Village INDIAN RIVER	Twp / Sec. TUSCARORA/24	Zoning District VL-IR
Property Tax I.D. Number 161-M55-039-004-00	Plat or Condo Name / Lot or Unit No.		

### APPLICANT

Name GERALD B. WOLFGAM	Telephone 231-238-4638	Fax 231-238-4647
Address 1011 LYNN DRIVE	City, State & Zip INDIAN RIVER, MI 49749	E-Mail logs1011@att.net

### OWNER (If different from applicant)

Name MIKE SAKER & DAVE DRISKILL	Telephone 231-420-5228	Fax
Address P.O. BOX 2076	City, State & Zip INDIAN RIVER, MI 49749	E-Mail

### PROPOSED WORK

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

### PROPOSED USE (check all that apply)

<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input checked="" type="checkbox"/> Multi-Family, # of units <u>6</u>	<input type="checkbox"/> Storage	<input type="checkbox"/> Industrial	<input type="checkbox"/> Utility
<input type="checkbox"/> Other: _____			

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

If YES, date of approval: \_\_\_\_\_ Approved Use: \_\_\_\_\_

**Directions to site:** Located right on the main street (South Straits Hwy.) of Indian River; across from Pat & Gary's Party Store. Attached to Mike & Dave's Barber Shop

SITE PLAN REVIEW APPLICATION



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SITE PLAN REVIEW APPLICATION

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

Multi-Family, with 6 Units & Barber Shop, 2 Employees, Hours of Operation Tuesday-Friday 8am-5pm

Barber shop has (2) chairs

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.  
Remodeling Interior; No change to exterior
- 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.  
Same as above
- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.  
No change to 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.  
Inside only
- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.  
Emergency access via existing driveway off of South Straits Hwy.
- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.  
Yes, South Straits Hwy.
- 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:
- It is deflected away from adjacent properties. No new lighting; Currently meets standards
  - It does not impede the vision of traffic along adjacent streets. \_\_\_\_\_
  - It does not unnecessarily illuminate night skies. \_\_\_\_\_



# CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

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

SITE PLAN REVIEW APPLICATION

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

N/A

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

Yes

3. Size of property in sq. ft. or acres: .38 Acres

4. Present use of property:  
Multi Family Dwelling & Commercial

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

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

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

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

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

### AFFIDAVIT

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

Applicant's Signature Herald Woffgram Date 9/20/17

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

Yes  No

Owner's Signature W.D. Sam Date 9/20/17

SITE PLAN REVIEW APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100 ft. or less.
✓		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.
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.
✓		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
NA		l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SITE PLAN REVIEW APPLICATION

## SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

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

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

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
d	No CHANGE to topography

**AFFIDAVIT**

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

  
 \_\_\_\_\_  
 SIGNATURE

9/20/17  
 \_\_\_\_\_  
 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

## FOR PLANNING /ZONING DEPT. USE ONLY

Date Received:	9/20/17	Notes:
Fee Amount Received:	\$170.00 CHOK # 944	
Receipt Number:	5900	
Public Hearing Date:	10/4/17	

Planning/Zoning Administrator Approval:

Signature

9/20/17

Date

SITE PLAN REVIEW APPLICATION

08/29/2017  
04:01 PM

Print Text Details

Page: 1/1  
DB: Tusc2017

Parcel #: 161-M55-039-004-00  
Tax Year: 2017

SAKER, MICHAEL & LISA FAMILY TRUST  
AND DAVID & LORI DRISKILL H/W TIC  
9144 PARKE RD  
ALANSON MI 49706

-----SUMMER-----  
6.0000 STATE EDUC TA 410.86  
5.7319 COUNTY ALLOCA 392.50

-----  
11.7319 TOTAL TAXES 803.36  
ADMIN FEE 8.03  
TOTAL W/ADMIN 811.39  
  
INTEREST/PEN 0.00  
GRAND TOTAL 811.39  
  
TOTAL PAID 0.00  
DATE PAID  
  
BALANCE 811.39

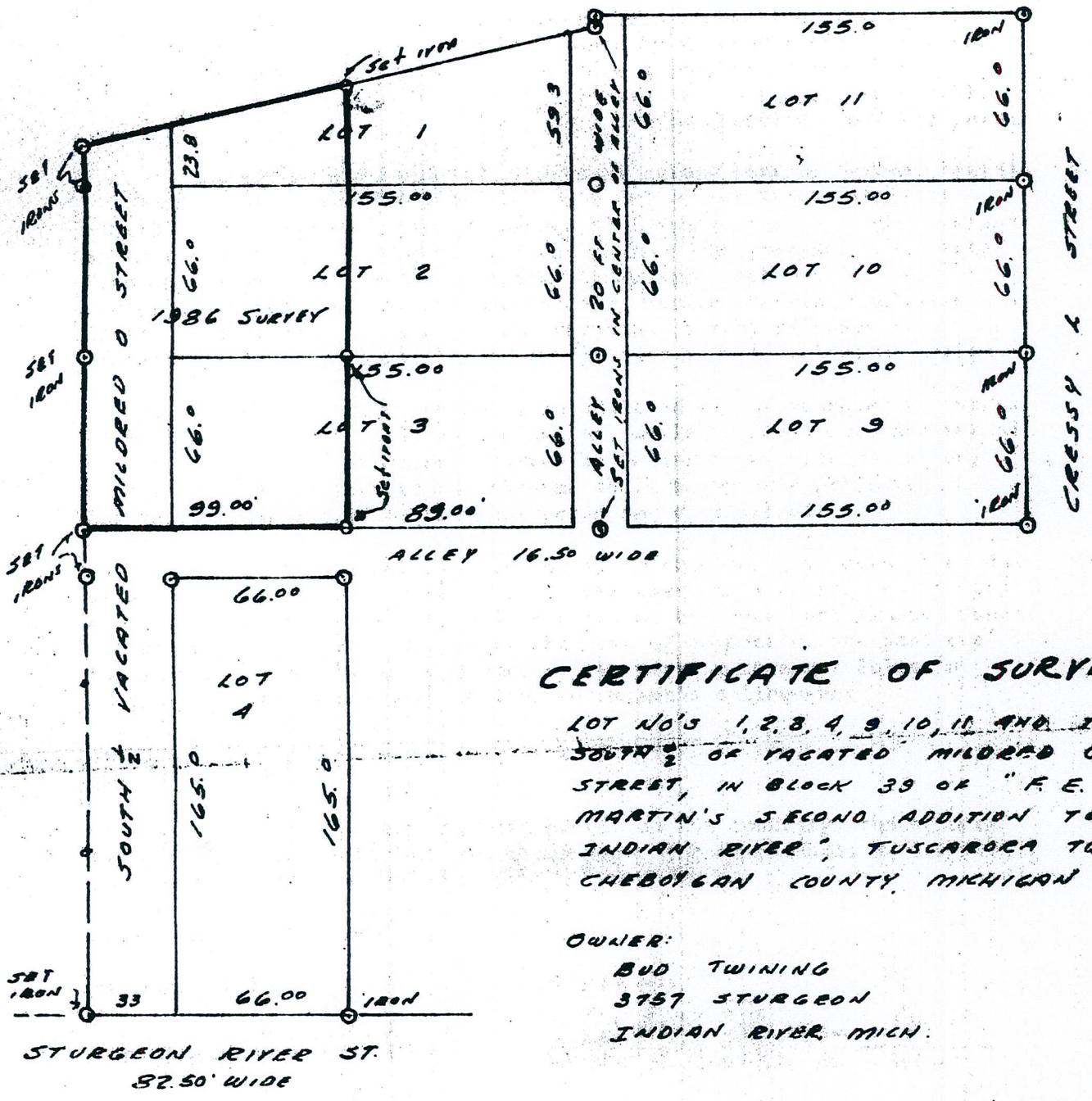
-----WINTER-----  
0.5000 SENIOR CITIZE 34.23  
0.2500 AMBULANCE 17.11  
1.0000 COUNTY ROAD 68.47  
0.9870 TWP ALLOCATED 67.58  
0.7378 TWP FIRE 50.52  
3.9948 TWP POLICE 273.55  
0.1764 TWP LIGHTS 12.07  
0.2960 TWP LIBRARY 20.26  
18.0000 SCHOOL OPERAT 1,232.58  
2.6500 SCHOOL DEBT 181.46  
1.7473 COPISD 119.64  
18.0000 SCHOOL OPER F 0.00

-----  
30.3393 TOTAL TAXES 2,077.47  
ADMIN FEE 20.77  
TOTAL W/ADMIN 2,098.24  
  
INTEREST/PEN 0.00  
GRAND TOTAL 2,098.24  
  
TOTAL PAID 0.00  
DATE PAID  
  
BALANCE 2,098.24

GRAND TOTAL BALANCE: 2,909.63

(PRE/MBT: 0.0000)  
(TAXABLE: 68,477)  
(ASSESSED: 97,900)  
(SEV: 97,900)

4



**CERTIFICATE OF SURVEY**

LOT NO'S 1, 2, 3, 4, 9, 10, 11 AND THE SOUTH 1/2 OF VACATED MILDRED O STREET, IN BLOCK 39 OF "F. E. MARTIN'S SECOND ADDITION TO INDIAN RIVER", TUSCARORA TWP, CHEBOYGAN COUNTY, MICHIGAN

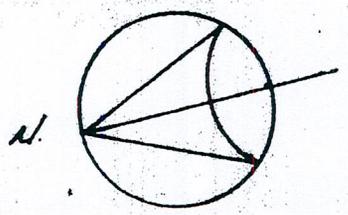
OWNER:  
 BUD TWINING  
 3757 STURGEON  
 INDIAN RIVER, MICH.

**SURVEYOR'S CERTIFICATE**

I hereby certify that I have surveyed the property described above in accordance with PUBLIC ACT 132, 1970 as amended

Richard C. Dunn  
 RICHARD C. DUNN  
 7291 Wolverine Road  
 WOLVERINE, MICH. 49799

SCALE: 1"=60'  
 DATE: JUNE 2, 1977  
 Revised, Feb. 5, 1986



Legal Description: 1986 SURVEY: The North 66 feet of Block 39 and the South 1/2 of vacated Mildred O Street of Martin's Second Addition to Indian River, Tuscarora Cheboygan County, Michigan.

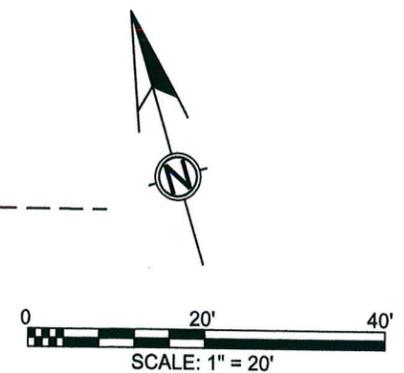
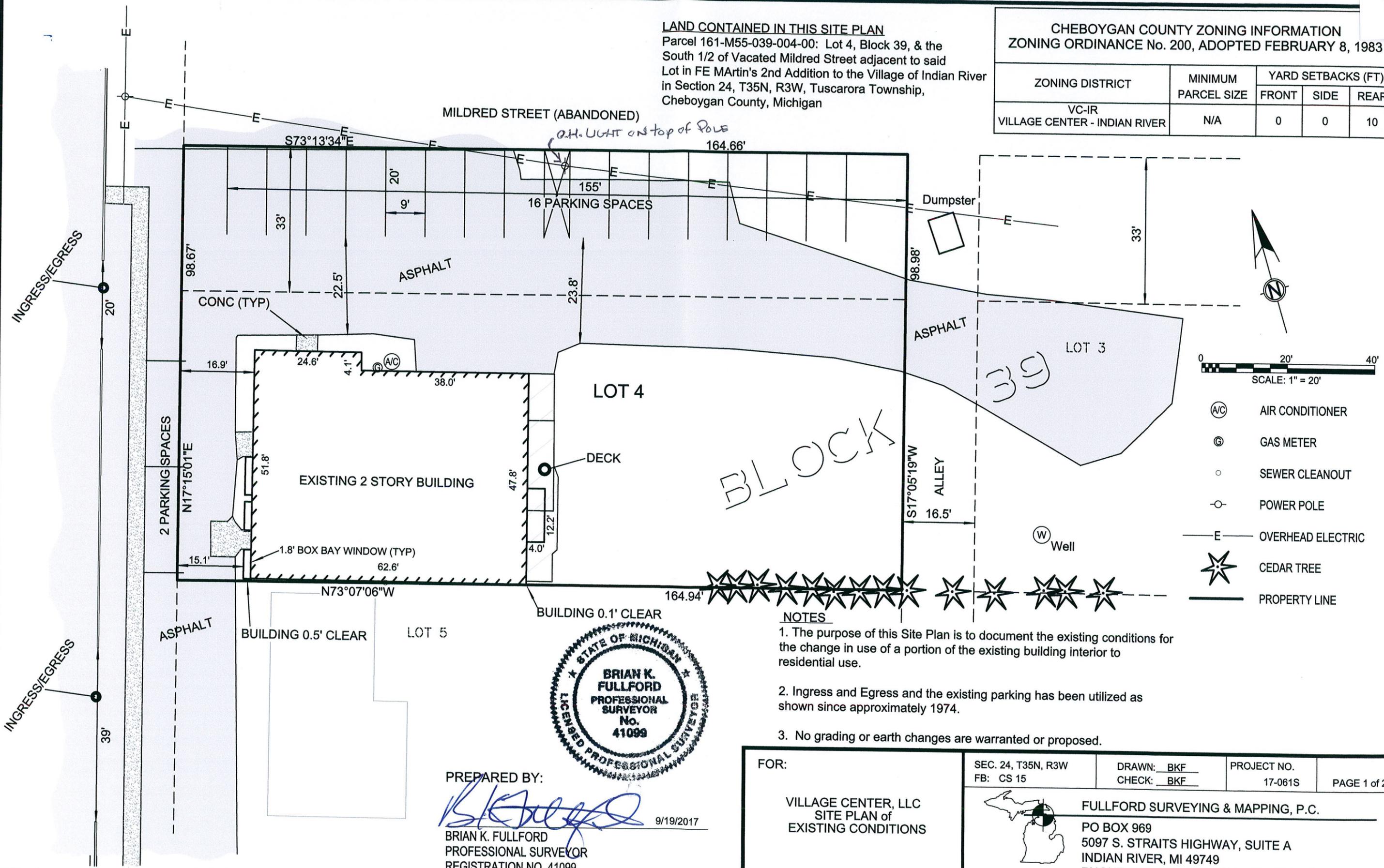
Richard C. Dunn  
 Feb. 5, 1986



**LAND CONTAINED IN THIS SITE PLAN**  
 Parcel 161-M55-039-004-00: Lot 4, Block 39, & the South 1/2 of Vacated Mildred Street adjacent to said Lot in FE Martin's 2nd Addition to the Village of Indian River in Section 24, T35N, R3W, Tuscarora Township, Cheboygan County, Michigan

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

ZONING DISTRICT	MINIMUM PARCEL SIZE	YARD SETBACKS (FT)		
		FRONT	SIDE	REAR
VC-IR VILLAGE CENTER - INDIAN RIVER	N/A	0	0	10



- (AC) AIR CONDITIONER
- (G) GAS METER
- SEWER CLEANOUT
- POWER POLE
- (W) Well
- E— OVERHEAD ELECTRIC
- ★ CEDAR TREE
- PROPERTY LINE

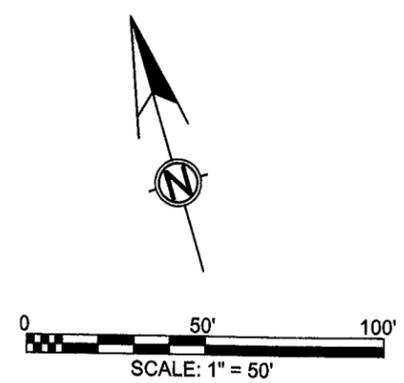
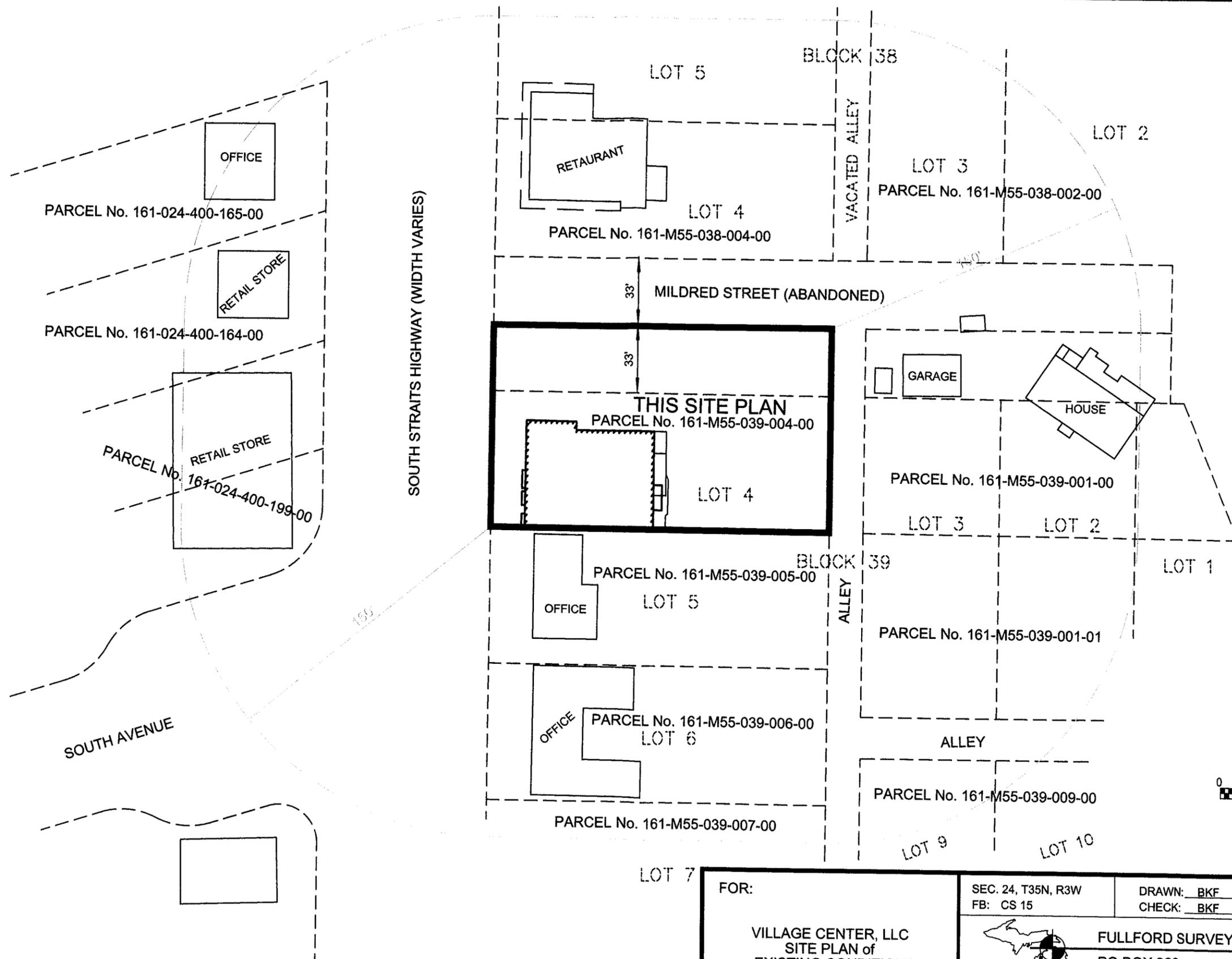
**NOTES**

1. The purpose of this Site Plan is to document the existing conditions for the change in use of a portion of the existing building interior to residential use.
2. Ingress and Egress and the existing parking has been utilized as shown since approximately 1974.
3. No grading or earth changes are warranted or proposed.



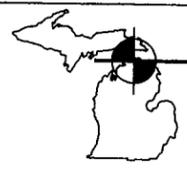
PREPARED BY:  
*[Signature]*  
 BRIAN K. FULLFORD  
 PROFESSIONAL SURVEYOR  
 REGISTRATION NO. 41099  
 9/19/2017

FOR:  VILLAGE CENTER, LLC SITE PLAN of EXISTING CONDITIONS	SEC. 24, T35N, R3W FB: CS 15	DRAWN: <u>BKF</u> CHECK: <u>BKF</u>	PROJECT NO. 17-061S	PAGE 1 of 2
	 <b>FULLFORD SURVEYING &amp; MAPPING, P.C.</b> PO BOX 969 5097 S. STRAITS HIGHWAY, SUITE A INDIAN RIVER, MI 49749 PHONE: 231-238-9199 FAX: 231-238-9195			



9/19/2017

FOR:  VILLAGE CENTER, LLC SITE PLAN of EXISTING CONDITIONS	SEC. 24, T35N, R3W FB: CS 15	DRAWN: <u>BKF</u> CHECK: <u>BKF</u>	PROJECT NO. 17-061S	PAGE 2 of 2
	FULLFORD SURVEYING & MAPPING, P.C. PO BOX 969 5097 S. STRAITS HIGHWAY, SUITE A INDIAN RIVER, MI 49749 PHONE: 231-238-9199 FAX: 231-238-9195			

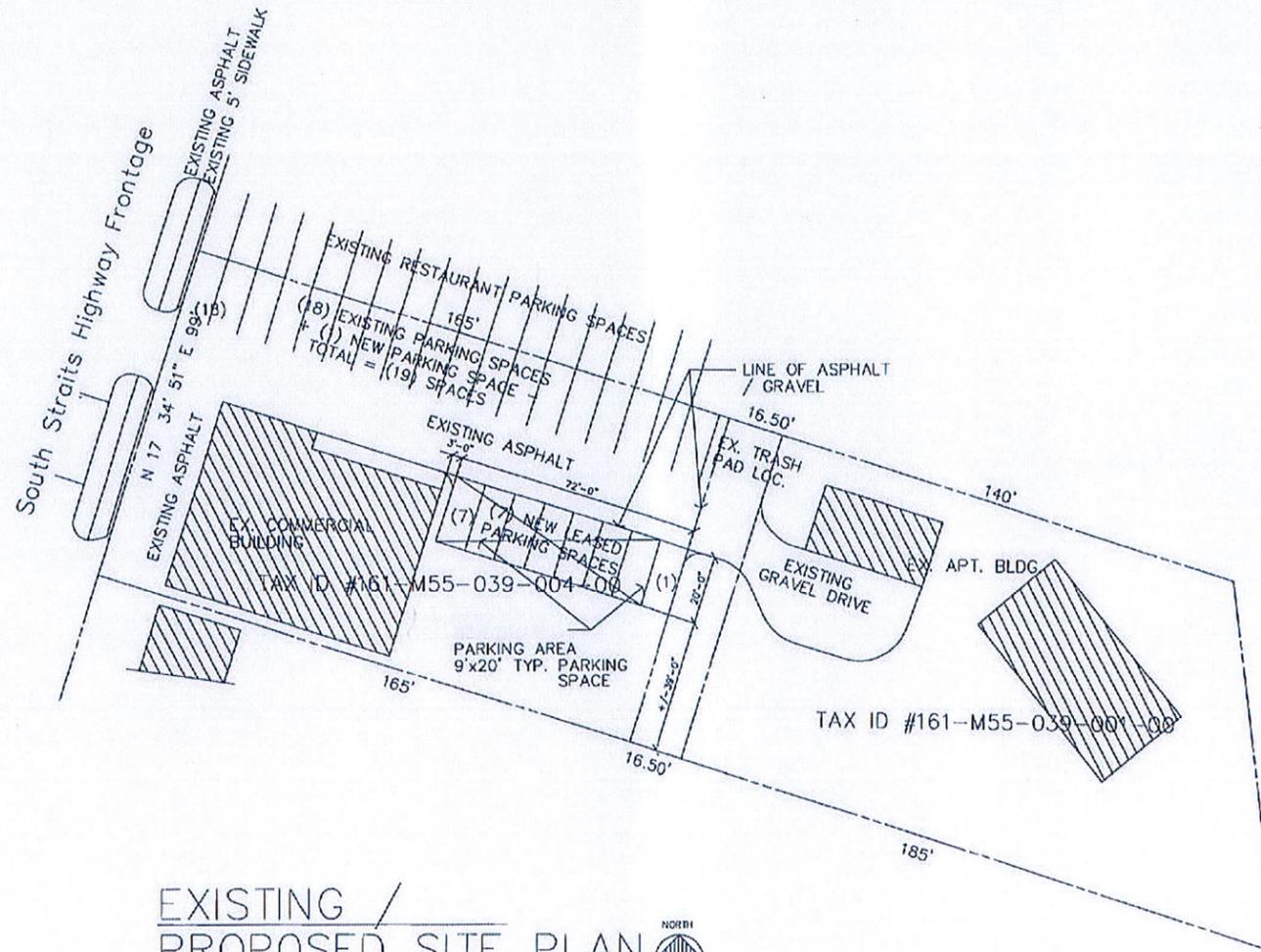


**Progressive**  
Progressive Associates, Inc.  
Architects

838 W. Long Lake #250  
Bloomfield Hills, MI 48302  
248 540-5940 Fax 248 540-4820  
Email: pa@progressiveassociates.com

PROGRESSIVE NORTH L.L.C.  
425 Michigan St. Suite #3  
Potosi, MI 49770  
231 487-9250 Fax 231 487-9299  
Email: ciro@sbarr.net

Issued For:  
REVIEW  
05.15.12



EXISTING /  
PROPOSED SITE PLAN   
Scale: 1" = 20'-0"

APPROVED BY *COMMISSION*  
CHEBOYGAN COUNTY PLANNING & ZONING DEPT.  
 Approved as drawn  Approved with conditions  
Date approved: 5/16/12 Page 3 of 3  
  
Zoning Administrator

Builder:  
Burdco, Inc.

Project:

Proposed Med. Clinic  
Off Site  
Lensed Parking

Indian River, Michigan

Sheet Title:

Existing / Proposed  
Site  
Plan

Project Number: 12-00

Drawn: CI

Checked: PA

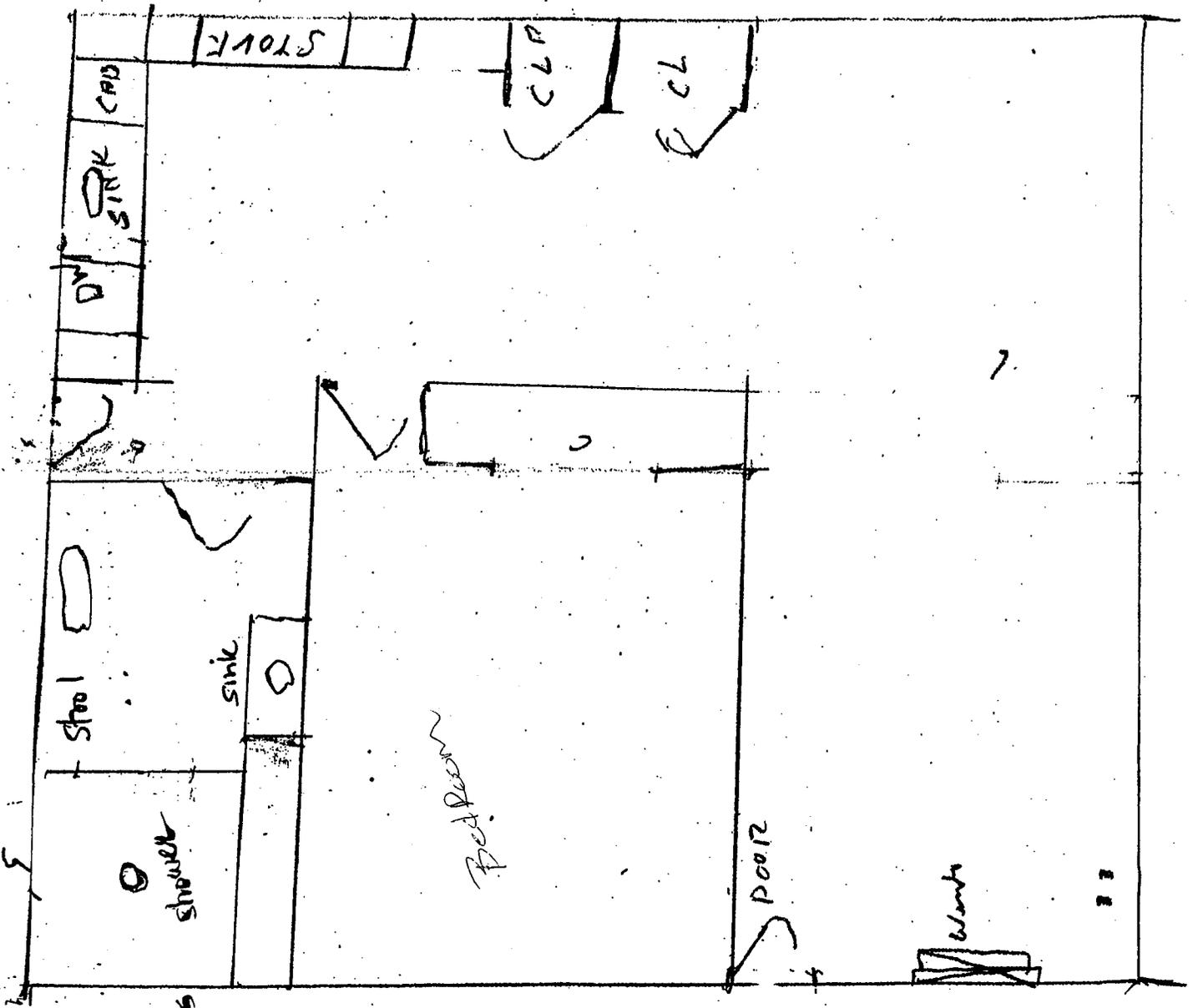
Date: 04.10.12

Sheet Number:

SP

Village Center  
"After"

24x30



1-1 X 01

## Deborah Tomlinson

---

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

**Sent:** Thursday, September 28, 2017 2:04 PM

**To:** Deborah Tomlinson

**Subject:** Re: Applications for Gerld Wolfgram/Mike Saker/Dave Driskill & Porter's Survey/River's Edge Community

Debbie,

I have reviewed the applications you have sent to me.

Travis Conners:

It is my understanding that this request is additional buildings that will be added. If this is the case, then Mr. Conners will need to upgrade the driveway on Grandview Beach Dr. The additional buildings and increased outdoor storage will generate more trips in and out on the road. The driveway upgrade will help protect the road edge from the increased traffic.

Telcad:

The Road Commission will require a permit for the driveway work, it will be considered an access driveway per Road Commission permit guidelines.

Dave Nash, et al.:

No concerns, it appears all proposed work is outside of road right of way.

River's Edge Community Association:

No concerns from Road Commission, project is located on State Highway.

Wolfgram/Saker/Driskill:

No concerns, existing commercial business.

Have a great day,

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

## Deborah Tomlinson

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

**Sent:** Thursday, September 28, 2017 10:18 AM

**To:** Deborah Tomlinson

**Subject:** Re: link

Hi Deb,

I don't see any major issues in regards to Gerald Wolfgram project and as usual if you should have any questions please feel free to contact me anytime at my office.

Respectfully,

David Carpenter



# CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

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

## STAFF REPORT

<b>Item:</b> Site Plan Review for a change of use from office and retail to dwelling unit.	<b>Prepared by:</b> Scott McNeil
<b>Date:</b> September 28, 2017	<b>Expected Meeting Date:</b> October 4, 2017

### GENERAL INFORMATION

**Applicant:** Gerald B. Wolfgram

**Owner:** Mike Saker and Dave Driskill

**Contact person:** Gerald Wolfgram

**Phone:** 231-238-4647

**Requested Action:** Site plan review approval for change of use from office and retail to dwelling unit.

### BACKGROUND INFORMATION

#### **Introduction:**

The applicant is seeking an approval of a site plan for a change of use from office/retail to a dwelling unit. The change of use would provide an additional dwelling unit in addition to the 5 existing dwelling units located in the structure. There is also a barber shop in the structure. The subject site is located at the Village Center Indian River (VC-IR) zoning district. Multiple-family housing is a permitted use in a VC-IR district per section 13A.2.11.

#### **Current Zoning:**

Village Center Indian River District. (VC-IR)

#### **Surrounding Land Uses:**

Commercial uses surround the subject site.

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

**Historic buildings/features:**

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

**Traffic Implications**

Due to the subject location on S. Straits Hwy., a minimal impact is anticipated relative to traffic.

**Parking:**

Section 17.1 requires 2 spaces per dwelling unit and 2 spaces per chair in the barber shop. With the change of use there will be 6 dwelling units which require 12 parking spaces. The applicant indicates that there are 2 chairs in the barber shop requiring 4 parking spaces for a total of 16 required parking spaces. The applicant has identified sixteen (16) parking off street parking spaces on the site plan.

Also included in exhibit 7 is a site plan of the subject lot relative to off-site parking for a medical office located at 3696 S. Straits Highway. The Planning Commission approved a site plan review application for the medical office with the off-site parking on May 16, 2012. The off-site parking is being maintained with this change of use application. I have added a general finding relative to the off-site parking for the medical office.

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

Access to the site is facilitated by access from S. Straits Hwy.

**Signs**

No signs are proposed as part of the site plan review.

**Fence/Hedge/Buffer**

No new fence, hedge or other type of buffer is proposed.

**Lighting**

Exterior lighting exists. No new lighting is proposed at this time.

**Stormwater management**

There are no changes proposed to stormwater management .

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

Review by the Health Department and Building Safety Department relative to the new construction will be required. There are no other known permit requirements from other agencies.

**Recommendations (proposed conditions**

- 1) Meet all Health Department Requirements
- 2) Compliance with Building Code.

**CHEBOYGAN COUNTY PLANNING COMMISSION**  
**SITE PLAN REVIEW**

Wednesday, October 4, 2017, 7:00 PM

Applicant

Gerald B. Wolfgram  
1011 Lynn Drive  
Indian River, Mi. 49749

Owner

Mr. Dave Driskill  
and Mr. Mike Saker  
P.O. Box 276.  
Indian River, Mi. 49749

Parcel

3696 S. Straits Hwy.  
Tuscarora Township  
161-024-400-130-00

**GENERAL FINDINGS**

1. The subject property is zoned Village Center Indian River. (VC-IR)
2. The applicant is seeking site plan review approval for a change of use from office and retail to dwelling unit.
3. The existing structure is contains 5 dwelling units and a barber shop.
4. Multiple-family dwellings is a permitted use in the VC-IR zoning district per section 13A.2.11.
5. The applicant is seeking a waiver to the site topographic survey requirement for site plan.
6. Seven (7) off street parking spaces a maintained on the subject parcel relative to a medical office located at 3696 South Straits pursuant to site plan approval by the Planning Commission on May 16, 2012
- 7.

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

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

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
  1. No changes are proposed to the overall contours of the site. (see exhibit 3)
  - 2.
  3. Standard has been met.Or,
  - 1.
  2. Standard has not been met.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
  1. No topographic modifications, tree or soil removal is proposed. (see exhibit 3)
  - 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 changes are proposed to the overall contours of the site or site drainage. (see exhibit 3)
  - 2.
  - 3. Standard has been met.Or,
  - 1.
  - 2. Standard has not been met.
  
- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
  - 1. The applicant is seeking site plan review approval for a change of use from office and retail to dwelling unit.
  - 2. There are 5 existing dwelling units in the subject structure.
  - 3. Barriers and landscaping are not deemed appropriate for the subject dwellings units.
  - 4.
  - 5 Standard has been metOr,
  - 1. The applicant has not adequately demonstrated that barriers and landscaping are not needed to establish visual and sound privacy for all dwelling units.
  - 2.
  - 3. 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. A practical means for access by emergency vehicle is provided from South Straits Highway. (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 structure on the subject site will have access to South Straits Highway and Mack Ave. (see exhibit 4)
  - 2.
  - 3. Standard has been met.Or,
  - 1.
  - 2. Standard has not been met.
  
- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
  - 1. Not applicable

- 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.
  - 2. Existing exterior light is deflected away from adjacent properties, will not impede the vision of traffic along adjacent streets and will not unnecessarily illuminate night skies. (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
  
- 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 1, 2, 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, October 4, 2017

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Patty Croft, Chairperson

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Charles Freese, 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/](http://www.cheboygancounty.net/planning/)

**Date: September 14, 2017**

**To: Planning Commission**

**From: Scott McNeil, Planner**

**Re; Zoning Ordinance Amendment regarding zoning ordinance amendment relating to Vehicle repair and fuel sales uses.**

Included with this memo is a draft ordinance amendment dated 9/6/17 relative to the subject. Also included is the proposed use listing changes to the applicable sections of the current zoning ordinance annotated in red print.

Section 1 of the amendment document provides new definitions for Car wash, Motor vehicle service station, Motor vehicle repair facility and Retail sales establishment, small scale convenience.

Section 2 deletes the current definition of Gasoline service station.

Section 3 provides for Automobile, boat, equipment farm machinery sales and rental establishments to be allowed in the Commercial Development zoning district with site plan review approval. This is a proposed change from the current use listing of Automobile, boat, equipment and farm machinery sales, repair, rental and washing establishments. You will note that reference to repair and washing are removed with the establishment of the Car wash, Motor vehicle service station, and Motor vehicle repair facility use listings and definitions.

Section 4 provides for Car wash, Motor vehicle service station and Retail sales establishment, small-scale convenience as uses which require site plan review in the Commercial Development zoning district.

Section 5 provides as follows:

Establishes Motor vehicle repair facility as a use which requires a special use permit in the Commercial Development, Agriculture and Forestry Management, Village Center, Village Center Indian River, Village Center Topinabee and Rural Character/Country Living zoning districts.

Establishes Retail sales establishment, small-scale convenience as a use which requires a special use permit in the Agriculture and Forestry Management and Rural Character/Country Living zoning districts.

Establishes Car wash as a use which requires a special use permit in the Village Center, Village Center Indian River, and Village Center Topinabee zoning districts.

Establishes Motor vehicle service station as a use which requires a special use permit in the Village Center zoning district.

Section 6 eliminates the use listings of Gas stations and Gasoline service stations and garages relative to the Village Center, Village Center Indian River, Village Center Topinabee and Rural Character/Country Living zoning districts and reserves the section numbers for future use.

I will look forward to further discussion on this matter with the Planning Commission during the public hearing. Please contact me with questions.

9/6/17  
CHEBOYGAN COUNTY  
ZONING ORDINANCE AMENDMENT # \_\_\_\_\_  
AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO.  
200 RELATIVE TO AUTO MAINTENANCE AND FUEL SALES USES.

**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 definitions in their appropriate alphabetical location which shall read in their entirety as follows:

**Car wash**

A commercial establishment with facilities provided for cleaning, drying and waxing of motor vehicles.

**Motor vehicle service station**

A facility primarily operated and designed for the dispensing, and sale of motor fuels, together with the sale of minor accessories and retail items. In addition, such a facility may provide minor motor vehicle servicing, minor repair and maintenance. Motor vehicle service station use does not include any of the following or similar activity: reconditioning of motor vehicles, collision services such as body and frame repair or overall painting of vehicles.

**Motor vehicle repair facility**

An establishment for the repair of motor vehicles such as automobiles, boats, motor cycles, motor homes, recreational vehicles, tractors and motor vehicle equipment such as farm equipment and trailers. This shall include the sale, installation and servicing of motor vehicle and motor vehicle equipment parts including engine rebuilding. This may include specialty services such as service to brakes, mufflers, tires, body and frame repair and collision repair services including vehicle painting.

**Retail sales establishment, small-scale convenience**

A small-scale retail use (5000 square feet or less) that may offer for sale beverages and food items for consumption off the premises, retail items, tangible consumer goods and motor fuel

**Section 2. Amendment of Section 2.2.**

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to delete the following definition

Gasoline service station.

**Section 3. Amendment of Section 6.2.9**

Section 6.2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

6.2.2 Automobile, boat, equipment farm machinery sales and rental establishments.

**Section 4. Amendment of Section 6.2.**

Section 6.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add sections 6.2.32., 6.2.33. and 6.2.34. which shall read in their entirety as follows:

- 6.2.33. Car wash
- 6.2.34. Motor vehicle service station.
- 6.2.35. Retail sales establishment, small-scale convenience

**Section 5. Amendment of Sections 6.3.4., 9.3.2. and 9.3.8.**

Sections 6.3.4., 9.3.2., 9.3.8., 13.3.1., 13A.3.2., 13C.3.2., 14.3.1. and 14.3.10. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

- 6.3.4. Motor vehicle repair facility
- 9.3.2. Motor vehicle repair facility
- 9.3.8. Retail sales establishment, small-scale convenience
- 13.3.1 Car wash, Motor vehicle service station and Motor vehicle repair facility
- 13A.3.2. Car wash, Motor vehicle repair facility
- 13C.3.2. Car wash and Motor vehicle repair facility
- 14.3.1 Motor vehicle repair facility
- 14.3.10. Retail sales establishment, small-scale convenience

**Section 6. Repeal of Sections 13.3.5., 13A.3.5., 13C.3.7. and 14.3.8.**

Sections 13.3.5., 13A.3.5., 13C.3.7. and 14.3.8. of the Cheboygan County Zoning Ordinance No. 200 are hereby repealed and reserved for future use.

**Section 7. 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 8. 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:  
John B. Wallace  
Its: Chairperson

By:  
Karen L. Brewster  
Its: Clerk

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Auto Repair & Fuel Sales
	<p>Under ARTICLE 6 – COMMERCIAL DEVELOPMENT DISTRICT (D-CM)</p> <p>SECTION 6.2. PERMITTED USES</p> <p>6.2.1. Any use permitted in the D-RS, Residential Development District. <b>(Rev. 05/23/15, Amendment #127)</b></p> <p>6.2.2. Automobile, boat, equipment and farm machinery sales, <del>repair, and</del> rental <del>and washing</del> establishments.</p> <p>6.2.3. Bars and taverns.</p> <p>6.2.4. Bed and Breakfast <b>(Rev. 10/25/09, Amendment #80)</b></p> <p>6.2.5. Bowling alleys, pool or billiard parlors.</p> <p>6.2.6. Cabinet making shops.</p> <p>6.2.7. Dance, music, voice studios.</p> <p>6.2.8. Dress making, millinery, clothing stores.</p> <p>6.2.9. Drive in eating establishments, fast food establishments, and restaurants. <b>(Rev. 04/12/07, Amendment #67)</b></p> <p>6.2.10. Farm product stands.</p> <p>6.2.11. Funeral homes, undertaking establishments.</p> <p>6.2.12. Hotels, motels.</p> <p>6.2.13. Laboratories.</p> <p>6.2.14. Nurseries for flowers and plants.</p> <p>6.2.15. Offices.</p> <p>6.2.16. Parking lots, buildings and garages.</p> <p>6.2.17. Retail sales establishment, General</p> <p>6.2.18. Retail sales establishment, Household</p> <p>6.2.19. Retail sales establishment, Specialty</p> <p>6.2.20. Retail lumber yards.</p> <p>6.2.21. Rifle or pistol ranges when in completely enclosed buildings. <b>(Rev. 09/28/11, Amendment #92)</b></p> <p>6.2.22. Assembly, Educational or Social Event Facility</p> <p>6.2.23. Wholesale sales and storage when in completely enclosed buildings. <b>(Rev. 09/28/11, Amendment #92)</b></p> <p>6.2.24. Multiple family housing. <b>(Rev. 05/23/15, Amendment #127)</b></p> <p>6.2.25. Nurseries and day care centers for children. <b>(Rev. 05/23/15, Amendment #127)</b></p> <p>6.2.26. Elderly housing, nursing and convalescent homes. <b>(Rev. 05/23/15, Amendment #127)</b></p> <p>6.2.27. Boarding and lodging houses. <b>(Rev. 05/23/15, Amendment #127)</b></p> <p>6.2.28. Medical clinics and doctor’s offices. <b>(Rev. 05/23/15, Amendment #127)</b></p> <p>6.2.29. Private storage buildings, subject to the requirements of Section 17.23. <b>Rev. 05/23/15, Amendment #127)</b></p> <p>6.2.30. Mobile Food Units, subject to requirements of Section 17.29. <b>(Rev. 02/25/17, Amendment #137)</b></p> <p>6.2.31. Health and fitness center (proposed in another amendment under consideration)</p> <p>6.2.32. Personal service center (proposed in another amendment under consideration)</p> <p>6.2.33. <u>Car wash and Motor vehicle service station.</u></p> <p>6.2.34. <u>Motor vehicle service station</u></p> <p>6.2.35. <u>Retail sales establishment, small-scale convenience</u></p>

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Auto Repair & Fuel Sales
	<p>Under ARTICLE 6 – COMMERCIAL DEVELOPMENT DISTRICT (D-CM) (Continued)</p> <p>Section 6.3.  USES REQUIRING SPECIAL USE PERMITS</p> <p>6.3.1. Bus Terminals.</p> <p>6.3.2. Commercial cleaning plants, dry cleaning, laundry establishments.</p> <p>6.3.3. Contractor's yards, equipment storage and materials handling operations.</p> <p>6.3.4. <del>Gasoline service stations and garages.</del> <u>Motor vehicle repair facility</u></p> <p>6.3.5. Commercial kennels, pet shops, and veterinary hospitals, according to Section 17.16. <b>(Rev. 11/22/09, Amendment #81)</b></p> <p>6.3.6. Outdoor, drive-in theaters.</p> <p>6.3.7. Outdoor commercial recreation activities.</p> <p>6.3.8. Trailer and mobile home parks.</p> <p>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.</p> <p>6.3.10. Junk yards, salvage yards and waste disposal sites.</p> <p>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. <b>(Rev. 04/26/08, Amendment #75)</b></p> <p>6.3.12. Public and private wind generation and anemometer towers. <b>(Rev. 06/17/04, Amendment #31)</b></p> <p>6.3.13 Child Caring Institutions, subject to the requirements of Section 17.24 <b>(Rev. 04/28/10, Amendment #85)</b></p> <p>6.3.14 Boat Storage <b>(Rev. 08/26/10, Amendment #88)</b></p> <p>6.3.15 Truck Terminals or Warehouses subject to the requirements of Section 17.26 <b>(Rev. 03/28/12, Amendment #107)</b></p> <p>6.3.16 Indoor Storage Facilities <b>(Rev. 05/25/13, Amendment #116)</b></p> <p>6.3.17 Planned Projects subject to provisions of Section 17.28 <b>(Rev. 10/13/16, Amendment #136)</b></p>

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Auto Repair & Fuel Sales
	<p>Under ARTICLE 9 – AGRICULTURE AND FORESTRY MANAGEMENT DISTRICT (M-AF)</p> <p>SECTION 9.3.  USES REQUIRING SPECIAL LAND USE PERMITS</p> <p>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.</p> <p>9.3.2. <del>Automobile repair and service and gasoline stations.</del> <u>Motor vehicle repair facility</u></p> <p>9.3.3. <del>Assembly, Educational or Social Event Facility</del></p> <p>9.3.4. Public parks and recreational areas, playgrounds and campgrounds.</p> <p>9.3.5. Entertainment and eating establishments.</p> <p>9.3.6. Commercial Hunting and fishing cabins. <b>(Rev. 04/28/00, Amendment #14)</b></p> <p>9.3.7. Golf courses, country clubs and sportsmen’s associations or clubs.</p> <p>9.3.8. <del>Grocery and party stores.</del> <u>Retail sales establishment, small scale convenience.</u></p> <p>9.3.9. Resorts, resort hotels, recreation farms, vacation lodges, motor inns, motels and other tourist lodging facilities.</p> <p>9.3.10. Slaughter houses and meat packing plants.</p> <p>9.3.11. Travel trailer courts, tenting areas and general camping grounds.</p> <p>9.3.12. Public airports and landing fields, with appurtenant facilities.</p> <p>9.3.13. Non-essential public utility and service buildings.</p> <p>9.3.14. Nursing or convalescent homes.</p> <p>9.3.15. Animal feedlots or piggeries.</p> <p>9.3.16. Earth removal, quarrying, gravel processing, mining and related mineral extraction businesses.</p> <p>9.3.17. Commercial kennels, pet shops, and veterinary hospitals according to Section 17.16. <b>(Rev.11/23/09, Amendment #81)</b></p> <p>9.3.18. Junk yards, salvage yards and waste disposal sites. <b>(Rev. 04/26/08, Amendment #75)</b></p> <p>9.3.19. Commercial composting <b>(Rev. 04/28/00, Amendment #14)</b></p> <p>9.3.20. Contractor’s Yards, provided all of the following requirements are met: <b>(Rev. 12/24/03, Amendment #26)</b></p> <p>9.3.20.1. Minimum 10 acre parcel.</p> <p>9.3.20.2. Minimum 330’ of road frontage / lot width.</p> <p>9.3.20.3. Minimum Setbacks: 100’ front; 75’ side; 100’ rear.</p> <p>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.</p> <p>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.</p> <p>9.3.21. Public and private wind generation and anemometer towers. <b>(Rev. 06/17/04, Amendment #31)</b></p> <p>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, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan</p>

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Auto Repair & Fuel Sales
	<p>County Comprehensive Plan for this zoning district. (Rev. 04/26/08, Amendment #75)</p> <p>SECTION 9.3. USES REQUIRING SPECIAL LAND USE PERMITS (Continued)</p> <p>9.3.23 Child Caring Institutions, subject to the requirements of Section 17.24. (Rev. 04/28/10, Amendment #85)</p> <p>9.3.24 Indoor Storage Facilities, subject to requirements of section 17.27.1. (Rev.05/25/13, Amendment #116)</p> <p>Under ARTICLE 13 – VILLAGE CENTER (D-VC) SECTION 13.3.</p> <p>USES REQUIRING SPECIAL LAND USE PERMITS</p> <p>13.3.1 <del>Automobile repair and washing establishments.</del> <u>Car wash, Motor vehicle service station and Motor vehicle repair facility</u></p> <p>13.3.2 Bus terminals.</p> <p>13.3.3 Dry cleaning and laundry establishments.</p> <p>13.3.4 Assembly, Educational or Social Event Facility</p> <p>13.3.5 <del>Gasoline service stations and garages.</del> <u>(Reserved for future use)</u></p> <p>13.3.6 Hotels and motels.</p> <p>13.3.7 Multiple-family housing.</p> <p>13.3.8 Outdoor recreation activities.</p> <p>13.3.9 Veterinary hospitals.</p> <p>13.3.10 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. (Rev. 04/26/08, Amendment #75)</p> <p>Under ARITCLE 13A – VILLACE CENTER INDIAN RIVER DISTRICT (VC-IR)</p> <p>SECTION 13A.3. USES REQUIRING SPECIAL LAND USE PERMITS.</p> <p>13A.3.1. Assisted Living Facility/Convalescent Home</p> <p>13A.3.2. <del>Automobile repair and washing establishments</del> <u>Car wash and Motor vehicle repair facility</u></p> <p>13A.3.3. Dry cleaning and laundry establishments</p> <p>13A.3.4. Assembly, Educational or Social Event Facility</p> <p>13A.3.5. <del>Gasoline service stations and garages</del> <u>(Reserved for future use)</u></p> <p>13A.3.6. Outdoor recreation activities</p> <p>13A.3.7. Veterinary hospitals</p> <p>13A.3.8. Visitor Center</p>

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Auto Repair & Fuel Sales
	<p>Under ARTICLE 13C VILLAGE CENTER TOPINABEE DISTRICT (VC-T)</p> <p>SECTION 13C.3  USES REQUIREING SPECIAL LAND USE PERMIT</p> <p>13C.3.1. Assisted Living Facility/Convalescent Home</p> <p>13C.3.2. <del>Automobile repair and washing establishments</del> <u>Car wash and Motor vehicle repair facility.</u></p> <p>13C.3.3. Bed and Breakfasts</p> <p>13C.3.4. Day Care Centers</p> <p>13C.3.5. Dry cleaning and laundry establishments</p> <p>13C.3.6. Assembly, Educational or Social Event Facility</p> <p>13C.3.7. <del>Gasoline service stations and garages.</del> <u>(Reserved for future use)</u></p> <p>13C.3.8. Outdoor recreation activities</p> <p>13C.3.9. Veterinary hospitals</p> <p>Under ARTICLE 14 RURAL CHARACTER /COUNTRY LIVING DISTRICT (D-RC)</p> <p>SECTION 14.3.  USES REQUIREING SPECIAL LAND USE PERMITS</p> <p>14.3.1 <del>Automobile repair businesses.</del> <u>Motor vehicle repair facility</u></p> <p>14.3.2 Bed &amp; Breakfasts.</p> <p>14.3.3 Cemeteries.</p> <p>14.3.4 Commercial greenhouses and nurseries.</p> <p>14.3.5 Public parks and recreational areas and playgrounds.</p> <p>14.3.6 Day care centers.</p> <p>14.3.7 Assembly, Educational or Social Event Facility</p> <p>14.3.8 <del>Gas stations.</del> <u>(Reserved for future use)</u></p> <p>14.3.9 Golf courses, country clubs and sportsmen’s associations or clubs.</p> <p>14.3.10 <del>Grocery and party stores.</del> <u>Retail sales establishment, small-scale convenience</u></p> <p>14.3.11 Multiple family housing.</p> <p>14.3.12 Non-essential public utility and service buildings.</p> <p>14.3.13 Nursing or convalescent homes.</p> <p>14.3.14 Assembly, Educational or Social Event Facility</p> <p>14.3.15 Public greenhouses and nurseries.</p> <p>14.3.16 Offices <b>(Rev. 09/28/11, Amendment #92)</b></p> <p>14.3.17 Veterinary hospitals.</p> <p>14.3.18 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. <b>(Rev. 04/26/08, Amendment #75)</b></p>



# 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/](http://www.cheboygancounty.net/planning/)

**Date: September 26, 2017**

**To: Planning Commission**

**From: Scott McNeil, Planner**

**Re: Consideration to rezone an intermittent stream area from Carter Road to Galbraith Road in Benton Township from Lake and Stream Protection (P-LS) to Agriculture and Forestry Management (M-AF).**

Included in this memo are two maps (Figure 1 and Figure 2) relative to the subject.

This issue was brought to my attention by a property owner on South River Road in conjunction with the issuance of a zoning permit for a private storage building.

Figure 1 indicates the current zoning in the subject area. You will note the Lake and Stream Protection zoning district extending easterly from the Cheboygan River to Galbraith Road outlined in black.

Figure 2 indicates the area where there are features of a perennial stream and of an intermittent stream based on my inspection. I noted some pooling of water on the east side of Carter Road. There was no water present from Carter Road to Galbraith Road based on my inspection.

I am providing this information to the Planning Commission in order to consider initiating a rezoning from Lake and Stream Protection (P-LS) zoning district to Agriculture and Forestry Management (M-AF) zoning district for the subject area which does not contain a perennial stream.

I will look forward to further discussion on this matter with the Planning Commission. Please contact me with questions.

Figure 1 - Carter Road to Galbraith Road Stream. Current Zoning



Green = Agriculture and Forestry Management  
Blue = Lake and Stream Protection  
Red- Commercial Development

Figure 2 – Carter Road. to Galbraith Road stream – Subject lots. Intermittent Stream and Perennial Stream locations.



## County of Emmet

Department of Planning, Zoning, & Construction Resources

3434 Harbor Petoskey Road

Harbor Springs, Michigan 49740

Phone: 231-348-1735 Fax: 231-439-8933

[pzcr@emmetcounty.org](mailto:pzcr@emmetcounty.org)

[www.emmetcounty.org](http://www.emmetcounty.org)

September 29, 2017

RE: Emmet County- Notice of Intent to Plan

To Adjacent Communities and Other Interested Parties:

The Emmet County Recreation Plan is being rewritten. The purpose of this letter is to invite your cooperation, comments and participation in our process in accord with the Michigan Planning Enabling Act (Act 33 of 2008), as amended. The Emmet County Recreation Committee will be conducting Recreation Plan work sessions typically as part of the regularly scheduled Recreation Committee meetings. All meetings are held on the second Monday of the month starting at 12:30 p.m.

Additionally if you are unable to attend the meetings, we welcome your comments sent via email to [nsalar@emmetcounty.org](mailto:nsalar@emmetcounty.org) with Emmet County Recreation Plan comments in the subject line. Comments in writing may also be mailed to Planning & Zoning, 3434 Harbor Petoskey Rd., Harbor Springs, MI 49740.

Sincerely,



Nancy Salar  
Planning & Zoning