EMMET COUNTY
PLANNING COMMISSION REGULAR MEETING
THURSDAY May 3, 2018
7:30 PM
EMMET COUNTY BUILDING
COMMISSIONER’S BOARDROOM
200 DIVISION ST
PETOSKEY, MI 49770

AGENDA

I  Call to Order and Attendance

II  Minutes of April 5, 2018

III  Cases

CASE FROM PREVIOUS MEETINGS

1. PPUDP18-01 Jack VanTreese for Maple River Resort LLC, Preliminary PUD-amendment (Rezoning), 3435 US 31 Highway, Section 22, Maple River Township

2. PSPR18-002 Dave Wilson for Northern Monument, Special Use Permit/Site Plan Review – Amendment, 1807 N US 31 Hwy, Section 26, Bear Creek Township

3. PPUDF18-01 Robert Drost, Final PUD & Site Plan Review, 2157 Howard Rd and adjacent parcel, Section 17, Bear Creek Township

NEW CASES

4. PPUD18-02 Robert Drost, Amendment to preliminary PUD, Final PUD & Site Plan Review, 2157 Howard Rd, 2165 Howard Rd, and adjacent parcel accessed via River Rd, Section 17, Bear Creek Township

5. PSUP18-002 Susan & William Klco, Special Use Permit – Home Occupation, 910 N Lamkin Rd, Section 36, Readmond Township

6. PSUP18-001 Patrick Leitelt for ML68 Properties LLC, Special Use Permit – Contractor’s Use, 8737 M-68 Hwy, Section 12, Littlefield Township

7. PSPR18-004 Elaine Keiser, Architect, Inc for P&L Liquid Investments, LLC, Site Plan Review-Amendment, 1844 & 1884 Harbor-Petoskey Rd, Section 27, Bear Creek Township

8. PSUP18-003 Jason Smith, Special Use Permit, Contractor’s Use, Powers Rd, Section 17, Littlefield Township

IV  Public Comments

V  Other Business
   1. Enforcement Report
   2. Accessory Uses in FF-1 & FF-2
   3. Wineries

VI  Adjournment
EMMET COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY APRIL 5, 2018, 7:30 P.M.
EMMET COUNTY BUILDING
200 DIVISION ST
PETOSKEY, MI 49770

MEMBERS PRESENT: Kelly Alexander, John Eby, Tom Urman, Jonathan Scheel, Steve Neal, Toni Drier, Charles MacInnis, David Laughbaum

MEMBERS ABSENT: James Scott

STAFF: Tammy Doernenburg, Monica Linehan

I Call to Order and Attendance
Chairman Eby called the meeting to order at 7:30 p.m. All members were present except Scott.

II Minutes of March 1, 2018
Alexander made a motion, seconded by Urman, to approve the minutes of the March 1, 2018 meeting as presented. The motion passed unanimously by voice vote of the members.

III Cases

1. Case PPUDF18-01 Robert Drost, AMENDMENT TO PRELIMINARY PUD, FINAL PUD, & SITE PLAN REVIEW, 2157 Howard Rd, Section 17, Bear Creek Township

Notice: A two-part request from Robert Drost for 1) amendment to the Preliminary Planned Unit Development (PUD) and 2) a Final PUD and Site Plan Review for 2157 Howard Road and an adjacent vacant parcel both located within Section 17 of Bear Creek Township. The property is zoned Planned Unit Development and includes tax parcels 24-01-19-17-100-019 and 100-005. The permitted uses include FF-1 Farm and Forest Principal and Special Land Uses, Storage Uses and Multiple Family Uses; the proposed uses are Storage on parcel 100-019 and Forest Product Processing on 100-005. Review is per Articles 8, 17, 20, 21, and 26 of the Zoning Ordinance.

Packet Items: 3/12/18 zoning evaluation, PUD agreement, drainage plan cost

Doernenburg reported that there continue to be some discrepancies between the drainage plan and the revised PUD plan that was submitted. She has met with the applicant and he continues to work on the plans. He has asked for postponement of this case to give him more time to create the plans and submit to both the township and this board for review. There was no public comment on this case.
The case was postponed and will be heard again at the next meeting of this board.

2. Case PPUD18-01 Jack VanTreese for Maple River Resort LLC, PRELIMINARY PUD-AMENDMENT (REZONING), 3435 US 31 Hwy, Section 22, Maple River Township

Notice: A request by Jack VanTreese for Maple River Resort LLC for a Preliminary Planned Unit Development amendment at 3435 S US 31 Hwy in Section 22 of Maple River Township. The request includes four tax parcels: 24-09-14-22-200-004 zoned RR Recreational Residential and 24-09-14-22-200-002, 003 & 24-09-14-22-400-020 all zoned FF-1 Farm and Forest. The request is to allow B-2 uses on the RR parcel and FF uses on the remainder plus cabins, RV and mobile home parks, golf and other sports venues. The review will be per Article 17 and Section 27.11 of the Zoning Ordinance.
Packet Items: Request & location map, application, tax parcel map, site plan, PUD uses list, 3/14/18 zoning evaluation, aerial, parcel map, existing uses map, email from Maple River Township, 3/23/18 letter from Jack VanTreese with associated maps/plans, 3/23/18 letter from Haggard's P&H

Doernenburg explained that this is a PUD request that includes four parcels totaling approximately 216.9 acres located on the East side of US 31 Hwy consisting of a golf course, restaurant, two dwellings, a storage building, and an accessory structure. The applicant met with the township at their last meeting. The township did not make a recommendation and had many questions. The applicant has since withdrawn the request on the FF zoned parcels and is going to focus on the parcel that includes the golf course, restaurant/clubhouse, and the houses and other structures. The current request on that parcel would be B-1 uses along with outdoor display for small storage buildings and cabin models. Doernenburg showed the aerial of the site and pointed out the existing accesses. There are three; one for the two residences, one to the accessory building, and the third is the main entrance to the restaurant/clubhouse. Photos of the site were shown. Both the township and the applicant have requested postponement. A zoning map of the area was shown as well as a preliminary PUD Plan. There was no public comment on this case. Eby asked what happened to the lodge? Doernenburg stated that there is a PUD on the property which is still in place since some of the PUD was started. Therefore, this request is a PUD amendment and the applicant would still have to come back for final approvals. The case was postponed and will be heard again at the next meeting of this board.

Case PSPR18-001 Phillip & Kristin Schaner, SITE PLAN REVIEW-AMENDMENT, 1256 N US 31 Hwy, Section 34, Bear Creek Township

Notice: A request by Phil & Kristin Schaner for Site Plan Review-amendment to allow development of a hotel/motel/motor inn (“Lodge & Villas”) on vacant property located at 1256 N US 31 Hwy in Section 34 of Bear Creek Township. The property is tax parcel 24-01-16-34-100-027 and is zoned R-2 General Residential. The Special Land Use was approved by the Planning Commission on November 3, 2016. Site Plan Review was approved with conditions on 11/2/2017. This request increases the number of rental units and is per Articles 5, 20, and 22 of the Zoning Ordinance.

Packet Items: Request & location map, application, site plan review checklist, impact statement, zoning evaluation, 2/23/18 site plan

Doernenburg presented this case. This is a project that has been reviewed over the last year. They originally obtained a special use permit, then came in for site plan review. This request is for an amendment to that approved site plan. The parcel is zoned R-2 and is located directly behind Burger King and the lumber yard on US-31. The site plan was originally approved for nine units. They have now re-arranged the site and have added one more unit. The conditions of the original approval limited the square footage that was able to be used in the meeting room based on the amount of parking spaces to 900sf. This is still met with the new plan. The approved plan and the revised plan was shown. A sealed drainage plan has been received. The existing entrance for Pirate’s Cove will be re-configured and used for access to the site. Excavation has begun on the site and the proper soil erosion permits are in place for this work.

Phillip Schaner, applicant, stated that vertical facing units had a better feeling to the layout they wanted and in doing this revision, found out that they had room to fit another unit and therefore are pursuing this amendment.

Scheel asked if the other big change from the original is the lodge. Doernenburg stated that no, the parking was not increased. Parking spaces limited the square footage of the lodge that could be used. The motion was drafted so that the area within the lodge allowed to be used for a meeting room was reduced from 1,050sf to 900sf and from her understanding, less than 400sf of area is actually proposed
for the meeting room. Urman asked the applicants if they were aware of and understood the parking situation. The Schaners stated that they did.

There was no public comment on this case.

Urman made a motion to approve Case #PSPR18-001, Phil & Kirstin Schaner for Site Plan Review for a hotel/motel/motor inn on property located at 1256 N US 31 Hwy, Section 34, Bear Creek Township, tax parcel 24-01-16-34-100-027, as shown on the Site Plan and supplemental details regarding fences, trash storage container, and elevation sketches all dated Received Sept 8, 2017 and the Site Plan dated February 23, 2018 because the standards of Articles 5, 20, 21, and 26 have been met with the following conditions: that the parcel may not be reduced in lot width below 150 feet, the existing vegetation will be retained in the setback areas to the greatest extent possible, that the use of the lodge is limited to single family dwelling and the common area in the lodge may only be used as accessory to the residence and 10 villas and the meeting area will be limited to 900 sq., that lights and signs be reviewed as required by the Zoning Ordinance, that a performance guarantee in the amount of $3,000 be provided as required for the drainage standards (Section 25.05 G), that the lodge roof run off goes into the catch basin, that the road be brought up to the Private Road standards and be hard surface as well as the sidewalks and parking be hard surface within one year of project completion, that Sec. 2205 is adhered to and they will not create a public nuisance, that the applicant would be required to return to the Planning Commission for review of any additional uses, that the lot lines are clearly identified prior issuance of a zoning permit and that the Fire Department requirements be met. The motion was supported by Scheel and passed on the following roll-call vote: Yes: Eby, Urman, Neal, Drier, Scheel, Laughbaum, Maclnnis, Alexander. No: None. Absent: Scott.

4. Case PSPR18-002  Dave Wilson for Northern Monument, SPECIAL USE PERMIT/SITE PLAN REVIEW-AMENDMENT, 1807 N US 31 Hwy, Section 26, Bear Creek Township

Notice: A request by Dave Wilson for Northern Monument for a Special Use Permit and Site Plan Review at 1807 N US 31 Hwy in Section 26 of Bear Creek Township. The property is zoned B-2 General Business and includes tax parcels 24-01-16-26-300-040 & 300-042. The request is to amend the site plan and allow outdoor display and retail use per Articles 11, 20, 21 and 22 of the Zoning Ordinance.

Packet Items: Request & location map, application, tax parcel map, site plan review checklist, impact statement, zoning evaluation, 3/19/18 letter from 'Concerned Citizens', aerial, site plans, 3/23/18 letter from Haggard’s P&H

Doernenburg explained that this site has been reviewed many times over the years. The current occupant is a plumbing and heating business. The aerial of the site was shown and the two accesses were pointed out. There is an access onto Shaw Road and one onto US 31. The site plan was shown. The request is to allow for outdoor display in the hatched areas shown on the site plan which are 8x40’ and a small 10’ section on the corner. The property is zoned B-2 and outdoor display is allowed with a special use permit. There are two parcels that are to be combined for the use. Four parking spaces are required and there are currently 12 on the site of which five would be removed for the outdoor display area. Photos of the site were shown. The sign is intended to be used in the same location and size as exists currently. There is an unscreened dumpster on the site; there is no dumpster on the site plan and staff is unsure whether the new occupants will be using it. There are no new buildings or lighting proposed. A letter of support and a letter of opposition have been received. A neighbor, Robert LeGrand has expressed his concerns in a phone call stating that he would like the access to Shaw Road removed because it is used to cut through regularly and also some sort of curb stop put in 12’ away from his fence line.

The applicants were present for questions.
Urman stated that we have looked at this site before. He thought that the last approval limited the use of the Shaw Road access. The current occupant’s use is more than what was approved as it was supposed to be a sales office. Doernenburg stated that there is a new owner of the business occupying the site and she has noticed many more vehicles on a regular basis. That business is planning to move across the highway at some point. The access to Shaw Road was installed when the highway reconstruction was done. Urman stated that we don’t have outdoor display in this area. Doernenburg stated that we do at many locations including Kring’s, Tractor Supply, Luxury Spa; this is the corridor in which the township wanted to allow outdoor display. Scheel stated that some of the places mentioned don’t look that nice. It is important to decide what is appropriate. Yes, the township has said that this is the area to put outdoor display, but where this display is on the property can make a big difference. He stated that he is concerned about having the drives and parking areas paved. This is the entrance to our community. We can allow for outdoor display but should make sure it is done correctly so that there is not an eyesore. Urman stated that Mr. LeGrand may be able to give some insight into his issues as this corner has been an issue to him in the past as well. Eby asked what the status of the business to the north of this; they constantly seem to have stuff for sale. Doernenburg stated that she was unsure but would look into it.

Eby opened the floor to public comment.

Mr. LeGrand stated that his major issue is that the sandy looking area on the aerial is actually all erosion. This causes his property to flood. The culvert along Shaw Road is already half full. Their parking lot is a big mud hole which cuts through his fence line and there are solid streams of mud coming in. He would like to see metal rails at a point 12’ from his fence line so that they don’t come right up to his fence with vehicles. The current occupant has smashed into his fence and park right up into it. The mud and snow comes off of their trucks and into the wheel tracks right onto his property. They have issues with trash on this site and have had the police out there. The current occupant has had vehicles parked all over the property. LaGrand stated that he has fixed the draining and his property behind and to the side of this parcel that he owns. This parcel needs a green area where the drive is on Shaw Road and that access point needs to be blocked off.

Tim Behan stated that he lives on Hiawatha Tr. He stated that for a while, barricades were up across the Shaw Road access. He is concerned with congestion. It is dangerous to turn left onto the highway from Shaw Road due to the angle of the road and the traffic. Will this congest it more?

Mike Richard, representing Northern Monument, stated that part of the proposed plan does eliminate some of the parking. They won’t have vans and trucks parked there on a regular basis. They have a small staff and low traffic volumes. They sell concrete monuments, boulders, and granite headstones; nothing in bad taste.

Eby asked if they are taking over the entire parcel just for this business. Yes.

LeGrand stated that there has been a serious erosion issue on this parcel for over 15 years.

Drier asked if the sandy looking area across Shaw Road is also erosion. Doernenburg stated that it is a driveway.

Dan Wilson, applicant, stated that when they talked to Bill Marshall, the owner of the property, he stated that because the current lessee parks haphazardly on the site, areas in which there was grass are now dirt. He stated that he would put topsoil down and seed along Mr. LeGrand’s fence line and could also bring in a load of gravel for the parking lot. The display will be done tastefully. This is their fifth location and they are there to sell products so they want the site to look good.
Eby asked Urman if the township wants a chance to review this case. Urman stated that they would. He commented that the applicants have offered to bring in photos of their other locations as well.

LeGrand stated that he placed treated lumber along the fence line with re-rod. Mud has accumulated over the top of it and will have to be taken down and tapered to go inward. Just adding topsoil won’t help this.

Urman stated that there have been issues on this site in the past and thought a storage building was proposed in the outdoor storage area and was denied.

Mike Richard stated that they stopped by the site today and saw the amount of vehicles. Their business will have much less of an impact as they are a one-man operation daily.

Scheel stated that he feels a drainage plan is needed showing screened landscaping and some type of stops as was mentioned by Mr. LeGrand. He also stated that he sticks by the paved drive and parking being necessary. He referred to the corner of E. Mitchell and Division that was recently paved as an example of the difference between gravel lots and paved lots.

Alexander asked if the Road Commission has looked into this site. Doernenburg stated that she didn’t have them look at it since they were using existing access but she could ask them to look into the history of that access. Alexander asked if the dumpster will be used. The applicants stated that they would not have a dumpster. Alexander noted that if they did, it would need to be screened.

Laughbaum asked if the highway is part of the water problem. Doernenburg stated that it does drain this way. Laughbaum stated that it seems to be an awfully small property to have all of that water on it. There must be a ditch on Shaw Road. LeGrand stated that all of the highway water drains to this parcel and mud comes down to his parcel from there. It is cutting holes through the paving on Shaw Road and the County has been out several times. The County should not have put this in.

MacInnis stated that this applicant does not own the property; it will be leased. The owner is likely the one that is going to face the requirements that we come up with. Scheel stated that it depends on the contract that they have with the owner. Eby stated that if they are having issues leasing the property the owner will eventually have to look into upgrades.

The case was postponed and will be heard again at the next meeting of this board.

5. Case PSPR18-003 Walt & Tracy Scheimann for Prime Diesel, SITE PLAN REVIEW-AMENDMENT, 2472 N US 31 Hwy, Section 25, Bear Creek Township

Notice: A request by Walt & Tracy Schemann for Prime Diesel for a Site Plan Review amendment at 2472 N US 31 Hwy, Section 25, Bear Creek Township. The property is zoned I-1 Light Industrial and is tax parcel 24-01-16-25-101-008. The proposal is to demo an existing building and construct a new 60'x80' building for vehicle service with possible expansion of 30'x60'. The review is per Articles 14, 20, and 22 of the Zoning Ordinance.

Packet Items: Request & location map, application, site plan review checklist, impact statement, zoning evaluation, 3/12/18 site plan

Doernenburg presented this case. The parcel is zoned I-1, Light Industrial. Properties to the south are also zoned I-1, to the east, FF-1 and to the north, B-1 and B-2. This is the former location of Holton’s LP. Prime Diesel has occupied the property for almost two years. There are existing buildings on the property. This proposal is to demolish the building located behind the main building and build a new addition to the main building in its place. The existing and proposed site plans were shown. There will be screened fencing put in place so that they can park vehicles behind it that are being repaired or
waiting to be repaired. All setbacks are met. Elevations of the buildings were shown. The drainage meets ordinance standards. 24 parking spaces are provided. The Fire Department has not provided feedback. MDOT was not asked for feedback because they are using existing accesses. Snow storage and dumpster areas both shown on the site plan. Photos of the site were shown.

The applicants were present for questions. There was no public comment on this case.

Urman stated that he looked at the plan and didn’t see any issues. The location in front is for vehicles towed in at night. Scheel asked if both drives are used for in and out. Yes. Urman stated that the drainage was good when they looked at the site when the gas company went in. Scheel asked how much more impervious surface will be incorporated to the plan. Doernenburg stated that there will likely not be any more as the areas are already mostly paved.

Scheel made a motion to approve Case # PSPR 18-003, Walt & Tracy Schiemann for Prime Diesel, Site Plan Review amendment for a vehicle service at 2472 N US 31 Hwy., located in Section 25 of Bear Creek Township, tax parcel 24-01-16-25-101-008 based on the facts presented in this case: the use is a permitted use in the I-1 zoning district, the site plan meets the standards of the Zoning Ordinance, no outdoor display is permitted (or proposed), and no outdoor lighting or signs are permitted unless reviewed as required by the Zoning Ordinance. The motion was supported by Urman and passed on the following roll-call vote: Yes: Eby, Neal, Drier, Scheel, Laughbaum, MacInnis, Alexander, Urman. No: None. Absent: Scott.

IV Public Comments: None

V Other Business:

1. **Enforcement Report**- Distributed with some discussion on items that have gone to court.

2. **Accessory Uses in FF-1 & FF-2**- Doernenburg stated that information regarding decibel levels was distributed with packets. Her recommendation would be to come in under the 85db; perhaps 80db. It is hard to identify because it is not an exact science. The zoning map and map created showing the larger parcels in Emmet County are hanging on the wall and were pointed out. Scheel discussed changing his opinion on including residentially zoned properties and only including FF zoned properties at last month’s meeting. Laughbaum asked the decibel levels would be over time or would they be in violation if they had 10 minutes of fireworks. Doernenburg stated that they would be in violation but likely not when someone went to investigate. She stated that 80db is shown similar to heavy traffic, a busy restaurant, or a powered lawnmower. Neal asked about the decibel levels for wind energy systems. Doernenburg stated that they are at 35db and 40db but this is a constant sound and a different type of noise. Neal asked if this opens Pandora’s box. Should we be consistent with noise in general? Alexander stated that we know it is different but we have to be careful about how it is phrased. MacInnis stated that we should still have time frames with the decibel levels. Scheel stated that we were looking at 10pm or 11pm end times. Doernenburg stated that they had used 10pm originally based on Park & Rec rules but this board had implied that may be too early for this use so we put 11pm in the next draft. MacInnis stated that it would then have to go back to ambient noise levels. He likes the idea of no more than 80db. He stated that he was researching small motor boats and over 90db was not good. Doernenburg stated that these still would be special uses so this board would still review cases to be sure that they are meeting all of the requirements of the special use permit section. Neal stated that to him 80db sounds high no matter what time of day. Scheel stated that 75db seems like a better number. This would still allow people to enjoy themselves and
music but the neighbors wouldn’t have to hear noise the level of a freight train. Alexander stated that it is easier to raise decibel levels than it is to lower them. MacInnis stated that he doesn’t want to discourage additional uses on a farm property and this could be a good way to ease into it. Neal asked about enforcement. Will the County Board fund someone to enforce this? Scheel stated that he thinks that the staff would be given the tools they need to enforce the ordinance or hire it out to someone with the expertise needed. Doernenburg stated that the WES ordinance puts the onus on the violator to handle conflict resolution. Maybe this could be done here too. Doernenburg asked if the extra setback should be eliminated. Neal stated that using decibel levels eliminates the need for the extra setback, property size, and frequency of events. He isn’t sure if it eliminates the need for hours of operation though. Scheel and MacInnis both stated that they think there still needs to be hours of operation. MacInnis stated that a start time and end time should be there; maybe 10am to 11pm? Alexander asked if this would be seven days per week. He’d be willing to be more liberal on the weekends than during weekdays. Scheel stated that all of these items can be looked at during the special use permit process. These should be broader rules.

Duane Schuil stated that he applauds this board for trying to work this out and feels that looking at decibel levels is an advance but he feels that it should be a complete picture and not eliminate minimum parcel sizes. This makes sure that you are touching all bases and not just one thing. He does not think this should be limited to FF zoned properties. It shouldn’t make a difference what it’s zoned if you can meet the criteria in place.

3. **Wineries:** A draft was provided last month from Leland Township that allowed for two year permits that could be renewed. Doernenburg stated that Civil Counsel looked it over and feels that we could do something like this. She hasn’t prepared any drafts but could incorporate it if interested.

4. **Farm Labor Housing:** The issue in Bear Creek Township was discussed and a draft ordinance was provided last month. Laughbaum asked what happens if the farm shuts down. Doernenburg stated that the buildings would have to be converted into something allowed in the district like a single family residence or removed. Kristi Schuil asked if this would only be in FF zones. No. Scheel stated that he is happy with the draft as is. There are many farms that may be able to use housing like this that are labor intensive and need housing. Doernenburg asked if we can publish for a public hearing. Yes.

5. **Sand & Gravel Workshop; Summary:** Doernenburg stated that this was a very good workshop. She thinks there are a few things that should be tweaked in our ordinance including changing enforcement activity to be proactive rather than reactive. For those that couldn’t attend, the handouts were distributed and the MDOT study was emailed.

6. **Annual Report:** Doernenburg noted that last year marked 50 years of Planning in Emmet County. She highlighted some of the report sections. It was noted that the Master Plan process will start again at the end of the year. MacInnis made a motion supported by Alexander to accept the report and send it on to the Board of Commissioners to review. The motion passed unanimously by voice vote of the members present.

7. **Township projects:** Doernenburg showed plans for the Bear Creek Township Fire Hall. They are adding a 24x60’ fire truck stall in the rear which will displace some parking but they have plenty. They are also adding a light pole with downward lighting. Readmond Township
is removing their Fire Department buildings and re-building quite a bit farther from the road. They are adding screening and organizing the location of the recycle bins on the site.

VI Adjournment
There being no other business Eby called the meeting adjourned at 8:56 p.m.

James Scott, Secretary Date
<table>
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<tr>
<th>Item</th>
<th>Description</th>
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<tr>
<td>PSPR18-002</td>
<td>Dave Wilson for Northern Monument Special Use Permit/Site Plan Review – Outdoor display 1807 N US 31 Hwy Section 26 Bear Creek Township</td>
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<td>• History of zoning reviews for property provided. • Sealed drainage plan provided. • Site visit conducted with property owner, ECRC, BC Twp Supervisor – drainage system needs to be installed.</td>
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<tr>
<td>PPUDP18-01</td>
<td>Jack Van Treese Preliminary PUD – Amendment 3435 US 31 Hwy Section 22 Maple River Township</td>
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<td>• No new information provided. • Township recommendation expected.</td>
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<td>PPUDF18-01</td>
<td>Robert Drost Final PUD &amp; Site Plan Review 2157 Howard Road &amp; Adjacent property accessed via River Rd Section 17 Bear Creek Township</td>
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<td>• The revised drainage plan is based on the previous site plan. Owner has been notified. No new drainage plan provided to-date. • Cost estimates for drainage system provided. • Revised plans provided. • Suggestion to review PHASE 1 only. • Revised staff report and site plan provided. • Draft PUD agreement enclosed. Discussion needed.</td>
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<tr>
<td>PPUD18-002</td>
<td>Robert Drost Final PUD &amp; Site Plan Review 2157 Howard Road, 2165 Howard Road &amp; Adjacent property accessed via River Rd Section 17 Bear Creek Township</td>
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<td>• Request modification of perimeter setbacks. • Request additional property added to PUD. • Additional storage buildings proposed. • Review Preliminary PUD first – Final PUD would follow.</td>
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<tr>
<td>PSUP18-002</td>
<td>Susan &amp; William Klc Special Use Permit – Home Occupation 910 N Lamkin Rd Section 36 Readmond Township</td>
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<td>• Level I Home Occupation originally approved administratively for Artist Residency. • Building Department questioned use as a Home Occupation – opted to request PC review under Level I provision, but advertised as Level II. • Residence and accessory building to be constructed on-site. • Residence would be rented to artist who would conduct the home occupation. • Proposal to allow viewing of art on occasional Saturdays. • Letters of support and opposition included in packet.</td>
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| PSUP18-001 | Patrick Leitelt for ML68 Properties LLC  
Special Use Permit -- Contractor's Use  
8737 M-68 Hwy  
Section 12  
Littlefield Township | • House was built on the site in 1988.  
• Kennel/Dog Grooming Special Use was approved in 2008.  
• Proposal for Special Use Permit for a contractor’s use.  
• A mobile home and one building (office) exist on the property. |
| PSUP18-004 | Elaine Keiser, Architect, Inc. for P&L Liquid Investments, LLC  
Site Plan Review -- Amendment  
1844 & 1884 Harbor-Petoskey Rd  
Section 27  
Bear Creek Township | • Petoskey Brewery has purchased the adjacent property (formerly Coca Cola).  
• Proposal to close one access onto M-119 and reconfigure entrance.  
• Proposal to eliminate parking behind the Brewery building and utilize the adjacent property for parking.  
• Bicycle parking added to the site plan.  
• Outdoor seating proposed behind the Brewery.  
• Additional landscaping proposed along the distribution/storage building.  
• No changes in use. |
| PSUP18-003 | Jason Smith  
Special Use Permit -- Contractor's Use  
Powers Rd  
Section 17  
Littlefield Township | • Proposal to use west end of mining operation for a Contractor’s Use.  
• Access via a shared commercial driveway from Powers Rd.  
• One 3,200 sq. ft. storage building proposed.  
• Property is 8.19 acres, 355 ft. wide, no owner occupied. Modification of those standards requested.  
• Applicant requests waiver of drainage plan due to sandy soil conditions and site topography. |

| Zoning Ordinance | Farming -- accessory uses | • Revised text enclosed. |
| Wineries | • No new information. |
| Enforcement Report | • Enclosed. |
| Communications | • Letter received regarding Blissfest. |
Case #PSPR18-002
Dave Wilson for Northern Monument

History of 24-01-16-26-300-040 & 042 / 1799 US 31 and 1801 US 31

9/1/1974 Rezoned both parcels B-1 Local Tourist Business to B-2 General Business approved
11/1/1974 Request to rezone B-2 General Business to R-2 General Residential denied
8/1/1995 SUP - Outdoor display - enclosed trailers approved
7/1/1998 Site Plan Review - convert trailer sales to office approved
9/1/1998 Convert 1 dwelling to office - connect drive and parking lot approved
10/2/2003 Site Plan Review - construct accessory building - Shaw Rd to be closed approved
10/2/2008 Special Use Permit - drivethru restaurant photos show Shaw Rd not closed denied
4/19/2011 Administrative review - removal of non-conforming structure and storage building approved
included use of Shaw Rd.
4/12/2012 Administrative review of office use for Great Lakes Plumbing & Heating approved

Aug 2007 Shaw Rd. access paved by MDOT during US-31 road reconstruction
PLANNED UNIT DEVELOPMENT AGREEMENT

PARTIES OF INTEREST
This Planned Unit Development (PUD) Agreement is an agreement between the following parties of interest, relative to a proposed storage building complex and forest products processing facility affecting Tax Parcels numbered 24-01-19-17-100-005 and 24-01-19-17-100-019. This agreement is based on the PUD Preliminary & Final Plans and supporting application documentation and site plan details. The parties of interest are:

Party No. 1  The Developer/Owner  
Robert A & Diana M Drost  
C/O Robert A & Diana M Drost Trusts  
545 Bay St  
Boyne City, MI 49712

Party No. 2  Emmet County  
The County of Emmet  
200 Division Street  
Petoskey, MI 49770

It is understood the owner/developer may assign any and all rights or interests to a party or parties, but such assignments shall carry the terms of this PUD Agreement (or supplements which may be made to this agreement) as binding and running with the land. Owner/developer shall notify Emmet County of any such assignment.

PURPOSES
The purpose of this PUD Agreement is to obtain good faith performance and ensure that the development, as approved pursuant to the approved PUD Plan (Preliminary & Final, as amended), and subsequent Site Plan(s), are constructed and maintained in accordance with all of the approval motions and conditions of Emmet County. Both parcels shall be considered one development lot.

BACKGROUND
The developer, Robert A Drost received approval for a Preliminary Planned Unit Development (PUD) by the Emmet County Board of Commissioners on June 15, 2017. A revised Preliminary PUD was approved by the Emmet County Board of Commissioners on February 15, 2018.

CONDITIONS
The following conditions and requirements shall run with the land, and as such are obligations upon the current owner(s) or such other persons and/or entities who remain or who subsequently become owners of any part or all of the subject land encompassed in the Preliminary and Final PUD Plans.

1. The Final PUD Plan dated DATE and approved by the Emmet County Planning Commission on DATE, as approved per Article 17 of the Emmet County Zoning Ordinance, are incorporated herein, with all notations and graphic illustrations contained thereon.

2. The uses approved for this PUD include all FF-1 and FF-2 Farm and Forest uses and storage buildings. The Final PUD includes storage uses and a forest products processing facility.
3. The PUD perimeter setback of 50 feet shall be maintained from all property lines except that the existing access drive from Howard Road may continue to exist at its currently approved location.

4. The use of landscaping shall be incorporated into the plans to screen the buildings from Howard Road. A detailed landscape plan shall be provided, and plants maintained such that they screen as intended. The buildings’ façades shall be built in accordance with the approved elevation drawings dated XXXXXX on record as being part of the site plan approved. Minor deviations to the landscaping plan and building façades may be approved by the Zoning Administrator. Any modification determined by the Zoning Administrator not to be a minor deviation will be subject to Planning Commission approval.

5. In addition to the Landscape Plans approved by the Emmet County Planning Commission, the following shall be required to be shown on landscape plans at the time of submission of applications for Zoning Permits and installed in accordance with the following provisions:

   A. The plantings and other landscape features detailed on the approved drawings from the DATE Emmet County Planning Commission meeting and which are on record as being part of the site plan approved, must be installed as shown on the plans within six (6) months of the completion of any building.

   B. Any portion of the site disturbed by grading and on which no construction occurs during any six month period shall be planted with appropriate ground cover and properly maintained as approved by the Soil Erosion Control Officer.

   C. Perpetual maintenance of landscaping shall be provided and any dead or diseased materials shall be removed and replaced with similar types, species and sizes, as originally planted within six (6) months, weather permitting.

   D. Landscaping shall conform to, but may be more than, the landscaping shown on the approved PUD plan, and will be reviewed for approval at the time of Site Plan Review.

6. One freestanding sign and one wall mounted sign may be permitted in accordance with the Emmet County Zoning Ordinance standards.

7. Outdoor lighting shall conform to the Zoning Ordinance standards. All outdoor lights shall have a full cut-off design with horizontally aligned flush mounted lens, designed and/or directed away from all adjacent properties and uses and further shall not glare upon or interfere with persons and vehicles using public streets. All proposed outdoor lighting shall be approved by the Emmet County Sign & Lighting Committee.

8. All on-site electrical and communication conduits shall be placed in-ground rather than overhead.
9. Approval of the development by the local fire protection agency having jurisdiction must be demonstrated prior to issuance of a Certificate of Occupancy for any buildings.

10. The height of all buildings shall be permitted to be no greater than that depicted on the approved building elevation sketches submitted with the Final PUD Master Plan or subsequent approved site plans. No building shall exceed one single story. No building shall exceed the maximum permitted by the Zoning Ordinance.

11. The access drive to the storage buildings shall be managed with a gated entry which is open only to those with security to access the site. It shall not be open to the public. The gate shall be equipped as required by the Fire Chief. The gate shall be located such that no vehicles interfere with traffic flow on Howard Road.

12. Ongoing maintenance of the drainage system shall be the obligation and responsibility of the owner(s)/developer. A drainage system maintenance schedule shall be provided prior to installation. The owner(s)/developer shall keep the drainage system and all on-site drainage areas and facilities in good operating condition. Any changes to the drainage system are subject to Zoning Administrator review.

13. No motor vehicle driveway access between the two parcels shall be permitted. The existing vegetation shall be maintained on the slope between the two tax parcels except as necessary to complete the drainage system as shown on the approved Final PUD Plan dated DATE.

14. Both access drives onto the property shall only be utilized upon approval by the road agency having jurisdiction.

15. The site shall be managed such that it complies with the Emmet County Soil Erosion and Sedimentation Control Ordinance, Ordinance No. 14-1.

16. Once the project is started, the Final PUD Plan as amended shall remain in effect for all areas of the plan.

17. Plans that deviate from the approved site plan will be considered revised site plans and will require approval by Emmet County Planning Commission.

18. Parking for the development shall be provided as shown on the approved site plan.

19. Right-of-ways and/or easements for non-motorized trails (as bikeways) shall be permitted on the Developer’s or Owner’s property and generally parallel public roads, or on separate adjacent parcels, in specific locations that are mutually agreeable to Emmet County and the Developer and may be permitted in the setback.

20. No uses, other than personal storage uses, are allowed within the storage buildings. Such storage may include vehicles, recreational vehicles, personal property, but shall not include bulk storage of fuel or any hazardous materials. No commercial activity of any kind is permitted within the storage buildings.
21. Forest products processing is permitted as shown on the approved PUD Plan on tax parcel 24-01-19-17-100-019 and includes the following:
   A. Permitted in the areas identified only. Including stock piles and processing locations.
   B. The wetland area identified on the Final PUD Plan shall be protected and no storage, fill, or use is permitted within the regulated wetland.
   C. Existing vegetation shall be maintained in the 50 ft. perimeter setback to screen and buffer the use from adjacent properties.
   D. No outdoor display or sales shall be permitted on the site. No public sales of firewood, wood chips, or other wood products shall be permitted on the site.
   E. No equipment shall be stored on the site on a permanent basis and may only be permitted for periods not to exceed XX days.
   F. Wood chipping/grinding on the site may be allowed three (3) one (1) times per year, not to exceed fifteen seven days per per calendar year. Wood chipping/grinding and other wood processing shall occur only between the hours of 8AM and 5PM Monday through Friday.
   G. No burning is permitted on this site at any time.
   H. Wood chip stock piles shall not exceed 800 yards. The height shall not exceed 30 feet and the area shall not exceed that which is shown on the approved site plan.

22. The PUD Project shall be constructed in phases or stages as described by the developer during the Public Hearings (east to west), and it is understood by this Agreement, that the parking, landscaping, and lighting elements of the plan may be constructed in proportion to the approved phases as defined on the Zoning Permit. The west property line screening shall be installed prior to occupancy of any of the storage buildings.

The Final PUD Plan as approved shall take immediate effect upon the execution of this PUD Agreement, to assure that all approval stipulations are, in fact, implemented and including the proper maintenance of all required and Owner provided landscaped areas, and all storm drainage systems.

CERTIFICATIONS

DEVELOPER OR OWNER: ROBERT A & DIANA M DROST TRUST

_____________________________  ________________  ________________
Robert A. Drost                     Witness                  Date

_____________________________  ________________  ________________
Diana M Drost                      Witness                  Date

EMMET COUNTY:

_____________________________  ________________  ________________
John Eby, Chair                    Witness                  Date
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 04/18/2018 CASE #: PPUD18-01 (PHASE 1 ONLY)

APPLICANT: DROST ROBERT A & DIANA M TRUSTS

PROPERTY: 2157 HOWARD RD (01-19-17-100-019) & vacant parcel accessed via River Road (100-005)

TOWNSHIP: BEAR CREEK

REQUEST: Planned Unit Development – amend Preliminary Plan and Final

FACTS:

- An application has been received to add a 3rd property to the PUD (Case #PPUD18-02).
- Staff recommendation to review PHASE 1 only under this case as PPUD18-02 proposes changes to the original PUD. Proposed changes do not impact Phase 1.
- Phase 1 includes the River Road property (01-19-17-100-005) and three storage buildings: 6, 10, and 15 only.
- The property had been zoned FF-1 Farm and Forest and was rezoned to PUD.
- The request includes two properties totaling 24.5 acres.
- The properties have frontage on both Howard and River Roads.
- The Preliminary PUD Plan was approved in 2017 and included multiple family dwellings, storage uses, and nursery uses in addition to the FF-1 district uses allowed by the Zoning Ordinance (see enclosed Plan).
- The Preliminary PUD has been modified and approved by the Board of Commissioners. Preliminary PUD was amended and now includes FF Uses and storage buildings only. Part two (now subject to review): seek approval of the Final Planned Unit Development Plan and site plan approval of PHASE 1 ONLY.
- The Emmet County Road Commission has approved the Howard Road access and River Road access (letter provided regarding River Road).
- There are no PUD modifications proposed/approved. PPUD18-02 proposes setback modifications impacting the remaining phases of the project and adds a third parcel.
- Surrounding uses include former City of Petoskey landfill (capped) to the north; residence and non-conforming auto repair shop to the south; residential to the west (across Howard Road) and a residence to the east of the parcel accessed from Howard Road. The parcel along River Road is adjacent to an accessory building on industrially zoned property to the north and is across River Road from the rail road corridor and the City of Petoskey’s River Road park complex.
- Both properties are currently vacant, however, a Special Use Permit for a Temporary Forest Product Processing event has been approved for the Howard Road property. The property fronting on Howard Road was also approved for topsoil extraction and storage.
- The plan has been submitted to the Fire Chief for his review.
STAFF NARRATIVE:
The Preliminary PUD Plan was approved by the Planning Commission and Board of Commissioners in June 2017 as shown on the previously provided concept plan (dated Received Feb 6 2017). The Planning Commission determined that the Final PUD Plan was not “…in basic accord with the approved Preliminary Development Plan…” Section 17.01.6. The Preliminary PUD amendment was approved before proceeding to the Final PUD review. Once the Final PUD is approved, then Site Plan Review can be conducted.

The proposed Final PUD Plan eliminated the nursery use and the multiple family use. It expanded the storage building usage and added a Forest Product Processing site on the parcel accessed via River Road. The currently proposed plan has added stone and top soil storage to the River Road site. This is not consistent with Forest Product Processing and has not been approved. The use approved include FF uses and storage uses only.

Additional items needed for Final PUD review: “All arrangements for design, construction, maintenance, and operation of utility systems shall have been finalized, although working drawings need not be completed for this element.” Section 17.01.6.3. “The PUD’s ownership, management, and construction have been determined and documented, and where to be phased, a plan to demonstrate development continuity shall be presented.” Section 17.01.6.4. “Any existing or proposed deed restrictions, easements, or covenants pertinent to the project property shall be presented at this time…” Section 17.01.6.7. Plan has been divided into phases, however, no proposed deed restrictions, easements, or covenants have been provided.

Changes made include: addition of stone and top soil storage on River Road parcel, height modifications, number of storage buildings remains the same, however, reduction of storage units has decreased from 97 to 90. Proposal includes three weeks of log chipping per year (increased from one week). Details provided on landscaping plan (dated Feb 26, 2018). Building heights proposed at 16’ to side walls; 22.5’ maximum height (plan dated Feb 26, 2018).

ZONING ORDINANCE STANDARDS:
Planned Unit Development Standards apply – see Article 17 of the Emmet County Zoning Ordinance

Once the FINAL PUD is approved, then Site Plan Review Standards are reviewed:

Section 20.05 Site Plan Review Standards

The Planning Commission shall approve, or approve with conditions, an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards and considerations listed below unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and the waiver of that standard will not be significantly detrimental to surrounding property or to the intent of the Ordinance.

A. Compliance with District Requirements
The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the Zoning Ordinance, unless otherwise provided.
There are no specific density standards for storage units, however, density standards for FF-1 (prior zoning district and surrounding zoning districts) is 1 unit per acre. The perimeter setback of the PUD has been maintained (50 ft.). This is not impacted for PHASE 1. For Case PUPUD18-02, a perimeter setback modification is proposed. A discrepancy exists in the perimeter setback between the Phases of construction graphic and the detailed topographic plan submitted April 6, 2018.

B. Vehicular and Pedestrian Circulation
Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. A pedestrian circulation system shall be provided and shall be as insulated as completely as reasonably possible from the vehicular circulation system. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points. 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 the project area shall be capable of safely and effectively accommodating the traffic volume and pattern proposed by the project. Where possible, shared commercial access drives shall be encouraged. Parking is proposed in front of each building. No pedestrian use expected other than from a vehicle to the storage unit. (Additional standards removed from this report.)

C. Emergency Vehicle Access
All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides. The plan has been modified in response to the Fire Chief’s review.

D. Loading and Storage
All loading and unloading areas and outside storage areas which face or are visible from residential districts or public thoroughfares, shall be screened, by a vertical screen consisting of structural or plant materials of sufficient height to obscure the direct view from adjacent first floor elevations. The site plan shall provide for adequate storage space for the use therein. Extensive screening is proposed.

E. Snow Storage
Proper snow storage areas shall be provided so to not adversely affect neighboring properties, vehicular and pedestrian clear vision, and parking area capacity. Snow storage area appears to be adequate. Not identified on the plan.

F. Buffers
To provide reasonable visual and sound privacy, buffer techniques, screening, fences, walls, greenbelts, and landscaping may be required by the Planning Commission in pursuance of the objectives of this Section and/or as a condition of the establishment of the proposed use. Evergreen buffers proposed on north and west boundaries. Additional screening has been added from Howard Road and the southern property.

G. Drainage
No updated Drainage Plan Provided to date – no cost estimates provided, does not include lower River Road portion of the development.
Storm water drainage plans shall address flows onto the site from adjacent sites and roads, storm water impact on the site (soils, impervious surfaces, potential impervious surface, retention ponds, detention ponds, and related management facilities as appropriate), and the storm water outfall, or flow control into adjacent drainage courses, ditches and the like.

The drainage plan shall indicate the manner in which surface drainage is to be disposed of. This may require making use of the existing ditches, natural watercourses, or constructing tributaries, but shall not result in storm water that exits the detention pond and/or property site at an erosive velocity. Additional hard surfaces proposed for a site must provide for detention and/or retention. The minimum requirements for detention and detention facilities are as follows: For sandy sites the volume of retention and/or detention shall be equal to the volume of 1 and ½" of water depth multiplied by the area of additional hard surface. For all sites other than sand, the volume of the retention and/or detention shall be equal to the volume generated from 2" of water depth multiplied by the area of additional hard surface. Both detention and retention facilities must be designed to assure that water is released within 72 hours. Detention facilities are to have a pipe no larger than 4" exiting the ponds at a grade no greater than 1%.

All storm water drainage plans shall be sealed by a Michigan Registered Professional Civil Engineer. The Planning Commission may waive the requirement, defer the requirement, or determine that a fully engineered storm drainage plan is not necessary, or can be deferred to a future date. Improvement guarantees shall be required, unless waived by the Planning Commission, for all storm water drainage plans in the form and amount acceptable by the Planning Commission to guarantee completion of the project in accordance with the conditions of the zoning permit. The performance guarantee will be released upon final inspection and approval by the Zoning Administrator, and receipt of sealed as built plans for storm water drainage.

Storm water retention basins designed to keep a fixed pool of water shall include one or more of the following safety features: 1) safety ledge(s) at least (10) feet wide at the basin perimeter, 2) vegetation surrounding the basin to discourage wading, or 3) fencing to prevent unauthorized access to basin.

Sandy, for the purpose of this Section, shall be defined as soils that meet a percolation rate consistent with the Emmet County Sanitary Code of 0 to 15 minutes.

H. Spaces, Rights-Of-Way, Easements
Spaces, rights-of-way, easements, and related site plan elements needed to serve the proposed use or development for such services as fire protection, sanitary sewers, water supplies, solid waste, storm drainage systems, and related. None shown.

I. Waste Receptacles
Waste receptacle and enclosure requirements. None shown.

1. Receptacles, including waste receptacles, waste compactors, and recycling bins shall be designed, constructed, and maintained according to the requirements of this Section.
2. Waste receptacles, including dumpsters or compactors, shall be required for all nonresidential uses unless interior facilities are provided. The requirement to provide a waste receptacle may be waived by the planning commission if the applicant provides documentation that the development will not necessitate a waste receptacle.

3. All outdoor waste receptacles shall be enclosed on three (3) sides and screened. The enclosure shall be constructed of brick or decorative concrete material, consistent with the building materials of the principal building.

4. The enclosure shall also include a gate, made of wood or other high quality material, as determined by the planning commission, on the fourth side. If the waste receptacle is a dumpster it must have an enclosing lid or cover.

5. The enclosure shall have a minimum height of six (6) feet or one (1) foot above the height of the waste receptacle, whichever is greater, but may not be less than four (4) feet in height.

6. Waste receptacles and enclosures shall be located in the rear yard, not closer than three (3) feet from the rear lot line, or non-required side yard, unless otherwise approved by the planning commission and shall be as far as practical, but in no case be less than twenty (20) feet, from any residential district. If practical, the back side of the waste receptacle enclosure should be placed against the building. In this circumstance the wall may act as one (1) side of the enclosure.

7. Waste receptacles shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces or interfering with the normal movement of vehicles on or off the site.

J. Mechanical or Electrical Equipment

Mechanical or electrical equipment requirements. None Shown.

1. Ground mounted mechanical or electrical equipment, such as blowers, ventilating fans, and air conditioning units are permitted only in side yards or in the rear yard.

2. Mechanical or electrical equipment shall be placed no closer than three (3) feet to any lot line.

3. Any ground, building, or roof mounted mechanical or electrical equipment or utilities, including water and gas meters, propane tanks, utility boxes, transformers, elevator housings, stairways, tanks, heating, ventilation and air conditioning equipment (HVAC), and other similar equipment, shall comply with the following standards:

   a. All such equipment shall be screened by a solid wall, fence, landscaping, and/or architectural features that are compatible in appearance with the principal building.
b. Roof mounted equipment shall not exceed a height of ten (10) feet above the surrounding roof surface. All roof mounted mechanical units must be screened so they are not visible from ground level, even if not specifically addressed as part of site plan review.

REVISED Draft Motions:

To deny PPUDF18-01, Robert Drost for a Final Unit Development on property located at 2157 Howard Road and a vacant lot fronting River Road in Section 17, Bear Creek Township, tax parcels 24-01-19-17-100-005 & 019, as shown on the Proposed PUD – Preliminary Development Plan dated Received Apr 6 2018 because the plan is inconsistent with the Preliminary PUD Plan, and with the surrounding FF-1 uses and (other reasons may be added here).

To postpone until the next regular Planning Commission meeting PPUDF18-01, Robert Drost for a Final Planned Unit Development review on property located at 2157 Howard Road and a vacant lot fronting River Road in Section 17, Bear Creek Township, tax parcels 24-01-19-17-100-005 & 019, as shown on the Proposed Plan dated Received Apr 6, 2018 to allow additional time for review and the following (additional reasons may be added here).

To Approve PPUDF18-01, Robert Drost for Final Planned Unit Development and Site Plan Review for PHASE 1 only on property located at 2157 Howard Road and a vacant lot fronting River Road in Section 17, Bear Creek Township, tax parcels 24-01-19-17-100-005 & 019, as shown on the Proposed PUD Plan dated Received Apr 6 2018 because the standards for the Preliminary and Final PUD have been met, and the uses include all previously approved uses, being Forest Products Processing plus storage because the plan is consistent with the adjacent land uses, the proposed uses are consistent with the rezoning and the PUD Preliminary Plan, there would be no adverse physical impact on surrounding properties and the standards of Article 17 and Section 20 have been met and approval includes all conditions as shown on the draft PUD Agreement dated March 12, 2018. (conditions, modifications, or statement of facts may be inserted here).
REQUEST

PPUD18-002

A two-part request by Robert Drost for an amendment to the Preliminary Planned Unit Development (PUD) for 2157 Howard Road, 2165 Howard Road, and an adjacent vacant parcel accessed via River Road all located within Section 17 of Bear Creek Township. The property located at 2157 Howard Road and vacant parcel fronting River Road are zoned Planned Unit Development and include tax parcels 24-01-19-17-100-019 and 100-005. Part 1 of the request is to reduce the perimeter setback from 50 feet to 20 feet along the north property line of tax parcel 24-01-19-17-100-019 and the west property line of tax parcel 24-01-19-17-100-005, both adjacent to the City of Petoskey’s property being tax parcel 24-01-19-17-100-018. The second part of the request is to add to the Preliminary PUD 2165 Howard Road, being tax parcel 24-01-19-17-100-020. The property is currently zoned FF-1 Farm and Forest and the request would be to include this property in the PUD maintaining the fifty feet side yard setback for buildings, allowing the driveway in the perimeter setback (with a 30' setback) and allowing all FF-1 Farm and Forest Principal and Special Land Uses and Storage Uses on the property. Review is per Articles 8, 17, 20, 21, and 26 of the Zoning Ordinance. If the Preliminary PUD amendment is approved, the Final PUD Plan Review will follow at future meetings held the first Thursday of each month.

LOCATION
APPLICATION FOR ZONING ACTION
EMMET COUNTY OFFICE OF PLANNING, ZONING,
AND CONSTRUCTION RESOURCES
3434 HARBOR-PETOSKEY RD, SUITE 2, HARBOR SPRINGS, MI 49740
PHONE: (231) 348-1735 FAX: (231) 439-8933 EMAIL: plan@emmetcounty.org

APR 08, 2018

DATE RECEIVED
$350.00

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

Date Paid

Applicant's Name: Robert A. Drost
Phone: 231-838-2204
Applicant's Address: 545 Bay Street
Applicant's Email Address: bobdrost@drostracpe.com
Owner's Name: Same
Owner's Address:
Owner's Email Address:

JOB SITE LOCATION:
Township: Deer Creek
Tax Parcel #: 24-D1-17-1-00-019
01-19-17-1-00-005

Address:

ZONING REQUEST:
Joint Planning Commission:
Special Use Permit
Site Plan Review
Planned Unit Development
Zoning Map Change
Zoning Text Change

REQUIRED USE INFORMATION
Ground floor area main building: __________ Sq. Ft.
Floor Area accessory building: __________ Sq. Ft.
Lot/Parcel Size: __________ Acres __________ Sq. Ft.
Site/Plot Plan required:
2 full sized & 14 reduced sized (max 11"x17")
site plans required for Planning Commission cases.

Elevation Drawing: 2/26/18
Engineered Drainage Plan: 2/32/19
Soil Erosion Permit: 2/11/17
Health Dept. Approval: 
Sewer Taps: 

Site Inventory: 1/30/18
Fire Dept Approval: 
Wetlands Permit: 
Road Commission: 2/21/19
MDOT Approval: 

Other:
As owner and/or applicant representing the owner, I do ___ authorize Emmet County (staff, appointed
board, and/or commissioners, or committees members) to enter upon the subject property for purposes of making
inspections related to the project or request identified in this application. If authorized, such inspections or site-
walks shall be conducted at reasonable hours and times.

I certify that all the above information is accurate to my fullest knowledge:

Signature of Applicant: Robert A. Drost
Printed Name of Applicant: Robert A. Drost
Date: 4/3/18

Signature of Property Owner: 
Printed Name of Property Owner:
Date: 4/5/18

EMMET COUNTY PLANNING & ZONING
RECEIVED
RECEIVED

APR 06 2018
EMMET COUNTY
PLANNING & ZONING

IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S NAME
Robert A. Drost

CASE # PPU018-002

PHONE NUMBER 231-838-2204

DATE 4/3/18

PROJECT TITLE
Howard Road Development & River Road Development

PROPERTY TAX ID
#01-19-17-100-019
#01-19-17-100-020
#01-19-17-100-005

TOWNSHIP Bear Creek

DIRECTIONS TO APPLICANT
BELOW ARE THE REQUIREMENTS TO CONFORM TO SECTION 20.04, IMPACT STATEMENT, OF THE EMMET COUNTY ZONING ORDINANCE #15.1. THESE ITEMS MUST BE ADDRESSED AND SUBMITTED WITH THE SITE PLAN AT LEAST 24 DAYS PRIOR TO THE PLANNING COMMISSION MEETING IN ORDER TO BE PLACED ON THE FOLLOWING MONTH'S AGENDA. (REGULAR MEETING DATE IS THE FIRST THURSDAY OF THE MONTH.) ITEMS LISTED ARE MINIMUM REQUIREMENTS, AND ADDITIONAL INFORMATION MAY BE SUBMITTED TO DESCRIBE THE PROJECT IMPACT.

1. PROJECT DESCRIPTION
Give a description of the proposed development including: Site area, number of proposed lots and/or units, population density, other pertinent population data, vehicle traffic, and related.

PUD. Request to approve final PUD for Phase I which would include the river road property and easterly part of development on the Howard road development. Also for a preliminary PUD amendment to reduce the northside setback from 50' to 20' (consistent with the previous zoning district and based on the adjacent land use) and to add the Meyer property to the PUD.

SIGNATURE X PRINT X DATE
2. EXPECTED DEMANDS ON COMMUNITY SERVICES
Explain what the impact will be on the following community services and describe how services will be provided (if applicable):

<table>
<thead>
<tr>
<th>Service</th>
<th>Impact</th>
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<tbody>
<tr>
<td>a. Sanitary Services</td>
<td>No</td>
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<td>b. Domestic Water</td>
<td>No</td>
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<td>c. Traffic Volumes</td>
<td>No</td>
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<tr>
<td>d. Schools</td>
<td>No</td>
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<td>e. Fire Protection</td>
<td>Yes</td>
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3. ENVIRONMENTAL IMPACTS
Include statements relative to the impact of the proposed development on (if applicable):

<table>
<thead>
<tr>
<th>Impact</th>
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<tbody>
<tr>
<td>a. Soil Erosion</td>
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<td>b. Storm Drainage</td>
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<td>c. Shoreline Protection</td>
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<tr>
<td>d. Wildlife</td>
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<td>e. Air Pollution</td>
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<tr>
<td>f. Water Pollution</td>
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<td>g. Noise</td>
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</tbody>
</table>
Facts of finding: Bear Creek board and the Emmet County board.

It has been a fun process working through the PUD for the 2157 Howard road property. During this time, I was fortunate to acquire the River road property (5 acres) from the Kolinski family. The cleaning up of the junk cars and metal that had been a part of the Bear Creek landscape has been cleaned up and now sports a clean and prosperous location for our Tree Service Forestry processing. Even most recently, we were able to pick up the adjoining Johnson property on 2010 River road. We have already gone to work to make this a clean and valuable space along River road.

Our Mechanics will relocate from our 2010 Cedar Valley road property to occupy this new facility after we do all the needed renovations to the property and building.

I recently met with Tammy Doernenburg to discuss the Meyer property. I have always thought that the acquisition of the Meyer property would greatly improve the entrance off from Howard road. I believe I am close to having a deal with Mr. Meyer and hope to have that completed before June. The purchase would allow me to remove all the existing buildings including the home. After the demolition, we will add a beautiful screen along Howard road to the south property line next to Bill Meyer’s auto repair shop. Over time, my team will work on developing the property. This will include a major amount of filling. I’m asking to allow us to fill the designated areas at 2165 Howard Road with soil/fill sand and other appropriate debris, over the next few years.
Ultimately, we will screen along the south property line and develop the additional buildings shown on the site plan.

Upon further review of the 2157 Howard Road plan I would like ask for a variance on the setback from the north property line. After much thought and comments from the board on the grading of some of the buildings, it is my opinion that moving the buildings back 30 feet will greatly help. This will provide a gentler slope and allow for more plantings to help soften the overall look at the development.

Lastly, I am asking the board to approve phase 1 of the PUD. Phase 1 is marked on the development plan and includes the proposed forest product processing location on River road.

Once again, I want to thank the board for their help in bringing together what I hope to be a successful storage facility for the south side of Petoskey.

Warmest regards,

Bob Drost.

RECEIVED

EMMET COUNTY
PLANNING & ZONING

APR 6 2019
To Whom it may Concern,

I have been working with Bob Drost on a Commercial Driveway for his property off of River Road, Property ID number 01-19-17-100-005 Section 17, T34N, R5W.

Mr. Drost and I met at the property in the fall of 2017 to look over the possibility of upgrading the existing Field Access site to meet the ECRC standards for a Commercial Driveway. At that time ECRC had a crew cleaning and repairing ditches in the area. I asked Mr. Drost if he would be willing to hold off on the Driveway upgrades because I would like to get the ECRC crew down to the sight and clean up the existing ditch so I could determine the proper size of culvert that would be needed and try to get some of the existing water to flow to the cross culvert that flows under River Road. Mr. Drost agreed and said that he would hold off until the spring of 2018.

I have look over the proposed access and have determined that the sight meets all ECRC standards for a Commercial Driveway Access and that in the spring of 2018 Mr. Drost will be approved for a Commercial Access off of PID number 01-19-17-100-005.

If there are any questions or concerns please feel free to contact me.

Best Regards,

James Godzik
Permit Cad Technician
ECRC
231-347-8142
# SITE PLAN REVIEW CHECKLIST

**Case #: PUP17-002**  
Date Received: 4-6-18

<table>
<thead>
<tr>
<th>Subject Property Address</th>
<th>Z157 Howard Road Petoskey Mi 49770</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision and Lot Number (If Applicable)</td>
<td></td>
</tr>
<tr>
<td>Tax Parcel Number: 24-01 -17 -17 -100 -019/005/020</td>
<td></td>
</tr>
<tr>
<td>Township</td>
<td>Bear Creek</td>
</tr>
<tr>
<td>Proposed Use of Property</td>
<td>PUD</td>
</tr>
<tr>
<td>Proposed Number of Employees</td>
<td></td>
</tr>
</tbody>
</table>

## CHECKLIST

<table>
<thead>
<tr>
<th>Basic/Map Information</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Proposed site location map (indicate sufficient area reference to locate site) May use plat map, Google map or other map to identify parcel.</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Appropriate scale</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Date, North Arrow, Street Names (existing and proposed right-of-ways).</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Name, Address and Phone Number of person preparing plan</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Property line dimensions</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Basic Zoning Information

| Zoning setback lines -Building (including the eave) Setbacks: Front X Side X Side X Rear/Water X | ✓ | | | |
| Distance between buildings (nearest point to nearest point) | ✓ | | | |
| Location of new buildings and general floor plan Dimensions of bldg.(s) = Total sq.ft. = | ✓ | | | |
| Proposed building elevations (to scale) Max. Height = | ✓ | | | |
| All existing structures (labeled) within 100 feet of perimeter property lines | ✓ | | | |
| Multiple housing units -Number of units = composition (efficiency, one bedroom, two, three) | ✓ | | | |
| Surrounding zoning (properties immediate to subject site) | ✓ | | | |
| Lot coverage of proposed buildings = | ✓ | | | |
SITE PLAN REQUIREMENTS  
EMMET COUNTY PLANNING COMMISSION  
3434 Harbor-Petoskey Rd, Suite E  
Harbor Springs, MI 49740  
231-348-1735  
pzcr@emmetcounty.org

DIRECTIONS TO APPLICANT

The following items are needed to comply with the site plan requirements of the Emmet County Zoning Ordinance. All items should be submitted to the Emmet County Planning Department at least **24 days prior** to the Planning Commission meeting in order to be heard at the Planning Commission meeting the following month. (Regular meeting date is the first Thursday of each month.)

1. **Application for Zoning Action.**
2. **Site Plan Review Check List** in accordance with Article 20 of the Emmet County Zoning Ordinance. Applicable agency reviews as required.
3. **Impact Statement** for Site Plan Review.
4. **Site Plans** - (2) full sized and fourteen (14) reduced size (maximum 11”x17”) copies of all maps or graphics. Digital format including data layers may be required, if deemed necessary by the Zoning Administrator.

IN ADDITION:

The applicant should distribute one copy of the completed plan to each of the following agencies (if required):

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>ADDRESS</th>
<th>PHONE</th>
</tr>
</thead>
</table>
| Health Department             | 3434 Harbor Petoskey Rd  
                                | Suite A  
                                | Harbor Springs, MI 49740         | 231-347-6014 |
| Road Jurisdiction  
County Road Commission         | 2265 E. Hathaway  
                                | Harbor Springs, MI 49740         | 231-347-8142 |
| OR                            | 989-733-3832 or 888-304-MDOT (6368)                                     |             |
| State Highway Department      | Gaylord Transportation Service Center  
                                | 1088 M-32 East  
                                | Gaylord, MI 49735                |             |
| Fire Department               | (obtain from local source)                                              |             |
| Soil Erosion Officer (If the building is within 500’ of surface water or an acre or more of land is disturbed, including roads.) | 3434 Harbor-Petoskey Rd  
                                | Suite E  
<pre><code>                            | Harbor Springs, MI 49740         | 231-439-8996 |
</code></pre>
<p>| Affected Township             |                                                                        |             |</p>
<table>
<thead>
<tr>
<th>Natural Features</th>
<th>yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>14 Boundaries of existing natural features (trees, lakes, ponds, streams, rock</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>out-croppings, severe topography, wetlands, woodlands, etc.)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>15 Has a wetland permit been applied for?</td>
<td></td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 Existing topography</td>
<td></td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Soil analysis Is it in a Critical Dune Area?</td>
<td>✔</td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18 Site Inventory provided?</td>
<td></td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Are there scenic view considerations?</td>
<td>✔</td>
<td>✔</td>
<td></td>
<td>SCREENING PROVIDED</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Drainage/Parking/Roads</th>
<th></th>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>20 Access drives, internal roads (note public or private) service roads. Width</td>
<td>✔</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>of Right-of-Way =</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>21 Loading/unloading, service areas</td>
<td></td>
<td>✔</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22 Sidewalks, paths, and trails (internal and public within road right-of-ways)</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Acceleration/deceleration lanes</td>
<td>✔</td>
<td></td>
<td></td>
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<tr>
<td>24 Road agency approval?</td>
<td>✔</td>
<td></td>
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<tr>
<td>25 Parking areas (dimensioned typical parking space, maneuvering lanes)</td>
<td>✔</td>
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<tr>
<td>26 Parking spaces required, parking spaces actual Handicap parking location and number</td>
<td>✔</td>
<td></td>
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<tr>
<td>27 Required landscaping in parking areas</td>
<td>✔</td>
<td></td>
<td></td>
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<tr>
<td>28 Snow storage/snow management plan</td>
<td>✔</td>
<td></td>
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<tr>
<td>29 Dumpster location, screening indication</td>
<td>✔</td>
<td></td>
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<tr>
<td>30 Existing easements (utility, access) within site limits</td>
<td>✔</td>
<td></td>
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<tr>
<td>31 Location of Water/well, Sewer/septic, and stormwater</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>32 Site grading and drainage plan (on-site elevations for pavements, drives,</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>roads, parking lots, curbs, sidewalks and finished grades at building facades)</td>
<td></td>
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<tr>
<td>33 Proposed retention/detention sedimentation ponds</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Other Site Requirements</td>
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<td>No</td>
<td>NA</td>
<td>Comments</td>
</tr>
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<td>----------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>34 Proposed landscaping (required greenbelts, plant materials/size and type, fences, retaining walls, ear...</td>
<td>✅</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>35 Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*</td>
<td>✅</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36 Location of sign(s)*</td>
<td>✅</td>
<td></td>
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<tr>
<td>37 Site amenities (play area, pools, beaches, tennis courts, etc.).</td>
<td></td>
<td></td>
<td>✅</td>
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<tr>
<td>38 Impact Statement attached?</td>
<td>✅</td>
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<td></td>
<td></td>
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<tr>
<td>39 Fire Department approval?</td>
<td>✅</td>
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<tr>
<td>40 Fire hydrants and fire vehicle access.</td>
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<tr>
<td>41 Road Agency approval?</td>
<td>✅</td>
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<tr>
<td>42 Health agency approval?</td>
<td></td>
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<td>✅</td>
<td>Will have</td>
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<tr>
<td>43 Army Corps of Engineers approval?</td>
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<td></td>
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<tr>
<td>44 Michigan Department of Environmental Quality approval?</td>
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</tbody>
</table>

*Signs and lights will need to be approved by the Emmet County Sign and Lighting Committee.

ADDITIONAL COMMENTS:

---

Applicants Signature: [Signature]  
Date: 4/23/18
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 04/18/2018 CASE #: PPUD18-02

APPLICANT: DROST ROBERT A & DIANA M TRUSTS

PROPERTY: 2157 HOWARD RD (01-19-17-100-019) & vacant parcel accessed via River Road (100-005) & 2165 HOWARD RD (01-19-17-100-020)

TOWNSHIP: BEAR CREEK

REQUEST: Planned Unit Development – amend Preliminary Plan and Final

FACTS:
- This review is an amendment to a PUD to modify the perimeter setback along the north property line of tax parcel 24-01-19-17-100-019 & the north and west property lines of 24-01-19-1-100-005.
- This review also adds a third parcel to the existing PUD see three tax parcels identified above.
- This review is for Preliminary PUD only (at this time).
- The proposed uses have not changed – Forest Product Processing and Storage Buildings.
- The property located at 2165 Howard Road is zoned FF-1 Farm and Forest. Uses on that property would be storage buildings.
- The request now includes three properties totaling 27.39 acres.
- The properties have frontage on both Howard and River Roads.
- The proposal would eliminate one residential driveway on Howard Road.
- The Emmet County Road Commission has approved the Howard Road access and River Road access (letter previously provided regarding River Road).
- Surrounding uses include former City of Petoskey landfill (capped) to the north; non-conforming auto repair shop to the south; residential to the west (across Howard Road) and a residence to the east of the parcel accessed from Howard Road. The parcel along River Road is adjacent to an accessory building on industrially zoned property to the north (now owned by Drost) and is across River Road from the rail road corridor and the City of Petoskey’s River Road park complex.
- There is a residence and accessory building on 2165 Howard Rd. Both other properties are currently vacant, however, a Special Use Permit for a Temporary Forest Product Processing event has been approved for the Howard Road property. The property fronting on Howard Road was also approved for topsoil extraction and storage.
- The plan has been submitted to the Fire Chief for his review.

STAFF NARRATIVE:
This site has been reviewed since 2016. This is the third preliminary PUD review to be considered during the past 2 years. Preliminary review is subject to review by the Board of Commissioners. If the preliminary PUD is approved, a final plan may be considered.
ZONING ORDINANCE STANDARDS:
Planned Unit Development Standards apply – see Article 17 of the Emmet County Zoning Ordinance

Draft Motions:

To deny PPUD18-02, Robert Drost for a Preliminary Planned Unit Development amendment on properties located at 2157 & 2165 Howard Road and a vacant lot fronting River Road in Section 17, Bear Creek Township, tax parcels 24-01-19-17-100-005, 019, & 020, as shown on the Proposed PUD – Preliminary Development Plan dated Received Apr 6 2018 because (other reasons may be added here).

To postpone until the next regular Planning Commission meeting PPUD18-02, Robert Drost for a Preliminary Planned Unit Development amendment on properties located at 2157 & 2165 Howard Road and a vacant lot fronting River Road in Section 17, Bear Creek Township, tax parcels 24-01-19-17-100-005, 019, & 020, as shown on the Proposed PUD – Preliminary Development Plan dated Received Apr 6 2018 to allow additional time for review and the following (additional reasons may be added here).

To Approve PPUD18-02, Robert Drost for a Preliminary Planned Unit Development amendment on properties located at 2157 & 2165 Howard Road and a vacant lot fronting River Road in Section 17, Bear Creek Township, tax parcels 24-01-19-17-100-005, 019, & 020, as shown on the Proposed PUD – Preliminary Development Plan dated Received Apr 6 2018 because the standards for the Preliminary PUD have been met, and the uses include all previously approved uses, being all FF Farm and Forest permitted and special land uses plus storage buildings because the plan is consistent with the adjacent land uses, the proposed uses are consistent with the rezoning and the PUD Preliminary Plan previously approved, there would be no adverse physical impact on surrounding properties and the standards of Article 17 have been met and approval includes all conditions as shown on the draft PUD Agreement dated March 12, 2018. (conditions, modifications, or statement of facts may be inserted here).
REQUEST

PSUP18-002

A request by William and Susan Klco for a Special Use Permit for a Level II Home Occupation at 910 N Lamkin Rd, Section 36, Readmond Township. The property is zoned RR Recreational Residential and is tax parcel 24-12-07-36-102-003. The request is to allow for an artist’s residence with studio open to the public on up to two Saturdays per month during May through October and the review is per Section 26.11 of the Emmet County Zoning Ordinance.

LOCATION
APPLICATION FOR ZONING ACTION
EMMET COUNTY OFFICE OF PLANNING, ZONING, AND CONSTRUCTION RESOURCES
3434 HARBOR-PETOSKEY RD, SUITE E, HARBOR SPRINGS, MI 49740
PHONE: (231) 348-1735 FAX: (231) 439-8953 EMAIL: pzcrc@emmetcounty.org

DATE RECEIVED
FEE

P.E. ZAH018 - 01
APPLICATION #

DATE PAID

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

Applicant’s Name: William & Susan Klee, Phone: 231-242-0597
Applicant’s Address: 1159 N. Lantau Rd, Harbor Springs, MI 49740
Applicant’s Email Address: @
Owner’s Name: Same Phone:
Owner’s Address:
Owner’s Email Address:

JOB SITE LOCATION:
Township: Readmond Tax Parcel #: 24-1-2-07-36-102-003
Address: 910 Lantau Rd

ZONING REQUEST:
Planning Commission: Special Use Permit - HOME OCCUPATION

REQUIRED USE INFORMATION
Ground floor area main building: 864 Sq. Ft.
Floor Area accessory building: 576 Sq. Ft.
Lot/Parcel Size: 8.1 Acres 30' Sq. Ft.
Site/Plot Plan required*
2 full sized & 14 reduced sized (max 11"x17")
site plans required for Planning Commission cases.

Date Submitted
Site Plan
Impact Statement
Road agency

Other:
As owner/and or applicant representing the owner, I do / do not authorize Emmet County (staff, appointed board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site-walks shall be conducted at reasonable hours and times.

I certify that all the above information is accurate to my fullest knowledge:

Signature of Applicant: William Klee Printed Name of Applicant: William Klee
Printed Name of Property Owner: William Klee Date: 1-17-18

*Required Signature of Property Owner Printed Name of Property Owner Date: 1-17-18

*Please attach a site/plot plan to show property dimensions; front, rear, and side yard setbacks; streets, roads, and all buildings on the lot.

Review Section 20.03 of the Zoning Ordinance for Site Plan requirements.
PROPOSED HOME OCCUPATION -
USE PLAN and IMPACT STATEMENT

APPLICANT: William & Susan Klo

PROPERTY LOCATION: 910 N. Lenawee Road

ACTIVITY SPACE:  
- IN RESIDENCE  
- IN ATTACHED GARAGE ✓  
- IN DETACHED BUILDING ✓ Garage/Studio  
- OTHER

DESCRIBE HOME OCCUPATION ACTIVITIES
see attached

HOURS OF OPERATION
see attached

NOISE CONTROL MEASURES
see attached

TOXIC OR HAZARDOUS MATERIALS INVOLVED: YES ✓ NO

IF YES, HOW WILL TOXIC MATERIALS BE HANDLED ON-SITE AND DISPOSED OF OFF-SITE?
see attached
HOW WILL THE ACTIVITY IMPACT SANITARY SERVICES AND WATER?

No Impact

WHAT MEASURES ARE IN PLACE FOR FIRE PROTECTION?

See attached

WILL FUMES, ODORS, OR DUST BE GENERATED BY YOUR ACTIVITIES?

YES ✓ NO

Minimal or only impacting interior of the studio

WILL YOUR ACTIVITIES GENERATE VEHICLE TRAFFIC?

YES ✓ NO

IF YES, APPROXIMATE NUMBER PER DAY < 7

WILL YOUR ACTIVITIES GENERATE TRUCK TRAFFIC?

YES __ NO ✓

IF YES, TYPE ________________________________

FREQUENCY ________________________________

IS STATE OR OTHER LICENSING REQUIRED TO CONDUCT YOUR BUSINESS?

YES __ NO ✓

IF YES, DO YOU HAVE A CURRENT LICENSE?

YES __ NO __

HAVE YOU REVIEWED AND DO YOU UNDERSTAND THE REQUIREMENTS FOR A HOME OCCUPATION ACCORDING TO EMMET COUNTY ZONING ORDINANCE?

YES ✓ NO __

APPLICANT SIGNATURE ________________________________

DATE 1-17-18
Artist Residency - The facilities will be used to host one artist at a time with occasionally an artist bringing up to 3 dependents or guests. We plan to host no more than eight artists/writers annually each for 2-3 week periods. Artists will live in the residence and work in the garage/studio during their 2-3 week stay. The garage studio space will be open for Open Studio Saturdays during the months of May through October not more than two times a month. We do not anticipate more than 12 individuals to drop in to the Open Studio Saturdays during the 10:00am to 2:00pm time frame.

Hours of operation - The artists will have access to use the garage studio at any hour. Open Studio Saturdays will be held in the months of May-October only and happen 1-2 Saturdays a month. The hours for the Open Studio Saturdays will be from 10:00am-2:00pm.

Noise Control - In most cases, an individual artist will be in residence at one time. Typical activities will include writing, painting, photography and printmaking none of which should create a noise issue.

Toxic materials - The residency only invites artists to apply that will use environmentally friendly materials and methods. All paints and chemicals used in creation of art will be disposed of properly by the Good Hart Artist Residency hosts.

Fire Protection - Smoke alarms and fire extinguishers will be installed in residence and garage/studio.
## SITE PLAN REVIEW CHECKLIST
### HOME OCCUPATION

**Subject Property Address**: 910 N. Lantin Rd

**Subdivision and Lot Number (If Applicable)**

**Tax Parcel Number**: 24-12-07-36-102-003

**Township**: Bendmoor

**Proposed Use of Property**: Artist Residency

**Proposed Number of Employees**: 0

### CHECKLIST

<table>
<thead>
<tr>
<th>Basic Map Information</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Proposed site location map (indicate sufficient area reference to locate site) May use plat map, Google map or other map to identify parcel.</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Appropriate scale</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
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<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Name, Address and Phone Number of person preparing plan</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Property line dimensions</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Basic Zoning Information

| Zoning setback lines - Building (including the eave) Setbacks: Front 60 Side 10 Side 10 Rear/Water 25 | ✔ |    |     |          |
| See Schedule of Regulations for setback standards. | |    |     |          |

| Distance between buildings (nearest point to nearest point) | 22' | ✔ |    |          |

| Location of new buildings and general floor plan Dimensions of bldg(s) = 36 x 24' Total sq.ft. = 864 | ✔ |    |     |          |

| Proposed building elevations (to scale) Max. Height = 20' | ✔ |    |     |          |

| All existing structures (labeled) within 100 feet of perimeter property lines | ✔ |    |     |          |

| Multiple housing units - Number of units = ___________ composition (efficiency, one bedroom, two, three) | ✔ |    |     |          |

| Surrounding zoning (properties immediate to subject site) | ✔ |    |     |          |

<p>| Lot coverage of proposed buildings = 4.08% | ✔ |    |     |          |</p>
<table>
<thead>
<tr>
<th>Natural Features</th>
<th>yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
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<tbody>
<tr>
<td>14 Boundaries of existing natural features (trees, lakes, ponds, streams, rock outcroppings, severe topography, wetlands, woodlands, etc.).</td>
<td>✅</td>
<td></td>
<td></td>
<td>the 1st is wooded</td>
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<tr>
<td>15 Has a wetland permit been applied for?</td>
<td>✅</td>
<td></td>
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<tr>
<td>16 Existing topography</td>
<td>✅</td>
<td></td>
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<tr>
<td>17 Soil analysis Is it in a Critical Dune Area?</td>
<td>✅</td>
<td></td>
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<tr>
<td>18 Site Inventory provided?</td>
<td>✅</td>
<td></td>
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<tr>
<td>19 Are there scenic view considerations?</td>
<td>✅</td>
<td></td>
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<tr>
<td>Drainage / Parking/ Roads</td>
<td></td>
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<tr>
<td>20 Access drives, internal roads (note public or private) service roads. Width of Right-of-Way=</td>
<td>✅</td>
<td></td>
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<tr>
<td>21 Loading/unloading, service areas</td>
<td>✅</td>
<td></td>
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<tr>
<td>22 Sidewalks, paths, and trails (internal and public within road right-of-ways).</td>
<td>✅</td>
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<tr>
<td>23 Acceleration/deceleration lanes</td>
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<td>24 Road agency approval?</td>
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<td>25 Parking areas (dimensioned typical-parking space, maneuvering lanes)</td>
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<td>26 Parking spaces required______, parking spaces actual______ Handicap parking location and number______</td>
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<tr>
<td>27 Snow storage/snow management plan</td>
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<td>28 Dumpster location, screening inclination</td>
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<tr>
<td>29 Existing easements (utility, access) within site limits</td>
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<tr>
<td>30 Location of Waterwell, Sewer/septic, and stormwater</td>
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<th>Yes</th>
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<td>31 Proposed landscaping (required greenbelts, plant materials/size and type, fences, retaining walls, earthberms, etc.)</td>
<td>✅</td>
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<tr>
<td>32</td>
<td>Location of sign</td>
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<td>33</td>
<td>Home Occupation Use Plan and Impact Statement attached?</td>
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<td>34</td>
<td>Fire Department approval?</td>
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<td>35</td>
<td>Road Agency approval?</td>
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<td>36</td>
<td>Health agency approval?</td>
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<td>37</td>
<td>Army Corps of Engineers approval?</td>
<td>✓</td>
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<td>38</td>
<td>Michigan Department of Environmental Quality approval?</td>
<td>✓</td>
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</table>

**ADDITIONAL COMMENTS:**

__Applicants Signature__

1-17-18

_Date_
HOME OCCUPATION PERMIT

To: William and Susan Klco
From: Tammy Doornenburg, Emmet County Zoning Administrator
Date: 1/23/2018
Re: 910 N Lamkin Rd, Section 36, Readmond Township (24-12-07-36-102-003)

This Home Occupation Permit shall be valid as long as the conditions of approval and the standards of the Emmet County Zoning Ordinance are met. This permit/approval shall be subject to all standards of the Emmet County Zoning Ordinance. This permit has been issued as a Level 1 Home Occupation per Section 26.11 of the Zoning Ordinance.

1. The dwelling and accessory building shall be built as described in Permits PZ 2018-0007 & PZ 2018-0008.

2. Only the occupant or family living on the premises shall conduct the home occupation.

3. The accessory building is less than 600 sq. ft. and shall avoid the appearance of a retail store or industrial building.

4. The use shall be low impact with no greater use than described in the attached Impact Statement submitted with the application.

5. There shall be no open display of goods, materials, or services in connection with the home occupation. No parking is permitted within the setback area for the home occupation.

6. There shall be no discernible outside effects.

7. There shall be no signs identifying the home occupation.

8. There shall be no delivery services to the home occupation other than typical mail services.

9. Clients or customers shall not exceed an average of one person per day.

Tammy Doornenburg, Zoning Administrator

Date 1/23/18
Artist Residency - The facilities will be used to host one artist at a time with occasionally an artist bringing up to 3 dependents or guests. We plan to host no more than eight artists/writers annually each for 2-3 week periods. Artists will live in the residence and work in the garage/studio during their 2-3 week stay. The garage studio space will be open for Open Studio Saturdays during the months of May through October not more than two times a month. We do not anticipate more than 12 individuals to drop in to the Open Studio Saturdays during the 10:00am to 2:00pm time frame.

Hours of operation - The artists will have access to use the garage studio at any hour. Open Studio Saturdays will be held in the months of May-October only and happen 1-2 Saturdays a month. The hours for the Open Studio Saturdays will be from 10:00am-2:00pm.

Noise Control - In most cases, an individual artist will be in residence at one time. Typical activities will include writing, painting, photography and printmaking none of which should create a noise issue.

Toxic materials - The residency only invites artists to apply that will use environmentally friendly materials and methods. All paints and chemicals used in creation of art will be disposed of properly by the Good Hart Artist Residency hosts.

Fire Protection - Smoke alarms and fire extinguishers will be installed in residence and garage/studio.
Tammy Doernenburg

As you are the Director of the Planning, Zoning and Construction Resources for Emmet County, I am writing you in enthusiastic support of Sue and Bill Klco's Good Hart Artist Residency Program and the proposed artist studio and living space to be built at 910 Lamkin Road in Good Hart. We have enjoyed the artist in residence program that they have run over the last several years, attending the open houses. We look forward to enjoying the expanded program of more artists and writers and know it will be a benefit to the entire community. We are close neighbors of the Klco's, residing at 577 N Lamkin Road. Please share our opinion with the entire board and I thank you for your service to our community.

Thank you

Mike and Susan Sparrow Carson
989-859-7144
Hi Tammy,

I am writing in support of the proposed Level II Home Occupation Special Use Permit that would allow Bill and Sue Klco to construct a small artist residency home and studio at 910 N. Lamkin Drive in Readmond Township.

They are very good folks and I think Good Hart could use a little more positive activity. Their artist residency program would be great for the local residences, for local businesses and of course, for the artistes themselves. I strongly support the approval of the Klco’s request.

Thanks,

John

John Carr
Associate Broker
Coldwell Banker Schmidt Realtors

(231) 526.1100
(231) 526.4000
231-526-9392
john@HarborSpringsRealEstate.com
http://harborspringsrealestate.com/
Dear Ms. Doemenburg,
I am writing in support of the proposed Level II Home Occupation Special Use Permit that would allow Bill and Sue Klco to construct a small artist residency home and studio at 910 N. Lamkin Drive in Readmond Township.
The Klcos are strong supporters of the arts and I believe this venture would be an excellent fit for Good Hart, providing a positive impact for both the visiting artists, local residents and businesses.
We are fortunate to have such dedicated and industrious neighbors and I completely support their mission.
Thank you for considering their request,
Nona Carr
32 W. Townline Road
Harbor Springs
838.6947

Sent by iPhone from somewhere in space. Really, how does this work?
To Readmond Township and Emmet County planning and zoning,

We support our next door neighbors in their efforts to establish an artist residence including open studio Saturdays. We know Bill and Sue Klco personally and can wholeheartedly recommend approval for their request for a level 1 & 2 zoning application for the proposed artist residence to be located at 910 Lamkin Drive in Good Hart. They work well with and are sensitive to their neighbors. This is a positive endeavor and will provide a unique community opportunity.

Sincerely,

Sheridan Jones & Stephen Wolf  
1217 N Lakeshore Dr  
Harbor Springs 49740  
(Good Hart location)
Dear Ms. Doernenburg,

My name is Bill Hosterman, and I am an Associate Professor in The Department of Visual and Media Arts at Grand Valley State University in Allendale, MI. I am writing to you to give my full support to Bill and Sue Klco in their permit request for a Level 1 Home Occupation permit for the Good Hart Artists Residency building they have proposed. The artists residency building will be for a single occupant, with one artist being hosted at a time up to 8-10 times a year. They will have 4-5 open studio Saturdays each year between the months of May and October.

Last year, I was fortunate enough to be selected as a an artist in resident at the Good Hart Artists Residency and I can attest to the genuine and community minded nature that Bill and Sue Klco possess. They have been developing small, but significant professional level artists residency to bring a wonderful diversity of visual artists and writers to the area, and in turn allow the artists to be inspired by the unique qualities of the Good Hart area. It is a fantastic program and I hope they are able to get the permit or permits they are requesting.

Sincerely,

Bill Hosterman

Foundations Area Coordinator
Associate Professor in The Department of Visual and Media Arts
Grand Valley State University, Allendale, MI 49401
hostermw@gvsu
616-331-3562(o)
Monica Linehan

To: Susan Klco; challenge@racc2000.com; PZCR
Sent: Sunday, April 15, 2018 3:14 PM
Subject: Re: Artist Residency - Special Use Permit

to All Concerned,
It is my pleasure to use this opportunity to support Sue and Bill Klco, and family, in their effort to create a small artist's studio and housing on Lamkin Dr., in Good Hart. Both my wife and I have enjoyed the studio openings at their house near the top of Lamkin Dr. It's an occasion to gather with neighbors and offers a glimpse into the thinking and creative processes of their current resident artist. We've also happened upon one, or two, of these artists enjoying the natural beauty of our area, and, likely, finding inspiration in what they encounter.
We live just a couple of hundred feet from where the proposed artist's studio will be built, so we definitely appreciate having a opinion, as well as some influence on the decision to grant the Special Use Permit. In our minds the studio, as well as the occasional open houses, will have a positive effect on our little community. We look forward to seeing the outcome.
Yours Truly,
David E. Vaughn and Mo Shannon

On Wed, Apr 11, 2018 at 7:05 PM, Susan Klco <suzklco@gmail.com> wrote:
Hello Good Hart neighbors, artist residency alumni and friends,

As you know we have hosted artists for the past four years, and we believe that this has had a positive impact on the Good Hart community. We are planning on building a studio and living space for resident artists/writers on the lot down the hill (910 Lamkin). Last fall, we approached the county zoning department with our plans, and we were issued a Level I Home Occupation permit, based on administrative approval. Last week, we were contacted by the Emmet County Planning and Zoning Department, and we were informed that we now need to apply for a Level II Home Occupation permit instead. The level II permit requires approval from Readmond Township as well as a public hearing and Emmet County approval. The County has indicated that letters of support for the project would be of help to us in the process.

We are writing to ask you to consider writing an email or letter in support of the artist residency, and attending the Emmet County public hearing if possible.

The Readmond Township planning meeting is scheduled for April 23rd at 7:00pm in the township building. The Emmet County planning meeting and public hearing is May 3rd at 7:30pm in the Emmet County Building, Commissioners Meeting Room located at 200 Division Street, in Petoskey.

The following is the information from Emmet County public notice:
Case # PSUP18-002
A request by William and Susan Klco for a Special Use Permit for a Level II Home Occupation at 910 N Lamkin Rd, Section 36, Readmond Township. The property is zoned RR Recreational Residential and is tax parcel 24-12-07-36-102-003. The request is to allow for an artist's residence with studio open to the public on up to two Saturdays per month during May through October and the review is per Section 26.11 of the Emmet County Zoning Ordinance.
The level II permit allows for us to host Open Studio Saturdays, which provide an opportunity for the local community to meet a diversity of artists from across the country and world, to see them at work, and to have a conversation about art. We plan to keep the Good Hart Artist Residency a small program and a good fit for Good Hart. We are building a one-bedroom residence, with the intention of eventually hosting 8-10 artists per year, one artist at a time. We plan to host visual artists in the spring/summer who will be using the studio space, and host writers in the winter when the studio space will be winterized. We plan to host 4-5 open studio Saturdays (10am-2pm) each year between the months of May-October.

Bill and I thank you for your support and are happy to meet with you regarding any questions or concerns that you may have. I am attaching our building plans so you can see what we have planned. There is also a link to our website below for further information on the Good Hart Artist Residency program.

Please consider voicing your support by letter or email to:

Readmond Township Planning Commission
Attn: Bill Sutton - Chairperson
PO Box 965
Good Hart, MI 49737
phone: 231-838-0199
email: challenge@racc2000.com

Emmet County Office of Planning, Zoning and Construction Resources
Attn: Tammy Doernenburg, Director
3434 Harbor-Petoskey Rd (M-119), Suite E
Harbor Springs, MI 49740
phone: 231-348-1735
fax: 231-439-8933
email: pzcr@emmetcounty.org

Thank you.

Sincerely,

Sue Klco
231-242-0091
https://goodhartartistresidency.org/
Dear Tammy Doernenburg, Director - Emmett County Office of Planning, Zoning and Construction Resources,
I am writing in support of the request by William and Sue Klco for a Special Use Permit for Level II Home Occupation at 910 Lamkin Road, Section 36, Readmond Township. I am a visual artist that was an artist in residence in Good Hart in 2015 and currently a board member for the Good Hart Artist Residency program. I was in residence for two weeks in 2015 and returned to Northern Michigan in the fall of 2017 for an exhibition at Crooked Tree Art Center in Petoskey and stayed with the Klcos and visited the proposed site at 910 Lamkin Rd. The Klcos are excellent stewards of their property in Good Hart and are great neighbors to other residents of the area. In my two visits to the area, I found the residents and visitors to be very enthusiastic and appreciative of the residency program in Good Hart. The Klcos are deeply respectful of the natural beauty and history of the area, issues of land use and stewardship, and have close relationships with the area residents, land owners, non-profit organizations and businesses. I fully support and endorse their request for the permit that would allow them to host one artist at a time on this site and have open studios for public visitors two Saturdays per month May-October.
Thank you for your time and consideration.
Best Regards,
Kirsten

Kirsten Furlong
Boise, Idaho
website: http://kirstenfurlong.com
email: kirsten@kirstenfurlong.com
Instagram: @kirsten_furlong
mobile: 208-407-1947
We are residents at 843 N. Lake Shore Drive, Harbor Springs 49740   Box 402
We live above the site of the proposed rezoning of the lot on Lamkin Road, Good Hart/Harbor Springs.
We do not want it rezoned - this is in an area for single family homes only. We are also members of the Good Hart Beach Association - this could cause future parking problems in the area and extra traffic - and also extra noise from an Art/Music shop.
We were told in the past that this home would be used for housing artists only - we do not want it to be used for anything else.
Sincerely,
Ernest and Beverly Bouck
248-376-7310
Good Afternoon,

We received the attached screen shot about the REZONING of this property located directly below our Summer Home in Good Hart from our neighbor.

Our Property rolls down the Hill and touches this property at the bottom of the bluff directly.

Any building down their would have to be set back from our property lines according to the easements, and I will measure with a surveyor.

I called my wife and we have received a copy of this now in US Mail.

I am glad my neighbors have sent this along to me since Im out of town on shows for a month.

Our family and many families have saved for years to have our private quiet residences Up North.

Our Family completely 1000% OPPOSE this Special Use Permit, all pieces of property should be zoned the same in this area of residences with no special Use permits whatsoever.

I understand having Commercial Stores up on the main road...that is a different thing.

But this is Completely unacceptable to all that is Good Hart.

Please Deny This Special Use, I am sure they can find a piece of property or a home in Harbor Springs Town, or on the Main Road somewhere to have an Artists Studio and Business/Residence.

And if it's a Music Artist Studio...I oppose it for the Noise. I don't care if it's Classical, Rock, Jazz, Metal, Country, Folk, Bluegrass, Blues...any genre!

As I read a scan of our copy, it says it'll be "Open to the Public"....So Concerts? ABSOLUTELY NOT!!!!!

People Driving on the Lower Road and Parking Where? ABSOLUTELY NOT!!!!

I work in the Business of Music, Film, Video, Live Events and have for over 48 years...on massive shows.

And I do not want this Artists Studio, to disrupt the peace and quiet of our home in Good Hart.

It's our treasure of peace and tranquility.

Please Deny This Special Use Permit in it's entirety!
Jeff, Donna, Ki, Jett, Anaka, Lyla, Olivia, Chief and Nevi Jones.

I am working on projects in LA, Orlando and LA again currently, and will not be back home in Michigan until after this hearing.

My wife had foot surgery 2.26.18 and is down for 16 weeks, unable to drive...our sons work or are in college and our daughter is in High School,

So none of use will be able to make the hearing in person to express our resounding NO in this matter.

Warm Regards

Jeff

Jeffrey M Jones
901 North Lake Shore Drive
Good Hart/Harbor Springs/Readmond Township

jeffmjonas@me.com
7342167740
From: Jeffrey Jones <jeffmjones@me.com>
Sent: Wednesday, April 18, 2018 8:51 AM
To: PZCR
Subject: Re: 24-12-07-36-102-003 Case#PSUP18-002

https://www.facebook.com/goodhartartistresidency/

https://mailchi.mp/95a6b171c01e/good-hart-artist-residency-april2018-newsletter

Apparently they are clearing the land, they hired an Architect…and have been doing these Saturdays in their GH home off Lake Shore Drive on Lamkin heading down the hill already.

Regards
Jeff
We are writing in regards to the zoning action request by William and Susan Klco for a Special Use Permit at 910 n. Lamkin Rd, Section 36, Redmond Township. The hearing is on April 23, 2018 at 7:00.

Our residence is within 300 feet from the property requesting the zoning action request. We have been residents since 1984 and seek refuge, respite and renewal at our home in Good Hart.

We are very distressed at the thought of a studio open to the public at this residence.

We are extremely against changing the zoning to allow an open to the public studio for these reasons:

* This rezoning would set a precedent to allow future commercial entities to be developed in a single family residential area (Lamkin) and surrounding area.

* There is a Good Hart town center with commercial zoning within walking distance; a public studio should be in such an area, not associated with the residence.

* Lamkin Road and the neighborhood can not support additional traffic; it has a fragile infrastructure.

* Parking along Lamkin is not a good idea. A parking lot is a bad idea

* Commercial signage is unsightly.

* This is a quiet, peaceful respite for those in the area; a public studio is not suitable.

* We are very concerned about noise, traffic and a general disturbance of the “peace”.

We are strongly opposed to a change in zoning. A studio open to the public is a bad idea for Lamkin Road and its surrounding residences.

If you need further input from us, please contact us. And please vote against this action.

Barbara and Dennis Aylward
821 N. Lakeshore Dr.
Good Hart

480-701-4102
48-701-4102

Additional address:
180270 Kirkshire
Emmet County Road Commission  
2265 E. Hathaway Road  
Harbor Springs, MI 49740  
Phone 231.347.8142 / Fax 231.347.5787

Application No.  Permit No. 18-14681-1  
Issue Date. 2/11/2018

APPLICATION AND PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN WITHIN THE RIGHT-OF-WAY OF; OR TO CLOSE, A COUNTY ROAD.

APPLICATION

An applicant is defined as an owner of property adjacent to the right-of-way, the property owner's authorized representative; or an authorized representative of a private or public utility who applies for a permit to construct, operate, use, and/or maintain a facility within the right-of-way for the purpose outlined within the application. A contractor who makes application on behalf of a property owner or utility must provide documentation of authority to apply for a permit.

<table>
<thead>
<tr>
<th>Applicant/Contractor</th>
<th>Company: Cross Village Excavating</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: William Kico</td>
<td>Address: 1159 N. Lamkin Rd</td>
<td></td>
</tr>
<tr>
<td>Address: Harbor Springs MI 49740</td>
<td>Phone No: 231-242-0091 Cell No: 410 280-0190</td>
<td></td>
</tr>
<tr>
<td>Fax No:</td>
<td>Email Address: <a href="mailto:wkico@gmail.com">wkico@gmail.com</a></td>
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<tr>
<td>Contractor</td>
<td>Address: 1750 Ault Rd</td>
<td></td>
</tr>
<tr>
<td>Company: Cross Village Excavating</td>
<td>Phone No: 231-326-2522 Cell No: 231-326-6070</td>
<td></td>
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<tr>
<td></td>
<td>Email Address:</td>
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Applicant/Contractor request a permit for the following work within the right of way of a county road:
- Driveway construction

LOCATION: County Road 910 N. Lamkin Rd, Between 930 N. Lamkin and 860 N. Lamkin
Township: Republic  
Section: 36  
T, R37 N, W4 S  
Property ID: 24-12-07-36-102-003

DATE: Work to begin on: February 2018  
Work to be completed by: July 2018

I certify and acknowledge that (1) the information contained in this application is true and correct, (2) the commencement of the work described in this application shall constitute acceptance of the permit as issued, including all terms and conditions thereof and, (3) if this permit is for commercial or residential driveway work, I am the legal owner of the property that this driveway will serve, or I am the authorized representative.

Applicant's Signature:  
Title: Owner  
Date: 1-25-18

Contractor's Signature:  
Title:  
Date:

PERMIT

The term "Permit Holder" in the terms and conditions set forth on the reverse side hereof, refers to the applicant and the contractor, where applicable. By performing work under this permit, the Permit Holder acknowledges and agrees that this permit is subject to all the rules, regulations, terms and conditions set forth herein, including on the reverse side hereof. Failure to comply with any of said rules, regulations, terms and conditions shall render this permit NULL AND VOID.

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<td>Deposit</td>
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Letter of Credit: $  
Surety Bond: $  
Retainer Letter: $  
Approved Plans on File: Y  
Certificate of Insurance: Y  
Attachments/Supplemental Specifications: Y

OTHER REQUIREMENTS: Permit for a Single Family Residential Driveway  
A 18' x 36' driveway is required.

Recommended For Issuance By:  
Title:  
Date:  

Approved By:  
Title: Permit and Tech  Date: 1-30-18

Page 1 of 2
LOCATION INFORMATION & SKETCH

(Property owner name: William v Susan Kleo)

(Property identification number (tax number) 24-12-07 - 36: 102-003)

(Township Readmond Section Number 36)

(Road name: N Lamkin Rd Street address (if known) 910

The driveway is between 930 N Lamkin Road and 860 N Lamkin Road

Approx 550 feet N (S)B W of Lamkin Pr. N Lamkin Rd. Road (nearest cross road)

SKETCH: Show property lines, existing and proposed driveway locations, distance between driveway and property lines, distance between driveways on the subject property, distance between the property line and the nearest cross road, north arrow, etc.

If the Driveway is a NEW Driveway, the location MUST be marked or staked.

See attached site plan

proposed driveway

DO NOT WRITE BELOW THIS LINE - THIS SPACE FOR ROAD COMMISSION USE ONLY

SIGHT DISTANCE: LEFT 250 FT RIGHT 250 FT

CULVERT REQUIRED? yes SIZE: 18' x 30' DIAMETER

EXISTING ROAD SURFACE TYPE Gravel

INVESTIGATED BY: G DATE: 1-30-18
BOUNDARY SURVEY
WILLIAMS PROPERTY
LOT 1, GOODHART SHORES, IN SECTION 36, T37N, R7W,
READMOND TOWNSHIP, EMMET COUNTY, MICHIGAN

NOTES:
The property description was furnished, and no check of title relative to ownership, gaps, overlaps or occupation has been performed as part of this sketch.

Basis of bearing and record bearings and distances shown on this map were taken from the Plat of Goodhart Shores.

This is a professional opinion concerning the location of the property boundaries depicted herein, based upon the appropriate boundary tax principles governed by the facts and evidences gathered and evaluated during the course of this survey. Monuments, that in the opinion of this surveyor represent the true and correct corners of the property being surveyed, have been found or not as indicated herein. As a professional opinion, this survey carries with it no guarantees or warranties, express or implied.

LOT 2

LAKIN DRIVE

N 82°46'30" W 151.93'
N 89°47'10" W 519.7'

LOT 1

WILLIAMS
12-07-55-102-003
90 N Lakin Rd.
AKA LOT 1, GOODHART SHORES

SCALE 1" = 50'

PREVIOUSLY SET COR, BY OTHERS
SET BOD SPK
PARENT PARCEL BOUNDARY LINE
OVERHEAD POWER
OTHER PLAT LINE
ROAD RIGHT-OF-WAY
POWER POLE

KLCO

BENCHMARK ENGINEERING, INC.
SURVEYS - CIVIL ENGINEERS
5050 RÓNCHER ST,
HARBOR SPRINGS, MI 49740
PHONE (231) 348-3100
E-MAIL: benchmark107@gmail.com

Client: WILLIAMS
Project Mgr: R.E. GEILKE
Drawn By: K.L. CALDWELL
Field By: NOLES/HIRAUNE
File: R70J32, 6/13
Job #: 17-103
Date: 22 APRIL 2017
Sheet #: 1 of 1
(2) If a local unit of government adopts or revises a plan required under subsection (1) after an airport layout plan or airport approach plan has been filed with the local unit of government, the local unit of government shall incorporate the airport layout plan or airport approach plan into the plan adopted under subsection (1).

(3) In addition to the requirements of subsection (1), a zoning ordinance adopted after March 28, 2001 shall be adopted after reasonable consideration of both of the following:
(a) The environs of any airport within a district.
(b) Comments received at or before a public hearing under section 306 from the airport manager of any airport.

(4) If a zoning ordinance was adopted before March 28, 2001, the zoning ordinance is not required to be consistent with any airport zoning regulations, airport layout plan, or airport approach plan. A zoning ordinance amendment adopted or variance granted after March 28, 2001 shall not increase any inconsistency that may exist between the zoning ordinance or structures or uses and any airport zoning regulations, airport layout plan, or airport approach plan. This section does not limit the right to petition for submission of a zoning ordinance amendment to the electors under section 402 or the right to file a protest petition under section 403.

(5) The reference to public transportation facilities in subsection (1) only applies to a plan that is adopted or substantively amended more than 90 days after the effective date of the amendatory act that added this subsection.


125.3204 Single-family residence; instruction in craft or fine art as home occupation.
Sec. 204. A zoning ordinance adopted under this act shall provide for the use of a single-family residence by an occupant of that residence for a home occupation to give instruction in a craft or fine art within the residence. This section does not prohibit the regulation of noise, advertising, traffic, hours of operation, or other conditions that may accompany the use of a residence under this section.


125.3205 Zoning ordinance subject to certain acts; regulation or control of oil or gas wells; prohibition; extraction of valuable natural resource; challenge to zoning decision; serious consequences resulting from extraction; factors; regulations not limited.
Sec. 205. (1) A zoning ordinance is subject to all of the following:
(a) The electric transmission line certification act, 1995 PA 30, MCL 460.561 to 460.575.
(b) The regional transit authority act.
(2) A county or township shall not regulate or control the drilling, completion, or operation of oil or gas wells or other wells drilled for oil or gas exploration purposes and shall not have jurisdiction with reference to the issuance of permits for the location, drilling, completion, operation, or abandonment of such wells.

(3) An ordinance shall not prevent the extraction, by mining, of valuable natural resources from any property unless very serious consequences would result from the extraction of those natural resources. Natural resources shall be considered valuable for the purposes of this section if a person, by extracting the natural resources, can receive revenue and reasonably expect to operate at a profit.

(4) A person challenging a zoning decision under subsection (3) has the initial burden of showing that there are valuable natural resources located on the relevant property, that there is a need for the natural resources by the person or in the market served by the person, and that no very serious consequences would result from the extraction, by mining, of the natural resources.

(5) In determining under this section whether very serious consequences would result from the extraction, by mining, of natural resources, the standards set forth in Silva v Ada Township, 416 Mich 153 (1982), shall be applied and all of the following factors may be considered, if applicable:
(a) The relationship of extraction and associated activities with existing land uses.
(b) The impact on existing land uses in the vicinity of the property.
(c) The impact on property values in the vicinity of the property and along the proposed hauling route serving the property, based on credible evidence.
(d) The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property.
(e) The impact on other identifiable health, safety, and welfare interests in the local unit of government.
(f) The overall public interest in the extraction of the specific natural resources on the property.

Subsections (3) to (5) do not limit a local unit of government's reasonable regulation of hours of operation, blasting hours, noise levels, dust control measures, and traffic, not preempted by part 632 of the Resources Act of 1996, that are consistent with the extraction of valuable natural resources.
SUP – HOME OCCUPATION

ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 04/19/2018                      CASE #: PSUP18-002

APPLICANT: WILLIAM F & SUSAN K KLCO

PROPERTY: 910 N LAMKIN RD

TOWNSHIP: READMOND

REQUEST: Special Use Permit – Home Occupation – Artist's Residence

FACTS:
- The request is for a Home Occupation – Artist’s Residence.
- The property is zoned RR Recreational Residential.
- Occupant will be a renter of the property.
- The property is 0.81 acres - a platted lot.
- Request is to use a 576 sq. ft. accessory building for the artist’s studio.
- The site is currently vacant. The dwelling and accessory building permit applications have been submitted. Zoning permits have been issued for the dwelling and accessory building.
- Zoning Administrator (ZA) issued a Level I Home Occupation Permit. Building Inspector questioned Permit. Review is being requested by ZA based on Section 26.11.G.
- Proposed hours of operation – occupant of the dwelling would have access to studio at any time. Studio proposed to be open to the public 1-2 Saturdays per month from 10AM-2PM.
- Less than 1 vehicle per day expected (based on Impact Statement provided by applicant).
- Maximum sign permitted is 2 sq. ft. for Home Occupation – no sign proposed.
- Driveway permit issued for dwelling by ECRC.
- Several letters of opposition have been received (see enclosed).
- Several letters of support have been received (see enclosed).

ZONING ORDINANCE STANDARDS:
Definition (Sec. 200):
HOME OCCUPATION: An occupation, profession, activity, or use carried out for gain that is secondary to the use of a dwelling unit for residential purposes.

Section 26.11: Home Occupations

Home occupations that are operated in accordance with the Definition in Section 2.00, may be approved in any zoning district by the Planning Commission subject to the following conditions:

Level II
A. Any structural additions to the home for purposes of operating the occupation shall be of an architectural style that is comparable with the architecture of the existing home, or surrounding homes, and further, is designed so that the addition can readily be used for housing purposes if the occupation is discontinued. 

Proposal is to construct a new dwelling and accessory building. Both meet setback standards and dimensional standards of the Zoning Ordinance.

B. Only the occupant or family living on the premises shall conduct the home occupation and no off-premises person(s) shall be employed in connection with the home occupation. 

Occupant is proposed to be a renter (2-3 weeks at a time). No outside employees proposed.

C. If an accessory building is to be used for a home occupation, the building shall be sited, designed, and located on the property in such a manner as to avoid the appearance of a retail store or industrial building, and it shall be readily re-useable for residential purposes if no longer used for the home occupation. Accessory building space for home occupations shall not exceed a total floor area of 600 sq. ft. and shall not exceed one per parcel. 

Accessory building is 572 sq. ft. Building is located beside the house near the parking area. Parking area would seem to accommodate 3 vehicles.

D. The Planning Commission shall deny a Special Use Permit for a home occupation in those instances where it is determined that the proposed use would:

1. Lack an occupied residence on the property.

2. Conflict with the residential character of the neighborhood or surrounding area, because of the type of use proposed, or hours of operation, and/or number of vehicles attracted to the site.

3. Have parking, traffic or loading demands that would exceed the carrying capacity of the property, serving streets, or utilities.

4. Require vehicles, machinery, mechanical devices, or equipment that would generate operational nuisances in direct conflict with homes in the vicinity.

5. Require physical design, display, sign or locational features that are inconsistent with the residential character of the area.

To be determined by the Planning Commission.

E. There shall be no open display of goods, materials or services in connection with a home occupation, and no off-street parking shall be permitted within the setback area. 

None proposed.

LEVEL 1
F. Home Based Business - Home Occupations may be approved by the Zoning Administrator if, in addition to the standards of paragraph 10 above, the following performance standards are satisfied:

1. The operation is administrative in character with no discernible outside effects (visual or otherwise).

2. Only the occupants of the property are involved in the use and there are no signs identifying a home occupation on the property.

3. The use does not involve any delivery services other than typical mail services.

4. Clients or customers are not required to visit the property other than on a few occasions, not to exceed an average of one (1) person per day.

G. The use may be referred to the Emmet County Planning Commission if there are questions concerning actual impacts and the use may be ordered to be abated if not operating within the prescribed standards.

*Home Occupation originally approved by the Zoning Administrator (Home Occupation Permit included in packet). Upon further review (and questions by the Building Inspector), the use is being brought to the Planning Commission for review.*

**DRAFT MOTIONS:**

Motion to **approve** Case #PSUP18-002, William and Susan Kline, Special Use Permit for a Home Occupation to operate an Artist Residency at 910 N Lamkin Rd, Section 36, Readmond Township as outlined in the Home Occupation Use Plan dated 1/19/2018 and as shown on the site plan dated 1/23/2018 because the use meets the standards of Section 26.11, the use will not conflict with the residential character of the neighborhood, only people living on the premises may be employees of the home occupation, hours of operation may be as described in the Home Occupation Impact Statement, and no sign is permitted. *(other reasons, or conditions may be added).*

Motion to **deny** Case #PSUP18-002, William and Susan Kline, Special Use Permit for a Home Occupation to operate an Artist Residency at 910 N Lamkin Rd, Section 36, Readmond Township as outlined in the Home Occupation Use Plan dated 1/19/2018 and as shown on the site plan dated 1/23/2018 because the Standards of Section 26.11 have not been met for the following reasons: *(insert reasons).*

Motion to **postpone** Case #PSUP18-002, William and Susan Kline, Special Use Permit for a Home Occupation to operate an Artist Residency at 910 N Lamkin Rd, Section 36, Readmond Township as outlined in the Home Occupation Use Plan dated 1/19/2018 and as shown on the site plan dated 1/23/2018 because:
DATE: 4/19/18

APPLICANT: Patrick Leitelt for ML68 Properties

PROPERTY: 8737 M-68

TOWNSHIP: Littlefield

REQUEST: Special Use Permit – Contractor’s Use - landscaping/property maintenance office.

FACTS:
- The property is approximately 9.8 acres
- The property is zoned FF-1 Farm and Forest.
- Surrounding parcels are zoned FF-1.
- Request is to change the use from one Special Land Use (kennel/grooming) to another (contractor’s use-landscaping/property maintenance).
- Kennel & grooming is the only approved past commercial use on parcel.
- Existing structures include a mobile home, 1200 sq. ft. pole building, 384 sq. ft. accessory building, and ~ 100 sq. ft. accessory building.
- One additional 1200’ storage building proposed.
- Site partially screened from M-68 with landscaping.
- No outside storage is proposed.
- Twelve parking spaces required and three delineated on plan.
- Maximum sign permitted is 32 sq. ft. No sign proposed at this time
- No new lighting proposed.
- Proposed hours of operation not provided.
- MDOT review pending
- Fire Dept. review pending.
- Snow storage not addressed on site plan.
- Stormwater drainage not addressed on site plan.
- No scale provided with site plan.
- No topography provided on site plan.
- Dumpster not shown on site plan.

ZONING ORDINANCE STANDARDS:

Section 8.00 Intent

The FF-Farm and Forest Districts are designed to promote the use of wooded and rural areas of the County in a manner that will keep the basic attractiveness of the natural resources and provide enjoyment for both visitors and the community at large. The intent of the District is to hold the rural County areas for agriculture and forestry purposes and to allow some multiple uses of
marginal farm-forest lands.

**Section 21.00 Intent**

Special Land Use permits are required for proposed activities which are essentially compatible with other uses, or activities permitted in a zoning district, but which possess characteristics or locational qualities which require individual review. The purpose of this individual review is to ensure compatibility with the character of the surrounding area, with public services and facilities, with adjacent properties, and to ensure conformance with the standards set forth in this Ordinance. Special Land Uses shall be subject to the general provisions and supplemental site development standards of this Ordinance as well as to the provisions of the zoning district where it is located. Each use shall be considered on an individual basis.

**Section 26.32 Contractors**

26.32.1 FF-1 or FF-2 District

Specified contractors uses may be permitted subject to the following standards including Planning Commission review:

A. **Permitted Uses**
   The uses permitted pursuant to this Section may include one or more of the following:

   1. Storage buildings for recreation vehicles, boats, water craft and similar items, but not sales and/or servicing, or commercial warehousing.

   2. Buildings to store equipment and materials associated with the following specific trades: landscapers, excavators, nurserymen, building contractors, plumbers, electricians, carpenters, pipe fitters, heating-cooling-refrigeration tradesmen, telephone and communication system installers, provided such individuals are fully licensed to operate in the State of Michigan if a license is required.

B. **Outside Storage**
   All primary storage/use activity shall be in enclosed buildings. Any outside storage that may be permitted shall be in areas effectively screened from public view.
   
   *No outside storage proposed*

C. **Owner Occupancy**
   Buildings and uses permitted shall only be approved on properties occupied by the owner and be the primary place of the owner’s residence.
   
   *Unknown if owner resides on property*

D. **Site Size:** The minimum property size shall be ten (10) acres or larger by description, having at least 600 ft. of lot width and at least 600 ft. of lot depth.

   *Property is approximately 9.8 acres, and it is 330’ wide at M-68 hwy and 1276’ feet deep. Modification requested.*

E. **Building Limitations:** The ground floor area of proposed buildings associated with the uses permitted shall not exceed an area of 2,400 sq. ft. One additional 2,400 sq. ft. building may be permitted on sites of 20 acres or more, by description, provided the two buildings
are separated by at least forty (40) feet. One building up to 3,400 sq. ft. may be permitted if the applicant stipulates not to construct two (2) buildings for contractor uses.

Existing structures include a mobile home, 1200 sq. ft. pole building, 384 sq. ft. accessory building and approximately 100 sq. ft. accessory building. An additional 1200 sq. ft. building proposed. Modification requested.

F. Signs: Accessory identification signs associated with the uses permitted pursuant to this Section shall not exceed an area of eight (8) sq. ft., and shall comply in all other respects with the sign section of this Ordinance.

No sign proposed

Modifications to the standards listed in items B thru F above may be approved by the Planning Commission, if the intent of Article 8 is kept and the surrounding properties are protected from nuisances.

Modifications would be required as the property is not 600 feet wide, the number of buildings exceeds building limitations and the owner does not appear to reside on the property.

DRAFT MOTIONS:

Motion to postpone Case PSUP 18-001, Patrick Leitelt for ML68 Properties LLC, Special Use Permit for a Contractor’s Use to operate a landscaping/property maintenance business on property located at 8737 M-68 Hwy, Section 12, Littlefield Township, tax parcel 24-07-17-12-200-006 based on the site plan dated Received March 26, 2018: the site plan is incomplete (insert additonal reasons).

Motion to approve Case PSUP 18-001, Patrick Leitelt for ML68 Properties LLC, Special Use Permit for a Contractor’s Use to operate a landscaping/property maintenance business on property located at 8737 M-68 Hwy, Section 12, Littlefield Township, tax parcel 24-07-17-12-200-006 based on the site plan dated Received March 26, 2018 for the following reasons: the site and the use meets the standards of Articles 8, 21 and Section 26.32, the use is screened from public view, with the modifications allowed that the property is less than 10 acres, less than 600 feet wide, building limitations are allowed to be exceeded as proposed, and owner doesn’t reside on the property and (conditions or reasons may be added).

Motion to deny Case PSUP 18-001, Patrick Leitelt for ML68 Properties LLC, Special Use Permit for a Contractor’s Use to operate a landscaping/property maintenance business at property located 8737 M-68 Hwy, Section 12, Littlefield Township, tax parcel 24-07-17-12-200-006 based on the site plan dated Received March 26, 2018 for the following reasons: doesn’t meet Standards of Section 26.32 and (insert reasons)
REQUEST

PSUP18-001

A request by Patrick Leitelt for ML68 Properties LLC for a contractor's use at 8737 M-68 Hwy, Section 12, Littlefield Township. The property is zoned FF-1 Farm and Forest and is tax parcel 24-07-17-12-200-006. The request is to change the use from one Special Land Use (Kennel/Grooming) to another (Contractor’s Use). The request is per Articles 8, 19, 20, 21, & 22 and Section 26.32 of the Emmet County Zoning Ordinance.

LOCATION
APPLICATION FOR ZONING ACTION
EMMET COUNTY OFFICE OF PLANNING, ZONING,
AND CONSTRUCTION RESOURCES
3434 HARBOR-PETOSKEY RD, SUITE E, HARBOR SPRINGS, MI 49740
PHONE: (231) 348-1735 FAX: (231) 439-8933 EMAIL: pzer@emmetounty.org

DATE RECEIVED: MAR 2-6 2018
FEE: $300.00

APPLICATION# 5SUP18-001
DATE PAID: MAR 2-6 2018

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

Applicant's Name: PATRICK LEITELT Phone: 231-330-1022
Applicant's Address: 7178 MILTON RD
Applicant's Email Address: PLeitelt @ bayareaturf.com

Owner's Name: ML 68 PROPERTIES Phone: 231-206-2069
Owner's Address: 8337 M-68
Owner's Email Address: MLlANE @ bayareaturf.com

JOB SITE LOCATION:
Township: LITTLEFIELD Tax Parcel #: 24-07-17-12-20 0 00
Address:

ZONING REQUEST:
Planning Commission:
Special Use Permit ☐
Site Plan Review ☐
Planned Unit Development ☐
Zoning Map Change ☐
Zoning Text Change ☐

REOUIRED USE INFORMATION
Ground Floor area main building: 1200 Sq. Ft.
Floor Area accessory building: Sq. Ft.
Lot/Parcel Size: 10 Acres Sq. Ft.
Site/Plot Plan required. 2 full sized & 14 reduced sized (max 11”x17”)
site plans required for Planning Commission cases.

DATE Submitted: 3-26-2018
Site Inventory Site Inventory
Engineered Drainage Plan Fire Dept Approval ☐
Soil Erosion Permit Wetlands Permit ☐
Health Dept. Approval/ Road Commission/ ☐
Sewer Taps MDOT Approval

Other:
As owner/and or applicant representing the owner, I do ☐ do not ☒ authorize Emmet County (staff, appointed board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site-walks shall be conducted at reasonable hours and times.

I certify that all above information is accurate to my fullest knowledge:

Signature of Applicant: PATRICK J. LEITELT Date: 3/26/2018
Printed Name of Applicant: Matthew Lane

*Required Signature of Property Owner: Printed Name of Property Owner: Date: 3/26/2018

SCANNED
**SITE PLAN REVIEW CHECKLIST**

Case #: PSU 18-001
Date Received: 3/26/18

Subject Property Address: 8737 M-68 Hwy

<table>
<thead>
<tr>
<th>Basic Map Information</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed site location map (indicate sufficient area reference to locate site). May use plat map, Google map or other map to identify parcel.</td>
<td>✔️</td>
<td></td>
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<tr>
<td>2 Appropriate scale</td>
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<td>X</td>
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<tr>
<td>3 Date, North Arrow, Street Names (existing and proposed right-of-ways).</td>
<td></td>
<td>X</td>
<td></td>
<td>READABLE</td>
</tr>
<tr>
<td>4 Name, Address and Phone Number of person preparing plan</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Property line dimensions</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Basic Zoning Information**

<table>
<thead>
<tr>
<th>Zoning setback lines. Building (including the eave) Setbacks: Front __ Side __ Garden __== Rear / Water __ ==</th>
<th>X</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 Distance between buildings (nearest point to nearest point).</td>
<td>X</td>
</tr>
<tr>
<td>8 Location of new buildings and general floor plan Dimensions of bldg(s): = 30 x 50 Total sq. ft. = 1500</td>
<td>X</td>
</tr>
<tr>
<td>9 Proposed building elevations (to scale) Max. Height = 17.5'</td>
<td>X</td>
</tr>
<tr>
<td>10 All existing structures (labeled) within 100 feet of perimeter property lines</td>
<td>X</td>
</tr>
<tr>
<td>11 Multiple housing units - Number of units = , composition (efficiency, one bedroom, two, three)</td>
<td>X</td>
</tr>
<tr>
<td>12 Surrounding zoning (properties immediate to subject site)</td>
<td>X</td>
</tr>
<tr>
<td>13 Lot coverage of proposed buildings = 21%</td>
<td>X</td>
</tr>
</tbody>
</table>

Scanned by CamScanner
<table>
<thead>
<tr>
<th>Natural Features</th>
<th>yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>14 Boundaries of existing natural features (trees, lakes, ponds, streams, rock outcroppings, severe topography, wetlands, woodlands, etc.).</td>
<td>x</td>
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<tr>
<td>15 Has a wetland permit been applied for?</td>
<td></td>
<td>x</td>
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<tr>
<td>16 Existing topography</td>
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<tr>
<td>17 Soil analysis Is it in a Critical Dune Area?</td>
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<td>x</td>
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<tr>
<td>18 Site Inventory provided?</td>
<td></td>
<td>x</td>
<td></td>
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<tr>
<td>19 Are there scenic view considerations?</td>
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<tr>
<td>Drainage / Parking / Roads</td>
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<tr>
<td>20 Access drives, internal roads (note public or private) service roads. Width of Right-of-Way = 23 ft</td>
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<tr>
<td>21 Loading/unloading, service areas</td>
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<tr>
<td>22 Sidewalks, paths, and trails (internal and public within road right-of-ways).</td>
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<td>23 Acceleration/deceleration lanes</td>
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<td>24 Road agency approval?</td>
<td></td>
<td>x</td>
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<tr>
<td>25 Parking areas (dimensioned typical parking space, maneuvering lanes)</td>
<td></td>
<td>x</td>
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<tr>
<td>26 Parking spaces required ______, parking spaces actual ______ Handicap parking location and number ______</td>
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<tr>
<td>27 Required landscaping in parking areas</td>
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<tr>
<td>28 Snow storage/snow management plan</td>
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<td>29 Dumpster location, screening indication</td>
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<td>x</td>
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<tr>
<td>30 Existing easements (utility, access) within site limits</td>
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<tr>
<td>31 Location of Water/well, Sewer/septic, and stormwater</td>
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<td>x</td>
<td></td>
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<tr>
<td>32 Site grading and drainage plan (on-site elevations for pavements, drives, roads, parking lots, curbs, sidewalks and finished grades at building facades) Attach a sealed Engineered Drainage Plan.</td>
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<tr>
<td>33 Proposed retention/detention sedimentation ponds</td>
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<td>x</td>
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<tr>
<td>Other Site Requirements</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
<td>Comments</td>
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<tr>
<td>----------------------------------------------------------------------------------------</td>
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<tr>
<td>Proposed landscaping (required greenbelts, plant materials/size and type, fences, retaining walls, earthberms, etc.)</td>
<td></td>
<td>X</td>
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<td></td>
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<tr>
<td>Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>Location of sign(s)*</td>
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<td>X</td>
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<tr>
<td>Site amenities (play area, pools, beaches, tennis courts, etc.)</td>
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<td>X</td>
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<tr>
<td>Impact Statement attached?</td>
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<td>Fire Department approval?</td>
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<td>X</td>
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<tr>
<td>Fire hydrants and fire vehicle access.</td>
<td></td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>Road Agency approval?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health agency approval?</td>
<td></td>
<td>X</td>
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</tr>
<tr>
<td>Army Corps of Engineers approval?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michigan Department of Environmental Quality approval?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Signs and lights will need to be approved by the Emmet County Sign and Lighting Committee.

ADDITIONAL COMMENTS:

Applicant's Signature: [Signature]

Date: 3-26-2018
IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S NAME  PATRICK LITTL\_ CASE# 85UP18-001

PHONE NUMBER  231-350-1022  DATE  5-26-2018

PROJECT TITLE  SPECIAL USE PERMIT - POLE BARN STORAGE BUILDING

PROPERTY TAX ID  #24-07-17-12-208-004 TOWNSHIP  LITTLEFIELD

DIRECTIONS TO APPLICANT
BELOW ARE THE REQUIREMENTS TO CONFORM TO SECTION 20.04, IMPACT STATEMENT, OF THE EMMET COUNTY ZONING ORDINANCE #15.1. THESE ITEMS MUST BE ADDRESSED AND SUBMITTED WITH THE SITE PLAN AT LEAST 24 DAYS PRIOR TO THE PLANNING COMMISSION MEETING IN ORDER TO BE PLACED ON THE FOLLOWING MONTH'S AGENDA. (REGULAR MEETING DATE IS THE FIRST THURSDAY OF THE MONTH.) ITEMS LISTED ARE MINIMUM REQUIREMENTS, AND ADDITIONAL INFORMATION MAY BE SUBMITTED TO DESCRIBE THE PROJECT IMPACT.

1. PROJECT DESCRIPTION
Give a description of the proposed development including: Site area, number of proposed lots and/or units, population density, other pertinent population data, vehicle traffic, and related.

- ADDITION OF UNHEATED EQUIPMENT STORAGE BARN AND EXTENSION OF DRIVE TO BUILDING.
- NO ADJUSTMENT TO MAIN BUILDING OR STREET IS REQUIRED.
2. EXPECTED DEMANDS ON COMMUNITY SERVICES

<table>
<thead>
<tr>
<th>Service</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanitary Services</td>
<td>None</td>
</tr>
<tr>
<td>Domestic Water</td>
<td>None</td>
</tr>
<tr>
<td>Traffic Volumes</td>
<td>Minimal</td>
</tr>
<tr>
<td>Schools</td>
<td>None</td>
</tr>
<tr>
<td>Fire Protection</td>
<td>Required alarms / extinguish</td>
</tr>
</tbody>
</table>

3. ENVIRONMENTAL IMPACTS

<table>
<thead>
<tr>
<th>Impact Area</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soil Erosion</td>
<td>No adverse redaction of storm water</td>
</tr>
<tr>
<td>Storm Drainage</td>
<td>N/A</td>
</tr>
<tr>
<td>Shoreline Protection</td>
<td>N/A</td>
</tr>
<tr>
<td>Wildlife</td>
<td>Minimal impact on wildlife</td>
</tr>
<tr>
<td>Air Pollution</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Pollution</td>
<td>N/A</td>
</tr>
<tr>
<td>Noise</td>
<td>Minimal noise - Normal business hours</td>
</tr>
</tbody>
</table>
REQUEST

PSPR18-004

A request by Elaine Keiser Architect, Inc for P&L Liquid Investments, LLC for Site Plan Review amendment at 1844 and 1884 Harbor-Petoskey Road in Section 27 of Bear Creek Township. The properties are zoned B-2 General Business and are tax parcels 24-01-16-27-000-017 & 020. The request is to allow outdoor seating, modify vehicle and bicycle parking, and reconfigure access from M-119. The review is per Articles 11, 19, 20, and 22 of the Emmet County Zoning Ordinance.

LOCATION
APPLICATION FOR ZONING ACTION
EMMET COUNTY OFFICE OF PLANNING, ZONING, AND CONSTRUCTION RESOURCES
3434 HARBOR-PETOSKEY RD, SUITE E, HARBOR SPRINGS, MI 49740
PHONE: (231) 348-1735 FAX: (231) 439-8933 EMAIL: pzer@emmetcounty.org

APR 09 2018
DATE RECEIVED
$ 100.00
FEE

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

APPLICATION #
APR 09 2018
DATE PAID

Applicant's Name: Elaine Keiser, Architect, Inc. Phone: 231-439-0472
Applicant's Address: 2076 M-119, PETOSKEY, MI 49770
Applicant's Email Address: elaine@ekarchitect.com

Owner's Name: P&L Liquid Investments, LLC Phone: 231-753-2057
Owner's Address: 1844 M-119, PETOSKEY, MI 49770
Owner's Email Address: PatrickPpetoskeybrewing.com

JOB SITE LOCATION:
Township: Bear Creek Tax Parcel #: 24-01-16-27-400-017 E 01-16-27-400-020
Address: 1844 & 1884 M-119

ZONING REQUEST:
Planning Commission: □
Special Use Permit □
Site Plan Review X
Planned Unit Development □
Zoning Map Change □
Zoning Text Change □

REQUIRED USE INFORMATION
Ground floor area main building: 7,700 Sq. Ft. 7,200 SF
Floor Area accessory building: □
Lot/Parcel Size: 3.24 Acres 145,444 Sq. Ft.
Site/Plot Plan required* .88A, 36115
2 full sized & 14 reduced sized (max 11"x17")
site plans required for Planning Commission cases.

Date Submitted
Elevation Drawing □ 4-5-2018 Site Inventory □
Engineered Drainage Plan ✓ Fire Dept Approval □
Soil Erosion Permit □ Wetlands Permit □
Health Dept. Approval/ □ Road Commission/ □
Sewer Taps □ MDOT Approval □

Other:
As owner/and or applicant representing the owner, I do ✓ do not ☐ authorize Emmet County (staff, appointed board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site-walks shall be conducted at reasonable hours and times.

I certify that all the above information is accurate to my fullest knowledge:

Signature of Applicant: Elaine Keiser
Printed Name of Applicant: Elaine Keiser
Date: 4-5-2018

*Required Signature of Property Owner: PatrickP
Printed Name of Property Owner: PatrickP
Date: 4-5-2018

*Please attach a site/plot plan to show:
property dimensions; front, rear, and side yard setbacks; streets, roads, and all buildings on the lot.
Review Section 2405 of the Zoning Ordinance for Site Plan requirements.
IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S
NAME: Elaine Kelser Architecture Inc
CASE#: P5PR18-004

PHONE
NUMBER: 231-439-0472
DATE: 4-5-2018

PROJECT TITLE
P&L Liquid Investments, Site Plan Approval

PROPERTY TAX ID
# 01-16-27-400-0178
TOWNSHIP: Bear Creek
- 020

DIRECTIONS TO APPLICANT
BELOW ARE THE REQUIREMENTS TO CONFORM TO SECTION 20.04, IMPACT STATEMENT, OF THE EMMET COUNTY ZONING ORDINANCE #15.1. THESE ITEMS MUST BE ADDRESSED AND SUBMITTED WITH THE SITE PLAN AT LEAST 24 DAYS PRIOR TO THE PLANNING COMMISSION MEETING IN ORDER TO BE PLACED ON THE FOLLOWING MONTH'S AGENDA. (REGULAR MEETING DATE IS THE FIRST THURSDAY OF THE MONTH.) ITEMS LISTED ARE MINIMUM REQUIREMENTS, AND ADDITIONAL INFORMATION MAY BE SUBMITTED TO DESCRIBE THE PROJECT IMPACT.

1. PROJECT DESCRIPTION
Give a description of the proposed development including: Site area, number of proposed lots and/or units, population density, other pertinent population data, vehicle traffic, and related.

Proposed Site Plan will modify the existing Brewery Parking Lot and combine with newly acquired Warehouse + Distribution Property. The Existing Brewery Parking Area will be modified to include a new Outdoor Tasting Area; Removal of one curb cut to M-119. Additional Parking will be provided on Adjacent Property.
2. EXPECTED DEMANDS ON COMMUNITY SERVICES
Explain what the impact will be on the following community services and describe how services will be provided (if applicable):

a. **Sanitary Services** - None at this time. However we are connecting the existing warehouse floor drains to the sanitary sewer for future use.
b. **Domestic Water** - None

c. **Traffic Volumes** - None

d. **Schools** - None

e. **Fire Protection** - None

3. ENVIRONMENTAL IMPACTS
Include statements relative to the impact of the proposed development on (if applicable):

a. **Soil Erosion** - Silt Fencing will be used during construction. No other impact is expected.
b. **Storm Drainage** - All storm water is retained on site.

c. **Shoreline Protection** - N/A

d. **Wildlife** - N/A

e. **Air Pollution** N/A

f. **Water Pollution** N/A

g. **Noise** - Will not change.
**SITE PLAN REVIEW CHECKLIST**

**Subject Property Address:** 1844 + 1884 M-119

**Subdivision and Lot Number (If Applicable):**

**Tax Parcel Number:** 24-01-16-27-400-017 & 020

**Township:** Bear Creek

**Proposed Use of Property:** Same - Brewing Restaurant, Warehouse

**Proposed Number of Employees:** Same

---

**CHECKLIST**

<table>
<thead>
<tr>
<th>基本信息</th>
<th>是</th>
<th>否</th>
<th>N/A</th>
<th>备注</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Proposed site location map (indicate sufficient area reference to locate site) May use plat map, Google map or other map to identify parcel.</td>
</tr>
<tr>
<td>2</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Appropriate scale</td>
</tr>
<tr>
<td>3</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Date, North Arrow, Street Names (existing and proposed right-of-ways).</td>
</tr>
<tr>
<td>4</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Name, Address and Phone Number of person preparing plan</td>
</tr>
<tr>
<td>5</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Property line dimensions</td>
</tr>
</tbody>
</table>

**基本规划信息**

<table>
<thead>
<tr>
<th>基本信息</th>
<th>是</th>
<th>否</th>
<th>N/A</th>
<th>备注</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Zoning setback lines - Building (including the eave) Setbacks: Front 25, Side 10, Side 10, Rear/Water 20</td>
</tr>
<tr>
<td>7</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Distance between buildings (nearest point to nearest point) Existing</td>
</tr>
<tr>
<td>8</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Location of new buildings and general floor plan Dimensions of bldg.(s) = ______ x ______ Total sq.ft. = ______</td>
</tr>
<tr>
<td>9</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Proposed building elevations (to scale) Max. Height = Existing</td>
</tr>
<tr>
<td>10</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: All existing structures (labeled) within 100 feet of perimeter property lines</td>
</tr>
<tr>
<td>11</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Multiple housing units - Number of units = ______, composition (efficiency, one bedroom, two, three)</td>
</tr>
<tr>
<td>12</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Surrounding zoning (properties immediate to subject site)</td>
</tr>
<tr>
<td>13</td>
<td>是</td>
<td>否</td>
<td>N/A</td>
<td>Yes: Lot coverage of proposed buildings = ______</td>
</tr>
</tbody>
</table>

**C** **A** **N** **N** **E** **D**

**S** **C** **A** **N** **N** **E** **D**
<table>
<thead>
<tr>
<th>Natural Features</th>
<th>yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>14  Boundaries of existing natural features (trees, lakes, ponds, streams,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>rock outcroppings, severe topography, wetlands, woodlands, etc.).</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>15  Has a wetland permit been applied for?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>16  Existing topography</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>17  Soil analysis Is it in a Critical Dune Area?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>18  Site Inventory provided?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>19  Are there scenic view considerations?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>Drainage / Parking / Roads</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20  Access drives, internal roads (note public or private) service roads.</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Width of Right-of-Way = 666</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21  Loading/unloading, service areas</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22  Sidewalks, paths, and trails (internal and public within road right-of-</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ways).</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23  Acceleration/deceleration lanes</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24  Road agency approval?</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25  Parking areas (dimensioned typical parking space, maneuvering lanes)</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26  Parking spaces required 45, parking spaces actual 57, Handicap parking</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>location and number 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27  Required landscaping in parking areas</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28  Snow storage/snow management plan</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29  Dumpster location, screening indication</td>
<td></td>
<td>✓</td>
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<td></td>
</tr>
<tr>
<td>30  Existing easements (utility, access) within site limits</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31  Location of Water/well, Sewer/septic, and stormwater</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32  Site grading and drainage plan (on-site elevations for pavements,</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>drives, roads, parking lots, curbs, sidewalks and finished grades at</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>building facades) Attach a sealed Engineered Drainage Plan.</td>
<td></td>
<td>✓</td>
<td></td>
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</tr>
<tr>
<td>33  Proposed retention/detention sedimentation ponds</td>
<td></td>
<td>✓</td>
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</tr>
<tr>
<td>Other Site Requirements</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
<td>Comments</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------------</td>
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<td>----------------</td>
</tr>
<tr>
<td>Proposed landscaping (required greenbelts, plant materials/size and type, fences, retaining walls, earthberms, etc.)</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location of sign(s)*</td>
<td>✓</td>
<td></td>
<td></td>
<td>Existing</td>
</tr>
<tr>
<td>Site amenities (play area, pools, beaches, tennis courts, etc.)</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impact Statement attached?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Department approval?</td>
<td></td>
<td></td>
<td></td>
<td>Pending</td>
</tr>
<tr>
<td>Fire hydrants and fire vehicle access.</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Road Agency approval?</td>
<td></td>
<td></td>
<td></td>
<td>Pending</td>
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<tr>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Michigan Department of Environmental Quality approval?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Signs and lights will need to be approved by the Emmet County Sign and Lighting Committee.

**ADDITIONAL COMMENTS:**

![Signature]

Applicants Signature

4-5-2018

Date
Elaine Keiser

From: Benchmark Engineering <benchmark607@gmail.com>
Sent: Thursday, April 5, 2018 2:14 PM
To: Elaine Keiser
Subject: Re: Petoskey Brewery

Elaine

I have to go to Petoskey. I will drop off 3 sealed copies to you.

The estimated drainage cost is $4,000.00 (Leaching Basin + Trench Detail "A" + Proposed Retention).

Let me know if you need anything else.

Bryan Nolan, P.E.

BENCHMARK ENGINEERING INC.
SURVEYORS * ENGINEERS
607 E. Lake St. Harbor Springs, MI 49740
Ph:(231) 526-2119 benchmark607@gmail.com

From: Elaine Keiser
Sent: Thursday, April 05, 2018 1:45 PM
To: Benchmark Engineering
Subject: Petoskey Brewery

Hello Bryan,
I will need three sealed drawings. Bear Creek actually wants 12, but I figure that I will give them one sealed and 11 others normal (I can plot).

I will need an approval from MDOT.

I will need an estimated cost of the site drainage improvements. It think that would just be the leaching basin.

Elaine Keiser, AIA, NCARB
231-439-0472

RECEIVED
APR 09 2018
EMMET COUNTY
PLANNING & ZONING

SCANNED
Tammy Doernenburg

From: Elaine Keiser <elaine@ekarchitect.com>
Sent: Tuesday, April 10, 2018 1:54 PM
To: Tammy Doernenburg
Subject: FW: Petoskey Brewing, M-119, Bear Creek Twp., Emmet County

Tammy, Here is the approval from MDOT.
Thank you!

ek

From: Phelps, Gabe (MDOT) [mailto:PhelpsG@michigan.gov]
Sent: Tuesday, April 10, 2018 1:30 PM
To: Benchmark Engineering <benchmark607@gmail.com>
Cc: Elaine Keiser <elaine@ekarchitect.com>
Subject: RE: Petoskey Brewing, M-119, Bear Creek Twp., Emmet County

Hi Bryan,

Closing the existing driveway as proposed would be approved.

Gabe Phelps
MDOT Transportation Technician
Gaylord TSC Permit Agent
1088 M-32 East
Gaylord, MI 49735
Office: 989-731-5090

From: Benchmark Engineering [mailto:benchmark607@gmail.com]
Sent: Tuesday, April 10, 2018 1:17 PM
To: Phelps, Gabe (MDOT) <PhelpsG@michigan.gov>
Cc: Elaine Keiser <elaine@ekarchitect.com>
Subject: Re: Petoskey Brewing, M-119, Bear Creek Twp., Emmet County

Gabe

Have you had a chance to review this yet? I believe there will be a planning commission coming up and the client would like to get MDOT's take on this before the meeting.

Thanks very much.

Bryan Nolan, P.E.

BENCHMARK ENGINEERING INC.
SURVEYORS * ENGINEERS
607 E. Lake St. Harbor Springs, MI 49740
Ph: (231) 526-2119 benchmark607@gmail.com

From: Benchmark Engineering
Sent: Thursday, April 05, 2018 1:59 PM
To: Gabe Phelps
Cc: Elaine Keiser
Subject: Petoskey Brewing, M-119, Bear Creek Twp., Emmet County

Gabe

Petoskey Brewing, on M-119, bought the adjacent property to the north, the old Coca-Cola distribution warehouse. The brewery is proposing to close off their existing driveway and to utilize the Coca-Cola drive off of M-119. They are planning to use the Coke facility for their own use, and keeping the coke entrance on M-119 allows for semi-truck access to the loading dock in back.

Could you review the attached site plan and respond with MDOT's approval (or not)?

Thanks, and contact me should you have any questions or concerns.

Bryan Nolan, P.E.

BENCHMARK ENGINEERING INC.
SURVEYORS * ENGINEERS
607 E. Lake St. Harbor Springs, MI 49740
Ph:(231) 526-2119 benchmark607@gmail.com
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 4/10/18  CASE #: PSPR18-004

APPLICANT: Elaine Keiser Architect, Inc for P&L Liquid Investments, LLC

PROPERTY: 1844 M-119

TOWNSHIP: Bear Creek, Section 27

REQUEST: Site Plan Review – Outdoor seating and new parking area

FACTS:
- The request involves two developed parcels both zoned B-2 General Business.
- Parcels are the Petoskey Brewery and the former Coca-Cola bottling plant and distribution warehouse on the corner of M-119 and Hiawatha Trail.
- The combined property is approximately 3.95 acres.
- No new buildings are proposed.
- The proposal is to increase outdoor seating and relocate vehicle parking and add bicycle parking.
- One drive entry of M-119 Hwy to be eliminated – MDOT has approved of the concept.
- Stormwater drainage plan provided and meets the standards of the Zoning Ordinance.
- Existing well and septic. Sites connected to township sewer service.
- Properties to the north and south both zoned B-2. Properties to the east and west zoned R-2 General Residential
- Fifty parking spaces required. Seventy-six parking spaces provided including 4 barrier free spaces. Parking standards are met.
- Ample snow storage area shown on plan.
- One outdoor light pole to be relocated. One new wall mounted light shown on exterior of building.
- No new signs proposed. Will use existing with modifications.

ZONING ORDINANCE STANDARDS:
Section 20.05 – Site Plan Review Standards

The Planning Commission shall approve, or approve with conditions, an application for a site plan only upon a finding that the proposed site plan complies with all applicable provisions of this Ordinance and the standards and considerations listed below unless the Planning Commission waives a particular standard upon a finding that the standard is not applicable to the proposed development under consideration and the waiver of that standard will not be significantly detrimental to surrounding property or to the intent of the Ordinance.

A. Compliance with District Requirements
   The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the Zoning Ordinance, unless otherwise provided.
   This condition has been met.

B. Vehicular and Pedestrian Circulation
   Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. A pedestrian circulation system shall be provided and shall be as insulated as completely as reasonably possible from the vehicular circulation system. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points. 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 the project area shall be capable of safely and
effectively accommodating the traffic volume and pattern proposed by the project. Where possible, shared commercial access drives shall be encouraged. 

*This standard would appear to be met. One drive entrance off M-119 Hwy to be removed – MDOT approves. Pedestrian walkway proposed between the two parcels.*

1. Walkways from parking areas to building entrances
   a. Internal pedestrian walkways shall be developed for persons who need access to the building(s) from internal parking areas. The walkways shall be located within the parking areas and shall be designed to provide access from these areas to the entrances of the building(s).
   
   b. The walkways shall be designed to separate people from moving vehicles.
   
   c. These walkways shall have a minimum width of five (5) feet with no car overhang or other obstruction.
   
   d. The walkways must be designed in accordance with the Michigan Barrier Free Design Standards.
   
   e. The walkways shall be distinguished from the parking and driving areas by use of any of the following materials: special pavers, bricks, raised elevation or scored concrete. Other materials may be used if they are appropriate to the overall design of the site and building and acceptable to the review authority.

C. Emergency Vehicle Access
   All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.

*This condition appears to be met. No new structures proposed. Plan submitted to Fire Chief.*

D. Loading and Storage
   All loading and unloading areas and outside storage areas which face or are visible from residential districts or public thoroughfares, shall be screened, by a vertical screen consisting of structural or plant materials of sufficient height to obscure the direct view from adjacent first floor elevations.

The site plan shall provide for adequate storage space for the use therein.

*This condition appears to be met – existing loading and storage area.*

E. Snow Storage
   Proper snow storage areas shall be provided so to not adversely affect neighboring properties, vehicular and pedestrian clear vision, and parking area capacity.

*Adequate snow storage provided.*

F. Buffers
   To provide reasonable visual and sound privacy, buffer techniques, screening, fences, walls, greenbelts, and landscaping may be required by the Planning Commission in pursuance of the objectives of this Section and/or as a condition of the establishment of the proposed use.

*Additional landscaping provided as required.*

G. Drainage
   Storm water drainage plans shall address flows onto the site from adjacent sites and roads, storm water impact on the site (soils, impervious surfaces, potential impervious surface, retention ponds, detention ponds, and related management facilities as appropriate), and the storm water outfall, or flow control into adjacent drainage courses, ditches and the like.

The drainage plan shall indicate the manner in which surface drainage is to be disposed of. This may require making use of the existing ditches, natural watercourses, or constructing tributaries, but shall not result in storm water that exits the detention pond and/or property site at an erosive velocity. Additional hard surfaces proposed for a site must provide for detention and/or retention. The minimum requirements for retention and detention facilities are as follows: For sandy sites the
volume of retention and/or detention shall be equal to the volume of 1 and \( \frac{1}{2} \)" of water depth multiplied by the area of additional hard surface. For all sites other than sand, the volume of the retention and/or detention shall be equal to the volume generated from 2" of water depth multiplied by the area of additional hard surface. Both detention and retention facilities must be designed to assure that water is released within 72 hours. Detention facilities are to have a pipe no larger than 4" exiting the ponds at a grade no greater than 1%.

All storm water drainage plans shall be sealed by a Michigan Registered Professional Civil Engineer. The Planning Commission may waive the requirement, defer the requirement, or determine that a fully engineered storm drainage plan is not necessary, or can be deferred to a future date. Improvement guarantees shall be required, unless waived by the Planning Commission, for all storm water drainage plans in the form and amount acceptable by the Planning Commission to guarantee completion of the project in accordance with the conditions of the zoning permit. The performance guarantee will be released upon final inspection and approval by the Zoning Administrator, and receipt of sealed as built plans for storm water drainage.

Storm water retention basins designed to keep a fixed pool of water shall include one or more of the following safety features: 1) safety ledge(s) at least (10) feet wide at the basin perimeter, 2) vegetation surrounding the basin to discourage wading, or 3) fencing to prevent unauthorized access to basin.

Sandy, for the purpose of this Section, shall be defined as soils that meet a percolation rate consistent with the Emmet County Sanitary Code of 0 to 15 minutes.

*Stormwater drainage plan provided meets ordinance standards.*

H. Spaces, Rights-Of-Way, Easements

Spaces, rights-of-way, easements, and related site plan elements needed to serve the proposed use or development for such services as fire protection, sanitary sewers, water supplies, solid waste, storm drainage systems, and related.

I. Waste Receptacles

Waste receptacle and enclosure requirements

1. Receptacles, including waste receptacles, waste compactors, and recycling bins shall be designed, constructed, and maintained according to the requirements of this Section.

2. Waste receptacles, including dumpsters or compactors, shall be required for all nonresidential uses unless interior facilities are provided. The requirement to provide a waste receptacle may be waived by the planning commission if the applicant provides documentation that the development will not necessitate a waste receptacle.

3. All outdoor waste receptacles shall be enclosed on three (3) sides and screened. The enclosure shall be constructed of brick or decorative concrete material, consistent with the building materials of the principal building.

4. The enclosure shall also include a gate, made of wood or other high quality material, as determined by the planning commission, on the fourth side. If the waste receptacle is a dumpster it must have an enclosing lid or cover.

5. The enclosure shall have a minimum height of six (6) feet or one (1) foot above the height of the waste receptacle, whichever is greater, but may not be less than four (4) feet in height.

6. Waste receptacles and enclosures shall be located in the rear yard, not closer than three (3) feet from the rear lot line, or non-required side yard, unless otherwise approved by the planning commission and shall be as far as practical, but in no case be less than twenty (20) feet, from any residential district. If practical, the back side of the waste receptacle enclosure should be placed against the building. In this circumstance the wall may act as one (1) side of the enclosure.
7. Waste receptacles shall be easily accessed by refuse vehicles without potential to damage automobiles parked in designated parking spaces or interfering with the normal movement of vehicles on or off the site.

Existing waste receptacle meets standards

J. Mechanical or Electrical Equipment

Mechanical or electrical equipment requirements.

1. Ground mounted mechanical or electrical equipment, such as blowers, ventilating fans, and air conditioning units are permitted only in side yards or in the rear yard.

2. Mechanical or electrical equipment shall be placed no closer than three (3) feet to any lot line.

3. Any ground, building, or roof mounted mechanical or electrical equipment or utilities, including water and gas meters, propane tanks, utility boxes, transformers, elevator housings, stairways, tanks, heating, ventilation and air conditioning equipment (HVAC), and other similar equipment, shall comply with the following standards:

   a. All such equipment shall be screened by a solid wall, fence, landscaping, and/or architectural features that are compatible in appearance with the principal building.

   b. Roof mounted equipment shall not exceed a height of ten (10) feet above the surrounding roof surface. All roof mounted mechanical units must be screened so they are not visible from ground level, even if not specifically addressed as part of site plan review.

Draft Motions:

To approve Case #PSPR18-004, Elaine Keiser Architect, Inc for P&L Liquid Investments, LLC, for outdoor seating and expanded parking on property located at 1844 M-119 Hwy, Section 27, Bear Creek Township, tax parcel 24-01-16-27-400-017 & 01-16-27-400-020, as shown on the site plan dated Received April 9, 2018 because the standards of Articles 11, 20 and 22 of the Zoning Ordinance have been met, and on condition that the exterior lighting be full cut-off and mounted horizontally as required by the Zoning Ordinance, and that a performance guarantee in the amount of $4000 be provided as required for the drainage standards (Section 20.05 G.) before a Zoning Permit is issued (other conditions or statement of facts may be inserted here).

To deny Case # PSPR18-004, Elaine Keiser Architect, Inc for P&L Liquid Investments, LLC, for outdoor seating and expanded parking on property located at 1844 M-119 Hwy, Section 27, Bear Creek Township, tax parcel 24-01-16-27-400-017 & 01-16-27-400-020, as shown on the site plan dated Received April 9, 2018 for the following reasons: (list reasons).
REQUEST

PSUP18-003

A request by Jason Smith on property currently owned by Griffin Family Trust for a contractor's use on Powers Road, Section 17, Littlefield Township. The property is zoned FF-1 Farm and Forest and is tax parcel 24-07-17-17-100-048. The request is to construct a pole building to be used as a contractor's storage for landscaping & snow removal business. The request is per Articles 8, 21, and Section 26.32 of the Emmet County Zoning Ordinance.
APPLICATION FOR ZONING ACTION
EMMET COUNTY OFFICE OF PLANNING, ZONING,
AND CONSTRUCTION RESOURCES
3434 HARBOR-PETOSKEY RD, SUITE E, HARBOR SPRINGS, MI 49740
PHONE: (231) 348-1735 FAX: (231) 439-8933 EMAIL: pzer@emmetcounty.org

9/9/05
DATE RECEIVED
$300
FEE

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

DATE PAID
9/9/05

Applicant’s Name: JASON SMITH Phone: 231-532-2977
Applicant’s Address: 231-336-0319
Applicant’s Email Address: jason.smith@gmail.com
Owner’s Name: Donald E. Griffin Phone: 231-532-2977
Owner’s Address: 30638 Glenwood Beach Dr.
Owner’s Email Address: donaldegriffin@chartero.net

JOB SITE LOCATION:
Township: Littlefield Tax Parcel #: 24-37-17-12-0-048

Address:

ZONING REQUEST:
Planning Commission:
Special Use Permit
Site Plan Review
Planned Unit Development
Zoning Map Change
Zoning Text Change

Describe Request:
LANDSCAPING BUSINESS

REQUIRED USE INFORMATION
Ground floor area main building: 3,200 Sq. Ft.
Floor Area accessory building: ___________ Sq. Ft.
Lot/Parcel Size: 9.22 Acres ___________ Sq. Ft.
Site/Plot Plan required* 2 full sized & 14 reduced sized (max 11"x17")
site plans required for Planning Commission cases.

Elevation Drawing Site Inventory
Engineered Drainage Plan Fire Dept Approval
Soil Erosion Permit Wetlands Permit
Health Dept. Approval/ Road Commission/
Sewer Taps MDOT Approval

Other:
As owner/and or applicant representing the owner, I do __ authorize Emmet County (staff, appointed
board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making
inspections related to the project or request identified in this application. If authorized, such inspections or site-
walks shall be conducted at reasonable hours and times.

I certify that all the above information is accurate to my fullest knowledge:

Signature of Applicant: JASON SMITH Printed Name of Applicant: JASON SMITH Date: 9-8-18

*Required Signature of Property Owner
Printed Name of Property Owner: Donald E. Griffin Date:

*Please attach a site/plot plan to show; property dimensions; front, rear, and side
yard setbacks; streets, roads, and all
buildings on the lot.
Review Section 2485 of the Zoning
Ordinance for Site Plan requirements.
MEMORANDUM
Emmet County Office of Planning, Zoning, and Ordinance Enforcement

To: Whom it may concern

From: Emmet County Office of Planning, Zoning, and Construction Resources

Re: Submittal of Requests for Zoning Action

The Emmet County Office of Planning and Zoning is enforcing the following policies regarding Zoning Action requests:

- All Special Use Permit, PUD, Rezoning, and Site Plan Review requests **must** be received **24 days prior to the meeting date** to be on the next month’s agenda. Planning Commission meetings are scheduled for the 1st Thursday of the month. Submittal of requests **must** include a complete application, site plan, appropriate fees, site plan review check sheet, and impact statement.

- It is strongly urged that draft preliminary plans be submitted for staff review prior to investing in final engineered drawings that would accompany formal application materials.

- The Site Plan Review Check Sheet must be complete. Requirements which are not included with the submittal, or items which are not applicable, must be explained in the appropriate location on the check sheet.

- If all of the required applicable materials are not submitted by the applicable deadline, the request will not be processed and it will be returned to the sender.

- **NO FAXED COPIES ARE ACCEPTED** as official submittals.

- Having the correct information prior to design will save time and money; please call our office, 231-348-1735, to confirm the zoning district of a parcel, allowed uses, and other requirements for the zoning district.
# SITE PLAN REVIEW CHECKLIST

**Case # PSUP18-003**  
Date Received 4/7/18

<table>
<thead>
<tr>
<th>Subject Property Address</th>
<th>Powers Rd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision and Lot Number (If Applicable)</td>
<td></td>
</tr>
<tr>
<td>Tax Parcel Number: 24-07-17-19-00-048</td>
<td></td>
</tr>
<tr>
<td>Township</td>
<td>Littleton</td>
</tr>
<tr>
<td>Proposed Use of Property</td>
<td></td>
</tr>
<tr>
<td>Proposed Number of Employees</td>
<td>3</td>
</tr>
</tbody>
</table>

## CHECKLIST

<table>
<thead>
<tr>
<th>Basic Map Information</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Proposed site location map (indicate sufficient area reference to locate site) May use plat map, Google map or other map to identify parcel.</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Appropriate scale</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Date, North Arrow, Street Names (existing and proposed right-of-ways).</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Name, Address and Phone Number of person preparing plan</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Property line dimensions</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Basic Zoning Information

| Zoning setback lines -Building (including the eave) Setbacks: Front 10 Side 20 Side 20 Rear 60 | | ✓ | | 50 |
| Location of new buildings and general floor plan Dimensions of bldg.(s): 40 x 80 Total sq.ft. = 3200 | | ✓ | |          |
| Proposed building elevations (to scale) Max. Height = 20 | | | 14' side walls |
| All existing structures (labeled) within 100 feet of perimeter property lines | | ✓ | |          |
| Multiple housing units -Number of units = _______, composition (efficiency, one bedroom, two, three) | | ✓ | |          |
| Surrounding zoning (properties immediate to subject site) | | | |          |
| Lot coverage of proposed buildings = | | ✓ | |          |
SITE PLAN REQUIREMENTS  
EMMET COUNTY PLANNING COMMISSION  
3434 Harbor-Petoskey Rd, Suite E  
Harbor Springs, MI 49740  
231-348-1735  
pzcr@emmetcounty.org

DIRECTIONS TO APPLICANT

The following items are needed to comply with the site plan requirements of the Emmet County Zoning Ordinance. All items should be submitted to the Emmet County Planning Department at least 24 days prior to the Planning Commission meeting in order to be heard at the Planning Commission meeting the following month. (Regular meeting date is the first Thursday of each month.)

2. Site Plan Review Check List in accordance with Article 20 of the Emmet County Zoning Ordinance. Applicable agency reviews as required.
3. Impact Statement for Site Plan Review.
4. Site Plans - (2) full sized and fourteen (14) reduced size (maximum 11"x17") copies of all maps or graphics. Digital format including data layers may be required, if deemed necessary by the Zoning Administrator.

IN ADDITION:

The applicant should distribute one copy of the completed plan to each of the following agencies (if required):

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>ADDRESS</th>
<th>PHONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Department</td>
<td>3434 Harbor Petoskey Rd Suite A</td>
<td>231-347-6014</td>
</tr>
<tr>
<td></td>
<td>3434 Harbor Petoskey Rd Suite A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Harbor Springs, MI 49740</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Road Jurisdiction</td>
<td>231-347-8142</td>
</tr>
<tr>
<td></td>
<td>County Road Commission</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2265 E. Hathaway</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Harbor Springs, MI 49740</td>
<td></td>
</tr>
<tr>
<td></td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>State Highway Department</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gaylord Transportation Service Center</td>
<td>989-733-3832</td>
</tr>
<tr>
<td></td>
<td>1088 M-32 East</td>
<td>or 888-304-MDOT</td>
</tr>
<tr>
<td></td>
<td>Gaylord, MI 49735</td>
<td>(6368)</td>
</tr>
<tr>
<td></td>
<td>Fire Department (obtain from local source)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Soil Erosion Officer (If the building is within 500’ of surface water or an acre or more of land is disturbed, including roads.)</td>
<td>231-439-8996</td>
</tr>
<tr>
<td></td>
<td>3434 Harbor-Petoskey Rd Suite E</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Harbor Springs, MI 49740</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Affected Township</td>
<td></td>
</tr>
<tr>
<td>Natural Features</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>------------------</td>
<td>-----</td>
<td>----</td>
</tr>
<tr>
<td>14 Boundaries of existing natural features (trees, lakes, ponds, streams, rock outcroppings, severe topography, wetlands, woodlands, etc.).</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>15 Has a wetland permit been applied for?</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>16 Existing topography</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>17 Soil analysis is it in a Critical Dune Area?</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>18 Site Inventory provided?</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>19 Are there scenic view considerations?</td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

**Drainage / Parking / Roads**

<p>| Access drives, internal roads (note public or private) service roads. Width of Right-of-Way | | | existing shared easement |
| 20 | | | |
| 21 Loading/unloading, service areas | | | |
| 22 Sidewalks, paths, and trails (internal and public within road right-of-ways): | | | |
| 23 Acceleration/déceleration lanes | | | |
| 24 Road agency approval? | ✓ | | existing |
| 25 Parking areas (dimensioned typical parking space, maneuvering lanes) | | | |
| 26 Parking spaces required | | | |
| 27 Required landscaping in parking areas | | | |
| 28 Snow storage/snow management plan | | | |
| 29 Dumpster location, screening indication | | | |
| 30 Existing easements (utility, access) within site limits | | | |
| 31 Location of Water/Well, Sewer/septic, and stormwater | | | |
| 32 Site grading and drainage plan (on-site elevations for pavements, drives, roads, parking lots, curbs, sidewalks and finished grades at building facades) Attach a sealed Engineered Drainage Plan. | | | Request waiver |
| 33 Proposed retention/detention sedimentation ponds | | | |</p>
<table>
<thead>
<tr>
<th>Other Site Requirements</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed landscaping (required greenbelts, plant materials/size and type, fences, retaining walls, earthen berms, etc.)</td>
<td></td>
<td></td>
<td></td>
<td>existing berm to remain</td>
</tr>
<tr>
<td>Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*</td>
<td>✓</td>
<td></td>
<td></td>
<td>future</td>
</tr>
<tr>
<td>Location of sign(s)*</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>future</td>
</tr>
<tr>
<td>Site amenities (play area, pools, beaches, tennis courts, etc.)</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Impact Statement attached?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Department approval?</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>pending</td>
</tr>
<tr>
<td>Fire hydrants and fire vehicle access.</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Road Agency approval?</td>
<td>✓</td>
<td></td>
<td></td>
<td>existing</td>
</tr>
<tr>
<td>Health agency approval?</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Army Corps of Engineers approval?</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Michigan Department of Environmental Quality approval?</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

*Signs and lights will need to be approved by the Emmet County Sign and Lighting Committee.

**ADDITIONAL COMMENTS:**

---

Applicants Signature

Date: 9-9-18
IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S
NAME Jason Smith CASE#

PHONE NUMBER 231-330-0319 DATE 4-8-18

PROJECT TITLE

PROPERTY TAX ID
#24-07-17-17-100-048 TOWNSHIP Littlefield

DIRECTIONS TO APPLICANT
BELOW ARE THE REQUIREMENTS TO CONFORM WITH SECTION 2407-3, SITE PLAN REVIEW-IMPACT STATEMENT, OF THE EMMET COUNTY ZONING ORDINANCE. THESE ITEMS MUST BE ADDRESSED AND SUBMITTED WITH THE SITE PLAN AT LEAST 24 DAYS PRIOR TO THE PLANNING COMMISSION MEETING IN ORDER TO BE PLACED ON THE FOLLOWING MONTH'S AGENDA. (REGULAR MEETING DATE IS THE FIRST THURSDAY OF THE MONTH.) ITEMS LISTED ARE MINIMUM REQUIREMENTS, AND ADDITIONAL INFORMATION MAY BE SUBMITTED TO DESCRIBE THE PROJECT IMPACT. FEEL FREE TO ATTACH A WRITTEN STATEMENT OF THE BELOW INFORMATION.

1. PROJECT DESCRIPTION
Give a description of the proposed development including: Site area, number of proposed lots and/or units, population density, other pertinent population data, vehicle traffic, and related.

Propose Contractor's use for landscaping/lawn maintenance and snow plow/ removal business.

Request Modification of Standards 26.32.1
C. - Owner does not intend to occupy site
D. - Site site is under 10 acres with less than 600' width (9.22 acres 358'x1235.6')

Site has had resources removed so it has a deeper area proposed to be used for building and storage. Site will be screened from 3 sides - N, S, W.
2. EXPECTED DEMANDS ON COMMUNITY SERVICES

Explain what the impact will be on the following community services and describe how services will be provided (if applicable):

a. Sanitary Services
   Not applicable - no well/septic at this time. Storage of equipment only.

b. Domestic Water
   N/A

c. Traffic Volumes
   2-4 vehicles per day Mon-Fri / Occasional Sat/Sun

d. Schools
   N/A

e. Fire Protection
   Minimal

3. ENVIRONMENTAL IMPACTS

Include statements relative to the impact of the proposed development on (if applicable):

a. Soil Erosion
   N/A

b. Storm Drainage
   Site is sand - no concerns/issues anticipated. All managed on-site.

c. Shoreline Protection
   N/A

d. Wildlife
   Minimal

e. Air Pollution
   N/A

f. Water Pollution
   N/A

g. Noise
   All inside -
DATE: 4/9/18

APPLICANT: Jason Smith

PROPERTY: Powers Rd.

TOWNSHIP: Littlefield

REQUEST: Special Use Permit – Contractor’s Use- landscaping/lawn maintenance & snow removal

FACTS:
- The property is approximately 8.19 acres with frontage on Powers and Luce Roads.
- The property is zoned FF-1 Farm and Forest.
- Surrounding parcels are zoned FF-1.
- The property is vacant and the property owner does not intend to reside at the property.
- Request is to construct a pole building to be used as contractor’s storage for landscaping & snow removal business.
- Outside storage is proposed to be screened.
- Screening is provided by existing berms and trees on the north, south & west side of property.
- Six parking spaces required and six delineated on plan.
- No lighting proposed.
- Proposed hours of operation; Monday through Friday with occasional Saturday/Sunday.
- Maximum sign permitted is 8 sq. ft. No sign proposed at this time
- Proposal to use existing commercial driveway shared with adjacent owner.
- Road Commission review not required as will be using existing commercial drive
- Fire Dept. review pending.

ZONING ORDINANCE STANDARDS:

Section 8.00 - Intent

The FF-Farm and Forest Districts are designed to promote the use of wooded and rural areas of the County in a manner that will keep the basic attractiveness of the natural resources and provide enjoyment for both visitors and the community at large. The intent of the District is to hold the rural County areas for agriculture and forestry purposes and to allow some multiple uses of marginal farm-forest lands.

Section 24.00 - Intent

Special Land Use permits are required for proposed activities which are essentially compatible with other uses, or activities permitted in a zoning district, but which possess characteristics or locational qualities which require individual review. The purpose of this individual review is to ensure compatibility with the character of the surrounding area, with public services and facilities,
with adjacent properties, and to ensure conformance with the standards set forth in this Ordinance. Special Land Uses shall be subject to the general provisions and supplemental site development standards of this Ordinance as well as to the provisions of the zoning district where it is located. Each use shall be considered on an individual basis.

Section 26.32. Contractors

26.32.1 FF-1 or FF-2 District

Specified contractors uses may be permitted subject to the following standards including Planning Commission review:

A. Permitted Uses
   The uses permitted pursuant to this Section may include one or more of the following:

   1. Storage buildings for recreation vehicles, boats, water craft and similar items, but not sales and/or servicing, or commercial warehousing.

   2. Buildings to store equipment and materials associated with the following specific trades: landscapers, excavators, nurserymen, building contractors, plumbers, electricians, carpenters, pipe fitters, heating-cooling-refrigeration tradesmen, telephone and communication system installers, provided such individuals are fully licensed to operate in the State of Michigan if a license is required.

B. Outside Storage
   All primary storage/use activity shall be in enclosed buildings. Any outside storage that may be permitted shall be in areas effectively screened from public view.
   Brush pile proposed, screened. Site appears to be screened with berms and natural vegetation.

C. Owner Occupancy
   Buildings and uses permitted shall only be approved on properties occupied by the owner and be the primary place of the owner's residence.
   Owner does not live on the property. Modification requested

D. Site Size: The minimum property size shall be ten (10) acres or larger by description, having at least 600 ft. of lot width and at least 600 ft. of lot depth.
   Property is over 8.19 acres, and it is 355’ wide at Powers Road and 1235’ feet deep. Modification requested.

E. Building Limitations: The ground floor area of proposed buildings associated with the uses permitted shall not exceed an area of 2,400 sq. ft. One additional 2,400 sq. ft. building may be permitted on sites of 20 acres or more, by description, provided the two buildings are separated by at least forty (40) feet. One building up to 3,400 sq. ft. may be permitted if the applicant stipulates not to construct two (2) buildings for contractor uses.
   Proposed building is 3200 sq. ft. Only 1 building proposed.

F. Signs: Accessory identification signs associated with the uses permitted pursuant to this Section shall not exceed an area of eight (8) sq. ft., and shall comply in all other respects with the sign section of this Ordinance.
   No sign proposed
Modifications to the standards listed in items B thru F above may be approved by the Planning Commission, if the intent of Article 8 is kept and the surrounding properties are protected from nuisances.

*Modifications would be required as the property is not 600 feet wide and the owner does not reside on the property.*

**DRAFT MOTIONS:**

Motion to **approve** Case PSUP 18-003, Jason Smith, Special Use Permit for a Contractor's Use to operate a landscaping/snow removal business at property located on Powers Road, Section 17, Littlefield Township, tax parcel 24-07-17-17-100-048 based on the site plan and supporting materials dated 4/9/18 for the following reasons: the site and the use meets the standards of Articles 8, 21 and Section 26.32, the use is screened from public view, with the modifications allowed that the property is less than 10 acres, less than 600 feet wide and owner doesn't reside on the property and acknowledging that the adjacent use is a resource extraction operation (*conditions or reasons may be added*).

Motion to **deny** Case PSUP 18-003, Jason Smith, Special Use Permit for a Contractor's Use to operate a landscaping/snow removal business at property located on Powers Road, Section 17, Littlefield Township, tax parcel 24-07-17-17-100-048 based on the site plan dated 4/9/18 and supporting materials for the following reasons

Motion to **postpone** Case PSUP 18-003, Jason Smith, Special Use Permit for a Contractor's Use to operate a landscaping/snow removal business at property located on Powers Road, Section 17, Littlefield Township, tax parcel 24-07-17-17-100-048 based on the site plan dated 4/9/18: (*insert reasons*).
Proposed Lot Coverage less than 1%.
No wetlands on property.
Site had been mined by a previous owner.
Site is vacant.
Using existing commercial drive.
No structures within 100' of property boundaries.
Dumpster screened with concrete enclosure and gate.

Parking area
40'x60'
6 parking spaces provided

Setback Lines
North & West = 40'
South & East = 20'

Property Lines

Existing Commercial Dr
Shared Access

Snow storage

Plan prepared by
Emmet County Planning and Zoning
231-348-1735

Date: 4/9/2018

1' in = 200 feet
Perspective From The Southwest
Building 306 42'x14' 4"x50' (#1) Perspective From The Northeast
To: Emmet County Planning Commission, Zoning Board of Appeals & Board of Commissioners

From: Planning, Zoning & Ordinance Enforcement, Tammy Doernenburg Director

Date: Prepared for Emmet County Planning Commission May 2018 meeting

Subject: Status of Enforcement Issues


2. **Maple River** - 1526 Plains Rd - Three horses on 1.25 acre property reported by Township Supervisor 8/1/2016. Investigated, sent letter 8/16/16. Received email . . . owner trying to lease or buy enough land in the vicinity to meet Ordinance standards. Second letter sent 11/21/2016. Received a call from owner working toward commercial farm to that the farm use would be exempt from zoning. Owner contacted office for options 1/23/2017. No change as of 4/6/2017. 5/1/2017 received email from property occupant who has purchased land for the horses and will be moving them within a month or two. Will follow-up mid-June. Horses still located on property on 7/6/2017. Sent email to horse owner asking for an update 9/12/2017. Sent email 1/17/2018 - no response to date. Sent final notice on 1/29/2018 - owner contacted staff - waiting for electric company to install electricity for fence enclosure. Will follow-up in Spring 2108.

3. **Littlefield** - 5/26/2017 - 3656 Oden Rd. Reports of property being used in violation of PUD. 6/4/2017 - after confirmation and photos received, sent letter to owner and adjacent owners. 6/19/2017 received call from one adjacent owner. 7/7/2017-7/8/2017 received photos from adjacent owner. Follow-up letter needs to be sent. Discussed with Civil Counsel 7/24/2017. Follow-up letter sent 8/22/2017. Received call from owner’s legal counsel on Aug 30, 2017. Owner was to contact office to discuss options for “putting property into productive use.” No additional contact to date. 9/21/2017 - emailed legal counsel for property owner. Meeting scheduled for 10/17/2017. Owner looking at options for submission to ZBA (Temp Use) or Planning Commission. 12/13/2017 - sent letter to owner requesting application for compliance by mid-January 2018. Received two calls from parties interested in resolution. Received FOIA request on 12/29/2017 for entire file. Continued conversations with adjacent land owners. Will continue to follow-up as necessary.

4. **Littlefield** - 8746 Littlefield Ln - 8/7/2017 (prior violation) - application received for addition. Site inspection conducted and proposed addition found to be in setback. No permits issued. 8/17/2017 - inspection conducted - no construction had begun. 8/29/2017 - report of work without a permit. 8/30/2017 - site inspection done. 8/30/2017 letter sent - stop work. 9/1/2017 - follow-up inspection conducted. Found corner markers - addition in violation of front setback. 9/11/2017 - met with owner in office and on site. ZBA variance requested 9/11/2017. Posted Stop Work Order on 9/14/2017 as construction appeared to have continued without permits. 10/17/2017 ZBA denied request. 10/19/2017 staff met with property owner to discuss options. Indicated that he would need to address the issue and keep lines of communication open and make progress toward compliance. Owner contacted office to indicate he's trying to contact a surveyor to survey his property. Time allotted for compliance. 12/13/2017 Received call from owner indicating they are not

5. Littlefield – 9/11/2017 – Sent letter to 6760 South Prospect – mobile home located at or in road right-of-way on US-31 N of Alanson. Received call from owner that trailer had been moved 10/12/2017. 10/30/2017 – trailer has been moved, but does not appear to be compliant. Site inspection needed. 11/28/2017 Site inspection conducted – two mobile homes in ROW. Sent follow-up letter. 12/18/2017 Received visit from owner of property. Owner will explore options for compliance. 1/12/2018 – follow-up inspection conducted. 1/17/2018 – sent final notice – no response to date. Received call from owner. Planning to move mobile homes in spring 2018.

6. Maple River – 9/11/2017 – Sent letter to 2526 Gregory Rd – accessory building without a main use – no SUP. House was to be started within 2 years, no house. Accessory building is not completed. 11/28/2017 sent letter requesting compliance. 12/20/2017 No response to date. 1/12/2018 – site not accessible.


8. 1115 US 31 N – 1/18/2018 Received call from Township Supervisor regarding new lighting installed behind D&W Market. Visited site. Need to investigate possible lighting violation. Sent letter 2/6/2018 – received call from owner who is going to address the matter this week. 3/21/2018 – follow-up needed. 3/22/2018 – spoke with neighboring property owner – compliance has been achieved. Lights are now shielded.

9. Littlefield – 5407 Petoskey St – ZBA case discovery made that accessory building was built, had been required to be attached due to number of accessory buildings on residential parcel. 8/17/2017 – sent letter to owner advising of violation. Follow-up conducted 1/9/2018 – letter sent to owner. 1/18/2018 – owner contacted staff – will plan to comply in Spring 2018.


12. 4700 Oden Rd – 4/17/2018 – during ZBA case review of neighboring property, discovered encroachment from this subject property. Staff to investigate further.

For more information or to report a violation, contact the Department of Planning and Zoning. 231-348-1735.
26.51 FF-1 or FF-2 District

Intent
It is the intent of these zoning provisions to:
- promote and maintain local farming,
- preserve open space and farmland,
- maintain the cultural heritage and a rural character,
- maintain and promote tourism,
- protect residential uses from negative impacts of commercial uses.

Specified commercial accessory uses may be permitted subject to the following standards including Planning Commission review:

A. Permitted Accessory Uses
The uses permitted pursuant to this Section may include one or more of the following:
1. Social events which may include weddings, receptions, and similar social activities.
2. Concerts and Festivals.

Uses permitted within this section must be clearly incidental/Accessory to a “Farm Operation” as defined by the Michigan Right to Farm Act (1981 PA 93, as amended).

B. Outside Activities
All primary activities which involve sound systems or sound amplification systems shall maintain a decibel level not to exceed 75 dB(A) at any property line between the hours of 10AM through 10 PM Sunday through Thursday and 10AM through 11 PM Friday and Saturday. All other hours, decibel levels may not exceed ambient sound levels.

C. Owner Occupancy
Buildings and uses permitted shall only be approved on properties occupied by the owner and be the primary place of the owner’s residence.

D. Site Size and Setback
The accessory use shall be meet the minimum setback standards of the zoning district. Setback standards shall apply to the accessory use and structures associated with the accessory use.

E. Hours of Operation
The Accessory Use shall be limited to the hours of 8AM to 11PM.

F. Building Limitations
The ground floor area of permanent structures associated with the uses permitted shall not exceed an area of 2,400 sq. ft.

G. Parking
Parking spaces shall be provided in accordance with the standards of Section 22.02 of this Ordinance except that parking areas shall be setback a minimum of 100 feet from the side and rear property lines and 40 feet from the road right-of-way. Parking shall be adequate to accommodate all users and uses on-site. Parking
shall be kept in a natural vegetated condition to the greatest extent possible.

H. Screening
The accessory use shall be effectively screened from adjacent properties in accordance with the standards of Section 22.04.2.

I. Lighting
Lighting shall meet the Standards of Section 22.06 of this Ordinance.

J. Signs
Accessory signs shall follow the Standards of Section 22.07 of this Ordinance.

Uses listed above may be approved by the Planning Commission, if the intent of Article 8 FF-1 and FF-2 Farm and Forest and this Section 26.51 are kept and the surrounding properties are protected from nuisances. These standards shall not apply to private (non-commercial) similar uses on properties used for residential purposes and which occur on an occasional basis (four times per year or less). These standards shall not apply to approved religious institutions.
To: Gordon Kruskie, Supervisor; Members of the Board of Trustees  
From: Julianne Michaels; property owner, 3030 Beckon Road  
Date: March 2018

Dear neighbors,

In our north country Michigan neighborhood, there is a music festival. It borders my property. Once, it was a music organization with outreach and venue in proportion to the northwest corner of our lower peninsula. But it began to grow and a new spirit emerged.

A few years back, the organization announced plans for a small recreation center. I was a little concerned because I knew I didn’t have the time to get involved, but comforted myself thinking it would be brought to a township vote or at the very least, I’d hoped I could trust the founders of the festival. Surely, while my volunteer time is spent with children and bringing awareness to food issues, I could trust these people to insure the land, animals, water and character of our rural countryside was left unchanged. But it was not to be, as it appears the smiley corporate mindset has taken hold, the Earl Butz ‘go big’ mantra, and the rules upon unbending, impersonal rules under the guise of efficiency, while bringing more and more people, year around to disturb life here.

More traffic, more noise, more water usage and more of god-only-knows-what toxins in their waste. The organization, by virtue of its growth, is calling more people to live in the countryside and they are coming. Within one week, two separate city families have told me of their plans to move and build here. The music festival was one of the stated reasons.

Before you chalk me up as a NIMBY, please understand my family roots are old and deep in the country. My old farm birth family raised me in Northern Michigan with the understanding of absolute sacredness of our fields, forests, all waters and their inhabitants. It was understood that we are to protect this home not only for humans, but all life. It was understood that our country side should be as sparsely populated as possible to keep the fields, forests and waters healthy for all. It was understood that new development on used land should be kept to a minimum. *(as different from utilizing pre-existing buildings, crop land)*

Recently, I've noticed some thinkers/writers are saying: “We can't stop growth”.

We can't stop growth*- it is the helplessness people feel in the face of corporate growth whether non-profit or commercial. I know I risk being the pariah, being ostracized and criticized for speaking out - heck, around here if one is not gushing in praise over the peace, love and smiley music fest, it means one must be (oh the gods forbid!), a conservative!

In 2017, this festival neighbor and the organization started off on a bad foot. The annual neighbor-card announcement showed the discounted ticket price had been raised again. Say what? Do they have any idea of what we tolerate during festival and, now with expansion, throughout the year?

When the music festival was community oriented, neighbors were graciously invited free as a thank you for supporting the group effort by putting up with a little extra traffic, noise and people. As it grew, money became important and as the intrusions of traffic, noise and people increased, so did the dollar price paid by neighbors who chose to attend. But neighbors pay big in more ways than dollars.

Frankly, a firm email letter of irritated complaint to the organization board members accompanied my ticket payment by check. I did not receive a confirmation or response from any Blissfest board member.
Although my credit union statement indicated the check had been cashed, by festival eve I had received neither a receipt nor the tickets in the mail (as in previous years). It was another family member who heard via the grapevine, the neighbors needed to present themselves in order to get their tickets (other purchasers received theirs in the mail). There was nothing informing us of that mandate on the annual neighbor announcement. The family member was told that if we came at 8 am on opening day, the transaction would be completed quickly and properly.

However, when at a gate with a request to get this issue tended, a gate keeper told me no. I explained the situation but she said “I don’t know you and those are the rules.”

I offered her my ID, neighbor-card announcement and my canceled check to verify my neighbor identity. She refused to look. Turning away, she again said, “I don’t know you and those are the rules.”

No, she doesn’t know me.

I am a neighbor awakened in the middle of the night on opening days from road noise - from the miles and miles of cars, trucks and large RVs with their loud merry makers, lined up past my home throughout the night.

I am a neighbor whose organic country land gets the pollution from their vehicle fumes and some of their excrement on my property.

I am a neighbor whose home is invaded by the loud, distorted sounds of competing stages and shouts from the first opening act until festival close. The headache causing sounds thunder across my property late into the night/early morning hours and even creep into my house unless the windows are closed and the radio turned-on (not to mention the disruption of my chickens, the wild birds and all the neighboring wildlife).

I am a neighbor who has had numerous cars of festival goers along the acres of my property which borders the season road—people who have crossed my private land to sneak-in and, given the free-flowing alcohol and mega-drug use on the festival site, have tramped back in all sorts of state of mind. A fire danger and more.

“I don’t know you and those are the rules.” Phfft. I could not help but to remark that it was spoken as would a good, little fascist.

The rules. Only doing her job.

What should have happened? The moment it was made known a neighbor had issues, she should have begun helping to solve the problem, called in the appropriate people and apologized for the inconvenience. But apparently that’s not the festival attitude toward the ‘folk’. The stories from others range from overt rudeness to downright silly-non thinking. Blissfest supporters shrug and say, “Well, those things happen – can’t keep track of everything.”

Although I’m not sure what you can do at this late date as Blissfest’s power has grown, but please try as they are not handling this festival thing in accordance to the good of traditional country life. If we aren’t careful, it could become another “Electric Forest” style festival (where acres upon acres of forest and fields have been destroyed)

Please enter this letter into public record. Thank you.

Cc: Toni M. Drier, District 1 Commissioner