EMMET COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY NOVEMBER 7, 2019
7:30 PM
EMMET COUNTY BUILDING
COMMISSIONER'S ROOM
200 DIVISION ST
PETOSKEY, MI 49770

AGENDA

I  Call to Order and Attendance
II  Minutes of October 3, 2019
III  Cases

NEW CASES

1. Case #PREZN19-05  Petoskey 131 LLC, REZONING (B-2 to R-2), 2404 US 131 Hwy & 2287 Anderson Rd, Section 18, Bear Creek Township

2. Case #PSPR19-008  Mike Naturkas for 2983 S State LLC, SITE PLAN REVIEW AMENDMENT, 2983 S State Rd, Section 14, Friendship Township

3. Case #PREZN19-06  Citizens National Bank for Ronald & Sharon Beer, REZONING (R-1/R-2 to B-1), 2196 E Mitchell Rd, Section 4, Bear Creek Township

4. Case #PSUP19-013  Brian Kihnke for Richard & Lydia Wallace, SPECIAL USE PERMIT-Exceptions to the accessory building standards, 6205 N Lake Shore Dr, Section 33, Cross Village Township

5. Case #PSUP19-014  Sun Petoskey KOA LLC, SPECIAL USE PERMIT, 1800 N US 31 Hwy, Section 26, Bear Creek Township

IV  Public Comments

V  Other Business
   1. Housing - Density - Minimum Floor Area
   2. Enforcement Report
   3. Emmet County Resilient Master Plan 2020 –

VI  Adjournment
EMMET COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY OCTOBER 3, 2019, 7:30 P.M.
EMMET COUNTY BUILDING
200 DIVISION ST
PETOSKEY, MI 49770

MEMBERS PRESENT: John Eby, Toni Drier, James Kargol, Tom Urman, Charles MacInnis, Lauri Hartmann, James Scott, David Laughbaum

MEMBERS ABSENT: Kelly Alexander

STAFF: Tammy Doernenburg, Monica Linehan, Nancy Salar

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

II Minutes of September 5, 2019
MacInnis made a motion, supported by Drier, to approve the minutes of the September 5, 2019 meeting as presented. The motion passed unanimously by voice vote of the members present.

III Cases

1. PSUP19-005A Ernest & Mike Spierling, SPECIAL USE PERMIT-Level III Resource Mining Operation, 6626 N US 31 Hwy, Section 35, Carp Lake Township

Legal Notice: A request by Ernest and Mike Spierling for an amendment to the Level III Resource Mining and Extraction Operation Special Use Permit located at 6626 N US-31 Hwy, Section 35, Carp Lake Township. The properties are zoned FF-2 Farm Forest and include approximately 26 acres of portions of tax parcels numbered 24-03-06-35-100-005, 006, 007, 009 & 03-06-35-300-001. The review is per Articles 20 and 21 and Section 26.10 of the Emmet County Zoning Ordinance. This is a re-notification from the case reviewed in May, 2019 due to missing tax parcel numbers in the original notice.

Packet Info: Request & location map, application, site plan review checklist, impact statement, Level III permit & revised copy, 3/21/19 site plan, zoning evaluation

The PowerPoint presentation was not working for this case. Doernenburg explained that this case was heard and approved in May of this year. When the permit was being put together, staff realized that all of the required properties within 300’ of the subject parcels were not notified. The entire case was re-notified to include all properties within 300’ of the parcels.

The case is for a resource mining extraction expansion of approximately 9.75 acres. The parcels encompass 60 acres total of which about 20 acres are mined. The zoning district is FF-2 and surrounding zoning is FF and FR districts. There are two other resource mining operations within less than a mile. The extraction is to a depth of 30’, there is no surface water, it meets or exceeds all setbacks, the hours of operation are M-F 7am-6pm and Saturday 7am-2pm which is a slight expansion in hours from the original permit. The proposal is exactly as approved in May 2019. The township recommended approval. There may be wetlands on the property but they are not impacted.

The applicant was present for any questions. There was no public comment on this case.
Scott made a motion to approve Case #PSUP19-005A, Ernest and Mike Spierling for an amendment to the Level III Resource Mining and Extraction Operation Special Use Permit located at 6626 N US-31 Hwy, Section 35, Carp Lake Township, tax parcels 24-03-06-35-100-005,100-006, 100-007, 100-009 & 300-001 because it meets the standards of the Zoning Ordinance as shown on the Site Plan dated Received March 21, 2019, because the township recommended approval, and subject to the conditions of the Draft permit dated received March 21, 2019. The motion was supported by Urman and passed on the following roll-call vote: Yes: Eby, Drier, Scott, Laughbaum, Urman, Kargol, MacInnis, Hartmann. No: None. Absent: Alexander.

2. PSPR19-006 Jim Clarke for the King House Association-SITE PLAN REVIEW-
Historical Restoration, 144 N Lamkin Dr, Section 36, Readmond Township

Legal Notice: A request by Jim Clarke for King House Association for Site Plan Review - amendment for 144 N Lamkin Rd, Section 36, Readmond Township. The property is tax parcel 24-12-07-36-351-012 and is zoned RR Recreational Residential. The request is to permit an Historical Restoration or renovation project including displays of historical artifacts related to the premises. Review is per Articles 6 and 20 of the Zoning Ordinance.

Packet Items: 9/11/19 Memo, parking section of ordinance, 9/17/19 parking plan, parking agreement, parking plan

The PowerPoint presentation was not working for this case. This case had been carried over from the previous meeting. Doernenburg noted that there were concerns with parking during the last review of this case. The parking determination based on the ordinance was in the packets. Two spaces are required for this use which is historical restoration and display. This is a permitted use in the RR zoning district. The building is non-conforming in regards to setbacks. It was restored in 2018. Off road parking is shown on the revised site plan. The building exists as is at 240sf and no additional construction is proposed. Light traffic is expected. There will be no well or septic. Surrounding zoning is RR and SR with residential uses and vacant parcels. An agreement has been prepared and was included in packets for off-site parking as a long term solution which will be shared parking with the Township. The use is seasonal and therefore will not need snow storage. There is no outdoor lighting or signage proposed other than the parking directional signs.

Jim Clarke, applicant, stated that he feels all material required has been submitted and this is a sensible long-term plan for the property.

There was no public comment on this case.

MacInnis made a motion to approve Case #PSPR19-006, Jim Clarke for King House Association for Site Plan Review amendment for an Historical Restoration or renovation project including displays of historical artifacts related to the premises at 144 N Lamkin Rd, Section 36, Readmond Township, tax parcel 24-12-07-36-351-012, as shown on the survey dated Received September 17, 2019 because the standards of Articles 6 and 20 have been met, and on condition that any exterior lighting be reviewed as required by the Zoning Ordinance standards, based on the parking agreement for parking within 400 feet dated 9/4/2019, and because the township has recommended approval. The motion was supported by Drier and passed on the following roll-call vote: Yes: Eby, Drier, Scott, Laughbaum, Urman, Kargol, MacInnis, Hartmann. No: None. Absent: Alexander.
3. **PSPR19-007**  
John Hover for Highlander Golf LLC, SITE PLAN REVIEW  
AMENDMENT-PAVILION, 2500 True North Dr, Section 13,  
Friendship Township

**Legal Notice:** A request by John Hover for Highlander Golf LLC (True North Golf Club) for an amendment to the Site Plan to allow a pavilion at 2500 True North Dr in Section 13 of Friendship Township. The property is tax parcel 24-06-12-13-100-015 and is zoned FF-2 Farm and Forest with a Planned Unit Development overlay. The request is to be reviewed per Article 20 of the Zoning Ordinance.

**Packet Items:** Friendship Township PC minutes

Salar presented this case using a PowerPoint presentation. The parcel is part of a 320-acre PUD with FF-2 and PUD zoning. The request is for an accessory gazebo to be centrally located on the parcel near the ponds. The structure meets all zoning setbacks. It will only be accessible via golf carts. Surrounding uses are golf course, clubhouse, and residential. Height standards are met. The site plan and elevation sketches were shown. The structure will not be visible from any property outside of the golf course properties. The township has recommended approval. No parking, lighting, dumpster, or snow storage is proposed or needed. No Health Department review is necessary as there will be no water.

John Hover, applicant, stated that they met with the township and they approved it. This will be a 20’x24’ pavilion near the trout ponds to be used for protection for people who are fishing and picnicking in the area.

There was no public comment on this case.

Scott asked the applicant if the condition of the township approval to not have any electric to the structure is acceptable. Hover stated yes.

Scott made a motion to approve Case #PSPR19-007, John Hover for Highlander Golf LLC for Site Plan Review – amendment to allow an accessory building/pavilion at 2500 True North Dr, Section 13, Friendship Township, tax parcel 24-06-12-13-100-015, as shown on the site plan dated Received Aug 7, 2019 because the standards of Article 17 and 20 have been met and because the township has recommended approval on the condition that there be no electrical service in the structure. The motion was supported by Hartmann and passed on the following roll-call vote: Yes: Eby, Drier, Scott, Laughbaum, Urman, Kargol, Maclnnis, Hartmann. No: None. Absent: Alexander.

4. **PSUP19-012**  
Matthew Ladd, SPECIAL USE PERMIT, Accessory Building Exception,  
7502 M-68 Hwy, Section 11, Littlefield Township

**Legal Notice:** A request by Matthew Ladd for a Special Use Permit for an exception to the size of a residential accessory building at 7502 M-68 Hwy in Section 11 of Littlefield Township. The property is zoned R-1 One & Two Family Residential and is tax parcel 24-07-17-11-401-002. The request is to allow a 1,728 sq. ft. accessory building behind the dwelling per Section 22.01 of the Zoning Ordinance.

**Packet Info:** Request & location map, tax parcel map, application, impact statement, building use affidavit, 9/9/19 site plan, surrounding zoning map, elevations, floor plan, 9/10/19 letter from TD, 9/12/19 zoning evaluation, Littlefield Twp minutes

Salar presented this case using a PowerPoint presentation. The property is located on the south side of M-68 and is zoned R-1 as are the surrounding parcels. The request is to build a larger accessory building than allowed in this district. The property to the south is used for resource mining and to the west is a commercial use. The other surrounding uses are residential. The site plan was shown. There are currently three small accessory buildings on the property all of which would be removed when the
new building is built. When the applicant originally applied there was a setback issue where he
wanted to put the building. New information was brought to light today that shows that there is
actually a platted road owned by the Road Commission on the west which makes this parcel a corner
lot. On a corner lot, there are two front and two side setback requirements which this building meets.
The building is proposed to be 1,728sf. The maximum allowed in this district is 1,200sf. Salar noted
that because the building is behind the house it is completely screened from the road. There is also
some additional screening on the property as well. The site plan, photos of the property, and
elevation sketches were shown. An affidavit of personal use has been turned in as well. Doernenburg
added that the township had recommended postponement but only because of the setback issue.
They have no issue with the size of the building. This is outlined in the minutes handed out tonight
from the township.

Matt Ladd, applicant, was present for any questions. He noted that none of the neighbors he spoke
with have any issues with this request.

There was no public comment on this case.

Drier asked the applicant if all of the smaller accessory buildings will be removed. Ladd stated that
they would.

Hartmann made a motion to approve Case #PSUP19-012, Matthew Ladd for a Special Use Permit for
an Exception to the size standards of an accessory building on property located at 7502 M-68 Hwy,
Section 11 of Littlefield Township on tax parcel 24-07-17-11-401-002, as shown on the plot plan dated
9/9/2019 based on the facts presented in this case and because the applicant has shown that no good
purpose would be served by strict compliance with the Zoning Ordinance based on the surrounding
uses and on condition that the building be used for personal use only, no other residential accessory
buildings are permitted on the property, and an affidavit of use be filed with the Register of Deeds
prior to issuance of a zoning permit, and because the township takes no issue with the size of the
proposed accessory building. The motion was supported by Scott and passed on the following roll-call
vote: Yes: Eby, Drier, Scott, Laughbaum, Urman, Kargol, MacInnis, Hartmann. No: None. Absent:
Alexander.

Other Business

Appearance – Ben Manthei for Manthei Development

Ben Manthei presented a PowerPoint presentation for a potential project that they are looking into in
Bear Creek Township. He went through some of his family’s history in the area and the various
businesses that they own and operate. One of these businesses is resort RV parks in California. At this
resort, about 1,500 of the 2,000 spaces are tiny homes. He stated that young people are leaving our
area and can’t find adequate housing to work their way up. It has been difficult to attract a younger
workforce or young professionals. How can we be part of the solution to this? Manthei noted that
historically most people wanted big houses. The trend now is to downsize and go smaller, some of
which are tiny homes. People are learning to live in and enjoy living in really small homes. Manthei
stated that a lot of people have been talking about and looking into these types of homes including
them. A paradigm shift would be needed as would a team all working together in the right direction to
get something like this to work.

Manthei stated that they have been looking into building a community such as what they have out
west but for permanent homes instead of resort homes. They have land on Pickerel Lake Road near
Fochtman Industrial Park. To do this or a project like this, appropriate land, city sewer/utilities, flexible
zoning (density), and flexible building (foundation types) would be required. They would do fee simple
ownership in which people would own the house and lot in order for them to be able to obtain appropriate financing. They would like to be able to use pads and jacks as foundations like they do out west. The community would have covenants and restrictions in order to keep it looking nice. They would be looking at approximately 160 units or so which likely would start at about $100,000; $130,000 if the house or lot was one of the larger ones.

Manthei noted that his family has been in construction most of their lives here. Most of the contractors are working on bigger homes which is where they can make the most money. They would be building the starter homes as manufactured homes. This would allow them to build them more affordably with an available workforce. They can build them in inclement weather in phases and then do the setups. Example photos of the types and sizes of homes were shown.

The property that they have has a man-made lake from a mining operation. They would plan to deepen and clean up the lake. A community beach could be formed. Some of the property would be reserved for industrial uses and the rest would be for a residential community. Manthei stated that they are qualified for a project like this with their background, the property is there, and they feel that they could create it into a community with an area for sustainable gardens. Manthei stated that they are committed to this area and want to be a part of the solution to help the community. He stated that it is going to take cooperation and a team of more than them though. The purpose of the presentation is to determine if this type of project would be something that would be supported. We are losing a third of the workforce before they can even get started. The plans shown are a very rough plan of what it could look like.

Scott asked Manthei if they see a way to maintain this community as affordable housing so that they don’t get sold and re-sold to be no longer affordable housing. Manthei stated that part of that would be via deed restrictions and part of it would be limited by the smaller sizes of the buildings; you can only get so much per square foot.

MacInnis stated that there was a reference made to building code changes. What would those be? Manthei stated that it would be just using pads and jacks instead of poured foundations below frost footings. This is less expensive. They would have larger lots that would be planned for having garages that would be owner built. What people want today is nice and cute but still can be small.

Kargol stated that he had heard about this plan and has been giving it a lot of thought. It is hard to control ownership. His concern is that it doesn’t turn into another Hearthside Grove project. Part of the problem with housing is that people make more money renting units out weekly or seasonally for more money than they can make on a long term rental. Manthei stated that one way to control this is through the deed restrictions. They also have considered adding a daycare center. Amenities such as this helps keep local people there as opposed to rentals. This would not be designed as a resort. Hartmann stated that it would be an association of sorts with by-laws to restrict activities. Manthei responded, yes.

Drier asked if there is a factory that is already building these units? Manthei stated that there are groups that are looking at perhaps building a factory for this in the north but there is not one in this area capable of this right now.

Urman stated that when presented at the township, it was to be a walkable, bike-path, type of community. Would the industrial area be commercial uses for the community? Manthei stated that they’d like to retain the industrial use in a small area and then there are wetlands; walking trails would be provided inside of this.
Hartmann asked what this area is shown as on the future land use map. Doernenburg stated that it is medium density residential. Currently the zoning is FF-1. This project would not be feasible under current zoning. The road standards are met with a 50’ road. She stated that she has had several meetings with the Manthei’s regarding this idea. She has put together a PUD residential overlay as something to think about which incorporates many of these concepts. The draft was passed out. There would be a required 50’ perimeter setback. This would allow for some reductions in lots sizes and widths, house sizes, increased density in exchange for other things like open space and amenities, and allow for specific commercial operations that are small uses primarily for a residential development like the aforementioned daycare or a small convenience store. Pathways could be allowed within the setbacks but they would be open space otherwise. Landscape plans would be required. Doernenburg stated that she based this on this idea plus what was already in our system since 2010 as a potential addition to the ordinance. Doernenburg noted that the Bear Creek Township Planning Commission had been invited to the meeting and are in attendance.

Eby opened the floor to public comment.

Denny Keiser, Bear Creek Township, asked how it would be phased. How many years? Manthei stated that it likely would be three phases. There would likely be two entrances and they’d build out from each of those first.

Urman stated that they likely could hook up to the sewer from the industrial park but what about water? Manthei stated that they would probably do a community well.

Judy Mays, Bear Creek Township, stated that she was also curious about the well. She is concerned with screening if they leave a portion of the property as industrial. 50’ is not a very larger buffer. Manthei stated that there are no immediate plans for that space but it definitely would be well screened; likely with an earthen berm and trees. Mays stated that her mother lives in a community like this but they don’t own the homes and land. She likes that the people would own the home and the land under this project.

David Coveyou, Bear Creek Township, asked if they envision just selling the lots themselves or the lots with a particular model that would be done as a package. Manthei stated that they likely would have models of a smaller sized home and a bigger one and probably 2-3 choices for each that could be chosen from. They could then be customized. Coveyou asked if all will have a garage option. Manthei stated that the larger lots would for sure. The smaller ones may have a covered carport option instead. Coveyou asked if he knows of communities where this has been successfully done. Manthei stated that there are many out west. Coveyou stated that perhaps there may be other communities in the country that have accomplished this and we could evaluate their best practices to learn from.

Maclnnis asked if this would be an association or a condo project. Would there be a management company, an association with by-laws? Manthei stated that this is all to be determined. There would be an association of some type to keep some control in order to make the community look good and keep property values up. Maclnnis asked if this is the way that their property in California is managed. Manthei stated that there it is rented but if they were to do it over again, they’d set it up this way as ownership.

Karla Buckmaster stated that she understands that people would have land ownership but would they only be able to use the homes that they would be building? Could they build their own buildings or pull in a travel vehicle? Manthei stated that they would plan the community and people would buy into it. This allows them to keep the houses with the price range envisioned. Buckmaster asked if
there would be a time limit between buying the land and the home. Manthei stated that these types of details haven’t been worked out. They are here to determine feasibility. There are a lot of people trying to help out with these housing issues and they think that what has been discussed are the key components.

Kargol asked if the $100,000 give or take amount included the land? Ben Manthei replied, yes. Kargol added that we need to explore these concepts but wonders where it ends up in the end. It sounds like a mini Bay Harbor. Manthei stated that they are 400-800sf units. He lives in Resort Township and had a very nice 400sf flat for his mother-in-law. It was small but it was still very nice. Kargol stated a tiny house can be turned into a Taj Mahal. Manthei stated that this is only one solution; many of these will be needed. This is a good start to help the first 166 or so people.

Dennis Hoshield stated that this seems like a utopia solution and he would have liked to have done this himself. Covenants and deed restrictions will take care of the sizes of homes and the lots. He hopes that a precedent is set and that there are more and more of these. He stated that we should concentrate on how to make this work and worry less about the what-ifs as this won’t help people. He stated that he thinks this is an excellent start.

Paul Mooradian stated that storage units could be built on the industrial portion since people in smaller places may need extra storage. He stated that basements and garages should be built if at all possible. The main issue will be how to keep it affordable. There are issues with this countrywide. There are municipalities that buy down values and cap the income of the buyer to a fair income not a low income. This needs to be studied more. There are models out there such as Aspen, Vail, etc.

Fred Hackl stated that companies could be able to subscribe to 2-3 units for their employees as it seems to be very difficult to get staff and also to house them.

Joe Blachy stated that workforce housing has been a concern for some time now. This isn’t low income housing. He stated that a family of four making $63,000/year can afford about $800/month for housing costs. Most larger apartments in the Petoskey area run $1,400 once you pay rent and utilities. It is very difficult to rent at these rates. He stated that this was a phenomenal presentation and concept. Blachy stated that he has been to their resort in California and it is very nice. He noted that he had a call from a nurse that had been trying to find a place to rent. He wasn’t able to find anything so we lost him and his work from the community all because of housing. Density is important. The most desirable place to be in the area, the City of Petoskey, has a high density. There are 50’ lots that have homes that are selling for over $800,000. Many houses on a 1-2-acre site aren’t attractive houses. Density is a key factor to consider when looking at the Master Plan. The Bluffs of Bay Harbor have 30-60’ lots with million dollars plus prices on them. It is important to have the flexibility. If we don’t move on projects like this the interested developers will walk away. We need to encourage these plans to work and then make them work.

David Coveyou stated that with the higher density being considered it is important that these communities be able to be connected to the larger community as a whole through walkable communities and bike paths. This also helps avoid traffic jams and issues within the neighborhoods. Open space is also important such as parks for kids. Enough useable open space needs to be reserved for these families to use.

Manthei stated that these are all great points. He and his family grew up blue collar and their workforce is blue collar. They have done a lot of work on the bigger resorts but want to be able to help the local community. Jim Manthei stated that the bike path by the industrial park would be easily
accessible from this proposed community.

Doernenburg read the goals from the housing section in the current Master Plan. She stated that she thinks that this development would definitely be supported by the Master Plan. It is up to us to figure out if we want to make something like this happen. With township and public input, she stated that she thinks we can do it.

Eby stated that he'd like to look at the suggestions and information presented.

A break was taken.

5. **PPTEXT19-07  Emmet County Planning Commission, TEXT AMENDMENTS Sections 5.02, 6.02, 7.04, 26.11.**

*Legal Notice:* A request by the Emmet County Planning Commission to amend the Emmet County Zoning Ordinance as follows: 1) Amend Section 5.02.B by updating the table to reflect the density table adopted on July 8, 2019 within the Schedule of Regulations to allow greater density on properties zoned R-2 with public sewer. 2) Amend Section 6.02 by updating the table to reflect the addition of footnote j. to Section 19.01 allowing a reduction in front and rear yard setback standard on certain lots within the RR zoning district. 3) Amend Section 7.04 B.3 to properly reflect the required 15' side yard setback standard in the text and in the graphic. 4) Amend Section 26.11 paragraph F to replace "...of paragraph 10..." to read "...of paragraphs A-E...". The reviews will be per Section 27.11 of the Zoning Ordinance.

*Packet Items:* Zoning evaluation

Doernenburg explained that all of these changes are corrections to the ordinance that were missed during our regular updates. They are either typographical errors or places in which text changes needed to be duplicated into multiple sections of the ordinance and weren't. The other correction was in the SR zoning district where one section said that the side setback standard was 10' and the other said 15'. The correct setback is 15'. The townships were not notified as these are very minor changes for items that were already notified and decided. The notification of the required agencies and newspaper did occur however.

There was no public comment on this case.

Scott made a motion to waive the second hearing for the text amendment and to recommend approval to the Emmet County Board of Commissioners of Case PPTEXT19-07 Emmet County Planning Commission, Zoning Ordinance Text Amendments as presented to correct oversights and typographical errors. The proposed amendments add consistency to the Ordinance and correct errors. This motion was supported by Urman and passed on the following roll-call vote: Yes: Eby, Drier, Scott, Laughbaum, Urman, Kargol, MacInnis, Hartmann. No: None. Absent: Alexander.

**IV  Public Comments:** None

**V  Other Business:**

1. **Housing-Density-Minimum Floor Area:** Doernenburg presented some information regarding new home construction which as decreased in the last decade. We need about 400 new homes a year according to Networks Northwest Housing Market Analysis and our average has been 202.5. Barriers to workforce housing were discussed.

Laughbaum stated that he is not convinced that if a person buys a one-acre lot that it is any more expensive than what was proposed tonight. Can I split FF-1 land five times? This can be disruptive with small lots. There are two separate issues, small houses and small land. Population is predicted to
go down again. He stated that if ten people came and wanted small houses it would be centuries before the lots are sold. They would just get an apartment if that was all that they could afford. He has cousins in Indiana that moved from their lake property because it wasn’t kept up and wasn’t what they thought it would be. Laughbaum stated that he thinks that we need small houses but feels that they should be able to go wherever in Emmet County on FF zoned parcels. A large apartment building could be put in but then it doesn’t look like Northern Michigan when you are done. You can’t plat a 50’ lot anywhere else.

Kargol noted that the lake was created due to the mining and the high water table. This was man-made not a natural lake.

Doernenburg stated that she thinks there are two separate things to look at. This type of proposal would be an option that someone could apply for to be reviewed by the Planning Commission. The other proposal from last month was to reduce the minimum building size to 500sf in all zoning districts in the schedule of regulations and to allow for density increases on FF property if they have sewer. It appears that after the conversation last month, the density isn’t something that this board wanted to move forward on.

Eby stated that the minimum sizes of 720sf and the previous 600sf were mobile home driven. He thinks that there would be support for 600sf minimums however tiny houses didn’t seem to have support. The proposed overlay could take care of the tiny homes. He stated that the cutoff for size for moving the homes is 14’x40’. Scott stated that if 600sf is a number that we can agree on he would go with it. Eby asked if 560sf would be agreeable. This would be the minimum for manufactured housing. Maclnnis stated that it couldn’t be done here because there is no factory to build them in. Scott stated that it would be hard to keep to those mentioned costs without manufactured housing. Eby stated that you can get a much cheaper property with a ranch house, garage, pole barns, and land in Pellston. Kargol noted that there is a difference between small homes and tiny houses. Doernenburg noted that in residential zones the homes would still be required to be 20’ wide and 20’ long for half of its length.

Denny Keiser stated that one of the issues with a modular or mobile home is that by the time you get land, septic, well, and foundation you are at $50-60,000 and then you have to add the price of the home.

Paul Mooradian stated that the BOCA code is the same as the building code and is financeable. There are single wide trailers in other counties still.

Dennis Hoshield stated that the trailer parks in the area have increased their site numbers recently. Conway Commons cost between $45-85,000 and it is very difficult to get a conventional loan. You are renting the lot and services and basically lease to own the houses. You have to pay off the lease to sell or do anything with the house. This is a community with a package deal and association fees and protections. The idea with companies buying some homes in the proposed community for their employees is a good one. He stated that he feels that 560sf is a nice size. Some places downstate don’t have a minimum square footage, just a minimum per person. Doernenburg stated that would be difficult to enforce.

Laughbaum asked how you would be fair with people with the splits? Doernenburg stated that some of the other requirements and reviews would limit this, such as sanitary code requirements.

Hartmann stated that this is what the future land use map is for. Does this go along with the vision?
Drier asked if the PowerPoint could be sent to her. Doernenburg stated that she would send the one from the Little Traverse Housing Partnership.

Laughbaum asked if we should do 500sf minimums with a required attached garage so that it looks bigger. Doernenburg stated then you are over 720sf. Scott stated that smaller minimum square footage is better from his point of view but is not sure where the number should be. Eby suggested 560sf based on the 14’x40’.

Denny Keiser stated that if you look at any of the big box stores you can’t tell which one is bigger than the others driving by. If the market is pushing for 450sf why not go with what the market wants rather than some arbitrary number? Kargol asked if we do know what the market is for. Keiser stated that we didn’t until tonight.

Doernenburg explained to Keiser that the request to change the minimum floor area is different than the proposal tonight. This would be in the schedule of regulations and would be county-wide.

2. **Enforcement Report**- Distributed, no discussion.

3. **Emmet County Resilient Master Plan 2020**:

Doernenburg stated that all information to date has been emailed. There is still work to do on formatting the document and she is still digesting the information. She will be speaking with the grant agent tomorrow. Draft documents will be available soon. Doernenburg asked that the goals in each section of the current Master Plan be reviewed and the top 3-5 chosen so that we can pare this down. There are too many in the current plan to try to do within five years. She stated that she’d like to pick back up doing annual meetings where we can work on things like these.

MacInnis stated that he is not sure that the comments that were received were very informative. They are all over the place in terms of what people want.

Paul Mooradian stated that he and his wife Annie attended all three open houses and were disappointed to not see more members of the public there. It seems that the importance of the Master Plan is a big public relations campaign. There was only a 2% response rate. West Traverse in 2005 had a 30% response rate. This is not a three-month campaign; this is not enough time to engage the community. He stated that part of this board, until recently, didn’t understand the Master Plan either. It would be nice to see this go on longer so that the community can be more engaged in the process.

Laughbaum stated that we have to go with the facts. If people are moving a certain direction, we can go with that. If there is no one coming here requesting things we may not need to do anything. If they are buying single family houses, we don’t need to worry about small houses. There are different ways to get workers.

**VI Adjournment**

There being no other business Eby called the meeting adjourned at 9:45 p.m.
REQUEST

PREZN19-05
A request by Petoskey 131 LLC for a rezoning of property located at 2404 US 131 Hwy and 2287 Anderson Rd, Section 18, Bear Creek Township. The property includes tax parcels 24-01-19-18-100-040 and 24-001-19-18-100-042 and is currently zoned B-2 General Business. The request is to rezone the property to R-2 General Residential per Section 27.11 of the 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: nzcr@emmetcounty.org

<table>
<thead>
<tr>
<th>DATE RECEIVED</th>
<th>PREZ019-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEE</td>
<td>APPLICATION #</td>
</tr>
</tbody>
</table>

**PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY**

<table>
<thead>
<tr>
<th>Applicant’s Name</th>
<th>PETOSKEY 131 LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant’s Address</td>
<td>226 E 4TH ST, PETOSKEY, MI 49770</td>
</tr>
<tr>
<td>Applicant’s Email Address</td>
<td><a href="mailto:Todd@VERSACO.COM">Todd@VERSACO.COM</a></td>
</tr>
<tr>
<td>Owner’s Name</td>
<td>PETOSKEY 131 LLC</td>
</tr>
<tr>
<td>Owner’s Address</td>
<td>SAME</td>
</tr>
<tr>
<td>Owner’s Email Address</td>
<td>SAME</td>
</tr>
</tbody>
</table>

**JOB SITE LOCATION:**

| Township: | BRASS CASTLE |
| Tax Parcel #: | 24-01-19-10-02 |
| Address: | 2267 ANDERSON RD, + 7404 US 131 HWY |

**ZONING REQUEST:**

<table>
<thead>
<tr>
<th>Planning Commission</th>
<th>Special Use Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Plan Review</td>
<td>Planned Unit Development</td>
</tr>
<tr>
<td>Zoning Map Change</td>
<td>Zoning Text Change</td>
</tr>
</tbody>
</table>

**REQUIRED USE INFORMATION**

| Ground floor area main 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.

**DateSubmitted**

<table>
<thead>
<tr>
<th>Elevation Drawing</th>
<th>Site Inventory</th>
<th>Fire Dept Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineered Drainage Plan</td>
<td>Wetlands Permit</td>
<td>Road Commission/</td>
</tr>
<tr>
<td>Estimated Cost of Drainage improvements</td>
<td>MDOT Approval</td>
<td></td>
</tr>
<tr>
<td>Soil Erosion Permit</td>
<td>Healthy Dept. Approval/</td>
<td></td>
</tr>
<tr>
<td>Sewer Taps</td>
<td>Other:</td>
<td></td>
</tr>
</tbody>
</table>

As owner/and or applicant representing the owner, I do or 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] [Printed Name of Applicant] [Date]

*Required Signature of Property Owner [Printed Name of Property Owner] [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 2405 of the Zoning Ordinance for Site Plan requirements.
**LOCAL PROPERTY TAXES 2019 Summary**

**PARCEL NUMBER:** 24-01-19-18-100-040  
**PROPERTY OWNER:** PETOSKEY 131 LLC  
**PROPERTY ADDRESS:** 2287 ANDERSON RD  
**PROPERTY TYPE:** 401 RESIDENTIAL  
**CLASS CODE:** 401  
**SCHOOL:** 24070 PETOSKEY

**Assessment & Tax Information online at:**
www.emmetcounty.org

**Legal Description:**
CON 1503 FT S OF NW COR OF S 1/2 OF NW 1/4, TH S 311.8 FT, S 155.01 FT, W 313.17 FT, TH N 155.02 FT TO POB, SECTION 18, T44N, R5W.

**COMPLET LOCAL DESCRIPTION ON FILE**

**MESSAGE TO TAXPAYER**

**TREASURER NOT RESPONSIBLE FOR PAYMENT ON WRONG PARCEL.**

**ATTN VETERANS: Call 231-348-1780**
For Possible Assistance.

<table>
<thead>
<tr>
<th><strong>FISCAL YEARS</strong></th>
<th><strong>TAXING AUTHORITY</strong></th>
<th><strong>TAX RATES</strong></th>
<th><strong>TAX AMOUNT</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>County: 01-01-19 - 12-31-19</td>
<td>STATE ED TAX</td>
<td>6.00000</td>
<td>265.72</td>
</tr>
<tr>
<td>Town/City: 04-01-19 - 03-31-20</td>
<td>COUNTY ALLOCATED</td>
<td>4.85000</td>
<td>214.79</td>
</tr>
<tr>
<td>School: 07-01-19 - 06-30-20</td>
<td>CCE/911</td>
<td>0.30790</td>
<td>13.63</td>
</tr>
</tbody>
</table>

**TOTAL MILLS:** 11.15790

**TAX & SPECIAL ASSESSMENTS:** 494.14
**ADMINISTRATION FEE** 4.94

**TOTAL TAX DUE BY:** 09/14/2019

**MAKE CHECK PAYABLE TO:** BEAR CREEK TOWNSHIP  
MS. CONNIE GOLING, TREASURER  
373 NORTH DIVISION  
PETOSKEY, MI 49770  
PHONE: (231) 347-3204
**LOCAL PROPERTY TAXES**

**2019 Summer**

<table>
<thead>
<tr>
<th>PARCEL NUMBER</th>
<th>24-01-19-18-100-042</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROPERTY OWNER</td>
<td>PETOSKEY 131 LLC</td>
</tr>
<tr>
<td>PROPERTY ADDRESS</td>
<td>2404 US 131 HWY</td>
</tr>
<tr>
<td>PROPERTY TYPE</td>
<td>201 COMMERCIAL</td>
</tr>
<tr>
<td>CLASS CODE</td>
<td>201</td>
</tr>
<tr>
<td>SCHOOL</td>
<td>24070 PETOSKEY</td>
</tr>
</tbody>
</table>

| STATE EQUALIZED VALUE | 164,300 |
| TAXABLE VALUE | 152,064 |
| PRINCIPAL RESIDENCE EXEMPTION % | 0.0000 |

<table>
<thead>
<tr>
<th>TAXING AUTHORITY</th>
<th>STATE ED TAX</th>
<th>COUNTY ALLOCATED</th>
<th>CCE/911</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAX RATE</td>
<td>6.00000</td>
<td>4.85000</td>
<td>0.30790</td>
</tr>
<tr>
<td>TAX AMOUNT</td>
<td>912.38</td>
<td>737.51</td>
<td>46.82</td>
</tr>
</tbody>
</table>

**TAXPAYERS:**

- **Complete Legal Description on File**
- **MESSAGE TO TAXPAYER**
- **TREASURER NOT RESPONSIBLE FOR PAYMENT ON WRONG PARCEL.**
- **ATTN VETERANS: Call 231-348-1780 For Possible Assistance.**

**Fiscal Years**

- County: 01-01-19 - 12-31-19
- Twn/Cty: 04-01-19 - 03-31-20
- School: 07-01-19 - 06-30-20
- State: 19-01-19 - 09-30-20

**Total Mills:** 11,1570

**Tax & Special Assessments:** 1,696.71

**Administration Fee:** 16.96

**Total Tax Due By:** 09/14/2019

**Make Check Payable To:** BEAR CREEK TOWNSHIP

**MS. CONNIE GOLDMING, TREASURER**

**373 NORTH DIVISION**

**PETOSKEY, MI 49770**

**Phone:** (231) 347-3204
Future Land Use Map (FLUM) with Legend

FUTURE LAND USE LEGEND

- RR RURAL RESIDENTIAL
- LDR LOW DENSITY RESIDENTIAL
- MDR MEDIUM DENSITY RESIDENTIAL
- HDR HIGH DENSITY RESIDENTIAL
- MU MIXED USE
- LIGHT COMMERCIAL
- COMMERCIAL
- INDUSTRIAL
- PARKS AND RECREATION
Zoning Plan relationship of zoning to FLUM

**Table 10-1: Future Land Use Categories as related to the County Zoning Ordinance**

<table>
<thead>
<tr>
<th>Future Land Use</th>
<th>Zoning Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Residential (RR)</td>
<td>Forest Recreation (FR)</td>
</tr>
<tr>
<td>Low Density Residential (LDR)</td>
<td>Forest Forest (FF-1 and FF-2)</td>
</tr>
<tr>
<td>Medium Density Residential (MDR)</td>
<td>One Family Residential (R-1A and R-1B), General Residential (R-2A), Recreation Residential (RR-1 and RR-2), and Scenic Resource (SR-1 and SR-2)</td>
</tr>
<tr>
<td>High Density Residential (HDR)</td>
<td>General Residential (R-2A, R-2B, and R-2C)</td>
</tr>
<tr>
<td>Mixed Use (MU)</td>
<td>General Residential (R-2B and R-2C), Local-Tourist Business (B-1), General Business (B-2), Parking Transition (P-T)</td>
</tr>
<tr>
<td>Light Commercial (LC)</td>
<td>Local-Tourist Business (B-1), General Residential (R-2B and R-2C)</td>
</tr>
<tr>
<td>General Commercial (GC)</td>
<td>General Residential (R-2B, R-2C), Local-Tourist Business (B-1), General Business (B-2), Commercial/Industrial (B-3), Parking Transition (P-T)</td>
</tr>
<tr>
<td>Industrial (I)</td>
<td>Commercial/Industrial (B-3), Light Industrial (I-1), General Industrial (I-2)</td>
</tr>
<tr>
<td>Planned Unit Development (PUD-1 and PUD-2) may be applied to any future land use category listed above.</td>
<td></td>
</tr>
</tbody>
</table>
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 10/22/2019            CASE #: PREZN19-05

APPLICANT: PETOSKEY 131 LLC

PROPERTY: 2404 US 131 HWY & 2287 Anderson Rd

TOWNSHIP: BEAR CREEK

REQUEST: Rezoning B-1 Local Tourist Business to R-2 General Residential

FACTS:
- The property is currently zoned B-1 Local Tourist Business.
- The request includes two properties 1.03 and 6.11 acres – totaling 7.14 acres.
- The site has two dilapidated buildings formerly used as dwellings.
- The properties both front on Anderson Road – one has US-131 Highway frontage.
- The proposal is to rezone the property to R-2 General Residential.
- Final review is by the Emmet County Board of Commissioners.
- Surrounding uses include: City of Petoskey water wells on the adjacent southwesterly parcel; stormwater management area south; residential across US-131; multi-family residential across Anderson Rd.; single family residential to the northwesterly; and adjacent to vacant/pit parcel to the north.
- The parcel had been rezoned in 2010 from FF-1 Farm and Forest to B-1 Local Tourist Business.
- See Emmet County Master Plan (2015) and excerpt of Future Land Use Map and Zoning Plan. The subject property is in the General Commercial Future Land Use category and in the vicinity of high density residential. The Zoning Plan identifies R-2 as compatible with General Commercial and High Density Residential.

ZONING ORDINANCE STANDARDS:

27.11.1 Rezoning Standards

The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.

A. Is the proposed rezoning consistent with the current Master Plan?
   This standard appears to be met.

B. Are all of the allowable uses in the proposed district reasonably consistent with surrounding uses?
   Since the uses allowed which are commercial are less impactful than the current zoning, the answer appears to be yes.

C. Will there be an adverse physical impact on surrounding properties?
   There would not seem to be adverse physical impact on surrounding properties. The rezone would allow less commercial use than the current zoning district. It would allow higher density residential.

D. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?
The multiple family use across Anderson Rd was started in 2004. There has been commercial activity to the north on both US 131 Hwy and Anderson Rd. Redevelopment is likely on the parcel immediately to the north adjacent to US 131 Hwy. The rezoning would be a transition zone from commercial to residential.

E. Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?
   It does not appear so.

F. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?
   There are no properties in the vicinity zoned R-2 General Residential, however, the property across Anderson Rd is regulated by a consent judgment and the uses within that development are consistent with the R-2 uses.

G. What is the impact on the ability of the County and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?
   Township/city services would be needed if multiple family use developed. Pedestrian access to sidewalks could be expected.

H. A zoning ordinance amendment approved by the Planning Commission 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. N/A

Draft Motions:

To recommend approval of case PREZN19-05, Petoskey 131 LLC, rezoning from B-1 Local Tourist Business to R-2 General Residential on two properties located at 2404 US 131 Hwy and 2287 Anderson Road, Section 18, Bear Creek Township, tax parcels 24-01-19-18-100-040 & 042, as requested in the application packet dated Received September 11, 2019 based on the facts presented in this case and because the standards for a rezoning have been met: the R-2 General Residential zoning district is consistent with the Master Plan Future Land Use Map and Zoning Plan, the allowable uses are consistent with surrounding uses, the rezoning will not cause adverse physical impact on surrounding properties, R-2 would allow for uses similar to those across Anderson Rd and allow for a transition from commercial to residential uses, the rezoning would not create a deterrent to the improvement or development of adjacent property in accord with existing regulations, (other statement of facts may be inserted here).

To recommend denial of case PREZN19-05, Petoskey 131 LLC, rezoning from B-1 Local Tourist Business to R-2 General Residential on two properties located at 2404 US 131 Hwy and 2287 Anderson Road, Section 18, Bear Creek Township, tax parcels 24-01-19-18-100-040 & 042, as requested in the application packet dated Received September 11, 2019 based on the facts presented in this case and because (reasons must be added here).

To postpone until the next regular Planning Commission meeting case PREZN19-05, Petoskey 131 LLC, rezoning from B-1 Local Tourist Business to R-2 General Residential on two properties located at 2404 US 131 Hwy and 2287 Anderson Road, Section 18, Bear Creek Township, tax parcels 24-01-19-18-100-040 & 042, as requested in the application packet dated Received September 11, 2019 based on the policy of the Planning Commission to allow additional time for rezoning reviews (additional reasons may be added here).
REQUEST

PSPR19-008
A request by Mike Naturkas for 2983 S State LLC for site plan review, amendment, at 2983 S State Rd, Section 14, Friendship Township. The property is tax parcel 24-06-12-14-300-020 and is zoned PUD Planned Unit Development. The proposal is to allow an accessory structure to be used as a storage unit for the existing restaurant. The request is per Articles 17 & 20 of the Zoning Ordinance.

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

Date: 10/16/2019

1 in = 159 feet
# 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: pzcrr@emmetcounty.org

---

**DATE RECEIVED:** SEP 18 2019

**APPLICATION #:** APSR 19-008

**DATE PAID:** 9/24/19

**PLEASE MAKE CHECKS PAYABLE TO:** EMMET COUNTY

---

**Applicant's Name:** Mike Naturkas  Phone: 231 881 6281

**Applicant's Address:** 2983 S. State St.  Harbor Springs

**Applicant's Email Address:** State rd provisions@gmail.com

**Owner's Name:** Mike Naturkas  Phone: 231 881 6281

**Owner's Address:** 540 W Summit  Harbor Springs

**Owner's Email Address:** @

---

**JOB SITE LOCATION:**

Township: Friendship

Parcel #: 24-06-17-14-000-020

Address: 2983 S. State Rd.

**ZONING REQUEST:**

<table>
<thead>
<tr>
<th>Planning Commission:</th>
<th>Site Plan Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Special Use Permit</td>
<td>□ Planned Unit Development</td>
</tr>
<tr>
<td>□ Site Plan Review</td>
<td>□ Zoning Map Change</td>
</tr>
<tr>
<td>□ Planned Unit Development</td>
<td>□ Zoning Text Change</td>
</tr>
</tbody>
</table>

**REQUIRED USE INFORMATION**

- Ground floor area main building: 4500 Sq. Ft.
- Floor Area accessory building: 320 Sq. Ft.
- Lot/Parcel Size: 3 acres  See attached.

**Site/Plot Plan required**

- 2 full sized & 14 reduced sized (max 11"x17")
- site plans required for Planning Commission cases.

---

**Date Submitted**

<table>
<thead>
<tr>
<th>Site Inventory</th>
<th>Fire Dept Approval</th>
<th>Wetlands Permit</th>
<th>Road Commission/MDOT Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**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:** Mike Naturkas  Date: 8/28/19

**Printed Name of Applicant:** Mike Naturkas  Date: 8/28/19

---

*Required Signature of Property Owner

**Printed Name of Property Owner:** Mike Naturkas  Date: 8/28/19

---

*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.
### Subject Property Address
2983 S. State St.

### Subdivision and Lot Number (If Applicable)

### Tax Parcel Number
24-06-12-14-000-020

### Township
Friendship

### Proposed Use of Property
Restaurant

### Proposed Number of Employees
15

---

#### 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>included</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

<p>| Zoning setback lines - Building (including the eave) Setbacks: | ✓ | | | |
| Front | 100 ft | Side 1 | 2 | Side 4 | 0 ft | Rear/Water | 16 ft |
| Distance between buildings (nearest point to nearest point) | ✓ | | | |
| Location of new buildings and general floor plan Dimensions of bldg(s) | ✓ | | | |
| Proposed building elevations (to scale) Max. Height | ✓ | | | |
| All existing structures (labeled) within 100 feet of perimeter property lines | ✓ | | | |
| Multiple housing units - Number of units | ✓ | | | |
| (efficiency, one bedroom, two, three) | ✓ | | | |
| Surrounding zoning (properties immediate to subject site) | ✓ | | | |
| Lot coverage of proposed buildings | ✓ | | | |</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, earthberms, etc.)</td>
<td>☑</td>
<td></td>
<td></td>
<td>Not needed at this time.</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></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>Harbor staff has issues from State Road</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></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:**

---

Applicant's Signature: [Signature]

Date: 8/1/19
IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S NAME: Mike Natanke
CASE#: PSPR 19-008

PHONE NUMBER: 231-881-6281
DATE: 8-28-19

PROJECT TITLE: State Road Provisions

PROPERTY TAX ID: 00-12-14-300-020
TOWNSHIP: Friendship

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.

- SEE MAP -

This will not add any new traffic, garbage, rain run off issues, snow issues, simple storage for, laundry, boxes, and dry goods.
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
b. Domestic Water
c. Traffic Volumes
d. Schools
e. Fire Protection

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

a. Soil Erosion
b. Storm Drainage
c. Shoreline Protection
d. Wildlife
e. Air Pollution
f. Water Pollution
g. Noise
### Basic Map Information
- Proposed site location map (indicate sufficient area reference to locate site) May use plat map, Google map or other map to identify parcel.

### Basic Zoning Information
- Zoning setback lines - Building (including eave) Setbacks: Front __ Side __ Side __ Rear/Water __
- Distance between buildings (nearest point to nearest point): 10 FEET
- Location of new buildings and general floor plan Dimensions of bidg(s) = \[40 \times 8\] Total sq.ft. = 320
- 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 = __________
<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>34 Proposed landscaping (required greenbelts, plant materials/size and type, fences,</td>
<td></td>
<td></td>
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<tr>
<td>retaining walls, earthberms, etc.)</td>
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<tr>
<td>35 Location of outdoor lights, pole heights, bollards, building attached, luminary</td>
<td></td>
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<tr>
<td>shielding techniques*</td>
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<tr>
<td>36 Location of sign(s)*</td>
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<tr>
<td>37 Site amenities (play area, pools, beaches, tennis courts, etc.).</td>
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<tr>
<td>38 Impact Statement attached?</td>
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<tr>
<td>39 Fire Department approval?</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>
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<tr>
<td>42 Health agency approval?</td>
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<td>43 Army Corps of Engineers approval?</td>
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<tr>
<td>44 Michigan Department of Environmental Quality approval?</td>
<td></td>
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</tr>
</tbody>
</table>

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

ADDITIONAL COMMENTS:

Applicants Signature

8/29/19

Date
IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S NAME Mike Naturka
CASE# PSPR 19-008

PHONE NUMBER 231-881-6281 DATE 8-28-19

PROJECT TITLE State Road Provision

PROPERTY TAX ID # 06-12-14-300-020 TOWNSHIP Friendship

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.

SEE MAP
LEGAL DESCRIPTION:

PARCEL "A1"

Part of the West 1/2 of the West 1/2 of the SW 1/4 of Section 14, Township 38 North, Range 6 West, Friendship Township, Emmet County, Michigan which is more particularly described as follows:

Commencing at the South 1/4 corner of Section 14, Township 38 North, Range 6 West, Friendship Township, Emmet County, Michigan which is more particularly described as follows:

Comprised of the South 1/4 corner of Section 14, Township 38 North, Range 6 West, Friendship Township, Emmet County, Michigan which is more particularly described as follows:

LEGAL DESCRIPTION:

SHEARED PARKING LOT EASEMENT

Part of the East 1/2 of the East 1/2 of the SW 1/4 of Section 14, Township 38 North, Range 6 West, Friendship Township, Emmet County, Michigan which is more particularly described as follows:

NOTES:

This is not intended or represented to be a land or property survey.

The property description was furnished, and no check of title relative to boundaries, agreements, or encumbrances has been performed as part of this service.

The boundaries and dimensions were determined by the means of the equipment available and the results were plotted on the map. The map is not intended to reflect actual field conditions.

The legal description was furnished, and no check of title relative to boundaries, agreements, or encumbrances has been performed as part of this service.

The boundaries and dimensions were determined by the means of the equipment available and the results were plotted on the map. The map is not intended to reflect actual field conditions.

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The boundaries and dimensions were determined by the means of the equipment available and the results were plotted on the map. The map is not intended to reflect actual field conditions.
PRELIMINARY SITE PLAN

PART OF THE S1/2 OF
SECTION 14, T36N, R6W
FRIENDSHIP TOWNSHIP, EMMET COUNTY, MICHIGAN

VERIFY WITH TWP.
ZONING REQUIREMENTS

ZONING DISTRICT = BB OR PUD-2
MINIMUM LOT WIDTH = 100'

MINIMUM LOT AREA = PARCELS OF RECORD
SETBACKS:  FRONT = 25'
           REAR = 20'
           SIDE = 10'
           PUD = 50' PERIMETER

NOTES:

This is not intended or represented to be a land or property survey. No property corners were set as part of this sketch.

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.

Davis of Bearings was based upon a survey by J.D. O'Neill, P.E., dated 1st Dec. 1972, utilizing the record monuments southerly line of Stutsmanville Road. The location of the property boundaries and their corresponding bearings and distance depicted herein, are based solely upon the provided legal description. If a property survey is eventually conducted utilizing appropriate boundary law principles governed by the facts and evidence gathered and evaluated during the course of this survey, those boundaries and dimensions may ultimately be considerably different.

This survey is not intended to be used in place of an ALTA/ACSM Land Title Survey, or to be used to remove the survey exceptions of a title insurance policy.

BENCHMARK ENGINEERING INC.
SURVEYORS & CIVIL ENGINEERS
600 E. LANE ST.
MARION SPRING, MICHigan 49755
PHONE [313] 582-2500 FAX [313] 582-3277
benchmarkengineers667@gmail.com

PRELIMINARY SITE PLAN
PART OF THE S1/2 OF SEC. 14, T36N, R6W

C:\VAR\118-360\Rev\sheet110509.dgn - 08/30/2019 - 02:24 PM - Scale 1 : 500.00
DATE: 10/24/2019  CASE #: PSPR19-008

APPLICANT: 2983 S STATE LLC

PROPERTY:  2983 S STATE RD

TOWNSHIP: FRIENDSHIP

REQUEST: Site Plan Review – Amendment

FACTS:
- The property is zoned Planned Unit Development.
- Surrounding properties are also part of the same PUD.
- The property is approximately 1 acre.
- The property currently has a restaurant.
- The request is to allow a storage container as an accessory structure for the existing restaurant.
- The storage container is 8’ x 40’ and is already located on the site.
- The proposed structure does not meet the setback standards of the PUD Zoning District as located on the site plan. Applicant has indicated the structure was placed so that it meets the fifty ft. perimeter setback.
- Container height is approximately 10’ and meets zoning height requirements.
- No additional parking proposed. There is shared parking with the adjacent parcel.
- There is an unscreened dumpster on the site, not shown on the site plan.
- No outdoor lighting identified or proposed at this time.
- Fire Department approval pending.
- Road Commission review would not appear to be needed.
- Health Department review not required.
- Snow storage area not shown on plan.

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.

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.

1. Walkways from parking areas to building entrances
   No new parking areas proposed.
   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. Site Plan submitted to Fire Chief for 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.  
*Not shown on site plan.*

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.  
*Not shown on plan. Shared parking.*

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.  
*No residential uses adjacent. Screening exists on north property line.*

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 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. No information provided.

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
None shown, however unscreened dumpster currently on site.

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. Dumpster currently not screened and not shown on site plan.

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. Dumpster currently located in rear yard, but not screened.
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.

Draft Motions:

To approve Case #PSPR19-008, Mike Naturkas for 2983 S State LLC for Site Plan Review – amendment for a restaurant to allow accessory storage, on property located at 2983 S State Road, Section 14, Friendship Township, tax parcel 24-06-12-14-300-020, as shown on the site plan dated September 24, 2019 because the standards of Article 10 and 20 have been met, and on condition that any exterior lighting be reviewed by the Zoning Administrator, and that the existing dumpster be screened as required by the Zoning Ordinance (other conditions or statement of facts may be inserted here).

To deny Case #PSPR19-008, Mike Naturkas for 2983 S State LLC for Site Plan Review – amendment for a restaurant to allow accessory storage, on property located at 2983 S State Road, Section 14, Friendship Township, tax parcel 24-06-12-14-300-020, as shown on the site plan dated September 24, 2019, for the following reasons: site plan does not meet the standards of section 20.5 and (other reasons may be inserted here).
REQUEST

PREZN19-06
A request by Citizens National Bank to rezone property, from R-2 General Residential and R-1 One & Two Family Residential to B-1 Local Tourist Business, property located at 2196 E Mitchell Rd, Section 4, Bear Creek Township. The property is tax parcel 24-01-19-04-100-052 and is located at the southwest corner of E. Mitchell Rd and S. Division Rd. The property is currently zoned R-1 on the south 1/2 and R-2 on the north 1/2 and is owned by Ronald & Sharon Beer. The request is per Section 27.11 of the 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: pzcr@emmetcounty.org

DATE RECEIVED: OCT 1 1 2019
FEE: $2,500.00

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

Applicant’s Name: Citizens National Bank
Applicant’s Address: 303 N. Main St., P.O. Box 10, Cheboygan, MI 49721
Applicant’s Email Address: keenem@cnbismybank.com
Owner’s Name: Sharon Beer
Owner’s Address: 3235 Greenwood Rd., Petoskey, MI 49770
Owner’s Email Address: N/A

JOB SITE LOCATION:
Township: Bear Creek
Address: 2196 E. Mitchell Rd., Petoskey, MI 49770

ZONING REQUEST:
Planning Commission:
Special Use Permit
Site Plan Review
 Planned Unit Development
 Zoning Map Change
 Zoning Text Change
Describe Request:
Rezone parcel from ECR-2 and ECR-1 to B1 to allow for future development.

REQUIRED USE INFORMATION
Ground floor area main building: _________ Sq. Ft.
Floor Area accessory building: _________ Sq. Ft.
Lot/Parcel Size: _________ Acres

Site/Plot Plan required*
2 full sized & 14 reduced sized (max 11”x17”)
site plans required for Planning Commission cases.

Elevation Drawing
Engineered Drainage Plan
Soil Erosion Permit
Health Dept. Approval/
Sewer Taps

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

Signature of Property Owner

*Required Signature of Property Owner

Matthew E. Keene, President
Printed Name of Applicant

Sharon Beer
Printed Name of Property Owner

Date

Date

Date
SURVEY OF PART OF THE
SOUTHEAST 1/4 OF THE NORTHWEST
1/4, SECTION 4, T34N R5W,
BEAR CREEK TOWNSHIP
EMMET COUNTY, MICH.
FOR
RICHARD J. & RONALD E. BEER
09/05/91

PARCEL 1
1.25 ACRES +/-

PARCEL 2
0.84 ACRES +/-

PARCEL 3
0.84 ACRES +/-

PARCEL 4
0.84 ACRES +/-

SCALE -
1"=100'

• FOUND 1/2" RE-ROD
o SET 1/2" RE-ROD

Bearings are related
to a survey recorded
in Liber 268, Page 143,
Emmet County Records.

See sheet 2 of 3 and 3 of 3 for Survey
Certification, Corner Witnesses and
Legal Description.

Prepared By:
North Star Land Surveying
Thomas D. Swenor
L.L.S. 39282
231 State St.
Petoskey, MI 49770

RECEIVED
OCT 11 2019
EMMET COUNTY
PLANNING & ZONING
To Matthew Keene,

I am writing to you today in regards to are conversations about the property on the south west corner of Division and Mitchell road, Property ID number 01-19-04-100-052. Upon working with your Surveyor, I was able to make sure this location will have viable Commercial access. I performed a sight distance analysis as well as to make sure that this location meets all other ECRC standards for a Commercial Driveway. If you do decide to go further with this project Emmet County Road Commission would allow and permit Commercial Access from Division Road as well as Mitchell Road with locations on the property to be determined by Emmet County Road Commission.

James Godzik
Permit Technician
Emmet County Road Commission
Future Land Use Map (FLUM) with Legend
Table 10-1: Future Land Use Categories as related to the County Zoning Ordinance

<table>
<thead>
<tr>
<th>Future Land Use</th>
<th>Zoning Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Residential (RR)</td>
<td>Forest Recreation (FR)</td>
</tr>
<tr>
<td>Low Density Residential (LDR)</td>
<td>Farm Forest (FF-1 and FF-2)</td>
</tr>
<tr>
<td>Medium Density Residential (MDR)</td>
<td>One Family Residential (R-1A and R-1B), General Residential (R-2A), Recreation Residential (RR-1 and RR-2), and Scenic Resource (SR-1 and SR-2)</td>
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<tr>
<td>High Density Residential (HDR)</td>
<td>General Residential (R-2A, R-2B, and R-2C)</td>
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<tr>
<td>Mixed Use (MU)</td>
<td>General Residential (R-2B and R-2C)</td>
</tr>
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<td></td>
<td>Local-Tourist Business (B-1), General Business (B-2), Parking Transition (P-T)</td>
</tr>
<tr>
<td>Light Commercial (LC)</td>
<td>Local-Tourist Business (B-1), General Residential (R-2B and R-2C)</td>
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<tr>
<td>General Commercial (GC)</td>
<td>General Residential (R-2B, R-2C)</td>
</tr>
<tr>
<td></td>
<td>Local-Tourist Business (B-1), General Business (B-2), Commercial/Industrial (B-3), Parking Transition (P-T)</td>
</tr>
<tr>
<td>Industrial (I)</td>
<td>Commercial/Industrial (B-3), Light Industrial (I-1), General Industrial (I-2)</td>
</tr>
<tr>
<td>Planned Unit Development (PUD-1 and PUD-2) may be applied to any future land use category listed above.</td>
<td></td>
</tr>
</tbody>
</table>

Zoning Plan relationship of zoning to FLUM
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 10/22/2019       CASE #: PREZN19-06

APPLICANT: Citizen's National Bank (Property owned by Ronald & Sharon Beer)

PROPERTY: 2196 E MITCHELL RD

TOWNSHIP: BEAR CREEK

REQUEST: Rezone from R-1 One & Two Family Residential and R-2 General Residential to B-1 Local Tourist Business

FACTS:
- The property is currently zoned R-1 One & Two Family Residential on the south ½ and R-2 General Residential on the south ½.
- The property proposed to be rezoned is 2.09 acres.
- The site is developed with a single family dwelling and residential accessory building.
- The property is at the southwest corner of the S. Division Rd and E. Mitchell Rd. intersection.
- The proposal is to rezone the property to B-1 Local Tourist Business.
- Final review is by the Emmet County Board of Commissioners.
- Surrounding uses include: west: funeral home; east: commercial and single family; south: single family dwelling; north: gym and medical offices; northeast: drive-thru financial institution.
- Surrounding zoning is mixed. See zoning map. East zoned B-1 and R-1; west zoned R-2; north zoned B-2; northwest zoned B-1; south zoned R-1.
- Emmet County Road Commission has provided a letter indicating commercial access is available on E. Mitchell Rd and/or S. Division Rd – as related to site distance and meeting ECRC standards. Access management policies would encourage one access for safety and traffic flow.
- See Emmet County Master Plan (2015) and excerpt of Future Land Use Map and Zoning Plan. The subject property is in the Mixed Use category and in the vicinity of high density residential. The Zoning Plan identifies R-2, B-1, B-2, & P-T as compatible with Mixed Use).

ZONING ORDINANCE STANDARDS:

27.11.1 Rezoning Standards

The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.

A. Is the proposed rezoning consistent with the current Master Plan?
   This standard appears to be met.

B. Are all of the allowable uses in the proposed district reasonably consistent with surrounding uses?
   This standard should be discussed. All surrounding properties are zoned and used for commercial except one dwelling to the south and one east across S Division Rd. R-2 would allow for a financial institution.

C. Will there be an adverse physical impact on surrounding properties?
There would not seem to be adverse physical impact on surrounding properties.

D. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?
The properties surrounding have all been developed, over time, to commercial except one single family dwelling across S. Division Rd to the east. Development has occurred to the south in line with existing zoning. An accessory building as a main use was approved and exists on the property immediately south of the subject property.

E. Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?
It does not appear so.

F. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?
A rezoning would align with other properties in the vicinity. R-2 would be consistent with the property to the west. B-1 is consistent with the properties across S. Division Rd and to the northeast across E. Mitchell Rd.

G. What is the impact on the ability of the County and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?
Township sanitary services may be needed.

H. A zoning ordinance amendment approved by the Planning Commission 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. N/A

Draft Motions:

To recommend approval of case PREZN19-06, Citizen’s National Bank, rezoning from R-2 General Residential and R-1 One & Two Family Residential to B-1 Local Tourist Business on property located at 2196 E Mitchell Rd, Section 4, Bear Creek Township, tax parcel 24-01-19-04-100-052, as requested in the application packet dated Received October 11, 2019 based on the facts presented in this case and because the standards for a rezoning have been met: the B-1 Local Tourist Business zoning district is consistent with the Master Plan Future Land Use Map and Zoning Plan, the allowable uses are consistent with surrounding uses, the rezoning will not cause adverse physical impact on surrounding properties, B-1 would allow for uses similar to those across E. Mitchell Rd and S. Division Rd, the rezoning would not create a deterrent to the improvement or development of adjacent property in accord with existing regulations, (other statement of facts may be inserted here).

To recommend denial of case PREZN19-06, Citizen’s National Bank, rezoning from R-2 General Residential and R-1 One & Two Family Residential to B-1 Local Tourist Business on property located at 2196 E Mitchell Rd, Section 4, Bear Creek Township, tax parcel 24-01-19-04-100-052, as requested in the application packet dated Received October 11, 2019 based on the facts presented in this case and because (reasons must be added here).

To postpone until the next regular Planning Commission meeting PREZN19-06, Citizen’s National Bank, rezoning from R-2 General Residential and R-1 One & Two Family Residential to B-1 Local Tourist Business on property located at 2196 E Mitchell Rd, Section 4, Bear Creek Township, tax parcel 24-01-19-04-100-052, as requested in the application packet dated Received October 11, 2019 based on the policy of the Planning Commission to allow additional time for rezoning reviews (additional reasons may be added here).
REQUEST
PSUP19-013
A request by Brian Kihnke for Richard & Lydia Wallace for a Special Use Permit for exceptions to the Accessory Building standards to apply to a new residential accessory building at 6205 N Lake Shore Dr, Section 33, Cross Village Township. The property is zoned SR Scenic Resource and RR Recreational Residential and is tax parcel 24-05-04-33-401-004. The request is to permit a second residential accessory building which is larger than the maximum 1,200 sq. ft. allowed.

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: pzcrc@emmetcounty.org

DATE RECEIVED  OCT 1 1 2019
FEE  $150.00

DATE PAID  OCT 1 1 2019

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

Applicant's Name  BRIAN KIHNKE  Phone  231-340-3610
Applicant's Address  1300 CATO ST, HARBOR SPRINGS, MI 49740
Applicant's Email Address  brian@timberwolfhandcrafted.com
Owner's Name  RICHARD & LYDIA WALLACE  Phone  248-709-2403
Owner's Address  840 PLEASANT ST, BIRMINGHAM, MI 48009
Owner's Email Address  lydia gail @ comcast.net

JOB SITE LOCATION:
Township: CROSS VILLAGE  Tax Parcel #: 24-05-04-33-40-001
Address:  205 N. LAKE SHORE DR, HARBOR SPRINGS

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

REQUIRED USE INFORMATION
Ground floor area main building:  1960 Sq. Ft.
Floor Area accessory building:  912 Sq. Ft.
Lot/Parcel Size:  4.04 Acres

Site/Plot Plan required*  2 full sized & 14 reduced sized (max 11”x17”) site plans required for Planning Commission cases

Elevation Drawing  Date Submitted  10/11/19
Engineered Drainage Plan  X
Soil Erosion Permit  
Health Dept. Approval/ Sewer Taps  

Other:
As owner/and or applicant representing the owner, (X) 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  BRIAN KIHNKE  Printed Name of Applicant  LYDIA G WALLACE  Date  10/7/19

*Required Signature of Property Owner
## IMPACT STATEMENT AND
SITE PLAN REVIEW CHECKLIST

### Case #

### Date Received

<table>
<thead>
<tr>
<th>Applicant's Name</th>
<th>BRIAN KIHNKE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property Address</td>
<td>6205 NORTH LAKE SHORE DR.</td>
</tr>
<tr>
<td>Subdivision and Lot Number (If Applicable)</td>
<td></td>
</tr>
<tr>
<td>Tax Parcel Number: 24-05-04-33-401-004</td>
<td></td>
</tr>
<tr>
<td>Township</td>
<td>CROSS VILLAGE</td>
</tr>
<tr>
<td>Proposed Use of Property</td>
<td>STORAGE BUILDING FOR PERSONAL PROPERTY</td>
</tr>
</tbody>
</table>

### IMPACT STATEMENT

#### 1. PROJECT DESCRIPTION
Give a description of the proposal:

*THE OWNERS OF THE PROPERTY, RICHARD & LYDIA WALLACE, WISH TO HAVE A SECOND ACCESSORY BUILDING CONSTRUCTED ON THEIR PROPERTY. THIS BUILDING WOULD HAVE A FOOTPRINT OF 1,260 SQUARE FEET AND WOULD BE USED FOR STORAGE OF THEIR PERSONAL 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):

<table>
<thead>
<tr>
<th>Service</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Sanitary Services</td>
<td>✗</td>
</tr>
<tr>
<td>b. Domestic Water</td>
<td>✗</td>
</tr>
<tr>
<td>c. Traffic Volumes</td>
<td>✗</td>
</tr>
<tr>
<td>d. Schools</td>
<td>✗</td>
</tr>
<tr>
<td>e. Fire Protection</td>
<td>✗</td>
</tr>
</tbody>
</table>
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>Road Jurisdiction</td>
<td>2265 E. Hathaway</td>
<td>231-347-8142</td>
</tr>
<tr>
<td>County Road Commission</td>
<td>Harbor Springs, MI 49740</td>
<td></td>
</tr>
<tr>
<td>OR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Highway Department</td>
<td>Gaylord Transportation Service Center</td>
<td>989-733-3832 or 888-304-MDOT (6368)</td>
</tr>
<tr>
<td>Affected Township</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3. ENVIRONMENTAL IMPACTS
Include statements relative to the impact of the proposed development on (if applicable):

- a. Soil Erosion
  - NO APPARENT ISSUES RELATED TO SOIL EROSION, OR STORM DRAINAGE.

- b. Storm Drainage

- c. Shoreline Protection
  - STRUCTURE TO BE LOCATED APPROX 913' FROM THE SHORELINE OF LAKE MICHIGAN.

- d. Wildlife
  - STRUCTURE TO BE BUILT WITH NATURAL COMPONENTS OF WOOD & STONE.

- e. Air Pollution

- f. Water Pollution

- g. Noise

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

<table>
<thead>
<tr>
<th>Zoning setback lines -Building (including the eave) Setbacks: Front 40' Side 15' Side 15' Rear/Water 60'</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 Location of new building and general floor plan Dimensions of bldg = 30 x 42 Total sq. ft. = 1260</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Proposed building elevations (to scale) Max. Height = 28'-6&quot;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>------------------------------------------------------------</td>
<td>--</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>All existing structures (labeled) within 100 feet of perimeter property lines</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Surrounding zoning (properties immediate to subject site)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Lot coverage of proposed building = 1,240 sf (&lt; 1%)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Boundaries of existing natural features (trees, lakes, ponds, streams, rock outcroppings, severe topography, wetlands, woodlands, etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Has a wetland permit been applied for?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<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</td>
<td>Existing topography</td>
<td></td>
<td><strong>X</strong></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Soil analysis Is it in a Critical Dune Area?</td>
<td></td>
<td><strong>X</strong></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Site Inventory provided?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Are there scenic view considerations?</td>
<td></td>
<td><strong>UNSURE</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Access</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>Access drive. Width of Right-of-Way = 12'</td>
<td></td>
<td><strong>X</strong></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Road agency approval?</td>
<td></td>
<td><strong>X</strong></td>
<td></td>
</tr>
</tbody>
</table>

<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>22</td>
<td>Affidavit of Use</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ADDITIONAL COMMENTS:**

Applicants Signature: [Signature]

Date: 10/11/19
DATE: 10/23/2019  CASE #: PSUP19-013

APPLICANT:  BRIAN KIHNKE for Richard and Lydia Wallace

PROPERTY:  6205 N LAKE SHORE DR

TOWNSHIP:  CROSS VILLAGE

REQUEST:  Special Use Permit – Exception to number of buildings and size of buildings

FACTS:
- The property is zoned RR Residential Recreation and SR Scenic Resource.
- Surrounding parcels are zoned RR and SR
- The property is approximately 4 acres.
- The request is for an exception to the number of accessory buildings allowed in Scenic Resource District and to the maximum size allowed.
- Proposed additional accessory building 1,341 sq. ft. (1,260 + 81 entry)
- Scenic Resource District allows for 1 detached accessory building up to 1,200 sq. ft. for 5 acres or less and 1 detached accessory building not to exceed 200 sq. ft.
- Existing on the parcel: 1 dwelling; 1 detached garage 1,276 sq. ft.; 1 accessory building 323 sq. ft.; and 1 accessory building under 200 sq. ft. Proposal to add a 4th detached accessory building.
- Existing garage located at the property line – permit issued in 2012 for addition, which indicated side-yard setback standard was met.
- Existing accessory building 325 sq. ft. located entirely within 15’ side yard setback. Appears to have been built since 2006 based on existing permits/plans in office.
- Site screened from road with trees.
- Township recommendation pending.

ZONING ORDINANCE STANDARDS:

Section 22.01  Accessory Buildings

22.01.1 Accessory Residential Buildings Setbacks and Floor Areas – Reviewed by Zoning Administrator unless otherwise indicated

A. ACCESSORY RESIDENTIAL BUILDINGS SETBACKS AND FLOOR AREAS

1. Customary residential accessory buildings are permitted by right provided they are incidental to and customarily found in connection with a main residential use of the property on which it is located.

2. Accessory buildings 200 sq. ft. or less are authorized without a permit on a lot
with or without a main use if they meet the applicable front yard setback standard, and that they are placed a minimum of five (5) feet from the side lot line(s) and ten (10) feet from the rear lot line.

3. Accessory residential buildings greater than 200 sq. ft. shall be subject to the side and front setback requirements as regulated by District but one (1) accessory building with 600 sq. ft. or less floor area may meet a minimum setback of ten (10) feet from the rear lot line. This setback provision shall not apply to lots fronting on a lake, river or stream.

4. Residential accessory building sizes shall be regulated as follows:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Location on the Property</th>
<th>Maximum Ground Floor Area*</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1, R-2, RR, and SR</td>
<td>Front, Side, or Rear Yard</td>
<td>1,200 Sq. Feet</td>
</tr>
<tr>
<td>FF-1, FF-2, and FR</td>
<td>Front or Side Yard</td>
<td>1,200 Sq. Feet</td>
</tr>
<tr>
<td>FF-1, FF-2, and FR</td>
<td>Rear Yard**</td>
<td>2,400 Sq. Feet</td>
</tr>
</tbody>
</table>

*On a corner lot, i.e. with two front yards, the Zoning Administrator may approve one yard to qualify for an accessory building that meets the size standards for a rear yard accessory building.

**For the purpose of determining the Rear Yard for placement of an accessory building: the rear yard is an area behind the back wall of the main use, or is at a point 250 ft. or farther from the road right-of-way line.

6. Accessory Residential Buildings in all Residential Districts may be attached or detached. Detached accessory buildings shall be limited as follows:

a. One (1) detached accessory residential building up to the maximum allowable size per parcel of five (5) acres or less.

b. For each additional five (5) acres of parcel area, above five (5) acres, one (1) additional accessory building up to the maximum allowed floor area may be permitted, but not more than four (4) such buildings.

c. In addition to the standards listed in 1) and 2) above, one (1) detached accessory building not to exceed 200 sq. ft. in ground floor area, may be permitted for such use as tool shed, wood storage, equipment housing, or animal shelter.

7. Existing accessory residential buildings shall be considered to be conforming buildings for the purposes of this Section.

22.01.5 Exceptions

Where it can be demonstrated to the Planning Commission by the applicant that no good purpose would be served by strict compliance with the provisions of this Section 22.01, the Planning Commission may waive or modify said standards subject to a Public Hearing and
approval of the Site Plan by the Planning Commission and notifications to adjoining property owners as required for a Special Land Use.

STAFF COMMENTS:
The property has more than the maximum number of accessory buildings permitted (two over 200 sq. ft.). Two of the existing buildings do not meet the setback standards (not constructed according to the approved permit). The existing garage exceeds the maximum size permitted and was not permitted at that size or at that location.

Draft Motions:
To **approve** Case #PSUP19-013 Brian Kihnke for Richard & Lydia Wallace for a Special Use Permit for an exception to the accessory building standards to allow an additional accessory building and an Exception to the size standards of an accessory building on property located at 6204 N Lakeshore Dr., Section 33 of Cross Village Township on tax parcel 24-05-04-33-401-004, as shown on the site plan dated Received October 11, 2019 because the building is screened from the public road, no good purpose would be served by strict compliance with the size standards of the Ordinance and on condition that the vegetation between the building and the road be maintained, that the building be used for personal use, an affidavit of use be filed with the Register of Deeds prior to issuance of a zoning permit, and further on condition that the existing accessory buildings be brought into compliance with zoning (other conditions or statement of facts may be inserted here).

To **deny** Case #PSUP19-013 Brian Kihnke for Richard & Lydia Wallace for a Special Use Permit for an exception to the accessory building standards to allow an additional accessory building and an Exception to the size standards of an accessory building on property located at 6204 N Lakeshore Dr., Section 33 of Cross Village Township on tax parcel 24-05-04-33-401-004, as shown on the site plan dated Received October 11, 2019 for the following reasons: three accessory buildings exist on the property, the parcel is less than five acres and it is located within the Scenic Resource zoning district which allows one residential accessory building per five acres (list reasons).
REQUEST

PSUP19-014
A request by Petoskey KOA for Sun Petoskey KOA LLC for a Special Use Permit for an 18-hole mini-golf course and Site Plan Review - amendment for expansion of the campground at 1800 N US 31 Hwy, Section 26, Bear Creek Township. The property is zoned B-2 General Business along US 31 Hwy and FF-1 Farm and Forest for the remainder of the property all on tax parcel 24-01-16-26-300-071. The Special Use Permit request is per Articles 11, 19, 20, 21 & 22 and Section 26.40 of the 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: pzcr@emmetcounty.org

DATE RECEIVED: 10-14-19
APPLICATION#: 75809-01
DATE PAID:

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

Applicant's Name: Petoskey KOA Expansion
Phone: 248-208-2500
Applicant's Address: 27777 Franklin Rd., Ste. 200
Applicant's Email Address: jmclaren@suncommunities.com

Owner's Name: Sun Petoskey KOA LLC
Phone: 248-208-2500
Owner's Address: 27777 Franklin Rd., Ste. 200
Owner's Email Address: jmclaren@suncommunities.com

JOB SITE LOCATION:
Township: Bear Creek
Tax Parcel #: 24-016-26-3-00-071
Address: Petoskey, MI 49770

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

REQUIRED USE INFORMATION
Ground floor area main building: N/A Sq. Ft.
Floor Area accessory building: N/A Sq. Ft.
Lot/Parcel Size: 27.86 Acres 1,213,582 Sq. Ft.
Site/Plot Plan required*
2 full sized & 14 reduced sized (max 11"x17")
site plans required for Planning Commission cases.

Date Submitted
Elevation Drawing: □ Site Inventory: □
Engineered Drainage Plan: □ Fire Dept Approval: □
Soil Erosion Permit: □ Wetlands Permit: □
Health Dept. Approval/ Sewer Taps: □ Road Commission/ MDOT Approval: □
Other:
As owner/and or applicant representing the owner, I do □ do not X 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:
John McLaren, President & COO 10/7/2019
Signature of Applicant
Printed Name of Applicant

*Required Signature of Property Owner
Printed Name of Property Owner

*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.
# SITE PLAN REVIEW CHECKLIST

**Case #: PSUP 19-014**  
**Date Received:** 10-14-19

<table>
<thead>
<tr>
<th><strong>Subject Property Address</strong></th>
<th>1800 N US 31 HWY, Petoskey, MI 49770</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subdivision and Lot Number (If Applicable)</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Tax Parcel Number:</strong></td>
<td>24-01-16-26-300-071</td>
</tr>
<tr>
<td><strong>Township</strong></td>
<td>Bear Creek</td>
</tr>
<tr>
<td><strong>Proposed Use of Property</strong></td>
<td>RV Resort Expansion</td>
</tr>
<tr>
<td><strong>Proposed Number of Employees</strong></td>
<td>0</td>
</tr>
</tbody>
</table>

## CHECKLIST

<table>
<thead>
<tr>
<th><strong>Basic Map Information</strong></th>
<th><strong>Yes</strong></th>
<th><strong>No</strong></th>
<th><strong>N/A</strong></th>
<th><strong>Comments</strong></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><strong>X</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Appropriate scale</td>
<td><strong>X</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Date, North Arrow, Street Names (existing and proposed right-of-ways).</td>
<td><strong>X</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Name, Address and Phone Number of person preparing plan</td>
<td><strong>X</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Property line dimensions</td>
<td><strong>X</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Basic Zoning Information

<table>
<thead>
<tr>
<th><strong>Zoning setback lines - Building (including the eave) Setbacks:</strong></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>Side</td>
<td>Side</td>
<td>Rear/Water</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| <strong>Distance between buildings (nearest point to nearest point)</strong> | <strong>X</strong> | | | |
| <strong>Location of new buildings and general floor plan Dimensions of bldg(s):</strong> | | | | |
| =<strong><strong><strong>x</strong></strong></strong> Total sq.ft. =__________ | <strong>X</strong> | | | |
| <strong>Proposed building elevations (to scale) Max. Height =__________</strong> | <strong>X</strong> | | | |
| <strong>All existing structures (labeled) within 100 feet of perimeter property lines</strong> | <strong>X</strong> | | | |
| <strong>Multiple housing units - Number of units =__________ composition (efficiency, one bedroom, two, three)</strong> | <strong>X</strong> | | | |
| <strong>Surrounding zoning (properties immediate to subject site)</strong> | <strong>X</strong> | | | |
| <strong>Lot coverage of proposed buildings =__________</strong> | <strong>X</strong> | | | |</p>
<table>
<thead>
<tr>
<th><strong>Natural Features</strong></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 out-croppings, severe topography, wetlands, woodlands, etc.).</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 Has a wetland permit been applied for?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 Existing topography</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Soil analysis Is it in a Critical Dune Area?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18 Site Inventory provided?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Are there scenic view considerations?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Drainage / Parking/ Roads</strong></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>20 Access drives, internal roads (note public or private) service roads. Width of Right-of-Way = 24' Private Road (Pavement Width)</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Loading/unloading, service areas</td>
<td></td>
<td></td>
<td>X</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>X</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>X</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><strong>Parking spaces required</strong> <em>0</em> , parking spaces actual <em>18</em> Handicap parking location and number <em>1</em></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>27 Required landscaping in parking areas</td>
<td></td>
<td></td>
<td>X</td>
<td>Resort Closed for Winter</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>
<td>X</td>
<td></td>
</tr>
<tr>
<td>30 Existing easements (utility, access) within site limits</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>31 Location of Water/well, Sewer/septic, and stormwater</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<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>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>33 Proposed retention/detention sedimentation ponds</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Other Site Requirements</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
<td>Comments</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------------</td>
<td>-----</td>
<td>----</td>
<td>-----</td>
<td>----------</td>
</tr>
<tr>
<td>Proposed landscaping (required greenbelts, plant materials/size and type, fences, retaining walls, earthberms, etc.)</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location of outdoor lights, pole heights, bollards, building attached, luminary shielding techniques*</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location of sign(s)*</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site amenities (play area, pools, beaches, tennis courts, etc.).</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impact Statement attached?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Department approval?</td>
<td></td>
<td></td>
<td></td>
<td>Agency Approval in Progress</td>
</tr>
<tr>
<td>Fire hydrants and fire vehicle access.</td>
<td></td>
<td></td>
<td></td>
<td>Agency Approval in Progress</td>
</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></td>
<td></td>
<td>Agency Approval in Progress</td>
</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></td>
<td></td>
<td>Agency Approval in Progress</td>
</tr>
</tbody>
</table>

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

**ADDITIONAL COMMENTS:**


Applicants Signature

John McLaren, President & Chief Operating Officer

Date

10/7/2019
IMPACT STATEMENT
FOR SITE PLAN REVIEW

APPLICANT'S
NAME Sun Petoskey KOA LLC CASE# PSUP 19-014

PHONE NUMBER 248-208-2500 DATE 10/11/19

PROJECT TITLE Petoskey KOA PH II Expansion

PROPERTY TAX ID # 24-01-16-26-300-071 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.

The proposed development is an expansion of the existing KOA located at 1800 N. US Highway 31 in Petoskey, Michigan. The proposed expansion will consist of 12 total campsites (2 back-in and 10 cabin sites). A single new private road will connect to an existing campground road to provide access to the proposed new sites. Existing road connections to US Highway 31 will remain unchanged. All campsites will be provided with sanitary sewer, water and electric services. Campsite pads and patios will be gravel and concrete as shown on the site plan.
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
The proposed sanitary sewer system will serve 12 new campsites and the proposed 18-hole mini golf course. The system will connect to the existing campground sanitary sewer system that ultimately discharges into the Bear Creek public sanitary sewer system. A detailed sewer and water assessment was completed for the site and is available upon request.

b. Domestic Water
The proposed water system will connect to the existing campground private well system to serve the 12 new campsites and the proposed 18-hole mini golf course. This system will not have any demand impact on the existing public system. A detailed sewer and water assessment was completed for the site and is available upon request.

c. Traffic Volumes
Additional traffic demand will be attributable to the addition of 12 campsites. The proposed 18-hole mini golf course will be designated for use by campground residents only and is not anticipated to generate any additional traffic. Traffic generation rates for campgrounds (ITE Code 416) are generally low.

d. Schools
Not applicable to this project.

e. Fire Protection
Fire Protection will be consistent with the existing KOA campground. The new access road will serve as fire access to the new campsites and will be constructed with a turnaround for fire truck ingress/egress.

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

a. Soil Erosion
Erosion control will be provided in accordance with MDEQ and NPDES requirements. Soil erosion will be mitigated during construction by a various combination of silt fence, filter berms and vegetation. Permanent stabilization will be completed with permanent vegetation.

b. Storm Drainage
A new detention basin will be constructed and an existing detention basin will be modified for the new impervious cover. Both detention basins will meet Emmet County and MDOT stormwater requirements and volumes will meet or exceed the volume of water from a 1.5" rainfall (sandy soils) x additional hard (impervious) surfaces.

c. Shoreline Protection
Not applicable to this project.

d. Wildlife
A wetland and endangered species habitat study was previously completed for the site and is available upon request.

e. Air Pollution
Not applicable to this project.

f. Water Pollution
The proposed water well and sanitary sewer mains will be constructed and tested in accordance with MDEQ requirements.

g. Noise
Not applicable to this project.
PETOSKEY KOA EXPANSION PHASE II
1800 N. US HWY 31
PETOSKEY, MI, EMMET COUNTY, MICHIGAN
PRELIMINARY ENGINEERING SITE PLANS

DEVELOPER
SUN COMMUNITIES, INC.
27777 FRANKLIN ROAD, SUITE 200
SOUTHFIELD, MI 48034
PHONE: (248) 288-2853
CONTACT: JOHN MCMICHER

PROPERTY OWNER
SAN PETOSKEY KOA, LLC
37777 FRANKLIN ROAD, SUITE 200
SOUTHFIELD, MI 48034
PHONE: (248) 288-2853
CONTACT: JOHN MCMICHER

CIVIL ENGINEER/SURVEYOR/ WETLANDS CONSULTANT/ LANDSCAPE ARCHITECT
ATWELL, LLC
445 BINGHAM ROAD, SUITE 100
NAPERVILLE, IL 60563
PHONE: (630) 677-1833
FAX: (630) 677-3205
CONTACT: DAMIAN A. STICK, P.E.

GOVERNING AGENCIES & UTILITY CONTACTS

MUNICIPALITY
BEAR CREEK TOWNSHIP
37777 FRANKLIN ROAD
PETOSKEY, MI 49770
PHONE: (231) 743-6561 EXT 1
CONTACT: SALLY WHEELER

PLANNER
EMMET COUNTY PLANNING AND ZONING DIRECTOR
244 HARRISON PETOSKEY ROAD, SUITE E
HARBOR SPRINGS, MI 49740
PHONE: (231) 348-5802
FAX: (231) 348-5801
CONTACT: TIMMY DOHURST

SANITARY SEWER
BEAR CREEK TOWNSHIP
37777 FRANKLIN ROAD
PETOSKEY, MI 49770
PHONE: (231) 743-6561 EXT 1
CONTACT: DENNY ASBEE

BENCHMARKS
BENCHMARK 1: PUNCH MARK ON SOUTHEAST BOLT FOR LIGHT POLE ELEVATION: 892.76 (NAVD88)
BENCHMARK 2: SET 4 INCH BOLT ON NORTH FACE OF POWER POLE ELEVATION: 890.22 (NAVD88)
BENCHMARK 3: CHISELED V ON SIDE OF MANHOLE RIM ELEVATION: 890.76 (NAVD88)
BENCHMARK 4: CHISELED V ON SOUTH SIDE OF MANHOLE RIM ELEVATION: 877.16 (NAVD88)

PROJECT NARRATIVE
SUN COMMUNITIES IS PROPOSING A EXPANSION TO THE EXISTING KOA RV PARK. THIS PROPOSAL INCLUDES DEVELOPMENT OF 32 NEW RV SITES LOCATED IN THE PF-17 (RURAL RESIDENTIAL) DISTRICT OF PARCEL 24-01-01-015-000-071 AND A NEW ROAD, REFERRED TO AS GENERAL BUSINESS ZONING DISTRICT PARCEL 24-01-01-015-000-071.

FLOODPLAIN NOTE
THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HAS NOT COMPLETED A STUDY TO DETERMINE FLOOD PLAN IS DANGEROUS FOR THIS AREA.

SHEET INDEX
C001 COMBINED SHEET
C010 SITE LAYOUT PLAN
C030 GRADE AND DRAINAGE PLAN

RECEIVED
OCT 14, 2019
EMMET COUNTY PLANNING & ZONING
Harris recommends using permeable self-draining, compatible fill. Treated fill materials, such as sand and soil, are recommended. Harris recommends having additional fill available for the shaping and contouring of the golf holes, ramps, and water features.

Owners must comply with GRACE STAKE to ensure and verify that the grading plan has been done properly and in accordance with the plan provided by Harris Miniature Golf Course, Inc.
NOTES:

1. These materials are based on the latest design parameters provided to Harris Minature Golf Courses, Inc. and their configurations and specifications were prepared for Harris Minature Golf Courses, Inc. in laboratory conditions. As such, the conditions can differ from those in the actual field conditions. The customer is responsible for verifying compliance with any applicable electrical lighting, and/or energy codes.
LOWER POND DETAIL
NOT TO SCALE

EDGE OF POND
3500 MIN. PSI CONCRETE W/ FIBER

POND REBAR GRID
NOT TO SCALE

83 REBAR (TYP.)
12" O.C. SPACING (TYP.)
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 10/22/2019

CASE #: PSUP19-014

APPLICANT: SUN PETOSKEY KOA LLC

PROPERTY: 1800 N US 31 HWY

TOWNSHIP: BEAR CREEK

REQUEST: 2-part request: Special Use Permit – Mini-Golf/Site Plan Review – Amendment for campground expansion

FACTS:

PART 1 – SPECIAL USE PERMIT – Mini-Golf

- The property is zoned B-2 General Business for a depth of 250' (in-line with easterly parcel). The overall site area is 27.86 acres. The B-2 portion appears to be 250'x250' (1.43 acres).
- The property was approved for display lot for up to fifteen units on the site.
- There are two plans provided with the current application. There are discrepancies in the plans. The detailed mini-golf plans do not meet the setback standards of the zoning district. No parking details shown on the golf-course plans provided by design professional. The applicant has indicated the golf-course plans were provided for graphic representation only.
- The site plan does not show property dimensions.
- Not all structures within 100' of the perimeter property lines shown on the plan.
- No details regarding height have been provided for the proposed 10'x10' structure near the entrance of the mini-golf course.
- Setback lines not shown on the plan.
- Site Plan Review checklist indicates “yes” on sidewalks, path, and trails. Unclear where these features exist except within the course itself.
- MDOT review indicated as N/A on checklist. Should be requested for change of use and for discharge of stormwater into road right-of-way. Plans have been sent by EC staff to MDOT for review.
- The parking is proposed across the access road from the golf course...a driveway with access to the existing campground – which is proposed to be expanded. No pedestrian accommodations are made on the plan to safely allow pedestrians to cross the driveway access.
- Parking spaces – checklist indicates zero required. Impact statement indicates golf course is for campers only. Zoning Ordinance requires 4 for each golf hole – 72 total parking spaces required. Total parking spaces provided = 18.
- Parking spaces do not appear to meet minimum parking space size standards of 10'x20'.
• The parking on the site plan does not meet the side yard setback standard for one parking space.
• No estimated cost for the drainage system provided.
• Outdoor lighting: poles exceed height permitted, lighting fixtures are not horizontal to the ground, lighting levels at the property line not provided. Lighting levels are consistent with a display lot.
• No health department review provided. Fire department review not received to date.

PART 2 – SITE PLAN REVIEW – AMENDMENT – EXPANSION OF CAMPGROUND (CAMPGROUND USE IS A SPECIAL LAND USE IN THE FF-1 ZONING DISTRICT)

• The portion of the property proposed for campground expansion is zoned FF-1 Farm and Forest.
• The overall site area is 27.86 acres. The FF-1 zoned portion is approximately 26.4 acres in area and exceeds 600' lot width.
• The property is the current location of the KOA campground on US-31 Hwy. The campground was originally approved in 1972 and has been approved for expansions since that date.
• The current proposal adds 10 cabin sites and 2 camper sites to the campground on a new drive accessing an internal driveway. Each cabin is proposed to be 12'x45' (540 sq. ft.).
• Access is proposed from the existing entrance from US-31 Hwy.
• Setbacks are not shown on the plan. Using a scale, it appears the sites and retaining walls meet all setback standards.
• No sidewalls, paths, or trails appear on the plan.
• The plan indicates deciduous trees to be planted at each site – location not identified and species not identified.
• No dumpster is identified on the plan.
• Plan has been submitted by EC staff to MDOT for review.
• No estimated cost for the drainage system changes has been provided.
• No signs proposed. No exterior lighting proposed in Part 2.
• Fire department review not received to date.

ZONING ORDINANCE STANDARDS:

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 21.02 Special Land Use Review Standards

In reviewing all requests for Special Land Uses the Planning Commission or Zoning Administrator shall require compliance with any of the following as may reasonably apply to the particular use under consideration (See also Article 20 and Section 21.01):

A. Non-detrimental impact upon the surrounding uses in the District, particularly as related to traffic generating potential, servicing by trucks, hours of operation and pedestrian traffic. A traffic impact study may be required by the Planning Commission.

B. A large enough size of the parcel or project site to accommodate the use, its future expansion, customary accessory uses and on-site services (such as but not limited to sewage disposal and water supply).

C. Impact of the proposed use on the quality and quantity of water resources, domestic water supplies and capacity to absorb the anticipated sewage disposal demand.

D. Entrance drives to the use and off-street parking areas shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from the boundary of a different Zoning District. Road agency review shall be required.

E. The use does not conflict with the principles, goals, or objectives of the County Comprehensive Plan.

F. Suitability of access to the use, assuring that minor residential streets are not used to serve uses that have larger area-wide patronage.

G. Allowance is made for vehicles to enter and exit the use safely and no visibility impediments to drivers are created by signs, buildings, land uses, plantings, etc.

H. Open spaces and common areas, when offered by an applicant as an integral element of a Planned Unit Development or Special Land Use Project, may be required to be formally assured by one or more of the following instruments: Scenic Easement; Conservation Easement; Deed Restriction; or similar dedication mechanism.

The open space dedication instrument shall name the State, the County, a Local Unit of Government, or a land conservation/conservancy organization, as a party to the instrument, as determined to be most acceptable for the particular property and agency involved.

Section 26.40 Commercial Outdoor Recreation (amusement parks, carnivals, rebound tumbling facilities, mini-golf, driving ranges)

A. Children's amusement facilities must be fenced on all sides with a minimum four foot and six inch (4' 6") protective wall or fence.

No protective fence or wall proposed.
B. All manufacturers’ specifications for safety are complied with as well as any additional safety measures that may be prescribed by the Planning Commission.

*Plans provided by applicant from golf-course design professionals.*

C. When discontinued or abandoned, the site shall be left in a reusable condition, free of hazards related to dangerous structures, pits, pools, excavations, electric circuits and similar features.

*N/A.*

### Section 26.29 Travel Trailer Courts, Tenting Areas, and Campgrounds

#### 26.29.1 FF-1, FF-2, and FR Districts

A. The minimum State of Michigan health requirements governing travel trailer courts and camping areas shall be complied with.

*Confirmation of this standard would be needed when obtained.*

B. The use shall be developed on a site of at least ten (10) acres and no less than 600 feet of lot width or property width.

*This standard met.*

C. No person shall occupy any recreational unit for more than six (6) months in any one year.

*This standard not specifically addressed.*

D. The use shall not be visible from public streets and thoroughfares and shall be screened using a combination of privacy fencing and natural or planted greenbelts.

*This standard appears to be met based on existing conditions and proposed location. Condition could require existing trees to be retained.*

**STAFF COMMENTS:**

Plans appear to be missing many details required to determine compliance with the Zoning Ordinance. Lighting for the golf course is not compliant. Parking standards do not appear to be met. MDOT, fire department, and health department reviews should be required. The existing SUP on the B-2 zoned portion of the property should be removed if the new use is approved. Suggest postponement until all required information and details are provided. Suggest two separate motions for the two-part proposal. Staff has requested the referenced detailed sewer and water assessment and wetland/endangered species studies be provided.

**Draft Motions:**

**PART 1: Mini-Golf Course**

To **approve** Case #PSUP19-014 – Part 1, Sun Petoskey KOA LLC for a Special Use Permit for a mini-golf course on property located at 1800 N US 31 Hwy, Section 26, Bear Creek Township, tax parcel 24-01-16-26-300-071, as shown on the site plan and detailed golf course plans dated Received October 14, 2019 based on the facts presented in this case and because the standards for a mini-golf special land use have been met including:

*(other conditions or statement of facts may be inserted here).*
To deny Case #PSUP19-014 – Part 1, Sun Petoskey KOA LLC for a Special Use Permit for a mini-golf course on property located at 1800 N US 31 Hwy, Section 26, Bear Creek Township, tax parcel 24-01-16-26-300-071, as shown on the site plan and detailed golf course plans dated Received October 14, 2019 for the following reasons: (reasons may be added here).

To postpone until the next regular Planning Commission meeting Case #PSUP19-014 – Part 1, Sun Petoskey KOA LLC for a Special Use Permit for a mini-golf course on property located at 1800 N US 31 Hwy, Section 26, Bear Creek Township, tax parcel 24-01-16-26-300-071, as shown on the site plan and detailed golf course plans dated Received October 14, 2019 for the following reasons: to allow the applicant time to provide updated plans to address the following plan deficiencies: parking standards; building details; setback details (addressing discrepancies); estimated drainage system costs; minimum graphic requirements of a site plan; MDOT review; fire department review; (other items may be added as discussed).

PART 2: Campground expansion
To approve Case #PSUP19-014 – Part 2, Sun Petoskey KOA LLC for a Special Use Permit/Site Plan amendment for a campground expansion on property located at 1800 N US 31 Hwy, Section 26, Bear Creek Township, tax parcel 24-01-16-26-300-071, as shown on the site plan dated Received October 14, 2019 based on the facts presented in this case and because the standards for a campground have been met including: (other conditions or statement of facts may be inserted here).

To deny Case #PSUP19-014 – Part 2, Sun Petoskey KOA LLC for a Special Use Permit/Site Plan amendment for a campground expansion on property located at 1800 N US 31 Hwy, Section 26, Bear Creek Township, tax parcel 24-01-16-26-300-071, as shown on the site plan dated Received October 14, 2019 for the following reasons: (reasons may be added here).

To postpone until the next regular Planning Commission meeting Case #PSUP19-014 – Part 2, Sun Petoskey KOA LLC for a Special Use Permit/Site Plan amendment for a campground expansion on property located at 1800 N US 31 Hwy, Section 26, Bear Creek Township, tax parcel 24-01-16-26-300-071, as shown on the site plan dated Received October 14, 2019 for the following reasons: to allow the applicant time to provide updated plans to address the following plan deficiencies: estimated drainage system costs; minimum graphic requirements of a site plan; MDOT review; fire department review; health agency review (other items may be added as discussed).
## Article 19

### Schedule of Regulations

#### Section 19.00  Limiting Height, Bulk, Density and Area by Land Use

<table>
<thead>
<tr>
<th>DISTRICTS</th>
<th>Minimum Lot Size per Unit or Use</th>
<th>Maximum Height of Structure in Feet</th>
<th>Minimum Yard Setback in Feet</th>
<th>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</th>
<th>Minimum Floor Area in Square Feet (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1 Single Family Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>Width in Feet</td>
<td>Front (5)</td>
<td>Sides (5)</td>
<td>Rear (3,5)</td>
<td></td>
</tr>
<tr>
<td>½ acre</td>
<td>100 (a)</td>
<td>30 (f, h)</td>
<td>30 (e, g, i)</td>
<td>10 (d, g, i)</td>
<td>25 (i)</td>
</tr>
<tr>
<td>R-2 General Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>Width in Feet</td>
<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
<td>½ acre</td>
<td>100</td>
<td>30 (f, h)</td>
<td>30 (b, e, g, i)</td>
<td>20 (b, d, g, i)</td>
<td>35 (b, i)</td>
</tr>
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<tr>
<td>Area</td>
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<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
<td>30,000 Sq. ft.</td>
<td>150 (a)</td>
<td>30 (f, h)</td>
<td>40 (e, g, i)</td>
<td>15 (d, g, i)</td>
<td>40 (i)</td>
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<tr>
<td>Area</td>
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<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
<td>none</td>
<td>100 (a)</td>
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<td>20 (i)</td>
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<tr>
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<tr>
<td>Area</td>
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<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
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<td>100 (a)</td>
<td>30 (f, h)</td>
<td>25 (e)</td>
<td>10 (d)</td>
<td>20 (i)</td>
</tr>
<tr>
<td>B-2 &amp; B-3 General Business</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Area</td>
<td>Width in Feet</td>
<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
<td>none</td>
<td>100 (a)</td>
<td>30 (f, h)</td>
<td>25 (e)</td>
<td>10 (d)</td>
<td>20 (i)</td>
</tr>
<tr>
<td>P-T Parking Transition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>Width in Feet</td>
<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
<td>none</td>
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<td>30 (f, h)</td>
<td>See (4)</td>
<td>10 (d, i)</td>
<td>20 (i)</td>
</tr>
<tr>
<td>I-1 &amp; I-2 Light &amp; General Industrial</td>
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<td></td>
<td></td>
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<td>Area</td>
<td>Width in Feet</td>
<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
<td>none</td>
<td>100 (a)</td>
<td>30 (f, h)</td>
<td>30 (e)</td>
<td>10 (d)</td>
<td>20 (i)</td>
</tr>
<tr>
<td>FF-1 Farm Forest</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>Width in Feet</td>
<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
<td>1 acre</td>
<td>150 (a)</td>
<td>30 (f, h)</td>
<td>40 (e, g, i)</td>
<td>20 (d, g, i)</td>
<td>35 (i)</td>
</tr>
<tr>
<td>FF-2 Farm Forest</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>Width in Feet</td>
<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
<td>2 acres</td>
<td>200 (a)</td>
<td>30 (f, h)</td>
<td>40 (e, g, i)</td>
<td>20 (d, g, i)</td>
<td>35 (i)</td>
</tr>
<tr>
<td>FR Forest Recreation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area</td>
<td>Width in Feet</td>
<td>Maximum Height of Structure in Feet</td>
<td>Minimum Yard Setback in Feet</td>
<td>Maximum Percent of Lot Coverage by the Area of all Buildings (2)</td>
<td>Minimum Floor Area in Square Feet (1)</td>
</tr>
<tr>
<td>40 acres</td>
<td>300 (a)</td>
<td>30 (f, h)</td>
<td>40 (e, g)</td>
<td>20 (d, g)</td>
<td>35 (i)</td>
</tr>
</tbody>
</table>

**PUD** SEE ARTICLE17

1. For permanent dwelling units and not cottages, cabins, motels or similar uses.
2. These provisions shall not apply to structures four (4) feet in height or less.
3. Refer to Section 22.11 for Minimum Waterfront Setback.
4. FOR RESIDENCES ONLY: Setback sixty (60) feet from the 1986 High Water Mark. (IGLD 582.35', 10/86)
5. Refer to Article 13, Section 13.03 for setback standards in P-T Districts.
6. Outside stairways, fire escapes, vestibules, balconies, bay windows, and similar projections from the face of a building extending more than four (4) feet above the established grade shall be considered part of the building and shall not extend into any required yard or open space.

(a)-(j) See notes to Section 19.00, on the pages following.
Section 19.01 Notes to Section 19.00

a. Unless approved central domestic water and sewage treatment facilities serve the development, the minimum lot requirements shall be stated in the “Schedule of Regulations”. If central water and/or central sewage treatment facilities serve the development, the minimum lot requirements may be reduced to 12,000 square feet (100 x 120). Minimum lot width, in R-1 and may be reduced to 60 feet.

b. For the purpose of applying yard regulations, multiple dwellings shall be considered as one building occupying one lot. When more than one multiple dwelling building occupies one lot, the two or more structures must be separated by at least 20 feet when end to end and fifty feet when face to face or back to back for structures up to two stories. These isolation distances shall be increased by eight feet for each story above the first two stories.

c. Multiple family buildings, shall not exceed a density expressed in dwelling units per acre as follows:

MULTIPLE FAMILY DENSITY SCHEDULES:

<table>
<thead>
<tr>
<th>Type of Units in R-2 Districts</th>
<th>WITHOUT COMMUNITY SEWER</th>
<th>WITH COMMUNITY SEWER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Minimum Land Area per Dwelling Unit Excluding Public Roads</td>
<td>Net Density in Units per Acre</td>
</tr>
<tr>
<td>One Bedroom</td>
<td>6,000 Square Feet</td>
<td>7.260</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>8,500 Square Feet</td>
<td>5.125</td>
</tr>
<tr>
<td>Each Additional Bedroom</td>
<td>Add 4,000 Square Feet</td>
<td>n/a</td>
</tr>
</tbody>
</table>

DENSITY NOTES:

i. A "den" or "library" or "extra room" shall count as a bedroom for the purposes of computing density.

ii. In a rooming house, boarding house, group quarters, or residential care facility, every three (3) persons of occupancy shall count as being equivalent to one (1) bedroom for purposes of computing density.

Unless the construction plans include tying into an existing municipal or community sewer and/or water system, the on-site services to be constructed shall be designed so that central collection/distribution points are installed in anticipation of future tie-ins with a municipal type system. The local sewer/water authority having jurisdiction shall be consulted on matters of service tie-ins and pre-utility plans to minimize site disruption on future tie-in or hook-up projects.
To: Emmet County Planning Commission, Zoning Board of Appeals & Board of Commissioners
From: Planning & Zoning, Tammy Doernenburg Director
Date: Prepared for Emmet County Planning Commission October 2019 meeting
Subject: Status of Enforcement Issues

1. **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. 5/9/2018 sent letter to owner. 5/24/2018 SUP applied for – will be on the August 2018 PC agenda. SUP denied at 8/2/2018 PC meeting. Letter sent to owner requesting removal of structure. Follow-up needed after snow melt. 5/16/2019 confirmed violation still exists – sent violation letter requesting building be removed.

2. **Littlefield - 4700 Oden Rd / 4653 Pangbuin St** – 4/17/2018 – during ZBA case review of neighboring property, discovered encroachment from this subject property. Staff to investigate further. 5/21/2018 – letter sent to owner. Received call 5/24/2018 from owner who is meeting with association Memorial Day weekend. Will explore options. 6/6/2018 received call from property owner within association. Still exploring options with neighboring property owner and road vacating. 6/26/2018 – received call from property owner – meeting with township regarding vacating platted roads. 8/9/2018 – owners met with township Board to discuss options regarding platted roads. MDOT consulted regarding claim of state right-of-way for one platted road – determination made MDOT does not claim rights to either platted road 8/20/2018. Owners seem to be working toward compliance. 11/15/2018 received email of status – owner attempting to abandon roads and convey to appropriate adjacent properties to allow mobile home to remain at its current location. 11/20/2018 spoke with property owner representative and requested update in 30 days. Working toward resolution. 12/21/2018 – meeting with Civil Counsel to work toward next steps. 1/2/2019 letter sent to both the property owner and mobile home owner. No response from mobile home owner, property owner claimed no responsibility. Violation letter 2 sent 1/23/2019. No response from mobile home owner to date. Property owner at 4653 Pangbuin St has sent responses. 2/7/2019 Sent Final Notice. 3/6/2019 Notice of Violation issued. 3/8/2019 correspondence with attorney for Boisnham. Provided options. 3/15/2019 received proposed lot split plans. 3/20/2019 Advised attorney of options for compliance. Communication continues with attorney and surveyor. 5/22/2019 ZBA reviewed variance requests. Variances denied. Violation continues. 7/9/2019 appeal to Circuit Court filed. Civil Counsel reviewing. 7/24/2019 response filed by Emmet County – awaiting court review and direction. Court received the record. Civil Counsel responding to Appellant’s Brief – due 10/29/2019.

3. **Carp Lake** – 8772 Paradise Tr – 6/25/2018 – received phone call of too tall sign. Investigated and found new sign – no permits. Sent letter same day. 7/10/2018 – received phone call from owner. Sign was installed, is too tall, is in road right-of-way and is too large in area. Gave options to owner and asked for compliance. 7/20/2018 – owner applied for ZBA review. 8/6/2018 ECRC denied road commission permit application for sign located in road right-of-way. 8/6/2018 – owner withdrew ZBA request. 8/20/2018 – sign still at same location. Sent follow-up letter to owner requesting removal of sign. 9/10/2018 – sign has been moved, but is still visible from the road. Follow-up needed. Received call regarding outdoor lighting installed on cottages with glare onto neighboring property. Visited site 1/18/2019. Letter to be sent. 2/7/2019 – follow-up letter sent. Received call from owner who claimed harassment. Sent information for sign variance and lighting standards. 3/4/2019 received complaint from owner regarding enforcement. Advised by owner not to enter property. 3/20/2019 visited site from neighboring property and road. Lights are out of compliance and glare on to neighboring property. 4/5/2019 received follow-up letter from owners. 4/11/2019 sent response letter invoking ZBA application. 5/13/2019 received ZBA application. Visited site 5/17/2019 – unable to determine compliance of lights. Will visit after dark. Site visited 5/24/2019 – one light compliant, one light not compliant. Sign area approved by ZBA, sign height not approved. 8/21/2019 visited site. No change. Owner to be contacted. 9/11/2019 letter sent. Site visit conducted – no change.

4. **Friendship Township** – 3485 S Lake Shore Dr – complaint of tree-cutting and RV use. Follow-up needed.


6. **Littlefield Township** – Petoskey St - Ponshewaing - rental nuisance complaint. Follow-up needed.

7. **County-wide – PC** – Discussion needed regarding RV use on lot without a main use.


9. **Bear Creek** – 1700 Anderson Rd – 6/27/2018 - complaint of outdoor storage/sales in unauthorized area. 6/29/2018 – contacted Fire Chief regarding display/storage in fire-lane. He indicated he’d contact the store and asked that I address storage in back of store. 7/16/2018 -
Sent letter. Received call from manager indicating store is now in compliance. Requested a site visit. Site visit conducted 8/16/2018 - called manager, not in. Follow-up needed. 12/20/2018 - site visited. Letter to property owner prepared to address development as a whole. 2/8/2019 received email from property manager. Met with property manager for adjacent parcels. Need to reach out to different property manager for this property.

10. **Bear Creek** – 1264 US 31 N – 8/2/2018 – report of sign in disrepair. Letter sent to owners 8/23/2018. Will follow-up with new owner. 12/10/2018 – letter sent to new owner. Received phone call 1/11/2019 regarding sign. Owner wishes to use the sign. 2/7/2019 spoke with owner – new use may be known within 30 days. 3/21/2019 have received many calls and emails regarding potential use. Follow-up needed. 5/14/2019 sent letter to owner requesting sign be brought into compliance. No response to date. 7/25/2019 – received call from owner indicating new occupant plans to use sign. 8/21/2019 received call from contractor for new business – no change of use. 10/19/2019 – sign removed – compliance achieved. 10/21/2019 – site visit conducted. Additional investigation needed. Will continue to monitor.

11. **Bear Creek** – 5322 Evergreen Tr – 4/26/2019 report of RV being used in front yard. RVs may be occupied for 60 days in a calendar year. Follow-up needed. Will continue to monitor.

12. **Bear Creek** – 1057 Cedar Valley Rd – possible business from residence. Site visit conducted. Additional investigation needed. Will continue to monitor.

13. **Bear Creek** – 1475 Cedar Valley Rd – possible business from residence. Site visit conducted. Additional investigation needed. 6/19/2019 – confirmed DBA at the subject property.

14. **Bear Creek** – 2153 Cedar Valley Rd – observed outdoor storage in violation of Home Occupation. 6/6/2019 - sent letter to occupant and property owner. 7/2/2019 – observed site, unable to determine extent of outdoor storage - not visible from road. Will continue to monitor.

15. **Bear Creek Twp** - 2000 Fochtman Industrial Park Dr – based on complaint made during PC meetings for 2020 Fochtman Industrial Park Dr – spoke with ECRC. Plan to meet on-site and review drainage for adjacent property.

16. **Bear Creek Twp** – 2157 Howard Rd – complaint of hours of operation being violated. Follow-up needed. 9/6/2019 – emailed owner.

17. **Bear Creek Township** – 796 Bellmer Rd – rental nuisance complaint. Follow-up needed.

18. **Bear Creek Township** – 2628 Howard Rd – 10/24/2019 complaint of substance abuse facility in residence. 10/24/2019 Site visited, unable to confirm violation.

19. **Bear Creek Township** – 285 Skyline Dr – 9/17/2019 – complaint of chicken coop on property. Suggested contacting MDARD.

20. **Bear Creek Township** – 528 N Fletcher Rd – 9/17/2019 – complaint of building being constructed without a permit. Sent letter to owner 10/3/2019. 10/16/2019 received phone call from owner indicating he would apply and that the building was a farm use building. No application received to date (10/23/2019).