OTSEGO COUNTY
PLANNING COMMISSION

June 15, 2015
6:00 PM

MEETING WILL BE IN THE PLANNING AND ZONING MEETING ROOM LOCATED AT 1322 HAYES ROAD

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES: From May 18, 2015 meeting
5. CONSENT AGENDA: None
6. OTHER: None
7. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA:
   (Please identify yourself for the record. All comments will be limited to two (2) minutes)
8. PUBLIC HEARINGS:
   1. *Dean & Sara Gapinski, owners of Gapinski Forestry Products Inc, have requested a Special Use Permit/Site Plan Review for property located in Livingston Township at:*
      210 Meecher Rd Gaylord, MI 49735
      081-210-000-001-00
      Property located in a B2/General Business Zoning District
      PSUP15-001-*proposed use of the property is to build a 120x60 shop/office for equipment repair and outside log storage.*
   2. *Otsego County Zoning Ordinance Proposed Amendment*
      PZO15-3-*proposed language to Article 9/AR/Agricultural Resource/Section 9.2.4 per Zoning Board of Appeals interpretation*
   3. *Otsego County Zoning Ordinance Proposed Amendment*
      PZO15-004- *proposed language to Article 17/Schedule of Dimensions HX/Highway Interchange/Maximum building height*
9. ADVERTISED CASES:
   1. *Dean & Sara Gapinski, owners of Gapinski Forestry Products Inc, have requested a Special Use Permit/Site Plan Review for property located in Livingston Township at:*
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      PZO15-3-*proposed language to Article 9/AR/Agricultural Resource/Section 9.2.4 per Zoning Board of Appeals interpretation*
   3. *Otsego County Zoning Ordinance Proposed Amendment*
      PZO15-004- *proposed language to Article 17/Schedule of Dimensions HX/Highway Interchange/Maximum building height*
10. UNFINISHED COMMISSION BUSINESS:
11. NEW BUSINESS:
12. REPORTS AND COMMISSION MEMBER'S COMMENTS:
    1. Otsego County Parks & Recreation report/Judy Jarecki
    2. General Information Guide for a PC or ZBA/Zoning Training
13. ADJOURNMENT

Otsego County Planning Commission

Proposed Minutes for May 18, 2015

Call to Order: 6:00 pm by Chairperson Hartmann

Pledge of Allegiance

Roll Call:

Present: Chairperson Hartmann, Vice-Chairperson Jarecki, Mr. Borton, Mr. Hilgendorf, Mr. Arndt, Mr. Brown, Ms. Nowak, Mr. Hendershot, Mr. Mang, Ms. Corfis
Absent: Mr. Klee

Staff Present: Mr. Schlaud, Ms. Boyak-Wohlfeil

Others Present: Erma Backenstose, Otsego County Commissioner

Public Present: Tom Dahlman/DTE representative, Jason Caverson/Wade Trim, Randy Stults

Consent Agenda: None

Approval of minutes from: March 16, 2015

Mrs. Jarecki requested the 'would' be corrected to '***could***', page four (4) under Reports and Commission Member's Comments, Parks and Recreation report.

Mr. Mang suggested adding the name of the site referenced by Mr. Ernst on page one (1) under Public participation not on the agenda, so '*Alpine Power Plant site*' was added.

Motion made to approve minutes with corrections by Mr. Hendershot; Seconded by Mr. Hilgendorf.

Motion approved unanimously.

Other: DTE/Tom Dahlman, representative, Jason Caverson, Wade Trim/117 Old State Rd

Mr. Caverson stated the original survey completed in 1972 for property located at 117 Old State Rd belonging to DTE was in error. A mistake was made in the location of the 1/8th line and with this correction the property is larger than originally thought. A couple of parcels were sold off to M&M Excavating previously. When County zoning was put in place, it was DTEs understanding that the B3 zoning encompassed all of the property. The zoning map depicts a B3/Business & Light Manufacturing of what was thought to be the original property and the rest as a B2/General Business Zoning District. They were seeking verification of the zoning to proceed with their special use permit.

Mr. Dahlman stated a B3/Business & Light Manufacturing Zoning District was needed for the interconnect project DTE was pursuing to extend natural gas usage to the Gaylord area and to the north.

After discussion, it was determined that the zoning of the entire parcel should be B3/Business & Light Manufacturing per Zoning Administrator authority. Staff will have the zoning map updated to reflect the decision.

Public participation for items not on the agenda: None

Public Hearing: None

Advertised Case: None

Unfinished Commission Business:

1. Agricultural Equipment Auctions-*Proposed language/ Township Input*

Mr. Schlaud read the proposed language that had been sent to townships concerning agricultural equipment auctions as a comparable use to livestock auctions, Section 9.2.4 per Zoning Board of Appeals decision. ***SEE ATTACHMENT 1***

Township response was positive. A public hearing will be held.

2. Article 17/Schedule of Dimensions/AR/FR front setback change-*Proposed language/Township Input*

Mr. Schlaud read the proposed language that had been sent to townships concerning the front setback for residential properties in the AR/Agricultural Resource and FR/Forest Recreation Zoning Districts per Article 17/Schedule of Dimensions.

Township response was mixed. Mr. Mang stated he did not agree with the response that had been sent from Livingston Township. He felt the change in setback **did not** coincide with the Master Plan vision as did Elmira Township and Otsego Lake Township.

Motion made by Mr. Brown to recommend approval of the addition of *'Note m: Minimum front setbacks only for residential single family dwellings (SFD) shall be twenty-five feet (25'),* to the Otsego County Board of Commissioners; Seconded by Mr. Hilgendorf.

Roll call vote:

Ayes: 4
Nays: 6

Motion defeated.

3. Article 17/Schedule of Dimensions/HX/Highway Interchange/Maximum building height-*Proposed language/Township Input*

Mr. Schlaud read the proposed language that had been sent to townships concerning the addition of the HX/Highway Interchange Zoning District to *'note m'*, maximum height of buildings, per Article 17/Schedule of Dimensions. ***SEE ATTACHMENT 2***

Mr. Mang suggested adding a semi colon to *'note g'* after…HX district to differentiate between the two (2) maximum building heights.

Township response was positive. A public hearing will be held.

New Business:

1. Proposed language/Wireless Communications Towers timeframe/Township Participation

Proposed language for Article 21/Section 21.46 Wireless Communications and Article 27 Township Participation in County Zoning was presented to members to update and amend per Senate Bill No 1064.

Language will be sent to townships for input.

Reports and Commission Member's Comments:

1. Otsego County Parks & Recreation report

Vice-Chairperson Jarecki reported the pavilion at Irontone Springs would be rented out and fees had been agreed upon; the bridge would also be repaired. It was decided not to charge a fee for the use of Libke Field and a request for the tennis courts for the months of June and July for lessons had been approved. Mrs. Jarecki also reported twenty-five (25) free season passes for low income families had been requested by the Northwest Michigan Health Department and approved and the website and Facebook pages would be updated.

Mr. Mang asked about the approval of the Master Plan and requested it be updated on the website as such.

Mrs. Jarecki stated Corwith Township and Vanderbilt was still working on the Gateway Trail Head.

Mr. Arndt stated Bagley Township was discussing the use of property at Johnson and Krys Roads to be used as a park. The boy scouts would volunteer for some of the clean-up work at the site. He also stated there was continued discussion on the private roads issue.

2. Periodic Review and Updating the Zoning Ordinance/Zoning Training

Adjournment: 7:17 pm by Chairperson Hartmann

Ken Arndt; Secretary

Christine Boyak-Wohlfeil; Recording Secretary

ATTACHMENT 1:

*The Otsego County Planning Commission is submitting a proposed amendment to ARTICLE 9 AR/Agricultural Resource zoning districts per the Zoning Board of Appeals decision on a comparable use:

ZBA Motion:
The Zoning Board of Appeals makes the determination that Agricultural Equipment Auctions are a comparable use to Article 9.2.4 'Livestock Auction Yards' and therefore, under Article 9.2.24 and Article 18.44, Agricultural Equipment Auctions are a permitted use subject to special conditions and the conditions of Livestock Auction Yards in the Agricultural Resource District (AR).

Agricultural Equipment Auction Yards:

ARTICLE 9 AR AGRICULTURAL RESOURCE DISTRICT

SECTION 9.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of Article 19 and only after the review and approval of the site plan by the Planning Commission. [See Article 21 for applicable Specific Requirements for Certain Uses, if any and Article 23 for Site Plan Requirements.]

Current language:

9.2.4 Livestock auction yards with accessory buildings on a minimum forty (40) acres site with a minimum width of six hundred (600) feet, provided that there is no nuisance imposed upon the surrounding farms or dwellings.

Proposed language:

9.2.4 *Auction yards for livestock and/or agricultural equipment* with accessory buildings on a minimum forty (40) acres site with a minimum width of six hundred (600) feet, provided that there is no nuisance imposed upon the surrounding farms or dwellings.

ATTACHMENT 2:

*The Otsego County Planning Commission would like your input in reference to the Highway Interchange Zoning District and *'note g'*. A detail was omitted when previously presented concerning *'note g'* and the maximum building height. It was referenced in the chart below but was not clarified in *'note g'* itself as to the possible percentage to exceed.

ARTICLE 17 SCHEDULE OF DIMENSIONS

17.1 Table 1 - LIMITING HEIGHT, DENSITY, AND AREA BY ZONING DISTRICTS (See also Article 21.1 Accessory Buildings and Article 22 General Exceptions for Area, Height, and Use)

Zoning District	**R1 & R2**	**R3**	**RR**	**FR & AR**	**Reserved for future use**	**Reserved for future use**
Min. Lot Area (Sq. feet)	20,000 .46 acre	40,000 .92 acre	20,000 .46 acre	88,000 2.02 acre		
Min. Front Setback *(b)(j)*	25 ft	25 ft	25 ft	50 ft		
Max. Front Setback	NA	NA	NA	NA		
Min. Side Setback	10 ft	10 ft	10 ft	20 ft		
Min. Rear Setback	30 ft (a, h)	30ft (a, h)	30 ft (a, h)	40 ft (a)		
Min. Lot width (k)	100 ft 150 ft Duplex	100 ft	100 ft	150 ft AR 300 ft Duplex		
Max. % lot coverage	25%	25%	25%	30%		
Max. Building height (l)	35 ft (g)	35 ft (g)	35 ft (g)	35 ft (g)		
Min. Ground Floor area of principal structure (Square feet)	720 (i)	720 (i)	720 (i)	720 (i)		
Min. Width of principal structure	20 ft (i)	11ft (i)	20 ft (i)	11 ft (i)		

Zoning District	**B1**	**B2**	**B3**	**I**	**HX**	**Reserved for future use**
Min. Lot Area (Square feet)	10,000	10,000	20,000	40,000	10,000	
Min. Front Setback	30 ft (e)	30 ft (e)	30 ft (e)	30 ft (e)	30 ft (e)	
Max. Front Setback	NA	NA	NA	NA	NA	
Min. Side Setback	10 ft (c)	10 ft (c)	10 ft (c)	10 ft (c)	10 ft (c)	
Min. Rear Setback	20 ft (a, d, f)	20 ft (a, d, f)	20 ft (a, d, f)	20 ft (a, d, f)	20 ft (a, d, f)	
Min. Lot width (k)	100 ft	100 ft	100 ft	150 ft	150 ft	
Max. % lot coverage	NA	NA	NA	NA	NA	
Max. Building height (l)	35 ft (g)	35 ft (g)	35 ft (g)	35 ft (g)	35 ft (g)	
Min. Ground Floor area principal structure (Square feet)	NA	NA	NA	NA	NA	
Min. Width of principal structure	NA	NA	NA	NA	NA	

Minimum front, side and rear setbacks, and maximum lot coverage modifications of up to twenty-five percent (25%) may be approved by the Zoning Administrator for nonconforming lots, as described in Article 21.26.1 and 21.26.

Note a: Lots within five hundred (500) feet of lakes, ponds, flowages, rivers, streams: see Article 18, LOTS NEAR WATER.

Note b: Where the front yards of two (2) or more principal buildings in any block, or within five hundred (500) feet in existence at the time of the passage of this Ordinance (or amendment thereto), in the same zoned district or the same side of the road are less than the minimum front yard setback, then any principal building subsequently erected on the same side of the road shall not be required to provide a greater setback than the average for the existing two (2) or more principal buildings.

Note c: On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than twenty (20) feet on the residential side in B1, B2, B3 and HX.

Note d: Loading and unloading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per linear foot of front building wall. Loading space shall not be counted as required off-street parking. Loading zones may be located in other non-required yards if screened or obscured from view from public streets and residential districts.

Note e: Off-street parking may be permitted in the front yard, except that a ten (10) foot wide landscaped buffer is maintained between the front lot line (or right-of-way line) and the parking area.

Note f: No building shall be placed closer than forty (40) feet to the outer perimeter of such district or property line when said use abuts a residential district boundary.

Note g: Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to fifty percent (50%) in R1, R2, R3, RR, B1, B2 and HX Districts; and up to one hundred percent (100%) in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated, (as in the case of steep topography, a Planned Unit Development (PUD), or larger site); and further, there is no conflict with airport zoning height restrictions; fire safety is maintained subject to local fire authority approval; and the light, air and/or scenic views of adjoining property is not impaired. The Planning Commission and or Zoning Board of Appeals cannot allow a WTG height greater than allowed in Section 21.47 or a Wireless Telecommunication Towers and Facilities greater than the height allowed in the Zoning District PRINCIPAL USES PERMITTED or PERMITTED USES SUBJECT TO SPECIAL CONDITIONS. Also see Article 22 GENERAL EXCEPTIONS FOR AREA, HEIGHT AND USE .

Note h: Section 21.1 allows a rear setback of ten (10) feet for accessory buildings.

Note i: The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance.

Note j: In instances where the property is adjacent to a public right of way or ingress egress easement dedicated as permanent adequate access to one (1) or more lots, the setback shall be measured from that right of way or ingress egress easement.

Note k: Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists.

Note l: Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 21 and Article 22, Section 22.3 Height Limits, of this ordinance

OTSEGO COUNTY
LAND USE SERVICES

PERMIT NO: PSUP15-001

1322 Hayes Road
Gaylord, MI 49735
PHONE: 989.731.7400 * FAX: 989.731.7419

APPLICATION FOR SPECIAL USE PERMIT

Date: 3-25-15

Tax Parcel Number: 09-081-210-000-001 Twp: Livingston Sec 32 N T31, R 3 W

Property location: (REQUIRED)

Address: 210 Meecher City: Gaylord State: MI Zip: 49735

Applicant:

Name: Dean + Sara Gapinski Phone No. (989)-350-4225 Dean 989 858-3046 Sara

Address: 6393 M32 City: Johnny State: MI Zip: 49751

Property Owner: (If different from applicant)

Name: _____ Phone No. (____)-_____-_____

Address: _____ City: _____ State: ____ Zip: _____

Description of project and proposed use:

Run Gapinski forestry Products Business on property. Build 120x60 shop to fix our own equipment and run office out of. Log trucks will be parked outside and a short term log transfer site

Signature of Applicant: **Date:** 3-25-15

*All information received by this department is subject to the Freedom of Information Act. Under this Act, persons are allowed to request copies of said information. This includes, but is not limited to all copies of drawing and blueprints.

Office Use Only

File No. _____ Fee amount: _____

Date Application Received _____ Received By: _____

Exhibit 1

GFP INC NEW SHOP

Shop Site Plan for:

Dean and Sara Gapinski

Gapinski Forestry Products Inc.

Current Business Address:

1167 Anna Dr

PO Box 1978

Gaylord, MI 49735

Project Property Address:

210 Meecher Rd

Gaylord, MI 49735

Phone Numbers:

Dean: (989) 350– 4225 Sara (989) 858-3046

Tax ID number:

69-081-210-000-001-00

Property Description:

Lots 1, 2, 3, 4, 5, 6

West Gaylord

Sec 32 T31N R3W

Architect:

Todd Seidell

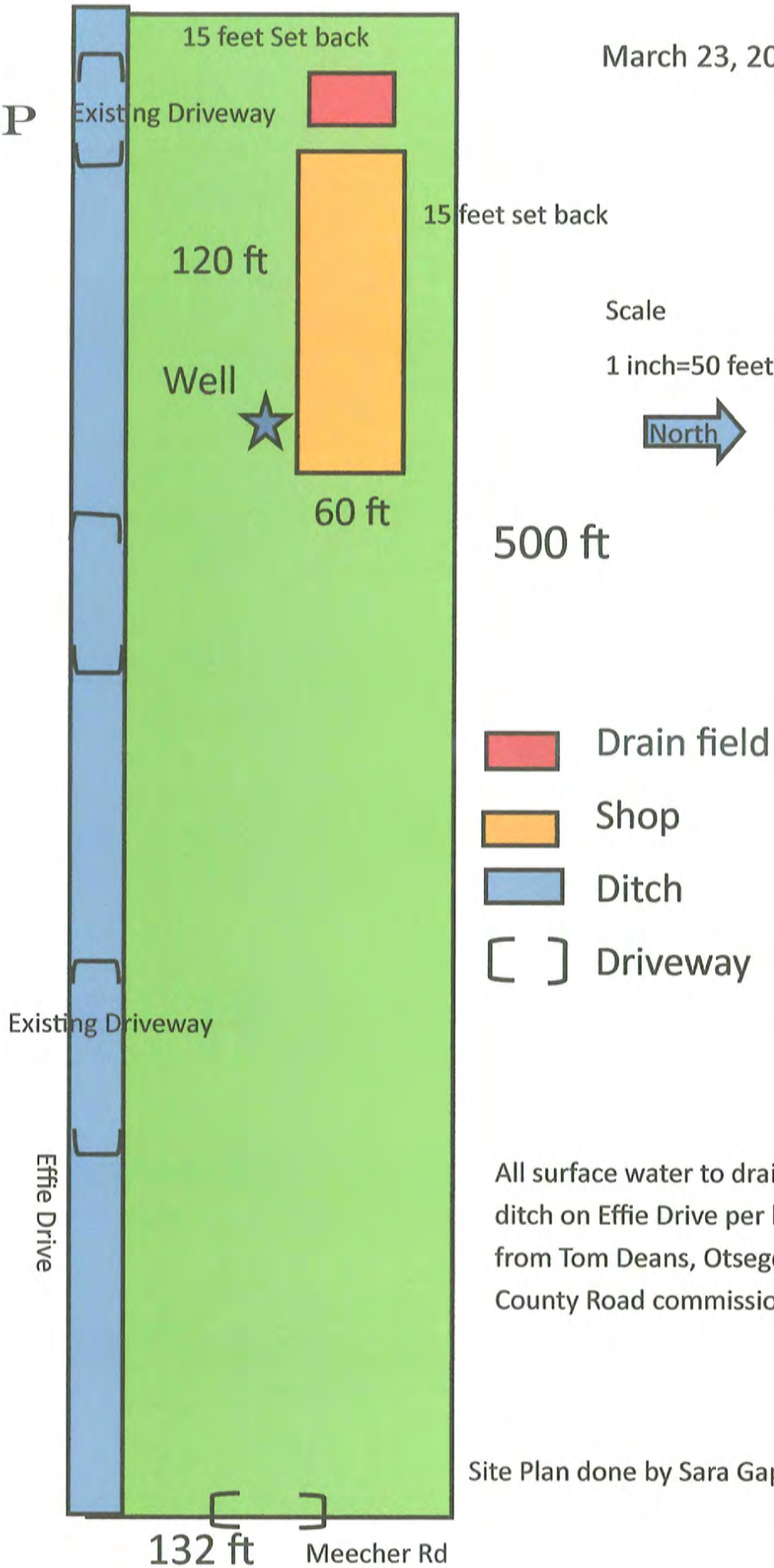
114 Court Eve Suite 201

PO Box 2189

Gaylord, MI 49735

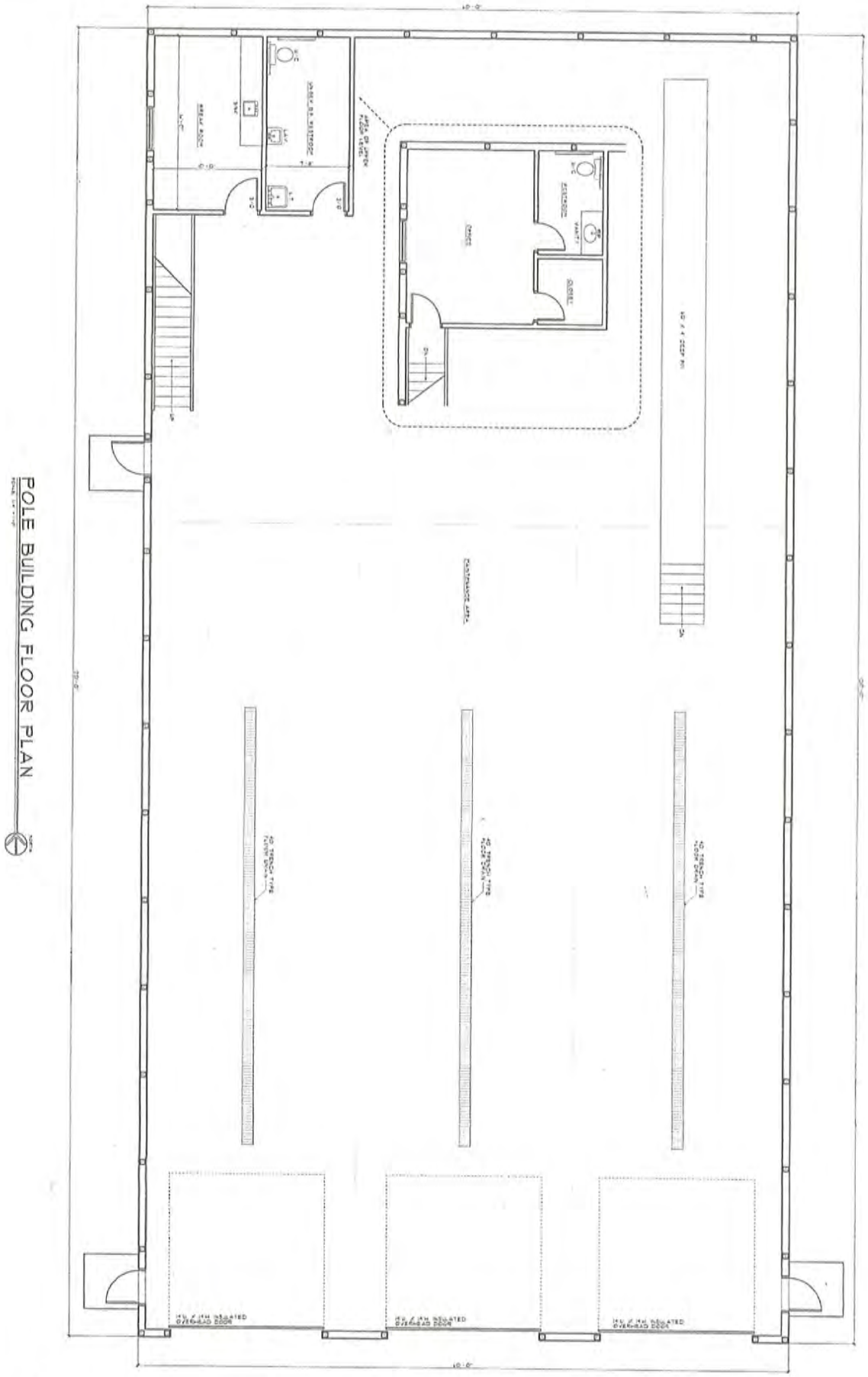
GFP INC
NEW SHOP

March 23, 2015



All surface water to drain to ditch on Effie Drive per letter from Tom Deans, Otsego County Road commission.

Site Plan done by Sara Gapinski



A1	PROJECT: GAPINSKI FORESTRY PRODUCTS INC.	SEIDELL ARCHITECTS	DRAWN BY T.L.S.	ISSUED	DATE
	NEW MAINTENANCE BUILDING	COMMERCIAL RESIDENTIAL INDUSTRIAL	CHECKED T.L.S.	OWNER REVIEW	1/23/15
	EFFIE DRIVE GAYLORD, MICHIGAN	114 N. COURT AVE., STE. 201 POST OFFICE BOX 2199 GAYLORD, MICHIGAN 49734 PHONE (989) 731-0373 FAX (989) 731-8832	APPROVED BY T.L.S.		
			DATE 1/23/15		
			PRINT DATE		

OTSEGO COUNTY
LAND USE SERVICES DEPARTMENT
1322 HAYES ROAD
GAYLORD, MI 49735
PHONE 989-731-7420 * FAX 989-731-7429

APPLICATION FOR SITE PLAN REVIEW

Applicant:

Name: Gapinski Forestry Products Inc Owner/Agent/Other interest (circle one)

Address: P.O. Box 1978 1167 Anna Dr. Gaylord

Phone: 989-731-4225 Fax: no

Property Owner: (if different from applicant)

Name: Dean + Sara Gapinski

Address: 6393 M32E Johannsburg

Phone: 989-350-4225 Fax: no

Property Location:

Township: Livingston Section: 32 Town T31 Range 3 Zoning District _____

Site Address: 210 Meecher Rd Gaylord 49735

Parcel Code: 09 - 081 - 210 - 000 - 001

Description of Project and Proposed Use:

Run GFP Inc on property Build 125x60 Shop to fix our own equipment and run office out of log trucks parked outside primarily at night. Shuttle point for logs.

Signature of Applicant: _____ Date: 5-5-15

*All information received by this department is subject to the Freedom of Information Act. Under this act, persons are allowed to request copies of said information. This includes, but not limited to, copyrighted drawings and blueprints.

The following items are required on all site plans before they can be submitted for review to the various approving entities.

1. The applicant's name, address and phone number in full.
   Yes ✓ No___ NA___ if "NA" explain:_____

2. Proof of property ownership, and whether there are any options on the property, or any liens against it.
   Yes ✓ No___ NA___ if "NA" explain:_____

3. A signed statement that the applicant is the owner of the property or officially acting on the owner's behalf.
   Yes ✓ No___ NA___ if "NA" explain:_____

4. The name and address of the owner(s) of record if the applicant is not the owner of record (or firm or corporation having a legal or equitable interest in the land) and the signature of the owner(s).
   Yes___ No___ NA ✓ if "NA" explain: applicant is the owner

5. The address and or parcel number of the property.
   Yes ✓ No___ NA___ if "NA" explain:_____

6. Name and address of the developer (if different from the applicant).
   Yes___ No___ NA ✓ if "NA" explain: applicant is the developer

7. Name and address of the engineer, architect and/or land surveyor.
   Yes ✓ No___ NA___ if "NA" explain:_____

8. Project title.
   Yes ✓ No___ NA___ if "NA" explain:_____

9. Project description, including the total number of structures, units, bedrooms, offices, square feet, total and usable floor area, parking spaces, carports or garages, employees by shift, amount of recreation and open space, type of recreation facilities to be provided and related information as pertinent or otherwise required by the ordinance.
   Yes ✓ No___ NA___ if "NA" explain:_____

10. A vicinity map drawn at a scale of 1"=2000' with North point indicated.
    Yes ✓ No___ NA___ if "NA" explain:_____

11. The gross and net acreage of all parcels in the project.
    Yes ✓ No___ NA___ if "NA" explain:_____

12. Land uses, zoning classification and existing structures on the subject parcel and adjoining parcels.
    Yes ✓ No___ NA___ if "NA" explain:_____

13. Project completion schedule/development phases.
    Yes___ No ✓ NA___ if "NA" explain:_____

14. The site plan shall consist of an accurate, reproducible drawing at a scale of 1"= 50 or fewer feet or less for sites of less than three (3) acres and 1"=100 or fewer feet or less if the site is larger than three (3) acres. The site plan shall show the site and all land within fifty (50) feet of the site. If multiple sheets are used, each shall be labeled and the preparer identified. All site plans shall be sealed by a professional engineer, surveyor, architect or landscape architect and each site plan shall depict the following:
    Yes ✓ No___ NA___ if "NA" explain:_____

15. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines, monument locations, and shoreland and natural river district, if any.
    Yes ✓ No___ NA___ if "NA" explain:_____

16. Existing topographic elevations and proposed grades in sufficient detail to determine direction of drainage flows.

Yes X No ___ NA ___ if "NA" explain: _____

17. The type of existing soils at proposed storm water detention and retention basins and/or other areas of concern. Boring logs may be required if necessary to determine site suitability.

Yes ___ No ___ NA X if "NA" explain: _____

18. Location and type of significant existing vegetation.

Yes ___ No ___ NA X if "NA" explain: _____

19. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, flood plains and wetlands within fifty (50) feet of the parcel.

Yes ___ No ___ NA X if "NA" explain: _____

20. Location of existing and proposed buildings and intended uses thereof, as well as the length, width and height of each building and typical elevation views of proposed structures.

Yes X No ___ NA ___ if "NA" explain: _____

21. Proposed location of accessory structures, buildings and uses, including all flagpoles, light poles, bulkheads, docks, storage sheds, transformers, air conditioners, generators and similar equipment and the method of screening where applicable.

Yes X No ___ NA ___ if "NA" explain: _____

22. Location of existing public roads, right-of-ways and private easements of record and abutting streets. Notation of existing traffic counts and trip generation estimates may be required if deemed appropriate by the Zoning Administrator or Planning Commission.

Yes X No ___ NA ___ if "NA" explain: _____

23. Location of and dimensions of proposed streets, drives, curb cuts, and access easements, as well as acceleration, deceleration and passing lanes (if any) serving the development. Details of entryway and sign locations shall be separately depicted with an elevation view.

Yes X No ___ NA ___ if "NA" explain: _____

24. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing) and fire lanes.

Yes X No ___ NA ___ if "NA" explain: _____

25. Location, size, and characteristics of all loading and unloading areas.

Yes X No ___ NA ___ if "NA" explain: _____

26. Location and design of all sidewalks, walkways, bicycle paths and areas for public use.

Yes X No ___ NA ___ if "NA" explain: _____

27. Location of water supply lines and/or wells, including fire hydrants and shut off valves, the location and design of storm sewers, retention or detention ponds, waste water lines, clean-out locations, connection points and treatment systems, including septic systems if applicable.

Yes X No ___ NA ___ if "NA" explain: _____

28. Location of all other utilities on the site including natural gas, electric, cable TV, telephone and steam.

Yes X No ___ NA ___ if "NA" explain: _____

29. Proposed location, dimensions and details of common open spaces and common facilities, such as community buildings or swimming pools if applicable.

Yes X No ___ NA ___ if "NA" explain: _____

30. Location, size and specifications of all signs and advertising features with elevation views from front and side.

Yes X No ___ NA ___ if "NA" explain: _____

31. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.

Yes ___ No ___ NA ___ if "NA" explain: Will PROVIDE

32. Location and specifications for all fences, walls and other screening features with elevation views from front and side.

Yes X No ___ NA ___ if "NA" explain: _____

33. Location and specifications for all proposed perimeter and internal landscaping and other buffering features. For each new landscape material, the proposed size at the time of planting must be indicated. All vegetation to be retained on the site must also be indicated, as well as its typical size by general location or range of sizes as appropriate.

Yes X No ___ NA ___ if "NA" explain: _____

34. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.

Yes X No ___ NA ___ if "NA" explain: _____

35. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials or hazardous materials, as well as any containment structures or clear zones required by government authorities.

Yes ___ No ___ NA X if "NA" explain: _____

36. Identification of any significant site amenities or unique natural features.

Yes X No ___ NA ___ if "NA" explain: _____

37. Identification of any significant views onto or from the site to or from adjoining areas.

Yes X No ___ NA ___ if "NA" explain: _____

38. North arrow, scale and date of original submittal and last revision.

Yes X No ___ NA ___ if "NA" explain: _____

39. Seal of the registered engineer, architect, landscape architect, surveyor or planner who prepared the site plan.

Yes X No ___ NA ___ if "NA" explain: _____

40. Paid appropriate fees to Otsego County.

Yes X No ___ NA ___ if "NA" explain: _____

Attention

All site plans shall be sealed by a professional engineer, surveyor, architect or landscape architect. In the immediate area of the seal there shall also be the following statement, signed by the professional sealing the plans:

I do hereby certify that these plans have been prepared under my sustained review and, to the best of my professional knowledge, understanding and information; the design of this project is in compliance with the Otsego County Zoning Ordinance dated: _____

Or

I do hereby certify that those plans have been prepared under my sustained review and, to the best of my professional knowledge, understanding and information; the design of this project is in compliance with the Otsego County Zoning Ordinance dated _____, except for the following items:
(List known variations from the Ordinance)

OFFICIAL USE ONLY

File No:_____ Soil Erosion Permit No.: _____ Fee: _____

Date Application Received:_____ Application Received By: _____

Approved: _____Not Approved: _____By: _____

Conditions:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

PSUP15-001
GAPINSKI
081-210-000-001-00
210 MEECHER RD

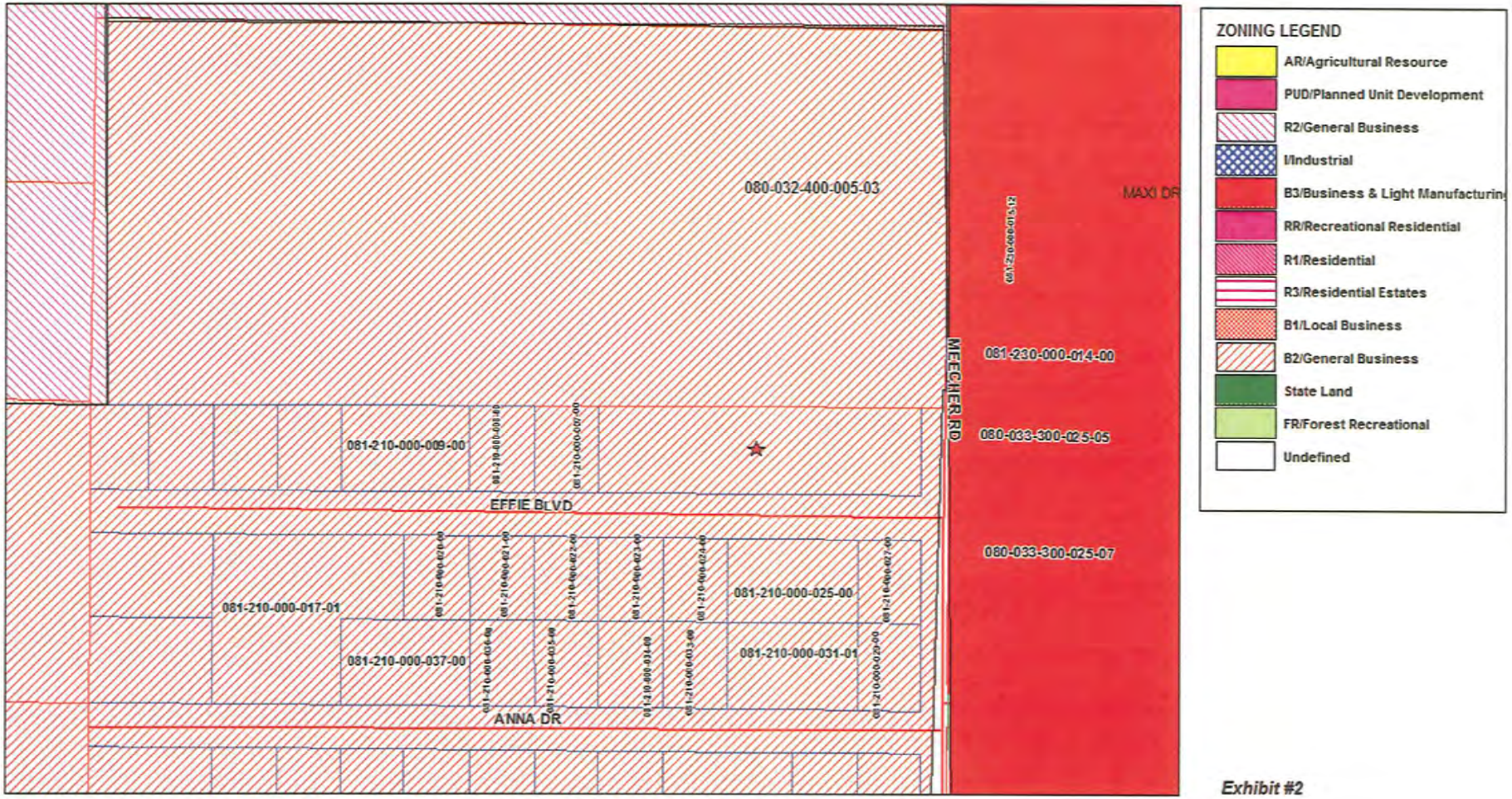


Exhibit #2

OTSEGO COUNTY
PLANNING COMMISSION

PSUP15-001
Special Use Permit/Site Plan Review
081-210-000-001-00

Exhibit List

Exhibit #1: Application for case PSUP15-001 submitted by Applicant

Exhibit #2: Otsego County Zoning Map Effective Date March 20, 2010/Amended November 25, 2014

Exhibit #3: Otsego County Zoning Ordinance Effective March 20, 2010/Amended April 28, 2015

Exhibit #4: Copy of Otsego County Equalization Department record card/Warranty Deed 1364/823

Exhibit #5: Site Plan for case PSUP15-001 submitted by Applicant

Exhibit #6: Public Hearing Notice

Exhibit #7: Letter to Livingston Township dated May 8, 2015

Exhibit #8: Response dated June 10, 2015 from Livingston Township

Exhibit #9: Map and list of parties notified

Exhibit #10: Receipt #01306037

Exhibit #11: General Finding of Fact/PSUP15-001

Exhibit #12: Specific Finding of Fact/PSUP15-001

Exhibit #13: Letter from the Otsego County Road Commission dated November 20, 2009

Exhibit #14:

Exhibit #15:

OTSEGO COUNTY
TREASURER'S OFFICE
Gaylord, Michigan 12/30/14

I hereby certify that according to our records all taxes returned to this office are paid for five years preceding the date of this instrument. This does not include taxes in the process of collection, board of review, PRE denial or tax tribunal.

Linda Vangent, Deputy COUNTY TREASURER

LIBER 1364 PAGE 823

OTSEGO COUNTY MICHIGAN
RECEIVED FOR RECORD
SUSAN DEFEYTER, CLERK/REGISTER OF DEEDS
12/30/2014 2:54:24 PM

OTSEGO COUNTY
DECEMBER 30, 2014
RECEIPT #22611

STATE OF MICHIGAN
REAL ESTATE TRANSFER TAX STAMP
$ 11.00-CO
$ 75.00-ST
# 9051

RCVD DEC30'14PM1:27

WARRANTY DEED

(Statutory Form – Individual)

The Grantor(s) Ken VanHouten, a married man and Deborah L. VanHouten, his wife

whose address is **P.O. Box 1643, Gaylord, Michigan 49734**

conveys and warrants to Dean Gapinski and Sara M. Gapinski, husband and wife

whose address is 6393 M-32 East, Johannesburg, MI 49751

the following described premises situated in the Township of Livingston, County of **Otsego, State of Michigan** to-wit:

Lots 1, 2, 3, 4, 5 and 6, West Gaylord, as recorded in Liber 1 of Plats, page 18, Otsego County Records.

Commonly known as: **210 Meecher Road**
Gaylord, MI 49735
Parcel I.D. Number: 081-210-000-001-00

For the full consideration of Ten Thousand and 00/100 **($10,000.00) dollars**
Subject to easements, restrictions and reservations of record, if any.

Dated: **December 30, 2014**

Ken VanHouten

Ken VanHouten

Deborah L. VanHouten

Deborah L. VanHouten

State of Michigan)
County of Otsego)ss

The foregoing instrument was acknowledged before me on this **30th** day of **December, 2014**, by **Ken VanHouten and Deborah L. VanHouten**

Mary Ann LaRouche

Notary Public
Otsego County, Michigan
My Commission Expires:
Acting in the County of:

Mary Ann LaRouche
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OTSEGO
My Commission Expires July 11, 2019
Acting in the County of Otsego

Drafted by: **Ken VanHouten**, assisted by Otsego County Abstract Company
P.O. Box 1643, Gaylord, Michigan 49734
When recorded return to: **Grantee(s)**
Send future tax bills to: **Grantee(s)**
Recording Fee: **$15.00**
State Transfer Tax: **$75.00**
County Transfer Tax: **$11.00**

Exhibit 4

Parcel Number: 69-081-210-000-001-00 Jurisdiction: LIVINGSTON TOWNSHIP County: OTSEGO Printed on 06/05/2015

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
VANHOUTEN, KEN & DEBORAH	GAPINSKI, DEAN & SARA M	10,000	12/30/2014	WD	Good	1364/823	DEED	100.0
DEUTSCHE BANK NATIONAL TR	VAN HOUTEN, KEN ET UX	53,000	07/07/2004	WD	Good	1005/091	DEED	100.0
OTSEGO COUNTY	BANKERS TRUST COMPANY CAL	0	07/17/2003	ShD	Forclosure (Mortg)	0952/114	DEED	0.0

Property Address

210 MEECHER RD

Owner's Name/Address

GAPINSKI, DEAN & SARA M
6393 M-32 EAST
JOHANNESBURG MI 49751

Tax Description

LOTS 1, 2, 3, 4, 5, 6 WEST GAYLORD. SEC 32 T31N R3W.

Comments/Influences

Class: 402 Residential S Zoning: B-2

School: Gaylord Community

P.R.E. 0%

: 0.00

2015 Est TCV 24,600(Value Overridden)

Building Permit(s)	Date	Number	Status
DEMOLITION	04/09/2008	PB080072	

Improved X Vacant

Public Improvements

Dirt Road
Gravel Road
Paved Road
Storm Sewer
Sidewalk
Water
Sewer
Electric
Gas
Curb
Street Lights
Standard Utilities
Underground Utils.

Topography of Site

Level
Rolling
Low
High
Landscaped
Swamp
Wooded
Pond
Waterfront
Ravine
Wetland
Flood Plain

Who When What

Land Value Estimates for Land Table .

Description	Frontage	Depth	* Factors * Front	Depth	Rate	%Adj.	Reason	Value
	500.00	0.00	1.0000	1.0000	0	100		0
			1.510 Acres		0	100		0
500 Actual Front Feet, 1.51 Total Acres					Total Est. Land Value =			0

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value
2015	12,300	0	12,300			12,300S
2014	19,900	0	19,900			19,900S
2013	20,700	0	20,700			20,700S
2012	20,700	0	20,700			20,700S

The Equalizer. Copyright (c) 1999 - 2009.
Licensed To: County of Otsego, Michigan

*** Information herein deemed reliable but not guaranteed***

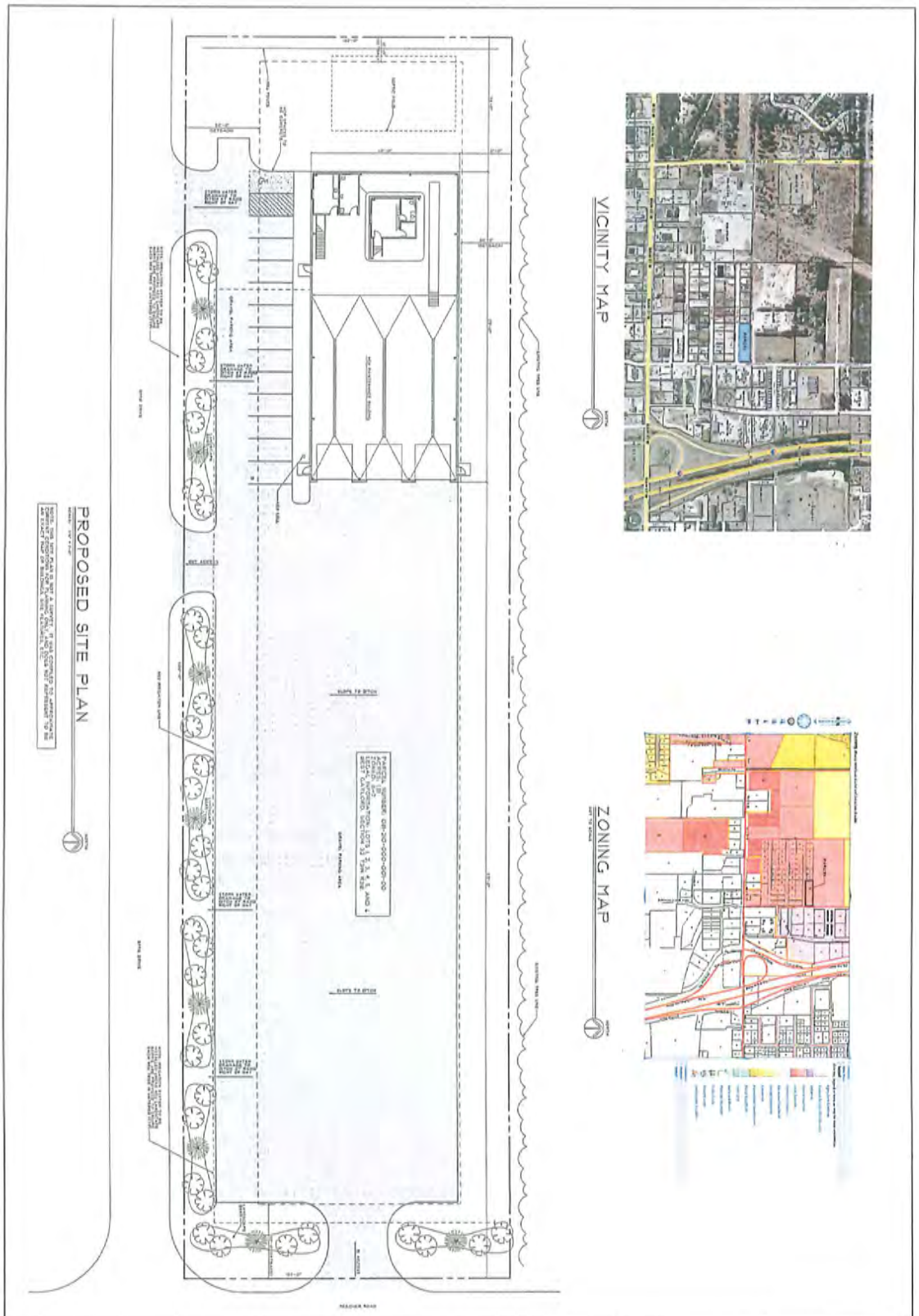

PROPOSED SITE PLAN
VICINITY MAP
ZONING MAP
GAPINSKI FORESTRY PRODUCTS INC.
NEW MAINTENANCE BUILDING
SEIDELL ARCHITECTS
ZONING APPROVAL
SP

Exhibit 5

OTSEGO COUNTY
PLANNING COMMISSION

PUBLIC HEARING NOTICE
June 15, 2015

The Otsego County Planning Commission will hold three (3) public hearings on Monday, June 15, 2015 at 6:00 pm in the Planning and Zoning Meeting room located at 1322 Hayes Rd Gaylord, Michigan.

The purpose of the public hearings will be to obtain citizen comment on the following:

1) Dean & Sara Gapinski, owners of Gapinski Forestry Products Inc, have requested a Special Use Permit/Site Plan Review for property located in Livingston Township at 210 Meecher Rd Gaylord, MI 49735. The proposed use of the property is to build a 120x60 shop/office for equipment repair and outside log storage. The property is located in a B2/General Business Zoning District. Lumber yards with outside storage and auto repair garages are a permitted use subject to special conditions in the B2 Zoning District.

Parcel identification number: **081-210-000-001-00**
210 Meecher Rd
Gaylord, MI 49735

Legal Description:
LOTS 1, 2, 3, 4, 5 & 6 WEST GAYLORD SEC 32 T31N R3W.

2) Otsego County Zoning Ordinance amendment pertaining to Article 9 and the addition of auction yards to Section 9.2.4 per Zoning Board of Appeals interpretation

3) Otsego County Zoning Ordinance amendment pertaining to Article 17/Schedule of Dimensions and the addition of the HX/Highway Interchange to *'note g'* and the maximum building height

All citizens are welcome to attend the meeting or provide written comment. If written comments are provided the comments must be received at the Otsego County Land Use Services Office by noon (12:00 pm) the day of the meeting.

Any citizen who has questions regarding this application or needs assistance to attend this meeting should contact the Director of Land Use Services at (989) 731-7400.

Exhibit #6

Otsego County
ESTABLISHED 1875 MICHIGAN

Department of
Land Use Services
1322 Hayes Rd • Gaylord, MI 49735
Phone (989)731-7400 • Fax (989)731-7419
www.otsegocountymi.gov

May 8, 2015

Livingston Township
PO Box 1946
Gaylord, MI 49734

Pursuant to Article 27 of the Otsego County Zoning Ordinance/Township Participation in County Zoning, I am forwarding the application for a Special Use Permit.

If you require the applicant, Dean & Sara Gapinski to be present at your meeting, you can notify them at:

Dean & Sara Gapinski
6393 M-32
Johannesburg, MI 49751
989.350.4225

If you have any questions, please contact us and we will be glad to assist you. We look forward to your input concerning this matter. Thank you for your participation in County Zoning.

Sincerely,

Vern Schlaud
Otsego County Land Use Director

cbw

encl

Exhibit #7

Christine Boyak-Wohlfeil

From: Vern Schlaud
Sent: Friday, June 12, 2015 8:59 AM
To: Christine Boyak-Wohlfeil
Subject: FW: Gapinski Special use permit request

From: Steve Dipzinski [mailto:steven.a.dipzinski@gmail.com]
Sent: Wednesday, June 10, 2015 4:56 PM
To: Vern Schlaud
Subject: Gapinski Special use permit request

Vern, Livingston Township had our township meeting last night and we discussed the Gapinski special use permit use request. A motion was made by Chair Dipzinski (me) to the county planning commission to approve the special use permit #PSUP15-001 contingent to two conditions. First, is to establish a buffer with blue spruce on the north, south and west side of the property. Second, would be to have a water/grease separator installed in the drain of the garage due to contaminants that will take place from working on the trucks.

The vote was 5-0 pending these two requests.

The second thing was the wording change in the wireless communications article. We are fine with that as well.

If you have any questions please text or E-mail me

Steve Dipzinski
231-342-7082
Livingston Twp. P.C. Chair

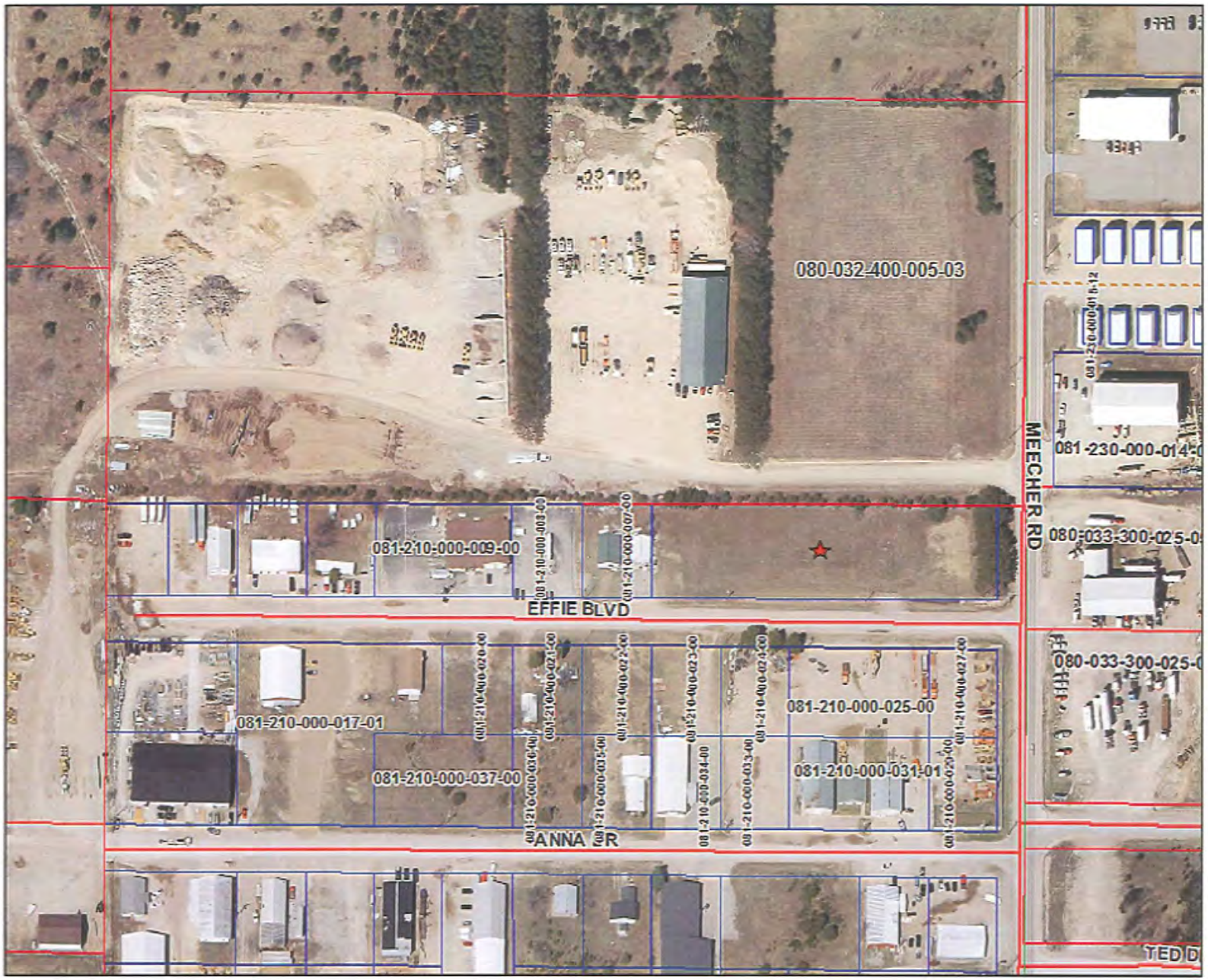
Exhibit 8

OWNERS WITHIN THREE HUNDRED FEET (300')

PARCEL NUMBER	PROPERTY ADDRESS	OWNER NAME	OWNER ADDRESS			
080-032-400-005-03	220 MEECHER RD	J&N INC	PO BOX 4090	GAYLORD	MI	49734
080-033-300-025-05	184 MEECHER RD	LENDVOY LLC	PO BOX 633	GAYLORD	MI	49734-0633
080-033-300-025-07		LENDVOY LLC	PO BOX 633	GAYLORD	MI	49734
081-210-000-007-00	1130 EFFIE BLVD	MENCH, LOUIS D & ELIZABETH A	PO BOX 1946	GAYLORD	MI	49734
081-210-000-008-00		SCHWAN SALES ENTERPRISES	115 W COLLEGE DR	MARSHALL	MN	56258
081-210-000-009-00	1148 EFFIE BLVD	SCHWAN SALES ENTER INC	115 W COLLEGE DR	MARSHALL	MN	56258
081-210-000-017-01	1205 EFFIE BLVD	WILKINSON, NEIL	972 CROSS ST	GAYLORD	MI	49735
081-210-000-020-00		SAMKOWIAK, RANDY	4088 MCCOY RD	GAYLORD	MI	49735
081-210-000-021-00	1129 EFFIE BLVD	RALSTON, ANDREW R ETUX	1487 MCCOY RD	GAYLORD	MI	49735
081-210-000-022-00		COAN, JANICE K TRUST	10255 OLDS RD	ELMIRA	MI	49730
081-210-000-023-00		LISTVAN, THOMAS & MARIE TRUST	1741 ALLIS RD	GAYLORD	MI	49735
081-210-000-024-00		WCISEL, EDWIN & ERNESTINE	385 S ESTATES DR	GAYLORD	MI	49735
081-210-000-025-00		WCISEL, EDWIN ET UX	385 S ESTATES DR	GAYLORD	MI	49735
081-210-000-027-00		WCISEL, EDWIN ET UX	385 S ESTATES DR	GAYLORD	MI	49735
081-210-000-029-00		WCISEL, EDWIN ET UX	385 S ESTATES DR	GAYLORD	MI	49735
081-210-000-031-01	1054 ANNA DR	WCISEL, EDWIN ET UX	385 S ESTATES DR	GAYLORD	MI	49735
081-210-000-033-00	1072 ANNA DR	WCISEL, EDWIN ET UX	385 ESTATES DR	GAYLORD	MI	49735
081-210-000-034-00	1092 ANNA DR	LISTVAN, THOMAS & MARIE TRUST	1741 ALLIS RD	GAYLORD	MI	49735
081-210-000-035-00	1110 ANNA DR	COAN, JANICE K TRUST	10255 OLDS RD	ELMIRA	MI	49730
081-210-000-036-00		MDP INVESTMENTS	515 N COURT AVE	GAYLORD	MI	49735
081-210-000-037-00		WILKINSON, CAROL I	703 MICHAYWE DR	GAYLORD	MI	49735
081-230-000-014-00	231 MEECHER RD	LOSHAW BROS, INC	PO BOX 1761	GAYLORD	MI	49734
081-230-000-015-12	983 MAXI DR	JRJ INVESTMENTS	PO BOX 558	GAYLORD	MI	49734

Exhibit #9

PSUP15-001
GAPINSKI
081-021-000-001-00
210 MEECHER RD



080-032-400-005-03
080-033-300-025-05
080-033-300-025-07
081-210-000-007-00
081-210-000-008-00
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081-210-000-020-00
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081-210-000-035-00
081-210-000-036-00
081-210-000-037-00
081-230-000-014-00
081-230-000-015-12

Exhibit #9

OTSEGO COUNTY LAND USE SERVICE
1322 HAYES RD
GAYLORD, MI 49735
PH.989-731-7400
FAX 989-731-7419
INSPECTION LINE 989-731-7401

Otsego COUNTY
ESTABLISHED 1875 MICHIGAN

Paid By

GAPINSKI FORESTRY PRODUCTS INC

RECEIPT NUMBER

01306037

03/23/2015

Type	Record	Category	Description	Amount
Permit	PSUP15-001	PC APPLICATION	Special Use Permit, Planning	$ 700.00

Total	**$ 700.00**
Cash	
Check	$ 700.00
Credit	
Transferred	
Tendered	**$ 700.00**
Change	**$ 0.00**
To Overpayment	**$ 0.00**

Expiration of permit: A permit will remain valid as long as work is progressing and inspections are requested and conducted. A permit will become invalid if the authorized work has not commenced within 6 months of issuance or if the authorized work is suspended or abandoned for a period of 6 months.

Exhibit 10

OTSEGO COUNTY
PLANNING COMMISSION

PSUP15-001
Special Use Permit/Site Plan Review
081-210-000-001-000

GENERAL FINDINGS OF FACT

1. This is a proposal for a 120x60 shop w/office for a forestry business with outside log storage. *Exhibit #1, Exhibit #5*

2. The property is located in a B2/General Business Zoning District. *Exhibit #2*

3. The proposed use is a permitted use subject to special conditions in a B2/General Business Zoning District. *Exhibit #3*

4. The property is currently under the ownership of Dean & Sara Gapinski. *Exhibit #4*

5. The Public Hearing Notice was published in the Herald Times on..., 2015 *Exhibit #6*

6. The requirements of Article 27 of the Otsego County Zoning Ordinance have been met. *Exhibit 7, Exhibit #8*

7. All property owners within three hundred (300') feet were properly notified of the public hearing. *Exhibit #9*

8. The Planning Commission has the authority to approve a Special Land Use request after review and compliance with the Otsego County Zoning Ordinance. (Section 19.7) *Exhibit #3*

9. The required fees have been collected by Otsego County Land Use Services. *Exhibit #10*

10. The site plan requirements of Article 23 have been reviewed by Otsego County Land Use and all requirements pertaining to the proposed development have been addressed by the Applicant. *Exhibit #5, Exhibit #11, Exhibit #12*

11.

OTSEGO COUNTY
PLANNING COMMISSION

PSUP15-001
Special Use Permit/Site Plan Review
081-210-000-001-00

SPECIFIC FINDINGS OF FACT

FINDINGS UNDER ARTICLE 11/SECTION 11.2

SECTION 11.2 PERMITTED USES SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted, subject to the conditions herein imposed for each use, the review standards of Article 19 and only after the review and approval of the site plan by the Planning Commission. [See Article 21 for applicable Specific Requirements for Certain Uses, if any and Article 23 for Site Plan Requirements.]

11.2.1 All uses subject to special conditions in the B1 Local Business District

11.2.2 Lumber yards, building material suppliers, and home improvement centers, with outdoor storage

11.2.3 Rifle or pistol ranges when within a completely enclosed building

11.2.4 Auto repair garages or auto body shop, including wrecker service, provided that outdoor storage of vehicles under repair be confined to the rear yard and screened from view.

FINDINGS UNDER ARTICLE 21 /SECTION 21.10

SECTION 21.10 FENCES

21.10.1 Fences designed to enclose property in any district shall be subject to the following conditions:

21.10.1.1 Fences in R1, R2, R3 or RR Districts, or any platted subdivision, site condo or PUD shall not contain barbed wire or be electrified.

21.10.1.2 No fence shall exceed six (6) feet in height in the side or rear yard. No fence in the front yard setback shall exceed four (4) feet in height and shall be of a design and material that does not obscure the vision of drivers of vehicles at any driveway entrance or exit, street intersection or other pedestrian or vehicle property access point.

21.10.2

Specific Nonresidential Uses Requiring Fences	Minimum height for fence or wall	Function(s) Screen/protect	Obscure
Drive-in restaurants, gasoline stations and vehicle repair	6'0"	X	X
Hospital and funeral home service entrances	6'0"		X
Institutional playgrounds	6'0"	X X	
Parking lots	6'0"		X
Utility buildings and substations	6'0"	X	X
Public swimming pools	6'0"		X
Junk yards	8'0"	X X	
Open storage areas of any use	6'0"		X

Note: These uses in 21.10.2 are required to be fenced or screened in all cases regardless of the use orientation to residential zoning districts or residential uses.

21.10.3 Protective and adequate fencing shall be required around all outdoor swimming pools, and shall not be less than four (4) feet, six (6) inches above the established grade.

21.10.4 All plans for fences or walls must be approved by the Zoning Administrator for construction specifications designed to fulfill the primary function of protection and/or screening. All fences shall be maintained in a pleasing appearance.

21.10.5 The Planning Commission shall be empowered to modify fence and wall requirements as deemed necessary by conditions affecting a particular development, or to waive requirements where general welfare concerns are not served by compliance with these standards, such as the existence of permanent natural features, where there is

sufficient visual or protective separation, or where there is nothing to separate. Waivers shall not be granted where such characteristics are of a temporary nature or because the adjacent area is not yet developed.

FINDINGS UNDER SECTION 21.18

SECTION 21.18 LANDSCAPING

21.18.1 PURPOSE

The purpose of this section is: to protect and enhance property values, economic welfare and community attractiveness; to provide beneficial climatic impacts by cleaning the air and providing shade; to protect health, safety and welfare by reducing air and water borne pollutants, flooding and noise; to mitigate adverse effects of sighting different uses near one another through buffering; to facilitate preservation of existing valuable trees and other vegetative cover; to provide wildlife habitat and environmental standards within developed areas; to protect privacy.

21.18.2 General Performance Standards:

This, Section 21.18 Landscaping, requirements shall not apply to single family residences located on individual lots. The Section shall apply to residential plats and site condominiums.

All areas not covered by buildings, parking or other structures shall be treated with landscape materials including street trees, shrubs and groundcovers consistent with these provisions. The selected combination of plant materials shall be a harmonious combination of deciduous and evergreen trees, shrubs, vines and/or ground covers so arranged to present an aesthetically pleasing whole.

21.18.2.1 Landscape Materials:

All landscape materials planted pursuant to the provisions of this section shall be healthy and compatible with the local climate, site soil characteristics, drainage, and available water supply.

Trees and shrubs should be at least, at the time of planting, the sizes as outlined in this section and shall be consistent with the current American Standard for Nursery Stock as set forth from time to time by the American Association of Nurserymen.

Deciduous trees shall be not less than one and one-half (1 ½) inches in diameter for single family residential uses and two and one-half (2 ½) inches in diameter for other uses.

Coniferous trees should be at least six (6) feet in height. Shrubs shall be of a size generally known in the nursery industry as requiring at least a five (5) gallon container.

All planting beds constructed pursuant to Sections 21.18.2, 21.18.5 and 21.18.6 shall be mulched with mulch cover at least three (3) inches deep to retain moisture around roots.

Trees shall be planted on the project sites so as to allow for their desired mature growth.

Access to or view of fire hydrants shall not be obstructed from any side.

Plantings shall be designed so as to not conflict with power lines or impede fire safety services.

21.18.2.2 Irrigation & Maintenance Performance Standards:

All uses with the exception of single family residential, which are landscaped with live plants, pursuant to this Section shall be equipped with a watering system which will provide sufficient water to maintain plants in a healthy condition.

21.18.2.2.1 Whenever the landscaped area required by Sections 21.18.3, 21.18.5 and 21.18.6 is two thousand (2,000) square feet or more of living plants whether or not the plants are contiguous, the site shall have a permanent irrigation system capable of meeting the typical watering requirements of all the plant materials on site.

21.18.2.2.2 Whenever there is less than two thousand (2,000) square feet of landscaped area required by Sections 21.18.3, 21.18.5 and 21.18.6 on a site, there should be at least one reliable water source available during the growing season. The hose bib or other water source shall be within fifty (50) feet from a border of the plants.

21.18.2.2.3 All irrigation systems shall be maintained in good working condition.

21.18.2.2.4 Irrigation requirements may be adjusted in part or in whole by the Zoning Administrator for landscape areas having established healthy plant material, or where irrigation is deemed unnecessary for plant health and survival.

All plants required by this Section shall be maintained in a live and healthy state. Dead or unsalvageable unhealthy plants shall be replaced with the size and type of plants required on the site development plan and by this Section. Plant materials including grasses and herbaceous plants uses on berms, along road sides, etc. shall be routinely maintained during growing seasons. When growing in close proximity to residential land uses, grasses and common weeds shall be maintained at a height of ten (10) inches or less.

All fences, walls and similar structures shall be maintained in good condition. Chipped paint, missing fence pieces, leaning or fallen portions of a fence or other forms of deterioration shall immediately be replaced or repaired.

Replacement of plants may be delayed whenever the Zoning Administrator determines that extenuating circumstances beyond the owner's control prevent the immediate replacement of the dead or unhealthy plants within a time established by the Zoning Administrator. In any event, the dead or salvageable plants shall be replaced within nine (9) months of the time the plants are clearly dead.

21.18.2.3 Existing Vegetation:

If there is no practical alternative in terms of sighting buildings and other development, trees and other plants may be removed.

Significant shrubs, grasses and trees are to be preserved within areas not required for development.

Healthy, younger mature plants shall be preserved which would normally succeed older plants.

Natural vegetation shall be preserved within areas below an ordinary high water mark of a lake, stream or other water body.

Existing vegetation to be preserved shall be protected during construction with barriers as required and approved by the Zoning Administrator.

The application of landscape standards within this Ordinance may be adjusted in part or in whole by the Zoning Administrator to allow credit for established healthy plant material to be retained on or adjacent to the site if such an adjustment is consistent with the intent of this Ordinance.

21.18.2.4 Berms constructed pursuant to Section 21.18.3 shall be constructed with slopes not to exceed one to three (1:3) gradient with side slopes designed and planted to prevent

erosion, and with a rounded surface a minimum of two (2) feet in width at the highest point of the berm, extending the length of the berm. Berm slopes shall be protected with sod, seed, shrubs or other form of natural ground cover.

21.18.3 Buffer Yards:

Buffer yards shall be constructed to mitigate problems associated with traffic, noise, vibration, odor, glare, dust, smoke, pollution, water vapor, conflicting land uses and density, height, mass, layout of adjacent uses, loss of privacy, unsightly views and other potentially negative effects of development. Buffering may be achieved using landscape, building fences and berm or a combination of the above techniques.

Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Buffer yards shall not be located on any portion of an existing or dedicated public or Private Street or right-of-way.

Tables I and II shall be used to determine buffer yard dimensions and plant materials specifications. Table I is used to determine the type of Buffer yard (A, B, C, D, E, EX, or NA) which will be required between districts or users. Once the type of Buffer yard is obtained, Table II outlines the plant material specifications for alternative widths and specifications and treatments (walls, berms, etc.) of buffer yard. Each property line should be analyzed independently to determine the appropriate buffer yard required.

The buffer yard tables are to be considered minimum standards. Increased landscaping requirements may be imposed by the Zoning Administrator or the Planning Commission if it is determined any of the following conditions exist.

The type of required buffer yard will not sufficiently mitigate noise, glare, fumes, smoke, dust or unsightly views within the site.

The scale of the project in regard to mass and height indicates the need for a buffer yard developed specifically for the project.

The proposed use is next to an existing sensitive use such as a school, church or residential area.

21.18.4 Roadside Greenbelt Buffers:

Unless as otherwise required by Section 21.18.3, required front yards shall be landscaped with a minimum of one (1) tree, not less than one and one-half (1½) inches in diameter for single family residential uses and two and one half (2½) inches in diameter of other use, for each one thousand (1000) square feet, or major portion thereof, of front yard abutting a road right-of-way. The remainder of the greenbelt shall be landscaped provided however, rock or other inorganic ground cover shall not exceed twenty (20) percent of the yard area.

Access ways from public rights-of-way through required landscaped strips shall be permitted, but such access ways shall not be subtracted from the square foot dimension used to determine the minimum number of trees required.

21.18.5 Screening of Unsightly Areas:

Unsightly areas, including but not limited to outside storage areas, utility boxes and open areas where machinery or vehicles are stored or repaired, shall be screened from public sidewalks, streets and other areas from which the property is visible. Such screening shall not be located as to interfere with required maintenance activities of utility boxes.

Whenever plants are used as a screen, they should provide an effective opaque screen within three (3) years of the time they are planted.

The materials and colors of the screen should blend with the site and the surroundings.

21.18.6 Parking Lot Screening:

Unless otherwise required by Section 21.18.3 or 21.18.4, a no-building buffer strip not less than ten (10) feet wide shall be required on the perimeter of all parking lots containing twenty-seven hundred (2,700) square feet or more of parking area where not adjacent to buildings. Said buffer strip shall be used for landscaping, screening or drainage as required herein.

Landscaping design standards:

21.18.6.1 Any required planting strip shall be a minimum of ten (10) feet in width.

21.18.6.2 One (1) street tree shall be planted adjacent to the public right-of-way for each twenty-four (24) lineal feet of frontage. (This requirement shall not duplicate the requirements of Sections 21.18.4 or 21.18.3.)

21.18.6.3 Where screens of non-living material are used, at least one (1) shrub or vine shall be planted on the right-of-way or property line side for each ten (10) lineal feet of screen or fraction thereof.

21.18.6.4 Parking lots with more than two (2) parking aisles shall require landscaped areas of at least ten (10) square feet of interior landscaping for each parking space, interior being defined as the area within the perimeter of the paved surface.

21.18.6.4.1 Landscaped areas shall be a minimum of seventy-five (75) square feet with a minimum dimension of ten (10) feet. Interior landscape areas shall be designed so as to cause minimum interference with snow removal. Each interior landscape area shall include one (1) or more canopy trees based on the provision of one (1) tree per each one hundred (100) square feet of interior landscape area.

FINDINGS UNDER SECTION 21.19

SECTION 21.19 LIGHTING, OUTDOOR

Outdoor light fixtures are electrically powered illuminating devices, outdoor lighting or reflective surfaces, lamps and similar devices, permanently installed or portable, used for illumination or advertisement. Such devices shall include search, spot and flood lights for buildings and structures, recreation areas, parking lot lighting, landscape lighting, billboards and other signs (advertising or other), street lighting, product display area lighting, building overhangs and open canopies.

All outdoor lighting fixtures including pole mounted or building mounted yard lights, dock lights, and shoreline lights other than decorative residential lighting such as low level lawn lights, shall be subject to the following regulations:

21.19.1 Lighting shall be designed and constructed in such a manner:

21.19.1.1 To insure that direct or directly reflected light is confined to the area needing it and that it is not directed off the property,

21.19.1.2 That all light sources and light lenses are shielded,

21.19.1.3 That any light sources or light lenses are not directly visible from beyond the boundary of the site,

21.19.1.4 That light from any illuminated source shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to surrounding areas.

21.19.2 Lighting fixtures shall be a down-type having one hundred (100) percent cut off. The light rays may not be emitted by the installed fixture at angles above the horizontal plane, as may be certified by photometric test. A United States flag, Michigan flag or a flag of a veteran's organization chartered by the United States Government shall be allowed to have light illuminating them from below

21.19.3 There shall be no blinking, flashing, or fluttering lighting, including changes in light intensity, brightness or color, except that lights may be controlled by a dimmer which can be periodically adjusted for conditions and signs as allowed in 21.38.2.1. Beacon lights are not permitted except where required by law.

21.19.4 No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.

21.19.5 Decorative lights during holiday seasons shall be allowed.

21.19.6 Modification of these outdoor lighting standards may be permitted by the Zoning Board of Appeals for temporary uses of not more than ten (10) days per year, following these provisions as closely as possible.

FINDINGS UNDER SECTION 21.21

SECTION 21.21 LOADING AND UNLOADING (OFF-STREET)

On the same premises with every building, structure, or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading, and unloading in order to avoid undue interference with public use of dedicated rights-of-way. Such space shall be computed separately from the Off-Street Parking Requirements and shall be provided as follows:

21.21.1 Within a B1 or B2 District, loading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per front foot of building.

21.21.2 Within an I District, loading spaces shall be laid out in the dimensions of at least ten by fifty (10 x 50) feet, or five hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height. Loading dock approaches shall be provided with durable and dustless surface. All spaces in I Districts shall be provided in the following ratio of spaces to floor area:

GROSS FLOOR AREA (In square feet)	LOADING AND UNLOADING SPACE REQUIRED
0 - 1,400	None
1,401 - 20,000	One (1) space
20,001 - 100,000	One (1) space plus one (1) space each 20,000 sq. ft., in excess of 20,000 sq. ft.
100,001 - and over	Five (5) spaces

21.21.3 All loading and unloading in I Districts shall be provided only in the rear yard, interior side yard, or exterior side yards that have a common relationship with an industrial district across a public thoroughfare.

FINDINGS UNDER SECTION 21.27

SECTION 21.27 PARKING

There shall be provided in all districts at the time of erection or enlargement of any main building or structure or use, automobile off-street parking space with adequate access to all spaces.

21.27.1 Off-street parking for other than residential uses shall be either on the same lot or within four hundred (400) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot.

21.27.2 Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.

21.27.3 In the instance of dual function of off-street parking spaces where operating hours of uses do not overlap, the Zoning Board of Appeals may grant an exception by reducing the total number of spaces required.

21.27.4 The storage of merchandise, motor vehicles for sale, trucks, or the repair of vehicles is prohibited on required off-street parking lots.

21.27.5 Residential off-street parking spaces shall consist of a driveway, parking strip, parking bay, garage, carport, or combination thereof.

21.27.6 The parking or storage of any commercial motor vehicle shall be prohibited in any R1, R2 or RR District, or in any residential area with lots of twenty thousand (20,000) square feet or less. (See definition of COMMERCIAL MOTOR VEHICLE.)

21.27.7 For the purpose of computing the number of parking spaces required, the definition of FLOOR AREA, USABLE shall govern.

21.27.8 For those uses not specifically mentioned in the Off-street Parking Schedule, requirements for off-street parking facilities shall be in accord with a use which the Board of Appeals considers as being similar in type.

21.27.9 Entrance drives to the property and off-street parking area 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. A greater distance may be required by the Planning Commission if the lesser would cause a traffic issue.

21.27.10 Off-street Parking Schedule

The minimum number of off-street parking spaces required by use shall be in accordance with the following schedule:

LAND USE	PER UNIT OF MEASURE
Commercial	
Business Office	1 per 200 sq. ft.
Furniture, Appliances, Plumbers, Electricians Minor Repair Services	1 per 800 sq. ft. of usable floor area

NOTES

a. Sq. ft. refers to square feet of usable floor area unless otherwise noted.

b. 1 unit per measure shall be interpreted to mean 1 per each unit, as 1 per "each" three (3) persons.

c. Space requirements are cumulative; hence, a country club may require parking for the golf use as well as restaurant or bar use.

d. Employees, refers to all permanent staff and part time equivalents in the largest working shift. Maximum capacity is the maximum occupancy permitted by applicable building, fire, or health codes.

21.27.11 Parking Area Design Standards
The layout of off street parking facilities shall be in accord with the following minimum requirements:

Parking Pattern		Maneuvering Lane width	Parking Space width	Parking Space length
Parallel	12ft	8ft	23ft	
30-53°	12ft	9ft	20ft	
54-74°	15ft	9ft	20ft	
75-90°	20ft	9ft	20ft	

All spaces shall be provided access by maneuvering lanes. Backing directly onto a street shall be prohibited. Adequate ingress and egress to a parking lot by means of clearly defined drives shall be provided for all vehicles. Ingress and egress to a parking lot lying in an area zoned for other than residential use shall not be across land zoned for residential use.

Each entrance and exit to and from any off street parking lot located in an area zoned for other than residential use shall be at least twenty-five (25) feet from adjacent property located in any residential district.

Buffer yards shall be required per standards set by Section 21.18. A buffer yard without buildings shall be required not less than ten (10) feet wide on the perimeter of all parking lots. Said buffer yard shall be uses for landscaping, screening and/or drainage as required by this ordinance.

All parking areas containing twenty-seven hundred (2700) square feet or more shall provide snow storage area. Snow storage shall be provided on the ratio of ten (10) square feet per one hundred (100) square feet of parking area.
Parking area is calculated at two hundred seventy (270) square feet per parking space. Snow storage areas shall be located in such a manner that they do not interfere with the clear visibility of traffic on adjacent streets and driveways

One (1) street tree shall be planted adjacent to the public right-of-way for each twenty-four (24) lineal feet of frontage.

Parking lots with more than two (2) parking aisles shall require landscaped areas of at least ten (10) square feet of interior landscaping for each parking space, interior being defined as the area within the perimeter of the paved surface.

Landscaped areas shall be a minimum of seventy-five (75) square feet with a minimum dimension of ten (10) feet. Interior landscape areas shall be designed so as to cause minimum interference with snow removal. Each interior landscape area shall include one (1) or more canopy trees based on the provision of one (1) tree per each one hundred (100) square feet of interior landscape area.

21.27.12 Federal and State requirements regarding handicapped parking and access shall apply.

21.27.13 Where the property owner can demonstrate that the required amount of parking is excessive, the Planning Commission may approve a smaller parking area, provided that the area of sufficient size to meet parking space requirements of this article is retained as open space and the owner agrees to construct the additional parking at the direction of the Planning Commission.

21.27.14 Parking lot cross-connections shall be used in addition to frontage roads or shared driveways, when in the opinion of the Planning Commission, cross-connections do not hinder traffic.

21.27.15 All parking in the Highway Interchange Commercial District shall be in the rear or side yard

FINDINGS UNDER SECTION 21.38

SECTION 21.38 SIGNS AND BILLBOARDS

Any publicly displayed sign, symbol or notice on premises to indicate the name of the occupant, to advertise the business there transacted, or directing to some other locale, shall be regulated as follows, and shall require permits in accordance with the terms of the County Building Code:

21.38.1 Signs Permitted

21.38.1.1 Name Plates in All Districts Residential, business or industrial name plates which are not illuminated and do not exceed a total area of two (2) square feet, may be permitted in any district, and may be permitted in addition to any other legal sign.

21.38.1.2 Accessory Signs in R1, R2, R3, RR, FR and AR Districts One (1) sign not to exceed fifteen (15) square feet may be permitted for uses other than dwelling units, in R1, R2, R3, and RR Districts. In the FR and AR Districts, one (1) sign not to exceed thirty-two (32) square feet in area and measuring not more than four (4) feet by eight (8) feet shall be permitted.

21.38.1.3 Accessory Signs in B, HX and I Districts

A. Signs for Single Business: A single business on one (1) lot or combination of lots in the B1, B2, B3, I and/or HX District may install accessory signs in accordance with the following regulations:

1. Accessory Signs in B1, B2, B3 and/or I Districts may be permitted at the rate of two (2) per use, except that at least one (1) sign shall be affixed to or be within two (2) feet of and be parallel with the wall of the main building. One (1) sign may be a freestanding or pylon sign.

2. Signs mounted on and parallel with the wall of the main building shall not exceed a total area of two and one half (2½) feet times the length of the mounting wall.

3. Freestanding signs intended for local or passerby traffic shall not exceed a height of twelve (12) feet measured from the average grade at the base of the sign to the top of the sign. No freestanding sign shall exceed an area of thirty-two (32) square feet, and no such sign shall be longer than three (3) times its width.

4. Pylon signs, designed and intended to attract traffic from a major expressway or highway, are approved but shall not exceed a height of thirty-five (35) feet and must be constructed and mounted by approval methods set forth in the State Construction Code provided they meet the Airport Zoning Ordinance standards.

B. Signs for Shopping Centers, Shopping Centers, Commercial Developments or Two (2) or more stores, offices, research or manufacturing facilities, or retail developments with multiple stores or Commercial PUDs or retail stores with an area over one hundred thousand (100,000) square feet or other Commercial Developments requiring Special Use Approval which have common off street Parking and/or entrance, may install accessory signs in accordance with the following regulations:

1. Signs which direct traffic movement within a property, and which do not exceed four (4) square feet in area for each sign are permitted.

2. One (1) free-standing identification sign for each street that the development faces.

   a. The free standing sign shall state only the name of the Shopping Center or multiple use development and Tenants located therein.

   b. No freestanding sign face shall exceed an area of one hundred (100) square feet.

   c. Freestanding signs shall not exceed a height of twenty five (25) feet measured from the average grade at the base of the sign to the top of the sign face. The structure supporting the sign shall not exceed a height of thirty (30) feet measured from the average grade at the base of the structure. The height shall not exceed three (3) times the width.

   d. Tenants of the shopping center or the owner of outlots included within the development plan or PUD shall not be permitted individual free standing signs, except gas stations as noted below.

3. Businesses within the development or PUD shall be permitted exterior wall signs; the total area of the exterior wall signs shall not exceed twenty percent (20%) of the area of the largest wall.

4. All businesses may display window signs in ground level windows in addition to any wall signs. Window signs shall not cover more than twenty percent (20%) of the total window area.

5. An automobile service station located on an outlot or on an individual lot within the development or PUD may have one (1) free standing sign in addition to the free standing sign utilized for the development. The free standing sign shall be for the purpose of advertising gasoline prices and other services provided on the premises. The service station sign shall comply with the regulations for a single business on its own lot as noted in Section 21.38.1.3(A) above.

21.38.1.4 Non Accessory Signs and Billboards

Billboards, poster boards, and non accessory signs may be permitted in B2, B3, & I Districts provided the area of the sign does not exceed an area of two hundred (200) square feet in B2 & B3 Districts and three hundred (300) square feet in I Districts. A non accessory sign or billboard shall not measure longer than three (3) times its width.

Signs that come under the jurisdiction of P.A. 106 of 1972 are under the jurisdiction of the Township, if the Township has adopted a sign ordinance.

21.38.1.5 Sign Lighting (also see SECTION 21.19 LIGHTING, OUTDOOR)

Signs internally illuminated or with a light emanating surface are allowed only in the RR, FR, AR, B1, B2, B3, I, HX, MUZ-Main Street and MUZ-Town Center Districts provided they meet the other requirements of this ordinance and are setback a minimum of ten (10) feet from all road right-of-ways and seventy-five (75) feet from any other property line.

Signs internally illuminated or if sign has a light emanating surface, all light sources and reflecting surfaces immediately adjacent to the light source shall be shielded from view. Sign luminance level, beginning one (1) hour after sunrise and continuing until one (1) hour before sunset, shall not be greater than three thousand (3,000) nits, nor greater than one hundred (100) nits at all other times.

Signs externally illuminated, the light on the proposed sign shall be mounted on the top of the sign, shall be directed downward onto the sign and shall be shielded so as to prevent rays of light from being directed into the sky or onto any portion of a street, road, highway or adjacent properties. Illumination shall be limited such that reflected luminance does not exceed one hundred (100) nits per square meter.

21.38.2 Signs Prohibited

21.38.2.1 Signs containing flashing, intermittent or moving lights. (A sign with messages or images accomplished by instantaneous re-pixilation NOT more often than one (1) time in any sixty (60) seconds shall NOT be considered flashing, intermittent or moving and shall be ALLOWED.)

21.38.2.2 Signs with moving or revolving parts.

21.38.2.3 Signs affixed to trees, rocks, shrubs or similar natural features.

21.38.2.4 Signs insecurely fixed, unclear, in need of repair, or signs which imitate official traffic signals or traffic control signs or devices.

21.38.2.5 Signs utilizing vehicles, trucks, vans, or other wheeled devices, unless such signs are used for periods of less than seven (7) consecutive days in any ninety (90) day period, or unless such signs have been approved by the Planning Commission as meeting a special purpose, need and/or as being appropriate for the particular use.

21.38.2.6 Advertising devices such as banners, balloons, flags, pennants, pinwheels, searchlights or other devices with similar characteristics, except when used temporarily for periods not to exceed seven (7) days within any ninety (90) day period.

21.38.2.7 Signs which overhang or extend into a dedicated public right-of-way, without the written consent of the government unit having jurisdiction.

21.38.3 Signs Not Requiring a Zoning Permit

21.38.3.1 Name Plates not to exceed two (2) square feet.

21.38.3.2 Existing signs may be changed or altered so long as none of the provisions of the Zoning Ordinance are violated.

21.38.3.3 Bulletin Boards that do not exceed fifteen (15) square feet for churches, public and semi-public institutions, and/or schools.

21.38.3.4 Signs that have been approved in conjunction with a valid zoning permit for any principal use of use as detailed in a plot plan or site plan.

21.38.3.5 Street name signs and other signs established by state, county, or township units of government when necessary for giving proper directions or otherwise safeguarding the public in any district.

21.38.3.6 Non-advertising signs erected by any organization, person, firm, or corporation that are needed to warn the public of dangerous conditions and unusual hazards including: caving ground, drop-offs, high voltage, fire danger, explosives, severe visibility limits, etc., in any district.

21.38.3.7 Temporary signs not exceeding ten (10) square feet advertising a premises being for rent, for lease, and/or for sale in any district. All such signs shall be removed within fourteen (14) days of the consummated lease or sale of the premises.

21.38.3.8 Accessory signs on farms advertising stock, produce, and other farm products produced on the premises, provided the area of sign does not exceed thirty-two (32) square feet.

21.38.3.9 Accessory directional signs each not to exceed two (2) square feet in area on buildings, such as but not necessarily limited to: entrance, exit, loading dock, low clearance, garage, office, warehouse, boiler room, service, and the like.

21.38.3.10 Up to two (2) accessory property directional signs each not to exceed two (2) square feet in area, identifying or directing to the following: entrance, exit, visitors parking, no parking, other traffic flow directions, and similar functional signs.

It is intended that accessory property directional signs be included on the site plan for approval as to location and number by the Planning Commission.

21.38.4 Placement of Signs and Setbacks, Signs in any zoning district must be placed at least ten (10) feet back from any right-of-way or lot-line.

21.38.5 Off Premises Directory Sign – Private, Where a business use or tourist service facility is not located directly on a major tourist route, but is dependent upon passerby traffic for support, one (1) off the premises directory sign located on a County maintained road may be permitted in business or non-business districts, on each road or link or segment of road that affords access to the use, but entails a major change in the direction of travel.

Off premises directory signs shall not exceed an area of fifteen (15) square feet. Community directional signs serving more than one (1) use may be permitted to a maximum size of thirty-two (32) square feet.

21.38.6 Sign Variances, In order to provide relief for reasons of practical difficulty and to allow greater flexibility in property and use signing, the Zoning Board of Appeals may, after a public hearing, permit signs that:

21.38.6.1 Exceed the maximum number of signs permitted when there is more than one (1) bordering street to serve the use.

21.38.6.2 Exceed the maximum sign area for reasons of unusual setback, cooperative sign use (joint use or community type advertising), large site area, and/or natural feature limitations to attaining reasonable signing of the use.

21.38.6.3 Revolve, provided it can be demonstrated that a stationary sign would not afford reasonable notice to the use.

21.38.6.4 Have intermittent lighting in order to construct a public service time and temperature sign in those instances where the applicant can demonstrate a need or show community desire for such a sign service.

21.38.6.5 Exceed the maximum height in those instances where a taller sign is necessary to overcome natural conditions (topography, vegetation, etc.).

In granting sign variances, the Zoning Board of Appeals shall consider the impact of each sign on adjoining residential districts, scenic views, out of character skyline intrusions, and obstructions to signs or uses on adjoining properties. Also the purpose of the sign and its applicability to uses that serve tourists or passerby motorists shall be considered in granting or denying a sign exception.

FINDINGS UNDER SECTION 21.42

SECTION 21.42 TRASH RECEPTACLES/DUMPSTERS

21.42.1 Residential Trash Receptacles shall be placed at curbside no earlier than twenty-four (24) hours from the scheduled pick-up day. Any trash receptacle placed at curb side shall be removed from curb side no later than twenty-four (24) hours after the scheduled pick-up day.

21.42.2 Commercial Trash Receptacles / Dumpsters may be placed upon a parcel of land in such a manner to facilitate loading and unloading. They may be placed no closer than ten (10) feet to any adjoining property. All Trash Receptacles shall be properly maintained with working lids and the lids shall be maintained in a closed position.

21.42.2.1 During the site plan review process the Planning Commission or Zoning Administrator may require Commercial Businesses abutting land zoned Residential (R1, R2, R3, RR) or existing residential development in other zoning districts (HX) to maintain a greater setback than ten (10) feet but in no case shall the required setback be greater than twenty five (25) feet.

21.42.3 Temporary Commercial Construction Dumpsters are exempt from these regulations.

21.42.4 Trash Receptacles / Dumpsters meeting the requirements of Sections 21.42.1, 21.42.2 & 21.42.3 shall not be considered unsightly areas as covered in Section 21.18.5.

FINDINGS UNDER SECTION 21.43

SECTION 21.43 UNDERGROUND UTILITY WIRES

Within the area of a plat or site plan, all distribution lines for electric, communication, or similar associated services shall be placed underground. Those electric and communication facilities placed in dedicated public ways shall be installed so as not to conflict with other underground utilities. All communication and electric facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission. All underground utility installations which traverse privately-owned property shall be protected by easements granted by the owner of such property.

The Planning Commission may, by resolution, waive or modify any of the above requirements for underground line installations with respect to a particular plat or site plan when the strict application of the above requirements would result in unnecessary hardship. Prior to any such waiver or modification, a public hearing regarding the proposal shall be held by the Planning Commission.

FINDINGS UNDER ARTICLE 19:

19.7.1 The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
HAS – HAS NOT BEEN MET

19.7.2 The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the county or the natural environment as a whole.
HAS – HAS NOT BEEN MET

19.7.3 The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person.
HAS – HAS NOT BEEN MET

19.7.4 The proposed special land used will be designed, constructed, operated, and maintained so as not to diminish the opportunity for the surrounding properties to be used and developed as zoned.
HAS – HAS NOT BEEN MET

19.7.5 The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity.
HAS – HAS NOT BEEN MET

19.7.6 The proposed special land use will be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services.
HAS – HAS NOT BEEN MET

19.7.7 If the proposed special land use includes more than fifteen thousand (15,000) square feet of impervious surface, then the storm water management system employed by the use shall (i) preserve the natural drainage characteristics of the site and enhance the aesthetics of the site to the extent possible, (ii) employ storm water disposal through evaporation and infiltration when reasonably possible, (iii) shall not discharge storm water directly to wetlands or surface waters unless there is no other prudent or reasonably feasible means of discharge, (iv) shall not serve to increase the quantity no rate of discharge leaving the property based on 25-year storm criteria, (v) shall be designed using Best Management Practices identified by the DNR or its successor agency, and (vi) shall identify the party responsible for maintenance of the storm water management system.
HAS – HAS NOT BEEN MET

19.7.8 The proposed special land use complies with all specific standards required under this Ordinance applicable to it.
HAS – HAS NOT BEEN MET

SECTION 19.8 - CONDITIONS

The Planning Commission may attach reasonable conditions to the approval of a special use permit. These conditions may include those necessary to insure that public services and facilities affected by a proposed special land use will be capable of accommodating increased service and facility loads caused by the special land use, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Any conditions imposed, however, shall meet all the following requirements.

19.8.1 Be designed to protect natural resources, the health, safety, and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed special land use, and the community as a whole.

19.8.2 Be related to the valid exercise of the police power, and purposes which are affected by the proposed

special land use.

19.8.3 Be necessary to meet the intent and purpose of the zoning ordinance, be rated to the standards established in the ordinance for the special land use under consideration, and be necessary to insure compliance with those standards.

OCRC

EUGENE G. FLEMING, CHAIRMAN
JOHN R. DEMING, VICE CHAIRMAN
WILLIAM T. HOLEWINSKI, JR., MEMBER
MICHAEL A. ROPER, MANAGING DIRECTOR
ROBERTA M. THOLL, OFFICE MANAGER

November 20, 2009

Mr. Ken VanHouten
P.O. Box 1643
Gaylord, MI 49734

Re: Meecher Road Project
Highway Easement Request
PID: 081-210-000-001-00

Dear Ken:

At your request, our office is willing to allow the runoff of surface storm water from the future development of the referenced property into the proposed ditch along the north side of Effie Drive with the following conditions:

- Your conveyance of a 10 ft. by 400 ft. drainage easement adjacent to Effie Blvd to the O.C.R.C.

- The future storm water runoff must not exceed the storage capacity of the proposed ditch along the north side of Effie Blvd. as constructed under the referenced project. The Road Commission reserves the right to review and approve any changes to the storm water runoff at this location at the time of any future development.

Thank you for your cooperation in our attempt to improve the surface drainage conditions along Meecher Road. If feel free to call if you have any questions or concerns throughout the project.

Sincerely,

Tom Deans
Otsego County Road Commission

Exhibit 13

OTSEGO COUNTY
PLANNING COMMISSION

PUBLIC HEARING NOTICE
June 15, 2015

The Otsego County Planning Commission will hold three (3) public hearings on Monday, June 15, 2015 at 6:00 pm in the Planning and Zoning Meeting room located at 1322 Hayes Rd Gaylord, Michigan.

The purpose of the public hearings will be to obtain citizen comment on the following:

1) Dean & Sara Gapinski, owners of Gapinski Forestry Products Inc, have requested a Special Use Permit/Site Plan Review for property located in Livingston Township at 210 Meecher Rd Gaylord, MI 49735. The proposed use of the property is to build a 120x60 shop/office for equipment repair and outside log storage. The property is located in a B2/General Business Zoning District. Lumber yards with outside storage and auto repair garages are a permitted use subject to special conditions in the B2 Zoning District.

Parcel identification number: **081-210-000-001-00**
210 Meecher Rd
Gaylord, MI 49735

Legal Description:
LOTS 1, 2, 3, 4, 5 & 6 WEST GAYLORD SEC 32 T31N R3W.

2) Otsego County Zoning Ordinance amendment pertaining to Article 9 and the addition of auction yards to Section 9.2.4 per Zoning Board of Appeals interpretation-***SEE ATTACHMENT 1-Proposed Minutes***

3) Otsego County Zoning Ordinance amendment pertaining to Article 17/Schedule of Dimensions and the addition of the HX/Highway Interchange to '*note g*' and the maximum building height

All citizens are welcome to attend the meeting or provide written comment. If written comments are provided the comments must be received at the Otsego County Land Use Services Office by noon (12:00 pm) the day of the meeting.

Any citizen who has questions regarding this application or needs assistance to attend this meeting should contact the Director of Land Use Services at (989) 731-7400.

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210 Meecher Rd
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LOTS 1, 2, 3, 4, 5 & 6 WEST GAYLORD SEC 32 T31N R3W.

2) Otsego County Zoning Ordinance amendment pertaining to Article 9 and the addition of auction yards to Section 9.2.4 per Zoning Board of Appeals interpretation

3) Otsego County Zoning Ordinance amendment pertaining to Article 17/Schedule of Dimensions and the addition of the HX/Highway Interchange to *'note g'* and the maximum building height-***SEE ATTACHMENT 2-Proposed Minutes***

All citizens are welcome to attend the meeting or provide written comment. If written comments are provided the comments must be received at the Otsego County Land Use Services Office by noon (12:00 pm) the day of the meeting.

Any citizen who has questions regarding this application or needs assistance to attend this meeting should contact the Director of Land Use Services at (989) 731-7400.