

OTSEGO COUNTY
PLANNING COMMISSION

AGENDA
November 28, 2011
6:00 PM

~~MEETING WILL BE IN THE PLANNING AND ZONING MEETING ROOM LOCATED AT 1066 CROSS STREET.~~

1. CALL TO ORDER
2. PLEDGE OF ALLEGEANCE
3. ROLL CALL
4. CONSENT AGENDA
5. APPROVAL OF MINUTES: From the 10-17-2011 meeting
6. OTHER:
7. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA
(Please identify yourself for the record. All comments will be limited to two minutes)
8. UNFINISHED APPLICANT BUSINESS:

None
9. PUBLIC HEARINGS: Public hearing for SPR11-004
10. UNFINISHED COMMISSION BUSINESS:
 1. Proposed mining language
 2. Article 18 table I: Planting Buffer Yard (revised table)
 3. Article 14 Schedule of Dimensions (revised table)
 4. Article 18, section 18.27 Parking (proposed revisions)
 5. Update Assisted living facilities (Mr. Arndt)
11. NEW BUSINESS:
 1. SPR11-004 Special Use Permit (~~with consent this will be moved to follow the public hearing~~)
 2. Motion to require all Site Plan Approvals for Louis M. Groen Nature preserve require Planning Commission approval.
 3. Approval of 2012 meeting schedule
 4. Objectives for 2012
 5. Representing Important segments of the community
 6. Jeff Ratcliff B-3 zoning district discussion
12. REPORTS AND COMMISSION MEMBER'S COMMENTS:
 1. Land Use Director, update on dumpsters, highway Interchange
 - 2.
 - 3.
 - 4.
13. ADJOURNMENT:

Otsego County Planning Commission

PROPOSED Minutes for October 17, 2011

Call to Order: 6:00 pm by Chairperson Stults

Pledge of Allegiance

Roll Call:

Present: Chairperson Stults, Vice-Chairperson Arndt, Secretary Borton, Mr. Hilgendorf, Mrs. Jarecki, Ms. Nowak, Mr. Klee, Mr. Hendershot, Mr. Hartmann
Absent: Mr. Colosimo, Mr. Mang

Staff Present: Mr. Ferrigan, Mr. Schlaud

Others Present: Patricia Osburn, Soil Conservation Director

Public Present: Olen Harris, Nora Corfis, Colleen Jozwiak

Consent Agenda: None

Approval of minutes from August 15, 2011:

Motion made to approve minutes by Mr. Borton; Seconded by Mr. Hendershot.

Motion approved unanimously.

Other: None

Public participation for items not on the agenda: None

Unfinished applicant business: None

Public Hearing: None

Unfinished Commission Business:

Chairperson Stults requested moving item two (2) *Proposed Mining language* to number one (1) to allow Ms. Osburn time to make another meeting.

1. Proposed Mining language

Mr. Ferrigan discussed the newest version of mining language given to the board at the meeting. It included information from two (2) technical guides, *Land Reclamation, Currently Mined Land* and *Land Reclamation, Abandoned Mined Land*, provided by Patricia Osburn.

Ms. Osburn stated the guides are provided by *NCRS, National Resources Conservation Service* of the federal government and her department refers to them for every case. She also stated this information could be found online. (www.nrcs.usda.gov) Ms. Osburn commented that the process would move more smoothly if the Ordinance language followed the same guidelines.

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Mr. Ferrigan stated he used these two (2) guides to revise the language and found them very useful. He stated they would be very helpful to future mining agreements.

Chairperson Stults directed the Commission members to the questions on Articles Mr. Ferrigan needed clarification on:

- Article 18.25 Mining, Gravel, Sand, Clay, Top Soil, Marl: (I) zoning district changed to, *Use Subject to Special Conditions*.
- Article 16: Add wording along the line of; *Allowed as a Use Subject to Special Conditions in (FR), (AR) and (I) zoning districts per the requirements of Article 16.*
- Article 18.25.1.4 Site Development Requirements/Restrictions: Mr. Ferrigan will come up with better language.
- A disclaimer is not needed for non enforcement of lease agreements.
- Article 18.25.6 Application Procedure: Bold faced type acceptable.
- Article 18.25.7 Operational Plan: There were no items added to the Operational Plan at this time. Mr. Ferrigan requested the Commission members read the technical guides and consider additional items.
- Article 18.25.10 Financial Guarantees: Members agreed the Bond should extend past the life of the permit. Chairperson Stults stated, a Performance Bond never expires. The County attorney will be asked for language in the matter. Staff provided the following comment: Bond shall be in effect until Certificate of Completion is issued.
- Article 18.25.13 Evidence of Continuing Use: If abandonment is declared, they are in non compliance with the permit and enforcement should take place.
- Article 18.25.15 Permit Expiration: If the permit expires, they are in violation and enforcement should take place.
- Article 18.25.11 Inspection: The term, *inspection*, to be changed to, *supervision or supervision of the operation*, to better describe the Zoning Department's purpose.

2. Proposed new language regarding dumpsters

Mr. Ferrigan made changes to the Zoning Ordinance language regarding dumpsters and presented to the Planning Commission.

It was the consensus of the Commission members to delete the portion of Article 18.42.2.1 beginning with *and/or a fence between* through *to the adjacent residential property* and was decided that Article 18.18.5 Screening of Unsightly Areas to be left as is.

Mr. Ferrigan was asked to do a final revision and move the process forward.

3. Ken Arndt's update report on Assisted Living Facilities

After drafting thirty-five (35) to forty (40) pages throughout the Zoning Ordinance, Mr. Arndt requested guidance from Chairperson Stults concerning certain issues with the Ordinance language. It should be ready to present at the next Planning Commission meeting.

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New Business:

1. ZBA review of 18.1/Is 4000 square feet the total of all accessory buildings or any one building

Commission members decided the ordinance encompassed the total of all accessory buildings and requested Mr. Ferrigan draft the language to that effect.

2. Election of officers

A nomination was made for the current officers to remain for another term by Mr. Hendershot.

Motion made to accept unanimous ballot by Mr. Hilgendorf; Seconded by Mrs. Nowak

Motion passed unanimously.

Chairperson: Mr. Stults
Vice Chairperson: Mr. Arndt
Secretary: Mr. Borton

Chairperson Stults requested Mr. Ferrigan gather a list of Commission members whose terms end 2011. They will then be reappointed if they so desire.

Reports and Commission Member's Comments:

Ms. Jarecki stated the Commission's State Citizens Planner Program would possibly be held again in the spring in Gaylord. Chairperson Stults recommended the class.

Mr. Borton announced that as a County Commissioner, he was a member of the organization MAC, *Michigan Association of Counties*, and was recently elected Regional Director of the seventeen (17) counties in Region six (6).

Adjournment: 8:28 pm by Chairperson Stults.

Christine Boyak-Wohlfeil, Recording Secretary

Ken Borton, Planning Commission Secretary

**OTSEGO COUNTY
PLANNING COMMISSION**

PUBLIC HEARING NOTICE
November 28, 2011

The Otsego County Planning Commission will hold a public hearing on Monday November 28, 2011 at 6:00pm in the Planning and Zoning Meeting room located at 1066 Cross Street; Gaylord, Michigan.

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

Rick Chelotti and Karen Darner (lessee) have requested a site plan review of an existing commercial building and property located at 1091 Anna Drive, Gaylord Mi. 49735. The proposed use of the building is a specialized recycling center. The property is located in a B-2 Zoning District. Recycling Facility is a permitted use subject to special conditions in the B-2 zoning district.

Parcel identification number **081-210-000-051-00 & 081-210-000-062-00**

Legal Description:

LOT 51 GAYLORD WEST T31N R3W / LOTS 52 & 53 WEST GAYLORD T31N R3W

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 the day of the meeting.

Any citizen who has questions regarding this application or who need assistance to attend this meeting should contact the Director of Land Use Services at (989) 731-7420

SECTION 18.25 MINING, GRAVEL, SAND, CLAY, TOP SOIL, MARL

Allowed as a use Subject to Special Conditions in the (AR), (FR) and (I) zoning districts:

The Michigan Zoning Enabling Act may allow this Use in other Zoning Districts:

18.25.1 Site Development Requirements/Restrictions:

The following Site Development Requirements shall be followed:

- 18.25.1.1 Setback Area: Setbacks in which no part of the mining operation may take place excepting ingress and egress shall be as follows:
 - Excavation below the existing grade of adjacent roads or property lines shall not take place within fifty (50) feet from any adjacent property line or road right-of-way line. This shall include any sloping during the reclamation of the site.
 - No machinery shall be erected or maintained within one hundred (100) feet of any property or road right-of-way line.
 - 18.25.1.2 The area permitted for mining shall be marked with stakes or other markers as approved by the zoning administrator at all corners before the operation commences, and shall be maintained until the reclamation is approved in writing by the zoning administrator.
 - 18.25.1.3 Sufficient native topsoil shall be left on the site as a ready resource to be used in reclamation work following excavation/extraction activity, unless an alternative or replacement plan is approved by the Planning Commission.
 - 18.25.1.4 Physical isolation from residential properties shall be considered in locating development facilities. Topography, vegetation, screening devices and earth stockpiles may be used to accomplish this.
 - 18.25.1.5 If necessary to protect the welfare of surrounding properties the access routes serving the site may be specified by the Planning Commission with input from the Otsego County Road Commission.
 - 18.25.1.6 All structures, equipment and machinery shall be considered temporary and shall be removed upon completion of the mining, excavation, extraction or filling. Items not related to the operation shall not be stored at the site.
 - 18.25.1.7 Interior access roads, parking lots, haul road loading and unloading areas shall be maintained so as to limit the nuisance caused by windblown dust.
 - 18.25.1.8 The operation of mechanical equipment of any kind may be limited by the day(s) and/or hours by the Planning Commission.
 - 18.25.1.9 Processing may be limited to only the materials extracted from the site. If the Operator intends to bring in off-site materials, Planning Commission approval is required.
 - 18.25.1.10 Air pollution, noise and vibration factors shall be controlled within the limits governed by State and/or Federal regulations applicable to the facility.
 - 18.25.1.11 All required Soil Erosion permit(s) shall be secured prior to the commencement of any operation. The Soil Erosion permit shall be issued for the same period of time as the permit for the operation and reclamation.
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18.25.2 Reclamation:

Intent: To prevent negative impacts to soil, water and air resources in and near mined areas. To restore the quality of the soils to their pre-mining level and to maintain or improve landscape visual and functional quality. All reclamation plans shall comply with all applicable Federal, State, Local and Tribal laws related to mining and mined land reclamation.

- 18.25.2.1 Develop a reclamation plan that is consistent with the site capability, the planned land use and the landowner's conservation objectives. Include the practices necessary to reclaim and stabilize the mined areas to prevent further degradation of soil, water, air, plant and animal resources.
- 18.25.2.2 Dust control. Control the generation of particulate matter and fugitive dust during removal and replacement of soil and other materials. Detail the practices and activities necessary for dust control in the plans and specifications.
- 18.25.2.3 Properly identify areas for preservation including those containing trees, vegetation, historic structures, stream corridors, natural springs or other important features.
- 18.25.2.4 Remove trees, logs, brush, rubbish and other debris from disturbed areas that will interfere with reconstruction and reclamation operations. Dispose of these undesirable materials so they will not create a resource problem or interfere with reclamation activities and the planned land use.
- 18.25.2.5 Shape the land surface to provide adequate surface drainage and to blend into the surrounding topography. Use erosion control practices to reduce slope lengths where sheet and rill erosion will exceed acceptable levels.
- 18.25.2.6 Use sediment trapping practices such as filter strips, riparian forest buffers, contour buffer strips, sediment basins or similar practices to trap sediment before it leaves the project site. Establish drainage ways with sufficient capacity and stability to carry concentrated runoff from the reclaimed area into receiving streams without causing erosion.
- 18.25.2.7 Do site preparation, planting and seeding at a time and in a manner to ensure survival and growth of the selected species. In the plans and specifications, identify the criteria for successful establishment of vegetation such as minimum percent ground/canopy cover, percent survival and irrigation for initial establishment or stand density. Apply soil amendments and or plant nutrients as appropriate, according to the requirements of NRCS Conservation Practice Standard Nutrient Management (590). If the recommended fertilizer rate exceeds the criteria in NRCS Conservation Practice Standard Nutrient Management (590), use appropriate mitigating practices to reduce the risk of nutrient losses from the site. Use vegetation adapted to the site that will accomplish the desired purpose. Preference shall be given to native species in order to reduce the introduction of invasive plant species; provide management of existing invasive species; and minimize the economic, ecological, and human health impacts that invasive species may cause. Native plant materials are not adaptable or proven effective for the plant use, then non-native species may be used. Refer to the Field Office Technical Guide, Section II, Invasive Plant Species, for plant materials identified as invasive species.
- 18.25.2.8 Identify in the plans and specifications the species, rates of seeding or planting, minimum quality of planting stock, such as PLS or stem caliper, and method of establishment. Use only viable, high quality seed or planting stock. Use local NRCS criteria for seedbed preparation, seeding rates, planting dates, depths and methods.

18.25.3 Restore the Quality of Soils to Their Pre-mining Level

- 18.25.3.1 Complete a detailed soil survey of the proposed mine area if suitable soils information is not available. Use the soil survey information to determine the extent and location of prime farmland soils.
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- 18.25.3.2 Remove all upper soil horizons from the project area that are suitable for reconstruction before operations commence.
- 18.25.3.3 Separate soils identified with high electrical conductivity, calcium carbonate, sodium or other restrictive properties, and treat if practicable.
- 18.25.3.4 Removal of overburden material for use as topsoil. Selected overburden materials can be substituted for or added to the A and B horizons if field observations and/or chemical and physical laboratory analyses demonstrate that the material, or a mixture of overburden and original topsoil, is suited to restoring the capability and productivity of the original A and B horizon material. Analyze overburden materials for pH, sulfide content, organic matter, nitrogen, phosphorus, potassium, sodium absorption ratio, electrical conductivity, texture and available water holding capacity. If the overburden material is determined to be suitable for topsoil, remove and separate from other materials and replace according to the requirements for topsoil placement.
- 18.25.3.5 Storage of soil materials. Stockpile soil materials to be used as topsoil until they are needed for reclamation. Locate stockpiles to protect against wind and water erosion, dust generation, unnecessary compaction and contamination by noxious weeds, invasive species or other undesirable materials.
- 18.25.3.6 Replacement of soil material. When placing cover materials, treat graded areas to eliminate slippage surfaces and promote root penetration before spreading topsoil. Spread topsoil so the position and thickness of each horizon is equivalent to the undisturbed soil without causing excess compaction the moist bulk density and soil strength of the reconstructed soil must support plant growth at a level equivalent to that of a similar layer in undisturbed soil.
- 18.25.3.7 Reclaim the site to maintain or improve visual quality based on the scenic quality of the reclaimed site as well as the function of the site for the end land use. Plan the reclamation to be compatible with the topography and land cover of the adjacent landscape. Focus on areas of high public visibility, and those offering direct or indirect human and wildlife benefits.
- 18.25.3.8 Grade and shape spoil piles and borrow areas to blend with the adjacent landscape topography to the extent practicable.
- 18.25.3.9 Develop a planting plan that mimics the species, arrangement, spacing and density of plants growing on adjacent landscapes. Choose native species of erosion control vegetation and other plant materials where practical. Arrange plantings to screen views, delineate open space, act as windbreaks, serve as parkland, wildlife habitat or protect stream corridors.

18.25.4 PLANS AND SPECIFICATIONS:

- 18.25.4.1 Plans and specification for Land Reclamation - Currently Mined Land shall be in keeping with this standard and shall describe the requirements for applying the practice to achieve its intended purpose.

18.25.5 Application Procedure:

An application for Mining- Gravel, Sand, Clay, Top Soil or Marl, Shall contain all of the following:

- 18.25.5.1 Name and address of owner(s) of land where mining, excavation, extraction or filling are proposed to take place.
 - 18.25.5.2 Name, address and telephone number of person, firm or corporation who will be conducting the actual operation. This person, firm or corporation shall be referred to as operator.
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18.25.5.3 A current Survey and legal description of the site where the proposed operation is to take place.

18.25.5.4 A site plan complying with all requirements of Article 20 of the Otsego County Zoning Ordinance in addition to showing all of the following:

a. The mining area:

Setbacks in which no part of the mining operation may take place excepting ingress and egress shall be as follows:

Excavation below the existing grade of adjacent roads or property lines shall not take place within fifty (50) feet minimum from any adjacent property line or road right-of-way line. This shall include any sloping during the reclamation of the site.

b. The placement of all equipment to be used during the operation.

No machinery shall be erected or maintained within one hundred (100) feet of any property or road right-of-way line.

c. Required Screening of the site shall be in compliance with standards of Section 18.18 of the Otsego County Zoning Ordinance.

If the operator chooses to use a berm to achieve the required screening, the berms shall be placed no closer than 20 feet to any property line.

d. The proposed ingress and egress at the site and route(s) to be used to access the site when not located on a primary road. The route(s) for ingress and egress when not located on a primary road shall have written approval from the Otsego County Road Commission. **The operator shall be responsible for all road damage to public roads caused as a result of the operation.**

e. The type and location of any proposed accessory uses. The Planning Commission may approve vehicle maintenance, sorting, crushing, concrete mixing, asphalt batching and other uses as accessory uses subject to conditions placed upon the accessory uses.

18.25.7 Operational Plan including the following:

18.25.7.1 The Operational plan shall be in written form.

18.25.7.2 The written plan shall indicate the proposed size, depths, methods of operation, and type of material(s) to be mined, excavated, extracted or filled.

18.25.7.3 The written plan shall indicate the phases of operation and ending date for each phase.

18.25.7.4 The written plan shall indicate the method by which the operation shall be secured from entry during hours of non- operation.

18.25.7.5 The written plan shall indicate the proposed hours and days of operation.

18.25.8 Reclamation Plan:

18.25.8.1 A written detailed reclamation plan meeting all of the requirements of 18.25.2, 18.25.3 shall be submitted with the application and operational plan.

18.25.8.2 The written reclamation plan shall be approved by Planning Commission and may have additional conditions placed upon it prior to final approval.

18.25.8.3 The approved site plan and/or reclamation plan may be revised at any time by mutual consent of the operator and the Planning Commission to adjust to changed conditions, technology or to correct an oversight. Any costs to amend the plan(s) are to be borne by the initiating party. The Planning Commission may require the modification of the approved Site plan and/or reclamation plan when:

a. Modification of the plan is necessary so that it will conform to existing laws.

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- b. It is found that the previously approved plan is clearly impractical to implement and maintain.
- c. The approved plan is obviously not accomplishing the intent of the Ordinance.
- d. Any modification shall be subject to all provisions of Article 16 and Article 20.

18.25.9 Approval Process:

18.25.9.1 All approvals shall be made in accordance with the process prescribed in Article 16 Permitted Uses Subject to Special Conditions.

18.25.10 Financial Guarantees:

18.25.10.1 The Planning Commission shall require that the applicant file with the County Treasurer a surety bond, executed by a reputable surety company admitted to do business in the State of Michigan in a minimum amount of one-thousand (\$1,000.00) dollars per acre of excavated area; or an irrevocable letter of credit from a commercial bank or cash bond in a minimum of one-thousand (\$1,000.00) dollars per acre of excavated area. The Planning Commission shall determine the amount of the Financial Guarantee.

Excavated area shall include all areas of excavation, stockpiling, and processing which are not rehabilitated pursuant to Sections 18.25.2 and 18.25.3 of this Ordinance. Required financial guarantees shall be reduced at a rate equal to the ratio of rehabilitation work completed and as other required improvements are completed upon certification by the Zoning Administrator.

18.25.10.2 The Planning Commission in establishing the amount of financial guarantee. Shall consider information provided to them by the Zoning Administrator, regarding the scale of operations, the prevailing cost to rehabilitate the property upon default of the operator. Road damage that may occur to public roads, court costs, administrative costs, and other reasonable expenses likely to be incurred by the county or township where the surface mine is located.

18.25.11 Inspection:

18.25.11.1 Mining, excavation, extraction or filling permits granted for a period exceeding one (1) year shall be inspected a minimum of once a year during the operation period and a minimum of each 100 days during restoration, by the Zoning Administrator to insure compliance with the permit and Ordinance. The operator shall pay an inspection fee, as determined by the Otsego County Board of Commissioners, for each inspection to cover the costs of extraction and reclamation inspections required by this section within 30 days of the invoice being sent to them or they will be in violation of the Special Use Permit.

18.25.12 Certificate of completion:

18.25.12.1 A certificate of completion shall be issued to the operator when the Zoning Administrator makes the following determination.

18.25.12.2 All evidence of the operation has been removed from the site.

18.25.12.3 All required grading of the site has been completed.

18.25.12.4 All required re-vegetation of the site has been completed and initial growth has begun and there is no erosion present.

18.25.12.5 Completion and approval of the soil erosion permit has been given.

18.25.13 Evidence of Continuing Use:

18.25.13.1 When activities on or the use of the mining area, or any portion thereof, have ceased for more than one (1) year or when, by examination of the premises or other means, the Zoning Administrator determines a manifestation of intent to abandon the mining area, the Zoning Administrator shall give the operator written notice of their intention to declare the mining area or portion thereof abandoned. Within thirty (30) days following

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receipt of said notice, the operator shall have the opportunity to rebut the Zoning Administrator's evidence and submit other relevant evidence to the contrary. If the Zoning Administrator finds the operator's evidence of continued use satisfactory, he/she shall not declare abandonment.

18.25.14 Transference of a Special Use Permit:

18.25.14.1 Permits for surface mining shall be issued to the operator. If an operator disposes of his interest in an extraction area prior to final reclamation by sale, lease, assignment, termination of lease, or otherwise, the Planning Commission may release the operator from the duties imposed upon him by this Ordinance, as to the operation, but only if the successor, operator, or property owner assumes the obligations of the former operator with reference to the reclamation activities. At that time the Special Use Permit may be transferred.

18.25.15 Permit extension:

18.25.15.1 All requests for an extension/renewal of a special Use permit shall for mining, excavation, extraction or filling follow the same process as a request for a new permit.

18.25.16 Permit Expiration:

18.25.16.1 If approval for a Special Use Permit for mining, excavation, extraction or filling is granted by the Otsego County Planning Commission it shall be for a specific period of time not to exceed five (5) years and shall specify the period of restoration which cannot extend more than 18 months beyond the permitted time for operation.

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FR - FORESTRY RECREATION DISTRICT

8.2.16 Surface mining of gravel, sand, clay, topsoil or marl (~~gravel, sand, etc.~~).

AR - AGRICULTURAL RESOURCE DISTRICT

9.2.17 Surface mining of gravel, sand, clay, topsoil or marl (~~gravel, sand, etc.~~).

I - INDUSTRIAL DISTRICT

13.1.5 Surface mining ~~Gravel extraction~~, mining, or quarrying.

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Allowed as a Principal Use Permitted in the (I) zoning district: change to a special use

ARTICLE 14 SCHEDULE OF DIMENSIONS (updated 2011)

14.1 Table 1 – LIMITING HEIGHT, DENSITY AND AREA BY ZONING DISTRICTS (see also article 18.1

Accessory Buildings and Article 19 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)	30 ft(a,h)	30 ft(a,h)	40 ft (a)		
Min. Lot Width	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)	11 ft (i)	20 ft (i)	11 ft (i)		

Zoning District	B1	B2	B3	I		
Min Lot Area (square feet)	10,000	10,000	20,000	40,000		
Min. Front Setback	30 ft. (e)	30 ft. (e)	30 ft. (e)	30 ft. (e)		
Max. Front Setback	NA	NA	NA	NA		
Min. Side Setback	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)		
Min. Lot width (k)	100 ft	100 ft	100 ft	100 ft		
Max. % Lot coverage	NA	NA	NA	NA		
Max. Building Height (l)	35 ft (g)	35 ft (g)	35 ft (g)	35 ft (g)		
Min. Ground Floor Area Principal Structure (square feet)	NA	NA	NA	NA		
Min. Width of principal Structure	NA	NA	NA	NA		

- Note a: Lots within 500 ft. of lakes, ponds, flowages, rivers, streams: see Article 15, LOTS NEAR WATER.
- Note b: Where the front yards of two (2) or more principal buildings in any block, or within 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 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 Highway Commercial Interchange Districts.
- 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 50% in R1, R2, R3, RR, B1 and B2 Districts, and up to 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, 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 15.47 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 19 general Exceptions for Area, Height, and Use.*
- Note h: Section 18.1 allows a rear setback of 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 1 or more lots, the setback shall be measured from that right of way for 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 18 and Article 19, Section 19.3 Height Limits, of this ordinance.

18.26.7 SPECIAL LAND USE IS NOT A NONCONFORMING USE

Any use for which a special use permit is issued as provided in this Ordinance shall not be deemed a nonconforming use, but shall without further action be deemed a conforming use in such district.

SECTION 18.27 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.

- 18.27.1 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.
- 18.27.2 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.
- 18.27.3 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.
- 18.27.4 The storage of merchandise, motor vehicles for sale, trucks, or the repair of vehicles is prohibited on required off-street parking lots.
- 18.27.5 Residential off-street parking spaces shall consist of a driveway, parking strip, parking bay, garage, carport, or combination thereof.
- 18.27.6 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 20,000 sq. ft. or less. See definition of commercial motor vehicle.
- 18.27.7 For the purpose of computing the number of parking spaces required, the definition of USABLE FLOOR AREA shall govern.
- 18.27.8 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.
- 18.27.9 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 distance would cause a traffic issue.

18.27.10 Off-street Parking Schedule

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

MINIMUM PARKING SPACES REQUIRED

<u>LAND USE</u>	<u>PER UNIT OF MEASURE</u>
<u>Residential</u>	
Dwellings	2 per dwelling
Multiple-Family Dwelling	2 per dwelling
Elderly Housing	1 per 4
Rooming House, Fraternity, or Sorority	1 per 2 occupants at maximum capacity
Trailer Court	2 per unit
<u>Public and Quasi-public</u>	
Church or Temple	1 per 3 seats
Hospital	1 ½ per bed
Nursing Home	1 per 4 beds
Elementary, or Middle School or Junior High	1 per teacher, employee, and administrator, plus the requirements for auditoriums or gyms.
Senior High School	1 per teacher, employee, and administrator, plus one (1) for each 10 pupils or the requirements for any auditorium or stadium, whichever is greater
Colleges, University Centers or Tech Schools	1 per teacher, employee and administrator on the largest shift, plus one per each two students not residing on campus.
Membership Clubs	1 per 4 members, or 1 per 150 square feet of usable floor area, whichever is greater
Golf, or Swim Club	1 per 4 member families, plus 1 per employee, plus restaurant or bar parking requirements
Public Golf Course	4 per green or golf hole plus 1 per employee
Par 3 and/or Mini Golf	3 per hole or green

Racquet Club or Tennis House	4 spaces per court, plus 1 per employee
Sport Arena, Gym, or Stadium	1 per 3 seats
Theater or Auditorium	1 per 4 seats
<u>Commercial</u>	
Planned Shopping Center	1 per 200 square feet of usable floor area
Auto Wash - Automatic	5 per wash stall plus 1 per employee
Auto Wash – Automatic – Drive-in	one (1) for each two employees
Auto Wash - Self Service	2 per wash stall plus 1 per employee One (1) per employee
Barber or Beauty Shop	1 per employee plus 1 per service chair
Dance Hall, Rinks or Assembly Building (no fixed seats)	1 per 3 persons at maximum capacity
Drive-in Business	1 per employee plus drive-in stalls and/or lanes to serve patrons
Banks	1 per 200 sq. ft. of usable floor area
Doctor or Dentist Office	1 per 50 sq. ft. of waiting room plus 1 per service chair
Business Office	1 per 200 sq. ft.
Billiard Hall	2 per game table
Bowling Alley	5 per lane
Taverns	1 per 100 sq. ft. of usable floor area
Restaurants	1 per 3 persons at maximum seating capacity
Drive-up or Drive-through uses (restaurant) Banks, drug pick-up, laundries, payment windows, or other drive-up service Windows.	In addition to the required parking for the principal use, the Drive-through facilities requirement in Article 18 shall be followed.
Furniture, Appliances, Plumbers, Electricians Minor Repair Services	1 per 800 sq. ft. of usable floor area
Vehicle Service Station	2 per service stall, plus 1 per employee
Gasoline Convenience Store	1 per 300 sq. ft. of usable floor area
Laundromat	1 per 3 machines for washing
Funeral Home/Mortuary	1 per 200 sq. ft. of usable floor area

Motels, hotels, motor inns, cabin courts Bed and Breakfast facilities and tourist Lodging facilities	1 per 150 sq. ft. of usable floor area, the Planning Commission may reduce up to half if they reserve land for open space
Vehicle Sales	1 per 200 sq. ft. of showroom usable floor area
Retail Groceries	1 per 150 sq. ft. of usable floor area
Other Retail Stores	1 per 150 sq. ft. of usable floor area
Self Storage rental Units	1 per 10 units
Personal service establishments	1 per 100 sq. ft. usable floor area not otherwise specified
Museums	1 per 150 sq. ft of usable floor area
Rental shops	1 per 200 sq. ft. of usable floor area in addition to a loading And unloading area; and a vehicle turnaround drop off area
Rifle or pistol range	2 per range plus one per employee
<u>Industrial</u>	
Manufacturing Shop	5 plus 1 per employee
Industrial Office or Research	1 ½ per employee
Warehouse and Wholesale	1 per employee, plus 1 per 200 sq. ft of any office space
Industrial laundries	5 plus 1 per employee
Medical laboratories	1 per 50 sq. ft. of waiting room plus 1 per employee

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 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.

18.27.11 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 25 feet from adjacent property located in any residential district.

Buffer yards shall be required per standards set by Section 18.18. A buffer yard without buildings shall be required not less than 10 ft. wide on the perimeter of all parking lots. Said buffer yard shall be used for landscaping, screening and/or drainage as required by this ordinance.

All parking areas containing 2700 square feet or more shall provide snow storage area. Snow storage shall be provided on the ratio of 10 square feet per 100 square feet of parking area. Parking area is calculated at 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 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 75 square feet with a minimum dimension of 10 feet. Interior landscape areas shall be designed so as to cause minimum interference with snow removal. Each interior landscape area shall include one or more canopy trees based on the provision of one tree per each 100 square feet of interior landscape area.

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

18.27.13 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.

18.27.14 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.

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

We will have to renumber the following sections to place this in the proper order.

18.5 will become 18.4, 18.7 will become 18.5, 18.8 will become 18.6 and 18.9 will become 18.7

18.8 Drive through facilities

For every building or use having a drive-through facility, the parking lot and driveways provided for such building shall comply with the following requirements.

18.8.1 Sufficient stacking capacity for the drive-through facility shall be provided to ensure that queuing of vehicles does not extend into a street or alley. A stacking space shall be defined as a paved surface having dimensions of at least ten (10) feet in width by twenty (20) feet in length.

18.8.2 Stacking spaces shall be located so as to minimize conflicts with pedestrians and required parking areas.

18.8.3 The minimum number of required stacking spaces for specified uses shall be as follows:

Restaurant	Five (5) stacking spaces per servicing station
Financial institutions such as: Bank, credit union, savings and loan	Five (5) stacking spaces per servicing station
Laundry or dry cleaning establishment	Three (3) stacking spaces per servicing station
Carwashes, automatic	Five (5) stacking spaces per washing bay
Carwashes, self service	Two (2) stacking spaces per washing bay
All other uses	Five (5) stacking spaces per servicing station

18.8.4 The Planning Commission may require additional stacking spaces if it believes the required number would result in stacking occurring on streets or roadways.

OTSEGO COUNTY LAND USE SERVICES DEPARTMENT
1068 CROSS STREET
GAYLORD MICHIGAN 49735
989-731-7420 * FAX 989-731-7429

Application for Site Plan Review

Applicant:

Name: Rick Chelotti & Karen Darnero Owner / Agent (Other interest) (circle one)

Address: P.O. Box 1985, Gaylord MI 49734

Phone (989) 390-1913 Fax _____

Property Owner: (if different from applicant)

Name: MDP Development

Address: 1850 Goslow Rd., Gaylord MI 49735

Phone: _____ Fax: _____

Property Location:

Township Livingston Section 32 Town 3/N Range 3W Zoning District B-2

Site Address: 1091 Anna Drive

Parcel Code: 081-210-051-00 & 081-210-051-00

Description of Project and Proposed Use:

See special use application write up

Signature of Applicant: _____ Date: _____

*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 _____
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 Lease of existing building
7. Name and address of the engineer, architect and/or land surveyor.
Yes No ___ Na ___ if "Na" explain Carol A. Waite, PS #43074
8. Project title.
Yes ___ No ___ Na if "Na" explain Lease of existing building
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 Lease of existing building
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 3 acres and 1" = 100 or fewer feet or less if the site is larger than 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 ___ No ___ Na if "Na" explain Site is Flat
- * 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 ___ if "Na" explain _____
18. Location and type of significant existing vegetation.
 Yes No ___ Na ___ 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 if "Na" explain None within 50' of parcels
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 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 No ___ Na if "Na" explain No accessory structures
22. Location of existing public roads, rights-of-way 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 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 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 No ___ Na ___ if "Na" explain _____
25. Location, size, and characteristics of all loading and unloading areas.
 Yes No ___ Na ___ if "Na" explain _____
26. Location and design of all sidewalks, walkways, bicycle paths and areas for public use.
 Yes ___ No ___ Na if "Na" explain Lease of existing building
- * 27. Location of water supply lines and/or wells, including fire hydrants and shut off valves, and 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 ___ No ___ Na if "Na" explain well & septic shared w/ bldg on west side and located on adjacent property
28. Location of all other utilities on the site including natural gas, electric, cable TV, telephone and steam.
 Yes 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 ___ No ___ Na if "Na" explain Lease of existing building
30. Location, size and specifications of all signs and advertising features with elevation views from front and side.
 Yes ___ No ___ Na if "Na" explain Future signage will comply with County requirements

* 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 Lighting locations and fixtures shown on attached photos

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

Yes 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 No Na if "Na" explain _____

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

Yes 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 if "Na" explain None located at building or proposal

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

Yes No Na if "Na" explain None

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

Yes No Na if "Na" explain None

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

Yes No Na if "Na" explain _____

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

Yes No Na if "Na" explain _____

40. Paid appropriate fees to Otsego County.

Yes No Na if "Na" explain _____

Application for Use Permitted Subject to Special Conditions

Applicant: Rick Chelotti & Karen Darner
P.O. Box 1985
Gaylord, MI 49734
(989) 390-1913

Property Owner: MDP Development
1850 Goslow Road
Gaylord, MI 49735

Address: 1091 Anna Drive, Gaylord, Michigan

Legal Description: Lots 51 and 62, West Gaylord Subdivision, T31N R3W, Livingston
Township, Otsego County, Michigan

PID#: 081-210-000-051-00
081-210-000-062-00

Description of Proposed Land Use:

The proposed land use will consist of the applicants leasing a 9,700 square foot building located on .61 acres at 1091 Anna Drive, Gaylord, Michigan for the purpose of receiving of used mattresses and box springs ("materials"), dismantling them into their component materials (metal, wood, cotton, foam and non-recyclable parts), aggregating and shipping of the metal, cotton and foam materials to end users and the sale or recycling of the wood and proper disposal of remaining non-recyclable parts.

The materials will be received and stockpiled inside the building until dismantled by hand. Metal will be stockpiled inside and transported to A&L Iron and Metal periodically or stored in a roll off container at the back of the building. Cotton and foam will be baled and stockpiled inside to reach truckload volumes and then shipped. Wood will be stockpiled inside the building and periodically taken to Grayling for use as fuel at the power station. Any remaining non-recyclable material will go into a commercial dumpster for disposal.

Detailed written statement, with supporting evidence, demonstrating how the proposed special land use will comply with the standards for special land use approval (Section 16.7)

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

Property is zoned B-2. Proposed use is a permitted use subject to special conditions under B-1 zoning (Section 10.2.8) and also a permitted use subject to special conditions under B-2 (Section 11.2.1).

16.7.2 *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.*

Proposed special land use will not involve 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. The proposed use will result in the recycling of 90% of a consumer product that currently goes into the landfill when it is discarded.

16.7.3 *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.*

The proposed special land use will consist of unloading of mattress and box springs into the building, the dismantling of the mattresses and box springs, baling of the cotton and foam and segregating of the metal, wood and non-recyclable materials. There will be no outside storage other than dumpsters. The processes involved do not involve loud noise, smoke, fumes, glare or odors. All activities are similar in nature to activities taking place in surrounding buildings.

16.7.4 *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.*

The proposed land use will take place in an existing building that was originally built and permitted to operate as a cabinet manufacturer.

16.7.5 *The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity.*

The proposed use is similar to surrounding uses and does not, by the use itself, place additional demands on fire, police or other public resources in excess of current capacity.

16.7.6 *The proposed special land use will be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services.*

The proposed special land use is similar to adjacent and surrounding uses and is adequately served by public roads and commercial solid waste disposal services. Water and sewer facilities are provided by a shared well and septic system located on property adjacent to the building on the northwest side of the site. This property is also owned by the building owner.

16.7.7 *If the proposed special land use includes more than 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.

The site contains less than 15,000 s.f. of completely impervious surfaces (14,830 s.f.) and another 7,746 s.f. of permeable gravel yard area. 42% of roof surfaces drain directly onto very permeable ground on the west side of the building with the balance draining to the east onto the permeable gravel side yard and then onto the very permeable area directly adjacent to the site on the east which is owned by the building owner. Paved parking at the front (north) and back of the building drain to both sides and fronts of the respective paved areas. The site itself is flat. According to the soil survey, the site is classified as having Rubicon sand with 0-6% slopes. This soil is characterized as having rapid permeability and excessively drained.

16.7.8 *The proposed special land use complies with all specific standards required under this Ordinance applicable to it.*

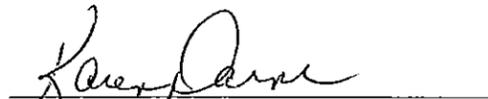
Attachments

1. Site Plan
2. Site Plan Application and Checklist
3. Quit Claim Deeds
4. Photos

We, Rick Chelotti and Karen Darner, are the proposed lessees of the above property.


Rick Chelotti

11-03-11
Date


Karen Darner

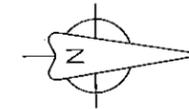
11-3-11
Date

SITE PLAN FOR 1091 ANNA DRIVE, GAYLORD, MICHIGAN

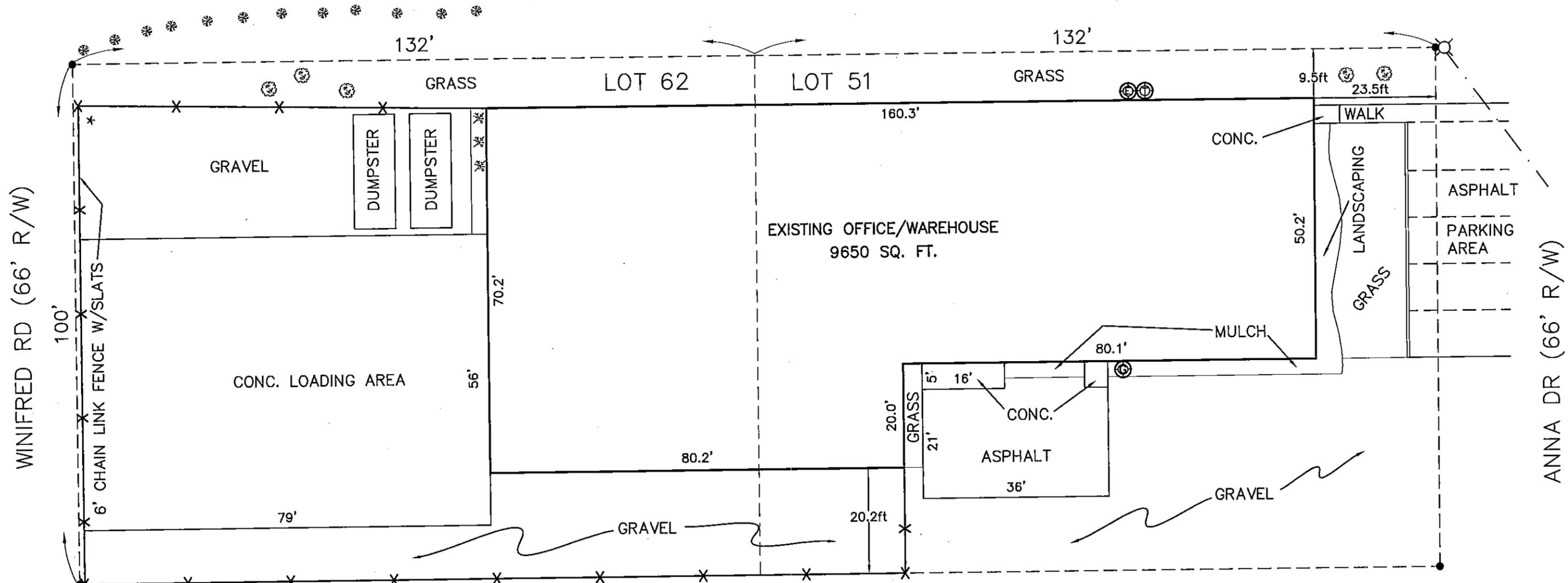
LOTS 51 & 62 "WEST GAYLORD"
SECTION 32, T31N, R3W, LIVINGSTON TWP, OTSEGO COUNTY

LEGEND

- | | |
|---------------------|-----------------------------------|
| ● FOUND REROD W/CAP | ⊙ GAS METER FROM U/G SERVICE |
| ⊙ 8-10" BLUE SPRUCE | ⊙ ELECTRIC METER FROM U/G SERVICE |
| ⊙ 4-6" SCOTCH PINE | ⊙ TELEPHONE SERVICE FROM U/G |
| ⊙ 3-4" WHITE CEDAR | ⊙ POWER POLE W/O.H. LINE |
| ⊙ SMALL SPRUCE | ⊙ 6' CHAIN LINK FENCE |



SCALE 1" = 20'



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 March 2010, except for the following items:

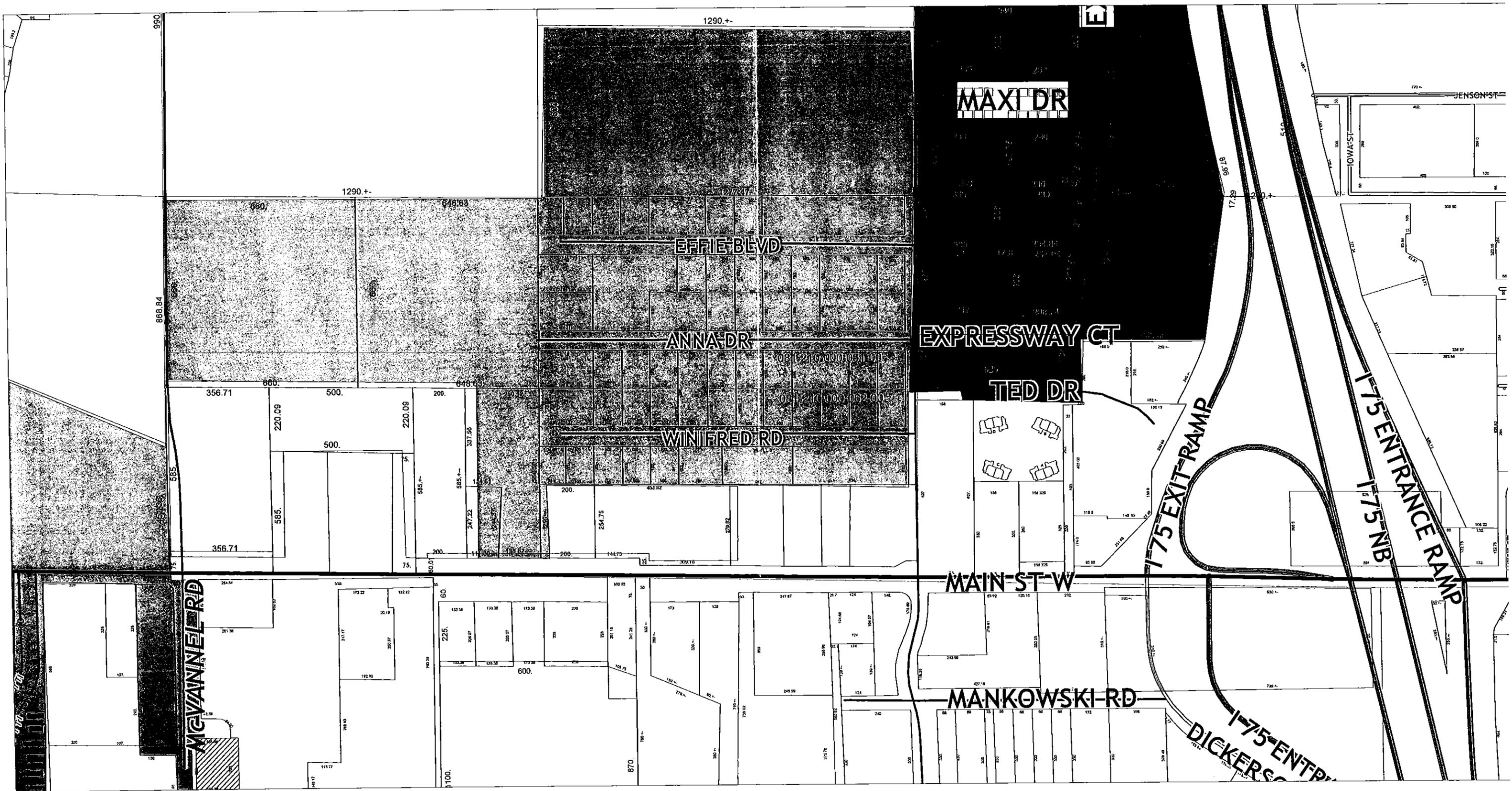
- Existing Office/Warehouse building is less than the minimum setback on both the front and west sides.
- Existing off street parking in front yard does not have required landscape buffer between right-of-way.

It appears these existing nonconformances have had no negative impact on the development of the lot to the west.

Carol A. Waite
Carol A. Waite, P.S. #43074

10/31/11
Date





MAXI DR

EFFIE BLVD

ANNA DR

WINIFRED RD

EXPRESSWAY CT

TED DR

MAIN ST W

MANKOWSKI RD

1-75 EXIT RAMP

1-75 NB ENTRANCE RAMP

1-75 ENTRANCE RAMP
DICKERSON RD

MANNING RD

990

868.84

356.71

220.09

500.

220.09

356.71

585.

500.

220.09

200.

60.

225.

600.

870

1290.+-

1290.+-

660

660

1100.

EFFIE BLVD

ANNA DR

WINIFRED RD

EXPRESSWAY CT

TED DR

MAIN ST W

MANKOWSKI RD

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WINIFRED RD

EXPRESSWAY CT

TED DR

MAIN ST W

MANKOWSKI RD

1-75 EXIT RAMP

1-75 NB ENTRANCE RAMP

1-75 ENTRANCE RAMP
DICKERSON RD

MANNING RD



Otsego County Land Use Services department

1068 Cross Street
Gaylord, Michigan 49735
989-731-7420 *Fax 989-731-7429

November 28, 2011

To: Otsego County Planning Commission

From: Joe Ferrigan
Director Otsego County Land Use Services

Re: Louis M. Groen Nature Preserve

The Louis M. Groen Charitable Trust is in the process of donating to Otsego County 764 acres of land located in Charlton Township to be developed as The Louis M. Groen Nature Preserve. There are very specific development restrictions associated with this donation of this land to Otsego County. Therefore it is the intention of Otsego County Planning Commission to require each phase of the redevelopment of the Groen Nature Preserve to be brought before the Otsego County Planning Commission for site plan approval.

Joe Ferrigan
Director Otsego County Land Use Services

Suggested Motion

A motion to require each phase of the redevelopment of the Louis M. Groen Nature Preserve to be brought before the Otsego County Planning Commission for site plan approval prior to the commencement of redevelopment.

**Otsego County
Planning Commission
Resolution for adoption 2012 meeting schedule**

WHEREAS, Planning Commissions are mandated by Section 21 (1) of the Michigan Planning Enabling Act of 2008. To hold not less than 4 regular meeting each year and by resolution shall determine the time and place of the meetings.

WHEREAS, The Otsego County Planning Commission shall hold its regularly scheduled meetings on the third Monday of each month throughout the year. Unless the third Monday should fall on a County, State or Federal Holiday.

WHEREAS, The Otsego County Planning Commission shall begin all regularly scheduled meetings at 6:00 p.m.

WHEREAS, The Otsego County Planning Commission shall hold all regularly scheduled meetings in the Planning and Zoning Meeting room located at 1066 Cross Street Gaylord MI. 49735

RESOLVED, That the Otsego County Planning Commission shall comply with this resolution for the calendar of 2012 and that any changes made to the meeting schedule shall be posted in compliance with the open meetings act.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES:

NO:

ABSTAIN:

THE RESOLUTION WAS DECLARED ADOPTED.

Randy Stults, Chairman

Ken Borton, Secretary



PLANNING COMMISSION 2012 MEETING DATES

Meetings are held in the multipurpose room at the Otsego County
Land Use Services/Building Department facility, 1068 Cross Street, Gaylord, Michigan

**ALL MEETINGS BEGIN AT 6:00 P.M.
THIRD MONDAY OF EACH MONTH**

MONDAY EVENINGS

JANUARY 16
FEBRUARY (to be determined)
MARCH 19
APRIL 16
MAY 21
JUNE 18
JULY 16
AUGUST 20
SEPTEMBER 17
OCTOBER 15
NOVEMBER 19
DECEMBER 17

ANY CHANGES TO THE MEETING DATES, TIMES OR LOCATIONS SHALL BE MADE PUBLIC AT
LEAST EIGHTEEN (18) HOURS PRIOR TO THE MEETING IN QUESTION.

Visit the County Web Site Events Calendar for any updates to meeting postings: <http://www.otsegocountymi.gov/events-calendar-9/>

Planning Commission 2012 Objectives Worksheet

	Objective	Priority Urgent Important Desirable
A		
B		
C		
D		
E		
F		
G		
H		
I		
J		
K		

Priority Key

Urgent = imperative, must do

Important = essential, should do

Desirable = important, could do

Please list the items that you believe the Planning Commission, should be working on in 2012. Once I have a response from all members I will compile a list and we will prioritize them.

Joe Ferrigan
Director Otsego County Land Use

**Planning Commission Members
representative of important segments of the community**

Section 125.3815 (3) of the Planning Enabling Act (Act 33 of 2008) requires that the members of a planning commission shall representative of important segments of the community such as the economic, governmental, educational, and social development of the local unit of government in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall representative of the entire territory of the local unit of government to the extent practicable.

Please check the boxes below of the major interests of the community you are willing to represent under the above requirements.

- Agriculture
- Natural Resources
- Recreation
- Educational
- Public Health
- Government
- Transportation
- Industry
- Commerce
- _____
- _____

Signature



OTSEGO COUNTY ECONOMIC ALLIANCE

1062 Cross Street • Gaylord, Michigan 49735
989-731-0288 • 989-731-0289 FAX • jeff@gaylord-otsego.com • www.gaylord-otsego.com

OUR MISSION

To facilitate economic growth in Otsego County through a public/private partnership that maintains economic vitality and stimulates economic growth while preserving the quality of life.

CHAIRPERSON

Regan Quaal
President, Albie's Foods, Inc.

VICE CHAIRPERSON

Jack Thompson
*Executive Director,
University Center at Gaylord*

SECRETARY

Mary Sanders
Supervisor, Hayes Township

TREASURER

Joe Duff
City Manager, City of Gaylord

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Nelson Funeral Home

Lori Reichard
Vice President, Fifth Third Bank

Darren Rhoads
Senior Vice President, Independent Bank

Timothy Timmer
Vice President Commercial Lending, mBank

EXECUTIVE DIRECTOR

Jeff Ratcliffe

November 18, 2011

Randy Stultz, Chair
Otsego County Planning Commission
1068 Cross Street
Gaylord, MI 49735

RE: Request for Consideration to Rezone the West Gaylord Subdivision from B-2 to B-3

Dear Mr. Stultz:

In follow up to discussions with Joe Ferrigan and the Livingston Township Planning Commission and on behalf of the Otsego County Economic Alliance, I would like to request that Otsego County consider, under Section 22.7 of the Otsego County Zoning Ordinance, the rezoning of the West Gaylord Subdivision (Subdivision) and potentially the adjacent parcel to the north (fronting Meecher Road) from B-2 to B-3.

The basis of this request is as follows:

1. Current and Historical Use. Of the fifteen identified businesses operating in the Subdivision, nine are clearly B-3 type uses, two are either B-1 or B-3 and four are unclear. Rezoning would bring the zoning in line with the current and historical use (List of current identified businesses attached).

2. Intent of the Zoning Ordinance. According to the Otsego County Zoning Ordinance (2010) the intent of the B-2 General Business District "is designed to provide sites for more diversified business types than the B-1 Local Business District and are often located so as to serve passer-by-traffic. Tourist services are included as being in character with the District." The Ordinance states that the intent of the B-3 District is "designed to provide sites for light manufacturing and wholesale storage and as a distribution area to retail stores or industrial users. These sites do not necessarily have to abut or be adjacent to a primary or secondary County road but must have access to these roads without passing through a residential district, provided that the entrance and exit is approved in written form by the County Road Commission."

The physical location of this area which consists of three dead end streets running west off of Meecher Road, the type of roads themselves (narrow seal coat and gravel) all are in keeping with uses that are not designed to serve passer-by-traffic. The location clearly lends itself to the types of businesses and uses that are currently and historically located in this Subdivision. The location clearly lends itself to very few uses listed under the current B-1 and B-2 permitted uses.

3. Changes in Zoning Ordinance Language. A review of the Otsego County Zoning Ordinance shows that there have been clear changes in allowed uses within the B-2 zoning district language (1996 and 2010 Ordinance sections attached). Current and historic uses found in the Subdivision were allowed as a Permitted Use or as a Permitted Use Subject Special Conditions as recent as 1996. The current Ordinance has eliminated all of these although the rationale for doing so is not clear. This change in permitted use has effectively created a district of non-conforming and illegal users in an area that is clearly designed and developed for their particular use.

4. Availability of B-2 and B-3 Zoned Land. A review of the areas in Livingston and Bagley Townships and the City of Gaylord shows that there is a considerable amount of B-2 and similarly zoned City property within this urban area. Rezoning of the West Gaylord Subdivision will not create a shortage of B-2 nor will it detract from existing B-3 zoned areas. The Subdivision is mostly built up. The rezoning would benefit the occupancy of current and future vacant buildings in the Subdivision. It is important to recognize and take into consideration the total area zoned for business uses within both the townships and city when considering availability of locations for particular uses. It is also important to note that by reducing the permitted uses for this B-2 district, the county has effectively reduced the demand for an existing stock of buildings built for what is now classified as B-3 use. It is also encouraging development of green field areas rather than allowing for the in-fill of an existing developed area.

5. Impact on Future Development along West M-32. Rezoning the West Gaylord Subdivision will not impact any future development along West M-32 in this area. It has been previously agreed by Livingston Township to allow development in this area to come into the City under a 425 agreement. All property coming into the City under a 425 does so as C-2 which will allow for the broadest range of uses including large scale retail development. The existing County zoning does not affect the future use under City zoning.

I appreciate the Planning Commission's consideration of this request and hope you will agree with the validity of the reasons listed above.

Randy Stultz, Chair
November 18, 2011
Page 3

If you have any questions, please contact me at 731-0288 or at Jeff@Gaylord-Otsego.com.

Sincerely,

Jeff Ratcliffe
Executive Director

Enclosures

Cc: Regan Quaal, OCEA
Joe Ferrigan, Otsego County Land Use Services
John Burt, Otsego County

West Gaylord Subdivision Businesses

<u>Business</u>	<u>Address</u>	<u>Zoning Use</u>
White Sales, Service, Parts	1113 Effie	?
Schwans	1148 Effie	B-3
Mid-American Inspection Svcs.	1206 Effie	?
Northern Pump Svcs.	1205 Effie	B-3
P D Trucking	1221 Effie	B-3
Advanced Cleaning Experts	118 Meecher	?
Weisel Construction, Inc.	1034 Anna	B-3
Interstate Batteries	1033 Anna	B-3
Listvan	1092 Anna	B-1/B-3
Northern Compressor Mechanical Svcs.	1147 Anna	B-3
Ken Payton & Sons Racing, Inc.	1205 Anna	?
J&N	1223 Anna	B-3
Lakeshore Products/Great Lakes Marine	1232 Anna	B-3
Brink Plastering	Meecher & Winnifred	B-1/B-3
Kasper Manufacturing	137 Meecher Unit D	B-3

Businesses by use classification

15 identified businesses

9 are clearly B-3

2 are B-1/B-3

4 are unclear

3-4 vacant buildings and a vacant trailer

ARTICLE 10 B1 LOCAL BUSINESS DISTRICT

INTENT

The B1 Local Business District establishes a Business District that is more selective than a General Business District. It provides for the establishment of neighborhood shopping areas, personal services, and professional office areas that are compatible with and of service to residential uses, provided the uses are within a completely enclosed building.

SECTION 10.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

- 10.1.1 Office buildings for administrative, professional, governmental and sales offices.
- 10.1.2 Medical and dental offices, including clinics.
- 10.1.3 Banks and financial institutions, without drive through.
- 10.1.4 Any generally recognized retail business within an enclosed building less than 100,000 square feet, excluding bars and restaurants serving alcoholic beverages.
- 10.1.5 Any personal service establishment which performs such services as, but not limited to: barber, beauty salon, shoe repair, tailor shops, interior decorators and photographers.
- 10.1.6 Offices and showrooms of plumbers, electricians, decorators or similar trades, without outdoor storage.
- 10.1.7 Rental shops with no outdoor storage.
- 10.1.8 Printing establishments, newspaper offices, publishers, and copying services.
- 10.1.9 Existing residences.
- 10.1.10 Athletic or sports facilities and health clubs, indoor only.
- 10.1.11 Churches.
- 10.1.12 Convalescent or nursing home care facility.
- 10.1.13 Community service facilities (public library, offices operated through public funds, etc.)
- 10.1.14 Educational institutions.
- 10.1.15 Commercial Day Care.
- 10.1.16 Funeral home and mortuary.
- 10.1.17 Family Care Facility.
- 10.1.18 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use.

SECTION 10.2 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 16 and only after the review and approval of the site plan by the Planning Commission. (See Article 18 for applicable Specific Requirements for Certain Uses, if any, and Article 20 for site plan requirements.)

10.2.1 Motels, hotels, motor inns, cabin courts, bed and breakfast facilities, tourist lodging facilities and museums.

10.2.2 Gasoline service stations for sale of motor fuels, oil and minor accessories.

10.2.3 Retail uses over 100,000 sq. ft.

10.2.4 Dry cleaners, laundry.

10.2.5 Utility and essential service buildings when operating requirements necessitate the locating of said facilities within the District in order to serve the immediate vicinity.

10.2.6 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height. Permit criteria include Article 18.46.

10.2.7 Nursery sales, garden supply centers, and greenhouses with outdoor display areas.

10.2.8 Recycling Facility.

10.2.9 WTG Small: Permitted as an accessory use to an allowed Principal Use.

10.2.10 Unlisted property uses if authorized under Article 18.44.

2010

ARTICLE 11 B2 GENERAL BUSINESS DISTRICT

INTENT

The B2 General Business District is designed to provide sites for more diversified business types than the B1 Local Business District and are often located so as to serve passer-by-traffic. Tourist services are included as being in character with the District.

SECTION 11.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

- 11.1.1 All principal uses permitted in the B1 Local Business District.
- 11.1.2 Theaters, halls, and similar places of assembly.
- 11.1.3 Laundromats and dry cleaners.
- 11.1.4 Bowling alleys, pool or billiard parlors or clubs.
- 11.1.5 Equipment rental shops with outside storage
- 11.1.6 Indoor archery range.
- 11.1.7 Lumber yards and building material suppliers-within enclosed building.
- 11.1.8 Tavern/night clubs.
- 11.1.9 Restaurants serving alcoholic beverages.
- 11.1.10 Public parking garages.
- 11.1.11 Bus stations and passenger terminals
- 11.1.12 Businesses and restaurants with drive-through service.
- 11.1.13 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height without lights. Permit criteria include Article 18.46.2.
- 11.1.14 Transient Merchants - Tent and open air merchants, for periods of up to 90 days per year, housing retail uses otherwise allowed by the Zoning Ordinance in this district. A single 30-day extension may be applied for. Three or more merchants on a parcel simultaneously must be permitted as a flea market.”
- 11.1.15 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use.

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 16 and only after the review and approval of the site plan by the Planning Commission. (See Article 18 for applicable Specific Requirements for Certain Uses, if any, and Article 20 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.
- 11.2.5 Car wash.
- 11.2.6 Sales, rental, and service centers for vehicles, watercraft, and/or mobile homes, including new or used automobiles, motor bikes, bicycles, boats, ATV's, campers, snowmobiles, trailers, and motor, mobile, modular, manufactured homes, or farm equipment, provided:
 - 11.2.6.1 Ingress and egress to the use shall be at least sixty (60) feet from the intersection of any two streets.
 - 11.2.6.2 The arrangement of vehicles stored in the open shall be uniform, following the patterns established for off-street parking lots.
 - 11.2.6.3 No sales or display shall occupy any public street or road right-of-way; and, further, must be set back at least twenty (20) feet from the front property line.
 - 11.2.6.4 The use of a display model for a business office is permissible provided it is connected to sanitary and water facilities and approved by the County Health Department.
- 11.2.7 Hospitals
- 11.2.8 Commercial outdoor sport and recreational facilities.
- 11.2.9 Flea markets.
- 11.2.10 Mini-storage buildings consisting of separate storage rooms rented or leased by the month.
- 11.2.11 Wireless Telecommunication Towers and Facilities one hundred ninety (190) feet or more in height. Permit criteria include Article 18.46.2.
- 11.2.12 Solid Waste Hauler
- 11.2.13 WTG Small: Permitted as an accessory use to an allowed Principal Use.
- 11.2.14 Unlisted property uses if authorized under Article 18.44.

ARTICLE 12 B3 BUSINESS, LIGHT MANUFACTURING

INTENT

The B3 District is designed to provide sites for light manufacturing and wholesale storage and as a distribution area to retail stores or industrial users. These sites do not necessarily have to abut or be adjacent to a primary or secondary County road but must have access to these roads without passing through a residential district, provided that the entrance and exit is approved in written form by the County Road Commission.

SECTION 12.1 PRINCIPAL USES PERMITTED

- 12.1.1 Wholesale sales, storage and distribution facilities including accessory retail sales, but excluding storage of flammable or hazardous materials.
- 12.1.2 Truck and rail freight terminals, including warehousing.
- 12.1.3 Vehicle service and storage centers for trucks, watercraft, truck trailers, and miscellaneous motorized vehicles.
- 12.1.4 Outside storage yards, provided proper fencing is provided per Article 18.10.
- 12.1.5 Lumber yards, building and construction material suppliers.
- 12.1.6 Bottling works, food packaging and freezer plants.
- 12.1.7 Welding, jobbing, plastic, wood, machine and fabrication shops.
- 12.1.8 Community service facilities (public library, offices operated through public funds, etc.)
- 12.1.9 Equipment reconditioning indoors on a impervious surface.
- 12.1.10 Essential services buildings
- 12.1.11 Flea markets.
- 12.1.12 Sawmills and forest product processing.
- 12.1.13 Fuel storage and wholesale uses with underground storage tanks.
- 12.1.14 Monument and art stone product operations.
- 12.1.15Nursery sales and greenhouses.
- 12.1.16 Public works garages.
- 12.1.17 Indoor archery range.
- 12.1.18 Indoor rifle or pistol ranges.
- 12.1.19 Construction and utility service contractors storing heavy equipment.
- 12.1.20 Storage buildings consisting of building(s) with the purpose of commercial and/or private storage. A storage building shall not be used in any form as a residence.
- 12.1.21 Agricultural chemicals and supplies in an enclosed building.
- 12.1.22 Veterinary hospitals, clinics with indoor kennels. Permit criteria include Article 18.45.
- 12.1.23 Wireless Telecommunications Towers and Facilities one hundred ninety (190) feet or less in height. Permit criteria include Article 18.46.2.
- 12.1.24 Recycling Facility.
- 12.1.25 Solid Waste Hauler.
- 12.1.26 WTG Building-Mounted: Permitted as an accessory use to an allowed Principal Use.

SECTION 12.2 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 16 and only after the review and approval of the site plan by the Planning Commission. (See Article 18 for applicable Specific Requirements for Certain Uses, if any, and Article 20. for site plan requirements.)

12.2.1 All permitted use or uses subject to special conditions in the B2 General Business District.

12.2.2 Auto repair garages or auto body shops, including wrecker service.

12.2.3 Above ground storage of flammable and combustible liquids, chemicals and hazardous liquids.

12.2.4 Concrete and asphalt manufacturing and distribution.

12.2.5 Detention Facilities.

12.2.6 Power generation plants.

12.2.7 Research, experimental, and development establishments.

12.2.8 Adult Entertainment.

12.2.9 Industrial Laundries.

12.2.10 Medical Laboratories

12.2.11 Dirt and aggregate storage, sales and processing.

12.2.12 Wireless Telecommunications Towers and Facilities over one hundred ninety (190) feet in height.

12.2.13 WTG Small: Permitted as an accessory use to an allowed Principal Use.

12.2.14 Unlisted property uses if authorized under Article 18.44.

ARTICLE 10 B1 LOCAL BUSINESS DISTRICT

INTENT

The B1 Local Business District establishes a Business District that is more selective than a General Business District. It provides for the establishment of neighborhood shopping areas, personal services, and professional office areas that are compatible with and of service to residential uses, provided the uses are within a completely enclosed building.

SECTION 10.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

10.1.1 Office buildings for any of the following occupations: executive, administrative, professional, governmental and sales offices.

10.1.2 Medical and dental offices, including clinics.

10.1.3 Banks and financial institutions.

10.1.4 Any generally recognized retail business which supplies such commodities as; groceries, meats, dairy products, baked goods, books, artist supplies, gifts, jewelry, musical instruments, hardware, paints, drugs, wallpaper, dry goods, apparel, furniture, appliances, stationery, sundries, non motorized sporting goods, restaurants (excluding drive-ins), and building material supplies within an enclosed building.

10.1.5 Any personal service establishment which performs such services as, but not limited to: shoe repair, tailor shops, interior decorators and photographers.

10.1.6 Florist shops, nursery sales, garden supply centers, and greenhouses.

10.1.7 Essential services connections (public utility).

- 10.1.8 Offices and showrooms of plumbers, electricians, decorators or similar trades, and domestic or business equipment rental shops.
- 10.1.9 Printing establishments, newspaper offices, publishers, and copying services. Permit criteria include Article 18.6.
- 10.1.10 Existing residences and/or residences structurally attached to or part of a permitted business use, with means of separate entrance and exit and having a minimum of 600 sq. ft. of floor area.
- 10.1.11 Athletic clubs/health clubs, indoor only.
- 10.1.12 Bed and breakfast/tourist homes.
- 10.1.13 Churches.
- 10.1.14 Commercial residential care facilities.
- 10.1.15 Community service facilities (public library, offices operated through public funds, etc.)
- 10.1.16 Convenience commercial establishments.
- 10.1.17 Educational institutions (without campus).
- 10.1.18 Educational institutions (with campus).
- 10.1.21 Home businesses and home occupations.
- 10.1.23 Mini-storage buildings consisting of separate storage rooms rented or leased by the month.
- 10.1.24 Nursery and day schools.
- 10.1.25 [Reserved for future use]
- 10.1.26 Accessory buildings. Permit criteria include Article 18.1.
- 10.1.27 [Reserved for future use]

10.1.28 Permit criteria for any use which stores, uses or produces hazardous substances or polluting materials include Article 18.6.

10.1.29 Roadside stands (agricultural-temporary) off the road right-of-way, provided that the stand be operated only seasonally, that hours not exceed dawn to dusk, that large equipment, including semi-tractor-trailers, not be parked at the site, and that the parking requirements of Article 18.27 be observed.

10.1.30 Funeral home and mortuary. Permit criteria include Article 18.11.

10.1.31 Barber and beauty shops. Permit criteria include Article 18.6.

SECTION 10.2 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 16 and only after the review and approval of the site plan by the Planning Commission. (See Article 18 for applicable Specific Requirements for Certain Uses, if any, and Article 20.2 and 20.3 for Type A and Type B site plan requirements.)

10.2.1 Motels, hotels, motor inns, cabin courts, tourist lodging facilities and museums.

10.2.2 Gasoline service stations for sale of gasoline, oil and minor accessories, provided further that gasoline pumps, air and water hose stands and other appurtenances shall be setback no less than fifteen (15) feet from all street rights-of-way lines.

10.2.4 Bus stations and passenger terminals.

10.2.5 Sales, rental, and service centers for vehicles, watercraft, and/or mobile homes, including new or used automobiles, motor bikes, bicycles, boats, ATV's, campers, snowmobiles, trailers, and motor, mobile, modular, manufactured homes, or farm equipment, provided:

10.2.5.1 Ingress and egress to the use shall be at least sixty (60) feet from the intersection of any two streets.

10.2.5.2 The arrangement of vehicles stored in the open shall be uniform, following the patterns established for off-street parking lots.

10.2.5.3 No sales or display shall occupy any public street or road right-of-way; and, further, must be set back at least twenty (20) feet from the front property line.

10.2.5.4 The use of a display model for a business office is permissible provided it is connected to sanitary and water facilities and approved by the County Health Department.

10.2.6 Bowling alleys.

10.2.7 Shopping centers and shopping malls.

10.2.8 Dry cleaners.

10.2.9 Utility and essential service uses when operating requirements necessitate the locating of said facilities within the District in order to serve the immediate vicinity.

SECTION 10.3 USES CATEGORIZED BY ZONING BOARD OF APPEALS

10.3.1 Unlisted property uses (see Article 18.44).

ARTICLE 11 B2 GENERAL BUSINESS DISTRICT

INTENT

The B2 General Business District is designed to provide sites for more diversified business types than the B1 Local Business District and are often located so as to serve passer-by-traffic. Tourist services are included as being in character with the District.

SECTION 11.1 PRINCIPAL USES PERMITTED

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

11.1.1 All principal uses permitted in the B1 Local Business District.

11.1.2 Combined business offices, storage yards, and company parked vehicles of major utilities, such as electrical, gas and telephone services.

11.1.4 Theaters, halls, and similar places of assembly.

11.1.5 Laundromats when completely enclosed in a building.

11.1.6 Tennis houses or racquet clubs and ice rinks.

11.1.8 Bowling alleys, pool or billiard parlors or clubs.

11.1.10 Offices and showrooms of plumbers, electricians, decorators or similar trades, and domestic or business equipment rental shops with outside storage obscured from view.

11.1.12 Indoor archery range.

11.1.14 Building material suppliers without railroad siding and within enclosed building.

11.1.15 Construction service contractors storing heavy equipment.

11.1.16 Monument and art stone product operations.

- 11.1.18 Permit criteria for any use which stores, uses or produces hazardous substances or polluting materials include Article 18.6.
- 11.1.19 Agricultural chemicals and supplies in an enclosed building. Permit criteria include Article 18.6.
- 11.1.20 Car wash connected to a municipal sewer. Permit criteria include Article 18.6.
- 11.1.21 Funeral home and mortuary. Permit criteria include Article 18.11.
- 11.1.22 Barber and beauty shops. Permit criteria include Article 18.6.
- 11.1.23 Veterinary hospitals, clinics with indoor kennel. Permit criteria include Article 18.45.
- 11.1.24 Tavern/night clubs (without drive-through services).
- 11.1.25 Public parking garages.
- 11.1.26 Businesses with drive-through service.

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 16 and only after the review and approval of the site plan by the Planning Commission. (See Article 18 for applicable Specific Requirements for Certain Uses, if any, and Article 20.2 and 20.3 for Type A and Type B 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 railroad siding.
- 11.2.3 Rifle, or pistol ranges when within a completely enclosed building.
- 11.2.4 Auto repair garages or auto body shop, provided that outdoor

storage of vehicles under repair be confined to the rear yard and screened from view.

11.2.5 New and used vehicle, boat, RV, or farm implement sales.

11.2.6 Hospitals, convalescent homes.

11.2.7 Commercial outdoor sport and recreational facilities.

11.2.8 Flea markets.

11.2.9 Jobbing and machine shops.

11.2.10 Motor fuel storage.

11.2.11 Truck and rail freight terminals.

11.2.12 Vocational/technical schools.

11.2.13 Above ground storage of flammable and combustible liquids, and chemicals and hazardous liquids.

11.2.14 Motor fuel services (see Article 10.2.2).

11.2.15 Printing and publishing plants.

11.2.16 Dog kennels.

SECTION 11.3 USES CATEGORIZED BY ZONING BOARD OF APPEALS

11.3.1 Unlisted property uses (see Article 18.44).

ARTICLE 12 B3 BUSINESS, LIGHT MANUFACTURING

INTENT

The B3 District is designed to provide sites for light manufacturing and wholesale storage and as a distribution area to retail stores or industrial users. These sites do not necessarily have to abut or be adjacent to a primary or secondary County road but must have access to these roads without passing through a residential district, provided that the entrance and exit is approved in written form by the County Road Commission.

SECTION 12.1 PRINCIPAL USES PERMITTED

All permitted uses in this district shall be within the confines of the required site leaving the front, side, and rear yards open.

12.1.1 Wholesale storage use with trucking facilities.

12.1.2 Truck and rail freight terminals with warehousing.

12.1.4 Sales office as an accessory use to the main use.

12.1.5 Service and storage centers for trucks, watercraft, truck trailers, and miscellaneous motorized vehicles.

12.1.6 Outside storage yards for prefab parts or on-site manufactured items, provided proper fencing is provided per Article 18.10.

12.1.7 Lumber yards, building material suppliers with prefabrication of wood parts.

12.1.8 Bottling works, food packaging and freezer plants.

12.1.10 Welding shops.

12.1.11 Machine, plastic, wood shops.

12.1.13 Community service facilities (public library, offices operated through public funds, etc.)

- 12.1.14 Drive-in motion picture theaters.
- 12.1.15 Equipment reconditioning indoors on an impervious surface.
Permit criteria include Article 18.6.
- 12.1.16 Essential services facilities (public utility).
- 12.1.18 Financial institutions, restaurants and other businesses with or without drive-through.
- 12.1.19 Flea markets.
- 12.1.20 Forest industries (temporary mills).
- 12.1.21 Gasoline stations with store.
- 12.1.22 General retail sales establishments.
- 12.1.23 Medical clinics.
- 12.1.24 Monument and art stone product operations.
- 12.1.25 Nursery retail sales and greenhouses.
- 12.1.26 Office buildings performing services on premises.
- 12.1.27 Public works garages.
- 12.1.28 Railroad sidings or switches.
- 12.1.30 Indoor archery range.
- 12.1.31 Taverns and night clubs.
- 12.1.32 Wholesale trade businesses (without storage of flammable or hazardous materials).
- 12.1.33 Accessory buildings. Permit criteria include Article 18.1.
- 12.1.34 Construction service contractors storing heavy equipment.

12.1.35 Public parking garages.

12.1.36 Storage buildings.

12.1.37 Permit criteria for any use which stores, uses or produces hazardous substances or polluting materials include Article 18.6.

12.1.38 Agricultural chemicals and supplies in an enclosed building. Permit criteria include Article 18.6.

12.1.39 Veterinary hospitals, clinics with indoor kennels. Permit criteria include Article 18.45.

SECTION 12.2 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 16 and only after the review and approval of the site plan by the Planning Commission. (See Article 18 for applicable Specific Requirements for Certain Uses, if any, and Article 20.2 and 20.3 for Type A and Type B site plan requirements.)

12.2.1 All uses subject to special conditions in the B2 General Business District.

12.2.2 Above ground storage of flammable and combustible liquids, chemicals and hazardous liquids.

12.2.3 Concrete manufacturing and distribution.

12.2.4 Institutions (detention facilities).

12.2.5 Motor fuel services.

12.2.6 Power company generation plants, utility and essential service facilities and uses. Permit criteria include Article 18.10 and 18.18 regarding landscaping and screening.

12.2.7 Shooting ranges (outdoor).

12.2.8 Solid waste transfer stations.

12.2.9 Sportsmen's clubs.

12.2.10 Research, experimental, and development establishments.

12.2.11 Adult Entertainment.

12.2.12 Commercial Communications Towers.

12.2.13 Industrial Laundries connected to a municipal sewer..

12.2.14 Medical Laboratories connected to municipal sewer.

12.2.15 Surface mining (gravel, sand, etc.).

12.2.16 Slaughter houses, meat or poultry packing or processing.

12.2.17 Automobile and Scrap Metal Salvage Yards

Such use shall not be closer than 40 feet from any lot line. There shall be no outdoor storage of materials, equipment, structures, or debris of any kind anywhere outside the designated storage area.

Such a yard may be approved by the Planning Commission when in accordance with the following:

12.2.17.1 The uses and activities conducted on the premises are in character with the surrounding area in terms of overall appearance and protection of environmental amenities. There shall be provided a completely obscuring wall not to be less than eight (8) feet in height as measured from the grade at the property line.

12.2.17.2 The use shall operate in a reasonable manner and all harmful effects of storage, smoke, dust, glare, noise, fire and explosive hazards shall be confined to the premises and shall be in accord with all other local and state laws.

- 12.2.17.3 In addition to being at least 40 feet from any lot line, the yard must be located not closer than two hundred (200) feet from the boundary of any other zoning district. The use, including access road, must be not closer than five hundred (500) feet from a lake, stream, pond, river, or wetland and must maintain a minimum of ten (10) feet of soil between the soil surface and the water table at all times of the year.
- 12.2.17.4 A building with an impervious floor must be designed to contain spills. All crushing, draining of fluids and similar activities shall take place only on the impervious floor.
- 12.2.17.5 Operator must present in writing a plan which specifies procedures for transporting, handling and disposal of vehicles, their fluids and parts, including tires. The plan may be modified by the Planning Commission. Upon approval of a special use permit, this plan, along with documentation, shall be maintained on site and accessible during business hours for inspection by the Zoning Administrator; documentation shall include proper licensing by the Michigan Department of State. Procedures may later be modified under provisions of Article 20.12.

12.2.18 Distressed Vehicle Transporter Services

Storage for distressed vehicle transporter services shall be contained indoors in a building with an impervious floor. Such building shall be used for storage, but not dismantling, wrecking, or crushing of vehicles. The building shall not exceed 3,000 square feet of total floor area; it must be at least 40 feet from any lot line. There shall be no outdoor storage of materials, equipment, structures, or debris of any kind.

Such buildings may be approved by the Planning Commission when in accordance with the following:

12.2.18.1 The uses and activities conducted on the premises are in character with the surrounding area in terms of overall appearance and protection of environmental amenities.

12.2.18.2 The use shall operate in a reasonable manner and all harmful effects of storage, smoke, dust, glare, noise, fire and explosive hazards shall be confined to the premises and shall be in accord with all other local and state laws.

12.2.18.3 In addition to being at least 40 feet from any lot line, the building must be located not closer than two hundred (200) feet from the boundary of any other zoning district. The use, including access road, must be not closer than five hundred (500) feet from a lake, stream, pond, river, or wetland and must maintain a minimum of ten (10) feet of soil between the soil surface and the water table at all times of the year.

12.2.18.4 The impervious floor must be designed to contain spills.

12.2.18.5 Operator must present in writing a plan which specifies procedures for transporting, handling and disposal of vehicles. This plan may be modified by the Planning commission. Upon approval of a special use permit, this plan, along with documentation, shall be maintained on site and accessible during business hours for inspection by the Zoning Administrator; documentation shall include proper licensing by the Michigan Department of State. Procedures may be modified later under provisions of Article 20.12.

SECTION 12.3 USES CATEGORIZED BY ZONING BOARD OF APPEALS

12.3.1 Unlisted property uses (see Article 18.44).

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