EATON COUNTY PLANNING COMMISSION

NOTICE OF MEETING:

DATE: June 4, 2024

TIME: 7:00 p.m.

PLACE: Eaton County Courthouse, Board of Commissioner's Room,
1045 Independence Blvd., Charlotte, MI 48813

AGENDA:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Notice Requirement
5. Approval of Agenda ***June 4, 2024***
6. Approval of Minutes ***April 2, 2024 & April 23, 2024***
7. Public Comments
8. Public Hearings of Conditional Use Permit and District Change Amendment Applications:

   CU-10-21-8: Request by Laura and Brian Jackson for a Change of Conditions to an existing Conditional Use Permit which allows for the operations of Agricultural Business (large animal boarding) per Section 14.1 of the Zoning Ordinance at 2495 Kemler Road, Section 28, Eaton Rapids Township. The specific request is to construct an accessory building for personal use only.

   CU-8-96-9: Request by Centennial Acres, Inc. for a Change of Conditions to an existing Conditional Use Permit which allows for the operation of a golf course and country club per Section 14.11 of the Zoning Ordinance at 12485 & 12388 Dow Road, Section 7 of Roxand Township, Section 12 of Sunfield Township. The requested change is to allow for a change in the previously approved land division of the properties.

   CU-5-24-3: Request by C&S Farms of Eaton Rapids (Mike Childers) for a Conditional Use Permit to operate a Surface Mine per Article 14.25 of the Ordinance at 112 N. Michigan Road, Section 12, Eaton Rapids Township.

   DCA-5-24-3: Request by Eaton County Planning Commission to amend the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Subsection 5.3.1 A), Article 10 Off-Street Parking and Loading (amend Subsection10.4), and Article 14 Specific Provisions and Requirements (amend Subsection 14.1 Agricultural Business and 14.13 Home Business).

   DCA-6-24-4: Request by Eaton County Planning Commission to amend the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Subsection 5.3.19 S), and Article 11 Advertising Structures, Signs and Name Plates.

9. Farmland Preservation (PA 116) Applications: None
10. Other Business: Master Plan Update
11. Reports:
    a. Department of Construction Codes & Planning and Zoning
    b. Zoning Ordinance Committee
    c. Board of Appeals
12. Public Comments
13. Upcoming Case(s): There is are no applications to be heard at the July 2, 2024 meeting.
14. Adjournment

The meeting will be available via YouTube for viewing and listening purposes only, by using the following link: https://www.youtube.com/@EatonCounty1837-mi/live

EATON COUNTY
PLANNING COMMISSION
April 2, 2024

Call to Order: Brian Ross, Chair of the Eaton County Planning Commission, called the meeting to order at 7:00 p.m. in the Board of Commissioners Room, Eaton County Courthouse, 1045 Independence Blvd., Charlotte, MI.

Pledge: The Pledge of Allegiance was given by all.

Roll Call: Scott Hansen, Lisa Lawitzke, Ed Kemp, Tim Cattron, Frank Holmes, and Brian Ross

Absent: Ben Tirrell, Ray Whitaker, and Zachary Dillinger

Staff Present: Brandy Miller and Chris Garrison.

Agenda Approval: A motion was made by **Commissioner Cattron** to change the order of the Conditional Use Permits to be heard. **Commissioner Hansen** supported. All in favor. Motion carried.

Minutes Approval: A motion was made by **Commissioner Lawitzke** to approve the March 5, 2024 minutes as printed. **Commissioner Cattron** supported. Motion carried.

Public Comments: None

Public comment closed: 7:02 p.m.

Public Hearings of Conditional Use Permit and District Change Amendment Applications:

CU-8-96-9: Request by Centennial Acres, Inc. for a Change of Conditions to an existing Conditional Use Permit which allows for the operation of a golf course and country club per section 14.11 of the Zoning Ordinance at 12485 & 12388 Dow Road, Section 7 of Roxand Township, Section 12 of Sunfield Township. The requested change is to allow for a land division and lot line adjustment of the properties.

Staff Report: Ms. Miller read the staff report and the Sunfield Township comment into record.

Applicant Statement: Mr. John Fisher of Centennial Acres stated he was present to answer any questions for the Planning Commission. **Commissioner Ross** asked if by splitting the property there would be any changes to the golf course. Mr. Fisher stated there would not be any changes to the golf course. **Commissioner Holmes** asked if both parcels presented were going to be split. Mr. Fisher stated there is one parcel in Roxand Township that is in the eastern corner of Centennial Acres property, and one parcel in Sunfield Township that is to the south western boundary of Centennial Acres property. He stated there used to be a farm house on the south western parcel. **Commissioner Holmes** stated that the two parcels were combined and now they wish to be separated where the farm use to be. Mr. Fisher stated it actually became part of the golf course.

Commissioner Ross invited any speaker in favor or opposition to the request to make public comment.

Speakers in favor: None
Speakers opposed: None
Public hearing closed: 7:10 p.m.

Commissioner Cattron moved to approve CU-8-96-9 a request by Centennial Acres, Inc. for a Change of Conditions to an existing Conditional Use Permit which allows for the operation of a golf course and country club per section 14.11 of the Zoning Ordinance at 12485 & 12388 Dow Road, Section 7 of Roxand Township, Section 12 of Sunfield Township. The requested change is to allow for a land division and lot line adjustment of the properties, with the following conditions:

1. Requirements of all other local, state and federal agencies must be met, including but not limited to: Eaton County Road Commission, Barry-Eaton District Health Department, Michigan Department of Environment, Great Lakes and Energy, Eaton County Construction Code Department, Eaton County Central Dispatch, and Eaton County Drain Commissioner.
2. This Conditional Use Permit is granted to Michael Middaugh and Katie Baum for the above-described use only. It is not transferable per the Zoning Ordinance.

Commissioner Hansen supported the motion. A roll call vote was taken with six (6) voting aye and none (0) voting nay. Motion carried.

CU-4-24-2: Request by Eaton Rapids Township for a Conditional Use Permit to allow for continued operations of the Eaton Rapids Township Hall with a proposed addition per Section 14.10 of the Zoning Ordinance at 2512 S. Canal Road, Section 27, Eaton Rapids Township.

Staff Report: Ms. Miller read the staff report, the Eaton County Drain Commissioner comment, the Eaton County Road Commission comment, and the Eaton Rapids Township comment into record.

Applicant Statement: Bernie Morgan, Trustee of Eaton Rapids Township, stated they just want to add onto the township hall to make the meeting area a little bigger and the office area will be for voting and the counting board. **Commissioner Holmes** asked where the addition was going and if the parking lot would have to change. Mr. Morgan stated it was all happening in the back, it wouldn't be encroaching onto the parking lot. He stated it will cover some of the walkway around the side. Mr. Morgan stated the entrance will now be in the front and there will be a handicap ramp. **Commissioner Cattron** asked what the concern with the septic system is. Mr. Morgan stated he was not sure what the concern was, but they do need room in the reserve, and the reserve area is farther back and will not be impacted. **Commissioner Cattron** asked if there was a county drain or channel close to the hall. Mr. Morgan stated that Spicer Drain runs through to the south of the property, but not on the property. Mr. Morgan sated Eaton Rapids Township will be compliant with whatever the Drain Commissioner's office requires. **Commissioner Cattron** asked if work will be in the public road right of way. Mr. Morgan stated there would be nothing encroaching into the right of way. He stated driveway and front of the building will remain the same.

Commissioner Ross invited any speaker in favor or opposition to the request to make public comment.

Speakers in favor: None
Speakers opposed: None
Public hearing closed: 7:22 p.m.

Commissioner Lawitzke moved to approve CU-4-24-2 a request by Eaton Rapids Township for a Conditional Use Permit to allow for continued operations of the Eaton Rapids Township Hall with a proposed addition per Section 14.10 of the Zoning Ordinance at 2512 S. Canal Road, Section 27, Eaton Rapids Township, with the following conditions:

1. Requirements of all other local, state and federal agencies must be met, including but not limited to: Eaton County Road Commission, Barry-Eaton District Health Department, Michigan Department of Environment, Great Lakes and Energy, Eaton County Construction Code Department, Eaton County Central Dispatch, and Eaton County Drain Commissioner.
2. This Conditional Use Permit is granted to Michael Middaugh and Katie Baum for the above-described use only. It is not transferable per the Zoning Ordinance.

Commissioner Holmes supported the motion. A roll call vote was taken with six (6) voting aye and none (0) voting nay. Motion carried.

Other Business: Commissioner Ross asked for a staff report on the Master Plan update. Ms. Miller stated the review period for the master plan has ended and the public hearing for the master plan update is scheduled for April 23, 2024 at 6:00 p.m. She stated that after the approval of the master plan, a resident has requested their property land use be changed to industrial rather than general business. The representative of the property owner has attended multiple township meetings and met with various county officials. Ms. Miller stated a decision from the Planning Commission is not expected to happen this evening.

Commissioner Ross stated that he and **Commissioner Cattron** attended the Eaton Township meeting with Ms. Miller and Mr. Garrison. **Commissioner Ross** stated the concern from Eaton Township was whether the City had enough capacity to service anything that was industrial or commercial, along with the residential properties between the city and the industrial/commercial property. He stated the property owners did not want to re-zone their property, but change the future land use designation. **Commissioner Ross** stated that Eaton Township voted to keep the Master Plan as it was approved. He stated there was further discussion regarding the use of the property and the well and septic.

Commissioner Cattron stated he went to the Carmel Township meeting. He stated part of the meeting was the general board meeting, and the other part of the meeting was in regards to the property owner who wished the land use of their property to be Industrial

rather than General Business. **Commissioner Cattron** stated there was a lot of discussion, a large part regarding the service and utilities and what could be developed at the intersection. **Commissioner Cattron** stated one of the concerns was if sewer from the city should be installed for residents between the city and the property in question, and if it would be required for them to use the City of Charlotte Septic. He stated the answer was no. **Commissioner Cattron** stated the Carmel Township Board approved the change of land use with a vote of 3 to 2.

Public Comment: Mr. Steve Chapkiss, representative of 1323 South County, stated the property on Cochran Rd north of I-69 be designated in the future land use map as Industrial. He stated it is currently designated as General Business. He stated that the water and sewer capacity does appear to be a major concern for both townships, and that they have met with the City of Charlotte, Township Supervisors, and Brandy Miller to address those concerns. Mr. Chapkiss stated that from those discussions it has been determined that water supply is abundant, the 5 % reserve area for both Carmel and Eaton Townships will not be used up. He stated it doesn't matter if an industrial park goes up or if it's a hotel, the water situation will remain the same. Mr. Chapkiss provided packets to the Planning Commission that show what a modern industrial park looks like. He stated the county does not differentiate between heavy or low industrial, so they are just looking for industrial land use right now. He stated the other concern is storm water runoff, which will come down to engineering and working with the county Health Department and Drain Commissioner's Office to develop an approved engineered storm water retention system. Mr. Chapkiss stated the reason an Industrial land use should be approved is to provide the opportunity of jobs in the area. He stated that Industrial would also fit into the farming aspect of Eaton County better than General Business. He stated the traffic from an Industrial Park will not impact farming the way traffic from a General Business would.

Ms. Miller gave an example of a previous re-zoning from 1994 that resulted in a dual zoned property, so that the Planning Commission could use that information in regards to Mr. Chapkiss's request. **Commissioner Ross** asked if the Board of Commissioner's would be receiving the application later this month. Ms. Miller stated that if at the meeting on April 23, 2024 the Planning Commission chooses to adopt the draft master plan, they can also make a direction regarding the properties zoning at that time. She stated the Board of Commissioners will then receive it to be heard at their May, 2024 meeting.

Reports: Ms. Miller stated she provided the February Public Works and Planning reports. She stated it gives the full overview of the department including permits, and enforcements.

Ms. Miller stated the Zoning Ordinance Committee did make changes that did move forward with the District Change Amendment Application to Agricultural Businesses and the parking areas for them. The DCA will be heard by the Planning Commission in May. Ms. Miller stated the Zoning Ordinance Committee will be meeting the third Tuesday of the month at 4:00 p.m.

Ms. Miller stated the Board of Appeals did not meet this evening due to lack of business. She stated they will be meeting next month on May 7, 2024 to consider an application.

Public hearing closed: 7:40 p.m.

Upcoming Cases: Commissioner Ross stated they have one Conditional Use Permit and District Change Amendment Application. Ms. Miller stated that was correct. She stated the Conditional Use Permit is for a Surface Mine in Eaton Rapids Township.

A motion was made by **Commissioner Cattron** to adjourn the meeting. **Commissioner Lawitzke** supported. Motion carried.

The meeting adjourned at 7:41 p.m.

EATON COUNTY
PLANNING COMMISSION
SPECIAL MASTER PLAN MEETING
April 23, 2024

Call to Order: Brian Ross, Chair of the Eaton County Planning Commission, called the meeting to order at 7:00 p.m. in the Board of Commissioners Room, Eaton County Courthouse, 1045 Independence Blvd., Charlotte, MI.

Pledge: The Pledge of Allegiance was given by all.

Roll Call: Scott Hansen, Ben Tirrell, Lisa Lawitzke, Ray Whitaker, Ed Kemp, Tim Cattron, Frank Holmes, Zachary Dillinger, and Brian Ross

Staff Present: Brandy Miller, Tammy Alger, and Chris Garrison.

Agenda Approval: A motion was made by **Commissioner Tirrell** to approve the agenda for the April 23, 2024 meeting. **Commissioner Holmes** supported. Motion carried.

Staff Report: Ms. Miller presented the memorandum and attached packets. Ms. Miller read 4 written public comments into record.

Public Comments: Mr. Rick Dykstra, 2980 S. Cochran Rd., stated a new industrial park would not be beneficial, and that there are existing industrial parks already with space for expansion. Mr. Dykstra stated he lived in a rural area to be away from things such as an industrial park, and that an industrial park could ruin property values.

Mr. Eric DeYoung, representative of Naderveld and the property owner of a vacant 235 acre parcel of land on Cochran Rd, north of I-69, stated that the future land use of the vacant parcel should be future planned as Industrial. Mr. De Young stated an Industrial designation would be better suited than General Business for the vacant parcel in that area of Eaton County. He stated there would be less traffic and urban sprawl with an industrial park, making a better neighbor to the agricultural farms in the area. Mr. DeYoung stated he has had conversations with the City of Charlotte, and they are willing to cooperate on water and sewer needs whether the property is planned for commercial or industrial. Mr. DeYoung stated no resident would be forced to use public water and sewer. He stated an industrial use for the property would encourage positive community growth and employment opportunities. Mr. DeYoung stated that any future planned industrial park would need to go through all of the appropriate avenues before being approved, so the potential park would be built to all local government standards.

Mr. Drew Marks, Sunfield Township, stated that page 12.12 of the proposed master plan is incorrect. He stated the map was small and hard to read. Mr. Marks stated the map should reflect clearly which properties are dual zoned and what the zoning is.

Mr. Greg Shaver, 933 W. Broadway Hwy., stated he was concerned with where water from a new industrial park would go, specifically brown water and how that will drain. Mr. Shaver stated there is all kinds of water in the back of the vacant 235 acre property, as well as diverse flora and fauna. He stated he is concerned with the different environmental pollutions that come with an industrial park, but mostly concerned with where the water is going to drain. He stated there is already problems with flooding in that area.

Mr. Mark Emmert, 911 W. Broadway Hwy., stated that an Industrial park would not be in harmony with the goals of the Master Plan. Mr. Emmert stated it would not be a preservation of agricultural land. Mr. Emmert stated the people who lived in the area took a survey and they all agreed that living away from the city and any commercial or industrial activity made their lives excellent, and they would not want to change that.

Mr. Ben LeBlanc, 68 W Broadway, stated that he and his wife had had numerous drainage issues with their property, and all attempts to rectify it have not worked. He stated the clay soil in the area is not ideal, and that whatever Naderveld planned would also have drainage issues that will not be addressed. Mr. LeBlanc stated to change the future land use on short notice would be unfair to the citizens of Eaton County.

Ms. Theresa Briseno, 101 W. Broadway Hwy., stated she moved to her property for the benefits of rural living, but the peacefulness of her neighborhood will be ruined with any commercial project, but especially with an industrial park. She stated a good industrial neighbor would not be choosing a piece of land that was not polluted and that there are existing industrial parks for them to build in. Ms. Briseno stated she is concerned that there may be an increase of crime with an industrial park. She stated that if the industrial land use is improved, it be improved with specific stipulations on what sort of business can be allowed there and what the repercussions will be for deviating from that stipulation.

Public Comment Closed: 6:30 p.m.

Commissioner Ross stated the meeting is to strictly discuss the future land use map, which is not the same as zoning. He stated nothing is being re-zoned. **Commissioner Ross** stated the future land use will let developers know what is available for future planning. He stated there are many steps to approving any sort of commercial or industrial project, which involve many different offices, such as the Eaton Barry County Health Department, Drain Commissioner, Planning and Zoning, etc. **Commissioner Ross** stated that whatever was built would have to be approved and it would be better, rather than worse, due to the approvals necessary.

Commissioner Hansen stated is against any proposal for the 235 acre property to be changed to Industrial in the future land use map. **Commissioner Hansen** stated he lives less than a mile from the vacant parcel in question and that all water comes onto his property due to failed drainage systems. He stated property value could potentially decrease with an industrial park nearby. **Commissioner Hansen** stated there are other areas better suited to an industrial park, such as properties closer to Lansing that already have industrial businesses.

Commissioner Tirrell stated that the discussion was for proposed land use, not a re-zoning. He stated the property in question has been in the master plan as General Business for decades now. **Commissioner Tirrell** stated that constituents who are concerned about the industrial land use review Eaton County's Zoning Ordinance and see what is required for any commercial business that wants to develop within the county. He stated this meeting is about thinking how the community is going to plan for the future and what that growth looks like.

Ms. Miller stated that Mr. Marks was correct in his public statement, the Sunfield Township zoning map is incorrect. She stated that whatever motion is made today include the correction of the Sunfield Township zoning map.

Commissioner Holmes asked how long the property has been zoned commercial. Ms. Miller stated the property is currently dual zoned as General Business and Limited Agricultural, but is

master planned as General Business since 2011. **Commissioner Holmes** stated by making the vacant parcel industrial, it's also making it easier for developers to come in.

Commissioner Cattron stated he was present at both Eaton Township and Carmel Township Meetings and Carmel Township was in favor of changing the future land use to Industrial. He stated Carmel Township would rather have Industrial as it would create less traffic for the area and less disruption for agriculture. **Commissioner Cattron** stated the residents along the path to the vacant parcel would not be required to hook up to public services from the City of Charlotte.

Commissioner Ross stated one of Eaton Township's main concerns was the water and septic for the residents between The City of Charlotte and the vacant parcel. He stated the City of Charlotte would not require those residents to do so, as it would take up more capacity on their systems. **Commissioner Holmes** asked if bringing in a commercial or industrial business would also increase that capacity. **Commissioner Ross** stated the City of Charlotte did have some additional capacity depending on what sort of development was brought in and if it was heavy versus light water and sewer use. He stated once building plans were submitted for review, the City of Charlotte would know if they had the capacity to provide water and sewer. **Commissioner Cattron** stated whether the proposed development is commercial or industrial, the water and sewer needs would be addressed appropriately, whether through the City of Charlotte or by an on site system.

Commissioner Holmes stated that either way, it seems like an interruption of the farm land community.

Commissioner Hansen stated the City of Charlotte has water capacity, but sewage capacity was fuller and would require increased infrastructure. He stated the City of Charlotte could potentially annex the residents in that area to recover some of their tax revenue to pay for an increased infrastructure. **Commissioner Hansen** stated the residents would then be tax payers to the City of Charlotte and not Carmel Township. **Commissioner Ross** stated the Planning Commission's discussion was not in regard to taxes, but strictly in regard to planning and zoning, specifically land use. He stated the City of Charlotte did discuss annexing some of the residential properties, but that was not a discussion pertinent to this meeting. He stated if it is a conflict of interest then **Commissioner Hansen** could be exempt from the vote. **Commissioner Hansen** stated he would accept being exempt if that was what was determined as best.

Commissioner Tirrell stated the planning process for the proposed future land use map has been thorough with involvement from all Townships. He stated that it was late in the stage of the future land use map planning to propose a change now. **Commissioner Tirrell** stated the goal of the meeting is strictly planning and zoning, and to change the plan now creates technical issues. He stated he would prefer retaining the maps proposed at all of the previous township meetings.

Commissioner Lawitzke stated that whether the 235 acre property is proposed General Business of Industrial, it has the potential to be covered in asphalt and create the commercial space. She stated the area does lend itself better for industrial use based on the description of Industrial versus General Business.

Commissioner Cattron stated he agrees that it is too last minute to change the proposed future land use maps now. **Commissioner Holmes** stated he would not be in favor of changing the proposed future land use maps either. **Commissioner Ross** stated that Carmel Township did recommend changing the vacant parcel to Industrial land use. **Commissioner Tirrell** stated if

that recommendation had been made early in this process, it would be something to consider more seriously, but to change it now would be unfair.

Commissioner Cattron moved to approve the Master Plan document as it is written, with the following corrections:

1. All grammatical mistakes in the Master Plan document be corrected.
2. Correct the Sunfield Township Zoning Map.

Commissioner Tirrell supported the motion. A roll call vote was taken with seven (7) voting aye and two (2) voting nay. Motion carried.

Public hearing closed: 7:05 p.m.

Public Comment: Mr. Drew Marks stated that what this is doing is affecting people who live in the outer areas, but it's going to be sent to the commissioners, ten of whom do not live near these areas but are going to vote. He stated it doesn't seem fair.

Mr. Mark Emmert read master plan part 1.2. He stated that although zoning is not being changed, wouldn't this be opening the door anyway. He stated it would be difficult if the future plan stated designation as industrial but then tell a property owner the zoning couldn't be changed to industrial. He stated it seemed it would cause difficulties to change zoning. **Commissioner Ross** stated public comment is not a back and forth, but that Eaton County is trying to prevent their land from being a back and forth of home, business, home, and business. He stated that the county as a whole, including the townships, have directed the future land use map to have either commercial or industrial in certain areas. **Commissioner Ross** stated ideally there will not be a business next to a residence.

Mr. Rick Dykstra stated he just found out about the proposal for industrial on the vacant 235 acre parcel two weeks ago. He stated he did not get any sort of communication regarding it.

Mr. Thomas Jones, 3155 S. Cochran Ave., stated he had a question for Mr. DeYoung. He asked what the future projection time line is for any development on the vacant parcel. **Commissioner Ross** stated that question could be asked after the meeting.

The Meeting adjourned at 7:15 p.m.

STAFF REPORT
CU-10-21-8

TO: EATON COUNTY PLANNING COMMISSION
BRIAN AND LAURA JACKSON – APPLICANTS

FROM: **EATON COUNTY COMMUNITY DEVELOPMENT DEPT.**

RE: **CU-10-21-8:** Request by Laura and Brian Jackson for a Change of Conditions to an existing Conditional Use Permit which allows for the operations of Agricultural Business (large animal boarding) per Section 14.1 of the Zoning Ordinance at 2495 Kemler Road, Section 28, Eaton Rapids Township. The specific request is to construct an accessory building for personal use only.

HEARING DATE: June 4, 2024, 7:00 p.m.

SUBJECT PARCEL: 2495 Kemler Road, Eaton Rapids, Michigan 48827

PARCEL CODES: 120-028-200-001-11

SITE DATA:	**ON-SITE**	**SURROUNDING**
Size:	14.73 acres	
Zoning:	Limited Agriculture (LA)	Limited Agriculture (LA)
Land Use:	Residential and Agricultural	Residential and Agricultural
Site Use History:	Residential and Agricultural	Residential and Agricultural
Soil Class:	Essential	Essential & Non-essential
Road Class:	Kemler Road **is not** a major road	

APPLICANT'S STATEMENT: PLEASE SEE ATTACHED APPLICATION AND STATEMENT.

The applicants request a Change of Conditions for an existing Conditional Use Permit (CUP) which allows for the operation of an agricultural business, horse boarding and training facility for up to five (5) horses. Specifically, they request to construct a 40' x 30' pole barn for personal storage only.

The applicants state the business is not changing and is operated twenty-four (24) hours a day, seven (7) days a week, with lessons held Monday through Sunday, 9:00 a.m. through 7:00 p.m. by appointment. An existing 80' x 80' (6,400 sq. ft.) post frame building constructed in 2006 is used for the business. The existing well and septic, and drainfield will be used; there is a restroom in the building. The Rorabeck drain is located at the road and the Spicer Creek drain is located one-hundred thirty-six (136) feet from the south property line; a portion of the property is located in the FEMA Floodplain. The applicants state manure is spread on the front field. Items to be stored on site include farm equipment and horse trailers. There is one (1) existing driveway to the site; it is not paved and does not have curb and gutter. Anticipated traffic to the site is three to four (3-4) personal vehicles. Parking is proposed for eight (8) vehicles; the parking area is lit, but not paved. Supplies are brought to the site by light delivery trucks. The applicants state this request should be granted because, "Not changing business operation, would like to construct a 40' x 30' barn for motorhome and personal storage."

Site Plan Review

Approved	**Denied**	**Approved**	**Denied**
[ ] Drain Commissioner ©	**[ ]**	**[ ] Tim Cattron**	**[ ]**
[ ] Road Commission ©	**[ ]**	**[ ] Zachary Dillinger**	**[ ]**
[ ] Building Official	**[ ]**	**[ ] Vicinity Mbr. B. Ross**	**[ ]**
[ ] MDOT	**[ ]**	**[ ] Eaton Rapids Twp.**	**[ ]**
[ ] BEDHD	**[ ]**	**[ ] Eaton Conservation Dist. ©**	**[ ]**

MAILING: Eight (8) surrounding property owners were notified by first class mail, no written responses were received.

SITE REVIEW COMMITTEE COMMENTS:

Drain Commissioner Comment: "Review of the site plan by the drain office for the purpose of Soil Erosion Permits will be required."

Road Commission comment: "I've reviewed the above mentioned CUP and find no impact to Eaton County roads. I have no objections to the CUP."
Eaton Conservation District comment: "No objections."

SPECIFIC REGULATIONS: EATON COUNTY LAND DEVELOPMENT CODE

SECTION 14.1 AGRICULTURAL BUSINESS

14.1.1 Definition: The sales, service, repair, storage, and processing activities which are directly dependent upon the agricultural community of the county and are necessary to support agricultural enterprise.

14.1.2 Permitted Uses:

A. Commercial riding stable
B. Processing facilities for food, feed, fiber and alcohol processing facilities, for more than one farm operator
C. Grain and feed elevators
D. Greenhouses with on premise retail sales
E. Livestock auction yards
F. Livestock transport facilities
G. Nurseries with on premise retail sales
H. Sawmills
I. Seasonal farm markets; provided, however, that seasonal farm markets selling only fresh produce raised on the premises and conducting retail sales with total gross annual sales of less than $2,000, shall not be regulated under this Article.
J. Slaughterhouse selling products butchered on the premises
K. Veterinary Hospital, Clinic or Kennel
L. Large Animal Boarding Business

14.1.3 Regulations and Conditions:

A. Animal holding area shall be setback one-hundred (100) feet from all property lines and the road right-of-way.
B. No storage of manure or dust producing material within one-hundred (100) feet of any property line or road right-of-way.
C. Signs shall comply with *Article 11* of this Ordinance.
D. Parking areas shall comply with *Article 10* of this Ordinance.
E. Agricultural business shall be established and conducted in compliance with all other applicable laws and ordinances.

GENERAL REQUIREMENTS FOR APPROVAL (Applicant must satisfy items A-E):

9.3.6 Basis of Planning Commission Decisions: The Planning Commission's decision will be based on compliance with the specific requirements contained elsewhere in this Ordinance, and the general standards listed below: **Items A-E**

A. Compliance with the applicable Land Use Policies in the Eaton County Master Plan:

Staff: This area is designated as **Secondary Agriculture** in the Eaton County Master Plan; therefore, the policies applicable are as follows:

The intent of the Secondary Agricultural land use designation is to provide land for rural residential development with a predominantly agricultural landscape. Lands in the Secondary Agriculture designation may range from current farmlands to areas bordering development. The primary goal of this designation is to create a buffer between emerging growth and farming operations, while maintaining a somewhat rural lifestyle. Farmland preservation and continued agricultural activities in these areas are the preferred land use. This land use designation would enable farmers to continue agricultural operations while permitting the efficient development of single-family housing. A new zoning district should be implemented to coincide with this future land use classification.

B. Essential public facilities are adequately provided to the project, including, but not limited do, highways, streets, police and fire protection, emergency medical care, schools, storm water drainage, public transportation, and public recreation, or the owner/developer shall provide adequately any such service(s). Additional requirements at public cost for such facilities and services will not be detrimental to the economic welfare of the community.

☐ 1. Existing roads ☐ 4. Fire protection ☐ 7. Public transportation
☐ 2. Schools ☐ 5. Police ☐ 8. Public recreation

☐ 3. Storm water drainage ☐ 6. Emergency medical care

C. Location and design of driveways providing vehicular ingress and egress, and automobile parking areas for the project are designed to avoid common traffic problems and promote the safety and convenience of vehicular and pedestrian traffic. The level of traffic generated by the project will not significantly or adversely impact the adjacent road system.

D. On-site sanitation facilities, if any, including sewage disposal, potable water supply, storm water, and solid waste disposal, are properly designed and capable of handling the project's long term needs

☐ sewage disposal ☐ potable water supply
☐ storm water ☐ solid waste disposal

E. The project is harmonious and compatible with the existing land use, natural features, and planned character of the adjacent property and general vicinity, and the project will not result in conditions that are detrimental to surrounding persons or property.

☐ prime agricultural soil ☐ major forests ☐ wildlife
☐ water recharge areas ☐ wetlands
☐ lakes, rivers, or streams ☐ major sand, gravel, or mineral deposits

9.3.7 Statements of Conclusion: The Planning Commission shall specify in writing the conclusions and findings on each request in terms of the general standards listed above in Section 9.3.6 of this Ordinance.

9.3.8 Required approval by Planning Commission: The Planning Commission shall approve a request for Conditional Use Permit for any applicant which fully meets the general standards and specific standards contained in this Ordinance.

9.3.9 Conditions of Approval: The Planning Commission may require reasonable conditions in conjunction with the approval of a Conditional Use Permit. Such conditions shall include conditions necessary to ensure that public services and facilities affected will be capable of accommodating increased service and facility loads caused by the proposed land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in socially and economically desirable manner. The conditions imposed shall be recorded in the minutes of the Planning Commission and on the Conditional Use Permit. These conditions shall remain unchanged unless a written request is submitted to the Planning Commission for change of conditions.

A request for change of conditions shall be scheduled for a public hearing before the Planning Commission. Prior to the hearing the request shall be reviewed under the appropriate Site Plan Review process. The recommendations from the Site Plan Review process shall be reported during the hearing. A public notice shall be mailed to all property owners within 300 feet of the Conditional Use Permit site. Approval of the change of conditions shall be granted only upon an affirmative vote of the majority of the Planning Commission. All changes shall be recorded in the minutes of the meeting and on the Conditional Use Permit.

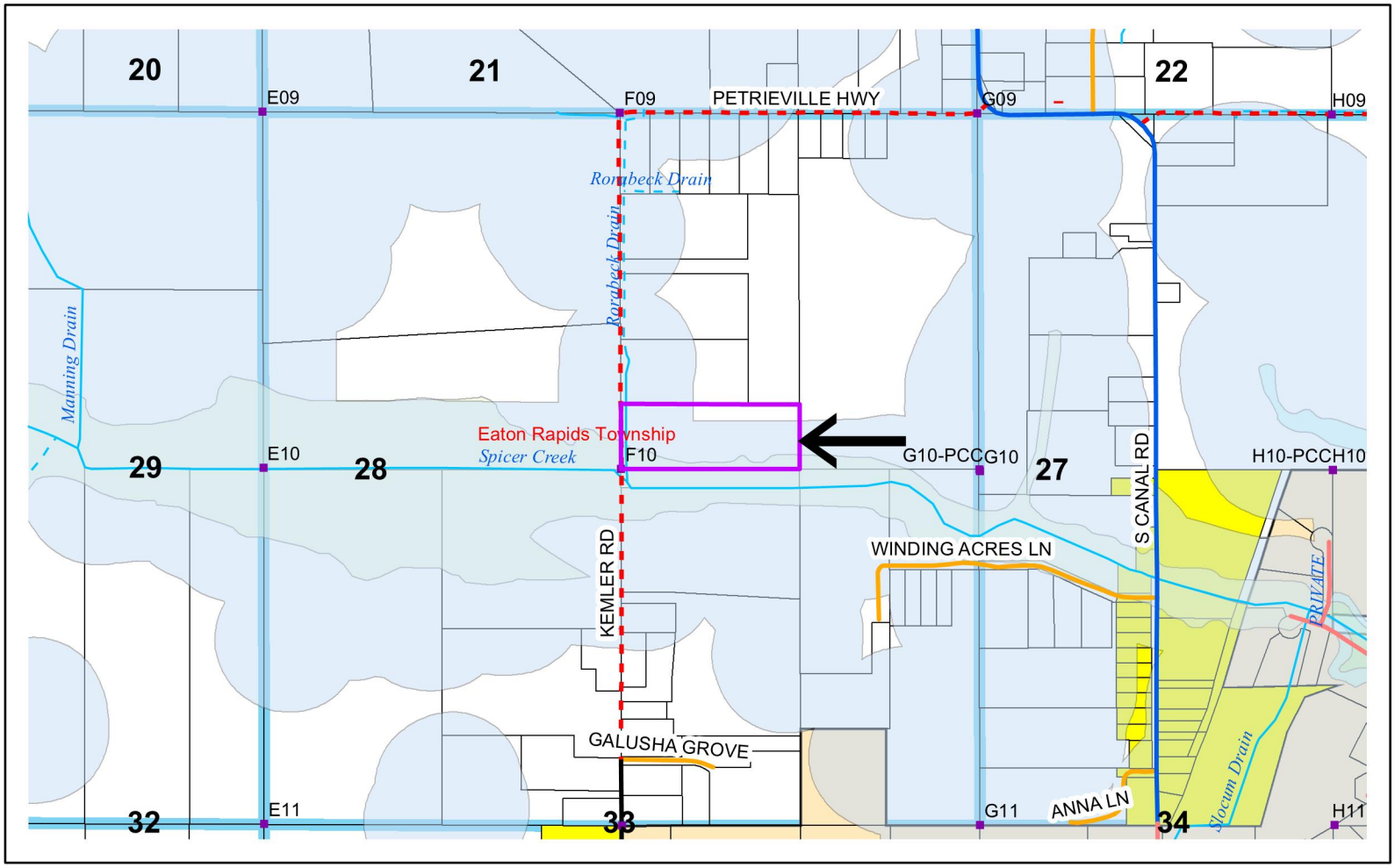
COMMUNITY DEVELOPMENT STAFF COMMENTS:

An Agricultural Business is a use permitted in a Limited Agricultural zoned district with a Conditional Use Permit (CUP). The Eaton County Planning Commission approved the Conditional Use Permit in October of 2021. Since approval, this office has not received any complaints regarding the operation of the business.

The business is operating in compliance with their Conditional Use Permit and Eaton County Zoning Ordinance.

The applicants request to construct a 40' x 30' pole barn to be used for motor home and personal storage. The building as proposed on the site plan meets required setbacks.

The Planning Commission may use Zoning Ordinance Sections 9.3.6 and 14.1 included in this staff report to determine if this business meets ordinance requirements and what, if any, conditions may be required.



Legend

Parcels
- <all other values>

Zoning Code
- LA
- R1
- R2
- C1
- C2
- I
- RC
- City and Village Boundaries
- SESC 500ft Buffer of Lakes>1acre, streams, and NWI Wetlands

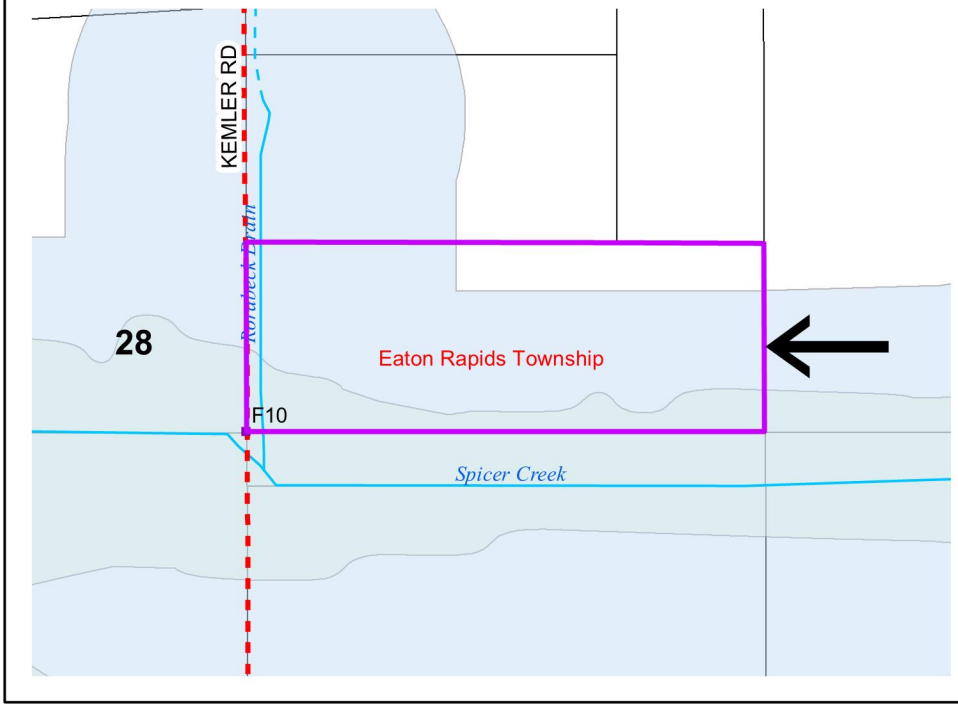
All Streams & Drains
- <all other values>

Type
- ARTIFICIAL PATH
- OPEN
- PVT TILE
- RIVER
- Storm Sewer
- TILE

FEMA Floodplain Zones

Flood Zone
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- AO
- AREA NOT INCLUDED

N
W E
S



Eaton County Department of Construction Codes & Planning and Zoning

Permit: CU-10-21-8 (COC)

Township: Eaton Rapids

Parcel Number: 120-028-200-001-11

Parcel Zoning: Limited Agricultural (LA)

N
W E
S

CU-10-54-8 (COC), Brian and Laura Jackson
Parcel Number: 120-028-200-001-11

CONDITIONAL USE PERMIT APPLICATION

Eaton County Department of Construction Codes & Planning and Zoning
1045 INDEPENDENCE BLVD., CHARLOTTE, MI 48813
517-543-3689 FAX 517-543-9924

Applicant Name(s):
Laura Jackson
Brian Jackson

Circle one Property Owner Representative
(must have proof of ownership/owner permission)

Mailing Address:
Street 2495 Kenter Rd
City, Eaton Rapids State MI zip 48827
Phone(s): 517 281 0705

Property Address: (if different than above)
Street

Property Code: 120-028-200-001-11

Township: Eaton Rapids Township

Office Use Staff will complete

Case No.: CU-10-21-8 (COC)

Fee ~~$400~~ 200 **check** ✓ **cash**
Date received: 4/16/24

Eaton County Planning Commission
Hearing Date: June 4, 2024

Decision: Approved Denied

Decision date:

Site Plan Review Committee
Committee meeting date:

Decision: Approved Denied

SITE DEVELOPMENT PLANS

1. **Where in the Ordinance is the proposed land use specified?**
14-1 Ag Business Large Animal Boarding

2. **Please describe the business proposed for this site. (attach additional sheet if needed)**
Board up to 5 horses, Train Horses & Owners. Would like to Construct 40x30 pole Barn to Store Motorhome & Personal items. No change to business

3. **EMPLOYEES**
What Days will the business be in operation? 24 what hours each day? 7 deep a week Lesson Mon-Thurs.

How many employees will be on the site? 0
During what hours will they be on site? 0

4. **BUILDINGS**
The proposed conditional use permitted must comply with all applicable fire safety and emergency vehicle access requirements as well as other requirements of the State Construction Code, local Fire Code and the Eaton County Construction Code Department.

Will you construct or install any new building(s) or additions to exisiting structures?
What are their dimensions (Width, Length, Height) 40 x 30
Construction Type Post Frame
Proposed Completion Date: July 1, 2024

Will any existing building(s) be used for the business?
Please provide the dimensions (Width, Length, Height) 80x80
Year Built 2006 Construction Type Post Structure

Describe the areas in the building and how they will be used.

Riding Arena & Horse Stalls

PROPERTY INFORMATION

5. Current zoning of the property (*Circle one*) ***Information available from Community Development Dept.:***

(Limited Agriculture (LA)) Residential (R1, R2, R3) Commercial (C1, C2) Industrial Resource Conservation

6. Is the property enrolled in Public Act 116- the Farmland Preservation Act? Yes (No)

7. Please list all persons and/or firms with legal or equitable interest in this parcel

Brian & Laura Jackson

8. Is the property located within 500 ft. of a stream, drain, lake, pond, or seasonally flooded wetland? (Yes) No (if yes, explain) Rhodabeck drain is located at Road Spicer Creek drain 136 ft From South Property line

9. **Does the property lie within a designated 100 year flood plain?** (If yes, the applicant should contact the MI Dept. of Environmental Quality for state permit requirements.) **(Yes) No**

10. Do you plan to construct or upgrade access drive(s) to the site that will cross a flood plain, seasonally flooded wetland, county drain, or stream? Yes (No) (if yes, explain)

11. Current Use(s) of the applicant property **(Please indicate if used as residence, agricultural, commercial, etc.):**

Residence & Agricultural Business

12. Current Use(s) of other area properties: (Indicate if residential, agricultural, commercial, etc.)

Residential & Agricultural

13. PLEASE ATTACH A LEGAL DESCRIPTION OF THE PROPERTY

A legal description of the parcel is the deed, land contract, or tax information for a property. It must include any deed restrictions, easements, etc.

14. PLEASE ATTACH A SITE PLAN! (Please label with applicant name and page number)
A site plan is a scale drawing that shows the boundaries of the property, any structures, buildings on the property, public or private roads, driveways, easements, or other property features, and any natural features including bodies of water, wetlands, etc. The site plan must include the following:

a) **Property dimensions (measurements of all property boundaries, including road frontage).**
b) **Any easements or public right of way, including utility easements or ingress/egress.**

c) **Location(s) of existing and proposed driveways.**
d) **All existing and proposed buildings, accessory structures, and outdoor storage area(s) (for vehicles, equipment, or materials) with measurements between them and to property boundaries.**
e) **Bodies of water, creeks, lakes, ponds, county drains, marshes, and seasonally flooded wetlands, etc. (Show distances from building sites, parking, and storage areas).**
f) **Proposed grades and site drainage pattern(s) (Include drainage patterns around the entire perimeter of the property).**
g) **Location of water supply and location and design of waste water systems.**
h) **All existing and proposed signs.**

15. PUBLIC HEALTH AND SAFETY

Proposed businesses must comply with all applicable requirements of the Barry-Eaton District Health Department and the State of Michigan

Describe the water and septic source(s) employees and/or clients will use.

Septic for Pole barn w/a Bathroom

Describe how the proposed business will comply with requirements for the use of public water, sanitary sewage, and solid waste removal.

Spread Manure on front field

What equipment, vehicles, materials, etc. will be stored at the site? Please describe.

farm Equipment & Horse Trailers

16. TRANSPORTATION

The proposed land use must fully conform to the driveway and traffic safety standards of the Michigan Department of Transportation and the Eaton County Road Commission.

Entrance/Exits to the Site:

Number of current entrances (driveways) from a public street 1

Will any additional entrances or exits to the site be created/used? Yes (No)

Are driveways paved? Yes (No)

Do driveways have curb and gutter? Yes (No)

What is the anticipated traffic in and out of the site? Please estimate the number and types of vehicles. 3-4 personal Vehicles

Proposed parking on site for 8 vehicles will be provided.

Is parking area lighted? (Yes) No

Is parking area paved? Yes (No)

How are supplies delivered/brought to the site?

Semi Trucks (Light Delivery Trucks) Other (explain)_____

17. PLANNING COMMISSION DECISIONS

The Planning Commission's decision will be based upon compliance with the specific requirements of the Eaton County Land Development Code (Zoning Ordinance), and the general standards listed below:

The project complies with the applicable land use policies in the Eaton County Comprehensive Development Plan, and promotes the intent and purpose of the Eaton County Land Development Code, and other County ordinances, standards, and requirements.

Essential public facilities are adequately provided to the project, including, streets, police and fire protection, emergency care, schools, storm water drainage, public transportation, and public recreation, or the owner/developer shall provide adequately any such service(s). Additional requirements at public cost for such facilities and services will not be detrimental to the economic welfare of the community.

Location and design of driveways providing vehicular ingress/ egress, and parking areas are designed to avoid common traffic problems and promote the safety and convenience of vehicular and pedestrian traffic. The traffic generated by the project will not significantly or adversely impact the adjacent road system.

On-site sanitation facilities, including sewage disposal, potable water supply, storm water, and solid waste disposal, are properly designed and capable of handling the project's long term needs.

The project is harmonious and compatible with the existing land use, natural features, and planned character of the adjacent property and general vicinity, and the project will not result in conditions that are detrimental to surrounding persons or property.

Have you requested or received a variance or other Conditional Use Permit for this property?
(Yes) No (If yes, please explain) Conditional use permit in 2021 for operation of business

Were you notified of a violation of the Eaton County Building Code or Zoning Ordinance?
Yes (No) (If yes, please explain) _____

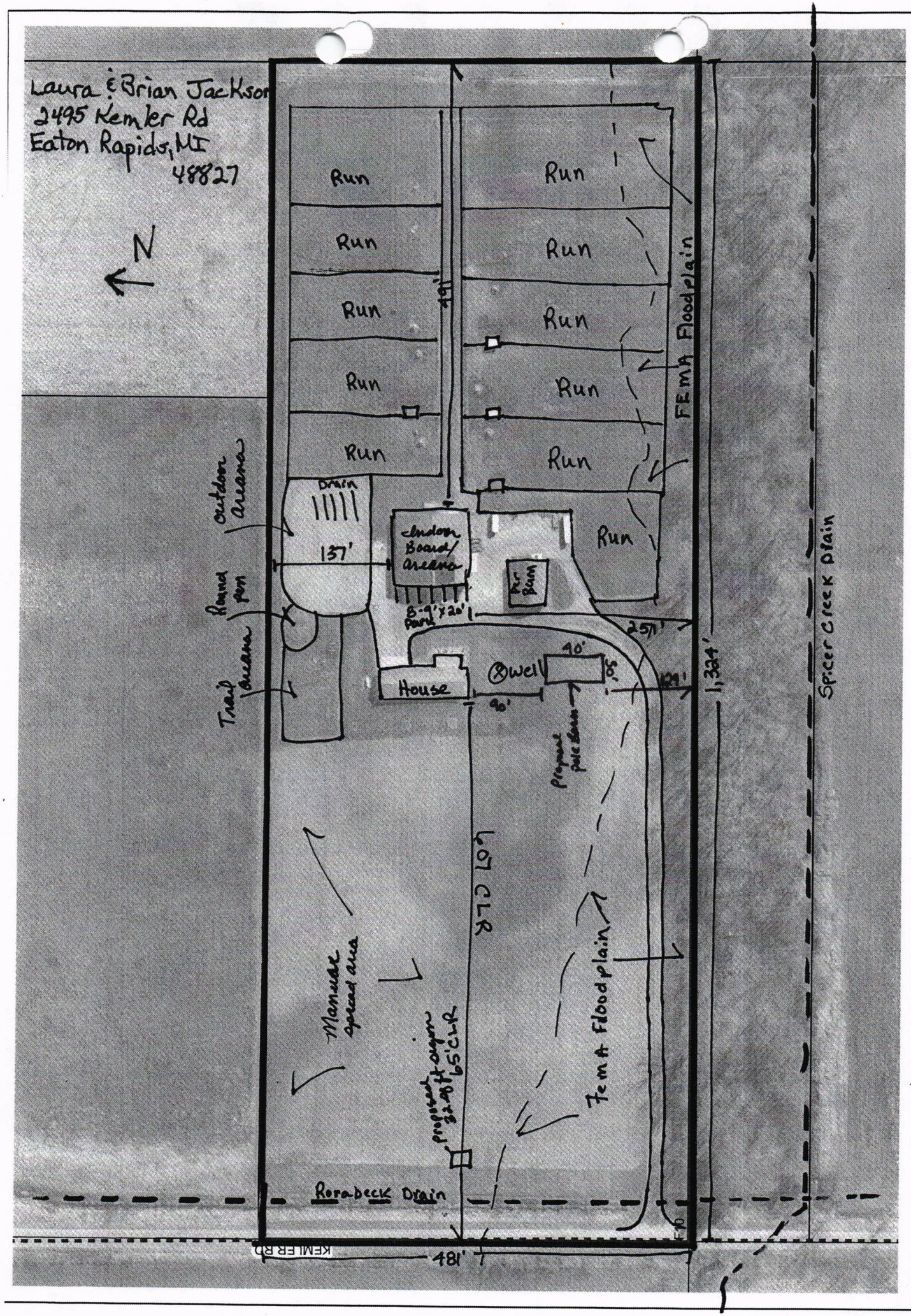
Explain why this request should be granted. Describe how it will affect the surrounding area. Respond to the Planning Commission's standards listed above. (Attach additional sheet if needed.)
Not changing business operation, would like to construct a 40x30 barn for Motorhome & personal storage

AFFIDAVIT

I acknowledge that if a permit is granted that the decision does not relieve me from compliance with all other federal, state and local laws and requirements. I affirm that I am involved in this application and that the answers and statements herein contained and the information provided is true, accurate and correct. I understand that if it is not, this application and any approvals are void. I hereby give county officials permission to inspect the property to verify information and to verify compliance with rules and conditions. I also agree that I am able, financially, legally and physically, and I will commence this use, as approved, within six months.

Laura Jackson — 4-16-24
Applicant(s) Signature(s) — Date

_____ — _____
Applicant(s) Signature(s) — Date


Laura & Brian Jackson
2495 Kemler Rd
Eaton Rapids, MI
48827
N
Run
Run
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Run
199'
FEMA Floodplain
Drain
Outdoor Arena
137'
Indoor Board/ Arena
Hay Barn
Round Pen
Trail Arena
8-9' x 20' Pens
257'
40'
Well
House
105'
329'
90'
1,334'
Spicer Creek Drain
Proposed pole barn
LOT CLR
Manure spread area
Proposed 32.8ft augers 65' CLR
Fema Floodplain
Rorabeck Drain
KEMLER RD
481'
F.O.

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

08/18/2021 9:44 AM

Parcel:	120-028-200-001-11	**Current Class:**	401.RESIDENTIAL IMPROVED, 401
Owner's Name:	JACKSON, BRIAN K & LAURA M	**Previous Class:**	401.RESIDENTIAL IMPROVED, 401
Property Address:	2495 KEMLER RD EATON RAPIDS, MI 48827	**Taxable Status**	TAXABLE
		Prev. Taxable Status	TAXABLE
		Gov. Unit:	120 120,EATON RAPIDS TOWNSHIP
		SUB	
Liber/Page:	1968/0853	**School:**	23050 E.R.SCH 23050
Split:	/ /	**Neighborhood:**	
	Created: / /		
	Active: Active		
Public Impr.:	None		
Topography:	None		

Mailing Address:

JACKSON, BRIAN K & LAURA M
2495 KEMLER RD
EATON RAPIDS MI 48827

Description:

COM N 1/4 COR SEC 28; S0°03'52"W 2161.16 FT TO POB; S89°42'51"E 1328.24 FT TO E LINE OF W 1/2 OF NE 1/4; S0° 0'09"E 483 FT; N89°42'51"W 1328.8 FT TO CEN OF SEC; N0°03'52"E 483 FT TO POB. SUBJ TO ALL EASEMENTS & RESTRICTIONS IF ANY. SEC 28, T2N,R3W, EATON RAPIDS TWP. 1-29-03 (APPROVED PARCEL K)

Most Recent Sale Information

Sold on 09/16/2005 for 0 by WILLBEE TRANSIT MIX CO.

Terms of Sale: 33-TO BE DETERMINED **Liber/Page:** 1968/0853

Most Recent Permit Information

None Found

Physical Property Characteristics

2022 S.E.V.:	151,200	**2022 Taxable:**	128,716	**Lot Dimensions:**	
2021 S.E.V.:	151,200	**2021 Taxable:**	128,716	**Acreage:**	14.73
Zoning:	LA	**Land Value:**	0	**Frontage:**	0.0
PRE:	100.000	**Land Impr. Value:**	0	**Average Depth:**	0.0

Improvement Data

None

Image

STAFF REPORT
CU-8-96-9 Change of Conditions

TO: EATON COUNTY PLANNING COMMISSION
CENTENNIAL ACRES, INC.

FROM: **EATON COUNTY DEPT. OF CONSTRUCTION CODES & PLANNING AND ZONING**

RE: **CU-8-96-9:** Request by Centennial Acres, Inc. for a Change of Conditions to an existing Conditional Use Permit which allows for the operation of a golf course and country club per Section 14.11 of the Zoning Ordinance at 12485 & 12388 Dow Road, Section 7 of Roxand Township, Section 12 of Sunfield Township. The requested change is to allow for a change in the previously approved land division of the properties.

HEARING DATE: June 4, 2024 at 7:00 p.m.

SUBJECT PARCEL(S): 12485 & 12388 Dow Road, Sunfield, Michigan 48890

PARCEL CODES: 010-012-400-002-02 & 020-007-300-020-01

SITE DATA:	**ON-SITE**	**SURROUNDING**
Size:	237.84 Total Acres	
Zoning:	Limited Agricultural	Limited Agriculture
Land Use:	Golf Course	Residential, Agricultural
Site Use History:	Golf Course	Residential and Agricultural
Soil Class:	Essential & Non-essential	Essential & Non-essential
Road Class:	Dow Road **is not** a major road	n/a

APPLICANT'S STATEMENT: PLEASE SEE ATTACHED APPLICATION AND STATEMENT.

The applicant is requesting a change of conditions to an existing Conditional Use Permit (CUP) to allow for a changes of the previously approved land division for parcel 020-012-400-002-02. They state, "Buyer of proposed two acre parcel would like to purchase 5.11 acres."

The golf course operates seven (7) days a week from 7:00 a.m. to 9:00 p.m. on a seasonal basis. Six to twelve (6-12) employees will be on site during the hours of operation. The existing well and septic system are used. Supplies that will be stored on site include golf carts and maintenance equipment. There are six (6) existing driveways. Per the applicant, all public drives are paved and all maintenance drives are gravel, none have curb and gutter. The anticipated traffic to the site is on average twenty to seventy-five (20 to 75) vehicles per day. Parking for one hundred and fifty-five (155) vehicles is provided. The parking areas are lit and are paved. Supplies are brought to the site by light delivery truck.

Site Plan Review

Approved	Denied	Approved	Denied
[ ] Drain Commissioner	[ ]	[ ] Tim Cattron	[ ]
[ ] MDOT	[ ]	[ ] Zachary Dillinger	[ ]
[ ] Road Commission	[ ]	[ ] Vicinity Mbr, R. Whittaker	[ ]
[ ] Building Official	[ ]	[ ] Roxand Twp.	[ ]
[X] BEDHD	[ ]	[X] Sunfield Twp. ©	[ ]
[X] Eaton Conservation Dist.	[ ]		

MAILING: Thirty (30) surrounding property owners were notified, no responses.

SITE REVIEW COMMITTEE COMMENTS:

Eaton County Road Commission: "I've reviewed the above mentioned CUP application. The proposed splits are located where there is sufficient sight distance for driveways. I have no objections to the lot splits."

Eaton Conservation District: "No objections."

SPECIFIC REGULATIONS: EATON COUNTY LAND DEVELOPMENT CODE

SECTION 14.11 GOLF COURSES AND COUNTRY CLUBS

14.11.1 Definition: A public or private owned facility open to members only or the general public, offering the use of golf links, and related facilities such as a restaurant, tavern, swimming pool, tennis courts, and exercise facilities, and seasonal skiing facilities to its clientele.

14.11.2 Regulations and Conditions:

A. The site area shall be at a minimum of twenty (20) acres and shall be located on a major street as defined in *Section 5.3.13M* of this Ordinance.

B. All buildings, parking areas, swimming pools, and tennis courts shall be set back a minimum of one-hundred (100) feet from any property or street right-of-way lines.

C. A landscaped buffer strip shall be provided between the parking and principal building area and any adjacent residential development in accordance with *Article 17* of this Ordinance.

D. All signs shall comply with *Article 11* of this Ordinance.

E. All off-street parking shall comply with *Article 10* of this Ordinance.

GENERAL REQUIREMENTS FOR APPROVAL (Applicant must satisfy items A-E):

9.3.6 Basis of Planning Commission Decisions: The Planning Commission's decision will be based on compliance with the specific requirements contained elsewhere in this Ordinance, and the general standards listed below: **Items A-E**

A. Compliance with the applicable Land Use Policies in the Eaton County Master Plan:

Staff: This area is designated as Primary Agriculture in the Eaton County Master Plan; therefore, the policies applicable are as follows: This land use category is intended to serve the needs of the agricultural industry in the County. The intent of land designated as Primary Agriculture is to maintain and protect agricultural operations against increasing development pressure. The boundaries of the area may shift as markets change, but the intent is that this classification will be essentially restricted to active farming operations. Other than the homes of farmers and their employees, new housing should be discouraged within this land use classification. Agricultural processing operations (i.e. grain elevators, feed lots, slaughterhouses, etc.) may also be encouraged within this classification. Large tracts of quality farmlands intended primarily for agriculture and agricultural processing activities should be maintained, and zoning regulations relative to agricultural lands specifically designed to promote the conservation of agricultural operations should be established. This land use classification equates with the Limited Agricultural zoning district.

B. Essential public facilities are adequately provided to the project, including, but not limited do, highways, streets, police and fire protection, emergency medical care, schools, storm water drainage, public transportation, and public recreation, or the owner/developer shall provide adequately any such service(s). Additional requirements at public cost for such facilities and services will not be detrimental to the economic welfare of the community.

☐ 1. Existing roads	☐ 4. Fire protection	☐ 7. Public transportation
☐ 2. Schools	☐ 5. Police	☐ 8. Public recreation
☐ 3. Storm water drainage	☐ 6. Emergency medical care	

C. Location and design of driveways providing vehicular ingress and egress, and automobile parking areas for the project are designed to avoid common traffic problems and promote the safety and convenience of vehicular and pedestrian traffic. The level of traffic generated by the project will not significantly or adversely impact the adjacent road system.

D. On-site sanitation facilities, if any, including sewage disposal, potable water supply, storm water, and solid waste disposal, are properly designed and capable of handling the project's long term needs

☐ sewage disposal	☐ potable water supply
☐ storm water	☐ solid waste disposal

E. The project is harmonious and compatible with the existing land use, natural features, and planned character of the adjacent property and general vicinity, and the project will not result in conditions that are detrimental to surrounding persons or property.

- □ prime agricultural soil
- □ major forests
- □ wildlife
- □ water recharge areas
- □ wetlands
- □ lakes, rivers, or streams
- □ major sand, gravel, or mineral deposits

9.3.7 Statements of Conclusion: The Planning Commission shall specify in writing the conclusions and findings on each request in terms of the general standards listed above in Section 9.3.6 of this Ordinance.

9.3.8 Required approval by Planning Commission: The Planning Commission shall approve a request for Conditional Use Permit for any applicant which fully meets the general standards and specific standards contained in this Ordinance.

9.3.9 Conditions of Approval: The Planning Commission may require reasonable conditions in conjunction with the approval of a Conditional Use Permit. Such conditions shall include conditions necessary to ensure that public services and facilities affected will be capable of accommodating increased service and facility loads caused by the proposed land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in socially and economically desirable manner. The conditions imposed shall be recorded in the minutes of the Planning Commission and on the Conditional Use Permit. These conditions shall remain unchanged unless a written request is submitted to the Planning Commission for change of conditions.

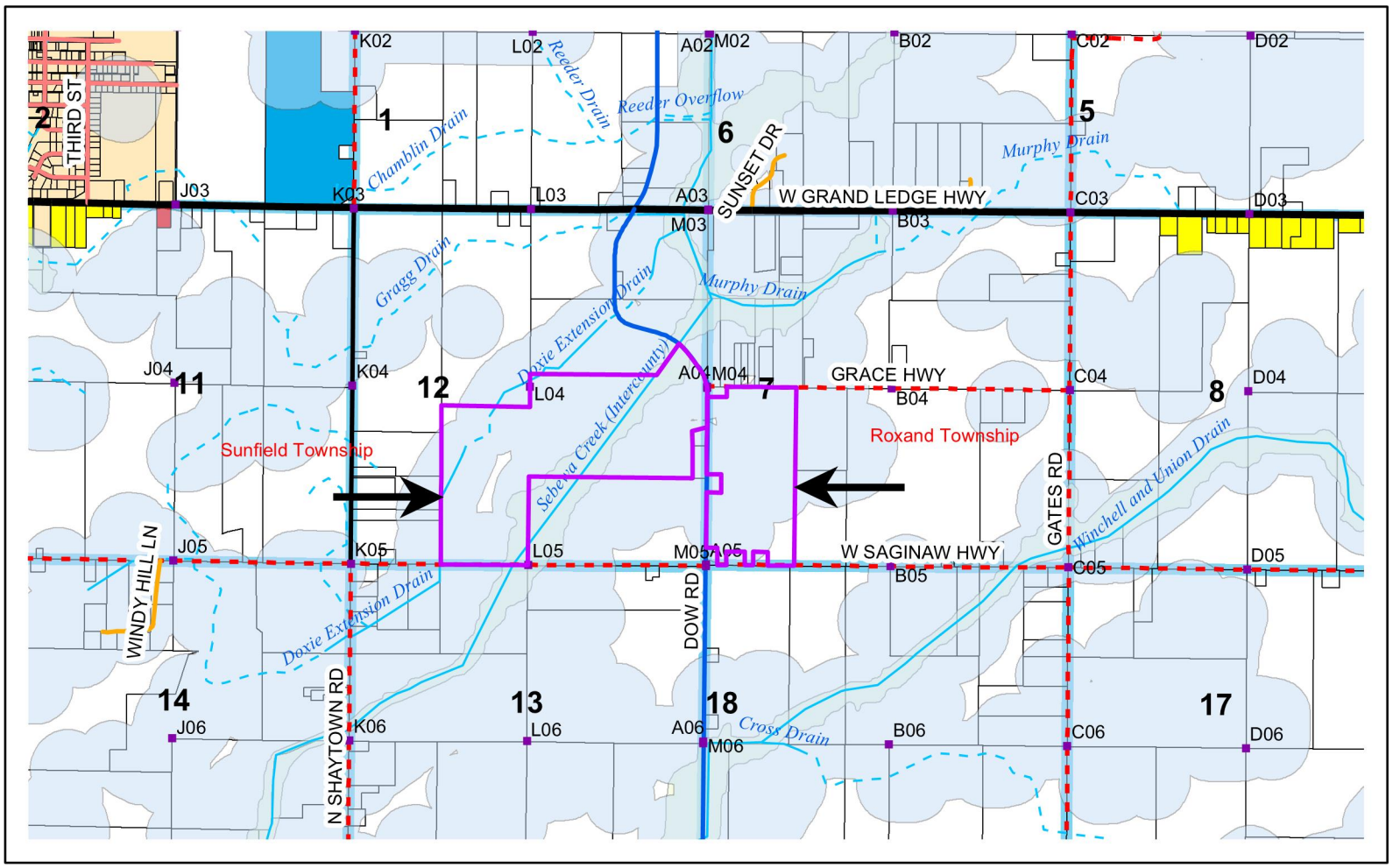
A request for change of conditions shall be scheduled for a public hearing before the Planning Commission. Prior to the hearing the request shall be reviewed under the appropriate Site Plan Review process. The recommendations from the Site Plan Review process shall be reported during the hearing. A public notice shall be mailed to all property owners within 300 feet of the Conditional Use Permit site. Approval of the change of conditions shall be granted only upon an affirmative vote of the majority of the Planning Commission. All changes shall be recorded in the minutes of the meeting and on the Conditional Use Permit.

COMMUNITY DEVELOPMENT STAFF COMMENTS:

Centennial Acres was approved to operate a nine (9) hole golf course in 1971. The business has grown over the years and is currently approved to operate a twenty-seven (27) hole golf course with a clubhouse, small reception building, and three maintenance buildings. Their last application to the Planning Commission was April of 2024; the Planning Commission approved a division and adjustment of the properties.

The current Change of Conditions request is to allow for the previously approved the division of parcel 010-012-400-002-02 to be 5.11 acres rather than 2 acres. The proposed division meets Zoning Ordinance requirements.

The Planning Commission may use Section 9.3.6 and 14.11 (included in this staff report) to determine if this business meets ordinance requirements and what, if any, conditions may be required. Staff has reviewed the site plan per Zoning Ordinance Section 8.4.3 and has determined it is complete for this application.



Legend

Parcels
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Zoning Code
- LA
- R1
- R2
- C1
- C2
- I
- RC
- SESC 500ft Buffer of Lakes>1acre, streams, and NWI Wetlands

FEMA Floodplain Zones

Flood Zone
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- AO
- AREA NOT INCLUDED

All Streams & Drains
- <all other values>

Type
- ARTIFICIAL PATH
- OPEN
- PVT TILE
- RIVER
- Storm Sewer
- TILE

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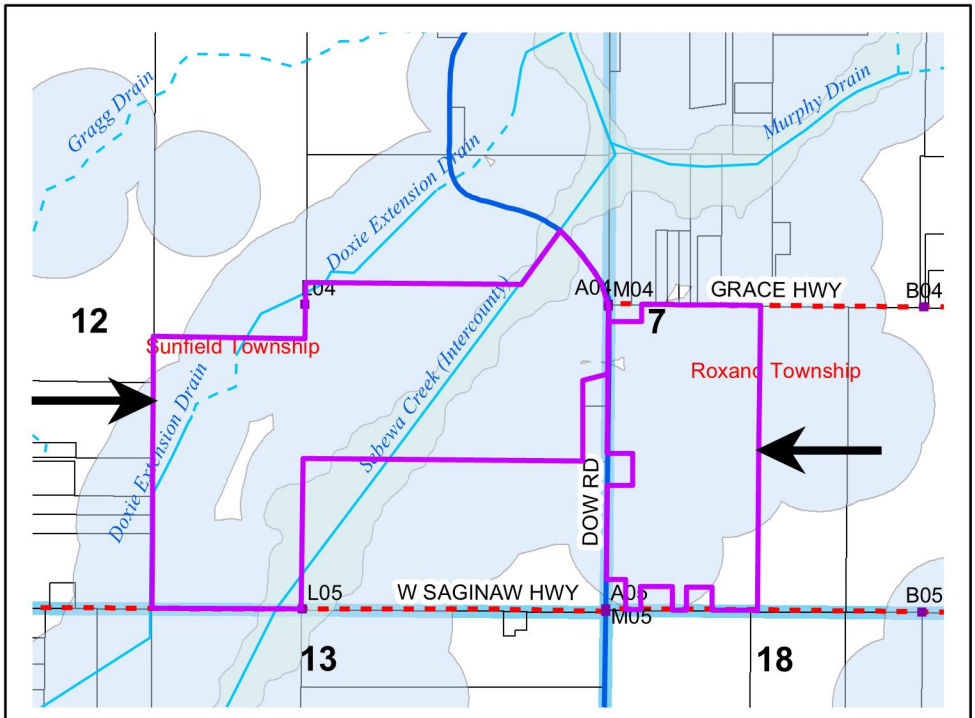


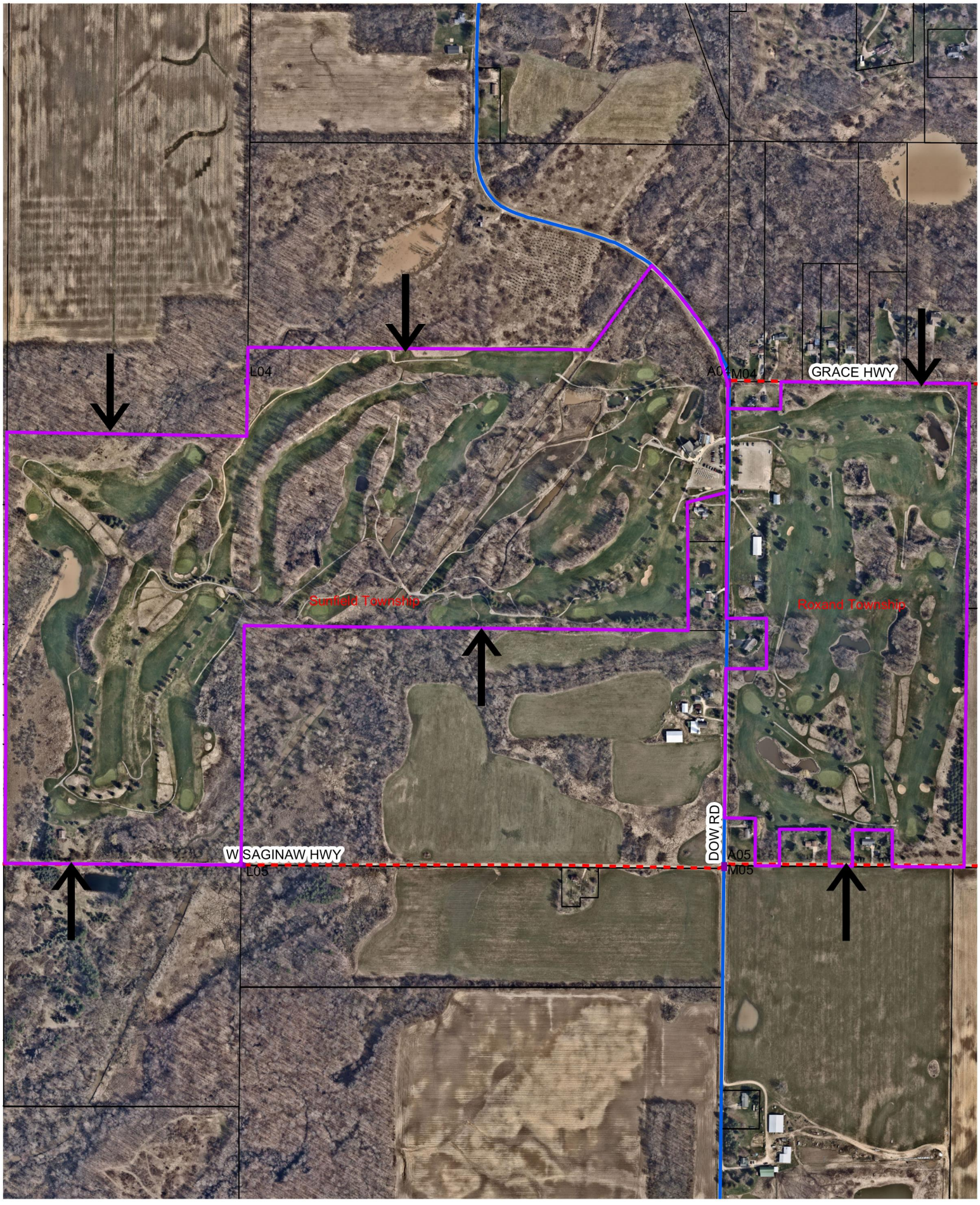
Eaton County Department of Construction Codes & Planning and Zoning

Permit: CU-8-96-9 (COC)

Township: Roxand & Sunfield

Parcel Number: 020-0007-300-020-01 & 010-012-400-002-02

Parcel Zoning: Limited Agricultural (LA)



CU-8-96-9 (COC), Centennial Acres, Inc.
Parcel Numbers: 020-007-300-020-01 & 010-012-400-002-02

CONDITIONAL USE PERMIT APPLICATION

Eaton County Department of Construction Codes & Planning and Zoning
1045 INDEPENDENCE BLVD., CHARLOTTE, MI 48813
517-543-3689 FAX 517-543-9924

Applicant Name(s):

Centennial Acres, Inc.

Circle one Property Owner Representative
(must have proof of ownership/owner permission)

Mailing Address: John N. 517 204 7952

Street 12485 Dow Rd

City, Sunfield State, MI zip 48890

Phone(s): 517-566-8055

Property Address: (if different than above)

Street

Property Code: 020-007-300-020-01
010-012-400-002-02

Township: Roxand & Sunfield

jnagel@centennialacres.com

Office Use Staff will complete

Case No.: CU-8-96-9 (COC)

Fee ~~$400~~ $200 **check** ✓ **cash**

Date received: April 19, 2024

Eaton County Planning Commission
Hearing Date: June 4, 2024

Decision: Approved Denied

Decision date:

Site Plan Review Committee
Committee meeting date:

Decision: Approved Denied

SITE DEVELOPMENT PLANS

john.sandrafisher@gmail.com

1. **Where in the Ordinance is the proposed land use specified?**

14.11 Golf Course & Country Club

2. **Please describe the business proposed for this site. (attach additional sheet if needed)**

Not changing golf course operation. Buyer of proposed two(2) acre parcel out of 010012400002 02 would like to purchase 5.11 acres. See attached site plan.

3. **EMPLOYEES**

What Days will the business be in operation? Mon-Sun what hours each day? 7am - 9pm

How many employees will be on the site? 6-12
During what hours will they be on site? 7am - 9pm

4. **BUILDINGS**

The proposed conditional use permitted must comply with all applicable fire safety and emergency vehicle access requirements as well as other requirements of the State Construction Code, local Fire Code and the Eaton County Construction Code Department.

Will you construct or install any new building(s) or additions to exisiting structures?
What are their dimensions (Width, Length, Height) NO
Construction Type
Proposed Completion Date:

Will any existing building(s) be used for the business? 5000 sq/Ft clubhouse
Please provide the dimensions (Width, Length, Height)
Year Built 1992 Construction Type WOOD FRAME
Addition 2017 3 x Existing Storage Buildings
Describe the areas in the building and how they will be used.

Golf Course Operation and Banquet Facilities

PROPERTY INFORMATION

5. Current zoning of the property (*Circle one*) ***Information available from Community Development Dept.:***

(Limited Agriculture (LA)) Residential (R1, R2, R3) Commercial (C1, C2) Industrial Resource Conservation

6. Is the property enrolled in Public Act 116- the Farmland Preservation Act? Yes (No)

7. Please list all persons and/or firms with legal or equitable interest in this parcel

Centennial Acres Inc / Union Bank

8. Is the property located within 500 ft. of a stream, drain, lake, pond, or seasonally flooded wetland? (Yes) No (if yes, explain)

Sebewa Creek runs thru parcel in Sunfield Township
Also the DOXIE DRAIN Runs thru property.

9. **Does the property lie within a designated 100 year flood plain?** (If yes, the applicant should contact the MI Dept. of Environmental Quality for state permit requirements.) (Yes) No

10. Do you plan to construct or upgrade access drive(s) to the site that will cross a flood plain, seasonally flooded wetland, county drain, or stream? Yes (No) (if yes, explain)

11. Current Use(s) of the applicant property **(Please indicate if used as residence, agricultural, commercial, etc.):**

Golf Course & Banquet Facility

12. Current Use(s) of other area properties: (Indicate if residential, agricultural, commercial, etc.)

residential & Agri

13. PLEASE ATTACH A LEGAL DESCRIPTION OF THE PROPERTY

A legal description of the parcel is the deed, land contract, or tax information for a property. It must include any deed restrictions, easements, etc.

14. PLEASE ATTACH A SITE PLAN! (Please label with applicant name and page number)
A site plan is a scale drawing that shows the boundaries of the property, any structures, buildings on the property, public or private roads, driveways, easements, or other property features, and any natural features including bodies of water, wetlands, etc. The site plan must include the following:

a) **Property dimensions (measurements of all property boundaries, including road frontage).**
b) **Any easements or public right of way, including utility easements or ingress/egress.**

c) **Location(s) of existing and proposed driveways.**
d) **All existing and proposed buildings, accessory structures, and outdoor storage area(s) (for vehicles, equipment, or materials) with measurements between them and to property boundaries.**
e) **Bodies of water, creeks, lakes, ponds, county drains, marshes, and seasonally flooded wetlands, etc. (Show distances from building sites, parking, and storage areas).**
f) **Proposed grades and site drainage pattern(s) (Include drainage patterns around the entire perimeter of the property).**
g) **Location of water supply and location and design of waste water systems.**
h) **All existing and proposed signs.**

15. PUBLIC HEALTH AND SAFETY

Proposed businesses must comply with all applicable requirements of the Barry-Eaton District Health Department and the State of Michigan

Describe the water and septic source(s) employees and/or clients will use.

Wells / Septic / Drain Field as approved by BEDHD

Describe how the proposed business will comply with requirements for the use of public water, sanitary sewage, and solid waste removal.

Waste Management

What equipment, vehicles, materials, etc. will be stored at the site? Please describe.

Golf Carts, maint equipment.

16. TRANSPORTATION

The proposed land use must fully conform to the driveway and traffic safety standards of the Michigan Department of Transportation and the Eaton County Road Commission.

Entrance/Exits to the Site:

Number of current entrances (driveways) from a public street 6

Will any additional entrances or exits to the site be created/used? Yes (No)

Are driveways paved? (Yes) No

Do driveways have curb and gutter? Yes (No)

What is the anticipated traffic in and out of the site? Please estimate the number and types of vehicles. Avg 20-75 vehicles

Proposed parking on site for 155 vehicles will be provided.

Is parking area lighted? (Yes) No

Is parking area paved? (Yes) No

How are supplies delivered/brought to the site?

Semi Trucks (Light Delivery Trucks) Other (explain)_____

17. PLANNING COMMISSION DECISIONS

The Planning Commission's decision will be based upon compliance with the specific requirements of the Eaton County Land Development Code (Zoning Ordinance), and the general standards listed below:

The project complies with the applicable land use policies in the Eaton County Comprehensive Development Plan, and promotes the intent and purpose of the Eaton County Land Development Code, and other County ordinances, standards, and requirements.

Essential public facilities are adequately provided to the project, including, streets, police and fire protection, emergency care, schools, storm water drainage, public transportation, and public recreation, or the owner/developer shall provide adequately any such service(s). Additional requirements at public cost for such facilities and services will not be detrimental to the economic welfare of the community.

Location and design of driveways providing vehicular ingress/ egress, and parking areas are designed to avoid common traffic problems and promote the safety and convenience of vehicular and pedestrian traffic. The traffic generated by the project will not significantly or adversely impact the adjacent road system.

On-site sanitation facilities, including sewage disposal, potable water supply, storm water, and solid waste disposal, are properly designed and capable of handling the project's long term needs.

The project is harmonious and compatible with the existing land use, natural features, and planned character of the adjacent property and general vicinity, and the project will not result in conditions that are detrimental to surrounding persons or property.

Have you requested or received a variance or other Conditional Use Permit for this property?
(Yes) No (If yes, please explain) 1971-orig. approval, CU-8-96-9, COC 2017, BA-4-83- BA-2-96

Were you notified of a violation of the Eaton County Building Code or Zoning Ordinance?
Yes (No) (If yes, please explain) _____

Explain why this request should be granted. Describe how it will affect the surrounding area. Respond to the Planning Commission's standards listed above. (Attach additional sheet if needed.)

Buyer of proposed two(2) acre parcel out of 010012900002 02 would like to purchase 5.11 acres. See attached site plan.

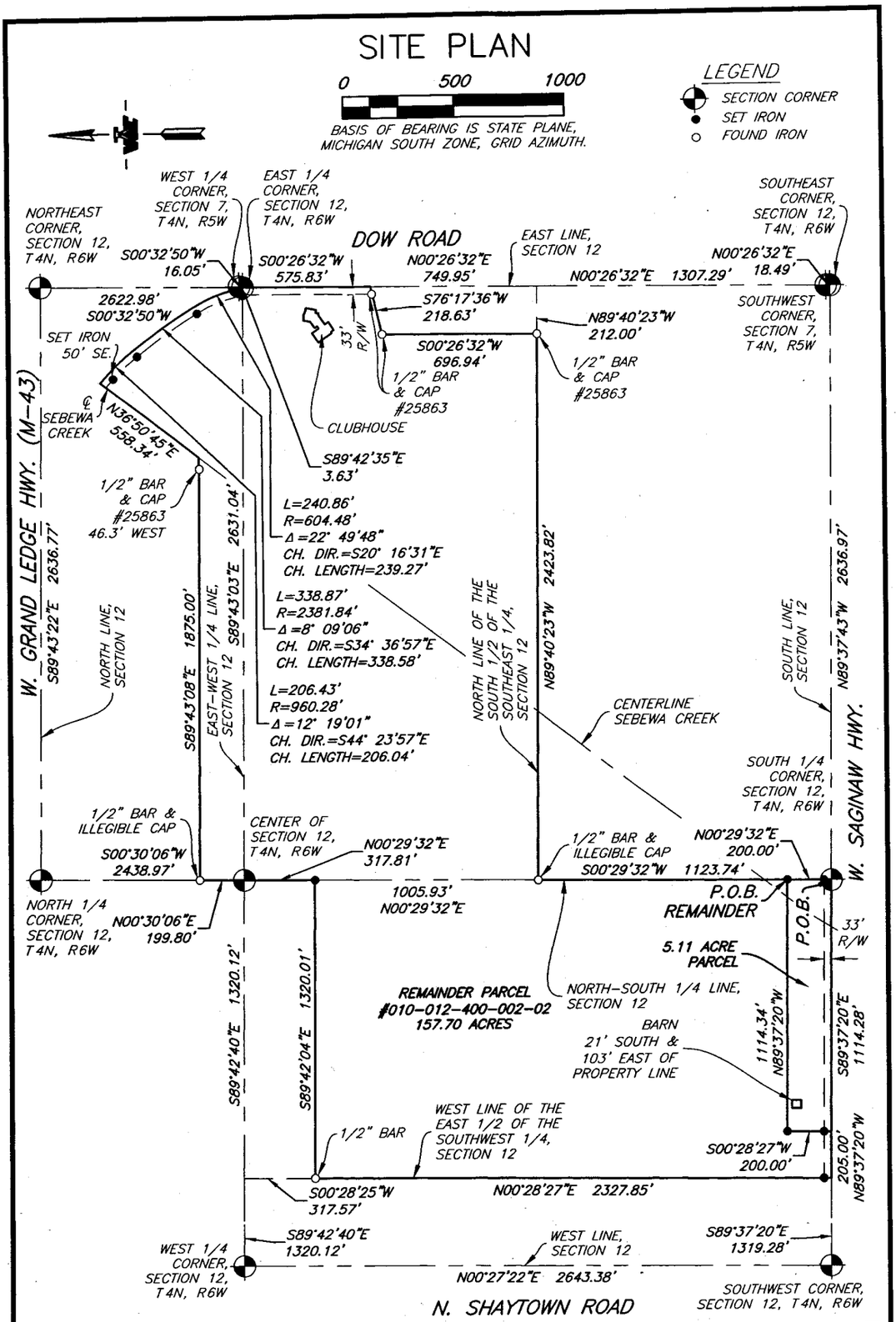
AFFIDAVIT

I acknowledge that if a permit is granted that the decision does not relieve me from compliance with all other federal, state and local laws and requirements. I affirm that I am involved in this application and that the answers and statements herein contained and the information provided is true, accurate and correct. I understand that if it is not, this application and any approvals are void. I hereby give county officials permission to inspect the property to verify information and to verify compliance with rules and conditions. I also agree that I am able, financially, legally and physically, and I will commence this use, as approved, within six months.

_____ 4/19/24
Applicant(s) Signature(s) Date

John Fraher 4/19/24
Applicant(s) Signature(s) Date

SITE PLAN



WOLVERINE
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http://www.wolveng.com

SURVEY FOR: CENTENNIAL ACRES SECTION 12, T4N, R6W, SUNFIELD TOWNSHIP EATON COUNTY, MICHIGAN			
SCALE: 1" = 500'	DATE: 04/22/2024	SHEET: 1 OF 4	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0573	

S:\Projects\2023\23-0573 Centennial Acres Sunfield Twp_C3D\DWGs\23-0573 CERT_REV0424.dwg, Monday, April 22, 2024 10:34:14 AM, Matthew Kunkel

SITE PLAN

TAX DESCRIPTION, PARCEL #010-012-400-002-02, PER EATON COUNTY BSAONLINE.COM:

SE 1/4 OF SW 1/4; S 31 A OF NE 1/4 OF SW 1/4; N 1/2 OF SE 1/4 EXCEPT COM SE COR OF N 1/2 OF SE 1/4, W 212 FT, N 697 FT, N75°31'36"E 218.62 FT, S TO BEG. AND ALSO COM 3.63 FT W OF E 1/4 COR SEC 12 BEING C/L DOW RD, W 2631.09 FT TO NS 1/4 LINE, N 200 FT, E 1878.21 FT TO C/L SEBEWA CREEK, N35°55'55"E 557.95 FT TO C/L DOW RD, SELY ALONG C/L DOW RD TO BEG. SEC 12, T4N,R6W, SUNFIELD TWP

LEGAL DESCRIPTION, PARCEL #010-012-400-002-02, AS SURVEYED:

A PARCEL OF LAND LYING WITHIN SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST, SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE NORTH 89°37'20" WEST 1319.28 FEET ALONG THE SOUTH LINE OF SAID SECTION TO SAID WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 00°28'27" EAST 2327.85 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°42'04" EAST 1320.01 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION; THENCE NORTH 00°29'32" EAST 317.81 FEET ALONG SAID NORTH-SOUTH 1/4 LINE TO THE CENTER OF SAID SECTION; THENCE NORTH 00°30'06" EAST 199..80 FEET CONTINUING ALONG SAID NORTH-SOUTH 1/4 LINE; THENCE SOUTH 89°43'08" EAST 1875.00 FEET PARALLEL WITH THE EAST-WEST 1/4 LINE OF SAID SECTION TO THE CENTERLINE OF SEBEWA CREEK; THENCE NORTH 36°50'45" EAST 558.34 FEET ALONG SAID CREEK CENTERLINE TO THE CENTERLINE OF DOW ROAD; THENCE ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 206.43 FEET ALONG THE ARC OF A 960.28 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 12°19'01" AND A CHORD WHICH BEARS SOUTH 44°23'57" EAST 206.04 FEET; THENCE CONTINUING ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 338.87 FEET ALONG THE ARC OF A 2381.84 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 8°09'06" AND A CHORD WHICH BEARS SOUTH 34°36'57" EAST 338.58 FEET; THENCE CONTINUING ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 240.86 FEET ALONG THE ARC OF A 604.48 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22°49'48" AND A CHORD WHICH BEARS SOUTH 20°16'31" EAST 239.27 FEET TO SAID EAST-WEST 1/4 LINE; THENCE SOUTH 89°42'35" EAST 3.63 FEET ALONG SAID EAST-WEST 1/4 LINE TO THE EAST LINE OF SAID SECTION; THENCE SOUTH 00°26'32" WEST 575.83 FEET ALONG SAID EAST SECTION LINE; THENCE SOUTH 76°17'36" WEST 218.63 FEET; THENCE SOUTH 00°26'32" WEST 696.94 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE NORTH 89°40'23" WEST 2423.82 FEET ALONG SAID NORTH LINE TO SAID NORTH-SOUTH 1/4 LINE; THENCE SOUTH 00°29'32" WEST 1323.74 FEET ALONG SAID NORTH-SOUTH 1/4 LINE TO THE POINT OF BEGINNING. CONTAINING 162.81 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

LEGAL DESCRIPTION, 5.11 ACRE PARCEL, AS SURVEYED:

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST, SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 12; THENCE NORTH 00°29'32" EAST 200.00 FEET ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION; THENCE NORTH 89°37'20" WEST 1114.34 FEET PARALLEL WITH THE SOUTH SECTION LINE; THENCE SOUTH 00°28'27" WEST 200.00 FEET PARALLEL WITH WITH THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION TO SAID SOUTH SECTION LINE; THENCE SOUTH 89°37'20" EAST 1114.28 FEET ALONG SAID SOUTH SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 5.11 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD, IF ANY.

WOLVERINE
Engineers & Surveyors, Inc.
312 North Street
Mason, Michigan 48854
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http://www.wolveng.com

SURVEY FOR: CENTENNIAL ACRES SECTION 12, T4N, R6W, SUNFIELD TOWNSHIP EATON COUNTY, MICHIGAN			
SCALE: N/A	DATE: 04/22/2024	SHEET: 2 OF 4	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0573	

SITE PLAN

LEGAL DESCRIPTION, REMAINDER PARCEL #010-012-400-002-02, AS SURVEYED:

A PARCEL OF LAND LYING WITHIN SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST, SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE NORTH 00°29'32" EAST 200.00 FEET ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION TO THE POINT OF BEGINNING; THENCE NORTH 89°37'20" WEST 1114.34 FEET PARALLEL WITH THE SOUTH LINE OF SAID SECTION; THENCE SOUTH 00°28'27" WEST 200.00 FEET PARALLEL WITH THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION TO SAID SOUTH SECTION LINE; THENCE NORTH 89°37'20" WEST 205.00 FEET ALONG SAID SOUTH SECTION LINE TO SAID WEST LINE; THENCE NORTH 00°28'27" EAST 2327.85 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°42'04" EAST 1320.01 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION; THENCE NORTH 00°29'32" EAST 317.81 FEET ALONG SAID NORTH-SOUTH 1/4 LINE TO THE CENTER OF SAID SECTION; THENCE, NORTH 00°30'06" EAST 199..80 FEET CONTINUING ALONG SAID NORTH-SOUTH 1/4 LINE; THENCE SOUTH 89°43'08" EAST 1875.00 FEET PARALLEL WITH THE EAST-WEST 1/4 LINE OF SAID SECTION TO THE CENTERLINE OF SEBEWA CREEK; THENCE NORTH 36°50'45" EAST 558.34 FEET ALONG SAID CREEK CENTERLINE TO THE CENTERLINE OF DOW ROAD; THENCE ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 206.43 FEET ALONG THE ARC OF A 960.28 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 12°19'01" AND A CHORD WHICH BEARS SOUTH 44°23'57" EAST 206.04 FEET; THENCE CONTINUING ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 338.87 FEET ALONG THE ARC OF A 2381.84 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 8°09'06" AND A CHORD WHICH BEARS SOUTH 34°36'57" EAST 338.58 FEET; THENCE CONTINUING ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 240.86 FEET ALONG THE ARC OF A 604.48 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22°49'48" AND A CHORD WHICH BEARS SOUTH 20°16'31" EAST 239.27 FEET TO SAID EAST-WEST 1/4 LINE; THENCE SOUTH 89°42'35" EAST 3.63 FEET ALONG SAID EAST-WEST 1/4 LINE TO THE EAST LINE OF SAID SECTION; THENCE SOUTH 00°26'32" WEST 575.83 FEET ALONG SAID EAST SECTION LINE; THENCE SOUTH 76°17'36" WEST 218.63 FEET; THENCE SOUTH 00°26'32" WEST 696.94 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE NORTH 89°40'23" WEST 2423.82 FEET ALONG SAID NORTH LINE TO SAID NORTH-SOUTH 1/4 LINE; THENCE SOUTH 00°29'32" WEST 1123.74 FEET ALONG SAID NORTH-SOUTH 1/4 LINE TO THE POINT OF BEGINNING. CONTAINING 157.70 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD, IF ANY.

WITNESSES TO SECTION CORNERS:
SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST, SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN

SOUTH 1/4 CORNER, SECTION 12		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, "EATON CO.", E. SIDE 16" ASH STUMP	N10°E	36.00'
SET N&T, "W.E.S.I.", NW. SIDE 16" TRIPLE MAPLE	S14°W	22.08'
SET N&T, "W.E.S.I.", NE. SIDE 18" ASH	N75°	44.13'
SET N&T, "W.E.S.I.", W. SIDE 20" ASH	NORTH	47.65'
SOUTHEAST CORNER, SECTION 12		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, #41103, W. SIDE TRI APPLE	N37°E	113.20'
FOUND N&T, #41103, S. SIDE POWER POLE	N65°E	155.98'
FOUND REBAR & CAP, #41103 (ROW IRON)	S52°W	47.05'
SET REMON. BAR & CAP, #30090 AT A-5, T4N, R5W	NORTH	18.48'
SOUTHWEST CORNER, SECTION 7, T4N, R5W		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, #41103, W. SIDE TRIPLE APPLE	N40°E	97.49'
FOUND N&T, #41103, S. SIDE POWER POLE	N70°E	147.16'
FOUND 1/2" BAR & CAP #41103	S38°W	61.48'
FOUND M-5, T4N, R6W, REMON IN MONUMENT BOX	SOUTH	18.48'
EAST 1/4 CORNER, SECTION 12		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, "EATON CO.", N. SIDE UTILITY POLE	N42°W	52.70'
FOUND N&T, "EATON CO.", SE. SIDE UTILITY POLE	N30°E	59.56'
SET 1/2" BAR & CAP #71287	WEST	37.06'
FOUND A-4, T4N, R5W, REMON IN MONUMENT BOX	NORTH	16.05'

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SURVEY FOR:	CENTENNIAL ACRES SECTION 12, T4N, R6W, SUNFIELD TOWNSHIP EATON COUNTY, MICHIGAN		
SCALE: N/A	DATE: 04/22/2024	SHEET: 3 OF 4	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0573	

S:\Projects\2023\23-0573 Centennial Acres Sunfield Twp_C3D\DWGs\23-0573 CERT_REV0424.dwg, Monday, April 22, 2024 10:34:15 AM, Matthew Kunkel

SITE PLAN

WITNESSES TO SECTION CORNERS:

SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST,
SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN

WEST 1/4 CORNER, SECTION 7, T4N, R5W

FOUND 3/4" BAR WITH REMON CAP #31602 IN MONUMENT BOX

FOUND N&T, "EATON CO.", N. SIDE UTILITY POLE	N65°W	43.34'
FOUND N&T, "EATON CO.", SE. SIDE UTILITY POLE	N45°E	45.12'
FOUND N&T, "EATON CO.", NE. SIDE 20" WALNUT	S45°E	57.62'
FOUND M-4, T4N, R6W, REMON IN MONUMENT BOX	SOUTH	16.05'

NORTHEAST CORNER, SECTION 12

FOUND WITNESS MONUMENTS #18994 40' NORTH AND 65' NORTH OF CORNER LOCATION AS DESCRIBED IN LAND CORNER RECORDATION CERTIFICATE RECORDED IN LIBER 2202, PAGE 396, EATON COUNTY RECORDS.

NORTH 1/4 CORNER, SECTION 12

FOUND WITNESS MONUMENTS #18994 45' NORTH AND 80' NORTH OF CORNER LOCATION AS DESCRIBED IN LAND CORNER RECORDATION CERTIFICATE RECORDED IN LIBER 2202, PAGE 394, EATON COUNTY RECORDS.

WEST 1/4 CORNER, SECTION 12

FOUND 3/4" BAR IN MONUMENT BOX

FOUND N&T, "EATON CO.", W. SIDE POWER POLE	N26°E	103.28'
FOUND N&T, "EATON CO.", W. SIDE POWER POLE	S07°E	259.60'
FOUND N&T, "EATON CO.", N. SIDE 17" MAPLE	WEST	34.45'
FOUND REBAR AND CAP #30090	EAST	16.57'

SOUTHWEST CORNER, SECTION 12

FOUND 1/2" BAR WITH CAP #71291 IN MONUMENT BOX

FOUND N&T, "EATON CO.", E. ROOT 30" MAPLE	N53°E	79.47'
FOUND N&T, "EATON CO.", W. SIDE POWER POLE	S28°E	74.46'
FOUND N&T, "EATON CO.", N. SIDE 27" ELM	S76°W	51.63'
FOUND N&T, "EATON CO.", E. SIDE POWER POLE	N27°W	65.01'

CENTER OF SECTION 12

FOUND 3/4" BAR WITH REMON CAP #30090

FOUND N&T, "EATON CO.", S. SIDE 24" BEECH	N84°E	25.95'
FOUND N&T, "EATON CO.", E. SIDE 8" MAPLE	S05°E	7.85'
FOUND N&T, "EATON CO.", S. SIDE 14" MAPLE	S80°W	42.83'
FOUND N&T, "EATON CO.", SW. SIDE 21" BEECH	N57°W	5.58'

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SURVEY FOR:	CENTENNIAL ACRES SECTION 12, T4N, R6W, SUNFIELD TOWNSHIP EATON COUNTY, MICHIGAN		
SCALE: N/A	DATE: 04/22/2024	SHEET: 4 OF 4	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0573	

S:\Projects\2023\23-0573 Centennial Acres Sunfield Twp_C3D\DWGs\23-0573 CERT_REV0424.dwg, Monday, April 22, 2024 10:34:15 AM, Matthew Kunkel

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

03/07/2024 4:12 PM

Parcel:	010-012-400-002-02	**Current Class:**	201.COMMERCIAL-IMPROVED
Owner's Name:	CENTENNIAL ACRES INC	**Previous Class:**	201.COMMERCIAL-IMPROVED
Property Address:	12485 DOW RD SUNFIELD, MI 48890	**Taxable Status**	TAXABLE
		Prev. Taxable Stat	TAXABLE
Liber/Page:	**Created:** / /	**Gov. Unit:**	010 010,SUNFIELD TOWNSHIP
Split:	/ / **Active:** Active	**SUB**	
Public Impr.:	None	**School:**	34090 LAKEWOOD PUBLIC SCHOOLS
Topography:	None	**Neighborhood:**	

Mailing Address:

CENTENNIAL ACRES INC
12485 DOW RD
SUNFIELD MI 48890-0000

Description:

SE 1/4 OF SW 1/4; S 31 A OF NE 1/4 OF SW 1/4; N 1/2 OF SE 1/4 EXCEPT COM SE COR OF N 1/2 OF SE 1/4, W 212 FT, N 697 FT, N75°31'36"E 218.62 FT, S TO BEG. AND ALSO COM 3.63 FT W OF E 1/4 COR SEC 12 BEING C/L DOW RD, W 2631.09 FT TO NS 1/4 LINE, N 200 FT, E 1878.21 FT TO C/L SEBEWA CREEK, N35°55'55"E 557.95 FT TO C/L DOW RD, SELY ALONG C/L DOW RD TO BEG. SEC 12, T4N,R6W, SUNFIELD TWP. 5-16-02 (COMBINATION)

Most Recent Sale Information

None Found

Most Recent Permit Information

Permit -20100615 on 10/19/2010 for $281,577 category ADDITION.

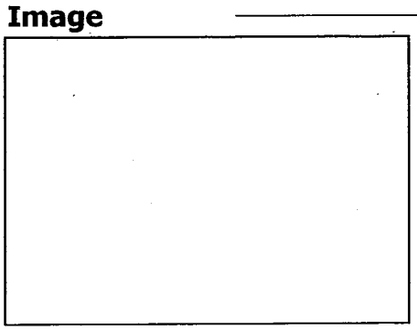
Physical Property Characteristics

2024 S.E.V.:	547,800	**2024 Taxable:**	546,178	**Lot Dimensions:**	
2023 S.E.V.:	547,800	**2023 Taxable:**	520,170	**Acreage:**	163.23
Zoning:	LA	**Land Value:**	0	**Frontage:**	0.0
PRE:	0.000	**Land Impr. Value:**	0	**Average Depth:**	0.0

Improvement Data

None

Image



Real Estate Summary She

Information herein deemed reliable but not guaranteed

03/07/2024 4:11 PM

Parcel:	020-007-300-020-01	**Current Class:**	201.COMMERCIAL-IMPROVED
Owner's Name:	CENTENNIAL ACRES INC	**Previous Class:**	201.COMMERCIAL-IMPROVED
Property Address:	12388 DOW RD SUNFIELD, MI 48890	**Taxable Status**	TAXABLE
		Prev. Taxable Stat	TAXABLE
Liber/Page:	1646/1290	**Created:** 12/22/2010	**Gov. Unit:** 020 020,ROXAND TOWNSHIP
Split:	12/12/2010	**Active:** Active	**SUB**
			School: 34090 LAKEWOOD PUBLIC SCHOOLS
Public Impr.:	None		**Neighborhood:**
Topography:	None		

Mailing Address:

CENTENNIAL ACRES INC
12485 DOW RD
SUNFIELD MI 48890-0000

Description:

W 80 A OF SW FRL 1/4; EXCEPT COM SW 1/4 COR FOR POB, N 260 FT, E 168 FT, S 260 FT, W 168 FT TO POB; EXCEPT COM SW 1/4 COR, E 301 FT TO POB, N 200 FT, E 273 FT, S 200 FT, W 273 FT TO POB; EXCEPT COM SW 1/4 COR, E 700 FT TO POB, N 200 FT, E 218 FT, S 200 FT, W 218 FT TO POB; EXCEPT W 220 FT OF S 275 FT OF N 1574.6 FT OF SW 1/4; EXCEPT COM W 1/4 COR FOR POB, E 290.4 FT, S 150 FT, W 290.4 FT, N 150 FT TO POB. SEC.7, T4N,R5W, ROXAND TWP. D 12-12-10 (COMBINATION)
SPLIT FROM 020-007-300-020-00, 020-007-300-052-00, 020-007-300-012-00, 020-007-300-041-00 FOR 2011.

Most Recent Sale Information

None Found

Most Recent Permit Information

None Found

Physical Property Characteristics

2024 S.E.V.:	224,500	**2024 Taxable:**	224,500	**Lot Dimensions:**	
2023 S.E.V.:	224,500	**2023 Taxable:**	214,935	**Acreage:**	74.61
Zoning:	LA	**Land Value:**	0	**Frontage:**	0.0
PRE:	0.000	**Land Impr. Value:**	0	**Average Depth:**	0.0

Improvement Data

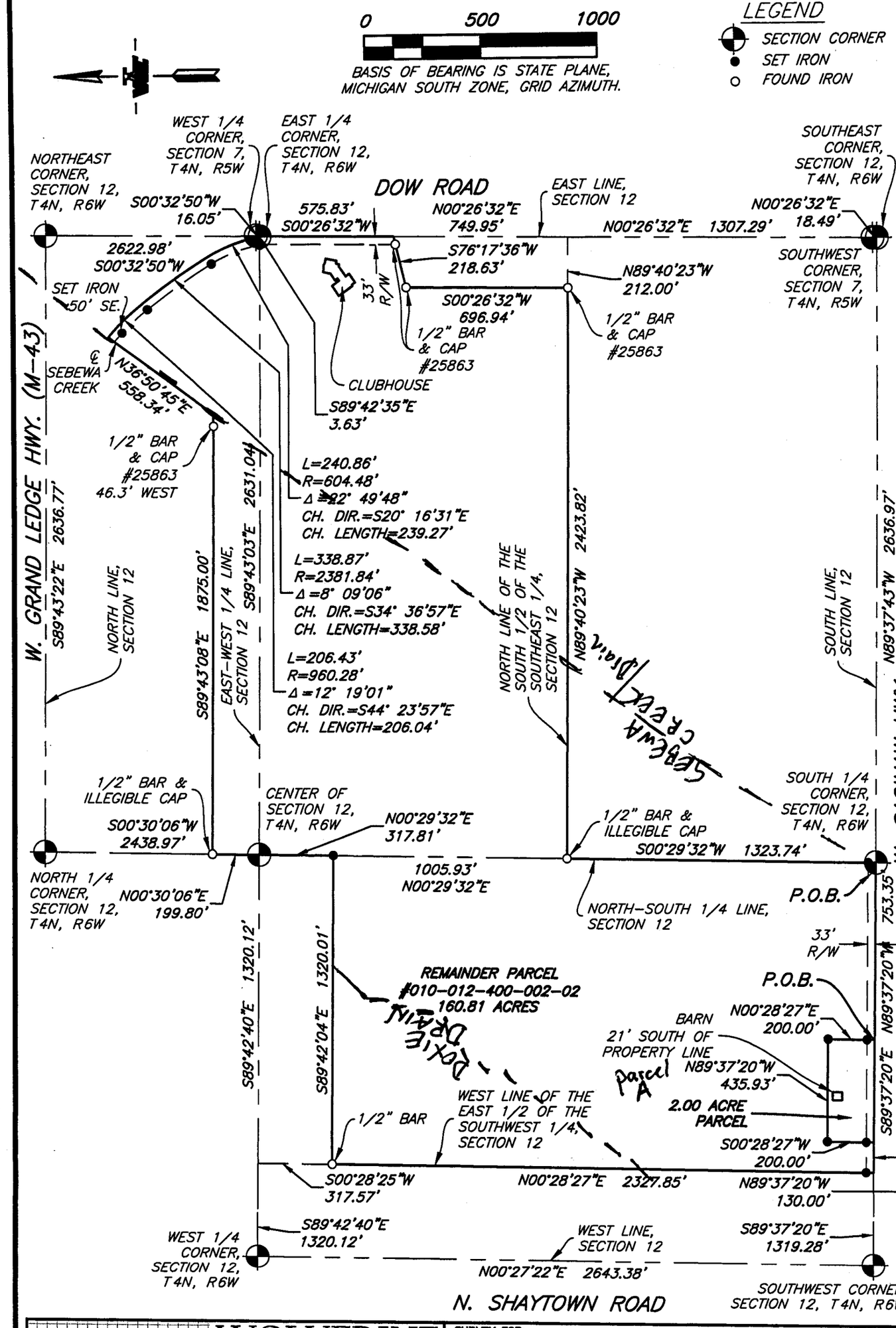
None

Image

PREVIOUSLY APPROVED SITE PLANS

Sunfield Township Property

CERTIFICATE OF SURVEY



WOLVERINE Engineers & Surveyors, Inc.
312 North Street
Mason, Michigan 48854
Ph: 517-676-9200
Fax: 517-676-9396
http://www.wolveng.com

SURVEY FOR:	CENTENNIAL ACRES SECTION 12, T4N, R6W, SUNFIELD TOWNSHIP EATON COUNTY, MICHIGAN		
SCALE: 1" = 500'	DATE: 01/16/2024	SHEET: 1 OF 4	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0573	

CERTIFICATE OF SURVEY

WITNESSES TO SECTION CORNERS:

SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST, SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN

WEST 1/4 CORNER, SECTION 7, T4N, R5W

FOUND 3/4" BAR WITH REMON CAP #31602 IN MONUMENT BOX		
FOUND N&T, "EATON CO.", N. SIDE UTILITY POLE	N65°W	43.34'
FOUND N&T, "EATON CO.", SE. SIDE UTILITY POLE	N45°E	45.12'
FOUND N&T, "EATON CO.", NE. SIDE 20" WALNUT	S45°E	57.62'
FOUND M-4, T4N, R6W, REMON IN MONUMENT BOX	SOUTH	16.05'

NORTHEAST CORNER, SECTION 12

FOUND WITNESS MONUMENTS #18994 40' NORTH AND 65' NORTH OF CORNER LOCATION AS DESCRIBED IN LAND CORNER RECORDATION CERTIFICATE RECORDED IN LIBER 2202, PAGE 396, EATON COUNTY RECORDS.

NORTH 1/4 CORNER, SECTION 12

FOUND WITNESS MONUMENTS #18994 45' NORTH AND 80' NORTH OF CORNER LOCATION AS DESCRIBED IN LAND CORNER RECORDATION CERTIFICATE RECORDED IN LIBER 2202, PAGE 394, EATON COUNTY RECORDS.

WEST 1/4 CORNER, SECTION 12

FOUND 3/4" BAR IN MONUMENT BOX		
FOUND N&T, "EATON CO.", W. SIDE POWER POLE	N26°E	103.28'
FOUND N&T, "EATON CO.", W. SIDE POWER POLE	S07°E	259.60'
FOUND N&T, "EATON CO.", N. SIDE 17" MAPLE	WEST	34.45'
FOUND REBAR AND CAP #30090	EAST	16.57'

SOUTHWEST CORNER, SECTION 12

FOUND 1/2" BAR WITH CAP #71291 IN MONUMENT BOX		
FOUND N&T, "EATON CO.", E. ROOT 30" MAPLE	N53°E	79.47'
FOUND N&T, "EATON CO.", W. SIDE POWER POLE	S28°E	74.46'
FOUND N&T, "EATON CO.", N. SIDE 27" ELM	S76°W	51.63'
FOUND N&T, "EATON CO.", E. SIDE POWER POLE	N27°W	65.01'

CENTER OF SECTION 12

FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, "EATON CO.", S. SIDE 24" BEECH	N84°E	25.95'
FOUND N&T, "EATON CO.", E. SIDE 8" MAPLE	S05°E	7.85'
FOUND N&T, "EATON CO.", S. SIDE 14" MAPLE	S80°W	42.83'
FOUND N&T, "EATON CO.", SW. SIDE 21" BEECH	N57°W	5.58'

CERTIFICATION STATEMENT:

I, MATTHEW C. KUNKEL, PROFESSIONAL SURVEYOR #71287, CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION, THAT ALL CORNERS HAVE BEEN MARKED AS SHOWN, THAT THE RELATIVE POSITIONAL PRECISION OF THE CORNERS IDENTIFIED ON THIS SURVEY AND SHOWN THEREON ARE WITHIN THE LIMITS CONSIDERED ACCEPTABLE BY THOSE IN THE PRACTICE OF PROFESSIONAL SURVEYING, AND THAT THE REQUIREMENTS OF MCL SECTION 54.213 OF ACT 132 OF 1970, AS AMENDED, HAVE BEEN MET.

01/16/2024
DATE

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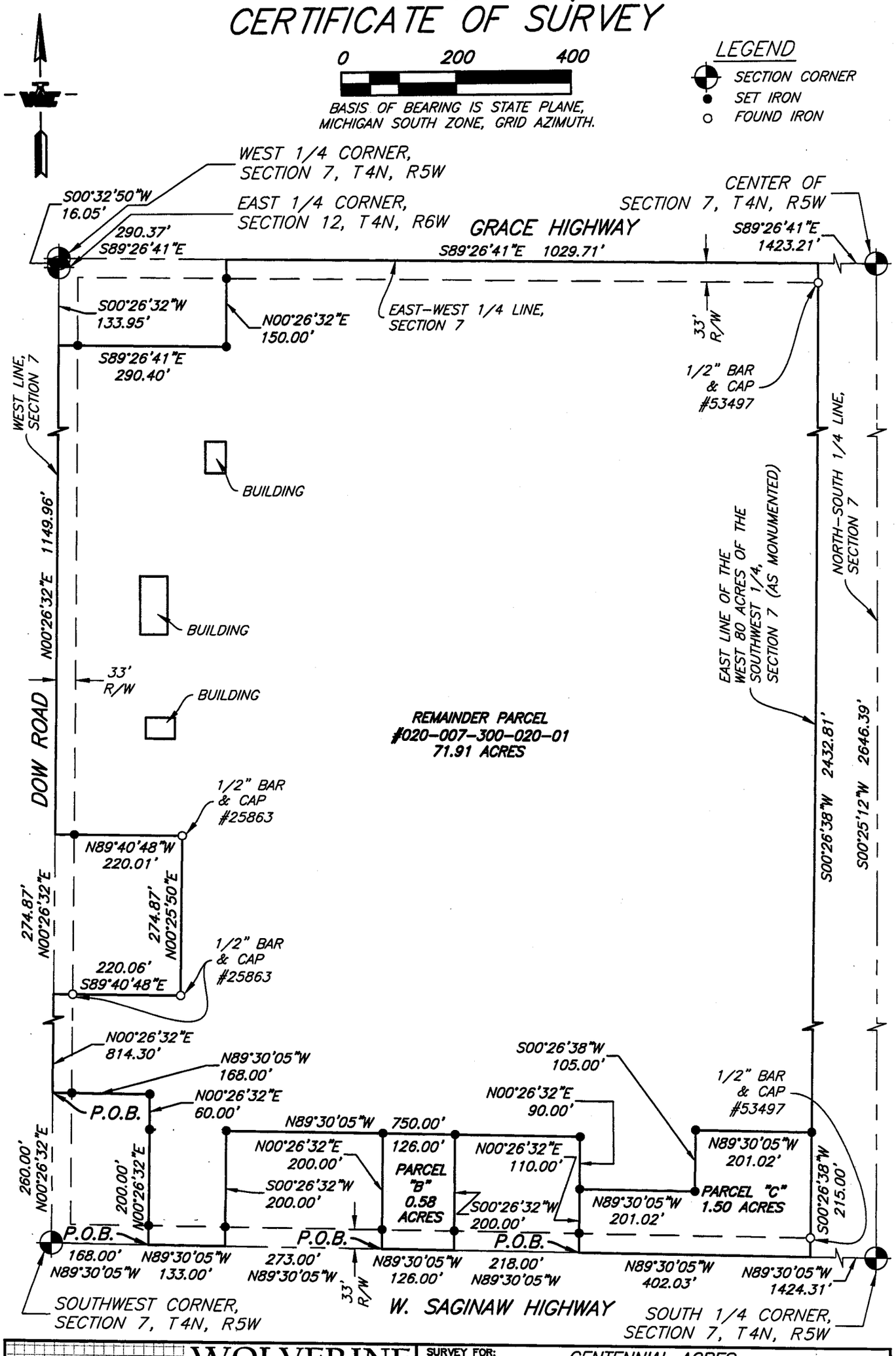
SURVEY FOR:	CENTENNIAL ACRES SECTION 12, T4N, R6W, SUNFIELD TOWNSHIP EATON COUNTY, MICHIGAN		
SCALE: N/A	DATE: 01/16/2024	SHEET: 4 OF 4	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0573	

Roxand Township Property

CERTIFICATE OF SURVEY



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SURVEY FOR:	CENTENNIAL ACRES SECTION 7, T4N, R5W, ROXAND TOWNSHIP EATON COUNTY, MICHIGAN		
SCALE: 1" = 200'	DATE: 01/16/2024	SHEET: 1 OF 3	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0572	

S:\Projects\2023\23-0572 Centennial Acres Roxand Twp\ C3D\DWGs\23-0572 CERT.dwg, Tuesday, January 16, 2024 12:02:59 PM, Matthew Kinkel

CERTIFICATE OF SURVEY

TAX DESCRIPTION, PARCEL #020-007-300-020-01, PER EATON COUNTY BSAONLINE.COM:

W 80 A OF SW FRL 1/4; EXCEPT COM SW 1/4 COR FOR POB, N 260 FT, E 168 FT, S 260 FT, W 168 FT TO POB; EXCEPT COM SW 1/4 COR, E 301 FT TO POB, N 200 FT, E 273 FT, S 200 FT, W 273 FT TO POB; EXCEPT COM SW 1/4 COR, E 700 FT TO POB, N 200 FT, E 218 FT, S 200 FT, W 218 FT TO POB; EXCEPT W 220 FT OF S 275 FT OF N 1574.6 FT OF SW 1/4; EXCEPT COM W 1/4 COR FOR POB, E 290.4 FT, S 150 FT, W 290.4 FT, N 150 FT TO POB. SEC.7, T4N,R5W, ROXAND TWP.

LEGAL DESCRIPTION, PARCEL #020-007-300-020-01, AS SURVEYED:

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 5 WEST, ROXAND TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTH 00°26'32" EAST 260.00 FEET ALONG THE WEST LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING; THENCE NORTH 00°26'32" EAST 814.30 FEET CONTINUING ALONG SAID WEST SECTION LINE; THENCE SOUTH 89°40'48" EAST 220.06 FEET TO A FOUND 1/2" BAR & CAP #25863; THENCE NORTH 00°25'50" EAST 274.87 FEET TO A FOUND 1/2" BAR & CAP #25863; THENCE NORTH 89°40'48" WEST 220.01 FEET TO SAID WEST SECTION LINE; THENCE NORTH 00°26'32" EAST 1149.96 FEET ALONG SAID WEST SECTION LINE; THENCE SOUTH 89°26'41" EAST 290.40 FEET PARALLEL WITH THE EAST-WEST 1/4 LINE OF SAID SECTION 7; THENCE NORTH 00°26'32" EAST 150.00 FEET PARALLEL WITH SAID WEST SECTION LINE TO SAID EAST-WEST 1/4 LINE; THENCE SOUTH 89°26'41" EAST 1029.71 FEET ALONG SAID EAST-WEST 1/4 LINE TO THE EAST LINE OF THE WEST 80 ACRES OF THE SOUTHWEST 1/4 OF SAID SECTION 7 AS MONUMENTED; THENCE SOUTH 00°26'38" WEST 2647.81 FEET ALONG SAID EAST LINE AS MONUMENTED TO THE SOUTH LINE OF SAID SECTION 7; THENCE NORTH 89°30'05" WEST 402.03 FEET ALONG SAID SOUTH SECTION LINE; THENCE NORTH 00°26'32" EAST 200.00 FEET PARALLEL WITH SAID WEST SECTION LINE; THENCE NORTH 89°30'05" WEST 218.00 FEET PARALLEL WITH SAID SOUTH SECTION LINE; THENCE SOUTH 00°26'32" WEST 200.00 FEET PARALLEL WITH SAID WEST SECTION LINE TO SAID SOUTH SECTION LINE; THENCE NORTH 89°30'05" WEST 126.00 FEET ALONG SAID SOUTH SECTION LINE; THENCE NORTH 00°26'32" EAST 200.00 FEET PARALLEL WITH SAID WEST SECTION LINE; THENCE NORTH 89°30'05" WEST 273.00 FEET PARALLEL WITH SAID SOUTH SECTION LINE; THENCE SOUTH 00°26'32" WEST 200.00 FEET PARALLEL WITH SAID WEST SECTION LINE TO SAID SOUTH SECTION LINE; THENCE NORTH 89°30'05" WEST 133.00 FEET ALONG SAID SOUTH SECTION LINE; THENCE NORTH 00°26'32" EAST 260.00 FEET PARALLEL WITH SAID WEST SECTION LINE; THENCE NORTH 89°30'05" WEST 168.00 FEET PARALLEL WITH SAID SOUTH SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 71.91 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

LEGAL DESCRIPTION, PARCEL "A", AS SURVEYED:

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 5 WEST, ROXAND TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE SOUTH 89°30'05" EAST 168.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING; THENCE NORTH 00°26'32" EAST 200.00 FEET PARALLEL WITH THE WEST LINE OF SAID SECTION 7; THENCE SOUTH 89°30'05" EAST 133.00 FEET PARALLEL WITH SAID SOUTH SECTION LINE; THENCE SOUTH 00°26'32" WEST 200.00 FEET PARALLEL WITH SAID WEST SECTION LINE TO SAID SOUTH SECTION LINE; THENCE NORTH 89°30'05" WEST 133.00 FEET ALONG SAID SOUTH SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 0.61 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

LEGAL DESCRIPTION, PARCEL "B", AS SURVEYED:

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 5 WEST, ROXAND TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE SOUTH 89°30'05" EAST 574.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING; THENCE NORTH 00°26'32" EAST 200.00 FEET PARALLEL WITH THE WEST LINE OF SAID SECTION 7; THENCE SOUTH 89°30'05" EAST 126.00 FEET PARALLEL WITH SAID SOUTH SECTION LINE; THENCE SOUTH 00°26'32" WEST 200.00 FEET PARALLEL WITH SAID WEST SECTION LINE TO SAID SOUTH SECTION LINE; THENCE NORTH 89°30'05" WEST 126.00 FEET ALONG SAID SOUTH SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 0.58 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

LEGAL DESCRIPTION, PARCEL "C", AS SURVEYED:

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 5 WEST, ROXAND TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE SOUTH 89°30'05" EAST 918.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING; THENCE NORTH 00°26'32" EAST 110.00 FEET PARALLEL WITH THE WEST LINE OF SAID SECTION 7; THENCE SOUTH 89°30'05" EAST 201.02 FEET PARALLEL WITH SAID SOUTH SECTION LINE; THENCE NORTH 00°26'38" EAST 105.00 FEET PARALLEL WITH THE EAST LINE OF THE WEST 80 ACRES OF THE SOUTHWEST 1/4 OF SAID SECTION 7 AS MONUMENTED; THENCE SOUTH 89°30'05" EAST 201.02 FEET PARALLEL WITH SAID SOUTH SECTION LINE TO SAID EAST LINE AS MONUMENTED; THENCE SOUTH 00°26'38" WEST 215.00 FEET ALONG SAID EAST LINE AS MONUMENTED TO SAID SOUTH SECTION LINE; THENCE NORTH 89°30'05" WEST 402.03 FEET ALONG SAID SOUTH SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 1.50 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

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SURVEY FOR:	CENTENNIAL ACRES SECTION 7, T4N, R5W, ROXAND TOWNSHIP EATON COUNTY, MICHIGAN		
SCALE: N/A	DATE: 01/16/2024	SHEET: 2 OF 3	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0572	

CERTIFICATE OF SURVEY

LEGAL DESCRIPTION, REMAINDER PARCEL #020-007-300-020-01, AS SURVEYED:

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 5 WEST, ROXAND TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE NORTH 00°26'32" EAST 260.00 FEET ALONG THE WEST LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING; THENCE NORTH 00°26'32" EAST 814.30 FEET CONTINUING ALONG SAID WEST SECTION LINE; THENCE SOUTH 89°40'48" EAST 220.06 FEET TO A FOUND 1/2" BAR & CAP #25863; THENCE NORTH 00°25'50" EAST 274.87 FEET TO A FOUND 1/2" BAR & CAP #25863; THENCE NORTH 89°40'48" WEST 220.01 FEET TO SAID WEST SECTION LINE; THENCE NORTH 00°26'32" EAST 1149.96 FEET ALONG SAID WEST SECTION LINE; THENCE SOUTH 89°26'41" EAST 290.40 FEET PARALLEL WITH THE EAST-WEST 1/4 LINE OF SAID SECTION 7; THENCE NORTH 00°26'32" EAST 150.00 FEET PARALLEL WITH SAID WEST SECTION LINE TO SAID EAST-WEST 1/4 LINE; THENCE SOUTH 89°26'41" EAST 1029.71 FEET ALONG SAID EAST-WEST 1/4 LINE TO THE EAST LINE OF THE WEST 80 ACRES OF THE SOUTHWEST 1/4 OF SAID SECTION 7 AS MONUMENTED; THENCE SOUTH 00°26'38" WEST 2432.81 FEET ALONG SAID EAST LINE AS MONUMENTED; THENCE NORTH 89°30'05" WEST 201.02 FEET PARALLEL WITH THE SOUTH LINE OF SAID SECTION 7; THENCE SOUTH 00°26'38" WEST 105.00 FEET PARALLEL WITH SAID EAST LINE AS MONUMENTED; THENCE NORTH 89°30'05" WEST 201.02 FEET PARALLEL WITH SAID SOUTH SECTION LINE; THENCE NORTH 00°26'32" EAST 90.00 FEET PARALLEL WITH SAID WEST SECTION SECTION LINE; THENCE NORTH 89°30'05" WEST 750.00 FEET PARALLEL WITH SAID SOUTH SECTION LINE; THENCE NORTH 00°26'32" EAST 60.00 FEET PARALLEL WITH SAID WEST SECTION LINE; THENCE NORTH 89°30'05" WEST 168.00 FEET PARALLEL WITH SAID SOUTH SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 71.91 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

WITNESSES TO SECTION CORNERS:
SECTION 7, TOWNSHIP 4 NORTH, RANGE 5 WEST, ROXAND TOWNSHIP, EATON COUNTY, MICHIGAN

SOUTHWEST CORNER, SECTION 7		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, #41103, W. SIDE TRIPLE APPLE	N40°E	97.49'
FOUND N&T, #41103, S. SIDE POWER POLE	N70°E	147.16'
FOUND 1/2" BAR & CAP #41103	S38°W	61.48'
FOUND M-5, T4N, R6W, REMON IN MONUMENT BOX	SOUTH	18.48'
WEST 1/4 CORNER, SECTION 7		
FOUND 3/4" BAR WITH REMON CAP #31602 IN MONUMENT BOX		
FOUND N&T, "EATON CO.", N. SIDE UTILITY POLE	N65°W	43.34'
FOUND N&T, "EATON CO.", SE. SIDE UTILITY POLE	N45°E	45.12'
FOUND N&T, "EATON CO.", NE. SIDE 20" WALNUT	S45°E	57.62'
FOUND M-4, T4N, R6W, REMON IN MONUMENT BOX	SOUTH	16.05'
EAST 1/4 CORNER, SECTION 12, T4N, R6W		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, "EATON CO.", N. SIDE UTILITY POLE	N42°W	52.70'
FOUND N&T, "EATON CO.", SE. SIDE UTILITY POLE	N30°E	59.56'
SET 1/2" BAR & CAP #71287	WEST	37.06'
FOUND A-4, T4N, R5W, REMON IN MONUMENT BOX	NORTH	16.05'
SOUTH 1/4 CORNER, SECTION 7		
FOUND 3/4" BAR WITH REMON CAP #31602		
FOUND N&T, "EATON CO.", E. SIDE 35" PINE	S03°E	36.62'
FOUND N&T, "EATON CO.", E. SIDE UTILITY POLE	N04°W	65.04'
FOUND N&T, "EATON CO.", NW. SIDE CORNER FENCE POST	S58°W	47.14'
FOUND N&T, "EATON CO.", S. SIDE UTILITY POLE	N79°W	327.92'
CENTER OF SECTION 7		
FOUND 3/4" BAR WITH REMON CAP #31602		
FOUND N&T, "EATON CO.", S. SIDE 12" MAPLE	N53°E	47.14'
FOUND N&T, "EATON CO.", N. SIDE 20" MAPLE	S68°W	56.14'
FOUND N&T, "EATON CO.", S. SIDE 14" MAPLE	S45°W	34.24'
FOUND STEEL T-POST	N16°E	34.36'

CERTIFICATION STATEMENT:

I, MATTHEW C. KUNKEL, PROFESSIONAL SURVEYOR #71287, CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION, THAT ALL CORNERS HAVE BEEN MARKED AS SHOWN, THAT THE RELATIVE POSITIONAL PRECISION OF THE CORNERS IDENTIFIED ON THIS SURVEY AND SHOWN THEREON ARE WITHIN THE LIMITS CONSIDERED ACCEPTABLE BY THOSE IN THE PRACTICE OF PROFESSIONAL SURVEYING, AND THAT THE REQUIREMENTS OF MCL SECTION 54.213 OF ACT 132 OF 1970, AS AMENDED, HAVE BEEN MET.

STATE OF MICHIGAN
MATTHEW C KUNKEL
License No. 4001071287
LICENSED PROFESSIONAL SURVEYOR

01/16/2024
DATE

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Engineers & Surveyors, Inc.
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SURVEY FOR: CENTENNIAL ACRES SECTION 7, T4N, R5W, ROXAND TOWNSHIP EATON COUNTY, MICHIGAN			
SCALE: N/A	DATE: 01/16/2024	SHEET: 3 OF 3	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0572	

CERTIFICATE OF SURVEY

TAX DESCRIPTION, PARCEL #010-012-400-002-02, PER EATON COUNTY BSAONLINE.COM:

SE 1/4 OF SW 1/4; S 31 A OF NE 1/4 OF SW 1/4; N 1/2 OF SE 1/4 EXCEPT COM SE COR OF N 1/2 OF SE 1/4, W 212 FT, N 697 FT, N75°31'36"E 218.62 FT, S TO BEG. AND ALSO COM 3.63 FT W OF E 1/4 COR SEC 12 BEING C/L DOW RD, W 2631.09 FT TO NS 1/4 LINE, N 200 FT, E 1878.21 FT TO C/L SEBEWA CREEK, N35°55'55"E 557.95 FT TO C/L DOW RD, SELY ALONG C/L DOW RD TO BEG. SEC 12, T4N,R6W, SUNFIELD TWP

LEGAL DESCRIPTION, PARCEL #010-012-400-002-02, AS SURVEYED:

A PARCEL OF LAND LYING WITHIN SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST, SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE NORTH 89°37'20" WEST 1319.28 FEET ALONG THE SOUTH LINE OF SAID SECTION TO SAID WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 00°28'27" EAST 2327.85 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°42'04" EAST 1320.01 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION; THENCE NORTH 00°29'32" EAST 317.81 FEET ALONG SAID NORTH-SOUTH 1/4 LINE TO THE CENTER OF SAID SECTION; THENCE NORTH 00°30'06" EAST 199..80 FEET CONTINUING ALONG SAID NORTH-SOUTH 1/4 LINE; THENCE SOUTH 89°43'08" EAST 1875.00 FEET PARALLEL WITH THE EAST-WEST 1/4 LINE OF SAID SECTION TO THE CENTERLINE OF SEBEWA CREEK; THENCE NORTH 36°50'45" EAST 558.34 FEET ALONG SAID CREEK CENTERLINE TO THE CENTERLINE OF DOW ROAD; THENCE ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 206.43 FEET ALONG THE ARC OF A 960.28 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 12°19'01" AND A CHORD WHICH BEARS SOUTH 44°23'57" EAST 206.04 FEET; THENCE CONTINUING ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 338.87 FEET ALONG THE ARC OF A 2381.84 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 8°09'06" AND A CHORD WHICH BEARS SOUTH 34°36'57" EAST 338.58 FEET; THENCE CONTINUING ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 240.86 FEET ALONG THE ARC OF A 604.48 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22°49'48" AND A CHORD WHICH BEARS SOUTH 20°16'31" EAST 239.27 FEET TO SAID EAST-WEST 1/4 LINE; THENCE SOUTH 89°42'35" EAST 3.63 FEET ALONG SAID EAST-WEST 1/4 LINE TO THE EAST LINE OF SAID SECTION; THENCE SOUTH 00°26'32" WEST 575.83 FEET ALONG SAID EAST SECTION LINE; THENCE SOUTH 76°17'36" WEST 218.63 FEET; THENCE SOUTH 00°26'32" WEST 696.94 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE NORTH 89°40'23" WEST 2423.82 FEET ALONG SAID NORTH LINE TO SAID NORTH-SOUTH 1/4 LINE; THENCE SOUTH 00°29'32" WEST 1323.74 FEET ALONG SAID NORTH-SOUTH 1/4 LINE TO THE POINT OF BEGINNING. CONTAINING 162.81 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

LEGAL DESCRIPTION, 2.00 ACRE PARCEL, AS SURVEYED:

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST, SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 12; THENCE NORTH 89°37'20" WEST 753.35 FEET ALONG THE SOUTH LINE OF SAID SECTION TO THE POINT OF BEGINNING; THENCE NORTH 00°28'27" EAST 200.00 FEET PARALLEL WITH THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 89°37'20" WEST 435.93 FEET PARALLEL WITH SAID SOUTH SECTION LINE; THENCE SOUTH 00°28'27" WEST 200.00 FEET PARALLEL WITH SAID WEST LINE TO SAID SOUTH SECTION LINE; THENCE SOUTH 89°37'20" EAST 435.93 FEET ALONG SAID SOUTH SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 2.00 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

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SURVEY FOR:	CENTENNIAL ACRES SECTION 12, T4N, R6W, SUNFIELD TOWNSHIP EATON COUNTY, MICHIGAN		
SCALE: N/A	DATE: 01/16/2024	SHEET: 2 OF 4	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0573	

CERTIFICATE OF SURVEY

LEGAL DESCRIPTION, REMAINDER PARCEL #010-012-400-002-02, AS SURVEYED:

A PARCEL OF LAND LYING WITHIN SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST, SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE NORTH 89°37'20" WEST 753.35 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE NORTH 00°28'27" EAST 200.00 FEET PARALLEL WITH THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 89°37'20" WEST 435.93 FEET PARALLEL WITH SAID SOUTH SECTION LINE; THENCE SOUTH 00°28'27" WEST 200.00 FEET PARALLEL WITH SAID WEST LINE TO SAID SOUTH SECTION LINE; THENCE NORTH 89°37'20" WEST 130.00 FEET ALONG SAID SOUTH SECTION LINE TO SAID WEST LINE; THENCE NORTH 00°28'27" EAST 2327.85 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°42'04" EAST 1320.01 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION; THENCE NORTH 00°29'32" EAST 317.81 FEET ALONG SAID NORTH-SOUTH 1/4 LINE TO THE CENTER OF SAID SECTION; THENCE NORTH 00°30'06" EAST 199..80 FEET CONTINUING ALONG SAID NORTH-SOUTH 1/4 LINE; THENCE SOUTH 89°43'08" EAST 1875.00 FEET PARALLEL WITH THE EAST-WEST 1/4 LINE OF SAID SECTION TO THE CENTERLINE OF SEBEWA CREEK; THENCE NORTH 36°50'45" EAST 558.34 FEET ALONG SAID CREEK CENTERLINE TO THE CENTERLINE OF DOW ROAD; THENCE ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 206.43 FEET ALONG THE ARC OF A 960.28 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 12°19'01" AND A CHORD WHICH BEARS SOUTH 44°23'57" EAST 206.04 FEET; THENCE CONTINUING ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 338.87 FEET ALONG THE ARC OF A 2381.84 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 8°09'06" AND A CHORD WHICH BEARS SOUTH 34°36'57" EAST 338.58 FEET; THENCE CONTINUING ALONG SAID ROAD CENTERLINE, SOUTHEASTERLY 240.86 FEET ALONG THE ARC OF A 604.48 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22°49'48" AND A CHORD WHICH BEARS SOUTH 20°16'31" EAST 239.27 FEET TO SAID EAST-WEST 1/4 LINE; THENCE SOUTH 89°42'35" EAST 3.63 FEET ALONG SAID EAST-WEST 1/4 LINE TO THE EAST LINE OF SAID SECTION; THENCE SOUTH 00°26'32" WEST 575.83 FEET ALONG SAID EAST SECTION LINE; THENCE SOUTH 76°17'36" WEST 218.63 FEET; THENCE SOUTH 00°26'32" WEST 696.94 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION; THENCE NORTH 89°40'23" WEST 2423.82 FEET ALONG SAID NORTH LINE TO SAID NORTH-SOUTH 1/4 LINE; THENCE SOUTH 00°29'32" WEST 1323.74 FEET ALONG SAID NORTH-SOUTH 1/4 LINE TO THE POINT OF BEGINNING. CONTAINING 160.81 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

WITNESSES TO SECTION CORNERS:
SECTION 12, TOWNSHIP 4 NORTH, RANGE 6 WEST, SUNFIELD TOWNSHIP, EATON COUNTY, MICHIGAN

SOUTH 1/4 CORNER, SECTION 12		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, "EATON CO.", E. SIDE 16" ASH STUMP	N10°E	36.00'
SET N&T, "W.E.S.I.", NW. SIDE 16" TRIPLE MAPLE	S14°W	22.08'
SET N&T, "W.E.S.I.", NE. SIDE 18" ASH	N75°	44.13'
SET N&T, "W.E.S.I.", W. SIDE 20" ASH	NORTH	47.65'
SOUTHEAST CORNER, SECTION 12		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, #41103, W. SIDE TRI APPLE	N37°E	113.20'
FOUND N&T, #41103, S. SIDE POWER POLE	N65°E	155.98'
FOUND REBAR & CAP, #41103 (ROW IRON)	S52°W	47.05'
SET REMON. BAR & CAP, #30090 AT A-5, T4N, R5W	NORTH	18.48'
SOUTHWEST CORNER, SECTION 7, T4N, R5W		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, #41103, W. SIDE TRIPLE APPLE	N40°E	97.49'
FOUND N&T, #41103, S. SIDE POWER POLE	N70°E	147.16'
FOUND 1/2" BAR & CAP #41103	S38°W	61.48'
FOUND M-5, T4N, R6W, REMON IN MONUMENT BOX	SOUTH	18.48'
EAST 1/4 CORNER, SECTION 12		
FOUND 3/4" BAR WITH REMON CAP #30090		
FOUND N&T, "EATON CO.", N. SIDE UTILITY POLE	N42°W	52.70'
FOUND N&T, "EATON CO.", SE. SIDE UTILITY POLE	N30°E	59.56'
SET 1/2" BAR & CAP #71287	WEST	37.06'
FOUND A-4, T4N, R5W, REMON IN MONUMENT BOX	NORTH	16.05'

WOLVERINE
Engineers & Surveyors, Inc.
312 North Street
Mason, Michigan 48854
Ph: 517-676-9200
Fx: 517-676-9396
http://www.wolveng.com

SURVEY FOR:	CENTENNIAL ACRES SECTION 12, T4N, R6W, SUNFIELD TOWNSHIP EATON COUNTY, MICHIGAN		
SCALE: N/A	DATE: 01/16/2024	SHEET: 3 OF 4	
DRAWN: MCK	FIELD: MCK & ALK	JOB: 23-0573	

STAFF REPORT
CU-5-24-3

TO: **EATON COUNTY PLANNING COMMISSION**
MIKE CHILDERS, C&S FARMS OF EATON RAPIDS LLC - APPLICANT

FROM: **EATON COUNTY COMMUNITY DEVELOPMENT DEPT.**

RE: **CU-5-24-3:** Request by C&S Farms of Eaton Rapids (Mike Childers) for a Conditional Use Permit to operate a Surface Mine per Article 14.25 of the Ordinance at 112 N. Michigan Road, Section 12, Eaton Rapids Township.

HEARING : June 4, 2024 at 7:00 p.m.

SUBJECT PARCEL: 112 N. Michigan Road, Eaton Rapids, Michigan 48827

PARCEL CODE: 120-012-300-050-00

SITE DATA:	**ON-SITE**	**SURROUNDING**
Size:	80 acres	
Zoning:	Limited Agriculture (LA)	Limited Agricultural (LA) & Low Density Residential (R-1)
Land Use: &	Residential and Agricultural	Residential, Agricultural Surface Mining
Site Use History: Agricultural &	Residential and Agricultural	Residential & Surface Mining
Soil Class:	Essential & Non-Essential	Essential & Non-essential
Road Class:	N. Michigan Road **is** a major road	

APPLICANT'S STATEMENT: (Please see attached application and statement) The applicant requests a Conditional Use Permit (CUP) to operate a Surface Mine per Article 14.25 of the Eaton County Land Development Code (zoning ordinance). Sand and gravel will be removed from the site. Existing topsoil will be used to build the proposed berms; topsoil will also be brought into the site for the reclamation of the property. The applicant states, "While the project is in phases, we will obtain a bond for the entire 54.8 acres of worked area. A surety Bond n the amount of $113,000.00 will be obtained." Hours of operation are planned for Monday through Friday 7:00 a.m.-6:00 p.m. and Saturdays 7:00 a.m. until noon. One to two (1-2) employees will be on site during the hours of operation. The applicant states the Brooks Drain is located on the south property line; the Grand River is located more than 500' to the east of the property. Per the applicant, employees will use the restroom located in the home on the property. Items to be stored on site include small bulldozer, rubber tire loader, excavator and large support trailer. There are two (2) existing driveways to the site, the entrances are not paved and do not have curb and gutter. An existing entrance is to be improved and driveway apron is to be paved with curb and gutter from M-99 to the property line. The driveway will be aggregate on private property. The applicant states, "traffic to and from the site may consist of gravel trains, 10 yard dump trucks and double bottoms. To start out, there will be six trucks daily, but owner plans to open up the pit to other folks as well. Once that occurs, the traffic will increase, but it is difficult to say by how much." Parking is provided for two (2) vehicles. The parking area is lit and paved. The applicant states,

"employee parking is located on the asphalt areas adjacent to our existing barns; there are four lights." Supplies are brought to the site by semi-trucks. The applicant states the request should be granted because, "This request meets all township and county requirements. This will be a general low area for the surrounding area so there is no worry about creating more off site drainage."

Site Plan Review

Approved	Denied	Approved	Denied
[ ] Drain Commission	[ ]	[ ] Site Plan Review Cattron	[ ]
[ ] Road Commission ©	[ ]	[ ] Site Plan Review Dillinger	[ ]
[ ] MDOT ©	[ ]	[ ] Vicinity Member B. Ross	[ ]
[ ] Twp. Fire Dept.	[ ]	[ ] Eaton Rapids Township ©	[ ]
[ ] BEHD ©	[ ]	[ ] Eaton Conservation District©	[ ]
[ ] Central Dispatch	[ ]	[ ] EGLE	[ ]

MAILING: Nine (9) surrounding property owners were notified. No responses were received.

SITE REVIEW COMMITTEE COMMENTS:

Road Commission comment: "This parcel is located on a State trunkline, so I find no impact to Eaton County Roads. I have no objections to the CUP."

MDOT comment: "MDOT Permit #98147 (C&S Farms of Eaton Rapids) was submitted but has not been issued yet and is currently on hold at MDOT for the proposed site plan. It requires a bond and insurance to be submitted to MDOT before the permit can be issued. MDOT does not have concerns with the plans submitted."

Eaton Rapids Township comment: "At the April 11, 2024 regular township board meeting, the township board reviewed application CU-5-24-3 C&S Farms of Eaton Rapids L.L.C., Mike Childers and has approved the application."

Eaton Conservation District comment: "With the understanding/condition that no lake is to be created, there is no processing of aggregate, and that appropriate evaluation and permitting for groundwater withdrawals will be obtained from EGLE before being initiated, Eaton Conservation District recommends approval. ECD Board of Directors requests that the ordinance officer send to ECD the staff report that is being sent to the planning commission."

SPECIFIC REGULATIONS: EATON COUNTY LAND DEVELOPMENT CODE

SECTION 14.25 SURFACE MINING

14.25.1 Definition: A surface mine is a parcel of land utilized for the removal or extraction of natural mineral deposits, soil, and organic soils by open pit-mining methods.

14.25.2 Excavation of Soils and Minerals: The excavation of peat, mulch, sand, gravel, clay, limestone, shale, or other natural mineral deposits shall be permitted only upon the issuance of a Conditional Use Permit.

14.25.3 Site Plan Requirements: In addition to the regular application for a Conditional Use Permit and payment of fees, the application shall be accompanied by a Site Plan. The Site Plan shall be drawn to a readable scale on a Certified Boundary Survey of the property and said plan shall include the following information:

A. Name and address of owner(s) of land which removal will take place.

B. Name, address and telephone number of person, firm, or corporation who will be conducting the actual removal operation.

C. Location, size and legal description of the total site area to be mined.

D. A plan for extraction and reclamation for the total project which shall include:

1. Existing and proposed contours at a minimum two (2) foot interval.

2. Surface overburden and topsoil stripping and stockpiling plans.

3. Provisions for grading, re-vegetation, and stabilization that will minimize soil erosion, sedimentation and public safety problems.

E. Surface water drainage provisions and outlets.

F. The location and size of any structures.

G. All required setbacks areas for excavation and machinery storage.

H. Interior access roads, parking lots, haul road, loading and unloading areas.

14.25.4 Rehabilitation: All extraction areas shall be rehabilitated progressively as they are worked out. Rehabilitated sites shall be reasonably natural and inconspicuous and shall be reasonably lacking in hazard. All slopes and banks remaining above water level and below water level to a depth of five (5) feet shall be graded to angles which do not exceed one (1) foot in elevation for each three (3) feet of horizontal surface and they shall be treated to prevent erosion or any other potential deterioration.

14.25.5 Site Development Requirements:

A. Setbacks in which no part of the mining operation may take place, except for ingress and egress shall be as follows:

1. Excavation shall not take place within fifty (50) feet from any structure.

2. Excavation below the existing grade of adjacent roads or property lines shall not take place within twenty-five (25) feet from any adjacent property line or road right-of-way.

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

B. Screening: If screening is deemed a necessary requirement of the Conditional Use Permit, the Planning Commission shall specify the type and location of the required screening. Screening may be any combination of fencing, berms, or plantings as determined by the Planning Commission. The Planning Commission shall take into account the scale of the operation, the population density in the surrounding area, neighboring residential districts, or otherwise occupied properties.

C. Interior access roads, parking lots, haul road, loading and unloading areas and stockpiled materials shall be maintained so as to limit the nuisance caused by wind blown dust.

D. Hours of operation shall be Monday through Friday from 7:00 a.m. to 6:00 p.m. and Saturday from 7:00 a.m. to 12:00 p.m.

No hours of operation on Sundays or the following holidays:

(1) New Year's Day - January 1st
(2) Memorial Day – Last Monday of May
(3) Independence Day – July 4th
(4) Labor Day – First Monday in September
(5) Thanksgiving Day – Fourth Thursday in November
(6) Christmas Day – December 25th

E. Signage: Signage shall be placed where it is visible and legible at the entrance to the site. It shall be weather durable and not exceed six (6) square feet in size. The sign shall include the name and address of the surface mine owner/operator, a phone number, and contact person from whom additional information may be obtained. Additional signage for identification of the business shall be per Section 11 of this Ordinance.

F. Failure to maintain all required State or Federal licenses and/or to develop and maintain a surface mining operation in accord with the terms of the conditional use permit may result in the immediate revocation of said conditional use permit and any and all other sanctions and/or penalties available to the County.

14.25.6 Evidence of Continuing Use: 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 Department of Construction Codes & Planning and Zoning determines a manifestation of intent to abandon the mining area, the Department of Construction Codes & Planning and Zoning shall give the operator written notice of their intention to declare the mining area or portion thereof abandoned. Within thirty (30) days following receipt of said notice, the operator shall have the opportunity to rebut the Department of Construction Codes & Planning and Zoning's evidence and submit other relevant evidence to the contrary. If the Department of Construction Codes & Planning and Zoning finds the operator's evidence of continued use satisfactory, it shall not declare abandonment.

14.25.7 Financial Guarantees: A minimum pit bond of $3,000.00 plus a minimum $2,000.00 per excavated acre shall be filed with the County Treasurer. The bond shall be in the form of a surety bond executed by a reputable surety company authorized to do business in the State of Michigan or a cash bond posted in lieu of a surety bond. The amount of a cash bond filed with the county may be one-half (1/2) the total required bond if approved by the Planning Commission. The bond shall be returned when all conditions stipulated in the Conditional Use Permit shall have been complied with and the Conditional Use Permit revoked prior to its release. There shall be no partial release of the bond.

14.25.8 Issuance of a Conditional Use Permit: 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 Conditional Use Permit may be transferred.

14.25.9 Inspection Requirement: All surface mines shall be inspected a minimum of once a year by the Development Official to insure compliance with the permit and Ordinance.

14.25.10 Modification of the General Site Plan: The Site Plan may be modified at any time by mutual consent of the operator and the Development Official to adjust the excavation and storage areas or to correct an oversight on the property as long as the proposed new areas are within the required setback areas. All modifications to the Site Plan approved by the Development Official shall be reported to the Planning Commission.

The Planning Commission or Development Official may require the modification of the General Site Plan when:

A. Modification of the plan is necessary so that it will conform with the existing laws.

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.

GENERAL REQUIREMENTS FOR APPROVAL (Applicant must satisfy items A-E):

9.3.6 Basis of Planning Commission Decisions: The Planning Commission's decision will be based on compliance with the specific requirements contained elsewhere in this Ordinance, and the general standards listed below: **Items A-E**

☐ A. Compliance with the applicable Land Use Policies in the Eaton County Master Plan:

Staff: This area is designated as Primary Agriculture in the Eaton County Master Plan; therefore, the policies applicable are as follows:

This land use category is intended to serve the needs of the agricultural industry in the County. The intent of land designated as Primary Agriculture is to maintain and protect agricultural operations against increasing development pressure. The boundaries of the area may shift as markets change, but the intent is that this classification will be essentially restricted to active farming operations. Other than the homes of farmers and their employees, new housing should be discouraged within this land use classification. Agricultural processing operations (i.e. grain elevators, feed lots, slaughterhouses, etc.) may also be encouraged within this classification. Large tracts of quality farmlands intended primarily for agriculture and agricultural processing activities should be maintained, and zoning regulations relative to agricultural lands specifically designed to promote the conservation of agricultural operations should be established. This land use classification equates with the Limited Agricultural zoning district.

B. Essential public facilities are adequately provided to the project, including, but not limited do, highways, streets, police and fire protection, emergency medical care, schools, storm water drainage, public transportation, and public recreation, or the owner/developer shall provide adequately any such service(s). Additional requirements at public cost for such facilities and services will not be detrimental to the economic welfare of the community.

☐ 1. Existing roads	☐ 4. Fire protection	☐ 7. Public transportation
☐ 2. Schools	☐ 5. Police	☐ 8. Public recreation
☐ 3. Storm water drainage	☐ 6. Emergency medical care	

C. Location and design of driveways providing vehicular ingress and egress, and automobile parking areas for the project are designed to avoid common traffic problems and promote the safety and convenience of vehicular and pedestrian traffic. The level of traffic generated by the project will not significantly or adversely impact the adjacent road system.

D. On-site sanitation facilities, if any, including sewage disposal, potable water supply, storm water, and solid waste disposal, are properly designed and capable of handling the project's long term needs

☐ sewage disposal	☐ potable water supply
☐ storm water	☐ solid waste disposal

E. The project is harmonious and compatible with the existing land use, natural features, and planned character of the adjacent property and general vicinity, and the project will not result in conditions that are detrimental to surrounding persons or property.

a.	prime agricultural soil	☐ major forests	☐ wildlife
b.	water recharge areas	☐ wetlands	
c.	lakes, rivers, or streams	☐ major sand, gravel, or mineral deposits	

9.3.7 Statements of Conclusion: The Planning Commission shall specify in writing the conclusions and findings on each request in terms of the general standards listed above in Section 9.3.6 of this Ordinance.

9.3.8 Required approval by Planning Commission: The Planning Commission shall approve a request for Conditional Use Permit for any applicant which fully meets the general standards and specific standards contained in this Ordinance.

9.3.9 Conditions of Approval: The Planning Commission may require reasonable conditions in conjunction with the approval of a Conditional Use Permit. Such conditions shall include conditions necessary to ensure that public services and facilities affected will be capable of accommodating increased service and facility loads caused by the proposed land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in socially and economically desirable manner. The conditions imposed shall be recorded in the minutes of the Planning

Commission and on the Conditional Use Permit. These conditions shall remain unchanged unless a written request is submitted to the Planning Commission for change of conditions.

A request for change of conditions shall be scheduled for a public hearing before the Planning Commission. Prior to the hearing the request shall be reviewed under the appropriate Site Plan Review process. The recommendations from the Site Plan Review process shall be reported during the hearing. A public notice shall be mailed to all property owners within 300 feet of the Conditional Use Permit site. Approval of the change of conditions shall be granted only upon an affirmative vote of the majority of the Planning Commission. All changes shall be recorded in the minutes of the meeting and on the Conditional Use Permit.

COMMUNITY DEVELOPMENT STAFF COMMENTS: A Surface Mine is a use allowed in a Limited Agricultural Zoning District with a Conditional Use Permit. It is important to note, the mine located to the south of this property is a non-conforming mine. Mr. Childers is working with the property owners on the reclamation of the property, no materials are leaving the site.

Per staff's conversation with the applicant, there will be no processing of materials on site. A lake will not be created as a result of the mining activities. Dust will be controlled by contracting with Michigan Chloride and a water truck as needed. The applicant is aware they may need a permit from EGLE for groundwater withdraws. EGLE was notified of the application though site plan review; to date, a response has not been received.

The applicant has communicated that he has applied for the required Soil Erosion Sedimentation Control (SESC) Permit from the Eaton County Drain Commissioner's Office. He acknowledges because there are more than five acres of proposed disturbance, he will have to file a Notice of Coverage with EGLE once they have obtained the SESC Permit.

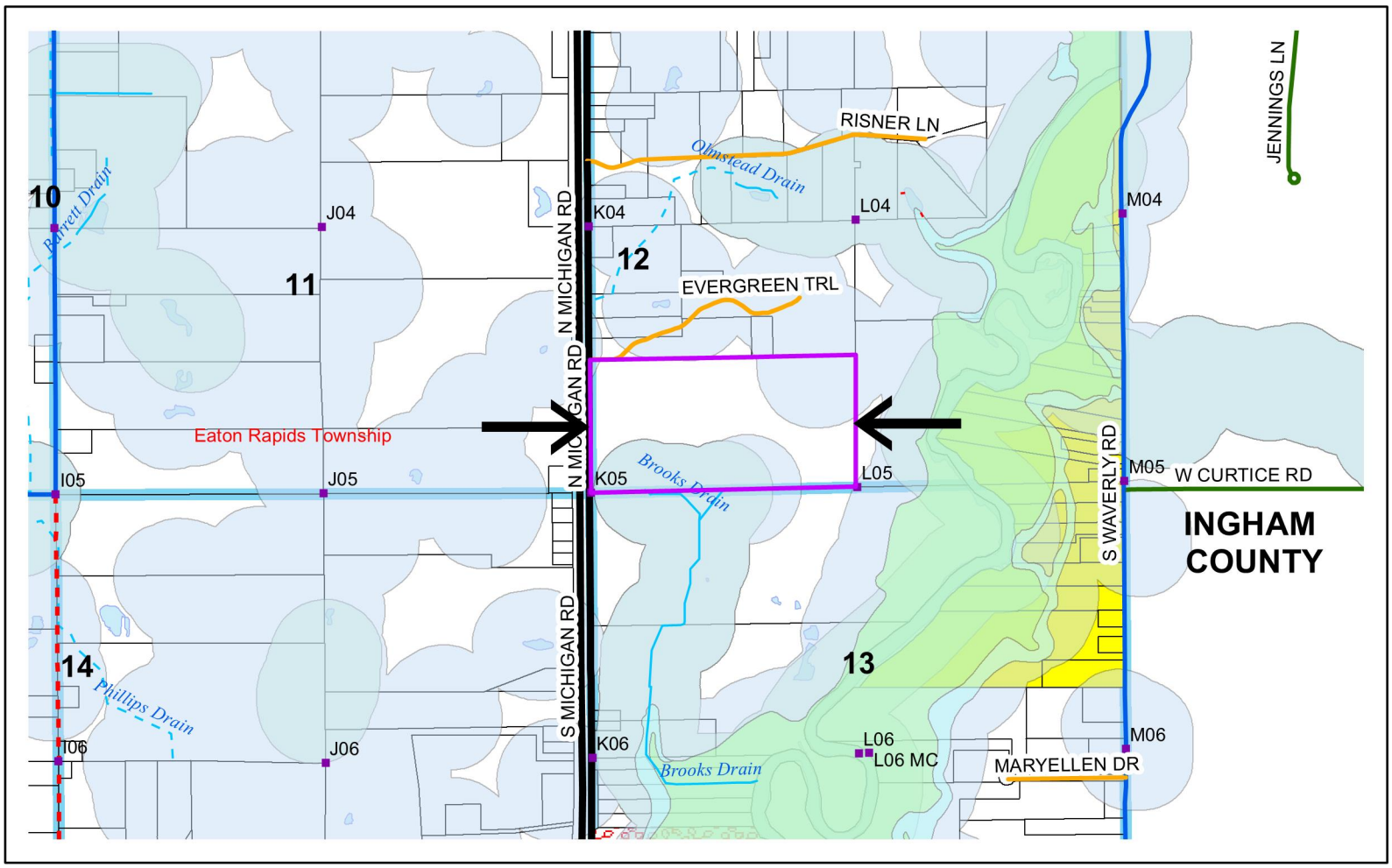
The proposed three phases of mining include 54.8 acres of land. The applicant has agreed to provide a surety bond in the amount of $113,000.00; the proposed amount is in compliance with Zoning Ordinance Section 14.25.7 Financial Guarantees.

The proposed hours of operation are Monday through Friday, 7:00 a.m. to 6:00 p.m. and Saturday 7:00 a.m. to 12:00 p.m. and meet ordinance requirements.

The site plan provided shows the area of excavation is at least 25 ft. from any property lines or road right of way and erected or maintained machinery is at least 100 ft from any property lines. Berms are identified to be constructed around the area of proposed work.

The applicant is aware all permits are required to be submitted to the Zoning Administrator prior to beginning mining activities.

As with any surface mine request, the Planning Commission may also wish to discuss the ingress and egress from the site, dust control and road maintenance, signage, and the other criteria in the current ordinance. Article 9.3.6 Basis of Planning Commission Decisions and Article 14.25 Surface Mining of the Zoning Ordinance have been included for review while considering this request.



Legend

Parcels
- <all other values>

Zoning Code
- LA
- R1
- R2
- C1
- C2
- I
- RC
- SESC 500ft Buffer of Lakes>1acre, streams, and NWI Wetlands
- SESC 500ft Buffer of only Lakes >1acre and streams
- Lakes/Ponds

FEMA Floodplain Zones

Flood Zone
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- AO
- AREA NOT INCLUDED

All Streams & Drains
- <all other values>

Type
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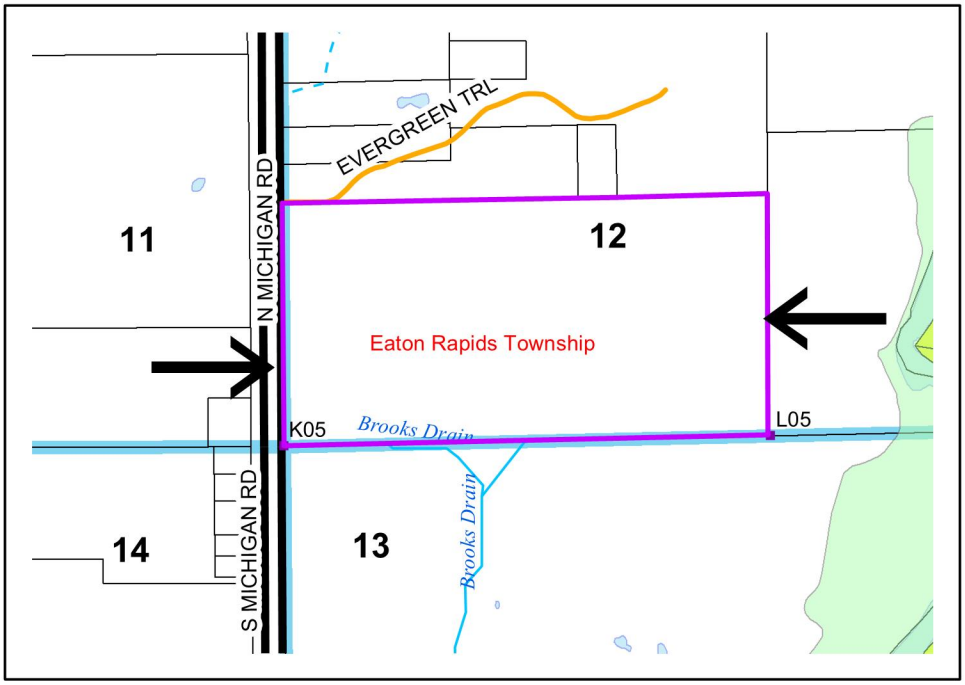
- OPEN
- PVT TILE
- RIVER
- Storm Sewer
- TILE

N W E S



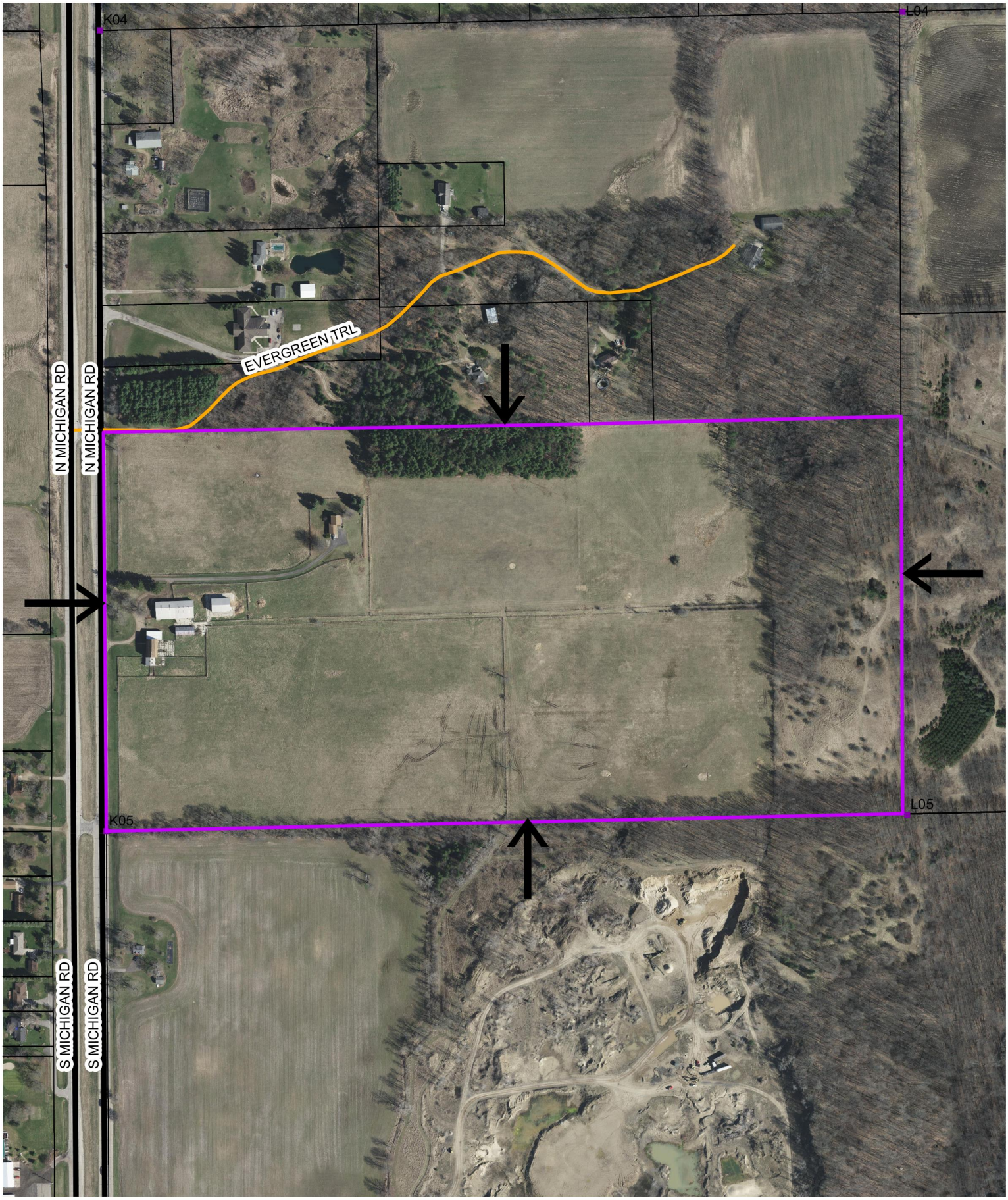
Eaton County Department of Construction Codes & Planning and Zoning

Permit: CU-5-24-3

Township: Eaton Rapids

Parcel Number: 120-012-300-050-00

Parcel Zoning: Limited Agricultural (LA)



N
W E
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CU-5-24-3, Mike Childers
Parcel Number: 120-012-300-050-00

CONDITIONAL USE PERMIT APPLICATION

EATON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
1045 INDEPENDENCE BLVD., CHARLOTTE, MI 48813
517-543-3689 FAX 517-543-9924 MCSDig@msn.com

Applicant Name(s):
C&S Farms of Eaton Rapids LLC
Mike Childers

Circle one (Property Owner) Representative
(must have proof of ownership/owner permission)

Mailing Address:
Street 112 N Michigan Rd

City, Eaton Rapids State, MI zip 48827

Phone(s): (517) 204-0237

Property Address: (if different than above)

Street

Property Code: 120 -012-300-050-00

Township: Eaton Rapids Township

Office Use Staff will complete

Case No.: CU-5-24-3

Fee $400 check ✓ **cash**

Date received: March 22, 2024

Eaton County Planning Commission
Hearing Date: May 7, 2024

Decision: Approved Denied

Decision date:

Site Plan Review Committee
Committee meeting date:

Decision: Approved Denied

SITE DEVELOPMENT PLANS

1. Where in the Ordinance is the proposed land use specified?

Section 14.25 Surface Mine

2. Please describe the business proposed for this site. (attach additional sheet if needed)

Surface mine to remove sand and gravel from the site. Topsoil will be used to build the proposed berms. Topsoil will also be brought into the site for the reclamation of the property. While the project is in phases, we will obtain a bond for the entire 54.8 acres of worked area. A Surety Bond in the amount of $113,00.00 will be obtained.

3. EMPLOYEES

What Days will the business be in operation? Mon - Sat what hours each day? Mon - Fri; 7am-6pm Sat; 7am-noon

How many employees will be on the site? 1 or 2
During what hours will they be on site? During all open hours

4. BUILDINGS

The proposed conditional use permitted must comply with all applicable fire safety and emergency vehicle access requirements as well as other requirements of the State Construction Code, local Fire Code and the Eaton County Construction Code Department.

Will you construct or install any new building(s) or additions to exisiting structures?
What are their dimensions (Width, Length, Height) No
Construction Type N/A
Proposed Completion Date: N/A

Will any existing building(s) be used for the business? No
Please provide the dimensions (Width, Length, Height) N/A
Year Built N/A Construction Type N/A

Describe the areas in the building and how they will be used.

No existing buildings to be used for the business

PROPERTY INFORMATION

5. Current zoning of the property (*Circle one*) ***Information available from Community Development Dept.:***

(Limited Agriculture (LA)) Residential (R1, R2, R3) Commercial (C1, C2) Industrial Resource Conservation

6. Is the property enrolled in Public Act 116- the Farmland Preservation Act? Yes (No)

7. Please list all persons and/or firms with legal or equitable interest in this parcel

N/A

8. Is the property located within 500 ft. of a stream, drain, lake, pond, or seasonally flooded wetland? (Yes) No (if yes, explain)

The Brooks Drain is located on the south property line. The Grand River is located more than 500' to the east.

9. **Does the property lie within a designated 100 year flood plain?** (If yes, the applicant should contact the MI Dept. of Environmental Quality for state permit requirements.) **Yes (No)**

10. Do you plan to construct or upgrade access drive(s) to the site that will cross a flood plain, seasonally flooded wetland, county drain, or stream? Yes (No) (if yes, explain)

11. Current Use(s) of the applicant property **(Please indicate if used as residence, agricultural, commercial, etc.):**

Current use is residence and agricultural.

12. Current Use(s) of other area properties: (Indicate if residential, agricultural, commercial, etc.)

Property to North current use is residence, to south use is mining, to east is vacant.

13. PLEASE ATTACH A LEGAL DESCRIPTION OF THE PROPERTY

A legal description of the parcel is the deed, land contract, or tax information for a property. It must include any deed restrictions, easements, etc.

14. PLEASE ATTACH A SITE PLAN! (Please label with applicant name and page number)
A site plan is a scale drawing that shows the boundaries of the property, any structures, buildings on the property, public or private roads, driveways, easements, or other property features, and any natural features including bodies of water, wetlands, etc. The site plan must include the following:

a) **Property dimensions (measurements of all property boundaries, including road frontage).**
b) **Any easements or public right of way, including utility easements or ingress/egress.**

c) **Location(s) of existing and proposed driveways.**
d) **All existing and proposed buildings, accessory structures, and outdoor storage area(s) (for vehicles, equipment, or materials) with measurements between them and to property boundaries.**
e) **Bodies of water, creeks, lakes, ponds, county drains, marshes, and seasonally flooded wetlands, etc. (Show distances from building sites, parking, and storage areas).**
f) **Proposed grades and site drainage pattern(s) (Include drainage patterns around the entire perimeter of the property).**
g) **Location of water supply and location and design of waste water systems.**
h) **All existing and proposed signs.**

15. PUBLIC HEALTH AND SAFETY

Proposed businesses must comply with all applicable requirements of the Barry-Eaton District Health Department and the State of Michigan

Describe the water and septic source(s) employees and/or clients will use.

Employees will use the restroom in the home

Describe how the proposed business will comply with requirements for the use of public water, sanitary sewage, and solid waste removal.

N/A

What equipment, vehicles, materials, etc. will be stored at the site? Please describe.

Small bulldozer, rubber tire loader, excavator, large support trailer

16. TRANSPORTATION

The proposed land use must fully conform to the driveway and traffic safety standards of the Michigan Department of Transportation and the Eaton County Road Commission.

Entrance/Exits to the Site:
Number of current entrances (driveways) from a public street 2

Will any additional entrances or exits to the site be created/used? Yes (No)

Are driveways paved? Yes (No)

Do driveways have curb and gutter? Yes (No)

Existing entrance is to be improved, and the driveway apron is to be paved with curb and gutter from M-99 to the property line. The drive will be aggregate on private property.

What is the anticipated traffic in and out of the site? Please estimate the number and types of vehicles. Types of vehicles - gravel trains, 10 yard dump trucks, double bottoms. To start out with, there will be six trucks daily, but owner plans to open up the pit to other folks as well. Once that occurs, the traffic will increase, but it is difficult to say by how much.

Proposed parking on site for 2 vehicles will be provided.

Is parking area lighted? (Yes) No
Is parking area paved? (Yes) No

Employee parking is located on the asphalt areas adjacent to our existing barns; there are four lights.

How are supplies delivered/brought to the site?
(Semi Trucks) Light Delivery Trucks Other (explain)_____

17. PLANNING COMMISSION DECISIONS

The Planning Commission's decision will be based upon compliance with the specific requirements of the Eaton County Land Development Code (Zoning Ordinance), and the general standards listed below:

The project complies with the applicable land use policies in the Eaton County Comprehensive Development Plan, and promotes the intent and purpose of the Eaton County Land Development Code, and other County ordinances, standards, and requirements.

Essential public facilities are adequately provided to the project, including, streets, police and fire protection, emergency care, schools, storm water drainage, public transportation, and public recreation, or the owner/developer shall provide adequately any such service(s). Additional requirements at public cost for such facilities and services will not be detrimental to the economic welfare of the community.

Location and design of driveways providing vehicular ingress/ egress, and parking areas are designed to avoid common traffic problems and promote the safety and convenience of vehicular and pedestrian traffic. The traffic generated by the project will not significantly or adversely impact the adjacent road system.

On-site sanitation facilities, including sewage disposal, potable water supply, storm water, and solid waste disposal, are properly designed and capable of handling the project's long term needs.

The project is harmonious and compatible with the existing land use, natural features, and planned character of the adjacent property and general vicinity, and the project will not result in conditions that are detrimental to surrounding persons or property.

Have you requested or received a variance or other Conditional Use Permit for this property?

Yes No (If yes, please explain) _____

_____

Were you notified of a violation of the Eaton County Building Code or Zoning Ordinance?

Yes (No) (If yes, please explain) _____

_____

Explain why this request should be granted. Describe how it will affect the surrounding area. Respond to the Planning Commission's standards listed above. (Attach additional sheet if needed.)

This requests meets all township and county requirements. This will be a general low area for the surrounding area so there is no worry about creating more offsite drainage.

AFFIDAVIT

I acknowledge that if a permit is granted that the decision does not relieve me from compliance with all other federal, state and local laws and requirements. I affirm that I am involved in this application and that the answers and statements herein contained and the information provided is true, accurate and correct. I understand that if it is not, this application and any approvals are void. I hereby give county officials permission to inspect the property to verify information and to verify compliance with rules and conditions. I also agree that I am able, financially, legally and physically, and I will commence this use, as approved, within six months.

_____ 3-19-24

Applicant(s) Signature(s) Date

_____ _____

Applicant(s) Signature(s) Date

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

03/19/2024 8:45 AM

Parcel:	120-012-300-050-00	**Current Class:**	101.AGRICULTURAL-IMPROVED
Owner's Name:	C & S FARMS OF EATON RAPIDS LLC	**Previous Class:**	101.AGRICULTURAL-IMPROVED
Property Address:	112 N MICHIGAN RD EATON RAPIDS, MI 48827	**Taxable Status**	TAXABLE
		Prev. Taxable Stat	TAXABLE
Liber/Page:	3010/0819 **Created:** / /	**Gov. Unit:**	120 120,EATON RAPIDS TOWNSHIP
Split:	/ / **Active:** Active	**SUB**	
		School:	23050 EATON RAPIDS PUBLIC SCHOOLS
		Neighborhood:	
Public Impr.:	None		
Topography:	None		

Mailing Address:

C & S FARMS OF EATON RAPIDS LLC
5558 PACKARD HWY
CHARLOTTE MI 48813

Description:

S 1/2 OF SW 1/4 NOW DEEDED AS COM SW COR SEC 12; N0°07'42"E 1319.77 FT TO N LINE OF S 1/2 OF SW 1/4; N89°17'40"E 2646.49 FT TO N-S 1/4 LINE OF SEC; S0°09'23"W 1324.88 FT TO S 1/4 COR; S89°24'17"W 2645.77 FT TO POB. SEC. 12, T2N,R3W. EATON RAPIDS TOWNSHIP

Most Recent Sale Information

Sold on 04/05/2022 for 0 by MCS EXCAVATING LLC .

Terms of Sale: 21-NOT USED/OTHER **Liber/Page:** 3010/0819

Most Recent Permit Information

None Found

Physical Property Characteristics

2024 S.E.V.:	254,400	**2024 Taxable:**	246,438	**Lot Dimensions:**	
2023 S.E.V.:	254,400	**2023 Taxable:**	234,703	**Acreage:**	80.00
Zoning:	LA	**Land Value:**	0	**Frontage:**	0.0
PRE:	100.000 (Qual. Ag.)	**Land Impr. Value:**	0	**Average Depth:**	0.0

Improvement Data

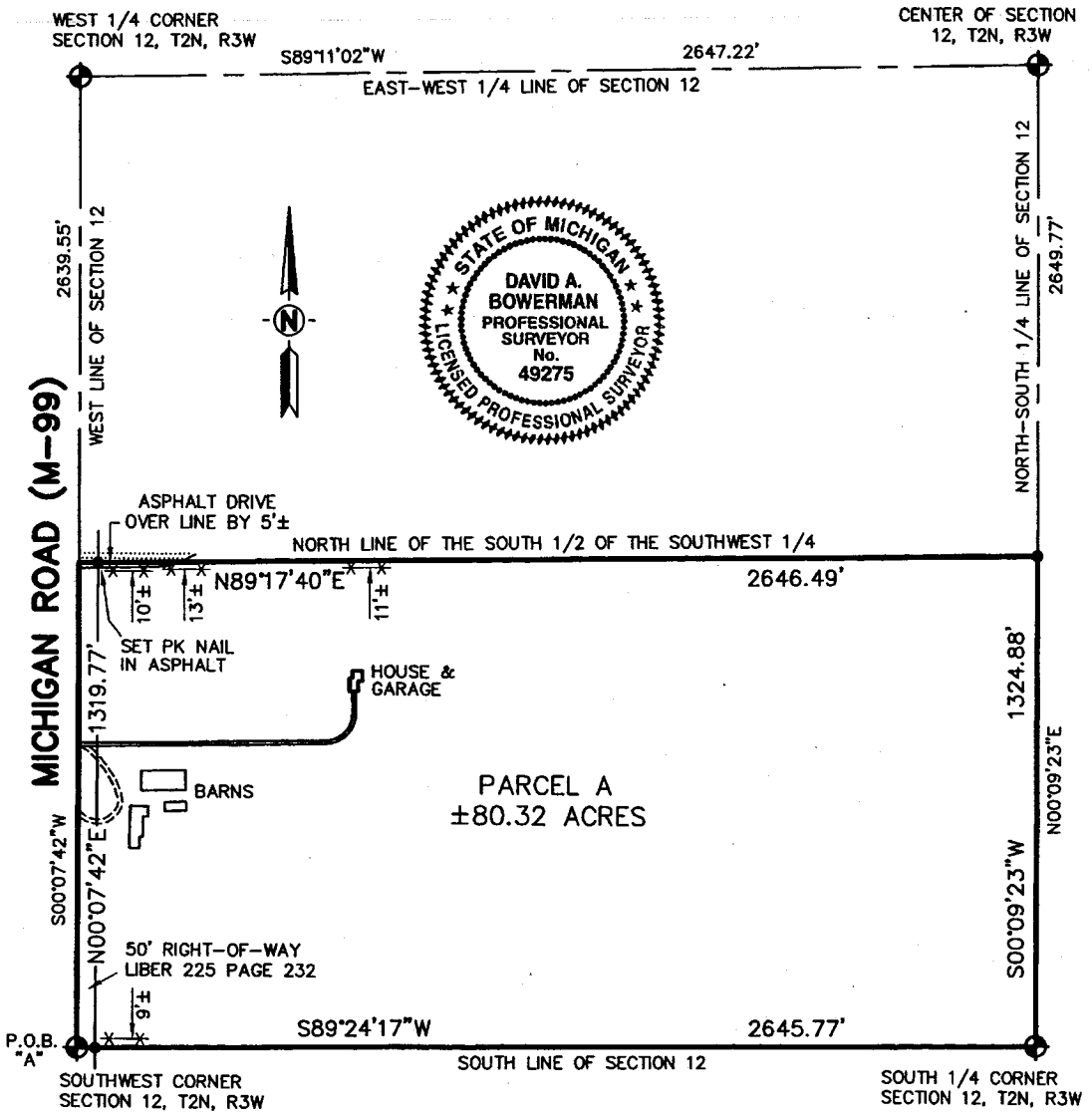
None

Image

CERTIFIED BOUNDARY SURVEY

FOR: **CLARABELLE MAXEY ESTATE**

LIBER 1946 PAGE 161



SCALE 1" = 400'

0 400' 800' 1200'

LEGEND

- ● = Set 5/8" Bar with Cap
- □ = Found Iron as Noted
- ——— = Survey Boundary Line
- —/— = Distance Not to Scale
- —x—x— = Fence
- ▭ = Deck, Porch, Sidewalk, & Patio Areas

All Dimensions are in Feet and Decimals Thereof.

All Improvements Not Shown.

KEBS, INC. KYES ENGINEERING BRYAN LAND SURVEYS

504 LANSING ROAD, CHARLOTTE, MI 48813
PH. 517-543-7076 FAX. 517-543-7023

Haslett Office
Ph. 517-339-1014

Marshall Office
Ph. 269-781-9800

DRAWN BY KDB	SECTION 12, T2N, R3W
FIELD WORK BY PH	JOB NUMBER: 05-B-76711
SHEET 2 OF 9	

CERTIFIED BOUNDARY SURVEY

CERTIFICATE OF SURVEY:

I hereby certify only to the parties named hereon that we have surveyed at the direction of said parties, several parcels of land previously described as:

The South 1/2 of the Southwest 1/4 of Section 12, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan. Also, the South 1/2 of the South 1/2 of the Northeast 1/4, except the East 594 feet and the North 30 acres of the Southeast 1/4 except the highway, Section 11, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan. Also, the South 1/2 of the South 1/2 of the Southwest 1/4 except commencing at the Northwest corner, South 14 rods, East 22 rods, North 14 rods, West 22 rods to beginning, Section 11, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan. Also, the North 90 acres of the South 140 acres of the Southeast 1/4 except highway, Section 11, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan. Also, commencing 380 feet West of the Northeast corner, Section 14, South 709.5 feet, East 200 feet, South 33 feet, West 810 feet, North 132 feet, West 1650 feet, North 610.5 feet, East to beginning, Section 14, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan.

and that we have found or set, as noted hereon, permanent markers to all corners and angle points of the boundary of said parcel and that the more particular legal description of said parcel is as follows:

Parcel A: A parcel of land in the Southwest 1/4 of Section 12, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan, the surveyed boundary of said parcel described as: Beginning at the Southwest corner of said Section 12; thence N00°07'42"E along the West line of said Section 12 a distance of 1319.77 feet to the North line of the South 1/2 of said Southwest 1/4; thence N89°17'40"E along said North line 2646.49 feet to the North-South 1/4 line of said Section 12; thence S00°09'23"W along said North-South 1/4 line 1324.88 feet to the South 1/4 corner of said Section 12; thence S89°24'17"W along the South line of said Section 12 a distance of 2645.77 feet to the point of beginning; said parcel containing 80.32 acres more or less, including 0.99 acre more or less presently in use as public right of way; said parcel subject to all easements and restrictions if any.

LIBER 1946 PAGE 165

KEBS, INC. KYES ENGINEERING BRYAN LAND SURVEYS
504 LANSING ROAD, CHARLOTTE, MI 48813
PH. 517-543-7076 FAX. 517-543-7023
Haslett Office
Ph. 517-339-1014
Marshall Office
Ph. 269-781-9800

DRAWN BY KDB	SECTION 12, T2N, R3W
FIELD WORK BY PH	JOB NUMBER: 05-B-76711
SHEET 6 OF 9	

EATON RAPIDS TOWNSHIP
EATON COUNTY, MICHIGAN

CHILDERS MINE

SCALE: 1" = 120'
0' 60' 120' 180' 240'

EATON RAPIDS TOWNSHIP, EATON COUNTY MICHIGAN
LOCATION MAP
NOT TO SCALE

PLAN INDEX

SHEET No.	DESCRIPTION
C-000	TITLE SHEET
C-100	EXISTING CONDITIONS (SURVEY BY GEODETIC)
C-200	SITE PLAN
C-201	GRADING PLAN
C-202	SIGHT DISTANCE
C-300	PROJECT DETAILS
C-601	MAINTENANCE OF TRAFFIC

OWNER
MCS EXCAVATING LLC
MIKE CHILDERS
517-694-1718

DESIGN ENGINEER
VK CIVIL
DAN LEWIS, P.E.
(269) 697-7120
DAN@VKCIVIL.COM

STATE OF MICHIGAN
DANIEL LEWIS
ENGINEER
NO. 6201052573
LICENSED PROFESSIONAL ENGINEER

Know what's below.
Call before you dig.

UTILITY LOCATIONS ARE DERIVED FRM ACTUAL MEASUREMENTS OR AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

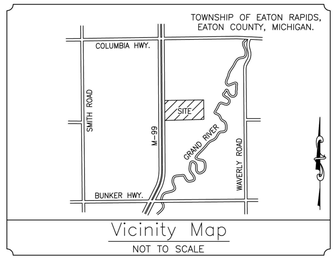
NO.	DATE	REVISION	BY
1	04/28/2023	PRELIMINARY SITE PLAN	MDS
2	9/29/2023	MDOT SUBMITTAL	CJW
3	10/17/2023	DRIVEWAY RELOCATION	NEF
4	11/06/2023	MDOT COMMENTS	NEF
5	1/19/2024	CONDITIONAL USE PERMIT	CJW

EATON RAPIDS TOWNSHIP
EATON COUNTY, MICHIGAN

CHILDERS MINE
TITLE SHEET

VK CIVIL
Vriesman & Korhorn
www.VKcivil.com
Byron Center, MI (616) 277-2185
Kalamazoo, MI (269) 697-7120

FILE NO. 1183
CHECKED GPW
Sheet No. C000



Vicinity Map

NOT TO SCALE

0' 150' 300'

SCALE: 1"=150'

GENERAL NOTES

1) THIS DOCUMENT IS A TOPOGRAPHIC SURVEY ONLY AND MUST NOT BE USED TO CONVEY TITLE OR DETERMINE TITLE LINES. THIS DRAWING IS NOT A CERTIFIED SURVEY BUT IS COMPILED FROM EXISTING FIELD SURVEY DATA. THE DRAWING DOES NOT COMPLY WITH MCL 54.211–54.213.

2) UTILITY LINES SHOWN WERE BASED ON PLANS PROVIDED UNDER A MISS DIG DEMAC TICKET NO. 2023020700855.

3) DIMENSIONS SHOWN ARE IN INTERNATIONAL FEET AND DECIMALS THEREOF.

4) THE WORD "CERTIFY" OR "CERTIFICATION" AS USED HEREIN IS AN EXPRESSION OF A PROFESSIONAL OPINION BY THE SURVEYOR BASED UPON HIS BEST KNOWLEDGE, INFORMATION, AND BELIEF, AS SUCH, IT DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EXPRESSED OR IMPLIED, OR LEGAL OPINION.

5) BOUNDARY RETRACEMENT IS BASED ON A SURVEY BY DAVID A. BOWERMAN, P.S. AS RECORDED IN LIBER 1946, PAGE 161, EATON COUNTY RECORDS.

6) NOT ALL EASEMENTS OF PUBLIC RECORD MAY BE SHOWN.

COORDINATE METADATA

The basis of coordinates for this survey is the Michigan Coordinate System (NAD 83) Michigan South Zone (zone number 2113) as determined locally by GPS observations on 07–February–2023. The nearest CORS reference station is:

AM7017 LANSING CORS ARP

The combined scale factor for the project area is: 0.99983090
The Adjustment and Epoch date of the primary control is:
NAD 83 (2011) 2010.00
The reference ellipsoid is GRS80/GEOID18
The coordinates as shown for this project are displayed in the Grid system. To determine the ground distances (local grid) and/or coordinates for this project, multiply the coordinates or displayed grid distances by the inverse of the combined scale factor for the project.

The ground (local grid) scale factor for the project area is: 1.00011692367
The Local control point for this project is C.P. #86753 and has the following standard deviation:

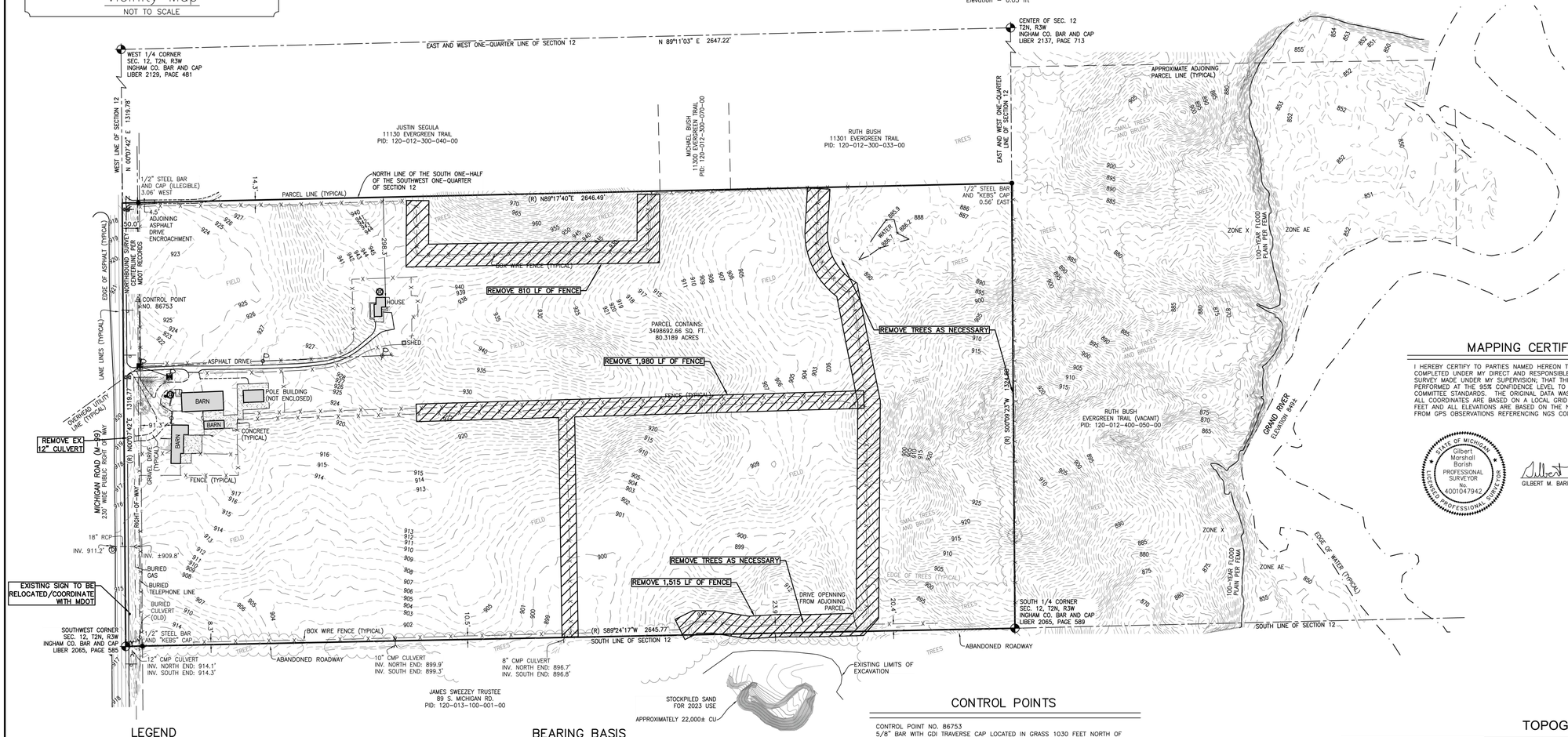
Northing – 0.02 ift
Easting – 0.02 ift
Elevation – 0.03 ift

DESCRIPTION

The South 1/2 of the Southwest 1/4 of Section 12, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan, and more particularly surveyed and described as:

Parcel A – A parcel of land in the Southwest 1/4 of Section 12, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan, the surveyed boundary of said parcel described as: Beginning at the Southwest corner of said Section 12; thence North 00°07'42" East along the West line of said Section 12 a distance of 1319.77 feet to the North line of the South 1/2 of said Southwest 1/4; thence North 89°17'40" East along said North line 2646.49 feet to the North–South 1/4 line of said Section 12; thence South 89°24'17" West along the South line of said Section 12 a distance of 2645.77 feet to the point of beginning.

Surveyed by KEBS Inc., job no. 05–B–76711



MAPPING CERTIFICATION:

I HEREBY CERTIFY TO PARTIES NAMED HEREON THAT THIS PROJECT WAS COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THIS TOPOGRAPHIC SURVEY WAS PERFORMED AT THE 95% CONFIDENCE LEVEL TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS. THE ORIGINAL DATA WAS OBTAINED ON 07–FEB–2023; ALL COORDINATES ARE BASED ON A LOCAL GRID PROJECTION IN INTERNATIONAL FEET AND ALL ELEVATIONS ARE BASED ON THE NAVD88 VERTICAL DATUM DERIVED FROM GPS OBSERVATIONS REFERENCING NGS CONTROL STATIONS.

STATE OF MICHIGAN
Gilbert Marshall Barish
PROFESSIONAL SURVEYOR
No. 4001047942
REGISTERED PROFESSIONAL SURVEYOR

Gilbert M. Barish

GILBERT M. BARISH, P.S. #4001047942

LEGEND

- Power Pole
- Power Pole w/Light
- Light Pole
- Telephone Pole
- Guy Wire
- Transformer
- Electric Manhole
- Telephone Manhole
- Telephone Pedestal
- Electric Meter
- Cable Box
- Air Conditioner Unit
- Easement Identifier
- Distance not to scale
- Flag Pole
- Sign (As Noted)
- Well Head
- Satellite Dish
- Tower
- Water Valve
- Fire Hydrant
- Water Manhole
- Water Meter Pit
- Water Meter
- Indicates Handicapped Parking
- Parking Count
- Storm Manhole
- Storm Catchbasin
- Deciduous Tree
- Coniferous Tree
- Sanitary Manhole
- Sanitary Clean Out
- Gas Valve
- Gas Manhole
- Gas Meter
- Gas Marker
- Section Corner
- Set 5/8" Bar & Cap
- Found Corner Monument
- Monitoring Well

BEARING BASIS

BEARINGS SHOWN ARE BASED ON THE WEST LINE OF SECTION 12 RECORDED AS BEARING NORTH 00°07'42" EAST.

FEMA 100 YEAR FLOODPLAIN NOTE

BY GRAPHIC PLOTTING ONLY, THIS PARCEL IS LOCATED IN ZONE X OF THE FLOOD INSURANCE RATE MAP NUMBER 26045C0353E WHICH BEARS AN EFFECTIVE DATE OF 11/26/2010.

ABBREVIATIONS

R = RECORDED	T–N = TOWN – NORTH	AVE. = AVENUE
M = MEASURED	R–E = RANGE – EAST	BLVD. = BOULEVARD
C = CALCULATED	SQ. FT. = SQUARE FEET	CT. = COURT
N = NORTH	NE = NORTHEAST	RD. = ROAD
E = EAST	SE = SOUTHEAST	ST. = STREET
S = SOUTH	SW = SOUTHWEST	PID = PARCEL AND
W = WEST	NW = NORTHWEST	OWNER IDENTIFICATION

CONTROL POINTS

CONTROL POINT NO. 86753
5/8" BAR WITH GDI TRAVERSE CAP LOCATED IN GRASS 1030 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION OF 12 AND 56 FEET EAST OF THE PHYSICAL CENTERLINE OF NORTHBOUND M–99
NORTHING: 390131.68 ift
EASTING: 13054699.51 ift
ELEVATION: 922.62 (NAVD88 DATUM).

UNDERGROUND UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD OBSERVATIONS AND/OR EXISTING DRAWINGS AS PROVIDED BY THE FACILITY OWNER. THE UNDERGROUND UTILITIES SHOWN MAY NOT COMPRISE ALL SUCH UTILITIES ON OR NEAR THE SURVEYED PARCEL, EITHER IN SERVICE OR ABANDONED. THE LOCATION OF BURIED UTILITIES ARE SHOWN TO INDICATE THAT A UTILITY EXIST, BUT MAY REQUIRE SUB–SURFACE INVESTIGATION TO DETERMINE THE EXACT LOCATION.

MISS DIG (DEMAC 2023020700855)

Station Code	Authority Name	Phone	Status
ATTD	AT&T TELEPHONE	8007789140	Notification Sent
CEEDIS	CONSUMERS ENERGY ELECTRIC	8007789140	Notification Sent
CEGDIS	CONSUMERS ENERGY GAS	8007789140	Notification Sent

This Survey has been prepared solely for the benefit of the parties set forth in the Surveyor's Certification. Geodetic Designs Incorporated expressly disclaims any duty or obligation towards any party that is not identified in the Surveyor's Certification.

Geodetic Designs Incorporated will not include the providers of any third party reports in the Surveyor's Certification.

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SCALED DOWN 90%

TOPOGRAPHIC MAPPING

PREPARED BY:

GEODETIC DESIGNS, INC.
2300 N. GRAND RIVER AVE.
LANSING, MI 48906
PHONE: (517) 908–0008
FAX: (517) 908–0009
WWW.GEODETICDESIGNS.COM

DATE	REVISION	BY

C&S FARMS OF EATON RAPIDS

112 N. MICHIGAN ROAD
EATON RAPIDS, MI 48827
120-012-300-050-00

DATE: 07FEB2023	SCALE: 1" = 150'
FIELD BY: GB JC	DRAWN BY: JC
CHECKED BY: GB	JOB NUMBER: S005–2023

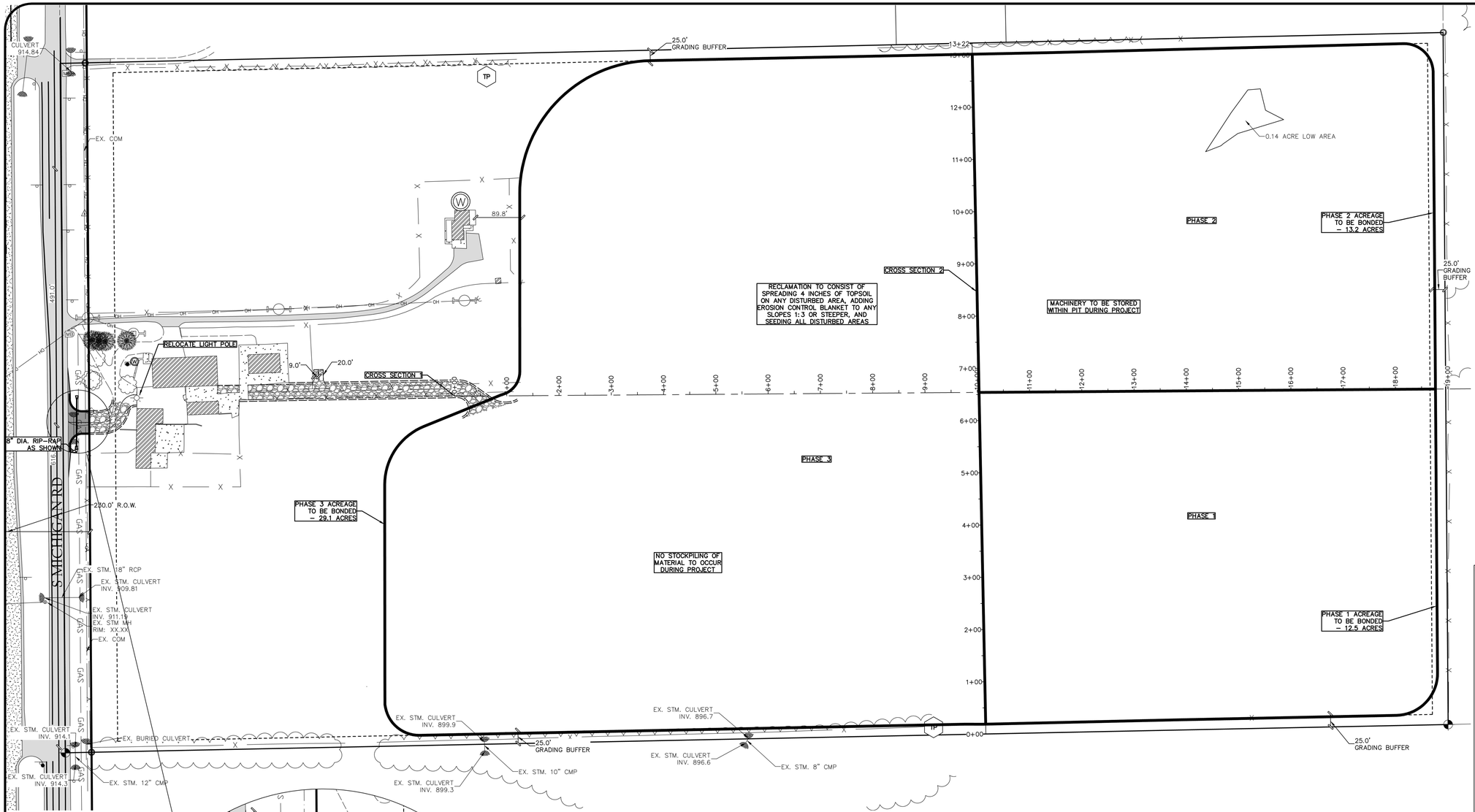
NO.	DATE	REVISION	BY
1	04/28/2023	PRELIMINARY SITE PLAN	MDS
2	9/29/2023	MDOT SUBMITTAL	CJW
3	10/17/2023	DRIVEWAY RELOCATION	NEF
4	11/06/2023	MDOT COMMENTS	NEF
5	1/19/2024	CONDITIONAL USE PERMIT	CJW

EATON RAPIDS TOWNSHIP
EATON COUNTY, MICHIGAN

CHILDERS MINE
EXISTING CONDITIONS

Vriesman & Korhorn CIVIL
www.VKcivil.com
Byron Center, MI (616) 277-2185
Kalamazoo, MI (269) 697-7120

FILE NO. 1183
CHECKED GPW
Sheet No. C100



SYMBOL LEGEND

- EXISTING TREE
- BOLLARD
- LIGHT POLE
- POWER POLE
- CLEANOUT
- SANITARY SEWER MANHOLE
- STORM CATCH BASIN
- STORM MANHOLE
- STORM FLARED END SECTION
- SIGN
- HYDRANT
- VALVE
- MAILBOX
- FLOW DIRECTION ARROW
- COMMUNICATION STRUCTURE
- ELECTRICAL FIXTURE
- SECTION CORNER
- PROPERTY CORNER – SET
- PROPERTY CORNER – FOUND
- BENCHMARK/CONTROL POINT
- SOIL BORING

LINE AND HATCH LEGEND

- EXISTING OVERHEAD ELECTRIC
- EXISTING UNDERGROUND ELECTRIC
- EXISTING GAS
- EXISTING COMMUNICATIONS
- EXISTING FENCE
- PROPOSED FENCE
- RIGHT OF WAY
- EASEMENT
- SETBACK
- PROPOSED GRAVEL
- EXISTING STORM SEWER
- EXISTING SANITARY SEWER
- EXISTING WATERMAIN
- EXISTING HOT MIXED ASPHALT
- PROPOSED HOT MIXED ASPHALT
- PROPOSED GRAVEL
- EXISTING CONCRETE

EXCAVATING COMPANY : C & S FARMS

GRADING PLAN NOTES:

1) SOILS EXPOSED IN THE BASE OF ALL SATISFACTORY FOUNDATION EXCAVATIONS SHOULD BE PROTECTED AGAINST ANY DETRIMENTAL CHANGES IN CONDITION SUCH AS FROM DISTURBANCE, RAIN AND FREEZING. SURFACE RUN-OFF WATER SHOULD BE DRAINED AWAY FROM THE EXCAVATION AND NOT ALLOWED TO POND. IF POSSIBLE, ALL FOOTING CONCRETE SHOULD BE POURED THE SAME DAY THE EXCAVATION IS MADE. IF THIS IS NOT PRACTICAL THE FOOTING EXCAVATIONS SHOULD BE ADEQUATELY PROTECTED
2) REMOVE ALL SUBGRADE MATERIAL THAT MAY BE SOFTENED BY RAINS, FREEZING, OR CONSTRUCTION TRAFFIC, ETC, AND REPLACE WITH COMPACTED GRANULAR FILL
3) ALL CONSTRUCTION METHODS SHALL BE DONE IN COMPLIANCE WITH MDOT–MEGLE. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING A "SOIL EROSION PERMIT" FROM THE COUNTY AND A "PERMIT BY RULE/NOTICE OF COVERAGE" FROM EGLE IF APPLICABLE, PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL REQUIREMENTS IF THE COUNTY "SOIL EROSION PERMIT" AND FOR ALL CERTIFIED STORM WATER INSPECTION SERVICE REQUESTED BY THE "PERMIT BY RULE." EROSION CONTROL MEASURES SHOWN ON THE PLANS ARE THE MINIMUM REQUIREMENTS AND SHALL NOT RELIEVE THE CONTRACTORS RESPONSIBILITY FOR PROVIDING ALL REQUIRED EROSION CONTROL MEASURES.
4) AVOID UNNECESSARY DISTURBING OR REMOVING OF EXISTING VEGETATED TOPSOIL OR EARTH COVER, THESE COVER AREAS ACT AS SEDIMENT FILTERS.
5) ALL TEMPORARY SOIL EROSION PROTECTION SHALL REMAIN IN PLACE UNTIL REMOVAL IS REQUIRED FOR FINAL CLEAN UP AND APPROVAL
6) GEOTEXTILE SILT FENCE SHALL BE INSTALLED AS REQUIRED WHEN CROSSING CREEKS OR WHEN ADJACENT TO WETLANDS OR SURFACE WATER BODIES TO PREVENT SILTATION AND ELSE WHERE AS DIRECTED BY THE ENGINEER. SEEDING AND/OR SODDING SHALL BE INSTALLED ON CREEK BANKS IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION.
7) CONTRACTOR SHALL TAKE PRECAUTIONS TO AVOID TRACKING SOIL ONTO ADJACENT ROADWAYS. CONTRACTOR SHALL SWEEP IMMEDIATELY IS OCCURS.
8) ANY DISTURBED AREA WHICH WILL BE LEFT UNWORKED 20 DAYS OR LONGER MUST BE SEEDED TO ESTABLISH VEGETATION FOR TEMPORARY STABILIZATION. BASINS TO BE SEEDED AND MULCH BLANKETS APPLIED IMMEDIATELY TO PROVIDE A STABLE BASE AND AVOID EXCESSIVE EROSION
9) ALL SOIL EROSION CONTROL MEASURES ARE TO BE IN PLACE PRIOR TO THE START OF ANY GRADING.
10) ALL NON PAVED AREAS TO BE TOPSOILED (6" MIN.) & SEEDED
11) VARIATION IN EXISTING SOIL CONDITIONS MAY IMPACT THE EARTHWORK QUANTITIES IF UNUSABLE SOILS ARE ENCOUNTERED DURING CONSTRUCTION.
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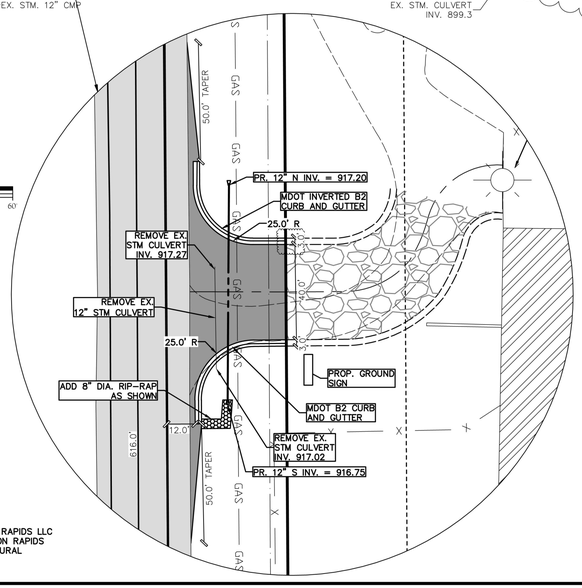
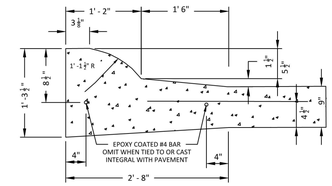
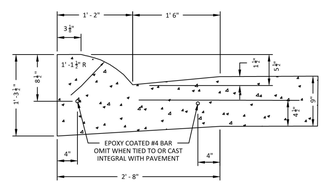


120–012–300–050–00
C & S FARMS OF EATON RAPIDS LLC
112 N MICHIGAN RD, EATON RAPIDS
ZONED: LIMITED AGRICULTURAL



MDOT DETAIL INVERTED B2 CONCRETE CURB & GUTTER

NOT TO SCALE



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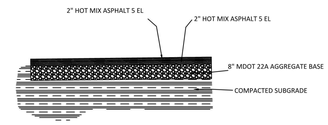

STANDARD DUTY PAVEMENT DETAIL

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6	3/6/2024	95% COMPLETE PLAN	CJW

EATON RAPIDS TOWNSHIP
EATON COUNTY, MICHIGAN

CHILDERS MINE
SITE PLAN

VK CIVIL
Vriesman & Korhorn
Byron Center, MI (616) 277-2185
Kalamazoo, MI (269) 697-7120
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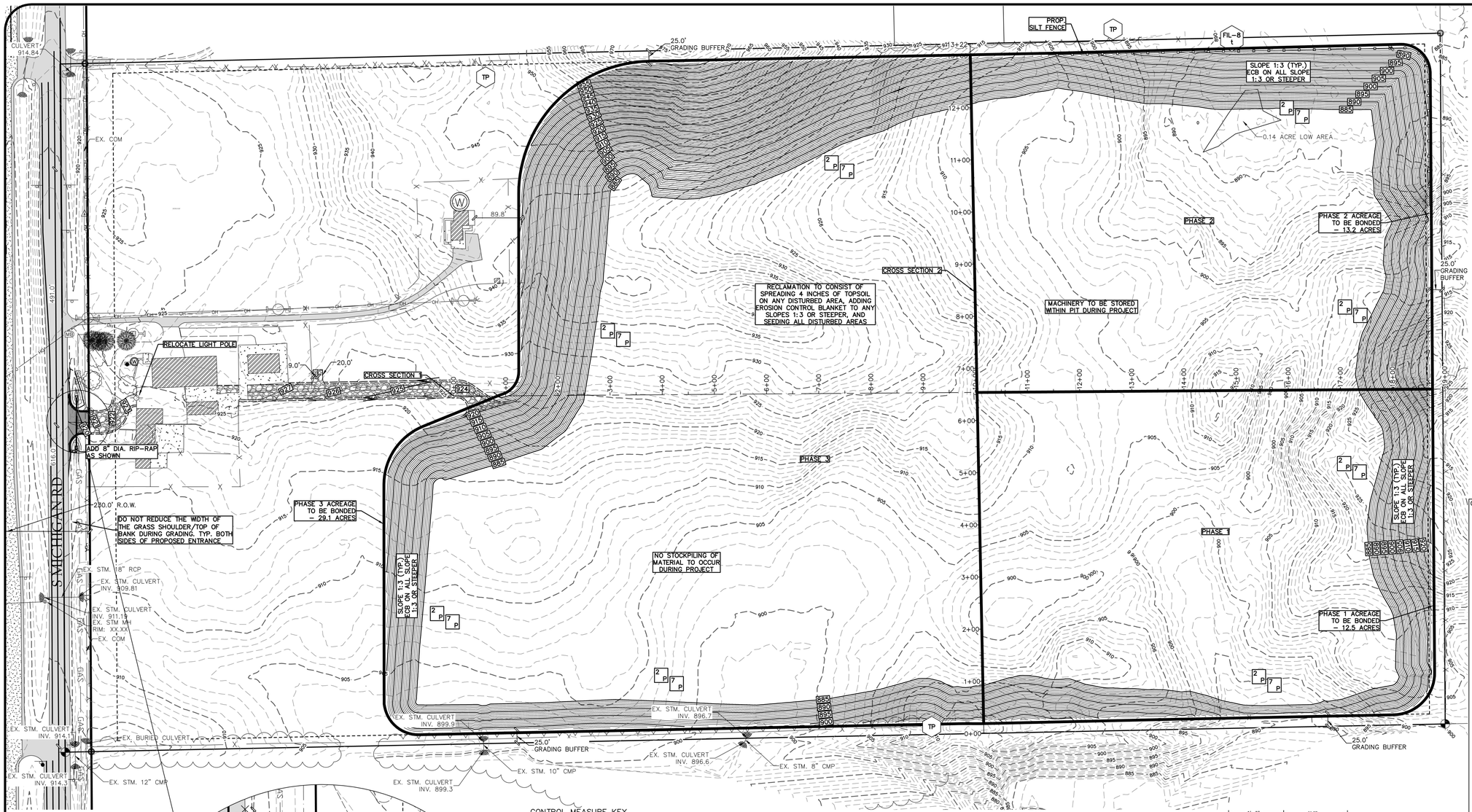

SYMBOL LEGEND

- EXISTING TREE
- BOLLARD
- LIGHT POLE
- POWER POLE
- CLEANOUT
- SANITARY SEWER MANHOLE
- STORM CATCH BASIN
- STORM MANHOLE
- STORM FLARED END SECTION
- SIGN
- HYDRANT
- VALVE
- MAILBOX
- FLOW DIRECTION ARROW
- COMMUNICATION STRUCTURE
- ELECTRICAL FIXTURE
- SECTION CORNER
- PROPERTY CORNER – SET
- PROPERTY CORNER – FOUND
- BENCHMARK/CONTROL POINT
- SOIL BORING

LINE AND HATCH LEGEND

- EXISTING OVERHEAD ELECTRIC
- EXISITNG UNDERGROUND ELECTRIC
- EXISTING GAS
- EXISTING COMMUNICATIONS
- EXISTING FENCE
- PROPOSED FENCE
- RIGHT OF WAY
- EASEMENT
- SETBACK
- PROPOSED GRAVEL
- EXISTING STORM SEWER
- PROPOSED DITCH CENTER LINE
- EXISTING SANITARY SEWER
- EXISITNG WATERMAIN
- EXISTING HOT MIXED ASPHALT
- PROPOSED HOT MIXED ASPHALT
- PROPOSED GRAVEL
- EXISTING CONCRETE

EXCAVATING COMPANY : C & S FARMS

GRADING PLAN NOTES:

1) SOILS EXPOSED IN THE BASE OF ALL SATISFACTORY FOUNDATION EXCAVATIONS SHOULD BE PROTECTED AGAINST ANY DETRIMENTAL CHANGES IN CONDITION SUCH AS FROM DISTURBANCE, RAIN AND FREEZING. SURFACE RUN-OFF WATER SHOULD BE DRAINED AWAY FROM THE EXCAVATION AND NOT ALLOWED TO POND. IF POSSIBLE, ALL FOOTING CONCRETE SHOULD BE POURED THE SAME DAY THE EXCAVATION IS MADE. IF THIS IS NOT PRACTICAL, THE FOOTING EXCAVATIONS SHOULD BE ADEQUATELY PROTECTED
2) REMOVE ALL SUBGRADE MATERIAL THAT MAY BE SOFTENED BY RAINS, FREEZING, OR CONSTRUCTION TRAFFIC, ETC, AND REPLACE WITH COMPACTED GRANULAR FILL
3) ALL CONSTRUCTION METHODS SHALL BE DONE IN COMPLIANCE WITH MDOT–MEGLE. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING A "SOIL EROSION PERMIT" FROM THE COUNTY AND A "PERMIT BY RULE/NOTICE OF COVERAGE" FROM EGLE IF APPLICABLE, PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL REQUIREMENTS IF THE COUNTY "SOIL EROSION PERMIT" AND FOR ALL CERTIFIED STORM WATER INSPECTION SERVICE REQUESTED BY THE "PERMIT BY RULE." EROSION CONTROL MEASURES SHOWN ON THE PLANS ARE THE MINIMUM REQUIREMENTS AND SHALL NOT RELIEVE THE CONTRACTORS RESPONSIBILITY FOR PROVIDING ALL REQUIRED EROSION CONTROL MEASURES.
4) AVOID UNNECESSARY DISTURBING OR REMOVING OF EXISTING VEGETATED TOPSOIL OR EARTH COVER, THESE COVER AREAS ACT AS SEDIMENT FILTERS.
5) ALL TEMPORARY SOIL EROSION PROTECTION SHALL REMAIN IN PLACE UNTIL REMOVAL IS REQUIRED FOR FINAL CLEAN UP AND APPROVAL
6) GEOTEXTILE SILT FENCE SHALL BE INSTALLED AS REQUIRED WHEN CROSSING CREEKS OR WHEN ADJACENT TO WETLANDS OR SURFACE WATER BODIES TO PREVENT SILTATION AND ELSE WHERE AS DIRECTED BY THE ENGINEER. SEEDING AND/OR SODDING SHALL BE INSTALLED ON CREEK BANKS IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION.
7) CONTRACTOR SHALL TAKE PRECAUTIONS TO AVOID TRACKING SOIL ONTO ADJACENT ROADWAYS. CONTRACTOR SHALL SWEEP IMMEDIATELY IS OCCURS.
8) ANY DISTURBED AREA WHICH WILL BE LEFT UNWORKED 20 DAYS OR LONGER MUST BE SEEDED TO ESTABLISH VEGETATION FOR TEMPORARY STABILIZATION. BASINS TO BE SEEDED AND MULCH BLANKETS APPLIED IMMEDIATELY TO PROVIDE A STABLE BASE AND AVOID EXCESSIVE EROSION
9) ALL SOIL EROSION CONTROL MEASURES ARE TO BE IN PLACE PRIOR TO THE START OF ANY GRADING.
10) ALL NON PAVED AREAS TO BE TOPSOILED (6" MIN.) & SEEDED
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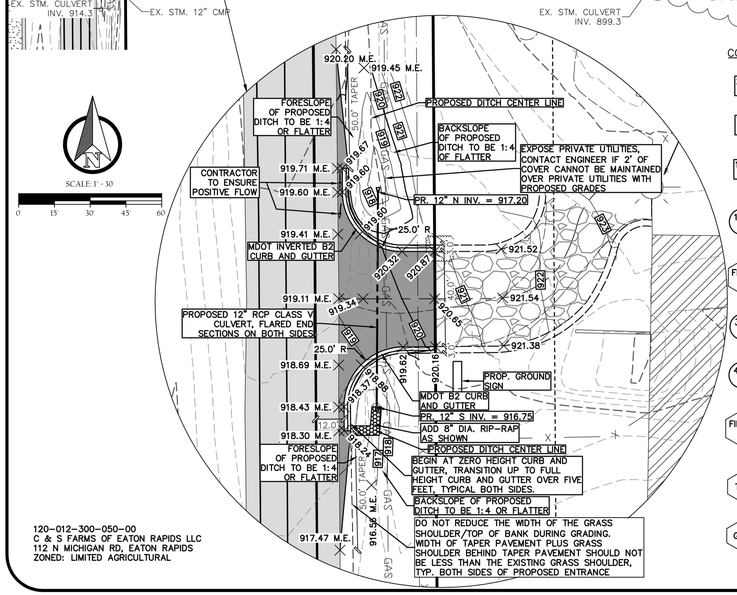


120-012-300-050-00
C & S FARMS OF EATON RAPIDS LLC
112 N MICHIGAN RD, EATON RAPIDS
ZONED: LIMITED AGRICULTURAL

CONTROL MEASURE KEY

- 2 P — SELECTIVE GRADING & SHAPING, PERMANENT
- 7 P — HYDROSEEDING, PERMANENT. TYPICAL IN ALL NON-PAVED AREAS DISTURBED BY CONSTRUCTION ACTIVITIES
- 14 t — AGGREGATE COVER, TEMPORARY. TYPICAL ON ALL STREETS DISTURBED BY CONSTRUCTION ACTIVITIES
- 15 P — PAVING, PERMANENT, TYPICAL ON ALL STREETS DISTURBED BY CONSTRUCTION ACTIVITIES.
- FIL-2 t — SEDIMENT BASIN BMP EXHIBIT 2, SEDIMENT BASIN, TEMPORARY REQUIRED FOR DE-WATERING ACTIVITIES, SEVERE SLOPES, AND LARGE DISTURBED AREAS.
- 36 t — SILTSACK, TEMPORARY, TYPICAL AT ALL CATCH BASINS WITHIN OR DISTURBED BY CONSTRUCTION ACTIVITIES
- 43 t — CULVERT SEDIMENT TRAP, TEMPORARY. TYPICAL AT ALL STORM OUTLETS AND STREAMS DISTURBED BY CONSTRUCTION ACTIVITIES
- FIL-8 t — FILTER BMP EXHIBIT 8A, SILT FENCE, TEMPORARY. TYPICAL IN ALL AREAS, ESPECIALLY ADJACENT TO STREAMS, PONDS, ETC. AND ALONG PROJECT UNITS.
- TP — TREE PROTECTION, INCLUDES TUNNELING UNDER TREES, TYPICAL FOR ALL TREES ENCOUNTERED UNLESS TREE REMOVAL IS DIRECTED BY THE ENGINEER.
- GA — DENOTES GRAVEL ACCESS APPROACH. APPROACH SHALL BE INSTALLED TO PROVIDE STABLE ACCESS TO ROADWAYS AND MINIMIZE DUST AND TRACKING OF MATERIALS ONTO PUBLIC STREETS AND HIGHWAYS. THE APPROACH SHALL BE A MIN. OF 12' WIDE, 6" DEEP, AND CONSIST OF 2"-4" AGGREGATE.

GENERAL SOIL EROSION MEASURES
(APPLICABLE TO ENTIRE SITE)

7 P | 15 P | FIL-8 t | 14 t | 36 t | TP

LEGEND

34 t — MICHIGAN UNIFIED KEYING SYSTEM (MUKS)

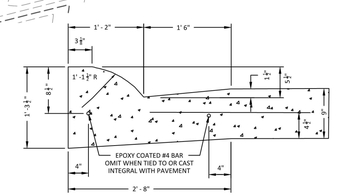
BEST MANAGEMENT PRACTICE (BMP)

t — TEMPORARY CONTROL MEASURE (DURING CONSTRUCTION AND UNTIL PERMANENT MEASURES ARE ESTABLISHED

P — PERMANENT CONTROL MEASURE

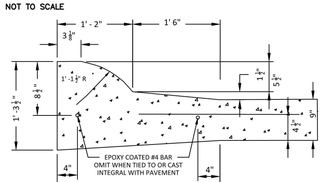
NOTE:

SOIL EROSION AND SEDIMENTATION CONTROL MEASURES INDICATED ARE KNOWN OR ANTICIPATED CONTROL MEASURES NEEDED DURING TYPICAL CONSTRUCTION ACTIVITIES. ADDITIONAL CONTROL MEASURES MAY BE REQUIRED DUE TO CONSTRUCTION ACTIVITY, LOCATION, SOIL TYPE, WEATHER EVENT, ETC. ALL ADDITIONAL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE INCIDENTAL TO THE CONSTRUCTION CONTRACT.



MDOT DETAIL B2 CONCRETE CURB & GUTTER

NOT TO SCALE



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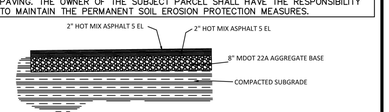

STANDARD DUTY PAVEMENT DETAIL

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4	11/06/2023	MDOT COMMENTS	NEF
5	1/19/2024	CONDITIONAL USE PERMIT	CJW
6	3/6/2024	95% COMPLETE PLAN	CJW

EATON RAPIDS TOWNSHIP
EATON COUNTY, MICHIGAN

CHILDERS MINE
GRADING PLAN

VK CIVIL
Vriesman & Korhorn
Byron Center, MI (616) 277-2185
Kalamazoo, MI (269) 697-7120
www.VKcivil.com

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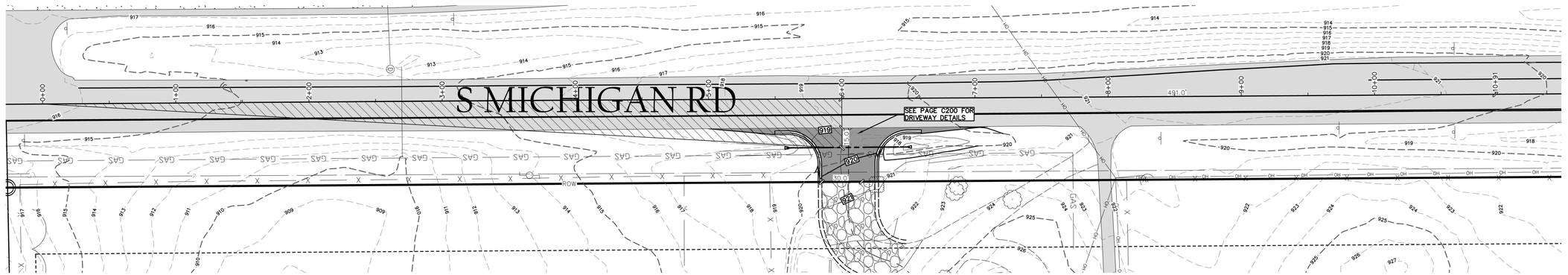
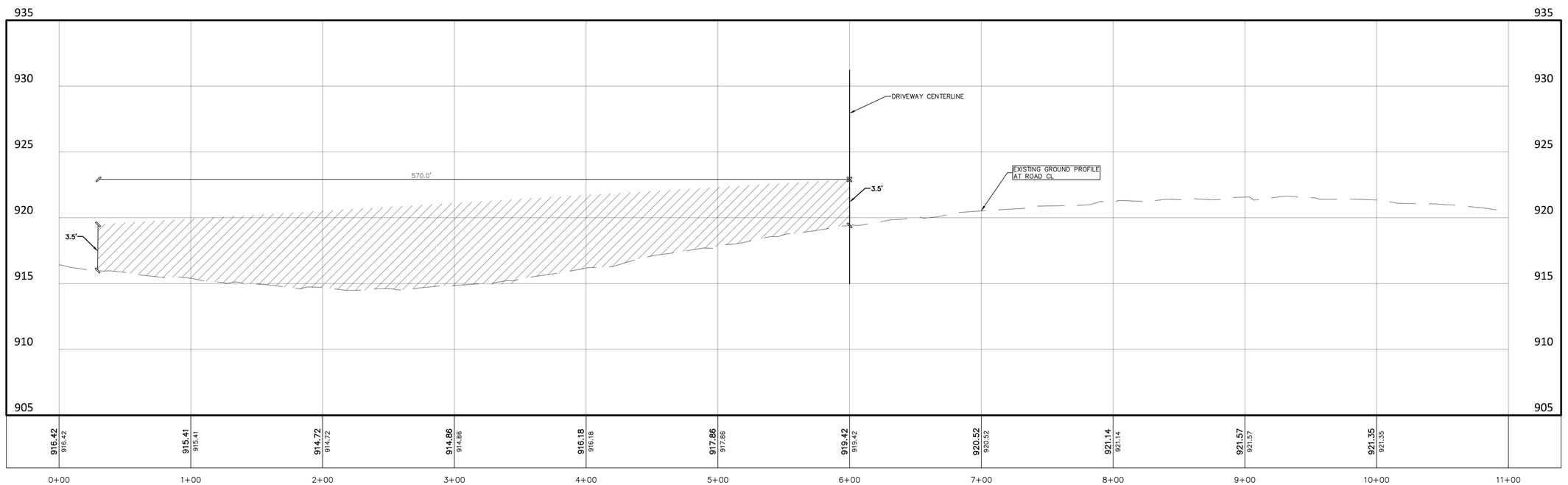
Sheet No. C201





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EATON RAPIDS TOWNSHIP
EATON COUNTY, MICHIGAN

CHILDERS MINE
SIGHT DISTANCE

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Byron Center, MI (616) 277-2185
Kalamazoo, MI (269) 697-7120
www.VKcivil.com

FILE NO. 1183
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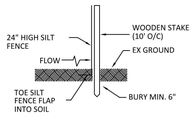

SILT FENCE DETAIL

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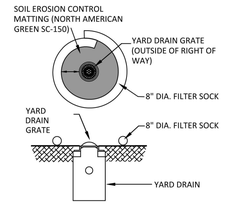

INLET PROTECTION DETAIL

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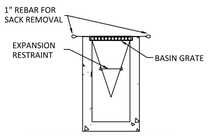


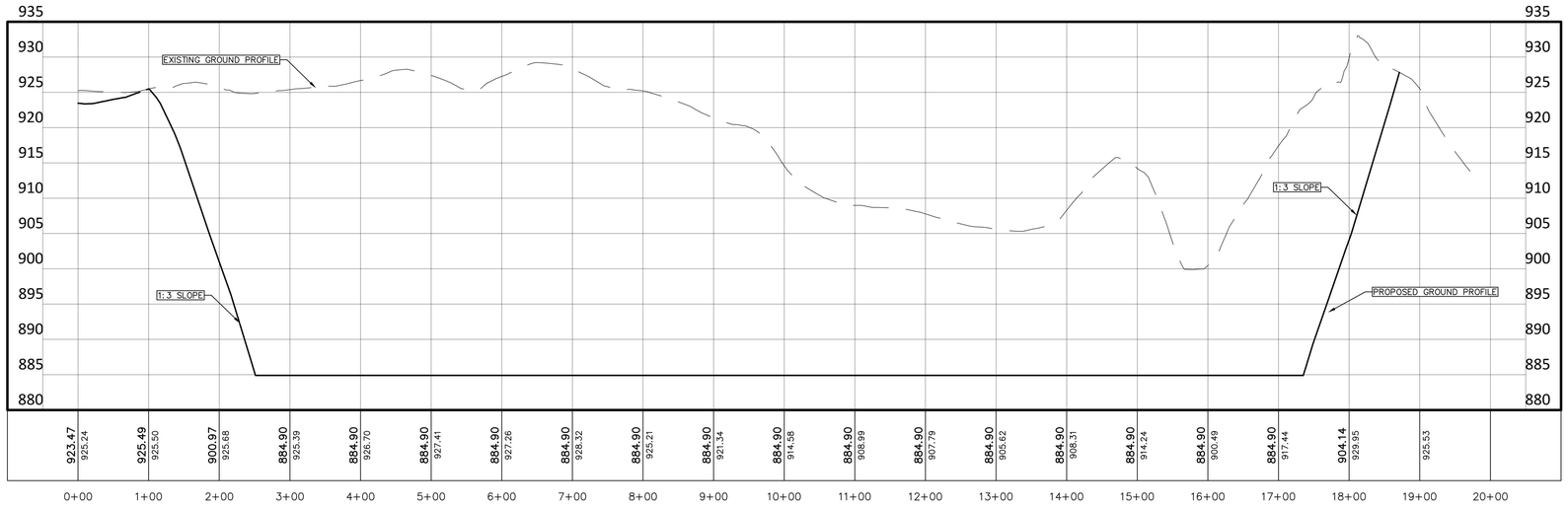
SILT SACK DETAIL

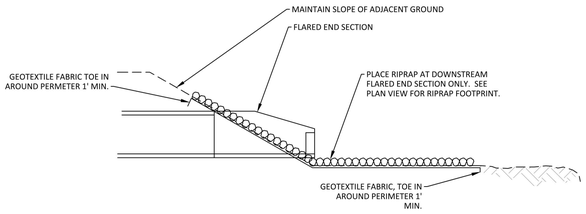
NOT TO SCALE

CROSS SECTION 1
HORAZONTAL SCALE: 1" = 100'
VERTICAL SCALE: 1" = 10'

0' 50' 100'
0' 5' 10'

GRAVEL PIT CROSS-SECTION 1 WEST TO EAST

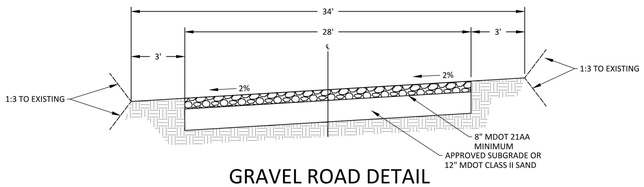




SECTION VIEW

RIP-RAP DETAIL

NOT TO SCALE



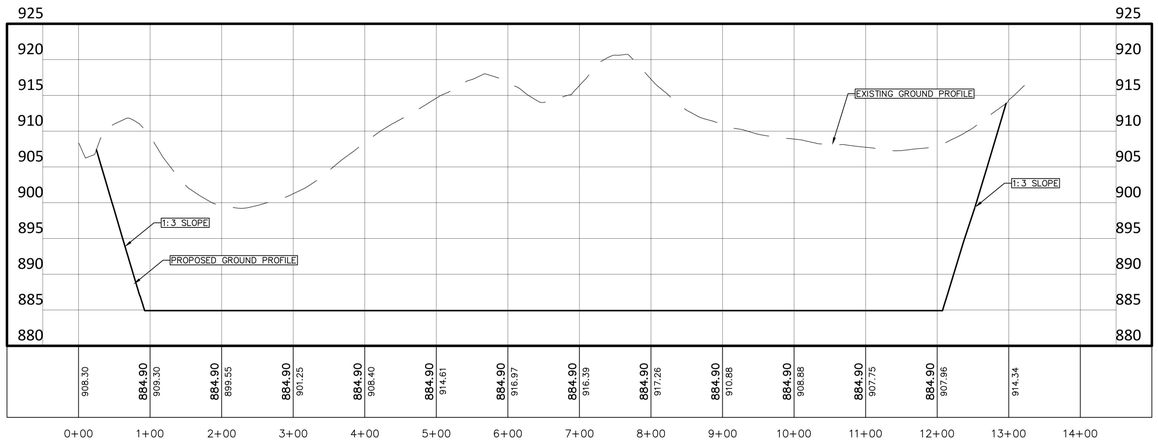
GRAVEL ROAD DETAIL

NOT TO SCALE

CROSS SECTION 2
HORAZONTAL SCALE: 1" = 100'
VERTICAL SCALE: 1" = 10'

0' 50' 100'
0' 5' 10'

GRAVEL PIT CROSS-SECTION 2 SOUTH TO NORTH



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EATON COUNTY, MICHIGAN

CHILDERS MINE
PROJECT DETAILS

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Byron Center, MI (616) 277-2185
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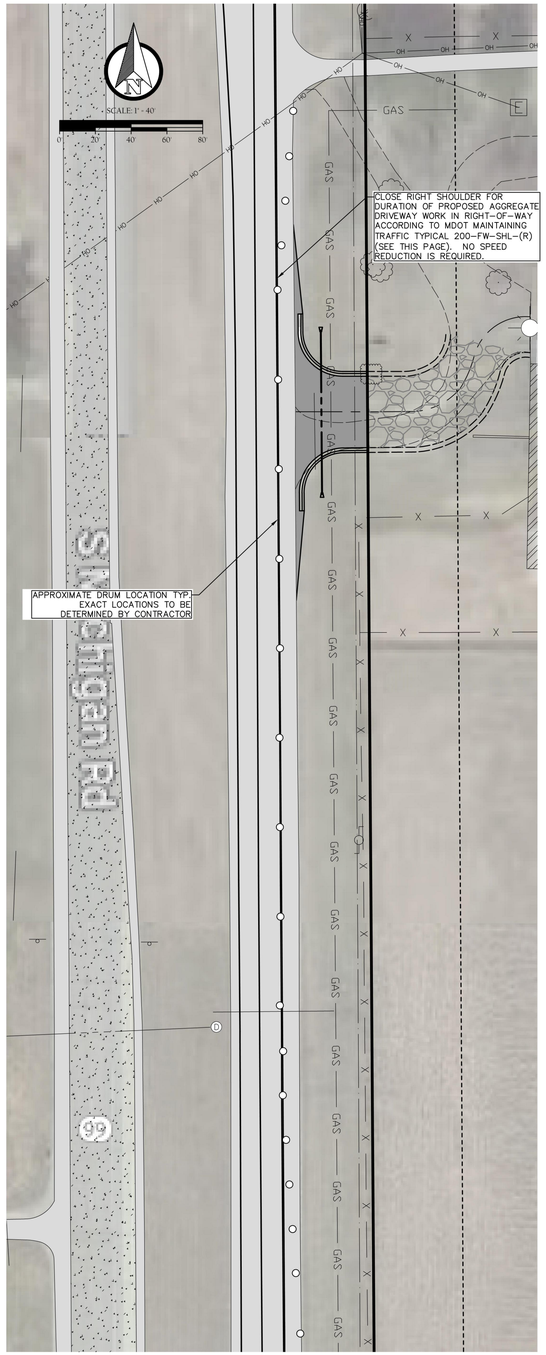


NOTE: FOLLOW MDOT WORK ZONE SAFETY AND MOBILITY MANUAL GUIDELINES FOR RETROREFLECTIVITY AND ILLUMINATION REQUIREMENTS OF TRAFFIC CONTROL DEVICES.

NOTE: POSTED SPEED LIMIT ON M-99/MICHIGAN RD IS 55 MPH.

MAXIMUM SPACING FOR CHANNELIZING DEVICES

WORK ZONE SPEED LIMIT	DRUM AND 42" DEVICE SPACING (FT)		NIGHTTIME 42" DEVICE SPACING (FT)	
	TAPER	TANGENT	TAPER	TANGENT
< 45 MPH	1 x SPEED LIMIT	2 x SPEED LIMIT	25 FEET	50 FEET
≥ 45 MPH	50 FEET	100 FEET	25 FEET	50 FEET

NIGHTTIME SPACING TO BE USED

DISTANCE BETWEEN TRAFFIC SIGNS, "D"

"D" DISTANCES	POSTED SPEED LIMIT, MPH (PRIOR TO WORK AREA)										
	25	30	35	40	45	50	55	60	65	70	75
D (FEET)	250	300	350	400	450	500	550	600	650	700	750

GUIDELINES FOR LENGTH OF LONGITUDINAL BUFFER SPACE, "B"

"B" LENGTHS	SPEED,* MPH (PRIOR TO WORK AREA)										
	20	25	30	35	40	45	50	55	60	65	70	75
B (FEET)	33	50	83	132	181	230	279	329	411	476	542	625

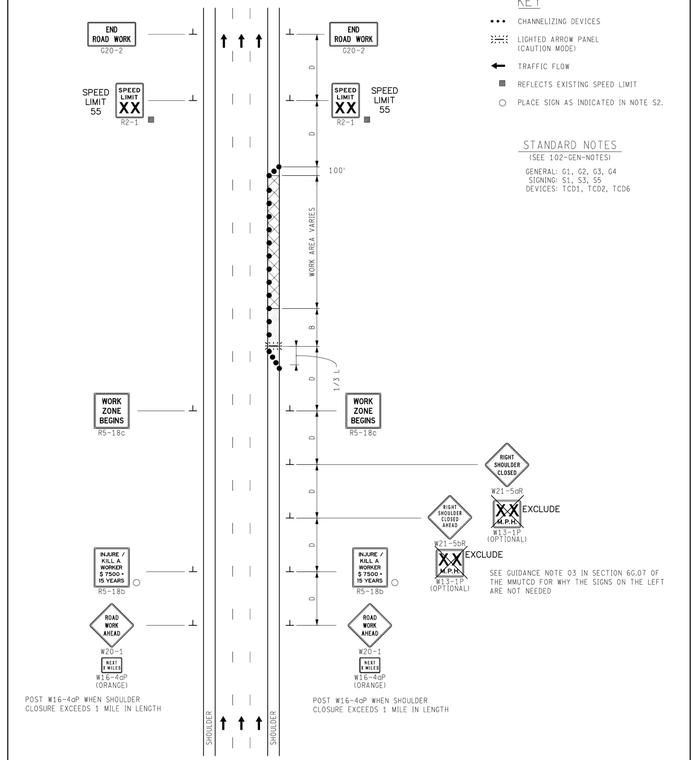
* POSTED SPEED, OFF-PEAK 85TH PERCENTILE SPEED PRIOR TO WORK STARTING, OR THE ANTICIPATED OPERATING SPEED.

MINIMUM MERGING TAPER LENGTH, "L" (FEET)

OFFSET (FEET)	POSTED SPEED LIMIT, MPH (PRIOR TO WORK AREA)										
	25	30	35	40	45	50	55	60	65	70	75
1	11	15	21	27	45	50	55	60	65	70	75
2	21	30	41	54	90	100	110	120	130	140	150
3	32	45	62	80	135	150	165	180	195	210	225
4	42	60	82	107	180	200	220	240	260	280	300
5	53	75	103	134	225	250	275	300	325	350	375
6	63	90	123	160	270	300	330	360	390	420	450
7	73	105	143	187	315	350	385	420	455	490	525
8	84	120	164	214	360	400	440	480	520	560	600
9	94	135	184	240	405	450	495	540	585	630	675
10	105	150	205	267	450	500	550	600	650	700	750
11	115	165	225	294	495	550	605	660	715	770	825
12	125	180	245	320	540	600	660	720	780	840	900
13	136	195	266	347	585	650	715	780	845	910	975
14	146	210	286	374	630	700	770	840	910	980	1050
15	157	225	307	400	675	750	825	900	975	1050	1125

NOT TO SCALE

MDOT Michigan Department of Transportation	NOT TO SCALE	MAINTAINING TRAFFIC TYPICAL	'B", "D" AND "L" TABLES CHANNELIZING DEVICE SPACING, SIGN BORDER KEY, AND ROLL-AHEAD SPACING	DATE: MAY 2021
FILE: 101-GEN-SPACING-CHARTS.dgn		NO: 101-GEN-SPACING-CHARTS		SHEET: 1 OF 3



MDOT Michigan Department of Transportation	NOT TO SCALE	MAINTAINING TRAFFIC TYPICAL	SHOULDER CLOSURE ON A FREEWAY OR DIVIDED ROADWAY RIGHT SHOULDER	DATE: MAY 2021
FILE: 200-FW-SHL-(R).dgn		NO: 200-FW-SHL-(R)		SHEET: 1 OF 1

NO.	DATE	REVISION	BY
1	04/28/2023	PRELIMINARY SITE PLAN	MDS
2	9/29/2023	MDOT SUBMITTAL	CJW
3	10/17/2023	DRIVEWAY RELOCATION	NEF
4	11/06/2023	MDOT COMMENTS	NEF
5	1/19/2024	CONDITIONAL USE PERMIT	CJW

EATON RAPIDS TOWNSHIP
EATON COUNTY, MICHIGAN

CHILDERS MINE
MAINTENANCE OF TRAFFIC

VK CIVIL
Vriesman & Korhorn
www.VKcivil.com
Byron Center, MI
(616) 277-2185
Kalamazoo, MI
(269) 697-7120

FILE NO. 1183
CHECKED GPW
Sheet No. C601

STAFF REPORT
DCA-5-24-3

TO: **EATON COUNTY PLANNING COMMISSION**

ALL EFFECTED TOWNSHIPS

FROM: Eaton County Department of Construction Codes & Planning and Zoning

RE: **DCA-5-24-3:** Request by Eaton County Planning Commission to amend the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Subsection 5.3.1 A), Article 10 Off-Street Parking and Loading (amend Subsection10.4), and Article 14 Specific Provisions and Requirements (amend Subsection 14.1 Agricultural Business and 14.13 Home Business).

HEARING DATE: June 4, 2024 at 7:00 p.m.

APPLICANT'S STATEMENT: Request by Eaton County Planning Commission to amend the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Subsection 5.3.1 A), Article 10 Off-Street Parking and Loading (amend Subsection10.4), and Article 14 Specific Provisions and Requirements (amend Subsection 14.1 Agricultural Business and 14.13 Home Business).

SITE PLAN REVIEW RESPONSES

Approved	Denied	Approved	Denied
[ ] Drain Commissioner	[ ]	[ ] Eaton Co Road Commission	[ ]
[ ] MDOT	[ ]	[ ] BEDHD	[ ]
[ ] Conservation District ©	[ ]	[ ] Construction Code	[ ]
[ ] Central Dispatch	[ ]		

MAILING: All notifications were sent to agencies, local governments, and utilities as required per PA110 of 2006 and the Eaton County Zoning Ordinance.

SITE PLAN REVIEW COMMENTS:

Conservation District commented: "No concerns."

PLANNING COMMISSION RECOMMENDATION: All amendments to be considered by the Planning Commission shall include, but not be limited to the following under Article 13.6 of the Eaton County Land Development Code:

Criteria for Amendments:

13.6.1 Scope of Examination: In reviewing the application for an amendment to this Ordinance, the Planning Commission will identify and evaluate all factors relevant to the application, and will report its findings in full along

with its recommendations for disposition of the application, to the County Board of Commissioners. The matters to be considered by the Planning Commission will include, but shall not be limited to, the following:

A. What, if any, identifiable conditions related to the application have changed which justify the proposed amendment?

B. What, if any, error was made in the original Ordinance that justifies the proposed amendment?

C. What are the precedents and possible effects of such precedents which might result from the approval or denial of the petition?

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

E. **NOT APPLICABLE TEXT AMENDMENT ONLY NOT A DISTRICT CHANGE AMENDMENT**. Does the petitioned district change adversely affect environmental conditions, or result in conditions that are detrimental to persons or property in the vicinity.

F. **NOT APPLICABLE TEXT AMENDMENT ONLY NOT A DISTRICT CHANGE AMENDMENT**. Does the petitioned district change generally comply with the adopted Eaton County Comprehensive Development Plan?

G. **NOT APPLICABLE TEXT AMENDMENT ONLY NOT A DISTRICT CHANGE AMENDMENT.** The ability of the property in question to be put to a reasonable economic use in the Land Development District in which it is presently located.

13.6.2 All findings of fact shall be made a part of the public records of the meetings of the Planning Commission. The Planning Commission will transmit its findings of fact and a summary of comments received at the public hearing to the Board of Commissioners.

SECTION 13.7 CONSIDERATION BY THE BOARD OF COMMISSIONERS

After receiving the recommendations of the Planning Commission, the Board of Commissioners, at any regular meeting or at any special meeting called for that purpose, will consider said findings of fact and recommendations and vote upon the adoption of the proposed amendment. Such action shall be by ordinance, requiring a majority vote of the full membership of the County Board of Commissioners. The Board of Commissioners may refer any proposed amendments to the Planning Commission for consideration and comment within a time specified by the Board of Commissioners. The Board of Commissioners may hold additional public hearings if it considers it necessary or as required. The Board of Commissioners shall grant a hearing on a proposed Ordinance provision to a property owner who request a hearing by certified mail, addressed to the County Clerk. If the Board of Commissioners so chooses or is appropriately requested to hold a public hearing, such notice shall be conducted as provided for in Article 3.9, herein. It is further understood that in order to lessen the possibility of adverse litigation concerning the Land Development decisions of the Board of Commissioners, that said Board will make a complete record of the rationale for the action taken on each application for amendment to this Ordinance.

PROPOSED TEXT AMENDMENT

TO THE EATON COUNTY LAND DEVELOPMENT CODE

Additions are shown in ***bold italic print*** and deletions are shown by ~~strikeout print.~~

All suggested changes are highlighted.

Proposed change to Section 5.3.1A , remove the definition of Animal Holding Area from this section and add it to Section 14.1, Agricultural Business with changes.

ARTICLE 5
DEFINITIONS AND INTERPRETATIONS

5.3.1 A

~~**Animal Holding Area (Large Animal Boarding Business):** Short-term housing or land area used for retention of animals. This shall be considered the building(s) that the animals are housed in.~~

~~**Animal Holding Area (Veterinary Hospital, Clinic or Kennel):** Animal holding area includes structures, pens, fencing, runs and running areas.~~

Proposed change to Section 10.4 Off Street Parking Requirements, specifically, Agricultural Businesses to be in line with the proposed changes for Section 14.1 Agricultural Businesses.

ARTICLE 10
OFF-STREET PARKING AND LOADING

SECTION 10.4 OFF-STREET PARKING SPACE REQUIREMENTS

Agricultural Businesses (Art 14.1)	**Commercial ~~riding stable~~ *Equine Training Facility*** -One space for every four ~~persons of maximum expected capacity~~ ***stalls*** **Food, feed, fiber, alcohol processing facility**- One for every two employees in the largest working shift OR one for every 1,700 sq ft of floor area, whichever is greater **Grain and feed elevators**-One for every two employees ~~***Greenhouses with on premise retail sales**-One for every 300 sq ft of sales area*~~ **Livestock auction yards**- One space for every three persons of maximum expected capacity plus, one for every two employees **Livestock transport facilities**- One space for every three persons of maximum expected capacity plus one for every two employees ~~**Nurseries with on premise retail sales** ***Indoor Public Retail Sales***~~- One for every 400 sq ft of area for sales **Sawmills**- One for every two employees in the largest working shift OR one for every 1,700 sq ft of floor area, whichever is greater ~~**Seasonal farm markets**- One for every 300 sq ft of floor area~~ **Slaughterhouse selling products butchered on site**-One for every 400 sq ft of floor area **Veterinary Hospital, Clinic, Kennel**- One for every 300 sq ft of floor area

Proposed change to Section 14.1, Agricultural Business to offer clarity and prevent over regulation of businesses in conflict with the Right to Farm Act, PA 93 of 1981.

Proposed change to Section 14.13 Home Business, specifically, Subsection 14.13.3 Prohibited Home Business to include Marihuana Facilities.

ARTICLE 14
SPECIFIC PROVISIONS AND REQUIREMENTS

SECTION 14.1 AGRICULTURAL BUSINESS

14.1.1 Definition: The sales, service, repair, storage, and processing activities which are ~~directly dependent upon the agricultural community of the county and are~~ necessary to support agricultural enterprise.

14.1.2 Permitted Uses:

A. Commercial ~~riding stable~~ ***equine training facilities***

B. Processing facilities for food, feed, fiber and alcohol processing facilities, for more than one farm operator

C. Grain and feed elevators

D. ~~Greenhouses with on premise~~ ***Indoor public*** retail sales ***of farm products***

E. Livestock auction yards

F. Livestock transport facilities

~~G. Nurseries with on premise retail sales~~

G. Sawmills

~~H. Seasonal farm markets; provided, however, that seasonal farm markets selling only fresh produce raised on the premises and conducting retail sales with total gross annual sales of less than $2,000, shall not be regulated under this Article.~~

H. Slaughterhouse selling products butchered on the premises

I. Veterinary Hospital, Clinic or Kennel

J. Large Animal Boarding Business

14.1.3 Regulations and Conditions:

A. Animal holding area shall be setback one-hundred (100) feet from all property lines and the road right-of-way. ***They are defined as:***

1. Large Animal Boarding Business: Structures(s) the animals are housed in.

2. Veterinary Hospital, Clinic or Kennel: Structure(s), pens, fencing, runs and running areas.

B. No storage of manure or dust producing material within one-hundred (100) feet of any property line or road right-of-way.

C. Signs shall comply with *Article 11* of this Ordinance.

D. Parking areas shall comply with *Article 10* of this Ordinance.

~~E. Agricultural business shall be established and conducted in compliance with all other applicable laws and ordinances.~~

SECTION 14.13 HOME BUSINESS

14.13.1 Definition: A Home Business is an accessory use to a household involving the sale of goods and services which is conducted either from within the dwelling and/or from accessory buildings located on the same parcel and within five-hundred (500) linear feet of the dwelling unit occupied by the family conducting the home business. If the proposed home business activity does not create retail sales on the property, does not employ anyone other than the residents of the home, does not generate traffic to the property, does not have signage, or create noise, dust, vibration, odor, smoke, glare, electrical interference, or fire hazard to a greater extent than normal or substantially increase the use of services such as water, sanitary sewer, storm drainage, or garbage collection, the activities may be conducted within the home or accessory structure without having to obtain a conditional use permit. Prohibited businesses are identified in Article 14.13.3.

14.13.2 Regulations and Conditions:

A. The business shall hire no more than two (2) employees other than the resident occupants of the dwelling.
B. The business shall be conducted in a fully enclosed building.
C. All materials, equipment, and business vehicles must be stored out of sight in an enclosed building or in an enclosed outdoor storage area. Outdoor storage of materials, equipment, and vehicles must be completely fenced to obstruct view to a height equal to the elevation of the tallest material to be stored; provided, however, that up to two (2) display units produced on site may be exhibited outside a fence with Planning Commission approval. The area allocated to outdoor storage together with any approved outdoor display exhibits, shall not exceed 850 square feet total.
D. Adequate off-street parking for clients and employees shall be provided in accordance with *Article 10* of this Ordinance. Business related equipment and vehicles with business identification must be parked inside an enclosed building or fenced storage area.
E. No external alteration of the dwelling that would change its residential appearance shall be made to accommodate the home business.
F. The home business shall at all times comply with all other applicable laws and ordinances.
G. Signs shall be permitted in accordance with *Article 11* of this Ordinance.
H. Total floor area for the home business use located both within a dwelling and accessory buildings when taken together shall not exceed two-thousand (2,000) square feet.
I. The Home Business shall not produce fumes, odors, dust, vibration, noise, smoke, electrical interference, fire or chemical hazards or other conditions not typically associated with the uses of the residence and accessory structures for a residential dwelling.
J.

14.13.3 Prohibited Home Business:

A. Motor Fuel Service Station, Parking Garage and Commercial Garage.
B. Automobile Salvage Yard.
C. New and Used Vehicle Sales.
D. Research and Development establishment
E. Truck and Rail Freight Terminal
F. Wholesale Trade Business
G. Above Ground Storage of Flammable Liquids
H. Propane Service Facility
I. Automotive Salvage Yards and Scrapping Yards
J. Chemical Processing and Metallurgic Manufacturing
K. Meat or Poultry Processing Plant
L. Refiners and Power Generating Plant
M. Heavy Manufacturing
N. Manufacturing of explosives
O. Marihuana Facilities

DISTRICT CHANGE AMENDMENT APPLICATION

EATON COUNTY DEPARTMENT OF CONSTRUCTION CODES & PLANNING AND ZONING
1045 INDEPENDENCE BLVD., CHARLOTTE, MI 48813
517-543-3689

Applicant Name(s):
Eaton County Planning Commission

Circle one: Property Owner Representative
(must have proof of ownership/owner permission)

Mailing Address:

Street: 1045 Independence Blvd

City: Charlotte State: MI zip: 48813

Phone(s): (517) 543-3689

Property Address: (if different than above)

Street

Property Code: - - - -

Township:

Office Use Staff will complete

Case No.: DCA-5-24-3

Fee $500 check_____cash_____ N/A
Date received: March 21, 2024

Hearing Date: May 7, 2024

Township Board
Action _____
Date _____

Eaton County Planning Commission
Action _____
Date _____

Eaton County Board of Commissioners
Action _____
Date _____

PLEASE NOTE: All questions must be answered completely. If additional space is needed, number and attached additional sheets. The total number of sheets attached is _____.

I. ACTION REQUESTED

I (we), the undersigned, do hereby request that the Eaton County Board of Commissions approve the following petition for zoning amendment:

A. Text Amendment: Amend Article _____Section_____to_____(delete, supplement or clarify) the Eaton County Land Development Code by making the following change(s): (attach additional sheets if necessary).
Amendments are proposed to the following: Article 5 Definitions (amend Subsection 5.3.1 A), Article 10 Off-Street Parking and Loading (amend Subsection 10.4) and Article 14 Specific Provisions and Requirements (amend Sections 14.1 Agricultural Business and 14.13 Home Business)

B. Map Amendment: Change District from_____to_____the property(s) described in II. (property information), for the following purposes:

Please describe any previous request for land development related permits, which have been in connection with this property that pertains to this petition.

Federal N/A

_____Approved / Denied

State N/A

_____ Approved / Denied

County N/A _____

_____

_____ Approved / Denied

County (zoning related) N/A _____

_____

_____ Approved / Denied

II. PROPERTY INFORMATION

A. Please attach a legal description of property(s) proposes to be rezoned. A legal description of the parcel is the deed, land contract, or tax information for a property. It must include any deed restrictions, easements, etc.

B. Address of Property: _____

_____

_____

C. Names and address of all other persons, firms, or corporations currently having a legal or equitable interest in the land. _____

_____

_____

D. This area is _____unplatted _____platted _____will be platted
If platted, name of plat _____

E. Present use of the property is _____

_____

_____

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

A. State specifically the reason for this amendment request at this time _____
Regular maintenance and updating to clarify intent, update language and improve comprehension.

_____

_____

_____

_____

_____

B. What, if any, identifiable conditions related to this petition have changed since the adoption of the Eaton County Land Development Code on October 13, 1981, which justify the proposed amendment? As the population and economy changes in the county so do land use issues. These changes are to accommodate. _____

_____

_____

_____

C. What, if any, error was made in the original Ordinance, which justifies the proposed amendment? __
No error, just clarifying the intent and improving language.

D. Can, in your opinion, the property be put to a reasonable economic use as it now stands under the Ordinance? N/A Text Amendment

E. What do you anticipate the impacts of the proposed amendment to be on the following areas:
1. Adjacent roads None
2. County Drains None
3. Public Schools None

F. What do you anticipate the impacts of the proposed amendment to be on the environment and the value of the adjacent property? What steps do you propose to take to mitigate any negative impacts associated with the proposed change? None

IV. PLEASE ATTACH A SITE PLAN! (Please label with applicant name and page number)

A site plan is a scale drawing that shows the boundaries of the property, any structures, buildings on the property, public or private roads, driveways, easements, or other property features, and any natural features including bodies of water, wetlands, etc. The site plan must include the following:

a) Property dimensions (measurements of all property boundaries, including road frontage).
b) Any easements or public right of way, including utility easements or ingress/egress.
c) Location(s) of existing and proposed driveways.
d) All existing and proposed buildings, accessory structures, and outdoor storage area(s) (for vehicles, equipment, or materials) with measurements between them and to property boundaries.
e) Bodies of water, creeks, lakes, ponds, county drains, marshes, and seasonally flooded wetlands, etc. (Show distances from building sites, parking, and storage areas).
f) Proposed grades and site drainage pattern(s) (Include drainage patterns around the entire perimeter of the property).
g) Location of water supply and location and design of waste water systems.
h) All existing and proposed signs.

AFFIDAVIT

I acknowledge that if a District Change Amendment is granted that the decision does not relieve me from compliance with all other laws and requirements. I affirm that I am involved in this application and that the answers and statements herein contained and the information provided is true, accurate and correct. I understand that if it is not, this application and any approvals are void. I hereby give county officials permission to inspect the property to verify information and to verify compliance with rules and conditions.

Randy Miller — March 21, 2024
Applicant(s) Signature(s) — Date

Applicant(s) Signature(s) — Date

STAFF REPORT
DCA-6-24-4

TO: **EATON COUNTY PLANNING COMMISSION**

ALL EFFECTED TOWNSHIPS

FROM: Eaton County Department of Construction Codes & Planning and Zoning

RE: **DCA-6-24-4:** Request by Eaton County Planning Commission to amend the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Subsection 5.3.19 S), and Article 11 Advertising Structures, Signs and Name Plates.

HEARING DATE: June 4, 2024 at 7:00 p.m.

APPLICANT'S STATEMENT: Request by Eaton County Planning Commission to amend the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Subsection 5.3.19 S), and Article 11 Advertising Structures, Signs and Name Plates.

SITE PLAN REVIEW RESPONSES

Approved	Denied	Approved	Denied
[ ] Drain Commissioner	[ ]	[ ] Eaton Co Road Commission	[ ]
[ ] MDOT	[ ]	[x] BEDHD	[ ]
[ ] Conservation District ©	[ ]	[ ] Construction Code	[ ]
[ ] Central Dispatch	[ ]	[x] Eaton Rapids Twp.	[ ]
[x] Vermontville Twp.	[ ]		

MAILING: All notifications were sent to agencies, local governments, and utilities as required per PA110 of 2006 and the Eaton County Zoning Ordinance.

SITE PLAN REVIEW COMMENTS:

Conservation District commented: "No objections."

PLANNING COMMISSION RECOMMENDATION: All amendments to be considered by the Planning Commission shall include, but not be limited to the following under Article 13.6 of the Eaton County Land Development Code:

Criteria for Amendments: 13.6.1 Scope of Examination: In reviewing the application for an amendment to this Ordinance, the Planning Commission will identify and evaluate all factors

relevant to the application, and will report its findings in full along with its recommendations for disposition of the application, to the County Board of Commissioners. The matters to be considered by the Planning Commission will include, but shall not be limited to, the following:

A. What, if any, identifiable conditions related to the application have changed which justify the proposed amendment?

B. What, if any, error was made in the original Ordinance that justifies the proposed amendment?

C. What are the precedents and possible effects of such precedents which might result from the approval or denial of the petition?

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

E. **NOT APPLICABLE TEXT AMENDMENT ONLY NOT A DISTRICT CHANGE AMENDMENT**. Does the petitioned district change adversely affect environmental conditions, or result in conditions that are detrimental to persons or property in the vicinity.

F. **NOT APPLICABLE TEXT AMENDMENT ONLY NOT A DISTRICT CHANGE AMENDMENT**. Does the petitioned district change generally comply with the adopted Eaton County Comprehensive Development Plan?

G. **NOT APPLICABLE TEXT AMENDMENT ONLY NOT A DISTRICT CHANGE AMENDMENT.** The ability of the property in question to be put to a reasonable economic use in the Land Development District in which it is presently located.

13.6.2 All findings of fact shall be made a part of the public records of the meetings of the Planning Commission. The Planning Commission will transmit its findings of fact and a summary of comments received at the public hearing to the Board of Commissioners.

SECTION 13.7 CONSIDERATION BY THE BOARD OF COMMISSIONERS

After receiving the recommendations of the Planning Commission, the Board of Commissioners, at any regular meeting or at any special meeting called for that purpose, will consider said findings of fact and recommendations and vote upon the adoption of the proposed amendment. Such action shall be by ordinance, requiring a majority vote of the full membership of the County Board of Commissioners. The Board of Commissioners may refer any proposed amendments to the Planning Commission for consideration and comment within a time specified by the Board of Commissioners. The Board of Commissioners may hold additional public hearings if it considers it necessary or as required. The Board of Commissioners shall grant a hearing on a proposed Ordinance provision to a property owner who request a hearing by certified mail, addressed to the County Clerk. If the Board of Commissioners so chooses or is appropriately requested to hold a public hearing, such notice shall be conducted as provided for in Article 3.9, herein. It is further understood that in order to lessen the possibility of adverse litigation concerning the Land Development decisions of the Board of Commissioners, that said Board will make a complete record of the rationale for the action taken on each application for amendment to this Ordinance.

PROPOSED TEXT AMENDMENT

TO THE EATON COUNTY LAND DEVELOPMENT CODE

Additions are shown in ***bold italic print*** and deletions are shown by ~~strikeout print.~~

All suggested changes are highlighted.

Proposed change to Section 5.3.19 S , remove all definitions for signs, direct to Article 11 of Zoning Ordinance.

ARTICLE 5
DEFINITIONS AND INTERPRETATIONS

5.3.19 S

Signs: ***See Article 11 Advertising Structures, Signs, and Name Plates.*** ~~The following section includes the definitions for a variety of signs. This section has been placed here for convenience and may also be found in Article 11.~~

~~A. Sign: Sign shall mean and include every individual announcement, declarations, demonstration, display, illustration, insignia, surface or space when erected or maintained out of doors in view of the general public for identification, advertisement or promotion of the interests of any person. This definition shall include billboard signs, signs painted directly on walls of structures, and portable signs.~~

~~B. Sign, Advertising: Any sign erected for the purpose of advertising a business, product, service, event, person or subject not relating on the premises on which said sign is located.~~

~~C. Sign, Billboard: An off-premise sign applied to panels with over three hundred (300) square feet of display area and used for out-door advertising of a business, product, service, event, person or subject including those signs as regulated by the Michigan Department of Transportation pursuant to Public Act 106 of 1972, as amended.~~

~~D. Sign, Business: Any sign erected for the purpose of advertising a business, product, or subject related to the premises on which said sign is located.~~

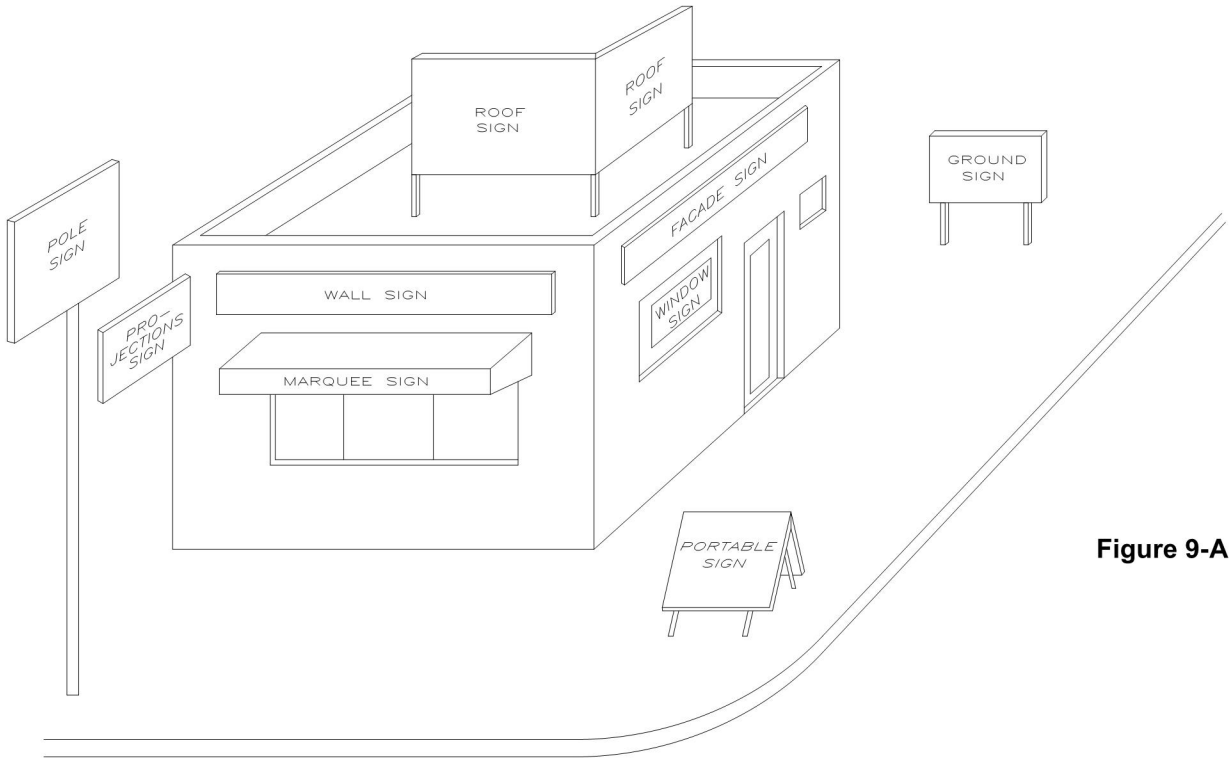


Figure 9-A

E. Sign, Display Area: Display area means the entire area within a circle, triangle or parallelogram enclosing the extreme limits or writing, lighting, representation, emblem or any figure of similar character, together with any frame or other material forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign; except that where two such faces are placed back to back and are at no point more than three feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.

EXCEPTION 1: The display area of signs painted directly on building wall surfaces shall be that area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, letters, or numbers.

EXCEPTION 2: Time and temperature displays including clock facings.

F. Sign, Ground: A sign which is supported on a monument base or on one (1) or more supports where the sign height is less than eight (8) feet.

G. Sign, Height: The height of sign shall mean the maximum vertical distance from the uppermost extremity of a sign or sign support to the average ground level at the base of the sign.

H. Sign, Home Occupation: A sign containing only the name and occupation used for the purpose of advertising services in conjunction with a lawful home occupation.

I. Sign, Identification: A sign giving the nature, logo, trademark or other identifying symbol, address, or any combination of the name, symbol and address of a building, business, development or establishment on the premises where it is located.

J. Sign, Marquee: A sign which is attached to or hung from the underside of a marquee, awning, canopy, or other covered structure projecting from and supported by a building and does not project horizontally beyond or vertically above said marquee, awning, canopy, or covered structure.

K. Sign, Name Plate: A sign located on premises, giving the name or address, or both, or the owner or occupant of a building or premises.

L. Sign, Off-Premise: A sign located on a different parcel of land or lot or premise than where the business, product, service, event, or person or subject is being advertised.

M. Sign, On-Premise: A sign located on the parcel of land or lot advertising a business, product, service, event, person or subject being offered on said parcel of land or lot.

N. Sign, Pole: A sign which is supported on one (1) or more supports where the sign height is greater than eight (8) feet.

O. Sign, Portable: A sign that is not permanent, affixed to a building, structure or the ground including signs supported on mobile chassis other than motor vehicles.

P. Sign, Projecting: A sign which is attached directly to the building wall, and which extends more than fifteen (15) inches from the face of the wall.

~~Q. Sign, Roof: A sign which is erected, constructed and maintained upon or above the roof of a building, or parapet wall and which is wholly or partially supported by said building.~~

~~EXCEPTION: For the purpose of this definition of roof sign, a sign that is mounted on a mansard roof, roof overhang, parapet wall, above a marquee, or on a wall with a roof below, shall not be considered as a roof sign but shall instead be considered as a wall sign for that side of the building, provided that not part of such sign extends above the uppermost building line not including chimneys, flag poles, electrical, mechanical equipment, TV antennas and other similar equipment and extensions.~~

~~R. Sign, Setback: The minimum linear distance as measured from the road right-of-way line to the nearest part of the sign or advertising structure.~~

~~S. Sign, Wall: A sign that is attached directly to a wall, mansard roof, roof overhand, parapet wall, or above a marquee of a building with the exposed face of the sign in a plane parallel to the building wall or to the surface on which it is mounted, and which projects not more than fifteen (15) inches from the building or structure wall, and which does not have any part of such sign or sign supports extending above the uppermost building line not including chimneys, flag poles, electrical or mechanical equipment, TV antennas or any other similar equipment or extensions.~~

~~**Signs, Temporary:** Temporary signs shall include the following:~~

~~A. Balloon Sign: A portable sign which is inflated by air or any inert gas.~~

~~B. Portable Sign: A sign not permanently anchored or secured to either a building or the ground, such as, but not limited to, "A" frame, "T" or inverted "T" shaped sign structures and signs on movable trailers, or similar portable or moveable devices. Banners, balloon signs, or sign's objects or devices shall also be considered portable signs.~~

Proposed change to Article 11 Advertising Structures, Signs and Name Plates to become compliant with a 2015 Supreme Court Ruling regarding sign content.

ARTICLE 11
ADVERTISING STRUCTURES, SIGNS, AND NAME PLATES

SECTION 11.1 INTENT AND PURPOSE

The purpose of this Article is to promote traffic safety, public safety, and the conservation of property values through the application of reasonable controls over the use, size, placement, and general appearance of signs, billboards, and other advertising structures. ***Further, it is the intent of this article to ensure content neutrality in the regulation of signs.***

SECTION 11.2 JURISDICTION

No sign, billboard, name plate, marquee, or other advertising structure shall be erected, replaced, structurally altered, enlarged, illuminated, changed in purpose, or relocated without first obtaining a sign permit pursuant to *Section 11.~~3~~4* of this Ordinance, except those signs specifically exempted by *Section 11.~~9~~8* of this Ordinance, and those structures specifically exempted from this ordinance regulation by the Highway Advertising Public Act 106, of 1972, as amended.

SECTION 11.3 SUBSTITUTION CLAUSE

Any sign authorized to be displayed by this Ordinance may contain a non-commercial message.

SECTION 11.4 SIGN PERMITS

An application for a sign permit shall be made to the ~~Community Development Department~~ ***Department of Construction Codes & Planning and Zoning***, by submission of a form approved for this purpose pursuant to *Section 3.4.1* of this Ordinance, by the owner of the property on which the sign is proposed to be located or by his agent, or lessee. ***All signs shall comply with applicable building codes.*** Said application shall contain the following information:

Property owner's name and address

Applicant's name, address, and phone number

Address or legal description of property on which the sign is proposed

Name and address of the owner of the sign

Total display area in square feet

Proposed setback from road right-of-way

Sign type, purpose, height

Height and width of building if the sign is a wall or wall projecting type

SECTION 11.5 REVIEW OF APPLICATIONS

The ~~Community Development Department~~***Department of Construction Codes & Planning and Zoning*** shall review all properly filed applications for sign permits and issue permits only for those applicants fully meeting the criteria established in this Ordinance and the State Construction Code. The ~~Community Development~~ Department shall approve or reject said applications within three (3) full working days of receipt of a completed application submittal.

SECTION 11.6 SIGN PERMIT APPLICATION FEES

A schedule of permit fees shall be established and amended from time to time by resolution of the County Board of Commissioners.

SECTION 11.7 APPEALS

The Board of Appeals may authorize a ~~reduction, modification, or waiver~~***variance*** of any of the requirements of this Article upon request provided the standards established in *Section 4.6.3* of this Ordinance are fully met.

SECTION 11.8 PROHIBITED SIGNS

The following listed signs are prohibited in any district of this Ordinance:

11.8.1 A sign displaying intermittent lights resembling the flashing lights customarily used in traffic signals, or police, fire, ambulance, or rescue vehicles.

11.8.2 A sign using the words, "Stop", "Danger", or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse a vehicle driver.

~~11.8.3 Billboards located within three-hundred (300) feet of a residential district~~

11.8.3 Any sign which obstructs the ingress or egress from a required door, window, or other required exit**.**

~~**11.8.4** Billboards used for on premise advertising~~

11.8.4 Signs located in the right-of-way of public streets or highways**.**

11.8.5 Window signs located on the face of windows which cover more than twenty-five percent (25%) percent of the window area.

11.8.6 Signs containing statements, words, or pictures of an obscene or indecent character.

11.8.7 Signs advertising a business, product, or service no longer available on the premises on which the sign is located.

11.8.8 Any sign which is structurally unsafe or exhibits significant signs of wear or disrepair.

11.8.9 Off-premise signs not otherwise permitted by this article.

SECTION 11.9 EXEMPT SIGNS

The following signs are permitted as indicated below and are not required to obtain a Sign Permit. Provided, however, that all exempt signs shall be installed outside the public right-of-way in such a manner as to not obstruct clear vision.

11.9.1 ~~Real Estate Sale and For Rent or Lease Signs~~***Temporary signs not exceeding eight (8) square feet when located in the LA, R-1, R-2, and R-3 districts.*** ~~which are not exceeding eight (8) square feet in display area when located within the LA, R-1, R-2, and R-3 districts,~~ ***These temporary signs may be erected for a period not to exceed six (6) months within any twelve (12) month period. If a property is for actively for sale or lease, a temporary sign may be present on site for more than six (6) months.***

11.9.2 ~~and~~ ***Temporary signs*** not exceeding thirty-two (32) square feet in display area in all other land development districts. ***These temporary signs may be erected for a period not to exceed six (6) months within any twelve (12) month period. If a property is for actively for sale or lease, a temporary sign may be present on site for more than six (6) months. Temporary signs in non-residential districts may include off-premise signs.*** ~~Said signs must be located on the actual property for sale, lease or rent.~~

11.9.3 Building Construction Signs ~~identifying contractors, architects, builders, or owners name~~ during the period of construction not exceeding fifty (50) square feet in display area. Signs designating the future site of an establishment shall not be considered Building Construction Signs.

~~11.9.4 Political Campaign Signs not exceeding thirty-two (32) square feet in display area. Political campaign signs supporting a candidate for public office shall be removed seven (7) days following the election for the office in question. Political campaign signs expressing a viewpoint shall be treated as an exempt sign under this Section provided they are removed after ninety (90) days.~~

11.9.4 Small permanent signs affixed to a structure. Such signs include but are not limited to "No Hunting***"***, ***"***No Trespassing***"***, ~~Garage Sale~~ and On Premise Directional Signs not exceeding six (6) square feet in display area.

11.9.5 Name plate s~~S~~igns identifying a building's address and/or the names of the occupants ~~but do~~ not exceed***ing*** six (6) square feet in display area.

11.9.6 Historic Markers, signs identifying the name of a building or date of erection of a structure and official notices of any court or public agency not exceeding six (6) square feet in display area**.**

11.9.7 Signs located on the premise of a customary agricultural operation as defined in this Ordinance ~~which identify and advertise, name of a farm, the operator's name, seed, fertilizer, herbicide,~~

~~pesticide, feed, feed supplements, livestock, test plots, farm organizations, awards, and similar agricultural activities, including seed, feed, fertilizer, herbicide, and pesticide dealers, but excluding equipment and implement dealer and related repair facilities~~. Such signs shall not exceed thirty-two (32) square feet in display area.

11.9.8 Signs ~~identifying the owner, operator, or name of a customary agricultural operation when~~ located on agricultural buildings ~~without display area limitations~~.

11.9.9 Traffic Control, Directional, Warning, or Information Signs when authorized by a public agency having appropriate jurisdiction without display area limitations**.**

11.9.10 Flags ~~(~~no larger than forty (40) square feet in display area ***and*** ~~),~~ banners ~~and signs (~~no larger than two (2) square feet in display area~~) bearing the official insignia of a nation, state, county, municipality, or educational institution~~.

11.9.11 One portable sign not exceeding eight (8) square feet in area located on a non-residential property is permitted without a permit Portable signs may not be located in the right of way and may not interfere with pedestrian or vehicular traffic.

SECTION 11.10 PERMANENT SIGN TABLE

Eaton County Zoning Ordinance, Permanent Sign Table[6,7]					
Type of Sign	**Zoning Districts**				
	RC	**LA, R-1, R-2, R-3**	**C-1**	**C-2**	**I**
MONUMENT [1,2,3,5]	**Max Display Area:** 24sq ft **Max Height:** 8ft **Quantity:** 1 per principal use. Single Family and Duplex Dwellings shall not have a sign. Home occupations may have a single monument sign.	**Max Display Area:** 24sq ft **Max Height:** 8ft **Quantity:** 1 per principal use. Single Family and Duplex Dwellings shall not have a sign. Home occupations may have a single monument sign.	**Max Display Area:** 75sq ft **Max Height:** 12ft **Quantity:** 1 per principal use.	**Max Display Area:** 100sq ft **Max Height:** 12ft **Quantity:** 1 per principal use.	**Max Display Area:** 100sq ft **Max Height:** 12ft **Quantity:** 1 per principal use.
POLE [1,2,3,5]	**Max Display Area:** 24sq ft **Max Height:** 8ft **Quantity:** 1 per principal use. Single Family and Duplex Dwellings shall not have a ***pole*** sign. Home occupations may have a single pole sign.	**Max Display Area:** 24sq ft **Max Height:** 8ft **Quantity:** 1 per principal use. Single Family and Duplex Dwellings shall not have a ***pole*** sign. Home occupations may have a single pole sign.	**Max Display Area:** 100 sq ft[3] **Max Height:** 30ft **Quantity:** 1 per principal use. A use may have one pole sign or one monument sign, but not both.		

Eaton County Zoning Ordinance, Permanent Sign Table[6,7]					
Type of Sign	**Zoning Districts**				
	RC	**LA, R-1, R-2, R-3**	**C-1**	**C-2**	**I**
WALL[4]	**Max Display Area:** 10% of the total area of an exposed wall **Max Height:** Not above highest point of 1st story **Quantity:** 1 per principal use. Single Family and Duplex Dwellings shall not have a wall sign. Home occupations may have a single wall sign of no more than 8 sq ft.	**Max Display Area:** 10% of the total area of an exposed wall **Max Height:** Not above highest point of 1st story **Quantity:** 1 per principal use. Single Family and Duplex Dwellings shall not have a wall sign. Home occupations may have a single wall sign of no more than 8 sq ft.	**Max Display Area:** 10% of the total area of an exposed wall **Max Height:** Not above highest point of 1st story **Quantity:** 1 per exposed building wall; 1 per establishment	**Max Display Area:** 15% of the total area of an exposed wall **Max Height:** Not above highest point of 1st story **Quantity:** 1 per exposed building wall; 1 per establishment	**Max Display Area:** 15% of the total area of an exposed wall **Max Height:** Not above highest point of 1st story **Quantity:** 1 per exposed building wall; 1 per establishment
	Shall project no more than 15" from the wall to which the sign is attached.				
PROJECTING	**Not Permitted.**	**Not Permitted.**	**Max Display Area:** 25sq ft **Max Height:** 3 feet above building height. Must maintain a minimum of 8 feet of ground clearance and have a horizontal distance of at least 2 feet from any parking space or maneuvering lane. **Quantity:** 1 per principal use or establishment May not project over the right of way or any property lines.		
ROOF[6]	**Not Permitted.**	**Not Permitted.**	**Max Display Area:** 15% of wall area **Max Height:** 3 feet above building height. **Quantity:** 1 per principal use. A building may have a roof sign or a wall sign per exposed building wall, but not both.		

Eaton County Zoning Ordinance, Permanent Sign Table[6,7]					
Type of Sign	**Zoning Districts**				
	RC	**LA, R-1, R-2, R-3**	**C-1**	**C-2**	**I**
BILLBOARD [5]	**Not Permitted.**	**Not Permitted.**	**Not Permitted.**	**Max Display Area:** 720sq ft **Max Height:** 30 ft **Quantity:** 1 sign permitted on each parcel of land. Minimum spacing of 500ft between signs. ***A billboard sign may be an on-premise sign or an off-premise sign.***	

Footnotes

1. Corner lots may have 1 pole sign or monument sign on each street frontage if permitted within the relevant zoning district.
2. A use with only one street frontage may have a pole sign or a monument sign, but not both.
3. Shopping malls and similar properties with 4 or more tenants~~, and vehicle sales and service establishments~~ may increase the total sign area by 10 square feet for each tenant, not to exceed a total area of 150 square feet. ***Vehicle sales and service establishments may also increase total sign are to up to 150 square feet.***
4. For multi-occupant buildings, wall area shall be calculated based upon the exterior wall width of that portion of the building occupied by the applicant. For exterior wall widths of less than 50 feet, wall signs of 50 square feet in area shall be permitted, regardless of the total area of the exposed wall.
5. Monument, pole, and billboard signs ~~must be setback at least 10' from the~~ ***shall not be located in the road*** right of way and not within side setback areas. ***The setback distance to all property lines must be equal or greater to the height of the sign.***
6. Multiple Signs: If multiple sign types are present on a property, the total area of all signs shall not exceed 150 sq ft. This standard does not apply to properties with 4 or more tenants or to vehicle sales and service establishments. Billboards shall not be included within the calculation of total area of all signs on a parcel.
7. The Planning Commission may grant a waiver from the requirements of the Permanent Sign Table upon demonstration by the applicant that the waiver is the smallest deviation from the standards necessary, there is a unique characteristic of the proposed use or parcel that makes the waiver necessary, and that there will be no risk to public health, safety, or welfare created by the proposed sign(s).

~~**SIGN SETBACK REQUIREMENTS**~~

~~Sign setbacks for all districts shall be as follows:~~

~~Ground Signs: Ten (10) feet from the edge of the road right-of-way to any portion of the sign or its supports~~

~~Pole Signs:~~

~~Up to 20 feet sign height Twenty (20) feet from edge of the road right-of-way to any portion of the sign or its supports For signs greater than One (1) foot of additional setback for 20 feet in sign height each additional foot of sign height~~

SECTION 11.11 ELECTRONIC MESSAGE BOARDS

An electronic message board may be incorporated as part of a permitted pole sign or monument sign.

The message board portion of the sign may not account for more than 50 percent of the total sign area. If the sign is only an electronic message board, the total permitted area shall be 50 percent of the area permitted for the subject sign type and zoning district.

SECTION 11.12 DEFINITIONS AS USED IN THIS ARTICLE

The following definitions refer to this Article of this Ordinance and are placed here for convenience.

Section 5.2 of this Ordinance shall be used for the purpose of interpreting the following definitions.

A. Sign: Sign shall mean and include every individual announcement, declarations, demonstration, display, illustration, insignia, surface or space when erected or maintained out of doors in view of the general public for identification, advertisement or promotion of the interests of any person. This definition shall include billboard signs, signs painted directly on walls of structures, and portable signs. ***This definition does not include murals or other works of art that do not communicate a written message or include a logo or other insignia.***

~~Sign, Advertising: Any sign erected for the purpose of advertising a business, product, service, event, person or subject not relating on the premises on which said sign is located.~~

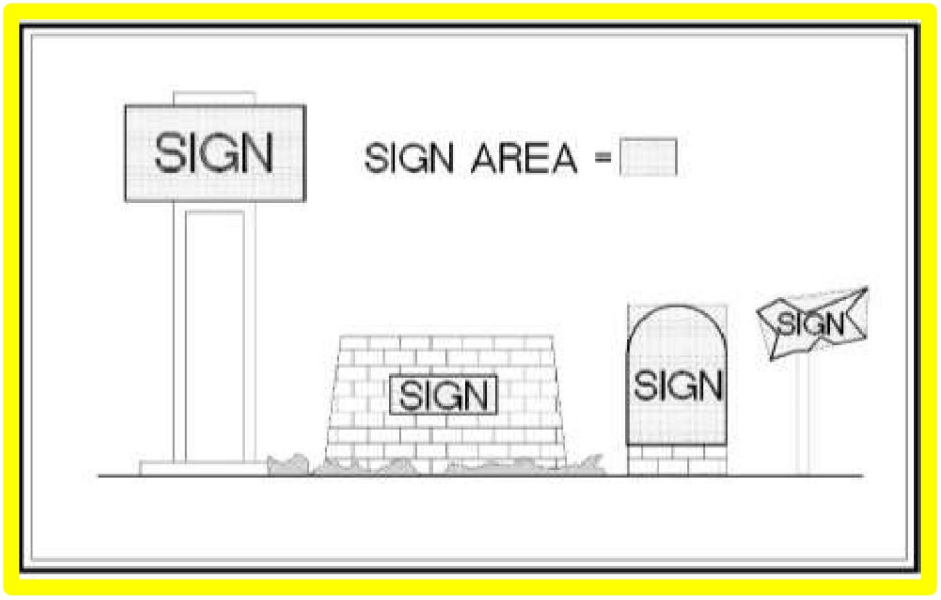
B. Sign, Billboard: An off-premise sign applied to panels ~~with over three-hundred (300) square feet of display area~~ and used for out-door advertising of a business, product, service, event, person or subject including those signs as regulated by the Michigan Department of Transportation pursuant to Public Act 106 of 1972, as amended.

~~Sign, Business: Any sign erected for the purpose of advertising a business, product, or subject related to the premises on which said sign is located.~~

C. Sign, Display Area: Display area means the entire area within a circle, triangle or parallelogram enclosing the extreme limits or writing, lighting, representation, emblem or any figure of similar character, together with any frame or other material forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign; except that where two such faces are placed back to back and are at no point more than three feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.

EXCEPTION 1: The display area of signs painted directly on building wall surfaces shall be that area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, letters, or numbers.

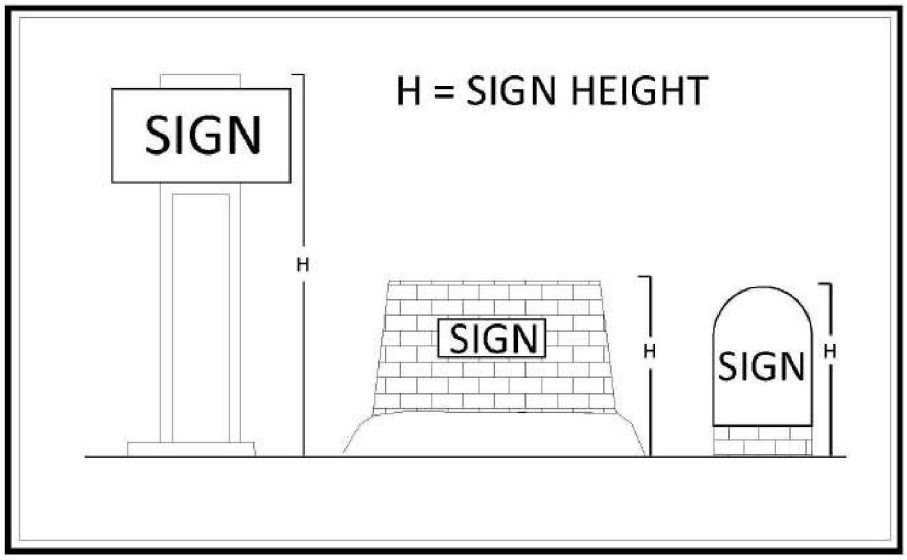
~~EXCEPTION 2: Time and temperature displays including clock facings.~~



D. Sign, ~~Ground~~***Monument***: A sign ***attached to a permanent masonry or decorative foundation and not attached or dependent for support from any building, exposed pole or posts, or similar uprights*** ~~which is supported on a monument base or on one (1) or more supports where the sign height is less than eight (8) feet~~.

E. Sign, Electronic Message Board: A sign with changeable copy in which the copy consists of an array of lights activated and deactivated simultaneously.

F. Sign, Height: The height of sign shall mean the maximum vertical distance from the uppermost extremity of a sign or sign support to the average ground level at the base of the sign.



~~Sign, Home Occupation: A sign containing only the name and occupation used for the purpose of advertising services in conjunction with a lawful home occupation.~~

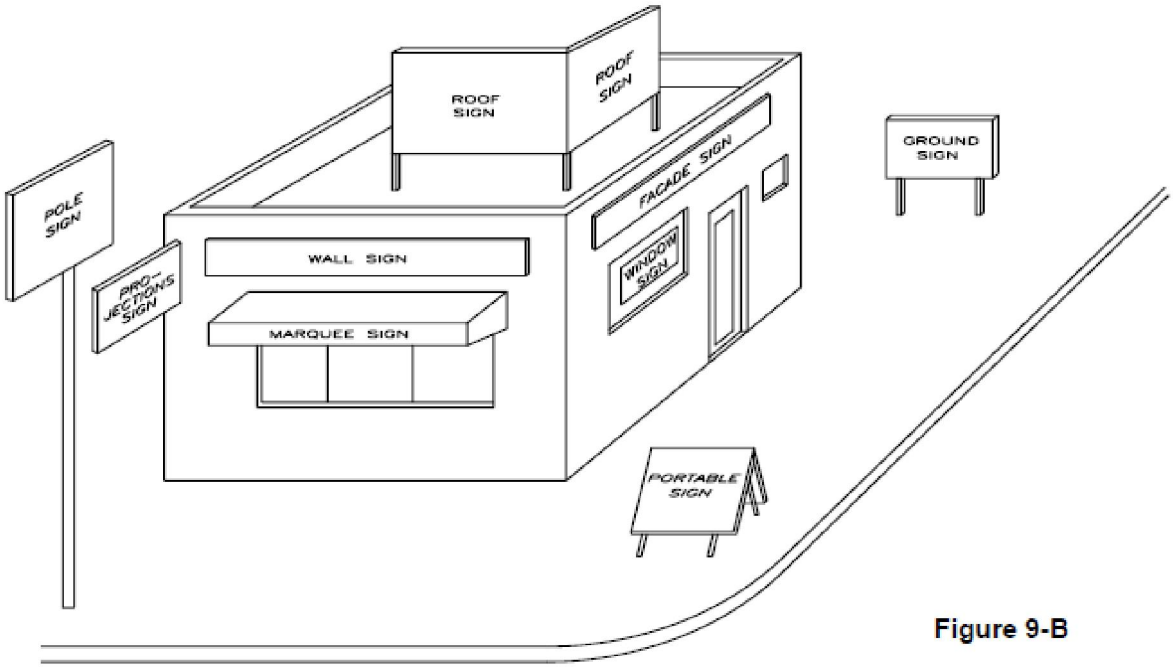


Figure 9-B

SIGN TYPES

~~Sign, Identification: A sign giving the nature, logo, trademark or other identifying symbol, address, or any combination of the name, symbol and address of a building, business, development or establishment on the premises where it is located.~~

G. Sign, ~~Marquee~~***Projecting***: A sign which is ***affixed to any building or structure, and any part of which extends beyond the building wall and the horizontal sign surface is not parallel to the building wall.***~~attached to or hung from the underside of a marquee, awning, canopy, or other covered structure projecting from and supported by a building and does not project horizontally beyond or vertically above said marquee, awning, canopy, or covered structure.~~

H. Sign, Name Plate: A sign located on premises, giving the name or address, or both, or the owner or occupant of a building or premises.

I. Sign, Off-Premise: A sign located on a different parcel of land or lot or premise than where the business, product, service, event, or person or subject is being advertised.

J. Sign, On-Premise: A sign located on the parcel of land or lot advertising a business, product, service, event, person or subject being offered on said parcel of land or lot.

K. Sign, Pole: A sign ***attached to a permanent foundation supported from the ground by one or more poles, posts, or similar uprights, with or without braces.***~~which is supported on one (1) or more supports where the sign height is greater than eight (8) feet.~~

L. Sign, Portable: A sign that is not permanent, affixed to a building, structure or the ground including signs supported on mobile chassis other than motor vehicles.

~~Sign, Projecting: A sign which is attached directly to the building wall, and which extends more than fifteen (15) inches from the face of the wall.~~

M. Sign, Roof: A sign which is erected, constructed and maintained upon or above the roof of a building, or parapet wall and which is wholly or partially supported by said building.

EXCEPTION: For the purpose of this definition of roof sign, a sign that is mounted on a mansard roof, roof overhang, parapet wall, above a marquee, or on a wall with a roof below, shall not be considered as a roof sign but shall instead be considered as a wall sign for that side of the building, provided that not part

of such sign extends above the uppermost building line not including chimneys, flag poles, electrical, mechanical equipment, TV antennas and other similar equipment and extensions.

N. Sign, Setback: The minimum linear distance as measured from the road right-of-way ***or other property*** line***s*** to the nearest part of the sign or advertising structure.

O. Sign, Wall: A sign that is attached directly to a wall, mansard roof, roof overhand, parapet wall, or above a marquee of a building with the exposed face of the sign in a plane parallel to the building wall or to the surface on which it is mounted, ~~and which projects not more than fifteen (15) inches from the building or structure wall,~~ and which does not have any part of such sign or sign supports extending above the uppermost building line not including chimneys, flag poles, electrical or mechanical equipment, TV antennas or any other similar equipment or extensions.

~~Section 11.12 TEMPORARY SIGNS~~

~~Temporary signs shall be permitted as set forth in this section.~~

~~As used in this ordinance, temporary signs include:~~

~~Balloon Sign: A portable sign which is inflated by air or any inert gas.~~

~~Portable Sign: A sign not permanently anchored or secured to either a building or the ground, such as, but not limited to, "A" frame, "T" or inverted "T" shaped sign structures and signs on movable trailers, or similar portable or moveable devices. Banners, balloon signs, or sign's objects or devices shall also be considered portable signs.~~

SECTION 11.13 PORTABLE SIGNS

Portable Signs: A portable sign, other than a balloon sign as regulated herein, may be permitted in any zoning district. Only one (1) portable sign shall be permitted on a site at any one time for a period not to exceed a total of thirty (30) days in any calendar year. A portable sign shall not exceed thirty-two (32) square feet in area, except for balloon signs as regulated herein and shall not have any flashing, colored or glaring lights. Further, such signs shall be placed no closer than ten (10) feet from the public right of way and shall not hamper the visibility of a driver on or off the site. A permit shall be obtained from the ~~Community Development Department~~ ***Department of Construction Codes & Planning and Zoning*** each time a portable sign is installed on a site.

~~Balloon Signs: Balloon signs shall be permitted in the C-1, C-2, I and PUD zoning districts subject to the following regulations:~~

~~A balloon sign shall not be more than thirty-five (35) feet high from the point where the balloon rests on any surface if the balloon rests on a surface, or from the point of tie-down, if it does not rest on a surface.~~

~~All balloon signs shall be securely anchored to the ground or to a building in accordance with the requirements of the Eaton County Building Code, as amended. All anchoring devices shall be inspected and approved by the Construction Code Department. Balloon signs over fifteen (15) feet high shall be anchored with a minimum of six (6) ropes or similar tie-down devices. Additional ropes or tie-down devices may be required by the Construction Code Official to ensure proper anchoring.~~

~~Any electrical motor, pump or similar devise used to inflate the balloon sign shall be installed in accordance with the requirements of the Eaton County Building Codes, as amended.~~

~~A balloon sign shall be setback a minimum distance of one and one-half (1½) times its inflated height from all property lines. **For example**, a balloon sign with a total inflated height of forty (40) feet must be anchored at least sixty (60) feet from all property lines.~~

~~A balloon sign placed on the ground shall not, in the opinion of the Community Development Department, interfere with the on-site or off-site traffic circulation, utility lines, hamper the visibility of drivers or obstruct fire lanes. The placement of a balloon sign on the ground shall not result in a reduction of the number of parking spaces required herein for that site on which the balloon sign is located.~~

~~A temporary barricade shall be installed completely around a balloon sign to deter easy access. This barricade must be clearly visible and be comprised of rope, portable fence or similar materials, excluding barbed wire.~~

~~A balloon sign, if mounted on top of a building, shall not protrude over the edge of that building.~~

~~All balloon signs shall be equipped with a quick deflation system so that the balloon sign will deflate instantly if it breaks loose from its anchor. The Eaton County Construction Code Department shall inspect the balloon sign to ensure that this system is installed properly.~~

~~All balloon signs shall be taken down if wind speeds exceed thirty (30) knots (35 mph). The installer of the sign shall be responsible for monitoring weather conditions.~~

~~Balloon signs are considered portable signs and shall comply with the Portable Sign regulations in this Ordinance including limitations on the duration a balloon sign may remain on a site in a calendar year.~~

~~Balloon signs may be illuminated from the inside or by exterior lights placed to direct the glare away from adjacent roadways and properties. Balloon signs shall not have any flashing, colored or glaring lights.~~

~~A balloon sign installer shall carry at least one million dollars ($1,000,000) in liability insurance coverage and shall provide proof of this to the Community Development Department prior to the issuance of the sign permit.~~

~~Balloon signs shall be installed so as not to interfere with utility lines, flight paths or radio and television reception.~~

11.14 Inspection, Removal and Safety

11.14.1 Signs may be inspected periodically by the Department of Construction Codes & Planning and Zoning to ensure compliance with this and other applicable county codes.

11.14.2 All signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition.

11.14.3 The Department may order the removal of any sign erected or maintained in violation of this Ordinance. Such order shall be made in writing, delivered personally or by certified mail, and shall allow the person receiving it 30 days in the case of a permanent sign and 7 days in the case of a temporary sign to remove the sign or to bring it into compliance. Such order shall be served upon the owner of such sign, or to the owner or manager of the building, structure, or premises on which such sign is located. The Department may remove a sign immediately and without notice, at cost to the owner or lessee, if the condition of the sign presents an immediate threat to the safety of the public.

11.14.4 A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign within 90 days of the termination of business or activity, the Department, may remove the sign at cost to the property owner. When a successor to a defunct business agrees to maintain the signs as provided in this Code, this removal requirement shall not apply.

11.14.5 No sign shall be placed so as to obstruct the view of approaching vehicular or pedestrian traffic from any direction or present a hazard to the safe flow of traffic. In the event that any sign violates this requirement, and has not received a permit, the Department may remove such sign to protect traffic. The owner of the property, or business operator where such sign is located, shall first be notified of its impending removal. The property owner or business operator shall be given opportunity to alter or replace such a sign within 24 hours to make it comply with this Ordinance.

11.14.6 Clear Vision Triangle. No sign shall be placed in a triangular area formed by measuring 20 feet from the right-of-way line from any public street and a driveway, or at the corner to two public streets.

DISTRICT CHANGE AMENDMENT APPLICATION

EATON COUNTY DEPARTMENT OF CONSTRUCTION CODES & PLANNING AND ZONING
1045 INDEPENDENCE BLVD., CHARLOTTE, MI 48813
517-543-3689

Applicant Name(s):
Eaton County Planning Commission

Circle one: Property Owner Representative
(must have proof of ownership/owner permission)

Mailing Address:

Street: 1045 Independence Blvd

City: Charlotte State: MI zip: 48813

Phone(s): (517) 543-3689

Property Address: (if different than above)

Street

Property Code: - - - -

Township:

Office Use Staff will complete

Case No.: DCA-6-24-4

Fee $500 check_____cash_____ N/A
Date received: April 19, 2024

Hearing Date: June 4, 2024

Township Board
Action
Date

Eaton County Planning Commission
Action
Date

Eaton County Board of Commissioners
Action
Date

PLEASE NOTE: All questions must be answered completely. If additional space is needed, number and attached additional sheets. The total number of sheets attached is _____.

I. ACTION REQUESTED

I (we), the undersigned, do hereby request that the Eaton County Board of Commissions approve the following petition for zoning amendment:

A. Text Amendment: Amend Article _____Section_____to_____(delete, supplement or clarify) the Eaton County Land Development Code by making the following change(s): (attach additional sheets if necessary).
Amendments are proposed to the following: Article 5 Definitions (amend Subsection 5.3.19 S), Article 11 Advertising structures, Signs, and Name Plates.

B. Map Amendment: Change District from_____to_____the property(s) described in II. (property information), for the following purposes:

Please describe any previous request for land development related permits, which have been in connection with this property that pertains to this petition.

Federal N/A
Approved / Denied

State N/A
Approved / Denied

County N/A

Approved / Denied

County (zoning related) N/A

Approved / Denied

II. PROPERTY INFORMATION

A. Please attach a legal description of property(s) proposes to be rezoned. A legal description of the parcel is the deed, land contract, or tax information for a property. It must include any deed restrictions, easements, etc.

B. Address of Property:

C. Names and address of all other persons, firms, or corporations currently having a legal or equitable interest in the land.

D. This area is _____unplatted _____platted _____will be platted
If platted, name of plat

E. Present use of the property is

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION

A. State specifically the reason for this amendment request at this time
Regular maintenance and updating to clarify intent, update language and improve comprehension. This amendment is also needed to bring our sign regulations into compliance with a 2015 Supreme Court Ruling which prohibits content based sign regulations.

B. What, if any, identifiable conditions related to this petition have changed since the adoption of the Eaton County Land Development Code on October 13, 1981, which justify the proposed amendment? This amendment is needed to bring our sign regulations into compliance with a 2015 Supreme Court Ruling which prohibits content based sign regulations.

C. What, if any, error was made in the original Ordinance, which justifies the proposed amendment? No error, just clarifying the intent and improving language.

D. Can, in your opinion, the property be put to a reasonable economic use as it now stands under the Ordinance? N/A Text Amendment

E. What do you anticipate the impacts of the proposed amendment to be on the following areas:
1. Adjacent roads None
2. County Drains None
3. Public Schools None

F. What do you anticipate the impacts of the proposed amendment to be on the environment and the value of the adjacent property? What steps do you propose to take to mitigate any negative impacts associated with the proposed change? None

IV. PLEASE ATTACH A SITE PLAN! (Please label with applicant name and page number)

A site plan is a scale drawing that shows the boundaries of the property, any structures, buildings on the property, public or private roads, driveways, easements, or other property features, and any natural features including bodies of water, wetlands, etc. The site plan must include the following:

a) Property dimensions (measurements of all property boundaries, including road frontage).
b) Any easements or public right of way, including utility easements or ingress/egress.
c) Location(s) of existing and proposed driveways.
d) All existing and proposed buildings, accessory structures, and outdoor storage area(s) (for vehicles, equipment, or materials) with measurements between them and to property boundaries.
e) Bodies of water, creeks, lakes, ponds, county drains, marshes, and seasonally flooded wetlands, etc. (Show distances from building sites, parking, and storage areas).
f) Proposed grades and site drainage pattern(s) (Include drainage patterns around the entire perimeter of the property).
g) Location of water supply and location and design of waste water systems.
h) All existing and proposed signs.

AFFIDAVIT

I acknowledge that if a District Change Amendment is granted that the decision does not relieve me from compliance with all other laws and requirements. I affirm that I am involved in this application and that the answers and statements herein contained and the information provided is true, accurate and correct. I understand that if it is not, this application and any approvals are void. I hereby give county officials permission to inspect the property to verify information and to verify compliance with rules and conditions.

Brandy Miller — April 19, 2024

Applicant(s) Signature(s) — Date

Applicant(s) Signature(s) — Date

Eaton County Department of Construction Codes & Planning and Zoning

1045 Independence Boulevard, Charlotte, Michigan 48813
Telephone: (517) 543-3004 Fax: (517) 543-9924

"OUR GOAL IS TO PROVIDE A SAFER PLACE TO LIVE, WORK AND PLAY"

Department of Construction Codes & Planning and Zoning Report 4/4/2024
For Public Works & Planning Committee April 10, 2024

Department Boards:

- The **Planning Commission** met on April 2nd, they approved a two Conditional Use Permits; one for Eaton Rapids Township for an addition onto the township hall and one for Centennial Acres Golf Course allowing for a land division and lot line adjustment of their properties in Sunfield and Roxand Townships.
- The **Zoning Board of Appeals** did not meet in April due to lack of business.
- The **Construction Code Board of Appeals** did not meet in March or April due to lack of business.
- The **Zoning Ordinance Committee** met on March 19th , the meeting resulted in DCA-5-24-3 a proposed text amendment for Agricultural Businesses (14.1) and Home Business (14.13). Their next meeting is scheduled for April 16th at 4:00 p.m.

Online Permitting System (BS&A):

We have been live for a month now, for those who have used the system before, applying for permits is easier. We are still, and will continue to assist applicants without internet connection to apply for permits in the office.

Master Plan Update:

The sixty-three (63) day review period ended. The Public Hearing for the Master Plan is scheduled to take place on April 23rd at 6:00 p.m. Staff has continued to work with Mr. Eric DeYoung of Nederveld regarding the future land use for properties located in Carmel and Eaton Townships adjacent to the I-69 Interchange.

The Draft Eaton County Master Plan is located on the Eaton County Website:
https://www.eatoncounty.org/618/Master-Plan

Community Outreach:

Staff attended the following meetings:

- Carmel Township to discuss the proposed future land use change
- City of Charlotte regarding Michigan Can Line
- Staff organized and attended a meeting with Carmel Township, Eaton Township, City of Charlotte, City of Charlotte Fire Department and Barry-Eaton District Health Department to discuss the proposed future land use change in Carmel and Eaton Townships.

Code Enforcement (open/active):

- Work without permits - fourteen (14)
- Hazardous buildings - twenty-three (23)
- Junk - forty-three (43)
- Zoning - thirty-one (31)

One (1) ticket was issued in March for work without a permit.

County Wide Housing Starts		January	February	March	April	May	June	July	August	September	October	November	December	2023 Totals	2024 Totals
Delta Twp.	Site Built	2	1	0										23	3
	Mobile Homes	0	0	3										0	3
	Totals	2	1	3	0	0	0	0	0	0	0	0	0	23	6
Eaton County	Site Built	4	1	7										78	12
	Mobile Homes	0	0	0										9	0
	Totals	4	1	0	0	0	0	0	0	0	0	0	0	87	5
Eaton Rapids	Site Built	2	2	0										0	4
	Mobile Homes	0	0	0										10	0
	Totals	2	2	0	0	0	0	0	0	0	0	0	0	10	4
Grand Ledge	Site Built	0	1	0										14	1
	Mobile Homes	10	0	0										5	10
	Totals	10	1	0	0	0	0	0	0	0	0	0	0	19	11
Oneida	Site Built	0	0	0										2	0
	Mobile Homes	0	0	0										0	0
	Totals	0	0	0	0	0	0	0	0	0	0	0	0	2	0
County Wide Total		18	5	0	0	0	0	0	0	0	0	0	0	141	36

Monthly Activity Con Code	Tickets issued		Magistrate hearings		Court cases		Commercial Plan Review		Complaints regarding contractors		Public Surveys		TOTAL MONTH	
MO/YR	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"
JAN		0	1	0	0	0	2	4	0	0	4	0	7	4
FEB		0	0	0	0	0	4	1	0	0	0	1	4	2
MARCH		1	0	0	0	0	0	4	0	0	3	2	3	7
APRIL			0		0		4		0		2		6	0
MAY			0		0		5		0		2		7	0
JUNE			0		0		5		1		8		14	0
JULY	22		1		0		4		0		5		32	0
AUG	6		0		1		3		0		4		14	0
SEPT	0		1		1		4		0		2		8	0
OCT	0		0		0		4		0		3		7	0
NOV	0		0		0		7		0		2		9	0
DEC	0		0		0		4		0		2		6	0
TOTALS	28	1	3	0	2	0	46	9	1	0	37	3	117	13

Construction Inspections	Building		Electrical		Mechanical		Plumbing		TOTAL	
									MONTH	
MO/YR	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"
JAN	224	348	132	110	211	119	78	86	645	663
FEB	240	319	109	124	106	174	96	96	551	713
MARCH	255	376	89	136	87	149	156	92	587	753
APRIL	237		98		89		182		606	0
MAY	326		104		86		177		693	0
JUNE	297		120		86		62		565	0
JULY	335		101		68		47		551	0
AUG	471		148		114		71		804	0
SEPT	432		124		59		11		626	0
OCT	437		141		114		66		758	0
NOV	361		104		97		93		655	0
DEC	347		129		121		61		658	0
TOTALS	3962	1043	1399	370	1238	442	1100	274	7699	2129

Construction Permits	Building		Electrical		Mechanical		Plumbing		TOTAL	
									MONTH	
MO/YR	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"
JAN	50	33	69	71	85	84	44	51	248	239
FEB	64	23	46	70	63	70	259	42	432	205
MARCH	47	56	57	60	63	128	78	32	245	276
APRIL	78		82		71		46		277	0
MAY	83		64		64		35		246	0
JUNE	68		80		75		34		257	0
JULY	91		80		60		22		253	0
AUG	90		79		60		40		269	0
SEPT	143		116		74		31		364	0
OCT	65		103		107		35		310	0
NOV	67		140		174		142		523	0
DEC	63		58		96		21		238	0
TOTALS	909	112	974	201	992	282	787	125	3662	720

Construction Enforcements	WWOP	WWOP	WWOP	WWOP	HAZ BLDG	HAZ BLDG	HAZ BLDG	HAZ BLDG
	(NEW)	(NEW)	(CLOSED)	(PENDING)	(NEW)	(NEW)	(CLOSED)	(PENDING)
		2023 carryover 7				2023 carryover 21		
MO/YR	2023	2024	2024	2024(PENDING)	2023	2024	2024	2024(PENDING)
JAN	22	3	1	9	7	0	0	21
FEB	20	8	9	8	5	1	0	22
MARCH	14	9	3	14	5	3	2	23
APRIL	20				0			
MAY	9				5			
JUNE	12				2			
JULY	14				0			
AUG	8				3			
SEPT	5				1			
OCT	3				5			
NOV	1				0			
DEC	2				1			
TOTALS	130	20	13	14	34	4	2	23
			TOTAL WORK WITHOUT PERMITS (WWP) & HAZARDOUS BUILDINGS VIOLATIONS					37

Planning & Zoning Cases	Conditional Use Permits		Board of Appeals		Adminis-trative Variances		District Change Amend-ments		Site Plan Reviews		Zoning Referrals		Private Roads		Agricultural Buildings		Lot Line Adjustments		Land Divisions Reviewed		TOTAL MONTH	
MO/YR	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"
JAN	0	0	0	0	0	0	0	0	0	0	19	10	0	0	0	1	1	1	2	1	22	13
FEB	0	0	0	0	0	0	0	0	0	0	16	10	0	0	2	2	5	1	1	5	24	18
MARCH	0	1	0	1	0	0	0	2	0	0	19	19	0	0	2	1	1	2	3	3	25	29
APRIL	4	2	1	0	0		1	0	0		22		0		3		0		1		32	2
MAY	3	1	2	1	0		0	1	0		22		0		3		2		2		34	3
JUNE	0		0		0		0		0		22		0		1		2		1		26	0
JULY	0		0		0		0		0		32		0		1		3		1		37	0
AUG	1		0		0		1		0		25		0		4		4		2		37	0
SEPT	1		0		0		0		0		25		0		4		2		1		33	0
OCT	4		0		0		0		0		21		0		1		3		3		32	0
NOV	0		0		0		0		0		16		0		1		2		1		20	0
DEC	2		1		0		0		0		9		0		1		2		1		16	0
TOTALS	15	4	4	2	0	0	2	3	0	0	248	39	0	0	23	4	27	4	19	9	338	65

Planning & Zoning Enfor.	JUNK (NEW)	JUNK (NEW)	JUNK (CLOSED)	JUNK (PENDING)	ZONING (NEW)	ZONING (NEW)	ZONING (CLOSED)	ZONING (PENDING)
		2023 carryover: 39				2023 carryover: 33		
MO/YR	2023	2024	2024	2024(PENDING)	2023	2024	2024	2024(PENDING)
JAN	3	0	0	39	2	0	1	32
FEB	2	1	0	40	1	0	0	32
MARCH	7	4	1	43	3	0	1	31
APRIL	2				1			
MAY	2				3			
JUNE	1				2			
JULY	0				0			
AUG	1				0			
SEPT	2				1			
OCT	3				3			
NOV	0				5			
DEC	0				0			
TOTALS	23	5	1	43	21	0	2	31
			TOTAL PENDING JUNK & ZONING VIOLATIONS					74

Eaton County Department of
Construction Codes & Planning and Zoning
1045 Independence Boulevard, Charlotte, Michigan 48813
Telephone: (517) 543-3004 Fax: (517) 543-9924

"OUR GOAL IS TO PROVIDE A SAFER PLACE TO LIVE, WORK AND PLAY"

Department of Construction Codes & Planning and Zoning Report 5/1/2024
For Public Works & Planning Committee May 8, 2024

Department Boards:

- The **Planning Commission** held the Public Hearing for the Master Plan on April 23rd, they approved the update of the Eaton County Master Plan with the properties located in Carmel and Eaton Townships, off from Cochran Road, north of I-69 to remain future planned as commercial.
- The **Zoning Board of Appeals** did not meet in April due to lack of business.
- The **Construction Code Board of Appeals** did not meet in April due to lack of business.
- The **Zoning Ordinance Committee** met on April 16th, the meeting resulted in DCA-6-24-4 a proposed text amendment for Article 11 Advertising Structures, Signs and Name Plates. Their next meeting is scheduled for May 21st at 4:00 p.m.

Online Permitting System (BS&A):

We have been live for two months now; we have recently made some improvements to the program that should make things easier for applicants. We are still, and will continue to assist applicants without internet connection to apply for permits in the office.

Master Plan Update:

The Planning Commission recommends the Board of Commissioners approve the updated Eaton County Master Plan as attached to this report.

The Draft Eaton County Master Plan is located on the Eaton County Website:
https://www.eatoncounty.org/618/Master-Plan

Community Outreach:

Staff attended the following meetings:

- City of Charlotte regarding fire inspections
- Brookfield Township – regarding Lulla Lane and Narrow Lake Country Store

Code Enforcement (open/active):

- Work without permits - sixteen (16)
- Hazardous buildings - twenty-three (23)
- Junk - forty-three (43)
- Zoning - thirty-three (33)

One (1) ticket was issued in April for junk and debris and living in campers.

County Wide Housing Starts		January	February	March	April	May	June	July	August	September	October	November	December	2023 Totals	2024 Totals
Delta Twp.	Site Built	2	1	0	0									23	3
	Mobile Homes	0	0	3	0									0	3
	Totals	2	1	3	0	0	0	0	0	0	0	0	0	23	6
Eaton County	Site Built	4	1	7	9									78	21
	Mobile Homes	0	0	0	0									9	0
	Totals	4	1	0	9	0	0	0	0	0	0	0	0	87	21
Eaton Rapids	Site Built	2	2	0	4									0	8
	Mobile Homes	0	0	0	0									10	0
	Totals	2	2	0	4	0	0	0	0	0	0	0	0	10	8
Grand Ledge	Site Built	0	1	0	0									14	1
	Mobile Homes	10	0	0	0									5	10
	Totals	10	1	0	0	0	0	0	0	0	0	0	0	19	11
Oneida	Site Built	0	0	0	0									2	0
	Mobile Homes	0	0	0	0									0	0
	Totals	0	0	0	0	0	0	0	0	0	0	0	0	2	0
County Wide Total		18	5	0	13	0	0	0	0	0	0	0	0	141	46

Monthly Activity Con Code	Tickets issued		Magistrate hearings		Court cases		Commercial Plan Review		Complaints regarding contractors		Public Surveys		TOTAL MONTH	
MO/YR	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"
JAN		0	1	0	0	0	2	4	0	0	4	0	7	4
FEB		0	0	0	0	0	4	1	0	0	0	1	4	2
MARCH		1	0	0	0	0	0	4	0	0	3	2	3	7
APRIL		0	0	0	0	0	4	2	0	0	2	4	6	6
MAY			0		0		5		0		2		7	0
JUNE			0		0		5		1		8		14	0
JULY	22		1		0		4		0		5		32	0
AUG	6		0		1		3		0		4		14	0
SEPT	0		1		1		4		0		2		8	0
OCT	0		0		0		4		0		3		7	0
NOV	0		0		0		7		0		2		9	0
DEC	0		0		0		4		0		2		6	0
TOTALS	28	1	3	0	2	0	46	11	1	0	37	7	117	19

Construction Inspections	Building		Electrical		Mechanical		Plumbing		TOTAL MONTH	
MO/YR	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"
JAN	224	348	132	110	211	119	78	86	645	663
FEB	240	319	109	124	106	174	96	96	551	713
MARCH	255	376	89	136	87	149	156	92	587	753
APRIL	237	373	98	124	89	153	182	100	606	750
MAY	326		104		86		177		693	0
JUNE	297		120		86		62		565	0
JULY	335		101		68		47		551	0
AUG	471		148		114		71		804	0
SEPT	432		124		59		11		626	0
OCT	437		141		114		66		758	0
NOV	361		104		97		93		655	0
DEC	347		129		121		61		658	0
TOTALS	3962	1416	1399	494	1238	595	1100	374	7699	2879

Construction Permits	Building		Electrical		Mechanical		Plumbing		TOTAL MONTH	
MO/YR	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"
JAN	50	33	69	71	85	84	44	51	248	239
FEB	64	23	46	70	63	70	259	42	432	205
MARCH	47	56	57	60	63	128	78	32	245	276
APRIL	78	57	82	71	71	77	46	29	277	234
MAY	83		64		64		35		246	0
JUNE	68		80		75		34		257	0
JULY	91		80		60		22		253	0
AUG	90		79		60		40		269	0
SEPT	143		116		74		31		364	0
OCT	65		103		107		35		310	0
NOV	67		140		174		142		523	0
DEC	63		58		96		21		238	0
TOTALS	909	169	974	272	992	359	787	154	3662	954

Construction Enforcements	WWOP (NEW)	WWOP (NEW)	WWOP (CLOSED)	WWOP (PENDING)	HAZ BLDG (NEW)	HAZ BLDG (NEW)	HAZ BLDG (CLOSED)	HAZ BLDG (PENDING)
		2023 carryover 7				2023 carryover 21		
MO/YR	2023	2024	2024	2024(PENDING)	2023	2024	2024	2024(PENDING)
JAN	22	3	1	9	7	0	0	21
FEB	20	8	9	8	5	1	0	22
MARCH	14	9	3	16	5	3	2	23
APRIL	20	7	5		0	1	1	23
MAY	9				5			
JUNE	12				2			
JULY	14				0			
AUG	8				3			
SEPT	5				1			
OCT	3				5			
NOV	1				0			
DEC	2				1			
TOTALS	130	27	18	16	34	4	3	23
			TOTAL WORK WITHOUT PERMITS (WWP) & HAZARDOUS BUILDINGS VIOLATIONS					39

Planning & Zoning Cases	Conditional Use Permits		Board of Appeals		Adminis-trative Variances		District Change Amend-ments		Site Plan Reviews		Zoning Referrals		Private Roads		Agricultural Buildings		Lot Line Adjustments		Land Divisions Reviewed		TOTAL MONTH	
MO/YR	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"	"23"	"24"
JAN	0	0	0	0	0	0	0	0	0	0	19	10	0	0	0	1	1	1	2	1	22	13
FEB	0	0	0	0	0	0	0	0	0	0	16	10	0	0	2	2	5	1	1	5	24	18
MARCH	0	1	0	1	0	0	0	2	0	0	19	19	0	0	2	1	1	2	3	3	25	29
APRIL	4	2	1	0	0	0	1	0	0	0	22	20	0	0	3	0	0	5	1	10	32	37
MAY	3		2	0	0		0	0	0		22		0		3		2		2		34	0
JUNE	0	3	0	1	0		0	2	0		22		0		1		2		1		26	6
JULY	0		0		0		0		0		32		0		1		3		1		37	0
AUG	1		0		0		1		0		25		0		4		4		2		37	0
SEPT	1		0		0		0		0		25		0		4		2		1		33	0
OCT	4		0		0		0		0		21		0		1		3		3		32	0
NOV	0		0		0		0		0		16		0		1		2		1		20	0
DEC	2		1		0		0		0		9		0		1		2		1		16	0
TOTALS	15	6	4	2	0	0	2	4	0	0	248	59	0	0	23	4	27	9	19	19	338	103

Planning & Zoning Enfor.	JUNK (NEW)	JUNK (NEW)	JUNK (CLOSED)	JUNK (PENDING)	ZONING (NEW)	ZONING (NEW)	ZONING (CLOSED)	ZONING (PENDING)
		2023 carryover: 39				2023 carryover: 33		
MO/YR	2023	2024	2024	2024(PENDING)	2023	2024	2024	2024(PENDING)
JAN	3	0	0	39	2	0	1	32
FEB	2	1	0	40	1	0	0	32
MARCH	7	4	1	43	3	0	1	31
APRIL	2	1	1	43	1	3	1	33
MAY	2				3			
JUNE	1				2			
JULY	0				0			
AUG	1				0			
SEPT	2				1			
OCT	3				3			
NOV	0				5			
DEC	0				0			
TOTALS	23	6	2	43	21	3	3	33
			TOTAL PENDING JUNK & ZONING VIOLATIONS					76