



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

MEETING NOTICE

FOR FURTHER INFORMATION CONTACT:
Grant E. Bauman
R2PC Principal Planner
(517) 768-6711
gbauman@co.jackson.mi.us

DATE: June 13, 2019
TIME: 6:00 p.m.
PLACE: 5th Floor Commission Chambers
Jackson County Tower Building
120 W. Michigan Avenue
Jackson, Michigan 49201

MEETING AGENDA

1. Call to order and pledge of allegiance
2. Public comment [*3 MINUTE LIMIT*]
3. Approval of minutes
Approval of the May 9, 2019, meeting minutes [*ACTION*] 3
4. Approval of agenda
Approval of the June 13, 2019, meeting agenda [*ACTION*]
5. Request(s) for review, comment, and recommendation
 - a. Consideration of township zoning amendment(s)
 - (1) Parma Township [*ACTION*] 7
 - (2) Summit Township [*ACTION*] 19
 - (3) Hanover Township [*ACTION*] 43
 - (4) Blackman Township [*ACTION*] 59
 - (5) Concord Township [*ACTION*] 75
 - (6) Leoni Township [*ACTION*] 91
 - (7) Leoni Township [*ACTION*] 107
 - (8) Leoni Township [*ACTION*] 117
 - (9) Leoni Township [*ACTION*] 127
 - b. Consideration of master plan(s) – *None*
 - c. Farmland and Open Space Preservation Program (PA 116) application(s) – *None*

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6. Other business
 - a. Unfinished business
 - (1) Jackson County Master Plan *[DISCUSSION]*
 - b. New business – *None*
7. Public comment *[2 MINUTE LIMIT]*
8. Commissioner comment
9. Adjournment

The next meeting of the Jackson County Planning Commission is scheduled for July 11, 2019



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MEETING MINUTES

May 9, 2019

Jackson County Tower Building • Jackson, Michigan

- Members Present:** Roger Gaede, Environment; Amy Guerriero, Industry and Economics; Nancy Hawley, At Large; Ted Hilleary, Education; Russ Jennings, At Large; Jennifer Morris, At Large; and Jim Videto, Agriculture
- Members Absent:** Timothy Burns, At Large, and Corey Kennedy, Jackson County Board of Commissioners
- Liaisons Present:** Grant Bauman, Principal Planner
- Others Present:** Mathew Baker; Peggy Beals; Ted Beals, Waterloo Township Planning Commission; Stephen Galgan, Joffe Law, PLLC; and William Sutherland, Norvell Township Planning Commission

- Item 1. **Call to Order and Pledge of Allegiance.** The meeting was called to order at 6:00 p.m. by Chair Guerriero. Those in attendance rose and joined in the Pledge of Allegiance.
- Item 2. **Public Comment.** There was no public comment.
- Item 3. **Approval of Minutes.** A motion was made by Comm. Videto, and seconded by Comm. Morris, to **approve** the minutes of the April 11, 2019, meeting as presented. *The motion was approved unanimously.*
- Item 4. **Approval of the Agenda.** A motion was made by Comm. Morris, and seconded by Comm. Hawley, to **approve** the May 9, 2019, meeting agenda as presented. *The motion was approved unanimously.*
- Item 5. **Request(s) for Review, Comment, and Recommendation.**
- a. **Consideration of Township Zoning Amendment(s).**
 - (1) **CZ #19-05 – Parma Township**

Staff summarized his report on the proposed amendments to the *Parma Township Zoning Ordinance* regarding ‘Recreational Marihuana Establishments’. County Planning Commissioners were advised to recommend **approval with comments** of the proposed amendments (please see the staff report).

Comm. Morris suggested that the Township should hold off on the licensing role until the State has established its emergency rules in June.

A motion was made by Comm. Morris, and seconded by Comm. Jennings, to recommend **approval with comments** of the text amendments to the Parma Township Board (please see the staff report and these minutes). *The motion was approved by majority vote with Comm. Gaede voting no.*

(2) CZ #19-06 – Waterloo Township

Staff summarized its report on the proposed amendments to the *Waterloo Township Zoning Ordinance* regarding ‘Solar Energy Systems’ and ‘Wind Energy Systems’. County Planning Commissioners were advised to recommend **approval with comments** of the proposed amendments (please see the staff report).

Ted Beals, Waterloo Township Planning Commission, spoke in favor of the proposed amendments. He explained that there has been interest in the Stockbridge Area regarding solar and wind energy and that the Township does not currently address those uses in its Zoning Ordinance. The Township Planning Commission looked at a variety of ordinances to come up with its version, input was solicited from the farm community, and the Commission sees the uses as an economic advantage to farmers. Mr. Beals also stated that the Planning Commission would make the corrections suggested by JCPC staff prior to submitting the proposed amendments to the Waterloo Township Board. However, he does not feel that wind energy is being excluded, as referenced to in the staff report, only its commercial aspect. Comm. Gaede stated that he was encouraged by the receptiveness of Mr. Beals to the suggestions of JCPC staff.

A motion was made by Comm. Morris, and seconded by Comm. Hawley, to recommend **approval with comments** of the text amendments to the Waterloo Township Board (please see the staff report). *The motion was approved unanimously.*

(3) CZ #19-07 – Leoni Township

Staff summarized his report regarding the proposed rezoning of the subject property—known as Parcel ID# 000-14-12-226-001-03 and located in Section 12 (T3S-R1E) of the Township—from Agricultural (AG-1) to ‘Heavy Industrial (M)’, noting that the JCPC has recommended disapproval of the rezoning of other adjacent and nearby parcels to ‘M’ (please see the staff report). County Planning Commissioners were advised to recommend **disapproval** of the rezoning request.

Stephen Galgan, attorney for the applicant, spoke in favor of the rezoning, noting that recent and pending rezonings negate the recommendation of the Master Plan which is more than 5 years old. He concluded by stating that the proposed rezoning will allow for the highest and best use of the property and that sewer service is available. Mathew Baker, the applicant, spoke in favor of the rezoning, stating that the Township-owned property directly to the south is zoned ‘M’ and that not all ‘M’ zoned parcels are served by public water. He just wants to secure for his property what the Township has already done for its property in the area. In response to the staff report indicating the public hearing for the rezoning was inaccurately noticed for date and type of meeting, Mr. Baker stated that the people in attendance at the Leoni Township Zoning Board of Appeals were told that the hearing would be held before the Planning Commission in 2 days. Comm. Gaede stated his concern regarding the effect of the rezoning on the adjacent residentially zoned land in Grass Lake Township.

A motion was made by Comm. Gaede, and seconded by Comm. Hawley, to recommend **disapproval with comments** of the rezoning to the Leoni Township Board (please see the staff report and these minutes). *The motion was approved unanimously.*

b. **Consideration of Master Plan(s).**

(1) **CZ #19-04 – Waterloo Township**

Staff summarized its report on the proposed amendments to the *Waterloo Township Master Plan* (please see the staff report). County Planning Commissioners were advised to state that in the opinion of the Commission, the proposed master plan amendments regarding wind and solar energy systems are consistent with the *Jackson Community Master Plan*, and that the procedures for amending a municipal master plan stated in the *Michigan Planning Enabling Act* must be followed.

Ted Beals, Waterloo Township Planning Commission, spoke in favor of the proposed amendments. He stated that the Township sees wind and solar energy systems as a way of supporting farming rather than as innovative planning and zoning. Mr. Beals also stated that the amendment process mandated in the *Michigan Planning Enabling Act* is being followed, with the exception of the initial notice of intent.

A motion was made by Comm. Hawley, and seconded by Comm. Hilleary, to state that the proposed amendments to the *Waterloo Township Master Plan* are consistent with the *Jackson Community Master Plan* and to relay the staff comments regarding noticing. *The motion was approved unanimously.*

c. **Farmland & Open Space Preservation Program (PA 116) application(s).** None.

Item 6. **Other Business.**

a. **Unfinished Business.**

(1) **Jackson County Master Plan.** Staff summarized the first full draft of Chapter 2 (Community Description and Issue Identification) of the *Jackson County Master Plan* and associated mapping (including the water trails paragraph handed out at the meeting). Staff requested that Commissioners provide him with comments. The draft will also be sent to pertinent officials for their review and comment. He also stated that he would like to have a discussion about the creation of the entire document at the next meeting. For example, given that Jackson County has no direct zoning authority and that municipalities develop their own future land use maps, is there a need to create a countywide future land use map? He also suggested soliciting comments from municipal officials regarding their needs and concerns.

b. **New Business.** None.

Item 7. **Public Comment.** Ted Beals stated his concern regarding the creation of a countywide future land use map and that he liked the idea of dispensing with that resource.

Item 8. **Commissioner Comment.** Comm. Gaede voiced his concern regarding reliable elevator access for the JCPC meeting. Comm. Hawley announced Jackson County's Museum Day scheduled for May 11th. Comm. Morris announced Downtown Jackson's Artwalk event scheduled for the evening of May 10th. Comm. Gaede announced the plant sale at Hidden

Lake Gardens scheduled for May 11th.

Item 9. **Adjournment.** The meeting was adjourned by Chair Guerriero at 7:30 p.m.

Respectfully submitted by:
Grant Bauman, Recording Secretary



Jackson County Planning Commission

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COORDINATED ZONING REPORT | #19-08

To: County Planning Commissioners
From: Grant E. Bauman
Date: June 13, 2019

Proposal: The rezoning of a property in Parma Township

Request

A property is proposed for rezoning to 'Industrial (I-1)' from 'Highway Service Commercial (C-2)'.

Purpose

The purpose of the request is for a 'slaughterhouse' (see the 'Rezoning Worksheet Form').*

Location and Size of the Property

The subject property (ID# 000-06-34-201-002-02) is situated in Section 34 (T3S-R3W) of the Township (see Figure 1). It is located in the southeast corner of the Concord Road I-94 interchange and has an area of approximately 26 acres.

Land Use and Zoning

Current Land Use – The subject property is currently used for commercial-agricultural product storage (see the 'Rezoning Worksheet Form').

Future Land Use – The *Parma Township Master Plan* places the subject property in the southeastern corner of an area recommended for 'Highway Service Commercial' uses (see Figure 2). 'Agricultural' uses are recommended for the adjacent area to the south and east.

Current Zoning – The subject property is zoned 'Highway Service Commercial (C-2)', as are properties to the east and northwest (see Figure 3). 'General Commercial (C-1)' properties are located on the west side of Concord Road and 'Agricultural (AG-1)' properties are located to the south.

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal water and sanitary sewer services are not available and there are no plans to extend them (see the Rezoning Worksheet Form).

Public Road/Street Access – Concord Road, a paved county primary road south of the I-94 interchange, provides direct access to the subject parcel.

* Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

Environmental Constraints – There are wetlands on the subject property, according to the natural wetlands inventory (NWI). A creek also flows close to the parcel’s southern boundary.

Analysis and Recommendation

Township Planning Commission Recommendation – The Parma Township Planning Commission passed a motion to **deny** the proposed rezoning to ‘I-1’ during its May 8, 2019 meeting (see the Zoning Amendment Form and meeting minutes).

JCPC Staff Analysis – Parma Township’s Zoning Plan contains the following criteria upon which a rezoning request must be considered:

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Master Plan?**

No. ‘Industrial’ uses are not planned for the general area. Parma Township’s Future Land Use Plan recommends ‘Highway Commercial’ uses for the subject property as well as properties to the north and west (see Figure 2). ‘Agricultural’ uses are recommended for the property to the east and south. The Township’s Zoning Plan equates the ‘Highway Commercial’ future land use category with the ‘Highway Service (C-2)’ zoning district.

2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**

No. Not all of the uses allowed in the ‘Light Industrial (I-1)’ district are compatible with the uses allowed in the surrounding districts (i.e., junkyards).

3. **Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**

No. Concord Road is a paved county primary south of the interchange with I-94. Water and sewer services are not provided.

4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?**

No. ‘General Commercial (C-1)’ zoning is located to the north and west. ‘Highway Commercial (C-2)’ zoning is located to the east and northwest. ‘Agricultural (AG-1)’ zoning is located to the northeast.

JCPC Staff Advisement – The proposed rezoning does not conform to the *Parma Township Master Plan*. No other ‘Light Industrial (I-1)’ zoning is located adjacent to the subject property. Consequently, the rezoning would create a ‘spot zone’.

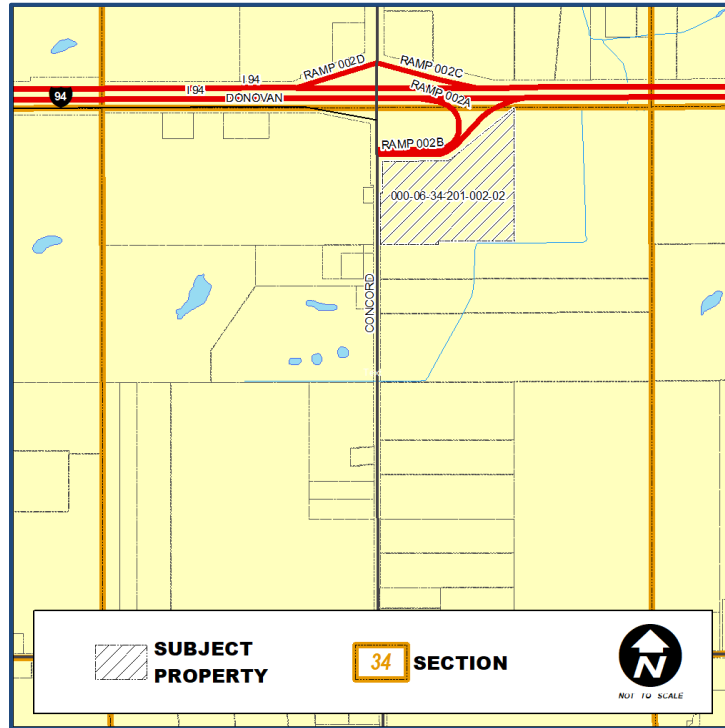
Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **DISAPPROVAL** of the ‘Light Industrial (I-1)’ rezoning request to the Parma Township Board.

Suggested Actions:	
(1)	Recommend APPROVAL
(2)	Recommend DISAPPROVAL
(3)	Recommend APPROVAL WITH COMMENTS
(4)	Take NO ACTION

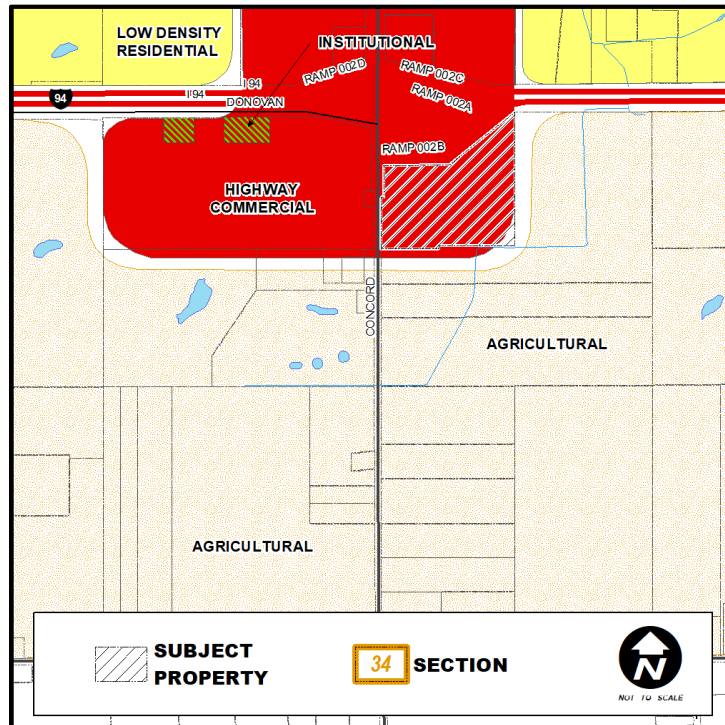
Staff Report Attachments:

- *Background information provided by Parma Township*

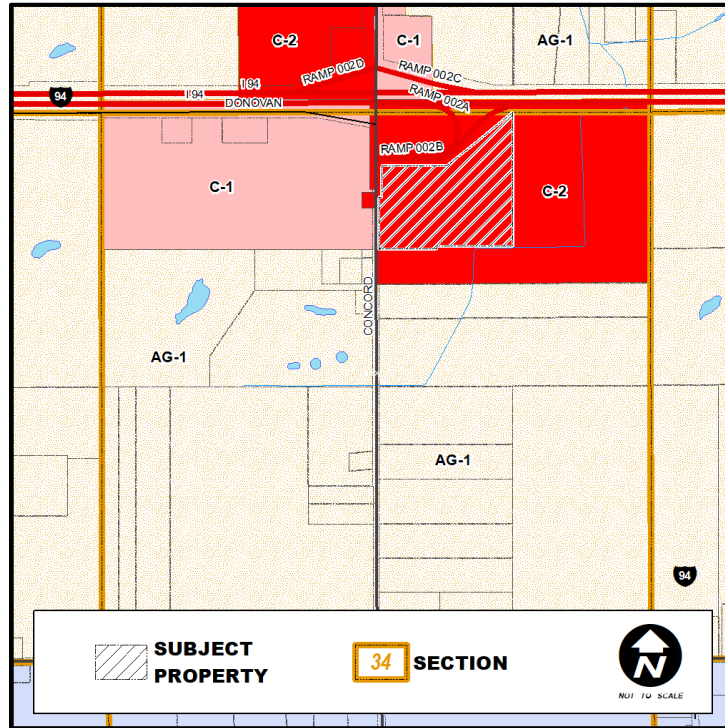
**Figure 1
Location**



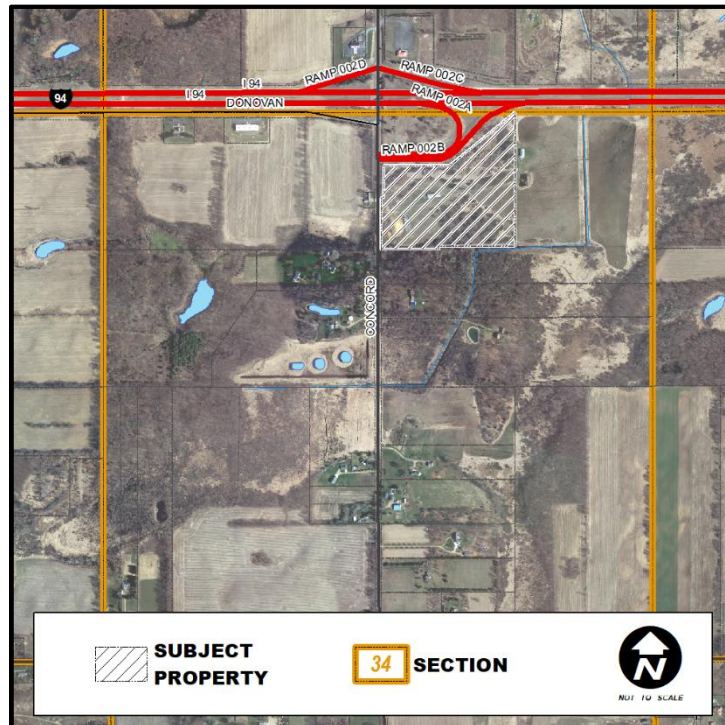
**Figure 2
Municipal Future Land Use**



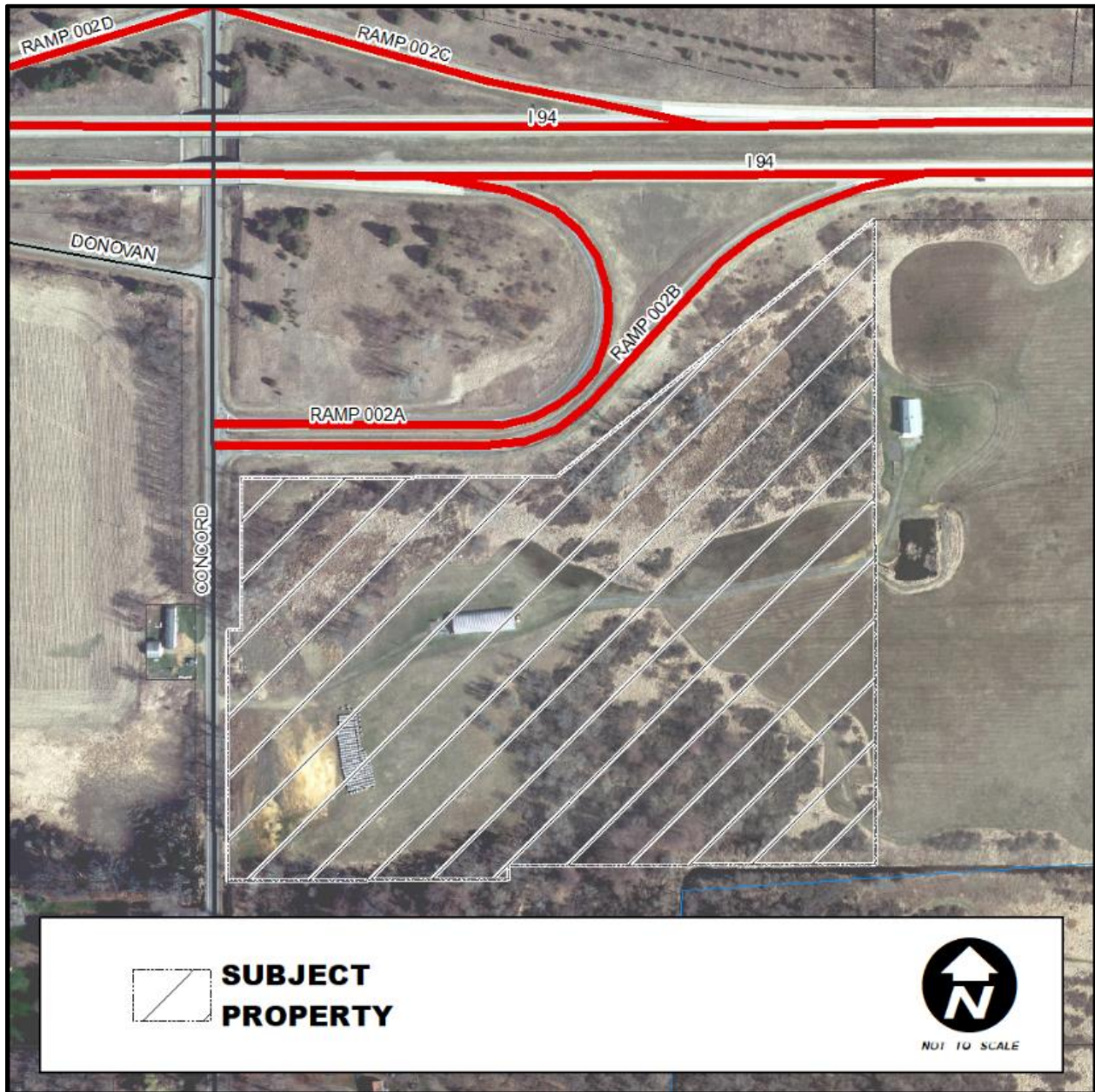
**Figure 3
Municipal Zoning**



**Figure 4a
Aerial Photo**



**Figure 4b
Aerial Photo**



ZONING AMENDMENT FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Parma TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

000-06-34-251-002-02

1. The above described property has a proposed zoning change FROM C-2 ZONE TO I-1 ZONE.
2. PURPOSE OF PROPOSED CHANGE: SLAUGHTER HOUSE

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE _____ SECTION _____
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) _____

- C. PUBLIC HEARING on the above amendment was held on: month 5 day 8 year 2019
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 4 day 21 year 19

(Notice must be provided at least fifteen days prior to the public hearing.)

- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Salesman

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to () APPROVE or (X) DISAPPROVE.

Janette Mead, Recording Secretary 5 / 8 / 2019 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____
 2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:
 - () Recommends APPROVAL of the zoning change
 - () Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
 - () Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
 - () Takes NO ACTION.
- _____ () Chair or () Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment () PASSED, () DID NOT PASS, or was () REFERRED ANEW to the Township Planning Commission.

Township Clerk

REZONING WORKSHEET FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: Parma Township Case #: _____

Township official we may contact: Wendy Chamberlain Phone #: (517) 620-1326

Applicant: Belal Chhani Phone #: (248) 851-4166

Rezoning Request: From: C-2 (____) To: I-1 (____)

Property Location: Section(s): 000-0634-201-02-02 Quarter Section(s): NW NE SW SE

Legal Description and/or Survey Map/Tax Map (please attach) Yes No (Please do not use only the Parcel ID Number)

Parcel Size (if more than one parcel, label "A" - "Z"): 28,72 acres

Please attach location map Yes No

What is the existing use of the site? Commercial - ag product storage

What is the proposed use of the site? Slaughterhouse

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?

North: I-94 South: Single family res.

East: Ag West: Vacant C-1 & single family res.

What are the surrounding Zoning Districts?

North: I-94 C-1 (____) South: Ag (____)

East: Ab (____) West: C-1 & Ag (____)

What is the suggested use of the site on the Township's Land Use Plan map? C-1

Is municipal water currently available? Yes No Will it be made available? Yes No If yes, when? _____

Is municipal sewer currently available? Yes No Will it be made available? Yes No If yes, when? _____

Does the site have access to a public street or road? Yes No If yes, name N. Concord Rd.

Are there any known environmental constraints on the site? Yes No

Wetland(s) Floodplain(s) Brownfield(s) Soil(s)

Other (please specify) _____

Please attach the minutes of the Planning Commission.

Yes, the minutes are attached. No, the minutes are not attached.

Please attach copies of any reports, exhibits or other documented provided to the Planning Commission.

Yes, copies of documentation are attached. No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

Yes, public comments are attached. No, public comments are not attached.

PARMA TOWNSHIP PLANNING COMMISSION

Public hearing meeting was called to order on May 8, 2019 at approximately 7:02 p.m.

by Chairman Paul Zuck.

Member present: Paul Zuck, Dan Merritt, Keith Mohny, Jan Buchanan and Janette Mead

Public hearing was regarding tax id # 000-06-34-201-002-02 request to change property from C-2 to I-1 (Industrial district). Numerous public comments were stated by audience.

Public Hearing was closed at 7:30 p.m.

Motion by Keith Mohny to accept minutes from April 3, 2019 meeting, seconded by Janette Mead.

Motion was made by Keith Mohny to deny changing property tax I.D. # 000-06-34-201-002-02 From C-2 to I-1, seconded by Jan Buchanan.

Roll call vote: Keith Mohny – yes; Paul Zuck – yes; Jan Buchanan – yes; Dan Merritt – yes; Janette Mead – yes. Motion carried.

Meeting was adjourned at approximately 7: 51 p.m.

Approved 6-5-19
Paul Zuck

Belal 127 LLC
1901 N. Concord Rd.
Albion, Mi. 49224

Parma TWP

PO Box 51

Albion, Mi. 49224

TWP Board

The property at 1901 N. Concord Rd. is currently zoned as C-2 and we would like request it to be used as a Slaughter House and for that to be approved in zoning for the I-1 Classification.

This would allow us to get bids for the making of improvements to the property, and stay within the requirements needed to be legal. We plan on using local contractors to accomplish this endeavor.

This would also allow us to serve the needs of the local people by providing an outlet for the sale and slaughter of their livestock for commercial market. This property also allows for the easy on and off the freeway for the trucks needed for transportation of the finished product.

Please give us your best consideration for our request.

Please feel free to contact us with any questions at the following:

Terry Spriggs (property manager) 269-967-5192 e-mail tlspriggs50@gmail.com

Belal Ghazi (property owner) 248-854-4666 e-mail carrierpp@yahoo.com

Thank you for your time and consideration

Belal Ghazi

Terry Spriggs

Property Owner

Property Manager

MY NAME IS SCOTT MERRILL
I live on N. Concord Rd ACROSS
FROM PROPERTY # 000-06-34-201-002-02
AND I'm writing this letter in REGARDS
to the Rezoning of Belal Ghazi property.
I would like to SAY NO to the
Rezoning which would change it to
Industrial. That would have an impact
on all of my neighbors and my property.

THANK YOU IN THIS MATTER

Dear Parma Township Board

16407 Comdon Road, Albion, MI

8 May 2019

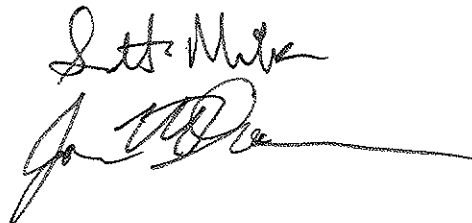
My family and I live in the residence just south of the property located at N. Concord Road, parcel identification number 000-06-34-201-002-02. We have lived at 995 North Concord Road for nearly 14 years and have fully integrated our family into the Parma Western community and school systems. In addition, we purchased our home to enjoy the solitude, outdoors, wildlife and peaceful surroundings.

We have concerns that allowing this rezoning request would negatively affect our property value and potentially inhibit future sale potential. We also worry that this rezoning could cause additional safety hazards due to increased vehicle and people traffic. There are many school aged children in the direct vicinity.

My family and I propose that the Parma Township Planning Commission decline this request for rezoning to industrial.

Sincerely,

Scott Martin & Josee Blais-Martin

The image shows two handwritten signatures in black ink. The top signature is 'Scott Martin' and the bottom signature is 'Josee Blais-Martin'. Both signatures are written in a cursive, flowing style.



000-06-34-201-002-02

N CONCORD RD

AERIAL PHOTO



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #19-09

To: County Planning Commissioners
From: Grant E. Bauman
Date: June 13, 2019

Proposal: The rezoning of a property in Summit Township

Request

A property is proposed for rezoning to 'Suburban Residential (RS-2)' from 'Agricultural (AG-1)'.

Purpose

The purpose of the request is to create 5 single-family lots (see the 'Zoning Amendment Form').*

Location and Size of the Property

The subject property (ID# 000-13-20-176-005-07) is situated in Section 20 (T3S-R1W) of the Township (see Figure 1). It is located on the south side of Ridgeway Road, near the Falling Waters Trail, and has an area of approximately 26 acres.

Land Use and Zoning

Current Land Use – The subject property is currently vacant, as are the parcels to the north and south (see the 'Zoning Amendment Form'). The properties to the east and west are used residentially, although a portion of the parcel to the west is vacant.

Future Land Use – The *Summit Township Master Plan* places the subject property in an area recommended for 'Low Density Residential' uses, as are all of the surrounding parcels (see Figure 2). 'Parks and Recreation' uses are recommended for the nearby Falling Waters Trail right-of-way.

Current Zoning – The subject property is zoned 'Agricultural (AG)', as are parcels immediately to the east, south, and west (see Figure 3). Properties directly to the north and further to the east and south are zoned 'Suburban Residential (RS-2)'.

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal water and sewer services are provided to the subject property (see the Rezoning Worksheet Form).

Public Road/Street Access – Ridgeway Road, a paved county local provides direct access to the subject parcel.

* Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

Environmental Constraints – The subject property has no known environmental constraints, according to the Township (see the Rezoning Worksheet Form).

Analysis and Recommendation

Township Planning Commission Recommendation –The Summit Township Planning Commission passed a motion to **approve** the proposed rezoning to ‘RS-2’ during its May 21, 2019 meeting (see the meeting minutes).

JCPC Staff Analysis – Summit Township’s Zoning Plan contains the following criteria upon which a rezoning request must be considered:

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Master Plan?**

No. Summit Township’s Future Land Use Plan recommends ‘Low Density Residential’ uses for the subject property and the surrounding parcels (see Figure 2). The Township’s Zoning Plan equates the ‘Low Density Residential’ future land use category with the ‘Agricultural (AG-1)’, ‘Rural Non-Farm (RNF-1)’, and ‘Suburban Residential (RS-1)’ zoning districts. The ‘Suburban Residential (RS-2)’ zoning district is equated to ‘High Density Residential’ uses.

2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**

Yes. ‘Suburban Residential (RS-2)’ zoned parcels located on the north side of Ridgeway Road are adjacent to the subject property. They are also located further to the east and south.

3. **Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**

No. Further residential development should not adversely impact public services and facilities.

4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?**

Yes. Other residential subdivisions are located in the surrounding area.

JCPC Staff Advisement – The proposed rezoning does not conform to the *Summit Township Master Plan* because the proposed ‘Suburban Residential (RS-2)’ district equates to ‘High Density Residential’ uses, rather than to ‘Low Density Residential’ uses, according to the Township’s Zoning Plan. However, the existing subdivisions located in the surrounding area are also zoned ‘RS-2’. Accordingly, it is suggested that the Township consider amending its master plan to place this part of the Township in an area recommended for ‘High Density Residential’ uses.

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **AP-PROVAL WITH COMMENTS** of the Suburban Residential (RS-2)’ rezoning request to the Summit Township Board.

- The Township should consider amending its master plan to place this part of the Township in an area recommended for ‘High Density Residential’ uses.

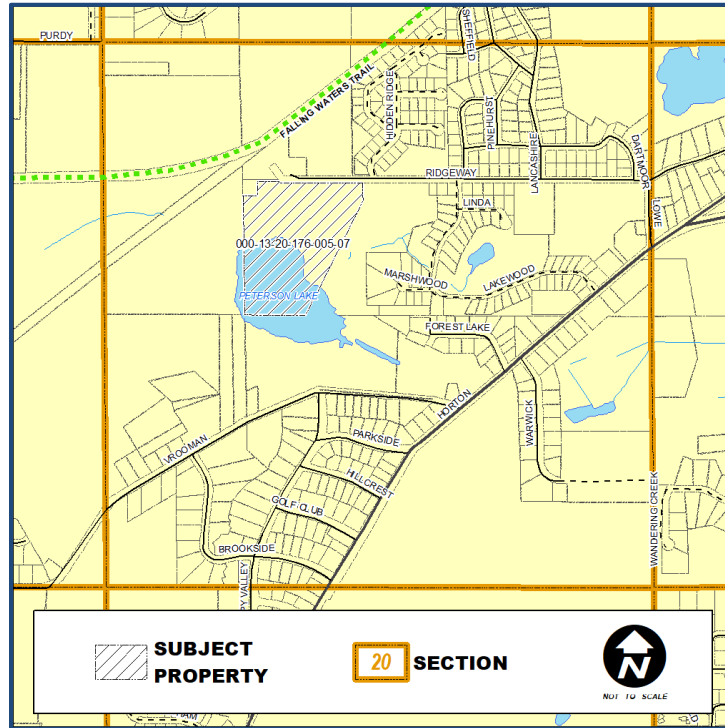
Staff Report Attachments:

- *Background information provided by Summit Township*

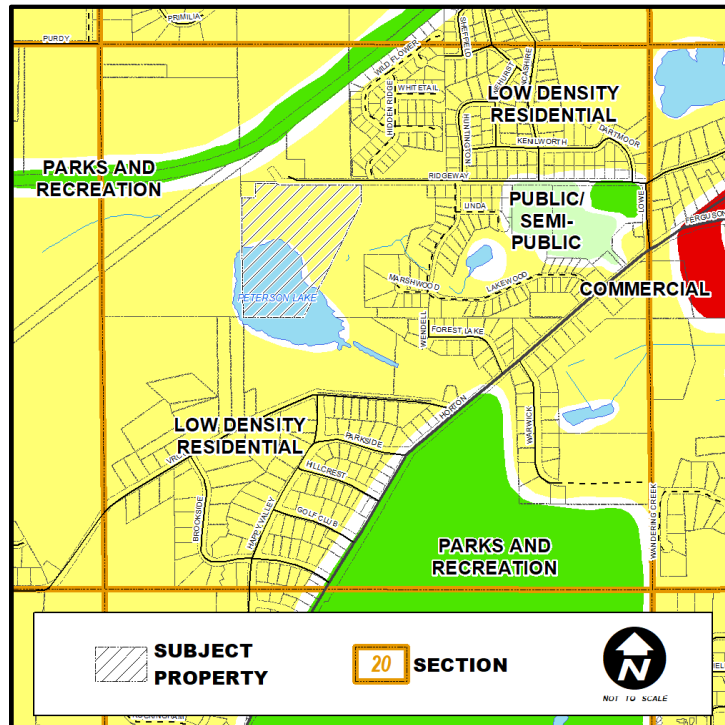
Suggested Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

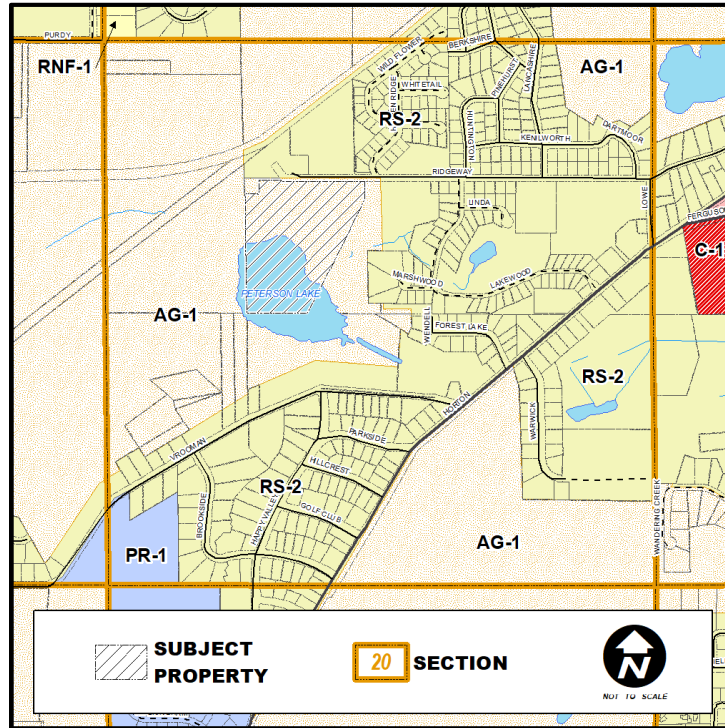
**Figure 1
Location**



**Figure 2
Municipal Future Land Use**



**Figure 3
Municipal Zoning**



**Figure 4a
Aerial Photo**

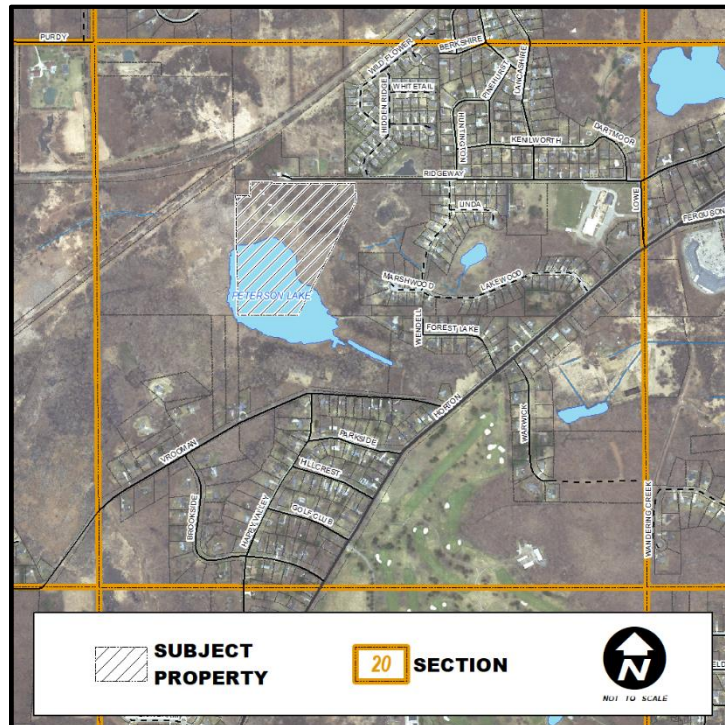
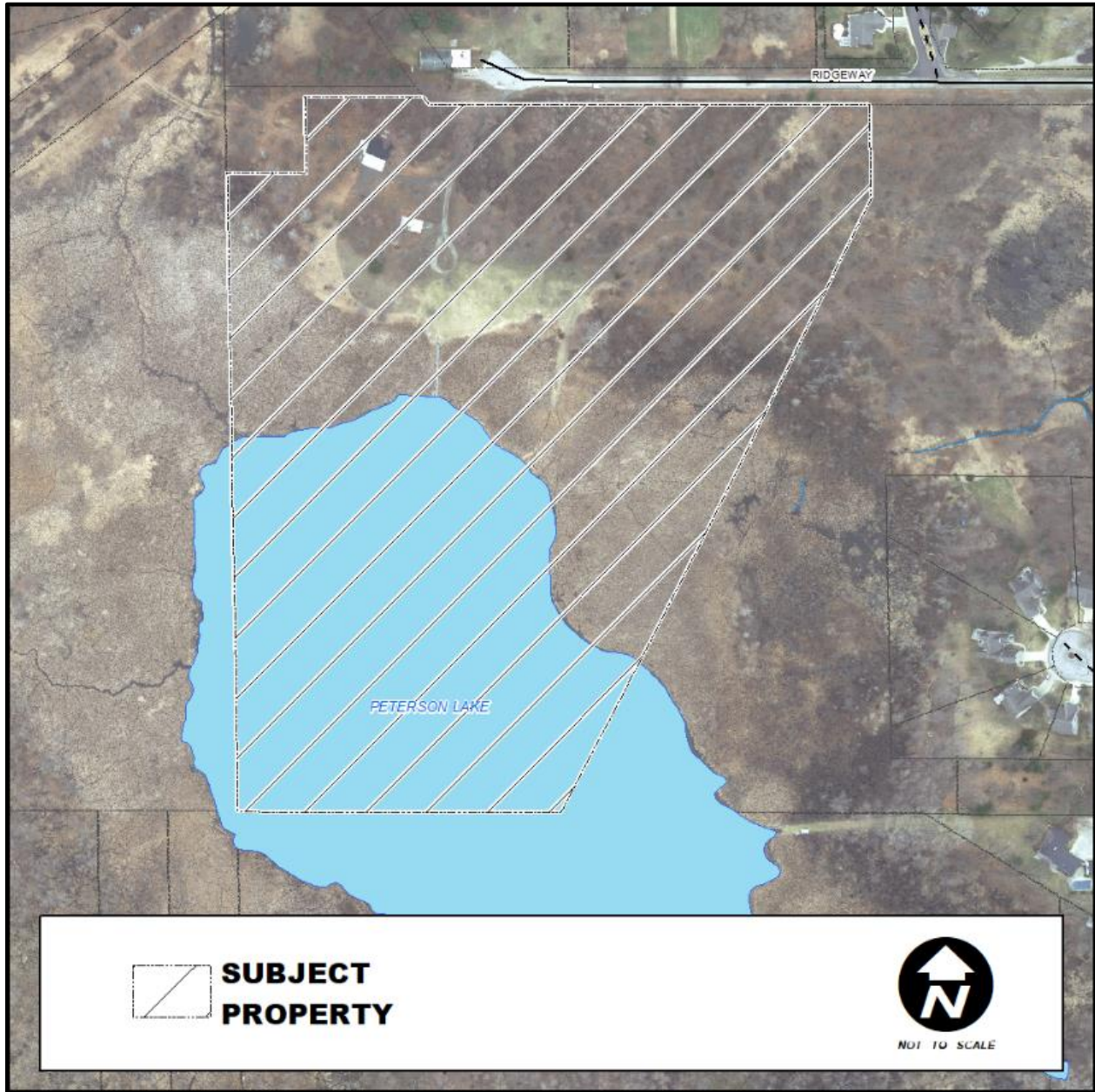


Figure 4b
Aerial Photo



ZONING AMENDMENT FORM



JACKSON COUNTY PLANNING COMMISSION
(COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Summit TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

2500 Blk. Ridgeway Rd. - Parcel ID 000-13-20-176-005-07 - Section 20 - Parent Parcel 26+ acres- Legal Description see attached

1. The above described property has a proposed zoning change FROM Agricultural (AG-1) ZONE TO Suburban Residential (RS-2) ZONE.

2. PURPOSE OF PROPOSED CHANGE: create 5 - 120ft X 233ft single family lots

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE _____ SECTION _____

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)

create 5 - 120ft X 233ft single family lots

C. **PUBLIC HEARING** on the above amendment was held on: month May day 21 year 2019

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month May day 5 year 2019
(Notice must be provided at least fifteen days prior to the public hearing.)

E. **THE NEWSPAPER** (having general circulation in Township) carrying the NOTICE: Jackson Citizen Patriot

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to () APPROVE or () DISAPPROVE.

[Signature], Recording Secretary 05 / 21 / 2019 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:

- () Recommends APPROVAL of the zoning change
- () Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
- () Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
- () Takes NO ACTION.

_____ () Chair or () Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment () PASSED, () DID NOT PASS, or was () REFERRED ANEW to the Township Planning Commission.

Township Clerk

REZONING WORKSHEET FORM



JACKSON COUNTY PLANNING COMMISSION
(COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: _____ Township Case #: _____

Township official we may contact: _____ Phone #: (____) ____ - _____

Applicant: _____ Phone #: (____) ____ - _____

Rezoning Request: From: _____ (____) To: _____ (____)

Property Location: Section(s): _____ Quarter Section(s): NW NE SW SE

Legal Description and/or Survey Map/Tax Map (please attach) Yes No (Please do not use only the Parcel ID Number)

Parcel Size (if more than one parcel, label "A" - "Z"): _____

Please attach location map Yes No

What is the existing use of the site? _____

What is the proposed use of the site? _____

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?

North: _____ South: _____

East: _____ West: _____

What are the surrounding Zoning Districts?

North: _____ (____) South: _____ (____)

East: _____ (____) West: _____ (____)

What is the suggested use of the site on the Township's Land Use Plan map? _____

Is municipal water currently available? Yes No Will it be made available? Yes No If yes, when? _____

Is municipal sewer currently available? Yes No Will it be made available? Yes No If yes, when? _____

Does the site have access to a public street or road? Yes No If yes, name _____

Are there any known environmental constraints on the site? Yes No

Wetland(s) Floodplain(s) Brownfield(s) Soil(s)

Other (please specify) _____

Please attach the minutes of the Planning Commission.

Yes, the minutes are attached. No, the minutes are not attached.

Please attach copies of any reports, exhibits or other documented provided to the Planning Commission.

Yes, copies of documentation are attached. No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

Yes, public comments are attached. No, public comments are not attached.

SUMMIT TOWNSHIP ZONING APPLICATION

Print or Type

CASE # 19-057607

This application will not be processed if incomplete. **All required materials must be submitted at least thirty (30) days prior to the next Planning Commission meeting. Site Plans with all documentation thirty (30) days prior to the next Planning Commission meeting. Special Use Site Plans forty-five (45) days prior to the next Planning Commission meeting.

◆ All required materials must be submitted at least thirty (30) days prior to the next Zoning Board of Appeals meeting.

①

APPLICATION FOR

- Rezoning **
- Site Plan Review
- Planned Developments
- Special Land Use
- Admendments
- Variance ◆
- Conditional Use **
- Home Occupation **
- Site Plan Change/Renewal
- Administrative Site Plan
- Other SPLIT APP

②

APPLICANT INFORMATION (If different than owner, a letter of authorization from the owner must be attached)

Name(s) LINDA S. HONES Phone 239-222-2545
 Address 8564 N. SHORE DR
CLARKLAKE, MI 49234

③

OWNER INFORMATION

Name(s) PETERSON LAKE DEVELOPMENT, INC Phone 239-222-2545
 Address 8564 N. SHORE DR
CLARK LAKE, MI

④

PROPERTY INFORMATION

Address or Location 2500 BLK RIDGEWAY RD
 Permanent Parcel # 000-13-20-176-005-07
 Zone District (Current) AG Property Size 26+ ACRES
 Attach legal description-also a survey, site drawing and pictures may be required.

⑤

NARRATIVE DESCRIPTION OF PROPOSED USE/REQUEST (attach additional pages as needed)

REZONE, 233' DEEP FROM CENTER OF ROAD 600' OF ROAD FRONTAGE ON RIDGEWAY RD. CREATE 5 LOTS = 120' RF and 233' DEEP FOR NEW HOMES.

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate.

Peterson Lk Development Linda S Hones 4-15-2019
 Signature of Applicant Signature of Applicant Date

⑥

I hereby grant permission for members of the Summit Township (Planning Commission) (Zoning Board of Appeals) (Township Board) to enter the above described property (or as described in the attached) for the purpose of gathering information related to this application. (Note to Applicant: This is optional and will not affect any decision on your application.)

Linda S. Hones _____
 Signature of Applicant Signature of Applicant Date

DO NOT WRITE BELOW THIS LINE

⑦

Date Received 4/15/19 Application
 Submitted Materials: Site plan # of copies 24 x 36 11 x 17 CD/PDF
 Site plan checklist Environmental checklist Pictures\ Video
 Survey: Stake Mortgage
 Letters: JCRC JCDC JCHD DPW JCAP DEQ FIRE
 Application Fee _____ Publication/Mailing Fee _____

Meeting Dates: PC 5/21/19
 ZBA X
 CNTY 6/13/19
 TWPBD 7/9/19
 Publication Dates #1 5/5/19
 WEB _____

APPLICATION ACCEPTED BY: _____

NOTE: Please attach all documents as required for each type of request and as listed on the attached sheets.

April 15, 2019

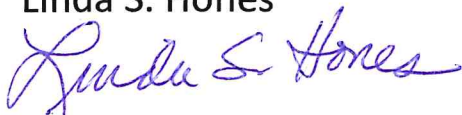
Dear John,

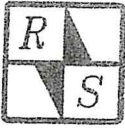
Attached is my application for a zoning change from Ag to Residential on the property located in the 2500 BLK of Ridgeway Rd. in Summit twsp. See attached legal description. With the housing market on the rise and building sites at a premium, I feel this vacant land would be better suited for residential homes that follow what is in the immediate surrounding neighborhoods. Homes are to close now to hunt or farm this property. With that said I am also requesting the approval of 5 splits from the parent parcel. I have confirmed with Brian that we have 11 remaining. See attached drawing. Kebs, Inc. will be preparing a survey drawing in the next 2 weeks as they are backed up. I will furnish you and the committee a copy as soon as I received it. I will also bring copies to the May meeting. We intend to meet the township requirement for the residential zoning by extending the pressure sewer to the middle of lot 5. See attached bid from Ripstra for the engineering and surveying of the same. RJT would be doing the actual extension. Thank you for your consideration in the matter.

Respectfully,

Peterson Lake Development, LLC.

Linda S. Hones





RIPSTRA & SCHEPPELMAN, INC.
CIVIL ENGINEERING - LAND SURVEYING

2535 SPRING ARBOR ROAD
JACKSON, MI 49203
OFFICE 517-789-9898
FAX 517-789-6065
www.ripstra-scheppelman.com

April 12, 2019

Linda S. Hones
Peterson Lake Development, LLC
2305 Ridgeway Road
Jackson, MI 49203

Re: Ridgeway Road Pressure Sewer

Dear Ms. Hones:

As requested, Ripstra & Scheppelman, Inc. offers the following proposal to provide drafting, engineering and surveying services to provide the following for the proposed pressure sewer to serve five property splits from parcel 000-13-20-176-005-07 in Section 20, Summit Township, Jackson County, Michigan:

- A. Topographical Survey.
- B. Pressure Sewer Plans.
- C. MDEQ Part 41 Construction Permit.

Drafting, engineering and surveying will be provided on a time and material basis, at an estimated cost of \$4,000.00. Invoices for services completed to date will be billed on a monthly basis, with terms being net 30 days, and billed according to the attached rate schedule.

An email copy of this proposal is submitted for your consideration. As authorization to proceed, endorse the copy of the proposal and return it to this office.

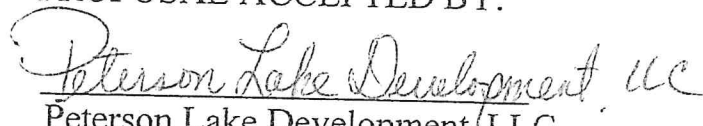
We look forward to working with you on the improvements in Summit Township.

Sincerely,
RIPSTRA & SCHEPPELMAN, INC.


Jack L. Ripstra, P.E.
President

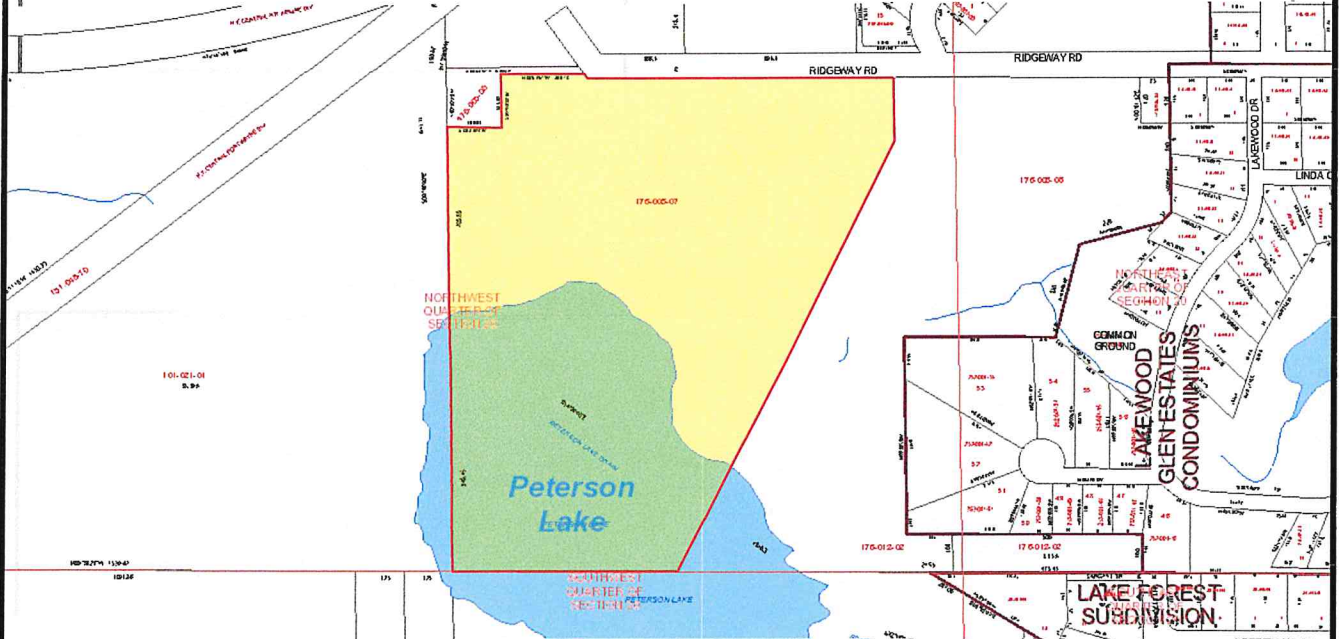
c: documents/word/proposals/ridgeway-1

PROPOSAL ACCEPTED BY:


Peterson Lake Development, LLC

Date: April 15, 2019

PARCEL DATA SHEET - PARCEL ID: 000-13-20-176-005-07

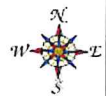


OWNER NAME PETERSON LAKE DEVELOPMENT, LLC
 OWNER ADDRESS 2305 RIDGEWAY RD
 JACKSON MI 49203
 HOMESTEAD 0%
 PARCEL ADDRESS 2551 RIDGEWAY RD
 JACKSON MI 49203
 PROPERTY CLASS 601 - DEVELOPMENTAL
 STATUS Active
 ACREAGE 26.3 Acres
 GOV'T UNIT Summit
 TAX UNIT Summit
 SCHOOL DISTRICT JACKSON PUBLIC SCHOOL
 LIBER/PAGE

	2016	2017	2018
TAXABLE VALUE	\$40,746	\$41,112	\$41,975
ASSESSED VALUE	\$97,900	\$101,200	\$97,300
TAX DESCRIPTION	COMM AT A PT S89DEG55'10"W 728.95 FT FROM THE CEN OF SEC 20; TH S 89DEG55'10"W 625 FT; TH N0DEG24'39"W 1166.95 FT (RECORDED AS N0DEG10'39"W 1166.82 FT); TH N89DEG35'06"E (RECORDED AS N89DEG49'21"E) 139.91 FT; TH N0DEG6'12"W (RECORDED AS N0DEG08'03"E) 138.82 FT; TH N89DEG53'48"E (RECORDED S89DEG51'57"E) 439.78 FT; TH N0DEG14'15"W 20 FT; TH N89DEG53'48" E 625 FT; TH S0DEG06'12"E 200 FT; TH S26DEG52'04"W 1264.28 FT TO BEG SEC 20 T3S R1W SPLIT OUT OF 000-13-20-176-005-05 AND 000-13-20-176-012-03 12/23/09		



This generated map is provided to allow easy access and visual display of governmental information and services, as well as to information from other sources. Every reasonable effort has been made to ensure the accuracy of the maps and data provided; nevertheless, some information may not be accurate. The burden of determining the accuracy, timeliness, completeness, merchantability, and fitness or appropriateness of use rests solely on you, the user. The parcel data on this sheet was last updated on March 26, 2019.



Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec.211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM ASSESSING DEPARTMENT BRIAN SMALL, ASSESSOR 2121 FERGUSON RD JACKSON, MI 49203	PARCEL IDENTIFICATION PARCEL CODE NUMBER: 000-13-20-176-005-07 PROPERTY ADDRESS: 2500 RIDGEWAY RD(BLK) JACKSON, MI 49203
NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL: PETERSON LAKE DEVELOPMENT, LLC 8564 N SHORE DR CLARKLAKE MI 49234	PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": .00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 401 (RESIDENTIAL)

PRIOR YEAR'S CLASSIFICATION: 601 (DEVELOPMENTAL)

The change in taxable value will increase/decrease your tax bill for this year by approximately: \$54	PRIOR AMOUNT YEAR: 2018	CURRENT TENTATIVE AMOUNT YEAR: 2019	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):	41,975	42,982	1,007
2. ASSESSED VALUE:	97,300	98,100	800
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	97,300	98,100	800
5. There WAS/WAS NOT a transfer of ownership on this property in 2018 . WAS NOT			

The 2019 Inflation rate Multiplier is: 1.024

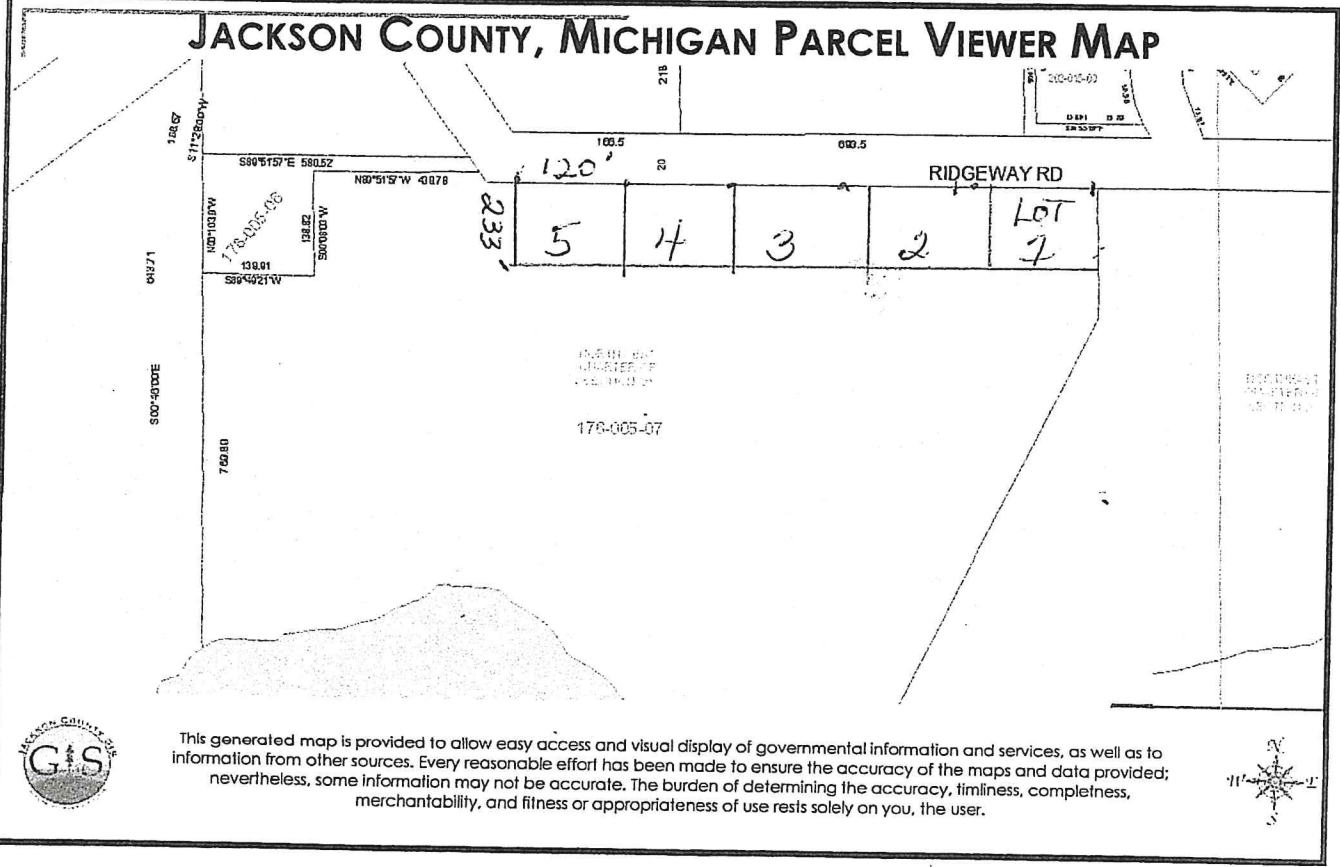
Legal Description: COMM AT A PT S89DEG55'10"W 728.95 FT FROM THE CEN OF SEC 20; TH S 89DEG55'10"W 625 FT; TH N0DEG24'39"W 1166.95 FT (RECORDED AS N0DEG10'39"W 1166.82 FT); TH N89DEG35'06"E (RECORDED AS N89DEG49'21"E) 139.91 FT; TH N0DEG6'12"W (RECORDED AS N0DEG08'03"E) 138.82 FT; TH N89DEG53'48"E (RECORDED S89DEG51'57"E) 439.78 FT; TH N0DEG14'15"W 20 FT; TH N89DEG53'48" E 625 FT; TH S0DEG06'12"E 200 FT; TH S26DEG52'04"W 1264.28 FT TO BEG S

March Board of Review Appeal Information:
 The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission at www.michigan.gov/taxes. Click on Property Taxes Box, then click on Forms and Instructions, then Board of Review to obtain Form 618 (L-4035), Petition to the Board of Review

March Board of Review Information:
THE 2019 SUMMIT TOWNSHIP BOARD OF REVIEW WILL MEET: MONDAY, MARCH 11TH FROM 9:00 TO NOON AND 1:00 TO 4:00PM TUESDAY MARCH 12TH FROM 1:00 TO 4:00 AND 5:00 TO 9:00 PM. APPOINTMENTS REQUIRED: PHONE (517) 788-4143 EXT. 233 OR 235 THRU MARCH 8TH 2019. APPEALS BY LETTER MUST HAVE ACCEPTED POSTMARK BY MARCH 12TH 2019.

Not less than 14 days before the meeting of the Board of Review, the assessment notice shall be mailed to the property owner.
 Property taxes were calculated on the Taxable Value (see line 1 above). The Taxable Value number entered in the "Change from Prior Year to Current Year" column, does not indicate a change in your taxes. This number indicates the change in Taxable Value.
 State Equalized Value is the Assessed Value multiplied by the Equalized Factor, if any. State Equalized Value must approximate 50% of the market value.
 IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value will be the same as your 2019 State Equalized Value.
 IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value is calculated by multiplying your 2018 Taxable Value by 1.024 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2019 Taxable Value cannot be higher than your 2019 State Equalized Value.
 The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.
 Filing a protest at the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing of a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9o. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.
 HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 114 OF 2012. If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediately succeeding winter tax levy and all subsequent tax levies.

EXHIBIT "A"



Each Lot 120' X 233' DEEP from the center of the road

**SCHEDULE C
PROPERTY DESCRIPTION**

The land referred to is described as follows:

Land in Township of Summit, Jackson County, Michigan described as:

Beginning at the intersection of the centerline of Horton Road with the East and West 1/4 line of Section 20, Town 3 South, Range 1 West, Summit Township, Jackson County, Michigan, thence West along the East and West 1/4 line 1056.88 feet, thence North 33 1/3 rods to a point for the place of beginning of this description, thence North to the North 1/8 line, thence West along the North 1/8 line to the West 1/8 line of Section 20, thence South along the West 1/8 line 46 2/3 rods, thence East parallel with the North 1/8 line to beginning. EXCEPT: All that part which lies within the boundary of Lake Wood Glen Condominium (formerly Lake Wood Estates Condominium), according to the Master Deed recorded in Liber 1470, Page 731, and amended in Liber 1512, Page 1129, and in Liber 1548, Page 758, Jackson County Records.

ALSO EXCEPT: Beginning at the Northwest corner of Unit No. 1 of Lakewood Glen Condominium as recorded in Liber 1470, Page 731, Jackson County Records, thence South 00 degrees 01' 42" West along the West line of said Unit 1, 120.00 feet to the Southwest corner of said Unit; thence North 89 degrees 50' 55" West 75.00 feet; thence North 00 degrees 01' 42" East 120.00 feet; thence South 89 degrees 50' 55" East to the place of beginning. Being in the Northeast 1/4 of Section 20, Town 3 South, Range 1 West, Summit Township, Jackson County, Michigan.

ALSO EXCEPT: A parcel of land located in the Northwest 1/4 of Section 20, Town 3 South, Range 1 West, Summit Township, Jackson County, Michigan, being described as: Beginning at the West 1/4 corner of said Section 20; thence North 00 degrees 18' 11" West, 399.87 feet along the West line of said Section 20 to the Southeasterly line of a railroad; thence North 52 degrees 11' 12" East, 1679.83 feet along said Southeasterly line to the East line of the West 1/2 of the Northwest 1/4 of said Section 20; thence South 00 degrees 10' 39" East, 107.05 feet along said East line to the North line of the South 1/2 of the Northwest 1/4 of said Section 20, said point being the place of beginning of this exception; thence South 89 degrees 51' 57" East 580.52 feet along said North line; thence South 20.00 feet; thence North 89 degrees 51' 57" West, 439.78 feet; thence South 00 degrees 08' 03" West, 138.82 feet; thence South 89 degrees 49' 21" West, 139.91 feet to the East line of the West 1/2 of the Northwest 1/4 of said Section 20; thence North along said East line to the place of beginning.

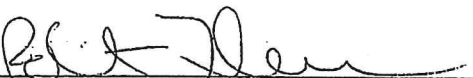
ALSO: Beginning at the intersection of the centerline of Horton Road with the East and West 1/4 line of Section 20, Town 3 South, Range 1 West, Summit Township, Jackson County, Michigan, thence West along the East and West 1/4 line 1056.88 feet to a point for the place of beginning of this description, thence North 33 1/3 rods, thence West to the West 1/8 line of said Section, thence South 33 1/3 rods to the East and West 1/4 line, thence East on 1/4 line to a point 24.55 feet West of the North and South 1/4 line of said Section 20, thence North 100 feet, thence East parallel with the East and West 1/4 line 500 feet, thence South 100 feet to the East and West 1/4 line; thence Easterly along said East and West 1/4 line to the beginning. EXCEPT all that part which lies within the boundary of Lake Wood Glen Condominium (formerly Lake Wood Estates Condominium), according to the Master Deed recorded in Liber 1470, Page 731, and amended in Liber 1512, page 1129, and in Liber 1548, Page 758, Jackson County Records.

SEE SCHEDULE C CONTINUED
PAGE 1 OF 2
168719

SCHEDULE C CONTINUED

EXCEPT: Part of the North 1/2 of Section 20, Town 3 South, Range 1 West, Summit Township, Jackson County, Michigan being described as: Commencing at the center of Section 20; thence South 89 degrees 55' 10" West along the East-West 1/4 line of said Section 20, a distance of 24.55 feet to the point of beginning of this description; thence continuing South 89 degrees 55' 10" West along said East-West 1/4 line, a distance of 704.40 feet; thence North 26 degrees 52' 04" East a distance of 1264.28 feet; thence North 00 degrees 06' 12" West a distance of 200.00 feet to the North line of the Southeast 1/4 of the Northwest 1/4 of said Section 20; thence North 89 degrees 53' 48" East along said North line of the Southeast 1/4 of the Northwest 1/4 a distance of 139.25 feet to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 20; thence South 89 degrees 59' 20" East along the North line of said Southwest 1/4 of the Northeast 1/4 a distance of 553.93 feet; thence South 00 degrees 13' 30" East a distance of 36.45 feet to the Northwest corner of Unit 1, Lake Wood Glen Condominium, Jackson County Condominium Subdivision Plan No. 27, according to the Master Deed recorded in Liber 1470, Page 731, and amended in Liber 1512, Page 1129, and Liber 1548, Page 758, Jackson County Records; thence North 89 degrees 59' 20" West recorded as North 89 degrees 50' 55" West a distance of 75.00 feet; thence South 00 degrees 13' 30" East a distance of 120.17 feet, recorded as South 00 degrees 01' 42" West 120.00 feet; thence South 89 degrees 59' 20" East recorded as South 89 degrees 50' 55" East, a distance of 75.00 feet to the Southwest corner of said Unit 1; thence the following seven courses along the Western boundary of said Lake Wood Glen Condominium: (1) South 00 degrees 13' 30" East a distance of 229.24 feet, (2) South 42 degrees 01' 04" West a distance of 36.91 feet, (3) South 74 degrees 41' 52" West a distance of 219.91 feet, (4) South 15 degrees 04' 11" West a distance of 250.07 feet, (5) South 89 degrees 55' 18" West a distance of 377.28 feet, (6) South 00 degrees 10' 10" East a distance of 514.06 feet, (7) and South 89 degrees 55' 26" East a distance of 116.83 feet; thence South 00 degrees 18' 30" West a distance of 99.44 feet, recorded as South 100.00 feet to the point of beginning.

Together with a 20.00 foot Private Easement for ingress and egress to Peterson Lake described as: Part of the South 1/2 of the Northwest 1/4 of Section 20, Town 3 South, Range 1 West, Summit Township, Jackson County, Michigan being described as: Commencing at the West 1/4 post of said Section 20; thence North 00 degrees 32' 39" West along the West line of said Section 20, a distance of 1326.03 feet to the Northwest corner of the South 1/2 of the Northwest 1/4 of said Section 20; thence North 89 degrees 53' 48" East along the North line of said South 1/2 of the Northwest 1/4 a distance of 1852.92 feet; thence South 00 degrees 06' 12" East a distance of 33.00 feet to the South right of way line of Ridgeway Road and being the point of beginning of this description; thence North 89 degrees 53' 48" East along said road right of way line a distance of 27.74 feet; thence 158.46 feet along a curve to the left with a radius of 320.00 feet a central angle of 28 degrees 22' 20" and a chord of South 31 degrees 16' 00" West 156.85 feet to a point of compound curvature; thence 235.01 feet along a curve to the left with a radius of 830.25 feet, a central angle of 16 degrees 13' 05" and a chord of South 08 degrees 58' 18" West 234.23 feet to the point of tangency; thence South 00 degrees 51' 45" West a distance of 303.24 feet; thence North 89 degrees 08' 15" West a distance of 20.00 feet; thence North 00 degrees 51' 45" East a distance of 283.32 feet to a point of curvature; thence 240.67 feet along a curve to the right with a radius of 850.25 feet, a central angle of 16 degrees 13' 05" and a chord of North 08 degrees 58' 18" East 239.87 feet to a point of compound curvature; thence 148.55 feet along a curve to the right with a radius of 340.00 feet, a central angle of 25 degrees 01' 59" and a chord of North 29 degrees 35' 50" East 147.37 feet to the point of beginning.


157686

OPERATING RESOLUTIONS OF THE MEMBERS
of
Peterson Lake Development, LLC

The undersigned, being all Members of Peterson Lake Development, LLC, a Michigan limited liability company (the "Company"), hereby adopts the following resolutions pursuant to the Michigan Limited Liability Company Act:

1. **FORMATION AND REORGANIZATION:** The Company has been re-organized from a Michigan general partnership to a limited liability company under and pursuant to the Michigan Limited Liability Company Act, being Act No. 23, Public Acts of 1993, (the "Act") by the filing of Articles of Organization ("Articles") and Certificate of Conversion with the State of Michigan as required by the Act. The undersigned Members are the surviving partners from a partnership known as Peterson Lake Development, formed December 28, 1990. By the filing of the above-referenced Articles of Organization, with Certificate of Conversion, the undersigned Members have converted said partnership into a limited liability company for the purposes set forth in paragraph 3 below, with the understanding that this entity shall be treated and operated as a limited liability company for all purposes at all times.
2. **NAME:** The name of the Company shall be Peterson Lake Development, LLC. The Company may also conduct its business under one or more assumed names.
3. **PURPOSES:** The purposes of the Company are to engage in any activity for which limited liability companies may be formed under the Act, including the purchase, sale, financing, mortgaging, leasing, constructing, improving and repairing of residential and commercial real estate and personal property. The Company shall have all the powers necessary or convenient to effect any purpose for which it is formed, including all powers granted by the Act.
4. **DURATION:** The Company shall continue in existence for the period fixed in the Articles for the duration of the Company or until the Company shall be sooner dissolved and its affairs wound up in accordance with the Act or its Operating Agreement.
5. **REGISTERED OFFICE AND RESIDENT AGENT:** The Registered Office and Resident Agent of the Company shall be as designated in the Articles or any amendment thereof. The Registered Office and/or Resident Agent may be changed from time to time in accordance with the Act. If the Resident Agent shall ever resign, the Company shall promptly appoint a successor.
6. **BANK ACCOUNT:** Republic Bank, Jackson, Michigan, is designated as the depository of the Company and either Linda S. Spaan or Phyllis J. Rose is hereby authorized to deposit and withdraw any of the funds of the Company in said Bank.

7. **CAPITAL CONTRIBUTIONS AND MEMBERSHIP INTERESTS:** By execution and approval of these Resolutions, the Members transfer their Peterson Lake Development partnership capital accounts, being \$136,348.00 for Phyllis J. Rose and \$28,095.00 for Linda S. Spaan, both valued as of December 31, 2004, together with certain real estate in Section 20, Summit Township, Jackson County, Michigan, to the Company, in exchange for each Member receiving a membership interest in the Company as set forth opposite their respective names:

<u>Member</u>	<u>Share % of Ownership</u>
Linda S. (Spaan) HONES	50%
Phyllis J. Rose	50%

provided, however, the Members agree that the Company shall issue Certificate No. 1, in the names of Linda S. Spaan and Phyllis J. Rose, as joint tenants with full rights of survivorship, dated September 15, 2005, with the understanding that each individual shall be entitled to 50% of the Company's net profits, net losses and other items of income, gain, loss, deduction, credit, and distributions, except as may be required by the Internal Revenue Code or by the Operating Agreement.

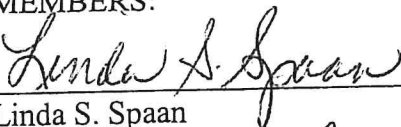
8. **DISTRIBUTIONS:** The Company shall make distributions to the Members in such amounts and at such times as is determined by the Members. Distributions may be made only after the Members determine in their reasonable judgment that the Company has sufficient cash in excess of the current and the anticipated needs of the Company to fulfill its business purposes (including needs for operating expenses, debt service, acquisitions, reserves and mandatory distributions, if any). Distributions shall be in cash or property, or both, as determined by the Members. No distribution shall be declared or made if, after giving it effect, the Company would not be able to pay its debts as they become due in the usual course of business or the Company's total assets would be less than the sum of its total liabilities plus the amount that would be needed, if the Company were to be dissolved at the time of the distribution.
9. **MANAGEMENT VESTED WITH MEMBER:** The business and affairs of the Company shall be managed by the Members, Linda S. Spaan and Phyllis J. Rose. The Members shall have the power, on behalf of the Company, to do all things necessary or convenient to carry out the business and affairs of the Company, including the power to: (a) purchase, lease or otherwise acquire any real or personal property; (b) sell, convey, mortgage, grant a security interest in, pledge, lease, exchange or otherwise dispose or encumber any real or personal property; (c) open one or more depository accounts and make deposits into and checks and withdrawals against such accounts; (d) borrow money, incur liabilities and other obligations; (e) enter into any and all agreements and execute any and all contracts, documents and instruments; (f) engage employees and agents, define their respective duties, and establish their compensation or remuneration; (g) establish pension plans, trusts, profit sharing plans and other benefit and incentive plans for the employees and agents of the Company; (h) obtain insurance covering the business and affairs of the Company and its property and on the lives and well being of its Member, employees and agents; (i) commence, prosecute or defend any proceeding in the Company's name; and (j) participate with others in

partnerships, joint ventures, corporations and other associations and strategic alliances. Linda S. Spaan is designated President of the Company with full power to perform and carry out the above specified powers, without further action by the Company.

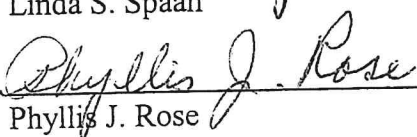
10. **OPERATING AGREEMENT:** The attached Operating Agreement shall be the Operating Agreement of the Company which shall be signed by the Members.
11. **EXCULPATION OF LIABILITY:** Unless otherwise provided by law or expressly assumed, the Members shall not be liable for the acts, debts or liabilities of the Company.
12. **INDEMNIFICATION:** The Company shall indemnify the Member from and against any claims, losses, liabilities, damages or expenses (including attorneys fees) incurred by the Member as a result of or in connection with any pending or threatened legal proceeding (whether civil, criminal, administrative or investigative and whether formal or informal) in which the Member is made party or threatened to be made party as a result of its status as a the Member of the Company or as an employee or agent of the Company, subject to the following limitations: (a) such indemnification shall not be applicable to any suit or proceeding brought by or in the right of the Company; (b) the right of the Member to indemnification is dependent upon the Member having acted in good faith, with the care an ordinarily prudent person in a like position would have exercised under similar circumstances, in a manner which the Member reasonably believed to be in the best interests of the Company and, with respect to any criminal suit or proceeding, the Member had no reasonable cause to believe that its conduct was unlawful; and (c) the right of the Member to indemnification shall not extend to any suit or proceeding based upon the receipt by the Member of any financial benefit to which the Member was not legally entitled, any suit or proceeding in violation of these Operating Resolutions or the Act or any suit or proceeding involving any willful violation by the Member of any provision of law. Where applicable, the Member's right of indemnification shall extend to any actual and reasonable expenses (including attorneys fees) incurred by the Member in connection with any suit or proceeding brought to enforce the obligations of the Company under this Resolution. Any indemnification permitted under this Resolution, unless ordered by a court of competent jurisdiction, shall be made by the Company only as authorized in the specific case upon a determination that the indemnification is proper under the circumstances because the Member has met the applicable standards of conduct and upon an evaluation of the reasonableness of expenses and amounts paid in settlement.
13. **GOVERNING LAW:** These Operating Resolutions are being executed and delivered in the State of Michigan and shall be governed by, construed and enforced in accordance with the laws of the State of Michigan.

Dated: September 15, 2005

MEMBERS:



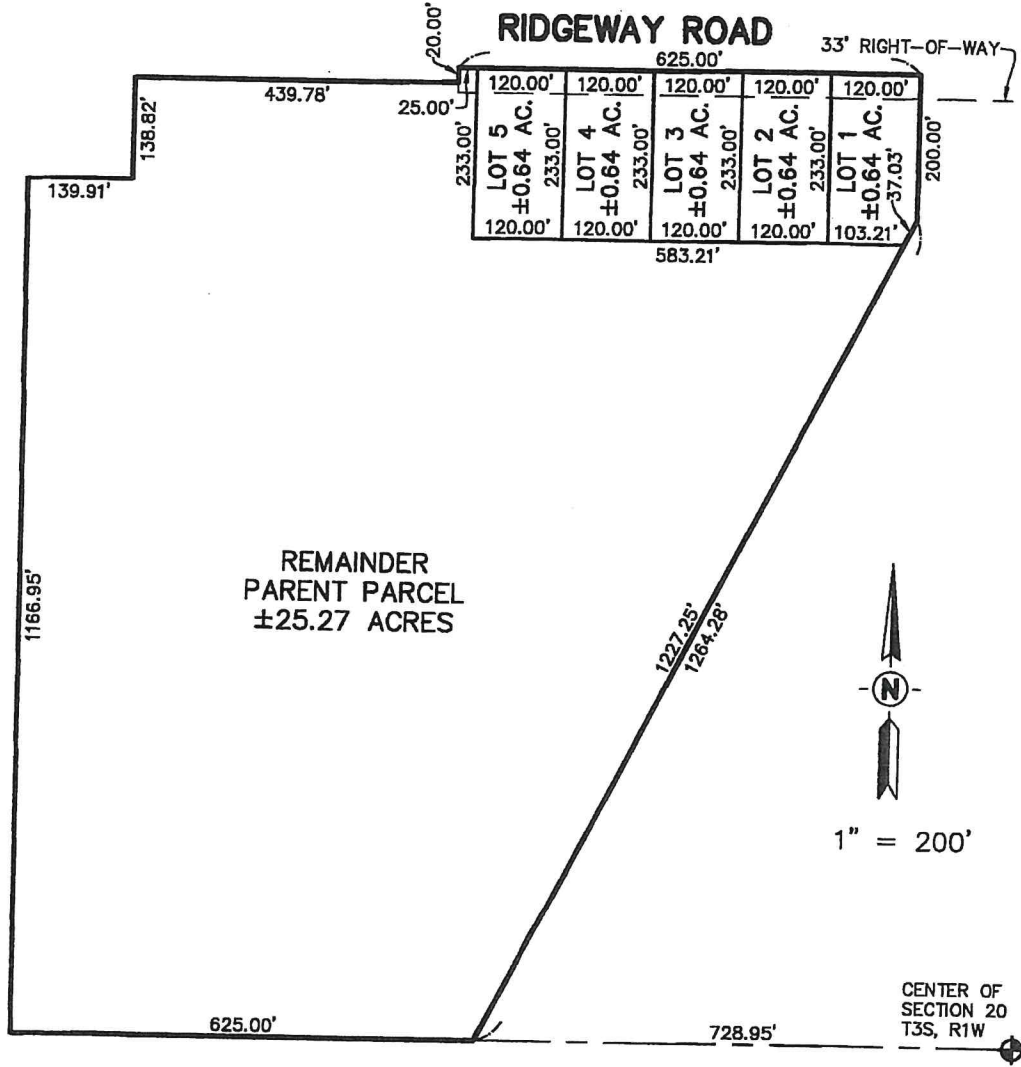
Linda S. Spaan



Phyllis J. Rose

SKETCH

FOR: **PETERSON LAKE DEVELOPMENT, LLC**



A CERTIFIED BOUNDARY SURVEY IS REQUIRED FOR THE EXACT LOCATION OF FENCE AND PROPERTY LINES.

This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

- R = Recorded Distance
- M = Measured Distance
- = Dead Line
- - - = Distance Not to Scale



KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS

13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

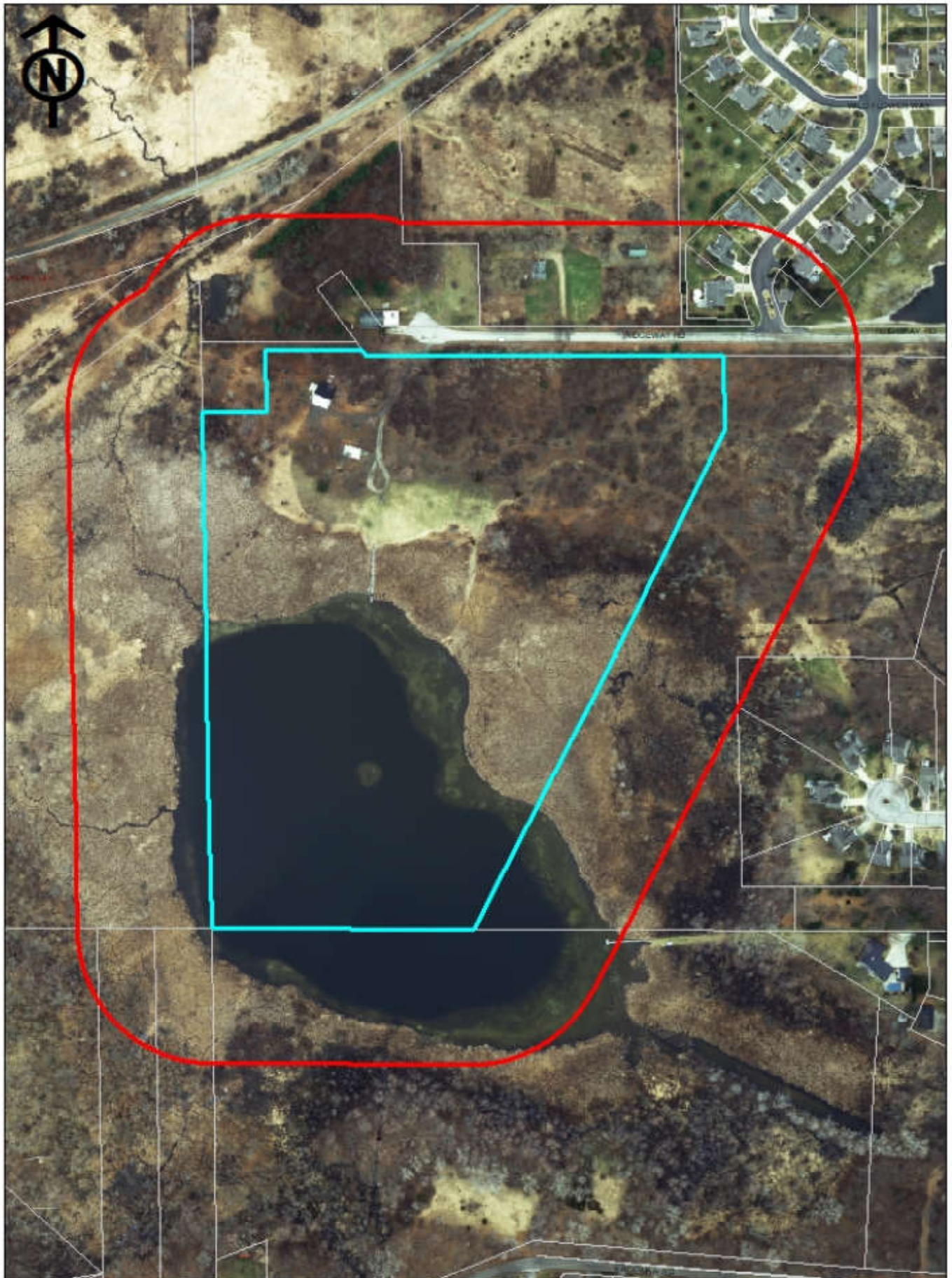
2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

DRAWN BY: BEB	SECTION 20, T3S, R1W
FIELD WORK BY:	JOB NUMBER: 95099
DRAWING DATE: 5/6/19	SHEET 1 OF 1

MICHAEL A. GROAT
PROFESSIONAL SURVEYOR

DATE
No. **39079**

Case#19-05-0007-Rezoning from AG-1 Residential RS-2
2500 Blk. Ridgeway Rd.- Linda S. Hones/Applicant



NOTICE

The Summit Township Planning Commission will hold a public hearing May 21, 2019 at 6:00 p.m. in the Township Hall, 2121 Ferguson Road.

At this time all interested parties will be heard on the request of Linda S. Hones Applicant to rezone a strip of land 600 ft. by 233 ft. in the 2500 block of Ridgeway Rd. from Agricultural (AG-1) to Suburban Residential (RS-2) to allow for the development of five (5) residential lots.

The property and request are more particularly described and on display at the Township Offices.

Current Zoning for the property is Agricultural (AG-1)

Summit Township Office is open weekdays from 8:00 a.m. to 5:00 p.m. during which time the Zoning Ordinance/Zoning Map may be examined. Written comments regarding the above may be directed to the Township, or by calling (517) 788-4113 Extension 240. Summit Township will provide any necessary or reasonable auxiliary aids at the meeting for persons with disabilities, upon ten – (10) days written notice to the Township, 2121 Ferguson Rd., Jackson, MI 49203.

John Worden
Zoning Administrator

Jackson Citizen Patriot
Insertion Date: May 5, 2019

Affidavit requested. Please call C. Brown at 788-4113 Ext. 221 with cost

Copy to Meghan Dobben, Clerk

Summit Township Planning Commission
May 21, 2019

Members Present: Jack Shelby; Chairman, Robert Kendall, George Gancsos Jr., Allan Hooper, Todd Emmons; Board Liaison, Laurie Cunningham; Secretary, John Worden; Summit Township Zoning Administrator, Mark Cesarz and Tom Beila arrived late.

Members Absent: None

The Meeting was called to order by Jack Shelby; Chairman, on May 21, 2019 at 6.00 p.m. in the Summit Township hall, 2121 Ferguson Rd.

A motion was made by George Gancsos Jr., supported by Robert Kendall, to approve the minutes of the October 16, 2018 minutes as presented. The motion carried unanimously.

Case #19-05-0007 Rezoning from AG-1 to RS-2 – 2500 BLK Ridgeway Rd.

Request for rezoning of land on Ridgeway Rd from AG-1 to RS-2, creating five lots of 120 x 233 feet for building of new homes. Applicant Linda and Ed Hones, 8564 N Shore Drive, Clark Lake, Peterson Lake Development, present. Linda Hones provided a brief description and overview of the proposed project. The public sewer line will be extended to serve the project and has sufficient capacity per the Summit DPW. Water mains already serve the area.

A Motion was made by Allan Hooper, supported by George Gancsos Jr. to approve the rezoning of the 2500 BLK Ridgeway Rd from Agricultural (AG-1) to Suburban Residential (RS-2). The motion carried unanimously.

Case #19-05-0009 Conditional Use Permit-Dog Day Care –Boarding-Grooming 2299 W Michigan

Request for Conditional Use Permit, Cara Donahue; Playful Paws LLC, Applicant and Garner & Channell LLC , owners. Proposed use at 2299 W Michigan Ave, a Dog Daycare, boarding and grooming facility. Cara Donahue provided description and overview. The facility will be monitored yearly by Jackson County Animal Control, will have alarm and cameras present in and on the grounds. An 8ft. solid fence will be put around the outdoor play area. Hours of operation will be Monday – Saturday, 7am to 7pm, no day care on Sundays only overnight boarding. Dogs will be let outside every 2 hours during day care hours, overnight boarding additional until 8 or 9pm. Average number of dogs expected per day; daycare 35 , boarding 10 and grooming 10 . Donahue explained all dogs will be evaluated before staying in the daycare and boarding facility. Denise Donahue, mother and several residents in audience in spoke in favor of the proposal.

Debbie Garner, owner of building explained there are 2 rentals which she owns and has spoken to both tenants, they are in favor. No additional lighting will be needed on the property.

Jackson County Animal control will be monitoring the facility and will require to be licensed. The maximum dogs for day care and boarding at one time will be 50 dogs.

A motion was made by Jack Shelby supported by George Gancsos Jr., to recommend to the Township Board approval of the Conditional Use Permit for Dog Grooming, Boarding and Day Care at 2299 W Michigan Ave. With these stipulations; Hours of operation Monday –Saturday 7am to 7pm with no day care on Sunday. No use of outdoor exercise yard from 9pm to 6am, capacity of dogs= 60- 50 boarding and day care and 10 grooming. 8 ft. privacy fence to be put around exercise yard, any additional lighting put in must face down, and must have a fire KNOX (lock) Box in place. Motion carried unanimously.

Proposed Amendments to 150-150 Height Exemptions and 150.151 Accessory Structures

Amendment to 150-150 (B) (2); accessory structures located in any single and two family Residential districts may not be located in front of the primary structure.
Amendment to 150.151 (B); detached accessory buildings may not be located in front of the primary structure and change the height restriction from 14 feet to 16 feet.

A motion was made by Todd Emmons supported by George Gancsos Jr to publish the proposed Amendments for a public hearing. Motion carried unanimously.

Election of officers 2019

Slate of Officers Jack Shelby, Chairman; Allan Hooper, Vice Chairman and Laurie Cunningham, Secretary. A motion was made by George Gancsos Jr supported by Tom Biela to elect slate of officers for 2019. Motion carried unanimously.

Meeting adjourned at 7:00 pm by Jack Shelby, Chairman

Respectfully submitted,

Laurie Cunningham, Secretary

Summit Township Planning Commission

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Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #19-10

To: County Planning Commissioners
From: Grant E. Bauman
Date: June 13, 2019

Proposal: The rezoning of a property in Hanover Township

Request

Properties are proposed for rezoning to 'Light Industrial (I-1)' from 'Agricultural (AG)'.

Purpose

The purpose of the request is for Levy Machining LLC (see the 'Zoning Amendment Form').*

Location and Size of the Property

The subject properties (ID# 000-17-21-176-001-02 and ID# 000-17-21-176-001-07) are situated in Section 21 (T4S-R2W) of the Township (see Figure 1). They are located in the southeastern corner of the intersection of Roundtree and Folks Roads, north of the Village of Hanover, and have a combined area of approximately 55 acres.

Land Use and Zoning

Current Land Use – The subject properties are currently utilized for the 'Farming of Crops', according to the Township, and the surrounding area is a mix of 'Agricultural & Single-family residential' uses (see the 'Rezoning Worksheet Form').

Future Land Use – The *Hanover Township Master Plan* places the subject properties in a transitional space between areas recommended for 'Single-Family Residential' and 'Agricultural' uses (see Figure 2).

Current Zoning – The subject properties are zoned 'Agricultural (AG)', as are all surrounding properties in the Township (see Figure 3).

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal water and sewer services are not provided to the subject properties, and there are no plans to extend them, according to the Township (see the Rezoning Worksheet Form).

Public Road/Street Access – Roundtree Road is a paved county primary providing direct access to both parcels. Folk Road, a paved county local, provides direct access to the northern property.

* Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

Environmental Constraints – The subject property has no known environmental constraints according to the Township (see the Rezoning Worksheet Form).

Analysis and Recommendation

Township Planning Commission Recommendation – Based upon comments received from the public (not provided), the applicant inquired about the possibility of offering a Conditional Rezoning by limiting the area to 5 acres and having a maximum of 10 employees.

The Hanover Township Planning Commission failed to pass a motion to **approve** the proposed conditional rezoning to 'I-1' during its May 14, 2019 meeting (see the Zoning Amendment Form and meeting minutes).

JCPC Staff Analysis – JCPC staff has the following concerns regarding the Conditional Rezoning request:

- Rezoning the property to 'Light Industrial (I-1)' could be considered 'spot zoning', given that none of the adjoining properties are zoned 'I-1' and the master plan does not recommend industrial uses in that part of the Township. Reducing the area of the rezoning to 5 acres only magnifies the 'spot zone'.
- Sec. 405 of the Michigan Zoning Enabling Act (MZEA) (PA 110 of 2006, MCL 125.3405) does allow Conditional Rezonings. However, the most recent edition of the *Hanover Township Zoning Ordinance* available to JCPC staff (i.e., September, 2006), does provide this option. Subsection 405(1) of the MZEA also states that the Conditional Rezoning offer must be made by the applicant in writing. According to the meeting minutes, the offer was made verbally. The Township's attorney should be consulted to determine if the Planning Commission had the authority to consider a conditional rezoning.
- The site sketch provided as part of the meeting minutes is too vague. For example, what is the width and depth of the proposed 5-acre area? How far north of the subject properties' southernmost property line is that 5 acres located?
- One of the reasons on the form indicating the action taken by the Planning Commission is that it the request does not agree with the master plan. The master plan is very old. Also, the reasoning provided on that form is not recorded in the meeting minutes.

JCPC Staff Advisement – Rezoning the property to 'Light Industrial (I-1)' could be considered 'spot zoning'. There are also procedural concerns regarding the conditional rezoning request and the age of the master plan used to justify the recommendation.

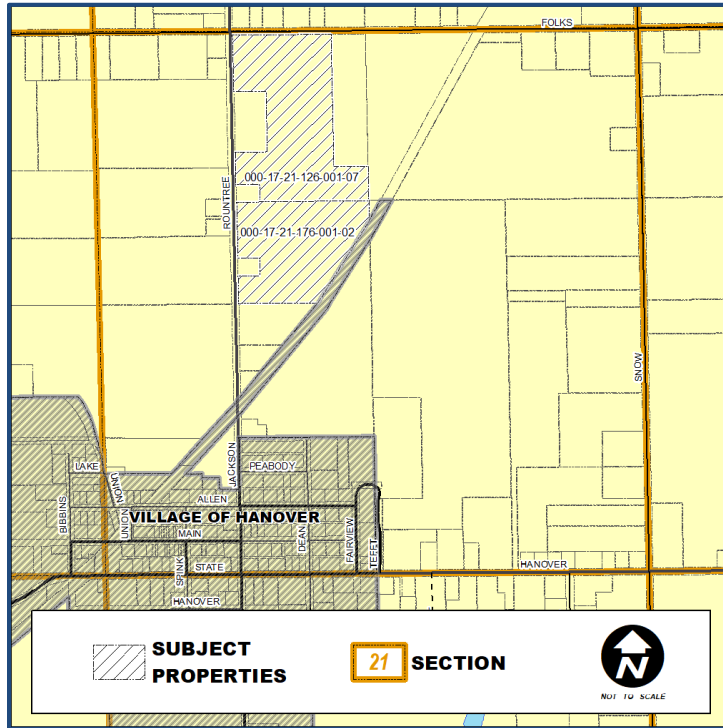
Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **DISAPPROVAL** of the 'Light Industrial (I-1)' conditional rezoning request to the Hanover Township Board, for the following reasons:

- Rezoning the property to 'Light Industrial (I-1)' could be considered 'spot zoning'.
- The Township's attorney should be consulted to determine if the Planning Commission had the authority to consider a conditional rezoning.
- The site sketch provided as part of the meeting minutes is too vague.
- The master plan is very old

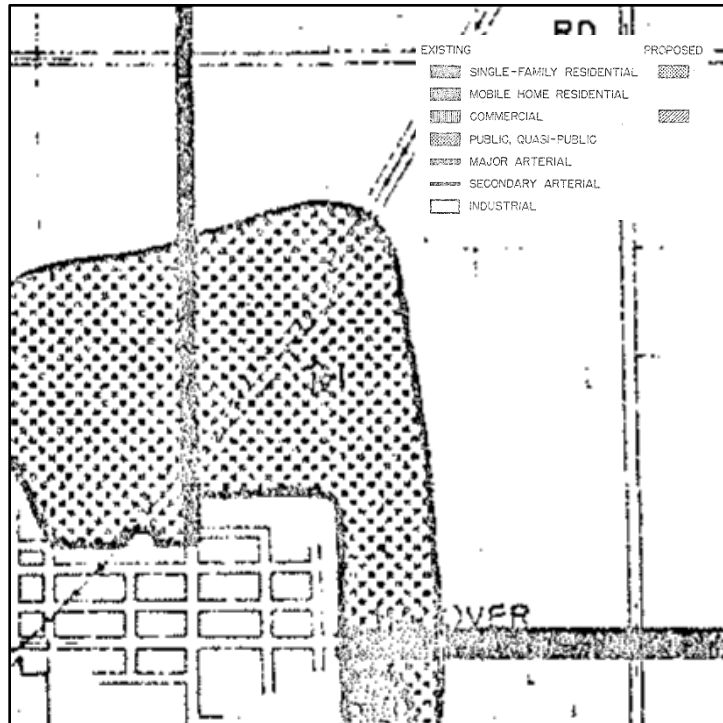
Staff Report Attachments:

- *Background information provided by Hanover Township*

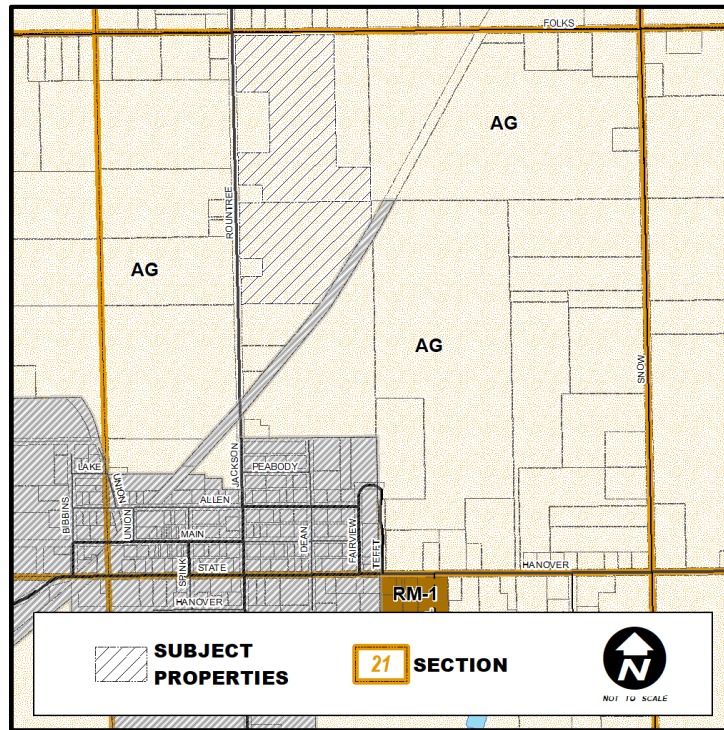
**Figure 1
Location**



**Figure 2
Municipal Future Land Use**



**Figure 3
Municipal Zoning**



**Figure 4a
Aerial Photo**

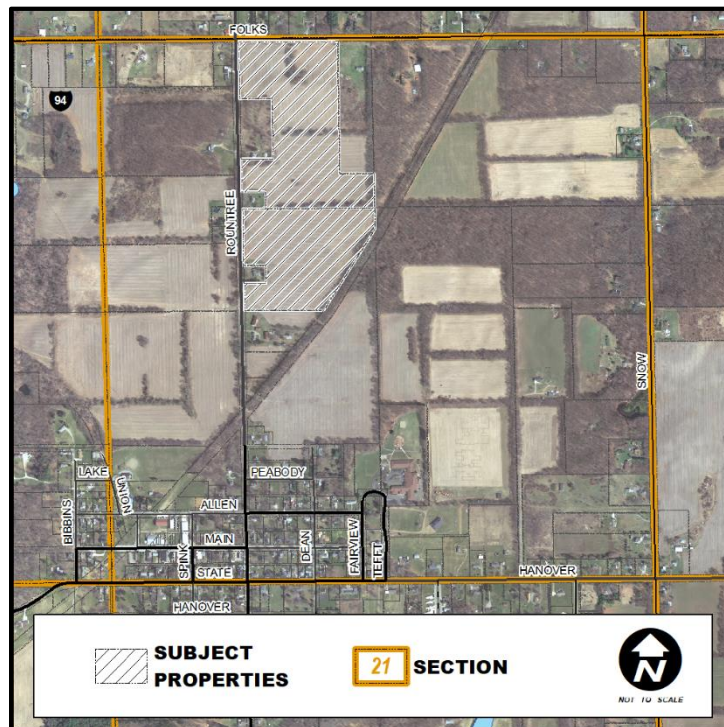
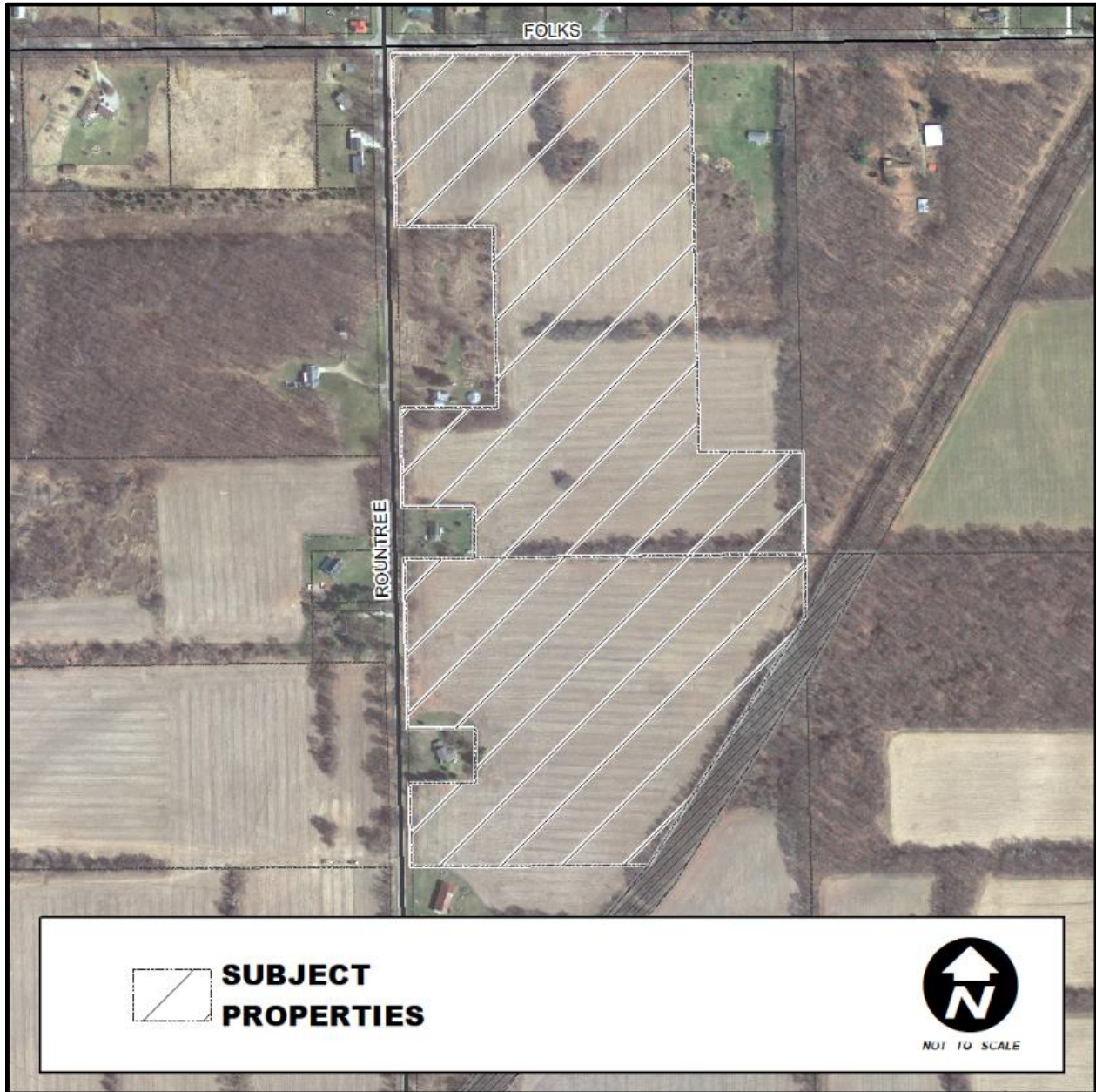


Figure 4b
Aerial Photo



ZONING AMENDMENT FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/ survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Hanover TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

Documents Attached

1. The above described property has a proposed zoning change FROM Agricultural (AG-1) ZONE TO Light Industrial (I-1) ZONE.
2. PURPOSE OF PROPOSED CHANGE: Levy Maching LLC, Levy Machining

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE _____ SECTION _____
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) _____

C. PUBLIC HEARING on the above amendment was held on: month May day 14 year 2019

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month April day 25 year 2019
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: County Press

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or DISAPPROVE.

Alan Schepelman Chair or Secretary 5 / 14 / 2019 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:
 - Recommends APPROVAL of the zoning change
 - Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
 - Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
 - Takes NO ACTION.

_____, Recording Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment PASSED, DID NOT PASS, or was REFERRED ANEW to the Township Planning Commission.

Township Clerk

REZONING WORKSHEET FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: Hanover Township Case #: 5-2019 Levy Bodell Rezone

Township official we may contact: Jenny Crews Phone #: (517) 563-2791

Applicant: Sherilene Levy & Angela Bodell Phone #: (517) 563-2013

Rezoning Request: From: Agricultural (AG-1) To: Light Industrial (I-1)

Property Location: Section(s): 21 Quarter Section(s): NW NE SW SE

Legal Description and/or Survey Map/Tax Map (please attach) Yes No (Please do not use only the Parcel ID Number)

Parcel Size (if more than one parcel, label "A" - "Z"): A: 33.970 acres; B: 21.090

*Conditional Rezone of 5 acres requested at meeting

Please attach location map Yes No

What is the existing use of the site? Farming of Crops

What is the proposed use of the site? Levy Maching LLC, Levy Machining

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?

North: Agricultural & Single-family residential South: Agricultural & Single-family residential

East: Agricultural & Single-family residential West: Agricultural & Single-family residential

What are the surrounding Zoning Districts?

North: (AG-1) Agricultural South: (AG-1) Agricultural

East: (AG-1) Agricultural West: (AG-1) Agricultural

What is the suggested use of the site on the Township's Land Use Plan map? _____

Is municipal water currently available? Yes No Will it be made available? Yes No If yes, when? _____

Is municipal sewer currently available? Yes No Will it be made available? Yes No If yes, when? _____

Does the site have access to a public street or road? Yes No If yes, name Rountree Road & Folks Road

Are there any known environmental constraints on the site? Yes No

Wetland(s) Floodplain(s) Brownfield(s) Soil(s) Other (please specify) _____

Please attach the minutes of the Planning Commission.

Yes, the minutes are attached. No, the minutes are not attached.

Please attach copies of any reports, exhibits or other documented provided to the Planning Commission.

Yes, copies of documentation are attached. No, copies of documentation are not attached.

Please attach any public comments, letters, or petitions.

Yes, public comments are attached. No, public comments are not attached.

Please include any additional information or comments as an attachment.

HANOVER TOWNSHIP PLANNING COMMISSION

May 14, 2019

Members Present: Angie Bodell, Mark Nastally, Alan Scheppelman, Mark Sholtis and Bruce Snyder

Meeting was called to order by Mr. Scheppelman at 7:02 pm.

Meeting minutes from March 26, 2019 were read by Mr. Scheppelman. Motion to approve the minutes by Mr. Snyder, seconded by Ms. Bodell. Motion passed unanimously.

Mr. Shelton has the floor to discuss his plans for the Conditional Use Permit. They operate a Faith Based Organization and are planning to have 6-10 guests over 6-8 times per year, twice per year they intend to have a group of 25 people for a one day event. Mr. and Mrs. Shelton put together a Road Maintenance Agreement, due to the possibility of increased traffic on the private drive, and have had two out of three neighbors agree with it. For the large events, they plan to have the food catered. Mr. Shelton talks about the approval process in regards to who gets invited to these events.

A question is brought up about the septic system. Ken Powers, Hanover Township Building Inspector, states that the septic system for a bedroom house has the capacity for an occupancy of 15 people.

Another question is brought up about the private drive and access to the surrounding houses for the fire department. Jon Johnston, Hanover Township Fire Chief, states that a site evaluation will be necessary but as long as there is the ability to get the fire apparatuses back to the houses, there should not be an issue.

The floor is opened up to Public Comment.

The Planning Commission had a chance to listen to the public comment and can but together conditions that seem fit for what Mr. and Mrs. Shelton want to plan. The following are the conditions set forth:

- Formalize a Road Maintenance Agreement that also discusses Gravel, Maintenance and Access for Fire Apparatuses
- Limiting the events to Parcel B-2, except for use of the Nature Trail
- No motorized watercraft during the events
- Food must be catered
- Limit lake use daylight hours only
- If tents, portable toilets or other temporary structures are brought in for these events, be sure to have a standard setback of 50'.
- The number of events must not exceed
 - -8 meetings for groups of 6-10 per year
 - -2 meeting for groups of 25 per year

Motion to approve the Conditional Use Permit with these stated conditions. Motion by Mr. Nastally, seconded by Mr. Snyder

Roll Call: Nastally – Yes, Sholtis – Yes, Scheppelman – Yes, Snyder – Yes and Bodell – Yes. Motion passed unanimously

Planning Commission takes a 5 minute recess

Meeting called back to order at 8:33 pm by Mr. Scheppelman for discussion of Rezoning two parcels on Rountree Rd. Ms. Bodell excuses herself from the Planning Commission for the reason that she is one of the applicants for this rezoning.

Mr. Falahee, attorney for Ms. Bodell and Ms. Levy, takes the floor to discuss the site plan associated with the rezoning.

The floor is opened up to Public Comment

Mr. Falahee, after hearing the comments from the public, would like discuss the possibility of offering a Conditional Rezoning by limiting the area to 5 acres and having a maximum of 10 employees

The options for the final decision are discussed by the Planning Commission. The Planning Commission requests that Region 2 investigates the rezoning to determine a third party decision. Mr. Scheppelman also asks for a Conditional Zoning Request with the following conditions:

- Limiting the facility area to 5 Acres
- Limiting the number of employees to 10.

Motion to approve the Conditional Zoning request. Motion by Mr. Nastally, seconded by Mr. Scheppelman

Roll Call: Nastally – Yes, Sholtis – No, Scheppelman – No, Snyder – No. Motion did not pass

Mr. Snyder motions to adjourn, which was seconded by Mr. Sholtis. Motion passed unanimously.

Meeting adjourned at 9:39 pm.

Minutes submitted by Mark Sholtis, Secretary.

Permit No. _____

**HANOVER TOWNSHIP
311 FARVIEW STREET
HORTON, MICHIGAN 49246**

Date: May 14, 2019

Name: Sherilene Levy & Angela Bodell

Address: 000-17-21-126-001-07 & 000-17-21-176-001-02

This is to inform you your request for ___ variance ___ conditional use zone change has been:
___ approved disapproved.

Reasons: SPOT ZONING, DOES NOT AGREE WITH
MASTER PLAN

Restrictions or Stipulations: _____

County of Jackson }
State of Michigan } ^{ss}

Subscribed and sworn to before me,
a Notary Public in and for Jackson County,
Michigan, this

____ day of _____, 20____

Signature

My commission expires:

____ Month _____ Day _____ Year

Applicant by signing this request assumes full responsibility by abiding by the Hanover Township Zoning Ordinance and Building Code and complying with the restrictions and conditions set forth by the Hanover Township Planning Commission.

Signed: _____
Applicant, Sherilene Levy

Signed: _____
Applicant, Angela Bodell

Signed: 
Chairman, Al Scheppelman

Signed: 
Secretary, Mark Sholtis

TOWNSHIP OF HANOVER
JACKSON COUNTY, MICHIGAN
APPLICATION FOR REZONING

RECEIVED

APR 10 2019

HANOVER TOWNSHIP

DATE 3/8/19

Sherilene Levy

APPLICANT NAME

APPLICANT NAME

Angela Bodell

APPLICANT NAME

10460 Rountree Rd Hanover MI

APPLICANT ADDRESS

49241

HEREBY FILES THIS APPLICATION WITH THE TOWNSHIP OF HANOVER CLERK'S OFFICE TO:
AMEND THE MAP OF ZONING ORDINANCE BY RE-ZONING THE PROPERTY DESCRIBED BELOW TO
ANOTHER ZONING CLASSIFICATION:

FROM: Agricultural
CURRENT ZONING DISTRICT

TO: Light Industrial
PROPOSED ZONING DISTRICT

PARCEL NUMBER: 000-17-21-176-001-02

ADDRESS: Rountree Rd Hanover

LEGAL DESCRIPTION (can attach):

Legal Description: THAT PART OF S 28A OF SE 1/4 OF NW 1/4 OF SEC 21 LYING NWLY OF THE NEW YORK CENTRAL R/R EXC BEG AT THE N 1/4 POST OF SEC 21 TH W1326.41 FT TH S ALG THE CEN LN OF ROUNTREE RD 2195.2 FT TO A PT FOR PL OF BEG OF THIS EXCN TH E 248.91 FT TH S 175 FT TH W 248.91 FT TH N 175FT TO BEG OF THIS EXCN. SPLIT ON 01/28/2001 FROM 000-17-21-176-001-00; SPLIT FOR 2005 FROM 21-176-001-01

REASON FOR REQUESTING ZONING CHANGE, INCLUDING INTENDED USE OF BUILDING, STRUTURE, OR LAND, AND ANY OTHER INFORMATION. SUBMIT MAP(S), DRAWN TO SCALE, IN SUFFICIENT DETAIL TO ADEQUATELY DESCRIBE THE PROPOSED CHANGES IN ZONING DISTRICT BOUNDARIES.

Levy machining

SUBMIT AT LEAST 2 DATES YOU ARE AVAILABLE THAT ARE 30 DAYS FROM APPLICATION DATE FOR THE PUBLIC HEARING:

Negotiable

DATE 1 Sherilene Levy DATE 2 3/8/19
SIGNATURE OF APPLICANT DATE

DATE 3 Angela Bodell DATE 4 3/8/19
SIGNATURE OF APPLICANT DATE

FEE: _____

TOWNSHIP OF HANOVER
JACKSON COUNTY, MICHIGAN
APPLICATION FOR REZONING

RECEIVED
APR 10 2019
HANOVER TOWNSHIP

DATE 3/8/19

Sherilene Levy
APPLICANT NAME

APPLICANT NAME

Angela Bodell
APPLICANT NAME

104100 Roundtree Rd Hanover MI
APPLICANT ADDRESS
49241

HEREBY FILES THIS APPLICATION WITH THE TOWNSHIP OF HANOVER CLERK'S OFFICE TO:
AMEND THE MAP OF ZONING ORDINANCE BY RE-ZONING THE PROPERTY DESCRIBED BELOW TO
ANOTHER ZONING CLASSIFICATION:

FROM: Agricultural
CURRENT ZONING DISTRICT

TO: Light Industrial
PROPOSED ZONING DISTRICT

PARCEL NUMBER: 000-17-21-126-001-07

ADDRESS: Folks Rd, Hanover

LEGAL DESCRIPTION (can attach):

Legal Description: THE N 50A OF E 1/2 OF NW 1/4 EXC BEG AT THE INTERSECTION OF FOLKS AND ROUNDTREE RDS AT THE N LN OF SEC 21 TH S 583 FT TO A PT FOR PL OF BEG OF THIS EXCN TH E 347 FT TH S 632 FT TH W 347 FT TH N 632 FT TO BEG. EXC COM AT NE COR OF SEC 21 TH W ALG N LN 2640 FT TO POB OF THIS EXCN; TH S1320 FT TH W 331 FT TH N 1320 FT PAR WITH N-S 1/4 LN TH E 331 FT ALG N LN TO POB. 10.03 AC SEC 21 T4S R2W SPLIT ON 07/19/2000 FROM 000-17-21-12

REASON FOR REQUESTING ZONING CHANGE, INCLUDING INTENDED USE OF BUILDING, STRUCTURE, OR LAND, AND ANY OTHER INFORMATION. SUBMIT MAP(S), DRAWN TO SCALE, IN SUFFICIENT DETAIL TO ADEQUATELY DESCRIBE THE PROPOSED CHANGES IN ZONING DISTRICT BOUNDARIES.

Levy Machining LLC

SUBMIT AT LEAST 2 DATES YOU ARE AVAILABLE THAT ARE 30 DAYS FROM APPLICATION DATE FOR THE PUBLIC HEARING:

Negotiable

DATE 1	DATE 2	DATE 3	DATE 4
<u>Sherilene Levy</u>	<u>Sherilene Levy</u>	<u>Angela Bodell</u>	<u>Angela Bodell</u>
SIGNATURE OF APPLICANT	DATE	SIGNATURE OF APPLICANT	DATE

FEE: _____

Felks Rd

Felks Rd



126-001-08

126-001-07

126-001-03



126-001-06

176-001-02

LM

MAG

176-001-04

Country Rd

Country Rd

PARCEL DATA SHEET - PARCEL ID: 000-17-21-176-001-02



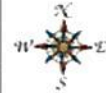
OWNER NAME LEVY SHERILENE & BODELL ANGELA
OWNER ADDRESS 11901 STRAIT RD
 HANOVER MI 49241
HOMESTEAD 100%
PARCEL ADDRESS 10615 ROUNTREE RD
 HANOVER MI 49241
PROPERTY CLASS 102 - AGRICULTURAL VACANT
STATUS Active
ACREAGE 21.09 Acres
GOVT UNIT Hanover
TAX UNIT Hanover
SCHOOL DISTRICT HANOVER-HORTON SCHOOL
LIBER/PAGE 2120-1291

	2017	2018	2019
TAXABLE VALUE	\$18,883	\$19,279	\$19,741
ASSESSED VALUE	\$49,000	\$51,500	\$53,100

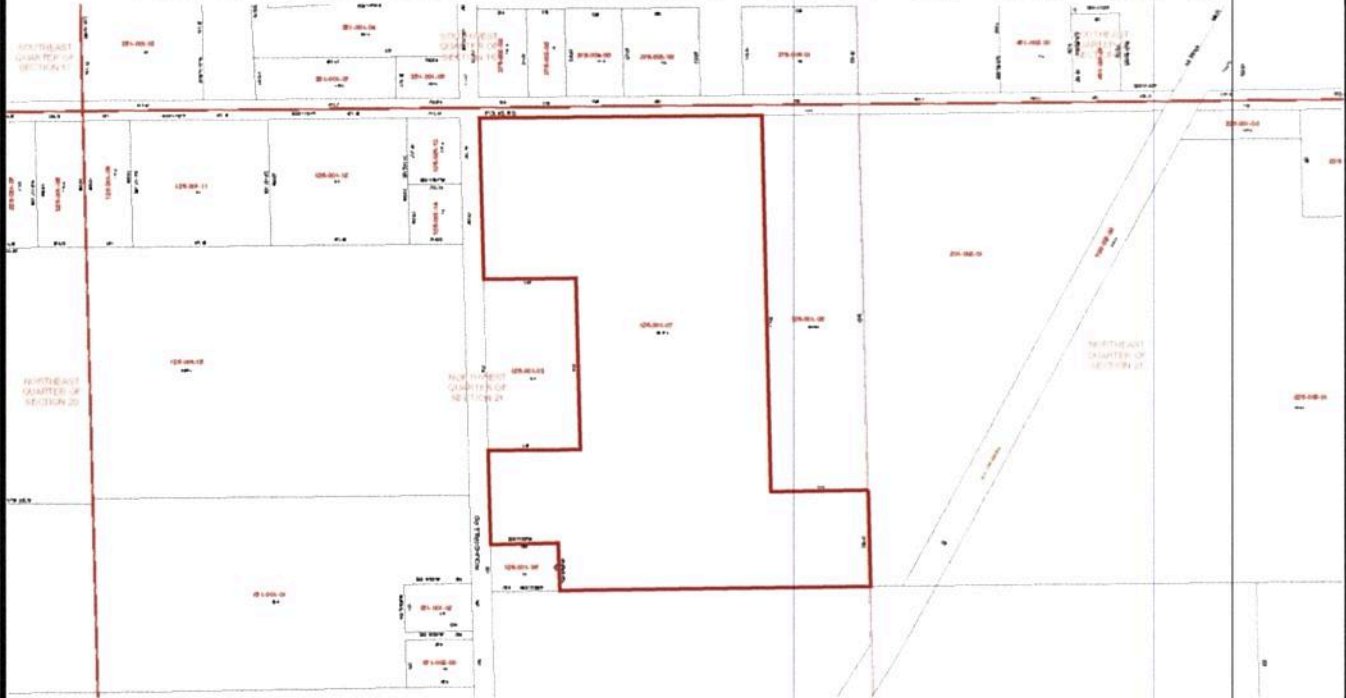
TAX DESCRIPTION
 THAT PART OF S 28A OF SE 1/4 OF NW 1/4 OF SEC 21 LYING NW 1/4
 OF THE NEW YORK CENTRAL R/R EXC BEG AT THE N 1/4 POST OF
 SEC 21 TH W 1326.41 FT TH S ALG THE CEN LN OF ROUNTREE RD
 2195.2 FT TO A POB OF THIS EXCN TH E 248.91 FT TH S 175 FT TH W
 248.91 FT TH N 175FT TO BEG OF THIS EXCN. SPLIT ON 01/28/2001
 FROM 000-17-21-176-001-00; SPLIT FOR 2005 FROM 21-176-001-01



This generated map is provided to allow easy access and visual display of governmental information and services, as well as to information from other sources. Every reasonable effort has been made to ensure the accuracy of the maps and data provided; nevertheless, some information may not be accurate. The burden of determining the accuracy, timeliness, completeness, merchantability, and fitness or appropriateness of use rests solely on you, the user. The parcel data on this sheet was last updated on April 23, 2019.



PARCEL DATA SHEET - PARCEL ID: 000-17-21-126-001-07

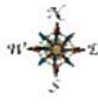


OWNER NAME GREINER MARY ANN ETAL
 OWNER ADDRESS P O BOX 363
 HANOVER MI 49241
 HOMESTEAD 100%
 PARCEL ADDRESS FOLKS RD
 HANOVER MI 49241
 PROPERTY CLASS 102 - AGRICULTURAL VACANT
 STATUS Active
 ACREAGE 33.97 Acres
 GOVT UNIT Hanover
 TAX UNIT Hanover
 SCHOOL DISTRICT HANOVER-HORTON SCHOOL
 LIBER/PAGE 1938-0626

	2017	2018	2019
TAXABLE VALUE	\$17,153	\$17,513	\$17,933
ASSESSED VALUE	\$63,600	\$66,800	\$69,600
TAX DESCRIPTION	THE N 50A OF E 1/2 OF NW 1/4 EXC BEG AT THE INTERSECTION OF FOLKS & ROUNTREE RDS AT THE N LN OF SEC 21 TH S 583 FT TO A POB OF THIS EXCN TH E 347 FT TH S 632 FT TH W 347 FT TH N 632 FT TO BEG. ALSO EXC COM AT NE COR OF SD SEC TH W ALG N LN 2640 FT TO POB OF THIS EXCN; TH S 1320 FT TH W 331 FT TH N 1320 FT PAR WITH N-S 1/4 LN TH E 331 FT ALG N LN TO POB. 10.03 AC SEC 21 T4S R2W SPLIT ON 07/19/2000 FROM 000-17-21-126-001-02		



This generated map is provided to allow easy access and visual display of governmental information and services, as well as to information from other sources. Every reasonable effort has been made to ensure the accuracy of the maps and data provided; nevertheless, some information may not be accurate. The burden of determining the accuracy, timeliness, completeness, merchantability, and fitness or appropriateness of use rests solely on you, the user. The parcel data on this sheet was last updated on April 23, 2019.



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Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #19-11

To: County Planning Commissioners
From: Grant E. Bauman
Date: June 13, 2019

Proposal: The rezoning of a property in Blackman Township

Request

The eastern $\frac{1}{3}$ (approximately) of the primary property (in terms of size) is zoned 'General Commercial (C-2)'. The current zoning of the western $\frac{2}{3}$ (approximately) of the primary parcel and all of the secondary parcel is 'Urban Residential (RU-1)'. The applicant wants the zoning of both properties to be 'C-2'.

Purpose

The proposed use for the properties is an insulation business, according to the Zoning Administrator.*

Location and Size of the Property

The two subject properties are located in Section 27 (T2S,R1W) of the Township, on the south side of I-94 (see Figure 1). The primary parcel (ID# 000-08-27-178-001-01) is situated on the west side of Lansing Avenue (3.3 acres) and the landlocked secondary property (ID# 000-08-27-178-001-02) is located directly to the west (0.2 acres). Nearby institutional landmarks include the County of Jackson's Human Services and Northlawn Buildings to the south and Mount Hope Community Church and Da Vinci Institute Primary to the north.

Land Use and Zoning

Current Land Use – The subject properties are currently vacant (see Figures 5a and 5b). I-94 borders the primary property to the north. Commercial properties are located on the east side of Lansing Avenue, as well south of the subject properties on its west side, with the exception of a home. Other properties to the south are residential in nature. The larger of the properties to the west is also residential and the smaller landlocked property is vacant; both are owned by the same couple.

Future Land Use – The Land Use Plan map in the recently adopted edition of the *Blackman Charter Township Master Plan* places the primary property in a transitional space between areas recommended for 'General Commercial' and 'Medium Density Residential' uses, on the south side of I-94 (see Figure 2). The secondary parcel is located entirely within the area recommended for 'Medium Density Residential' uses. Properties to the east and southeast are in the area recommended for 'General Commercial' uses

* Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

and properties to the southwest and west are in the area recommended for 'Medium Density Residential' uses.

Current Zoning – The eastern ⅓ of the primary property (approximately) is zoned 'General Commercial (C-2)' (see Figure 3). The current zoning of the western ⅔ of the primary parcel (approximately) and all of the secondary parcel is 'Urban Residential (RU-1)'. Properties to the east and southeast are zoned 'C-2' and properties to the southwest and west are zoned 'RU-1'.

Public Facilities and Environmental Constraints

Water and Sewer Availability – Mapping in the recently adopted *Blackman Charter Township Master Plan* indicate that the subject properties are not connected to water and sanitary sewer, although sewer service is available on the east side of Lansing Avenue. The Zoning Administrator states that sewer service is also available in the residential neighborhood located directly to the south of the properties.

Public Road/Street Access – Lansing Avenue provides access to the primary property, but the secondary property is landlocked. The Master Plan identifies Lansing Avenue as an arterial road, "intended for relatively high speed through traffic providing as little access to individual properties as possible to ensure safe and efficient travel". It is built to Class A Road standards and classified as a primary road by the Jackson County Department of Transportation (JCDOT).

Environmental Constraints – Mapping in the Master Plan show that hydric soils, flood zones, and wetlands do not impact the subject properties. The only constraint is that a portion of the primary property is located in a high groundwater recharge area (see the background information), but much of that area is already zoned 'General Commercial (C-2)'.

Analysis and Recommendation

Township Planning Commission Recommendation – The Blackman Township Planning Commission passed a motion recommending **approval** of the proposed rezoning to 'C-2' during its May 21, 2019 meeting (see the Zoning Amendment Form).

JCPC Staff Analysis – Blackman Township's Zoning Plan contains the following criteria upon which a rezoning request must be considered:

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Master Plan?**

Yes. The recently adopted edition of the *Blackman Charter Township Master Plan* places the primary property in a transitional space between areas recommended for 'General Commercial' and 'Medium Density Residential' uses (see Figure 2). The Zoning Plan element of the Master Plan equates the 'General Commercial' LUP category to the 'General Commercial (C-2)', 'Highway Service Commercial (C-3)', and 'Planned Commercial (PC-1)' zoning districts.

2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**

Yes. The Lansing Avenue frontage of the primary parcel is already zoned 'General Commercial (C-2)' and commercially developed properties are located on the east side of that roadway. The remainder of the primary parcel and all of the secondary parcel are landlocked.

3. **Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**

No. Commercial development of the entirety of the subject properties should not have a negative impact on available public services and facilities. Any potential added congestion on Lansing Avenue is already possible given that the frontage of the primary property is already zoned 'General Commercial (C-2)'.

4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?**

Yes. Commercial development is already located along Landing Avenue.

5. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?**

Yes. The only environmental constraint regarding the subject properties is the presence of a high groundwater recharge area, most of which occupies the portion of the primary property already zoned 'General Commercial (C-2)'. This can be dealt with through the site plan review process which is required for "[a]ny building or structure in a commercial, office and industrial district" according to Sec. 5.6.1.d of the *Blackman Township Zoning Ordinance*.

JCPC Staff Advisement – It must be noted that the 'General Commercial (C-2)' district may not be appropriate for the proposed use. It is the opinion of staff that an insulation business falls under 'skilled trade services including plumbing, electric, heating, printing, and painting establishments', a permitted use in the 'Light Industrial (I-1)' district (per Sec. 4.5.1.a.9 of the Blackman Township Zoning Ordinance) rather than the 'C-2' district.

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the 'General Commercial (C-2)' rezoning of the approximately western 2/3 of the property known as ID# 000-08-27-178-001-01 and all of the parcel known as ID# 000-08-27-178-001-02 to the Blackman Township Board:

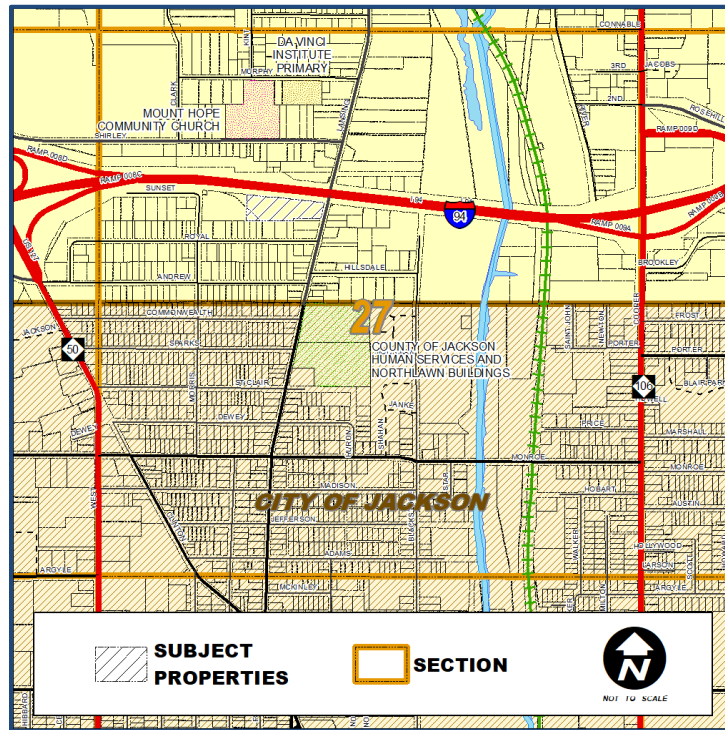
- *In the opinion of the JCPC, 'C-2' zoning is not appropriate for the proposed use of the subject properties prompting the rezoning request.*

Staff Report Attachments:

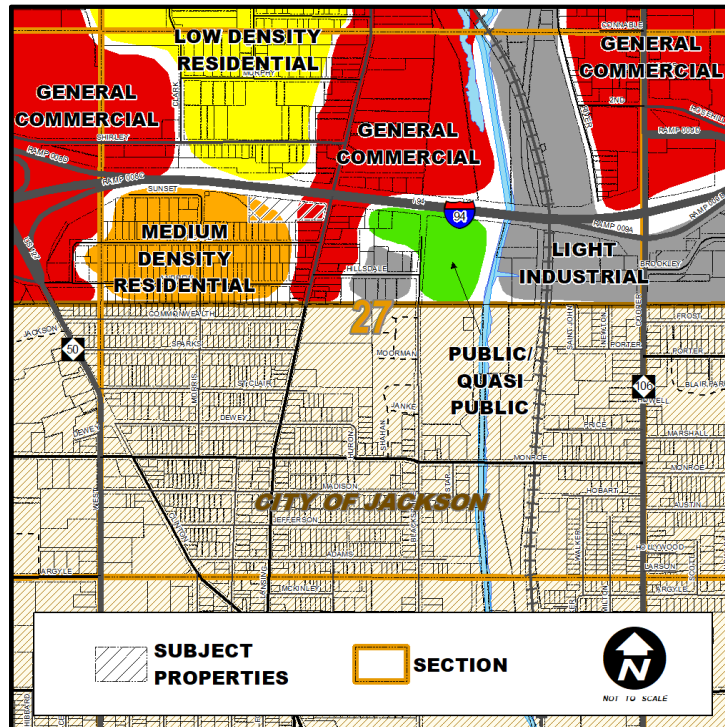
- *Background information provided by Blackman Township*

Suggested Actions:	
(1)	Recommend APPROVAL
(2)	Recommend DISAPPROVAL
(3)	Recommend APPROVAL WITH COMMENTS
(4)	Take NO ACTION

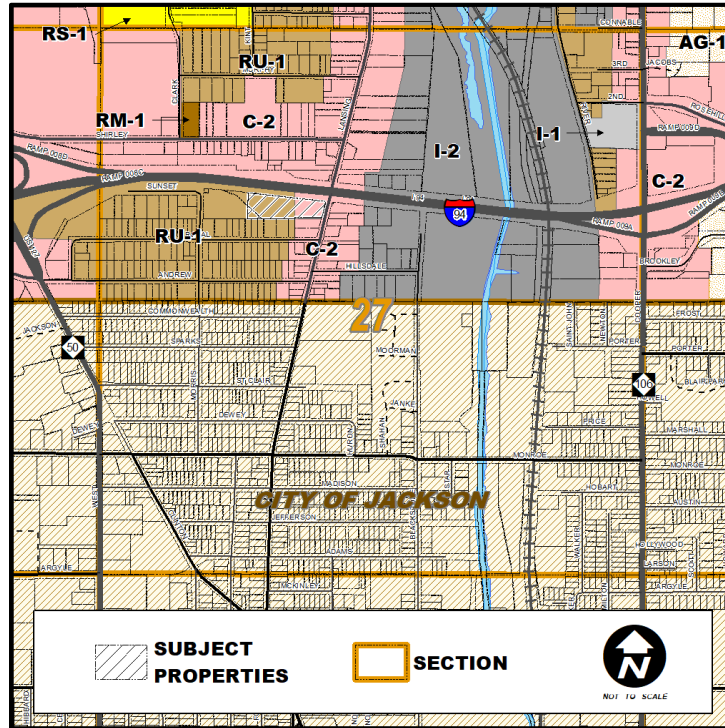
**Figure 1
Location**



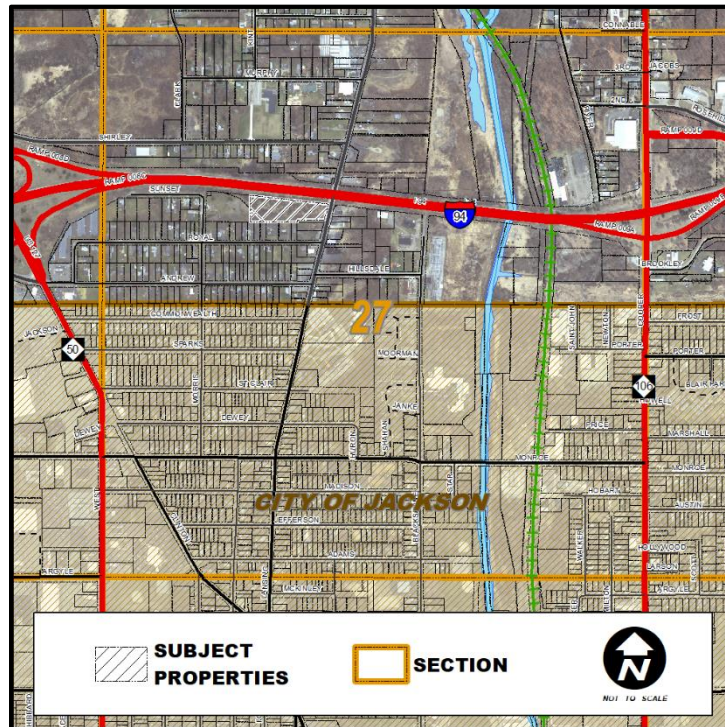
**Figure 2
Municipal Future Land Use**



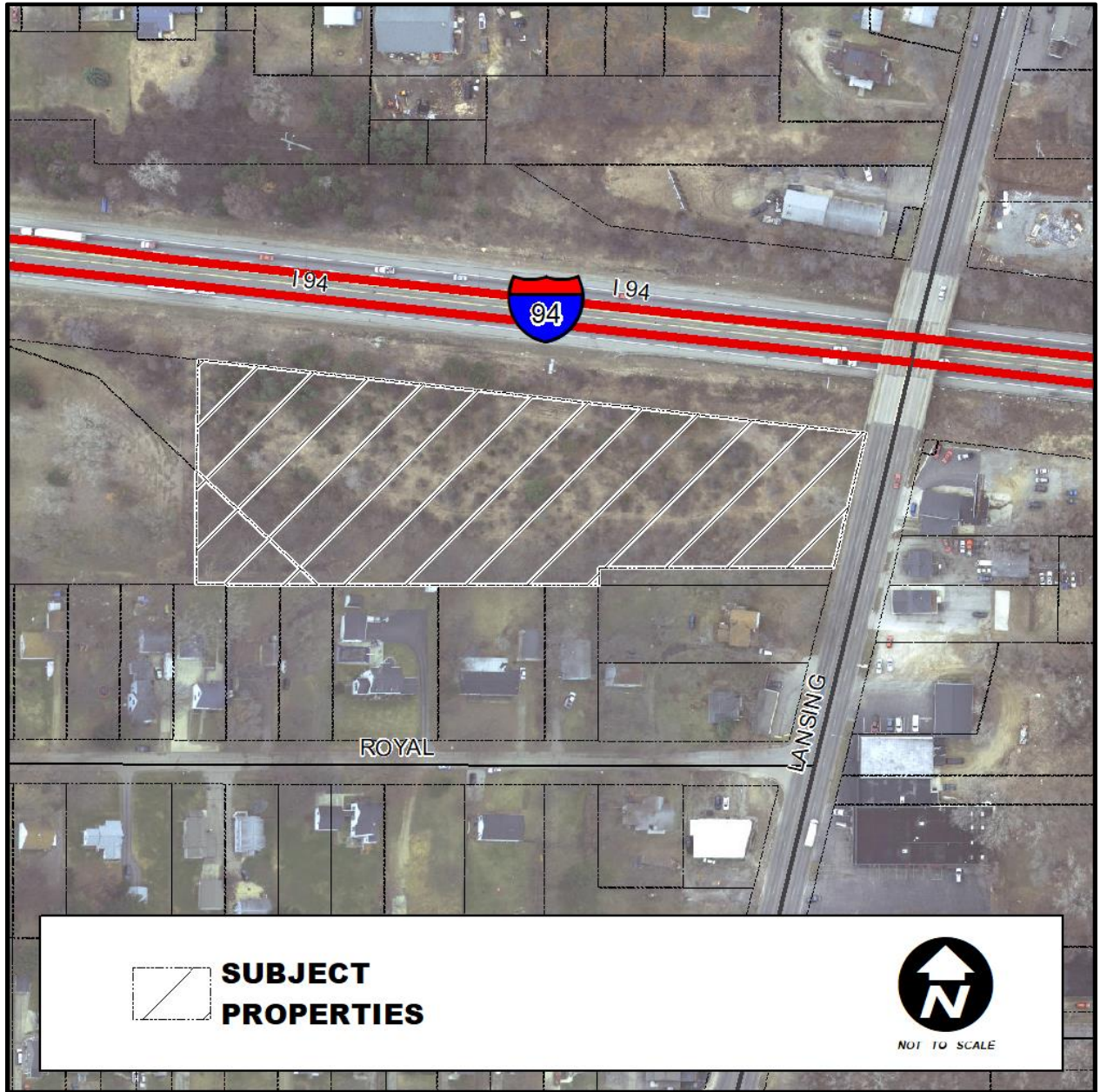
**Figure 3
Municipal Zoning**



**Figure 4a
Aerial Photo**



**Figure 4b
Aerial Photo**



ZONING AMENDMENT FORM



**JACKSON COUNTY PLANNING COMMISSION
(COORDINATING ZONING)**

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Blackman TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

000-08-27-178-001-01, 000-08-27-178-001-02

1. The above described property has a proposed zoning change FROM Urban residential ZONE TO General Commercial C-2 ZONE.
2. PURPOSE OF PROPOSED CHANGE: Move in New Business

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE _____ SECTION _____
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) _____

C. PUBLIC HEARING on the above amendment was held on: month May day 21 year 2019

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month April day 28 year 2019
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Jackson Cit Pat

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or () DISAPPROVE.

[Signature] Chair or () Secretary 5 / 21 / 2019 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:
 - () Recommends APPROVAL of the zoning change
 - () Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
 - () Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
 - () Takes NO ACTION.

_____ () Chair or () Secretary ____ / ____ / ____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment () PASSED, () DID NOT PASS, or was () REFERRED ANEW to the Township Planning Commission.

Township Clerk



MEMORANDUM

To: Blackman Charter Township Planning Commission
From: Grant E. Bauman, Principal Planner
Date: April 19, 2019
Subject: **Case #1502 Rezoning Advisement**

Location and Size – The two subject properties are located in Section 27 (T2S,R1W) of the Township, on the south side of I-94 (see Figure 1). The primary parcel (ID# 000-08-27-178-001-01)—in terms of size—is situated on the west side of Lansing Avenue (3.3 acres) and the landlocked secondary property (ID# 000-08-27-178-001-02) is located directly to the west (0.2 acres). Nearby institutional landmarks include the County of Jackson’s Human Services and Northlawn Buildings to the south and Mount Hope Community Church and Da Vinci Institute Primary to the north.

Applicant – Tod and Shelly Spink are the applicants. Robert G. Wigent is the current owner of the properties. Robert G. Wigent II, the durable power of attorney for the owner, has granted permission for the rezoning request (please see the attached background information).

Request – The eastern $\frac{1}{3}$ of the primary property (approximately) is zoned ‘General Commercial (C-2)’. The current zoning of the western $\frac{2}{3}$ of the primary parcel (approximately) and all of the secondary parcel is ‘Urban Residential (RU-1)’. The applicant wants both of the properties to be zoned entirely ‘C-2’. The proposed use for the properties is an insulation business, according to the Zoning Administrator.*

Staff Findings

Land Use and Zoning

Existing Land Use – The subject properties are currently vacant (see Figures 5a and 5b). I-94 borders the primary property to the north. Commercial properties are located on the east side of Lansing Avenue, as well south of the subject properties on its west side, with the exception of a home. Other properties to the south are residential in nature. The larger of the properties to the west is also residential and the smaller landlocked property is vacant; both are owned by the same couple.

* Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

However, it must be noted that the ‘General Commercial (C-2)’ district may not be appropriate for the proposed use. It is the opinion of R2PC staff that an insulation business falls under ‘skilled trade services including plumbing, electric, heating, printing, and painting establishments’, a permitted use in the ‘Light Industrial (I-1)’ district (per Sec. 4.5.1.a.9 of the *Blackman Township Zoning Ordinance*) rather than the ‘C-2’ district. Conversely, the Zoning Administrator recognizes that at least a couple of heating and cooling businesses are already located in the Township’s ‘C-2’ and ‘C-3 (Highway Service Commercial)’ districts. The Zoning Administrator will make an interpretation of the Zoning Ordinance in order to determine if the proposed use is appropriate in the ‘C-2’ district. An appeal to his interpretation should be made to the Township’s Zoning Board of Appeals, not its Planning Commission.

Future Land Use – The Land Use Plan map in the recently adopted edition of the *Blackman Charter Township Master Plan* places the primary property in a transitional space between areas recommended for ‘General Commercial’ and ‘Medium Density Residential’ uses, on the south side of I-94 (see Figure 2). The secondary parcel is located entirely within the area recommended for ‘Medium Density Residential’ uses. Properties to the east and southeast are in the area recommended for ‘General Commercial’ uses and properties to the southwest and west are in the area recommended for ‘Medium Density Residential’ uses.

Current Zoning – The eastern $\frac{1}{3}$ of the primary property (approximately) is zoned ‘General Commercial (C-2)’ (see Figure 3). The current zoning of the western $\frac{2}{3}$ of the primary parcel (approximately) and all of the secondary parcel is ‘Urban Residential (RU-1)’. Properties to the east and southeast are zoned ‘C-2’ and properties to the southwest and west are zoned ‘RU-1’.

Proposed Zoning – The applicant wants to rezone the western $\frac{2}{3}$ of the primary parcel (approximately), and all of the secondary parcel, ‘General Commercial (C-2)’.

Public Facilities and Environmental Constraints

Water and Sewer Availability – Mapping in the recently adopted *Blackman Charter Township Master Plan* indicate that the subject properties are not connected to water and sanitary sewer, although sewer service is available on the east side of Lansing Avenue. The Zoning Administrator states that sewer service is also available in the residential neighborhood located directly to the south of the properties.

Public Road/Street Access – Lansing Avenue provides access to the primary property; the secondary property is landlocked. The Master Plan identifies Lansing Avenue as an arterial road, “intended for relatively high speed through traffic providing as little access to individual properties as possible to ensure safe and efficient travel”. It is built to Class A Road standards and classified as a primary road by the Jackson County Department of Transportation (JCDOT).

Environmental Constraints – Mapping in the Master Plan show that hydric soils, flood zones, and wetlands do not impact the subject properties. The only constraint is that a portion of the primary property is located in a high groundwater recharge area (see Figure 4), but much of that area is already zoned ‘General Commercial (C-2)’.

Analysis of Findings and Recommendation

The Township’s Zoning Plan—an element of the *Blackman Charter Township Master Plan*—contains the following criteria upon which a rezoning request must be considered:

1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Master Plan?**

Yes. The recently adopted edition of the *Blackman Charter Township Master Plan* places the primary property in a transitional space between areas recommended for ‘General Commercial’ and ‘Medium Density Residential’ uses (see Figure 2). The Zoning Plan element of the Master Plan equates the ‘General Commercial’ LUP category to the ‘General Commercial (C-2)’, ‘Highway Service Commercial (C-3)’, and ‘Planned Commercial (PC-1)’ zoning districts.

2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**

Yes. The Lansing Avenue frontage of the primary parcel is already zoned ‘General Commercial (C-2)’ and commercially developed properties are located on the east side of that roadway. The remainder of the primary parcel and all of the secondary parcel are landlocked.

3. Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?

No. Commercial development of the entirety of the subject properties should not have a negative impact on available public services and facilities. Any potential added congestion on Lansing Avenue is already possible given that the frontage of the primary property is already zoned 'General Commercial (C-2)'.

4. Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?

Yes. The only environmental constraint regarding the subject properties is the presence of a high groundwater recharge area, most of which occupies the portion of the primary property already zoned 'General Commercial (C-2)'. This can be dealt with through the site plan review process which is required for "[a]ny building or structure in a commercial, office and industrial district" according to Sec. 5.6.1.d of the *Blackman Township Zoning Ordinance*.

Staff Advisement – Staff advises the Planning Commission to recommend **APPROVAL** of the 'General Commercial (C-2)' rezoning of the approximately western 2/3 of the property known as ID# 000-08-27-178-001-01 and all of the parcel known as ID# 000-08-27-178-001-02 to the Township Board. *However, it should be noted that in the opinion of R2PC staff, 'C-2' zoning is not appropriate for the proposed use of the subject properties prompting the rezoning request (see the footnote on page 1 of this memo).*

**Figure 1
Location**

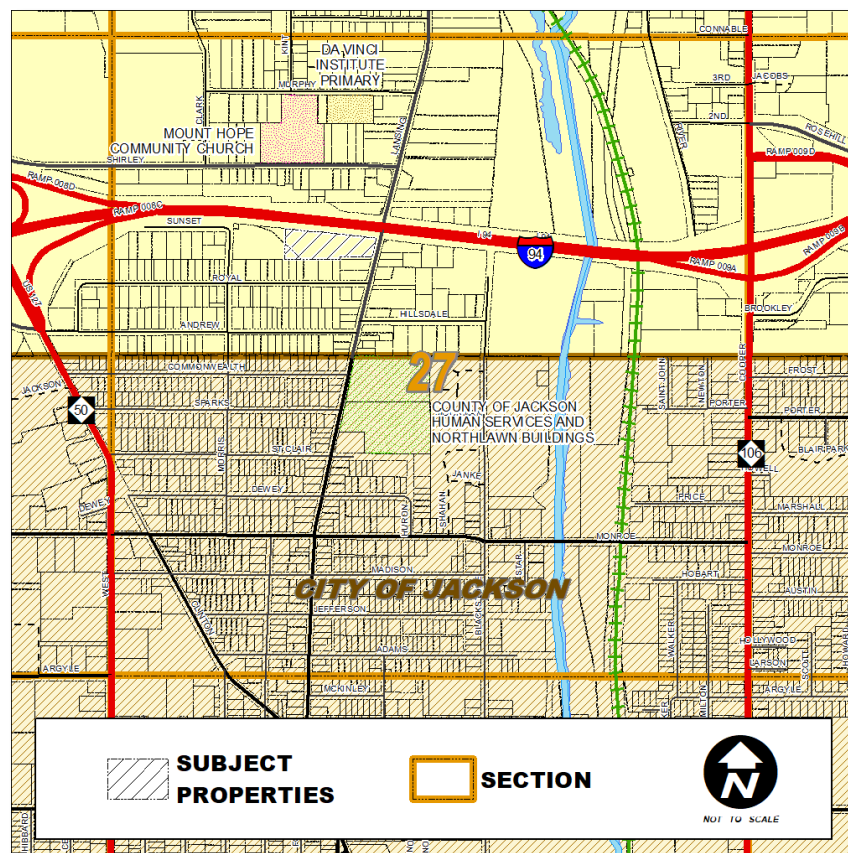


Figure 2
Township Future Land Use

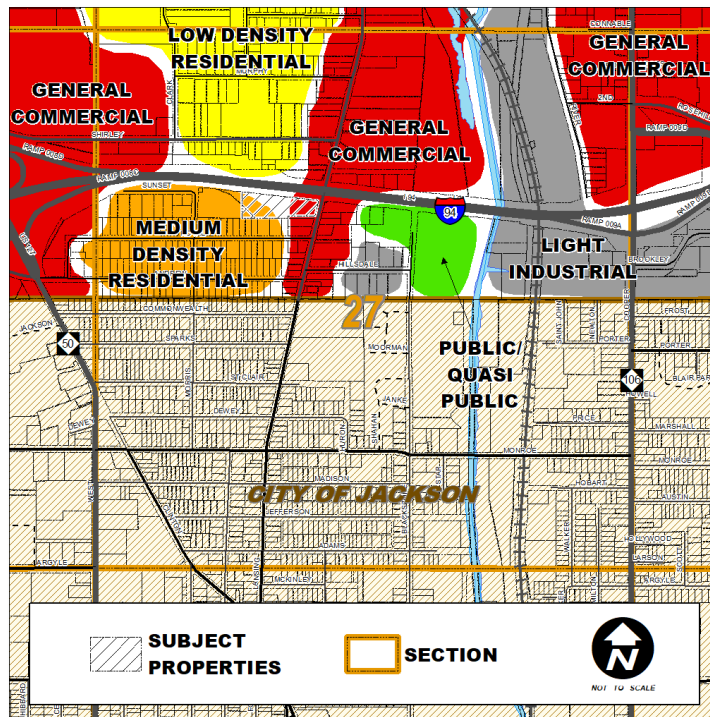


Figure 3
Current Zoning

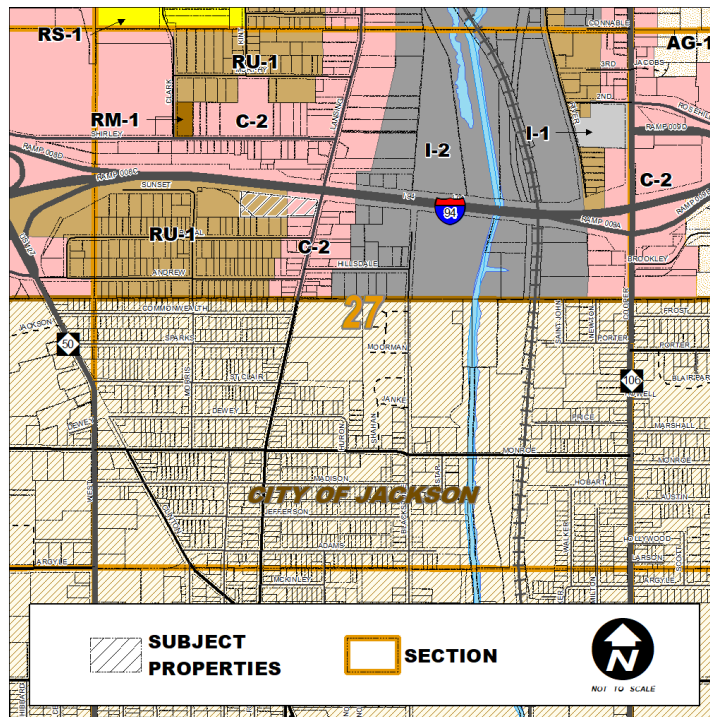


Figure 4
Groundwater Recharge Areas

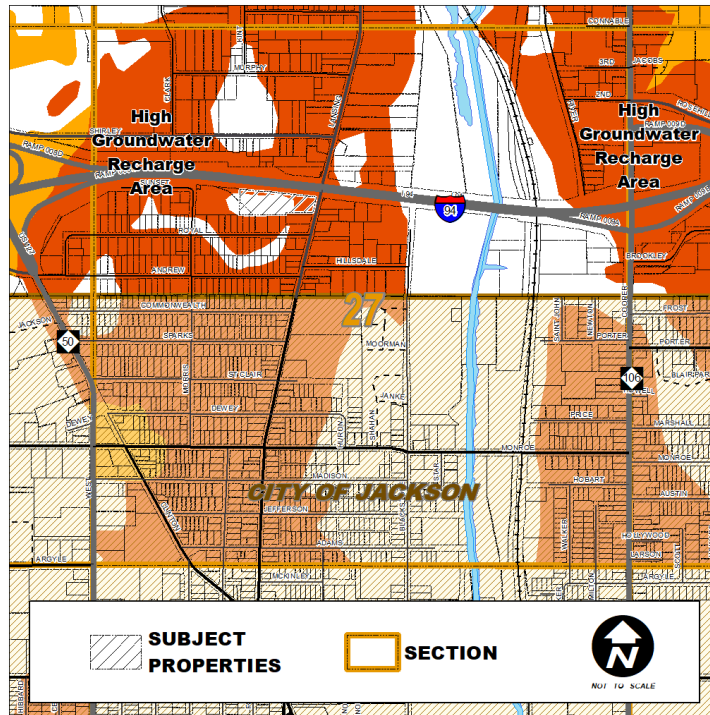


Figure 5a
Aerial Photograph

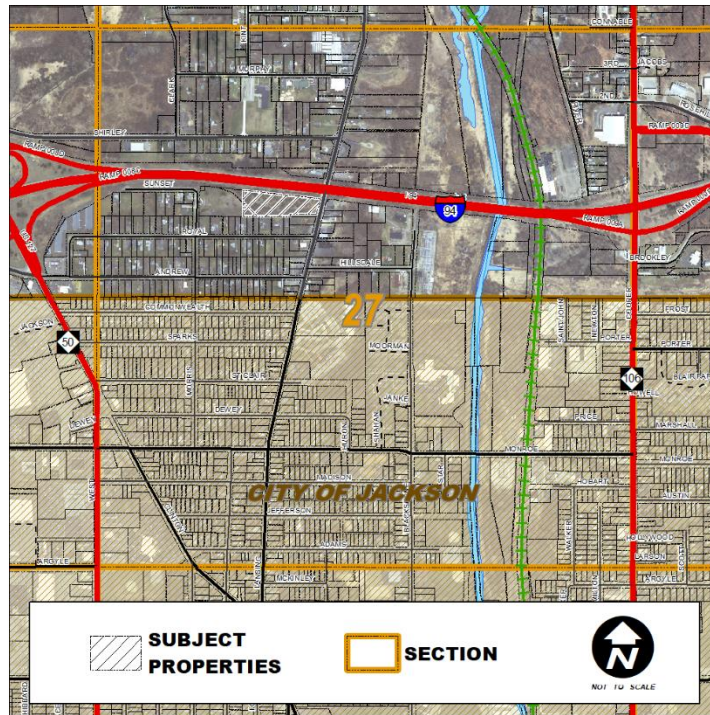
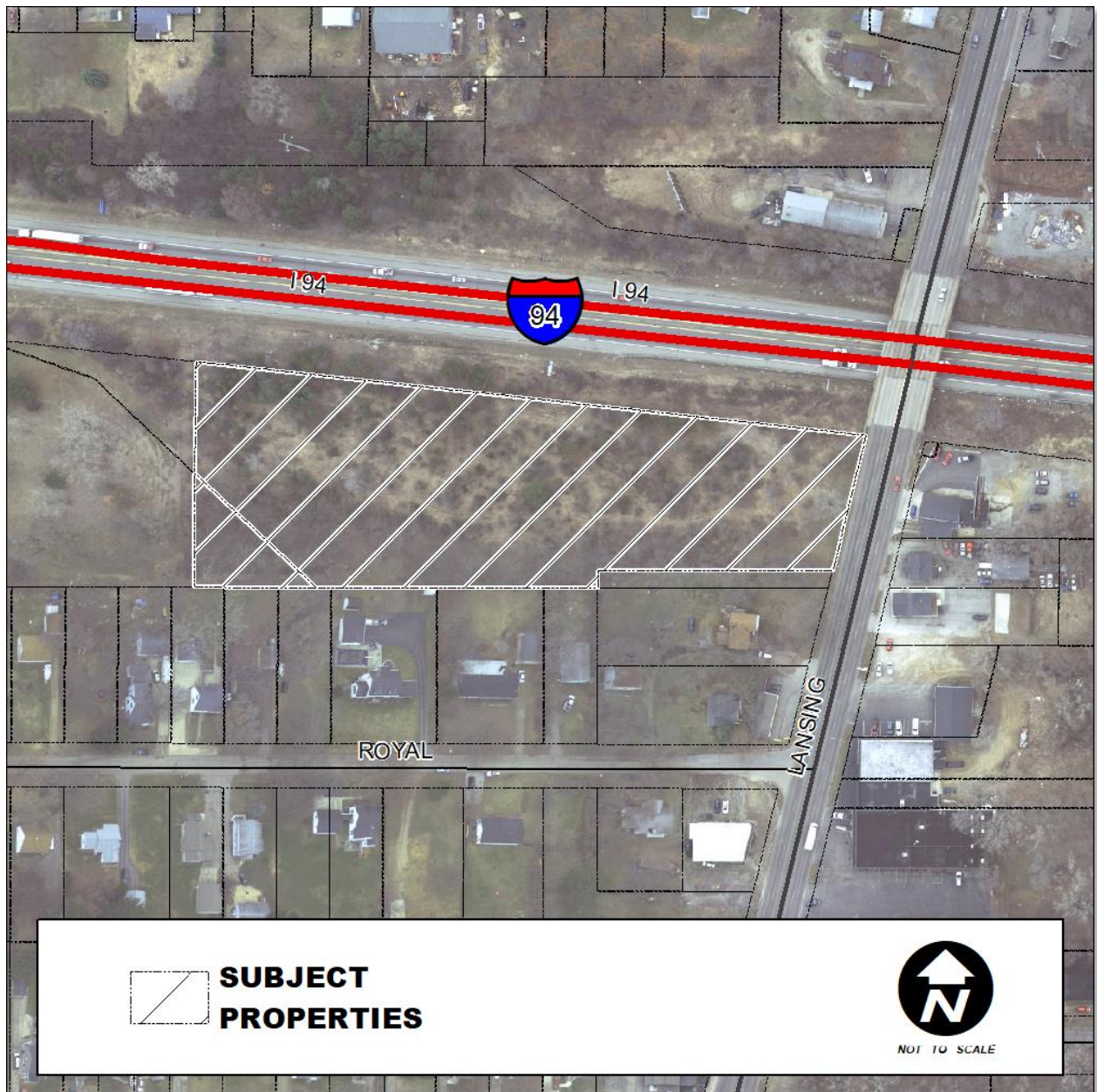


Figure 5b
Aerial Photograph



BLACKMAN TOWNSHIP ZONING APPLICATION

Print or Type

Case# _____

APPLICATION FOR

- Rezoning**
- Planned Developments
- Variance**
- Conditional Use**
- Site Plan Review
- Home Occupation**
- Site Plan Change/Renewal
- Administrative Site Plan

This application will not be processed if incomplete. **All required materials must be submitted at least twenty one (21) days prior to the Next Planning Commission or Zoning Board of Appeals meeting. Site Plans with all documentation twelve days (12) prior to the next Planning Commission meeting.

APPLICANT INFORMATION (if different than owner, a letter of authorization from the owner must be attached)

Name(s) Todd Spink & Shelby Spink Phone (577) 206-5574

Address _____

EMAIL ADDRESS halco@blackmanspink.com

OWNER INFORMATION

Name(s) Spink Properties Phone (577) 206-5574

Address 222 E South St, Jackson MI 49201
320 Farview St, Horton, MI 49246

EMAIL ADDRESS ToddSpink@gmail.com

PROPERTY INFORMATION

Address or Location _____

Permanent Parcel # ~~000-08-27-178-001-01~~, 000-08-27-178-001-01, ~~###~~ 000-08-27-178-001-

Zone District (Current) C2 & Urban Residential Property Size 3.64 Acres

Attach legal description – also a survey, site drawing and pictures may be required.

NARRATIVE DESCRIPTION OF PROPOSED USE/REQUEST (attach additional pages as needed)

To change the listed parcels from Urban Residential to Commercial - 2
000-08-27-178-001-01 & 000-08-27-178-001-02

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate.

Signature of Applicant _____ Signature of Applicant _____ Date _____

I hereby grant permission for members of the Blackman Township (Planning Commission) (Zoning Board of Appeals) (Township Board) to enter the above described property (or as described in the attached) for the purpose of gathering information related to this application. (Note to Applicant: This is optional and will not affect any decision on your application.)

Signature of Applicant _____ Signature of Applicant _____ Date _____

****APPLICANT OR APPOINTED REPRESENTATIVE MUST BE PRESENT AT THE MEETING.**

*****DO NOT WRITE BELOW THIS LINE*****

Date Received _____ Fee Paid _____ Meeting Date _____

Submitted Materials: Site Plan # Of Copies Application Site Plan Checklist
Required Letters: Legal Description Survey Pictures

Application Accepted by _____

NOTE: Please attach all documents as required for each type of request and as listed on the attached sheets.

Zoning Board of Appeals APPROVE/DENY request. Chairman _____ Date _____

Planning Commission recommends APPROVE/DENY. Chairman _____ Date _____

Blackman Charter Township Board of Trustees APPROVE/DENY the Conditional Use or Zone Change as requested by Applicant Clerk _____ Date _____

To: Blackman Township

Date: 4/16/19

From: Robert G. Wigent II

To those it may concern of Blackman Township,

I am the son of the owner (Robert G. Wigent) and Durable Power Of Attorney of the 3 parcels located in Blackman Township (zip code 49202).

I am writing to you related to these 3 parcels as they are being reviewed for zoning. These 3 parcels tax codes are:

000-08-27-178-001-01

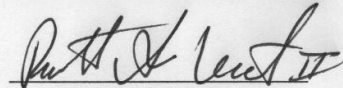
000-08-27-177-001-00

000-08-27-178-001-02

Located north of 2010 Lansing Ave and South of 94 and touches on Lansing Ave.

Permission is granted for the in-process buyer of theses parcels to pursue the requested zoning changes with additional permission to sit in your zoning change meetings.

Please advise if you have any further questions.



Robert G. Wigent II
(POA of Robert G Wigent)

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Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #19-12

To: County Planning Commissioners
From: Grant E. Bauman
Date: June 13, 2019

Proposal: The rezoning of a property in Concord Township

Request

A property is proposed for rezoning to 'Industrial (I)' from 'Commercial (C)'.

Purpose

The request's purpose is 'to promote and accommodate business' (see the 'Zoning Amendment Form').*

Location and Size of the Property

The subject properties (ID# 000-11-27-226-002-02, ID# 000-11-27-226-002-05, and ID# 000-11-27-226-002-06) are situated in Section 27 (T3S-R3W) of the Township (see Figure 1). They are located in the northwest corner of the intersection of M-60 and Concord Road, just north of the Village of Concord, and have a combined area of <9 acres.

Land Use and Zoning

Current Land Use – The subject parcels are currently used for commercial purposes, according to the Township (see the 'Zoning Amendment Form'). Surrounding properties contain a mix of agricultural and single-family and multiple-family residential uses.

Future Land Use – The *Concord Area Master Plan* places the subject properties in an area recommended for 'Agricultural' uses, as are the surrounding parcels in the Township (see Figure 2). Properties along M-60 in the Village are recommended for either 'Highway Commercial' or 'Mixed Use'.

Current Zoning – The subject property is zoned 'Commercial (C)', as are adjacent parcels to the east and south (see Figure 3). Properties to the north and west are zoned 'Agricultural (AG)'.

Public Facilities and Environmental Constraints

Water and Sewer Availability – Municipal water and sewer services are not provided to the subject properties and there are no plans to extend them (see the Rezoning Worksheet Form).

Public Road/Street Access – M-60, a state highway, and Concord Road, a paved county primary north of the Village, provides direct access to the subject parcels.

* Please note that the proposed use is listed for informational purposes only. It should not be utilized in making the rezoning decision. Circumstances may change tomorrow which make the proposed use impractical. All of the uses that the proposed zoning designation would allow are pertinent to the rezoning request.

Environmental Constraints – The subject property has no known environmental constraints according to the Township (see the Rezoning Worksheet Form).

Analysis and Recommendation

Township Planning Commission Recommendation – The Concord Township Planning Commission passed a motion to **approve** the proposed rezoning to ‘I’ during its May 14, 2019 meeting (see the ‘Zoning Amendment Form’).

JCPC Staff Analysis – Concord Township’s Zoning Plan contains the following criteria upon which a rezoning request must be considered:

- 1. **Is the proposed rezoning consistent with the policies and uses proposed for that area in the Master Plan?**

No. ‘Industrial’ uses are not planned for the general area. ‘Agricultural’ uses are proposed for the subject properties as are the surrounding parcels in the Township (see Figure 2). Properties along M-60 in the Village are recommended for either ‘Highway Commercial’ or ‘Mixed Use’ uses. Concord Township’s Zoning Plan equates the ‘Agricultural’ future land use category to the ‘AG’ zoning district.

- 2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**

No. None of the adjoining properties are zoned ‘I-1’.

- 3. **Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**

No. M-60 is built to ‘Class A’ road standards and Concord Road is a county primary north of the highway. Water and sewer services are not available.

- 4. **Will the uses allowed under the proposed rezoning be equally or better suited to the area than uses allowed under the current zoning district?**

No. Rezoning the properties to ‘Industrial (I)’ could be considered ‘spot zoning’, given that none of the adjoining properties are zoned ‘I-1’ and the master plan does not recommend industrial uses in that part of the Township.

JCPC Staff Advisement – ‘Industrial’ uses are not planned for the general area and adjoining properties are not zoned ‘I-1’, raising the issue of ‘spot zoning’.

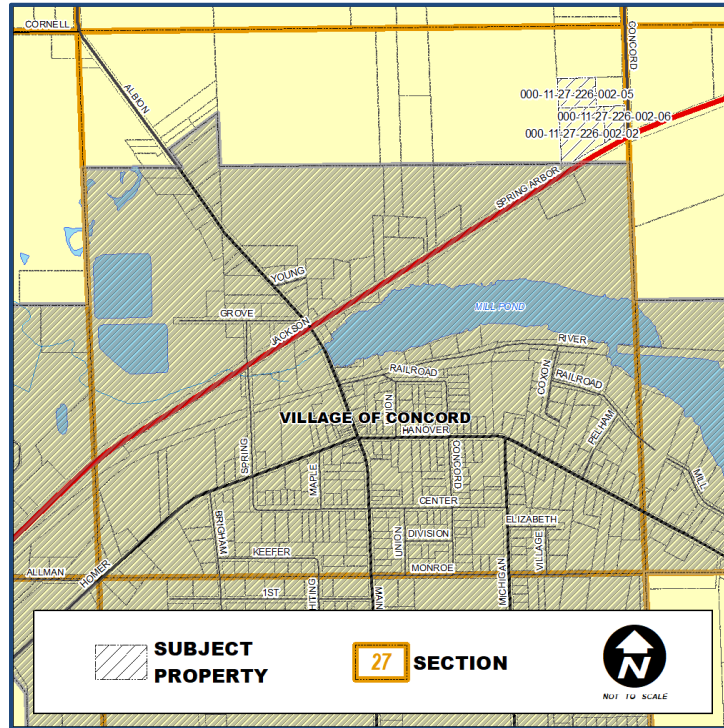
Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **DISAPPROVAL** of the ‘Industrial (I)’ rezoning request to the Concord Township Board.

Staff Report Attachments:

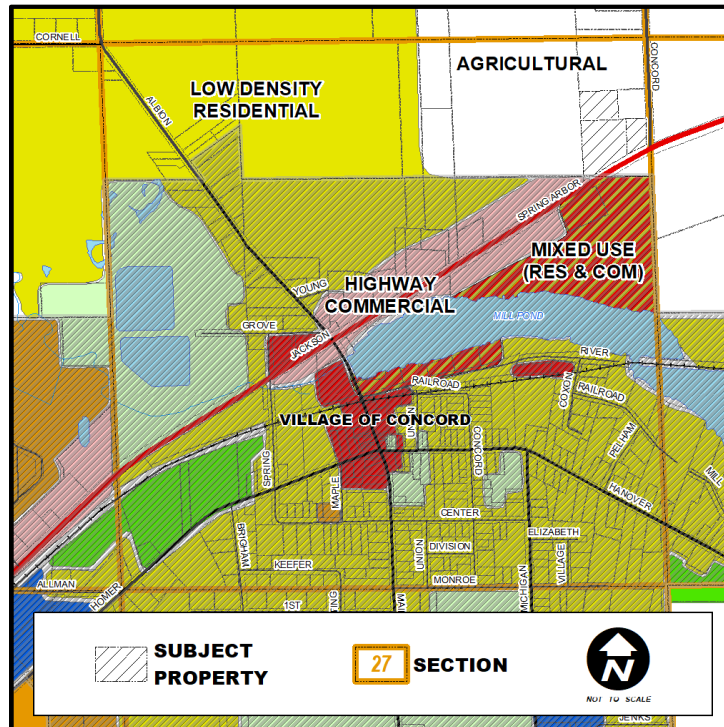
- Background information provided by Concord Township

Suggested Actions:	
(1)	Recommend APPROVAL
(2)	Recommend DISAPPROVAL
(3)	Recommend APPROVAL WITH COMMENTS
(4)	Take NO ACTION

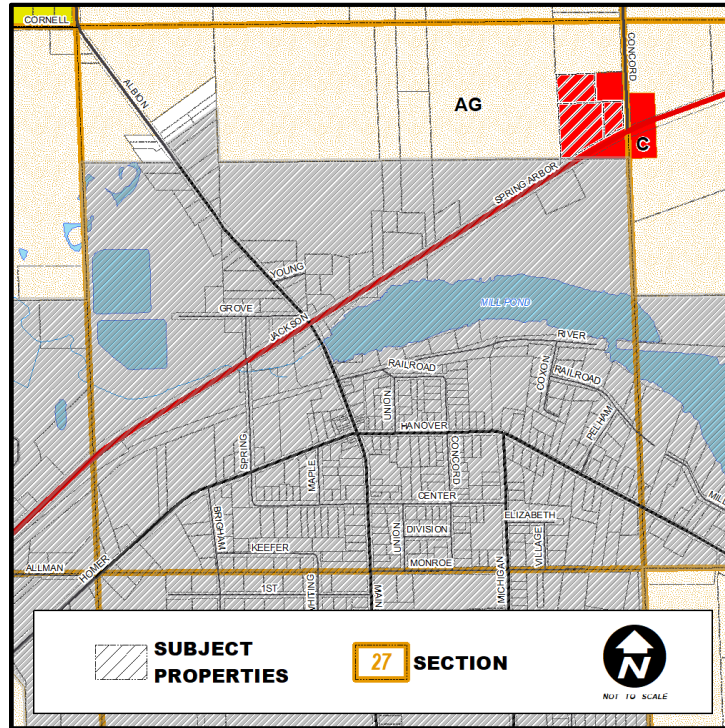
**Figure 1
Location**



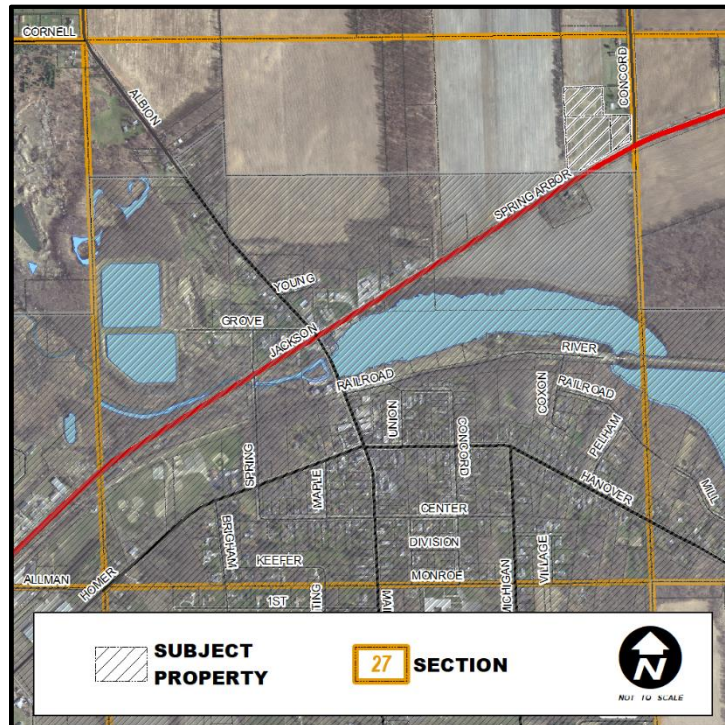
**Figure 2
Municipal Future Land Use**



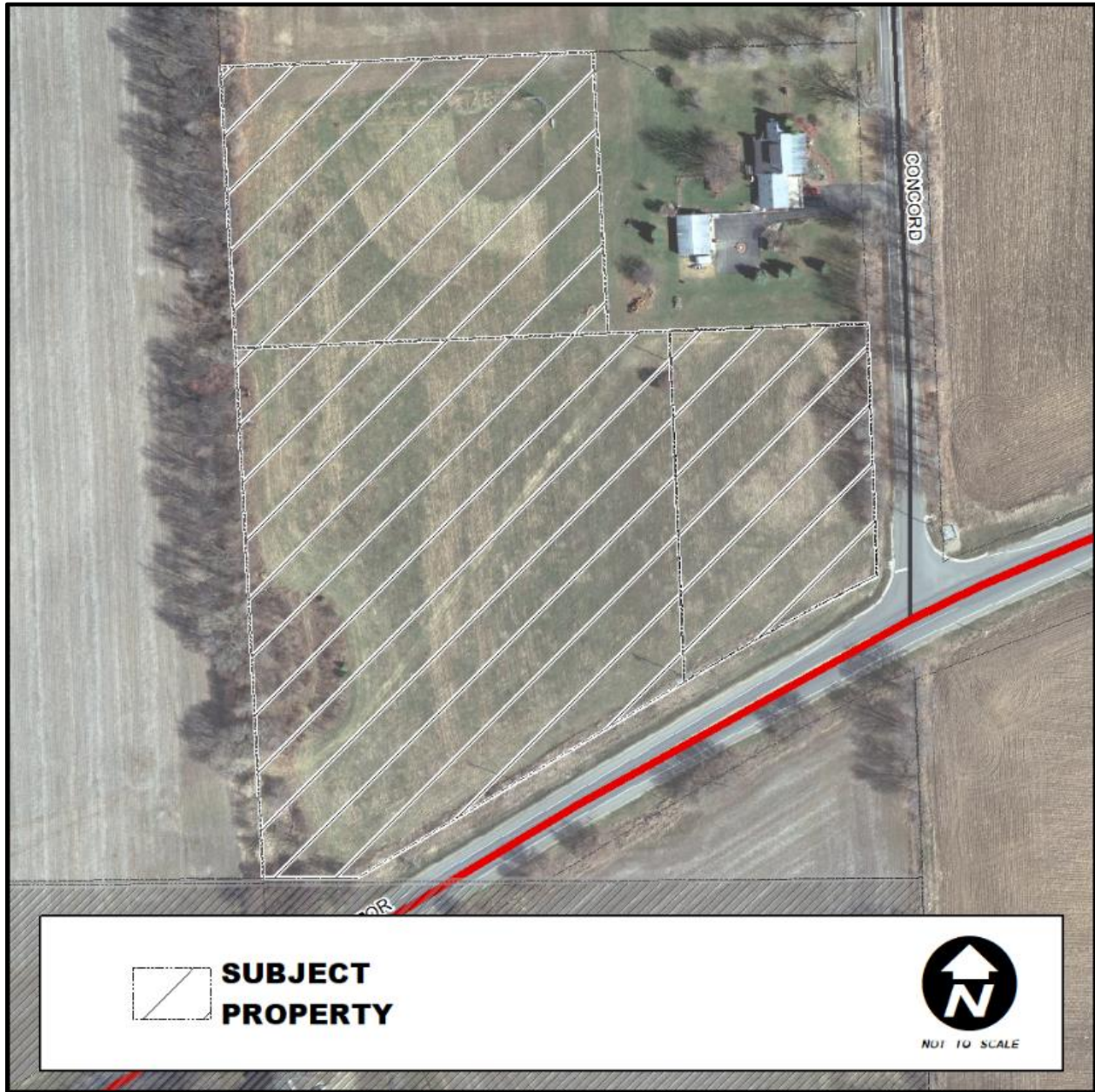
**Figure 3
Municipal Zoning**



**Figure 4a
Aerial Photo**



**Figure 4b
Aerial Photo**



ZONING AMENDMENT FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Concord TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

000-11-27-226-002-02 / 000-11-27-226-002-05 / 000-11-27-226-002-06

8.69 Acres

Legal description attached.

1. The above described property has a proposed zoning change FROM Commercial (C) ZONE TO Industrial District (I) ZONE
2. PURPOSE OF PROPOSED CHANGE: To promote and accommodate business.

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE _____ SECTION _____
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) _____

- C. PUBLIC HEARING on the above amendment was held on: month May day 14 year 2019
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month May day 5 year 2019
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: The Salesman

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or DISAPPROVE.

Carly McCorkle Chair or Secretary May 14 / 2019 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month June day 13th year 2019
2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:
 - Recommends APPROVAL of the zoning change
 - Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
 - Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
 - Takes NO ACTION.

_____, Recording Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment PASSED, DID NOT PASS, or was REFERRED ANEW to the Township Planning Commission.

Township Clerk

REZONING WORKSHEET FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: Concord Township Case #: _____

Township official we may contact: Al Cavasia, Supervisor Phone #: (517) 524-6804

Applicant: Hammer Lane Leasing LLC Phone #: (517) 812-0101

Rezoning Request: From: Commercial (C) To: Industrial (I)

Property Location: Section(s): 27 Quarter Section(s): NW NE SW SE

Legal Description and/or Survey Map/Tax Map (please attach) Yes No (Please do not use only the Parcel ID Number)

Parcel Size (if more than one parcel, label "A" - "Z"): 8.69 Acres Parcel A - 4.66 Acres / Parcel B - 2.45 Acres Parcel C - 1.58 A.

Please attach location map Yes No

What is the existing use of the site? Commercial

What is the proposed use of the site? Industrial

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?

North: Agriculture / Single-family South: Agriculture / Multiple-family

East: Agriculture / Single-family West: Agriculture

What are the surrounding Zoning Districts?

North: (AG) Agriculture South: (AG) Agriculture

East: (AG) Agriculture West: (AG) Agriculture

What is the suggested use of the site on the Township's Land Use Plan map? Commercial

Is municipal water currently available? Yes No Will it be made available? Yes No If yes, when? _____

Is municipal sewer currently available? Yes No Will it be made available? Yes No If yes, when? _____

Does the site have access to a public street or road? Yes No If yes, name North Concord Rd.

Are there any known environmental constraints on the site? Yes No

Wetland(s) Floodplain(s) Brownfield(s) Soil(s) Other (please specify) _____

Please attach the minutes of the Planning Commission.

Yes, the minutes are attached. No, the minutes are not attached.

Please attach copies of any reports, exhibits or other documented provided to the Planning Commission.

Yes, copies of documentation are attached. No, copies of documentation are not attached.

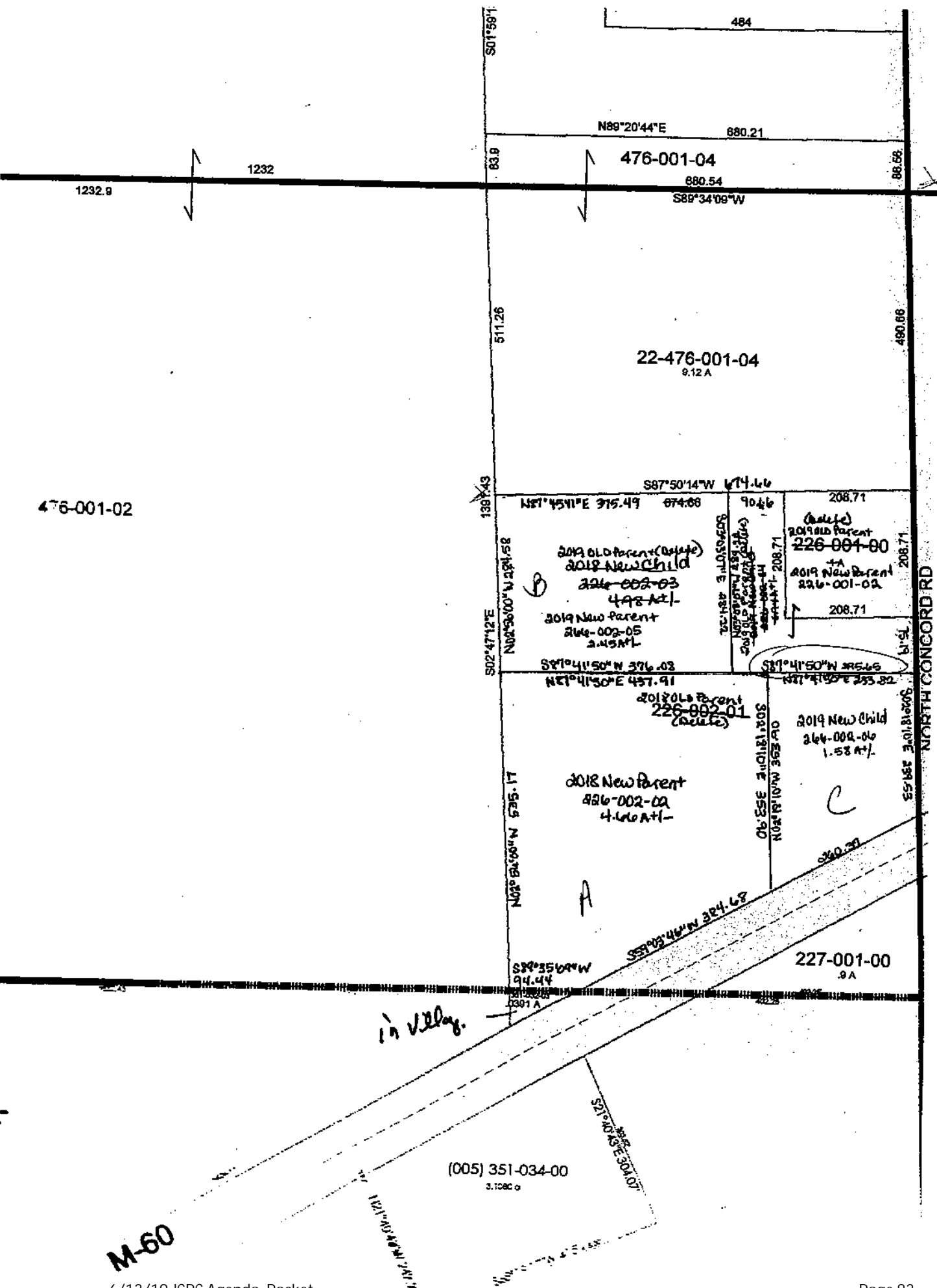
Please attach any public comments, letters, or petitions.

Yes, public comments are attached. No, public comments are not attached.

Please include any additional information or comments as an attachment.

DESCRIPTION OF PARCELS 000-11-27-226-002-02, 000-11-27-226-002-05 AND 000-11-27-226-002-06
COMBINED:

COM AT THE NE COR OF SEC 27 TH S89°29'01"W 680.83 FT (REC AS 680.54 FT) ALG THE N SEC LN TH
S02°56'00"E 511.26 FT (REC AS S02°47'12"E) FOR POB; N87°45'41"E 375.49 FT (REC AS N87°50'14"E); TH
S03°03'07"E 284.22 FT; TH CONT N87°41'50"E 2295.65 FT TO THE E LN OF SD SEC; TH S02°18'10"E 239.53
FT ALG SD E LN TO THE NLY ROW LN OF HWY M-60; TH SWLY 260.37 FT ALG SD ROW LN ; TH S59°03'46"W
384.68 FT ALG ROW TO THE S LN OF THE N ½ OF THE NE ¼ OF SD SEC; TH S89°35'09"W 94.44 FT ALG SD S
LN; TH N02°56'00"W 819.75 FT (REC AS N02°47'12"W) TO BEG. SEC 27 T3S R32 8.69 A +/-



Concord Township
Planning Commission Board

5/14/19 Minutes

7:30pm

- I. Meeting called to order at 7:30pm by Chair Bill Carr.
- II. Pledge of Allegiance recited by commissioners and guests
- III. Commission members present: Cindy Franssen, Brian Kessman, Bill Carr, Naomi Carr, and Candy McCorkle
- IV. Naomi Carr moved to approve the agenda for the 5/14/19 meeting. Brian Kessman supported and the motion passed.
- V. Public Hearing
 - a. Schlegel Conditional Use Permit request was presented by Mark Schlegel. Mr. Schlegel provide the Planning Commission board with a revised application document to reflect date changes because the original hearing was postponed as well as new images to show an increase in the height of a berm not on the original documentation. Mr. Schlegel explained that the berm height had been increased to minimize the noise and dust based on a concern raised by Mr. Bunce a residential neighbor to the gravel pit. Bill Carr and Naomi Carr recused themselves from the discussion and the vote regarding the Schlegel Conditional Use Permit due to a conflict of interest. There were no public comments. Candy McCorkle served as the acting chair as a result of the vote by Cindy Franssen and Brian Kessman. Brian Kessman moved to approve the Schlegel Conditional Use permit and Cindy Franssen supported. Candy McCorkle took a roll call with Cindy Franssen voting yes, Brian Kessman voting yes and Candy McCorkle voting yes. The motion passed.
 - b. Hammer Lane Leasing, LLC request for rezoning was presented by Kevin Hoffman. Currently the property in which Hammer Lane Leasing occupies is zoned commercial and Mr. Hoffman requested it be rezoned to light industrial. There were no public comments. Cindy Franssen moved to approve the rezoning request and Brian Kessman supported. Bill Carr took a roll call vote with Cindy Franssen voting yes, Brian Kessman voting yes, Naomi Carr voting yes, Bill Carr voting yes. The motion passed. Candy McCorkle was tardy and not present for this vote.
- VI. Public Comment: No public comment
- VII. Old Business
 - a. Naomi Carr shared that Orien Wetzal would not be able to server as the township's liaison with the village on the Master Plan project due to a schedule conflict. Al Cavasin, Township Supervisor, shared that it is imperative that we

begin working on the Master Plan as it needs to be completed by the deadline and published for public review.

- b. Candy McCorkle presented two designs for the Concord Township flag created by Jasilyn Williams. The board selected the second design that depicts an image of the mill pond and the former lumber mill building behind the pond with a Sand Hill crane on a purple background. Cindy Franssen suggested the design be altered by adding a gold border at the top and bottom of the flag in addition to gold border encircling the mill pond image and to remove the gold line in the middle of the design. Candy McCorkle will take the suggestions back to Ms. Williams and present the amended design to the Planning Commission board.
- c. Brian Kessman and Cindy Franssen will not be able to attend the MTA training on May 30, 2019. Bill Carr, Naomi Carr and Candy McCorkle will attend the training.

VIII. New Business

- a. Digitization of Township Ordinances is complete. It was decided by the Planning Commission that since the ordinances were now all in a digital format the board would create work groups to begin the task of revising the ordinances to ensure each included the appropriate legal language, correct codification, and formatting. Al Cavasin shared that he would email the ordinances as well as the appropriate legal language to include on each ordinance to the board. The board decided that it work on the first two ordinances as a whole board prior to the June 5, 2019 meeting. And discuss at the meeting the process and the review the two revised ordinances.

IX. Town Supervisor Report

- a. Al Cavasin had not report as he had presented information throughout the meeting.

X. Board Comments:

- a. Cindy Franssen- No comment
- b. Candy McCorkle- No comment
- c. Naomi Carr- No comment
- d. Brian Kessman- No comment
- e. Bill Carr- No comment

- XI. Brian Kessman moved to adjourn the meeting. Cindy Franssen supported. Motion passed. Meeting was adjourned at 8:30pm.

Respectfully submitted by secretary:
Candy McCorkle

TOWNSHIP OF CONCORD
JACKSON COUNTY, MICHIGAN

REZONING REQUEST

1. Applicant(s) Name: Hammer Lane Leasing, LLC
Address: 191 Hickory Hills
Marshall, MI 49068
Telephone: 517 990 4954
2. Address of property involved: 13050 M-60
3. Current zoning of property: Commercial
4. Requested zoning of property: Light Industrial

Date: 4/30/2019 Applicant Signature(s): [Signature]
Fee: 300

Received By: [Signature] Title: Supervisor
Date Received: 4/30/19

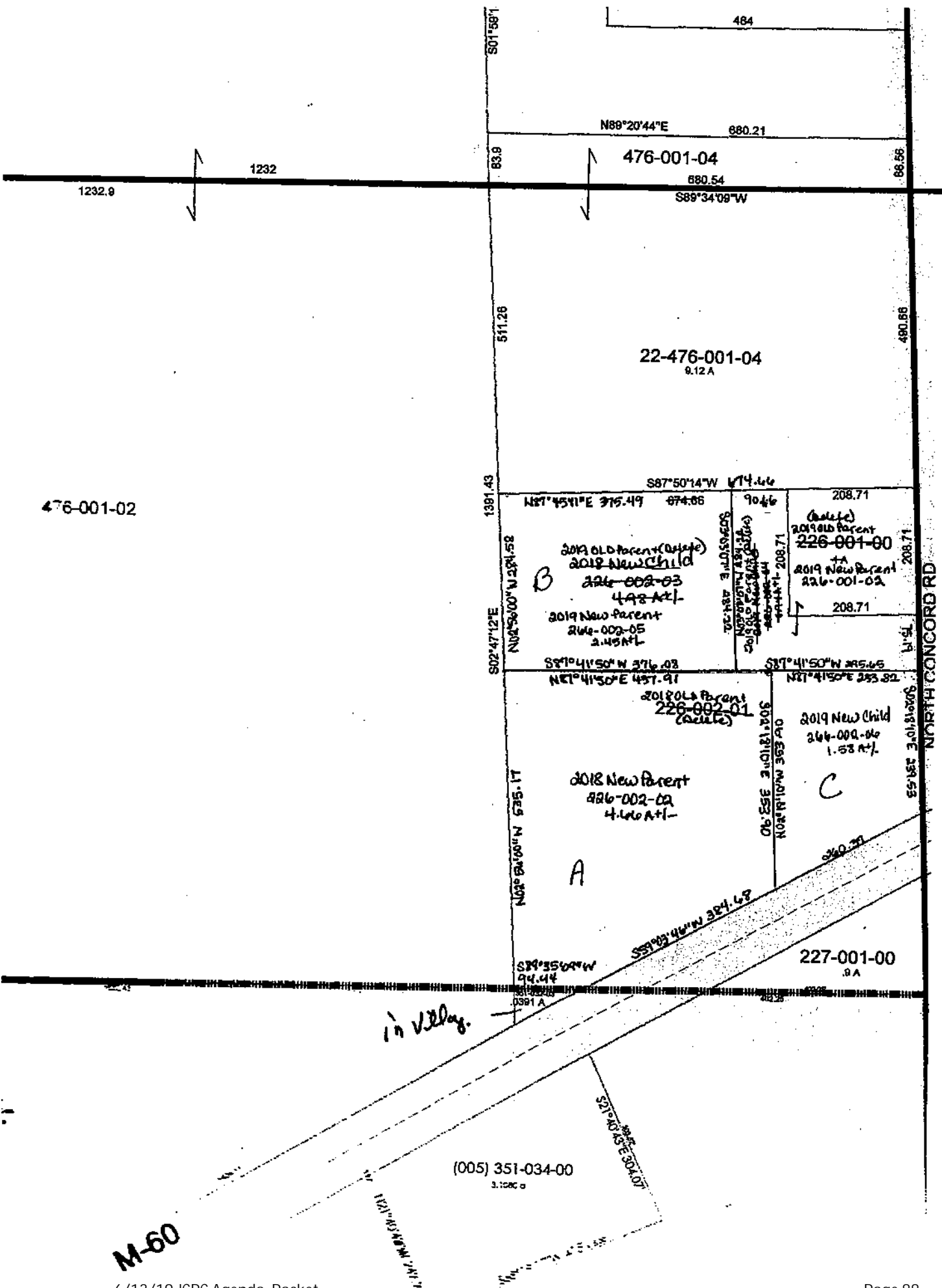


5. Date/Place of Public Hearing: 5/14/19 / Township Office
6. Property owners within margin: North Concord Farms, Linda Miller
Green Farm LLC, Fred & Kay Remy
(Attach separate sheet for additional neighbors)
7. Paper & Date of Publication: Twp. Week & P/R - Stakeholder 5/14/19
8. Rezoning: granted refused if refused, reason(s) Planning Commission Recommended approval to Township Board

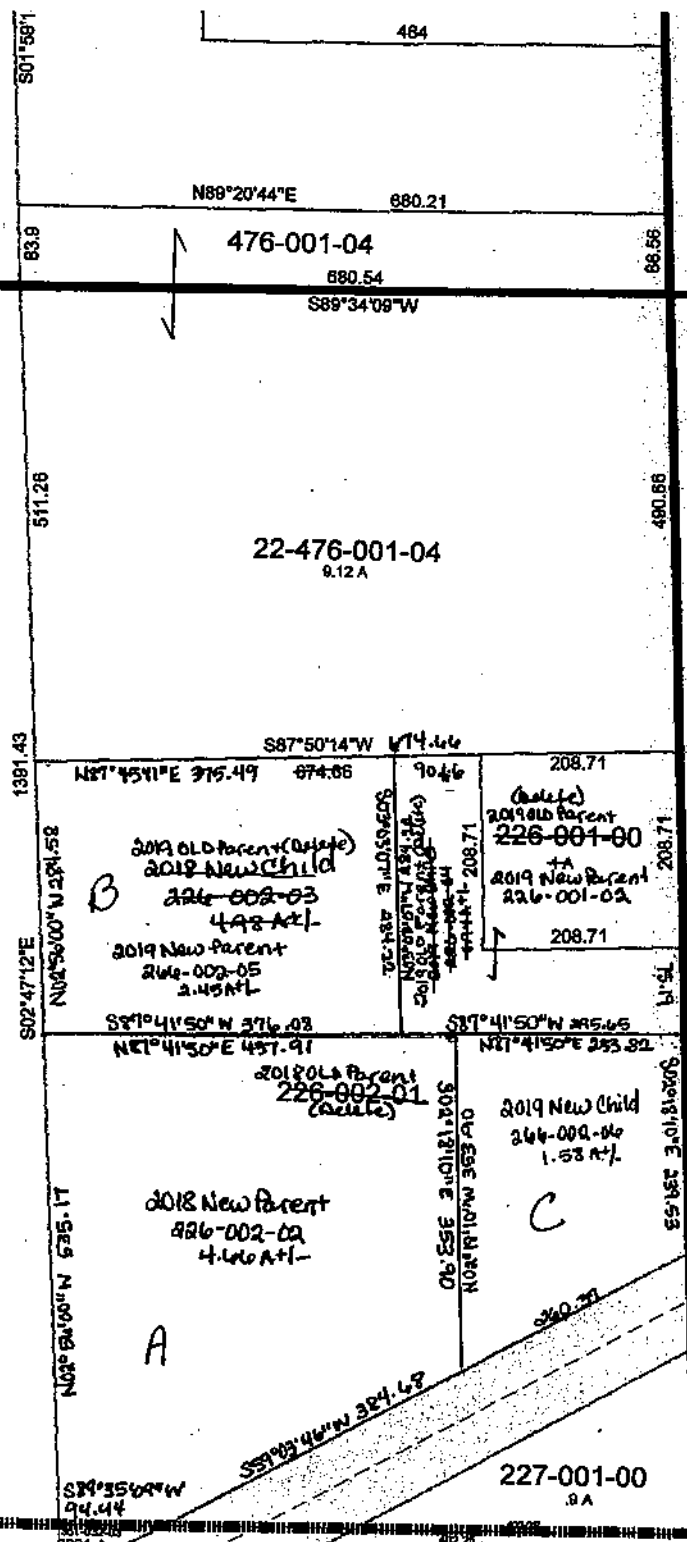
Twp. Supv. Signature: _____ Date: _____

DESCRIPTION OF PARCELS 000-11-27-226-002-02, 000-11-27-226-002-05 AND 000-11-27-226-002-06
COMBINED:

COM AT THE NE COR OF SEC 27 TH S89°29'01"W 680.83 FT (REC AS 680.54 FT) ALG THE N SEC LN TH
S02°56'00"E 511.26 FT (REC AS S02°47'12"E) FOR POB; N87°45'41"E 375.49 FT (REC AS N87°50'14"E); TH
S03°03'07"E 284.22 FT; TH CONT N87°41'50"E 2295.65 FT TO THE E LN OF SD SEC; TH S02°18'10"E 239.53
FT ALG SD E LN TO THE NLY ROW LN OF HWY M-60; TH SWLY 260.37 FT ALG SD ROW LN ; TH S59°03'46"W
384.68 FT ALG ROW TO THE S LN OF THE N ½ OF THE NE ¼ OF SD SEC; TH S89°35'09"W 94.44 FT ALG SD S
LN; TH N02°56'00"W 819.75 FT (REC AS N02°47'12"W) TO BEG. SEC 27 T3S R32 8.69 A +/-



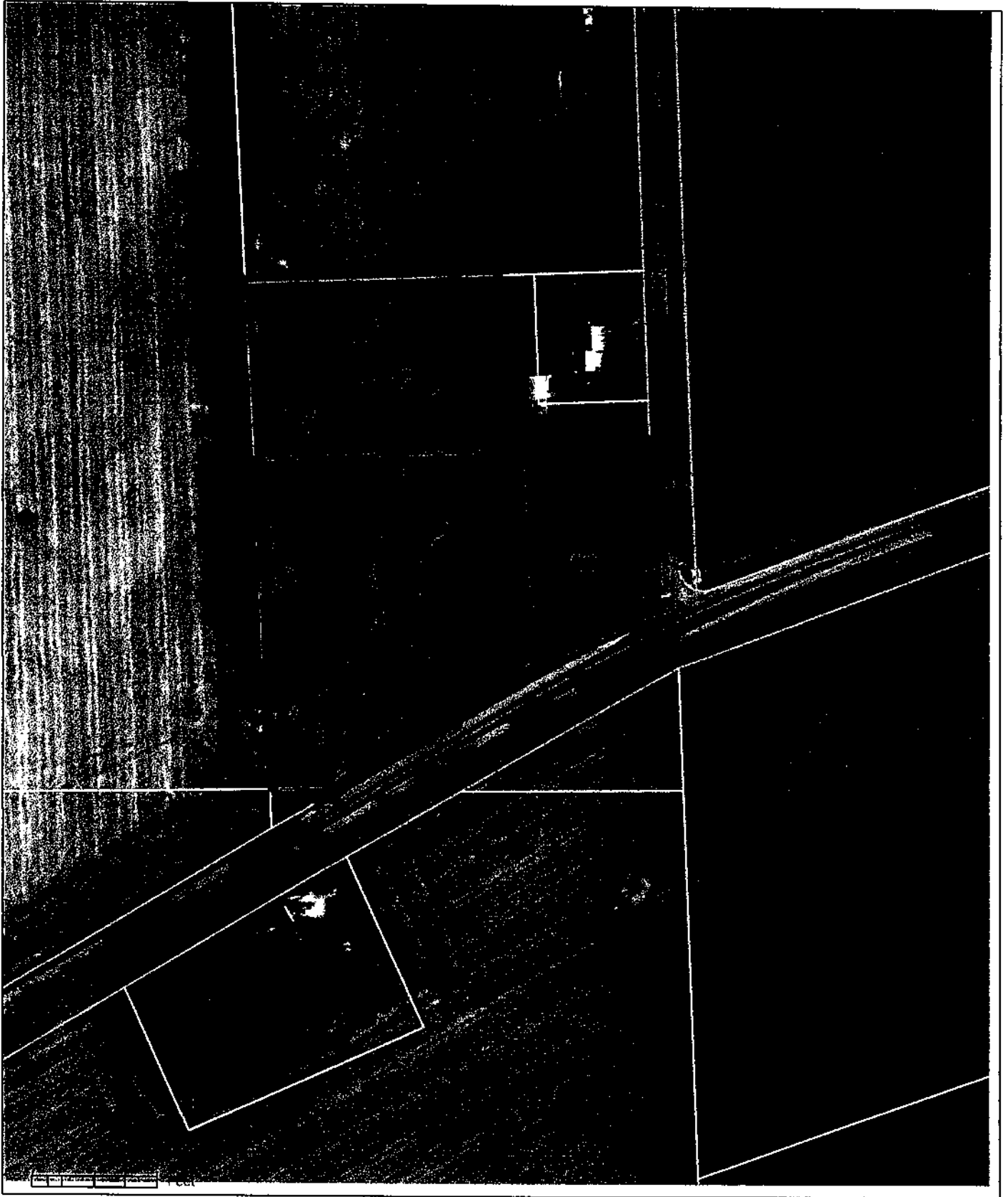
476-001-02



in valley.

M-60

Map



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Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #19-13

To: County Planning Commissioners
From: Grant E. Bauman
Date: June 13, 2019

Proposal: 'Indoor Sport Shooting Ranges' in Leoni Township's General Business District

The Request and Background Information

The Leoni Township Planning Commission proposes an amendment to Chapter 42 (Zoning) of the *Leoni Township Code of Ordinances* pertaining to the regulation of **Indoor Sport Shooting Ranges** as a conditional use in the General Business (B-4) District.

The proposed amendment reads as follows:

Sec. 42-214. - General business district (B-4).

...

(c) *Conditional uses. Conditional uses are as follows:*

...

(10) Sport shooting ranges as defined in MCL 691.1541(d) that comply with 'generally accepted operation practices' as defined in MCL 691.1541(a) and that comply with other conditions imposed by the Township. Any conditional use permit issued by the Township for this use prior to the enactment of this paragraph is ratified and re-issued by the Township under identical terms and conditions.

...

The proposed amendment would:

- Add **Sport Shooting Ranges** to the listing of conditional uses in the B-4 District.
- Ratify and reissue any conditional use permit issued by the Township for this use prior to the enactment of the amendment under identical terms and conditions.
- Refer to the definition for **Sport Shooting Ranges** in PA 269 of 1989:
"Sport shooting range" or "range" means an area designed and operated for the use of archery, rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting (MCL 691.1541(d)).
- Require compliance with the 'generally accepted operation practices' listed in PA 269 of 1989:

www.region2planning.com/jackson-county-planning-commission

“Generally accepted operation practices” means those practices adopted by the commission of natural resources that are established by a nationally recognized nonprofit membership organization that provides voluntary firearm safety programs that include training individuals in the safe handling and use of firearms, which practices are developed with consideration of all information reasonably available regarding the operation of shooting ranges. The generally accepted operation practices shall be reviewed at least every 5 years by the commission of natural resources and revised as the commission considers necessary. The commission shall adopt generally accepted operation practices within 90 days of the effective date of section 2a (MCL 691.1541(a)).

The Michigan Department of Natural Resources’ (MDNR’s) ‘generally accepted operation practices’ are based upon the operating specifications outlined in specific sections, chapters, and articles of the *National Rifle Association (NRA) Range Source Book, A Guide to Planning & Construction, 2012*. Those sections, chapters, and articles are specified in a 3/18/19 MDNR memo ([‘click’ here to see the memo](#)). The remaining portions of the source book are “considered informational to the named Sections, Chapters and Articles”.

The Leoni Township Planning Commission passed a motion on 5/15/19 to: . . .*amend the agenda as follows: Under New business #2 wording from "Sport Shooting Ranges" change to "Indoor Sport Shooting Ranges" which would be B4 Zoning also, new business #4 from "any" real estate property zoned AG to "its existing" real estate property zoned AG.*

The Leoni Township Planning Commission also passed a motion on 5/15/19 to: . . .*add Indoor Sport Shooting Range in B4 to paragraph 10 of zoning ordinance as written by attorney (See attached).*

Staff Analysis

- The meeting minutes indicate that the motion passed by the Leoni Township Planning Commission was to add **Indoor Sport Shooting Ranges** as a conditional use in the B-4 District. Accordingly, **Sport Shooting Ranges** should be changed to **Indoor Sport Shooting Ranges** in Sec. 42-214(c)(10).
- Zoning is not retroactive, as evidenced by the regulation of nonconformities in Sec. 42-347 of the Township’s zoning code. Therefore, staff does not think it appropriate to state: *Any conditional use permit issued by the Township for this use prior to the enactment of this paragraph is ratified and re-issued by the Township under identical terms and conditions.*
- The *National Rifle Association (NRA) Range Source Book, A Guide to Planning & Construction, 2012*, is cited as the source for the **Sport Shooting Ranges** ‘generally accepted operation practices’ adopted by the Michigan Department of Natural Resources (MDNR). That resource is not available online and must be purchased from the NRA. Accordingly, Leoni Township should consider obtaining a copy of the source book for reference when considering and administering conditional use permits.

Staff Advisement – Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the amendments regulating **Sport Shooting Ranges** as a conditional use in the B-4 District to the Leoni Township Board:

- Change **Sport Shooting Ranges** to **Indoor Sport Shooting Ranges** in Sec. 42-214(c)(10).

- The JCPC does not think it appropriate to state: *Any conditional use permit issued by the Township for this use prior to the enactment of this paragraph is ratified and re-issued by the Township under identical terms and conditions in Sec. 42-214(c)(10).*
- Leoni Township should consider obtaining a copy of the *National Rifle Association (NRA) Range Source Book, A Guide to Planning & Construction, 2012*, for reference.

Staff Report Attachment(s):

- *Background information provided by Leoni Township*

Suggested Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

ZONING AMENDMENT FORM



**JACKSON COUNTY PLANNING COMMISSION
(COORDINATING ZONING)**

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Leoni TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM _____ (_____) ZONE TO _____ (_____) ZONE.
2. PURPOSE OF PROPOSED CHANGE: _____

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE 3 SECTION 42-214

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)
See Attached Exhibit A

C. PUBLIC HEARING on the above amendment was held on: month May day 15 year 2019

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month April day 28 year 2019
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Salesman

-The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or DISAPPROVE.

John Spencer Chair or Secretary 5 / 15 / 2019 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:
 - Recommends APPROVAL of the zoning change
 - Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
 - Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
 - Takes NO ACTION.

_____, Recording Secretary ____ / ____ / ____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment PASSED, DID NOT PASS, or was REFERRED ANEW to the Township Planning Commission.

Township Clerk

Exhibit A

To Jackson County Planning Commission

- 1.) Proposed text amendment to B-4 zoning to allow indoor sport shooting ranges as conditional use
- 2.) Leoni Township Planning Commission meeting minutes of 5-15-19

Resolved, the Township of Leoni Board refers to the Planning Commission for recommendation, the following amendment to the zoning ordinance:

Sec. 42-214 of the Code of Ordinances is amended as follows:

Add to subsection (c) subparagraph (10) to read as follows:

(10) Sport shooting ranges as defined in MCL 691.1541(d) that comply with 'generally accepted operation practices' as defined in MCL 691.1541(a) and that comply with other conditions imposed by the Township. Any conditional use permit issued by the Township for this use prior to the enactment of this paragraph is ratified and re-issued by the Township under identical terms and conditions.

After amendment, Sec. 42-214 shall read:

Sec. 42-214. - General business district (B-4).

(a) Purpose.

- (1) The general business district is composed of certain land and structures used to provide for the retailing and wholesaling of goods, warehousing facilities, trucking facilities and limited fabrication of goods. When any of these types of enterprises are permitted, they are to be regulated in a manner that will protect the abutting residential districts, provide reasonable compatibility with each other and prevent further "strip" zoning along major thoroughfares.
- (2) No land shall be used or occupied and no structure shall be designed, erected, moved, altered, used or occupied except for one of several of the uses by right listed in this section and lawful accessory uses thereto, or for one or several of the conditional uses listed in this section.

(b) Permitted uses. Permitted uses are as follows:

- (1) Antique shop, provided all articles are displayed or stored within the shop.
- (2) Automobile, truck and trailer display, hire, sales and repair, including sales lot, painting and body shop.
- (3) Automotive supply parts and accessories.
- (4) Bakery.
- (5) Banks, loan offices and finance offices.
- (6) Barbershop and/or beauty shop.
- (7) Bowling alley, including bar and restaurant.

- (8) Bus station and travel agency.
- (9) Business or trade school.
- (10) Camera and photo supplies store.
- (11) Catering service, delicatessen and confectionery store.
- (12) Clothes or wearing apparel shop.
- (13) Club, lodge or church.
- (14) Crating and packing service.
- (15) Dairy products store.
- (16) Dance studio.
- (17) Department store, specialty apparel, and discount stores.
- (18) Diaper, linen and towel supply service.
- (19) Drugstore.
- (20) Dry cleaning and laundry, custom and self-service.
- (21) Dry goods or notions store.
- (22) Eating place, bar, grill, and cocktail lounge.
- (23) Egg and poultry store.
- (24) Electrical supplies, wholesale and storage.
- (25) Exterminator service.
- (26) Factory and mill supplies.
- (27) Florist and gift shop.
- (28) Fruit and vegetable markets.
- (29) Funeral home and ambulance service.
- (30) Furniture and household furnishings.
- (31) Garden and lawn supply store.

- (32) Grocery, supermarkets, and meat processing (no slaughtering).
- (33) Hardware and sporting goods.
- (34) Jukebox and vending machine service and distribution.
- (35) Library and other public buildings.
- (36) Liquor store (sale by package only).
- (37) Luggage and camping supplies and equipment.
- (38) Malt beverage, liquor and wine distribution.
- (39) Offices: Any office in which chattels or goods, wares or merchandise is not commercially created, exchanged or sold.
- (40) Office machines, sales and service.
- (41) Office supply store.
- (42) Ornamental iron work and fence service.
- (43) Paint, wallpaper and floor coverings store.
- (44) Printing and publishing, including processes related thereto.
- (45) Plumbing and heating and sheetmetal shops (including punching of material of one-eighth inch or less in thickness).
- (46) Radiator repair shop.
- (47) Radio and TV sales, repair, and broadcasting stations.
- (48) Resale shops, china, clothing and furniture, but not including auction houses.
- (49) Shoe store, sale and repair.
- (50) Sign painting and servicing shops.
- (51) Special tools and gauges, checking and service.
- (52) Theater, drive-in type, also theatrical studios.
- (53) Tire and battery shops, rebuilding and recapping.
- (54) Travel agency.

- (55) Stone cutting, providing cutting operations are conducted within a completely enclosed building.
- (56) Toys, playground equipment and variety stores.
- (57) Any other use which is determined by the zoning administrator to be of the same general character as the uses by right listed in this subsection, but not including any use which is first permitted in the M district.
- (58) Warehousing facilities.
- (59) Distribution centers.

(c) Conditional uses. Conditional uses are as follows:

- (1) Auction houses, provided that merchandise for sale has been used (not new articles), there are no public auctions on Sunday, no auctions shall not continue after 12:00 midnight, and all auctions shall be conducted within a building.
- (2) Automobile service stations, provided:
 - a. Premises used for such purposes shall not be less than 200 feet from any place of public assembly including any hospital, sanitarium, clinic or institution. Such measurement shall be along the usual line of street travel. Hereafter, no gasoline filling and/or service station shall be permitted if the location constitutes a hazard to public safety and welfare.
 - b. Buildings used for such purposes shall not be nearer than 75 feet to any R district.
 - c. Any minor automobile repair work shall be done within the principal building on the premises.
 - d. No overnight or weekend outside storage of trucks, trailers and/or tractors shall be permitted on the premises, and no partially dismantled, wrecked or junked vehicles shall be stored for more than a total of eight hours outside the buildings on the premises.
 - e. When such use abuts the side and/or rear line of a lot in any R district, a compact evergreen hedge, solid wall or painted board fence not less than five feet shall be maintained at the property line.

(3) Recreational vehicle storage yards.

- a. These premises shall be used for the storage of recreational vehicles bearing a current license plate as of the time the vehicle is placed upon the premises, as

- well as maintaining a current plate and registration with the state during the full length of storage.
 - b. All vehicles in storage must be contained inside of a minimum six-foot privacy fence.
 - c. The sale of junked vehicles, or used vehicle parts, wrecked or salvage, and/or inoperative or obsolete vehicles, at the site of a recreational vehicle storage yard is prohibited.
 - d. The fundamental purpose of this subsection is to promote public health, safety, and general welfare by allowing storage of recreational vehicles in certain areas for the people of the township, and to prohibit and limit the storage of inoperable motor vehicles.
- (4) Automobile automatic wash and polish stations, provided that:
- a. All operations shall be within an enclosed buildings.
 - b. The building shall have a setback of not less than 40 feet from any street line.
 - c. All vehicles on the premises, other than those being serviced, shall be provided with off-street waiting lanes and off-street parking space.
 - d. When such use abuts the side and/or rear line of a lot in any R district, a compact evergreen hedge, solid wall or painted board fence not less than five feet shall be maintained at the property line.
- (5) Veterinary hospital or kennel, animal hospital, veterinary clinic or kennel for household pets only, provided that:
- a. There are no outside exercise runways or yards.
 - b. Any structure for such purposes shall be not less than 75 feet from any other district.
- (6) Motels; may include a bar, small retail shops and restaurant.
- (7) It is the intent of this section to provide for the conversion of the upper floors of existing commercial buildings and to extend their economic life by permitting the conversion to one-family, two-family, and multiple-family residential dwelling units, and to provide for a dwelling as an accessory use to a commercial use, subject to the following conditions:
- a. The dwelling units shall be secondary and incidental to a primary use permitted in the district.
 - b. The dwelling units shall be contained in the same structure as the primary use.


- c. Dwelling units shall be used exclusively for living accommodation. No storage or warehousing of goods and merchandise or the sale of such items shall be permitted.
- d. One off-street parking space shall be provided for each dwelling unit exclusive of those provided for the existing commercial establishment. All applicable regulations specified in section 42-343 shall be complied with.
- e. The dwelling units shall comply in all respects with the township building code and state plumbing, electrical, energy and fire codes and regulations.
- f. Every dwelling unit shall have not less than the required floor area specified under section 42-362.

(8) Planned unit development.

(9) Adult uses.

- a. Because some uses are recognized as having a deleterious effect upon adjacent areas, causing blight, a chilling effect upon other businesses and occupants, and a disruption in neighborhood development, especially when concentrated in a confined area, it is considered necessary and in the best interest of the orderly and better development of the community to prohibit the overcrowding of such uses into a particular location and require, instead, their dispersal throughout the general business district and the highway business district of the township to thereby minimize their adverse impact on any specific zoning district.
- b. In order to prevent undesirable concentration of such uses, the following uses and activities shall not be located within 1,000 feet of one other such use or any school, or within 300 feet of any residentially zoned district, as measured along a line forming the shortest distance between any portion of the respective properties of the existing and proposed following specified uses and activities and between such uses and the adjoining residentially zoned district:
 - 1. Adult bookstore.
 - 2. Adult motion picture theater.
 - 3. Adult mini motion picture theater.
 - 4. Adult smoking or sexual paraphernalia store.
 - 5. Massage parlor.
 - 6. Host or hostess establishments offering socialization with a host or hostess for a consideration.

7. Tavern or cabaret providing live or projected entertainment, including but not limited to adult live entertainment establishments where intoxicating liquors may or may not be sold for consumption on the premises. For purposes of this subsection, the term "projected entertainment" shall not include standard television reception.
8. Any combination of such uses.



(10) Sport shooting ranges as defined in MCL 691.1541(d) that comply with 'generally accepted operation practices' as defined in MCL 691.1541(a) and that comply with other conditions imposed by the Township. Any conditional use permit issued by the Township for this use prior to the enactment of this paragraph is ratified and re-issued by the Township under identical terms and conditions.

Leoni Township Office
913 Fifth Street
Michigan Center, Michigan 49254
PHONE: (517) 764-4694 FAX: (517) 764-1380
Leontownship.com



PLANNING COMMISSION MINUTES
May 15, 2019

The Leoni Township Planning Commission held a meeting Wednesday, May 15, 2019 @ 6:30 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:32 pm

Members Present: V. Beckwith, J. Spencer, L. Maurer, J. Southworth, K. Cole, & B. Lester

Members absent: D. Helmlinger

Persons in attendance: 32

Purpose of Planning Commission read by Spencer

Motion by Beckwith, supported by Maurer, to amend the agenda as follows: Under New business #2 wording from "Sport Shooting Ranges" change to "Indoor Sport Shooting Ranges" which would be B4 Zoning also, new business #4 from "any" real estate property zoned AG to "its existing" real estate property zoned AG.

Roll Call Vote 5 Yays Beckwith, Lester, Southworth, Spencer & Maurer
 1 Nay Cole

Motion carried.

Motion by Cole, supported by Spencer to approve the minutes of April 17, 2019 with correction to page 1 Ann Arbor Rd. changed to Page Ave.

Public Comment: **Open at 6:32 pm.**
 Closed at 7:10 pm.

Old Business: **1) Discussion of Opting in/out of Recreational Marihuana Businesses.**
 Need a public hearing before discussing.

New Business: **1) Amend Zoning Ordinance to add Sport Shooting Ranges to AG as Conditional Use.**

Motion by Spencer, supported by Cole to adopt Sport Shooting Ranges to AG as conditional uses defined in MCL691.1541d as defined in MCL691.1514(a) as written by attorney (See attached) with additional language added to be: down range only, shooting through a window setting from a benched position for long barreled guns and a standing position for hand guns. Also, to include surveillance camera monitoring.

Roll call Vote 3 Yays Beckwith, Spencer, & Lester
 3 Nays Maurer, Cole & Southworth

Motion Failed

2) Amend the Zoning Ordinance to Add “Indoor Sport Shooting Ranges” to B4 Zoning as Conditional Uses

Motion by Spencer supported by Beckwith to add Indoor Sport Shooting Range in B4 to paragraph 10 of zoning ordinance as written by attorney (See attached).

Roll Call Vote 5 Yays Beckwith, Spencer, Maurer, Lester & Southworth
 1 Nay Cole

Motion carried.

Public Comment: **Open at 8:33 pm.**
 Closed at 8:33 pm.

3) Amend the Zoning Ordinance to Add “any use not otherwise provided for” in the zoning ordinance for Heavy Industrial as Conditional Uses.

Motion by Spencer, supported by Cole to amend any use not provided for in Heavy Industrial as conditional uses as written by attorney. (See attached.)

Roll Call Vote: 6 Yays Beckwith, Lester, Cole, Southworth, Spencer & Maurer
 0 Nays

Motion carried.

4) Amend the Zoning Ordinance to “prohibit future Medical Marihuana grow and processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand on any real estate property zoned AG on the effective date of the legislation.

Motion by Spencer, supported by Beckwith to amend zoning ordinance to prohibit future MM grow & processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand to its existing real estate property zoned AG on the effective date of the legislation.

Roll Call Vote: 6 Yays Beckwith, Lester, Cole, Southworth, Spencer & Maurer.
 0 Nays

Motion carried.

Public Comment: **Open at 9:00 pm.**
 Closed at 9:17 pm.

5) To amend the Agricultural Zoning Ordinance to include as a Conditional Use “Agritourism”.

Motion by Spencer, supported by Cole to table and submit to attorney for recommendation to amend the AG zoning ordinance to include as a conditional use Agritourism.

Public Comment: **Open at 10:08 pm.**
 Closed at 10:15 pm.

Adjourn to the call of the Chair: 10:17 pm.

Next meeting: June 5th, 2019

Computers & Equipment

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a recovery, refurbished. Your
puter will run like brand new,
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DICKERSON Music Company.

New Extended Hours: Tuesday
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SALES and repairs. Sheet music
and keyboards. 201 N. Super-
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WE CAN FIX ANYTHING
WITH A CORD YOU CAN
CARRY- mixers, power
tools, blenders, microwaves,
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ment, sewing machines,
Vacuum Cleaner Hospital.
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-Announcements-

VENDORS WANTED: Con-
cord Classic Weekend is look-
ing for table vendors for Sat-
urday, June 22, from 10-5 and
Sunday, June 23 from 12-4.
There is no charge to set up
a table, but donations are ac-
cepted. Call Judy at the village
office, 517-524-8534, to be put
on the list.

VENDORS WANTED: Wat-

son Diesel Michigan Nationals
Truck & Tractor Pulls is looking
for vendors for Friday, June 21
from 3pm-10pm and Saturday,
June 22 from 10am-10pm. Call
Karie at 517-435-4967 or email
sales@watsondieselservice.
com for more information. Event
will be held at the Calhoun
County Fairgrounds in Marshall,
Michigan.

NOTICE: PERSONAL CLASSI-

FIEDS are placed on a cash only
basis. Ads may be phoned in with
payment sent promptly. There is
a \$2 fee if billings are sent. THE
SALESMAN, 517-524-8540 517-
783-4080

EIGHT VERY EXPENSIVE BAS-

KETS stolen from my green
house. Please return them and no
penalty will occur. HAVE CAMER-
AS IN THE GREENHOUSE. Not
opening this year due to illness. Be
back for you all next year, 2020.
Sharon Clark, Rose of Sharon
Country Gardens.

-Boats & Marine-

OUTBOARD MOTOR, 1989 20hp
Evinrude, electric start. Complete
controls for pontoon. Lots of ex-
tras. 517-524-8101

12 FT. ROWBOAT with trailer,
oars, anchors, new trolling mo-

-Wanted Miscellaneous-

WANTED: Standing TIMBER.
Buying standing hardwood timber.
Quality woodlot management.
Free estimates. Call Clough Cut-
ting, 517-673-7208

WANT TO BUY: Old usable golf

cart. Also 3 point bush hog. Phone
517-849-2425

WANT TO BUY: Copies of "Sing-
ing News" Magazines. 517-750-
1021

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of rock bottom prices and free
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watches, US and foreign coins,
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straight razors, wheat pennies,
postcards, military, marbles, fish-
ing lures, thimbles, cow bells,
smoking pipes, etc. 859-749-9943

LEONI TOWNSHIP NOTICE

The Leoni Township Planning Commission will hold a
Public Hearing Wednesday, May 15, 2019 @ 6:30 p.m. in
the Leoni Township meeting hall, 913 Fifth St., Michigan
Center, Michigan,

) To add Sport Shooting ranges to Agricultural Zoning as
Conditional Use

) To add Sport Shooting ranges to B4 Zoning as Condi-
tional Use

) To add "any use not otherwise provided for" in the zoning
ordinance to Heavy Industrial as Conditional Use.

) To prohibit future Medical Marihuana grow and process-
ing facilities in AG Zones, with exception to the currently
existing local licensees that will be permitted to operate,
commence operations and/or expand on any real estate
property zoned AG on the effective date of the legislation.

) To amend the Agricultural Zoning Ordinance to include
as a Conditional Use "Agritourism"

Terry Pickett, Clerk

Sandstone Charter Township
CLEAN UP DAY

Residents of Sandstone Charter Township will be able to
place items into garbage trucks that will be parked at the
Township Hall, 7940 County Farm Rd. on

May 4th, 2019 from 9am until 1pm

The following items will be accepted from Sandstone
Charter Township residents:
6/13/19 CPC Agenda Packet

LEONI TOWNSHIP NOTICE

THE LEONI TOWNSHIP BOARD OF TRUSTEES APPROVED REHABILITATION
DEVELOPMENT DISTRICT #21 FOR CLASSIC TURNING, INC. ON JANUARY
17, 1996. THE LEONI TOWNSHIP BOARD OF TRUSTEES WILL HOLD A PUBLIC
HEARING TUESDAY, MAY 14, 2019 IN THE LEONI TOWNSHIP MEETING HALL,
913 FIFTH ST., MICHIGAN CENTER, MICHIGAN AT 6:00 P.M. TO CONSIDER AN
APPLICATION FROM CLASSIC TURNING, INC. FOR AN INDUSTRIAL FACILITIES
EXEMPTION CERTIFICATE.

LEGAL DESCRIPTION:

BEG AT NE COR OF SEC 18, T3S R1E, TH W 888.13 FT TH S 37°27'W 451.25
FT TO A PT FOR PL OF BEG OF THIS DESCN TH S 38°51'30"E 544.65 FT TH S
81°38' 50"W 389.56 FT TH N 09°03'W 355.13 FT TH N 37°27'E 163.75 FT TO
BEG. SEC 18 T3S R1E 2.58A

and

±8.29 ACRES PARCEL (PARCELS 226-001-003, 227-001-02 & 500-001-02

A parcel of land located in the Northeast 1/4 of Section 18, Town 3 South, Range 1
East, Leoni Township, Jackson County, Michigan being described as: Commencing
at the Northeast Corner of Section 18, T3S, R1E; thence N88°47'05"W, 888.10 feet
along the North line of said Section 18 to the centerline of Flansburg Road; thence
S37°38'22"W, 188.88 feet along said centerline to the point of beginning of the follow-
ing described parcel; thence S89°47'05"E, 369.28 feet; thence S00°12'55"W, 672.73
feet to the Northeasterly right-of way line of a former railroad; thence S53°15'32"W,
100.00 feet (recorded as S53°23'27"W) to the Southwesterly right-of way line of a
former railroad; thence Northwesterly, 147.54 feet along said former right-of-way
line along the arc of a curve to the left, said curve having a radius of 5570.82 feet,
a delta angle of 1°31'03", and a chord bearing N37°29'59"W, 147.54 feet; thence
S80°00'41"W, 408.91 feet (recorded as S79°47'46"W, 406.11 feet) to the centerline of
East South Street; thence N08°48'50"W, 354.56 feet along said centerline to the cen-
terline of Flansburg Road; thence N37°38'22"E 164.32 feet (recorded as N37°25'59"E,
163.92 feet) along said centerline to the Southwesterly right-of way line of a former
railroad; thence Southeasterly, 33.38 feet along said former right-of-way line along the
arc of a curve to the right, said curve having a radius of 5570.82 feet, a delta angle of
0°20'36", and a chord bearing S43°40'30"E, 33.38 feet; thence N37°38'22"E, 101.19
feet (recorded as N37°46'17"E, 101.18 feet to the Northeasterly right-of way line of a
former railroad; thence Northwesterly, 33.37 feet along said former right-of-way line
along the arc of a curve to the left, said curve having a radius of 5670.82 feet, a delta
angle of 0°20'14", and a chord bearing N43°49'45"W, 33.37 feet to the centerline of
Flansburg Road; thence N37°38'22"E, 160.71 feet along said centerline to the point
of beginning; said parcel contains 8.29 acres, more or less; said parcel being subject
to the rights of the public over and across that portion currently being used for road
purposes; said parcel being subject to any easements or restrictions of use as of record.

and

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Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #19-14

To: County Planning Commissioners
From: Grant E. Bauman
Date: June 13, 2019

Proposal: 'Sport Shooting Ranges' in Leoni Township's Agricultural District

The Request and Background Information

The Leoni Township Planning Commission proposes an amendment to Chapter 42 (Zoning) of the *Leoni Township Code of Ordinances* pertaining to the regulation of **Sport Shooting Ranges** as a conditional use in the Agricultural (AG) District.

The proposed amendment reads as follows:

Sec. 42-153. - Agricultural district (AG).

...

- (c) *Conditional uses.* Each of the following uses shall be permitted upon recommendation by the planning commission and authorization by the township board, and subject to such reasonable restrictions as may be clearly and specifically set forth in writing by the township board. In every such case, the township board shall follow the procedures set forth in section 42-345.

...

- (13) Sport shooting ranges as defined in MCL 691.1541(d) that comply with 'generally accepted operation practices' as defined in MCL 691.1541(a) as well as other conditions imposed by the Township. Any conditional use permit issued by the Township for this use prior to the enactment of this paragraph is ratified and re-issued by the Township under identical terms, and conditions.

...

The proposed amendment would:

- Add **Sport Shooting Ranges** to the listing of conditional uses in the AG District.
- Ratify and reissue any conditional use permit issued by the Township for this use prior to the enactment of the amendment under identical terms and conditions.
- Refer to the definition for **Sport Shooting Ranges** in PA 269 of 1989:
"Sport shooting range" or "range" means an area designed and operated for the use of archery, rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting (MCL 691.1541(d)).
- Require compliance with the 'generally accepted operation practices' listed in PA 269 of 1989:

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“Generally accepted operation practices” means those practices adopted by the commission of natural resources that are established by a nationally recognized nonprofit membership organization that provides voluntary firearm safety programs that include training individuals in the safe handling and use of firearms, which practices are developed with consideration of all information reasonably available regarding the operation of shooting ranges. The generally accepted operation practices shall be reviewed at least every 5 years by the commission of natural resources and revised as the commission considers necessary. The commission shall adopt generally accepted operation practices within 90 days of the effective date of section 2a (MCL 691.1541(a)).

The Michigan Department of Natural Resources’ (MDNR’s) ‘generally accepted operation practices’ are based upon the operating specifications outlined in specific sections, chapters, and articles of the *National Rifle Association (NRA) Range Source Book, A Guide to Planning & Construction, 2012*. Those sections, chapters, and articles are specified in a 3/18/19 MDNR memo ([‘click’ here to see the memo](#)). The remaining portions of the source book are “considered informational to the named Sections, Chapters and Articles”.

The Leoni Township Planning Commission failed to pass a motion on 5/15/19 to: . . . *adopt Sport Shooting Ranges to AG as conditional uses defined in MCL 691.1541d as defined in MCL 691.1514(a) as written by attorney (See attached) with additional language added to be: down range only, shooting through a window setting from a benched position for long barreled guns and a standing position for hand guns. Also, to include surveillance camera monitoring.*

Staff Analysis

- Does the Township want to consider allowing **Indoor Sport Shooting Ranges** in the AG District? If the intent was to only consider allowing **Outdoor Sport Shooting Ranges, Sport Shooting Ranges** should be changed to **Outdoor Sport Shooting Ranges** in Sec. 42-153(c)(13).
- Zoning is not retroactive, as evidenced by the regulation of nonconformities in Sec. 42-347 of the Township’s zoning code. Therefore, staff does not think it appropriate to state: *Any conditional use permit issued by the Township for this use prior to the enactment of this paragraph is ratified and re-issued by the Township under identical terms and conditions.*
- The *National Rifle Association (NRA) Range Source Book, A Guide to Planning & Construction, 2012*, is cited as the source for the **Sport Shooting Ranges** ‘generally accepted operation practices’ adopted by the Michigan Department of Natural Resources (MDNR). That resource is not available online and must be purchased from the NRA. Accordingly, Leoni Township should consider obtaining a copy of the source book for reference when considering and administering conditional use permits.

Staff Advisement – Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the amendments regulating **Sport Shooting Ranges** as a conditional use in the AG District to the Leoni Township Board:

- Change **Sport Shooting Ranges** to **Outdoor Sport Shooting Ranges** in Sec. 42-153(c)(13) if the intent was not to include **Indoor Sport Shooting Ranges**.
- The JCPC does not think it appropriate to state: *Any conditional use permit issued by the Township for this use prior to*

Suggested Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

the enactment of this paragraph is ratified and re-issued by the Township under identical terms and conditions in Sec. 42-153(c)(13).

- Leoni Township should consider obtaining a copy of the *National Rifle Association (NRA) Range Source Book, A Guide to Planning & Construction, 2012*, for reference.

Staff Report Attachment(s):

- *Background information provided by Leoni Township*

JCPC Case #: _____
(For JCPC Use Only)

ZONING AMENDMENT FORM



JACKSON COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Leon TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM _____ (_____) ZONE TO _____ (_____) ZONE.

2. PURPOSE OF PROPOSED CHANGE: _____

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE 3 SECTION 42-153

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)
See Attached Exhibit B

C. PUBLIC HEARING on the above amendment was held on: month May day 15 year 2019

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month April day 28 year 2019
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Salesman

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or DISAPPROVE.

John Spencer Chair or Secretary 5 / 15 / 2019 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:
- Recommends APPROVAL of the zoning change
 - Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
 - Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
 - Takes NO ACTION.

_____, Recording Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment PASSED, DID NOT PASS, or was REFERRED ANEW to the Township Planning Commission.

Township Clerk

Exhibit B

To Jackson County Planning Commission

- 1.) Proposed text amendment to AG zoning to allow sport shooting ranges as conditional use
- 2.) Leoni Township Planning Commission meeting minutes of 5-15-19

Resolved, the Township of Leoni Board refers to the Planning Commission for recommendation, the following amendment to the zoning ordinance:

Sec. 42-153 of the Code of Ordinances is amended as follows:

Add to subsection (c) subparagraph (13) to read as follows:

(13) Sport shooting ranges as defined in MCL 691.1541(d) that comply with 'generally accepted operation practices' as defined in MCL 691.1541(a) and that comply with other conditions imposed by the Township. Any conditional use permit issued by the Township for this use prior to the enactment of this paragraph is ratified and re-issued by the Township under identical terms and conditions.

After amendment, Sec. 42-153 shall read:

Sec. 42-153. - **Agricultural district (AG).**

- (a) Purpose. The agricultural district is composed of areas of the township suited to agricultural land use. The regulations governing this district are designed to retain and preserve farmland and farm dwellings, while providing transition from open space areas and rural nonfarm residences.
- (b) Permitted uses. Permitted uses are as follows:
 - (1) Agriculture and the usual agricultural buildings and structures, including processing of agricultural products but not including commercial slaughtering.
 - (2) Dwelling, one-family detached, subject to the provisions of section 42-352.
 - (3) Farming, general and specialized, including nurseries, greenhouses, truck gardening, poultry raising, beekeeping and similar bona fide agricultural enterprises or uses of land and structures, providing sale of products shall be limited to those grown on the premises. No commercial slaughtering is permitted.
 - (4) Any accessory use or structure clearly incidental and customary to the operation of the uses listed in this subsection.
 - (5) Signs permitted under the provisions of section 42-342.
- (c) Conditional uses. Each of the following uses shall be permitted upon recommendation by the planning commission and authorization by the township board, and subject to such reasonable restrictions as may be clearly and specifically set forth in writing by the township board. In every such case, the township board shall follow the procedures set forth in section 42-345.
 - (1) The raising of domestic animals, fowl and fur-bearing animals (other than farm livestock) for commercial purposes, provided that any structure, pens and yards in which animals or fowl

are kept shall be located not less than 200 feet from any residence located on any other lot or premises.

(2) Livestock auction yards and structures, provided that:

- a. Written consent of 80 percent of all owners of property is obtained within 500 feet of any part of the lot on which it is to be located.
- b. No yards or structures shall be located less than 500 feet from any R district or any dwelling.

(3) Quarries. See section 42-345(9)a.

(4) Portable asphalt plants. Such plant may be operated in any existing gravel pit in the township in a temporary basis after obtaining approval of the township board, provided such plant is not less than 1,000 feet from any R district, and provided that such use must be discontinued if the township board determines that the use has become a public nuisance.

(5) Aircraft landing fields or airports, provided that the parcel or tract of land is sufficiently large so as not to create a noise or safety hazard to adjacent or nearby property owners or their property.

(6) Permitted home occupations, subject to the provisions of section 42-355.

(7) Off-site sludge storage facilities and lagoon or water reservoirs.

(8) Churches, provided they are located at least 50 feet from all adjacent property lines.

(9) Commercial kennels for the raising, breeding and boarding of dogs and other small animals, and including office of a veterinarian, provided that all buildings and runs shall be at least 200 feet from all adjacent property lines.

(10) Riding stables and academies, provided that all buildings shall be at least 200 feet from all adjacent property lines and further provided that adequate bridle paths shall be made available either on private property or on nearby public lands.

(11) Roadside market stands, provided that any structure used for such purposes shall be located not less than 30 feet distance from the road right-of-way boundary line and have adequate off-road parking.

(12) Essential services (see section 42-345).

(13) Sport shooting ranges as defined in MCL 691.1541(d) that comply with 'generally accepted operation practices' as defined in MCL 691.1541(a) as well as other conditions imposed by the Township. Any conditional use permit issued by the Township for this use prior to the enactment of this paragraph is ratified and re-issued by the Township under identical terms and conditions.

Leoni Township Office
913 Fifth Street
Michigan Center, Michigan 49254
PHONE: (517) 764-4694 FAX: (517) 764-1380
Leonitownship.com

PLANNING COMMISSION MINUTES
May 15, 2019

The Leoni Township Planning Commission held a meeting Wednesday, May 15, 2019 @ 6:30 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:32 pm

Members Present: V. Beckwith, J. Spencer, L. Maurer, J. Southworth, K. Cole, & B. Lester

Members absent: D. Helmlinger

Persons in attendance: 32

Purpose of Planning Commission read by Spencer

Motion by Beckwith, supported by Maurer, to amend the agenda as follows: Under New business #2 wording from "Sport Shooting Ranges" change to "Indoor Sport Shooting Ranges" which would be B4 Zoning also, new business #4 from "any" real estate property zoned AG to "its existing" real estate property zoned AG.

Roll Call Vote 5 Yays Beckwith, Lester, Southworth, Spencer & Maurer
 1 Nay Cole

Motion carried.

Motion by Cole, supported by Spencer to approve the minutes of April 17, 2019 with correction to page 1 Ann Arbor Rd. changed to Page Ave.

Public Comment: **Open at 6:32 pm.**
 Closed at 7:10 pm.

Old Business: **1) Discussion of Opting in/out of Recreational Marihuana Businesses.**
 Need a public hearing before discussing.

New Business: **1) Amend Zoning Ordinance to add Sport Shooting Ranges to AG as Conditional Use.**

Motion by Spencer, supported by Cole to adopt Sport Shooting Ranges to AG as conditional uses defined in MCL691.1541d as defined in MCL691.1514(a) as written by attorney (See attached) with additional language added to be: down range only, shooting through a window setting from a benched position for long barreled guns and a standing position for hand guns. Also, to include surveillance camera monitoring.

Roll call Vote 3 Yays Beckwith, Spencer, & Lester
 3 Nays Maurer, Cole & Southworth

Motion Failed

2) Amend the Zoning Ordinance to Add “Indoor Sport Shooting Ranges” to B4 Zoning as Conditional Uses

Motion by Spencer supported by Beckwith to add Indoor Sport Shooting Range in B4 to paragraph 10 of zoning ordinance as written by attorney (See attached).

Roll Call Vote 5 Yays Beckwith, Spencer, Maurer, Lester & Southworth
 1 Nay Cole

Motion carried.

Public Comment: **Open at 8:33 pm.**
 Closed at 8:33 pm.

3) Amend the Zoning Ordinance to Add “any use not otherwise provided for” in the zoning ordinance for Heavy Industrial as Conditional Uses.

Motion by Spencer, supported by Cole to amend any use not provided for in Heavy Industrial as conditional uses as written by attorney. (See attached.)

Roll Call Vote: 6 Yays Beckwith, Lester, Cole, Southworth, Spencer & Maurer
 0 Nays

Motion carried.

4) Amend the Zoning Ordinance to “prohibit future Medical Marihuana grow and processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand on any real estate property zoned AG on the effective date of the legislation.

Motion by Spencer, supported by Beckwith to amend zoning ordinance to prohibit future MM grow & processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand to its existing real estate property zoned AG on the effective date of the legislation.

Roll Call Vote: 6 Yays Beckwith, Lester, Cole, Southworth, Spencer & Maurer.
 0 Nays

Motion carried.

Public Comment: **Open at 9:00 pm.**
 Closed at 9:17 pm.

5) To amend the Agricultural Zoning Ordinance to include as a Conditional Use “Agritourism”.

Motion by Spencer, supported by Cole to table and submit to attorney for recommendation to amend the AG zoning ordinance to include as a conditional use Agritourism.

Public Comment: **Open at 10:08 pm.**
 Closed at 10:15 pm.

Adjourn to the call of the Chair: 10:17 pm.

Next meeting: June 5th, 2019

Computers & Equipment

HAPPER COMPUTER SERVICE. TuneUps, virus removal, data recovery, refurbished. Your computer will run like brand new, Brooklyn, Jackson, Onsted. 517-167-9178

-Income Tax-

BONNIE JONES INCOME TAX SERVICE- 27 years experience. E-file, personal and small business. Michigan Notary Public. Call 517-764-0743.

-TV & Antenna Service-

HAPP'S TV. ANTENNA, T.V., surveillance, home theatre. Satellite Sales and Service. Brooklyn, 17-592-2680

-Music-

GUITAR LESSONS with Aaron Riddle. Intermediate to advanced. Lessons/performance techniques. Please text to 734-368-0500 to set up lessons.

DICKERSON Music Company. New Extended Hours: Tuesday - Friday, 10am to 8pm. Saturday, 10am to 3pm. **INSTRUMENT SALES** and repairs. Sheet music and keyboards. 201 N. Superior, Albion. 517-629-8570. Credit cards accepted.

Firewood

FIREWOOD FOR SALE: \$55. delivered. 517-563-0618

- Small Appliance Repair -

WE CAN FIX ANYTHING WITH A CORD YOU CAN CARRY- mixers, power tools, blenders, microwaves, lamps, commercial equipment, sewing machines, Vacuum Cleaner Hospital. 517-787-1533

-Announcements-

VENDORS WANTED: Concord Classic Weekend is looking for table vendors for Saturday, June 22, from 10-5 and Sunday, June 23 from 12-4. There is no charge to set up a table, but donations are accepted. Call Judy at the village office, 517-524-8534, to be put on the list.

VENDORS WANTED: Watson Diesel Michigan Nationals Truck & Tractor Pulls is looking for vendors for Friday, June 21 from 3pm-10pm and Saturday, June 22 from 10am-10pm. Call Karie at 517-435-4967 or email sales@watsondieselservice.com for more information. Event will be held at the Calhoun County Fairgrounds in Marshall, Michigan.

NOTICE: PERSONAL CLASSIFIEDS are placed on a cash only basis. Ads may be phoned in with payment sent promptly. There is a \$2 fee if billings are sent. **THE SALESMAN,** 517-524-8540 517-783-4080

EIGHT VERY EXPENSIVE BASKETS stolen from my green house. Please return them and no penalty will occur. **HAVE CAMERAS IN THE GREENHOUSE.** Not opening this year due to illness. Be back for you all next year, 2020. Sharon Clark, Rose of Sharon Country Gardens.

-Boats & Marine-

OUTBOARD MOTOR, 1989 20hp Evinrude, electric start. Complete controls for pontoon. Lots of extras. 517-524-8101

12 FT. ROWBOAT with trailer, oars, anchors, new trolling mo-

-Wanted Miscellaneous-

WANTED: Standing TIMBER. Buying standing hardwood timber. Quality woodlot management. Free estimates. Call Clough Cutting, 517-673-7208

WANT TO BUY: Old usable golf cart. Also 3 point bush hog. Phone 517-849-2425

WANT TO BUY: Copies of "Singing News" Magazines. 517-750-1021

-Services-

ROYAL MONUMENT INC. Home of rock bottom prices and free in-home consultations. 517-857-2341

IT PAYS TO ADVERTISE.....

I AM BUYING OLD collectibles such as skeleton keys, sports cards, tokens, wrist and pocket watches, US and foreign coins, comic books, costume jewelry, pocket knives, license plates, straight razors, wheat pennies, postcards, military, marbles, fishing lures, thimbles, cow bells, smoking pipes, etc. 859-749-9943

LEONI TOWNSHIP NOTICE

The Leoni Township Planning Commission will hold a Public Hearing Wednesday, May 15, 2019 @ 6:30 p.m. in the Leoni Township meeting hall, 913 Fifth St., Michigan Center, Michigan,

- 1) To add Sport Shooting ranges to Agricultural Zoning as Conditional Use
- 2) To add Sport Shooting ranges to B4 Zoning as Conditional Use
- 3) To add "any use not otherwise provided for" in the zoning ordinance to Heavy Industrial as Conditional Use.
- 4) To prohibit future Medical Marijuana grow and processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand on any real estate property zoned AG on the effective date of the legislation.
- 5) To amend the Agricultural Zoning Ordinance to include as a Conditional Use "Agritourism"

Kerry Pickett, Clerk

Sandstone Charter Township CLEAN UP DAY

Residents of Sandstone Charter Township will be able to place items into garbage trucks that will be parked at the Township Hall, 7940 County Farm Rd. on

May 4th, 2019 from 9am until 1pm

The following items are accepted from Sandstone Charter Township residents:

LEONI TOWNSHIP NOTICE

THE LEONI TOWNSHIP BOARD OF TRUSTEES APPROVED REHABILITATION DEVELOPMENT DISTRICT #21 FOR CLASSIC TURNING, INC. ON JANUARY 17, 1996. THE LEONI TOWNSHIP BOARD OF TRUSTEES WILL HOLD A PUBLIC HEARING TUESDAY, MAY 14, 2019 IN THE LEONI TOWNSHIP MEETING HALL, 913 FIFTH ST, MICHIGAN CENTER, MICHIGAN AT 6:00 P.M. TO CONSIDER AN APPLICATION FROM CLASSIC TURNING, INC. FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE.

LEGAL DESCRIPTION:

BEG AT NE COR OF SEC 18, T3S R1E, TH W 888.13 FT TH S 37°27'W 451.25 FT TO A PT FOR PL OF BEG OF THIS DESCN TH S 38°51'30"E 544.65 FT TH S 81°38' 50"W 389.56 FT TH N 09°03'W 355.13 FT TH N 37°27'E 163.75 FT TO BEG. SEC 18 T3S R1E 2.58A

and

±8.29 ACRES PARCEL (PARCELS 226-001-003, 227-001-02 & 500-001-02

A parcel of land located in the Northeast 1/4 of Section 18, Town 3 South, Range 1 East, Leoni Township, Jackson County, Michigan being described as: Commencing at the Northeast Corner of Section 18, T3S, R1E; thence N88°47'05"W, 888.10 feet along the North line of said Section 18 to the centerline of Flansburg Road; thence S37°38'22"W, 188.88 feet along said centerline to the point of beginning of the following described parcel; thence S89°47'05"E, 369.28 feet; thence S00°12'55"W, 672.73 feet to the Northeasterly right-of way line of a former railroad; thence S53°15'32"W, 100.00 feet (recorded as S53°23'27"W) to the Southwesterly right-of way line of a former railroad; thence Northwesterly, 147.54 feet along said former right-of-way line along the arc of a curve to the left, said curve having a radius of 5570.82 feet, a delta angle of 1°31'03", and a chord bearing N37°29'59"W, 147.54 feet; thence S80°00'41"W, 408.91 feet (recorded as S79°47'46"W, 406.11 feet) to the centerline of East South Street; thence N08°48'50"W, 354.56 feet along said centerline to the centerline of Flansburg Road; thence N37°38'22"E 164.32 feet (recorded as N37°25'59"E, 163.92 feet) along said centerline to the Southwesterly right-of way line of a former railroad; thence Southeasterly, 33.38 feet along said former right-of-way line along the arc of a curve to the right, said curve having a radius of 5570.82 feet, a delta angle of 0°20'36", and a chord bearing S43°40'30"E, 33.38 feet; thence N37°38'22"E, 101.19 feet (recorded as N37°46'17"E, 101.18 feet to the Northeasterly right-of way line of a former railroad; thence Northwesterly, 33.37 feet along said former right-of-way line along the arc of a curve to the left, said curve having a radius of 5670.82 feet, a delta angle of 0°20'14", and a chord bearing N43°49'45"W, 33.37 feet to the centerline of Flansburg Road; thence N37°38'22"E, 160.71 feet along said centerline to the point of beginning; said parcel contains 8.29 acres, more or less; said parcel being subject to the rights of the public over and across that portion currently being used for road purposes; said parcel being subject to any easements or restrictions of use or record.



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #19-15

To: County Planning Commissioners
From: Grant E. Bauman
Date: June 13, 2019

Proposal: 'Any use not otherwise provided for in the zoning ordinance'
in Leoni Township's Heavy Industrial District

The Request and Background Information

The Leoni Township Planning Commission proposes an amendment to Chapter 42 (Zoning) of the *Leoni Township Code of Ordinances* pertaining to the regulation of **any use not otherwise provided for in the zoning ordinance of the Township** as a conditional use in the Heavy Industrial (M) District.

The proposed amendment reads as follows:

Sec. 42- 243. - Heavy industrial district (M).

...

(c) *Conditional uses.* Conditional uses are as follows:

...

(22) Any use not otherwise provided for in the zoning ordinance of the Township.

...

The proposed amendment would:

- Allow **any use not otherwise provided for in the zoning ordinance of the Township** as a conditional use in the M District.

The Leoni Township Planning Commission passed a motion on 5/15/19 to: . . . *add "any use not otherwise provided for" in the zoning ordinance for Heavy Industrial as Conditional Uses.*

Staff Analysis

- Sec. 504(3) of the Michigan Zoning Enabling Act (MZEA) (MCL 125.3504(3)) states: *A request for approval of a land use or activity shall be approved if the request is in compliance with the standards stated in the zoning ordinance, the conditions imposed under the zoning ordinance, other applicable ordinances, and state and federal statutes (emphasis added).* This means that in the Heavy Industrial (M) District, the Township would have to issue a conditional use permit for any use not listed elsewhere in the zoning ordinance as long as it was in compliance with

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ordinance standards and any conditions imposed by the Township. Consequently, the Township would have to issue a conditional permit for a use not listed elsewhere in the zoning ordinance even if it felt it was not appropriate for the M District.

Staff Advisement – Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **DISAPPROVAL** of the amendment regulating **any use not otherwise provided for in the zoning ordinance of the Township** as a conditional use in the M District to the Leoni Township Board, for the following reason:

- Per the MZEA, the Township would have to issue a conditional permit for a use not listed elsewhere in the zoning ordinance even if the Township felt that it was not appropriate for the M District.

Staff Report Attachment(s):

- *Background information provided by Leoni Township*

Suggested Actions:	
(1)	Recommend APPROVAL
(2)	Recommend DISAPPROVAL
(3)	Recommend APPROVAL WITH COMMENTS
(4)	Take NO ACTION

ZONING AMENDMENT FORM



**JACKSON COUNTY PLANNING COMMISSION
(COORDINATING ZONING)**

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Leoni TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM _____ (_____) ZONE TO _____ (_____) ZONE.

2. PURPOSE OF PROPOSED CHANGE: _____

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE 3 SECTION 42-243

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)
See Attached Exhibit C

C. PUBLIC HEARING on the above amendment was held on: month May day 15th year 2019

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month April day 28 year 2019
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Salesman

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or DISAPPROVE.

John Spencer Chair or Secretary 5 / 15 / 2019 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:
- Recommends APPROVAL of the zoning change
 - Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
 - Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
 - Takes NO ACTION.

_____, Recording Secretary ____ / ____ / ____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment PASSED, DID NOT PASS, or was REFERRED ANEW to the Township Planning Commission.

Township Clerk

Exhibit C

To Jackson County Planning Commission

- 1.) Proposed text amendment to Hvy Ind zoning to allow - Any use not otherwise provided for in the zoning ordinance of the Township
- 2.) Leoni Township Planning Commission meeting minutes of 5-15-19

Resolved, the Township of Leoni refers to the Planning Commission for its recommendation the following amendment to the zoning ordinance:

Section 42-243, Paragraph c, is amended to add sub-paragraph (22) as follows:

(22) Any use not otherwise provided for in the zoning ordinance of the Township.

When amended, the entire Section will read:

(c) Conditional uses. Conditional uses are as follows:

- (1) Alkali plants, manufacture.
- (2) Asphalt plants.
- (3) Automobile wrecking and salvage yards. The owner, lessee or user of premises storing vehicles or chassis shall apply to the township board for authorization for such storage. Such authorization may be granted subject to reasonable regulations protecting the public health, safety and welfare, including but not limited to sufficient lot size and screening of stored vehicles from the public.
- (4) Building materials salvage yard.
- (5) Bulk storage of explosives.
- (6) Cement manufacture and concrete mixing operations.
- (7) Fertilizer manufacture.
- (8) Gravel and rock crushing operations.
- (9) Gypsum and other forms of plaster base manufacture.
- (10) Incinerators or reduction of garbage, refuse, bones, offal or dead animals.
- (11) Junkyard. The township board authorization shall only be granted after full compliance with chapter 28, article III, dealing with the licensing and regulation of junkyards. Any township board authorization shall be conditioned upon continued compliance with the provisions of chapter 28, article III.
- (12) Meat slaughtering.
- (13) Sanitary landfill and/or dump.
- (14) Stockyards and livestock auction yards.
- (15) Storage of liquid petroleum gas, 500 gallons or over.

(16) Storage of flammable liquids, 3,000 gallons or over.

(17) Any other industrial use which is determined by the township board to be of the same general character or similar nature as the uses listed in this subsection and not prohibited by any other law or ordinance, provided application is made to the township board and a permit is issued for the operation thereof subject to section 42-348 and other limitations as follows:

- a. Every structure or premises used for such purposes shall be located not less than 500 feet from any R, AG or B district.
- b. Every structure or premises used for such purposes shall be located not less than 100 feet from any enumerated uses in subsections (b)(1), (2), (3), and (4) of this section.
- c. The township board may prescribe such additional limitations as are in its opinion necessary to secure the objectives of this chapter.

(18) Automobile storage yards. These premises shall be used for the storage of vehicles bearing a current license plate as of the time the vehicle is placed upon the premises, and shall not be used for the stripping, salvaging, scavenging, or dismantling of vehicles or vehicle parts. The sale of junked vehicles, which are vehicles that have been wrecked or salvaged and are inoperative or obsolete, at the site of an automobile storage yard must be conducted within the screened portion of the lot. The sale of used vehicles, which are vehicles that bear a current license plate as of the time the vehicle is placed upon the premises and vehicles in an operative condition, at the site of an automobile storage yard can be conducted anywhere within the screened portion of the lot or outside the screened portion of the lot in the front yard only.

(19) Recreational vehicle storage yards:

- a. These premises shall be used for the storage of recreational vehicles bearing a current license plate as of the time the vehicle is placed upon the premises, as well as maintaining a current plate and registration with the state during the full length of storage.
- b. All vehicles in storage must be contained inside of a minimum six-foot privacy fence.
- c. The sale of junked vehicles, or used vehicle parts, wrecked or salvage, and/or inoperative or obsolete vehicles, at the site of a recreational vehicle storage yard is prohibited.
- d. The fundamental purpose of this subsection is to promote public health, safety, and general welfare by allowing storage of recreational vehicles in certain areas for the people of the township, and to prohibit and limit the storage of inoperable motor vehicles.

(20) Light industrial use.

(21) Telecommunications towers.

(22) Any use not otherwise provided for in the zoning ordinance of the Township.

(d) Area, yard, height and bulk regulations. See section 42-271.

Leoni Township Office
913 Fifth Street
Michigan Center, Michigan 49254
PHONE: (517) 764-4694 FAX: (517) 764-1380
Leonitownship.com

PLANNING COMMISSION MINUTES
May 15, 2019

The Leoni Township Planning Commission held a meeting Wednesday, May 15, 2019 @ 6:30 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:32 pm

Members Present: V. Beckwith, J. Spencer, L. Maurer, J. Southworth, K. Cole, & B. Lester

Members absent: D. Helmlinger

Persons in attendance: 32

Purpose of Planning Commission read by Spencer

Motion by Beckwith, supported by Maurer, to amend the agenda as follows: Under New business #2 wording from "Sport Shooting Ranges" change to "Indoor Sport Shooting Ranges" which would be B4 Zoning also, new business #4 from "any" real estate property zoned AG to "its existing" real estate property zoned AG.

Roll Call Vote 5 Yays Beckwith, Lester, Southworth, Spencer & Maurer
 1 Nay Cole

Motion carried.

Motion by Cole, supported by Spencer to approve the minutes of April 17, 2019 with correction to page 1 Ann Arbor Rd. changed to Page Ave.

Public Comment: **Open at 6:32 pm.**
 Closed at 7:10 pm.

Old Business: **1) Discussion of Opting in/out of Recreational Marihuana Businesses.**
 Need a public hearing before discussing.

New Business: **1) Amend Zoning Ordinance to add Sport Shooting Ranges to AG as Conditional Use.**

Motion by Spencer, supported by Cole to adopt Sport Shooting Ranges to AG as conditional uses defined in MCL691.1541d as defined in MCL691.1514(a) as written by attorney (See attached) with additional language added to be: down range only, shooting through a window setting from a benched position for long barreled guns and a standing position for hand guns. Also, to include surveillance camera monitoring.

Roll call Vote 3 Yays Beckwith, Spencer, & Lester
 3 Nays Maurer, Cole & Southworth

Motion Failed

2) Amend the Zoning Ordinance to Add “Indoor Sport Shooting Ranges” to B4 Zoning as Conditional Uses

Motion by Spencer supported by Beckwith to add Indoor Sport Shooting Range in B4 to paragraph 10 of zoning ordinance as written by attorney (See attached).

Roll Call Vote 5 Yays Beckwith, Spencer, Maurer, Lester & Southworth
 1 Nay Cole

Motion carried.

Public Comment: **Open at 8:33 pm.**
 Closed at 8:33 pm.

3) Amend the Zoning Ordinance to Add “any use not otherwise provided for” in the zoning ordinance for Heavy Industrial as Conditional Uses.

Motion by Spencer, supported by Cole to amend any use not provided for in Heavy Industrial as conditional uses as written by attorney. (See attached.)

Roll Call Vote: 6 Yays Beckwith, Lester, Cole, Southworth, Spencer & Maurer
 0 Nays

Motion carried.

4) Amend the Zoning Ordinance to “prohibit future Medical Marihuana grow and processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand on any real estate property zoned AG on the effective date of the legislation.

Motion by Spencer, supported by Beckwith to amend zoning ordinance to prohibit future MM grow & processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand to its existing real estate property zoned AG on the effective date of the legislation.

Roll Call Vote: 6 Yays Beckwith, Lester, Cole, Southworth, Spencer & Maurer.
 0 Nays

Motion carried.

Public Comment: **Open at 9:00 pm.**
 Closed at 9:17 pm.

5) To amend the Agricultural Zoning Ordinance to include as a Conditional Use “Agritourism”.

Motion by Spencer, supported by Cole to table and submit to attorney for recommendation to amend the AG zoning ordinance to include as a conditional use Agritourism.

Public Comment: **Open at 10:08 pm.**
 Closed at 10:15 pm.

Adjourn to the call of the Chair: 10:17 pm.

Next meeting: June 5th, 2019

Computers & Equipment

UPPER COMPUTER SERVICE. TuneUps, virus removal, recovery, refurbished. Your computer will run like brand new, Brooklyn, Jackson, Onsted. 517-9178

-Income Tax-

ANNE JONES INCOME TAX SERVICE- 27 years experience. Personal and small businesses. Michigan Notary Public. 517-764-0743.

V & Antenna Service-

PP'S TV. ANTENNA, T.V., Installation, home theatre. Satellite sales and Service. Brooklyn, 592-2680

-Music-

GIUITAR LESSONS with Aaron Riddle. Intermediate to advanced. Lessons/performance techniques. Please text to 734-368-0500 to set up lessons.

DICKERSON Music Company. New Extended Hours: Tuesday - Friday, 10am to 8pm. Saturday, 10am to 3pm. **INSTRUMENT SALES** and repairs. Sheet music and keyboards. 201 N. Superior, Albion. 517-629-8570. Credit cards accepted.

Firewood

FIREWOOD FOR SALE: \$55. delivered. 517-563-0618

- Small Appliance Repair -

WE CAN FIX ANYTHING WITH A CORD YOU CAN CARRY- mixers, power tools, blenders, microwaves, lamps, commercial equipment, sewing machines, Vacuum Cleaner Hospital. 517-787-1533

-Announcements-

VENDORS WANTED: Concord Classic Weekend is looking for table vendors for Saturday, June 22, from 10-5 and Sunday, June 23 from 12-4. There is no charge to set up a table, but donations are accepted. Call Judy at the village office, 517-524-8534, to be put on the list.

VENDORS WANTED: Watson Diesel Michigan Nationals Truck & Tractor Pulls is looking for vendors for Friday, June 21 from 3pm-10pm and Saturday, June 22 from 10am-10pm. Call Karie at 517-435-4967 or email sales@watsondieselservice.com for more information. Event will be held at the Calhoun County Fairgrounds in Marshall, Michigan.

NOTICE: PERSONAL CLASSIFIEDS are placed on a cash only basis. Ads may be phoned in with payment sent promptly. There is a \$2 fee if billings are sent. **THE SALESMAN,** 517-524-8540 517-783-4080

EIGHT VERY EXPENSIVE BASKETS stolen from my green house. Please return them and no penalty will occur. **HAVE CAMERAS IN THE GREENHOUSE.** Not opening this year due to illness. Be back for you all next year, 2020. Sharon Clark, Rose of Sharon Country Gardens.

-Boats & Marine-

OUTBOARD MOTOR, 1989 20hp Evinrude, electric start. Complete controls for pontoon. Lots of extras. 517-524-8101

12 FT. ROWBOAT with trailer, oars, anchors, new trolling mo-

-Wanted Miscellaneous-

WANTED: Standing TIMBER. Buying standing hardwood timber. Quality woodlot management. Free estimates. Call Clough Cutting, 517-673-7208

WANT TO BUY: Old usable golf cart. Also 3 point bush hog. Phone 517-849-2425

WANT TO BUY: Copies of "Singing News" Magazines. 517-750-1021

-Services-

ROYAL MONUMENT INC. Home of rock bottom prices and free in-home consultations. 517-857-2341

IT PAYS TO ADVERTISE.....

I AM BUYING OLD collectibles such as skeleton keys, sports cards, tokens, wrist and pocket watches, US and foreign coins, comic books, costume jewelry, pocket knives, license plates, straight razors, wheat pennies, postcards, military, marbles, fishing lures, thimbles, cow bells, smoking pipes, etc. 859-749-9943

LEONI TOWNSHIP NOTICE

The Leoni Township Planning Commission will hold a public hearing Wednesday, May 15, 2019 @ 6:30 p.m. in Leoni Township meeting hall, 913 Fifth St., Michigan Center, Michigan,

To add Sport Shooting ranges to Agricultural Zoning as Conditional Use

To add Sport Shooting ranges to B4 Zoning as Conditional Use

To add "any use not otherwise provided for" in the zoning ordinance to Heavy Industrial as Conditional Use.

To prohibit future Medical Marijuana grow and processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand on any real estate property zoned AG on the effective date of the legislation.

To amend the Agricultural Zoning Ordinance to include as a Conditional Use "Agritourism"

Berry Pickett, Clerk

Sandstone Charter Township CLEAN UP DAY

Residents of Sandstone Charter Township will be able to place items into garbage trucks that will be parked at the Township Hall, 7940 County Farm Rd. on

May 4th, 2019 from 9am until 1pm

The following items will be accepted from Sandstone Charter Township residents:

LEONI TOWNSHIP NOTICE

THE LEONI TOWNSHIP BOARD OF TRUSTEES APPROVED REHABILITATION DEVELOPMENT DISTRICT #21 FOR CLASSIC TURNING, INC. ON JANUARY 17, 1996. THE LEONI TOWNSHIP BOARD OF TRUSTEES WILL HOLD A PUBLIC HEARING TUESDAY, MAY 14, 2019 IN THE LEONI TOWNSHIP MEETING HALL, 913 FIFTH ST., MICHIGAN CENTER, MICHIGAN AT 6:00 P.M. TO CONSIDER AN APPLICATION FROM CLASSIC TURNING, INC. FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE.

LEGAL DESCRIPTION:

BEG AT NE COR OF SEC 18, T3S R1E, TH W 888.13 FT TH S 37°27'W 451.25 FT TO A PT FOR PL OF BEG OF THIS DESCN TH S 38°51'30"E 544.65 FT TH S 81°38' 50"W 389.56 FT TH N 09°03'W 355.13 FT TH N 37°27'E 163.75 FT TO BEG. SEC 18 T3S R1E 2.58A

and

±8.29 ACRES PARCEL (PARCELS 226-001-003, 227-001-02 & 500-001-02

A parcel of land located in the Northeast 1/4 of Section 18, Town 3 South, Range 1 East, Leoni Township, Jackson County, Michigan being described as: Commencing at the Northeast Corner of Section 18, T3S, R1E; thence N88°47'05"W, 888.10 feet along the North line of said Section 18 to the centerline of Flansburg Road; thence S37°38'22"W, 188.88 feet along said centerline to the point of beginning of the following described parcel; thence S89°47'05"E, 369.28 feet; thence S00°12'55"W, 672.73 feet to the Northeasterly right-of way line of a former railroad; thence S53°15'32"W, 100.00 feet (recorded as S53°23'27"W) to the Southwesterly right-of way line of a former railroad; thence Northwesterly, 147.54 feet along said former right-of-way line along the arc of a curve to the left, said curve having a radius of 5570.82 feet, a delta angle of 1°31'03", and a chord bearing N37°29'59"W, 147.54 feet; thence S80°00'41"W, 408.91 feet (recorded as S79°47'46"W, 406.11 feet) to the centerline of East South Street; thence N08°48'50"W, 354.56 feet along said centerline to the centerline of Flansburg Road; thence N37°38'22"E 164.32 feet (recorded as N37°25'59"E, 163.92 feet) along said centerline to the Southwesterly right-of way line of a former railroad; thence Southeasterly, 33.38 feet along said former right-of-way line along the arc of a curve to the right, said curve having a radius of 5570.82 feet, a delta angle of 0°20'36", and a chord bearing S43°40'30"E, 33.38 feet; thence N37°38'22"E, 101.19 feet (recorded as N37°46'17"E, 101.18 feet to the Northeasterly right-of way line of a former railroad; thence Northwesterly, 33.37 feet along said former right-of-way line along the arc of a curve to the left, said curve having a radius of 5670.82 feet, a delta angle of 0°20'14", and a chord bearing N43°49'45"W, 33.37 feet to the centerline of Flansburg Road; thence N37°38'22"E, 160.71 feet along said centerline to the point of beginning; said parcel contains 8.29 acres, more or less; said parcel being subject to the rights of the public over and across that portion currently being used for road purposes; said parcel being subject to any easements or restrictions of record.

and



Jackson County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

COORDINATED ZONING REPORT | #19-16

To: County Planning Commissioners
From: Grant E. Bauman
Date: June 13, 2019

Proposal: 'Marihuana Agriculture or Processing' in Leoni Township's Agricultural District

The Request and Background Information

The Leoni Township Planning Commission proposes an amendment to Chapter 42 (Zoning) of the *Leoni Township Code of Ordinances* pertaining to the prohibition of **Marihuana Agriculture or Processing** in the Agricultural (AG) District.

The proposed amendment reads as follows:

Sec. 42-153. - Agricultural district (AG).

...

(b) *Permitted uses.* Permitted uses are as follows:

- (1) Agriculture and the usual agricultural buildings and structures, including processing of agricultural products but not including commercial slaughtering or marihuana agriculture or processing.

...

The proposed amendment would:

- Add **Marihuana Agriculture or Processing** to the listing of agricultural uses excluded from the AG District.

The Leoni Township Planning Commission passed a motion on 5/15/19 to: . . . *amend the agenda as follows: Under New business #2 wording from "Sport Shooting Ranges" change to "Indoor Sport Shooting Ranges" which would be B4 Zoning also, new business #4 from "any" real estate property zoned AG to "its existing" real estate property zoned AG.*

The Leoni Township Planning Commission also passed a motion on 5/15/19 to: . . . *amend zoning ordinance to prohibit future MM grow & processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand to its existing real estate property zoned AG on the effective date of the legislation.*

Staff Analysis

- The motion passed by the Leoni Township Planning Commission prohibiting marihuana agriculture or processing in the AG District, included an exception for "currently existing local licensees that will be permitted to operate, commence operations and/or expand to its existing real

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estate property zoned AG on the effective date of the legislation”. However, this conflicts with Sec. 42-347(b)(1) of the zoning code which states:

Enlargement, expansion or extension of use. No such nonconforming use of land shall be enlarged, expanded, or extended to occupy a greater area of land than was occupied on the effective date of the ordinance from which this chapter is derived or the date of adoption of an amendment to this chapter, and no accessory use or structure shall be established therewith.

Staff Advisement – Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the amendments regarding the prohibition of **Marihuana Agriculture or Processing** in the Agricultural (AG) District to the Leoni Township Board:

- The proposed exception— “currently existing local licenses that will be permitted to operate, commence operations and/or expand to its existing real estate property zoned AG on the effective date of the legislation” —conflicts with Sec. 42-347(b)(1) of the zoning code.

Staff Report Attachment(s):

- *Background information provided by Leoni Township*

Suggested Actions:	
(1)	Recommend APPROVAL
(2)	Recommend DISAPPROVAL
(3)	Recommend APPROVAL WITH COMMENTS
(4)	Take NO ACTION

JCPC Case #: _____
(For JCPC Use Only)

ZONING AMENDMENT FORM



**JACKSON COUNTY PLANNING COMMISSION
(COORDINATING ZONING)**

Return to: Jackson County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the JCPC recommendation will be mailed back to the Clerk, who will return a copy to the JCPC with the Township Board Action.

THE Leoni TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Jackson County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM _____ (_____) ZONE TO _____ (_____) ZONE.

2. PURPOSE OF PROPOSED CHANGE: _____

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE _____ SECTION 42-153

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)
See Attached Exhibit D

C. PUBLIC HEARING on the above amendment was held on: month May day 15th year 2019

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month April day 28 year 2019
(Notice must be provided at least fifteen days prior to the public hearing.)

E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: Sales man

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to APPROVE or DISAPPROVE.

John Spencer Chair or Secretary 5 / 15 / 2019 (enter date)

JACKSON COUNTY PLANNING COMMISSION (JCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The JCPC herewith certifies receipt of the proposed amendment on the above date and:

- Recommends APPROVAL of the zoning change
- Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
- Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
- Takes NO ACTION.

_____, Recording Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____

2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment PASSED, DID NOT PASS, or was REFERRED ANEW to the Township Planning Commission.

Township Clerk

Exhibit D

To Jackson County Planning Commission

- 1.) Proposed text amendment to AG zoning to prohibit new Marihuana Agriculture or Processing
- 2.) Leoni Township Planning Commission meeting minutes of 5-15-19

Resolved, the following zoning ordinance amendment is referred to the Planning Commission for public hearing and a recommendation:

The Township of Leoni ordains: Sec. 42-153 of the Ordinances of the Township of Leoni is amended to read:

Sec. 42-153. - Agricultural district (AG).

(a) Purpose. The agricultural district is composed of areas of the township suited to agricultural land use. The regulations governing this district are designed to retain and preserve farmland and farm dwellings, while providing transition from open space areas and rural nonfarm residences.

(b) Permitted uses. Permitted uses are as follows:

(1) Agriculture and the usual agricultural buildings and structures, including processing of agricultural products but not including commercial slaughtering or marijuana agriculture or processing.

(2) Dwelling, one-family detached, subject to the provisions of section 42-352.

(3) Farming, general and specialized, including nurseries, greenhouses, truck gardening, poultry raising, beekeeping and similar bona fide agricultural enterprises or uses of land and structures, providing sale of products shall be limited to those grown on the premises. No commercial slaughtering or marijuana farming is permitted.

(4) Any accessory use or structure clearly incidental and customary to the operation of the uses listed in this subsection.

(5) Signs permitted under the provisions of section 42-342.

Leoni Township Office
913 Fifth Street
Michigan Center, Michigan 49254
PHONE: (517) 764-4694 FAX: (517) 764-1380
Leonitownship.com

PLANNING COMMISSION MINUTES
May 15, 2019

The Leoni Township Planning Commission held a meeting Wednesday, May 15, 2019 @ 6:30 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:32 pm

Members Present: V. Beckwith, J. Spencer, L. Maurer, J. Southworth, K. Cole, & B. Lester

Members absent: D. Helmlinger

Persons in attendance: 32

Purpose of Planning Commission read by Spencer

Motion by Beckwith, supported by Maurer, to amend the agenda as follows: Under New business #2 wording from "Sport Shooting Ranges" change to "Indoor Sport Shooting Ranges" which would be B4 Zoning also, new business #4 from "any" real estate property zoned AG to "its existing" real estate property zoned AG.

Roll Call Vote 5 Yays Beckwith, Lester, Southworth, Spencer & Maurer
 1 Nay Cole

Motion carried.

Motion by Cole, supported by Spencer to approve the minutes of April 17, 2019 with correction to page 1 Ann Arbor Rd. changed to Page Ave.

Public Comment: **Open at 6:32 pm.**
 Closed at 7:10 pm.

Old Business: **1) Discussion of Opting in/out of Recreational Marihuana Businesses.**
 Need a public hearing before discussing.

New Business: **1) Amend Zoning Ordinance to add Sport Shooting Ranges to AG as Conditional Use.**

Motion by Spencer, supported by Cole to adopt Sport Shooting Ranges to AG as conditional uses defined in MCL691.1541d as defined in MCL691.1514(a) as written by attorney (See attached) with additional language added to be: down range only, shooting through a window setting from a benched position for long barreled guns and a standing position for hand guns. Also, to include surveillance camera monitoring.

Roll call Vote 3 Yays Beckwith, Spencer, & Lester
 3 Nays Maurer, Cole & Southworth

Motion Failed

2) Amend the Zoning Ordinance to Add “Indoor Sport Shooting Ranges” to B4 Zoning as Conditional Uses

Motion by Spencer supported by Beckwith to add Indoor Sport Shooting Range in B4 to paragraph 10 of zoning ordinance as written by attorney (See attached).

Roll Call Vote 5 Yays Beckwith, Spencer, Maurer, Lester & Southworth
 1 Nay Cole

Motion carried.

Public Comment: Open at 8:33 pm.
 Closed at 8:33 pm.

3) Amend the Zoning Ordinance to Add “any use not otherwise provided for” in the zoning ordinance for Heavy Industrial as Conditional Uses.

Motion by Spencer, supported by Cole to amend any use not provided for in Heavy Industrial as conditional uses as written by attorney. (See attached.)

Roll Call Vote: 6 Yays Beckwith, Lester, Cole, Southworth, Spencer & Maurer
 0 Nays

Motion carried.

4) Amend the Zoning Ordinance to “prohibit future Medical Marihuana grow and processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand on any real estate property zoned AG on the effective date of the legislation.

Motion by Spencer, supported by Beckwith to amend zoning ordinance to prohibit future MM grow & processing facilities in AG Zones, with exception to the currently existing local licensees that will be permitted to operate, commence operations and/or expand to its existing real estate property zoned AG on the effective date of the legislation.

Roll Call Vote: 6 Yays Beckwith, Lester, Cole, Southworth, Spencer & Maurer.
 0 Nays

Motion carried.

Public Comment: Open at 9:00 pm.
 Closed at 9:17 pm.

5) To amend the Agricultural Zoning Ordinance to include as a Conditional Use “Agritourism”.

Motion by Spencer, supported by Cole to table and submit to attorney for recommendation to amend the AG zoning ordinance to include as a conditional use Agritourism.

Public Comment: Open at 10:08 pm.
 Closed at 10:15 pm.

Adjourn to the call of the Chair: 10:17 pm.

Next meeting: June 5th, 2019

Computers & Equipment

UPER COMPUTER SER-
E. TuneUps, virus removal,
recovery, refurbished. Your
puter will run like brand new,
oklyn, Jackson, Onsted. 517-
9178

-Income Tax-

INIE JONES INCOME TAX
VICE- 27 years experience.
e, personal and small busi-
s. Michigan Notary Public.
517-764-0743.

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PP'S TV. ANTENNA, T.V.,
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-Music-

GUITAR LESSONS with Aaron
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FIREWOOD FOR SALE: \$55.
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- Small Appliance Repair -

WE CAN FIX ANYTHING
WITH A CORD YOU CAN
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517-787-1533

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June 22 from 10am-10pm. Call
Karie at 517-435-4967 or email
sales@watsondieselservice.
com for more information. Event
will be held at the Calhoun
County Fairgrounds in Marshall,
Michigan.

NOTICE: PERSONAL CLASSI-
FIEDS are placed on a cash only
basis. Ads may be phoned in with
payment sent promptly. There is
a \$2 fee if billings are sent. **THE**
SALESMAN, 517-524-8540 517-
783-4080

EIGHT VERY EXPENSIVE BAS-
KETS stolen from my green
house. Please return them and no
penalty will occur. **HAVE CAMER-**
AS IN THE GREENHOUSE. Not
opening this year due to illness. Be
back for you all next year, 2020.
Sharon Clark, Rose of Sharon
Country Gardens.

-Boats & Marine-

OUTBOARD MOTOR, 1989 20hp
Evinrude, electric start. Complete
controls for pontoon. Lots of ex-
tras. 517-524-8101

12 FT. ROWBOAT with trailer,
oars, anchors, new trolling mo-

-Wanted Miscellaneous-

WANTED: Standing TIMBER.
Buying standing hardwood timber.
Quality woodlot management.
Free estimates. Call Clough Cut-
ting, 517-673-7208

WANT TO BUY: Old usable golf
cart. Also 3 point bush hog. Phone
517-849-2425

WANT TO BUY: Copies of "Sing-
ing News" Magazines. 517-750-
1021

-Services-

ROYAL MONUMENT INC. Home
of rock bottom prices and free
in-home consultations. 517-857-
2341

IT PAYS TO ADVERTISE.....

I AM BUYING OLD collectibles
such as skeleton keys, sports
cards, tokens, wrist and pocket
watches, US and foreign coins,
comic books, costume jewelry,
pocket knives, license plates,
straight razors, wheat pennies,
postcards, military, marbles, fish-
ing lures, thimbles, cow bells,
smoking pipes, etc. 859-749-9943

LEONI TOWNSHIP NOTICE

The Leoni Township Planning Commission will hold a
Public Hearing Wednesday, May 15, 2019 @ 6:30 p.m. in
the Leoni Township meeting hall, 913 Fifth St., Michigan
Center, Michigan,

To add Sport Shooting ranges to Agricultural Zoning as
Conditional Use

To add Sport Shooting ranges to B4 Zoning as Condi-
tional Use

To add "any use not otherwise provided for" in the zoning
ordinance to Heavy Industrial as Conditional Use.

To prohibit future Medical Marijuana grow and process-
ing facilities in AG Zones, with exception to the currently
existing local licensees that will be permitted to operate,
commence operations and/or expand on any real estate
property zoned AG on the effective date of the legislation.

To amend the Agricultural Zoning Ordinance to include
as a Conditional Use "Agritourism"

erry Pickett, Clerk

Sandstone Charter Township
CLEAN UP DAY

Residents of Sandstone Charter Township will be able to
place items into garbage trucks that will be parked at the
Township Hall, 7940 County Farm Rd. on

May 4th, 2019 from 9am until 1pm

The following items will be accepted from Sandstone
Charter Township residents:
6/13/19 JCPC Agenda Packet

LEONI TOWNSHIP NOTICE

THE LEONI TOWNSHIP BOARD OF TRUSTEES APPROVED REHABILITATION
DEVELOPMENT DISTRICT #21 FOR CLASSIC TURNING, INC. ON JANUARY
17, 1996. THE LEONI TOWNSHIP BOARD OF TRUSTEES WILL HOLD A PUBLIC
HEARING TUESDAY, MAY 14, 2019 IN THE LEONI TOWNSHIP MEETING HALL,
913 FIFTH ST., MICHIGAN CENTER, MICHIGAN AT 6:00 P.M. TO CONSIDER AN
APPLICATION FROM CLASSIC TURNING, INC. FOR AN INDUSTRIAL FACILITIES
EXEMPTION CERTIFICATE.

LEGAL DESCRIPTION:

BEG AT NE COR OF SEC 18, T3S R1E, TH W 888.13 FT TH S 37°27'W 451.25
FT TO A PT FOR PL OF BEG OF THIS DESCN TH S 38°51'30"E 544.65 FT TH S
81°38' 50"W 389.56 FT TH N 09°03'W 355.13 FT TH N 37°27'E 163.75 FT TO
BEG. SEC 18 T3S R1E 2.58A

and

±8.29 ACRES PARCEL (PARCELS 226-001-003, 227-001-02 & 500-001-02

A parcel of land located in the Northeast 1/4 of Section 18, Town 3 South, Range 1
East, Leoni Township, Jackson County, Michigan being described as: Commencing
at the Northeast Corner of Section 18, T3S, R1E; thence N88°47'05"W, 888.10 feet
along the North line of said Section 18 to the centerline of Flansburg Road; thence
S37°38'22"W, 188.88 feet along said centerline to the point of beginning of the follow-
ing described parcel; thence S89°47'05"E, 369.28 feet; thence S00°12'55"W, 672.73
feet to the Northeasterly right-of way line of a former railroad; thence S53°15'32"W,
100.00 feet (recorded as S53°23'27"W) to the Southwesterly right-of way line of a
former railroad; thence Northwesterly, 147.54 feet along said former right-of-way
line along the arc of a curve to the left, said curve having a radius of 5570.82 feet,
a delta angle of 1°31'03", and a chord bearing N37°29'59"W, 147.54 feet; thence
S80°00'41"W, 408.91 feet (recorded as S79°47'46"W, 406.11 feet) to the centerline of
East South Street; thence N08°48'50"W, 354.56 feet along said centerline to the cen-
terline of Flansburg Road; thence N37°38'22"E 164.32 feet (recorded as N37°25'59"E,
163.92 feet) along said centerline to the Southwesterly right-of way line of a former
railroad; thence Southeasterly, 33.38 feet along said former right-of-way line along the
arc of a curve to the right, said curve having a radius of 5570.82 feet, a delta angle of
0°20'36", and a chord bearing S43°40'30"E, 33.38 feet; thence N37°38'22"E, 101.19
feet (recorded as N37°46'17"E, 101.18 feet to the Northeasterly right-of way line of a
former railroad; thence Northwesterly, 33.37 feet along said former right-of-way line
along the arc of a curve to the left, said curve having a radius of 5670.82 feet, a delta
angle of 0°20'14", and a chord bearing N43°49'45"W, 33.37 feet to the centerline of
Flansburg Road; thence N37°38'22"E, 160.71 feet along said centerline to the point
of beginning; said parcel contains 8.29 acres, more or less; said parcel being subject
to the rights of the public over and across that portion currently being used for road
purposes; said parcel being subject to any easements or restrictions of use of record.