



# 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](mailto:gbauman@co.jackson.mi.us)

DATE: October 14, 2021

TIME: 6:00 p.m.

PLACE: 5<sup>th</sup> 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 July 8, 2021, meeting minutes [**ACTION**] ..... 3
4. Approval of agenda  
Approval of the October 14, 2021, meeting agenda [**ACTION**]
5. Request(s) for review, comment, and recommendation
  - a. Consideration of township zoning amendment(s)
    - (1) CZ | #21-18 | Sandstone Township text amendment [**ACTION**] ..... 5
    - (2) CZ | #21-19 | Sandstone Township text amendment [**ACTION**] ..... 15
    - (3) CZ | #21-20 | Leoni Township rezoning [**ACTION**] ..... 39
    - (4) CZ | #21-21 | Leoni Township rezoning [**ACTION**] ..... 61
    - (5) CZ | #21-22 | Napoleon Township text amendment [**ACTION**] ..... 79
    - (6) CZ | #21-23 | Pulaski Township text amendment [**ACTION**] ..... 95
    - (7) CZ | #21-24 | Leoni Township rezoning [**ACTION**] ..... 101
    - (8) CZ | #21-25 | Leoni Township rezoning [**ACTION**] ..... 119
    - (9) CZ | #21-26 | Leoni Township rezoning [**ACTION**] ..... 139
    - (10) CZ | #21-27 | Summit Township rezoning [**ACTION**] ..... 159
  - b. Consideration of master plan(s) – *None*
  - c. Farmland and Open Space Preservation Program (PA 116) application(s) – *None*
    - (1) CZ | #21-01 | Henrietta Township [**ACTION**] ..... 177
6. Other business
  - a. Unfinished business – Jackson County Master Plan
  - b. New business – *None*

[www.region2planning.com/jackson-county-planning-commission](http://www.region2planning.com/jackson-county-planning-commission)

7. Public comment *[2 MINUTE LIMIT]*
8. Commissioner comment
9. Adjournment

*The next scheduled meeting of the Jackson County Planning Commission is November 11, 2021*



# 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 MINUTES

July 8, 2021

5<sup>th</sup> Floor Commission Chambers • Jackson County Tower Building • Jackson, Michigan

**Members Present:** Mr. Eric Beda, Industry and Economics; Ms. Pat Gallagher, At Large; Ms. Nancy Hawley, At Large; Mr. Ted Hilleary, Education; Mr. Russ Jennings, At Large; and Mr. Jim Videto, Agriculture

**Members Absent:** Mr. Timothy Burns, At Large; Mr. Roger Gaede, Environment; and Mr. Corey Kennedy, Jackson County Board of Commissioners

**Liaisons Present:** Mr. Grant Bauman, Principal Planner

**Others Present:** None

Item 1. **Call to Order and Pledge of Allegiance.** Chair Hawley called the meeting to order at 6:03 p.m. 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.** Comm. Videto made a motion, seconded by Comm. Hilleary, to **approve** the June 10, 2021, meeting minutes as presented. *The motion was approved unanimously.*

Item 4. **Approval of the Agenda.** Comm. Videto made a motion, seconded by Comm. Jennings, to **approve** the July 8, 2021, 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 | #21-15 | Leoni Township**

Staff summarized his report regarding the proposed rezoning of a property located at 4946 Page Avenue and known as Parcel ID #000-14-04-451-009-00, to 'light industrial (ML)'. Staff advised County Planning Commissioners to recommend **disapproval** of the rezoning (please see the staff report). Also discussed was the recent 'ML' rezoning request at the corner of Sixth Street and Page Avenue; the Leoni Township Planning Commission and the JCPC both voted to recommend disapproval of that rezoning request.

Comm. Videto made a motion, seconded by Comm. Hilleary, to concur with the staff advisement to recommend **disapproval** of the proposed 'ML' rezoning to the Leoni Township Board. *Commissioners approved the motion unanimously.*

(2) **CZ | #21-16 | Pulaski Township**

Staff summarized his report regarding proposed text amendments that would

---

[www.region2planning.com/jackson-county-planning-commission](http://www.region2planning.com/jackson-county-planning-commission)

amend the listings of permitted uses in the 'Agricultural (AG-1)', 'Local Commercial (C-1)', and 'Light Industrial (I-1)' districts to allow for 'recreational marihuana facilities' (in addition to 'medical marihuana facilities') in general and 'Commercial Recreational Marihuana Adult-Use Retail Centers' specifically in the 'C-1' and 'I-1' districts. Staff advised County Planning Commissioners to recommend **approval with comments** of the text amendments, noting the need for definitions regarding the new facilities (please see the staff report). Comm. Videto voiced concern about adding the new uses in the various districts without defining them. Comm. Hawley suggested referencing the state definitions.

Comm. Videto made a motion, seconded by Comm. Gallagher, to recommend **disapproval** of the proposed text amendments to the Pulaski Township Board, noting the need to define recreational marihuana and commercial recreational marihuana adult-use retail centers. *Commissioners approved the motion unanimously.*

(3) **CZ | #21-16 | Summit Township**

Staff summarized his report regarding the proposed rezoning of two Weatherwax Drive properties known as Parcel ID #000-13-17-287-060-00 and #000-13-17-287-057-06, to 'general commercial (C-2)'. Staff advised County Planning Commissioners to recommend **approval** of the rezoning (please see the staff report).

Comm. Jennings made a motion, seconded by Comm. Hilleary, to concur with the staff advisement to recommend **approval** of the proposed 'C-2' rezonings to the Summit Township Board (see the staff report). *Commissioners approved the motion unanimously.*

b. **Consideration of Master Plan(s).** None.

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

Item 6. **Other Business.**

a. **Unfinished Business** – Jackson County Master Plan.

Staff reviewed the first draft of the Future Land Use map with the County Planning Commissioners. Commissioners agreed with the designation of the developed areas of Jackson County. However, Commissioners requested that the 'Developed Areas' designation be renamed 'Urban Developed Areas' and that the 'Agricultural Preservation' designation be renamed 'Rural Developed Areas'.

b. **New Business.** None.

Item 7. **Public Comment.** None.

Item 8. **Commissioner Comment.** Comm. Jennings requests a change in the date and/or time of the JCPC meeting and requests that it be placed on the agenda for next month under new business.

Item 9. **Adjournment.** Chair Hawley adjourned the meeting at 7:00 p.m.

Respectfully submitted by:  
Grant Bauman, Recording Secretary





# 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 | #21-18

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** September 1, 2021

### Proposal: **Medical Marihuana Caregiver Facilities in Sandstone Township**

#### Background Information

Sandstone Township wishes to allow the operation of medical marihuana caregiver operations in certain zoning districts. The proposed amendments would:

- Section 2.1: add pertinent definitions. *However, no definitions are provided to date.*
- Article 4: add “medical marihuana caregiver” as a conditional use in the Agricultural Residential (AG-1) [Sec. 4.1.2 W)], Rural Non-Farm Residential (RNF-1) [Sec. 4.2.2 N)], Suburban Residential (RS-1) [Sec. 4.3.2 L)], and Mobile Home Park (MHP) [Sec. 4.3.2 L)] districts. *The proposed amendments exclude the Multiple-Family Residential (RM-1) district despite single-family detached dwellings being a permitted use [Sec. 4.4.1 A)]. If there is an issue with allowing the use in multiple family dwellings, simply specify that the use is limited to single-family detached dwellings and mobile homes.*
- Article 7: add “medical marihuana care provider” to the listing of “additional development requirements for certain uses” [Sec. 7.11.27]. *The regulations are based upon standards adopted by Byron Township (Grand Rapids area), which survived legal scrutiny according to Sandstone Township.*

#### Staff Analysis and Advisement

The proposed regulations simply allow “registered primary caregivers” to provide “medical marihuana” to “registered qualifying patients” in most of the Township’s residential districts as well as the agricultural district. However, the Township Board should address several outstanding issues prior to the adoption of the regulations:

1. **Definitions.** No definitions regarding medical marihuana were included in the proposed amendments. At the very least, definitions should be established for “medical marihuana”, “registered primary caregiver” and “registered qualifying patient”. Staff further suggests that they be grouped together under a single heading.
2. **RM-1 District.** The Multiple-Family Residential (RM-1) District was the only residential zoning district excluded from the proposed amendments. Was this intentional or simply an oversight? If intentional, what is the reason? If an oversight, add to the listing of zoning districts.
3. **Consistency.** In order to maintain consistency, the title for Section 7.11.27 should be

---

[www.region2planning.com/jackson-county-planning-commission/](http://www.region2planning.com/jackson-county-planning-commission/)

“Medical Marihuana Caregiver” rather than “Medical Marihuana Care Provider”.

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **DISAPPROVAL WITH COMMENTS** of the zoning ordinance amendments regarding medical and recreational marihuana facilities to the Sandstone Township Board because of the absence of definitions staff (see the staff report).

**Staff Report Attachments:**

- *Background information provided by Sandstone 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 Sandstone Charter 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 7 SECTION 7.11.27

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

\_\_\_\_\_  
\_\_\_\_\_

C. **PUBLIC HEARING** on the above amendment was held on: month July day 13 year 2021

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month June day 24 year 2021

(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.

Chris Crisenbery ☒ Chair or ☐ Secretary 8 / 5 / 2021 (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.

## **MODIFY SECTION 2.1 Definitions**

### **MODIFY SECTION 4.1 AG-1, Agricultural Residential District**

*[Add the following to Section 4.1.2 – Conditional Land Uses]*

W) Medical Marijuana Caregiver subject to the provisions of Section 7.11.27

### **MODIFY SECTION 4.2 RNF-1, Rural Non-Farm Residential District**

*[Add the following to Section 4.2.2 – Conditional Land Uses]*

N) Medical Marijuana Caregiver subject to the provisions of Section 7.11.27

### **MODIFY SECTION 4.3 RS-1, Rural Suburban Residential District**

*[Add the following to Section 4.3.2 – Conditional Land Uses]*

L) Medical Marijuana Caregiver subject to the provisions of Section 7.11.27

### **MODIFY SECTION 4.5 MPH, Mobile Home Park District**

*[Add the following to Section 4.5.2 – Conditional Land Uses]*

D) Medical Marijuana Caregiver subject to the provisions of Section 7.11.27

## **MODIFY SECTION 7: Conditional Land Use Provisions**

*[Add the following to Section 7.11 – Additional Development Requirements for Certain Uses]*

### **7.11.27 Medical Marijuana Care Provider**

- A. A registered primary caregiver, operating in compliance with the Michigan Medical Marihuana Act, hereinafter (“MMMA”), the MMMA General Rules, and the requirements of this section, shall be permitted as regulated by this subsection. The Charter Township of Sandstone makes the following findings, in support of its determination that the regulation of registered primary caregivers as a permitted and are consistent with the purposes and intent of the MMMA:

- (1) The MMMA does not create a general right for individuals to use, possess, or deliver marihuana in Michigan.

- (2) The MMMA's protections are limited to individuals suffering from serious or debilitating medical conditions or symptoms, to the extent that the individuals' marihuana use is carried out in compliance with the provisions of the MMMA, including the provisions related to the operations of registered primary caregivers.
- (3) The MMMA's definition of "medical use" of marihuana includes the "transfer" of marihuana "to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition," but only if such "transfer" is performed by a registered primary caregiver who is connected with the same qualifying patient through the registration process established by the Department of Licensing and Regulatory Affairs, and who is otherwise operating in strict compliance with the MMMA and the MMMA General Rules.
- (4) The MMMA provides that a registered primary caregiver may assist no more than five (5) qualifying patients with their medical use of marihuana.
- (5) The MMMA does not, therefore, create a new vocation for entrepreneurs or others who wish to engage in the sale of marihuana to more than five persons in a commercial setting. Instead, the MMMA is directed at improving the health and welfare of qualifying patients.
- (6) The health and welfare of qualifying patients is improved by permitting the operations of registered primary caregivers, because this allows qualifying patients who suffer from serious or debilitating medical conditions symptoms to obtain the benefits of the medical use of marihuana in a residential setting, without having to unnecessarily travel into commercial areas.
- (7) By permitting the operations of registered primary caregivers within residential districts rather than in a commercial setting, this promotes the MMMA's purpose of ensuring that:
  - i. a registered primary caregiver is not assisting more than five (5) qualifying patients with their medical use of marihuana, and
  - ii. a registered primary caregiver does not unlawfully expand its operations beyond five (5) qualifying patients, so as to become an illegal commercial operation, in the nature of a marihuana collective, cooperative or dispensary.

B. The following standards and requirements shall apply to the location at which the medical use of marihuana is conducted by a primary caregiver:

- (1) A registered primary caregiver shall not possess marihuana, or otherwise engage in the medical use of marihuana, in a school bus, on the grounds of any preschool or primary or secondary school, or in any correctional facility.
- (2) Not more than two (2) registered primary caregivers, who shall also be full-time residents of the dwelling, shall be permitted to operate at any one property.
- (3) The medical use of marihuana shall be conducted entirely within a dwelling or attached garage, except that a registered primary caregiver may keep and cultivate, in an “enclosed, locked facility” (as that phrase is defined by the MMMA), up to twelve (12) marihuana plants for each registered qualifying patient with whom the registered primary caregiver is connected through the registration process established by the Department of Licensing and Regulatory Affairs, and up to twelve (12) additional marihuana plants for personal use, if the primary caregiver is also registered as a qualifying patient under the MMMA.
- (4) A sign identifying, image or otherwise, or indicating that the medical use of marihuana is taking place on the premises, shall not be permitted; nor shall any vehicle having such a sign be parked anywhere on the premises.
- (5) Except for lighting, heating, watering, drying or other equipment, or fertilizers, herbicides or other chemicals directly related to the medical use of marihuana, no other materials or equipment not generally associated with normal ownership, use, and maintenance of a dwelling shall be permitted.
- (6) Distribution of marihuana or use of items in the administration of marihuana shall not occur at or on the premises of the primary caregiver. A qualifying patient shall not visit, come to, or be present at the residence of the primary caregiver to purchase, smoke, consume, obtain, or receive possession of any marihuana.
- (7) Except for the primary caregiver, no other person shall deliver marihuana to the qualifying patient.
- (8) No one under the age of 18 years shall have access to medical marihuana.
- (9) No on-site consumption or smoking of medical marihuana by qualifying patients shall be permitted within the dwelling (or on the property) of a primary caregiver, except for lawful medical marihuana consumption by the primary caregiver if registered as a qualifying patient under the MMMA.
- (10) Medical marihuana shall not be grown, processed, handled, or possessed at the dwelling of the primary caregiver beyond that which is permitted by law.

- (11) All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of a building or structure in which equipment and devices that support the cultivation, growing or harvesting of marihuana are located or used.
- (12) If marihuana is grown or located in a room with windows, all interior lighting shall be shielded to prevent ambient light from creating a distraction for adjacent properties.
- (13) Related merchandise or products shall not be sold or distributed from the dwelling or property of the primary caregiver, apart from the permitted quantity of medical marihuana or medical marihuana derivatives.
- (14) To ensure compliance with all applicable requirements and laws, the portion of a building or other structure, such as a cultivation room, where energy use and heating requirements exceed typical residential limits and chemical storage occurs, are subject to inspection and approval by the Charter Township of Sandstone's Building Inspector or other individual designated by the township.
- (15) The property, dwelling and all enclosed, locked facilities shall be available for inspection upon request by the Charter Township of Sandstone's Building Inspector, any law enforcement officer, or other individual designated by the township.
- (16) The operations of a registered primary caregiver, shall be permitted only with the prior issuance of a Township permit.
- (17) A complete and accurate application shall be submitted on a form provided by the Township and an application fee in an amount determined by resolution of the Township Board shall be paid.
- (18) The permit application shall include the name and address of the applicant; the address of the property; proof, such as a driver's license, voter registration card or similar record showing that the dwelling is the applicant's full-time residence; a current state registration card issued to the primary caregiver; a full description of the nature and types of equipment which will be used in marihuana cultivation and processing; and a description of the location at which the use will take place. The zoning administrator may require additional information necessary to demonstrate compliance with all requirements. The Sandstone Township Police Authority or designee shall review the application to determine compliance with this Ordinance.
- (19) A permit shall be granted if the application demonstrates compliance with this Ordinance. The use shall be maintained in compliance with the requirements of

this Ordinance. Any departure shall be grounds to revoke the permit and take other lawful action. If a permit is revoked, the applicant shall not engage in the activity unless and until a new permit is granted.

(20) Information treated as confidential under the MMMA, including the primary caregiver registry identification card and any information about qualifying patients associated with the primary caregiver, which is received by the Township, shall be maintained separately from public information submitted in support of the application. It shall not be distributed or otherwise made available to the public and shall not be subject to disclosure under the Freedom of Information Act.

- C. Except as otherwise permitted by Township ordinance, or the Michigan Medical Marihuana Facilities Licensing Act, it is unlawful to establish or operate a for-profit or nonprofit medical marihuana dispensary, collective or cooperative within the Township, even if such use is intended for the medical use of marihuana.
- D. The use of the dwelling or other permitted facility of a qualifying patient to cultivate medical marihuana in accordance with the MMMA, solely for personal use, does not require a permit under this subsection; however, all applicable Township ordinance requirements must be met.
- E. The provisions of this subsection do not apply to the personal use and/or internal possession of marihuana by a qualifying patient in accordance with the MMMA, for which a permit is not required.
- F. Should any section, sub-section, provision, word, or phrase of this Ordinance be determined to be invalid, the remaining portions of the Ordinance shall remain in full force and effect.
- G. Subject to the requirements of Home Occupations Section 5.10.1, Category One



JULY 13, 2021 SANDSTONE CHARTER TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Meeting called to order at 6:00 pm by Chairman Crisenbery

**Roll Call:** Donahue, Goodrich, Crisenbery, Cantrell present, Inosencio arrived 6:02, Goodrich exited meeting at 6:22

Motion to approve agenda by Commissioner Cantrell, seconded by Commissioner Donahue, motion carried

Motion to accept minutes as presented by Commissioner Goodrich, seconded by Commissioner Donahue, motion carried

Motion to open public meeting by Donahue, seconded by Inosencio, motion carried

Public hearing regarding Medical Marihuana Caregiver Ordinance

No public comments were made

Motion to close public hearing by Goodrich, seconded by Inosencio, motion carried

Motion to approve ordinance as presented by Goodrich, Seconded by Inosencio, motion carried.

Medical Marihuana Caregiver ordinance approved unanimously.

**Old Business:** Regarding solar and wind ordinances, commission may need to update these ordinances. Cantrell will research the solar ordinances and Goodrich will research wind energy ordinances. Both will present findings at September meeting.

**New Business:** Resident Jerry Bailey may ask for land revisions and zoning revisions regarding parcels on Sandstone and Michigan Avenue, public meeting will be announced accordingly

Sandstone Township has purchased Michigan Township Association subscription for additional education and training on pertinent topics to township planning, these courses are accessible to all members of planning commission

Motion to Adjourn by Donahue, seconded by Inosencio, motion carried. Meeting adjourned at 6:37 pm.

*This page is intentionally blank.*



# 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 | #21-19

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** September 1, 2021

### Proposal: **Sign Regulations in Sandstone Township**

#### Background Information

Sandstone Township wishes to amend the sign regulations in its Zoning Ordinance to conform to the U.S. Supreme Court ruling in Reed v. the Town of Gilbert. Sign regulations need to be content neutral. The proposed amendments would:

- Section 2.1: add pertinent definitions.
- Article 9: amend various sections of the Signs article pertaining to illumination, roof signs, signs that do not require a permit, signs subject to permit or other approval, free-standing signs, and nonconforming signs.

#### Staff Analysis and Advisement

The Township Board should address several outstanding issues prior to the adoption of the regulations:

1. **Definitions.** The definition for “abandoned sign” cites a business no longer in operation as the criteria. JCPC staff notes that uses other than a business can also be abandoned. The definitions for “off-premises sign” and “on-premises sign” are confusing and open to interpretation. The definition for “on-premises sign” contains a word “warrants” that should most likely be “warns”.
2. **Location.** Section 9.2.1 states that signs cannot be located within township-owned public rights-of-way without a revocable license. Staff notes that the Jackson County Department of Transportation and the Michigan Department of Transportation also maintain rights-of-way in the Township.
3. **Roof Signs.** Staff notes that the exception regarding roof signs created with roofing shingles or paint will extend to all accessory buildings in the AG-1 (Agricultural) District, not just those associated with a farm.
4. **Incidental Signs.** There is no definition for incidental signs, making its meaning unclear (Section (c) of the Table of Sign Standards for Signs That Do Not Require a Permit).
5. **Construction Site Signs.** Regulating construction site signs separately from other temporary signs may be a violation of Reed v. Town of Gilbert. The sign’s content must be read to categorize it (Section (c) of the Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified).

---

[www.region2planning.com/jackson-county-planning-commission/](http://www.region2planning.com/jackson-county-planning-commission/)

6. **Electronic and Other Changeable Message Boards.** An Electronic Changeable Message Board is not defined (Section (d) of the Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified).
7. **Freestanding Signs.** The rights-of-way of Jackson County Department of Transportation roads are cited, but there are also rights-of-way owned by the Michigan Department of Transportation (Section (e) of the Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified).
8. **Projecting Signs.** Projecting signs are not defined (Section (h) of the Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified).
9. **Wall Signs.** Wall signs were not defined (Section (k) of the Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified).
10. **Secondary Signs.** The table pertaining to Secondary Signs should be located directly after Section 9.3.1 C. Should the asterisk message read “\*Second freestanding sign shall be located not less than twenty-five feet from the property line”?

JCPC staff is concerned that the amendments were recommended for approval by the Sandstone Township Planning Commission in August of 2017. Although there is no official clock regarding adoption by the Township Board, this appears to be an excessive time period.

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the zoning ordinance amendments regarding sign regulations to the Sandstone Township Board with the comments/suggestions made by staff (see the staff report).

**Staff Report Attachments:**

- *Background information provided by Sandstone 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 Sandstone Charter 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 9 SECTION 9.1-9.7

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

\_\_\_\_\_  
\_\_\_\_\_

**C. PUBLIC HEARING** on the above amendment was held on: month August day 2 year 2017

**D. NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month July day 18 year 2017

(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.

Chris Crisenbery ☐ Chair or ☐ Secretary 8 / 5 / 2021 (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.

# Article 2

## Definitions

---

### Section 2.1 Definitions.

The follow are to be included as additional definitions under sign:

**Abandoned Sign.** Any sign that is still on a residential property for three (3) months, a commercial property for six (6) months or industrial property for nine (9) months after a business no longer operates at the location

**Awning.** A fixed or retractable shelter constructed of non-rigid materials on a supporting framework which projects from the exterior wall of a building.

**Awning Sign.** A sign affixed flat against the surface of an awning or inscribed on an awning.

**Changeable Message Board.** The portion of a sign on which copy is changed manually.

**Conforming Sign.** Any sign that is allowable under Article 9.

**Drive-thru Board.** A sign located within ten (10) feet of either side of a drive-thru lane.

**Flags.** Fabric, canvas or other similar material that is mounted to a pole or a building at one or more edges.

**Gas Station Canopy Sign.** A sign located at a gas station attached directly to the elevated canopy that covers pump islands.

**Ingress/Egress Sign.** A sign located within ten (10) feet outside of the clear vision area (see illustration in Section 2.2) that is formed at the corner intersection of two (2) public rights-of-way and/or the intersection of a driveway and a public right-of-way.

**Limited Access Highway.** Every freeway, highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only, and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

**Monument (ground) Sign.** Any sign attached to a permanent foundation of at least equal length to the sign structure and not attached to a building, pole, posts, or similar uprights.

**Nonconforming Sign.** Any sign that was lawfully permitted at the time it was erected, but is not permitted under current ordinance.

**Off-Premises Sign.** Any sign at a different location from the parcel where the sign is installed and maintained.

**On-Premises Sign.** Any sign located on the premises where the sign is installed and maintained.

**Parking Lot Sign.** Any sign located within a public or private - parking lot.

**Roof Sign.** Any sign that extends above the top of the facade or eave line, and is exclusively mounted to the roof of the building or is incorporated into the material which clad a building roof.

**Swinging Sign.** Any sign suspended from a horizontal or near horizontal support or arch.

**Temporary Banner.** A sign of lightweight fabric or similar material that is temporarily mounted or attached to a pole or a building.

**Temporary Event Sign.** A temporary or portable sign concerning a special event.

**Temporary Freestanding Commercial/Industrial Yard Sign.** Any sign located in the front or side yard and constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and appears to be intended to be displayed for a limited period of time.

**Temporary Freestanding Residential Yard Sign.** Any sign located in the front or side yard and constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and appears to be intended to be displayed for a limited period of time.

**Warning Sign.** Any sign that warrants of a potential danger, hazard or health risk.

**Window Signs.** Any signs affixed to the interior or exterior glass surfaces of windows or doors and are visible from outside the structure.

# Article 9

## Signs

---

### Section 9.1 Intent and Purpose.

The intent of this Ordinance is to regulate the location, size, construction type, illumination, and manner of display of signs and outdoor advertising in order to minimize their harmful effects on the public health, safety, and welfare and protect property values and community character. While this Ordinance recognizes that signs and billboards (outdoor advertising) are necessary to promote commerce and public information, failure to regulate them may lead to poor identification of individual businesses, deterioration and blight of the business and residential areas of the Township, conflicts between different types of land use, and reduction in traffic safety to pedestrians and motorists.

### Section 9.2 General Conditions.

921. *Location.* All signs must advertise a business or service on the premises upon which the sign is located and to which the sign is accessory, unless otherwise specified herein. Unless otherwise permitted herein, no signs, except those established by the township, county, state, or federal government, may be located, projected onto, or overhang any township-owned public right-of-way unless a revocable license is issued by the township attorney.

922. *Illumination.* Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign (i.e. front lit signs) or internal to it (i.e. back lit signs). No sign shall be illuminated by any open spark or flame, intermittent, or flashing illumination, except as otherwise permitted by this chapter.

(1) *Front lit signs.* "Front lit signs" are signs that are illuminated by an external light source. An example of a front lit sign is a monument sign that is illuminated by a spot light that is located several feet in front of the sign. The background of front lit signs may be any color, provided they are not reflective at night. However, such signs may use light reflecting lettering and messaging. The light from front lit signs shall be directed in a manner that will not interfere with vehicular traffic or interfere with the enjoyment or use of adjacent properties.

(2) *Back lit signs.* "Back lit signs" are signs that are illuminated by an internal light source. An example of a back lit sign is a monument sign that is illuminated by several fluorescent bulbs that are located within the sign cabinet. The background of back lit signs may be any color—which complements the character of the surrounding area (except white)—provided the background is blacked out at night so that only the lettering and message is illuminated.



~~A. No sign shall be illuminated by other than electrical means.~~

~~B. The light from illuminated signs shall be directed in a manner that will not interfere with vehicular traffic or interfere with the enjoyment or use of adjacent properties.~~

923.

*Safety.*

A. All signs shall be erected and maintained in compliance with all applicable building code, and other applicable ordinances governing construction within the Township. In the event of conflict between this Ordinance and other laws, the most restrictive shall govern.

B. All signs shall be so placed as to not interfere with the visibility or effectiveness of any official traffic sign or signal; driver vision at any access point or intersection; or, pedestrian movement on any public sidewalk.

C. No sign shall be erected, relocated or maintained so as to obstruct firefighting or prevent free access to any door, window or fire escape.

924.

*Signs Prohibited in All Districts.*

- A. Roof signs. Permanent signage created with roofing shingles or painted on the roof of a barn or accessory building in the AG-1, Agricultural District shall be allowed.
- B. Signs containing flashing, intermittent or moving lights, moving or revolving parts, or reflecting parts which may distract drivers. This provision is not intended to exclude those signs which give the time or temperature, provided no other animated messages are displayed.
- C. Signs affixed to trees, rocks, shrubs, or similar natural features except signs denoting a site of historic significance.
- D. Signs which imitate traffic signals, traffic direction signs, or similar traffic control devices, and signs which make use of words such as “Stop”, “Look”, “Danger”, or any other words, phrases, symbols, or characters in such a manner as to interfere with, mislead, or confuse traffic.
- E. Temporary signs mounted upon trucks, vans, or other wheeled devices, except for political signs. Signs permanently painted on or otherwise permanently displayed upon a vehicle, licensed and operating on the public streets and highways, identifying the owner's occupation or livelihood, shall be allowed.
- F. Signs other than those erected by a public agency which are located within or overhang the public right-of-way or on public property.
- G. Any sign or sign structure which constitutes a hazard to public health and safety due to inadequate maintenance.
- H. Any sign unlawfully installed, erected, or maintained.

925.

*Signs allowed in All Districts without permit.*

- ~~A. Nameplates not exceeding two (2) square feet in size.~~
- ~~B. Political signs for public office or issues to be determined by election may be erected forty five (45) days prior to an election. Such signs shall be erected on private property only and no less than one hundred (100) feet from any entrance to a building in which a polling place is located. All such signs shall be removed five (5) days following Election Day.~~

~~C. Directional signs which indicate the direction of traffic flow on private property. Directional signs shall not exceed two (2) square feet in size, shall contain no advertising, and may be illuminated.~~

~~D. Street numbers.~~

~~E. Signs displayed by individuals on their own property advertising garage and other incidental sales of personal merchandise, sales of seasonal items, and similar items. This includes signs in agricultural zoned or used property for the sale of products grown on the premises. The types of signs above shall not exceed twelve (12) square feet.~~

~~F. Real Estate signs of six (6) square feet or less per Section 9.5.1 of this Ordinance.~~

Table of Sign Standards for Signs That Do Not Require a Permit (in this Table)

	<u>Sign Types, Districts Permitted, Required Approvals</u>	<u>Size Restrictions</u>	<u>Additional Restrictions</u>
(a)	<u>Drive-Thru Boards.</u> <u>Permitted in the C-1, C-2, and LI Districts.</u>	<u>Total Sign Area.</u> Total surface area not to exceed sixteen (16) square feet. <u>Height.</u> No sign shall exceed a maximum height of six (6) feet from grade.	<u>Direct illumination is prohibited.</u>
(b)	<u>Flags.</u> <u>Permitted in all districts.</u>	<u>Total Sign Area.</u> Aggregate of all signs shall not exceed thirty-two (32) square feet	
(c)	<u>Incidental Signs.</u> <u>Permitted in all districts.</u>	<u>Total Sign Area.</u> Total number of signs shall not exceed an aggregate side face area of six (6) square feet. <u>Single Sign Area.</u> The total sign's surface for a single sign shall not exceed two (2) square feet.	<u>No sign shall be placed in a public right-of-way.</u> <u>Direct illumination is prohibited.</u>
(d)	<u>Ingress/Egress Signs.</u> <u>Permitted in all districts.</u>	<u>Total Sign Area.</u> Total surface area not to exceed three (3) square feet per sign face. <u>Height.</u> No sign shall exceed a maximum height of five (5) feet from grade if mounted to the ground.	<u>Such signs must be attached to existing sign posts if available or as otherwise allowed the zoning administrator. The plan for the location of such signage must be approved by the zoning administrator.</u> <u>No sign shall be placed in a public right-of-way.</u> <u>Direct illumination is prohibited.</u>
(e)	<u>Parking Lot Signs.</u> <u>Permitted in all districts.</u>	<u>Total Sign Area.</u> Total surface area shall not exceed sixteen (16) square feet per sign face. <u>Height.</u> No sign shall exceed a maximum height of six (6) feet from grade if mounted to the ground.	<u>No sign shall be placed in a public right-of-way.</u> <u>Direct illumination is prohibited.</u>

(f)	<u>Temporary Freestanding Commercial and Industrial Yard Signs and Swinging Signs.</u> Permitted in the C-1, C-2, and LI Districts.	<u>Number.</u> Total number of signs shall not exceed an aggregate side face area of twenty (20) square feet. <u>Single Sign Area.</u> The total sign's surface for a single sign shall not exceed eight (8) square feet. <u>Height.</u> No sign shall exceed a maximum height of four (4) feet.	<u>No sign shall be in place for a period exceeding six (6) consecutive months.</u> <u>Swinging signs may be wall or ground mounted and only.</u> <u>No sign shall be placed in a public right-of-way</u> <u>Direct illumination is prohibited.</u>
(g)	<u>Temporary Freestanding Residential Yard Signs and Swinging Signs.</u> Permitted in the AG-1, RNF-1, RS-1, RM-1, and MHP Districts	<u>Number.</u> Total number of signs shall not exceed an aggregate side face area of eighteen (18) square feet. <u>Total Sign Area.</u> The total sign's surface for a single sign shall not exceed six (6) square feet. <u>Height.</u> No sign shall exceed a maximum height of four (4) feet.	<u>No sign shall be in place for a period exceeding three (3) consecutive months.</u> <u>Swinging signs may be wall or ground mounted.</u> <u>No sign shall be placed in a public right-of-way</u> <u>Direct illumination is prohibited.</u>
(h)	<u>Warning Signs.</u> Permitted in all districts.	<u>Total Sign Area.</u> For warning signs located in the AG-1, RNF-1, RS-1, RM-1, and MHP Districts, the total surface area for a single sign face shall not exceed three (3) square feet. For warning signs located in the C-1, C-2, and LI Districts, the total surface area for a single sign face shall not exceed six (6) square feet.	<u>When required by local, state or federal law, the sign shall be placed in a conspicuous location that is reasonably expected to notify persons of potential hazard. Unless state or federal law requires a different size.</u> <u>No sign shall be placed in a public right-of-way</u> <u>Direct illumination is prohibited.</u>
(i)	<u>Window Signs.</u> Permitted in all districts.	<u>Total Sign Area.</u> In total the message shall cover no more than ¼ of the front window area.	<u>Signs shall be affixed directly to the window.</u> <u>Front lit illumination is prohibited in all districts. Back lit illumination is allowed in the C-1, C-2, and LI Districts.</u>

### Sec. 9.3. - Signs subject to permit or other approval.

The signs outlined in the following table are subject to a permit or other approval as indicated. Unless stated otherwise within the chapter, all other sign types are exempt from the permit requirements. The design requirements and other provisions for each sign are also described. permit application requirements are found in section 9.8. These signs include the following and are defined in Section 2.1.

<u>Table of Sign Standards for Signs Subject to a Permit Unless Otherwise Specified (in this Table)</u>			
	<u>Sign Types, Districts Permitted, Required Approvals</u>	<u>Size Restrictions</u>	<u>Additional Restrictions</u>
(a)	<u>Awning Signage.</u> Permitted in the C-1, C-2, and LI Districts, subject to the sign permit.	<u>Number.</u> One (1) per property or business entrance. <u>Total Sign Area.</u> Message shall not cover more than 1/3 of the apron of each awning.	<u>All or a portion of the permitted awning signage area may be used towards wall signage.</u> <u>The apron of the awning must be at least nine (9) feet above ground level or sidewalk.</u> <u>Sign materials and sign colors must</u>

			<u>complement the building(s) located on the site and emulate the neighborhood.</u>
(b)	<u>Billboards.</u> <u>Permitted only in the LI, Light Industrial Zoning District, subject to a Conditional Use Permit (see section 9.6).</u>		
(c)	<u>Construction Site Signs.</u> <u>[Permitted] in the C-1, C-2, and LI Districts. Districts, subject to the sign permit.</u>	<u>Total Sign Area. Nonresidential construction site sign size shall not exceed an aggregate of sixty-four (64) square feet; no one sign shall exceed thirty-two (32) square feet.</u> <u>Height. Shall not exceed ten (10) feet.</u>	<u>All signs shall be erected during the construction period. Such signs shall be removed no more than fourteen (14) days after the date that development or phase is completed. The developer may request a permit renewal from the zoning administrator, or his/her designee, following all of the pertinent procedures of the original approval if additional time is needed for the project or for additional phases. In addition to permit requirements, permit renewal requests will consider the current condition and quality of the existing sign and whether replacement or repair is necessary. No construction site signs shall be placed in the public right-of-way.</u>
(d)	<u>Electronic and Other Changeable Message Board.</u> <u>Permitted in the C-1 and C-2 Districts, and nonresidential uses in residential districts, subject to a sign permit.</u> <u>Electronic Message Boards are only allowed on lots with at least one hundred (100) feet of continuous street frontage.</u>	<u>Number. One (1) per lot.</u> <u>Total Sign Area. The electronic or other changeable message board sign shall not exceed twenty-five percent (25%) of the total freestanding sign area proposed.</u>	<u>Only permitted as part of a permitted freestanding sign, cannot stand alone. An electronic or other changeable message board located on street frontage shall only have a static message or image that changes at the rate of not more than one (1) change per thirty (30) seconds, the message change occurs instantaneously, without use of scrolling, flashing, fading, blinking, or other similar transitions. The board shall contain static messages only, changed only through dissolve or fade transitions, but which may otherwise not have movement, or the appearance or optical illusion of movement varying light intensity, of any part of the board, design or pictorial segment of the board. The change of message using dissolve or fade transition shall not exceed one second of time between each message displayed on the board. The maximum luminance produced by the sign shall not exceed three-tenths foot candles greater than the ambient light level. The light level produced by the sign shall be measured using the following</u>

			<p><u>equation based on typical sign-to-viewer distance: the square root of the product of the sign area and 100. Example using a 12 square-foot sign: <math>\sqrt{(12 \times 100)} = 34.6</math> feet measuring distance.</u></p> <p><u>Automatic dimming capability shall adjust the signs illumination to the ambient light at all times of the day or night.</u></p>
(e)	<p><u><i>Freestanding Signs.</i></u></p> <p><u><i>Permitted in all districts.</i></u></p>	<p><u><i>Number.</i> Per the requirements in Section 9.3.1</u></p> <p><u><i>Total Sign Area.</i> Thirty-two (32) square feet per sign face in the C-1 District, fifty (50) square feet per sign face in the C-2 and LI Districts, Thirty-two (32) square feet per sign face for non-residential use in all other districts, and Six (6) square feet per sign face for residential use in all other districts.</u></p> <p><u><i>Height.</i> Twelve (12) feet in C-1, C-2 and LI Districts, six (6) feet for non-residential use in all other districts, and four (4) feet for residential home occupation in all other districts.</u></p>	<p><u>All freestanding signs shall be located outside of the Jackson County Road Right-of-way or private road easement, and a minimum of ten (10) feet to any adjacent property line.</u></p> <p><u>In no case, may the sign violate the provisions of the illustration in section 2.2, clear vision requirements</u></p> <p><u>Sign materials and sign colors must complement the building(s) located on the site.</u></p> <p><u>Section 9.3.1 – Requirements and restrictions for secondary signs alone I-94 Corridor.</u></p>
(f)	<p><u><i>Gas Station Canopy Signage.</i></u></p> <p><u>Only permitted in the C-1 and C-2 Districts, subject to a sign permit.</u></p>	<p><u><i>Number.</i> Up to three (3).</u></p> <p><u><i>Total Sign Area.</i> Shall not exceed eight (8) square feet per sign and each sign shall be contained in the canopy facade.</u></p>	<p><u>The face of the canopy shall not be internally illuminated, if proposed as such, the entire canopy area will be considered part of the sign, unless the canopy is a dark color and the letters are light and illuminated.</u></p>
(h)	<p><u><i>Projecting Signs.</i></u></p> <p><u>Only permitted in the C-1 and C-2 Districts, subject to a sign permit.</u></p>	<p><u><i>Total Sign Area.</i> The sign shall not exceed sixteen (16) square feet in area with a maximum width of two (2) feet measured from the inside edge of the sign which shall be no more than six (6) inches from the exterior wall of the structure.</u></p> <p><u><i>Height.</i> Projecting signs must be affixed to the front façade of the business and allow a nine (9) foot clearance from the bottom of the sign to the sidewalk. The top of the sign shall not be installed at a height taller than the bottom of the second floor or between the parapet and the windows of a single-story structure.</u></p>	<p><u>The applicant is permitted a projecting sign in place of one (1) of the allowable wall signs.</u></p>

(j)	<u>Temporary Banners.</u> <u>Permitted in all districts</u> <u>subject to a sign permit.</u>	<u>Number. One (1) per street front.</u> <u>Total Sign Area. Shall not exceed an</u> <u>area of thirty-two (32) square feet.</u>	<u>Shall be permitted to be displayed for up</u> <u>to thirty (30) days. Signs are limited to no</u> <u>more than three (3) events per calendar</u> <u>year.</u> <u>If mounted to the ground, a two-sided</u> <u>sign is permitted but shall not exceed the</u> <u>maximum sign dimensions. In no case,</u> <u>may the sign violate the provisions of the</u> <u>illustration in section 2.2, clear vision</u> <u>requirements.</u>
(j)	<u>Temporary Event Signs.</u> <u>Permitted in all districts.</u>	<u>Number. One (1) per event.</u> <u>Total Sign Area. Shall not exceed an</u> <u>area of twelve (12) square feet. Signs in</u> <u>the right-of-way may not be more the</u> <u>four (4) feet tall or four (4) feet wide.</u>	<u>The temporary signs noted in this section</u> <u>may not be displayed more than ten (10)</u> <u>consecutive days in any thirty (30) day</u> <u>period.</u> <u>If mounted to the ground, a two-sided</u> <u>sign is permitted but shall not exceed the</u> <u>maximum sign dimensions. In no case,</u> <u>may the sign violate the provisions of the</u> <u>illustration in section 2.2, clear vision</u> <u>requirements.</u>
(k)	<u>Wall Signs.</u> <u>Permitted in all districts.</u>	<u>Number. Per the requirements in</u> <u>Section 9.3.2 (C)</u> <u>Total Sign Area. One (1) square foot for</u> <u>each lineal foot of building frontage not</u> <u>to exceed a total of one hundred (100)</u> <u>square feet in the C-1, C-2 and LI</u> <u>Districts, one (1) square foot for each</u> <u>lineal foot of building frontage not to</u> <u>exceed a total of twenty (20) square feet</u> <u>for non-residential uses in all other</u> <u>districts and, three (3) square feet</u> <u>maximum for residential home</u> <u>occupation is all other districts.</u> <u>Height. Signs shall not extend above</u> <u>the roof line of the structure it is</u> <u>mounted to.</u>	<u>Wall signs may be placed anywhere on a</u> <u>building or accessory structure (such as a</u> <u>gas station or drive-through window</u> <u>canopy) provided it meets the height</u> <u>requirements.</u> <u>All or a portion of the permitted wall sign</u> <u>area may be used towards awning</u> <u>signage.</u>

### **Section 9.3.1**      *Freestanding Signs.*

#### **9.3.1.**      General Requirements.

A.      One (1) freestanding sign shall be allowed per lot which has frontage on only one (1) public road. For the purposes of determining freestanding sign requirements, two (2) or more lots used in combination for a single business and/or development shall be considered a single lot.

B.      Two (2) freestanding signs shall be allowed per lot which has



frontage on two (2) public roads. For the purposes of determining freestanding sign requirements, two (2) or more lots used in combination for a single business and/or development shall be considered a single lot. One (1) sign shall not exceed the area requirements set forth herein. The second sign shall not exceed fifty (50) percent of the area requirements set forth herein.

~~C. All freestanding signs shall be located outside of the Jackson County Road Right-of-way or private road easement, and a minimum of ten (10) feet to any adjacent property line.~~

C) For commercial or industrial zoned properties having frontage on one (1) public road AND one (1) limited access highway (I-94), a second freestanding on-premises sign, intended to be visible to traffic on the limited access highway, is permitted; off-premises signage is strictly prohibited. The sign shall not be less than twenty-five feet or more than fifty feet from the highway right-of-way line and shall not be less than 100 feet from any other freestanding sign.

D. All freestanding signs shall be located outside of the Federal, State, and/or County right-of-way or private road easement, and a minimum of ten (10) feet to any property line.

~~9.3.2. Specific Requirements. Freestanding signs shall be allowed by District in accordance with the following requirements.~~

<u>Secondary Signs</u>	<u>Maximum Height</u>	<u>Maximum Area</u>
<u>All Commercial and Industrial Districts with frontage on N. Dearing Rd. AND I-94* (All permitted and conditional uses.)</u>	<u>Fifteen (15)</u>	<u>One Hundred (100) square feet per side, not to exceed a total of two hundred (200) square feet.</u>
<u>All Commercial and Industrial Districts with frontage on N. Parma Rd. AND I-94* (All permitted and conditional uses.)</u>	<u>Fifteen (15)</u>	<u>One Hundred (100) square feet per side, not to exceed a total of two hundred (200) square feet.</u>
<u>All Commercial and Industrial Districts with secondary frontage on I-94* (All permitted and conditional uses.)</u>	<u>Twenty-five (25)</u>	<u>One Hundred Fifty (150) square feet per side, not to exceed a total of three hundred (300) square feet.</u>

\*Second freestanding sign shall be located not less than twenty-five feet from the property



<u>District</u>	<u>Maximum Height</u>	<u>Maximum Area</u>
A. <del>C-1 District. All permitted and conditional uses.</del>	Twelve (12) feet	Thirty-two (32) square feet per side, not to exceed a total of sixty-four (64) square feet.
B. <del>C-2 and LI Districts. All permitted and conditional uses.</del>	Twelve (12) feet	Fifty (50) square feet per side, not to exceed a total of one hundred (100) square feet.
C. <del>All other Districts — For non-residential permitted and special uses. — Identification signs for subdivisions or other residential developments.  — Home Occupation.</del>	Six (6) feet    Four (4) feet	Thirty-two (32) square feet per side, not to exceed a total of sixty-four (64) square feet,    Six (6) square feet per side, not to exceed a total of twelve (12) square feet.

## **~~Section 9.4~~ 9.3.2      *Wall Signs.***

~~The following wall signs shall be allowed in the following districts in  
accordance with the regulations herein.~~

### **~~9.4.1.~~                      *General Requirements.***

A.      No wall sign shall be erected to extend above the top of the wall to which it is attached, nor extend beyond the ends of the wall to which it is attached. Signs erected on the vertical portion of the mansard roof are considered to be wall signs.

B.      All wall signs shall be safely and securely attached to the building by means of metal anchors, bolts, or expansion screws. In no case shall any wall sign be secured with wire, or nails.

C.      There shall be no more than one (1) wall sign allowed for each building. Buildings which have frontages on two (2) public rights-of-way are allowed a wall sign on both building frontages, provided total square foot area requirements set forth in Section ~~9.4.29.3.~~ 9.4.29.3. are not exceeded.

9.4.2. ~~Specific Requirements.~~ Wall signs shall be allowed by the District in accordance with the following requirements:

<u>District</u>	<u>Area</u>
A. <del>C-1, C-2, and LI Districts.</del> <del>All permitted and conditional uses.</del>	One (1) square foot for each lineal foot of building frontage not to exceed a total of one hundred (100) square feet.
B. <del>All other Districts.</del> <del>For non-residential permitted and special uses.</del>	One (1) square foot for each lineal foot of building frontage not to exceed a total of twenty (20) square feet.
<del>Home Occupations.</del>	Three (3) square feet maximum.

## **Section 9.5 ~~Real Estate Signs.~~**

9.5.1 ~~One (1) nonilluminated sign used for advertising land or buildings for rent, lease, or sale shall be allowed in any district provided such signs are located on the property intended to be rented, leased, or sold. Such signs shall not exceed an area of six (6) square feet and a height of four (4) feet in all districts. Such signs shall be allowed in all districts without a permit. Such sign shall be removed within seven (7) days within sale rental or leasing.~~

9.5.2 ~~Temporary portable real estate directional sign, not exceeding three (3) s.f. in area and four (4) in number, saying "Open House" and/or showing a directional arrow and placed back of property lines outside the public right-of-way shall be allowed on approach routes to an open house, only for the day of the open house. The top of such signs shall not exceed three (3) feet in height, nor may such signs be displayed for more than two (2) days in any seven (7) day period. No such signs shall be placed on private property without the consent of the owner. A permit is not required for this type of sign.~~

9.5.3 ~~Unilluminated on site temporary. Real Estate and Development Signs may be erected in accordance with the regulations of this ordinance:~~

A. ~~Large tract residential development (more than two [2] residential units). In all residential districts, one (1) sign for each public street advertising an approved residential development shall be allowed. Each sign shall not exceed twenty (20) s.f. in area. Such a sign may indicate the development name and the address or telephone number where the inquiry can be made. It shall have a maximum height of ten (10) feet and shall be set back at least twenty (20) feet from any street right-of-way or private road easement. Each sign shall be removed after the sale of ninety (90)~~

~~percent of all lots or units within said development or within two (2) years after date of erection, whichever occurs first.~~

~~B. Large tract commercial and/or industrial development (five [5] acres or more). Such developments may have temporary signs identifying the site as for sale or lease of up to a maximum of one hundred (100) s.f. One (1) sided signs only are allowed. Location shall be generally parallel to the right of way and shall be on the tract identified. It shall have a maximum height of ten (10) feet and shall be set back at least twenty (20) feet from any street right of way or private road easement. These signs shall be removed when approximately seventy five (75) percent of the tract is leased or sold or after five (5) years has elapsed from erecting, whichever comes first. These limits may be extended upon application to the Township Zoning Administer in one (1) year increments.~~

~~9.54 One (1) nonilluminated freestanding sign listing persons or firms connected with construction work being performed. Such signs shall not exceed twenty (20) square feet in area and a height of twelve (12) feet, and shall be removed upon completion of said construction work or one (1) year after the date of erection, which ever occurs first.~~

## **Section 9.65**

### **Billboards.**

The following regulations shall apply to billboards:

9.5.1 *Where Allowed.* Billboards (outdoor advertising) shall be allowed only in the LI-Limited Industrial District, subject to the standards contained herein, and the Highway Advertising Act of 1972, as amended.

9.5.2 *Spacing.*

A. Not more than three (3) billboards may be located per linear mile of street or highway regardless of the fact that such billboards may be located on different sides of the street or highway. Double-faced and V-type billboard structures having only one (1) face visible to traffic proceeding from any given direction on a street or highway shall be considered as one billboard. Additionally, billboard structures having tandem or stacked billboard faces shall be considered as one (1) billboard. Otherwise, billboard structures having more than one (1) billboard face shall be considered as two (2) billboards and shall be prohibited in accordance with the minimum spacing requirement set forth in Subsection B below.

B. No billboard shall be located within one thousand (1,000) feet of another billboard abutting either side of the same street or highway.

C. No billboard shall be located within two hundred (200) feet of residentially zoned or used property. An illuminated billboard shall be located at least three hundred (300) feet from residentially zoned or used property.

D. No billboard shall be located closer than seventy-five (75) feet from a property line adjoining a public right-of-way or ten (10) feet from any interior boundary lines of the premises on which the billboard is located.

9.5.3 The height of a billboard shall not exceed thirty (30) feet above the level of the street or road upon which the billboard faces or to which the message upon the billboard is directed. In the event that the billboard is situated upon two (2) streets or roads having different levels, the height of the billboard shall be measured from the higher street or road.

9.5.4 *Surface Area.* The surface display area of any side of a billboard may not exceed three hundred (300) square feet. In the case of billboard structures with tandem or stacked billboard faces, the combined surface display area of both faces may not exceed three hundred (300) square feet.

9.5.5 *Illumination.* A billboard may be illuminated, provided such illumination is concentrated on the surface of the sign and is located so as to avoid glare or reflection onto any portion of an adjacent street or highway, the path of on-coming vehicles or any adjacent premises. In no event shall any billboard have flashing or intermittent lights, nor shall the lights be allowed to rotate or oscillate.

9.5.6 *Construction and Maintenance.*

A. No billboard shall be on top of, cantilevered, or otherwise suspended above the roof of any building.

B. A billboard must be constructed in such a fashion that it will withstand all wind and vibration forces that can normally be expected to occur in the vicinity. A billboard must be maintained so as to assure proper alignment of structure, continued structural soundness and continued readability of message.

## **Section 9.76** ~~Miscellaneous Signs.~~ **Nonconforming signs.**

The goal is to eliminate nonconforming signs, except as otherwise specifically set forth in this section. Any lawfully erected sign, which is made unlawful by this chapter, may continue exactly as the sign existed at the time when the sign became unlawful under the provisions of this chapter.

~~9.7.1. *Directory Signs.* For office park and industrial park development, directory signs which identify only the names and locations of occupants or uses within a~~

~~building on a lot shall be allowed in addition to other signs allowed under these regulations.~~

~~A. No more than one (1) directory sign per lot is allowed.~~

~~B. No directory sign shall exceed twenty four (24) square feet in area or six (6) feet in height from finished grade.~~

~~C. A directory sign shall be located in a manner which does not interfere with vehicular and pedestrian circulation but enhances the visibility of and direction to office or industrial park tenants.~~

~~9.7.2 Menu Board. One (1) menu board for a drive-in or drive-through restaurant shall be allowed in addition to other signs allowed under these regulations, provided such sign does not exceed sixteen (16) square feet in area or six (6) feet in height from finished grade.~~

~~9.7.3. Off-premise Directional Signs. Off-premise directional signs directing vehicular traffic to a church, governmental building, or educational institution may be permitted in all districts subject to the review of the Planning Commission and the following standards:~~

~~A. No more than two (2) signs per use shall be allowed.~~

~~B. The size of an off-premise directional sign shall not exceed four (4) square feet in size.~~

~~C. The height of an off-premise directional sign shall be no less than three (3) feet nor exceed six (6) feet. However, variations in height may be granted by the Planning Commission.~~

~~D. Illumination shall not be allowed.~~

~~E. Proof shall be supplied by the applicant that all appropriate standards of the Jackson County Road Commission are met. Permission of the property owner where the proposed sign is to be located must be provided.~~

~~9.7.4 Temporary signs which include signs advertising the opening of a new business, sales, change in hours of operation, and the conduct of commercial activities during other than regular business hours. Temporary banners and tethered balloons are part of this section. The temporary signs noted in this section may not be displayed more than ten (10) consecutive days in any thirty (30) day period.~~

## **Section 9.87 Permits Required.**

97.1. It shall be unlawful to display, erect, relocate, or alter any sign without obtaining a sign permit. A permit shall be issued by the Zoning Administrator only if the proposed sign meets all requirements of the Ordinance.

9.72. When a sign permit has been issued by the Township, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the building official. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Township.

9.73. The application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or his authorized agent, or a sign contractor. Such applications shall be made in writing on forms furnished by the Township and shall be signed by the applicant.

9.74. The application for a sign permit shall be accompanied by the following plans and other information;

- A. The name, address, and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector.
- B. The location by street address of the proposed sign structure.
- C. Complete information as required on application forms including a site plan and elevation drawings of the proposed sign, caption of the proposed sign, and such other data as are pertinent to the application.
- D. Plans indicating the scope and structural detail of the work to be done, including details of all connections, guy lines, supports and footings, and materials to be used.
- E. Application for, and required information for such application, an electrical permit for all electrical signs if the person building the sign is to make the electrical connection.
- F. A statement of valuation.



## Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

---

### MEMORANDUM

TO: Sandstone Township Board of Trustees

FROM: Chris Atkin, Township Planner

DATE: August 3, 2017

RE: Definitions and Signage – Zoning Ordinance Amendment

Throughout the previous year's Planning Commission meetings, we have placed diligent focus on amending sign ordinance regulations and language. Taking into consideration the 2015 Supreme Court *Gilbert vs. Reed* decision, we amended Article 9 to provide a content neutral sign ordinance by only regulating the sign type, location, size, and illumination. Furthermore, the list of sign definitions has been amended to match the new language of Article 9.

On August 2, 2017, the Sandstone Township Planning Commission held a public hearing to received comments regarding the proposed amendments. No comments were received. After deliberation and discussion, Commissioner Blaine Goodrich moved to recommend to the Township Board approval of the Amended Section 2.1 Definitions-Add sign types and definitions and to Amend Article 9 as published and distributed. Commissioner Cheryl Marks supported the motion. Motion passed unanimously.

Attached, please find the amended language; all modifications are denoted using strikethrough and underline. Included is are two (2) versions of each, one version includes all additions and deletions denoted using red strikethrough and underline. The other version is a clean final draft of how it will appear once codified.

If you have any questions, please do not hesitate to contact me.

---

CARLISLE/WORTMAN ASSOC., INC.

Christopher Atkin

Planner



Sandstone Charter Township Planning Commission Meeting Minutes August 2, 2017

ATTENDANCE: Chris Crisenbery, Peggy Eiler, Blaine Goodrich, Cheryl Marks

GUESTS: Chris Atkin, Ken Powers, Trevin and Heather Fisher

Vice Chairman Crisenbery, acting as chair in the excused absence of Chairman Greg Inosencio, called the meeting to order at 6:02 p.m. in the township hall.

Peggy Eiler moved to approve the agenda as written. Blaine supported the motion. Motion passed. Cheryl Marks moved to approve the minutes as written of the Special May 23, 2017 meeting. Peggy Eiler supported the motion. Motion passed.

PUBLIC COMMENT: The Fishers of 4001 N. Dearing Rd. spoke about their frustration with their neighbor and the fence she installed on the property line, just at the line. Ken Powers met with the neighbor to reduce the height to meet the ordinance. Their continued concern is the various colors of the fence sections. It is an eyesore to them. They do not want to have to spend money to put up a fence/landscape just to hide her mismatched fencing. They claim it is a personal "vendetta" with them. The problems have been going on since they bought the 1-acre property in 2010. They asked if an ordinance existed to deal with this concern. Our consultant read Ordinance 5.2 A and B, but it does not really address their issue. It could be possible considered a visual nuisance. Color would be hard to enforce. Even if we created a new ordinance it would not be retroactive to their issue. We suggested various solutions. Perhaps Keith Acker the supervisor could talk to the neighbor lady. Ken Powers has already handled the height issue, which the lady had her son take care of when it was brought to her attention. We suggest a diplomatic approach and common sense solutions. We have limited ability to do much but we can put the topic of Fences on our agenda for the next meeting.

Chris Crisenbery called the PUBLIC HEARING portion of our meeting to order at 6:30 p.m. We had all read the new/changed sign ordinance language already since the topic has been ongoing for months. No public comment. Chris Crisenbery moved to close the hearing at 6:31 p.m. Cheryl Marks supported the motion. Motion passed. The hearing closed at 6:31 p.m. In the discussion portion of the meeting Blaine Goodrich inquired about political signs. Chris Atkin touched on content neutral language being required and that a political sign would have to meet the yard sign language requirements in the ordinance. The packet was very lengthy and detailed for legal reasons and is on file in the township office.

Blaine Goodrich moved to recommend to the township board approval of the Amended Section 2.1 Definitions-Add sign types and definitions and to Amend Article 9 as published and distributed. Cheryl Marks supported the motion. Motion passed.

OLD BUSINESS: None

NEW BUSINESS: Blaine Goodrich expressed his frustration with notifications and changing meeting dates. Cheryl Marks concurred. We hope to discuss fences at the next meeting. We want to be sure farmers in Agricultural districts would not be impacted with any new regulations. We all agreed the next meeting date is October 3, 2017 at 6:00 p.m.

Chris Crisenbery moved to adjourn the meeting at 6:48 p.m. Blaine Goodrich supported the motion. Motion passed.

Respectfully submitted, Cheryl Marks-Secretary

*This page is intentionally blank.*



# 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 | #21-20

**To:** County Planning Commissioners

**From:** Grant E. Bauman

**Date:** September 1, 2021

**Proposal:** **A rezoning in Leoni Township**

### Request

The subject property (2648 E. South Street, ID #000-14-07-451-002-01) is proposed for rezoning from 'heavy industrial (M)' to 'light industrial (ML)' (see the background information).

### Purpose

A decreased setback requirement from residential zones in the ML district will allow for the expansion of the current cannabis cultivation and processing operation (see the Zoning Amendment Form).<sup>1</sup>

### Location and Size of the Property

The subject property has an area of approximately 7 acres. Situated in Section 7 (T3S-R1E) of the Township, the property is located on the north side of South Street, east of the Indian Village Mobile Home Community (see Figure 1).

### Land Use and Zoning

**Current Land Use** – The subject property currently contains a cannabis cultivation and processing operation and is assessed for 'commercial' use (see Figure 2). Properties to east and south are assessed for 'residential' uses. The Indian Village Mobile Home Community, a multiple-family residential development, is assessed for 'commercial' uses.

**Future Land Use Plan** – The *Leoni Township Master Plan* recommends 'industrial' uses for the subject property and parcels to the north and east (see Figure 3). 'Low-density residential' uses are proposed for properties on the south side of South Street. 'High-density residential' uses are recommended for the Indian Village Mobile Home Community.

**Current Zoning** – The subject property is zoned 'heavy industrial (M)', as are parcels to the north and east (see Figure 3). Properties on the south side of South Street are zoned 'suburban residential (RS)'. The Indian Village Mobile Home Community is zoned 'mobile home residential'.

### Public Facilities and Environmental Constraints

**Water and Sewer Availability** – Municipal water and sewer services are not available according to the Township (see the Rezoning Worksheet Form).

<sup>1</sup> Please note that this report lists the proposed use for informational purposes only. Do not utilize it 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.

**Public Road/Street Access** – South Street, a county primary roadway, provides direct access to the subject property.

**Environmental Constraints** – The subject property has no known environmental constraints according to the Township (see the Rezoning Worksheet Form). However, the background information did reference the presence of wetlands on the parcel as a factor in seeking the rezoning.

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Leoni Township Planning Commission recommends **approval** of the proposed rezoning of the subject property to ‘light industrial (ML)’ (see the attached Zoning Amendment Form and background information).

**Staff Analysis** – Leoni Township has a Zoning Plan (an element of the Master Plan) which includes 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 proposed rezoning is consistent with the Master Plan. The Future Land Use Plan identifies ‘industrial’ uses for the subject property (see Figure 3).

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

**Yes.** ‘Heavy industrial (M)’ zoning is adjacent to the north and east of the subject property.

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

**No.** It is unlikely that the rezoning would have a negative impact of 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.** The downzoning of the subject property to ‘light industrial (ML)’ will allow for a smaller array of potential conflicting land uses than those allowed under the current ‘heavy industrial (M)’ zoning.

**JCPC Staff Advisement** – Based upon the analysis provided in his report, staff advises the County Planning Commission to recommend **APPROVAL** to the Leoni Township Board of the proposed rezoning of the subject property (ID #000-14-07-451-002-01) to ‘light industrial (ML)’.

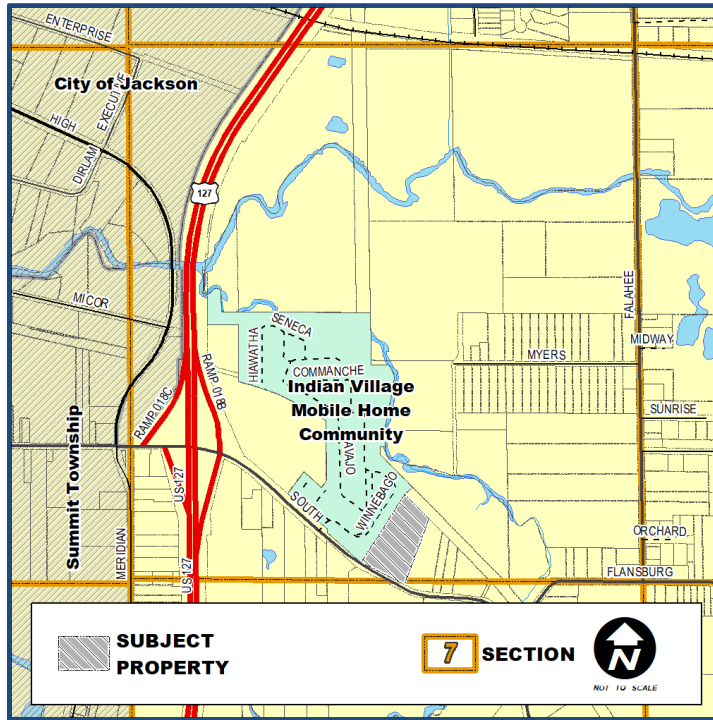
#### **Staff Report Attachment(s):**

- Background information provided by Leoni Township

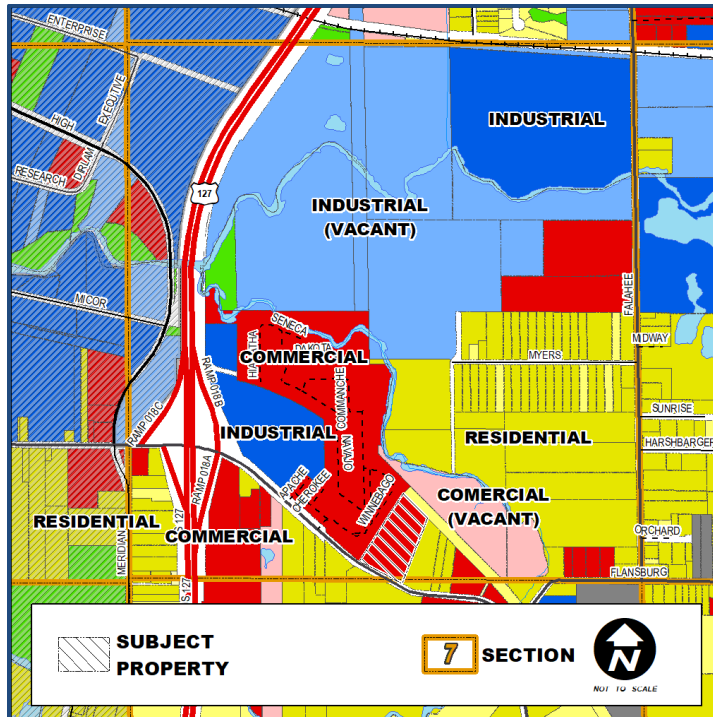
#### **Suggested Actions:**

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

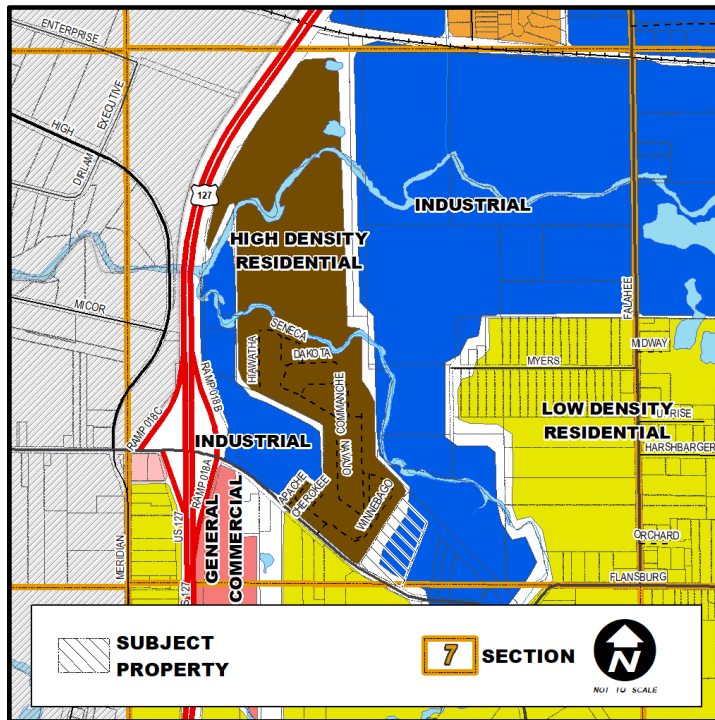
**Figure 1  
Location**



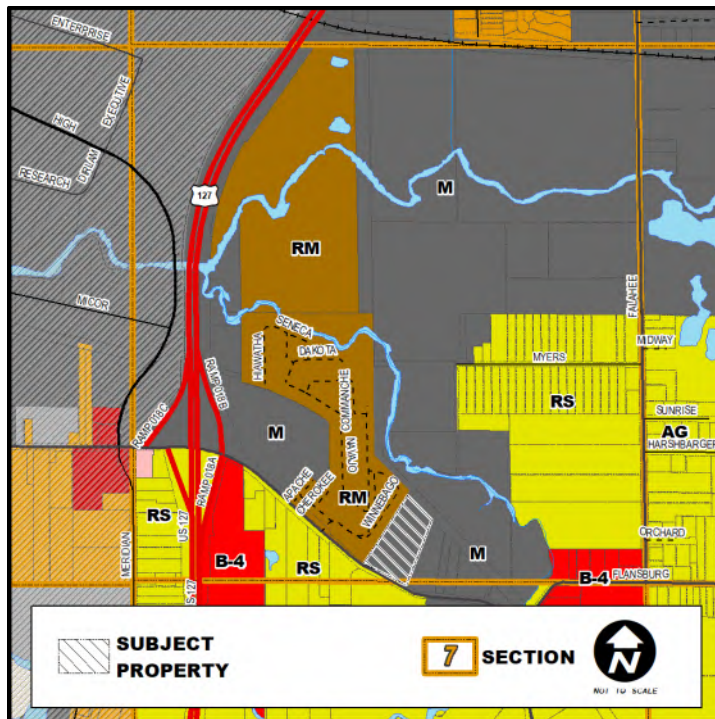
**Figure 2  
Property Assessment**



**Figure 3**  
**Municipal Future Land Use**



**Figure 4**  
**Municipal Zoning**





**Figure 5**  
**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 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.)

see attached

1. The above described property has a proposed zoning change FROM Heavy Industrial (M) ZONE TO Light Industrial (ML) ZONE.

2. PURPOSE OF PROPOSED CHANGE: Expansion of current cannabis cultivation & processing for warehousing & offices

**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 August day 4 year 2021

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month July day 18 year 2021  
(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.

Danella Trammell ☐ Chair or ☒ Secretary 8/12/21 (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: Leoni Township Case #: \_\_\_\_\_  
Township official we may contact: Cindy Norris, Clerk Phone #: (517) 936-2290  
Applicant: DLG & Associates Phone #: (712) 209-9831  
Rezoning Request: From: Heavy Industrial (M) To: Light Industrial (ML)  
Property Location: Section(s): 7 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"): 2648 E. South St., 6.954 acres

Please attach location map ☐ Yes ☐ No

What is the existing use of the site? Cannabis cultivation & processing

What is the proposed use of the site? Same w/ expansion

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

North: Vacant land  
East: Scrap Yard

South: Residential  
West: Trailer Park

What are the surrounding Zoning Districts?

North: (M) Heavy  
East: (M) Heavy

South: (RS) Residential Suburban  
West: (RM) Mobile Home Residential

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.

Please include any additional information or comments as an attachment.



# Leoni Township Office

913 Fifth Street Michigan Center, Michigan 49254

PHONE: (517) 764-4694 FAX: (517) 764-1106

www.leonitownship.com

DATE OF APPLICATION: 6/25/2021

APPLICATION #: \_\_\_\_\_

## APPLICATION FOR ZONING CHANGE or CONDITIONAL USE

TO: PLANNING COMMISSION, LEONI TOWNSHIP

I (We) Hereby make application with the Township of Leoni to:

- ( ) Add to or change the text of the Ordinance.  
( ) Change the district boundaries.  
(X) Re-Zone the property to another classification.  
( ) Conditional Use.  
( ) Home Occupation.  
( ) Extending Residential Non-Conforming Use.

1. Applicants Name: DLG & Associates Phone: 719-209-9831  
2. Address of Property Involved: 2648 E. South St Applicant Address: Same  
3. Legal Description of Property: See attached 000-14-07-451-002-01  
4. The above property is presently zoned: M - Heavy Industrial  
5. I wish the zoning to be changed from: M - Heavy Industrial to: ML - Light Industrial  
6. I wish the boundaries to be changed from: N/A to: \_\_\_\_\_  
7. I wish the change in the text from section: N/A  
8. The proposed use(s) and nature(s) of operation is/are: Existing indoor cannabis cultivation and processing facility  
Proposed additional grow buildings and warehouse/office space on west half of property

**NOTE:** Attach an **ACCURATE SURVEY DRAWING** of said property drawn to scale showing existing and proposed building and structures, the type thereof and their uses, and the distances from property lines.

**I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND THAT I AM THE OWNER OF THE PROPERTY.**

I GRANT PERMISSION FOR MEMEBERS OF THE LEONI TOWNSHIP PLANNING COMMISSION AND/OR TOWNSHIP BOARD TO ENTER THE ABOVE PROPERTY FOR THE PURPOSE OF GATHERING INFORMATION RELATED TO THIS APPLICATION. (NOTE TO APPLICANT: This will not affect any decision on your application.)

**IN CASE OF CANCELLATION OR FAILURE TO APPEAR AT THE HEARING, I UNDERSTAND THAT ALL FEES WILL BE FORFEITED.**

FEE: \_\_\_\_\_

  
SIGNATURE OF OWNER/APPLICANT

\*\*\*\*\*  
PLANNING COMMISSION RECOMMENDATION: Having review the submitted data, hereby recommend the Township Board  
( ) Approve ( ) Disapprove the Application for the following reasons (or with these restrictions) \_\_\_\_\_

DATE: \_\_\_\_\_

CHAIRMAN:

SIGNATURE

\*\*\*\*\*  
TOWNSHIP BOARD OF TRUSTEES: Having reviewed the submitted data, hereby ( ) APPROVE ( ) DISAPPROVE the application for the following reasons: \_\_\_\_\_

DATE: \_\_\_\_\_

CLERK:

SIGNATURE

8/15/12

# TOWNSHIP OF LEONI

Receipt: 173273

07/08/21

913 5TH STREET

P.O. BOX 375

MICHIGAN CENTER, MI 49254

Cashier: TPOTTER

Received Of: DLG AND ASSOCIATES

(517) 764-4694

(517) 764-1106 FAX

The sum of: 550.00

ZON	DLG REZONE APP FEE	550.00
	Total	550.00
	CHK/MO/CASHIE 2674	550.00

Signed: \_\_\_\_\_





CONSULTING. ENGINEERING. CONSTRUCTION.

June 25, 2021

Leoni Township Planning Commission  
913 Fifth Street  
Michigan Center, MI 49254

Re: 2648 E. South St. Rezoning Request

Dear Commissioners:

Please accept the enclosed application and submittal package for a proposed rezoning of the property located at 2648 E. South Street, Jackson, MI from M-Heavy Industrial District to ML-Light Industrial District for your consideration.

The property, currently zoned as heavy industrial, is adjacent to a residentially zone property (Indian Village Mobile Home Community). This requires an increased side yard setback of up to 200' for the heavy industrial zoning when adjacent to residential districts. The property has a large centrally located wetland that bisects the site and this increased setback requirement renders the western half of the site unusable.

The present use of the property is an indoor cannabis cultivation and processing facility, meaning they grow plants indoors and prepare various consumable products for distribution to licensed Michigan retailers. This is a new, rapidly growing industry here in Michigan and my client needs additional building space to continue to expand their operation and would like to make use of the available land area on the existing property.

This use is permitted in the light industrial zoning district and does not produce excessive noise or odors that would be considered a nuisance to the adjacent residents nor does it utilize harmful toxins or chemicals that would warrant an increased separation distance as required by the heavy industrial zoning. As such, we are requesting to rezone this property to light industrial which provides for a more appropriate setback from the mobile home park that would allow the development of the western half of the property similar to that shown in the attached concept plan. An additional benefit to the community with this rezoning request is that it creates a buffer of light industrial uses, which are less intense in nature, between the mobile home park and the potential for heavy industrial uses to the east of the property.

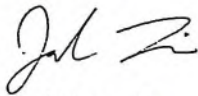
Enclosed with this package are the following documents for your consideration:

- Site Location Map
- Zoning Map blow-up
- Conceptual Site Plan

Thank you for your consideration.

Sincerely,

ATWELL, LLC

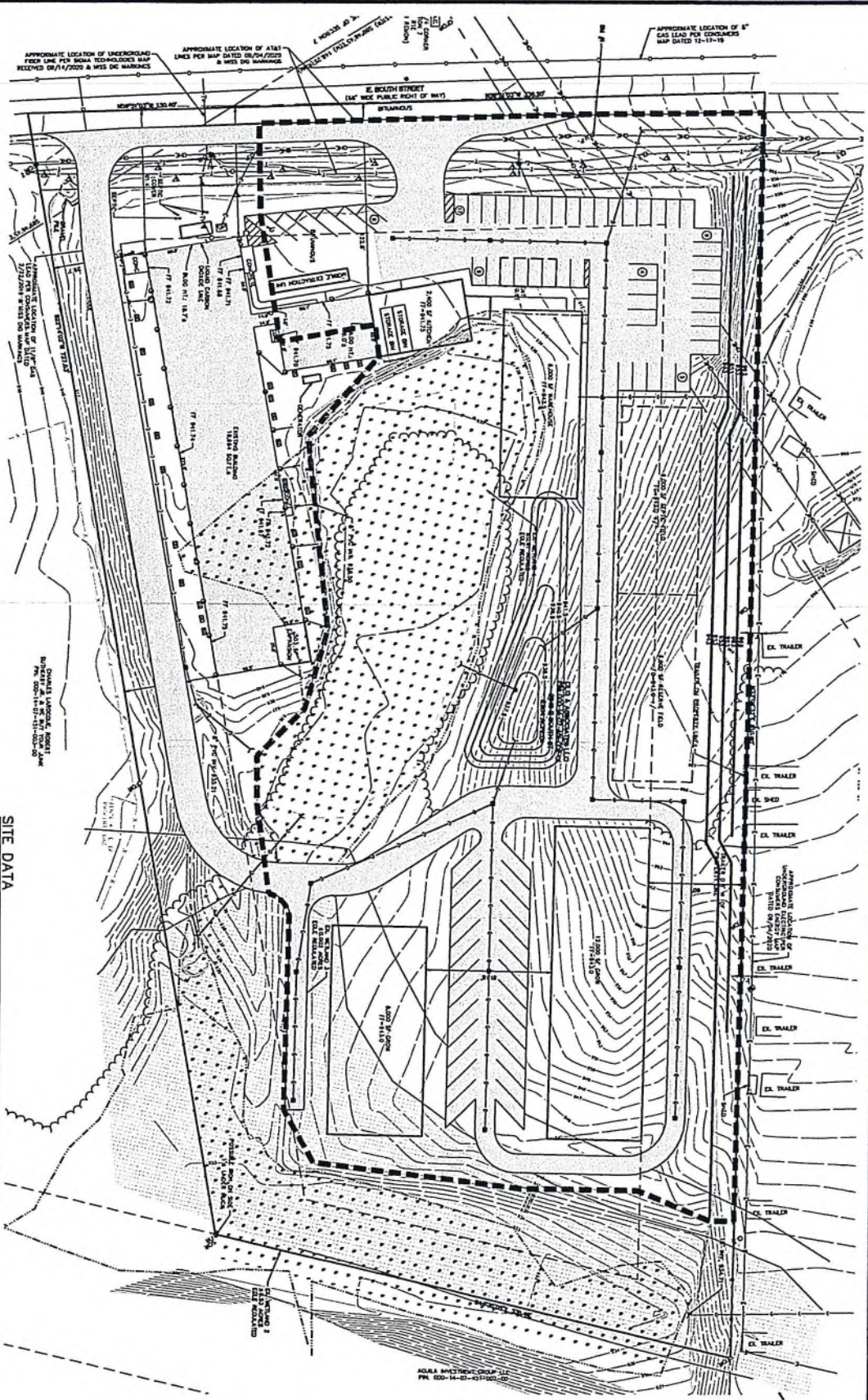
A handwritten signature in black ink, appearing to read 'Jared Kime', is positioned above the printed name.

Jared Kime, PE  
Project Manager



STAGE STORAGE TABLE					
ELEV	AREA (sq. ft.)	DEPT (ft)	AVG END H (cu. ft.)	CONIC INC. VOL. (cu. ft.)	CONIC TOTAL VOL. (cu. ft.)
937.500	873.8	N/A	N/A	0.00	0.00
938.500	1,783.3	1.000	1318.41	1318.41	1318.41
939.500	3,033.3	1.000	2318.78	2318.78	3637.19
940.500	5,016.6	1.000	4028.69	3589.33	7617.53

4.0 AC \* 0.5' / 12 \* 43560 = 7,260 CF



# SITE DATA

## GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.

2. THE SITE IS LOCATED WITHIN THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

3. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

4. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

5. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

6. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

7. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

8. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

9. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

10. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

11. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

12. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

13. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

14. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

15. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

16. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

17. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

18. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

19. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

20. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

21. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

22. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

23. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

24. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

25. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

26. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

27. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

28. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

29. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

30. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

31. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

32. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

33. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

34. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

35. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

36. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

37. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

38. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

39. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

40. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

41. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

42. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

43. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

44. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

45. THE SITE IS SURVEYED AND SHOWN ON THE TOWN OF SOUTH, RANGE 1 EAST, LEONI TOWNSHIP, JACKSON COUNTY, MICHIGAN.

NOT FOR CONSTRUCTION

<p>DATE: JUN 1, 2021</p> <p>PROJECT: TRUE NORTH GROW FACILITY</p> <p>CONCEPT PLAN</p>		<p>SECTIONS 7 &amp; 18</p> <p>TOWN 3 SOUTH, RANGE 1 EAST</p> <p>LEONI TOWNSHIP</p> <p>JACKSON COUNTY, MICHIGAN</p>		<p><b>ATWELL</b></p> <p>800.850.4200 www.atwell-group.com</p> <p>TWO TOWN SQUARE, SUITE 700</p> <p>SOUTHFIELD, MI 48078</p> <p>248.447.2000</p>		<p>PROJECT NO. 2021-01</p> <p>DATE: JUN 1, 2021</p> <p>PROJECT: TRUE NORTH GROW FACILITY</p> <p>CONCEPT PLAN</p>	
---	--	--	--	---	--	--	--





Jackson County, MI  
6/23/2021

LEGAL DESCRIPTION  
PER JACKSON COUNTY PROPERTY RECORDS

COM AT THE S ¼ COR OF SEC 7 TH S89°47'05"E  
ALG THE S SEC LN 148.25 FT TO THE CL OF  
SOUTH ST FOR POB TH N59°51'23"W ALG SD CL  
338.20 FT TH N33°06'12"E 810.80 FT TO THE SLY  
LN OF THE FORMER LS&MS RR (100 FT WIDE) TH  
S44°35'25"E ALG THE SD S LN 338.49 FT TH  
S22°13'42"W 727.53 FT TO THE CL OF SOUTH ST  
TH N59°51'23"W ALG SD CL 130.40 FT TO BEG.

SECS 7 & 18 T3S R1E 6.95 A+/- COMBINED ON  
02/10/2019 FROM:  
000-14-07-451-002-00  
000-14-07-451-001-00

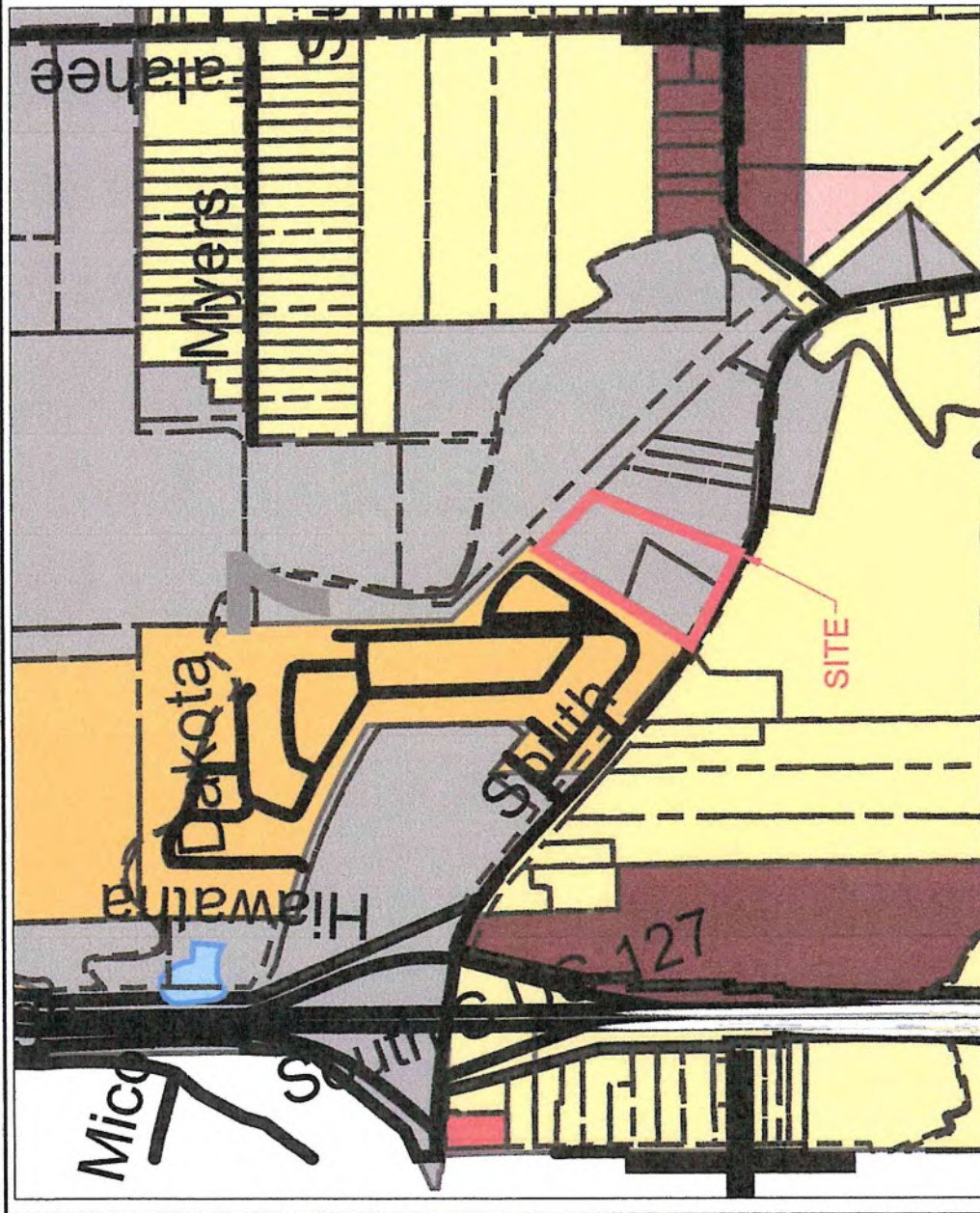
PROJECT NO.: 20002040  
DATE: 06-25-2021



**ATWELL**  
866.850.4200 [www.atwell-group.com](http://www.atwell-group.com)  
TWO TOWNE SQUARE, SUITE 700  
SOUTHFIELD, MI 48076  
248.447.2000

DR: JMK  
CAD FILE: 20002040 EX-1 - SITE LOCATION.DWG





- ZONING DISTRICTS**
- AG** Agricultural District
  - RNF** Rural Non-Farm Residential District
  - RS** Suburban Residential District
  - R-1** One Family Residential District
  - PR-1** Planned Residential District
  - R-4** High Density Residence & Office District
  - RM** Mobile Home Residential District
  - B-1** Neighborhood Business District
  - B-2** Community Business District
  - B-4** General Business District
  - B-5** Highway Business District
  - MIL** Light Industrial District
  - M** Heavy Industrial District
  - PUD** Planned Unit Development District
  - OS** Open Space District

PROJECT NO.: 20002040  
DATE: 06-25-2021

**ATWELL**  
866.850.4200 [www.atwell-group.com](http://www.atwell-group.com)  
TWO TOWNE SQUARE, SUITE 700  
SOUTHFIELD, MI 48076  
248.447.2000

**Leoni Township**  
Jackson County, Michigan  
**Zoning Map**

DR: JMK  
CAD FILE: 20002040 EX-2 - ZONING MAP.DWG



**LEONI TOWNSHIP OFFICE  
913 FIFTH ST  
MICHIGAN CENTER MI 49254  
517-764-4694 PHONE 517-764-1380 FAX**

# NOT I CE

The Leoni Township Planning Commission will hold a ZOOM Public Hearing, Wednesday, August 4, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

**“This meeting is being held by ZOOM because of the COVID-19 State of Emergency and in conformance with Executive Orders issued by the Governor of the State of Michigan.”**

**Please visit the Leoni Township website at <http://www.leonitownship.com> prior to the meeting for instructions regarding remote access and any updates that may be needed due to COVID-19 requirements.**

000-14-07-451-002-01  
DLG & Associates LLC  
2648 E. South St.

Purpose of hearing: Rezone from Heavy Industrial to Light Industrial

Legal Description: COM AT THE S ¼ COR OF SEC 7 TH S89°47'05"E ALG THE S SEC LN 148.25 FT TO THE CL OF SOUTH ST FOR POB TH N59°51'23"W ALG SD CL 338.20 FT TH N33°06'12"E 810.80 FT TO THE SLY LN OF THE FORMER LS&MS RR (100 FT WIDE) TH S44°35'25"E ALG THE SD S LN 338.49 FT TH S22°13'42"W 727.53 FT TO THE CL OF SOUTH ST TH N59°51'23"W ALG SD CL 130.40 FT TO BEG. SECS 7 & 18 T3S R1E 6.95 A+/- COMBINED ON 02/10/2019 FROM 000-14-07-451-002-00, 000-14-07-451-001-00;

Cindy Norris, Clerk





# Parcel Report - Parcel ID: 000-14-07-451-002-01

7/8/2021



**Owner Name** DLG & ASSOCIATES LLC  
**Owner Address** 2732 E SOUTH ST  
 JACKSON, MI 49201  
**Homestead** 0  
**Parcel Address** 2648 E SOUTH ST  
 JACKSON, MI 49201  
**Property Class** 201 - COMMERCIAL  
**Status** Active  
**Acreage** 6.95  
**Gov't Unit** Leoni  
**Tax Unit** Leoni  
**School District** MICHIGAN CENTER SCHOOL  
**Liber/Page** 2163-540

	2019	2020	2021
<b>Taxable Value</b>	\$32,407	\$379,220	\$377,724
<b>Assessed Value</b>	\$32,407	\$379,220	\$377,724

## Tax Description:

COM AT THE S ¼ COR OF SEC 7 TH S89°47'05"E ALG THE S SEC LN 148.25 FT TO THE CL OF SOUTH ST FOR POB TH N59°51'23"W ALG SD CL 338.20 FT TH N33°06'12"E 810.80 FT TO THE SLY LN OF THE FORMER LS&MS RR (100 FT WIDE) TH S44°35'25"E ALG THE SD S LN 338.49 FT TH S22°13'42"W 727.53 FT TO THE CL OF SOUTH ST TH N59°51'23"W ALG SD CL 130.40 FT TO BEG. SECS 7 & 18 T3S R1E 6.95 A+/- COMBINED ON 02/10/2019 FROM 000-14-07-451-002-00, 000-14-07-451-001-00;



WARNING: Displayed boundaries are NOT SURVEY GRADE and may not reflect legal property description. The intent of this map is to allow easy access and visual display of government information and services. Every reasonable effort is made to ensure the accuracy of this map and data; nevertheless, errors may occur.





000-14-07-451-007-00  
AGUILA INVESTMENT GROUP LLC  
4211 W WATER AVE  
TAMPA, FL 33614

000-14-07-451-003-00  
LAROCQUE CHARLES & WE BUY YOUR JUNK  
2756 E SOUTH ST  
JACKSON, MI 49201

000-14-07-451-004-00  
NODINE DIANE M  
2762 E SOUTH STREET  
JACKSON, MI 49201

000-14-07-376-006-00  
LUCIW RICHARD A & KRIS A  
2601 E SOUTH ST  
JACKSON, MI 49201

000-14-07-376-008-00  
BOGARD SCOTT E  
2731 E SOUTH ST  
JACKSON, MI 49201-8764

000-14-07-477-001-06  
CORNELL MANAGEMENT LLC  
1550 FALAHEE RD  
JACKSON, MI 49203

000-14-07-452-001-01  
AGUILA INVESTMENT GROUP LLC  
4211 W WATER AVE  
TAMPA, FL 33614

000-14-07-326-002-01  
I V P LLC  
5940 BAXTER CRESCENT  
, XXXXX

000-14-18-200-001-01  
ULTIMATE AUTO REPAIR LLC  
2765 E SOUTH ST  
JACKSON, MI 49201

000-14-07-451-002-01  
DLG & ASSOCIATES LLC  
2732 E SOUTH ST  
JACKSON, MI 49201

000-14-07-451-005-00  
HUNT STEPHEN OR 123 FAIRFAX LLC  
3901 E SOUTH ST  
JACKSON, MI 49201

# AFFIDAVIT OF PUBLISHER

STATE OF MICHIGAN }  
County of Jackson

*Bettie Watson*

Bettie Watson

being duly sworn, says: I am the Publisher of The Salesman, a shopping guide printed and circulated in said county since 1948.

The attached is a printed copy of an ad which was published in The Salesman (Publications) July 18, 2021

Sworn to and subscribed before me this 6th day of August 2021.

*Coreen Chase*

Notary Public, Jackson County, Michigan

## NOTICE LEONI TOWNSHIP JACKSON COUNTY, MI

The Leoni Township Planning Commission will hold a ZOOM Public Hearing, Wednesday, August 4, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

"This meeting is being held by ZOOM because of the COVID-19 State of Emergency and in conformance with Executive Orders issued by the Governor of the State of Michigan."

Please visit the Leoni Township website at <http://www.leonitownship.com> prior to the meeting for instructions regarding remote access and any updates that may be needed due to COVID-19 requirements.

000-14-07-451-002-01  
DLG & Associates LLC  
2648 E. South St.

Purpose of hearing: Rezone from Heavy Industrial to Light Industrial

Legal Description: COM AT THE S ¼ COR OF SEC 7 TH S89°47'05"E ALG THE S SEC LN 148.25 FT TO THE CL OF SOUTH ST FOR POB TH N59°51'23"W ALG SD CL 338.20 FT TH N33°06'12"E 810.80 FT TO THE SLY LN OF THE FORMER LS&MS RR (100 FT WIDE) TH S44°35'25"E ALG THE SD S LN 338.49 FT TH S22°13'42"W 72.53 FT TO THE CL OF SOUTH ST TH N59°51'23"W ALG SD CL 130.40 FT TO BEG. SECS 7 & 18 T3S R1E 6.95 A+/- COMBINED ON 02/10/2019 FROM 000-14-07-451-002-00, 000-14-07-451-001-00;

Cindy Norris, Clerk

COREEN CHASE  
NOTARY PUBLIC, Jackson County, MI  
My Commission Expires Aug. 31, 2023

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

**PLANNING COMMISSION MINUTES**  
**August 4, 2021 DRAFT**

The Leoni Township Planning Commission held a meeting Wednesday, August 4, 2021 @ 6:00 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:04 pm

Members Present: V. Beckwith, R. Kinch, W. Miles, Connie Gibson & Judy Southworth  
Members absent: D. Perrine and B. Lester  
Persons in attendance: 6

Pledge of Allegiance

Purpose of Planning Commission read by V. Beckwith

*Motion by R. Kinch supported by V. Beckwith to approve the August 4<sup>th</sup> Agenda as written*  
***Motion adopted by voice vote***

*Motion by J. Southworth and supported by W. Miles to approve the July 21 minutes with the following changes:*

*Remove V. Beckwith from Members Present to Members absent*

*Change Purpose of Planning Commission read by V. Beckwith to J. Southworth*  
***Motion adopted by voice vote***

**Public Comment:**                      **Open at        6:04 pm.**  
   **No Comments**  
   **Closed at     6:04 pm.**

**NEW BUSINESS:**

- 1. 000-14-06-151-005-04**  
**3150 Page Ave. Rezone**  
**GR Schultz Real Estate**

*Motion by J. Southworth and supported by R. Kinch to approve the rezone for property 000-14-06-151-005-04 at 3150 Page Ave. from Business (B4) to Light Industrial (ML).*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, B. Lester, and J. Southworth*  
*0 Nays:*

***Motion Carried***

- 2. 000-14-07-451-002-01**  
**2648 E. South St. Rezone**  
**DLG & Associates LLC**



*Motion by W. Miles and supported by J. Southworth to approve the rezone for property 000-14-07-451-002-01 at 2648 E. South St. from Heavy Industrial (M) to Light Industrial (ML).*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, V. Beckwith, and J. Southworth*

*0 Nays:*

***Motion Carried***

### **3. Adopting proposed Solar, The Ordinance**

**Discussion:** J. Southworth stated that according to the ordinance written that nothing over 15 ft. tall would be allowed and that would mean Solar Farms and not wind turbines.

*Motion by R. Kinch, supported by J. Southworth to Adopt the proposed Solar Ordinance as written.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

*0 Nays:*

***Motion Carried***

### **4. Amendment to Light Industrial zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use.**

*Motion by R. Kinch and supported by C. Gibson to approve the amendment to Light Industrial zoning to allow Community Solar Energy System and solar farms as a conditional use.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

*0 Nays:*

***Motion Carried***

### **5. Amendment to Heavy Industrial Zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use.**

*Motion by V. Beckwith, supported by R. Kinch to approve the amendment to Heavy Industrial zoning to allow Community Solar Energy System and solar farms as a conditional use.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

***Motion Carried***

### **6. Amendment to Agricultural zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use.**

*Motion by J. Southworth and supported by W. Miles to approve the amendment to Agricultural zoning to allow Community Solar Energy System and solar farms as a conditional use.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

***Motion Carried***

**OLD BUSINESS:**

**Master Plan - Discussion:** W. Miles believe we should table the discussion of Master Plan until Grant Baumann can join us at the August 18<sup>th</sup> meeting.

**Discussion:** J. Southworth proposed to the Planning Commission that in-person meetings resume on August 4<sup>th</sup>.

*Motion by R. Kinch, supported by C. Gibson to start In Person Planning Commission meetings on August 4<sup>th</sup> 2021.*

*5 Ayes: R. Kinch, C. Gibson, B. Lester, J. Southworth and W. Miles*

***Motion Carried***

*Motion by W. Miles, supported by J. Southworth to adjourn the meeting.*

***Motion adopted by voice vote***

**Meeting Adjourned 6:31 pm.**

**Next meeting: August 18, 2021**

*This page is intentionally blank.*





# 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 | #21-21

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** September 1, 2021

**Proposal:** **A rezoning in Leoni Township**

### Request

The subject property (3150 Page Avenue, ID #000-14-06-151-005-04) is proposed for rezoning from 'general business (B-4)' to 'light industrial (ML)' (see the background information).

### Purpose

Potential sales was cited as the reason for seeking the rezoning (see the Zoning Amendment Form).<sup>1</sup>

### Location and Size of the Property

The subject property has an area of approximately 4 acres. Situated in Section 6 (T3S-R1E) of the Township, the property is located on the north side of Page Avenue, east of Dettman Road (see Figure 1).

### Land Use and Zoning

**Current Land Use** – The subject property currently contains a commercial business and is assessed for 'commercial' use (see Figure 2). Properties to the north and east are assessed for 'industrial' uses. A mix of 'residential' and 'commercial' assessed uses are located on the south side of Page Avenue. The property to the west is assessed for 'commercial' uses.

**Future Land Use Plan** – The *Leoni Township Master Plan* recommends 'commercial' uses for the subject property and parcels to the west (see Figure 3). 'Low-density residential' uses are proposed for properties to the north. 'Industrial' uses are recommended for parcels to the east and south.

**Current Zoning** – The subject property is zoned 'general business (B-4)', as are parcels to the south and west (see Figure 3). Properties to the north are zoned 'one-family residential (R-1)'. Properties to the east are zoned 'heavy industrial (M)'.

### Public Facilities and Environmental Constraints

**Water and Sewer Availability** – Municipal water and sewer services are not available according to the Township (see the Rezoning Worksheet Form).

**Public Road/Street Access** – Page Avenue, a county primary roadway built to class A (all-season) standards, provides direct access to the subject property.

<sup>1</sup> Please note that this report lists the proposed use for informational purposes only. Do not utilize it 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 Leoni Township Planning Commission recommends **approval** of the proposed rezoning of the subject property to ‘light industrial (ML)’ (see the attached Zoning Amendment Form and background information).

**Staff Analysis** – Leoni Township has a Zoning Plan (an element of the Master Plan) which includes 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.** Although the proposed use of the subject property is ‘commercial’, it is adjacent to properties to the east recommended for ‘industrial’ uses (see Figure 3).

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

**Yes.** ‘Heavy industrial (M)’ zoning is adjacent to the east of the subject property.

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

**No.** It is unlikely that the rezoning would have a negative impact of 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.** ‘Heavy industrial (M)’ zoning is already adjacent to the subject property.

**JCPC Staff Advisement** – Based upon the analysis provided in his report, staff advises the County Planning Commission to recommend **APPROVAL** to the Leoni Township Board of the proposed rezoning of the subject property (ID #000-14-06-151-005-04) to ‘light industrial (ML)’.

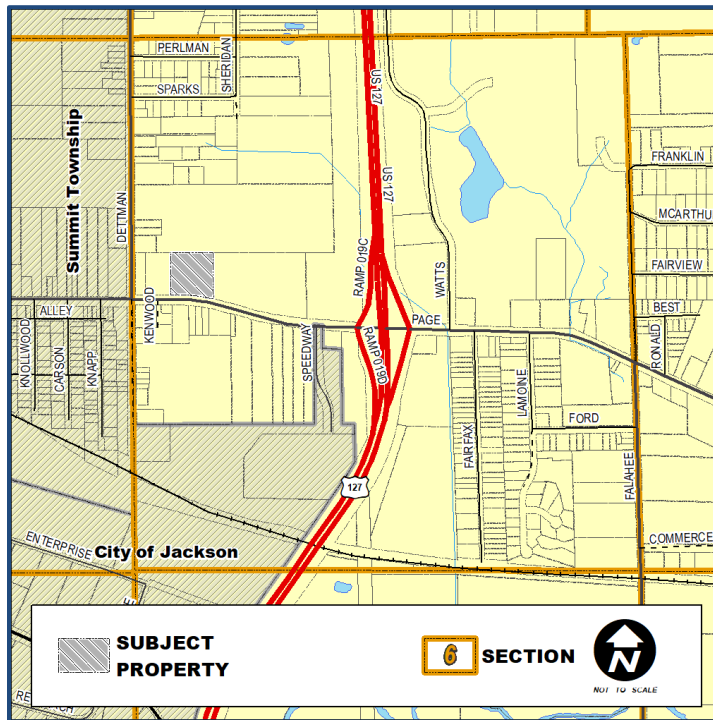
#### **Staff Report Attachment(s):**

- Background information provided by Leoni Township

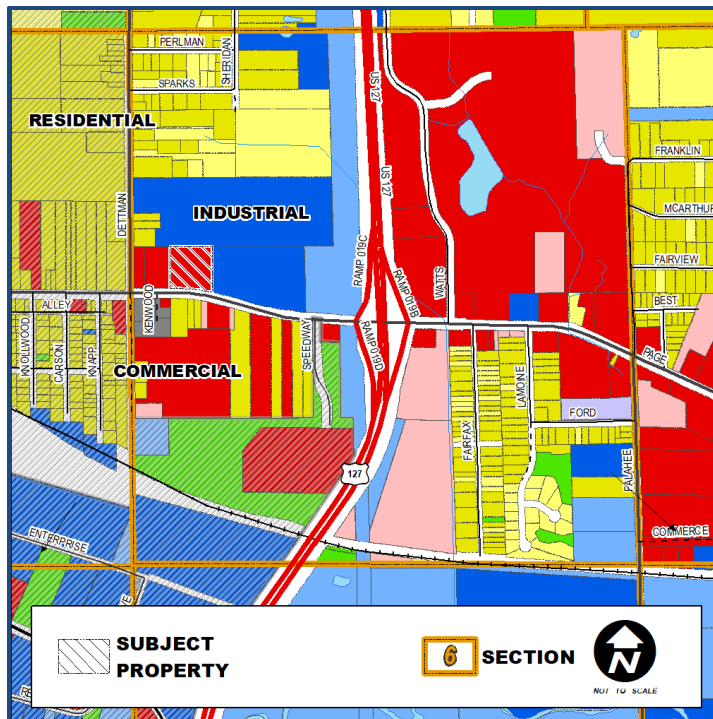
#### **Suggested Actions:**

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

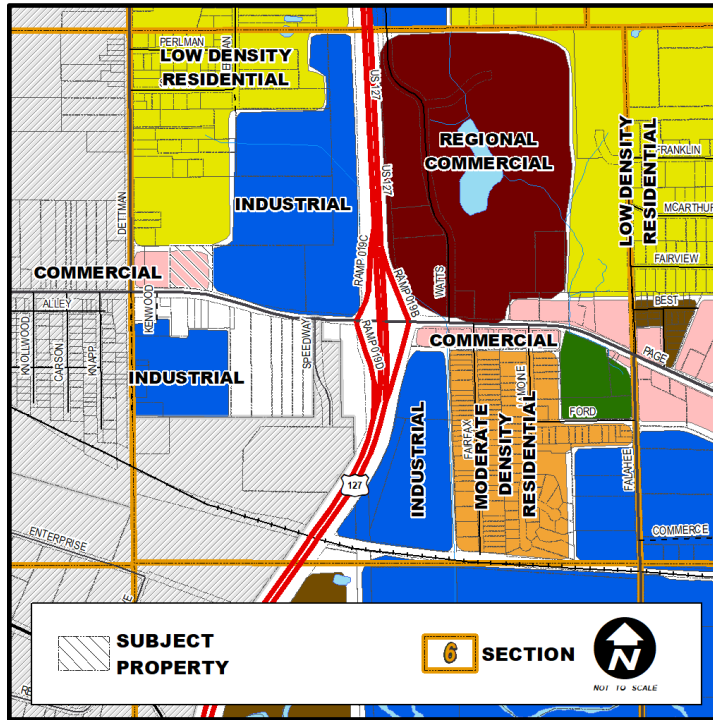
**Figure 1  
Location**



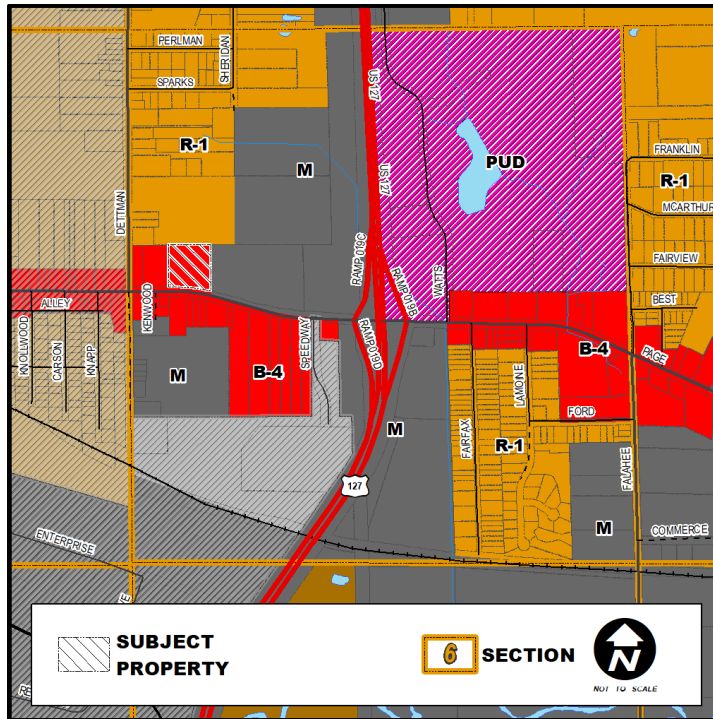
**Figure 2  
Property Assessment**



**Figure 3**  
**Municipal Future Land Use**

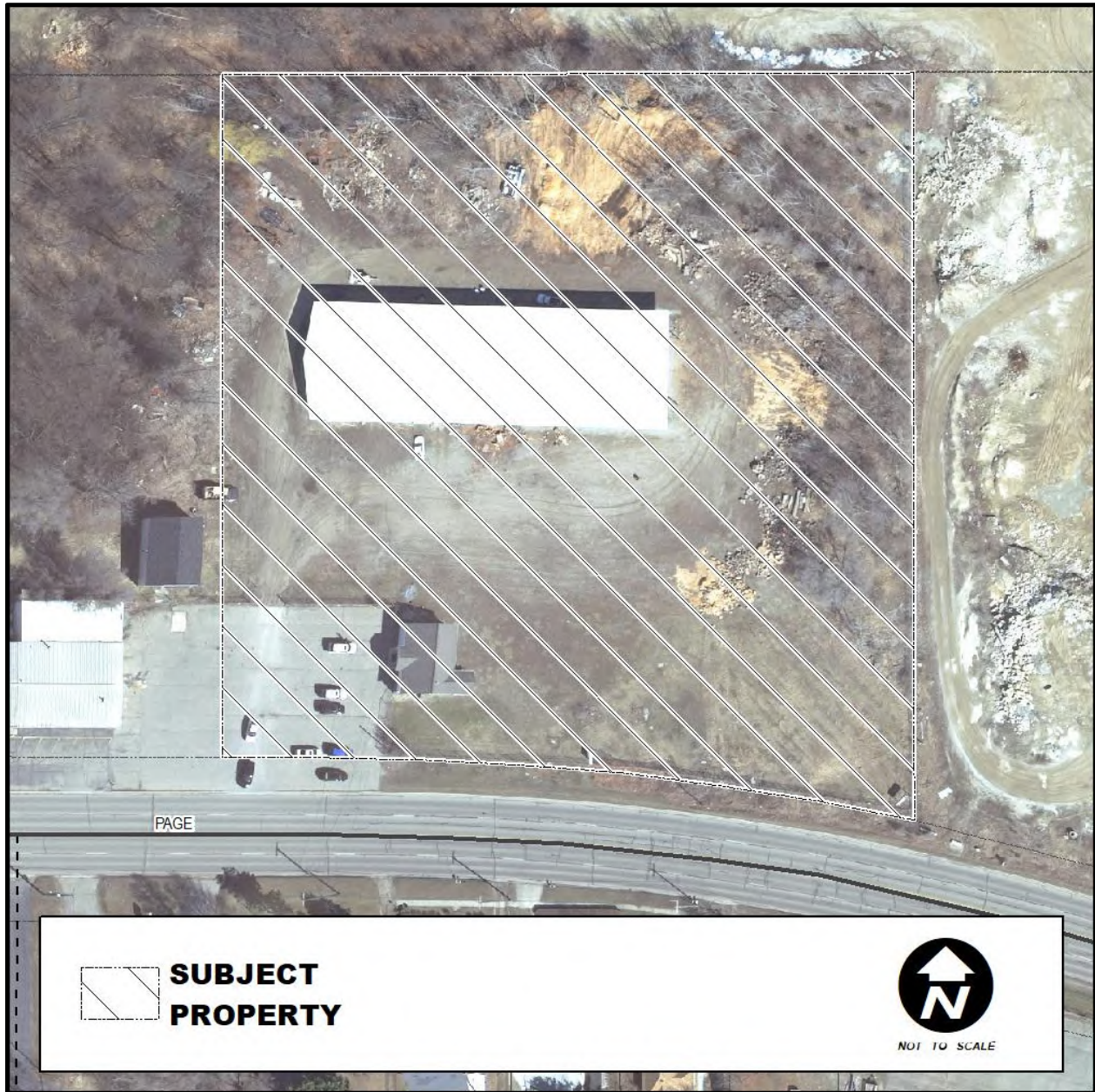


**Figure 4**  
**Municipal Zoning**





**Figure 5**  
**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 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.)

See attached

1. The above described property has a proposed zoning change FROM Business (B4) ZONE TO Light Industrial (ML) ZONE.
2. PURPOSE OF PROPOSED CHANGE: potential sales

**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 August day 4 year 2021
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month July day 18 year 2021  
(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.

Pamela Mammell ☐ Chair or ☒ Secretary 8/11/21 (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: Leoni Township Case #: \_\_\_\_\_  
Township official we may contact: Cindy Norris, Clerk Phone #: (517) 936-2290  
Applicant: GR Schultz Real Estate Holding LLC Phone #: (269) 217-5420  
Rezoning Request: From: Business (B4) To: Light Industrial (ML)  
Property Location: Section(s): 6 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"): 3150 Page Ave. 4.060 acres

Please attach location map ☒ Yes ☐ No

What is the existing use of the site? Commercial business

What is the proposed use of the site? \_\_\_\_\_

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

North: Industrial

South: Residential

East: Industrial

West: Commercial Business

What are the surrounding Zoning Districts?

North: ( M ) Heavy Industrial

South: ( B4 ) Business

East: ( M ) Heavy Industrial

West: ( B4 ) Business

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.

Please include any additional information or comments as an attachment.



# Leoni Township Office

913 Fifth Street Michigan Center, Michigan 49254

PHONE: (517) 764-4694 FAX: (517) 764-1106

www.leonitownship.com

DATE OF APPLICATION: 6-28-21

APPLICATION #: \_\_\_\_\_

## APPLICATION FOR ZONING CHANGE or CONDITIONAL USE

TO: PLANNING COMMISSION, LEONI TOWNSHIP

I (We) Hereby make application with the Township of Leoni to:

- ( ) Add to or change the text of the Ordinance.  
( ) Change the district boundaries.  
(X) Re-Zone the property to another classification.  
( ) Conditional Use.  
( ) Home Occupation.  
( ) Extending Residential Non-Conforming Use.

1. Applicants Name: G R SCHULTZ REAL ESTATE HOLDING LLC Phone: 269-217-5420  
2. Address of Property Involved: 3150 PAGE AVE Applicant Address: \_\_\_\_\_  
3. Legal Description of Property: 000-14-06-151-005-04  
4. The above property is presently zoned: COMMERCIAL B-4  
5. I wish the zoning to be changed from: B4 COMMERCIAL to: LIGHT INDUSTRIAL  
6. I wish the boundaries to be changed from: \_\_\_\_\_ to: \_\_\_\_\_  
7. I wish the change in the text from section: \_\_\_\_\_  
8. The proposed use(s) and nature(s) of operation is/are: \_\_\_\_\_

**NOTE:** Attach an **ACCURATE SURVEY DRAWING** of said property drawn to scale showing existing and proposed building and structures, the type thereof and their uses, and the distances from property lines.

**I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND THAT I AM THE OWNER OF THE PROPERTY.**

I GRANT PERMISSION FOR MEMEBERS OF THE LEONI TOWNSHIP PLANNING COMMISSION AND/OR TOWNSHIP BOARD TO ENTER THE ABOVE PROPERTY FOR THE PURPOSE OF GATHERING INFORMATION RELATED TO THIS APPLICATION. (NOTE TO APPLICANT: This will not affect any decision on your application.)

**IN CASE OF CANCELLATION OR FAILURE TO APPEAR AT THE HEARING, I UNDERSTAND THAT ALL FEES WILL BE FORFEITED.**

FEE: \$550.00

SIGNATURE OF OWNER APPLICANT

Gregory R. Schulte

\*\*\*\*\*

PLANNING COMMISSION RECOMMENDATION: Having review the submitted data, hereby recommend the Township Board  
( ) Approve ( ) Disapprove the Application for the following reasons (or with these restrictions) \_\_\_\_\_

DATE: \_\_\_\_\_ CHAIRMAN: \_\_\_\_\_

SIGNATURE

\*\*\*\*\*

TOWNSHIP BOARD OF TRUSTEES: Having reviewed the submitted data, hereby ( ) APPROVE ( ) DISAPPROVE the application for the following reasons: \_\_\_\_\_

DATE: \_\_\_\_\_ CLERK: \_\_\_\_\_

SIGNATURE

8/15/12



**TOWNSHIP OF LEONI**

Receipt: 173274

07/08/21

913 5TH STREET

P.O. BOX 375

MICHIGAN CENTER, MI 49254

Cashier: TPOTTER

Received Of: GR SHULTZ REAL ESTATE HOLDING CO

(517) 764-4694

(517) 764-1106 FAX

The sum of: 550.00

ZON	GR SHULTZ REZONE APP FEE	550.00
	Total	550.00
	CHK/MO/CASHIE 5758	550.00

Signed: \_\_\_\_\_





# Parcel Report - Parcel ID: 000-14-06-151-005-04

7/7/2021



<b>Owner Name</b>	GR SCHULTZ REAL ESTATE HOLDINGS	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Owner Address</b>	3150 PAGE AVE JACKSON, MI 49203	<b>Taxable Value</b>	\$159,742	\$157,635
<b>Homestead</b>	0	<b>Assessed Value</b>	\$161,555	\$157,635
<b>Parcel Address</b>	3148 PAGE AVE JACKSON, MI 49203	<b>Tax Description:</b>		
<b>Property Class</b>	201 - COMMERCIAL	COM AT THE W ¼ COR OF SEC 6 TH N00°13'13"E ALG THE W SEC		
<b>Status</b>	Active	LN 480.23 FT (REC AS 468.02 FT) TH S89°32'00"E 385.71 FT FOR		
<b>Acreage</b>	4.06	POB S89°32'00"E 418.93 FT TH S00°12'09"W 448.49 FT (REC AS		
<b>Gov't Unit</b>	Leoni	460.43 FT) TO LN OF PAGE AVE TH ALG A CURVE TO THE LEFT		
<b>Tax Unit</b>	Leoni	ALG SAID N LN 357.99 FT (REC AS 341.40 FT) SAID CURVE		
<b>School District</b>	EAST JACKSON SCHOOL	HAVING A RADIUS OF 1647.36 FT DELTA ANGLE OF 12°27'04" AND		
<b>Liber/Page</b>	2111-386	A CHORD OF 357.29 FT BEARING N83°40'31"W TH N89°20'07"W		
		CONT ALG SAID N LN 63.81 FT TH N00°13'13"E 411.81 TO BEG.		
		SEC 6 T3S R1E 4.06 A+/- SPLIT ON 02/03/2018 FROM 000-14-06-		
		151-005-01;		



WARNING: Displayed boundaries are NOT SURVEY GRADE and may not reflect legal property description. The intent of this map is to allow easy access and visual display of government information and services. Every reasonable effort is made to ensure the accuracy of this map and data; nevertheless, errors may occur.







PAGE

Page Ave

105

165

12.8

17-00

PAGE









**LEONI TOWNSHIP OFFICE  
913 FIFTH ST  
MICHIGAN CENTER MI 49254  
517-764-4694 PHONE 517-764-1380 FAX**

# NOT I CE

The Leoni Township Planning Commission will hold a ZOOM Public Hearing, Wednesday, August 4, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

**“This meeting is being held by ZOOM because of the COVID-19 State of Emergency and in conformance with Executive Orders issued by the Governor of the State of Michigan.”**

**Please visit the Leoni Township website at <http://www.leonitownship.com> prior to the meeting for instructions regarding remote access and any updates that may be needed due to COVID-19 requirements.**

000-14-06-151-005-04  
GR Schultz Real Estate Holding  
3150 Page Ave.

Purpose of hearing: Rezone from B-4 to Light Industrial

Legal Description: COM AT THE W ¼ COR OF SEC 6 TH N00°13'13"E ALG THE W SEC LN 480.23 FT (REC AS 468.02 FT) TH S89°32'00"E 385.71 FT FOR POB S89°32'00"E 418.93 FT TH S00°12'09"W 448.49 FT (REC AS 460.43 FT) TO LN OF PAGE AVE TH ALG A CURVE TO THE LEFT ALG SAID N LN 357.99 FT (REC AS 341.40 FT) SAID CURVE HAVING A RADIUS OF 1647.36 FT DELTA ANGLE OF 12°27'04" AND A CHORD OF 357.29 FT BEARING N83°40'31"W TH N89°20'07"W CONT ALG SAID N LN 63.81 FT TH N00°13'13"E 411.81 TO BEG. SEC 6 T3S R1E 4.06 A+/- SPLIT ON 02/03/2018 FROM 000-14-06-151-005-01;

Cindy Norris, Clerk

000-14-06-151-002-01  
FOWLER SEAN C & BRANDI M  
999 S DETTMAN RD  
JACKSON, MI 49203

000-14-06-151-003-01  
MARTIN BRION B & CHANIN L  
1001 S DETTMAN RD  
JACKSON, MI 49203

000-14-06-301-001-00  
LITTERAL ARLETA J & MESSNER DAVID E  
4233 HOYER RD  
JACKSON, MI 49201

000-14-06-301-015-02  
ROBELE INVESTMENTS LLC(NOTE)  
3700 SARGENT RD  
JACKSON, MI 49201

~~000-14-06-301-009-00  
ROBELE INVESTMENTS LLC(NOTE)  
3700 SARGENT RD  
JACKSON, MI 49201~~

000-14-06-301-007-00  
MCRE HOLDINGS LLC  
3141 PAGE AVE  
JACKSON, MI 49203

~~000-14-06-301-008-00  
ROBELE INVESTMENTS LLC(NOTE)  
3700 SARGENT RD  
JACKSON, MI 49201~~

~~000-14-06-301-002-00  
LITTERAL ARLETA J & MESSNER DAVID E  
4233 HOYER RD  
JACKSON, MI 49201~~

000-14-06-301-006-00  
WRIGHT ROBERT & JULIA  
3149 PAGE AVE  
JACKSON, MI 49203

000-14-06-301-005-00  
KRAWIEC PAWEL & JESSICA  
3155 PAGE AVE  
JACKSON, MI 49203

000-14-06-301-004-00  
SCOTT JAMI M  
3201 PAGE AVE  
JACKSON, MI 49203

~~000-14-06-301-003-00  
LITTERAL ERMAL  
4233 HOYER RD  
JACKSON, MI 49201~~

000-14-06-327-001-00  
BYNUM GREGORY & THOMAS NICHOLE  
3247 PAGE AVE  
JACKSON, MI 49203

000-14-06-151-001-01  
TIM & MATT PROPERTIES LLC  
48655 HARVEST DR  
PLYMOUTH, MI 48170

000-14-06-151-006-01  
DOAN CONSTRUCTION CO  
3670 CARPENTER RD  
YPSILANTI, MI 48197

000-14-06-151-004-00  
FOX WILLIAM D & DEBRA  
1013 S DETTMAN RD  
JACKSON, MI 49203-2218

000-14-06-151-005-03  
ALB PROPERTIES LLC  
3773 N DEARING RD  
PARMA, MI 49269

000-14-06-151-005-04  
GR SCHULTZ REAL ESTATE HOLDINGS LLC  
3150 PAGE AVE  
JACKSON, MI 49203

000-14-06-151-005-02  
UNLEASHED AND LOVIN' IT LLC  
3104 PAGE AVE  
JACKSON, MI 49201



# AFFIDAVIT OF PUBLISHER

STATE OF MICHIGAN }  
County of Jackson

*Bettie Watson*

Bettie Watson

being duly sworn, says: I am the Publisher of The Salesman, a shopping guide printed and circulated in said county since 1948.

The attached is a printed copy of an ad which was published in

The Salesman (Publications) July 18, 2021

Sworn to and subscribed before me this 6th day  
of August 2021.

*Coreen Chase*

Notary Public, Jackson County, Michigan

## NOTICE LEONI TOWNSHIP JACKSON COUNTY, MI

The Leoni Township Planning Commission will hold a ZOOM Public Hearing, Wednesday, August 4, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

"This meeting is being held by ZOOM because of the COVID-19 State of Emergency and in conformance with Executive Orders issued by the Governor of the State of Michigan."

Please visit the Leoni Township website at <http://www.leonitownship.com> prior to the meeting for instructions regarding remote access and any updates that may be needed due to COVID-19 requirements.

000-14-06-151-005-04  
GR Schultz Real Estate Holding  
3150 Page Ave.

Purpose of hearing: Rezone from B-4 to Light Industrial

Legal Description: COM AT THE W ¼ COR OF SEC 6 TH N00°13'13"E ALG THE W SEC LN 480.23 FT (REC AS 468.02 FT) TH S89°32'00"E 385.71 FT FOR POB S89°32'00"E 418.93 FT TH S00°12'09"W 448.49 FT (REC AS 460.43 FT) TO LN OF PAGE AVE TH ALG A CURVE TO THE LEFT ALG SAID N LN 357.99 FT (REC AS 341.40 FT) SAID CURVE HAVING A RADIUS OF 1647.36 FT DELTA ANGLE OF 12°27'04" AND A CHORD OF 357.29 FT BEARING N83°40'31"W TH N89°20'07"W CONT ALG SAID N LN 63.81 FT TH N00°13'13"E 411.81 TO BEG. SEC 6 T3S R1E 4.06 A+/- SPLIT ON 02/03/2018 FROM 000-14-06-151-005-04;

Cindy Norris, Clerk



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

**PLANNING COMMISSION MINUTES**  
**August 4, 2021 DRAFT**

The Leoni Township Planning Commission held a meeting Wednesday, August 4, 2021 @ 6:00 p.m. 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:04 pm

Members Present: V. Beckwith, R. Kinch, W. Miles, Connie Gibson & Judy Southworth  
Members absent: D. Perrine and B. Lester  
Persons in attendance: 6

Pledge of Allegiance

Purpose of Planning Commission read by V. Beckwith

*Motion by R. Kinch supported by V. Beckwith to approve the August 4<sup>th</sup> Agenda as written*  
***Motion adopted by voice vote***

*Motion by J. Southworth and supported by W. Miles to approve the July 21 minutes with the following changes:*

*Remove V. Beckwith from Members Present to Members absent*

*Change Purpose of Planning Commission read by V. Beckwith to J. Southworth*

***Motion adopted by voice vote***

**Public Comment:**                      **Open at        6:04 pm.**  
   **No Comments**  
   **Closed at     6:04 pm.**

**NEW BUSINESS:**

- 1. 000-14-06-151-005-04**  
**3150 Page Ave. Rezone**  
**GR Schultz Real Estate**

*Motion by J. Southworth and supported by R. Kinch to approve the rezone for property 000-14-06-151-005-04 at 3150 Page Ave. from Business (B4) to Light Industrial (ML).*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, B. Lester, and J. Southworth*

*0 Nays:*

***Motion Carried***

- 2. 000-14-07-451-002-01**  
**2648 E. South St. Rezone**  
**DLG & Associates LLC**

*Motion by W. Miles and supported by J. Southworth to approve the rezone for property 000-14-07-451-002-01 at 2648 E. South St. from Heavy Industrial (M) to Light Industrial (ML).*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, V. Beckwith, and J. Southworth*

*0 Nays:*

***Motion Carried***

### **3. Adopting proposed Solar, The Ordinance**

**Discussion:** J. Southworth stated that according to the ordinance written that nothing over 15 ft. tall would be allowed and that would mean Solar Farms and not wind turbines.

*Motion by R. Kinch, supported by J. Southworth to Adopt the proposed Solar Ordinance as written.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

*0 Nays:*

***Motion Carried***

### **4. Amendment to Light Industrial zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use.**

*Motion by R. Kinch and supported by C. Gibson to approve the amendment to Light Industrial zoning to allow Community Solar Energy System and solar farms as a conditional use.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

*0 Nays:*

***Motion Carried***

### **5. Amendment to Heavy Industrial Zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use.**

*Motion by V. Beckwith, supported by R. Kinch to approve the amendment to Heavy Industrial zoning to allow Community Solar Energy System and solar farms as a conditional use.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

***Motion Carried***

### **6. Amendment to Agricultural zoning to allow Community Solar Energy System (CSES) (Also called "Solar Garden") and solar farms as a conditional use.**

*Motion by J. Southworth and supported by W. Miles to approve the amendment to Agricultural zoning to allow Community Solar Energy System and solar farms as a conditional use.*

*5 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth and V. Beckwith*

***Motion Carried***

**OLD BUSINESS:**

**Master Plan - Discussion:** W. Miles believe we should table the discussion of Master Plan until Grant Baumann can join us at the August 18<sup>th</sup> meeting.

**Discussion:** J. Southworth proposed to the Planning Commission that in-person meetings resume on August 4<sup>th</sup>.

*Motion by R. Kinch, supported by C. Gibson to start In Person Planning Commission meetings on August 4<sup>th</sup> 2021.*

*5 Ayes: R. Kinch, C. Gibson, B. Lester, J. Southworth and W. Miles*

***Motion Carried***

*Motion by W. Miles, supported by J. Southworth to adjourn the meeting.*

***Motion adopted by voice vote***

**Meeting Adjourned 6:31 pm.**

**Next meeting: August 18, 2021**





# 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 | #21-22

**To:** County Planning Commissioners

**From:** Grant E. Bauman

**Date:** September 1, 2021

**Proposal:** **Solar Energy Facility Regulations in Napoleon Township**

### Background Information

Napoleon Township wishes to amend its Zoning Ordinance to include regulations for “small solar energy facilities” and “utility grid/large solar energy facilities (solar farms)”. The proposed amendments would:

- Section 15.1: add pertinent definitions.
- Section 9.11.22: add regulations for “utility grid/large solar energy facilities (solar farms)”.
- Section 4.23: add regulations for “small solar energy facilities”.

### Staff Analysis and Advisement

The Township Board should address various outstanding issues prior to the adoption of the regulations:

1. **Section 15.1 (Definitions).** There are citations for a couple of definitions in Section 9.11.22 that are not included in the definitions proposed for Section 15.1. JCPC staff suggests that definitions be added for “power switchyard” and “medium voltage cable”. Staff further suggests that all of the definitions be grouped together under the heading “solar energy facility”.
2. **Section 3.10 (Schedule of Permitted and Conditional Uses).** “Small solar energy facilities (subject to the provisions of Section 4.23)” should be added to the schedule (i.e., table) as a permitted use (P) in all zoning districts. “Utility grid/large solar energy facilities (solar farms) (subject to the provisions of Section 9.11.22)” should be added to the schedule as a conditional use (C) in the “agricultural (AG)”, “limited industrial (LI)”, and “general industrial (GI)” districts. These are similar to the listings for “small wind energy facilities/systems” and “utility grid large wind energy facilities/systems”.
3. **Section 9.11.22 (Utility Grid/Large Solar Energy Facility (Solar Farm)).** The following changes to Section 9.11.22 are suggested:
  - a. **Organization.** It appears that the regulations were adapted from similar regulations in Summit Township’s zoning regulations. More care should be taken in adapting the format of the regulations to the template utilized throughout the Napoleon Township Zoning Ordinance. For example, the title of Section 9.11.22

---

[www.region2planning.com/jackson-county-planning-commission/](http://www.region2planning.com/jackson-county-planning-commission/)



should be “Utility Grid/Large Solar Energy Facilities (Solar Farms)”, rather than including that title in Subsection (A). Also, subsection “(A)” should simply be subsection “A”.

- b. **Subsection (A)(1) (Location).** The district citation for Limited Industrial “(L-I)” should simply be “(LI)”. The district citation for General Industrial “(G-1)” should simply be “(GI)”.
  - c. **Subsection (A)(2)(a)2 (Maximum Height).** The subsection cites a definition for “power switchyard” that is not proposed for addition to Section 15.1; staff suggests adding the definition to Section 15.1. The subsection also references the maximum height regulations for buildings in “Article 3, page 16 of the zoning ordinance”. That citation should simply be “Section 3.11”.
  - d. **Subsection (A)(2)(a)4a (Safety/Access).** Subsection 4a refers to fencing requirements. A citation for Section 4.3 (fence regulations) is suggested.
  - e. **Subsection (A)(2)(a)7 (Medium Voltage Cable).** Subsection 7 cites a definition for “medium voltage cable” that is not proposed for addition to Section 15.1; staff suggests adding the definition to Section 15.1.
4. **Section 4.23 (Small Solar Energy Facility).** The following changes to Section 4.2.23 are suggested:
- a. **Organization 1.** The section is proposed as Section 4.2.23, which would add it to regulations pertaining to “landscaping, greenbelts and buffers, and screening”. JCPC staff suggests that the section be added as Section 4.23.
  - b. **Organization 2.** It appears that the regulations were adapted from similar regulations in Summit Township’s zoning regulations. More care should be taken in adapting the format of the regulations to the template utilized throughout the Napoleon Township Zoning Ordinance. For example, the title of Section 4.23 should be “Small Solar Energy Facility”, rather than including that title in Subsection (A). Also, subsection “(A)” should be subsection “4.23.1” or simply “A”.
  - c. **Subsection 4.23(A)(1)(d).** Why is the height of a ground-mounted facility limited to 12 feet for a “small solar energy facility” when it is 14 feet for a ground-mounted facility for a “utility grid/large solar energy facility (solar farm)”?

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the zoning ordinance amendments regarding solar energy facility regulations to the Napoleon Township Board with the comments/suggestions made by staff (see the staff report).

**Staff Report Attachments:**

- *Background information provided by Napoleon 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 Napoleon 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: 

See attached

**B. ZONING ORDINANCE TEXT AMENDMENT:**

The following Article(s) and Section(s) is amended or altered: ARTICLE 15, 3, 4, 9, 12 SECTION 15.1,3.10,4.2.23,9.11  
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)

See attached

C. **PUBLIC HEARING** on the above amendment was held on: month August day 26 year 2021

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month August day 10 year 2021  
(Notice must be provided at least fifteen days prior to the public hearing.)

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

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 Hummer Mindy Rice, Recording Secretary 08 / 26 / 2021 (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

## Article 15 Definitions

***SMALL SOLAR ENERGY FACILITY.*** Accessory to a principal residential or small business use and converts sunlight into electricity by photovoltaics (PV) or experimental solar technologies. The sale and distribution of excess available energy shall be incidental and not the primary purpose of the facility. For ground-mounted facilities, the total area covered by solar arrays shall not exceed 10,000 square feet.

***UTILITY GRID/ LARGE SOLAR ENERGY FACILITY (SOLAR FARM).*** A utility-scale facility that converts sunlight into electricity by photovoltaics (PV) or experimental solar technologies. Any ground-mounted facility that covers more than 10,000 square feet is included in this definition.

## Section 9.11.22

(A) *Utility grid, large solar energy facility (solar farm).* The purpose of this subsection is to establish minimum requirements and regulations for the siting, installation, operation, repair, decommissioning, and removal of utility grid, large solar energy facilities (hereafter referred to as solar farms), as defined in (§ Zoning Ordinance) while promoting the safe, effective, and efficient use of such energy facilities as a conditional use in specified zoning districts. The following requirements shall apply to all solar farms:

(1) *Location.* All solar farms are limited to the Agricultural (AG), Limited Industrial (L-I), and General Industrial (G-1) districts.

(2) *Regulations and design standards.* All solar farms shall comply with the following minimum regulations and design standards.

(a) *Design standards.*

1. *Minimum lot size.* No solar farm shall be erected on any zoning lot less than 20 acres in size, unless recommended by the township planning commission and approved by the township board, in which case the minimum lot size shall be not less than 10 acres.

2. *Maximum height.* The maximum height for a solar panel shall be 14 feet, unless otherwise recommended by the township planning commission and approved by the township board. The maximum height of a power switchyard (as defined in § Zoning Ordinance) shall not exceed the minimum height needed to tie into electric transmission lines. The height of all other buildings and accessory structures shall comply with the maximum building height requirements of the applicable zoning district in which the solar farm is located, as listed in Article 3, page 16 of the zoning ordinance. The height of required lightning rods attached to the power switchyard or solar farm related equipment shall not be subject to the foregoing height limitations. The height of lightning rods shall be limited to that height necessary to protect the power switchyard and solar farm equipment from lightning.

3. *Setbacks.* Solar farm facilities and related structures and components shall be set back a minimum of 30 feet from all lot lines. In addition, solar farm solar arrays and other structures must be located at least 300 feet from the road right-of-way along US-127 and M-50; 150 feet from the road right-of-way along all other roadways, public and private; and 150 feet from any lot line adjacent to all existing Rural Residential (RR), Single-Family Residential (R-1), Multiple-Family Residential (RM), and Manufactured Housing Park (MHP) district land and any lot line adjacent to an existing residence at the time the solar farm is granted conditional use approval, unless the zoning lot is comprised of a portion of the lot containing the residence. Additional setbacks may be required to mitigate noise and glare impacts or to provide for designated road or utility corridors, as identified through the review process.

4. *Safety/access.*

a. Security fencing shall be installed around the solar farm as follows: fencing to be a minimum of 6 feet and a maximum of 8 feet in height; fencing to be located inside the perimeter of screening, if any. Additional height may be required. All fencing



shall comply with fencing requirements of the township zoning ordinance. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.

b. Appropriate warning signage shall be placed at the entrance and perimeter of the solar farm.

5. *Noise.* No component of any solar farm shall produce noise that exceeds any of the following limitations. Adequate setbacks shall be provided to comply with these limitations:

a. 60 dBA, as measured at the lot lines of the project boundary, or 50 dBA, as measured at the property line of any adjacent Rural Residential (RR), Single-Family Residential (R-1), Multiple-Family Residential (RM), and Manufactured Housing Park (MHP) district zoned land in existence at the time the solar farm is granted conditional use approval.

b. 45 dBA, as measured at any neighboring residence in existence at the time the solar farm is granted conditional use approval, between the hours of 9:00 p.m. and 7:00 a.m.

6. *Visual appearance.*

a. Solar farm buildings and accessory structures shall, to the extent reasonably possible, use materials, colors, and textures that will blend the solar farm into the existing environment.

b. The perimeter of solar farm facilities shall also be screened and buffered by installing evergreen vegetative plantings whenever existing natural forest vegetation does not otherwise continuously obscure the solar farm's entire lot perimeter from adjacent parcels, subject to the following requirements:

i. Unless screened and buffered at all times by natural forest vegetation having a substantially similar obscuring effect of an evergreen vegetative buffer installed pursuant to this subsection, a continuous evergreen vegetative buffer shall be installed and maintained at all times at the perimeter of all solar farms.

ii. The evergreen vegetative buffer shall be composed of evergreen trees or shrubs that at planting shall be a minimum of 6 feet in height. The evergreen trees or shrubs shall be spaced no more than 10 feet apart on center (from the central trunk of 1 plant to the central trunk of the next plant). Within five years of planting, required evergreen vegetative screening shall be no less than 15 feet tall.

iii. Failure to continuously maintain the required evergreen vegetative buffer shall constitute a violation of this code and sufficient grounds for revocation of any conditional use permit previously granted.

iv. An alternate screening method may be considered for approval by the planning commission as long as it has a substantially similar obscuring effect of an evergreen buffer.

v. If the solar farm is not visible from any road and if the solar farm is not visible from any existing residence, the screening requirements may be modified at the discretion of the planning commission.

c. Lighting of the solar farm shall be limited to the minimum necessary, supplied with down lighting, and in no case shall any illumination from such lighting extend beyond the perimeter of the solar farm. A photometric study may be used to make this determination.

d. No solar farm shall produce glare that would constitute a nuisance to occupants of neighboring properties or to persons traveling neighboring roads. Upon written notice from the zoning administrator, ordinance officer, or such other person designated by the township board to the owners of the solar farm that glare from the solar farm is causing a nuisance to occupants of neighboring property or to persons traveling neighboring roads, the owner of the solar farm shall have a reasonable time (not to exceed 90 consecutive days) from the date of such notice to remediate such glare. The zoning administrator may extend the allowed time for compliance.

7. *Medium voltage cable.* All power transmission and control lines (as defined in Article 15, Section 15.1) within the project boundary shall be installed underground unless determined otherwise by the planning commission because of severe environmental constraints (e.g., wetlands, cliffs, hard bedrock), and except for power switchyards (as defined in the township zoning ordinance) or area within a substation. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.

(b) *Local, state and federal permits.* A solar farm shall be required to obtain all necessary permits from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) and any applicable municipal, county, state, or federal permits.

(c) *Agreements/easements.* If the lot on which the project is proposed is to be leased, rather than owned, by the owner of the solar farm, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the owner of the solar farm and property owners must be in place prior to commencing construction, unless specified otherwise by the conditional use permit.

(3) *Permit applications.*

(a) An application for a conditional use permit to establish a solar farm must include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth in Article 9 of the township zoning ordinance will be met. Supporting documentation for addressing the review criteria of the township zoning ordinance is also to be provided. The planning commission and township board may require any information reasonably necessary to determine compliance with this code. The application must also be accompanied by detailed site plans drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan, displaying the following information:

1. All lot lines and dimensions, including a legal description of each lot or parcel comprising the solar farm;

2. Names of owners of each lot or parcel within Napoleon Township that is proposed to be within the solar farm;

3. Vicinity map showing the location of all surrounding land uses;

4. Location and height of all proposed solar array(s), buildings, structures, electrical tie lines and transmission lines, security fencing, and all above-ground structures and utilities associated with a solar farm;

5. Horizontal and vertical (elevation) to scale drawings with dimensions that show the location of the proposed solar array(s), buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property;

6. Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the solar farm and within 1,000 feet of the outside perimeter of the solar farm;

7. Proposed setbacks from the solar array(s) to all existing and proposed structures within the solar farm;

8. Land elevations for the solar array(s) location and the relationship to the land elevations of all existing and proposed structures within the solar farm;

9. Access driveways within and to the solar farm, together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access drives shall be subject to Jackson County Department of Transportation approval, and shall be planned so as to minimize the use of lands for that purpose;

10. Planned security measures to prevent unauthorized trespass and access and to warn of potential dangers during the construction, operation, removal, maintenance or repair of the solar farm;

11. A written description of the maintenance program to be used for the solar array(s) and other components of the solar farm, including decommissioning and removal when determined by the township to be obsolete, uneconomic, or abandoned. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the solar farm becomes obsolete, uneconomic or abandoned;

12. A copy of the manufacturer's safety measures;

13. Planned lighting protection measures; and

14. Additional detail(s) and information as required by the conditional use permit requirements of the township zoning ordinance, or as required by the Planning Commission.

(b) It is preferred that any related conditional use permit applications for substations or new transmission lines be considered in conjunction with the conditional use permit application for the solar farm; however, if the details of those improvements are not available at the time of application for the solar farm, they may be considered later, through subsequent conditional use permit review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation shall be disclosed with the application for the solar farm.

(c) Due to the complexity of solar farm projects, the township may require a development agreement or other appropriate instrument to address taxing, property



assessment, decommissioning bond, and other related issues not addressed by this subsection. A development agreement may be required as a condition of the permit, and must be approved by the Township Board prior to commencing construction.

(4) *Provisions for conditional use permit review.* In addition to the standards set forth for conditional use approval in Article 9 of the township zoning ordinance, additional consideration shall be given to the following:

(a) *Project rationale.* Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.

(b) *Siting considerations.* Siting considerations, such as avoiding areas/locations with a high potential for biological conflict such as areas of environmental concern, parks, trails, special management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic viewsheds; avoiding areas of erodible slopes and soils, where concerns for water quality, landslide, severe erosion, or high storm runoff potential have been identified; and, avoiding known sensitive historical, cultural or archeological resources.

(c) *Wildlife habitat areas and migration patterns.* Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the Michigan Department of Natural Resources and Michigan Department of Environment, Great Lakes and Energy will be necessary.

(d) *Environmental analysis.* The township planning commission may require an analysis of impacts to historic, cultural and archaeological resources; soil erosion (water and wind); flora; and water quality and water supply in the area when there is reason to believe that adverse impacts to such may occur.

(e) *Hazardous waste.* As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes.

(f) *Transportation plan for construction and operation phases.* Proof of an agreement with the Jackson County Department of Transportation and the Michigan Department of Transportation (if applicable) regarding any construction phase of the project is required.

(g) *Public safety.* Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, and the like that may be created by the project.

(h) *Decommissioning plan.* Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the project, including evidence of proposed commitments with affected parties (i.e., township, any lessor or property owner, etc.) that ensure proper final reclamation of the solar farm. Among other things, revegetation and road repair activities should be addressed in the plan. Under this plan, all structures and facilities shall be removed, including any structures below-grade, and removed offsite for disposal. No concrete, piping and other materials may be left in place. The ground must be restored to its original condition within 180 consecutive days.

(5) *Application escrow account.* An escrow account shall be deposited with the township by the applicant when the applicant applies for a conditional use permit for a solar farm. The monetary amount deposited by the applicant in escrow with the township shall be the amount estimated by the township to cover all reasonable costs and expenses associated with the conditional use permit review and approval process, which costs shall include, but are not limited to, reasonable fees of the Township Attorney, Township Planner and Township Engineer, as well as costs for any reports or studies that are reasonably related to the zoning review process for the application. Such escrow amount shall be in addition to any filing or application fees established by resolution. At any point during the review process, the township may require that the applicant place additional funds into escrow with the township if the existing escrow amount deposited by the applicant is deemed insufficient by the township. If the escrow account needs replenishing and the applicant refuses to do so promptly, the review process shall cease unless and until the applicant makes the required additional escrow deposit.

(6) *Decommissioning escrow account.* If a conditional use permit is approved pursuant to this subsection, the township shall require security in the form of a cash deposit, or surety bond acceptable to the township, which will be furnished to the township in order to ensure full compliance with this subsection and all conditions of approval. When determining the amount of each required security, the township may also require an annual escalator or increase based on the Consumer Price Index (or the equivalent or its successor). Such financial guarantee shall be deposited or filed with the Township Clerk after a conditional use permit has been approved but before construction commences on the solar farm. At a minimum, the financial security shall be in an amount determined by the township to be reasonably sufficient to restore the property to its previous condition prior to construction and operation of the solar farm. Such financial security shall be kept in full force and effect during the entire time that the solar farm exists or is in place, and such financial security shall be irrevocable and non-cancelable.

(7) *Code compliance.* Construction of a solar farm shall comply with the National Electric Safety Code and any applicable Michigan construction codes as a condition of any conditional use permit under this subsection.

(8) *Certified solar array components.* Components of a solar farm shall be approved by the Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electronic Testing Laboratories (ETL), or other similar certification organization acceptable to the township.

(9) *Solar access.* The township makes no assurance of solar access other than the provisions contained within this subsection. The applicant may provide evidence of covenants, easements, or similar documentation for abutting property owners providing access to solar energy for the operation of a solar farm.

Penalties for noncompliance, see Article 12, Section 12.5.4.

#### Section 4.2.23

(A) *Small solar energy facility.* Notwithstanding other provisions of this subsection, small roof-mounted or ground-mounted solar energy facilities shall be considered a permitted use in all zoning districts as an accessory to a principal use. A small solar energy facility (as defined in Article 15, Section 15.1) shall be required to have appropriate building permits.

(1) All small solar energy facilities are subject to the following minimum requirements:

(a) A small solar energy facility shall provide power for the principal use and/or accessory use of the property on which the small solar energy facility is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.

(b) A small solar energy facility connected to the utility grid shall provide written authorization from the local utility company to Napoleon Township acknowledging and approving such connection.

(c) A roof-mounted facility may be mounted on a principal building or accessory building. A roof-mounted facility, whether mounted on the principal building or accessory building, may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district. In no instance shall any part of the small solar energy facility extend beyond the edge of the roof.

(d) A ground-mounted facility shall not exceed a height of 12 feet.

(e) The surface area of the solar panels of a ground-mounted facility, regardless of the mounted angle, shall be calculated as part of the overall lot coverage.

(f) A ground-mounted facility or roof-mounted facility attached to an accessory building shall not be located within the required front yard setback.

(g) The minimum ground-mounted small solar energy facility setback distance from the property lines shall be equivalent to the principal building setback of the underlying zoning district or the setback of the principal structure, whichever is greater.

(h) All mechanical equipment associated with and necessary for the operation of the small solar energy facility shall comply with the following:

1. Mechanical equipment shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species which provides a visual screen. At least 50% of plants must be evergreen. In lieu of a planting screen, a decorative fence that meets the requirements of Article 4, Section 4.3, and is at least 50 percent opaque may be used.

2. Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.

3. Mechanical equipment for ground-mounted facilities shall comply with the setbacks specified for principal structures in the underlying zoning district.



- i. All solar energy components shall be placed such that concentrated solar glare does not project onto nearby inhabited structures or roadways and be considered a nuisance.
- ii. The applicant has the burden of proof that any glare produced does not have an adverse effect on neighboring or adjacent uses through siting and mitigation. If the solar panel systems do produce a glare, the applicant shall be responsible for mitigation, and will provide a mitigation plan.
- iii. The design and construction of solar energy facilities shall not produce light emissions, either direct or indirect (reflective), that would interfere with pilot vision and/or traffic control operations.

(j) All power transmission lines from a ground-mounted small solar energy facility to any building or other structure shall be located underground.

(k) A small solar energy facility shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy facility provided they comply with the prevailing sign ordinance.

(l) 1. The design of the small solar energy facility shall conform to applicable industry standards. A building/zoning permit shall be obtained prior to construction. In the case of a roof-mounted facility, the existing roof structure and the weight of the facility shall be taken into consideration when applying for a small solar energy facility permit.

2. All wiring shall comply with the applicable version of Michigan's construction codes. The local utility provider shall be contacted to determine grid interconnection and net metering policies. The applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization and any such design shall be certified by an engineer registered in the State of Michigan.

(m) The small solar energy facility shall comply with all applicable township ordinances and codes so as to ensure the structural integrity of such facility.

(n) Before any construction can commence on any small solar energy facility the property owner must acknowledge that he or she is the responsible party for owning/leasing and maintaining the solar energy facility.

(2) If a ground-mounted small solar energy facility is removed, any earth disturbance as a result of the removal of the ground-mounted facility shall be graded and reseeded.

(3) If a ground-mounted small solar energy facility has been abandoned (meaning not having been in operation for a period of 180 consecutive days), is defective, or is deemed to be unsafe by a township official, the facility shall be required to be repaired by the owner to meet federal, state and local safety standards or be removed by the property owner within the time period allowed by the township official. If the owner fails to remove or repair the defective or abandoned small solar energy facility, the township may pursue a legal action to have the facility removed at the owner's expense.

(4) *Solar access.* The township makes no assurance of solar access other than the provisions contained within this subsection. The applicant shall provide evidence of covenants, easements, or similar documentation for abutting property owners providing access to solar energy for the operation of a solar energy facility.

Penalties for noncompliance, see Article 12, Section 12.5.4.

Napoleon Township Planning Commission  
August 26, 2021

**Call to Order:** 6:08 p.m.

S. Miles motioned, J. Kirkpatrick seconds Mindy Rice to act as secretary for this meeting as John Hummer is absent. All ayes, motion passed.

**Commission Members Present:** Scott Miles; Heidi Richardson; Mindy Rice; Jeff Kirkpatrick

**Commission Members Absent:** James Gray; Mark LaRocque; John Hummer

**Also Present:** John Worden, Napoleon Township Zoning Administrator

**Pledge of Allegiance**

**Additions/Changes to Agenda:** None

**Approval of Agenda for August 26, 2021:** Motion by J. Kirkpatrick, seconded by H. Richardson to approve agenda for August 26, 2021. All ayes. Motion passed

**Minutes from April 22, 2021 and May 27, 2021:** Motion by J. Kirkpatrick, seconded by S. Miles to approve the April 22, 2021 and May 27, 2021 meeting minutes. All ayes. Motion passed.

**Discussion:** Motion by J. Kirkpatrick and seconded by H. Richardson to recommend to Township board that commissioner James Gray be removed and replaced as he is unable to attend meetings. All ayes. Motion passed.

**Public Hearing:** Motion by M. Rice and seconded by Heidi Richardson to open the public hearing at 6:25 p.m. for the Napoleon Township Solar and Utility Grid Zoning Ordinance. All ayes, motion passed. There were no public comments. Motion by H. Richardson and seconded by J. Kirkpatrick to close the public hearing. All ayes. Motion passed. J. Kirkpatrick motioned, H. Richardson seconded to recommend adoption of the Solar and Utility Grid Zoning Ordinance as presented. All ayes. Motion passed.

**Public Comment- Non-Agenda Items:** None.

**Adjourned, 7:51 p.m.**

Mindy Rice, substitute secretary



# NOTICE

The Napoleon Township Planning Commission will hold a public hearing August 26, 2021 at 6:00 p.m. in the Township Hall, 6775 Brooklyn Road, Napoleon, MI 49261.

At this time all interested parties will be heard on the request of the Napoleon Township Planning Commission, 6775 Brooklyn Road, Napoleon, MI 49261 to add the following definitions to Article 15, Small Solar Energy Facility Article 3 - Permitted and Conditional Uses add Permitted Uses in all districts for Small Solar Energy Facilities and Conditional Use in Agricultural and Industrial Districts for Utility Grid/Large Solar, Article 4 – Section 4.2.23-General Provisions add Additional Development Requirements for Small Solar Energy Facilities and Article 9 Conditional Use Provisions Section 9.11.22 add Additional Development Requirements for Utility Grid Large Solar Energy Facility (Solar Farm), Article 12 – Section 12.5.4 Penalties for noncompliance. The requests are more particularly described and on exhibit at the Township Office. Napoleon Township Office is open Monday - Thursday from 7:00 a.m. to 5:00 p.m. during which time the Zoning Ordinance/Zoning Map may be examined. John Worden, Zoning Administrator

The Exponent  
Insertion Date: August 10, 2021

Copy to John Hummer, Clerk

*This page is intentionally blank.*



# 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 | #21-23

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** September 1, 2021

### **Proposal: Recreational Marihuana Facility Definitions in Pulaski Township**

#### **Background Information**

The Pulaski Township Planning Commission submitted amendments to the JCPC in July of 2021 (i.e., CZ #21-16) that would allow for various types of Recreational (Adult-Use) Marihuana Facilities as permitted uses in the Township's Agricultural District (AG-1), Local Commercial District (C-1), and Light Industrial District (I-1). However, definitions were not provided for those facilities. Staff advised the JCPC to recommend approval with comments of the proposed amendments, noting the need for definitions in the zoning ordinance. The JCPC then passed a motion recommending disapproval of the amendments, citing the need for definitions regarding the new facilities.

The Pulaski Township Planning Commission is now submitting those definitions for amendment into the Pulaski Township Zoning Ordinance. The following amendment is proposed to Section 2.2 (definitions) of the ordinance:

#### Recreational (Adult-Use) Marihuana Facility(ies):

"Recreational (Adult-Use) Marihuana Facility(ies)" means any facility, establishment and/or center that is required to be licensed under the Pulaski Township Recreational Marihuana Facilities Licensing and Regulations Ordinance #29, including a Grower, Processor, Retailer, Safety Compliance Facility and a Secure Transporter.

- A. "Grower" or "Grower Facility" means a commercial entity that cultivates, dries, trims or cures and packages marihuana for sale to a Processor or Retailer.
- B. "Processor" or "Processor Facility" means a commercial entity that purchases marihuana from a Grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer, in packaged form, to a Retailer.
- C. "Retailer" means a commercial entity that purchases marihuana from a Grower or Processor and sells or transfers to only an individual 21 years of age or older.
- D. "Safety Compliance Facility" means a commercial entity that receives marihuana from a Recreational (Adult-Use) Marihuana Facility, tests it for contaminants and for

---

[www.region2planning.com/jackson-county-planning-commission/](http://www.region2planning.com/jackson-county-planning-commission/)



tetrahydrocannabinol and other cannabinoids, returns the test results and may return the marihuana to the Recreational (Adult-Use) Marihuana Facility.

- E. "Secure Transporter" means a commercial entity that stores marihuana and transports marihuana between Recreational (Adult-Use) Facilities for a fee.

### **Staff Analysis and Advisement**

The proposed definitions simply address the absence of Recreational (Adult-Use) Marihuana Facility definitions noted by the JCPC in July of 2021. The only caution is to have all of the definition headings match the uses (as proposed in July of 2021), thereby removing any ambiguity. For example, "retailer" should be listed as "retail center" or even "commercial recreational marihuana adult-use retail center".

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the zoning ordinance amendments regarding recreational marihuana facility definitions to the Pulaski Township Board, noting the comment provided in the staff report (see the staff report).

#### **Staff Report Attachments:**

- *Background information provided by Pulaski 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 PULASKI 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 II SECTION 2.2 Definitions  
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) See attached

C. PUBLIC HEARING on the above amendment was held on: month August day 17 year 2021

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month July day 31 year 2021  
(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.

A. Travis ☒ Chair or ☐ Secretary 8/17/21 (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

Recreational (Adult-Use) Marihuana Facility(ies):

“Recreational (Adult-Use) Marihuana Facility(ies)” means any facility, establishment and/or center that is required to be licensed under the Pulaski Township Recreational Marihuana Facilities Licensing and Regulations ordinance #29, including a Grower, Processor, Retailer, Safety Compliance Facility and a Secure Transporter.

- A. “Grower” or “Grower Facility” means a commercial entity that cultivates, dries, trims or cures and packages marihuana for sale to a Processor or Retailer.
- B. “Processor” or “Processor Facility” means a commercial entity that purchases marihuana from a Grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer, in packaged form, to a Retailer.
- C. “Retailer” means a commercial entity that purchases marihuana from a Grower or Processor and sells or transfers to only an individual 21 years of age or older.
- D. “Safety Compliance Facility” means a commercial entity that receives marihuana from a Recreational (Adult-Use) Marihuana Facility, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results and may return the marihuana to the Recreational (Adult-Use) Marihuana Facility.
- E. “Secure Transporter” means a commercial entity that stores marihuana and transports marihuana between Recreational (Adult-Use) Facilities for a fee.

## **PULASKI TOWNSHIP**

The Pulaski Township Planning Commission will hold a public hearing during its regularly scheduled meeting on August 17, 2021 at 6:30 p.m.

The purpose of this hearing will be to approve additional wording to the Recreational Marihuana Zoning Amendment.

*Published 7/31/21  
The Salesman*



*This page is intentionally blank.*



# 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 | #21-24

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** October 4, 2021

**Proposal:** **A rezoning in Leoni Township**

### Request

The subject property (102 N. Lakeside Dr., ID #000-14-09-152-002-01) is proposed for rezoning from 'community business (B-2) district' to 'high density residence and office district (R-4)' (see the background information).

### Purpose

The reply to this question was "residential all around" (see the Zoning Amendment Form).<sup>1</sup>

### Location and Size of the Property

The subject property has an area of approximately 0.16 acres (@6,970 sf.). Situated in Section 9 (T3S-R1E) of the Township, the property is located on the north side of Lakeside Drive and the east side of 5<sup>th</sup> Street (see Figure 1).

### Land Use and Zoning

**Current Land Use** – The subject property currently contains a residence and is assessed for 'residential' use (see Figure 2). The property to the north contains a bank and is assessed for 'commercial uses'. Properties to the east are used residentially and are assessed for 'residential' uses. Center Lake and the Leoni Community Park are located to the south. The property to the west is an apartment and is assessed for 'commercial' uses.

**Future Land Use Plan** – The *Leoni Township Master Plan* recommends 'moderate density residential' uses for the subject property and parcels to the east on the north side of Lakeside Drive (see Figure 3). 'Commercial' uses are proposed for properties to the north and the west. 'Parks and Recreation' uses are recommended to the south.

**Current Zoning** – The subject property is zoned 'community business (B-2)', as are the surrounding parcels down to Center Lake (see Figure 3). The park on the south side of Center Lake is zoned 'high density residence and office (R-4)'.

### Public Facilities and Environmental Constraints

**Water and Sewer Availability** – Municipal water and sewer services are available according to the Township (see the Rezoning Worksheet Form).

<sup>1</sup> Please note that this report lists the proposed use for informational purposes only. Do not utilize it 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.

**Public Road/Street Access** – Lakeside Drive, a private roadway, provides direct access to the subject property to the south. 5<sup>th</sup> Street, a county primary roadway, abuts the property to the west. Lockwood Street, a county local roadway, borders the property to the north.

**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 Leoni Township Planning Commission recommends **disapproval** of the proposed rezoning of the subject property to ‘high density residence and office (R-4)’ (see the attached Zoning Amendment Form and background information). The Commission felt that all of the ‘B-2’ properties along Lakeside Drive should be rezoned ‘R-4’ at the same time.

**Staff Analysis** – Leoni Township has a Zoning Plan (an element of the Master Plan) which includes 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.** Although the proposed use of the subject property is ‘moderate density residential’ (see Figure 3), the proposed ‘high density residence and office district (R-4)’ equates to the ‘high density residential’ future land use category according to the Zoning Plan. The ‘suburban residential (RS)’, ‘single-family residential (R-1)’, or ‘planned residential (PR-1)’ districts compare to ‘moderate density residential’.

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

**Yes.** The area is residential in nature despite the ‘community business (B-2)’ zoning.

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

**No.** It is unlikely that the rezoning would have a negative impact of 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.** Rezoning to ‘high density residence and office (R-4)’ may make the uses of the property conforming. However, single-family dwellings are a conditional use.

**JCPC Staff Advisement** – Based upon the analysis provided in his report, staff advises the County Planning Commission to recommend **DISAPPROVAL** to the Leoni Township Board of the proposed rezoning of the subject property (ID #000-14-09-152-002-01) to ‘high density residence and office (R-4)’.

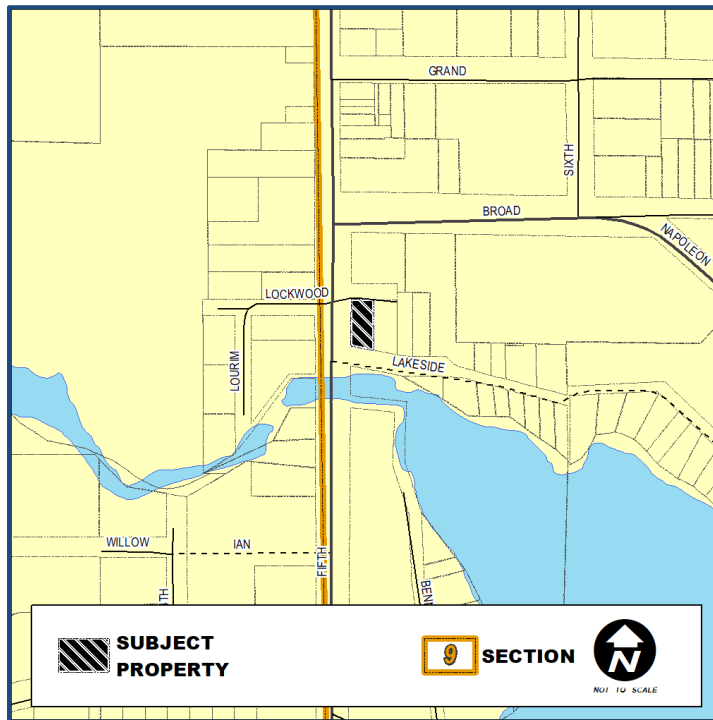
#### Staff Report Attachment(s):

- Background information provided by Leoni Township

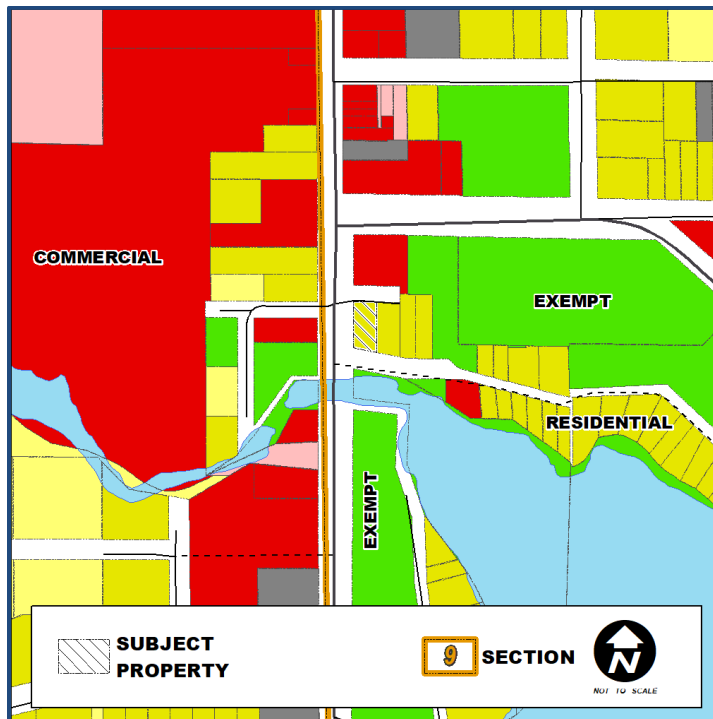
#### Suggested Actions:

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

**Figure 1  
Location**

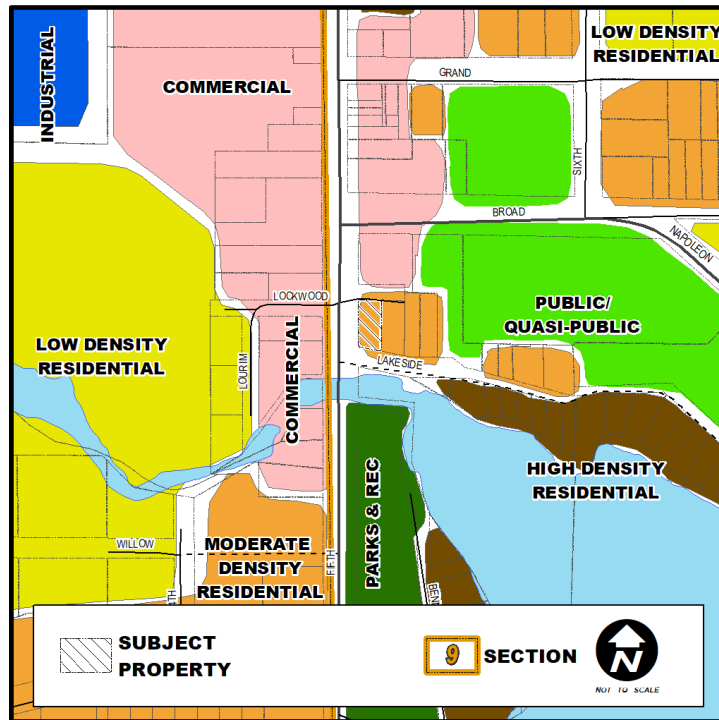


**Figure 2  
Property Assessment**

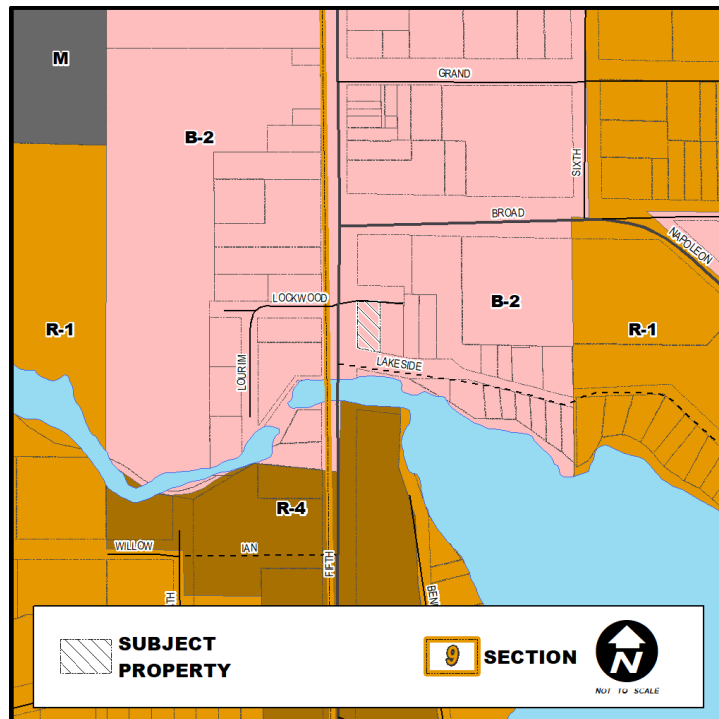




**Figure 3  
Municipal Future Land Use**



**Figure 4  
Municipal Zoning**



**Figure 5**  
**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 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.)

Lot 27 Jackson City Subdivision; Combined on 2/19/21 from  
000-14-09-152-002-00, 000-14-09-152-001-00

1. The above described property has a proposed zoning change FROM Business (B2) ZONE TO High Dense Residential (R4) ZONE.
2. PURPOSE OF PROPOSED CHANGE: Residential all around

**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 August day 18 year 2021
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month August day 1 year 2021  
(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.

Pamela Hammell ☐ Chair or ☒ Secretary 8/18/2021 (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: Leoni Township Case #: \_\_\_\_\_  
Township official we may contact: Cindy Norris, Clerk Phone #: (517) 936-2290  
Applicant: Dennis Kurts Phone #: (517) 937-5659  
Rezoning Request: From: Community Business (B2) To: High Density Residential (R4)  
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"): 1/6

Please attach location map ☒ Yes ☐ No

What is the existing use of the site? Residential

What is the proposed use of the site? \_\_\_\_\_

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

North: Bank  
East: Residential

South: Lake/Park  
West: Apartment S

What are the surrounding Zoning Districts?

North: (B2) Business  
East: (B2) Residential Business

South: (B2) Business  
West: (B2) Business

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.

Please include any additional information or comments as an attachment.



# Leoni Township Office

913 Fifth Street Michigan Center, Michigan 49254

PHONE: (517) 764-4694 FAX: (517) 764-1106

www.leonitownship.com

DATE OF APPLICATION: 7-29-2021

APPLICATION #: \_\_\_\_\_

## APPLICATION FOR ZONING CHANGE or CONDITIONAL USE

C: PLANNING COMMISSION, LEONI TOWNSHIP

(We) Hereby make application with the Township of Leoni to:

- ☐ Add to or change the text of the Ordinance.
- ☐ Change the district boundaries.
- ☒ Re-Zone the property to another classification.
- ☐ Conditional Use.
- ☐ Home Occupation.
- ☐ Extending Residential Non-Conforming Use.

Applicants Name: Dennis Kurts Phone: 517-937-5659  
Address of Property Involved: 102 N. LAKESIDE DR Michigan Center MI 49254  
Legal Description of Property: 000-14-09-152-002-01

The above property is presently zoned: B-2  
I wish the zoning to be changed from: B-2 Comm Business to: R-4 High Dense Res.  
I wish the boundaries to be changed from: \_\_\_\_\_ to: \_\_\_\_\_  
I wish the change in the text from section: \_\_\_\_\_  
The proposed use(s) and nature(s) of operation is/are: \_\_\_\_\_

NOTE: Attach an ACCURATE SURVEY DRAWING of said property drawn to scale showing existing and proposed building and structures, the type thereof and their uses, and the distances from property lines.

CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND THAT I AM THE OWNER OF THE PROPERTY.

I GRANT PERMISSION FOR MEMEBERS OF THE LEONI TOWNSHIP PLANNING COMMISSION AND/OR TOWNSHIP BOARD TO ENTER THE ABOVE PROPERTY FOR THE PURPOSE OF GATHERING INFORMATION RELATED TO THIS APPLICATION. (NOTE TO APPLICANT: This will not affect any decision on your application.)

CASE OF CANCELLATION OR FAILURE TO APPEAR AT THE HEARING, I UNDERSTAND THAT ALL FEES WILL BE FORFEITED.

Signature: \_\_\_\_\_

Dennis Kurts  
SIGNATURE OF OWNER/APPLICANT

\*\*\*\*\*  
PLANNING COMMISSION RECOMMENDATION: Having reviewed the submitted data, hereby recommend the Township Board Approve ( ) Disapprove the Application for the following reasons (or with these restrictions) \_\_\_\_\_

DATE: \_\_\_\_\_

CHAIRMAN: \_\_\_\_\_

SIGNATURE

\*\*\*\*\*  
TOWNSHIP BOARD OF TRUSTEES: Having reviewed the submitted data, hereby ( ) APPROVE ( ) DISAPPROVE the Application for the following reasons: \_\_\_\_\_

DATE: \_\_\_\_\_

CLERK: \_\_\_\_\_

**TOWNSHIP OF LEONI**

Receipt: 174327

07/29/21

913 5TH STREET

P.O. BOX 375

MICHIGAN CENTER, MI 49254

(517) 764-4694

(517) 764-1106 FAX

Cashier: TPOTTER

Received Of: DENNIS KURTS

The sum of: 550.00

ZON	D KURTS REZONE FEE	550.00
	Total	550.00
	CHK/MO/CASHIE 3787	550.00

Signed: \_\_\_\_\_

---

**LEONI TOWNSHIP OFFICE  
913 FIFTH ST  
MICHIGAN CENTER MI 49254  
517-764-4694 PHONE 517-764-1380 FAX**

# NOT I CE

The Leoni Township Planning Commission will hold a Public Hearing,  
Wednesday, August 18, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall,  
913 Fifth St., Michigan Center, Michigan, 49254.

000-14-09-152-002-01  
Dennis Kurts - Rezone  
102 N. Lakeside Dr.

Purpose of hearing: Rezone from Commercial Business (B-2) to High Density  
Residential (R-4)

Legal Description: LOT 27 JACKSON CITY SUBDIVISION; COMBINED ON 02/19/2021  
FROM 000-14-09-152-002-00, 000-14-09-152-001-00;

Cindy Norris, Clerk





# Parcel Report - Parcel ID: 000-14-09-152-002-01

7/29/2021



**Owner Name** KURTS DENNIS W  
**Owner Address** 102 LAKESIDE DR  
MICHIGAN CENTER, MI 49254  
**Homestead** 0  
**Parcel Address** 102 N LAKESIDE DR  
MICHIGAN CENTER, MI 49254  
**Property Class** 401 - RESIDENTIAL  
**Status** Active  
**Acreage** 0.16  
**Gov't Unit** Leoni  
**Tax Unit** Leoni  
**School District** MICHIGAN CENTER SCHOOL  
**Liber/Page** 2174-546

	2019	2020	2021
<b>Taxable Value</b>	\$0.00	\$0.00	\$78,715
<b>Assessed Value</b>	\$0.00	\$0.00	\$92,526

## Tax Description:

LOT 27 JACKSON CITY SUBDIVISION; COMBINED ON 02/19/2021 FROM 000-14-09-152-002-00, 000-14-09-152-001-00;





000-14-09-105-007-00  
WALTERS-DIMMICK PETROLEUM INC  
1620 S KALAMAZOO AVE  
MARSHALL, MI 49068

000-14-08-227-012-00  
WILSON MARY H  
320 FIFTH ST PO BOX 843  
MICHIGAN CENTER, MI 49254

000-14-09-151-001-00  
FLAGSTAR BANK FSB  
5151 CORPORATE DR  
TROY, MI 48098-2639

000-14-09-151-002-00  
MICHIGAN CENTER PUBLIC SCHOOLS  
400 S STATE ST  
MICHIGAN CENTER, MI 49254

000-14-08-227-015-00  
BSJ REAL ESTATE LLC  
3606 WILDWOOD AVE  
JACKSON, MI 49202

000-14-08-227-016-00  
THOMSON JASON & ERINN LAIMON-  
6701 HAWKINS RD  
JACKSON, MI 49201

000-14-08-227-016-01  
THOMSON JASON & ERINN LAIMON-  
6701 HAWKINS RD  
JACKSON, MI 49201

000-14-09-152-004-00  
LEWIS GARY E  
103 LOCKWOOD  
MICHIGAN CENTER, MI 49254

000-14-09-152-005-00  
O'BRIEN MICHAEL H  
3015 ROUND LAKE DR  
MICHIGAN CENTER, MI 49254

000-14-09-152-003-00  
LEWIS GARY E  
2037 AUGUSTA DR  
JACKSON, MI 49201-8449

000-14-08-276-002-00  
MITCHELL JUSTIN  
645 S LAKESIDE  
MICHIGAN CENTER, MI 49254

000-14-08-277-001-00  
PENTECOSTAL LIGHTHOUSE CHURCH OF JA  
10335 ROUNTREE RD  
HANOVER, MI 49241

000-14-08-276-003-00  
LEONI TOWNSHIP  
913 5TH ST  
MICHIGAN CENTER, MI 49254

000-14-09-152-006-00  
EHRIG MICHAEL R ETAL  
120 N LAKESIDE DR  
MICHIGAN CENTER, MI 49254

000-14-09-152-007-00  
BURDGE NATHAN A & KOREY L  
2923 ASHTON RIDGE #2  
JACKSON, MI 49201

000-14-08-277-003-00  
METHERINGHAM ANNE  
480 LOURIM ST  
MICHIGAN CENTER, MI 49254

000-14-09-153-001-00  
TOWNSHIP OF LEONI  
913 FIFTH ST  
MICHIGAN CENTER, MI 49254

000-14-09-153-002-00  
GREG MORANO LLC  
600 E MICHIGAN AVE  
JACKSON, MI 49201

000-14-09-153-004-00  
BURDGE NATHAN A SR & KOREY L  
2923 ASHTON RIDGE #2  
JACKSON, MI 49201

000-14-08-278-002-00  
LAKESIDE CONVENIENCE STORE  
506 FIFTH STREET  
MICHIGAN CENTER, MI 49254

000-14-08-278-003-00  
MARCHESE MARK L & EMMA L  
1803 ADAMS DR  
HILLSDALE, MI 49242

000-14-09-154-001-00  
TOWNSHIP OF LEONI - MI CTR PARK  
913 FIFTH ST  
MICHIGAN CENTER, MI 49254

000-14-09-155-016-00  
TOWNSHIP OF LEONI - MI CTR LAKE  
913 FIFTH ST  
MICHIGAN CENTER, MI 49254

000-14-08-278-001-00  
TOWNSHIP OF LEONI - DAM SITE  
913 FIFTH ST  
MICHIGAN CENTER, MI 49254

000-14-08-227-013-01  
K & E LTA LLC  
1322 TENSEN ST STE B  
LANSING, MI 48910

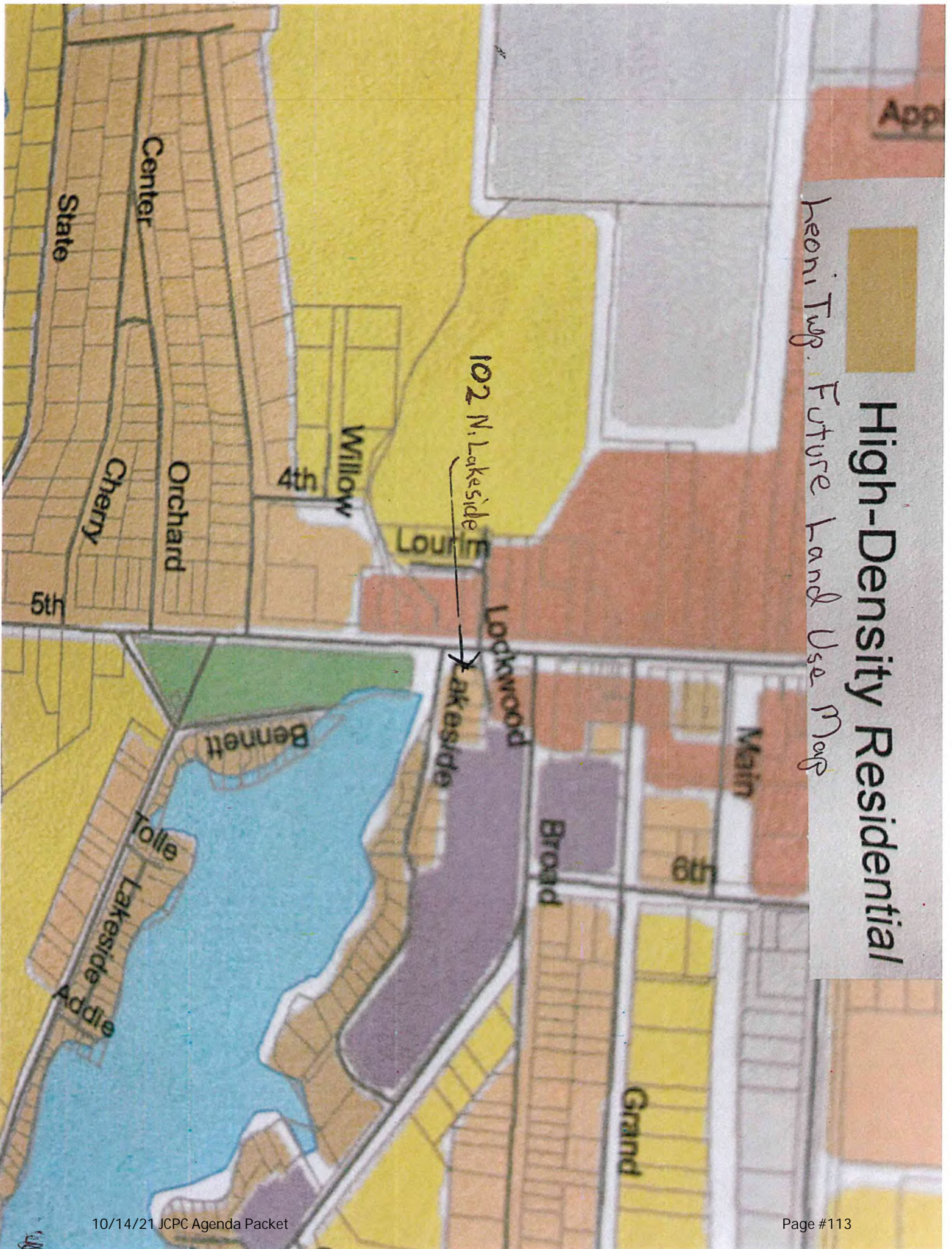
000-14-09-106-001-00  
MICHIGAN CENTER PUBLIC SCHOOLS  
400 S STATE ST  
MICHIGAN CENTER, MI 49254

000-14-09-152-002-01  
KURTS DENNIS W  
102 LAKESIDE DR  
MICHIGAN CENTER, MI 49254



# High-Density Residential

Heoni Twp. Future Land Use Map













# AFFIDAVIT OF PUBLISHER

STATE OF MICHIGAN }  
County of Jackson

*Bettie Watson*

Bettie Watson

being duly sworn, says: I am the Publisher of The Salesman, a shopping guide printed and circulated in said county since 1948.

The attached is a printed copy of an ad which was published in

The Salesman (Publications) August 1, 2021

Sworn to and subscribed before me this 6th day  
of August 2021.

*Coreen Chase*

Notary Public, Jackson County, Michigan

COREEN CHASE  
NOTARY PUBLIC, Jackson County, MI  
My Commission Expires Aug. 31, 2023

## NOTICE LEONI TOWNSHIP JACKSON COUNTY, MI

The Leoni Township Planning Commission will hold a Public Hearing, Wednesday, August 18, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

000-14-09-152-002-01

Dennis Kurts - Rezone

102 N. Lakeside Dr.

Purpose of hearing: Rezone from Commercial Business (B-2) to High Density Residential (R-4)

Legal Description: LOT 27 JACKSON CITY SUBDIVISION; COMBINED ON 02/19/2021 FROM 000-14-09-152-002-00, 000-14-09-152-001-00;

Cindy Norris, Clerk

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

**PLANNING COMMISSION MINUTES**  
**August 18, 2021 DRAFT**

The Leoni Township Planning Commission held a meeting Wednesday, August 18, 2021 @ 6:00 p.m.  
913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:07 pm

Members Present: V. Beckwith, R. Kinch, W. Miles, Connie Gibson, Billy Lester & Judy Southworth

Members absent: D. Perrine

Persons in attendance: 6

Pledge of Allegiance

Purpose of Planning Commission read by V. Beckwith

*Motion by W. Miles supported by J. Southworth to approve the August 18<sup>th</sup> Agenda as written*  
***Motion adopted by voice vote***

*Motion by R. Kinch and supported by W. Miles to approve the August 4<sup>th</sup> minutes as written.*  
***Motion adopted by voice vote***

**Public Comment:**                      **Open at        6:09 pm.**  
   **No Comments**  
   **Closed at     6:09 pm.**

**NEW BUSINESS:**

- 1. 000-14-09-152-002-01**  
**102 N. Lakeside Dr. Rezone**  
**Dennis Kurts**

**Discussion:** R. Kinch stated that he feels that all the neighboring properties are zoned B-2 and should all be rezoned Residential which would align with the future land use map in the Master Plan. Should all be zoned residential or business not doesn't believe just the one property should be rezoned.

Mr. Conti stated that the Planning Commission has the authority to start the application for all the neighborhood to be rezoned as residential.

Mr. Kinch stated that Mr. Kurts should talk to his neighbors and get them all on board with rezoning the neighborhood to residential.

***Motion by R. Kinch and supported by J. Southworth to approve the rezone for property 000-14-09-152-002-01 at 102 N. Lakeside Dr. from B2 to R4.***

***1 Aye: W. Miles***



*4 Nays: R. Kinch, C. Gibson, J. Southworth and V. Beckwith*  
***Motion Failed***

**OLD BUSINESS:**

- 1. 000-09-23-377-002-08**  
**3133 Whipple Rd. Rezone**  
**Steven Adams**

**Discussion:** J Southworth stated that this rezone was heard in July and approved but because the publication did not take place it needed to be presented once again as a public hearing.

Mr. Conti: As long as a quorum is present, it is the majority of those present and voting and since the Planning Commission is just a recommending body

*3 Ayes: V. Beckwith, B. Lester and J. Southworth*

*0 Nays:*

*R. Kinch recused, W. Miles abstained, C. Gibson abstained.*

***Motion Carried***

- 2. Master Plan with Grant Baumann**

**Discussion:** Mr. Baumann discussed how the Planning Commission needs to develop a time frame with responsibilities for each objective. Once you have finalized the Master Plan it will become ready for public comment. Draft of the Master Plan will be sent to the Board of Trustees and released to surrounding townships and then they have 63 days to get their comments to the township. Once the 63 days are met then the Planning Commission will hold a public hearing and at the end of the hearing the Planning Commission can adopt the Master Plan or it can be sent on to the Board of Trustees for adoption.

R. Kinch stated that he believed Mr. Perrine should be present to go through the Master Plan since he was an integral part of taking the amendment notes and publishing them. Mr. Kinch also wants to present to the Board of Trustees as the liaison the survey results of the Master Plan.

*Motion by R. Kinch, supported by W. Miles to table the Master Plan to the second meeting in September.*

*6 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth, B. Lester and V. Beckwith*

*0 Nays:*

***Motion Carried***

*Motion by V. Beckwith, supported by W. Miles to adjourn.*

***Motion adopted by voice vote***

**Meeting Adjourned 6:40 pm.**

**Next meeting: September 1, 2021**



# 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 | #21-25

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** October 4, 2021

**Proposal:** **A rezoning in Leoni Township**

### Request

The subject property (3133 Whipple Road, ID #000-09-23-377-002-08) is proposed for rezoning from 'agricultural (AG)' to 'suburban residential (RS)' (see the background information).

### Purpose

No reason for the rezoning was provided (see the Zoning Amendment Form).<sup>1</sup>

### Location and Size of the Property

The subject property has an area of approximately 2.74 acres. Situated in Section 23 (T2S-R1E) of the Township, the property is located on the south side of Whipple Road, east of Whipple Road (see Figure 1).

### Land Use and Zoning

**Current Land Use** – The subject property currently contains a dwelling and is assessed for 'residential' use (see Figure 2). The property to the north is assessed for 'agricultural' uses. Parcels to the east, south, and west are assessed for 'residential' uses.

**Future Land Use Plan** – The *Leoni Township Master Plan* recommends 'low density residential' uses for the subject property and all surrounding parcels (see Figure 3).

**Current Zoning** – The subject property is zoned 'agricultural (AG)', as are parcels to the east, south, and west (see Figure 3). The property to the north is zoned 'suburban residential (RS)'.

### Public Facilities and Environmental Constraints

**Water and Sewer Availability** – Municipal water and sewer services are not available according to the Township (see the Rezoning Worksheet Form).

**Public Road/Street Access** – Whipple Road, a private roadway, provides direct access to the subject property.

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

<sup>1</sup> Please note that this report lists the proposed use for informational purposes only. Do not utilize it 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.

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Leoni Township Planning Commission recommends **approval** of the proposed rezoning of the subject property to ‘suburban residential (RS)’ (see the attached Zoning Amendment Form and background information).

**Staff Analysis** – Leoni Township has a Zoning Plan (an element of the Master Plan) which includes 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 proposed use of the subject property is ‘low density residential’, which equates to the ‘suburban residential district (RS)’ according to the Zoning Plan (see Figure 3).

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

**Yes.** Properties to the east, south, and west are already assessed for ‘residential’ uses. The property to the north is already zoned ‘suburban residential (RS)’.

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

**No.** It is unlikely that the rezoning would have a negative impact on 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.** The property is already utilized for ‘residential’ purposes.

**JCPC Staff Advisement** – Based upon the analysis provided in his report, staff advises the County Planning Commission to recommend **APPROVAL** to the Leoni Township Board of the proposed rezoning of the subject property (ID #000-09-23-377-002-08) to ‘suburban residential (RS)’.

**Staff Report Attachment(s):**

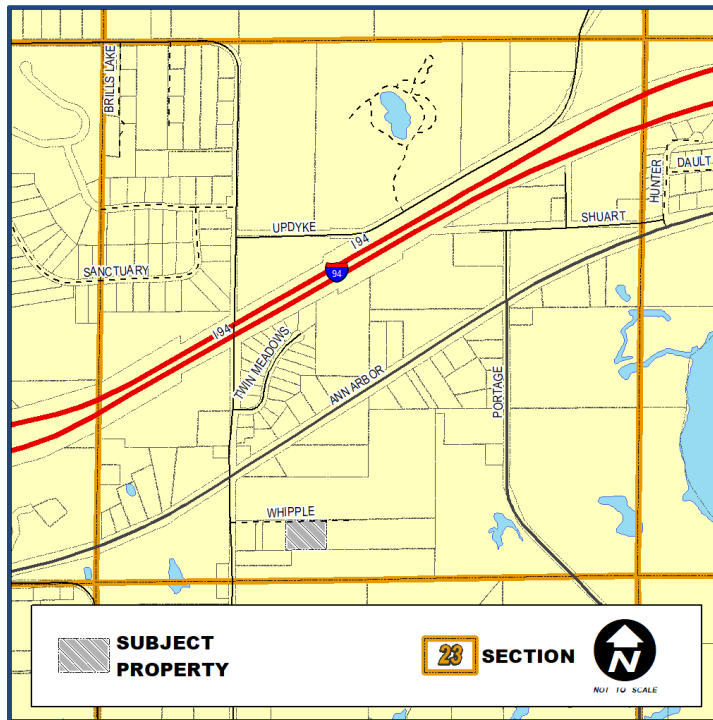
- Background information provided by Leoni Township

**Suggested Actions:**

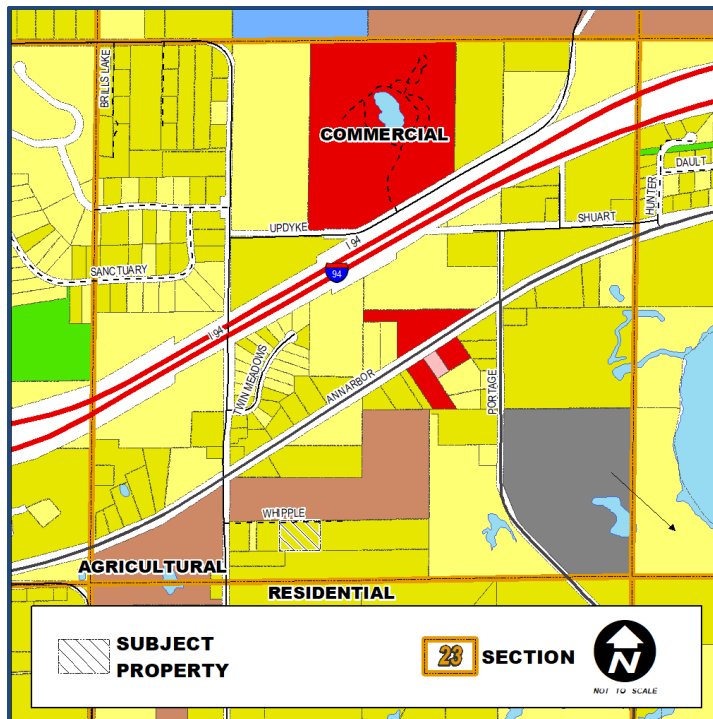
- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**



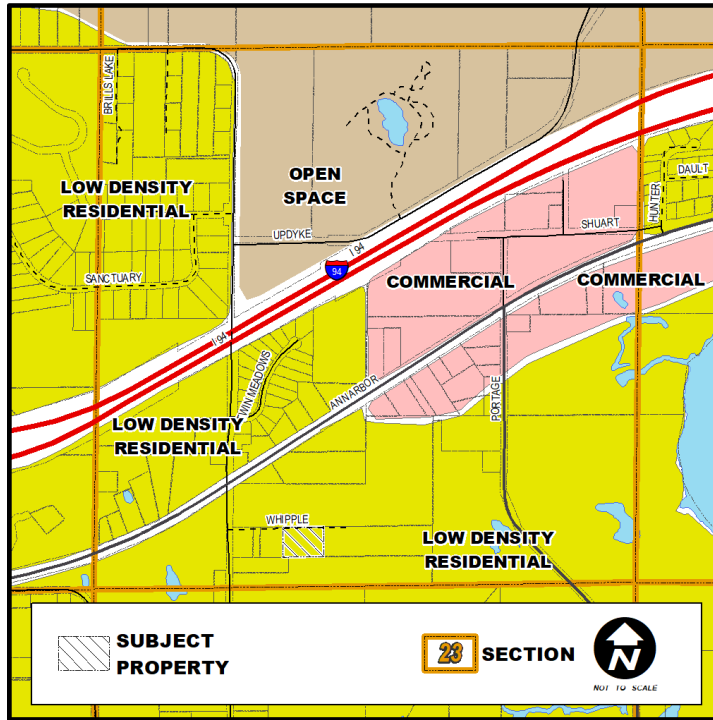
**Figure 1  
Location**



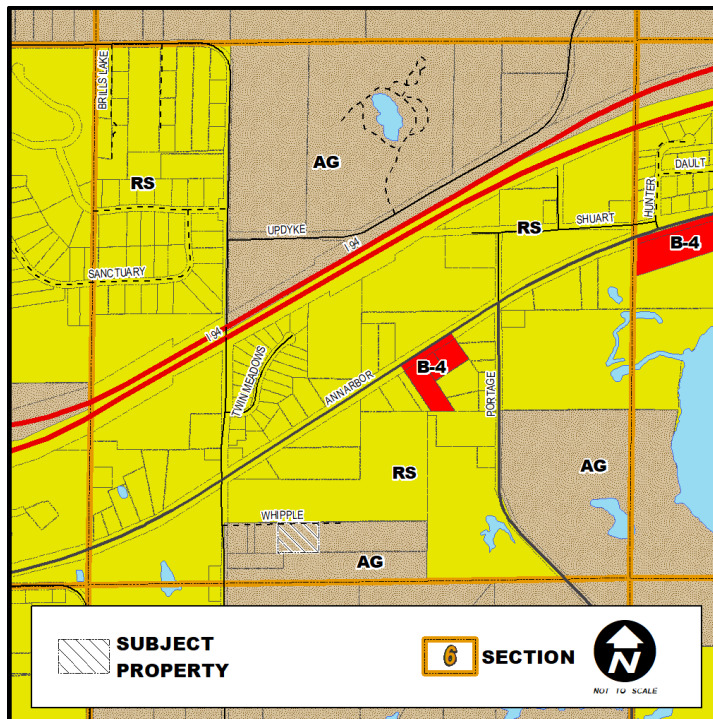
**Figure 2  
Property Assessment**



**Figure 3**  
**Municipal Future Land Use**



**Figure 4**  
**Municipal Zoning**



**Figure 5**  
**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 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.)

2.74 acres. Beg at 1/4 Post of Sec 23 TH N00°35'25" E 297.99 FT TH S89°  
21' 41" W 402.72 FT TO POB TH CONTN S89°21' 41" W 400 FT TH N00°35'0" E 298 FT TH  
N89°21' 41" E 400 FT TH S00°42' 08" W 298 FT TO BEG. SEC 23 T2S R1E SPLIT ON 11/8/2006

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

2. PURPOSE OF PROPOSED CHANGE: \_\_\_\_\_

**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 August day 18 year 2021

D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month August day 1 year 2021

(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.

Pamela Trammell ☐ Chair or ☒ Secretary 8 / 19 / 2021 (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: Leoni Township Case #: \_\_\_\_\_  
Township official we may contact: Gindy Norris, Clerk Phone #: (517) 936-2290  
Applicant: Steven Adams Phone #: (517) 513-7169  
Rezoning Request: From: Agricultural (AG) To: Suburban Residential (RS)  
Property Location: Section(s): 23 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"): 2.74 acres

Please attach location map ☒ Yes ☐ No

What is the existing use of the site? Residential

What is the proposed use of the site? Residential

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

North: Agricultural  
East: Agricultural

South: Agricultural  
West: Residential

What are the surrounding Zoning Districts?

North: (AG) Agricultural  
East: (AG) Agricultural

South: (AG) Agricultural  
West: (AG) 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 \_\_\_\_\_

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.



**Leoni Township Office**

913 Fifth Street Michigan Center, Michigan 49254

PHONE: (517) 764-4694 FAX: (517) 764-1106

www.leonitownship.com

DATE OF APPLICATION: 6-16-21

APPLICATION #: \_\_\_\_\_

**APPLICATION FOR ZONING CHANGE or CONDITIONAL USE**

TO: PLANNING COMMISSION, LEONI TOWNSHIP

I (We) Hereby make application with the Township of Leoni to:

- ( ) Add to or change the text of the Ordinance.  
 ( ) Change the district boundaries.  
 (X) Re-Zone the property to another classification.  
 ( ) Conditional Use.  
 ( ) Home Occupation.  
 ( ) Extending Residential Non-Conforming Use.

1. Applicants Name: STEVEN M. ADAMS Phone: (517) 513-7169  
 2. Address of Property Involved: 3133 WHIPPLE RD. Applicant Address: 3133 WHIPPLE RD.  
 3. Legal Description of Property: SEE ATTACHED SHEET  
 4. The above property is presently zoned: AGRICULTURAL  
 5. I wish the zoning to be changed from: AGRICULTURAL to: SUBURBAN RESIDENTIAL  
 6. I wish the boundaries to be changed from: N/A to: \_\_\_\_\_  
 7. I wish the change in the text from section: N/A  
 8. The proposed use(s) and nature(s) of operation is/are: N/A

**NOTE:** Attach an **ACCURATE SURVEY DRAWING** of said property drawn to scale showing existing and proposed building and structures, the type thereof and their uses, and the distances from property lines.

**I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND THAT I AM THE OWNER OF THE PROPERTY.**

I GRANT PERMISSION FOR MEMEBERS OF THE LEONI TOWNSHIP PLANNING COMMISSION AND/OR TOWNSHIP BOARD TO ENTER THE ABOVE PROPERTY FOR THE PURPOSE OF GATHERING INFORMATION RELATED TO THIS APPLICATION. (NOTE TO APPLICANT: This will not affect any decision on your application.)

**IN CASE OF CANCELLATION OR FAILURE TO APPEAR AT THE HEARING, I UNDERSTAND THAT ALL FEES WILL BE FORFEITED.**

FEE: \$550.

Steven M. Adams  
 SIGNATURE OF OWNER APPLICANT

\*\*\*\*\*

PLANNING COMMISSION RECOMMENDATION: Having review the submitted data, hereby recommend the Township Board  
 ( ) Approve ( ) Disapprove the Application for the following reasons (or with these restrictions) \_\_\_\_\_

DATE: \_\_\_\_\_

CHAIRMAN: \_\_\_\_\_

SIGNATURE

\*\*\*\*\*

TOWNSHIP BOARD OF TRUSTEES: Having reviewed the submitted data, hereby ( ) APPROVE ( ) DISAPPROVE the application for the following reasons: \_\_\_\_\_

DATE: \_\_\_\_\_

CLERK: \_\_\_\_\_

SIGNATURE

8/15/12



# TOWNSHIP OF LEONI

Receipt: 172300

06/23/21

913 5TH STREET

P.O. BOX 375

MICHIGAN CENTER, MI 49254

(517) 764-4694

(517) 764-1106 FAX

Cashier: TPOTTER

Received Of: STEVEN ADAMS

The sum of: 550.00

ZON	S ADAMS REZONE 3133 WHIPP	550.00
	Total	550.00
	CHK/MO/CASHIE 2284	550.00

Signed: \_\_\_\_\_

**LEONI TOWNSHIP OFFICE  
913 FIFTH ST  
MICHIGAN CENTER MI 49254  
517-764-4694 PHONE 517-764-1380 FAX**

# NOT I CE

The Leoni Township Planning Commission will hold a ZOOM Public Hearing, Wednesday, July 21, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

**“This meeting is being held by ZOOM because of the COVID-19 State of Emergency and in conformance with Executive Orders issued by the Governor of the State of Michigan.”**

**Please visit the Leoni Township website at <http://www.leonitownship.com> prior to the meeting for instructions regarding remote access and any updates that may be needed due to COVID-19 requirements.**

000-09-23-377-002-08  
Steven M. Adams - Rezone  
3133 Whipple Rd.

Purpose of hearing: Rezone from Agricultural to Suburban Residential

Legal Description: COM AT S 1/4 POST OF SEC 23 TH N00°35'25"E 297.99 FT TH S89°21'41"W 402.72 FT FOR POB TH CONT S89°21'41"W 400 FT TH N00°42'08"E 298 FT TH N89°21'41"E 400 FT TH S00°42'08"W 298 FT TO BEG. SEC 23 T2S R1E SPLIT ON 11/08/2006 FROM 000-09-23-377-002-04;

Cindy Norris, Clerk

000-09-26-126-001-10  
WHITE WILLIAM H & SANDRA K  
3091 WHIPPLE RD  
JACKSON, MI 49201

000-09-23-377-002-05  
ADAMS CONSTANCE L REV TRUST  
2251 SPRINGPORT RD APT 251  
JACKSON, MI 49202

000-09-23-377-002-07  
HEADLEY TERRY D & SUZANNE M  
3125 WHIPPLE RD  
JACKSON, MI 49201

000-09-23-377-002-09  
PARUSZKIEWICZ MICHAEL E & SUSAN  
3131 WHIPPLE RD  
JACKSON, MI 49201

000-09-23-377-002-01  
BECKER BRENDAN R & SCOTT MICHAEL J  
1122 BARRIE AVE  
FLINT, MI 48507

000-09-23-377-002-06  
HEADLEY JUSTIN D & AMANDA DEE  
741 WOODBINE ST  
JACKSON, MI 49203

000-09-23-377-002-08  
ADAMS STEVEN N  
3133 WHIPPLE RD  
JACKSON, MI 49201-9619

000-09-23-377-002-11  
SHROCK ROBERT H & GWENDOLYN S  
3119 WHIPPLE RD  
JACKSON, MI 49201

000-09-23-377-002-10  
BIOTY CHRISTY A  
3123 WHIPPLE RD  
JACKSON, MI 49201





# Parcel Report - Parcel ID: 000-09-23-377-002-08

6/24/2021



**Owner Name** ADAMS STEVEN N  
**Owner Address** 3133 WHIPPLE RD  
JACKSON, MI 49201-9619  
**Homestead** 100  
**Parcel Address** 3131 WHIPPLE RD  
JACKSON, MI 49201  
**Property Class** 401 - RESIDENTIAL  
**Status** Active  
**Acreage** 2.74  
**Gov't Unit** Leoni  
**Tax Unit** Leoni  
**School District** EAST JACKSON SCHOOL  
**Liber/Page** 1732-0941

	2019	2020	2021
<b>Taxable Value</b>	\$57,745	\$58,842	\$59,665
<b>Assessed Value</b>	\$62,239	\$71,184	\$85,976

**Tax Description:**

COM AT S 1/4 POST OF SEC 23 TH N00°35'25"E 297.99 FT  
TH S89°21'41"W 402.72 FT FOR POB TH CONT  
S89°21'41"W 400 FT TH N00°42'08"E 298 FT TH N89°21'41"E  
400 FT TH S00°42'08"W 298 FT TO BEG. SEC 23 T2S R1E  
SPLIT ON 11/08/2006 FROM 000-09-23-377-002-04;





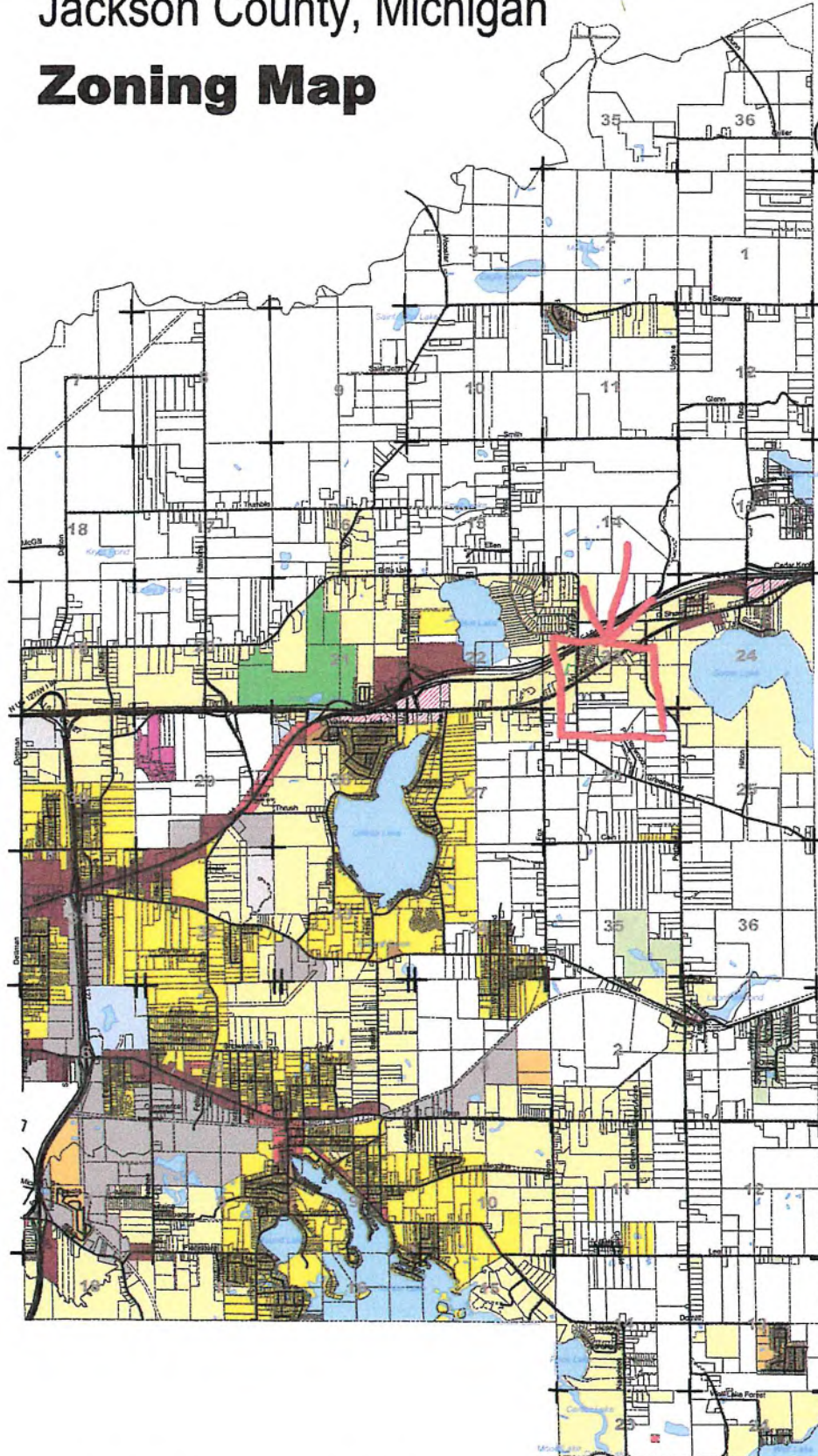




# Leoni Township

## Jackson County, Michigan

### Zoning Map



#### ZONING DISTRICTS

- AG** Agricultural District
- RNF** Rural Non-Farm Residential District
- RS** Suburban Residential District
- R-1** One Family Residential District
- PR-1** Planned Residential District
- R-4** High Density Residence & Office District
- RM** Mobile Home Residential District
- B-1** Neighborhood Business District
- B-2** Community Business District
- B-4** General Business District
- B-5** Highway Business District
- ML** Light Industrial District
- M** Heavy Industrial District
- PUD** Planned Unit Development District
- OS** Open Space District

Date of Last Zoning Revision:  
November 16, 2005  
Date of Map Revision:  
April 21, 2006

This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of \_\_\_\_\_ adopted on \_\_\_\_\_

signature \_\_\_\_\_ Supervisor date \_\_\_\_/\_\_\_\_/\_\_\_\_  
signature \_\_\_\_\_ Clerk date \_\_\_\_/\_\_\_\_/\_\_\_\_



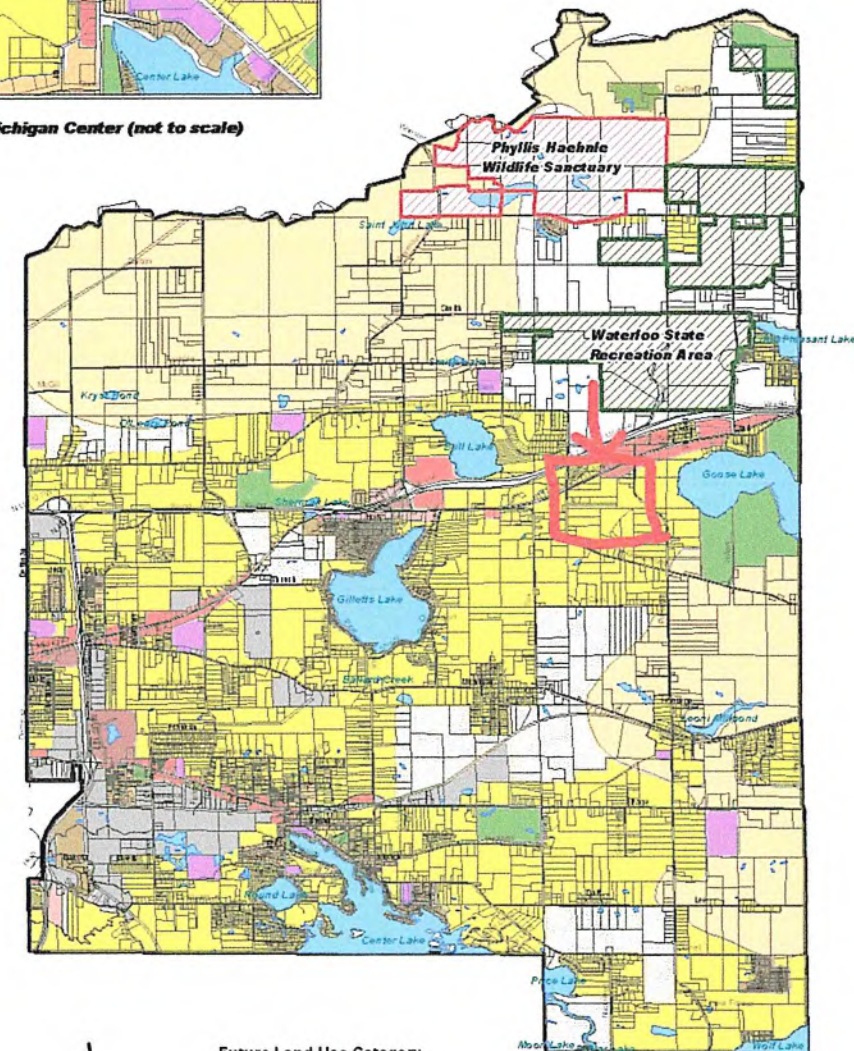


## Map 1

# Leoni Township Future Land Use Plan



Michigan Center (not to scale)



### Future Land Use Category



Low-Density Residential	Commercial	Agricultural Preservation Areas
Moderate-Density Residential	General Commercial	Parks and Recreation
High-Density Residential	Regional Commercial	Public/Quasi-Public
Agriculture	Industrial	Open Space

0 1 2 Miles



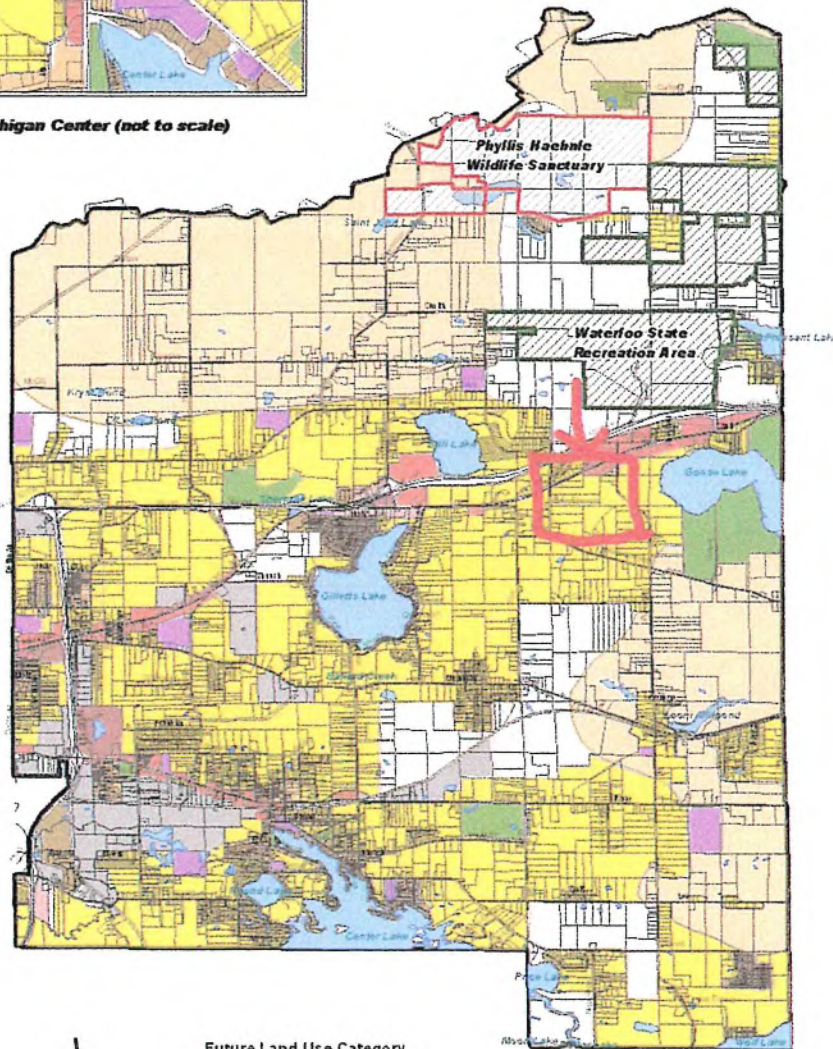
Map Created: December 7, 2011  
Revised: January 18, 2012

## Map 1

# Leoni Township Future Land Use Plan



Michigan Center (not to scale)



### Future Land Use Category



0 1 2 Miles



Map Created: December 7, 2011  
Revised: January 18, 2012



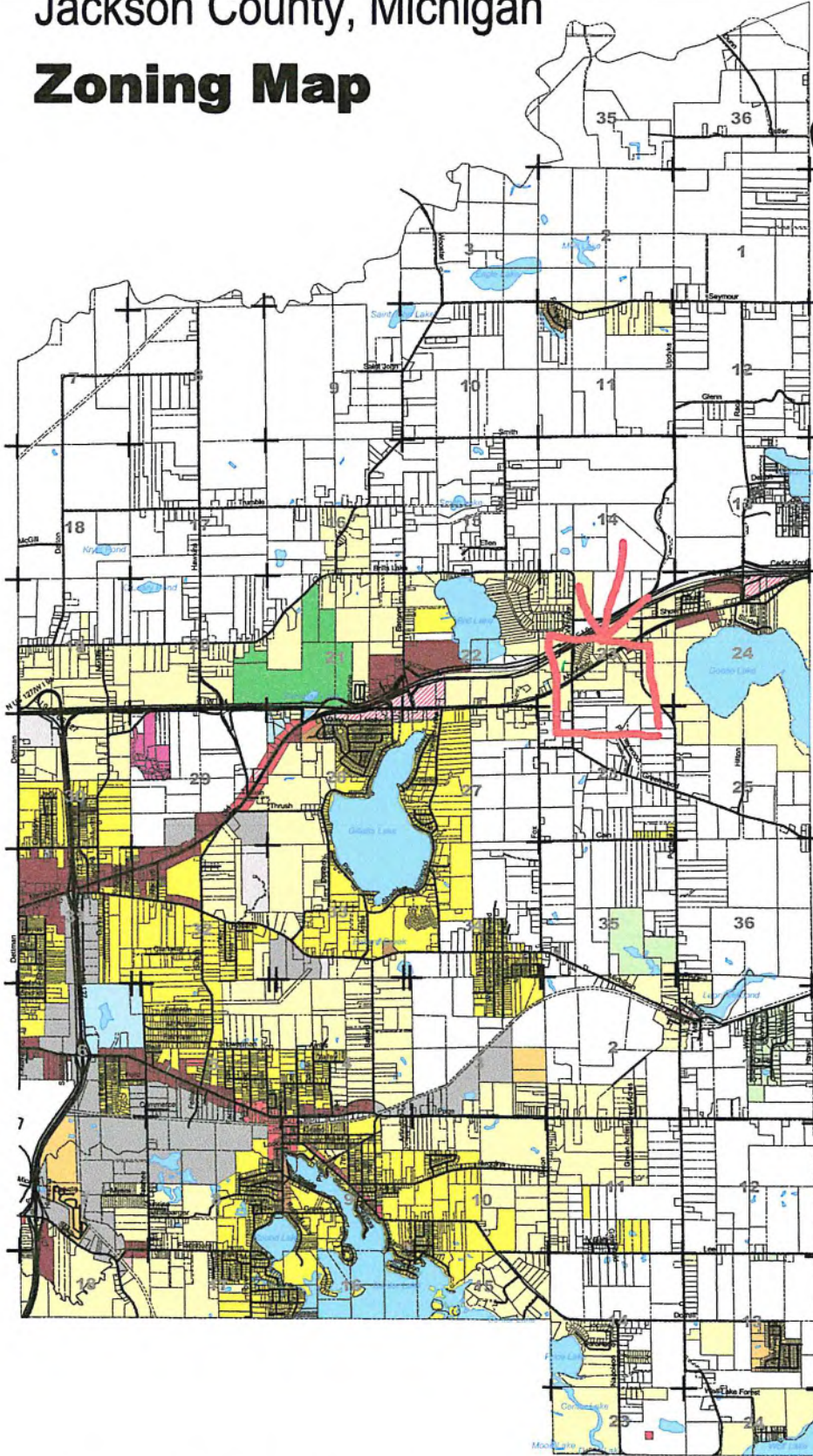
# Leoni Township

## Jackson County, Michigan

### Zoning Map

#### ZONING DISTRICTS

- AG** Agricultural District
- RNF** Rural Non-Farm Residential District
- RS** Suburban Residential District
- R-1** One Family Residential District
- PR-1** Planned Residential District
- R-4** High Density Residence & Office District
- RM** Mobile Home Residential District
- B-1** Neighborhood Business District
- B-2** Community Business District
- B-4** General Business District
- B-5** Highway Business District
- ML** Light Industrial District
- M** Heavy Industrial District
- PUD** Planned Unit Development District
- OS** Open Space District



Date of Last Zoning Revision:  
November 16, 2005  
Date of Map Revision:  
April 21, 2006

This is to certify that this is the Official Zoning Map referred to in the  
Zoning Ordinance of \_\_\_\_\_  
adopted on \_\_\_\_\_

signature \_\_\_\_\_ Supervisor date \_\_\_\_/\_\_\_\_/\_\_\_\_  
signature \_\_\_\_\_ Clerk date \_\_\_\_/\_\_\_\_/\_\_\_\_





# AFFIDAVIT OF PUBLISHER

STATE OF MICHIGAN }  
County of Jackson

*Bettie Watson*

Bettie Watson

being duly sworn, says: I am the Publisher of The Salesman, a shopping guide printed and circulated in said county since 1948.

The attached is a printed copy of an ad which was published in

The Salesman (Publications) August 1, 2021

Sworn to and subscribed before me this 6<sup>th</sup> day  
of August 2021.

*Coreen Chase*

Notary Public, Jackson County, Michigan

COREEN CHASE  
NOTARY PUBLIC, Jackson County, MI  
My Commission Expires Aug. 31, 2023

## NOTICE LEONI TOWNSHIP JACKSON COUNTY, MI

The Leoni Township Planning Commission will hold a Public Hearing, Wednesday, August 18, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

000-09-23-377-002-08

Steven M. Adams - Rezone  
3133 Whipple Rd.

Purpose of hearing: Rezone from Agricultural to Suburban Residential

Legal Description: COM AT S 1/4 POST OF SEC 23 TH N00°35'25"E 297.99 FT TH S89°21'41"W 402.72 FT FOR POB TH CONT S89°21'41"W 400 FT TH N00°42'08"E 298 FT TH N89°21'41"E 400 FT TH S00°42'08"W 298 FT TO BEG. SEC 23 T2S R1E SPLIT ON 11/08/2006 FROM 000-09-23-377-002-04;

Cindy Norris, Clerk

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

**PLANNING COMMISSION MINUTES**  
**August 18, 2021 DRAFT**

The Leoni Township Planning Commission held a meeting Wednesday, August 18, 2021 @ 6:00 p.m.  
913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:07 pm

Members Present: V. Beckwith, R. Kinch, W. Miles, Connie Gibson, Billy Lester & Judy Southworth  
Members absent: D. Perrine  
Persons in attendance: 6

Pledge of Allegiance

Purpose of Planning Commission read by V. Beckwith

*Motion by W. Miles supported by J. Southworth to approve the August 18<sup>th</sup> Agenda as written*  
***Motion adopted by voice vote***

*Motion by R. Kinch and supported by W. Miles to approve the August 4<sup>th</sup> minutes as written.*  
***Motion adopted by voice vote***

**Public Comment:**                      **Open at        6:09 pm.**  
   **No Comments**  
   **Closed at     6:09 pm.**

**NEW BUSINESS:**

- 1. 000-14-09-152-002-01**  
**102 N. Lakeside Dr. Rezone**  
**Dennis Kurts**

**Discussion:** R. Kinch stated that he feels that all the neighboring properties are zoned B-2 and should all be rezoned Residential which would align with the future land use map in the Master Plan. Should all be zoned residential or business not doesn't believe just the one property should be rezoned.

Mr. Conti stated that the Planning Commission has the authority to start the application for all the neighborhood to be rezoned as residential.

Mr. Kinch stated that Mr. Kurts should talk to his neighbors and get them all on board with rezoning the neighborhood to residential.

*Motion by R. Kinch and supported by J. Southworth to approve the rezone for property 000-14-09-152-002-01 at 102 N. Lakeside Dr. from B2 to R4.*

*1 Aye: W. Miles*



4 Nays: R. Kinch, C. Gibson, J. Southworth and V. Beckwith  
**Motion Failed**

**OLD BUSINESS:**

1. 000-09-23-377-002-08  
3133 Whipple Rd. Rezone  
Steven Adams

**Discussion:** J Southworth stated that this rezone was heard in July and approved but because the publication did not take place it needed to be presented once again as a public hearing.

Mr. Conti: As long as a quorum is present, it is the majority of those present and voting and since the Planning Commission is just a recommending body

3 Ayes: V. Beckwith, B. Lester and J. Southworth

0 Nays:

R. Kinch recused, W. Miles abstained, C. Gibson abstained.

**Motion Carried**

2. Master Plan with Grant Baumann

**Discussion:** Mr. Baumann discussed how the Planning Commission needs to develop a time frame with responsibilities for each objective. Once you have finalized the Master Plan it will become ready for public comment. Draft of the Master Plan will be sent to the Board of Trustees and released to surrounding townships and then they have 63 days to get their comments to the township. Once the 63 days are met then the Planning Commission will hold a public hearing and at the end of the hearing the Planning Commission can adopt the Master Plan or it can be sent on to the Board of Trustees for adoption.

R. Kinch stated that he believed Mr. Perrine should be present to go through the Master Plan since he was an integral part of taking the amendment notes and publishing them. Mr. Kinch also wants to present to the Board of Trustees as the liaison the survey results of the Master Plan.

*Motion by R. Kinch, supported by W. Miles to table the Master Plan to the second meeting in September.*

6 Ayes: R. Kinch, W. Miles, C. Gibson, J. Southworth, B. Lester and V. Beckwith

0 Nays:

**Motion Carried**

*Motion by V. Beckwith, supported by W. Miles to adjourn.*

**Motion adopted by voice vote**

**Meeting Adjourned 6:40 pm.**

**Next meeting: September 1, 2021**





# 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 | #21-26

**To:** County Planning Commissioners

**From:** Grant E. Bauman

**Date:** October 4, 2021

**Proposal:** **A rezoning in Leoni Township**

### Request

The subject property (ID #000-09-30-151-007-01) is proposed for rezoning from 'suburban residential (RS)' to 'light industrial (ML)' (see the background information).

### Purpose

The reply to this question was "use consistent w/approved use in the ML category of the zoning ordinance" (see the Zoning Amendment Form).<sup>1</sup>

### Location and Size of the Property

The subject property has an area of approximately 32.69 acres. Situated in Section 30 (T2S-R1E) of the Township, the property borders US-127 to the east (see Figure 1).

### Land Use and Zoning

**Current Land Use** – The subject property is currently vacant and assessed for 'residential' use (see Figure 2). The property to the north is assessed for 'industrial uses'. US-127 borders the property to the east. A Consumers Energy easement is located to the south, and then a residential neighborhood. Properties to the west are assessed for 'residential' uses.

**Future Land Use Plan** – The *Leoni Township Master Plan* recommends 'low density residential' uses for the subject property and parcels to the east, south, and west (see Figure 3). 'Industrial' uses are proposed for the properties to the north.

**Current Zoning** – The subject property is zoned 'suburban residential (RS)', as are the parcels to the east and west (see Figure 3). Properties to the north are zoned 'light industrial (ML)'. The parcels to the south are zoned 'single-family residential (R-1)'.

### Public Facilities and Environmental Constraints

**Water and Sewer Availability** – Municipal water and sewer services are not available according to the Township (see the Rezoning Worksheet Form).

**Public Road/Street Access** – There is no direct access to a public roadway. The property will access Dettman Road via the parcel to the north, owned by the applicant.

<sup>1</sup> Please note that this report lists the proposed use for informational purposes only. Do not utilize it 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). However, a stream/drain does traverse the parcel.

### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Leoni Township Planning Commission recommends **approval** of the proposed rezoning of the subject property to ‘light industrial (ML)’ (see the attached Zoning Amendment Form and background information).

**Staff Analysis** – Leoni Township has a Zoning Plan (an element of the Master Plan) which includes 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.** The proposed use of the subject property is ‘low density residential’ (see Figure 3). However, the property to the north (owned by the applicant) is recommended for ‘industrial’ uses.

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

**Yes.** The adjacent properties to the north are already zoned ‘light industrial (ML)’. However, the rezoning will bring light industrial uses much closer to the residential neighborhoods located to the west and further to the south.

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

**No.** It is unlikely that the rezoning would have a negative impact on 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.** The property is adjacent to US-127 and a parcel already zoned and used for ‘light industrial (ML)’ uses. The property is also landlocked, but can be accessed through that ‘light industrial (ML)’ property.

**JCPC Staff Advisement** – Based upon the analysis provided in his report, staff advises the County Planning Commission to recommend **APPROVAL** to the Leoni Township Board of the proposed rezoning of the subject property (ID #000-09-30-151-007-01) to ‘light industrial (ML)’.

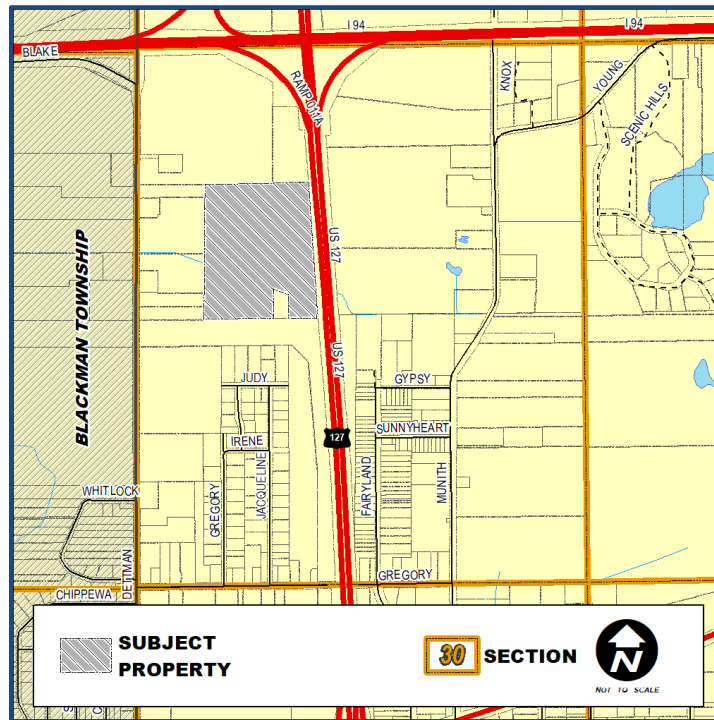
#### Staff Report Attachment(s):

- Background information provided by Leoni Township

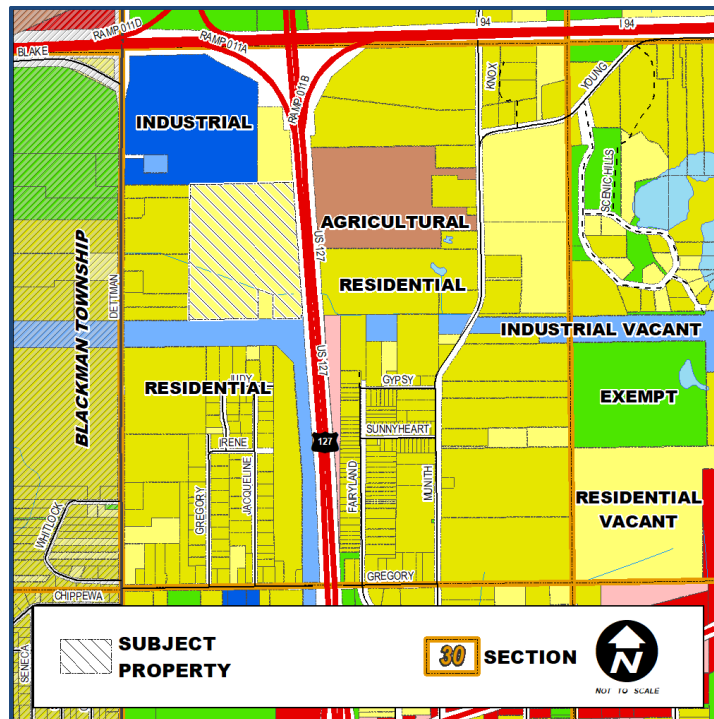
#### Suggested Actions:

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

**Figure 1**  
**Location**

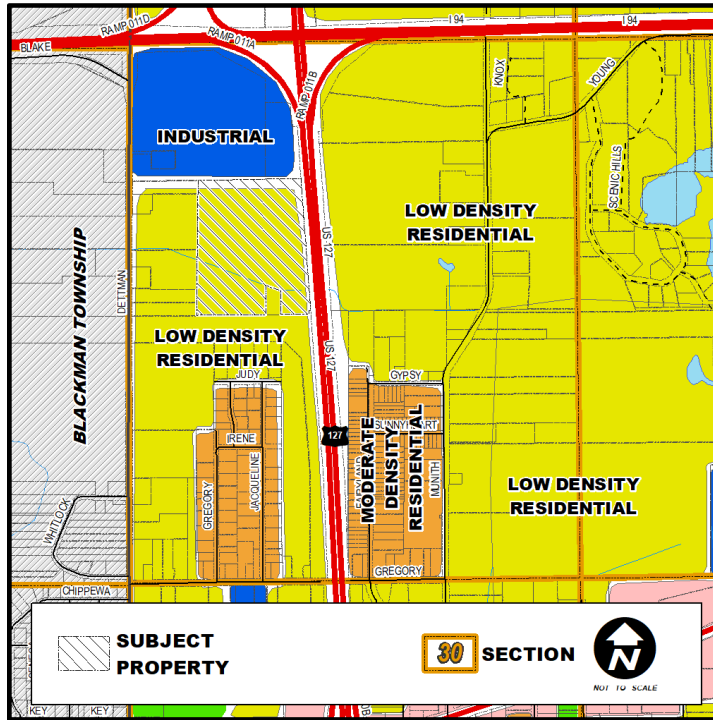


**Figure 2**  
**Property Assessment**

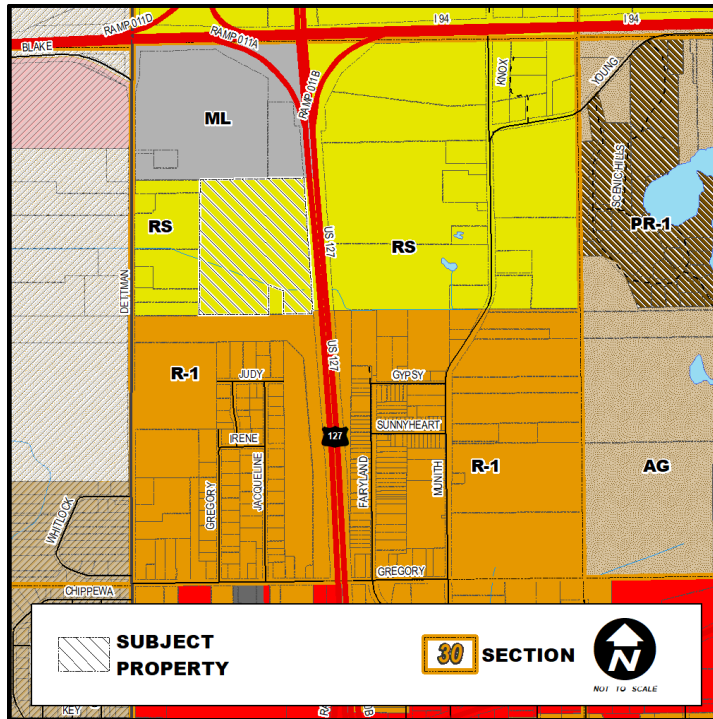




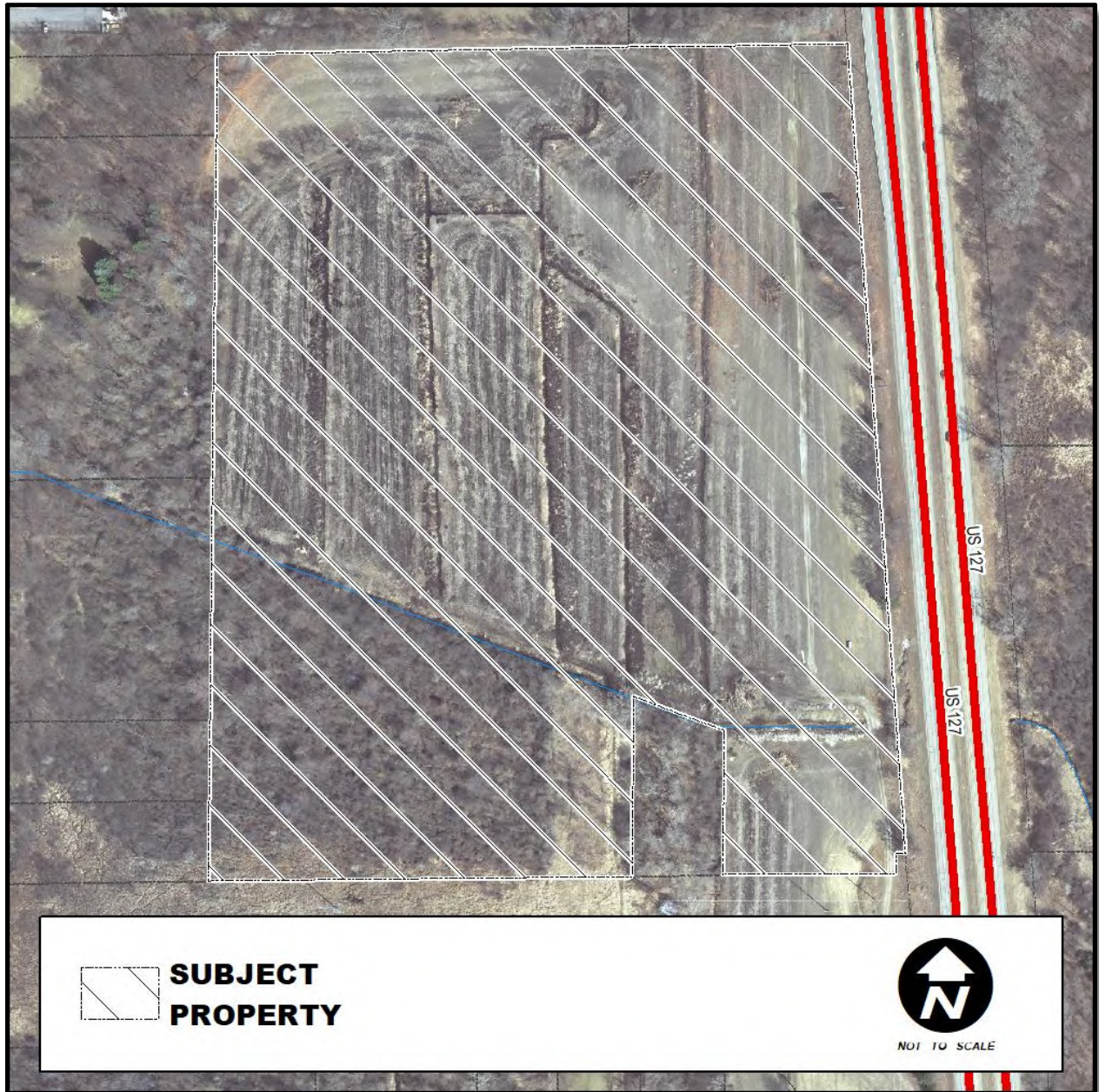
**Figure 3**  
**Municipal Future Land Use**



**Figure 4**  
**Municipal Zoning**



**Figure 5**  
**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 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.)

32.69 acres See attached

1. The above described property has a proposed zoning change FROM Suburban Residential (RS) ZONE TO Light Industrial (ML) ZONE.
2. PURPOSE OF PROPOSED CHANGE: Use consistent w/ approved use in the ML category of the zoning ordinance

**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 Sept day 15 year 2021
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month Aug day 22 year 2021  
(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.

Pamela Trammell ☐ Chair or ☒ Secretary 9 / 16 / 21 (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: Leoni Township Case #: \_\_\_\_\_  
Township official we may contact: Cindy Norris Phone #: (517) 936-2290  
Applicant: R16TV LLC Jonathan Rosenthal/Ryan Schultz Phone #: (248) 421-7140  
Rezoning Request: From: Suburban Residential (RS) To: Light Industrial (ML)  
Property Location: Section(s): 30 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"): 32.69 acres

Please attach location map ☒ Yes ☐ No  
What is the existing use of the site? Residential vacant land

What is the proposed use of the site? \_\_\_\_\_

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?  
North: Commercial South: Industrial  
East: Agricultural West: Residential

What are the surrounding Zoning Districts?  
North: (ML) Light Industrial South: (R1) Family Residential  
East: (RS) Suburban Residential West: (RS) Suburban Residential

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.

Please include any additional information or comments as an attachment.



# Leoni Township Office

913 Fifth Street Michigan Center, Michigan 49254  
PHONE: (517) 764-4694 FAX: (517) 764-1106  
www.leonitownship.com

DATE OF APPLICATION: \_\_\_\_\_

APPLICATION #: \_\_\_\_\_

## APPLICATION FOR ZONING CHANGE or CONDITIONAL USE

TO: PLANNING COMMISSION, LEONI TOWNSHIP

I (We) Hereby make application with the Township of Leoni to:

- ( ) Add to or change the text of the Ordinance.  
( ) Change the district boundaries.  
(X) Re-Zone the property to another classification.  
( ) Conditional Use.  
( ) Home Occupation.  
( ) Extending Residential Non-Conforming Use.

PARCE A TO BE REZONED  
# ~~00000~~  
000-09-30-157-007-01

1. Applicants Name: JONAHAN ROSENTHAL / RYAN SMOLTS Phone: 248-421-7140  
2. Address of Property Involved: SEE ABOVE Applicant Address: 326 E 4th ST. Royal C  
3. Legal Description of Property: SEE ATTACHED SURVEY MI 48067  
4. The above property is presently zoned: RS - SUBURBAN RESIDENTIAL DISTRICT  
5. I wish the zoning to be changed from: RS to: ML  
6. I wish the boundaries to be changed from: \_\_\_\_\_ to: \_\_\_\_\_  
7. I wish the change in the text from section: \_\_\_\_\_  
8. The proposed use(s) and nature(s) of operation is/are: USE CONSISTANT WITH APPROVED  
USE IN THE ML CATEGORY OF THE ZONING ORDINANCE

NOTE: Attach an ACCURATE SURVEY DRAWING of said property drawn to scale showing existing and proposed building and structures, the type thereof and their uses, and the distances from property lines.

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND THAT I AM THE OWNER OF THE PROPERTY.

I GRANT PERMISSION FOR MEMEBERS OF THE LEONI TOWNSHIP PLANNING COMMISSION AND/OR TOWNSHIP BOARD TO ENTER THE ABOVE PROPERTY FOR THE PURPOSE OF GATHERING INFORMATION RELATED TO THIS APPLICATION. (NOTE TO APPLICANT: This will not affect any decision on your application.)

IN CASE OF CANCELLATION OR FAILURE TO APPEAR AT THE HEARING, I UNDERSTAND THAT ALL FEES WILL BE FORFEITED.

FEE: \_\_\_\_\_

[Signature]  
SIGNATURE OF OWNER APPLICANT

- SEE ATTACHED AUTHORIZED  
AGENT LETTERS PROVIDED  
BY THE OWNER

\*\*\*\*\*  
PLANNING COMMISSION RECOMMENDATION: Having review the submitted data, hereby recommend the Township Board  
( ) Approve ( ) Disapprove the Application for the following reasons (or with these restrictions)

DATE: \_\_\_\_\_

CHAIRMAN: \_\_\_\_\_

SIGNATURE

\*\*\*\*\*  
TOWNSHIP BOARD OF TRUSTEES: Having reviewed the submitted data, hereby ( ) APPROVE ( ) DISAPPROVE the application for the following reasons: \_\_\_\_\_

DATE: \_\_\_\_\_

CLERK: \_\_\_\_\_

SIGNATURE

8/15/12



**bldg@leonitownship.com**

---

**From:** Ryan Schultz <ryan@versacos.com>  
**Sent:** Thursday, August 12, 2021 3:56 PM  
**To:** bldg@leonitownship.com  
**Cc:** 'Shelly Dunckel'  
**Subject:** RE: Rezoning Application REvision

I approve, thank you for clarifying.

Ryan-

**Ryan W. Schultz**

Vice President – Development  
326 E. Fourth Street | Suite 200 | Royal Oak, MI 48067  
P: 248.421.7140 F: 248.856.3173  
www.versacos.com

---

**From:** bldg@leonitownship.com <bldg@leonitownship.com>  
**Sent:** Thursday, August 12, 2021 3:41 PM  
**To:** Ryan Schultz <ryan@versacos.com>  
**Cc:** 'Shelly Dunckel' <sdunckel@leonitownship.com>  
**Subject:** RE: Rezoning Application REvision

Hello Ryan , Parcel #000-09-30-151-007-01 is already zoned light industrial . With your permission I would like to modify the application by removing the cell tower property from the documents . I will make copies of this email and your response . I will make sure that every planning commission member receives a copy in their packet .

Thank you Ryan  
Joe Chambers

---

**From:** Ryan Schultz <[ryan@versacos.com](mailto:ryan@versacos.com)>  
**Sent:** Tuesday, August 10, 2021 1:27 PM  
**To:** [bldg@leonitownship.com](mailto:bldg@leonitownship.com)  
**Subject:** RE: Rezoning Application REvision

Joe,

Just wanted to check in and see how things are proceeding with the rezoning application.

Do you anticipate that we will make the PC meeting in August?

I know there are subsequent steps at Region 2 and then back to Leoni Township for Board review.....

Just trying to back into a schedule that I can communicate out the sellers representation.

Thanks

Ryan-



Leoni Township  
913 Fifth Street  
Michigan Center  
Attn: Joe Chambers, Building Official

July 28, 2021

RE: Rezoning of Parcel : 000-09-30-151-007-01

The Elizabeth M. Seffernick Revocable Living Trust "The Trust" is the owner of the parcel 000-09-30-151-007-01 in Leoni Township, MI. The Trust is currently under contract to sell these parcels to Jonathan Rosenthal and his partners at RIGTV, LLC. The Trust authorizes Jonathan Rosenthal and the RIGTV, LLC partnership to act as authorized agents regarding the proposed rezoning for the parcels mentioned above.

Sincerely,

Nancy Lee Stuard  
Trustee

Carol Ann Shannon  
Trustee

*Carol Ann Shannon*  
Trustee

Elizabeth Jean Kubish  
Trustee

*Elizabeth J. Kubish*  
Trustee

I attest that Carol Ann Shannon and Elizabeth Jean Kubish have appeared before me on July 28th, 2021.



# Current Zoning

## Jackson County, MI

8/12/2021



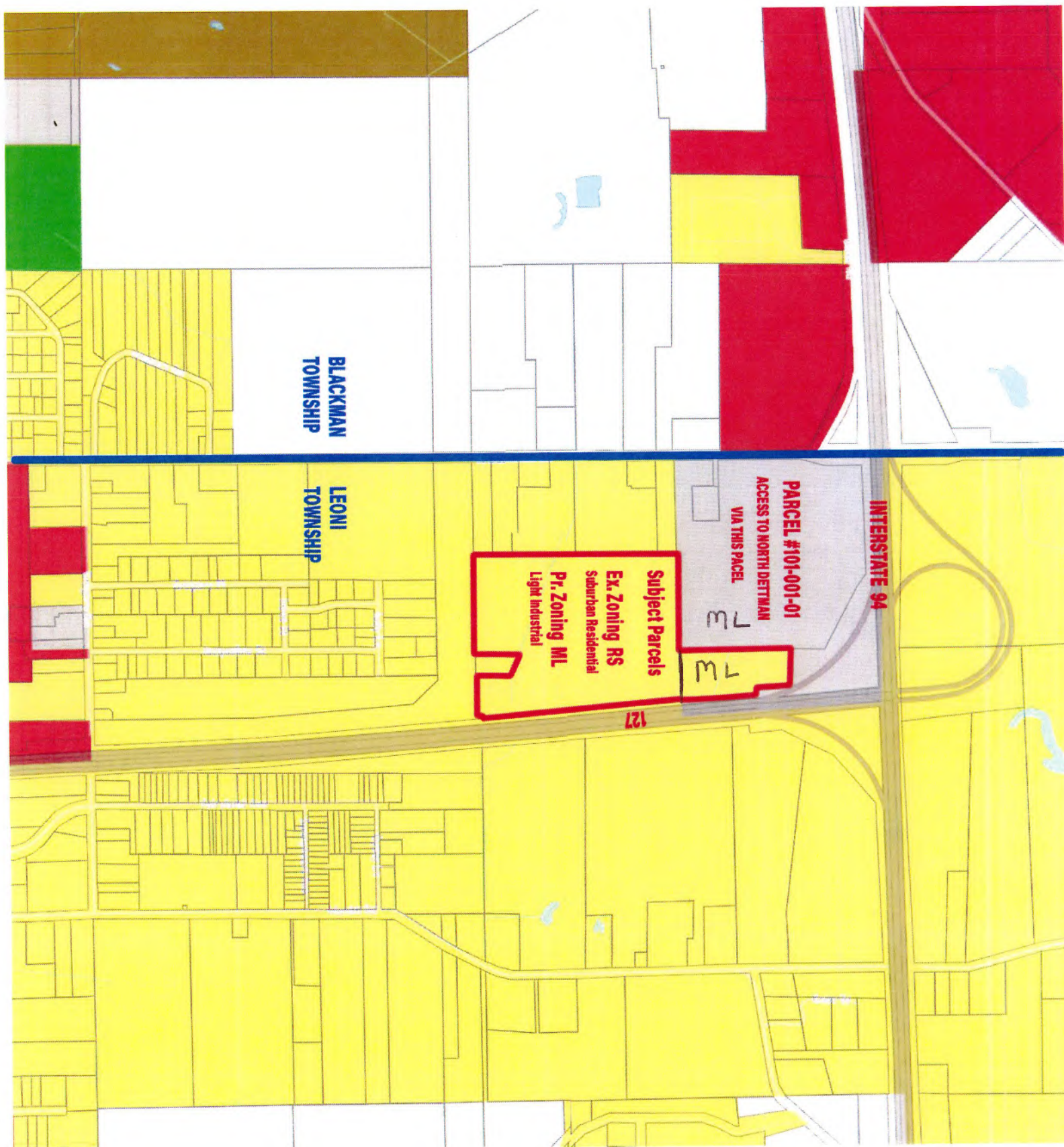
The intent of this map is to allow easy access and visual display of government information and services.  
Every reasonable effort is made to ensure the accuracy of this map and data; nevertheless, errors may occur.

10/14/21 JCPC Agenda Packet



Page #149

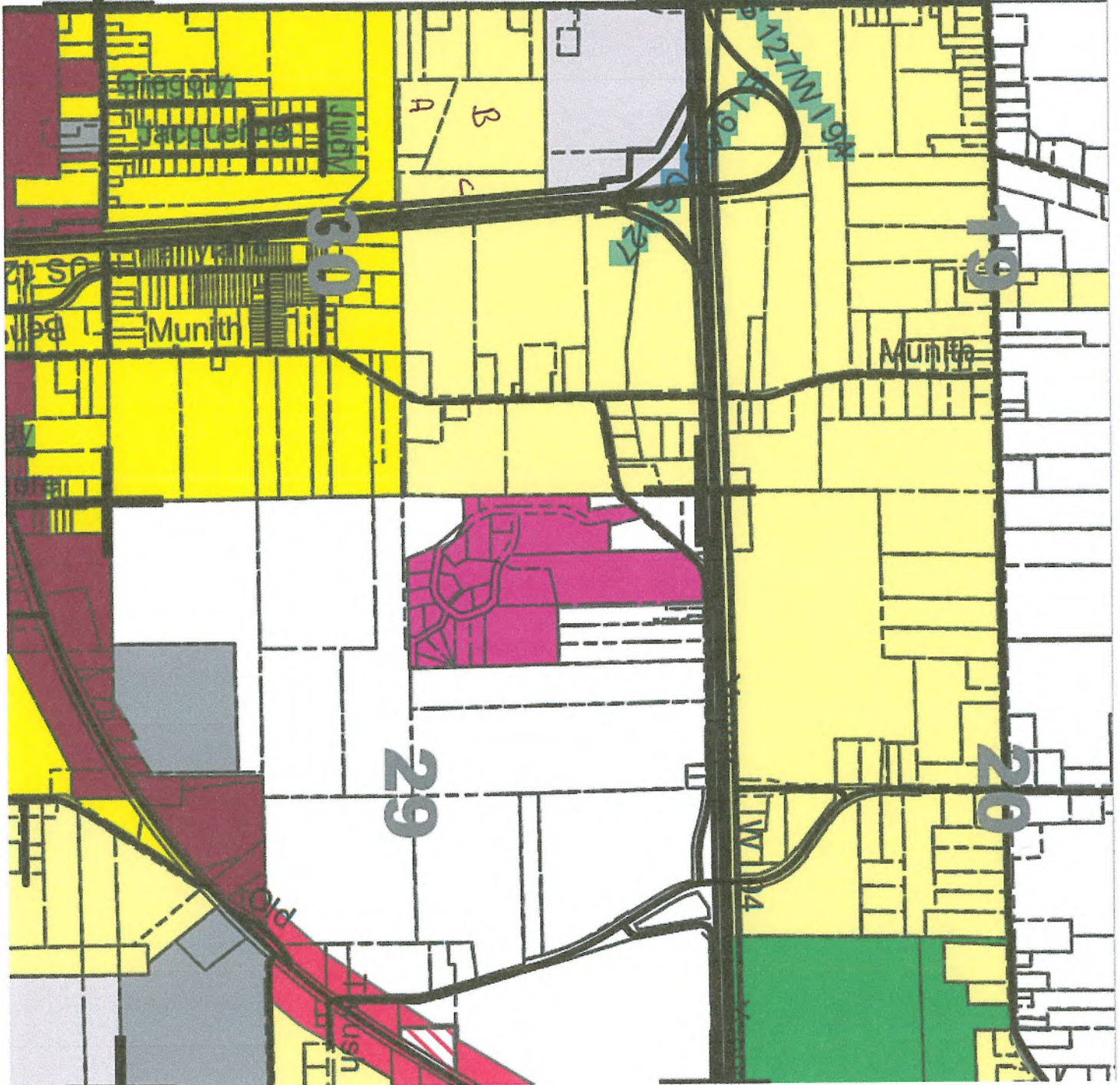






Current Zoning Map  
A, B and C have been combined into one parcel  
Z # 000-09-30-151-007-01

Dettman







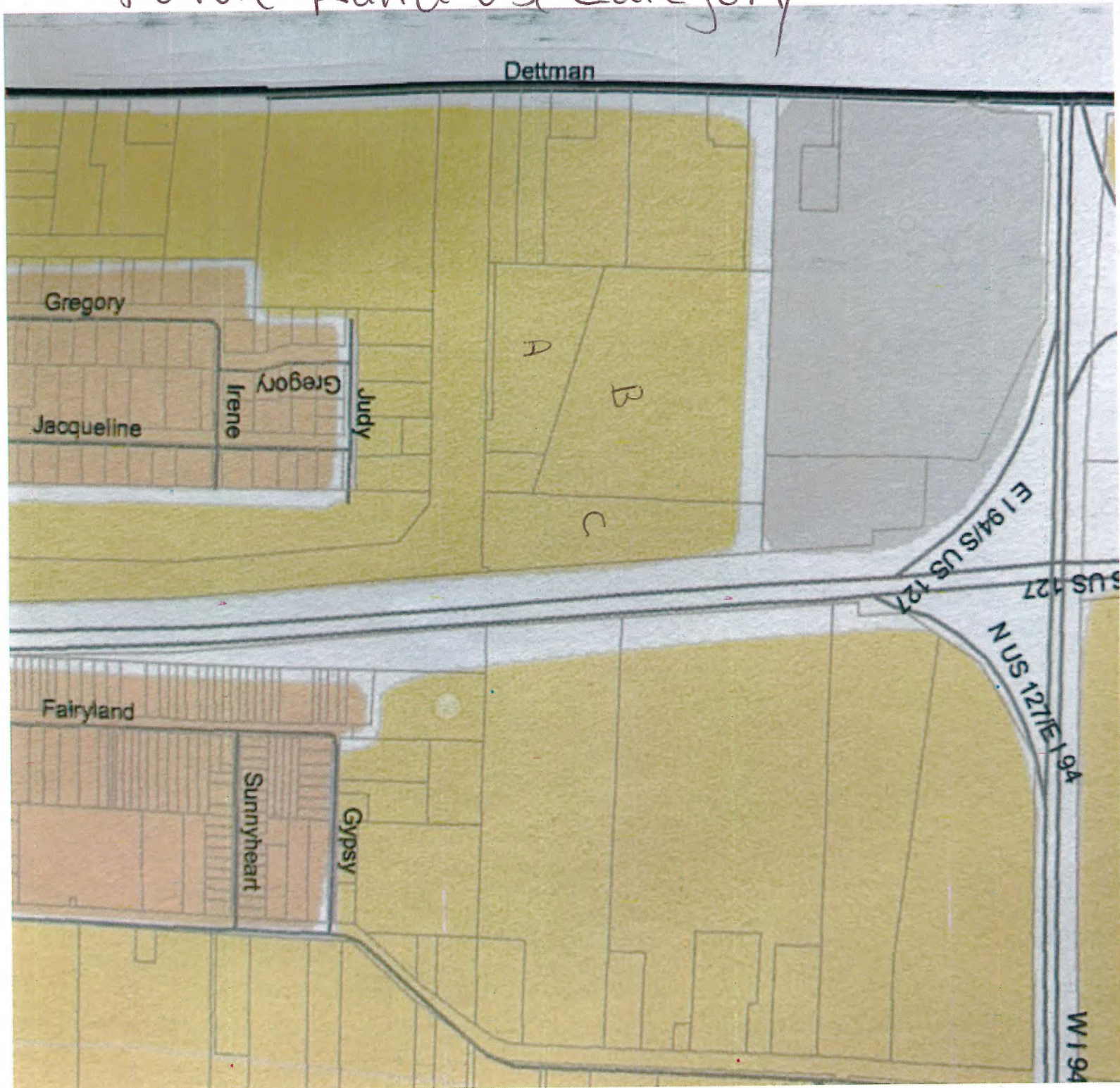
# Future Land Use Category

- Low-Density Residential
- Moderate-Density Residential
- High-Density Residential
- Agriculture
- Commercial
- General Commercial
- Regional Commercial
- Industrial





A, B and C have been combined Parcel #000-09-30-151-007-01  
Future Land Use Category







PARCEL  
#101-001-01  
2701 N.  
DETTMAN

RETAIN RIGHTS  
TO INSTALL  
ENTRANCE

ACCESS TO SUBJECT PROPERTY VIA  
PARCEL # 101-001-01  
COMMONLY KNOW AS 2701 N. DETTMAN

PROPOSED  
PARCEL TO BE  
REZONED



**NOTICE  
LEONI TOWNSHIP  
JACKSON COUNTY, MI**

The Leoni Township Planning Commission will hold a Public Hearing, Wednesday, September 15, 2021 at 6:00 P.M. in the Leoni Township Meeting Hall, 913 Fifth St., Michigan Center, Michigan, 49254.

**"This meeting will also be available by ZOOM because of the COVID-19 State of Emergency and in conformance with Executive Orders issued by the Governor of the State of Michigan."**

**Please visit the Leoni Township website at <http://www.leonitownship.com> prior to the meeting for instructions regarding remote access and any updates that may be needed due to COVID-19 requirements.**

000-09-30-151-007-01  
RIGTV LLC  
Gregory Rd. (Vacant Land)

Purpose of hearing: Rezone from RS Suburban Residential to ML Light Industrial

Legal Description: COM AT THE S ¼ POST OF SEC 30 TH N00°33'09"W 2659.24 FT ALG THE N-S ¼ LN TO THE CEN ¼ POST FOR POB TH S00°33'09"E 33.00 FT ALG THE N-S ¼ LN TH S89°26'51"W 275.90 FT TH N01°12'13"E 233.96 FT TO THE CL OF THE GREGORY DRAIN TH N69°22'43"W 156.93 FT ALG THE CL OF GREGORY DRAIN TH S00°48'18"W 290.62 FT TH S89°26'51"W 673.48 FT TH N00°48'18"W 1347.45 FT TO THE N 1/8 LN TH N88°39'30"E 1033.86 FT ALG THE N 1/8 LN TO THE WLY LN OF US HWY 127 TH S04°51'16"E 1332.42 FT ALG THE WLY LN OF US HWY 127 TO THE E-W ¼ LN TH S89°26'51"W 32.34 FT ALG THE E-W ¼ LN TO BEG. SEC 30 T2S R1E 32.69 A+/- COMBINED ON 02/09/2019 FROM 000-09-30-176-002-00, 000-09-30-151-007-00, 000-09-30-151-008-00, 000-09-30-301-007-00;

Cindy Norris, Township Clerk

2x7

Eastern - 8/22/21

\$163.80

-35%

-----  
\$106.47

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

**PLANNING COMMISSION MINUTES**  
**September 15, 2021 DRAFT**

The Leoni Township Planning Commission held a meeting Wednesday, September 15, 2021 @ 6:00 p.m.  
913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

Meeting opened to call of the Chair: 6:02 pm

Members Present: R. Kinch, Connie Gibson, Billy Lester, D. Perrine & Judy Southworth

Members absent: V. Beckwith, W. Miles

Persons in attendance: 5

Pledge of Allegiance

Purpose of Planning Commission read by J. Southworth

*Motion by C. Gibson supported by D. Perrine to approve the September 15 Agenda as written*

***Motion adopted by voice vote***

*Motion by D. Perrine and supported by C. Gibson to approve the September 1 minutes as written.*

***Motion adopted by voice vote***

**Public Comment:**                      **Open at        6:05 pm.**  
   **No Comments**  
   **Closed at     6:05 pm.**

**NEW BUSINESS:**

- 1. 000-09-30-151-007-01**  
**RIGTV LLC**  
**Gregory Rd.**

*Motion by D. Perrine, supported by B. Lester to approve the rezone for property 000-09-30-151-007-01 as requested.*

*5 Ayes: J. Southworth, R. Kinch, C. Gibson, B. Lester and D. Perrine*

***Motion Carried***

**OLD BUSINESS:**

*Motion by R. Kinch, supported by D. Perrine, to adjourn the meeting at 6:20.*

***Motion adopted by voice vote***



**Meeting Adjourned 6:20 pm.**  
**Next meeting: October 6, 2021**

*This page is intentionally blank.*



# 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 | #20-27

**To:** County Planning Commissioners  
**From:** Grant E. Bauman  
**Date:** October 4, 2021

**Proposal:** **A rezoning in Summit Township**

### Request

The applicant proposes rezoning the subject property (ID #000-13-23-126-042-05) to 'agricultural (AG-1)' from 'urban residential (RU-1)' (see Figure 1).

### Purpose

"To allow the outdoor education of youth in a camping environment on the property" (see the Background Information).<sup>1</sup>

### Location and Size of the Property

The property has an area of approximately 10.5 acres (see Figure 1). The subject property is located at the end of Hudson Avenue, in Section 23 (T3S-R1W) of Summit Township. The northern end of the property extends into Sharp Lake.

### Land Use and Zoning

**Current Land Use** – The subject property is vacant and currently assessed for 'residential' use (see Figure 2). All of the surrounding properties are also assessed for 'residential' use. Vandercook Lake High School is located further to the east.

**Future Land Use Plan** – The Township's master plan places the subject property in the midst of an area recommended for 'low density residential' uses (see Figure 3).

**Current Zoning** – The property is zoned 'urban residential (RU-1)', as are all of the surrounding parcels (see Figure 4).

### Public Facilities and Environmental Constraints

**Water and Sewer Availability** – Municipal water and sewer services are available (see the attached Zoning Worksheet Form).

**Public Road/Street Access** – Hudson Avenue, a paved county local, provides access to the property.

**Environmental Constraints** – The Township states that there are environmental constraints, but did not specify further (see the attached Zoning Worksheet Form). The northern end of the property does extend into Sharp Lake.

---

<sup>1</sup>Please note that staff lists the proposed use for informational purposes only. Commissioners should not utilize it 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.



### Analysis and Recommendation

**Township Planning Commission Recommendation** – The Summit Township Planning Commission recommends **disapproval** of the proposed rezoning to ‘agricultural (AG-1)’ (see the background information).

**Staff Analysis** – Summit Township has a Zoning Plan (an element of the Master Plan) which includes 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.** The Master Plan recommends ‘low density residential’ uses for the subject property and surrounding parcels (see Figure 3).
2. **Will all of the uses allowed under the proposed rezoning be compatible with other zones and uses in the surrounding area?**  
**No.** Potentially reintroducing agricultural practices into this residential area of the Township could result in conflicts.
3. **Will public services and facilities be significantly adversely impacted by a development or use allowed under the requested rezoning?**  
**No.** Water and sewer services are available. Hudson Avenue, a paved county local, should be able to accommodate agricultural uses.
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.** There is no ‘agricultural (AG-1)’ zoning in the general area.

**JCPC Staff Advisement** – The proposed ‘agricultural (AG-1)’ rezoning does not conform to the Township’s future land use map and does not meet most of the criteria upon which a rezoning should be considered.

Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **DISAPPROVAL** of the ‘agricultural (AG-1)’ rezoning request to the Summit Township Board (see the staff report).

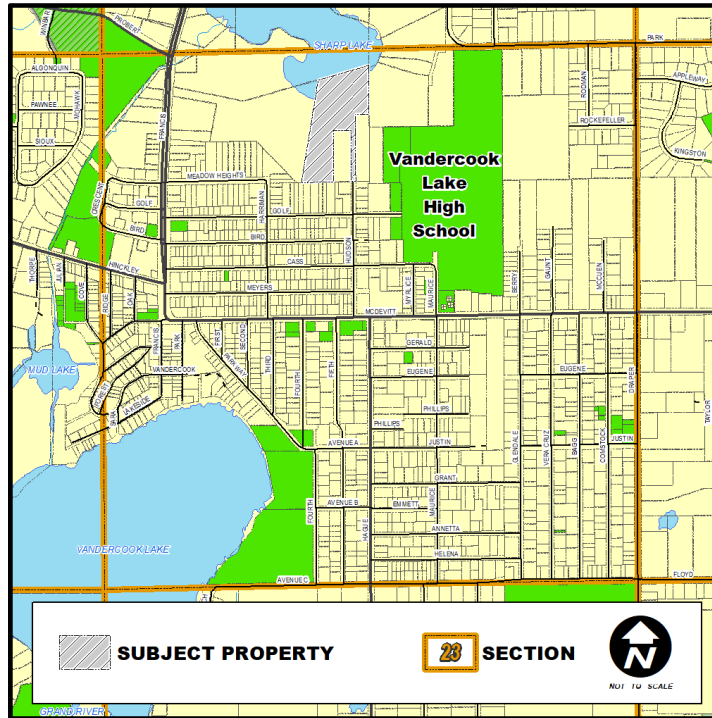
**Staff Report Attachment(s):**

- Background information provided by Summit Township

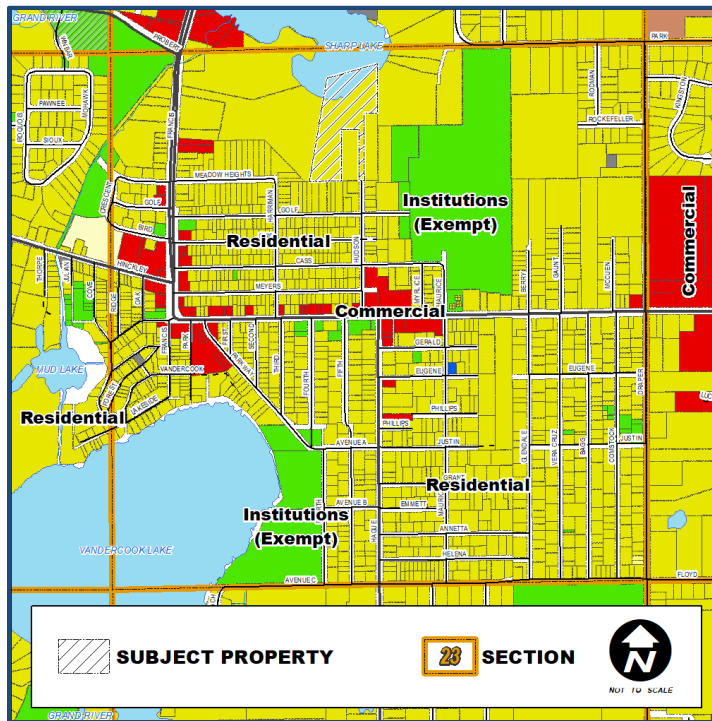
**Suggested Actions:**

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

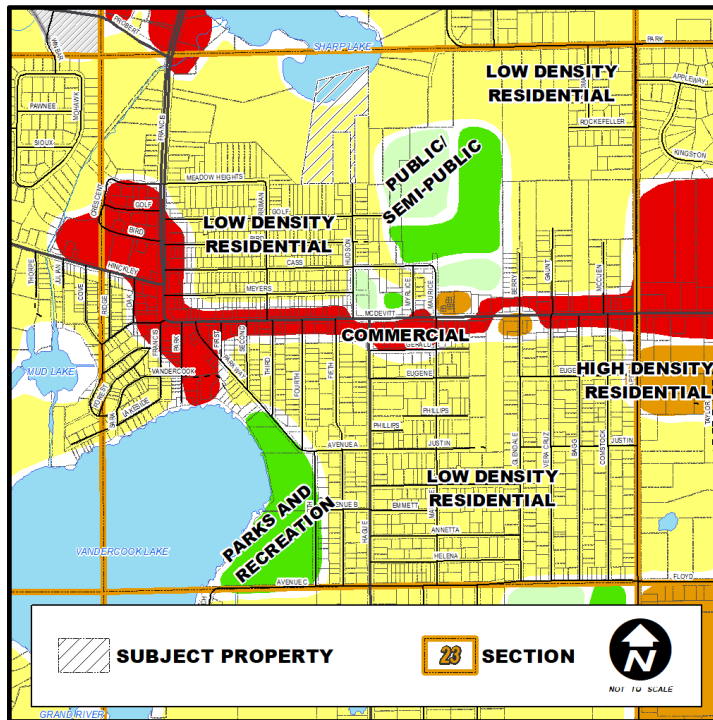
**Figure 1  
Location**



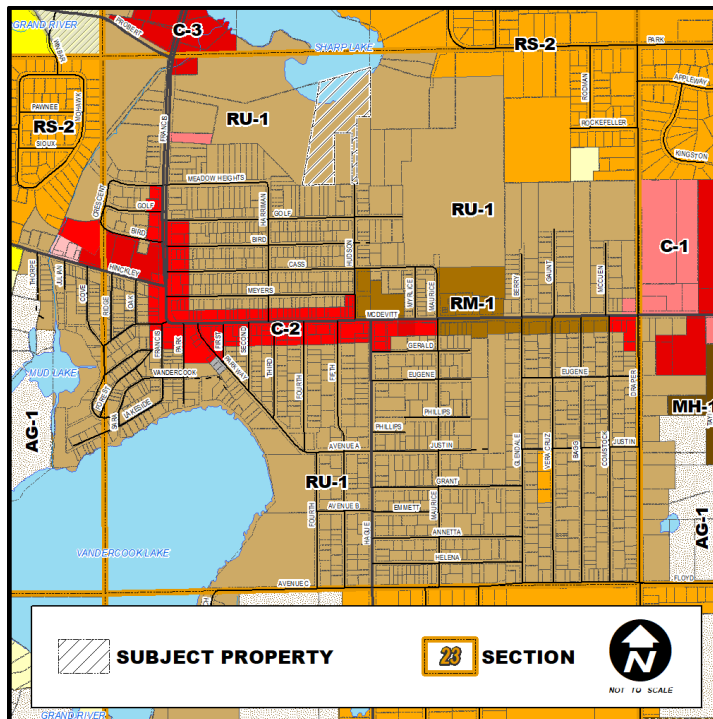
**Figure 2  
Property Assessment**



**Figure 3**  
**Municipal Future Land Use**

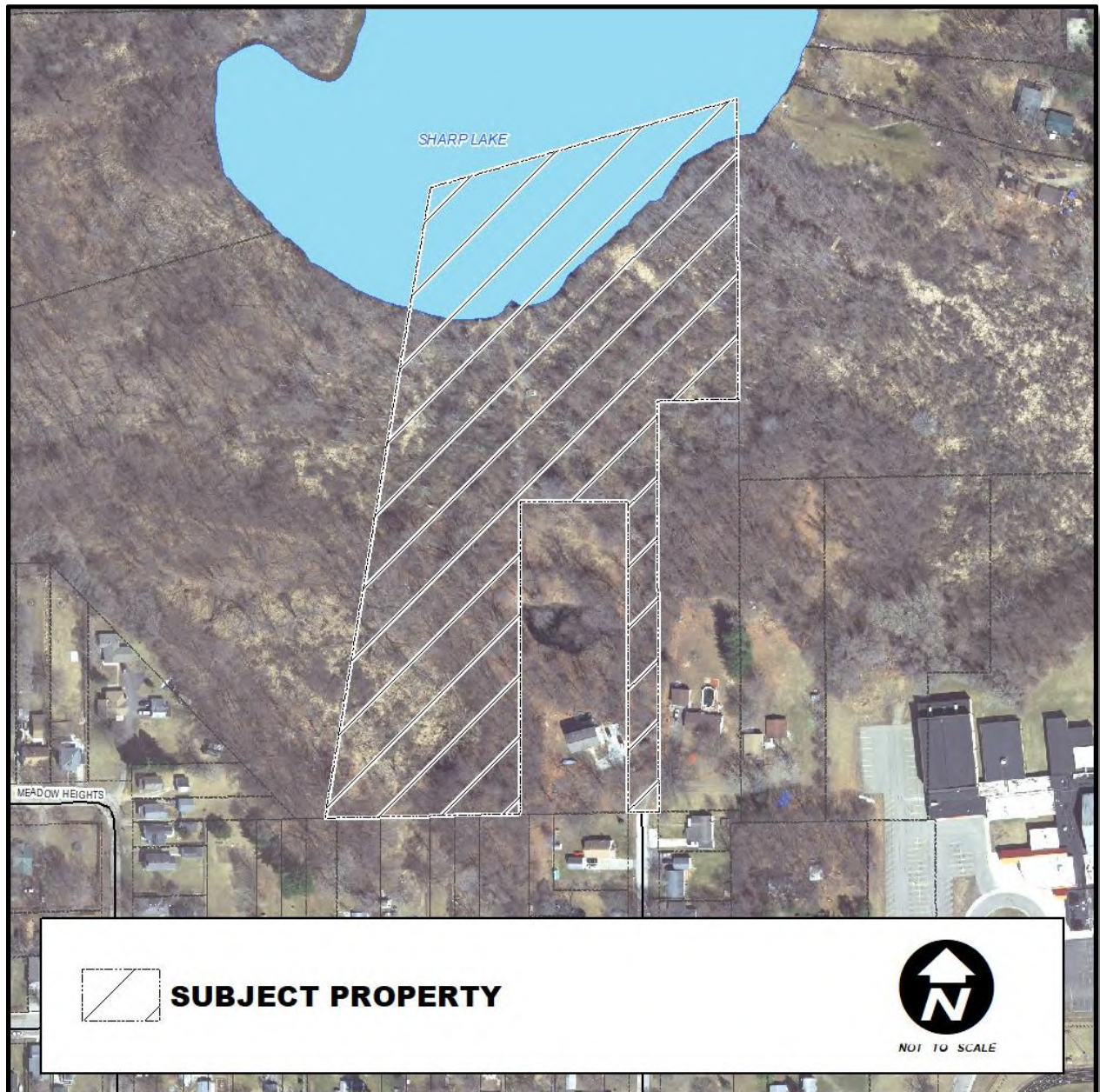


**Figure 4**  
**Municipal Zoning**





**Figure 5**  
**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.)

4200 Block Francis St. adjacent to 514 Hudson Ave, 000-13-23-126-042-05, 10.5 acres, Sec 23

1. The above described property has a proposed zoning change FROM Urban Residential ( RU-1 ) ZONE TO Agricultural ( Ag-1 ) ZONE.
2. PURPOSE OF PROPOSED CHANGE: To allow the outdoor education of youth in a camping environment on the property.

**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 September day 21 year 2021

D. **NOTICE OF PUBLIC HEARING** was published/mailed on the following date: month September day 05 year 2021

(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.

Dawn Campbell ☐ Chair or ☒ Secretary Sept. / 21 / 2021 (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 November day 9 year 2021
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: Summit Township Case #: 21-09-0009  
Township official we may contact: John Worden, Zoning Administrator Phone #: ( 517 ) 517-788-4113  
Applicant: Jerry Adams Phone #: ( 517 ) 879 - 9467  
Rezoning Request: From: Urban Residential ( RU-1 ) To: Agricultural ( AG-1 )  
Property Location: Section(s): 23 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? Vacant Land

What is the proposed use of the site? outdoor education of youth in a camping environment

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?  
North: Residential and Vacant South: Residential  
East: Residential and Vacant West: Residential and Vacant

What are the surrounding Zoning Districts?  
North: ( RU-1 ) Urban Residential South: ( RU-1 ) Urban Residential  
East: ( RU-1 ) Urban Residential West: ( RU-1 ) Urban Residential

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

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 Hudson St.

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.



Summit Township Planning Commission

September 21, 2021

**Members Present:** Jack Shelby, Chairman, Laurie Cunningham; Secretary, George Gancsos Jr, Tom Biela, Mark Cesarz, Doug Beiswanger, John Griffin; Board Liaison, John Worden; Summit Township Zoning Administrator, Gerry Deluca,

**Members Absent:** Robert Kendall, Allan Hooper; Vice Chairman

---

The meeting was called to order by Jack Shelby, on September 21, 2021 at 6:00 p.m. in the Township Hall 2121 Ferguson Rd.

A motion was made by Mark Cesarz, supported by George Gancsos Jr to approve the agenda. Motion carried unanimously.

A motion was made by Tom Biela, supported by George Gancsos Jr, to approve the minutes of the June 15, 2021 meeting. Motion carried unanimously.

---

**Case #21-09-0009- Rezoning from Urban Residential (RU-1) to Agricultural (AG-1) – 4200 blk Francis St 10.5 acres (adjacent to 514 Hudson Ave).**

Jerry Adams, applicant (3613 Sharps Lake Dr) discussed the possible purchase and subsequent use of this property by Big Fish Tales which is a nonprofit focusing on ministry to at risk youth ages 5-12. Mr. Adams stated his vision for the property was to provide wildlife and fishing experiences for kids to teach a love of outdoors and as a opportunity to mentor and advise these at risk kids. He stated there would be one adult mentor for each 1-2 kids. His hope is to eventually build some rustic camping cabins on the property in addition to utilizing the few outbuildings already on the property. He also shared the open letter sent by Big Fish Tales to local residents explaining their mission.

A public comment period was then opened:

Jamie Stanley (623 Pawnee St) spoke in favor of the plans in her capacity as a Principal in the Jackson Public School System. She stated she believed there was much need for this type of mentoring for the at-risk youth in the Jackson area.

Ben Konan (1941 Trinity Lane) also spoke in favor of the rezoning and stated he was assisting Mr. Adams in this endeavor and felt that this proposed usage would provide positive role models and mentoring for the kids participating.

Jack Hurst (1549 Park Dr) then spoke about his concerns as a nearby property owner. His concerns included the possibility of kids wandering onto his and other nearby properties and what liabilities that could create. He was also concerned about privacy and that this could result in increased activity by the public on Sharps Lake.

James Bradley (1739 Park Dr) stated he had similar concerns as Mr. Hurst and said that he felt rezoning of this one specific property did not fit in with the adjacent properties and that it did not fit in with the Township Master Plan. He also was concerned that should the property be rezoned and either not purchased or later sold by Big Fish Tales that the property could then be utilized for things not suitable to the area but allowable under an agricultural zoning. This could lead to a decline in nearby property values.

Clarence Johnson (4029 Francis St) spoke about similar concerns and was unclear about what affect this might have on existing easements. He voiced concern about this being a negative influence and possible harm the secluded nature of his recently purchased property,

Jerry Adams then addressed some of the resident concerns stating that the property would not be open to the public and that access to the property would be limited. He reiterated his mission was to mentor kids and that they would be well supervised by mentors and staff and that he did not have any intention of doing agricultural activities such as maintaining livestock.

Discussion by the Planning Commission then followed:

Mr. Gancsos voiced concerns over whether this fit with the Township's Master Plan and future land usage. For clarification Mr. Shelby explained what is allowed under an agricultural zoning. Mr. Beila stated that his concern was that this rezoning would create an agricultural "island" and could this zoning open it up to hunting with firearms.

Mr. Shelby stated that rezoning this one individual property could be seen as "spot zoning" and stated this is practice is highly frowned upon. Mr. Griffin asked if an agricultural zoning was the only type that would allow Big Fish Tales to proceed with their plan and both Mr. Shelby and Mr. Worden stated yes.

Mr. Gancsos the made a motion that the Planning Commission recommend against this rezoning as it does not appear to be in accordance with the Townships Master Plan and future land usage and that it could be determined a "spot zoning" problem.

Mr. Beiswanger supported the motion. The motion carried unanimously by voice vote.

There was no other business.

---

Meeting adjourned at 6:35 p.m. by Jack Shelby

Respectfully Submitted,

---

Laurie Cunningham, Secretary Summit Township Planning Commission

# SUMMIT TOWNSHIP ZONING APPLICATION

Print or Type

CASE # 21-09-0009

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.

## APPLICATION FOR

- ☐ Variance ◆  
☐ Conditional Use \*\*  
☐ Home Occupation \*\*  
☐ Site Plan Change/Renewal  
☐ Administrative Site Plan  
☐ Other

☒ Rezoning \*\*

☐ Site Plan Review

☐ Planned Developments

☐ Special Land Use

☐ Admendments

①

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

Name(s) Jerry Adams Phone 517-879-9467

Address 3613 Sharps Lake Dr. Jackson Mi. 49203

②

## OWNER INFORMATION

Name(s) Kent & Jenniter Fischman Phone \_\_\_\_\_

Address 514 Hudson Ave Jackson Mi. 49203

③

## PROPERTY INFORMATION

Address or Location 4029 Francis st. & 50' easment between 5

Permanent Parcel # 514 & 519 Hudson St. # 00013231260420

Zone District (Current) Residential Property Size 10.5 Acres

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

④

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

⑤ Boutique Retreat Center providing learning skills in the out of doors for youth This will include a Bath house & 2 cabins for our mission's Facebook Big Fish Tales of Jackson County Mi.

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

Jerry Adams

Signature of Applicant

Signature of Applicant

08-09-21

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.)

Jerry Adams

Signature of Applicant

Signature of Applicant

08-09-21

Date

## DO NOT WRITE BELOW THIS LINE

Date Received 8/19/21 Application ☒

⑦ 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: JCDOT ☐ JCDC ☐ JCHD ☐ DPW ☐ JCAP ☐ EGLE ☐ FIRE ☐

Application Fee 350.00 Publication/Mailing Fee \_\_\_\_\_

APPLICATION ACCEPTED BY: John Worden

Meeting Dates: PC 9/2/21

ZBA 10/14/21

CNTY 11/9/21

TWPBD 9/15/21

Publication Dates 9/15/21

WEB \_\_\_\_\_

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



## NOTICE

The Summit Township Planning Commission will hold a public hearing September 21, 2021 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 Jerry Adams of 3613 Sharps Lake Dr. to rezone 10.5 acres from Urban Residential (RU-1) to Agricultural (AG-1) to allow the outdoor education of youth in camping environment on property located in the 4200 block of Francis St.

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

Current Zoning for the property is Urban Residential (RU-1). .

Summit Township Office is open M-Th from 7:00 a.m. to 5:30 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: September 5, 2021

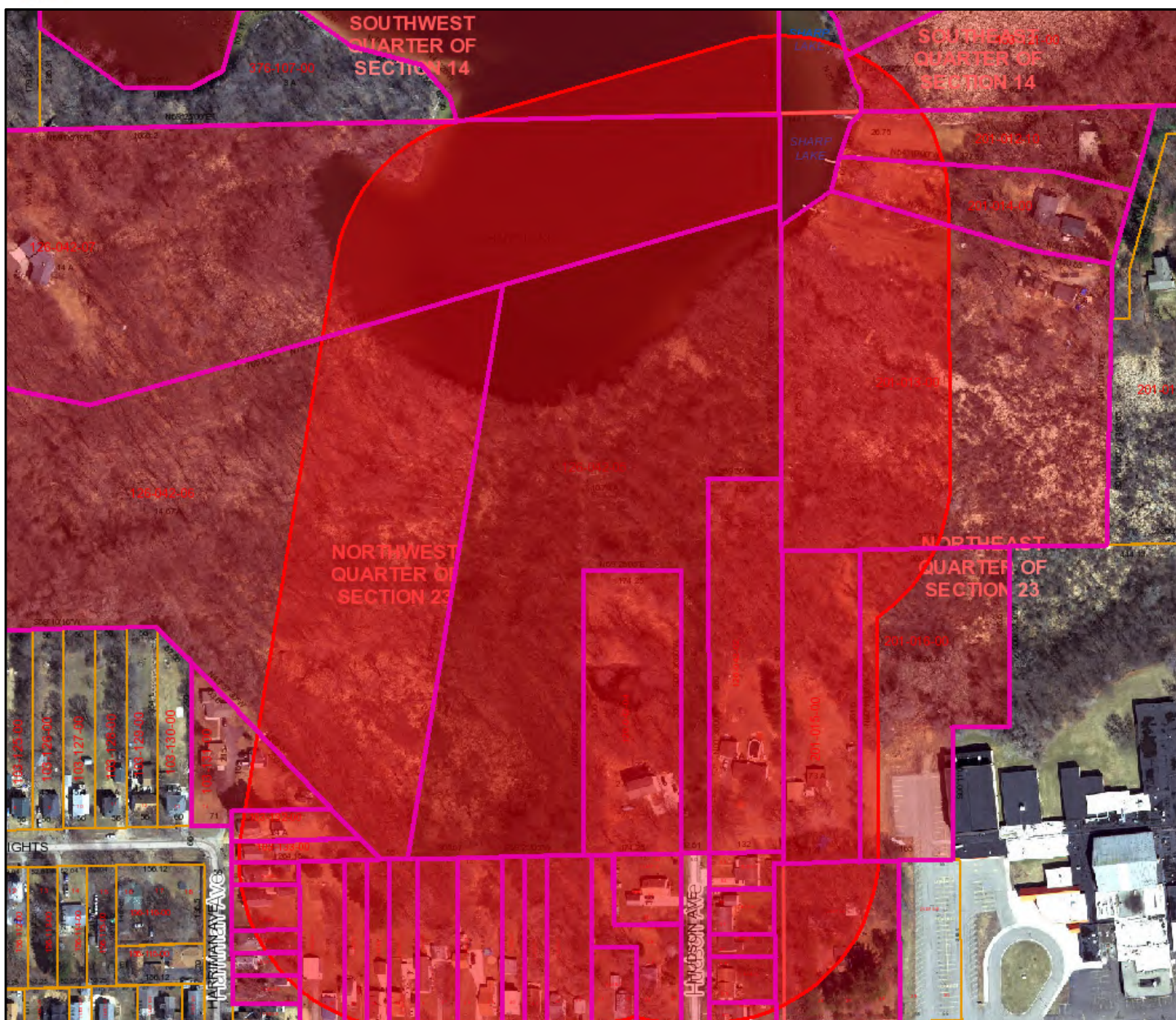
Affidavit requested. Please call C. Brown at 788-4113 Ext. 221 with cost

Copy to Meghan Dobben, Clerk



# Parcel Report - Parcel ID: 000-13-23-126-042-05

8/24/2021



**Owner Name** FISCHMAN KEN & JENNIFER

**Owner Address** 514 HUDSON AVE  
JACKSON, MI 49203

**Homestead** 0

**Parcel Address** FRANCIS ST  
JACKSON, MI 49203

**Property Class** 401 - RESIDENTIAL

**Status** Active

**Acreage** 10.5

**Gov't Unit** Summit

**Tax Unit** Summit

**School District** VANDERCOOK LAKE SCHOOL

**Liber/Page** 1917-0279

	2019	2020	2021
<b>Taxable Value</b>	\$6,579	\$6,704	\$6,797
<b>Assessed Value</b>	\$31,400	\$31,400	\$36,600

## Tax Description:

BEG AT NW COR OF SEC 23 TH N 89 DEG 05'19" E 2632.6 FT N & S 1/4 LN TH S 00 DEG 00'23" W 140.3 FT TO POB TH CONTINUING S 00 DEG 00'23" W 508.32 FT SD PT BEING N 00 DEG 00'23" W 660 FT FROM NE COR OF LOT 53 GOLFSIDE TERRACE, A RECORDED PLAT TH S 89 DEG 58' W 132 FT TH S 00 DEG 36' W 660 FT TH S 89 DEG 28'05" W 52.81 FT TO NE COR OF LOT 52 OF SD SUBDIVISION TH N 00 DEG 00'23" E 500 FT TH S 89 DEG 28'05" W 174.25 FT TH S 00 DEG 00'23" W 500 FT TH S 89 DEG 28'05" W 305.87 FT TO A PT N 89 DEG 28'05" E 1043.42 FT TH N 73 DEG 44'46" E TO BEG . SEC 23 T3S R1W



10/14/21 JCPC Agenda Packet

WARNING: Displayed boundaries are NOT SURVEY GRADE and may not reflect legal property description. The intent of this map is to allow easy access and visual display of government information and services. Every reasonable effort is made to ensure the accuracy of this map and data; nevertheless, errors may occur.

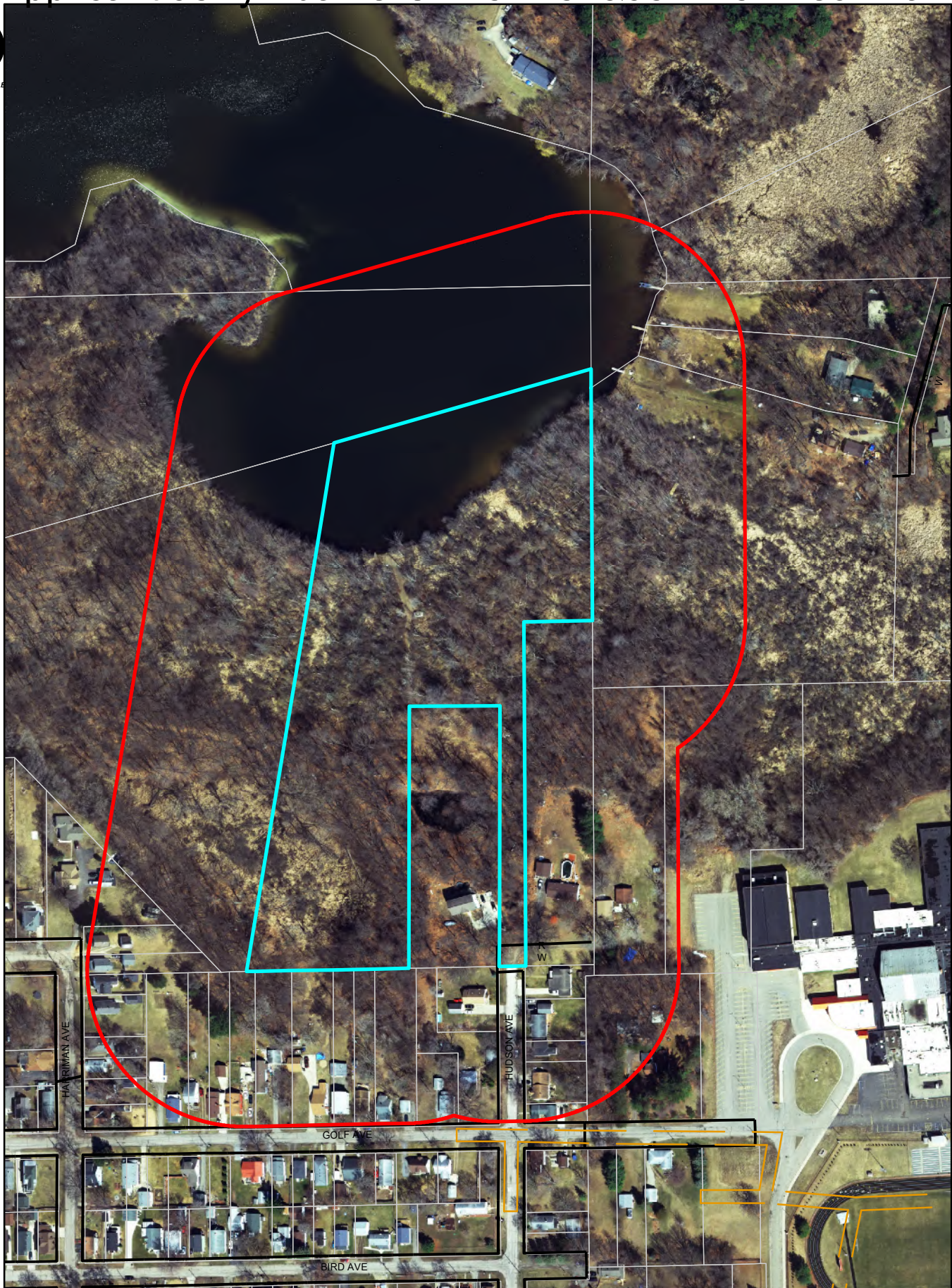


Page #170

This parcel data last updated: August 17, 2021



Case#21-09-0009-Rezoning 10.5 Acres from RU-1 to AG-1  
Applicant Jerry Adams-Owner Ken&Jennifer Fischman





## NOTICE

The Summit Township Planning Commission will hold a public hearing September 21, 2021 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 Jerry Adams of 3613 Sharps Lake Dr. to rezone 10.5 acres from Urban Residential (RU-1) to Agricultural (AG-1) to allow the outdoor education of youth in camping environment on property located in the 4200 block of Francis St.

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

Current Zoning for the property is Urban Residential (RU-1) .

Summit Township Office is open M-Th from 7:00 a.m. to 5:30 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: September 5, 2021

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

Copy to Meghan Dobben, Clerk



VL Francis - Seller Letter to the Township  
SIGN ONLY

FILE

MORE

SHARE

dotloop signature verification: <https://dtlp.us/N3bd-0Cl2-vC9h>

To whom it may concern,

We, Ken & Jennifer Fischman, owners of Parcel 000-13-23-126-042-05 give permission to the prospective buyer, Gerald Adams of Big Fish Tales LLC, to make the official application with Summit Township to re-zone the property for his intended use.





# VACANT LAND PURCHASE AGREEMENT


Property Address Jackson, MI 49203

7. **FORM of Conveyance:** Seller shall convey and transfer, as above required, by ☒ Warranty Deed or ☐ Land Contract, a marketable record title to the property and improvements as evidenced by Owner's Title Insurance Policy with standard exceptions in the amount of the purchase price, subsequent to date of acceptance at Seller's expense. When applicable, insert the number of divisions and include in deed/land contract: \_\_\_\_\_
8. **CLOSE** of sale shall be on or before 08/16/2021.
9. **POSSESSION** to be given no later than Immediately after close of sale.
10. **TAXES** are to be treated as if they cover the CALENDAR YEAR in which they are first billed. Taxes first billed in years prior to year of closing shall be paid by the SELLER. Taxes which are first billed in the year of closing shall be prorated so that SELLER shall pay taxes from the first of the year to closing date and BUYER shall pay taxes for the balance of the year, including the day of closing. If any bill for taxes is not issued as of the closing date, the current taxable value, homestead status and millage rate shall be used for proration purposes, **EXCEPT**, if taxes are unallocated as to the parcel being sold, Buyer and Seller agree that this split represents 100% of the total and this allocation will be used for proration purposes as well as for any reimbursements owed by either party for future bills that do not reflect the split.
11. **ASSESSMENTS:** Seller shall pay all installments of special assessments due as of the closing date. Installments of existing special assessments due after the closing date shall be paid by the seller. Assessments levied after the closing date to be paid by Buyer. **Seller has no knowledge of any pending assessments and/or benefit charges that have not been disclosed in writing to the Buyer in this Agreement. Any exceptions shall be disclosed to Buyer in writing.**
12. **ADDITIONAL ADJUSTMENTS:** Rent/Land Leases/Crops/Association Dues, if any, are to be prorated to date of closing.

## CHECK APPROPRIATE ITEMS BELOW

13. ☒ **COUNTY HEALTH DEPARTMENT APPROVAL** - Approval of the proposed installation of a well and on site sewage disposal system satisfactory to Buyer. This contingency to be removed on or before 07/31/2021 ☒ Seller ☐ Buyer (circle one) shall be responsible for all costs of any testing procedures and the refilling of any holes or excavation immediately following testing. If buyer elects to perform all testing procedures, buyer will hold seller harmless from any and all liabilities arising from such activities. NOTE: Seller grants permission to the Buyer to have contractors perform testing procedures on the property.
14. ☒ **SURVEY** - Approval of a "stakes in place" survey of the property by a Registered Land Surveyor, the cost to be paid by the ☒ Seller ☐ Buyer. This contingency to be removed on or before 08/16/2021.
15. ☐ **DRIVEWAY PERMIT** - Buyer obtaining state, county, city or township permits for the installation of a driveway. This contingency to be removed on or before \_\_\_\_\_.
16. ☒ **ZONING/BUILDING PERMIT** - City, village or township zoning compliance permit(s) and also any permits necessary for construction on the property can be obtained to Buyer's satisfaction. This contingency to be removed on or before 07/31/2021.
17. ☒ **EASEMENTS & BUILDING RESTRICTIONS** - The Buyer's approval of any easements, rights-of-way and/or building and use restrictions. This contingency to be removed on or before Seller provide easement & billboard rights for buyer review & approval by 7/3/2021.
18. ☒ **UTILITIES** - That utilities are available satisfactory to Buyer. This contingency to be removed on or before 07/31/2021.
19. ☐ **DEED INCLUSIONS** - The deed granted pursuant to this Vacant Land Purchase Agreement should contain the following:
  - A. "The grantor grants to the grantee the right to make all (insert number) division(s) under Section 108 of the land division act, Act No. 288 of the Public Acts of 1967."
  - B. "This property may be located within the vicinity of farm land or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act."
20. ☐ **PRIVATE ROAD** - The property abuts a private road, which has not been accepted as a public road and is not required to be maintained by the county road commission or other public or municipal body.

Seller initials   
07/05/21  
07/04/21  
12:58 PM PDT  
dotloop verified

Buyer initials   
06/29/21  
10:14 AM EDT  
dotloop verified





# Private Lakefront Property

VI Francis St, Jackson, MI 49203



MLS - 202101974

- School District: Vandercook Lake
- 433X200X311X333
- Land

Your own private Lake Front property retreat with an "up north" feel with 520' of Lake Frontage on Sharps Lake, an 18 acre private, all-sports lake. Sharps Lake is home to only 5 homes and Krupa's Boats. Jet Ski, water ski, pontoon - excellent fishing! Although address is on Francis, there is a 25' easement (for egress/ingress) on parcel located just south of 4029 Francis St. Billboard on easement with sign lease bringing in \$1400 per year. There is a 50' easement on Hudson Ave in between 514 and 519 Hudson St. Discuss building plans with Summit Township. There are 2 sheds on property. BATVI



Real Estate Services

**Heather Herndon**

Jackson, MI

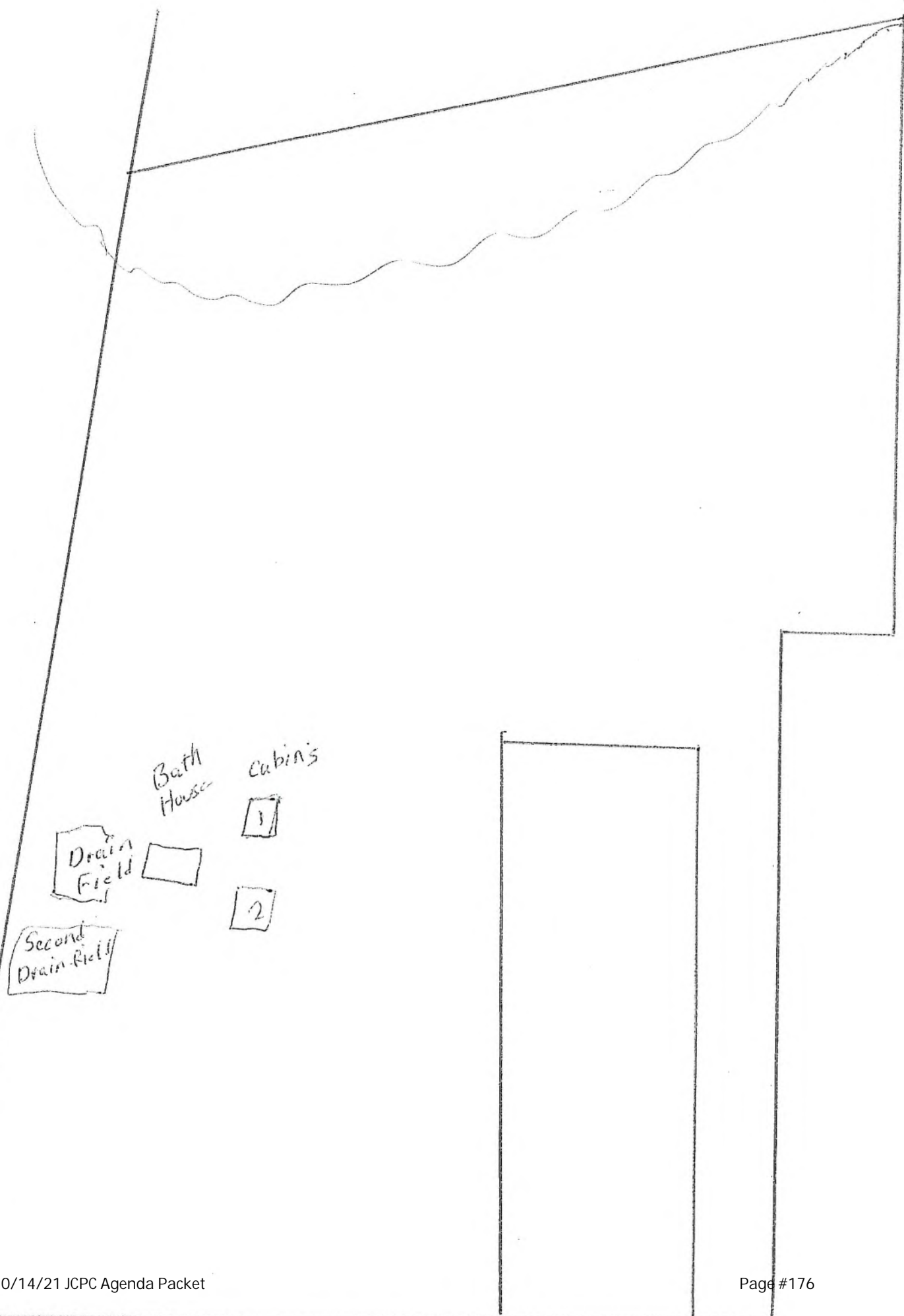
Mobile: (517) 812-1641

Office: (517) 787-9800

heatherherndon@howardhanna.com









# 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

## PA 116 FARMLAND AGREEMENT | #21-01

**Applicant:** Steven Phillips Trust  
150 Jeffords, Suite 303  
Dexter, MI 48130

**Date:** October 4, 2021

**Proposal:** **Application for Farmland Agreement in Henrietta Township**

**Location:** An application was filed for the subject property—Property ID #000-04-28-251-001-04—situated in Section 28 of Henrietta Township. (T1S,R1E). It is located on the west side of Kinch Road, in the vicinity of Coon Hill Road (see Map 1).

**Description:** The subject property has an area of approximately 120.43 acres of which 82 acres (approximately) are cultivated for cash crops. A barn and outdoor farm equipment storage are located on the property.

**Term:** A 10-year term is proposed on the application.

**Future Land Use:** The Jackson County Community Comprehensive Land Use Plan places the properties in an area recommended for "Agricultural Preservation". A proposed "Greenway" also traverses the property (Map 2).

**Staff Comments:** The application contains various errors/omissions which the applicant should consider addressing:

- *Question #1:* Should the answer to the question be the Steven Phillips Trust rather than the individual? Question #15 reveals that the owner is a trust and the quit claim deed names the Stephen Phillips Trust as the property owner.
- *Map of Farm:* The submittal to Michigan Department of Agriculture and rural Development (MDARD) should include a map of the farm.
- *Appraisal Record:* The submittal to MDARD should include a recent appraisal record for the property.

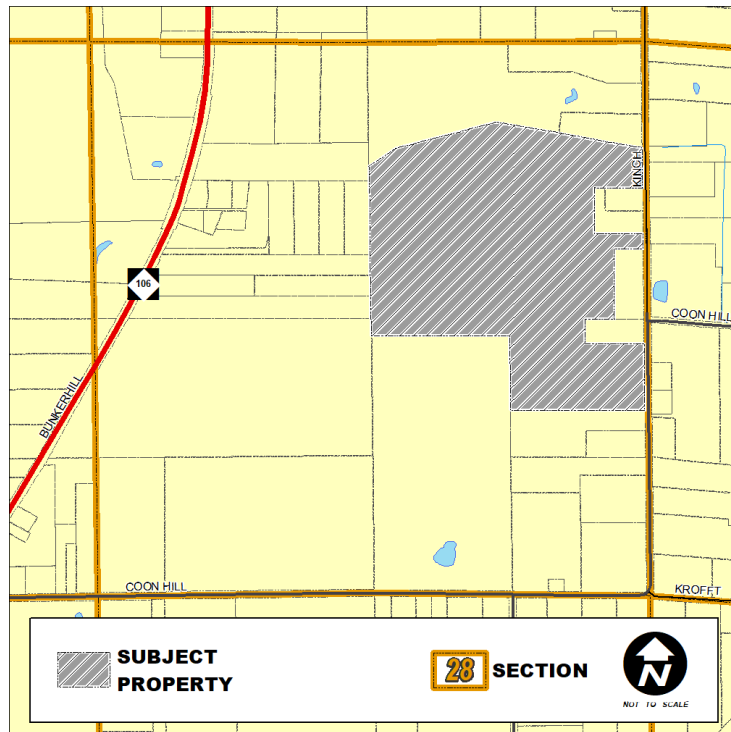
Based upon this analysis, staff advises the Jackson County Planning Commission to recommend **APPROVAL WITH COMMENTS** of the application to the Henrietta Township Board, provided that the applicant considers making the corrections/clarifications suggested in the staff report.

---

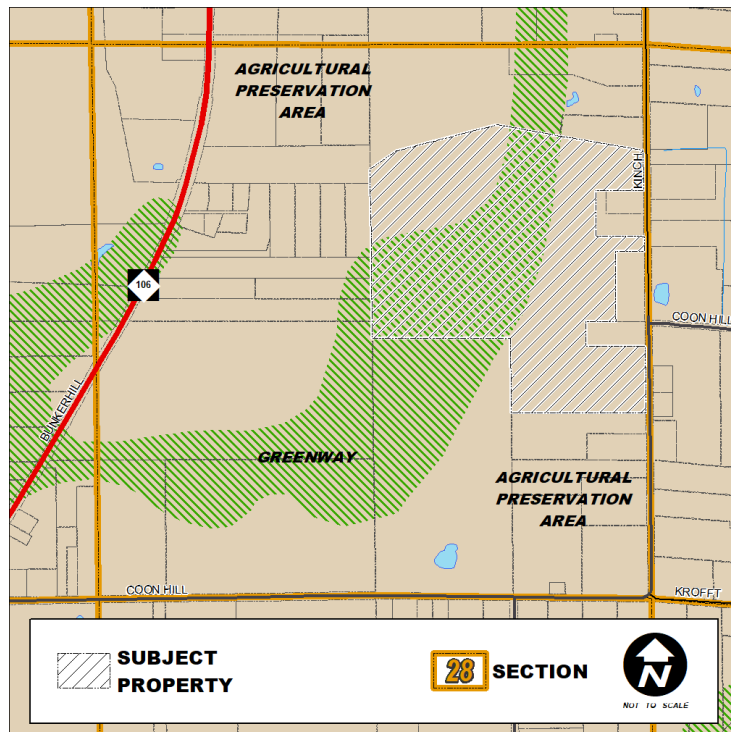
[www.region2planning.com/jackson-county-planning-commission](http://www.region2planning.com/jackson-county-planning-commission)



**Map 1  
Location Map**



**Map 2  
County Future Land Use Map**



**Map 3**  
**Aerial Photograph**





September 10, 2021

Jackson County Planning  
Region II Planning  
Attn: Grant Bauman  
Jackson, Michigan 49201

Dear Grant,

We have received the attached application for PA 116 and are forwarding it for your review.

Please contact us with any questions or concerns.

Thank you in advance for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sally J. Keene', is written over the word 'Sincerely,'.

Sally J. Keene, Clerk  
Henrietta Township





# FARMLAND AND OPEN SPACE PRESERVATION PROGRAM

## Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

### OFFICIAL USE ONLY

Local Governing Body:

Date Received

9/7/2021

Application No:

001-2021

State:

Date Received

Application No:

Approved:

Rejected

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

### I. Personal Information:

1. Name(s) of Applicant: Phillips Stephen M  
Last First Initial

(If more than two see #15) \_\_\_\_\_  
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☐ Married ☒ Single

2. Mailing Address: 150 Jeffords STE 303 Dexter MI 48130  
Street City State Zip Code

3. Telephone Number: (Area Code) ( ) 734 904 3659

4. Alternative Telephone Number (cell, work, etc.): (Area Code) ( ) \_\_\_\_\_

5. E-mail address: stephensturf@gmail.com

### II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Jackson 7. Township, City or Village: Henrietta

8. Section No. 28 Town No. 1 Range No. 1

### III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: \_\_\_\_\_

12. Does the applicant own the mineral rights? ☒ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: \_\_\_\_\_

Name the types of mineral(s) involved: \_\_\_\_\_

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: \_\_\_\_\_

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (sellers):

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date

Signature of Land Contract Vendor(s) (Seller)

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

- ☐ 2 or more persons having a joint or common interest in the land  
☐ Corporation  
☐ Estate
 ☒ Limited Liability Company  
☒ Trust
 ☐ Partnership  
☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: Stephen Phillips Title: Trustee

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☒ a. 40 acres or more → complete only Section 16 (a thru g);  
☐ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or  
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

Cash crop

- b. Total number of acres on this farm 120.43  
 c. Total number of acres being applied for (if different than above): \_\_\_\_\_  
 d. Acreage in cultivation: 82  
 e. Acreage in cleared, fenced, improved pasture, or harvested grassland: \_\_\_\_\_  
 f. All other acres (swamp, woods, etc.) 38.43  
 g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings <sup>1</sup> Residence: \_\_\_\_\_ Barn: ☒ Tool Shed: \_\_\_\_\_  
 Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_  
 Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_  
 Other: (Indicate) Outdoor farm equipment storage

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

\$ \_\_\_\_\_ : \_\_\_\_\_ = \$ \_\_\_\_\_ (per acre)  
 total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 10

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

(Signature of Applicant)

(Corporate Name, If Applicable)

(Co-owner, If Applicable)

(Signature of Corporate Officer)

(Date)

(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: \_\_\_\_\_ (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: \_\_\_\_\_

☐ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: \_\_\_\_\_

Property Appraisal: \$ \_\_\_\_\_ is the current fair market value of the real property in this application.

II. Please verify the following:

\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

\_\_\_\_ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

**MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909**

**\*Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):

**COPY SENT TO:**

\_\_\_\_ County or Regional Planning Commission

\_\_\_\_ Conservation District

\_\_\_\_ Township (if county has zoning authority)

**Before forwarding to State Agency,  
FINAL APPLICATION SHOULD INCLUDE:**

\_\_\_\_ Copy of Deed or Land Contract (most recent showing current ownership)

\_\_\_\_ Copy of most recent Tax Bill (must include tax description of property)

\_\_\_\_ Map of Farm

\_\_\_\_ Copy of most recent appraisal record

\_\_\_\_ Copy of letters from review agencies (if available)

\_\_\_\_ Any other applicable documents

**Questions? Please call Farmland Preservation at 517-284-5663**



**Map of Farm with Structures and Natural Features:**

- A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft<sup>2</sup> (1 mile<sup>2</sup>) Section)
- B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.).
- C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
- D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.

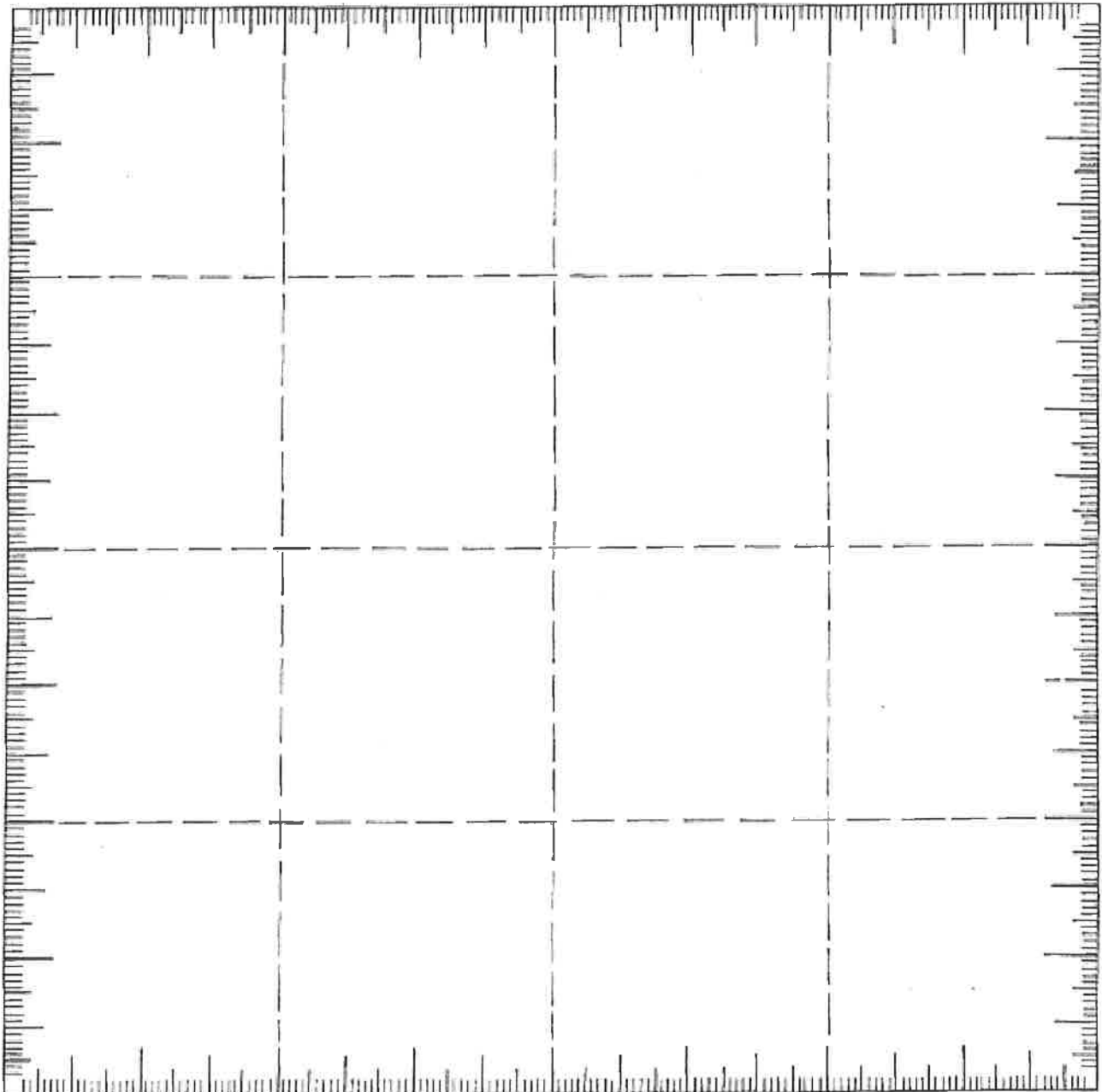
**Note:** Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

County \_\_\_\_\_

Township \_\_\_\_\_

T \_\_\_\_\_ R \_\_\_\_\_ Section \_\_\_\_\_

↑ North





STATE OF MICHIGAN - JACKSON COUNTY  
Received 03/05/2021 09:30 AM 2874673  
Processed 03/05/2021 11:18:34 AM DQC  
Amanda L. Kirkpatrick, Clerk/Register of Deeds

### QUIT CLAIM DEED

5 **KNOW ALL MEN BY THESE PRESENTS:** That Stephen M. Phillips, a single man, whose address is 150 Jeffords, Suite 303, Dexter, MI 48130, Quit Claims to:

Stephen Phillips trustee of the Stephen Phillips Trust, whose address is 150 Jeffords, Suite 303, Dexter, MI 48130, to be administered according to the terms of that trust.

the following described premises situated in the Township of Henrietta, County of Jackson and State of Michigan, to wit:

See Attachment Exhibit A for Legal Description

Commonly known as: Kinch Rd., Jackson, MI 49201 Tax ID #: 000-04-28-251-001-04

together with all improvements, fixtures, easements, and appurtenances associated with the real estate, and subject to easements, use and building and other restrictions of record, if any, and encumbrances arising from the acts or omissions of Grantor.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

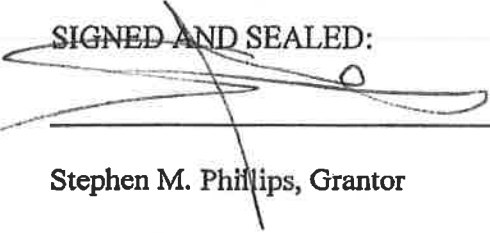
The Grantor grants to the Grantee the right to make all divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967. The parties agree that they will execute any documents needed to carry out their agreement relative to the number of division rights.

For the full consideration of One Dollar (\$1.00)

This deed is exempt from Michigan state and county Transfer Tax pursuant to MCL 207.526(a) and MCL 207-505(a) – Consideration is less than One Hundred Dollars (\$100).


Dated 19th day of February, 2021.

SIGNED AND SEALED:

  
\_\_\_\_\_  
Stephen M. Phillips, Grantor

STATE OF MICHIGAN                    )  
  )ss.  
COUNTY OF WASHTENAW            )

The foregoing instrument was acknowledged before me this 19th day of February, 2021, by Stephen M. Phillips.

  
\_\_\_\_\_  
Joshua R. Fink, Notary Public  
State of Michigan, County of Washtenaw  
My Commission Expires: 06/02/2021  
Acting in the County of Washtenaw  
Remotely acting under MCL 55.286c  
Signatory's location: Washtenaw County, Michigan

Instrument Drafted By: FINK & FINK, PLLC, Joshua R. Fink (P66210), 320 North Main Street, Suite 420, Ann Arbor, Michigan 48104.

Recording Fee: \$30.00 \_\_\_\_\_

State Transfer Tax: \_\_\_\_\_

County Transfer Tax: \_\_\_\_\_

Tax Parcel # 000-04-28-251-001-04

When recorded return to: Drafter

Send subsequent tax bills to: Grantee



## Exhibit A

### Legal Description

Premises situated in the Township of Henrietta, County of Jackson and State of Michigan; to wit:

The Northeast  $\frac{1}{4}$  of Section 28, Town 1 South, Range 1 East, Henrietta Township, Jackson County, Michigan, excepting therefrom 54 acres off the North side described as follows: Commencing at the Northeast corner Section 28, thence South on the East line of said Section about 60  $\frac{1}{2}$  rods to the center of County ditch, thence Westerly along the angles of said ditch to the West line of said Northeast  $\frac{1}{4}$ , thence North to North line of said Section, thence East to the place of beginning. The North 5 acres of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 28, Town 1 South, Range 1 East, Henrietta Township, Jackson County, Michigan.

EXCEPT A parcel of land in the Northeast  $\frac{1}{4}$  of Section 28, Town 1 South, Range 1 East, Henrietta Township, Jackson County, Michigan, being more specifically described as: Commencing at the East  $\frac{1}{4}$  post of said Section 28; thence North 815.19 feet along the East line of said Section 28 and the centerline of Kinch Road (so-called) for the point of beginning of this description; thence West 497.81 feet; thence North 438.00 feet; thence East 100.00 feet; thence South 219.00 feet; thence East 397.81 feet to the East line of said Section 28 and the centerline of Kinch Road; thence South 219.00 feet along the East line of said Section 28 and the centerline of Kinch Road to the point of beginning.

ALSO EXCEPT A parcel of land in the Northeast  $\frac{1}{4}$  of Section 28, Town 1 South, Range 1 East, Henrietta Township, Jackson County, Michigan, being more specifically described as: Beginning at the East  $\frac{1}{4}$  post of said Section 28; thence North 671.22 feet along the East line of said Section 28 and the centerline of Kinch Road (so-called); thence West 311.14 feet perpendicular to the East line of said Section 28; thence South parallel with the East line of said Section 28 to the East and West  $\frac{1}{4}$  line of said Section 28; thence Easterly along the East and West  $\frac{1}{4}$  line of said Section 28 to the point of beginning.

ALSO EXCEPT A parcel of land in the Northeast  $\frac{1}{4}$  of Section 28, Town 1 South, Range 1 East, Henrietta Township, Jackson County, Michigan, being more specifically described as: Commencing at the East  $\frac{1}{4}$  post of said Section 28; thence North along the East line of said Section and the centerline of Kinch Road (so-called) 1034.19 feet for the place of beginning of this description; thence West 397.81 feet; thence North 219.00 feet; thence East 397.81 feet to the East line of said Section 28 and the centerline of Kinch Road; thence South along the East line of said Section 28 and centerline of Kinch Road 219.00 feet to the place of beginning.

The grantor grants to the grantee the right to make 13 divisions under Section 108 of the Land Division Act No. 288 of the Public Acts of 1967. Grantor makes no representations as to the availability of such divisions.

The land referred to, situated in the Township of Henrietta, County of Jackson, State of Michigan is described as follows

**Parcel C-2:**

A parcel of land in the Southeast  $\frac{1}{4}$  of Section 28, Town 1 South, Range 1 East, Henrietta Township, Jackson County, Michigan, described as follows: Commencing at the East  $\frac{1}{4}$  corner of said Section 28, thence South  $00^{\circ}06'51''$  East 643.94 feet along the East line of said Section 28 to the Point of Beginning, thence South  $00^{\circ}06'51''$  East 240.00 feet along said East line, thence North  $89^{\circ}09'21''$  West 598.00 feet, thence North  $00^{\circ}06'51''$  West 240.00, thence South  $89^{\circ}09'21''$  East 598.00 feet to the Point of Beginning.

**Parcel D-2:**

A parcel of land in the Southeast  $\frac{1}{4}$  of Section 28, Town 1 South, Range 1 East, Henrietta Township, Jackson County, Michigan, described as follows: Commencing at the East  $\frac{1}{4}$  corner of said Section 28, thence South  $00^{\circ}06'51''$  East 441.97 feet along the East line of said Section 28 to the Point of Beginning, thence South  $00^{\circ}06'51''$  East 201.97 feet along said East line, thence North  $89^{\circ}09'21''$  West 598.00 feet, thence South  $00^{\circ}06'51''$  East 240.00 feet, thence North  $89^{\circ}09'21''$  West 728.46 feet, thence North  $00^{\circ}09'48''$  West 439.85 feet along the West line of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 28, thence South  $89^{\circ}14'52''$  East 1326.80 feet to the Point of Beginning.

**Parcel E-2:**

A parcel of land in the Southeast  $\frac{1}{4}$  of Section 28, Town 1 South, Range 1 East, Henrietta Township, Jackson County, Michigan, described as follows: Commencing at the East  $\frac{1}{4}$  corner of said Section 28, thence South  $00^{\circ}06'51''$  East 240.00 feet along the East line of said Section 28 to the Point of Beginning, thence South  $00^{\circ}06'51''$  East 201.97 feet along said East line, thence North  $89^{\circ}14'52''$  West 1326.80 feet, thence North  $00^{\circ}09'48''$  West 439.85 feet along the West line of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 28, thence South  $89^{\circ}20'23''$  East 729.14 feet along the East and West  $\frac{1}{4}$  line of said Section 28, thence South  $00^{\circ}06'51''$  East 240.00 feet, thence South  $89^{\circ}20'23''$  East 598.00 feet to the Point of Beginning.

The grantor grants to the grantee the right to make zero (0) divisions under Section 108 of the Land Division Act No. 288 of the Public Acts of 1967. Grantor makes no representations as to the availability of any divisions.

Notary Certificate

For the purpose of complying with MCL 55.286c, I certify as follows: (a) I currently hold a valid notarial commission in the State of Michigan, (b) I personally observed the execution of the instrument through two-way real-time audiovisual technology that met all of the conditions of MCL 55.286c, and (c) I am making this certification to facilitate the recording of such instrument with the Register of Deeds.



---

Joshua R. Fink, Notary Public  
Washtenaw County, Michigan  
My commission expires 06/02/2021  
Acting in Washtenaw County, Michigan



<p align="center"><b>MESSAGE TO TAXPAYER</b></p> <p>FROM JULY 1-SEP.14TH TAXES MAY BE PAID DAILY FROM 9:00-5:00 AT THE TOWNSHIP OFFICES OR AT THE INDEPENDENT BANK-P.L.BRANCH. FROM SEP. 15TH, 2021 TO FEB. 28TH, 2022, TAXES MUST BE PAID WITH INTEREST AT THE TOWNSHIP OFFICES. THE TREASURER'S OFFICE ALSO ACCEPTS PARTIAL PAYMENTS. REPORT ANY ERRORS ASAP (517-769-6925).</p>	<p align="center"><b>PAYMENT INFORMATION</b></p> <p align="center">This tax is due by: 09/14/2021</p> <p>Pay by mail to: HENRIETTA TOWNSHIP TREASURER MARIA L. MCDONALD, TREASURER 11732 BUNKERHILL RD PLEASANT LAKE, MI 49272 517-769-6925</p> <p align="center">**See reverse side for additional information**</p>																																							
<p align="center"><b>PROPERTY INFORMATION</b></p> <p>Property Assessed To: PHILLIPS STEPHEN TRUST 150 JEFFORDS STE 303 DEXTER, MI 48130</p> <p>QUALIFIED AGRICULTURAL PROPERTY EXEMPTION</p> <p>Prop #: 000-04-28-251-001-04      School: NORTHWEST SCHO</p> <p>Prop Addr: KINCH RD</p> <p>Legal Description:</p> <p>THAT PART OF NE 1/4 OF SEC 28 LYING S OF CEN OF COUNTY DITCH. ALSO THEN 5A OF W 1/2 OF SE 1/4 EXC BEG AT E 1/4 POST OF SEC 28 TH N 671.22 FT TH W PAR WITH E&amp;W 1/4 LN 311.14 FT TH S PAR WITH E SEC LN TO E&amp;W 1/4 LN TH E ALG SD 1/4 LN TO BEG. ALSO EXC BEG AT E 1/4 POST OF SEC 28 TH N ALG E SEC LN AND CEN LN OF KINCH RD 815.19 FT TO A PT FOR PL OF BEG OF THIS EXCN TH W 497.81 FT TH N 438 FT TH E 497.81 FT TO E SEC LN TH S 438 FT TO BEG. ALSO BEG AT E 1/4 COR SEC 28 TH S00DEG06'51"E 643.94 FT TO POB TH S00DEG06'51"E 240 FT TH N89DEG09'21"W 598 FT TH N00DEG06'51"W 240 FT TH S89DEG09'21"E 598 FT TO BEG. ALSO BEG AT E1/4 COR SEC 28 TH S00DEG06'51"E 441.97 FT TO POB TH S00DEG06'51"E 201.97 FT TH N89DEG09'21"W 598 FT TH S00DEG06'51"E 240 FT TH N89DEG 09'21"W 728.46 FT THN00DEG09'48"W 439.85 FT TH S89DEG14'52"E 1326.80 FT TO BEG. ALSO BEG AT E 1/4 COR SEC 28 TH S00DEG06'51"E 240 FT TO POB TH S00DEG 06'51"E 201.97 FT TH N89DEG14'52"W 1326.80 FT TH N00DEG09'48"W 439.85 FT TH S89DEG14'52"E</p> <p align="center">*BALANCE OF DESCRIPTION ON FILE*</p>	<p align="center"><b>TAX DETAIL</b></p> <table style="width: 100%;"> <tr> <td>Taxable Value:</td> <td align="right">176,137</td> <td>AGRICULTURAL-IMPRO</td> </tr> <tr> <td>State Equalized Value:</td> <td align="right">237,200</td> <td>Class: 101</td> </tr> <tr> <td>PRE/MBT %:</td> <td align="right">100.0000</td> <td></td> </tr> </table> <p>Bill #      Mortgage Co:</p> <table style="width: 100%; border-top: 1px solid black;"> <thead> <tr> <th style="text-align: left;">DESCRIPTION</th> <th style="text-align: right;">MILLAGE</th> <th style="text-align: right;">AMOUNT</th> </tr> </thead> <tbody> <tr> <td>JACKSON ISD</td> <td align="right">4.35800</td> <td align="right">767.60</td> </tr> <tr> <td>COUNTY</td> <td align="right">5.07670</td> <td align="right">894.19</td> </tr> <tr> <td>JACKSON COLLEGE</td> <td align="right">1.13510</td> <td align="right">199.93</td> </tr> <tr> <td>STATE ED</td> <td align="right">6.00000</td> <td align="right">1,056.82</td> </tr> <tr> <td>NORTHWEST OPER</td> <td align="right">18.00000</td> <td align="right">EXEMPT</td> </tr> <tr> <td>NORTHWEST DEBT</td> <td align="right">4.07870</td> <td align="right">718.40</td> </tr> <tr> <td colspan="2">Total Tax</td> <td align="right">38.64850</td> </tr> <tr> <td colspan="2">Administration Fee</td> <td align="right">36.36</td> </tr> <tr> <td colspan="2"><b>TOTAL AMOUNT DUE</b></td> <td align="right"><b>3,673.30</b></td> </tr> </tbody> </table>	Taxable Value:	176,137	AGRICULTURAL-IMPRO	State Equalized Value:	237,200	Class: 101	PRE/MBT %:	100.0000		DESCRIPTION	MILLAGE	AMOUNT	JACKSON ISD	4.35800	767.60	COUNTY	5.07670	894.19	JACKSON COLLEGE	1.13510	199.93	STATE ED	6.00000	1,056.82	NORTHWEST OPER	18.00000	EXEMPT	NORTHWEST DEBT	4.07870	718.40	Total Tax		38.64850	Administration Fee		36.36	<b>TOTAL AMOUNT DUE</b>		<b>3,673.30</b>
Taxable Value:	176,137	AGRICULTURAL-IMPRO																																						
State Equalized Value:	237,200	Class: 101																																						
PRE/MBT %:	100.0000																																							
DESCRIPTION	MILLAGE	AMOUNT																																						
JACKSON ISD	4.35800	767.60																																						
COUNTY	5.07670	894.19																																						
JACKSON COLLEGE	1.13510	199.93																																						
STATE ED	6.00000	1,056.82																																						
NORTHWEST OPER	18.00000	EXEMPT																																						
NORTHWEST DEBT	4.07870	718.40																																						
Total Tax		38.64850																																						
Administration Fee		36.36																																						
<b>TOTAL AMOUNT DUE</b>		<b>3,673.30</b>																																						
<p align="center"><b>OPERATING FISCAL YEARS</b></p> <p>The taxes on bill will be used for governmental operations for the following fiscal year(s):</p> <p>County: 01/01/2021 - 12/31/2021 Twn/Cty: 07/01/2021 - 06/30/2022 School: 07/01/2021 - 06/30/2022 State: 10/01/2020 - 09/30/2021</p> <p>Does NOT affect when the tax is due or its amount</p>	<p>AS OF MARCH 1, 2022 ALL 2021 PROPERTY TAXES ARE PAYABLE TO THE JACKSON COUNTY TREASURER'S OFFICE; 120 W. MICHIGAN AVENUE; JACKSON, MICHIGAN 49201. CALL 517-788-4418 FOR THE CORRECT AMOUNT DUE.</p>																																							

Please detach along perforation. Keep the top portion.

Mortgage Co:

Bill #

Pay this tax to:

HENRIETTA TOWNSHIP TREASURER  
MARIA L. MCDONALD, TREASURER  
11732 BUNKERHILL RD  
PLEASANT LAKE, MI 49272  
517-769-6925

PLEASE RETURN THIS PORTION WITH PAYMENT OR ENTIRE BILL FOR A "STAMPED PAID" RECEIPT	
This tax is due by: 09/14/2021	
After 09/14/2021 additional interest and fees apply	
2021 Summer	Tax for Prop #: 000-04-28-251-001-04

**TAXPAYER NOTE: Are your name & mailing address correct?**  
If not, please make corrections below. Thank You.  
Property Addr: KINCH RD

Make Check Payable To: HENRIETTA TOWNSHIP TREASURE

TOTAL AMOUNT DUE: 3,673.30

Amount Remitted: \_\_\_\_\_

To: PHILLIPS STEPHEN TRUST  
150 JEFFORDS STE 303  
DEXTER MI 48130

Ck# \_\_\_\_\_  
Cash \_\_\_\_\_



## LAND RENTAL AGREEMENT

This is an agreement between G. Lincoln Farms LLC (Tenant) and James Phillips (Landlord). G. Lincoln Farms, LLC agrees to pay \$90.00, per acre, for the first 4 years of lease, and increasing the amount by \$10.00 every four years after, for the rental of 20 GPS confirmed acres, located at Kinch Rd. Jackson County. If the rental land is at a different location than mailing address please write rental address it on the line below.

---

This agreement is for a 10 year period, beginning January 1, 2021 and ending on December 31, 2031.

- Rent will be paid in December of each year.
- The Tenant has the right to trim trees along fence rows to keep back from fields. This will be done only as necessary for equipment to move around in the field.
- The Tenant will furnish all lime used on the farm, together with all costs of hauling and spreading. The Landlord agrees to reimburse the Tenant for his/her share of lime, if the lease is terminated before its end date, at a rate of 100% if applied following the last crop harvested, and reduced by the amount of 20% for each previous year since it was applied.
- *This agreement can only be terminated in writing. Any crops remaining on field at the time of termination belong to the Tenant.*

*The above Rental Agreement is acknowledged and agreed upon by:*

---

G. Lincoln Farms LLC  
9221 N Parma Rd  
Springport, MI 49284  
(517) 531-3070

---

Date

---

James Phillips  
C/O Steve Phillips  
1150 Jeffords STE 0303  
Dexter, MI 48130  
734-904-3659

---

Date

---



Landlord Social Security  
(Required for Misc-1099 tax form if rent is or exceeds \$600 annually)

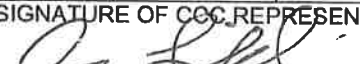
<b>CRP-1</b> (07-06-20) <b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation  <b>CONSERVATION RESERVE PROGRAM CONTRACT</b>	1. ST. & CO. CODE & ADMIN. LOCATION 26 075 3. CONTRACT NUMBER 11019C	2. SIGN-UP NUMBER 54 4. ACRES FOR ENROLLMENT 19.78
5A. COUNTY FSA OFFICE ADDRESS (Include Zip Code) JACKSON COUNTY FARM SERVICE AGENCY 211 W GANSON ST JACKSON, MI49201-1241	6. TRACT NUMBER 13825	7. CONTRACT PERIOD FROM: (MM-DD-YYYY) 10-01-2020 TO: (MM-DD-YYYY) 09-30-2030
5B. COUNTY FSA OFFICE PHONE NUMBER (Include Area Code): (517) 789-7716 x2	8. SIGNUP TYPE: General	

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the Contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges receipt of a copy of the Appendix/Appendices for the applicable contract period. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PARTICIPANTS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; and, CRP-2, CRP-2C, CRP-2G, or CRP-2C30, as applicable.

9A. Rental Rate Per Acre	\$ 76.00	10. Identification of CRP Land (See Page 2 for additional space)			
9B. Annual Contract Payment	\$ 1,503.00	A. Tract No.	B. Field No.	C. Practice No.	D. Acres
9C. First Year Payment	\$ 1,503.00	13825	9	CP38E-4D	E. Total Estimated Cost-Share
(Item 9C is applicable only when the first year payment is prorated.)	7-12-2021	13825	11	CP38E-12	\$ 0.00
		13825	14	CP38E-2	\$ 1,173.00

# 11. PARTICIPANTS (If more than three individuals are signing, see Page 3.)

A(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code) STEPHEN MICHAEL PHILLIPS 150 JEFFORDS STE 303 DEXTER, MI48130-0029	(2) SHARE 100.00 %	(3) SIGNATURE (By) 	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY  	(5) DATE (MM-DD-YYYY) 7/12/2021
B(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code) THE STEPHEN PHILLIPS TRUST 150 JEFFORDS STE 303 DEXTER, MI48130-0029	(2) SHARE 0.00 %	(3) SIGNATURE (By) 	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY Trustee	(5) DATE (MM-DD-YYYY) 7/12/2021
C(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY	(5) DATE (MM-DD-YYYY)

12. CCC USE ONLY	A. SIGNATURE OF CCC REPRESENTATIVE  CFB	B. DATE (MM-DD-YYYY) 7-12-2021
------------------	---	-----------------------------------

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.

**Paperwork Reduction Act (PRA) Statement:** The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.





CRP-1  
(07-06-20)U.S. DEPARTMENT OF AGRICULTURE  
Commodity Credit Corporation1. ST. & CO. CODE & ADMIN. LOCATION  
26 0752. SIGN-UP  
NUMBER  
54

## CONSERVATION RESERVE PROGRAM CONTRACT

3. CONTRACT NUMBER  
11020D4. ACRES FOR  
ENROLLMENT  
16.55

## 5A. COUNTY FSA OFFICE ADDRESS (Include Zip Code)

JACKSON COUNTY FARM SERVICE AGENCY  
211 W GANSON ST  
JACKSON, MI 49201-1241

## 6. TRACT NUMBER

13818

## 7. CONTRACT PERIOD

FROM: (MM-DD-YYYY)

10-01-2020

TO: (MM-DD-YYYY)

09-30-2030

## 5B. COUNTY FSA OFFICE PHONE NUMBER

(Include Area Code): (517) 789-7716 x2

8. SIGNUP TYPE:  
General

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the Contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges receipt of a copy of the Appendix/Appendices for the applicable contract period. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PARTICIPANTS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; and, CRP-2, CRP-2C, CRP-2G, or CRP-2C30, as applicable.

9A. Rental Rate Per Acre \$ 76.00

## 10. Identification of CRP Land (See Page 2 for additional space)

9B. Annual Contract Payment \$ 1,258.00

A. Tract No.

B. Field No.

C. Practice No.

D. Acres

E. Total Estimated  
Cost-Share

9C. First Year Payment \$ 1,258.00 + L.C.

13818

10

CP38E-12

0.29

\$ 0.00

(Item 9C is applicable only when the first year payment is prorated.)

13818

14

CP38E-12

0.50

\$ 0.00

13818

15

CP38E-42

1.49

\$ 307.00

## 11. PARTICIPANTS (If more than three individuals are signing, see Page 3.)

## A(1) PARTICIPANT'S NAME AND

ADDRESS (Include Zip Code)

STEPHEN MICHAEL PHILLIPS  
150 JEFFORDS STE 303  
DEXTER, MI 48130-0029

(2) SHARE

100.00 %

(3) SIGNATURE (By)

(4) TITLE/RELATIONSHIP OF THE  
INDIVIDUAL SIGNING IN THE  
REPRESENTATIVE CAPACITY

(5) DATE

(MM-DD-YYYY)

7/12/2021

## B(1) PARTICIPANT'S NAME AND

ADDRESS (Include Zip Code)

THE STEPHEN PHILLIPS TRUST  
150 JEFFORDS STE 303  
DEXTER, MI 48130-0029

(2) SHARE

0.00 %

(3) SIGNATURE (By)

(4) TITLE/RELATIONSHIP OF THE  
INDIVIDUAL SIGNING IN THE  
REPRESENTATIVE CAPACITY

(5) DATE

(MM-DD-YYYY)

7/12/2021

## C(1) PARTICIPANT'S NAME AND

ADDRESS (Include Zip Code)

(2) SHARE

%

(3) SIGNATURE (By)

(4) TITLE/RELATIONSHIP OF THE  
INDIVIDUAL SIGNING IN THE  
REPRESENTATIVE CAPACITY

(5) DATE

(MM-DD-YYYY)

## 12. CCC USE ONLY

A. SIGNATURE OF CCC REPRESENTATIVE

B. DATE

(MM-DD-YYYY)

7-12-2021

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.

**Paperwork Reduction Act (PRA) Statement:** The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

RECEIVED

JUL 17 2021

JUL 20 2021

Date Printed: 06/30/2021

# IIA

[illegible]

RECEIVED BY

JUL 12 2021

JACOB, MISA

Date Printed: 06/30/2021



OPTION AGREEMENT TO PURCHASE

WETLANDS RESERVE PROGRAM  
OPTION AGREEMENT TO PURCHASE NO. 66-5D21-00-0030

This Option Agreement is between the Commodity Credit Corporation (hereafter "CCC"), and the following named Landowner(s), their heirs, successors and assigns (hereafter "Landowner"):

Name: James Stewart Phillips

Address: 685 Upland Hills Drive  
48118  
Chelsea, MT 48818

In consideration of One Dollar (\$1.00), receipt of which the Landowner acknowledges, CCC and the Landowner agree that:

1. To further the Wetlands Reserve Program (WRP), if CCC exercises this option to purchase, the Landowner agrees to convey a WRP easement to the United States of America. The WRP easement is attached as EXHIBIT A and encumbers the land generally described or depicted on EXHIBIT B, (hereafter the "Property"). Except for normal farming, pasturing, and grazing, the Landowner agrees not to do, or allow others to do, any act by which the value or title to the Property may be diminished or encumbered.
2. Subject to the terms of this Agreement, CCC will pay the Landowner \$ 40,500.00 for conveyance of the easement. The Landowner agrees to accept this amount as the full and final compensation for the easement. This offer is based on an estimated 20 acres subject to change based on final acreage determination.
3. CCC will arrange for closing of the easement conveyance which may involve use of a title company or other closing agent. CCC will secure at its expense title evidence sufficient to meet Federal standards.
4. At closing, the Landowner agrees to execute an easement deed in the form described in EXHIBIT A, along with any other document which is necessary for the United States to acquire a satisfactory title to the Property. The Landowner shall pay at closing any conveyance taxes and taxes owing against the Property.
5. With prior notice to the Landowner, CCC may hereafter enter upon the Property for planning and acquisition purposes prior to closing. At its cost, CCC may survey and monument the Property and any associated access route.
6. All terms and conditions of this Agreement are expressly stated herein, and there are no other related representations or promises. No Member of or Delegate to Congress, or Resident Commissioner shall be admitted to any share or part of this Agreement or benefit from it.
7. This agreement is effective for 12 months from the date of execution below. During that period, CCC has the option to acquire the easement for the stated purchase price.
8. Except for reasons beyond the control of the Landowner, if the Landowner fails to convey the easement, the Landowner will be in default and shall pay the United States the amount of costs incurred by CCC for survey and all other actions taken after the date, and in furtherance, of this Option Agreement.