

**MARION TOWNSHIP PLANNING COMMISSION
AGENDA**

REGULAR MEETING

April 30, 2024

7:30 PM

Virtual access instructions to participate in the meeting are posted on www.mariontownship.com

MEETING WILL BE HELD IN MAIN HALL

Call to Order:

Pledge of Allegiance:

Introduction of Members:

Approval of Agenda for: April 30, 2024 Regular Meeting

Approval of Minutes from: March 26, 2024 Regular Meeting

Call for Public Comment:

Public Hearing:

New Business:

- 1) SPR#01-24 Schroeder Parking Expansion

Unfinished Business:

- 1) SUP #01-24 Smith Home Based Business (revised application)

Special Orders:

Announcements:

Call for Public Comment:

Adjournment:

DRAFT

*Approved by: _____
Larry Grunn – Chairperson

Date: _____

**MARION TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING
MARCH 26, 2024 / 7:30PM**

PC MEMBERS PRESENT:

LARRY GRUNN – CHAIRPERSON
JIM ANDERSON – VICE-CHAIRPERSON
CHERYL RANGE – SECRETARY
BOB HANVEY
BRUCE POWELSON

PC MEMBERS ABSENT:

NONE

OTHERS PRESENT:

DAVID HAMANN – MARION TWP. ZONING ADMINISTRATOR
ZACH MICHELS – TOWNSHIP PLANNER
JOHN GORMLEY – TOWNSHIP ATTORNEY

CALL TO ORDER

Larry Grunn called the meeting to order at 7:30 pm.

APPROVAL OF AGENDA

Jim Anderson made a motion to approve the March 26, 2024 agenda as amended. Cheryl Range seconded. **5-0 MOTION CARRIED**

APPROVAL OF MINUTES

Jim Anderson made a motion to approve the February 13, 2024 Planning Commission minutes as amended. Cheryl Range seconded. **5-0 MOTION CARRIED**

CALL FOR PUBLIC COMMENT

Zach Esper spoke on behalf of Tim and Cathy Esper. Esper inquired about the property near Hometown off Peavy Road that they used to farm back in 2019.

Bob Hanvey stated that there are still ongoing issues with that property and the Township will reach out to the Esper's once the issues are resolved.

UNFINISHED BUSINESS:

SUP# 01-24 CHRISTOPHER SMITH SECTION 17.32 HOME BASED BUSINESS

Christopher Smith explained that Boss Engineering created an updated site plan for review. Chris stated that they recently purchased a \$60k hydro trailer in the event of a spill.

Jim Anderson asked for some details on the containment improvements.

Chris explained that the containers used to store fuel are dual mined containers from Corrigan and they are made of steel. Chris said that Corrigan monitors the fuel tank and delivers fuel accordingly.

Jim Anderson said that the volume numbers listed throughout the site plan need to be consistent. Chris stated that he would correct that.

DRAFT

Jim asked about fire extinguishers and employee training.

Chris said there are fire extinguishers on site and that he is willing to put together some training for employees. Chris also said that he will create a step-by-step emergency manual for employees to follow, in the event of a spill.

Jim Anderson suggested including various possible scenarios and solutions to include in the manual.

Larry Grunn inquired about the PIP checklist and asked if the checklist had been verified by any outside agencies.

Chris explained that he got the list from the State and personally went through each item on the checklist. Chris stated apologized for originally missing some of the information and explained that there were some things he was simply unaware of. However, he is willing to make any necessary improvements or changes that would make everyone feel more at ease.

Larry Grunn inquired about the hours of operation.

Chris explained that there may be times when he has to load his truck with salt in the middle of the night. He also stated that since he lives there, he should be allowed to do things around his property regardless of the time of day. Chris promised to be as quiet as possible after hours to avoid disturbing his neighbors.

Sara Smith stated they feel like no matter what they do, they feel like they are getting torn apart by everyone.

Cheryl Range stated that she spoke with Heather Blair from the Health Department and she has concerns about the dirt pile that was moved.

Zach Michels went through his review of the Special User Permit request.

Armayne Lyons resides at 2588 Sexton Road. Armayne did not understand how Chris Smith was allowed to install new tanks on his property without permission.

Derek Lyons resides at 2588 Sexton Road. Derek explained that he spoke to the EGLE and they stated that there should be a curb around the salt bin. Derek also stated that Chris did not get a land use permit from the Township to clear the trees. Derek said he has seen trucks getting loaded as early as 5am and there is currently equipment that belongs to Chris on the neighbor's property. Derek asked if the Fire Department has conducted any type of review of the business.

Patricia Friedline resides at 2606 Sexton Road. Patricia would like to see more screening on the northwest corner and would like the brush removed from her property.

Jim Paulson resides at 2745 Sexton Road. Jim wanted to know why Chris moved from his original location and does not want him to operate his business on his current property.

Dianne Paulson resides at 2745 Sexton Road. Dianne does not understand why he is allowed to operate a business and stated that she hears people on Chris's property talking loudly.

Sara Smith stated that this site plan was a proposal, not something written in stone. Her and Chris were open to have a discussion and willing to make any necessary changes to ensure everyone is satisfied. She stated that Chris has gone above and beyond in hopes to gain the Planning Commission's approval and there always seems to be new concerns or suggestions at each meeting.

Cheryl Range said that she disagrees with this business and believes it conflicts with many parts of our Master Plan.

Bruce Powelson does not believe this business is harmonious.

DRAFT

John Gormley suggested that the Planning Commission choose 1-2 Commissioners to work with himself and Zach to craft a proper resolution one way or the other.

Jim Anderson stated that this appears to be a full-blown business and seems to be getting bigger. Jim agrees with Bruce Powelson and does not think this is the best location for this type of business.

Jim Anderson made a motion to table discussion on this matter until after a proper resolution is drafted with Zach Michels and John Gormley. Bruce Powelson seconded. **5-0 MOTION CARRIED**

The Planning Commissioners decided to have Jim Anderson and Cheryl Range work with Zach and Gormley on drafting a resolution.

Larry Grunn made a motion to extend the Planning Commission meeting. Jim Anderson seconded. **5-0 MOTION CARRIED**

UNFINISHED BUSINESS

TXT# 02-23 WELLHEAD PROTECTION LCPD COMMENTS (FINAL TO BOT)

Zach Michels reviewed the Marion Township Overlay District Ordinance.

Bruce Powelson made a motion to recommend approval of TXT# 02-23 WELLHEAD PROTECTION ORDINANCE to the Board of Trustees. Jim Anderson seconded. **5-0 MOTION CARRIED**

UNFINISHED BUSINESS

PROPOSED REVISIONS TO SIGN SECTION

Zach Michels reviewed the zoning Text amendment related to Signs in the Township. Commissioners talked about different types of signs.

Zach explained that the language could be drafted exempting schools, government offices, first responder organizations and cemeteries from the sign regulations.

UNFINISHED BUSINESS

CONSTINUE DISCUSSION OF AFFORDABLE HOUSING PROJECT

Bob Hanvey stated that it seems like Larry Grunn does not like anything related to affordable housing. Bob suggested that we keep working about this.

SPECIAL ORDERS

None.

ANNOUNCEMENTS

Cheryl Range, Jim Anderson and Bob Hanvey attended a Solar Energy seminar on 03/19/2024.

Zach Michels stated that there is currently legislation that would allow "Short Term Rentals" per the State.

CALL FOR PUBLIC COMMENT

None.

ADJOURNMENT:

Larry Grunn made a motion to adjourn the Planning Commission meeting at 10:10pm. Cheryl Range seconded. **5-0 MOTION CARRIED**

MINUTES TAKEN BY: Jessica S. Timberlake

SPR#01-24

MARION TOWNSHIP

APPLICATION FOR SITE PLAN REVIEW

Date: 2-27-24
Parcel I.D. Number: 4710-01-300-023

Property Owner(s) Name (Print or Type):
ARMSTRONG PROPERTY HOLDINGS
Mailing Address (Print or Type):
MATTHEW SCHROEDER
50 Schroeder Park DR Howell
City, State, ZIP (Print or Type): 48843
810-923-9639
Phone (Print or Type):

Applicant(s) Name (Print or Type):
Mailing Address (Print or Type):
City, State, ZIP (Print or Type):
Phone (Print or Type):

Name of Proposed Development: PARKING LIGHTING, STORM RETENTION
Location of Proposed Development (address): FRANCIS - D-19 CORNER
N E S W Side of _____ Road between _____
and _____ Roads

- The property owner(s) must sign this application. In lieu of the owner(s) signature on this application, the owner may provide a letter authorizing the applicant to act on his / her behalf. This application will not be processed until authorized by the property owner and/or the authorized applicant.

Brief Description of the Proposed Development and/ or Project (Land Use): PARKING OVERTFLOW AND LIGHTING DRAINAGE

I hereby grant permission for members of the Planning Commission, Zoning Administrator or their appointed designee to enter the above-described property for the purpose of gathering information related to this application.
Owner(s) of Record Signature: Math Schroeder
Applicant(s) Signature (if other than owner): _____
Date: _____

Date Received: _____ Received By: _____ Application Fee: _____

PRELIMINARY SITE PLAN REVIEW

AGENCY REVIEWS AND COMMENTS FROM:

County Road Commission: Yes ___ No ___ County Health Department: Yes ___ No ___

County Drain Commissioner: Yes ___ No ___ Fire Department: Yes ___ No ___ Other Agencies: Yes ___ No ___

Township Attorney: Yes ___ No ___ Township Engineer: Yes ___ No ___ Township Planner: Yes ___ No ___

APPROVED

APPROVED WITH CONDITIONS

DENIED

Date: _____

Date: _____

Date: _____

Date Received: _____ Received By: _____ Application Fee: _____

FINAL SITE PLAN REVIEW

AGENCY REVIEWS AND COMMENTS FROM:

County Road Commission: Yes ___ No ___ County Health Department: Yes ___ No ___

County Drain Commissioner: Yes ___ No ___ Fire Department: Yes ___ No ___ Other Agencies: Yes ___ No ___

Township Attorney: Yes ___ No ___ Township Engineer: Yes ___ No ___ Township Planner: Yes ___ No ___

APPROVED

APPROVED WITH CONDITIONS

DENIED

Date: _____

Date: _____

Date: _____

Date Received: _____ Received By: _____ Application Fee: _____

CONSTRUCTION PLAN REVIEW

Township Engineer: Yes ___ No ___

Other reviewers: _____

Pre-Construction Meeting: _____

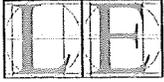
APPROVED

Date: _____

AS BUILTS Submitted for Township File

Date: _____

Reviewed by: _____



LIVINGSTON ENGINEERING

3300 S. Old US 23 – Brighton, MI 48114 – 810-225-7100

Memorandum

TO: Dave Hamann, Marion Township Zoning Administrator

FROM: David LeClair, Livingston Engineering

DATE: April 15, 2024

SUBJECT: Schroeder's Body Shop Amended Site Plan

Dave,

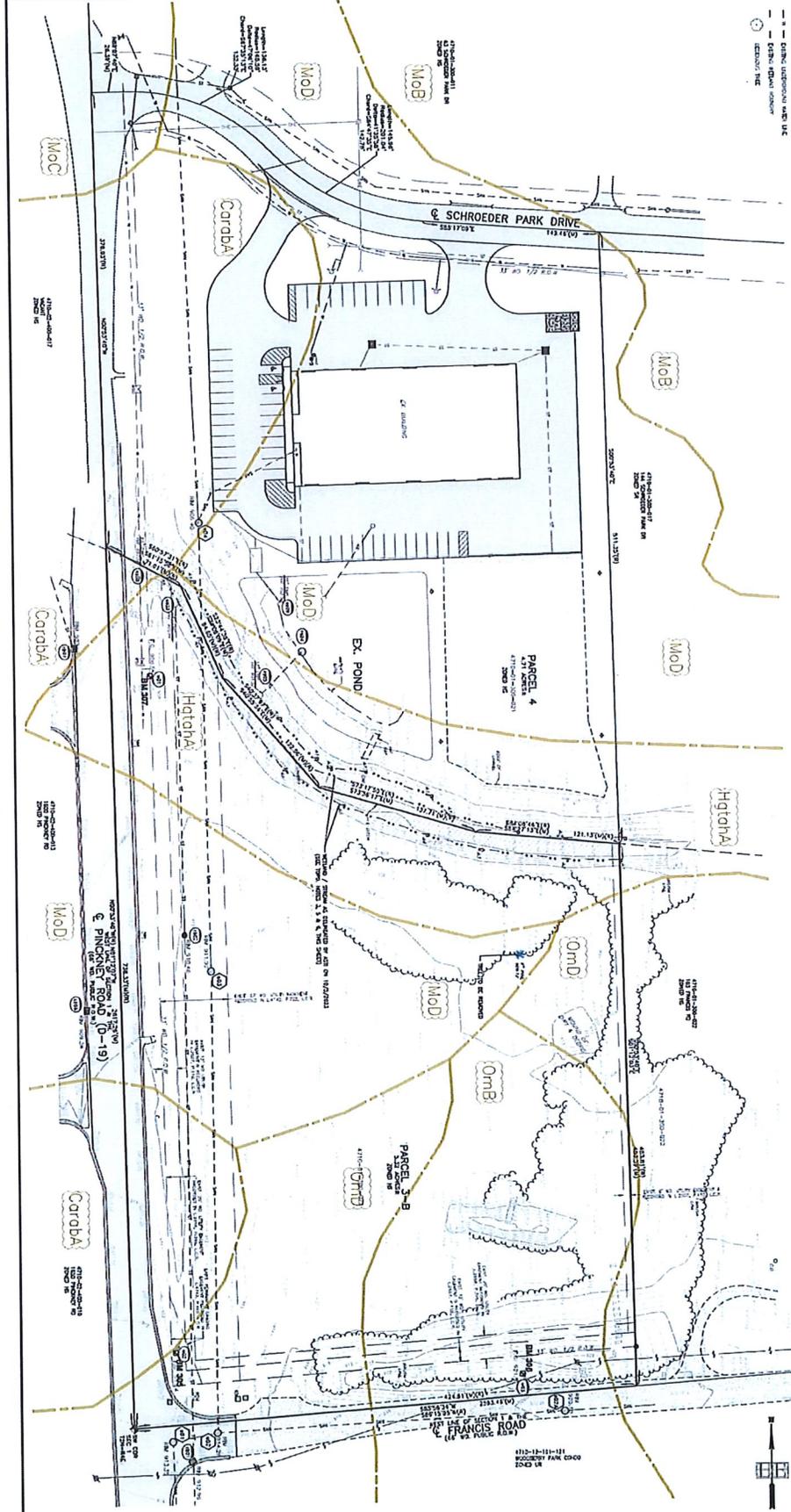
Pursuant to our meeting on April 10th, please find eight sets of amended plans for the aforementioned project. Based on our meeting, the following minor changes were made to the drawings:

1. On sheet 2.0, the adjacent zoning has been added to the parcels east of the subject property. Another note was added denoting the wetland delineation for the county drain.
2. On sheet 3.0, a fire truck turning template was added to the overflow parking area and the parking areas were identified.
3. On sheet 5.0, a swale along the front parking area has been added to direct drainage from this parking area into the new detention pond.

Additionally, in accordance with our meeting, please consider the following information regarding the plan submittal:

1. Mr Schroeder or an entity under his control owns both the existing body shop parcel and the southerly overflow parking parcel.
2. No outdoor material storage is included as part of the amended site plan on the subject additional parcel.
3. The overflow parking occurs on the adjacent parcel where no repair work is being done and as such it is our understanding based on our conversation that is Special Use Permit is not required.
4. Based on our conversation, it is our understanding that the proposed gravel overflow parking is allowed as proposed.
5. No additional signage is proposed at this time. A sign permit application will be submitted at a later date for approval if the site warrants such.
6. A lighting plan is included as part of the site plan set that shows the added light poles with their photometric output. Not included in this plan are the low level solar lights for the front parking area which provides only low light levels.
7. The landscape plan along the south property indicates in addition to the added pine trees an existing berm that will remain in place to provide the additional required screening. Additional landscaping along D19 was not added due to the existing utility easements in this area. This is consistent with the existing body shop and is our understanding that the Planning Commission can recommend such to the Township Board.

Given the minor nature of the above referenced plan changes/clarifications, we trust that this project can proceed to the Planning Commission at its April 25th meeting.



- ### LEGEND
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 - 2" = 2" (1:6)
 - 3" = 3" (1:4)
 - 4" = 4" (1:3)
 - 5" = 5" (1:2.4)
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 - 7" = 7" (1:1.4)
 - 8" = 8" (1:1.2)
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- ### SOIL SURVEY LEGEND
- 1:80
- ### REMOVAL LEGEND
- X

- ### TOPOGRAPHIC SURVEY NOTES
1. TOPOGRAPHIC SURVEY CONDUCTED BY WATSON ENGINEERS IN 2021.
 2. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT, 1991 AND THE SURVEYING REGULATIONS, 1991.
 3. THE SURVEY WAS CONDUCTED USING A TOTAL STATION AND A GPS RECEIVER.
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- ### USDA NRCS SOIL SURVEY SOIL TYPES
- SOIL TYPE: Mob, Mod, Hgchha, Omd, Omb, Moc, Caroba

SOIL TYPE CHARACTERISTICS

SOIL TYPE	TEXTURE	PERCENT SAND	PERCENT SILT	PERCENT CLAY	PERCENT ORGANIC MATTER
Mob	Medium	35-65	15-35	10-20	0-5
Mod	Medium	35-65	15-35	10-20	0-5
Hgchha	Heavy	60-85	10-20	10-20	0-5
Omd	Medium	35-65	15-35	10-20	0-5
Omb	Medium	35-65	15-35	10-20	0-5
Moc	Medium	35-65	15-35	10-20	0-5
Caroba	Medium	35-65	15-35	10-20	0-5

PROPERTY INFORMATION

PROPERTY	OWNER	ADDRESS	CITY	STATE	ZIP
SCHROEDER PARK	ST. FRANCIS HEALTH CARE	50 SCHROEDER PARK DR	KOWALL	MI	48843

17215-1

020

SCHROEDER'S PARK EXPANSION

PARCEL # 4710-01-200-223

WATSON ENGINEERS, LANSING COUNTY, MI

AVENUE SITE PLANS

EXISTING CONDITIONS

CLIENT

ST. FRANCIS HEALTH CARE

50 SCHROEDER PARK DR

KOWALL, MI 48843

SCALE

GRAPHIC SCALE: 1" = 40'

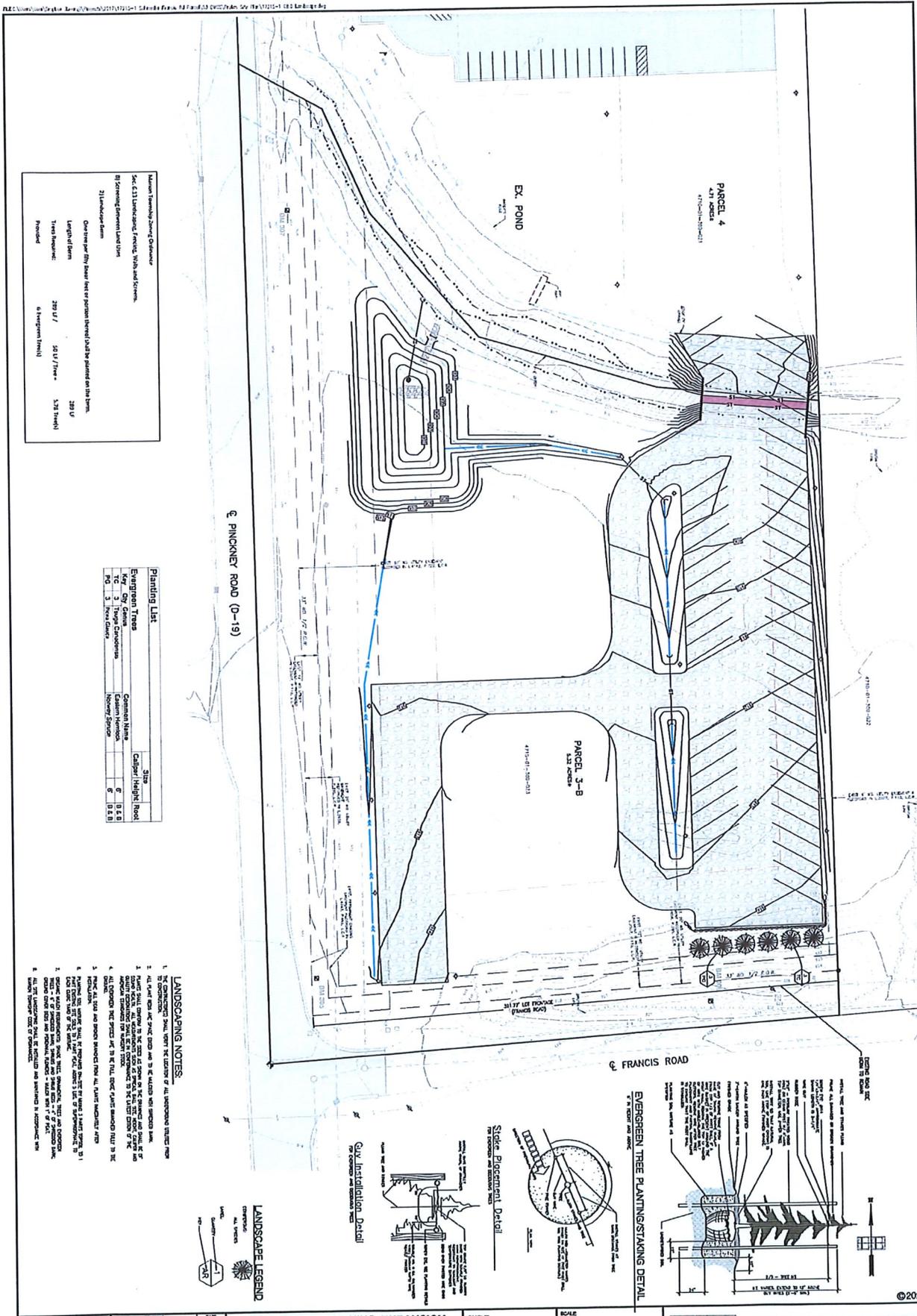
ENRIT AS NOTED

LIVINGSTON ENGINEERING

CIVIL ENGINEERING SURVEYING PLANNING

3300 S. OLD U.S. 23, BRIGHTON, MI 48114

PHONE: 616-225-7000 FAX: 616-225-7000



Minimum Turnaround Zone Clearance
Sec. 6.13 Landscaping, Fencing, Walls and Screens
80' (20' on each side) from Drive

2) Landscaping Items

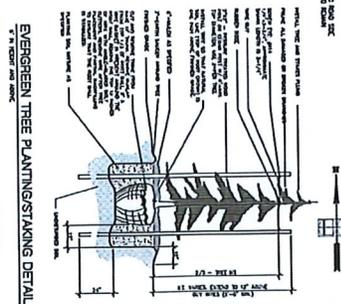
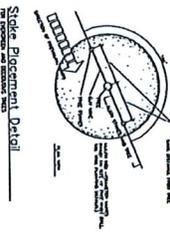
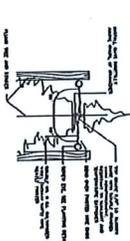
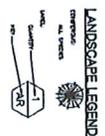
Clearance per City Manual (see or portion thereof) shall be retained on the items.

Length of Item	20' U /	35' U / Tree *	20' U
Tree Spacing:	8' (except trees)		

Planting List

Quantity	Plant Name	Common Name	Size	Callout/Height/Root
10	Key Oak	Quercus	6'	10' B.S.B.
10	Key Oak	Quercus	6'	10' B.S.B.
10	Key Oak	Quercus	6'	10' B.S.B.

- LANDSCAPING NOTES:**
1. ALL PLANTING SHALL BE THE RESPONSIBILITY OF THE LANDSCAPING CONTRACTOR.
 2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF BRIGHTON PLANTING SPECIFICATIONS.
 3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF BRIGHTON PLANTING SPECIFICATIONS.
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DATE	17215-1
BY	
CHECKED	
DATE	

SCHROEDER'S PARKING EXPANSION
 PARCEL 3-B
 60 SCHROEDER PARK CTR
 WARREN TOWNSHIP, LIVINGSTON COUNTY, MI
 LANDSCAPE PLAN

CLIENT
 MATT SCHROEDER
 60 SCHROEDER PARK CTR
 HUNTSVILLE, MI 48831

SCALE
 GRAPHIC SCALE: 1" = 30'
 EXCEPT AS NOTED



LIVINGSTON ENGINEERING
 CIVIL ENGINEERING SURVEYING PLANNING
 3300 S. OLD U.S. 23, BRIGHTON, MI 48114
 PHONE: (313) 225-7200 FAX: (313) 225-7000

Combined Revised and Final Site Plan Review for Marion Township Planning Commission

INTRODUCTION

Petition Number	SPR 01-24 Schroeder
Applicant	Mathew Schroeder for Armstrong Property Holdings
Request	Combined revised and final site plan review for automobile repair garage (<i>including recreational vehicles</i>) and automobile/recreational vehicle sales
Location	50 Schroeder Park Eastern side of Pinckney/D-19, between Schroeder Park and Francis

PETITION SUMMARY

The applicant is requesting an amended site plan to expand a parking/display of vehicles for sale area and a final site plan for a new parking/display area for recreational vehicles.

There is an existing automobile repair garage use (*including recreational vehicles repairs*), which is a special use, and vehicles sales, which is a permitted use, on the northern portion of the site.

Proposed improvements also include lighting, a culvert to cross Marion Drain #5, which runs between the northern and southern portion of the site, landscaping, and a stormwater management system.

The proposed expansion requires site plan review and approval. Special use review and approval is required for expansion of the automobile repair garage use.

Additional information is necessary to determine compliance with the Zoning Ordinance.

PROPERTY/SITE INFORMATION

Address	50 Schroder Park
Location	Eastern side of Pinckney/D-19, between Schroeder Park and Francis
Parcel Numbers	10-01-300-021, 10-01-300-021
Lot Area	10.02 acres (<i>gross, includes right-of-way</i>) ~390 feet (<i>Schroeder Park</i>)
Frontage	~1,050 feet (<i>Pinckney/D-19</i>) ~420 feet (<i>Francis</i>)

Current Zoning Highway Service (HS)
 Existing Uses Automobile repair garage and Vehicle sales (*northern portion/parcel*), Vacant/undeveloped (*southern portion/parcel*)
 Future Land Use Map Commercial

Surrounding Properties

	Zoning	Use	Future Land Use
North	HS Highway Service	Automobile repair garage	Commercial
East	SR Suburban Residential, HS Highway Service	Religious institution, Vacant	Commercial
South	UR Urban Residential	Attached residential dwellings	Sewered High Density Residential
West	HS Highway Service	Undeveloped, Automobile filling station	Commercial

Items to be Addressed: The site data, including legal descriptions, site data table, and adjacent property table, to be revised to address the whole site (both parcels).

According to information from Livingston County, the 2 parcels that constitute the site are owned by different entities. The applicant should provide confirmation that he has authority to act on behalf of both parcels or has acquired ownership of both parcels. Because of how this site/these parcels will be developed and bound together, these 2 parcels should be combined into a single parcel.

NATURAL RESOURCES

Topography The site generally slopes downward to the center, between the 2 parcels. The southern property has significant slopes on the south along Francis and 2 notable mounds, with heights of 4 to 7 feet. The proposed parking area will be graded, and a retaining wall is proposed along the southern side of the paved area.

Wetlands There are no wetlands identified on the site. There are hydric soils in the central portion of the site. The previous site plan showed wetlands between the parking lot and Pinckney/D-19.

Woodlands There are no woodlands on the site, but there are a number of trees. The site plan identifies a single tree for removal, but it

appears more trees will be removed. The site plan does not identify the method or location of tree protection measures.

Soils
 A majority of the area to be developed has either Miami loams or Owosso-Miami sandy loams, with are compatible with most development. The area to the north and south of the creek are muck soils, which are challenging to develop.

Water
 A creek/Marion Drain #5 runs east/west across the middle of the site, between the two parcels. A crossing is proposed from the developed northern portion of the site to the southern portion of the site to be developed. The Livingston County Drain Commissioner has requested a 66-foot-wide drain easement, centered on the drain.

Items to be Addressed: All of the trees to be removed to be identified. The location of protective fencing to protect trees to remain to be shown. Clarification of why wetland identified in previous site plan is not shown.

DEVELOPMENTAL STANDARDS

General developmental standards for HS Highway Service districts are defined in §9.01(E) Site Development Requirements.

	Required	Proposed	Complies
Lot Area	1 acre	>9 acres	Yes
Frontage	150 feet ¹	>350 feet	Yes
Front-yard Setback ²	80 feet, 100 feet Pinckney/D-19	~56 feet (<i>park expansion on northern parcel</i>), ~45 feet (<i>vehicle display area to Pinckney/D-19</i>), ~15 feet (<i>vehicle display area from Francis</i>)	No ²
Side-yard Setback ^{2,3}	n/a	n/a	n/a
Rear-yard Setback ²	40 feet	10 feet (<i>parking area on southern parcel</i>)	No ²
Lot Coverage	40 percent	Unknown	Likely
Height	35 feet	Unknown	Likely
Repairs	No major repairs outside of building	Unknown	Unknown

Discarded Materials	Completely screened by 5-foot fall opaque fence	Unknown	Unknown
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- 1) Larger width/frontage required for automobile repair garage.
- 2) Landscape buffers required along certain lot lines.
- 3) Because of the configuration of the site, it has front yards and rear yards. There are no side yards.

Items to be Addressed: Missing information above to be added to the site plan.

ACCESS AND CIRCULATION

The site will continue to be accessed by 2 existing driveways from Schroeder Park to the north. The proposed addition for used car display parking would reduce the stacking length to less than the 2-car length required.

There will be no direct road access for the southern portion of the site. It will be accessed by a drive that crosses Marion Drain #5 from the northern portion of the site.

Turning radii for emergency vehicles, especially fire apparatus, should be added to the site plan to ensure the southern portion of the site is accessible.

Items to be Addressed: Reconfigure western driveway to continue to provide 2 stacking spaces or apply for necessary variance. Approval of fire chief for accessibility.

OFF-STREET PARKING AND LOADING

The site plan calls for asphalt paving of the expanded parking/display area on the northern portion of the site and 21AA aggregate base for the parking/display areas on the southern portion of the site.

All commercial parking areas must be marked. Commercial parking areas with a capacity of 4 or more vehicles must have a durable, smooth, and dustless surface. Neither the application nor the site plan describes how the parking areas on the southern portion of the site will be marked or kept dust free.

Although not expressly stated, the standards of the Zoning Ordinance for commercial parking areas, especially with more than 4 spaces, appear to call for a paved asphalt, concrete, or similar material.

The site plan notes the spaces for used car display parking will be 20 feet deep by 9 feet wide. The minimum width for parking spaces with 90-degree orientation is 10 feet. These spaces need to be widened.

Although setbacks are not labeled, it appears that the proposed parking and display areas are located within front-yard setbacks/greenbelt buffers. These setbacks should be

labelled. The site plan should be modified accordingly or any necessary variances should be applied for.

Items to be Addressed: Revisions made to address surface/dust, marking, dimensions, and setback/greenbelt buffer.

SIGNAGE

The site plan does not show the location of any existing or proposed signs.

Items to be Addressed: Existing signs to be added to the site plan. Proposed signs to be added to the site plan or confirmation from the applicant that there will not be any additional signs.

LANDSCAPING

The landscaping plan on Sheet C 8.0 proposes planting 6 evergreens, including 3 Eastern Hemlock and 3 Norway Spruce, along the western portion of the southern lot line along Francis. Landscaping is not proposed on the northern portion of the site, between the parking area and eastern lot line, between the parking/display area and Pinckney/D-19, or within the parking area.

The proposed trees will be 6 foot tall, on a small berm, with 6 inches of mulch. Both of the proposed species are identified as being at increased risk to disease or pest in Michigan and should be replaced with different species. A cross section of the berm is not included. The proposed mulch depth could cause health issues for the trees; a depth of 3 to 4 inches would be more appropriate.

A landscape buffer is required between non-residential uses and adjacent residential zoning districts and uses, per §6.13(B) Screening Between Land Uses. The proposed use is adjacent to residentially-zoned and used property to the south. The buffer could be a 50-foot-wide greenbelt, a landscaping berm, or a thick evergreen screening. The only proposed buffer is the 6 pine trees noted above.

Landscaping is required within or at the perimeter or parking areas, per §6.13(C) Parking Lot Landscaping. The landscape plan does not show any landscaping associated with any of the proposed parking areas. It also appears some parking landscaping shown on the original site plan was never installed or has been removed.

Greenbelt buffers equal to the front-yard setback, in this case 100 feet, are required along the right-of-way along public streets or major thoroughfares, including Pinckney/D-19. The buffer must be landscaped with at least 1 tree for every 30 linear feet of frontage. The proposed parking/vehicle display area expansion on the northern portion of the site and the proposed parking/vehicle display area on the southern portion of the site are within this required greenbelt buffer. No additional plantings are proposed within this area.

If there will be any outdoor storage of supplies or materials, it must be screened with a solid wall or fencing, per §6.13(F)(3). The applicant should clarify if there will be any outdoor storage, with a noted and any details added to the site plan.

The Planning Commission may recommend waivers of modifications of landscaping standards as part of site plan review to the Township Board, as outlined in § 6.13(G)(4) Modification. The standards for granting a waiver or modification are: 1) specific characteristics of the site or vicinity would make required screening unnecessary or ineffective, or 2) it would impair vision at a driveway or street intersection. In order to consider a waiver or modification, the site plan should identify the specific waiver or modification being requested and show calculations of what would otherwise be required.

Items to be Addressed: Landscaping plan revised as noted above or calculations for required landscaping for a waiver/modification request to be provided.

LIGHTING

The lighting plan on Sheet C 9.0 shows 2 types of fixtures and photometric plans. The photometric plan shows 3 poles with 2 Lithonia fixtures on each pole with a mount height of 25 feet along the western side of the parking on the northern parcel and 6 poles with 2 Lithonia fixtures on each pole with a mount height of 25 feet along the eastern and western sides of the parking area on the southern parcel.

The lighting plan also includes specifications for Gefolloy solar street lights. Five of these fixtures are shown around the vehicle display area on the southern portion of the site, but they are not shown on the photometric plan. These fixtures are not full-cutoff and would create glare and project light onto adjacent properties or roads. They should be replaced with another fixture type.

The photometric plan does not appear to show any existing light fixtures on the northern portion of the site.

It is not clear how the light distribution in the photometric plan is achieved. If any shielding is used, it should be included in the lighting plan.

The proposed color temperature and mounting height appear would likely impact the safe movement of traffic on Pinckney/D-19 (§9.01(E)(6)d). Although the footcandles at ground level is low along the right-of-way, light fixtures mounted more than 20 feet high tend to create glare for motorists. Additionally, the color temperature would be very cool, contrasting with the desired rural character.

The proposed fixtures would use light emitting diodes. The Zoning Ordinance, §14.014(E)(2) requires high-pressure sodium, which has a color temperature of 1900K to 2000K. The Planning Commission may approve alternate luminaires that use "warm white or natural lamp colors," but the color temperature should be 3000K or less.

Items to be Addressed: Photometric plan to be revised as noted above. Planning Commission guidance on whether it would consider an alternate light source in place of high-pressure sodium.

SPECIFIC USE STANDARDS

Specific standards for automobile repair garage are located in §17.04(A) Automobile Repair Garage. Marion has historically interpreted and applied recreational vehicle repair as a comparable use, subject to these standards.

The site is located within a HS Highway Service district and meets the minimum lot size and lot width/frontage. Because the proposed site plan represents an expansion of a special use permit within the current site and onto another parcel, a new special use permit or amended special use permit approval is required.

Parking areas must be consistent with 17.04(B)(4) and Site Development Requirements. See the off-street parking and loading section of this report.

Buffer zones consistent with §6.13 Landscaping, Fencing, Walls, and Screens must be provided. See the landscaping section of this report.

Lighting must be shielded consistent with §14.04(E) Lighting. See the lighting section of this report.

Storage of vehicles that are not operable for any reason (*mechanical, plates, registration*), is limited to a period of 30 days and cannot be located in a front yard. This should be noted as a condition of approval, with a note added to the site plan.

§14.04A(D)(3) explicitly prohibits "sales of new and used motorized vehicles." We are aware that the site has been used for both the repair and sales of motorized vehicles. We defer to those with more knowledge of previous approvals how this specific standard was interpreted. Sale of motorized vehicles should not be expanded to the southern portion of the site. This should be noted as a condition of approval, with a note added to the site plan.

Items to be Addressed: Completed special use permit application to be submitted by applicant. Notes related to vehicle storage and motorized vehicle sales added to site plan.

DECISION CONSIDERATIONS

The site plan process is outlined in Article XVIII Site Plan Requirements.

Site plan approval is required for the proposed use and improvements. Grading, removal of trees/vegetation, filling, or construction of improvements must not start until the site plan is in effect.

As noted throughout this report, additional information is necessary to determine compliance with the Zoning Ordinance. Because of the extent of the additional information needed, this report does not examine the decision considerations.

The Planning Commission may review the site plan application and provide guidance to the applicant on discretionary decision, such as lighting type and other modifications. A recommendation decision should be postponed until a complete application has been provided.

SPR 01-24 Schroeder
Automobile Repair Garage/Automobile and Recreational Vehicle Sales
March 17, 2024

PETITION TIMELINE

The application was submitted to the Township on February 27, 2024.
The application will go before the Planning Commission at its March 26, 2024, meeting.

SUMMARY

The application for the automobile repair garage/vehicle sales site plan is not complete at this time. Additional information, identified throughout this report, is needed to confirm consistency with some of the specific standards and bases of determination.

The proposed expansion would also require special use permit review and approval and is likely to require a variances or modifications of the site plan.

The Planning Commission should review the information available and direct the applicant to provide additional information.

A draft resolution has not been prepared at this time due to the need for additional information, revision, and documentation.

We look forward to helping facilitate this process at the meeting.

Zach Michels
Quality Zoning
Dexter, MI



March 14, 2024

Dave Hamann, Zoning Administrator
Marion Township
2877 W Coon Lake Rd
Howell, MI 48843

RE: Schroeder's Body Shop
Final Site Plan Review

Mr. Hamann:

We have received and reviewed the revised site plan for expanding the parking/vehicle storage at Schroeder's Body Shop, which is located on the east side of D-19 (Pinkney Rd) and the south side of Schroeder Park Dr. The plans were prepared by Livingston Engineering and are dated 03-08-24. We offer the following comments:

General

The property is in the Highway Service District and is currently vacant. This project will be an extension of an automotive body shop just north of the property. A legal description is provided on the cover sheet and closes within acceptable tolerances. The property is 5.32 acres. There is a location map on the cover showing the position of the property within the section, and a vicinity map showing its location relative to roads.

A soils map has been provided for this site. The majority of the site contains soil classifications OmD (Owosso-Miami sandy loam) and MoD (Miami loam), as well as soil classification HgtahA (Houghton muck) along the county drain. Neighboring property information is shown on this map as well. The site is surrounded by an automobile service to the north, a church and retirement home to the east, and residential to the south across Francis Road. A gas station and storage unit development are across D-19 to the west. Zoning of the surrounding parcels is Highway Service with the exception of the church to the east which is zoned Suburban Residential and the UR residential zoning to the south.

The proposed use of the site is a gravel parking area/storage lot for RVs and a small vehicle roadside display lot at the corner of D-19 and Francis Road.

Landscaping

There is a small amount of landscaping shown with a row of trees for screening at the southeast corner of the site. The 6 trees are designated as Eastern Hemlock and Norway Spruce evergreens, 3 of each. No other landscaping is shown on the site. The trees are placed outside of the existing utility easements located along the south and eastern boundaries of the site. We defer to the planner for comments regarding landscaping and setback requirements.

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Water Service

The existing body shop is serviced with municipal water from Schroeder Park Drive. There is an existing water main shown along east ROW of D-19. Although it is not shown on the plans, there is also an existing main on the north side of Francis Road. The current parking expansion does not require any changes to the site's water service and no new main is proposed. The construction activities do not appear to have any impact on the existing water mains on D-19 and Francis. We defer to MHOG for any additional comments on the water system.

Sanitary Sewer

Existing sanitary sewer is located east of D-19, and along the north side of Schroeder Park Drive, and down the center of Francis Road. A sewer connection is not anticipated for the parking lot expansion and the proposed grading does not appear to have any effect on the existing sewer lines.

Storm Water and Drainage

The proposed storm drainage system includes swales that drain the RV storage lot via culverts to a stormwater detention basin. The parking lot access will require crossing the Marion No. 5 drain and enclosing a 100' portion of the drain. A 60" HDPE corrugated plastic culvert is proposed for the enclosure. Enclosing a drain is a significant undertaking and proper study must be performed to ensure the pipe does not restrict flow and cause upstream flooding. No data has been provided on the site plan related to the existing drain capacity or the proposed culvert capacity. We request this data be shown to verify the site can be constructed as shown.

Details for the detention basin forebay filter berm, emergency spillway and outlet control structure have been provided and are acceptable. See the comments below for additional specifics for the point where the outlet control structure discharges to the drain.

Water is released from the detention basin via a standpipe draining to the Marion No. 5 drain along the northern property line. The drain easement extends 8' beyond the top banks of the drain. The engineer should note that the soils in this area are known to be unstable and should plan accordingly.

Calculations have been provided for sizing the detention basin. It appears the required detention volume has been provided according to Livingston County Drain Commissioner's (LCDC) requirements

The engineer should verify that the vehicle roadside display area is included in the detention pond drainage area. The grading indicates this parking area drains toward the basin via sheet flow but there are no storm sewers, culverts or swale shown that demonstrate flow being directed to the basin. It appears some of the display area may drain toward the ditch along D-19. Sheet flow is acceptable as long as the appropriate runoff volume is detained and treated within the site.

Correspondence with the LCDC office produced the following comments relative to site plan review level detail:

- The easement for the Marion No. 5 Drain from 1886 references a width from channel dimensions plus a distance of 8' back from the top of bank for the placement of spoils. Given the changes in

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land use since 1886, LCDC requests a wider easement (66' total, 33' each side of the drain) for drain maintenance purposes.

- Our estimation of the drain bottom elevation in the vicinity of the proposed detention basin outlet is somewhere between 897.9 and 898.2. The drain bottom should be confirmed in the area of the proposed basin outlet pipe. If the outlet invert is more than 2' above the drain bottom, the risk of erosion will cause LCDC to require a performance bond from the applicant (minimum \$5,000 cash). These funds will be released to the owner after the outlet has stabilized and has been tested by a minimum of three full basin discharge events.
- A commercial soil erosion control permit will be required for the project. A soil erosion control plan will be required for the project.

We defer to the LCDC for any additional comments regarding stormwater management and the Marion No. 5 drain. A permit from LCDC will be required for the drain enclosure.

A permit will be required from EGLE for the drain enclosure.

Paving and Parking

The existing building has a combination of paved and gravel parking. The proposed project includes extending the existing gravel parking area in the southeast corner of the building site across the Marion No. 5 drain and creating a vehicle roadside display area at the corner of D-19 and Francis Road. The main RV storage lot will accommodate approximately 45 new parking stalls. There is no indication given of the number of parking spaces or vehicles this area will hold. There is also a small parking lot expansion proposed in the northwest corner of the existing site. This has already been constructed. This area creates roughly 9 new parking spaces.

A portion of the roadside display area has also already been constructed. This area currently has a drive approach to Francis Road along with a gate. The current plans do not reflect the field conditions and should be modified to reflect the actual intent for that area. Please clarify if the gate will be removed as well as the drive approach. It is our understanding that the Livingston County Road Commission has not approved this drive approach.

All of the proposed parking spaces meet the Township minimum size of 9'x20'.

All of the parking areas being proposed as gravel parking areas. No pavement or curb is proposed. The Township zoning ordinance 14.04.D states:

Commercial parking areas with a capacity of four (4) or more vehicles shall be surfaced with a material that shall provide a durable, smooth, and dustless surface and shall be graded and provided with adequate drainage.

For commercial and industrial areas our recommendation is for some type of pavement, either HMA or concrete, be installed. It provides a more reliable surface and is easier to maintain. This is important for areas where the public has access and will be frequently occupying or traversing the parking lot. In this case, the general public access to these proposed gravel parking areas is limited. The Township has allowed gravel parking/vehicle storage lots in this general area on other developments and may wish consider it to be appropriate in this case as well.

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Site Lighting

Lighting is proposed around the perimeter of the RV storage lot and at the front of the existing building along D-19 (used car display area). The proposed light fixtures are solar powered LED. The provided photometric plan shows the average light level of the used car display area to be 3.1 footcandles (fc) with a max of 5.9 fc. The light levels at the property line in this area are generally 0.0 fc, which is acceptable. The provided map does not show all the way to the corner of Shroeder Park and D-19 and the light levels in this area are slightly above zero, but this should not create any problems as the levels are quite low.

The map indicates the light levels for the RV storage lot will average 3.7 fc with a max of 6.7 fc. The light levels shown at the eastern and southern property lines are slightly above zero. This may not cause any issues on Francis Road itself but the light levels along the eastern line should be lowered to 0.0 to avoid causing any issues with the retirement home to the east. The light levels are not overly bright but the Township requirement is for all light to be confined to the development site.

A few plan sheets indicate that lighting will be installed adjacent to the vehicle roadside display area along D-19 but this is not reflected on the photometric plan. A few lights are already installed in this area. The applicant should clarify the lighting situation for this lot and the photometric plan should be updated accordingly.

Recommendations

Should the Township wish to consider the plans for approval, we recommend the following conditions be placed on the approval:

1. Please indicate on the plans the existing drain capacity and the capacity of the proposed culvert for the drain enclosure.
2. Please verify that runoff from the proposed vehicle roadside display area will be captured in the stormwater management system.
3. Please provide the drain easement requested by LCDC
4. Please verify the drain bottom at the detention basin discharge pipe as requested by LCDC.
5. Please provide a soil erosion control plan.
6. Please clarify if the gate and drive approach will be removed in the area of the vehicle storage display.
7. Please reduce the light levels at the property line near the retirement home.
8. Please clarify the lighting intent for the vehicle roadside display and update the photometric plan accordingly.
9. Please provide permits or approvals from:
 - a. LCDC
 - b. EGLE
 - c. Howell Area Fire Department

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If you have any questions or need anything further, please feel free to contact our office.

Sincerely,



Philip A. Westmoreland, P.E.

Principal

SPICER GROUP, INC.

30300 Telegraph Road, Suite 100

Bingham Farms, MI 48025

CC: SGI File
Timothy J. Zimmer, P.E., Livingston Engineering (via email)
Ken Recker, P.E., Livingston County Drain Commissioner's office (via email)
Kim Hiller, P.E., Livingston County Road Commission (via email)
Greg Tatara, P.E., MHOG (via email)

Dave Hamann

From: Ken Recker <KRecker@livgov.com>
Sent: Tuesday, February 27, 2024 4:26 PM
To: Dave Hamann
Cc: Darrin Burns; Mitch Dempsey; Timothy J Zimmer
Subject: RE: [EXT] Request for review of revised site plan expansion for parking
Attachments: FW: [EXT] RE: FW: 66" culvert with headwall alternate - Schroeder Body Sh... (183 KB)

Hi Dave,

I discussed this with Phil earlier today. I also sent him a copy of the earlier correspondence, which I've also attached to this email. Other comments (above and beyond those in the attachment) would be as follows:

1. At the length of drain enclosure shown (95') the 66" metal pipe will require a banded joint underneath the proposed parking area. We do not allow CMP bands under vehicular travel surfaces within county drainage easements. We have provided the applicant with a price to install a HPPP plastic pipe at the proposed location. Alternately reinforced concrete pipe should be used.
2. The easement for the Marion No. 5 Drain from 1886 references a width from channel dimensions plus a distance of 8' back from the top of bank for the placement of spoils. Given the changes in land use since 1886, I'd request a wider easement (66' total, 33' each side of the drain) for drain maintenance purposes.
3. Our estimation of the drain bottom elevation in the vicinity of the proposed detention basin outlet is somewhere between 897.9 and 898.2. The drain bottom should be confirmed in the area of the proposed basin outlet pipe. If the outlet invert is more than 2' above the drain bottom, the risk of erosion will cause our office to require a performance bond from the applicant (minimum \$5,000 cash). These funds will be released to the owner after the outlet has stabilized and has been tested by a minimum of three full basin discharge events.
4. A commercial soil erosion control permit will be required for the project. A soil erosion control plan will be required for the project. Due to the close proximity of the Francis Road entrance to Pinckney Road, a tracking mat should be specified at the Francis Road entrance.

We did not perform a detailed review of the calculations on Sheet C6.0 as I trust Spicer will be doing that task as part of their normal site plan review.

Have a good evening! If you need anything further let me know.

Kenneth E. Recker, II, P.E.
Chief Deputy Drain Commissioner

From: Dave Hamann <za@mariontownship.com>
Sent: Tuesday, February 27, 2024 2:33 PM
To: Ken Recker <KRecker@livgov.com>; Jamil Czubenko <jczubenko@howellfire.net>; khiller@livingstonroads.org;
Aaron Aumock <AAumock@livgov.com>
Subject: [EXT] Request for review of revised site plan expansion for parking

"The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin."

Attached please find a revised site plan to allow expansion of parking for the previously approved Schroeder Body Shop at 50 Schroeder Park Dr. This site plan expands to the 5.3 acre south lot that Matt is adding to move parking for RV's and vehicles to that parking lot to relieve area around the shop

Dave Hamann

From: Bryan Hager <hafdinspector20@gmail.com>
Sent: Tuesday, March 19, 2024 4:19 PM
To: za@mariontownship.com
Subject: Schroeder

Dave,

Sorry-Jamil is out of town and he forwarded me this message so I can reply-I can do a formal letter if you need but to get you something for today here is what I can send now. Biggest thing from what I see would be maintaining fire department access around the building and between rows of RVs for the new lot area (20 foot clear width, 13 foot clear height). I am also not sure the distance of the roadside display dead end-thát may need a turnaround of some sorts Nothing major that is a flag for us moving forward. Let me know what else you may need or if you want a formal letter.

Thanks,
Bryan

Asst. Chief Bryan Hager
Howell Area Fire Department =

MARION TOWNSHIP
SPECIAL USE PERMIT

Application No: <u>01-24</u>
Date: <u>1-22-2024</u>

Name of Applicant: Christopher Smith
Address of Applicant: 2718 Sexton
Phone Number: 517-375-0358
Parcel ID Number: _____
Email: CSmith02777@gmail.com

The above applicant is: Owner Purchaser Representative

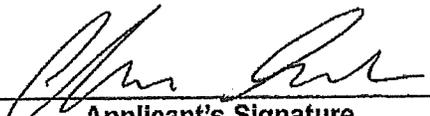
(Purchaser or representative will need a letter of permission from owner)

Please include the following with your request. These items are needed to determine administrative completeness:

- The current zoning of the property involved.
- Ten (10) copies of the required site plan *(per Section 18.03 of the Marion Township Zoning Ordinance.)*
- Supporting documentation with regard to all provisions of the Marion Township Zoning Ordinance pertaining to a Special Use Request.

The undersigned agrees to comply with all of the ordinance requirements for Marion Township. Further, the undersigned acknowledges being responsible for all costs incurred by the township in relation to this request. Such costs include, but are not limited to, engineering reviews, legal fees, newspaper notices, postage, etc. The applicant understands final approval is subject to complete payment of all incurred fees and any outstanding escrow balances.

Chris Smith
Applicant's Name (print)


Applicant's Signature

Office Use Only	
Date Received: _____	Fee Paid: _____
Materials Received: _____	Site Plans: _____
Application accepted by: _____	

Section 17.32 Home-based Business

Home Occupation regulations are provided in Section 6.14. Home-based businesses are considered special uses and are therefore subject to the provisions of Article XVII, Special Use Permits, and other applicable provisions of the ordinance. A Special Use Permit, and any conditions attached thereto, may be approved by the Township Board if all the criteria listed are met.

A home-based business is an occupation, business, commercial activity, company or profession carried on by family members residing on the premises that is clearly incidental and secondary to the principal single-family residential use and has one or more of the following characteristics and is not a farm operation as defined herein:

1. The business has one or more employees who do not reside on the premises, but who work on the premises or travel to the premises to pick up business vehicles or equipment for use off the premises.
2. The business has outside storage of materials or equipment solely related to the business within a designated and screened area; and/or
3. Has vehicles related solely to the home or business.

Questions/Description	Owner/Response
Local Requirements	
Home-based businesses are permitted by Special Use Permit Local in the Rural Residential and Suburban Residential Districts.	Zoned Rural Residential

Site Requirements:	
A. A home-based business may be permitted in both the dwelling unit and accessory structure. The home-based business shall not occupy more than twenty-five (25%) percent of the total gross floor area of said dwelling including the basement; however, it may encompass the entire accessory structure. Accessory structures used for business purposes shall conform to Section 6.07 Accessory Buildings and Structures.	Business is off site with equipment stored in accessory buildings
B. The residential appearance of the dwelling shall not be altered in order to conduct the home-based business.	Residential dwelling not altered

<p>C. The home-based business shall be clearly secondary and incidental to the use of the dwelling as a place of residence and shall not result in a change to the essential character of the premises including both the dwelling and yard areas.</p>	<p>Home Based business is separated from dwelling</p>
<p>D. All of the activities on the property related to equipment and vehicle repair, cleaning, painting and maintenance associated with the home-based business shall be carried on indoors.</p>	<p>All activities are performed indoors</p>
<p>E. Storage and use of combustible, toxic or hazardous material associated with the home based business shall be done in a manner in full compliance with all federal, state and other governmental requirements concerning the use, handling, transport, storage and disposal of any such materials.</p>	<p>Very limited use of chemicals and all materials are handled and stored with the utmost care and in compliance with state and federal regulations.</p>
<p>F. Solid or liquid refuse or waste or hazardous waste generated by the home-based business shall be safely and properly disposed of in a manner in full compliance with all federal, state and other governmental requirements of any such materials.</p>	<p>All oil and antifreeze is disposed at Livingston Waste Collection sites.</p>
<p>G. In no case will radioactive, medical, or biomedical chemicals or materials waste be received, used, processed or stored on the site of the home-based business.</p> <p>. No equipment or process shall be used in such home-based business that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal human senses off the subject site. In addition, in regard to electrical interference, no equipment or process shall be used that creates visual, audible, or noticeable interference in any radio or television receivers off the site or that causes fluctuation in line voltage off the site.</p>	<p>No radioactive/medical/biomedical chemicals or materials used.</p>

<p>I. The home-based business shall be conducted so it does not constitute a nuisance or annoyance to the residents of adjoining properties due to noise, smoke, odor, electrical disturbance or night lighting, or the creation of unreasonable traffic to the premises.</p>	<p>We will not conduct any noise disturbances or fumes/glazes/odors/electrical fluctuations to surrounding properties.</p> <p>Business-related work is all done off site with only loading on equipment done on site.</p>
<p>J. A resident of the dwelling on the parcel shall be actively and personally engaged in and responsible for all home occupation operations. The number of non-resident employees who can be employed by a home-based business shall be regulated by the size of the parcel containing the business as follows: Minimum Parcel Size Maximum Number of Non-Resident Employees Up to 6 acres 1 6 acres and less than 10 acres 2 10 acres and less than 12 acres 3 12 or more acres 4 The Planning Commission may recommend or the Township Board may, in its discretion, allow a greater number of non-resident employees than those shown in the table above, where the operator of the business can provide clear and convincing evidence that doing so will not interfere with the principal single-family residential use of the premises and also the surrounding area, and further, only where the non-resident employees travel to the premises to pick up business vehicles or equipment for use off the premises. In the event the home-based business premises are split or otherwise reduced in acreage, the operator will immediately be limited to the number of non-resident employees allowed on the remaining home-based business premises as shown in the table above, unless the operator seeks a new Special Use Permit on the remaining premises within 90 days of the split or reduction in acreage. In the new Special Use Permit, the Planning Commission may recommend or the Township Board may in its discretion reduce the number of non-resident employees allowed on the remaining premises.</p>	<p>The acreage is under 6. All employees over 1 will meet on Job Sites and return to the house only to pick up/ or drop off a piece of equipment.</p>

<p>K. Outdoor storage of materials and equipment involved in the business is permitted provided it is adequately screened so it is not visible from adjoining roads and properties. Measures to screen such material or equipment are subject to the recommendation of the Planning Commission and approval of the Township Board and shall include, but are not limited to, one or more of the following: a solid fence no more than six feet in height; plantings that are at least five feet in height at planting and will provide an adequate year-round screen; the topography of the site; existing vegetation on the site; or the screening is provided by existing buildings.</p>	<p>Measures are in place and process to shield any visibility from the road. Currently working on a berm north Street side of property. With planting going in on the south side.</p> <p>Another barn projected in the future to house any overflow of equipment.</p>
<p>L. The home-based business shall comply with all applicable federal, state and local laws, including, but not limited to, laws regarding licensing, occupational health and safety, and the environment.</p>	<p>Business is licensed and insured, and all work is done off premises.</p>
<p>M. Home-based business approval is not transferable with the sale, rental or lease of the dwelling unit.</p>	
<p>N. Home-based businesses are allowed signage. See Article XV Signage</p>	<p>No signage needed; no customers visit the home base business.</p>
<p>O. Visitors, customers and deliveries shall not exceed a total of twelve (12) during a single day, 7am – 7pm. The Planning Commission may recommend, or the Township Board may modify this standard in the case where the Planning Commission or the Township Board determines that the operation of the home-based business will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. No traffic shall be generated by the home-based business in volumes in excess of that which is normally associated with a single-family dwelling,</p>	<p>No business visitors or customers will visit the home. Also, any business-related deliveries will never exceed 12 in a day.</p> <p>Deliveries are rare and no customers visit home.</p> <p>No excessive traffic due to no business visitors or customers visiting the site. Which includes no addition parking needed.</p>

<p>and such traffic shall be limited to passenger vehicles, delivery vans, and similarly-sized vehicles. The Township Board may relax this requirement upon a finding that the allowance of a specified increase in traffic, including truck traffic, will not undermine the public safety and welfare based on such factors as the size of the parcel, the proximity of nearby residences, and road and dust conditions, nor unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. Nothing in this subsection shall be interpreted to allow outdoor parking in excess of that regulated by subsection below.</p>	
<p>P. In no case shall more than eight (8) motor vehicles be temporarily or permanently parked or located outdoors, including vehicles owned or used by residents of the dwelling and employees of the business. The Township Board may decrease the above standard in the case where the Township Board determines that, without such reduction in the standard, the operation of the home-based business will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. The Township Board may require screening of parking areas to minimize negative impacts on neighboring properties.</p>	<p>Currently have 4 trucks for business and 2 personal for the residents and 1 employee vehicle.</p> <p>All trucks are stored outside of visibility for the road and kept for negative impacting neighbors' views.</p>

Performance Standards:	
<p>Prior to recommending approval, the Planning Commission shall determine that the proposed home-based business is not incompatible with existing land uses in the area and would not be detrimental to the safety or convenience of vehicular or pedestrian traffic.</p> <p>A. For a home-based business, an informal site plan (does not need to comply with the requirements found in Article XVIII Site Plan</p>	<p>Attached is special use permit and site review for zoning.</p>

Review) or plot plan must be submitted for review and recommendation by the Marion Township Planning Commission. The site plan shall be to scale and need only illustrate the following: 1) Owner's name, parcel identification (tax ID#) and address. 2) An 11 x 17-inch color aerial photograph of the site area and surrounding areas showing overlaying property lines with contour lines and the proposed site layout with dimensions. (available at Livingston County GIS). 3) Existing and proposed structures with dimensions indicating the location(s) and square footages to be occupied by the home-based business, subject property setbacks as well as distances from the proposed home-based business location on-site to adjacent property lines. 4) Location of driveways, off-street parking areas & delivery and storage areas. 5) Proposed landscaping/screening in association with any parking to minimize negative impacts on nearby properties, 6) The location, character, and dimensions of any structural additions or modifications to an existing dwelling or accessory structure to accommodate the home-based business.

B. In addition to the information required in this section and the site plan described above, the applicant shall submit a detailed description of the nature of the home-based business, which shall clearly specify the following minimum features: 1) A detailed description of the character of the home-based business including but not limited to the service or product offered and the typical daily schedule of activities of such business. 2) The type and frequency of vehicular traffic to be generated by the home-based business. The maximum number of vehicles to be parked or otherwise located outdoors including vehicles owned or used by residents of the dwelling and employees of the home-based business. 3) The number of full-time and part-time employees of the business and the

Lawn and landscape maintenance services performed off site during seasonal months April-November depending on weather.
8am – 6pm

frequency at which such employees will be present at the site.

C. The Planning Commission may require additional information if it determines the character of the project, site or surrounding conditions necessitates further investigation, allowing it to make a sound decision on the application.

D. Any approval of a home-based business, and any permit issued for such occupation, shall clearly delineate any conditions upon which such approval is granted including any conditions pertaining to the number of employees, outdoor parking of vehicles, an

Property line

501.93

240.57

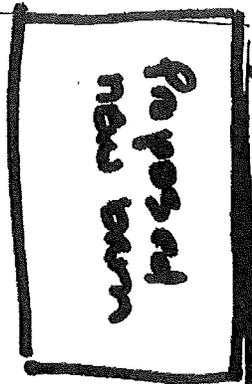
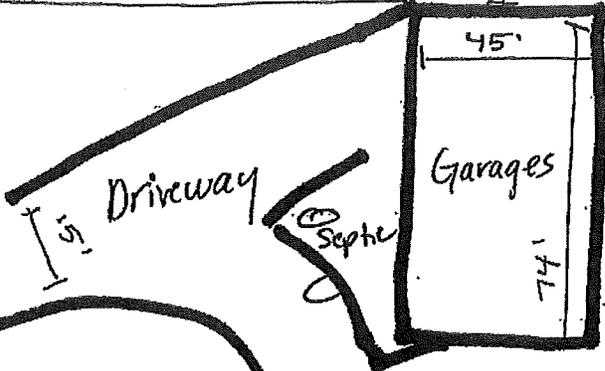
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278

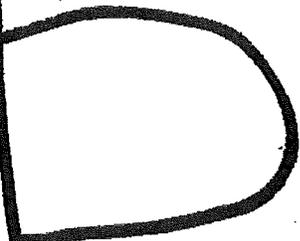
85'

342'

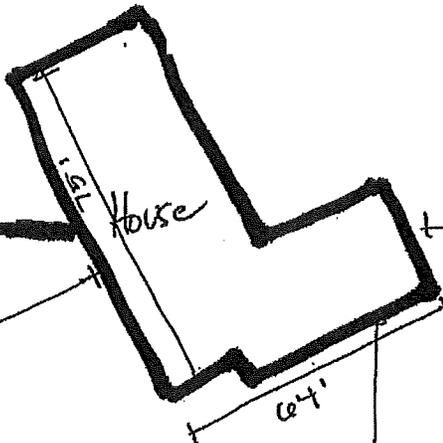
208.54



495.15



31' Driveway



Property Line

254.03

95' Owell

71

64'

131'

Sexton Rd

NT ↑

278.72

Property Line

Christopher Smith



Find address or place



- Par
- Pro
- Ac
- Cl
- Zoc

02 074 42 545 Degrees

II. SOLID SALT AND SAND-SALT STORAGE Possible ways to eliminate the requirement for sand-salt mixture storage and containment provisions would be:

- Use alternative deicing products and clean sand whenever possible to eliminate salt contaminated runoff.
- Store the sand and salt separately and batch-mixed it on an as needed basis, if the amount of salt on-site is below 5 tons. If solid salt and sand-salt are on-site and meet threshold management quantities of 5 tons or more, the following provides requirements and guidelines for proper storage at salt loading and unloading sites.

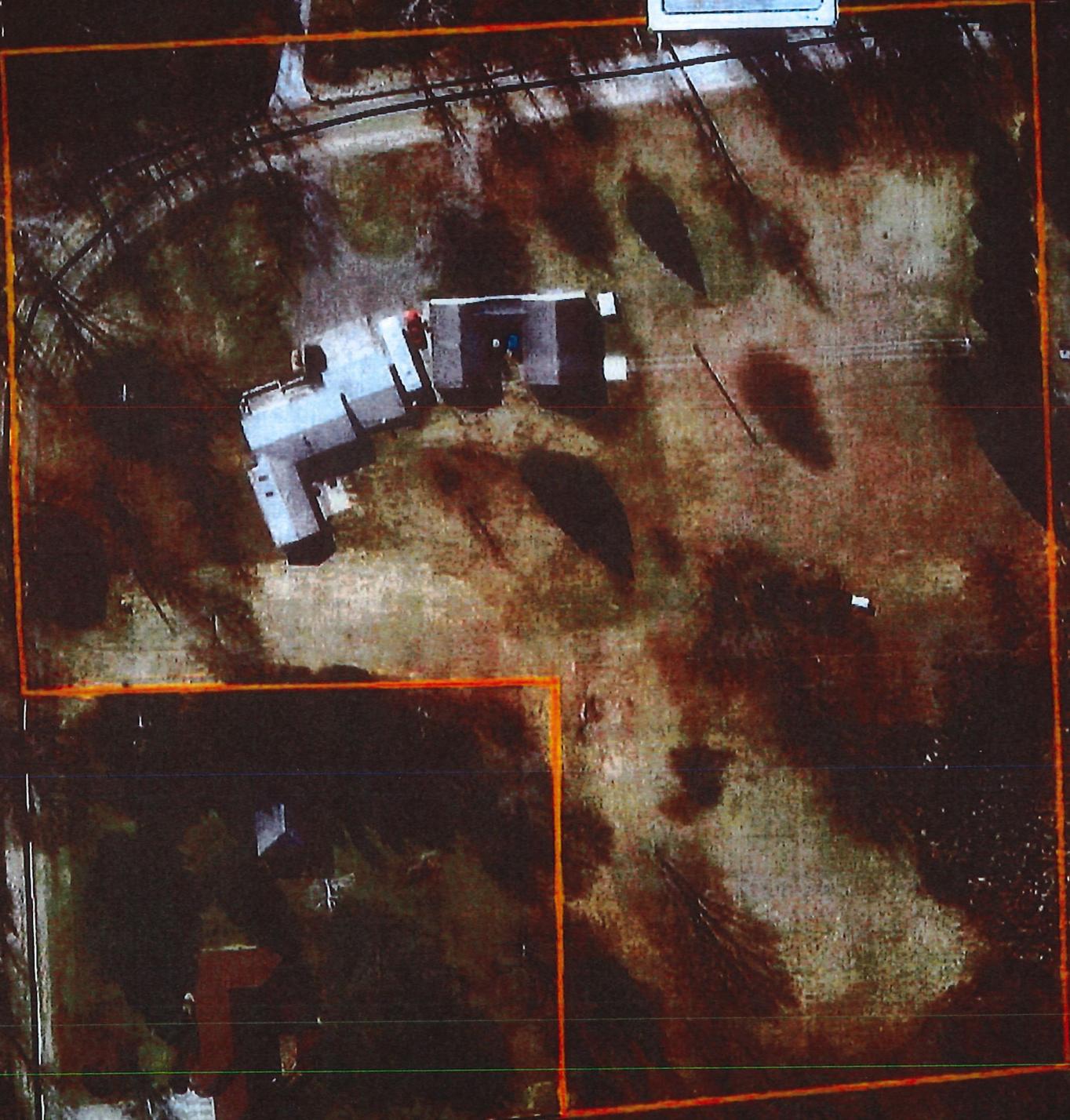
A. All solid salt and sand-salt at the site must be stored in an enclosed building, or covered with waterproof tarps, when the facility's total salt storage exceeds the threshold management quantity. This practice will help prevent the generation of salt contaminated runoff and the need for runoff collection and disposal. Storage on impervious surfaces such as asphalt or coated concrete that provide 1×10^{-7} centimeters per second permeability or less should also be utilized to eliminate salt contaminants from seeping to groundwater. If tarps are used, it will be necessary to ensure they are providing the necessary salt protection. The rules do not require a specific type of structure to be built. For more guidance on constructing salt storage units or calculating space needed for storage, see the salt storage publications from the Salt Institute. At the www.saltinstitute.org website, select "About the Salt Institute" "Publications and Audio-visual materials" and scroll down to "Winter Maintenance". The Salt Storage Handbook contains tables showing how much space different height piles will cover and also provides exposure surface areas to use in calculating how many tarps would be needed for covering salt piles. Road agencies may also contact the Michigan Department of Transportation at 517-322-3319 for information.

B. All solid salt and sand-salt must be stored at least 50 feet from the shore or bank of any lake or stream or any designated wetland.

C. Any salt and sand-salt containment structures located within a 100-year floodplain as defined by the federal flood disaster protection act of 1973, 42 U.S.C. 4001 et seq., must be designed and constructed to remain effective during a 100-year flood. Some floodplain information is on the Internet through the Federal Emergency Management Agency at www.fema.gov. Floodplain information may be available through watershed groups, and Soil and Water Conservation District. Or contact the DEQ Land and Water Management Division, Water Management Section at 517-373-1170.

D. Storage and handling of solid salt awaiting transfer at regional distribution sites, and sandsalt not stored within an enclosed structure, must be designed to contain the salt to prevent run-on, runoff, seepage, or leakage to public sewers or to surface water or groundwater. The salt containment should include storage on an impervious pad and a waterproof tarp covering at all times prior to use. The pad must be sloped to direct salt contaminated runoff to an appropriate collection area, and in a manner that prevents the runoff from reaching the soil or surface waters. The curbing must also direct runoff to an appropriate col

No Image
on File



Special Use Permit Review for Marion Township Planning Commission

INTRODUCTION

Petition Number	SUP 01-24 Smith
Applicant	Christopher Smith
Request	Special use permit for a lawn and landscaping home-based business
Location	Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell
Parcel Number	10-16-200-019

PETITION SUMMARY

The applicant is requesting special use permit approval for a home-based business. The proposed use is a seasonal lawn and landscaping business. Home-based businesses require special use permit approval in Rural Residential (RR) zoning districts.

According to information provided by the applicant, the home-based business will:

- store equipment in accessory buildings
- not alter the character of the existing single-family dwelling
- make limited use of chemicals, in compliance with state and federal regulations
- dispose of oil and antifreeze at Livingston County Waste Collection sites
- not use radioactive, medical, or biomedical chemicals or materials
- not generate noise disturbances, fumes, glares, or electrical fluctuations
- only have 1 non-resident employee on site, with other employees only visiting to collect or return equipment
- install screening, such as a berm and planting to provide screening from Sexton
- not have signage
- not have any business visitors or customers
- have less than 12 business-related trips/deliveries in a day
- not require additional parking
- use 4 trucks
- provide lawn and landscape maintenance services off-site from April through November from 8:00 am through 6:00 pm

SUP 01-24 Smith
Home-based Business- Lawn and Landscape
February 5, 2024

Special use permit applications usually also require site plan review and approval. Home-based businesses may provide a less formal site plan that shows basic parcel information; existing and proposed structures; driveway, parking, and storage areas; proposed landscaping; and details of proposed additions or modifications. The Planning Commission and Township Board may require additional information during review.

The application appears to include most but not all of the required information.

PROPERTY INFORMATION

Address 2718 Sexton

Location Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell

Parcel Numbers 10-16-200-019

Lot Area 4.57 acres (*gross, includes right-of-way*)

Parcel Number 10-16-200-019

Frontage ~640 feet (*including southern and western front lot lines*)

Current Zoning Rural Residential (RR)

Existing Uses Single-family dwelling

Future Land Use Map Low Density Residential

SPECIFIC USE STANDARDS

Specific standards for home-based businesses are outlined in §17.32 Home-based Businesses.

Home-based businesses are more intensive than home occupations and are recognized as an occupation, business, commercial activity, company, or profession conducted by family members living on the property. Home-based businesses may have non-resident employees, may store equipment or materials in a screened area, or has vehicles dedicated to the activity.

There are 16 site standards for home-based business. Those standards requiring closer attention are examined below.

It appears likely that the home-based business will occupy less than 25 percent of the total gross floor area of the dwelling. Additional information should be provided concerning the floor area of the dwelling and of the home-based business.

The application states all activities will be performed indoors. It is our understanding that there may be outdoor storage of salt during winter. This should be clarified and shown on the plans, with months of operation amended as necessary.

Some chemicals will be used as part of the home-based business. These chemicals should be clarified with storage and containment information provided. The property is adjacent to a wetland area and surrounding residential properties.

Home-based occupations on parcels with a lot area of up to 6 acres can have a maximum of 1 non-resident employee. Additional non-resident employees may be permitted by the Township if the operator presents clear and convincing evidence that 1) additional non-resident employees will not impact the surrounding single-family residential use and surrounding area and 2) non-resident employees are limited to visiting the premises to drop-off or pick-up equipment. The application indicates that there will be additional non-resident employees, but the number of non-resident employees is not specified. The applicant should also clarify if non-resident employees will be parking their personal vehicles on the site while using work vehicles or where their personal vehicles will be parked when visiting the site.

Outdoor storage of materials or equipment must be screened from adjacent roads and properties. The application states that some additional screening will be installed. The location and exact nature of this screening is not clear, so it is not possible to determine compliance at this time.

The application proposes limiting hours of operation to 8:00 am through 6:00 pm. This is consistent with permitted hours of operation. The applicant should confirm that operations will not take place outside of the proposed hours, as doing so could result in revocation of the special use permit.

It appears most of the other site standards for a home-based business are satisfied or could be satisfied.

There are 4 performance standards for home-based businesses, primarily focused on application materials and review processes. Those standards requiring closer attention are examined below.

The application states that there will be 4 vehicles for the home-based business. This should be confirmed. If additional vehicles are anticipated in the future, it could require a new special use permit review and approval for the modification.

The application state that there will be additional non-resident employees, but it does not state how many there will be.

Approval of the special use permit for the home-based business should be in the form of a resolution, similar to a zoning map amendment resolution, to clearly document the findings and conditions of approval.

The proposed home-based occupation may meet the specific standards, but additional information is necessary to confirm compliance.

DECISION CONSIDERATIONS

The special use permit process is outlined in Article XVI Special Use Permits.

Unlike other special use permit applications, home-based businesses do not require full site plans.

The Planning Commission reviews special use permits at a public hearing and makes a recommendation to the Township Board, which makes the final decision.

In order to approve a special use permit, all of the bases of determination must be found to be true. These bases are defined in §16.05 Basis of Determination and are explored below.

The comments below are based on information provided in the application and through research. Additional information may be discovered or provided at the Planning Commission meeting.

1. Be harmonious with and in accordance with the general principles and objectives of the Comprehensive Plan of the Township.

Home-based businesses are consistent with the general principles and objectives of the Master Plan, provided they do not create negative impacts on surrounding properties. Additional information, such as screening, number of employees, and material storage, is necessary for confirmation of potential impacts.

2. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

Additional information, such as screening, number of employees, material storage, vehicle parking location, and building setback, is necessary to confirm if the proposed home-based business will be harmonious with the surrounding residential area.

3. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will substantially improve property in the immediate vicinity and in the community as a whole?

Additional information, such as material storage and building setback, is necessary to determine if the proposed home-based business will be hazardous or disturbing to the surrounding area.

4. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools.

It appears likely that the proposed home-based business will be adequately served by essential public facilities and services.

5. Not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

It does not appear that the proposed home-based business will not be detrimental to nearby residents or properties if activities are conducted indoors and outdoor equipment and material storage is properly located and screened.

6. Meet the intent and purpose of the zoning regulations; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.

The proposed home-based business is a special use permit in the Rural Residential (RR) district. It appears to meet most of the specific standards, but additional information is necessary, as outlined in this report, to confirm compliance with all of the specific standards for a home-based business.

7. Ensure that landscaping shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications, which result in maximum harmony with adjacent areas.

The application states that a berm and trees will be added to provide some screening. It is not clear what other modification or tree removal might be necessary. Additional information should be provided.

8. Ensure that special attention shall be given to proper site surface drainage so that removal of storm waters will not adversely affect neighboring properties.

It does not appear that there will be significant surface improvements that would increase stormwater runoff. Additional information about the proposed accessory building, such as setback and how runoff will be directed, should be provided.

9. Ensure that all exterior lighting shall be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or Intermittent lights shall not be permitted.

The applicant should confirm if there will be any exterior lighting and provide details for any exterior lighting.

10. Meet the site plan review requirements of Article XVIII. If the applicant chooses to submit a preliminary site plan, the special use permit may also be considered preliminary.

Home-based businesses do not need to meet the full site plan requirements of Article VIII, per §17.32 Performance Standards (A). The informal site plan that has been submitted is not drawn to scale and does not include all of the necessary information at this time. The informal site plan should be revised to include missing information identified in this report and required by the Planning Commission.

11. Conform to all applicable state and federal requirements for that use.

This should be a condition of approval.

SUP 01-24 Smith
Home-based Business- Lawn and Landscape
February 5, 2024

PETITION TIMELINE

The application was submitted to the Township on January 22, 2024.
The application will go before the Planning Commission at its February 13, 2024, meeting.
Following a recommendation from the Planning Commission, the application will be forwarded to the Township Board for final action.

SUMMARY

The requested special use permit for a lawn and landscaping home-based business may be consistent with the specific standards and bases of determination. However, additional information, identified throughout this report, is needed to confirm consistency with some of the specific standards and bases of determination.

The Planning Commission should review the information available and direct the applicant to provide additional information.

A draft resolution has not been prepared at this time due to the need for additional information and documentation.

We look forward to helping facilitate this process at the meeting.

Zach Michels
Quality Zoning
Dexter, MI

Section 17.32 Home-based Business

Revision for all areas that needed clarification per meeting.

Clarifications added to original in red. Please note that these are proposed and not how we functioned in the past but moving forward after approval.

Also, there is an open land balancing permit with Livingston County for 8a-8p that is work on the home. This is not business work. The business is done at customers' homes.

Home Occupation regulations are provided in Section 6.14. Home-based businesses are considered special uses and are therefore subject to the provisions of Article XVII, Special Use Permits, and other applicable provisions of the ordinance. A Special Use Permit, and any conditions attached thereto, may be approved by the Township Board if all the criteria listed are met.

A home-based business is an occupation, business, commercial activity, company or profession carried on by family members residing on the premises that is clearly incidental and secondary to the principal single-family residential use and has one or more of the following characteristics and is not a farm operation as defined herein:

1. The business has one or more employees who do not reside on the premises, but who work on the premises or travel to the premises to pick up business vehicles or equipment for use off the premises.
2. The business has outside storage of materials or equipment solely related to the business within a designated and screened area; and/or
3. Has vehicles related solely to the home or business.

Questions/Description	Owner/Response
Local Requirements	
Home-based businesses are permitted by Special Use Permit Local in the Rural Residential and Suburban Residential Districts.	Zoned Rural Residential

Site Requirements:	
<p>A. A home-based business may be permitted in both the dwelling unit and accessory structure. The home-based business shall not occupy more than twenty-five (25%) percent of the total gross floor area of said dwelling including the basement; however, it may encompass the entire accessory structure. Accessory structures used for business purposes shall conform to Section 6.07 Accessory Buildings and Structures.</p>	<p>Business is off site with equipment stored in accessory buildings. There is a separate open land balance permit for work on property. Any Outside work for business is loading or small bits of maintenance that can not be done indoors. I need to be able to use my land balancing permit without the being accused of work. My work is landscaping done on other people's homes.</p> <p>But the business its self is off site and done on customers properties .</p>

<p>B. The residential appearance of the dwelling shall not be altered in order to conduct the home-based business.</p>	<p>Residential dwelling not altered</p>
<p>C. The home-based business shall be clearly secondary and incidental to the use of the dwelling as a place of residence and shall not result in a change to the essential character of the premises including both the dwelling and yard areas.</p>	<p>Home Based business is separated from dwelling Please note that there is Current improvements being done at home that is not business activity by balancing land for personal enjoyment and improvement for home.</p>
<p>D. All of the activities on the property related to equipment and vehicle repair, cleaning, painting and maintenance associated with the home-based business shall be carried on indoors.</p>	<p>All activities are performed indoors, except for loading machinery and salt.</p>
<p>E. Storage and use of combustible, toxic or hazardous material associated with the homebased business shall be done in a manner in full compliance with all federal, state and other governmental requirements concerning the use, handling, transport, storage and disposal of any such materials.</p>	<p>Very limited use of chemicals and all materials are handled and stored with the utmost care and in compliance with state and federal regulations. PIPP is in place and registered with DEQ. Find attached documents of adjustment made a PIPP in place.</p>
<p>F. Solid or liquid refuse or waste or hazardous waste generated by the home-based business shall be safely and properly disposed of in a manner in full compliance with all federal, state and other governmental requirements of any such materials.</p>	<p>All oil and antifreeze is disposed at Livingston Waste Collection sites.</p>
<p>G. In no case will radioactive, medical, or biomedical chemicals or materials waste be received, used, processed or stored on the site of the home-based business. . No equipment or process shall be used in such home-based business that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal human senses off the subject site. In addition, in regard to electrical interference, no equipment or process shall be used that creates visual, audible, or noticeable interference in any radio or television receivers off the site or that causes fluctuation in line voltage off the site. I. The home-based business shall be conducted so it does not constitute a nuisance or annoyance to</p>	<p>No radioactive/medical/biomedical chemicals or materials used.</p>

<p>the residents of adjoining properties due to noise, smoke, odor, electrical disturbance or night lighting, or the creation of unreasonable traffic to the premises.</p>	<p>We will not conduct any noise disturbances or fumes/glazes/odors/electrical fluctuations to surrounding properties.</p> <p>Business-related work is all down off site with only loading on equipment and tools done on site.</p>
<p>J. A resident of the dwelling on the parcel shall be actively and personally engaged in and responsible for all home occupation operations. The number of non-resident employees who can be employed by a home-based business shall be regulated by the size of the parcel containing the business as follows: Minimum Parcel Size Maximum Number of Non-Resident Employees Up to 6 acres 1 6 acres and less than 10 acres 2 10 acres and less than 12 acres 3 12 or more acres 4 The Planning Commission may recommend or the Township Board may, in its discretion, allow a greater number of non-resident employees than those shown in the table above, where the operator of the business can provide clear and convincing evidence that doing so will not interfere with the principal single-family residential use of the premises and also the surrounding area, and further, only where the non-resident employees travel to the premises to pick up business vehicles or equipment for use off the premises. In the event the home-based business premises are split or otherwise reduced in acreage, the operator will immediately be limited to the number of non-resident employees allowed on the remaining home-based business premises as shown in the table above, unless the operator seeks a new Special Use Permit on the remaining premises within 90 days of the split or reduction in acreage. In the new Special Use Permit, the Planning Commission may recommend or the Township Board may in its discretion reduce the number of non-resident employees allowed on the remaining premises.</p>	<p>The acreage is under 6. All employees over 1 will meet on Job Sites and return to the house only to pick up/ or drop off a piece of equipment.</p> <p>1 nonresident employee will meet at residence others will drive to job site or take work truck home. That 1 nonresidential employee will park their personal vehicle and use a business vehicle on site per ordinance.</p>
<p>K. Outdoor storage of materials and equipment involved in the business is permitted provided it</p>	<p>Measures are in place and process to shield any visibility from the road. Currently working on a</p>

<p>is adequately screened so it is not visible from adjoining roads and properties. Measures to screen such material or equipment are subject to the recommendation of the Planning Commission and approval of the Township Board and shall include, but are not limited to, one or more of the following: a solid fence no more than six feet in height; plantings that are at least five feet in height at planting and will provide an adequate year-round screen; the topography of the site; existing vegetation on the site; or the screening is provided by existing buildings.</p>	<p>berm north Street side of property. With planting going in on the south side.</p> <p>Per site plan, we have established we are removing the berm and planting trees per ordinance of 20ft spacing. They are drawn on site plan with a total of 13 evergreens going in. We have removed asking for another building at this time.</p>
<p>L. The home-based business shall comply with all applicable federal, state and local laws, including, but not limited to, laws regarding licensing, occupational health and safety, and the environment.</p>	<p>Business is licensed and insured, and all work is done off premises.</p>
<p>M. Home-based business approval is not transferable with the sale, rental or lease of the dwelling unit.</p>	
<p>N. Home-based businesses are allowed signage. See Article XV Signage</p>	<p>No signage needed; no customers visit the home base business.</p>
<p>O. Visitors, customers and deliveries shall not exceed a total of twelve (12) during a single day, 7am – 7pm. The Planning Commission may recommend, or the Township Board may modify this standard in the case where the Planning Commission or the Township Board determines that the operation of the home-based business will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. No traffic shall be generated by the home-based business in volumes in excess of that which is normally associated with a single-family dwelling, and such traffic shall be limited to passenger vehicles, delivery vans, and similarly-sized vehicles. The Township Board may relax this requirement upon a finding that the allowance of a specified increase in traffic, including truck traffic, will not undermine the public safety and welfare based on such factors as the size of the parcel, the proximity of nearby residences, and road and dust conditions, nor unreasonably</p>	<p>No business visitors or customers will visit the home. Also, any business-related deliveries will never exceed 12 in a day.</p> <p>Deliveries are rare and no customers visit home.</p> <p>No excessive traffic due to no business visitors or customers visiting the site. Which includes no addition parking needed.</p>

<p>interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. Nothing in this subsection shall be interpreted to allow outdoor parking in excess of that regulated by subsection below.</p>	
<p>P. In no case shall more than eight (8) motor vehicles be temporarily or permanently parked or located outdoors, including vehicles owned or used by residents of the dwelling and employees of the business. The Township Board may decrease the above standard in the case where the Township Board determines that, without such reduction in the standard, the operation of the home-based business will unreasonably interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area. The Township Board may require screening of parking areas to minimize negative impacts on neighboring properties.</p>	<p>Currently have 4 trucks for business and 2 personal for myself, and 1 employee vehicle.</p> <p>All trucks are stored outside of visibility for the road and kept for negative impacting neighbors' views. Still working on adjusting the visibility with an open land balancing permit until July. I need to be able to do work on my own property without people thinking it is for my business. The land balancing permit is form 8a-8p.</p> <p>Per site plan attached with will be planting trees and parking strategically to minimize visibility.</p>

<p align="center">Performance Standards:</p>	
<p>Prior to recommending approval, the Planning Commission shall determine that the proposed home-based business is not incompatible with existing land uses in the area and would not be detrimental to the safety or convenience of vehicular or pedestrian traffic.</p> <p>A. For a home-based business, an informal site plan (does not need to comply with the requirements found in Article XVIII Site Plan Review) or plot plan must be submitted for review and recommendation by the Marion Township Planning Commission. The site plan shall be to scale and need only illustrate the following: 1) Owner's name, parcel identification (tax ID#) and address. 2) An 11 x 17-inch color aerial photograph of the site area and surrounding areas showing overlaying property lines with contour lines and the proposed site layout with dimensions. (available at Livingston County GIS). 3) Existing and proposed structures with dimensions indicating the location(s) and square footages to be occupied by the home-based business, subject property setbacks as well</p>	<p>Attached is special use permit and site review for zoning.</p> <p>Attached is a new site plan done by Boss engineering with the proposed landscape screening per zoning ordinance.</p> <p>No additional building at this time. No exterior lights to be installed.</p> <p>Will do what ever is necessary to make an dwelling harmonious and working an fixing all site lines.</p>

<p>as distances from the proposed home-based business location on-site to adjacent property lines. 4) Location of driveways, off-street parking areas & delivery and storage areas. 5) Proposed landscaping/screening in association with any parking to minimize negative impacts on nearby properties, 6) The location, character, and dimensions of any structural additions or modifications to an existing dwelling or accessory structure to accommodate the home-based business.</p>	
<p>B. In addition to the information required in this section and the site plan described above, the applicant shall submit a detailed description of the nature of the home-based business, which shall clearly specify the following minimum features: 1) A detailed description of the character of the home-based business including but not limited to the service or product offered and the typical daily schedule of activities of such business. 2) The type and frequency of vehicular traffic to be generated by the home-based business. The maximum number of vehicles to be parked or otherwise located outdoors including vehicles owned or used by residents of the dwelling and employees of the home-based business. 3) The number of full-time and part-time employees of the business and the frequency at which such employees will be present at the site.</p>	<p>Bulk of operations - Lawn and landscape maintenance services performed off site during seasonal months March- November depending on weather. 8am – 6pm Winter Operations of Nov-Feb are limited and are constantly being adapted to on going conditions.</p>
<p>C. The Planning Commission may require additional information if it determines the character of the project, site or surrounding conditions necessitates further investigation, allowing it to make a sound decision on the application.</p>	<p>Inserted clarification in red for any concerns or questions that arose.</p>
<p>D. Any approval of a home-based business, and any permit issued for such occupation, shall clearly delineate any conditions upon which such approval is granted including any conditions pertaining to the number of employees, outdoor parking of vehicles, an</p>	

POLLUTION INCIDENT PREVENTION PLAN (PIPP)

I. Identification Information

a. Location/Mailing Address:

Timberline Outdoor Services 2718 Sexton Rd
Howell MI, 48843

Phone 517-375-0358 Business 517-672-9419

b. Spill Coordinators and cell phones to be called if have a release:

1. Chris Smith (Owner) 517-375-0358, Spill Coordinator

2. Sarah Smith 517-672-9419, Alternate Spill Coordinator 1

if Chris 517-375-0358 Alternate Spill Coordinator 2 if Chris is not available Sarah Smith 517-672-9419

c. Location Map attached at end of papers d. Facility Operations: Office, maintenance shop, equipment storage building, and onsite storage of polluting materials

Michigan Department of Environmental Quality

Peas Hotline 800-292-4706

II. Materials Stored

a. Solid Salt Max. 50 tons, salt storage building Salt is the only material that exceeds threshold planning quantities.

e. Bulk Gasoline Max. 600 gal., two 300 gallon above ground tanks with extra containments being installed by 3/22/24 1 tank is 87 GAS-ETHANOL 1 tank is low sulfur Deisel

III. Storage/Buildings

a. Above Ground Gasoline Storage Tanks – new 2022 Consists of two 550 gal. stainless steel tanks. Secondary containment consists of dual wall construction with leak detection system. Corrigan is supply second containment – Receipt attached

b. Salt Storage Building – built 2023 Concrete Bin Block construction with concrete curbed pad. Covered loading/unloading area with concrete pad sloped to center. Drains permanently blocked off to allow collection of snowmelt and rain.

c. Annual employee training on spill prevention and cleanup, new employees trained before operating equipment.

b. Weekly inspections of site looking for any signs of releases.

c. Procedures put in place to minimize spills while loading/unloading. We also will have a hydro vac trailer to vacuum any spills along with skid steers to scrap spills

- d. Minor spills will be contained and cleaned up. Soak up liquids with absorbents like clay or sand. If no free liquid is put in trash if approved by waste disposal company. Sweep up spilled salt and use for deicing.
- e. Large spills and/or road accidents where materials got into water, call cleanup contractor.

Spill Coordinator will report the following spills:

1. Salt spills over 50 pounds or 50 gallons of brine onto the ground or into water: Call MDEQ PEAS and 911 as required by Part 5 rules
2. Gasoline release of 32 gallons or more onto the ground: Call MDEQ PEAS as required by Part 201 (Note: See calculation example at <http://www.deq.state.mi.us/documents/deq-ess-sara-releasecalcs.pdf>)
3. Any amount of oil or fuel that reaches surface water or shorelines: Call MDEQ PEAS and the National Response Center as required by the Clean Water Act and Part 31.
4. Any spill that they are in doubt about reporting: Call MDEQ PEAS.
5. Within 10 days of release, submit a written spill report for reportable releases to:
i MDEQ Water Bureau Field Operations Chief, PO Box 30273, Lansing MI 48909-7773

Note: the optional report form EQP3465 is at http://www.michigan.gov/deq/0,1607,7-135-3307_29894_5959-20341--,00.html The DEQ may request other follow-up reports depending on the situation.

- V. Emergency Numbers the Spill Coordinator is to contact:
 - a. MDEQ Pollution Emergency Alerting System 800-292-4706
 - b. MDEQ District Office Lansing MI 517-284-6651
 - c. Howell Fire, Police, and EMS 911

Spill Contractor:

Young's Environmental Emergency number 1-800-496-8647

Flint, Michigan (Corporate Headquarters)

G-5305 N Dort Hwy

Flint, MI 48505

Phone: (810) 789-7155

Fax: (810) 789-3606

Republic Services Emergency Response

800.899.4672

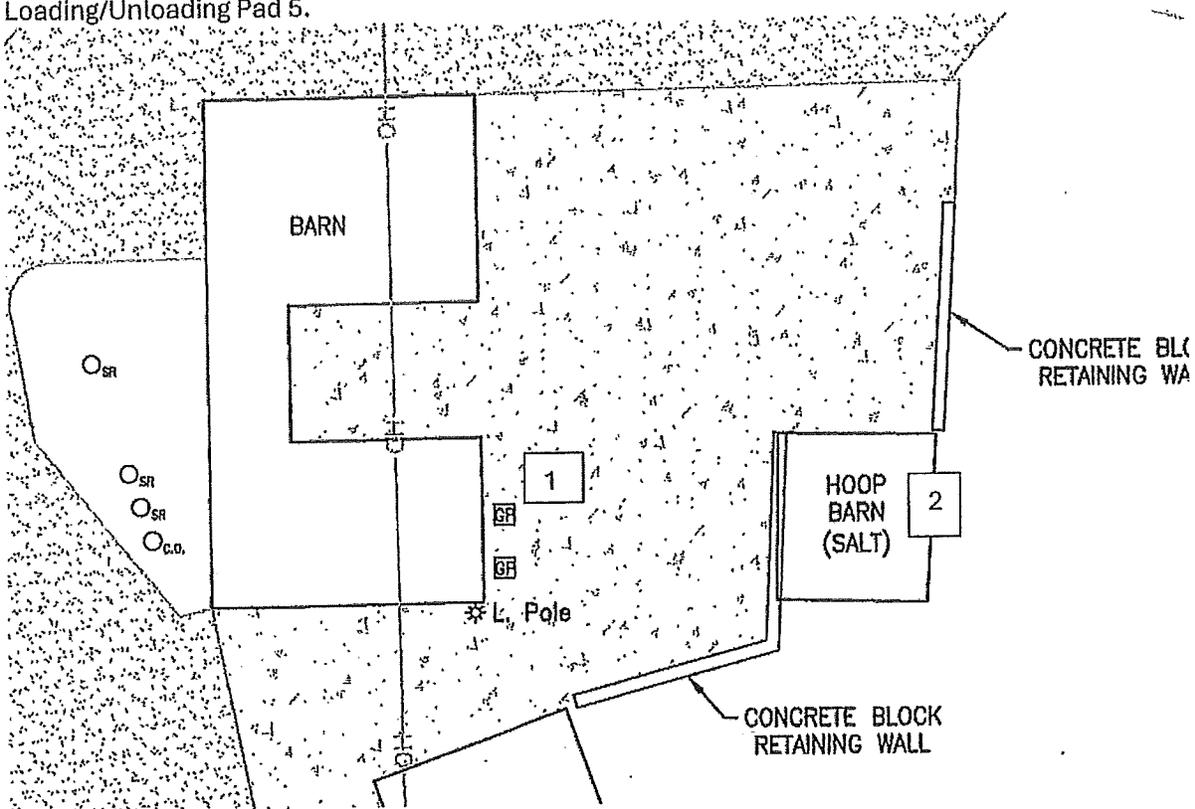
Belleville Facility Landfill

49350 North I-94 Service Drive

Belleville, MI

734.699.6265

Legend: 1. Aboveground Gasoline Storage tanks
2. Salt Storage Building with Covered Salt Loading/Unloading Pad 5.



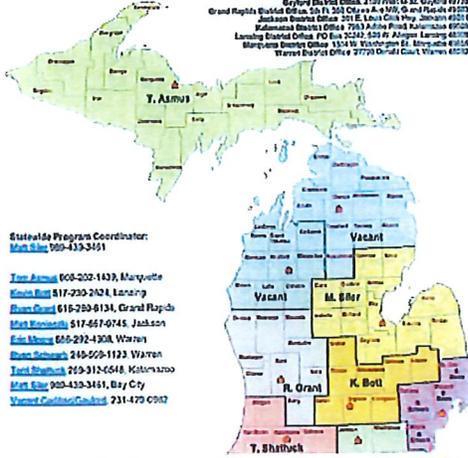
ADDITIONAL QUESTIONS? Contact the DEQ Water Bureau District Office for information about salt storage requirements. Contact the DEQ Waste and Hazardous Materials Division District Office for information about waste requirements. Unsure who to call? Contact the Environmental Assistance Center at 800-662-9278 for referral.

MSDS and all Safety data sheets are in Barn.

Pollution Incident Prevention Plans (PIPP) & Part 5 Rules Staff

Michigan.gov/Part5

Bay City District Office: 411 Falkum Street, Suite 20, Bay City 49708
 Cadillac District Office: 112 W. Oregon St., Cadillac 49614
 Gaylord District Office: 3120 West 14 St., Gaylord 49735
 Grand Rapids District Office: 50 Ft. 250 Ottawa Ave. SW, Grand Rapids 49503
 Jackson District Office: 201 E. State St., Jackson 49201
 Kalamazoo District Office: 7003 Alden Road, Kalamazoo 49001
 Lansing District Office: P.O. Box 20242, 202 E. Alden, Lansing 48919
 Marquette District Office: 1134 W. Waterman St., Marquette 49855
 Warren District Office: 27720 Donald Cook, Warren 48090



Statewide Program Coordinator:
 Mark Rife 909-439-3451

- Tom Alving** 608-222-1433, Marquette
- Kevin Bott** 817-230-2424, Lansing
- Ryan Grant** 616-250-8134, Grand Rapids
- Mark Kowalski** 817-667-0745, Jackson
- Eric Moberg** 688-292-4308, Warren
- Ryan Schwartz** 248-529-1123, Warren
- Tami Shitvick** 269-312-6648, Kalamazoo
- Mark Rife** 909-439-3461, Bay City
- Vincent Collins/Chadwick** 231-479-0982

Sent email to our Coordinator Kevin Bott
 That PIPP is in Place



Hydro Vac to vacuum any spills and skid steers to scoop and scrape any spills





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March 18, 2024

Timberlane Outdoor Services
Attn: Chris Smith
718 Sexton Rd
Lowell, MI 4884

Dear Chris:

Corrigan appreciates the opportunity to service you. We are pleased to offer you the following product quotation.

<u>Product Rental:</u>	<u>ORDER QUANTITY</u>	<u>PRE TAX RENTAL</u>
<u>PRODUCT</u>		
Containment for 550 DW Tanks	2 @ \$275.00 each	\$550.00(monthly fee)
Delivery	1 @ \$150.00 each	\$150.00 (one-time fee)

TERMS OF SERVICE

Invoices will have an environmental fee of \$9.95 per delivery.
Lead time: 3-5 business days for equipment,
Payment terms: NET 2 Days
Ref: E24050
Equipment pricing is subject to review in 30 days.
As per agreement containments estimated delivery by the end of week.

Orders may be placed via email through orders@corriganoil.com or by phone at (800) FAST OIL. We thank you for the opportunity and look forward to further discussion.

PIPP COMPLETENESS REVIEW CHECKLIST

This checklist is provided to help identify that the minimum requirements included in Rule 323.2006 that must be addressed in the PIPP along with a few recommended items to include. Include components that are specific to the facility's pollution prevention methods and emergency response. It is not required to provide the information in the order presented. This checklist does not address all the requirements that may be needed to be included in preparing an Integrated Contingency Plan (ICP) as that will vary with the other planning regulation requirements.

IN THE PLAN? I: Facility Identification Information Rule 6(1)(a)

Identify the following information about the facility:

- | Yes | No | N/A | |
|-------------------------------------|--------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Facility name |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Facility owner |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Mailing address |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Street address (if different from mailing address) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Facility telephone number |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. 24-Hour emergency telephone number(s) It is recommended to list coordinator's office, home, cell phone, pager, etc. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. Designated spill prevention and control coordinator. It is recommended to also have an alternate contact. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. Name of person(s) responsible for on-site spill prevention and control (if different from coordinator). It is recommended to also identify an alternate contact. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Procedures that will be used to alert individuals within the facility of an emergency at the facility: |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Spill prevention and control coordinator |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Person(s) responsible for on-site spill prevention and control if different from coordinator, and |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | c. Other people in the facility about the emergency including employees, visitors, contractors, etc. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. Map showing facility relative to the surrounding area, include thoroughfares. |

II: Notification Procedures to Entities Outside of Facility Rule 6(1)(b) and Part 31 Section 3111b

Identify the reporting procedures that will be used to notify entities off-site. At a minimum, include notification to the following:

- | Yes | No | N/A | |
|-------------------------------------|--------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Michigan Department of Environmental Quality |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. PEAS Hotline 800-292-4706 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. District office during business hours (recommended) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. U.S. Coast Guard - National Response Center 800-424-8802 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. 911 or if that service not available, then contact your community's primary public safety answering point |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Local emergency planning committee (check if covered by calling 911) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Local fire department (check if covered by calling 911) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. Local law enforcement agency (e.g. police, sheriff's department, <u>state police</u>) (check if covered by calling 911) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Municipal wastewater treatment plant if facility served by that plant |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. Spill clean-up contractor, or consulting firm, or both |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Other local, state, and/or federal agencies or entities that you may be required to report releases under other regulations (required if preparing an ICP that has additional reporting requirements) |

III: Spill Control and Cleanup Procedures Rule 6(1)(c)

Identify information about how the facility will control spills and conduct cleanups of releases:

- | Yes | No | N/A | |
|-------------------------------------|--------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Inventory and location of spill control and clean-up equipment (type and quantity) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Equipment available on-site <i>hydro vac trailer</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Equipment available off-site |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Procedures for response and cleanup |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Procedures for characterization and disposal of recovered materials |

IV: Polluting Material Inventory Rule 6(1)(d)

Include information about polluting materials typically on-site in quantities exceeding TMQs during the preceding 12 months:

- | Yes | No | N/A | |
|-------------------------------------|--------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Polluting Material(s) by: |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a. Chemical Name(s), and |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b. Product Name (e.g. Trade Name(s)), and |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | c. Chemical Abstracts Service (CAS) number |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Location where the Material Safety Data Sheets (MSDS) are kept for these polluting materials |

Special Use Permit Review for Marion Township Planning Commission

INTRODUCTION

Petition Number	SUP 01-24 Smith
Applicant	Christopher Smith
Request	Special use permit for a lawn and landscaping home-based business
Location	Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell
Parcel Number	10-16-200-019

PETITION SUMMARY

The applicant is requesting special use permit approval for a home-based business. The proposed use is a seasonal lawn and landscaping and snow removal business. Home-based businesses require special use permit approval in Rural Residential (RR) zoning districts.

Special use permit applications usually also require site plan review and approval. Home-based businesses may provide a less-formal site plan that shows: basic parcel information; existing and proposed structures; driveway, parking, and storage areas; proposed landscaping; and details of proposed additions or modifications. The Planning Commission and Township Board may require additional information during review.

A revised site plan, prepared by Boss Engineering, has been submitted. It shows the location of the hoop barn for salt storage and improved surfaces.

PROPERTY INFORMATION

Address	2718 Sexton
Location	Northeastern corner of Sexton and Sexton, between Ridgewood and Jewell
Parcel Numbers	10-16-200-019
Lot Area	4.52 acres (<i>gross, includes right-of-way</i>)
Parcel Number	10-16-200-019
Frontage	~640 feet (<i>including southern and western front lot lines</i>)
Current Zoning	Rural Residential (RR)
Existing Uses	Single-family dwelling

Future Land Use Map Low Density Residential

SPECIFIC USE STANDARDS

Specific standards for home-based businesses are outlined in §17.32 Home-based Businesses.

Home-based businesses are more intensive than home occupations and are recognized as an occupation, business, commercial activity, company, or profession conducted by family members living on the property. Home-based businesses may have non-resident employees, may store equipment or materials in a screened area, or have vehicles dedicated to the activity.

There are 16 site standards for home-based business, outlined in §17.32 Site Requirements (A-P). Those standards that have not been demonstrated as being met to the Planning Commission's satisfaction are examined below.

The nature and intensity of the proposed use would alter the essential character of the premises, especially yard areas used for storage of equipment and materials that are not adequately screened from adjacent residential properties or public streets.

Loading of equipment, repair of large equipment, and loading of materials would take place outdoors, sometimes beyond the hours of operation for a home-based business.

The proposed storage of more than 20 tons of salt in a structure without curbing does not appear to be consistent with Part 5 Rules. If the salt is not adequately contained, it could contaminate stormwater runoff.

The nature of the equipment and processes used on the site are likely to create noise, vibration, glare, fumes, or odors.

The proposed home-based business would be conducted in a manner that is likely to create a nuisance or annoyance to residents on the adjoining properties because of noise, smoke, odor, or lighting.

It appears likely that the proposed home-based business would have more than 1 non-resident employee, which is more than allowed for a home-based business on a property of this size.

The outdoor storage of equipment and materials would not be adequately screened from adjoining properties and streets.

The applicant stated he would conduct outdoor operations in the nighttime hours, if necessary to support the business.

The nature of traffic to the site, including trucks for delivery of more than 20 tons of salt and motor fuel, is likely to interfere with the use and enjoyment of nearby properties and/or undermine the intended character of the area.

DECISION CONSIDERATIONS

The special use permit process is outlined in Article XVI Special Use Permits.

Unlike other special use permit applications, home-based businesses do not require full site plans.

The Planning Commission reviews special use permits at a public hearing and makes a recommendation to the Township Board, which makes the final decision.

In order to approve a special use permit, all of the bases of determination must be found to be true. These bases are defined in §16.05 Basis of Determination and are explored below.

Based on information provided in the application, through research, and at public meetings, the Planning Commission was not satisfied that all of the bases of consideration for granting a special use permit were satisfied.

These bases are examined in the draft resolution.

Additional information may be discovered or provided at the Planning Commission meeting.

PETITION TIMELINE

The application was submitted to the Township on January 22, 2024.

The Planning Commission held a public hearing at its February 13, 2024, meeting, and postponed action for the applicant to provide additional information.

Revised application materials, including narrative and site plan, were submitted on March 19, 2024. A revised site plan was submitted on March 26, 2024.

The Planning Commission considered the special use permit at its March 26, 2024, meeting and, upon receiving affirmative evidence that all of the applicable criteria would be satisfied, appointed 2 members to prepare a draft resolution with the assistance of the Township attorney and planner, with action to take place at its April meeting.

The application will be considered by the Planning Commission at its April 30, 2024, meeting.

Following a recommendation from the Planning Commission, the application will be forwarded to the Township Board for final action.

SUMMARY

The Planning Commission should review the draft resolution that was prepared for its consideration and make any necessary changes to ensure it is consistent with its findings.

For special use permits, the Planning Commission provides a recommendation to the Township Board. The Township Board is the deciding authority.

SUP 01-24 Smith
Home-based Business- Lawn and Landscape
April 22, 2024

We look forward to helping facilitate this process at the meeting.

Zach Michels
Quality Zoning
Dexter, MI