

AGENDA

HAYES TOWNSHIP BOARD OF TRUSTEES

Special Meeting

January 27, 2022 12:00 pm

Hayes Township Hall

09195 Major Douglas Sloan Road

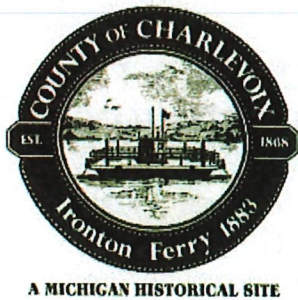
Charlevoix, Michigan 49720

1. Call to Order
2. Review and Approval of Agenda
3. Public Comments

NEW BUSINESS:

4. Bruce and Connie Wood Rezone 08838 Upper Bay Shore Road (A) to (RR)
5. B & G December 2021 Invoice
6. Public Comments

ADJOURN MEETING



CHARLEVOIX COUNTY PLANNING DEPARTMENT

301 State Street
Charlevoix, Michigan 49720
(231) 547-7234
planning@charlevoixcounty.org

January 24, 2022

Kristin Baranski
Hayes Township Clerk
09195 Old U.S. 31 N.
Charlevoix, MI 49720

Kristin,

At their meeting on January 13, 2022, the Charlevoix County Planning Commission reviewed the request by Bruce and Connie Wood to rezone their property at 08838 Upper Bay Shore Road in Hayes Township from Agricultural (A) to Rural Residential (RR). After reviewing the information provided by the Township and the Planning Department Staff Review, the Planning Commission took the following action:

MOTION by L. Levensgood to recommend approval of the request to rezone this property from Agricultural (A) to Rural Residential (RR) because it is supported by the Hayes Township Master Plan and there are other properties nearby that are zoned Rural Residential. D. Skornia seconded the motion. Voice vote: Aye 4, No 0, Abstain 1 (M. Cunningham). Motion passed.

Please refer to the enclosed draft minutes of the Planning Commission meeting and the Planning Department Staff Review for further information. If you have any questions, please contact me at (231) 547-7234 or starkk2@charlevoixcounty.org.

Sincerely,

Kiersten Stark
Planning Director



CHARLEVOIX COUNTY PLANNING COMMISSION

301 State Street
Charlevoix, Michigan 49720
(231) 547-7234
planning@charlevoixcounty.org

Excerpts from DRAFT Meeting Minutes January 13, 2022

I. Call to Order

Larry Levensgood called the meeting to order at 6:01 p.m. in the (former) Commissioners' Room at the Charlevoix County Building.

Members present: Stacy Gay, Nancy Ferguson, Larry Levensgood, Matt Cunningham, and Dave Skornia

Members absent: Mike Ritter, Bob Tidmore (both excused)

Others present: Kiersten Stark (Planning Director), Kathleen Fortune (Administrative Assistant), Robert Jess (County Commissioner Liaison), and Ellis Boal

VIII. Townships, Cities, MI Dept of EGLE & U.S. Army Corps of Engineers Items

Hayes Township Proposed Rezone

M. Cunningham recused himself from voting on this agenda item.

K. Stark reviewed the Planning Department Staff Review on the request by Bruce and Connie Wood to rezone their property at 08838 Upper Bay Shore Road in Hayes Township from Agricultural (A) to Rural Residential (RR). K. Stark reviewed a comparison of land uses allowed and dimensional requirements in the Agricultural vs. Rural Residential district, the existing uses on the subject parcel and surrounding properties, the zoning of adjacent parcels, the future land use recommendations in the Hayes Township Master Plan, the soil types on the property, and the Township Planning Commission's recommendation.

MOTION by L. Levensgood to recommend approval of the request to rezone this property from Agricultural (A) to Rural Residential (RR) because it is supported by the Hayes Township Master Plan and there are other properties nearby that are zoned Rural Residential. D. Skornia seconded the motion. Voice vote: Aye 4, No 0, Abstain 1. Motion passed.



CHARLEVOIX COUNTY PLANNING DEPARTMENT

301 State Street
Charlevoix, Michigan 49720
(231) 547-7234
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Staff Review Hayes Township Proposed Rezone

Background Information

Property Owner/Applicant: Bruce & Connie Wood
Property Tax ID #: 15-007-115-009-00
Property Address: 08838 Upper Bay Shore Rd.
Parcel Size: Approx. 18.6 acres

Current and Proposed Zoning

Current Zoning District: Agricultural (A)
Proposed Zoning District: Rural Residential (RR)

Comparison of Land Uses Allowed

Legend: P = Permitted Use
SP = Special Use
--- = Not Allowed

Land Uses	Agricultural (A)	Rural Residential (RR)
1. Single family dwellings	P	P
2. Agriculture, including both general and specialized farming, tree farms and forestry	P	P
3. Roadside stands for the sale of farm products, provided that not less than fifty (50) percent of the goods offered for sale shall have been produced on the premises; and provided further, that the facilities for entry to and exit from the premises and adequate off-street parking are available	P	---
4. Agricultural warehouses and non-animal agricultural processing plants	P	---

5. Plant nurseries and greenhouses	P	---
6. Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure	P	P
7. Home occupations conducted completed inside the residence	P	P
8. Accessory buildings and uses customarily incidental to permitted uses 1-7 above.	P	P (permitted uses 1, 2, 6 & 7 only)
9. Bed and breakfast facilities	SP	SP
10. Clustered residential development	SP	SP
11. Public buildings and facilities	SP	SP
12. Places of worship and related religious buildings	SP	SP
13. Cemeteries	SP	SP
14. Golf courses and country clubs	SP	---
15. Public and private playgrounds	SP	---
16. Private airports and landing strips	SP	---
17. Fire control structures	SP	---
18. Kennels, veterinary clinics and animal hospitals	SP	SP
19. Non-domestic furbearing animals when confined in cages not less than two hundred (200) feet from any property line	SP	---
20. Planned Units Developments	SP	SP
21. Additional farm employee dwellings, provided the property is at least 20 acres in size.	SP	---
22. Migratory labor dwellings, provided the property is at least 20 acres in size.	SP	---
23. Forest product processing and sales	SP	---
24. Sand and gravel excavation	SP	SP
25. Commercial wind turbine generator and anemometer towers	SP	---
26. Cottage industries conducted outside the residence in the yard, garage or accessory structure	SP	SP
27. Accessory buildings and uses customarily incidental to special uses 9-26 above	SP	SP (special uses 9-13, 18, 20, 24 & 26 only)

Source: Hayes Township Zoning Ordinance

Comparison of Dimensional Requirements

Dimensional Requirement	Agricultural (A)	Rural Residential (RR)
Minimum Lot Area	10 acres	5 acres
Minimum Lot Width	330 feet	330 feet
Minimum Front Yard Setback	25 feet	25 feet
Minimum Side Yard Setback	50 feet (25 feet for a single-family dwelling)	25 feet
Minimum Rear Yard Setback	50 feet	25 feet
Minimum Square Footage	600 square feet	600 square feet
Maximum Impervious Surface	30%	15%

Source: Hayes Township Zoning Ordinance

Existing Uses on the Subject Parcel and Surrounding Properties

The subject parcel features a single-family home with a detached garage as well as a barn. Much of the parcel is dedicated to farming (crops). Also on the parcel are open grassy areas and clusters of trees and other vegetation. Surrounding properties feature farms, single family homes, and open fields. Please see the attached *Land Use/Cover & Soil Map* and the additional aerial photo showing a closer view of the property.

Zoning of Surrounding Properties

The properties to the north, east and south are zoned Agricultural (A). The properties to the west and northwest are zoned Rural Residential (RR). Please see the attached *Zoning Map*.

Relationship to Master Plan

The future land use map in the Hayes Township Master Plan designates this parcel and the surrounding area as Rural Residential. Following is a description of Rural Residential from the Master Plan:

A Rural Residential land use category has been designated consistent with the Township's goal to "retain the township's rural and scenic character, while providing for suitable housing opportunities..." While the designation of the Rural Residential land use category will not prevent the conversion of farmland to other uses, it will help to control the scale and rate of conversion and direct attention to areas where farmland conversion may be an issue. The Rural Residential category is intended to have a maximum density of one unit per five acres.

Soils

Please see the attached *Land Use/Cover & Soil Map* showing soil types on the property.

Soil Symbol	Soil Name	Slope	Features affecting foundations for low buildings	Suitability for septic tank disposal fields
EoB	Emmet-Onaway sandy loams	2 to 6%	Well drained; slight compressibility (<i>Emmet portion</i>); medium to high compressibility (<i>Onaway portion</i>); poor to fair shear strength	Slight limitations due to slope; moderate permeability
EmC	Emmet sandy loam	6 to 12%	Well drained; slight compressibility; fair shear strength	Slight limitations due to slope; moderate permeability
CmB	Charlevoix-Mackinac loams	0 to 6%	Somewhat poorly drained; seasonal high-water table; slight to medium compressibility (<i>Charlevoix portion</i>); medium to high compressibility (<i>Mackinac portion</i>); poor to fair shear strength; cobbly in some areas	Severe limitations: somewhat poorly drained; seasonal high-water table; moderate permeability; cobbly in some areas
EmD	Emmet sandy loam	12 to 18%	Well drained; slight compressibility; fair shear strength	Moderate limitations due to slope
EoC	Emmet-Onaway sandy loams	6 to 12%	Well drained; slight compressibility (<i>Emmet portion</i>); medium to high compressibility (<i>Onaway portion</i>); poor to fair shear strength	Slight limitations due to slope; moderate permeability
EnF	Emmet-Leelanau complex	25 to 50%	Well drained; slight compressibility; fair shear strength	Severe limitations due to slope; sidehill seepage may occur
Bv	Brevort loamy sand	0 to 4%	Very poorly to poorly drained; high water table; moderate shrink-swell potential; medium to high compressibility; poor to fair shear strength	Severe limitations: very poorly to poorly drained; high water table; moderately slow permeability in underlying loamy material

Source: USDA Soil Survey of Charlevoix County, MI

Township Planning Commission Recommendation

The Hayes Township Planning Commission recommended approval of the request to rezone this property from Agricultural (A) to Rural Residential (RR). Please see the minutes of the December 21, 2021 Township Planning Commission meeting.

Staff Comments

The Hayes Township Master Plan supports the proposed rezoning to Rural Residential.


Prepared by:

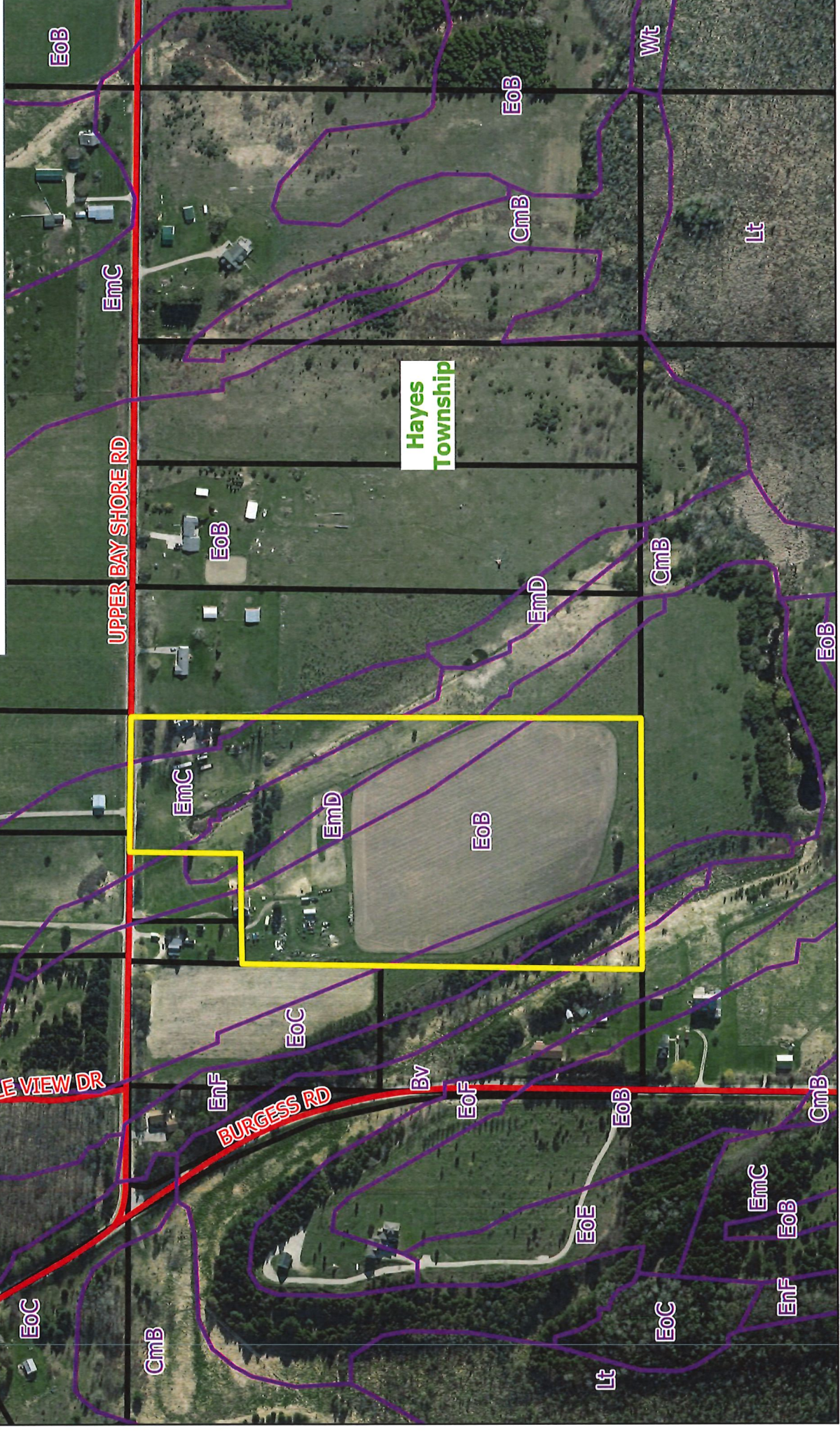
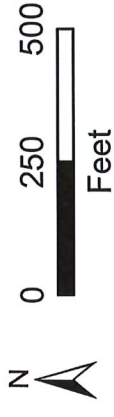
Kiersten Stark
Planning Director

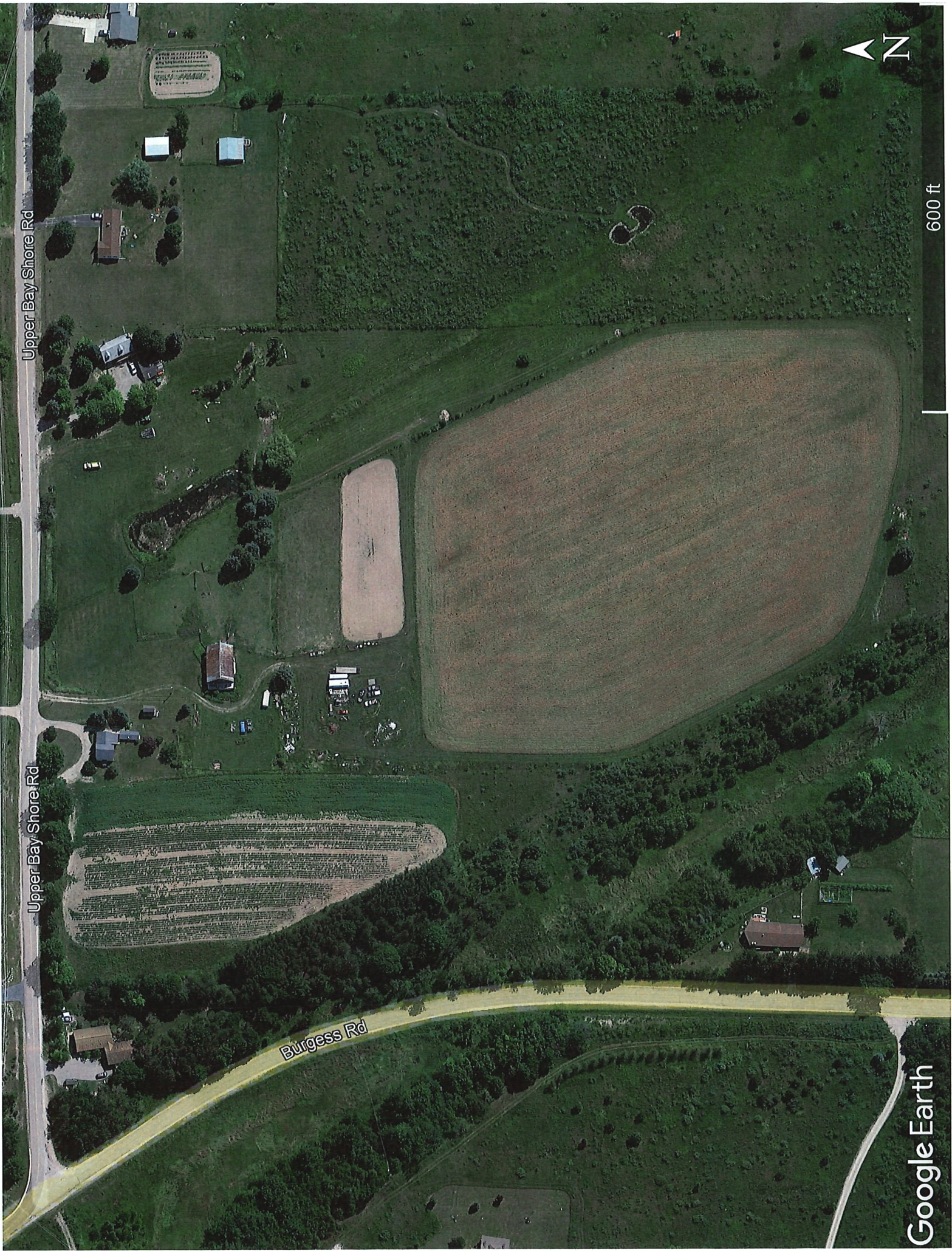
With mapping assistance from:

Will Langejans
GIS Technician
Charlevoix County Equalization Department

Hayes Township Proposed Rezoning Wood LAND USE/COVER & SOIL MAP

 Proposed Rezoning Location



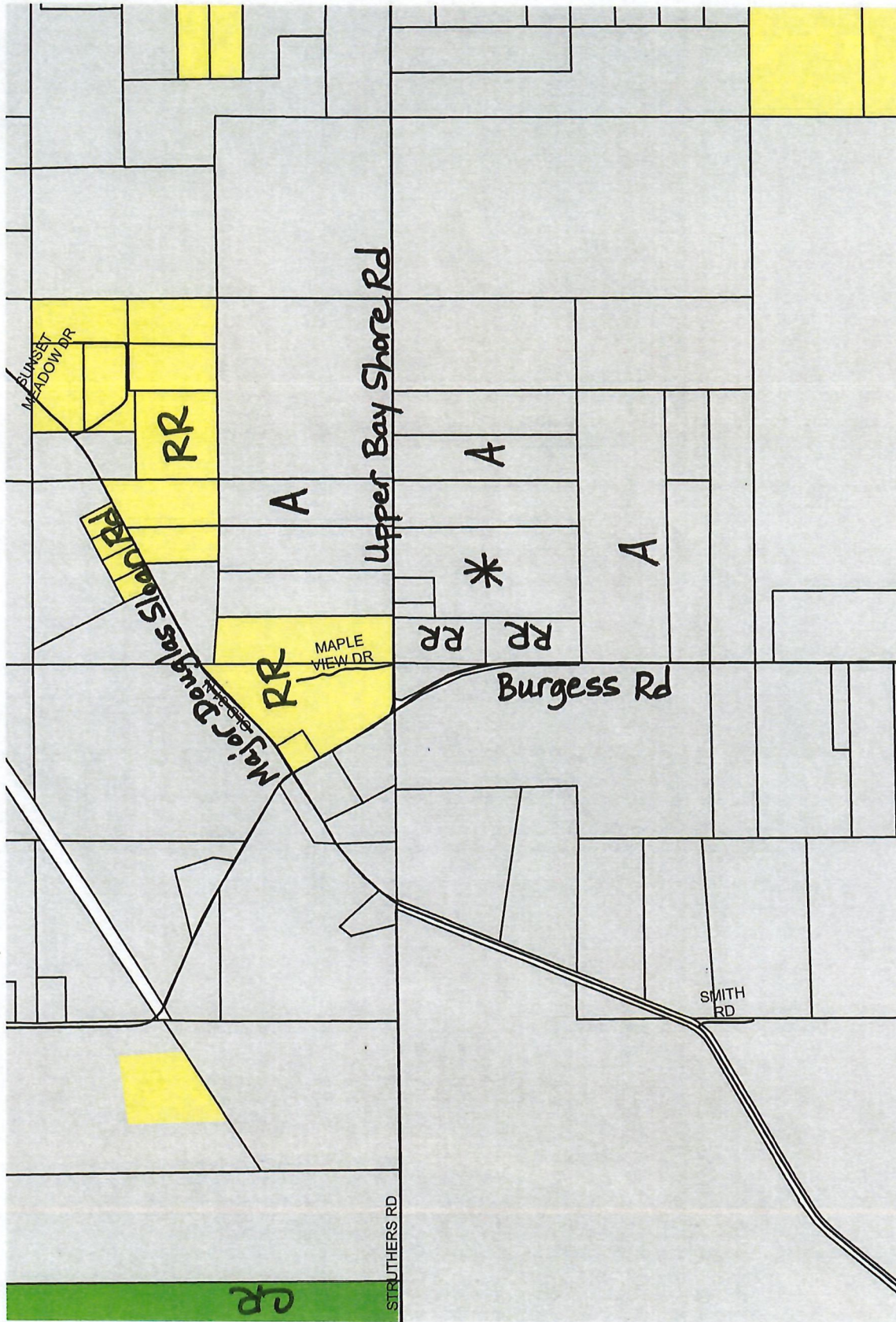


600 ft

Google Earth

Hayes Township Zoning Map

↑ North



* Subject Property

B & G Enterprises L.L.C.

10400 Burnett Rd

Charlevoix MI 49720

(231) 348-2705

Bob Barbour Cell 231-881-7835

E mail/bgenterprises68@yahoo.com

Inv- 6072

Date 1/3/2022

HAYES TOWNSHIP -CLERK

BILLING ADDRESS

HAYES TOWNSHIP CLERK

09195 OLD US 31 N.

CHARLEVOIX MI 49720

SERVICE ADDRESS

TOWNSHIP HALL

FIRE BARN

Plow lot- \$35 per: 12-6 /12-8/12-10/12-22	\$140.00
Plow Barn - \$15 per: 12-6 /12-8/12-22	\$45.00
Shovel - \$10 pera; 12-6 /12-8/12-10/12-22	\$40.00
Salt Lot- \$35 per: 12-12	\$35.00
Ice Melt Walks - \$10 per: 12-12	\$10.00

Total Due: \$270.00

Pay to

B&G Enterprises

10400 Burnett Rd

Charlevoix Mi 49720

