

Hayes Township, Charlevoix County, Planning Commission

Special Meeting of Planning Commission

Public Hearings

September 14, 7:00 pm

Hayes Township Hall

9195 Major Douglas Sloan Road

Charlevoix, Michigan 49720

Zoom Meeting

[https://us02web.zoom.us/j/88242242728?pwd=NG10YW5UYUMxems4UW5yTk](https://us02web.zoom.us/j/88242242728?pwd=NG10YW5UYUMxems4UW5yTk5MQnR6UT09)

[5MQnR6UT09](https://us02web.zoom.us/j/88242242728?pwd=NG10YW5UYUMxems4UW5yTk5MQnR6UT09)

Meeting ID: 882 4224 2728

Passcode: 257703

+1 312 626 6799 US (Chicago)

AGENDA

Call to Order

Pledge of Allegiance

Review of Agenda

Declarations of Conflict-of-Interest

Approval of Minutes- August 16, 2022

New Business

PUBLIC HEARING

Application by Emmet County Road Commission/MDC Contracting LLC
(contract purchaser) to rezone the following properties:

TAX ID 15-007-112-034-00 and TAX ID 15-007-112-032-00,
commonly known as Petoskey Street, Hayes Township, Charlevoix,
Michigan 49720, from Agricultural (A) to Industrial (I-1).

- Chair opens the public hearing and announces subject
- Chair summarizes rules to be followed in hearing
- Applicant presents main points
- Township Zoning Administrator presents report
- Persons speaking to the issue are recognized (Public Hearing Public Comment Period)
- Recognition of correspondence
- Applicant rebuttal/clarification if requested by Chair
- Chair closes public hearing
- Planning Commission deliberation

Set/Confirm Date of Next PC Meeting – September 20, 2022

Public Comment

Planning Commission Comment

Adjournment

To best facilitate a hybrid meeting (in person as well as ZOOM) for the public, please adhere to the following guidelines:

In person attendance

1. Doors to the hall will open at 6:45 pm
2. Please voluntarily provide a name for the record
3. Please hold all comments until the appropriate designated public comment agenda item
4. To maintain an orderly meeting while providing opportunity for the public to be heard, Planning Commission Chairman (or designee) will call names in appropriate order
5. We ask that you voluntarily state your name for the record
6. Direct all comments to the planning commission
7. Keep comments brief and to the point (3 minutes per person); deputy clerk will advise when time is up
8. Please be respectful; any abusive language will not be tolerated
9. Do not speak while others are speaking
10. Minutes may not be yielded to other speakers

ZOOM attendance

Upon signing into the meeting, please voluntarily provide a name for the record

1. All ZOOM participants will be admitted from the waiting room prior to the start of the meeting
2. All ZOOM participants will remain muted until called on during the appropriate designated public comment agenda item
3. Please raise your hand to be called on during public comments
4. Direct all comments to the planning commission
5. Keep comments brief and to the point (3 minutes per person); participant will be muted at 3 minutes
6. Please be respectful; any abusive language will not be tolerated
7. Minutes may not be yielded to other speakers.

Note: A quorum of the Hayes Township Board members may be present at this meeting. No Hayes Township Board business will be discussed or conducted at this meeting.

Hayes Township Planning Commission
August 16th, 2022
Regular Meeting
Zoom ID 882 6448 3758

1 **CALL TO ORDER:** Chairperson Roy Griffiths called the meeting to order at 7:00 p.m.

2 Members present: Roy Griffiths (Chair), Steve Bulman, Derek Burnett, Rex Greenslade, Marilyn
3 Morehead, and Matt Cunningham.

4 Excused: Ed Bajos.

5 Also, present: Kristin Baranski (Clerk) and April Hilton (Deputy Clerk/Recording Secretary).

6 Audience: Doug Urban, Chelsea Mills, Chris Mills, LuAnne Kozma, Ellis Boal, Kim Fary, Tim
7 Boyko, Jim McMahon, and Betty Henne.

8
9 **PLEDGE OF ALLEGIANCE TO THE FLAG:** Mr. Griffiths led the Pledge of Allegiance.

10
11
12 **REVIEW AGENDA:** Mr. Greenslade made a motion, supported by Ms. Morehead to approve the
13 agenda as presented.

14 Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Rex Greenslade, Matt Cunningham, and
15 Marilyn Morehead

16 Nays: none **Motion Carries**

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20 **DECLARATIONS OF CONFLICTS OF INTERESTS:** None

21
22
23 **APPROVAL OF MINUTES JULY 17TH, 2022 REGULAR MEETING**

24 Ms. Morehead made a motion, supported by Mr. Greenslade, to approve the July 17st, 2022,
25 regular meeting minutes as presented.

26 Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Rex Greenslade, Ed Bajos, and Marilyn
27 Morehead.

28 Nays: none **Motion Carries**

29
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31 **PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:**

32 Public comments opened at 7:03 pm.

33 Comments Included:

- 34 - A resident inquired about the Michigan Shores Subdivision; PC suggested for them
35 to ask the Board of Trustees.

36 Public comments closed at 7:04 pm

Hayes Township Planning Commission
August 16th, 2022
Regular Meeting
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REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION: By Matt
Cunningham. Next meeting September 12th, 2022.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:

Mr. Greenslade presented an oral Zoning Board of Appeals report.

ZONING ADMINISTRATOR REPORT:

Ron VanZee presented an oral Zoning Administrator Report.

NEW BUSINESS-

PUBLIC HEARING:

EDITORIAL CORRECTIONS TO ZONING ORDINANCE:

The Zoning Administrator suggested to the Planning Commission for all references to Short
Term rentals be removed from the Zoning Ordinance.

Open: 7:10 pm

Public Comment: Open: 7:14 pm

Comments included:

- Resident expressed their opinion of the importance of the townships' involvement in short
term rentals; especially the requirements enforced for short term rentals in the Zoning
Ordinance.
- Resident is concerned about no longer having a short-term rental regulations in the township
ordinance; how will short term renters be managed and prevented from causing issues for
township residents.
- Resident is concerned for the lack of control that will occur by removing short term rentals
from the Zoning Ordinance.
- Resident suggested to the Planning Commission to reference the Townships master plan.

Closed: 7:25pm

The Planning Commission discussed the concerns of the residents and decided the Short Term
Rental Ordinance did not set any enforcement measure for short term rentals, however,
required the owners of the short-term rental to pay a fee in order the have a short-term rental.
The PC decide this was unfair to the residents. The PC came to an agreement that any

Hayes Township Planning Commission
August 16th, 2022
Regular Meeting
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enforcement should be handle by the local police if someone complained of activities at a short-term rental.

Public hearing closed: 7:27

Mr. Greenslade made a motion, supported by Ms. Morehead, to remove all reference to short term rentals including but not limited to the index heading on page 1 section 3.26, dealing with short term rentals and any other reference that may be found in the Zoning Ordinance to short term rentals. Pursuant to the decision made by the Hayes Township Board of Trustees on July 11th 2022.

Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Rex Greenslade, Marilyn Morehead, and Matt Cunningham.

Nays: none **Motion Carries**

STATUS ON ZONING ORDINANCE COMPILATION:

The Planning Commission is behind on the next section of the Preliminary Zoning Ordinance draft as the Planning Commissioners have been dealing with other township business.

SET PUBLIC HEARING DATES:

Mr. Greenslade made a motion, supported by Mr. Bulman, to set a Public Hearing/Special Meeting for September 14th, 2022, for Manthei Corporation rezoning request.

Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Rex Greenslade, Marilyn Morehead, and Matt Cunningham.

Nays: none **Motion Carries**

SET/CONFIRM DATE OF NEXT PLANNING COMMISSION MEETING:

Next Planning Commission meeting will take place on September 20th, 2022, at 7:00 pm.

PLANNING COMMISSION COMMENT:

Mr. Greenslade expressed the interest and importance of the Zoning Ordinance rewrite for the Planning Commission members and all the members are hard at work with editing.

PUBLIC COMMENT: Public comments open 7:33 pm.

Comments included:

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August 16th, 2022
Regular Meeting
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- 107 - Resident would like more information on the status of the Zoning ordinance re-write
108 draft.

109 Public comments closed 7:34pm
110

111 **ADJOURNMENT:** Mr. Greenslade made a motion, supported by Mr. Cunningham, to adjourn
112 the meeting at 7:36 pm.

113 Yeas: Derek Burnett, Steve Bulman, Roy Griffiths, Rex Greenslade, Marilyn Morehead, and Matt
114 Cunningham.

115 Nays: none **Motion Carries**
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118 Respectfully Submitted by:
119
120

121 April Hilton
122 Deputy Clerk/Recording Secretary
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HAYES TOWNSHIP
09195 OLD US 31 N, CHARLEVOIX, MI. 49720

ZONING PERMIT APPLICATION

ZONE DISTRICT AG PERMIT NUMBER PH 221014 FEE 880.⁰⁰ ^{SPECIAL MEETING} DATE RECIEVED 8-11-27

GENERAL INFORMATION

Property Owner Name(s) Emmet County Road Commission, by MDC Contracting, LLC (contract purchaser)
Mailing Address 05481 US 31 South, Charlevoix, Michigan 49720
Telephone 231-373-2896 Cell: _____ EMAIL: across@themantheigroup.com

PROPERTY INFORMATION

Property Tax ID Number(s) 15-007-112-034-00 and also Parcel No. 15-007-112-032-00
Property Address v/l Hayes Township, Petoskey Street, Charlevoix, Michigan 49720; application also affects adjacent parcel -032-00
Contractor MDC Contracting, LLC Contractor Contact Information jmanthei@mantheiconstruction.com

PROPOSED USE OF PROPERTY

Type of Improvement(s)(describe) Applicant seeking rezoning of parcels to align with Township Master Plan
New Construction _____ Reconstruction _____ Addition _____ Sign _____ Other _____
Dimensions of Proposed Structure _____ HEIGHT _____

PROPOSED ZONING PERMIT

Special Use _____ Type of Special Use _____
P.U.D. _____ Rezone X Land Division/Split Involved? _____

PERMITS & REQUIRED DOCUMENTS

Site Plan Required _____ Survey Required _____ Health Dept. _____
Road Commission _____ Soil & Erosion _____ Corps of Engineers _____ D.N.R. _____ D.E.Q. _____

Owners Signature(s) Joshua Manthei

Zoning Administrator Signature Rm Jaz

SEE REVERSE SIDE

Viewing Parcel Number: 007-112-034-00

Parcel Details

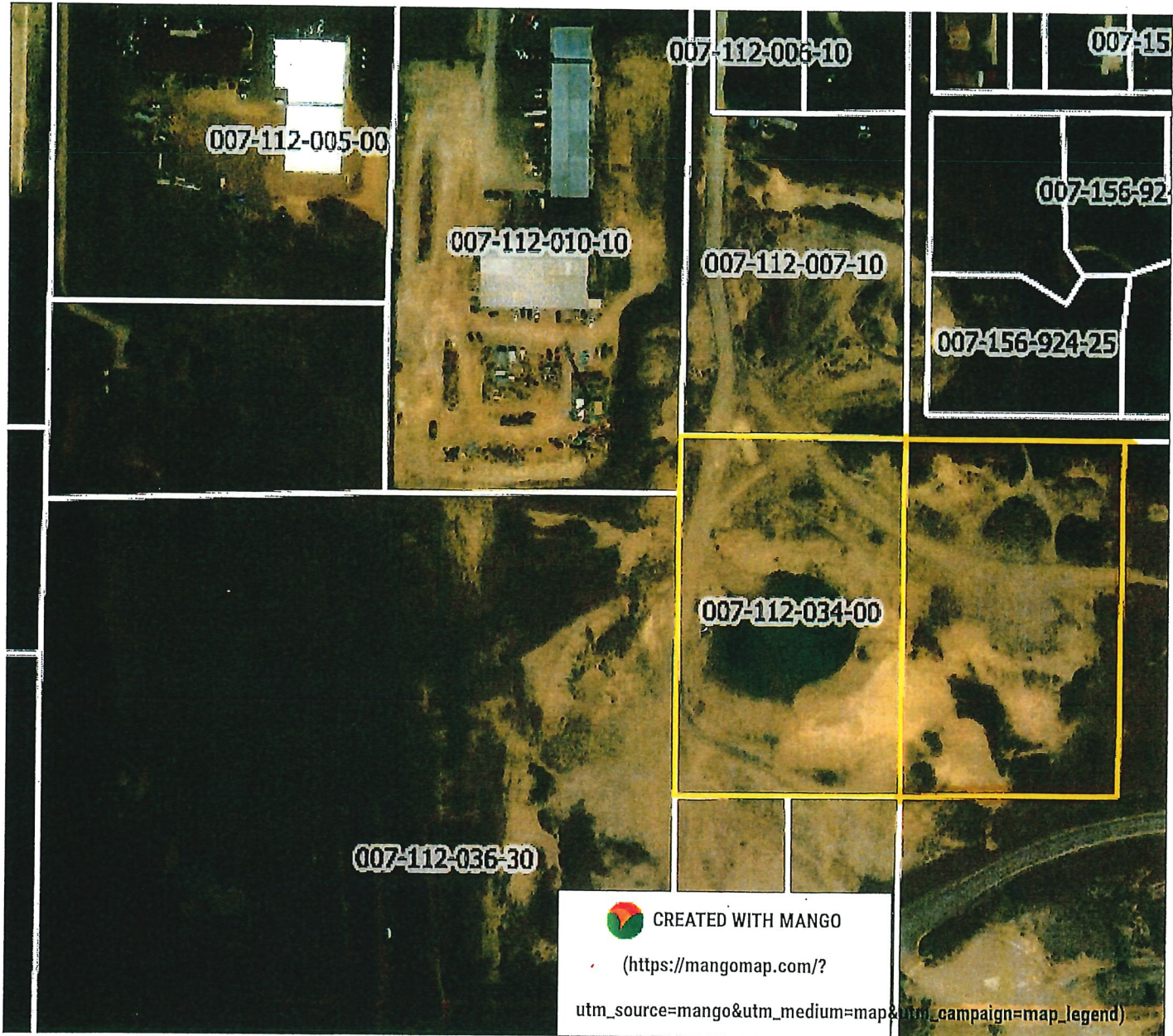
Assessing City/Township:	Hayes Township
Property Address:	PETOSKEY ST CHARLEVOIX, MI 49720
Owner Information:	EMMET COUNTY ROAD COMM 1000 CHARLEVOIX AVE PETOSKEY, MI 49770
Property Class:	302 - Industrial - Vacant
Taxable Status:	EXEMPT (211.7M)
School District:	15050 - Charlevoix
P.R.E. Percentage:	0%
Current SEV:	\$0
Current Taxable Value:	\$0
Prior Year SEV:	\$0
Prior Year Taxable Value:	\$0

Tax Description

N 4 ACRES OF E1/2 OF E1/2 OF NW1/4 OF SE1/4 SEC 12 T34N R7W.



Data Search

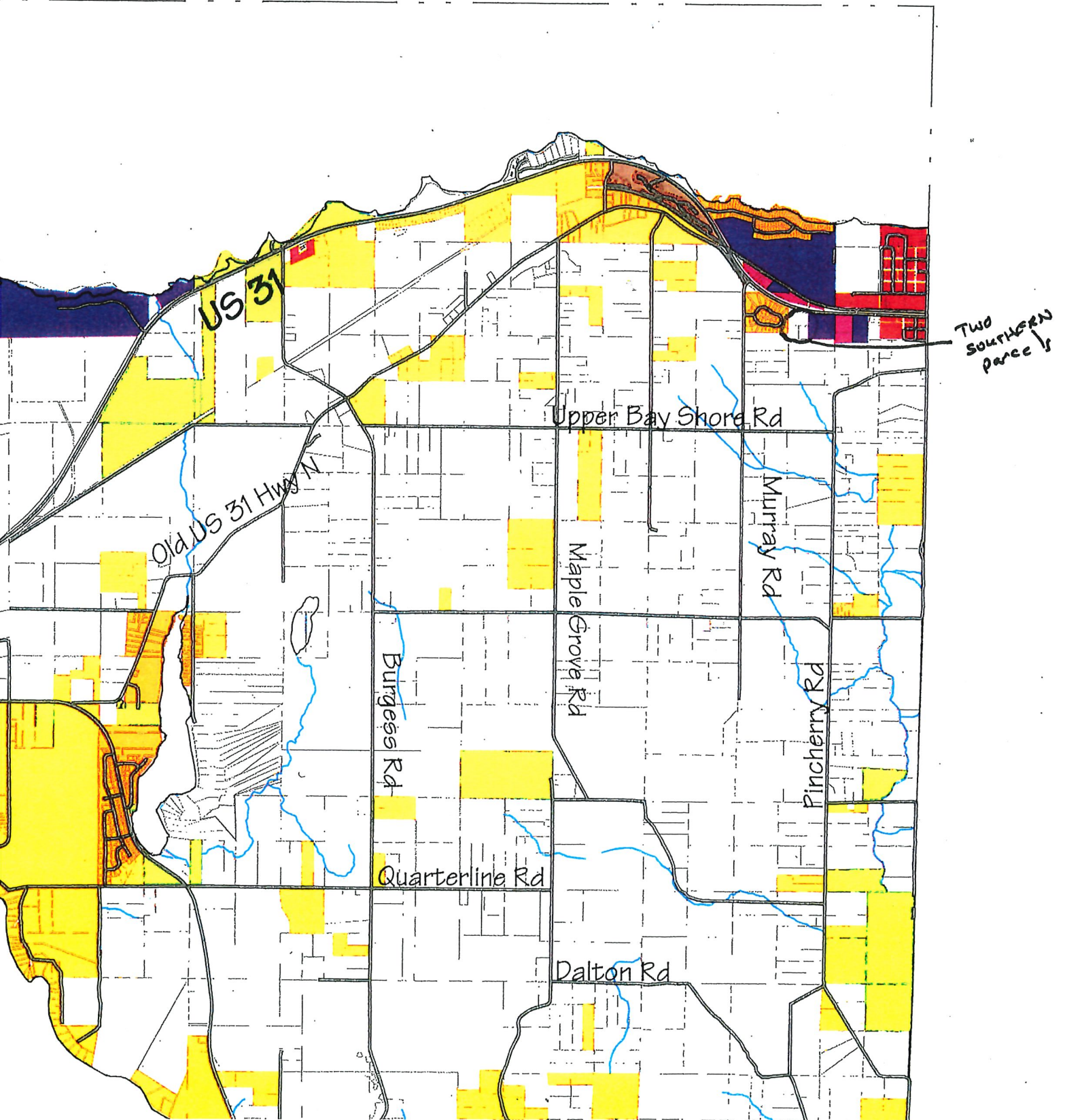


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[illegible]

HAYES TOWNSHIP ZONING MAP

Charlevoix County, Michigan



5481 US 31 S
CHARLEVOIX, MI 49720

74-1368724

DATE 8-11-22

PAY TO THE
ORDER OF

Hayes Township

\$ 880⁰⁰

eight hundred eighty

00/100

DOLLARS

Security features
included.
Details on back.



111 State Street • Charlevoix • Michigan
www.charlevoixstatebank.com

MEMO

Zoning Meeting

John Mauthe

⑈005575⑈ ⑈072413683⑈

7034642⑈

Main Street Traditional Blue

Hayes Township
09195 Old US 31 N
Charlevoix, MI 49720
231-547-6961

CRB 120-3

CASH
RECEIPT

Date 8-24-22

004891

Received From MANTHEI DEVELOPMENT CORPORATION

Address 5481 US 31 S CHARLEVOIX

Eight hundred eighty

Dollars \$ 880⁰⁰

For SPECIAL MEETING BEZONE APPLICATION 15-007-112-034-00 & 032

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	<u>880 -</u>	
BALANCE DUE			MONEY ORDER <input type="checkbox"/>		
			CREDIT CARD <input type="checkbox"/>		

CK # 5575

By

Rm J.2

- A. Docks and launch ramp
 - B. Recreation Camps
 - C. Commercial Wind Turbine Generator and Anemometer Towers, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
 - D. Accessory buildings and uses customarily incidental to the above special uses
4. Dimensional Regulations
- Structures and uses in the Conservation Reserve District are subject to the area, height, bulk and placement requirements in **Section 4.13 Schedule of Regulations**.

Section 4.03 Agricultural District (A)

The following provisions shall apply to the Agricultural District (A).

1. Intent

The Agricultural District is designed to promote the use of wooded and rural areas of the Township in a manner that will retain the basic attractiveness of the natural resources and provide enjoyment for both visitors and the community at large. The primary intent of the District is to hold the rural Township areas for agriculture and forestry purposes and to allow some multiple uses of marginal farm-forest lands. Residential uses are considered secondary in this district.

2. Permitted Uses

- A. Single family dwellings.
- B. Agriculture, including both general and specialized farming, tree farms and forestry.
- C. Roadside stands for the sale of farm product, 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.
- D. Agricultural warehouses and non-animal agricultural processing plants.
- E. Plant nurseries and greenhouses.
- F. Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure, subject to the provisions of **Section 3.22 Antenna Co-location on an Existing Tower or Structure**.
- G. Home occupations conducted completely inside the residence, subject to the provisions of **Section 3.15 Home Businesses**.
- H. Accessory buildings and uses customarily incidental to the above permitted uses.

3. Uses Subject to Special Use Permit

- A. Bed and breakfast facilities.
- B. Clustered residential development (Open Space Preservation Option), subject to the provisions of **Section 7.01 Supplemental Site Development Standards**
- C. Public buildings and facilities.
- D. Places of worship and related religious buildings.
- E. Cemeteries.
- F. Golf courses and country clubs.
- G. Public and private campgrounds.

- H. Private airports and landing strips.
- I. Fire control structures.
- J. Kennels, veterinary clinics and animal hospitals.
- K. Non-domestic furbearing animals when confined in cages not less than two hundred (200) feet from any property line.
- L. Planned Unit Developments
- M. Additional farm employee dwellings, provided the property is at least 20 acres in size. The additional dwellings must be sited such that the property could be split in the future with all setbacks met for all parcels created.
- N. Migratory labor dwellings, provided the property is at least 20 acres in size and subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- O. Forest product processing and sales.
- P. Sand and gravel excavation, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- Q. Commercial Wind Turbine Generator and Anemometer Towers, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- R. Cottage industries conducted outside the residence in the yard, garage or accessory structure, subject to the provisions of **Section 3.15 Home Businesses**.
- S. Accessory buildings and uses customarily incidental to the above special approval uses.

4. Dimensional Regulations

Structures and uses in the Agricultural District are subject to the area, height, bulk and placement requirements in **Section 4.13 Schedule of Regulations**

Section 4.04 Rural Residential District (RR)

The following provisions shall apply to the Rural Residential District (RR).

1. Intent

It is the intent of the Rural Residential District to provide for a variety of comparatively low density residential lifestyles in a manner which preserves open spaces and natural resources of the Township and the Township's rural character. The expanses of open spaces and natural resources, including woodlands, wetlands, hillsides, fields, and farmland comprise the fundamental rural character of the Township which residents wish to protect for future generations. This District includes limited existing farms and it is not the intent of this District to encourage the conversion of these agricultural lands to more intensive land uses, but to provide opportunities for residential development in a manner more compatible with the continuation of agricultural activities than traditionally provided for. However, neither is it the intent of this District to encourage the establishment of more intensive agricultural uses, such as confined livestock operations, which are incompatible with residential use of adjoining lands. Permitted land uses within this District are established based upon, in part, the limited public services available and accompanying natural constraints. The Rural Residential District is intended to implement, in part, the Rural Residential portion of the Future Land Use Plan in the Hayes Township Master Plan.

2. Permitted Uses

- A. Single family dwellings

- H. Carpentry, plumbing and electrical sales, services and contracting offices.
- I. Machine shop.
- J. Car Wash Facilities, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- K. Sale of motor vehicles.
- L. Outdoor sales facilities
- M. Warehouses and storage buildings, but not including commercial bulk storage of flammable liquids and gases.
- N. Transmission and Communication Towers, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- O. Commercial Wind Turbine Generator and Anemometer Towers, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- P. Sand and gravel extraction, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- Q. Cottage industries conducted outside the residence in the yard, garage or accessory structure, subject to the provisions of **Section 3.15 Home Businesses**.
- R. Accessory buildings and uses customarily incidental to the above special approval uses.

4. Dimensional Regulations

Structures and uses in the General Commercial District are subject to the area, height, bulk and placement requirements in **Section 4.13 Schedule of Regulations**

Section 4.12 General Industrial District (I-1)

The following provisions shall apply to the General Industrial District (I-1).

1. Intent

It is the intent of the General Industrial District to provide for a variety of manufacturing and industrial uses that can be generally characterized as being of low intensity, including the absence of objectionable external affects such as noise, fumes, excessive heavy truck traffic and similar characteristics. This district is also intended to accommodate commercial establishments not engaging primarily in retail sales. Such industrial areas should be free of incompatible uses, and designed to avoid negatively impacting adjacent conforming uses. Public sewer or water is not available in this District and all future land uses and activities in this District shall provide for safe sewage disposal and potable water.

2. Permitted Uses

- A. Co-location of antenna or similar sending/receiving device on an existing tower or alternative tower structure, subject to the provisions of **Section 3.22 Antenna Co-location on an Existing Tower or Structure**.

3. Uses Subject to Special Use Permit

- A. Building materials sales.
- B. Carpentry, plumbing and electrical sales, services and contracting offices.
- C. Machine shop.
- D. Warehouses and storage buildings, but not including commercial bulk storage of flammable liquids and gases.

- E. Production, processing, assembly, manufacturing or packaging of goods or materials which do not emanate noise, smoke, odors, dust, dirt, noxious gases, glare, heat, vibration, electrical, or any similar nuisances. Such facilities may include testing, repair, storage, distribution and sale of such products.
- F. Junkyard and salvage material storage.
- G. Sand and gravel excavation, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- H. Outdoor storage facilities, including self-storage facilities.
- I. Sexually Oriented Businesses, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- J. Sanitary landfill.
- K. Transmission and Communication Towers, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- L. Commercial Wind Turbine Generator and Anemometer Towers, subject to the provisions of **Section 7.01 Supplemental Site Development Standards**.
- M. Accessory buildings and uses customarily incidental to above special approval uses.

4. Dimensional Regulations

Structures and uses in the General Industrial District are subject to the area, height, bulk and placement requirements in **Section 4.13 Schedule of Regulations**

Article X: Adoption and Amendments

SECTION 10.01 AMENDMENT TO THIS ORDINANCE

1. The Township Board is authorized and empowered to cause this Ordinance to be amended, supplemented, or changed, pursuant to the authority and according to the procedures set forth in the Michigan Zoning Enabling Act, Act 110 of the Public Acts of 2006, as amended.
 - A. The regulations and provisions stated in the text of this Ordinance and the boundaries of Zoning Districts shown on the Hayes Township Zoning Map may be amended, supplemented or changed by action of the Township Board following a recommendation from the Township Planning Commission.
 - B. Proposals for amendments, (including rezonings), supplements or changes may be initiated by the Township Board on its own motion, by the Township Planning Commission or by petition of one (1) or more owners of property to be affected by the proposed amendment.
 - C. The procedure to be followed for initiating and processing an amendment shall be as follows:
 - 1) Each petition by one (1) or more persons for an amendment shall be submitted by application to the Zoning Administrator on a standard form provided and shall be accompanied by the fee as prescribed by the Township Board. No part of such fee shall be returnable to a petitioner if the public hearing is held.
 - 2) The Zoning Administrator shall notify, in writing, the Township Clerk and Chair of the Planning Commission at or before the time he or she transmits the amendment request to the Planning Commission.
 - 3) The Planning Commission shall consider each proposal for amendment on particular factors related to the individual proposal and in terms of the likely effect on the community's physical development. The Planning Commission may recommend any additions or modifications to the original proposal.
 - 4) Before ruling on any proposal the Planning Commission shall conduct at least one (1) public hearing, notice of which shall be provided as specified in **Section 10.02** of this Ordinance.
 - 5) The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.
 - a) Is the proposed rezoning consistent with the Hayes Township Master Plan?
 - b) Is the proposed rezoning reasonably consistent with surrounding uses?
 - c) Will there be an adverse physical impact on surrounding properties?
 - d) Will there be an adverse effect on property values in the adjacent area?
 - e) Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?
 - f) Will rezoning create a deterrent to the improvement or

- development of adjacent property in accord with existing regulations?
- g) Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?
 - h) Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications?
 - i) Is the rezoning in conflict with the planned use for the property as reflected in the Land Use Plan?
 - j) Is the site served by adequate public facilities or is the petitioner able to provide them?
 - k) Are there sites nearby already properly zoned that can be used for the intended purposes?
 - l) Are other local remedies available?
- 6) Following the public hearing the Planning Commission shall submit the proposed amendment including any Zoning Map changes to the County Planning Commission. If the recommendation of the County Planning Commission has not been received within thirty (30) days after the receipt of the Ordinance by the County, it shall be conclusively presumed that the County has waived its right for review.
 - 7) The Planning Commission shall submit a final report/recommendation to the Township Board along with a summary of the comments received at the public hearing.
 - 8) The Township Board may hold additional public hearings, if they decide it is necessary. Notice of such hearing shall be provided in accordance with **Section 10.02** of this Ordinance.
 - 9) Once adopted by the Township Board, amendments to this Ordinance shall be filed with the Township Clerk, and one (1) notice of adoption shall be published in a newspaper of general circulation in the Township within fifteen (15) days after adoption. Any amendments to this Ordinance shall take effect eight (8) days after publication or at a later date as may be specified by the Township Board at the time of adoption.
 - 10) No application for a rezoning which has been denied by the Township shall be resubmitted for a period of one (1) year from the date of the last denial, except on grounds of newly discovered evidence or proof of changed conditions found valid upon inspection by the Township Planning Commission.

SECTION 10.02 PUBLIC HEARING NOTICE REQUIREMENTS FOR ZONING ORDINANCE AMENDMENTS

The notices for all public hearings before the Planning Commission or Township Board concerning proposed Zoning Ordinance amendments (zoning text or map amendments) shall comply with the following applicable notice provisions:

- 1. For a proposed amendment to the text of the Zoning Ordinance, the notice shall comply with all of the following:
 - A. The content of the notice shall include all of the following information:
 - 1) A description of the nature of the proposed Zoning Ordinance amendment.

- 2) The time, date, and place the proposed Zoning Ordinance will be considered.
 - 3) The places and times at which the proposed Zoning Ordinance amendment may be examined.
 - 4) The address where and the deadline when written comments will be received concerning the proposed Zoning Ordinance amendment.
- B. The notice shall be published in a newspaper of general circulation within the Township not less than fifteen (15) days before the scheduled public hearing.
- C. The notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the Township Clerk for the purpose of receiving the notice of public hearing.

2. For a proposed Zoning Ordinance amendment rezoning an individual property, any number of non-adjacent properties, or ten (10) or fewer adjacent properties the notice shall comply with all of the following:

- A. The content of the notice shall include all of the following information:
- 1) A description of the nature of the proposed Zoning Ordinance amendment.
 - 2) A description of the property or properties proposed for rezoning. The notice shall include a listing of all existing street addresses within the property or properties. Street addresses, however, do not need to be created and listed if no such addresses currently exist within the property or properties. If there are no street addresses, other means of identification may be used, such as using tax parcel identification numbers or including a map showing the location of the property or properties.
 - 3) The time, date, and place the proposed Zoning Ordinance amendment will be considered.
 - 4) The places and times at which the proposed Zoning Ordinance amendment may be examined.
 - 5) The address where and the deadline when written comments will be received concerning the proposed Zoning Ordinance amendment.
- B. The notice shall be published in a newspaper of general circulation within the Township not less than fifteen (15) days before the scheduled public hearing.
- C. The notice shall be sent by first-class mail or personal delivery to the owners of the property or properties proposed for rezoning not less than 15 days before the scheduled public hearing.
- D. The notice shall also be sent first-class mail or personal delivery to all persons to whom real property is assessed within 300 feet of the property or properties proposed for rezoning and to the occupants of all structures within 300 feet of the property or properties proposed for rezoning not less than fifteen (15) days before the scheduled public hearing, regardless of whether the property or occupant is located in the Township. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.

- E. The notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the Township Clerk for the purpose of receiving the notice of public hearing.
- 3. For a proposed Zoning Ordinance amendment rezoning eleven (11) or more adjacent properties, the notice shall comply with all of the following:
 - A. The content of the notice shall include all of the following information:
 - 1) A description of the nature of the proposed Zoning Ordinance amendment.
 - 2) The time, date, and place the proposed Zoning Ordinance will be considered.
 - 3) The places and times at which the proposed Zoning Ordinance amendment may be examined.
 - 4) The address where and the deadline when written comments can be sent concerning the proposed Zoning Ordinance amendment.
 - B. The notice shall be published in a newspaper of general circulation within the Township not less than fifteen (15) days before the scheduled public hearing.
 - C. The notice shall be sent by first-class mail or personal delivery to the owners of the property or properties proposed for rezoning not less than 15 days before the scheduled public hearing.
 - D. The notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the Township Clerk for the purpose of receiving the notice of public hearing.
 - 4. After providing the notice required under this section and without further notice, except that as required under the Open Meetings Act, the Planning Commission may adjourn from time to time a duly called public hearing by passing a motion specifying the time, date, and place of the continued public hearing.

SECTION 10.03 ENACTMENT AND EFFECTIVE DATE

- 1. The original zoning ordinance for Hayes Township was adopted by the Hayes Township Board of Trustees, and became effective on July 1, 1974.
- 2. This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Township.

Hayes Township Planning Commission

Public Hearing – Application to Rezone

The Hayes Township Planning Commission will hold a public hearing at a special meeting on September 14, 2022 at 7:00 p.m. at the Township Hall located at 09195 Major Douglas Sloan Road (near Burgess Road), Charlevoix, Michigan 49720.

The purpose of this hearing is to consider an application from Emmet County Commission, by MDC Contracting, LLC (contract purchaser) rezoning Property Tax ID number 15-007-112-034-00 and 15-007-112-032-00, commonly known as Petoskey Street, Hayes Township, Charlevoix, Michigan 49720, from Agricultural District (A) to Industrial District (I-1).

Comments may be submitted to Ron VanZee, Zoning Administrator, fax 231-237-0046, email zoning@hayestownshipmi.gov, or mail to Hayes Township Planning Commission, 09195 Major Douglas Sloan Road, Charlevoix, Michigan 49720. Responses to be considered must be received no later than 5:00 p.m. on September 14, 2022. Questions may be directed to Ron VanZee, Zoning Administrator at zoning@hayestownshipmi.gov or (231) 497-4701.

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CHARLEVOIX, MI 49720

ANDREW MAILLOUX
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EMMET COUNTY ROAD COMMISSION
05481 US 31 SOUTH
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