

AGENDA
HAYES TOWNSHIP, CHARLEVOIX COUNTY
PLANNING COMMISSION
May 6, 2024 7:00 pm
Hayes Township Hall
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720
ZOOM

<https://us02web.zoom.us/j/83601481092?pwd=bTRvd01yc2NtSHY5MXkrZDUxVDMrZz09>

Meeting ID: 836 0148 1092

Passcode: 068828

+1 312 626 6799 US (Chicago)

- Call to Order
- Pledge of Allegiance
- Review Agenda
- Declaration of Conflict of Interest (if any)
- Public Comments Unrelated to Agenda Items (3 minutes)
- New Business

PUBLIC HEARING:

Application by Dewitt Marina for a Special Use Permit to allow development and operation of a boat sales and service operation located at US 31 North,
Tax ID 15-007-118-015-50 and 15-007-118-015-60

- Set/Confirm Date of Next PC Meeting – May 21st, 2024.
- Planning Commission Comment
- Public Comment (1 minute)
- Adjournment

Public Comment at Meetings of the Hayes Township Planning Commission

The Hayes Township Planning Commission values public input and offers an opportunity for the public to comment at its meetings. This affords the Planning Commission the opportunity to hear your views and remarks. If you speak, you should not expect to engage the Planning Commission members or any staff in discussion or debate.

Planning Commission Members will not respond to comments made during the Public Comment unless it becomes necessary to ask a clarifying question, correct a factual error, or to provide specific factual information.

Questions about Township matters are best directed to individual Board members or Township staff (Planner, Zoning Administrator, or Assessor) between meetings. Contact information is available on the township website at: hayestownshipmi.gov.

The availability of public comment is recognized by the Michigan Open Meetings Act. The Act provides that rules may be adopted for orderly comment from the public. To that end, the following rules have been established by the Planning Commission:

1. A person who wishes to speak during Public Comment will sign in and signify that they would like to speak on the form.
2. The person will begin by stating their name, spelling it out if requested.
3. The person addresses the Chairperson, or other person chairing the meeting, on behalf of the entire Planning Commission. Public comment is NOT to be addressed to individual Planning Commission members, to any township staff present, or to other members of the audience.
4. For the first Public Comment period, there is a three (3) minute time allotment for each speaker. The time limit may be extended by the Chairperson or majority of the Planning Commission members present. If a speaker uses less than three (3) minutes, they may not use the remaining time at that Public Comment. A speaker may speak only once at Public Comment. There is no provision for another audience member to 'donate' their three (3) minutes to another speaker. For the second Public Comment session speakers are limited to one (1) minute each.
5. A speaker will be out of order if the speaker disrupts the meeting, fails to be germane, speaks longer than the allotted time, uses vulgarities or makes a personal attack on a Planning Commission member or Township employee that is unrelated to the performance of that person's duties.
6. If a speaker is called out of order, that speaker will not be able to speak again at the same meeting except by special leave of the Planning Commission. If the speaker continues to disrupt the meeting or is disorderly, law enforcement will be called to remove the speaker.
7. The Chairperson, or other person chairing the meeting, will have the discretion to permit members to speak at times other than the times reserved for Public Comment.

Index

Planning Commission Rules and Procedures	Pages 1-2
Notice of Public Hearing	Page 3
Special Use Permit Application	Pages 4-5
Explanation of Phases from Applicant	Pages 6-10
Parcel Identification	Pages 11-15
Zoning Map	Page 12
Supplemental Site Plan Standards; Storage Facilities.....	Page 13
Standards Granting Special Use Permit.....	Page 14
Zoning Ordinance for C-2 District.....	Pages 15-16
Correspondence	Page 17

- #1
2. Prepare the minutes of each meeting and add them to permanent records maintained by the township clerk. The minutes shall contain a brief synopsis of the meeting, including attendance, a complete restatement of all motions and record of votes, conditions or recommendations made on any action.
 3. Keep a public record of Planning Commission resolutions, transactions, findings and determinations.
 4. Post the Hayes Township meeting notices at the Hayes Township Hall and other locations where township notices are posted.
 5. Issue formal written correspondence as directed by the Planning Commission.
 6. Bring communications, petitions, reports and other written materials to the attention of the Planning Commission chairperson.
 7. Issue newspaper notices as may be required by the Planning Commission or by the Hayes Township Zoning Ordinance.

5.2 ZONING ADMINISTRATOR AND PLANNING CONSULTANT

The zoning administrator and planning consultant shall be responsible for the professional and administrative work in coordinating and supporting the functions of the Planning Commission.

5.3 OTHER PROFESSIONAL OR TOWNSHIP STAFF

The Planning Commission may be assisted by other professional or township staff as needed.

6 MEETINGS

6.1 REGULAR MEETINGS

The Planning Commission shall hold no fewer than four regular meetings each year and by resolution shall determine the time and place of regular meetings. Other meetings may be held as necessary. When a regular meeting falls on a legal holiday or when a conflict exists, the Planning Commission shall, if possible, select an alternate meeting date in the same month as the originally scheduled meeting. Notice of regular Planning Commission meetings shall be posted at the Hayes Township Office within 10 days after the Planning Commission's first meeting in each fiscal year, in accordance with the Open Meetings Act.

6.2 SPECIAL MEETINGS

Special meetings of the Planning Commission may be called by the chairperson or by at least two members, upon written request to the Planning Commission secretary. All Planning Commission business shall be conducted at a public meeting held in compliance with the Open Meetings Act. Notice of special meetings shall be given to Planning Commission members at least 48 hours prior to the meeting. This notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act.

6.3 PUBLIC RECORDS

All Planning Commission meetings, minutes, records, documents, correspondence and other materials shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

6.4 QUORUM

A majority of the Planning Commission membership, regardless if vacancies exist or not, shall constitute a quorum for transacting all business and taking all official action. Whenever a quorum is not present, those present may adjourn the meeting to another time and day in accordance with the Open Meetings Act.

#2

6.5 VOTING

1. An affirmative vote of the majority of the Planning Commission membership is required to adopt any part of the Master Plan or amendments to the plan.
2. Unless required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the membership in attendance, as long as a quorum is present.
3. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member or if directed by the chairperson.
4. All Planning Commission members, including the chairperson, shall vote on all matters; the chairperson shall vote last.

6.6 AGENDA

The chairperson shall be responsible for determining agenda items for Planning Commission meetings. The order of business for meetings shall be as follows:

1. Call to Order
2. Review Agenda
3. Declaration of Conflict of Interest (if any)
4. Public Hearings
5. Public Comments Unrelated to Agenda Items
6. Approval of Minutes
7. Report of Township Board Representative to the Planning Commission
8. Report of Planning Commission Representative to the Zoning Board of Appeals
9. Zoning Administrator Report
10. New Business (itemized)
11. Old Business (as required)
12. Set Public Hearing Dates (as required)
13. Set/Confirm Date of Next Planning Commission Meeting
14. Planning Commission Comment
15. Public Comment
16. Adjournment

6.7 PUBLIC HEARINGS

All public hearings held by the Planning Commission must be part of a regular or special meeting of the Planning Commission. The following procedure shall apply to public hearings held by the Planning Commission:

1. Chairperson opens the public hearing and announces the subject.
2. Chairperson summarizes the procedures/rules to be followed during the hearing.
3. Applicant presents the main points of the application.
4. Township planner/zoning administrator/other consultants present report(s).
5. Persons speaking to the issue are recognized.
6. Recognition of correspondence received.
7. Applicant rebuttal/clarification, if requested by Planning Commission Chair.
8. Chairperson closes the public hearing and returns to the regular/special meeting.
9. Planning Commission decides when it will begin deliberation.

7 ABSENCES, REMOVAL, RESIGNATION AND VACANCIES

7.1 ABSENCES

To be excused, members of the Planning Commission shall notify the Planning Commission

NOTICE OF PUBLIC HEARING

The Hayes Township Planning Commission will meet on **Monday, May 6th, 2024 at 7:00 P.M.** The meeting will be held in the Hayes Township Hall, located at 09195 Major Douglas Sloan Road, Charlevoix, Michigan 49720. The purpose of the meeting is to consider an application for Special Use Permit submitted by DeWitt Marine INC. to develop the subject parcels in three phases over a 5 year period located on US 31 North, property tax numbers 15-007-118-015-50 and 15-007-118-015-60 to be used as "Outside Sales Facility, Retail Sales within an enclosed building, Sales of Motor Vehicles and Storage Buildings" Article IV, specifically Section 4.011 C-2 General Commercial District Uses Subject to Special Use Permit and Uses by Right, of the 2009 Hayes Township Zoning Ordinance, as amended (the Ordinance).

The Hayes Township Planning Commission will review this application as outlined in Article VI, Special Use Permit and Planned Unit Development, and specifically the criteria outlined in Article VI, Section 6.02, 4, Standards for Granting Special Use Permit, (the Ordinance).

In the Matter of: Dewitt Marine INC:

Charlevoix County Property Tax Identification Number 15-007-118-015-50 and 15-007-118-015-60, located at US 31 North, Charlevoix, MI 49720.

Interested parties may comment in person at the meeting or comment in writing to: Hayes Township Zoning Administrator, 09195 Major Douglas Sloan rd. Charlevoix, MI 49720, (231) 547-6961, or zoning@hayestownshipmi.gov. Written comments must be received by 5 p.m. on May 6th, 2024.

Ronald J. VanZee, Hayes Township Zoning Administrator
(zoning@hayestownshipmi.gov) (231) 497-4701.

This notice is posted in compliance with PA267 of 1976 as amended (Open Meetings Act), MCLA 41.72a (2) (3) and the Americans with Disabilities Act (ADA). Hayes Township will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon reasonable prior notice to the Hayes Township Clerk. Individuals with disabilities requiring auxiliary aids or services should contact the Hayes Township Clerk by writing or calling the number listed above.

A copy of this notice is on file in the office of the Township Clerk.

#4



9195 Major Douglas Sloan Road, Charlevoix, MI 49720
(231)547-6961/Fax: (231)237-0046

SPECIAL USE PERMIT APPLICATION

- Contact Zoning Administrator Ron Van Zee with any questions: 231.547.6961,(cell) 231.497.4701 or zoning@hayestownshipmi.gov
- Answer all questions and include all attachments.
- Attach a check payable to "Hayes Township" for \$300.00
- Return completed application to: Hayes Township Zoning Administrator
9195 Major Douglas Sloan Road
Charlevoix, Michigan 49720

The applicant shall attach the following information with this Special Use Permit Application:

- ✓ Legal description and survey of the property
- ✓ Detailed property boundary map showing existing and planned uses and structures. Indicate any wetlands, lakes or streams on this property or adjacent property
- ✓ Eight copies of the proposed site plan (as per Hayes Township Zoning Ordinance Article VI)
- ✓ Completed Site Plan Review Checklist form, and a completed Environmental Impact Statement

GENERAL INFORMATION

PARCEL IDENTIFICATION NUMBER: 15-007- 118-015-50 + 15-007-118-015-60
ZONING DISTRICT: HAYES TWP NEIGHBORHOOD/COMMERCIAL
PARCEL SIZE: 1.705 + 1.939 (3.644 TOTAL)
PARCEL ADDRESS: Parcels C+D North Star Drive Charlevoix MI
APPLICANT'S NAME: MARK MCGILL DEWEET MARINE
APPLICANT'S ADDRESS: 6509 CRYSTAL SPRINGS RD
BELLAIRE MI 49615
PHONE NO: (231) 735-3489 EMAIL: MARK@DEWEETMARINE.COM
LANDOWNER'S NAME: Park Ave Development LLC & Rick Lohmeyer
LANDOWNER'S ADDRESS: 203 Bridge St. Charlevoix MI 49720
[Signature]
PHONE NO: (231) 675-9905 EMAIL: jgm@charlevoix.com
LANDOWNER'S AUTHORIZATION TO PROCEED (IF NOT APPLICANT): Yes [Signature]

#5

REQUESTED SPECIAL USE

DESCRIBE THE PROPOSED SPECIAL USE BEING USED: SEE ATTACHED

NOTE WITH DESCRIPTION

ACKNOWLEDGEMENT

I AUTHORIZE HAYES TOWNSHIP (STAFF, APPOINTED BOARD AND/OR COMMISSIONS, OR COMMISSION MEMBERS) TO ENTER UPON THE SUBJECT PROPERTY FOR PURPOSES OF MAKING INSPECTIONS RELATED TO THIS APPLICATION. SUCH INSPECTIONS OR SITE WALKS SHALL BE CONDUCTED AT RESONABLE HOURS AND TIMES.

I certify that all of the above information is accurate to my fullest knowledge.

Owner's Signature: _____

Signature of Applicant, if different from owner: _____

Date: 2-13-24

Township Use Only

Date Application Completed: _____

Zoning District: _____

Newspaper Publication Date: _____

Hearing Date: _____

Planning Commission Review Date: _____

Planning Commission Action: _____

76



zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Phases

Mark McCool <mark@dewittmarine.com>

Fri, Apr 12, 2024 at 10:31 AM

To: zoning hayestownshipmi <zoninghayestownshipmi@gmail.com>

Good afternoon Ron,

I wanted to send these over to you to see if they are efficient enough for the meeting on May 6th. I tried to include all of the requested info that you had in the three laid out phases, however I am more than happy to change anything to make them better. Please let me know your thoughts.

Phase One-

1. Four established 12'x30' pads, in between the easement and HWY. These pads will not interrupt the MDOT easement. These pads are 20' from the property line and 40' from the front property line. These four spaces will be used for the display of boats.
 2. Gravel parking lot that is approximately 45'x170', including two driveway entrances off of the easement road. This space will be used for the display of boats.
 3. A 12'x26' utility shed will be placed on the eastern side of the parking lot. This shed will be used to store miscellaneous items for boat cleaning and sales equipment. Staff will also utilize this space as a temporary office space to conduct their work. There will be no power hook up to this building, but instead powered by a generator. The northern edge of the property to the building is 140' and the eastern (backside of the shed) to the backside of the property is 160'.
 4. An outhouse will be placed on sight for employee use only.
 5. A permanent sign will be established at some time during phase one, along the US31 roadway, outside of the MDOT easement. The location and size at this time. Forward Inking is the contractor hired for this project and will resume responsibility for permits and compliance during this phase.
- (Please refer to "Phase One" for property layout and dimensions)

Phase Two-

1. An indoor sales room, service shop and parts store will be built. The building size is proposed to be 60'x80', but may be subject to change in size to larger I.E. 80'x100'. This building will be occupied by about 6-10 employees, year round.
 2. A black top parking lot will be established to the North and East of the new building. The parking lot size will be 120'x210' (less the space of the building). The parking lot edges will be within compliance for the distances from the edges of the property lines. This parking lot will be used for customer/employee parking, in addition to sales boats on display.
 3. Utility hookups such as water, sewer, and electrical will be conducted.
 4. Storage of shrink wrapped boats will be placed in vacant areas in the parking lot and on the property during winter times
- (please refer to attachment "Phase Two" for property line dimensions)

Phase Three-

1. Construction of a large storage barn, uninsulated and not to exceed the height of 35', will be done. The proposed dimensions will be approximately 100'x160'. Inside the building will be rack storage for boats.
- (please refer to "Phase Three" attachment for dimensions)

Regards,

Mark



Dewitt Marine Inc.
6509 Crystal Springs Road
Bellaire, MI 49615
231.377.6611

Ask me about becoming a member of [Boat Club!](#)

LIKE US!

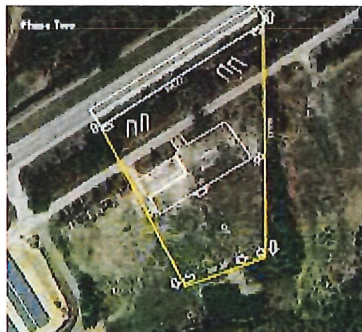


CONFIDENTIALITY NOTICE: This message and any attachment contain confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. If you have received this message in error, please notify us immediately by return e-mail and delete this message and any attachment from your system.

4 attachments



Phase 1.png
942K



Phase two.png
938K



Phase Three.png
933K



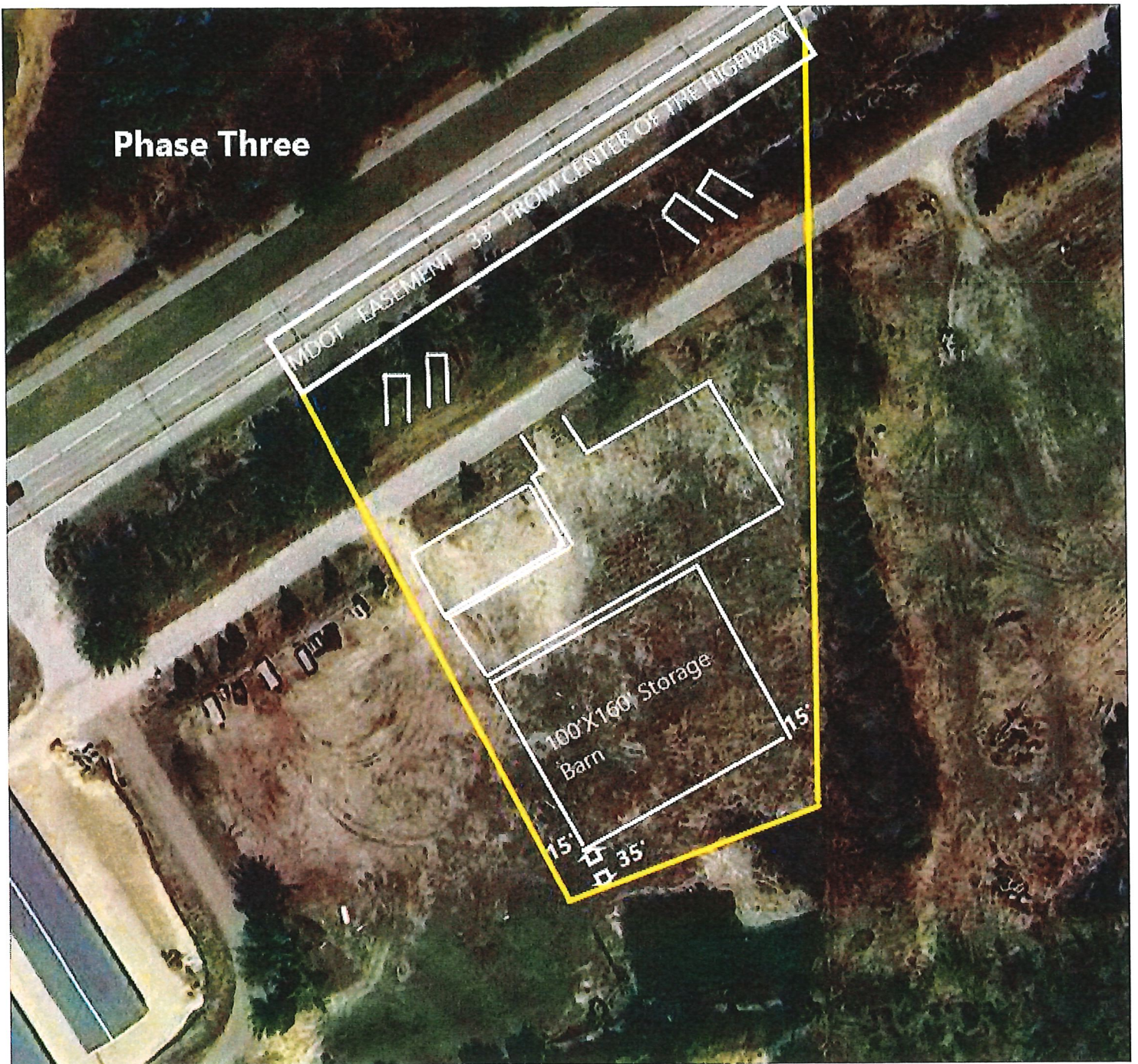
CHARLEVOIX (2) Survey.pdf
164K



8



Phase Three



#10

Viewing Parcel Number: 007-118-015-50

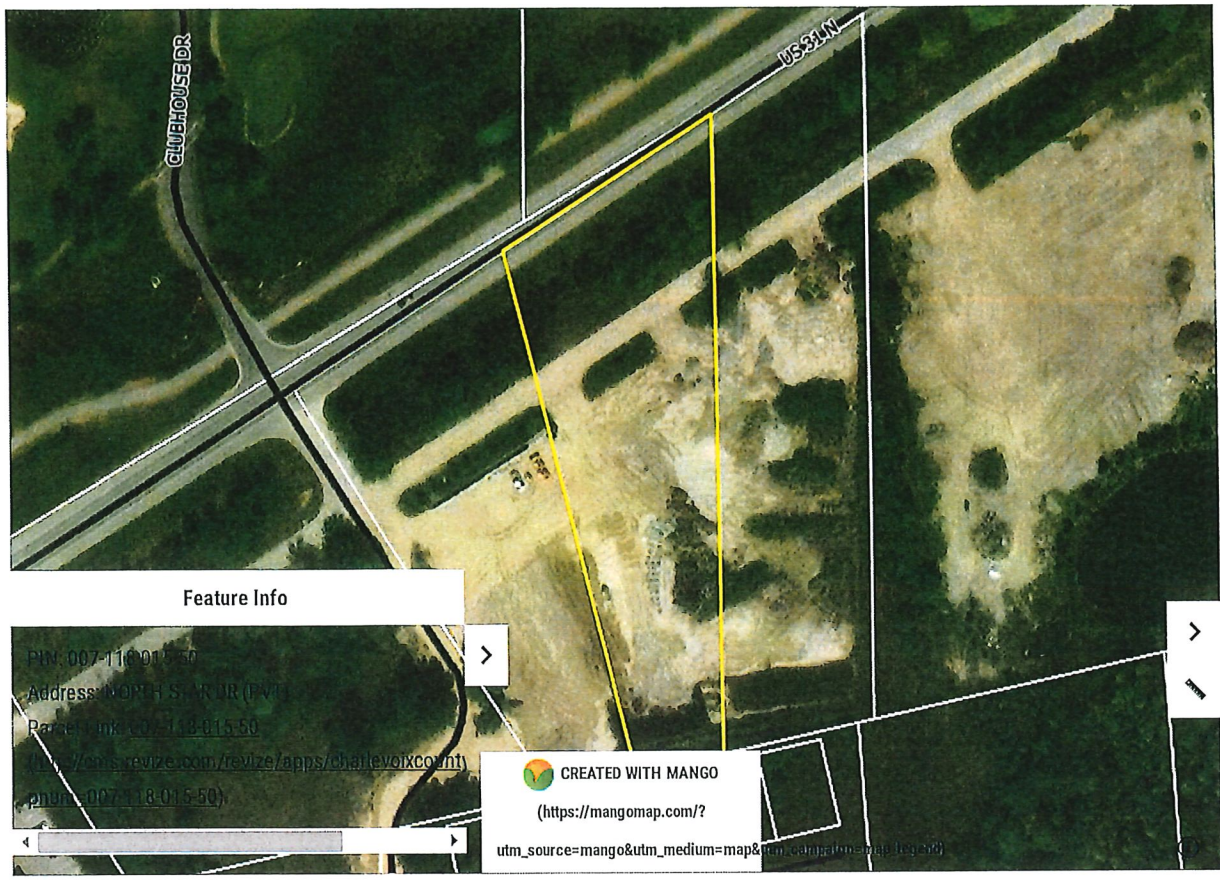
Parcel Details

Assessing City/Township:	Hayes Township
Property Address:	NORTH STAR DR (PVT) CHARLEVOIX, MI 49720
Owner Information:	PARK AVE DEVELOPMENT LLC 2/3 & LOBENHERZ RICHARD E 1/3 203 BRIDGE ST CHARLEVOIX, MI 49720
Property Class:	202 - Commercial - Vacant
Taxable Status:	TAXABLE
School District:	15050 - Charlevoix
P.R.E. Percentage:	0%
Current SEV:	\$59,300
Current Taxable Value:	\$40,192
Prior Year SEV:	\$0
Prior Year Taxable Value:	\$0

Tax Description

COMM AT THE CHX CNTY MARKER AT THE W COR COMMON TO SECS 18 AND 19 T34N R7W TH AL THE LI COMMON TO SD SECS N76DEG04'44"E 1456.04 FT TO A 1/2 IN ROD BEING THE POB TH N15DEG22'39"W 333.69 FT TO A 1/2 IN ROD ON THE SELY LI OF 66 FT WIDE SERVICE DR AND EASE TH CONT N15DEG22'39"W 69.66 FT TO A 1/2 IN ROD ON THE SELY LI OF HWY US 31 TH CONT N15DEG22'39"W 79.16 FT TO C/L OF SD HWY TH AL SD C/L N55DEG58'21"E 228.26 FT TH S01DEG31'09"E 88.94 FT TO A 1/2 IN ROD ON SD SELY HWY LI TH CONT S01DEG31'09"E 78.26 FT TO A 1/2 IN ROD ON THE SWLY LI OF SD 66 FT WIDE EASE TH CONT S01DEG31'09"E 407.02 FT TO A 1/2 IN ROD ON SD SEC LI TH AL SE SEC LI S76DEG04'44"W 78.77 FT TO THE POB BEING PT OF THE SE 1/4 OF THE SW 1/4 SEC 18 T34N R7W 1.705A PARCEL D SPLIT/COMB ON 06/20/2022 FROM PT OF 007-118-015-10, PT OF 007-118-015-20

#11



Feature Info

PN: 007-118-015-50
Address: NORTH S. R. (FV)
Parcel Link: 007-118-015-50
<https://one.revize.com/revize/apps/charlevoixcount>
phone: 007-118-015-50

CREATED WITH MANGO

([https://mangomap.com/?](https://mangomap.com/?utm_source=mango&utm_medium=map&utm_campaign=mango)

[utm_source=mango&utm_medium=map&utm_campaign=mango](https://mangomap.com/?utm_source=mango&utm_medium=map&utm_campaign=mango))

#12

Viewing Parcel Number: 007-118-015-50

Parcel Details

Assessing City/Township:	Hayes Township
Property Address:	NORTH STAR DR (PVT) CHARLEVOIX, MI 49720
Owner Information:	PARK AVE DEVELOPMENT LLC 2/3 & LOBENHERZ RICHARD E 1/3 203 BRIDGE ST CHARLEVOIX, MI 49720
Property Class:	202 - Commercial - Vacant
Taxable Status:	TAXABLE
School District:	15050 - Charlevoix
P.R.E. Percentage:	0%
Current SEV:	\$59,300
Current Taxable Value:	\$40,192
Prior Year SEV:	\$0
Prior Year Taxable Value:	\$0

Tax Description

COMM AT THE CHX CNTY MARKER AT THE W COR COMMON TO SECS 18 AND 19 T34N R7W TH AL THE LI COMMON TO SD SECS N76DEG04'44"E 1456.04 FT TO A 1/2 IN ROD BEING THE POB TH N15DEG22'39"W 333.69 FT TO A 1/2 IN ROD ON THE SELY LI OF 66 FT WIDE SERVICE DR AND EASE TH CONT N15DEG22'39"W 69.66 FT TO A 1/2 IN ROD ON THE SELY LI OF HWY US 31 TH CONT N15DEG22'39"W 79.16 FT TO C/L OF SD HWY TH AL SD C/L N55DEG58'21"E 228.26 FT TH S01DEG31'09"E 88.94 FT TO A 1/2 IN ROD ON SD SELY HWY LI TH CONT S01DEG31'09"E 78.26 FT TO A 1/2 IN ROD ON THE SWLY LI OF SD 66 FT WIDE EASE TH CONT S01DEG31'09"E 407.02 FT TO A 1/2 IN ROD ON SD SEC LI TH AL SE SEC LI S76DEG04'44"W 78.77 FT TO THE POB BEING PT OF THE SE 1/4 OF THE SW 1/4 SEC 18 T34N R7W 1.705A PARCEL D SPLIT/COMB ON 06/20/2022 FROM PT OF 007-118-015-10, PT OF 007-118-015-20

#13



#14

HIGHWAY RIGHT-OF-WAY

U.S. 31

CONSTRUCTED CENTERLINE
228.26'

HIGHWAY RIGHT-OF-WAY
EASEMENT

AGE

1.563 ACRES
S01°38'E 430.09'

1.705 ACRES
S15°22'39"E 482.51'

POWER

LINE

78.77'

S76°04'44"W 288.05'

78.77'

407.02'

S01°31'09"E 574.22'

168.01'

88.94'

78.28'

88.94'

78.28'

S01°31'09"E 632.65'

485.45'

1.839 ACRES

-E-



14.83'

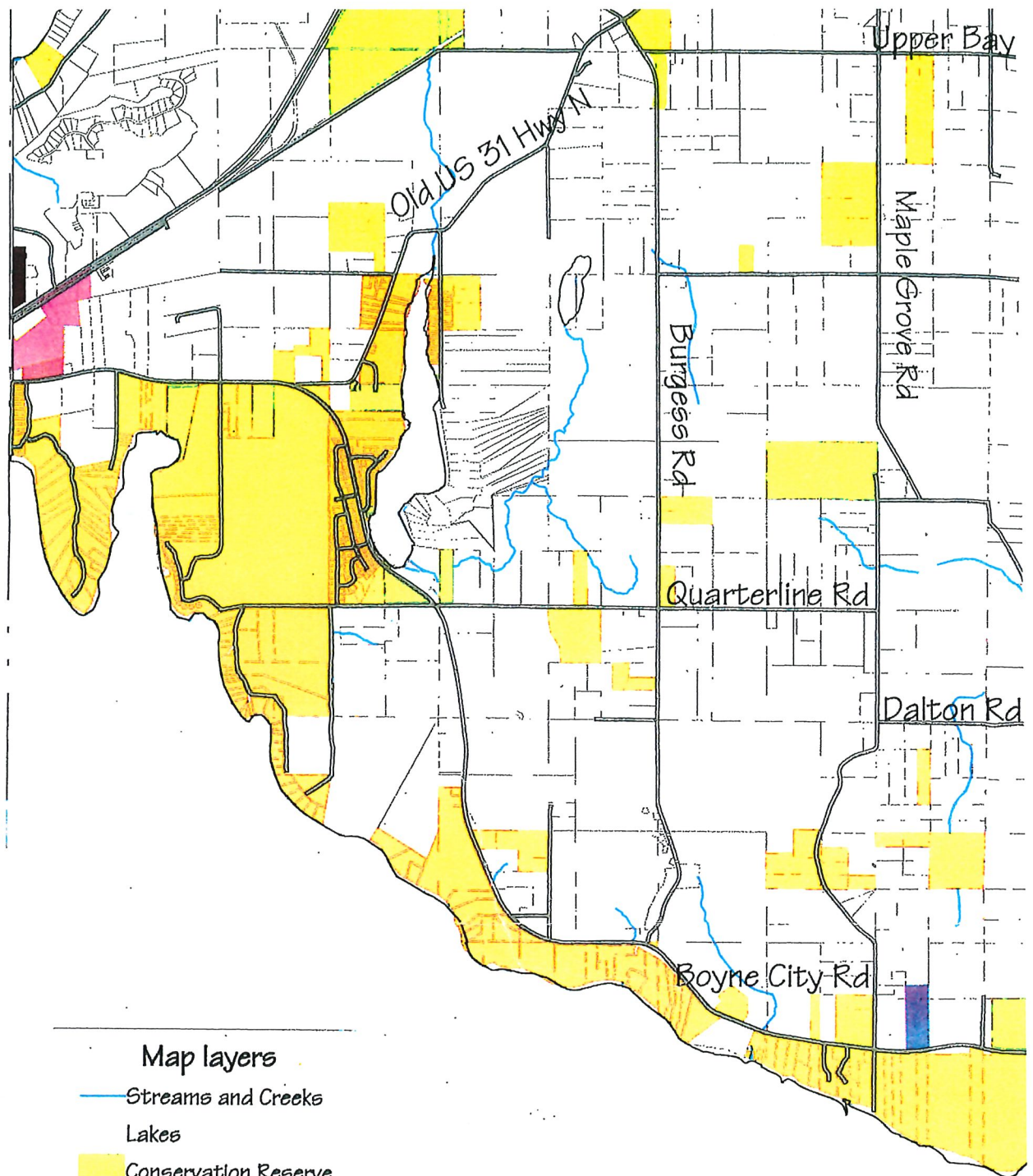
128.51'

VIDOSH LANDSCAPE

S76°04'44"
1 REC. AS ST
S77°36'16"

818.2'

#15



Map layers

Streams and Creeks
Lakes

- Conservation Reserve
- Rural Res. (RR)
- Low Density Res (R-1)
- Small Lot Res (R-2)
- 1 & 2 Fam Res (R-3)
- Multi Fam. Res (R-4)
- Mobile Home Pk (R-5)
- Neighborhood Comm
- Gen Commercial (C-2)
- Gen Industrial (I-1)
- Agricultural (A)

Roads

0 2,000 4,000 6,000
Feet

Data sources: Michigan Center for Geographic Info
Charlevoix County GIS Department, and Hayes Tow.

Map Prepared by: M.C. Planning & Design

Adopted: October 12, 2010
Effective: October 31, 2010

#16

19. Storage Facilities:

A. Storage uses as allowed in Industrial (1-1), including mini-storage, shall meet the following regulations:

- 1) All proposed storage buildings nearest to the primary access road shall be site planned to be perpendicular to the road; landscape screening

shall be required by the Planning Commission per subparagraph 3) of this section.

- 2) Proposed storage buildings are positioned to the rear of other approved non-storage or non-warehousing buildings, e.g., retail or office uses, or, the storage buildings are set back at least one hundred (100) feet from public road right-of-way lines.
- 3) Effective year-round landscape screening is required to shield storage buildings from bordering public roads upon installation of proposed plant materials.
- 4) Nothing in this section shall prohibit or inhibit storage space as a necessary accessory use to any principal commercial use of the property, and these standards do not apply to internal roads within a planned industrial or commercial park.
- 5) Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies, shall be within an enclosed building or behind an obscuring wall or fence on those sides abutting any Residential District and on any yard abutting a public thoroughfare.

4. Standards for granting Special Use Permit

The Planning Commission shall approve, or approve with conditions an application for a special land use permit only upon finding that the proposed special land use complies with the following standards

A. Allowed Special Land Use

The property subject to the application is located in a Zoning District in which the proposed special land use is allowed.

Compatibility with Adjacent Land Uses

- B. 1) The proposed use subject to a special use permit shall be designed, constructed, operated and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
- 2) The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public road or seen from any adjacent land owned by another person.
- 3) If deemed necessary by the Planning Commission, the hours of operation that the special use is allowed to operate, be open or otherwise occur, shall be imposed as a condition of approval to ensure compatibility with the surrounding land uses.

C. Public Services

- 1) The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity.
- 2) The proposed special land uses will be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services.

D. Economic Well-Being of the Community

The proposed special land use shall not be detrimental to the economic well-being of the surrounding residents, businesses, landowners, and the community as a whole.

E. Compatibility with Natural Environment

The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the Township or the natural environment as a whole.

F. Compliance with Specific Standards

The proposed special land use complies with all applicable specific standards required under this Ordinance.

G. Conditional Approvals

The Planning Commission may impose reasonable conditions with the approval of a special use permit, pursuant to **Section 9.03** of this Ordinance.

H. Performance Guarantee Required

The Planning Commission may require an applicant to provide a performance guarantee in connection with the approval of a special use permit, pursuant to **Section 9.06** of this Ordinance.

4. Dimensional Regulations

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

Section 4.11 General Commercial District (C-2)

The following provisions shall apply to the General Commercial District (C-2).

1. Intent

The intent of the General Commercial District is to provide for retail, service, and office development that offers a variety of goods and services to primarily address the needs of Township residents. Because of the variety of business types permitted in the General Commercial District, special attention must be focused on site layout, building design vehicular and pedestrian circulation, and coordination of site features between adjoining uses. Accordingly, it is the intent of this ordinance that commercial development be:

- Compatible in design with adjacent commercial development
- Buffered from or located away from residential areas, and non-commercial uses in coordination with development on adjoining sites

2. Permitted Uses

- A. Public parks, playgrounds or recreation facilities.
- B. Restaurants and bars, except drive-through restaurants.
- C. Retail sales, within an enclosed building, and without a drive through window.
- D. Banks and financial services, except facilities with drive-through windows.
- E. Business and personal services.
- F. Professional offices.
- G. Funeral Homes.
- H. Public utility buildings without storage yards.
- I. Public buildings and facilities.
- J. Civic, social and fraternal organization facilities.
- K. Motels and resorts.
- L. 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**.
- M. Home occupations conducted completely inside the residence, subject to the provisions of **Section 3.15 Home Businesses**.
- N. One residential dwelling unit, as an accessory use to an on-site commercial/business use.
- O. Accessory buildings and uses customarily incidental to the above permitted uses.

3. Uses Subject to Special Use Permit

- A. Gasoline / Service Station.
- B. Any use permitted in the "C-2" district with a drive-through window.
- C. Places of worship and related religious buildings.
- D. Child or adult daycare facilities serving more than six (6) clients
- E. Group foster care facilities.
- F. Convalescent or nursing homes.
- G. Building materials sales.

- 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.

#20
April 19, 2024

Hayes Township Zoning Administrator

09195 Major Douglas Sloan Rd

Boyne City, Mich., 49712

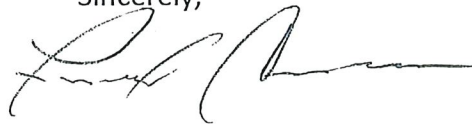
Ref: DeWitt Marine INC.:

The Hayes Township Planning Commission will be holding a meeting to consider an application for Special Use Permit submitted by DeWitt Marine INC. to develop the subject parcels in three phases over a 5 year period located on U.S. 31 North to be used as "Outside Sales Facility, Retail Sales within an enclosed building; Sales of Motor Vehicles and Storage Buildings".

To Whom it May Concern,

Upon reviewing the above notice, I would like to express my view on the above request. Haggards Plumbing and Heating is not opposed to the changes of the property and or the request. If a property owner is fortunate enough to have the ability and the resources in this time to either build and or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county and state to do all we can to improve and promote in any way possible.

Sincerely,



Frank Cesaro

Haggard's Plumbing & Heating