HAYES TOWNSHIP
09195 OLD US 31 N, CHARLEVOIX, MI. 49720

ZONING PERMIT APPLICATION

ZONE DISTRICT ______ PERMIT NUMBER ______ FEE $300 DATE RECEIVED __________

GENERAL INFORMATION

Property Owner Name(s) Elmer's Real Estate Co LLC
Mailing Address 3600 Pennio School Rd, Traverse City MI 49685
Telephone 231-943-3943 Cell: 231-218-1445 EMAIL: jason@temelmers.com

PROPERTY INFORMATION

Property Tax ID Number(s) 002-009-00
Property Address 7889 Bayne City Rd
Contractor Elmer's Contractor Contact Information Same as Above

PROPOSED USE OF PROPERTY

Type of Improvement(s)(describe) Concrete Batch Facility
New Construction X Reconstruction Addition Sign X Other
Dimensions of Proposed Structure 60 x 80 MAX. HEIGHT < 50' Silos < 70'

PROPOSED ZONING PERMIT

Special Use X Type of Special Use 4.12.3.A i 4.12.3.E Per Hayes Twp Ord.
P.U.D. _____ Rezone _____ Land Division/Split Involved? No

PERMITS & REQUIRED DOCUMENTS

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

Owners Signature(s) _____________________________

Zoning Administrator Signature _____________________________

SEE REVERSE SIDE
Prepare a drawing on the grid sheet or a separate sheet of paper showing lot location (road names, lakeshore, ordinary high water mark, streams, easements, rights-of-ways, unusual topographic features), lot dimensions, location and dimensions of all existing and proposed structure(s) including height, distance between structure(s) and front, rear and sides lot lines. Locate driveway, giving distance to nearest side lot line. Also show locations of well, septic tank and drain field. Please refer to Instruction page.

NOTE: The Township must inspect the layout of the building and verify all application information. The signature of the applicant on this application authorizes the inspection of this property. Please call the Zoning Administrator at 231-497-9360 when the site is staked, but before construction begins. Mail completed application to: Zoning Administrator, 09195 Old US 32 N, Charlevoix, Mi. 49720. You may also contact the Zoning Administrator at zoning@hayestownshipmi.gov. Whenever your property has an improvement added, it is added to the Hayes Township Assessment Roll. The Hayes Township Assessor is notified of new zoning permits & will visit your property to assess the improvements. If you prefer to have an appointment vs the assessor coming to your home unannounced, you should contact the assessor to schedule an appointment. Anne Kantola, Assessor, 231-497-9361.
An application for a zoning permit shall be filed in writing with the Zoning Administrator, signed by the person, firm, co-partnership or corporation.

There shall be submitted with all applications for zoning permits one (1) copy of a plot plan, giving accurate dimensions on either a scale drawing or a rough sketch. Drawings shall be required on all structures and shall contain the following information:

1. Existing and intended use of the structure;
2. Dimensions: include proposed building with dimensions (including height); lot or parcel dimensions, front, side, and rear yard distances to lot line or other structures;
3. Location upon the lot of all existing and proposed structures; well and septic location; lakes, streams, easements, or other dedicated rights-of-way, and any streets (use name) bordering the property;
4. Application for zoning permits under the provision of the Ordinance shall be accompanied by evidence of ownership of all property affected by the coverage of the permit;
5. Evidence that all required federal, state, (wetland, if required), and county licenses or permits (well & septic) have been acquired or that applications have been filed for same;
6. Other information with respect to the proposed structure, use, lot and adjoining property as may be required by the Zoning Administrator.

The written approval of the water supply and sewage disposal facilities, as obtained from the District Health Department, and as required by the zoning Ordinance, shall be accompanied by one copy of both plans and specifications, which shall be filed and retained by the office of the Zoning Administrator.

The Zoning Administrator may require a copy of the soil Erosion Permit and MDEQ Wetlands permit, if one is required, prior to the issuance of a Zoning Permit.

In cases of minor alteration, the Zoning Administrator may waive portions of the foregoing requirements obviously not necessary for determination of the compliance with the Zoning Ordinance.

The Zoning Administrator (ZA) is required to do onsite inspections to take measurements, pictures, etc. You will be required to mark, or stake, the location of all structures upon the parcel so the ZA may complete these tasks. If a Zoning Permit is issued and it is found the measurements on the application for the permit are not accurate the permit will be voided.

A copy of section 4.13 of the Zoning Ordinance has been provided to help you understand setbacks, minimum sq. footage and lot requirements.

All Commercial and Industrial properties require a development plan.

ALL PERMITS REQUIRED BY THE ZONING ORDINANCE SHALL BE DISPLAYED FACEOUT, WITHIN 24 HOURS OF ITS ISSUANCE BY PLACING THE SAME IN A CONSPICUOUS PLACE ON THE PREMISES FACING THE NEAREST STREETS AND SHALL BE CONTINUOUSLY DISPLAYED UNTIL ALL WORK IS COMPLETED.
HAYES TOWNSHIP
ZONING PERMIT PROCEDURES

House/Mobile Home Permit

- Health Department Permit for Septic & Well – (231) 547-6523
  220 W. Garfield, Charlevoix, MI 49720

- If wetlands are involved or property is within 500 feet from a lake or stream a permit is needed from:
  - Charlevoix Soil and Water Conservation District – (231) 547-7236
    Wendy Armstrong, 301 State St., County Building, Charlevoix, MI 49720
  - Michigan Department of Environmental Quality – (517) 732-3541
    1732 M-32 West, P.O. Box 667, Gaylord, MI 49735

- Driveway permit if new driveway or pavement/blacktop if existing drive
  Charlevoix County Road Commission - (231) 582-7330, 1251 Boyne Ave., P.O. Box 39, Boyne City, MI 49712

- House number for any new residence. Charlevoix County Equalization -
  (231) 547-7230, 301 State St., County Building, Charlevoix, MI 49720

- After Health Department Permit has been obtained, and when required, Soil erosion/Wetlands
  permit, a Zoning permit can be issued.

- Building Permit – (231) 547-7236 (Building Construction, Plumbing & Heating)
  County of Charlevoix Building Inspection, 301 State St., County Building, Charlevoix, MI 49720

Accessory Building – Non Agriculture use

- If wetlands are involved or property is within 500 feet from a lake or stream a Wetlands and Soil Erosion Permit is needed.

- Zoning Permit required if square footage is more than 200 square feet or on a permanent foundation

- Building Permit

Accessory Building – Agriculture Use

- Zoning Permit required.

- Building Permit may not be required

Addition to Residence/Accessory Building

- All Setback regulations must be met.

- Building Permit is required.

- If bedrooms are being added all above permits must be obtained.
### Schedule of Regulations

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>District Name</th>
<th>Minimum Lot Area</th>
<th>Max. Ht. Structure</th>
<th>Minimum Yard Setbacks</th>
<th>Minimum Square Footage</th>
<th>Max % of Impervious Surface</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Area</td>
<td>Width</td>
<td>Feet</td>
<td>Front</td>
<td>Side</td>
</tr>
<tr>
<td>CR</td>
<td>Conservation Reserve</td>
<td>NA</td>
<td>NA</td>
<td>35 (d)</td>
<td>NA</td>
<td>NA</td>
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<tr>
<td>A-I</td>
<td>Agricultural</td>
<td>10 Ac</td>
<td>330 ft</td>
<td>35 (b) (d)</td>
<td>25</td>
<td>50</td>
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<tr>
<td>RR-1</td>
<td>Rural Residential</td>
<td>5 Ac</td>
<td>330 ft</td>
<td>35 (b)</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>R-1</td>
<td>Low Density Residential</td>
<td>2 ac</td>
<td>200 ft</td>
<td>35 (a)</td>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>R-2</td>
<td>Small lot Residential</td>
<td>¼ ac</td>
<td>120 ft</td>
<td>35 (a)</td>
<td>25</td>
<td>15</td>
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<tr>
<td>R-3</td>
<td>One and Two Family Residential</td>
<td>20,000 sf/unit</td>
<td>100 ft</td>
<td>35 (b)</td>
<td>25</td>
<td>15</td>
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<tr>
<td>R-4</td>
<td>Multiple Family Residential</td>
<td>(c)</td>
<td>200 ft</td>
<td>35</td>
<td>40</td>
<td>30</td>
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<tr>
<td>R-5</td>
<td>Mobile Home Park - Residential</td>
<td>5,000 sf/unit</td>
<td>50 ft</td>
<td>35</td>
<td>20</td>
<td>10</td>
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<tr>
<td>C-1</td>
<td>Neighborhood commercial</td>
<td>1 Ac</td>
<td>100 ft</td>
<td>35 (c) (d)</td>
<td>35</td>
<td>15</td>
</tr>
<tr>
<td>C-2</td>
<td>General Commercial</td>
<td>2 Ac</td>
<td>100 ft</td>
<td>35 (c) (d)</td>
<td>35</td>
<td>15</td>
</tr>
<tr>
<td>I-1</td>
<td>General Industrial</td>
<td>2 Ac</td>
<td>200 ft</td>
<td>50 (c) (d)</td>
<td>50</td>
<td>25</td>
</tr>
</tbody>
</table>

a. Maximum height shall be 30' for structures located within 1,000 feet of the ordinary high water mark of lakes, unless specifically waived by the Planning Commission upon finding the proposed structure is separated from the lake by an existing topographic feature so that the lake is not visible from a distance 1,000' from the ordinary high water mark.

b. Exceptions to height standards for Agricultural Uses. The maximum height of permitted agricultural accessory structures that are essential and customarily used in agricultural operations associated with a farm shall be forty-five (45) feet, except that the maximum height of silos shall be one hundred (100) feet, provided that all such accessory farm structures shall be located at least one hundred (100) feet from any residential dwelling other than the dwelling on the lot or parcel where the accessory farm structures are located.

c. Telecommunication towers, alternative tower structures, transmission and communication towers, utility microwaves, and public utility T.V. or radio transmitting towers shall not be subject to the height regulations of this Section, but shall be regulated pursuant to Section 7.01.20 of this ordinance.

d. Wind Turbine Generators or Anemometer Towers shall not be subject to the height regulations of this Section, but shall be regulated pursuant to Section 3.10-Noncommercial Wind Turbine Generators or Section 7.01.21-Wind Turbine Generators of this ordinance.

e. Density regulations of this zone district -Not more than four (4) dwelling units per net acre shall be permitted in this zone district, except as otherwise herein provided. There shall be a minimum of fifty (50) percent of the gross area of the proposed "R-4" Zone District maintained as open space or non-profit recreational uses. In the process of determining the usable net acreage in a particular "R-4" project, the developer shall not consider lands having a slope greater than 20% (20 feet of vertical fall in 100 lineal feet).

f. If the developer proposes a mixture of units having differing floor plans, a minimum floor space of eight hundred fifty (850) square feet shall be maintained.

g. The side yard setback for a single family dwelling shall be reduced to twenty-five (25) feet.

h. Any property located on water frontage is also subject to the requirements of Section 3.14 Waterfront Regulations.
To: Hayes Township Planning Commission
From: Elmer’s Real Estate Company, LLC
Date: January 29, 2019
Re: General Industrial District Special Use Permit Application

Elmer’s Real Estate Company, LLC is currently owns approximately 45.99 acres on Boyne City Road in Section 2, Town 33 North, Range 7 West, Hayes Township, Charlevoix County, Michigan. The site is currently zoned a combination of General Industrial and Agricultural. The site was formerly the headquarters for CH Smith who owned and used the site prior to current zoning laws as a: (1) contracting office and equipment repair facility (2) construction yard to receive and store construction equipment, aggregate, rubble concrete/asphalt, tree clearing materials and other construction materials (3) extraction of sand and gravel (4) recycle of construction materials, including screening of soils and manufacture of aggregate with concrete and asphalt rubble and (5) residential home rental. The site uses are mixed throughout the site as outlined on the site plan prepared with this permit application.

The prior site was most recently home to the following operating assets: (3) tractor trucks, (1) tandem dump trucks, (6) fifth-wheel trailers, (2) haul trucks, (5) bulldozers, (2) excavators, (3) loaders, (2) rollers, (1) screening plant and numerous other operating assets necessary to complete the day to day operations of the business. The site had also accumulated many assets that were discontinued in use, brought back from job sites, and even trailer homes formerly rented to tenants.

We have removed most of the assets from the site and have begun to organize the site in a manner commensurate with our style of operations. We do intend to continue the uses established by the prior owner on the site, but in a more deliberate and harmonious manner with neighboring properties. We believe the work completed to date is a sure sign of that commitment to the Township and neighboring property owners.

Engineered plans showing overall existing and proposed conditions required to be identified in accordance with Site Plan Review Sections 5.02 and 5.03 are included with the permit application. Also included for reference is the survey.

Our permit application is specific to the General Industrial part of the site. We intend to remove the existing shop and other structures and replace it with a new 60 x 80 building that will enclose aggregate bins, scales and conveyors necessary to load sand, stone and cement through a dust collection system into trucks that will process the building materials in transit to the job site. All processing occurs after the building materials are in the truck and being transported to a job site. Pictures of a similar structure that we own are included in this application packet. During the construction phase, we intend to install a portable plant to supply concrete for the site and start serving customers in the area; we expect the permanent plant will be installed and operational within 24 months from site plan approval at which time the portable plant will be removed.
We will employ six (6) people at this location. Our company is a leader in its industry in regards to compensation and benefits. We provide top notch wages, a generous retirement plan and a robust medical plan; we still pay for the cost of health insurance for employees and their families without anything coming out of their pocket when they are paid each week. We are a family company and take care of our employees as such, leading to high retention and loyal employees.

We will have (1) loader and (4) ready mix trucks dedicated to this site and the operation contemplated under this permit. The number of trucks on site equal that of the previous owner. However, our trucks will be hauling ready mix concrete versus hauling equipment to and from job sites. Rather, our site excavation business will be operated out of an existing site in Petoskey. As such, we do not expect a significant change in the traffic associated with this site.

The noise most noticeable from the site will be back up alarms on equipment that are required by Safety Authorities. We will be running less equipment with back up alarms daily on the site than the previous owner, so we expect noise associated with these will be unchanged or reduced.

However, in light of adjacent properties, and our intent to reduce the noise, dust, dirt, vibration and other items that those owners may identify as nuisances, we intend to install two rows of mature pine trees at the right of way of Boyne City Road, install seedlings along the un-treed right of way of Maple Grove Road, sprinkle water on standing aggregate piles and pave the existing gravel driveway, including an entrance that meets Charlevoix County Road Commission standards. A mechanical sweeper will be used as necessary to further reduce dust on newly paved areas.

As you will also see from the site plan, we intend to reduce the amount of buildings and use existing wells and septic tanks/fields, leading to a no change or reduction needs for community services.

Thank you in advance for your review of our site use and we look forward to being a beneficial part of the Hayes Township community.
Representation of Existing Allowable Uses for Real Property

As represented in paragraph 22 (m) of the purchase agreement between Undine, Inc. and Elmer’s Crane and Dozer, Inc., the undersigned hereby represents the allowable uses (indicated by parcel below) for the Real Property pre-date the existing zoning laws and are therefore allowable non-conforming uses. Undersigned further represents no reclaim requirements exist that would cause additional liability for the properties.

Existing allowable uses for Wilson Township parcel 015-001-020-10:
- Construction yard to receive and store construction equipment, aggregate, rubble concrete/asphalt, tree clearing materials and other construction materials.
- Extraction of sand and gravel
- Recycle of construction materials, including screening of soils and manufacture of aggregate with concrete and asphalt rubble.
- Residential rental home
- No reclaim requirement

Existing allowable uses for Charlevoix Township parcel 04-034-050-000:
- Construction yard to receive and store construction equipment, aggregate, rubble concrete/asphalt, tree clearing materials and other construction materials.
- Extraction of sand
- Recycle of construction materials, including screening of soils and manufacture of aggregate with concrete and asphalt rubble.
- No reclaim requirement

Existing allowable uses for Hayes Township parcel 007-002-011-00:
- Contracting office and equipment repair facility
- Construction yard to receive and store construction equipment, aggregate, rubble concrete/asphalt, tree clearing materials and other construction materials.
- Extraction of sand and gravel
- Recycle of construction materials, including screening of soils and manufacture of aggregate with concrete and asphalt rubble.
- Residential rental home
- No reclaim requirement

Acknowledgment from Seller: [Signature]
Sign and date
Identification of roads, parking, drives, signs and lighting
ADDITIONAL DATA

1) Soil Analysis: Six inches (6") of top soil, underlain by fifteen feet (15’) of medium light brown sand.

2) Projected water consumption is 1,500-1,700 gallons per operation day.

3) Wastewater is recycled on site and not discharged into septic system. Septic system will only receive sanitary waste water from restrooms and office.