

Acme Township, Grand Traverse County, Michigan
Final Decision of the Acme Township Zoning Board of Appeals

June 9, 2016

Application Number: ZBA 2016-01

Applicant: Shawn Winter, Zoning Administrator, Acme Township
6042 Acme Rd
Williamsburg, MI 49646

For parcel # 28-01-234-007-00

Address: 4946 E M-72
Williamsburg, MI 49690

Owner: Lavern A. and Janet T. Andres

Request:

The Zoning Administrator requests the Zoning Board of Appeals to make a determination on the zoning classification of the parcel no. 28-01-234-007-00. In 2012, the property was rezoned by request of the owner from R-3: Urban Residential to B-2: General Business in order to be consistent with the allowable uses surrounding the property. Zoning Amendment 029, adopted in 2014, removed the B-2: General Business district from the Zoning Ordinance and rezoned all but five of the B-2 properties as C: Corridor Commercial. The five that weren't reclassified as C: Corridor Commercial were reclassified as CF: Corridor Flex. The property referenced in this decision was overlooked in the process and therefore is currently zoned a classification that does not exist in the Zoning Ordinance. The Zoning Administrator requests that the new classification be C: Corridor Commercial

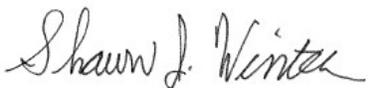
Staff report attached: Yes

Minutes attached: Yes (draft)

Findings: All Basic Conditions of §5.4.1 are satisfied. The Zoning Board of Appeals concurred with the findings presented in the staff report and found the request to be consistent with the public health, safety, and welfare of the surrounding property owners.

Application: Under §5.3 Duties and Powers, the Zoning Board of Appeals determined that the subject property should be zoned C: Corridor Commercial, consistent with the Zoning Administrator's findings. Motion by Maitland to designate the Andres' (subject) property C: Corridor Commercial based on the staff recommendation and standards for determining finding of fact. Support by Forgette. Motion carried unanimously by a vote of 4-0.

Subject to the following conditions: None provided.



Shawn Winter, Zoning Administrator

June 7, 2016

Date



ACME TOWNSHIP ZONING BOARD OF APPEALS
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
June 9th, 2016 7:00 p.m.

CALL TO ORDER

7:07 p.m.

ROLL CALL:

Members present: LaSusa, Forgette, Kuncaitis, Maitland
Members excused: Hoxsie (excused)
Staff present: Winter, Zoning Administrator

A. ELECTION OF OFFICERS

- Since it has been over a year since the last ZBA meeting, Chair Kuncaitis determined it was necessary to begin the meeting by electing officers to serve for the next year. It was noted that Larry Belcher unfortunately passed away, and that Dave Hoxsie would be taking his place on the Board.
- Motion by LaSusa, support by Maitland to retain Joe Kuncaitis as the ZBA Chair. Motion passed unanimously.
- Motion by Kuncaitis, support by LaSusa to nominate Jim Maitland as Vice Chair (co-Chair). Motion passed unanimously.

B. APPROVAL OF AGENDA:

- None

C. INQUIRY AS TO CONFLICTS OF INTEREST:

- None

D. CORRESPONDENCE:

E. PUBLIC HEARINGS:

1. ZBA 2016-01: Zoning Determination at 4946 E M-72
 - Kuncaitis read the public hearing notice into record. It was presented that the hearing request came from the Zoning Administrator, on behalf of the Township, as opposed to a private citizen request.
 - Kuncaitis discussed the nature of the determination request
 - Winter provided an overview of the staff report. The subject property was granted a rezone request to B-2: General Business in 2012 in order to be more compatible with the commercial uses allowed on the surrounding properties.
 - Zoning Ordinance Amendment 029 in 2014 deleted the B-2: General Business district from the Zoning Ordinance and reclassified the majority of the properties (all but five) as C: Corridor Commercial. When the Zoning Map was redrawn, the subject property was overlooked.
 - Winter recommends the subject property receive the C: Corridor Commercial designation due to the similarity in uses allowed are consistent with the form B-2: General Business.
 - Kuncaitis asked if the Zoning Ordinance Amendment 029 included language designating geographic extents of the district. Winter stated that it did not.
 - Motion by Maitland to designate the Andres' (subject) property C: Corridor Commercial based on the staff recommendation and standards for determining finding of fact. Support by Forgette. Motion carried unanimously.

F. ADMINISTRATIVE ACTION

1. Approve Zoning Board of Appeals draft minutes from the October 9, 2014
 - Winter informed the ZBA that the Planning Commission is in the process of rewriting the Zoning Ordinance.
 - Forgette asked if there was a review to determine if any other properties had been overlooked in the rezone process, similar to tonight's hearing. Winter stated that there had not been, aside from looking over the Zoning Map.
 - Motion by LaSusa to approved the October 9, 2014 draft minutes as presented. Forgette supports. Motion carries unanimously.
 - Winter explained that since the ZBA doesn't meet regularly due to low demand, all future meetings will be held on the regularly scheduled dates.

ADJOURN:

- Motion by Maitland, support by LaSusa to adjourn. Motion carries unanimously.
- 7:19 p.m.



**ACME TOWNSHIP ZONING BOARD OF APPEALS
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
June 9th, 2016 7:00 p.m.**

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE

ROLL CALL:

Members present:

Members excused:

Staff present:

A. APPROVAL OF AGENDA:

B. INQUIRY AS TO CONFLICTS OF INTEREST:

C. CORRESPONDENCE:

D. PUBLIC HEARINGS:

1. ZBA 2016-01: Zoning Determination at 4946 E M-72

E. ADMINISTRATIVE ACTION

1. Approve Zoning Board of Appeals draft minutes from the October 9, 2014

ADJOURN:



Planning and Zoning Staff Report

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

Date: June 2, 2016

Permit No.: ZBA 2016-01

Request: To determine the zoning classification of the Andres property listed below

Applicant: Acme Township – Shawn Winter, Zoning Administrator
6042 Acme Rd
Williamsburg, MI 49690

Address: 4946 E M-72
Williamsburg, MI 49690

Parcel No.: 28-01-102-003-00

Legal Description: COM AT NE COR NE 1/4, W 339', S 220', E 25', S 105', E 314', N 325' TO POB EXC RD R/W. SEC 2 T27N R10W.

Owner: Janet T. & Lavern A. Andres

Aerial Map:



Area: 1.38 acres (1.71 gross acreage)

Zoning & Existing Use(s): Formerly B-2: General Business; site contains a legally nonconforming single-family residential home and accessory building

Adjacent**Zoning:**

North: R-3: Urban Residential (PUD overlay) – Grand Traverse Resort & Spa
South: R-3: Urban Residential (Mixed Use Development overlay) – Meijer
East: B-3: Planned Shopping Center – VACANT
West: R-3: Urban Residential (Mixed Used Development overlay) – VACANT

**Relevant
Sections of
the Zoning
Ordinance:**

ARTICLE V: ZONING BOARD OF APPEALS**§5.3 Duties and Powers**

The Zoning Board of Appeals shall have the duties and powers prescribed by the Michigan Zoning Enabling Act. Included among these shall be the power to determine Zoning District boundaries, where uncertainty exists with respect to the location of boundaries as depicted on the Zoning Map.

REPORT

On April 3, 2012 Lavern Andres, owner of the property referenced above, applied for a zoning change to his property from R-3: Urban Residential to B-2: General Business. The reason behind the request was that the surrounding properties were either zoned for commercial uses (B-3: Planned Shopping Center) or approved for commercial uses through an overlay: Grand Traverse Town Center – Mixed Used Development and Grand Traverse Resort & Spa – Planned Unit Development.

Beckett & Raeder performed a review of the request on behalf of the Acme Township Planning Commission and staff. That review found the rezoning request to be consistent with the Community Master Plan and would allow for uses consistent with the surrounding land uses. The review has been included as Exhibit A and an excerpt follows below:

The Community Master Plan updated through 05/18/2009 designates the property within the Town Center future land use category, which extends from Mt. Hope Road east to the property owned by Meijer, Inc.

The future land use chapter of the Master Plan states, “the objective of the mixed-use Town Center district is to build a network of shops as well as service, civic and cultural facilities and residential neighborhoods in a concentrated area that is user-friendly to the Township resident, the general consumer and the visitor alike. In addition, the concentration of retail, service and other activities is intended to help prevent commercial sprawl in the Township, and protect existing residential properties from traffic and concomitant noise and other invasive issues related to commercial activity. It is envisioned that the various parcels of land in this district would be developed in an integrated way, in effect, creating a specific district for a town center in Acme Township.

The Planning Commission held a public hearing and considered the request at their regular meeting on April 23, 2012. After discussing the review by Beckett & Raeder and considering the future land use that would be allowed if the rezoning request were to be granted, the Planning Commission voted unanimously to recommend approval of the request to the Township Board. The minutes from the Planning Commission meeting have been included as Exhibit B.

The Township Board considered the request at their June 5, 2012 meeting and voted unanimously to approve the rezoning request from R-3: Urban Residential to B-2: General Business. The minutes from the Township Board meeting have been included as Exhibit C.

The Township Board at their April 8, 2014 meeting voted unanimously to adopt Zoning Ordinance Amendment 029 – US-31/M-72 Business District, incorporating form-based code and eliminating the

B-1S: Shoreline Business, B-1P: Professional Office and B-2: General Business districts. With the exception of five parcels (Sleep Inn, Holiday Inn, the vacant parcel on the northeast corner of Mount Hope Rd and US-31 N, K-Mart, and Tom's Market) the former B-2: General Business parcels were rezoned C: Corridor Commercial. The Andres property was overlooked in this process and never changed on the Zoning Map, possibly due to the fact that the Andres' zoning request was granted after the original Zoning Map was created. This now leaves the Andres property zoned as a district that no longer exists in the Zoning Ordinance and therefore requires a zoning determination by the Zoning Board of Appeals.

STAFF FINDINGS AND RECOMMENDATION

Recommendation:

Staff has determined the most appropriate zoning classification for the Andres property to be C: Corridor Commercial based on the Standard for Determination and Findings of Fact listed below.

Standard for Determination:

§5.3 Duties and Powers

The Zoning Board of Appeals shall have the duties and powers prescribed by the Michigan Zoning Enabling Act. Included among these shall be the power to **determine Zoning District boundaries, where uncertainty exists** with respect to the location of boundaries as depicted on the Zoning Map. *(emphasis added)*

Findings of Fact:

Staff finds the following facts regarding the C: Corridor Commercial zoning classification on the Andres Property:

1. The zoning classification will not jeopardize the health, safety or welfare of the surrounding properties, or the community at large.
2. There stands to be no substantial adverse effect upon the property values in the immediate vicinity.
3. All property owners within 300 feet of the Andres property have been notified of the public hearing for determination and no comments have been received as of the date of this report.
4. The C: Corridor Commercial zoning classification will be consistent with the allowable land uses of the surrounding properties.
5. The Future Land Use map in the Acme Township Community Master Plan, adopted in 2014, designates this location as Town Center with a category description similar to the one used as the basis granting the commercial (B-2: General Business) request in 2012.
6. The adoption of Zoning Ordinance Amendment 029 – US-31/M-72 Business District which deleted the B-2: General Business district has created a hardship upon the property owner not of their doing.
7. By applying the transitive property, if Anders was granted a rezone to B-2: General Business, and an amendment reclassified B-2: General Business to C: Corridor Commercial, then the Anders property should be C: Corridor Commercial.
8. The property is a legal lot of record as defined by the Zoning Ordinance.
9. The lot dimensions would exceed the maximum lot size allowable under C: Corridor Commercial classification. However, this was the case with the majority of properties effected by Zoning Ordinance Amendment – 029. The adopted amendment recognizes that situations like this exist, and since it is an already existing legal lot of record, §6.6.3.5 states that it will not be considered nonconforming, but any future splits to the lot would have to comply with the requirements of the Ordinance.
10. Similarly, the existing single-family home and accessory building are not allowed in the C: Corridor Commercial district, but are again covered under section §6.6.3.5. Any future developments would have to comply with the Building Form and Regulated Uses of the Ordinance. The 2012 rezone to B-2: General Business created a legally nonconforming use on

the property at that time, plus it is the property owner’s intent to sell the property as a commercial parcel.

11. The determination that the property be zoned as C: Corridor Commercial would not represent a downzoning from what was allowed under the B-2: General Business classification. The form-based code in the US-31/M-72 Business District allows more uses than the former B-2: General Business in exchange for stronger design standards than previously existed. Table 1 compares the uses allowable by right between the districts.

Table 1: B-2 General Business and C: Corridor Commercial Uses Allowed by Right

B-2 General Business Uses Allowed By Right	C Corridor Commercial Uses Allowed By Right
Commercial	
<ul style="list-style-type: none"> - Neighborhood Business - Pet Stores - Banks, or other similar Financial Institutions - Personal Services - Printing Establishments - Accessory Uses - Entertainment Facilities - Restaurant: Carry-Out Only - Restaurant: Full Service 	<ul style="list-style-type: none"> - Convenience Market (less than 3,500 ft²) - Farmer’s Market - Grocery Stores (< 10,000 ft², no gas service) - General Retail (<10,000 ft², no alcohol, no 10 p.m.-7 p.m. hours, no onsite production) - Automotive Supply and Parts - Banks and Financial (w/o drive-thru) - Personal Services - Restaurant, Café, Coffee Shop (without drive-thru or drive in facilities) - Bar/Tavern - Micro Brewery
Office	
<ul style="list-style-type: none"> - Offices - Animal Hospital/Veterinary Establishment 	<ul style="list-style-type: none"> - Professional Offices - Medical/Dental Offices - Medical Urgent Care Facilities - Veterinary Clinic
Residential	
<ul style="list-style-type: none"> - Dwelling Units Above or Below 1st Floor 	<ul style="list-style-type: none"> - Mixed Use w/ Residential Above 1st Floor - Live/Work Unit - Multiple Family - Home Occupation 1
Public and Private	
<ul style="list-style-type: none"> - Private Schools - Public Uses: Critical, Essential, Supporting 	<ul style="list-style-type: none"> - Public or Private Schools - Public Uses: Critical, Essential, Supporting - Outdoor Public Owned Parks/Rec Facility - Churches w/ and w/o Assembly
Transportation/Utilities	
	<ul style="list-style-type: none"> - Parking (Public and Private) - Public Transit Stop or Station

Conclusion:

It is respectfully recommended that the Zoning Board of Appeals make the determination for the Andres property located at 4946 E M-72, Williamsburg, MI 49690 to be classified as zoned C: Corridor Commercial.

Motion:

Motion to adopt the finding of the Zoning Administrator and reclassify the above property as C: Corridor Commercial.

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Date: 04.09.2012

From: John Iacoangeli
To: **Sharon Vreeland**
ACME TOWNSHIP
6042 Acme Road
Traverse City, MI 49690

Project: Amendment 19 to the Acme Township Zoning Ordinance of 2008
LaVern Andres Rezoning
2012

Request: Rezoning of Property from R-3, Urban Residential to
B-2, General Business

Applicant: LaVern and Janet Andres
PO Box 433
Acme, Michigan 49610

Parcel Address: 4946 M-72 East, Williamsburg, Michigan

Parcel Number: 28-01-102-003-00

Parcel Size: 1.71 Acres (gross acreage)

Summary and Recommendation:

Rezoning of the subject property from R-3, Urban Residential to B-2, General Business is consistent with the Community Master Plan.

General Description:

The subject parcel is located on the southwest corner of M-72 and Lautner Road. Due to topographic characteristics access to the parcel is off Lautner Road. The property has a house located on the west side of the parcel and an accessory building (1965) located along the south property line which was used for a family business.

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Properties adjacent to the subject parcel include:

	Master Plan Designation	Zoning Designation	Current Land Use
Existing	Town Center	R-3, Urban Residential	Residential
Proposed	Town Center	B-2, General Business	No change at this time
North of Site	Urban Residential	R-3, Urban Residential	Resort, Golf Course, Mixed Residential
South of Site	Town Center	R-3, Urban Residential with a Mixed Use Overlay	Vacant; SUP in effect for Phase 1 Meijer Store
East of Site	Town Center	B-3, Planned Shopping Center	Vacant
West of Site	Town Center	R-3, Urban Residential with a Mixed Use Overlay	Vacant; SUP in effect for Phase 1 Meijer Store

Subject Property Relationship to Master Plan

The Community Master Plan updated through 05/18/2009 designates the property within the Town Center future land use category which extends from Mt. Hope Road east to the property owned by Meijer, Inc.

The future land use chapter of the Master Plan states, “the objective of the mixed-use Town Center district is to build a network of shops as well as service, civic and cultural facilities and residential neighborhoods in a concentrated area that is user-friendly to the Township resident, the general consumer and the visitor alike. In addition, the concentration of retail, service and other activities is intended to help prevent commercial sprawl in the Township, and protect existing residential properties from traffic and concomitant noise and other invasive issues related to commercial activity. It is envisioned that the various parcels of land in this district would be developed in an integrated way, in effect, creating a specific district for a town center in Acme Township.”¹

Dimension and Bulk Requirements

The B-2, General Business District requires a minimum lot size of 10,500 square feet with a front yard setback of 40 feet and side yard setbacks equal to 10% of the lot width not to exceed 25 feet. The subject property has a lot width of 314 feet which meets the side and rear yard requirements. In addition, the M-72 corridor overlay, Section 7.2.6. will require a setback of 100 feet and a parking setback of 50 feet.

¹ Page 48, Acme Township Master Plan updated through May 18, 2009.

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Disclosure of Existing and Proposed Uses

Rezoning of the subject property will change the variety of uses allowable under the existing zoning designation. These include:

Zoning Designation	Allowable Uses Permitted by Right
R-3, Urban Residential	Single Family Duplexes Multiple Family Open Space Preservation Developments Mixed Use Planned Development
B-2, General Business	Animal Hospital Private Schools Entrainment Facilities Neighborhood Business defined as small commercial areas providing limited retail goods Banks Personal Services Pet Stores Printing Establishments Offices Restaurant: Carry Out Restaurant: Full Service Dwelling Units above the first floor

Other Considerations

The recent approval of the Phase 1 Site Plan and Special Use Permit for the Village at Grand Traverse includes the installation of a roundabout at the M-72 and Lautner Road intersection and median. Access to the site may be difficult or restricted from M-72, as well as, Lautner Road. Approval of the Special Use Permit for the Village at Grand Traverse included cross access easements to the Andres property. Depending on how the property is developed will dictate the type and location of access to the subject parcel.

Findings of Fact

Finding	Standards
The existing uses and zoning of nearby properties	Properties to the west, east and south of the subject property are zoned to accommodate commercial and business development.

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Finding	Standards
<p>The extent to which the existing zoning and/or proposed zoning promotes the general health, safety, and welfare of the citizenry of the Township</p>	<p>The proposed rezoning is consistent with the future land use map which designates the property as Town Center. Properties west and south are zoned R-3, Urban Residential with a Mixed Use District designation. Property to the east is zoned B-3, Planned Shopping Center.</p>
<p>The suitability of the subject property for the purposes for which it is presently zoned.</p>	<p>Recent approval of the Phase 1 site plan for the Village at Grand Traverse development reduces the suitability for this property as residential.</p>
<p>The evidence or lack of evidence of community need for the use proposed by the petitioner which would require the zoning amendment</p>	<p>Market studies prepared for the Village at Grand Traverse noted retail market opportunities in specific retail categories. However, there is a retail market but it is limited. Approval of the Phase 1 site plan for the Village at Grand Traverse positioned this property for commercial development.</p>



ACME TOWNSHIP PLANNING COMMISSION MEETING
Acme Township Hall
6042 Acme Road, Williamsburg, Michigan
7:00 p.m. Monday, April 23, 2012

Meeting called to Order with the Pledge of Allegiance at 7:00 p.m.

Members present: J. Zollinger (Chair), B. Carstens (Vice Chair), S. Feringa, R. Hardin, V. Tegel, D. White

Members excused: K. Wentzloff, P. Yamaguchi

Staff Present: S. Vreeland, Township Manager/Recording Secretary
J. Iacoangeli, Planner
J. Jocks, Township Legal Counsel

INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

APPROVAL OF AGENDA: Motion by Carstens, support by White to approve the agenda as presented.

1. **Continuing Education/Special Presentations:** None
2. **Consent Calendar: Motion by Feringa, support by Tegel to approve the Consent Calendar as presented, including:**
 - a) **Receive and File:**
 1. **Draft Unapproved Minutes of:**
 - a. Board [04/3/12](#)
 - b. Shoreline Advisory [3/21/12](#)
 - c. Zoning Board of Appeals [04/12/12](#)
 - d. Planning & Zoning News March 2012
 - b) **Approval:**
 1. **Minutes of the [03/26/12](#) Planning Commission Meeting**

Motion carried unanimously.

3. **Limited Public Comment:** None.
4. **Correspondence:** Zollinger announced that Yamaguchi has tendered her resignation from the Planning Commission effective at the end of her term on July 15. She has an excellent professorship offer overseas. Her position and that of Clare David, who resigned earlier, were due to expire in July and will not be filled until that time.
 - a) **Shoreline Placemaking Leadership Committee:** John Iacoangeli and his firm, Beckett & Raeder, have been hired to conduct the shoreline placemaking process. He explained the role of the leadership committee to assist him and his firm in conducting the process and ensuring that all the right people are at the table and things move along smoothly. He has also recommended that a technical committee be formed later in the process with a variety of local organization and agency representation to weigh in as the plan takes shape.

Tonight the Planning Commission is asked to appoint a representative to the Leadership Committee. Carstens nominated Tegel to serve, and she expressed interest in doing so and approval of the proposed scope of service. Hardin supported the nomination, and with no other nominations the Commission unanimously chose Tegel as their representative.

- b) **Planning and Zoning Services:** John Iacoangeli of Beckett & Raeder was introduced as the township’s contract planner at least in the short term. A part-time zoning administrator will be hired. Iacoangeli distributed his business card and encouraged Commissioners to contact him as needed or desired with questions or issues. He will keep office hours at the township with the first date being most of the day on May 10.
5. **Reports:** None
6. **Public Hearings:**

a) **Proposed Zoning Ordinance Amendment 019 – Request to rezone 4946 M-72 East (Andres property) from R-3 to B-2:** The property requesting rezoning is at the southwest corner of the M-72/Lautner Road intersection and is approximately 1.7 acres in size. The current zoning is R-3, Urban Residential, which matches the Village at Grand Traverse Property. The VGT Property’s underlying zoning remains R-3 but a Mixed Use overlay is in place and a Meijer store is due to be developed immediately adjacent to the Andres property on the south side. The land on the east side of Lautner Road is zoned B-3, Planned Shopping Center, and the land on the north side of M-72 is zoned R-3 but in use subject to a PUD overlay by the Village at Grand Traverse. The property is within the area designated on the Future Land Use Map as “town center” mixed use. The minimum lot size requirement is exceeded. This property is within the “M-72 Corridor” so the front yard setback from M-72 is 100’, consistent with the VGT property.

Iacoangeli considered the standards for determination and finds that the application meets all of them. The rezoning is consistent with the township Master Plan and general public health, safety and welfare. The approval of the Meijer store reduced the suitability of the site for ongoing residential use, and the market study for the Meijer store indicates that there is additional market for a variety of commercial uses. Iacoangeli recommends approval of the application.

Andy Andres Jr, 1107 Barlow Street, Traverse City stated that his family has been waiting for this rezoning for a long time. He hopes that when the Commission works with a future applicant to develop the property they will encourage retention of some significant mature trees on the site as part of the gateway appeal to the community.

Carstens asked about the sub-surface conditions and the depth of the water table. This property is higher than much of the surrounding land and drains into those other surroundings. The water table depth is uncertain, but there is a basement on the home.

Public Hearing opened at 7:18 p.m.

Zollinger noted a letter in support of the rezoning request from Bob and Kathy Garvey, 6377 Deepwater Point Road.

Jim Heffner, 4050 Bayberry Lane, appreciated the work the township did on the Meijer SUP process and how hard the township and applicants have worked together. He believes it can be a good looking project on paper. Mr. Heffner supports rezoning

of this property to B-2 as consistent with surrounding property use and the Master Plan, but he is concerned about the possibility of the site being used as a gas station in the future. He does not believe this is the way we want to welcome people to our community, and is concerned about how a gas station would interface with the proposed roundabout design for the intersection. He is also concerned about the possibility of an “adult bookstore.” Mr. Heffner respects the property owner seeking the highest and best use for his property, but also wants future development to reflect community values.

Public Hearing closed at 7:23 p.m.

Tegel also wonders how the property will be accessed. She appreciates Mr. Andres’ concern for the mature pines and wondered if they are within the public right-of-way. She wondered if the existing access to Lautner Road would be preserved and whether there is access to the Andres property through the VGT site. She reviewed the township’s standards for approval for gas stations as this was also a concern of hers. In Section 9.6 of the ordinance a lot is required to have 150’ of frontage on a road to contain a gas station and she wondered if the somewhat irregular shape of the lot would work for this use. Iacoangeli stated that his review is based on the consistency of the request with the Master Plan and the Zoning Ordinance overall. The review does not include imagining how a future land use would be sited or which of the allowable uses would be proposed. He agrees that it is unlikely that the site will be accessed from M-72 or possibly even Lautner Road so close to the future roundabout. However, an easement to the Andres property across the VGT property was required as part of the VGT Phase I approval. Since it is likely people will have to go through the larger development to access this property, the site may be less desirable than it would be otherwise. Iacoangeli noted that gas stations require a special use permit, and that as part of the SUP review process the township has the right to request a market study. The Meijer market study indicated that there is not currently market demand for an additional gas station.

Motion by Feringa, support by White to recommend to the Board of Trustees that Zoning Ordinance Amendment 019 changing the zoning of the property at 4946 M-72 East from R-3 to B-2. Motion carried unanimously.

- b) [SUP/Site Plan Application 2012-02P: Goodwill Industries](#): Cecil McNally, Executive Director of Goodwill Industries, Northern Michigan began the applicant’s presentation. They are a local non-profit providing service to over 7,100 people in 2011. They provide meals for Meals on Wheels and Goodwill Inn guests at a rate of over 160,000 meals/year. They work with various industries that employ special needs workers such as Paperworks. Their current retail store on S. Airport Road has reached its capacity to serve the area, and their studies indicate a second store can be supported. Over 70% of the funding for their services comes from their retail store, and the organization as a whole generates about 240 jobs. Those who shop at a Goodwill store might be in need, or they might be comfortable financially and just looking for a bargain.

Bill Crain from Anderson & Crain presented the site plan. The proposed site is that of the former Real Estate One building, which will be removed to make way for a new 12,400 sq. ft. building. The existing curb cut on M-72 would be used. The applicant is working with MDOT regarding the curb cut and possible interconnections to the properties on either side. Existing water retention basins would be used as modified to accommodate the needs of a larger building size. The building would be placed somewhat into a steep bank on the south side of the property to make room for sufficient parking. A two-lane donation drop-off area will be at the northwest corner



ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, June 5, 2012, 6:30 p.m.

MEETING CALLED TO ORDER WITH THE PLEDGE OF ALLEGIANCE AT 6:33 p.m.

Members present: D. Dunville, R. Hardin, W. Kladder, P. Scott, E. Takayama, L. Wikle, F. Zarafonitis
Members excused: None
Staff present: S. Vreeland, Township Manager/Recording Secretary
 J. Jocks, Township Counsel

A. STUDY SESSION:

1. **Northflight Ambulance - Discuss a proposal to bring Ambulance Service to Acme Township:** The idea of having a Northflight ambulance housed in Acme Township has been discussed off and on since Bill Kurtz was Supervisor prior to 2006. Early investigations were based on providing 24 hr./day service, but the current proposal is to have the ambulance staffed during the busiest 16 hrs./day. This should provide adequate service while removing the need to provide sleeping quarters.

The service as currently proposed would be ALS (Advanced Life Support). East Bay and Whitewater Townships provide separate BLS (Basic Life Support) service. Northflight would cover the cost of the ambulance, all supplies and the ALS-certified EMT. Acme Township would provide a driver. Since our MESA firefighters are trained to a BLS level and certified to drive large emergency equipment, the concept is that Acme would pay the additional cost above and beyond the existing contract with MESA for the driver wages.

The township has an emergency services special assessment district (SAD). 2.1 mills are currently dedicated to the MESA contract. An additional 0.2 mills has been used to maintain needed cash flow reserves in our Fire Fund. However, due to a restructuring of the MESA payment schedule the cash flow reserves are not needed. The money accumulated could be used to fund the driver for the ambulance service for the final 6 months of 2012. An increase of 0.1 mills to the SAD starting in December 2012 could fund the service for 2013.

MESA Chief Pat Parker introduced Olga from Northflight, and said that providing an ambulance in Acme Township would enhance safety services to our citizens. From his perspective there has been a desire to have an ambulance here for at least 10 years, and to date it hasn't happened because call volumes are still fairly low. Overall, Northflight currently experiences high volume periods when the numbers of calls for service exceed the number of ambulances available. Adding an Acme ambulance would therefore not only increase service to Acme but to the entire region. The ambulance can be housed in the fire station. This would also add a second firefighter to the station staffing for 16 hours a day, and the ambulance would always respond to a fire to serve victims and the firefighters themselves.

An Acme-stationed ambulance, which would cost Northflight approximately \$300,000, would also be used to handle intercepts for outlying ambulance services to complete transport to the hospital. Chief Parker anticipates that the ambulance might be at the hospital 5-6 times a day. Service to Acme-area citizens would be approximately 8-12 minutes faster than it is now.

The MESA Board was asked if they would help participate in the cost and was told that while they don't mind providing the firefighters, the cost must be borne entirely by Acme. To qualify as a driver, one must be a Firefighter I/II and qualified as an EMT. If the program works well, it could be expanded to 24 hrs./day.

The contract would be structured for 1 year, automatically renewing at each anniversary unless a party opts out with 90-days notice prior to the anniversary date.

Scott asked for a better explanation for the public of an “intercept.” This is when a more highly-licensed Paramedic (ALS) meets a lesser qualified BLS ambulance and patient somewhere between the initial accident site and the hospital. If the patient is sick enough, the ALS is launched because they can perform more life-saving procedures and administer a wider range of medicines en route to the hospital.

Kladder reported that Bill White from Elk Rapids Township was very interested in the potential new Acme service, as they are seeking to partner with Milton Township on a similar venture and found the idea inspiring. He has spoken with the Supervisor of Whitewater Township, the management at Hope Village, and TCAPS administration. All are in favor of the concept. A citizen attending a meeting of the Arrowhead neighborhood association came in to talk to Kladder and was excited to be able to tell his association that the service might occur. A lady who received a large ambulance bill recently came in and was concerned because she does not have insurance; however, apparently Northflight is working with her on this issue.

Chief Parker stated that the cost to staff the ambulance is slightly over \$82,000/year including wages and employment costs. The hourly wage is \$12.50/hour. Many of the firefighters are eager for the opportunity for additional shifts.

Kladder added that while Northflight ambulances sometimes transport patients from Munson to places downstate, the Acme ambulance would not be used.

Olga reported that the service provided to the township will not decrease below current levels, but adding the ambulance here would enhance it greatly. This side has been generating more calls over the years, and Northflight has a great working relationship with MESA. She is personally has been based at Station 11 for about 12 years. There is an ambulance at Station 12, and they used to work with the City fire department.

73% of the calls for service MESA handles are medical in nature, with the rest being fire and other rescue. This is generally true nationwide.

Jay Zollinger asked if Whitewater Township would be willing to share costs with Acme Township, as it appears that this proposal would benefit them at no cost. Kladder reported that Whitewater Township is more interested in cooperating closely with the Grand Traverse Band of Ottawa & Chippewa Indians, and it appears a new fire station for them will be built on the Tribal property at Turtle Creek. They previously asked Acme to leave MESA and join them and the Tribe.

Rachelle Babcock has had prior experience with ambulance use. She asked if fees to Acme residents for ambulance service will be reduced in consideration of the fact that they are paying a millage to support the service. Chief Parker replied that Northflight would be losing money on providing the ambulance in Acme so he does not expect a discount. Kladder has thought about this issue and feels that after the program is established there should be discussion Acme receiving some of the revenues earned by Northflight. He does not want this discussion to be a barrier to moving forward.

Scott asked what the anticipated increased millage would cost to taxpayers; it would cost about \$18/resident/year. 0.1 mills generates just under \$30,000/year. Mr. Zollinger asked if the figure could be provided in cost per \$100,000 of property value.

Ms. Babcock offered that the additional millage, coupled with the proposed special

assessment on properties in Grand Traverse County with septic tanks to support the Septage Treatment Plan, could begin to feel like a burden. Kladder noted that septic tank users who experience the county special assessment would also receive a discount on pumping costs. Wikle recalls that having better ambulance service is perceived to create a lower need for full medical coverage and therefore a reduction in the cost of homeowner insurance premiums. Chief Parker reported that MESA is having its ISO rating re-evaluated. The current rating is a 6, and he is confident that the current review will reduce it to a 4 or even a 3. The final results will be known in November. This will help reduce home and business-owner insurance premium costs. Wikle added that if other units of government become willing to help support the service financially in future years it would benefit the township that much more. Kladder noted that the call volume in Garfield Township is high enough that the Northflight ambulances are stationed at the MESA stations there at no cost to the local unit of government.

Kladder asked Jocks to comment on the proposed contract. The current plan is for a three-way contract between Acme, MESA and Northflight that specifies which parties will be responsible for providing what assets and covering which costs. It will be a fairly basic contract setting forth all parties' rights and responsibilities.

Wikle asked if the crews would be trained for neonatal service; all full-time Northflight Paramedics will soon be certified for this type of care.

If approved, the service could be in operation in July or August if all progressed smoothly.

B. LIMITED PUBLIC COMMENT:

Rachelle Babcock, Bartlett Road, attended a public hearing in Mayfield Township regarding a potential deep injection well. Such a well was also proposed for Acme Township a few years ago as well. She asked that the Board ask the Planning Commission to broaden the scope of any existing ordinances regarding deep injection wells to protect our environment and drinking water. She suggested that special use permit be required, that well operators provide an annual report to the township, baseline testing of local drinking water, and be subject to random testing by township officials. Ms. Babcock stated that she has witnessed leaks in deep injection wells and it was unknown what chemicals were in the materials.

Melanie Stanton is running for Grand Traverse County Probate Judge and provided brochures for her campaign. She has practiced family and probate law for 22 years and expressed expertise in working with mentally challenged individuals. She asked for support. Two of her goals are to grow the juvenile and mental health court services collaboratively with the other courts. She serves on the Commission on Aging and sees that the area's population is growing older. The demand for new volunteers is going to grow.

Linda Raetz is running for Grand Traverse County Probate Judge and provided brochures for her campaign. She has been an attorney for 23 years and is an adoptive mother and adoption attorney. She has been a litigator, but for 12 years has focused on mediating civil and domestic disputes. Her goal is to create a juvenile volunteer mentoring program.

Heidi Scheppe is the Deputy Finance Director and has been there for 12 years. She is running for County Treasurer, and has a Masters in Accounting and government certification.

Joe McCarthy is a candidate for GT County Sheriff. He has been a police officer for 29 years, starting in Los Angeles during the Olympics. Locally he has been a patrolman, school liaison, road patrol sergeant and detective sergeant. He has a college degree and several law enforcement certifications. He is running because of the elimination of the school liaison program. He knows the type of work that goes on there and the serious nature of the complaints and crimes that occur there. He would return 2 school liaison positions, one for the east and one for the west side of the county. Mr. McCarthy would also change how the value of seized assets is used to benefit the citizens by using

the money not for heated storage buildings but for cameras in patrol cars, new computers in patrol cars and similar equipment needs. 60% of the corrections staff does not have scheduled weekends off, which he feels is a problem for those working in stressful positions. He would move from 8-hour shifts to 12-hour shifts to improve staffing options and provide better time off options for officers.

- C. **APPROVAL OF AGENDA:** Kladder noted that a notice was provided to the Board this evening about a public information meeting regarding Holiday Road improvements on June 13. As New Business item 9 a resolution for TCAPS school tax collection was added.

Motion by Dunville, support by Zarafonitis to approve the agenda as amended. Motion carried unanimously.

- D. **INQUIRY AS TO CONFLICTS OF INTEREST:** None noted.

- E. **CONSENT CALENDAR: Motion by Zarafonitis, support by Takayama to approve the Consent Calendar as amended to remove the Board meeting minutes for discussion and approval, including:**

RECEIVE AND FILE:

1. [Treasurer's Report](#) as of April 2012
2. [Clerk's Report](#) as of 5/29/12
3. Draft Unapproved Meeting Minutes:
 - a. Planning Commission [05/21/12](#)
 - b. Metro Emergency Services [04/24/12](#)
 - c. Placemaking Leadership Team [05/18/12](#)
4. [Parks and Maintenance Report](#) – Tom Henkel:
5. "The Metro Insider" Newsletter [May 2012](#)
6. [Sewer Authority Update](#)

ACTION – Consider approval:

7. ~~Township Board meeting minutes of [05/01/12](#)~~
8. [Accounts Payable](#) of \$140,439.44 through 05/29/12 (recommend approval: Dunville)

Motion carried by unanimous roll call vote.

- F. **ITEMS REMOVED FROM THE CONSENT CALENDAR:**

1. Takayama expressed a conflict of interest regarding the proposed agritourism ordinance amendment at the beginning of the meeting. He has performed work for Mr. Garvey. Motion carried by a vote of 6 in favor with Takayama abstaining from voting.
Township Board meeting minutes of [05/01/12](#): **Motion by Dunville, support Wikle to amend the minutes as suggested by Takayama. Motion carried unanimously.**

Motion by Takayama, support by Dunville to approve the minutes of the May 1, 2012 Board meeting as amended. Motion carried unanimously.

- G. **REPORTS:**

1. [Sheriff's Report](#) – **Mike Matteucci:** Deputy Matteucci provided the statistics for May, which included one fatal car accident. Things are getting busier for the summer, particularly in the early evening.
2. **County Commissioner's Report – Larry Inman:** David Benda, new County Administrator starts work on June 18 with orientation meetings. Some work has been deferred until his arrival, including preparation of the 2013 budget for which a revenue shortfall is already predicted. Taxable property values have been adjusted downwards at many recent Tax Tribunal hearings. A new 3-year strategic plan will be created. The new Health Department

building on LaFranier Road is about 50% complete, and Mr. Benda will be called upon to recommend a strategy for selling the old building. The search for a new Health Officer is underway, with Mr. Benda working with the Human Resources Director and other team members to interview candidates and recommend one to the Commission. This is one of the few hiring decisions by the Administrator that has to be ratified by the County Commission.

H. SPECIAL PRESENTATIONS/DISCUSSIONS: None

I. CORRESPONDENCE:

1. **Management Letter from MESA 2011 FY Audit:** the audit was “clean.” The full audit can be obtained through the Supervisor or through Chief Parker.
2. **Memo re: Court Ruling – Township Responsibility for private raw sewage discharges:** these materials were provided by the Supervisor for the Board’s information. Jocks stated that the case was complicated with several failing septic systems polluting Lake Huron and the DEQ trying to force the township to build a sanitary sewer system. The situation was a discharge of untreated sewage into the waters of the state. A situation would have to be drastic to occur again. The rulings were received just days after the township completed turnover of the Orchard Shores sanitary system to the neighborhood, but it is unlikely that a problem will occur there. The agreements indemnify the township for such potential future liability and associated costs.

J. NEW BUSINESS:

1. **Zoning Administrator Hiring Recommendation:**

Vreeland said that we received ten applications in response to our advertisements for a part-time Zoning Administrator. The responses received were generally high-quality. An interview committee consisting of the Supervisor, Planning Commission Chair, contract Planner and Vreeland choose three candidates to interview, and after the interviews conducted reference checks on our preferred candidate.

Vreeland said the committee is recommending the appointment of Nikki Lennox to the part-time non exempt position of Zoning Administrator. Lennox was in attendance and was introduced to the Board. Vreeland said that Lennox has worked for Rutland Charter Township for the last seven years.

Motion by Dunville, support by Takayama to appoint Nikki Lennox as the Acme Township Zoning Administrator at an initial wage of \$15.00/hour, with a 90-day probationary period and a salary review at 1 year of service. Motion carried by unanimous roll call vote.

2. **Proposed Zoning Ordinance Amendment 019 – Andres Rezoning:**

Vreeland reviewed the Andres request to rezone a parcel of land at southwest corner of M-72 East and Lautner Roads from R-3, Urban Residential, to B-2, General Business.

Motion by Dunville, support by Scott to adopt Zoning Ordinance Amendment 019 rezoning the property at 4946 M-72 East from R-3 Urban Residential to B-2 General Business as presented. Motion carried by unanimous roll call vote.

Mr. Andres thanked the Board.

3. **Proposal to expand the Shoreline Phase III properties to include the Coldwell Banker Building and a 15 foot strip of land:**

The building on the Schmidt property at the southwest corner of M-72 and US 31 N. burned several months ago. This property is contiguous to Bayside Park and could be used to create a new entrance/exit to the park that would access Shores Beach Road and the traffic signal, creating greater safety. The owner of the Shorelane Motel also owns a 15’ wide strip of land immediately to the north of the Beach Club Motel. The Beach Club is part of the Phase III shoreline project, and the Shorelane owners are



**ACME TOWNSHIP BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, April 8, 2014, 7:00 p.m.**

MEETING CALLED TO ORDER WITH THE PLEDGE OF ALLEGIANCE AT 7:05 p.m.

- Members present:** C. Dye, A. Jenema, G. LaPointe, P. Scott, D. White, J. Zollinger
- Members excused:** C. Collett
- Staff present:** J. Jocks, Township Counsel
N. Edwardson, Recording Secretary

A. LIMITED PUBLIC COMMENT:

B. Kelly 4893 Ridgecrest , read a prepared statement (attached to minutes) regarding Form Based code and Accessory Building ordinance on the agenda this evening. Zollinger stated that the Board would address his issues when it appears on the agenda.

Dye, Township clerk, read a prepared statement (attached to minutes)

APPROVAL OF AGENDA:

Motion by LaPointe, seconded by Scott to approve the agenda with the addition of Voting Booths under New Business, under Old Business, letter to the Record Eagle regarding recent allegations, Replacement of bookkeeper, Hoxsie House update and the Budget process. Motion carried by unanimous roll call vote.

B. INQUIRY AS TO CONFLICTS OF INTEREST: None noted

C. CONSENT CALENDAR: The purpose is to expedite business by grouping non-controversial items together for one Board motion (roll call vote) without discussion. A request to remove any item for discussion later in the agenda from any member of the Board, staff or public shall be granted.

1. RECEIVE AND FILE:

- 1. Treasurer’s Report
- 2. Clerk’s Report and Balance Sheet
- 3. Draft Unapproved Meeting Minutes:
 - a. Planning Commission 03/10/14
 - b. Parks & Rec Advisory 03/06/14
- d. Parks and Maintenance Report – Tom Henkel
- e. Planning & Zoning Report - Lennox
- f. North Flight February 2014

2. ACTION – Consider approval:

- 1. Township Board meeting minutes of 03/04/14 and Special 03/20/14
- 2. Accounts Payable Prepaid of \$20,067.37 and Current to be approved of \$24,968.69 (Recommend approval: Cathy Dye, Clerk)

D. ITEMS REMOVED FROM THE CONSENT CALENDAR:

LaPointe requested the Treasurer’s report be removed.

Motion by Jenema, seconded by Dye to approve the consent calendar with the removal of the treasurer’s report. Motion carried by unanimous roll call vote.

LaPointe commented on the \$14,000.00 in unrestricted accounts. Dye said this was the 2% tribal grant that the township had received. LaPointe stated in next month’s treasurer report there needs to be a line item to reflect

that.

Motion by White, seconded by LaPointe to approve the Treasurer’s report as presented. Motion carried by unanimous roll call vote.

E SPECIAL PRESENTATIONS/DISCUSSIONS: None

F. REPORTS:

1. **Sheriff’s Report – Deputy: Ken Chubb: Reviewed by Chubb**
2. **County Commissioner’s Report – Larry Inman: None**
3. **Road commission report-Bill Mouser: None**

G. CORRESPONDENCE:

1. **Memo dated 3/21/14 regarding Immanuel LLC/Bankruptcy Case No. 10-11585**
Jocks reviewed briefly. The trustee has filed a motion for authority to sell real property and to pay closing costs, and broker’s commission pursuant to 11 U.S.C. 363(B)

H. NEW BUSINESS:

1. **Approval/Adoption of US-31/M-72 Business District Ordinance #29**

Lennox stated that this proposed new zoning district would encompass much of the present US-31 corridor business district and a portion along M-72 from US-31 to the GTTC property border. It will replace B-1S, B-1P, and B-2. The plan consists of five regulating zones; three commercial and 2 residential. In the commercial zones the plan creates a uniform consistent placement of buildings on properties and specifies minimum and maximum building heights, floor heights and percentage of ground floor facade. The residential component retains the Single Family Neighborhoods, but also allows for Mixed Housing Neighborhoods of different densities. Discussion followed.

Motion by LaPointe to approve the adoption of Ordinance # 29 as presented. Seconded by White. Motion carried by unanimous roll call vote.

2. **Approval/Adoption of Accessory Building Amendment Ordinance # 31**

Lennox stated that she has received numerous calls from residents regarding the height of accessory buildings. Presently the accessory building ordinance only allows for a height of 14 feet. With this height, a garage door height of approx. 7’ is the maximum, considering the roof pitch. Residents complaints included not being able to fit boats on trailers, or campers inside their accessory buildings because of lack of height. This adoption would amend Section 7.2. Supplementary Use and Area regulations; 7.2.1e with Accessory buildings with the delation of one story or fourteen feet in height, replaced with twenty four feet in height. Discussion followed.

Motion by LaPointe, seconded by Dye to approve the adoption of Accessory Building Amendment Ordinance # 31 as presented. Motion carried by unanimous roll call vote.

3. **Letter of resignation from Treasurer, Collett.**

Zollinger read into the record the letter of resignation from Treasurer, Collett, effective April 8, 2014. Zollinger stated that the keys from the treasurer and deputy treasurer were turned into the office today.

Motion by LaPointe, seconded by Jenema to accept the letter of resignation submitted by Collett

Discussion followed on the procedure to be followed with replacing an elected official.

Motion carried by unanimous roll call vote.

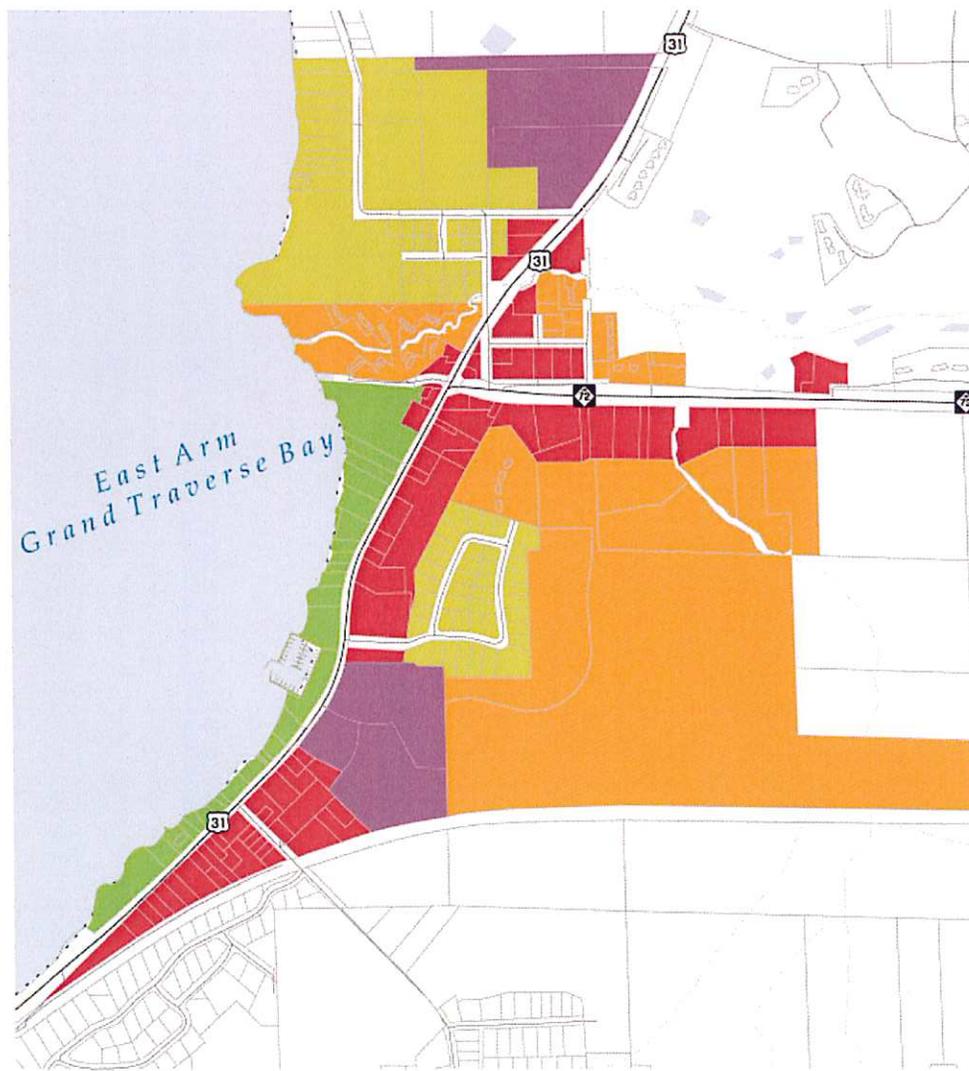
Jenema expressed her potential interest in applying for the treasurer’s position. She will remove herself from any further discussion.

Motion by LaPointe, Scott seconded to place an ad in the Record Eagle for the position of Treasurer

Section 6.6
Acme Township
US-31 / M-72 Business District

Section 6.6.1
Purpose

The US-31 and M-72 Business District zoning is a departure from traditional zoning in that it focuses less on the use of a parcel and more on how to integrate private and public spaces. The proposed US-31 / M-72 Business District zoning intends to merge public infrastructure standards with private development regulations to create a viable business district that is equally shared between cars and pedestrians. Key elements include better land use balance, expanding the uses permitted by right and expediting the review process, bringing buildings closer to the street to facilitate walkability, increasing density of multiple family dwelling units, and the integration of low impact development stormwater technologies.



Acme Township
Regulating Plan

Data Sources: Michigan Geographic Data Library, Grand Haven County Tax Assessor

- Parcel Boundary
- Township Boundary
- Road

- Single Family Neighborhood (SFN)
- Mixed Housing Neighborhood (MHN)
- Corridor - Shoreline (CS)
- Corridor - Commercial (C)
- Corridor - Flexible (CF)

Section 6.6.2 REGULATED USES, GENERAL STANDARDS, SPECIAL USE PERMIT STANDARDS, and SPLICING

6.6.3.1

Purpose

The text and diagrams in the US-31 and M-72 Business District address the location and extent of land uses, and the that implement the vision articulated in the Acme Township Placemaking process and also express community intentions regarding urban form and design. These expressions may differentiate neighborhoods, districts, and corridors, provide for a mixture of land uses and housing types within each, and provide specific measures for regulating relationships between buildings, and between buildings and outdoor public areas, including streets.

6.6.3.2

Regulated Uses

Regulated uses are identified for each zone either as a Permitted Use (P) or a use requiring a Special Use Permit (SUP). All SUP uses must address the General Standards listed below. If the SUP has additional standards over and above the General Standards the special provision column references that specific section of the Zoning Ordinance. Otherwise, SUP uses must meet the General Standards below. All uses will require the submission of a site plan pursuant to Article VIII of the Acme Township Zoning Ordinance.

6.6.3.3

General Standards

The Planning Commission shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:

- a. Be designed, constructed, operated and maintained so as to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity to protect the natural environment and conserve natural resources and energy to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.
- b. Be designed to protect natural resources, the health, safety, and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- c. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.

d. Be necessary to meet the intent and purpose of the zoning ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

e. Meet the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured. The applicant shall have the plan reviewed and approved by the Grand Traverse Metro Fire Department prior to the review by the Planning Commission.

f. Meets the intent of the Acme Placemaking Plan to establish interconnected, walkable and mixed use neighborhoods.

6.6.3.4

Splicing

The US-31 and M-72 Business District focuses attention on the development and form of public and private properties and spaces within the area designated on the Regulating Plan referenced in Section 6.6.1. Requirements regarding site development standards such as parking, lighting, and encroachments included in this Ordinance will take precedence over the requirements in the Acme Township Zoning Ordinance.

The US-31 and M-72 Business District will replace the following Sections of the Acme Township Zoning Ordinance:

- Section 6.6 B-1S: Shoreline Business
- Section 6.7 B-1P: Professional Office
- Section 6.8 B-2: General Business

All other provisions of the Acme Township Zoning Ordinance remain intact and valid.

6.6.3.5

Properties Currently Developed and Occupied

The Regulating Plan encompasses properties that have been developed under the current Acme Township Zoning Ordinance. These properties will likely not comply with the dimensional and form requirements of the US-31 and M-72 Business District and will not be considered as nonconforming. If the property changes occupancy after the effective date of this Ordinance it will comply with the applicable section of this Ordinance except Section 6.6.5, "Lot and Building Placement." If the property is demolished, redeveloped, or vacant it will comply with all of the provisions of this Ordinance.

Section 6.6.3
REGULATING PLAN CATEGORIES



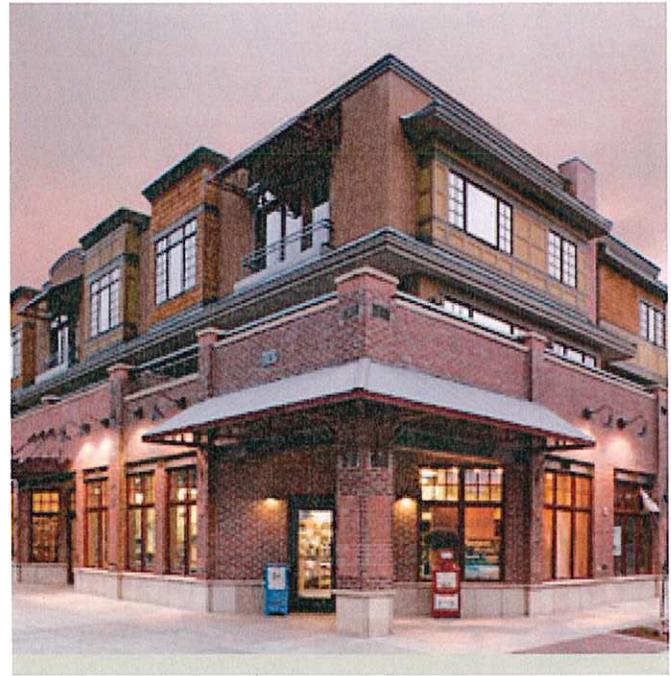
SFN (Single Family Neighborhood)	
Intent	Recognizing existing residential neighborhoods which are based on suburban site and building design standards. These neighborhoods are not quite rural and typically are found on the fringe of most urban areas. Lot size can range up to one acre in size and density can vary from ½ unit per acre to 2-3 units per acre.
Distinguishing Characteristics	Primarily single family residential with walkable development pattern and pedestrian facilities, dominant landscape character. Includes scattered commercial uses that support the residential uses, and connected in walkable fashion.
General Character	Detached buildings with landscaped yards, normally adjacent to other residential and some commercial establishments.
Desired Form	Residential
Building Placement	Varying front and side yard setbacks
Frontage Types	Residential uses include lawns, porches, fences and naturalistic tree planting. Commercial uses front onto thoroughfare.
Typical Building Heights	1 to 2 story.
Type of Public Open Space	Parks along East Bay
Transit (Where Available)	BATA / TART



MHN (Mixed Housing Neighborhood)	
Intent	This neighborhood will include a variety of housing types including single family residential as defined in the SFN, cluster residential and open space subdivisions, small lot residential, duplex, fourplex, courtyard units and apartments of various types and sizes. All of these residential developments will be designed as walkable neighborhoods with sidewalks and on-street parking. Densities would range from 5 to 12 dwelling units per acre. This zone can accommodate buildings described in the SFN regulating zone.
Distinguishing Characteristics	Mix of housing types including attached units.
General Character	Predominantly detached buildings, balance between landscape and buildings, presence of pedestrians amenities such as sidewalks and pedestrian scale lighting.
Desired Form	Residential
Building Placement	Shallow to medium front and side yard setback
Frontage Types	Porches, fences
Typical Building Heights	2 to 3 story with some variation and a few taller workplace buildings.
Type of Public Open Space	Parks along East Bay
Transit (Where Available)	BATA / TART



CS (Corridor Shoreline)	
Intent	To provide for the continuation of existing businesses and residences along the west side of the US-31 as this areas evolves into a series of interconnected public and private water-related recreation uses.
Distinguishing Characteristics	Primarily single family residential with walkable development pattern and pedestrian facilities, dominant waterfront landscape character. Includes some scattered commercial uses.
General Character	Detached buildings with landscaped yards, normally adjacent to other residential and some commercial establishments. Commercial uses consist of service or office uses with parking.
Desired Form	Parks and Open Space
Building Placement	Shallow to medium front and side yard setback
Frontage Types	Commercial uses front onto thoroughfare.
Typical Building Heights	1 story
Type of Public Open Space	Parks along East Bay
Transit (Where Available)	BATA / TART



C (Commercial US-31 / M-72 Corridor)	
Intent	To provide for a traditional commercial district that promotes mixed use, walkability and transit options, and takes advantage of its location to East Bay.
Distinguishing Characteristics	Variety of 1 story commercial buildings and 2 to 3 story mixed use buildings with upper stories used for professional offices and residential units. Buildings would be constructed with durable building materials close to the right-of-way with parking on the side or in the rear of the building. Parking lots would be connected with cross access easements and on-site amenities and lighting would be consistent between properties.
General Character	Predominantly detached buildings, balance between landscape and buildings, presence of pedestrians such as wide sidewalks and pedestrian scale lighting.
Desired Form	Commercial / Storefronts / Live-Work
Building Placement	Shallow to medium front and side yard setback
Frontage Types	Stoops, dooryards, storefronts and arcade walkways
Typical Building Heights	1 to 3 story with some variation and a few taller workplace buildings.
Type of Public Open Space	Parks along East Bay
Transit (Where Available)	BATA / TART



CF (Corridor Flex)	
Intent	To provide for a flexible mixture of retail, office, commercial, residential and institutional uses within walkable and connected neighborhoods. The objective is to create an environment where residents can live, work and shop for day-to-day amenities in the same area.
Distinguishing Characteristics	Retail, workplace and civic activities mixed with attached housing types such as townhouses and apartments all developed at a community scale.
General Character	Predominantly attached buildings, landscaping within the public right of way, substantial pedestrian activity.
Desired Form	Mixed Use
Building Placement	Small or no setbacks, buildings oriented to street with placement and character defining a street wall
Frontage Types	Commercial uses front onto thoroughfare.
Typical Building Heights	2 to 4 stories
Type of Public Open Space	Parks, plazas and squares, boulevard median landscaping
Transit (Where Available)	BATA / TART

**Section 6.6.4
LAND USE TABLE**

6.6.4.1

Regulated Uses

Regulated uses are identified for each ZONE either as a Permitted Use (P) or a use requiring a Special Use Permit (SUP). If a use is blank with no designation or not listed it means it is not permitted in that zone. All uses requiring a Special Use Permit must address the General Standards listed below. If the SUP has additional standards over and above the General Standards the special provision column references that specific section of the Zoning Ordinance. Otherwise, SUP uses must meet the General Standards in 6.6.3.3.

Land Use Table					
Type	SFN	MHN	CS	C	CF
<i>Residential</i>					
Single Family	P	P	P		
Single Family Condominium Subdivisions		P			
Live / Work Unit		P		P	P
Open Space Preservation Development		P			
Duplex	P	P	P		
Multiple Family		P	SUP	P	P
Home Occupation 1	P	P	P	P	P
Home Occupation 2 or More Persons	SUP (7.7)	SUP (7.7)	SUP (7.7)		
Bed and Breakfast (5 Bedroom Maximum)	SUP (9.24)	SUP (9.24)	SUP (9.24)		
<i>Residential - Services</i>					
Nursing Home	SUP	P			
Adult Day Care Center	SUP	SUP	SUP		
Assisted Living Group Facilities	SUP	P	SUP		
State Licensed Residential	SUP	SUP	SUP		
Group Child Care Home	SUP	SUP	SUP		
<i>Public and Private</i>					
Marinas (Public or Private)			SUP		
Outdoor Public Owned Parks and Recreation Facilities	P	P	P	P	P
Public and Private Schools	P	P	P	P	P
Public Uses: Critical, Supporting and Essential	P	P	P	P	P
Churches with and without Assembly Halls		P		P	P
<i>Transportation / Utilities</i>					
Parking (Public or Private)		P	P	P	P
Wireless Telecommunication Facilities		SUP		SUP	
Public Transit Stop or Station			P	P	P

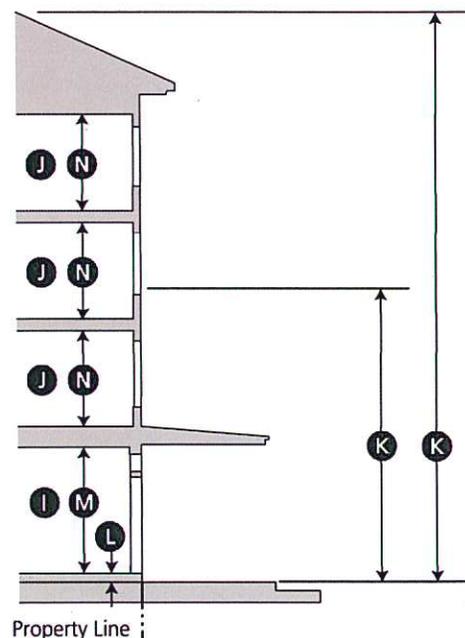
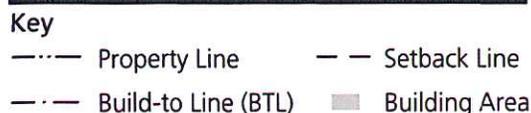
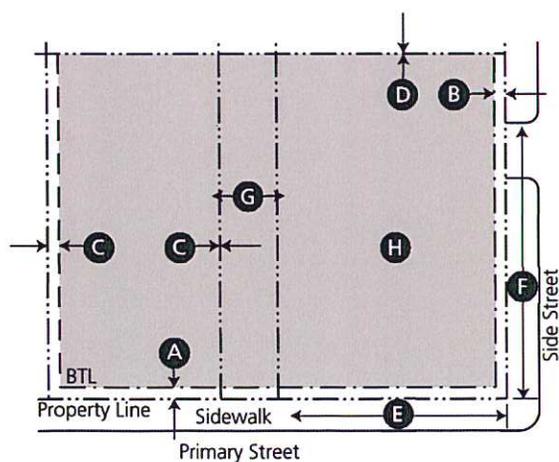
Land Use Table					
Type	SFN	MHN	CS	C	CF
<i>Office</i>					
Professional Offices			P	P	P
Medical / Dental Offices				P	P
Medical Urgent Care Facilities				P	P
Veterinary Clinic			P	P	
<i>Commercial</i>					
Mixed Use with Residential above the 1st floor				P	P
Bar / Tavern				P	P
General Retail; except with the following features				P	P
a. Alcoholic beverages				SUP	SUP
b. Floor area over 10,000 sq.ft.				SUP	SUP
c. On-site production of items sold in or out of store locations				SUP	SUP
d. Operating hours between 10pm and 7am				SUP	SUP
e. Outdoor sales and storage of cars, boats, trucks and RV's					
Restaurant, cafe and coffee shop except with the following features				P	P
a. Drive-thru facilities				SUP	
b. Drive-In facilities				SUP	
Micro brewery				P	P
Movie & Performance Theaters				SUP	P
Convenience market less than 3,500 sq.ft				P	P
Personal Services				P	P
Farmers Market				P	P
Banks and Financial; except with the following features				P	P
a. Drive-thru facilities				SUP	
Shopping Centers				SUP (9.12)	SUP (9.12)
Grocery Stores; except with the following features				P	P
a. Floor area over 10,000 sq.ft				SUP	P
b. Gasoline Service Station				SUP (9.6)	
Gasoline Service Station				SUP (9.6)	
Automotive Supply & Parts				P	
Automotive Service				SUP	
<i>Lodging</i>					
Hotel; except with the following features				P	P
a. Greater than 120 rooms				SUP	P
b. Conference and convention facilities				SUP	SUP

Section 6.6.5 LOT and BUILDING PLACEMENT

6.6.5.1 Terminology

LOT AND BUILDING TERMINOLOGY	
Build-to Line (BTL) (A)	A line parallel to the property line where the facade of the building is required to be located.
Setback (B C D)	The distance by which a building must be separated from the property line or ROW, typically defined and regulated as a minimum.
Primary Street built to BTL (E)	The percent of the building facade which must occupy the width of the lot adjacent to the Primary Street.
Side Street, Corner Lot built to BTL (F)	The percent of the building which must occupy the side lot line when the building is on a corner lot.
Maximum Lot Width (G)	The largest allowed distance between lot corners along the front ROW.
Minimum Lot Width (G)	The smallest allowed distance between lot corners along the front ROW.
Lot Depth	The minimum depth of lot expressed in feet.

Lot Coverage (H)	The percent of the lot covered by buildings and accessory structures.
Impervious Coverage	The percent of the lot covered by impervious surfaces including roofs, patios, driveways and other hard surfaces which result in water runoff.
Minimum Building Height (K)	The shortest allowed vertical distance between the sidewalk and the top point of reference for a building facade along the front ROW.
Maximum Building Height (K)	The largest allowed vertical distance between the sidewalk and the top point of reference for a building.
Ground Floor Finished Level Height (L)	The vertical distance allowed between the sidewalk and the top of the finished floor on the ground level, regulated as a minimum.
Minimum Ground-Floor Ceiling Height (M)	The smallest allowed vertical distance between the finished floor and ceiling on the ground floor of a building.



6.6.5.2
Building Placement, Density and Parking

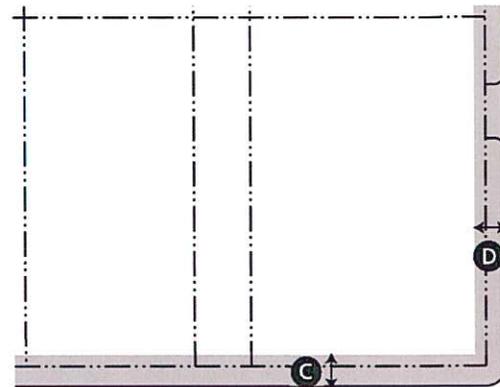
Building Placement		SFN	MHN	CS	C	CF
Built-to Line (BTL) Distance from Property Line						
Front	A	30'	30'	30'	20'	5'
Side Street, corner lot	B	30'	30'	NA	20'	5'
Setback						
Side	C	10'	10'	10'	3'	5'
Rear	D	30'	30'	35'	25'	5'
Building front facade as a % of Lot Width	E	NA	NA	NA	85%	95%
Side Street Facade as a % of Lot Depth	F	NA	NA	NA	35%	80%
Building Form						
Lot Width (minimum)	G	100'	NA	100'	20'	20'
Lot Width (maximum)	G	150'	NA	NA	100'	NA
Lot Depth	H	NA	NA	NA	NA	NA
Lot Coverage		30%	NA	20%	70%	85%
Height						
Building Maximum (Stories/Height)	K	2 / 30'	4 / 45'	1 / 20'	3 / 35'	4 / 45'
Story Height difference between adjacent buildings		NA	NA	NA	1	1
Ground Floor Finish Level above site grade	L	6"	6"	6"	0"	0"
First Floor ceiling height	M	NA	15'	Na	15'	15'
Upper Floor(s) ceiling height	N	NA	9'	NA	9'	9'
Garage						
Attached Garage (max. feet behind the BTL)		10'	10'	10'	NA	NA
Attached Garage (max. feet in front of the BTL)		10'	0'	0'	NA	NA
Detached Garage must be placed behind Primary Building						
Impervious Coverage - Buildings and Pavements						
Impervious Coverage		40%	60%	40%	85%	100%
Density						
Maximum Dwelling Units per acre		3	12	4	14	18
Parking						
On-Street allowed to count toward guest parking		Yes	Yes	No	Yes	Yes
Required Parking refer to Table 6.6.6.9						

Notes
1. All floors must have a primary ground-floor entrance that faces the primary side of the street
2. Residential uses with a primary ground-floor entrance must face the primary side of the street.
3. Any section along the BTL not defined by a building must be defined by a 3'6" high masonry screen wall setback back 5'0" from the BTL unless it is an existing parking lot and in that instance the screening wall can be located adjacent to the sidewalk. The area between the BTL and the setback shall be landscaped, if practical.
4. Buildable Density is determined by the sum of square footage or acreage used for building(s) and the amount of required parking or Effective Parking located within the maximum lot coverage area.
5. Rear-facing buildings, loading docks, overhead doors, and other service entries are prohibited on street-facing facades.
6. Air compressors, mechanical pumps, exterior water heaters, utility and telephone company transformers, meters or boxes, garbage cans / dumpsters, storage tanks, and similar equipments shall not be stored or located within any area adjacent to a street right-of-way.
7. Roof mounted equipment shall be placed behind and away from any required building line and be screened from view from the street.

**6.6.5.3
Land Use by Floor**

Land Use	SFN	MHN	CS	C	CF
Ground Floor	I				
a. Residential Uses	Yes	Yes	Yes	No	No
b. Residential Services	Yes	Yes	Yes	No	No
c. Public / Private Uses	Yes	Yes	Yes	Yes	Yes
d. Transportation / Utilities	No	Yes	Yes	Yes	Yes
e. Office	No	No	Yes	Yes	Yes
f. Commercial	No	No	No	Yes	Yes
g. Lodging	No	No	No	Yes	Yes
Upper Floor(s)	J				
a. Residential Uses	Yes	Yes	Yes	Yes	Yes
b. Residential Services	Yes	Yes	Yes	No	No
c. Public / Private Uses	No	Yes	No	Yes	Yes
d. Transportation / Utilities	No	No	No	No	No
e. Office	No	No	Yes	Yes	Yes
f. Commercial	No	No	No	Yes	Yes
g. Lodging	No	No	No	Yes	Yes

Section 6.6.6
SPECIAL PROVISIONS

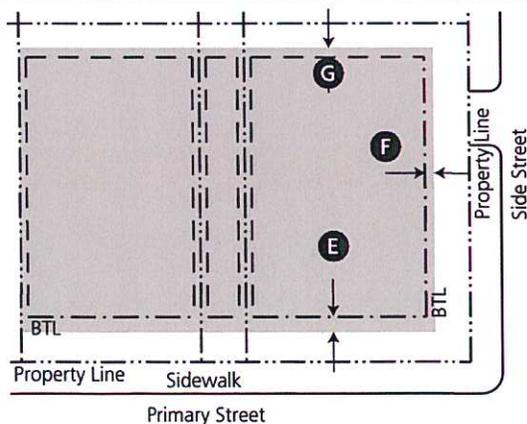


Key
 - - - - Property Line ■ Encroachment Area

Key
 - - - - Property Line ■ Encroachment Area

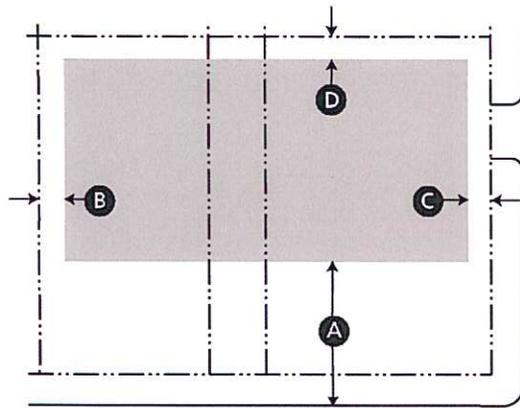
6.6.6.1 Encroachments		
Type 1: Sufficient Right-of-Way		
Front	0'	A
Side Street	0'	B
Type 2: Insufficient Right-of-Way		
Front	12'	C
Side Street	12'	D
6.6.6.2 Canopies and Awnings		
Canopies and awnings are encouraged and may encroach over the BTL and shall have a height above the Ground Floor Finish Level of 10 feet		
Front	10'	E
Side	10'	F
Rear	5'	G

6.6.6.3 Site Lighting		
Streetlights shall be on a general type specified by the Township		
SFN, RMH, CS, and C Zones: No lighting level measured at the BTL shall exceed	1.0	fc
CF Zone: No lighting level measured at the BTL shall exceed	2.0	fc
6.6.6.4 Signs		
Signs shall conform to Section 7.4 except Section 7.4.6 c. #2 where a freestanding signs shall not exceed 6 feet in height.		
6.6.6.5 Facades (All Buildings Except 1st Floor Residential)		
A minimum of 75% of the ground floor story front facade between 2 feet and 8 feet above the sidewalk must be comprised of transparent, non-reflective windows into the nonresidential space.		
A minimum of 30% of the upper story facade measured floor to floor shall have transparent, non-reflective, vertically oriented windows.		



Key
 - - - - Property Line - - - - Setback Line
 - - - - Build-to Line (BTL) ■ Awning Area

6.6.6.6 Water Quality		
Low impact development water quality technologies such as rain gardens, rooftop gardens, vegetated swales, cisterns, permeable pavers, porous pavement, and filter stormwater structures will be required on site as a component of the overall stormwater plan. In addition to these requirements, provisions of the Acme Township Stormwater Ordinance shall apply.		



Key
 - - - - Property Line ■ Parking Area

6.6.6.7 Parking		
Location (Distance from Property Line)		
Front Setback (parking to be located behind the building)		
Front Setback (when adjacent to the building)		
- the setback would be measured from the front facade of the building	10'	A
Adjacent to a common Property Line	10'	B
Side Street Setback		
- when a masonry screen wall is installed	5'	C
- landscape only	10'	C
Rear Setback	5'	D
note: where a parking lot abuts an interior and/or common property line the property owner shall provide a cross access easement for the purpose of connecting adjacent parking lots.		
6.6.6.8 Shared Parking 6.6.10.6		
Parking Calculations: The Shared parking Factor for two Functions, when divided into the sum of the two amounts as listed on the Required Parking table below produces the Effective Parking needed. For example, residential parking is calculated at 12 spaces and retail parking is calculated at 32. Summed they equal 44. Using the Shared Parking Table this amount is divided by 1.2 to derive an Effective Parking amount of 36.6 or 37 parking spaces.		

Function	Function			
	Residential	Lodging	Office	Retail
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

6.6.6.9 Required Parking		
Residential (per dwelling unit)		
Single Family	2.0	
Duplex	2.0	
Multiple Family	1.5	(1)
Live / Work Unit	2.0	
Residential above 1st Floor in Mixed Use buildings (C and CF Zones)	1.5	(1)
Lodging (per bedroom / hotel room)		
Bed & Breakfast	1.2	
Inn	1.2	(1)
Hotel / Motel	1.0	
Office (per 1,000 usable square feet)		
Individual enclosed offices	3.0	
Open office concept	2.0	
Retail (per 1,000 usable square feet)		
T4 Retail	4.0	
T5 Retail	3.0	

Civic / Assembly - Determined by 7.5.3 Zoning Ordinance

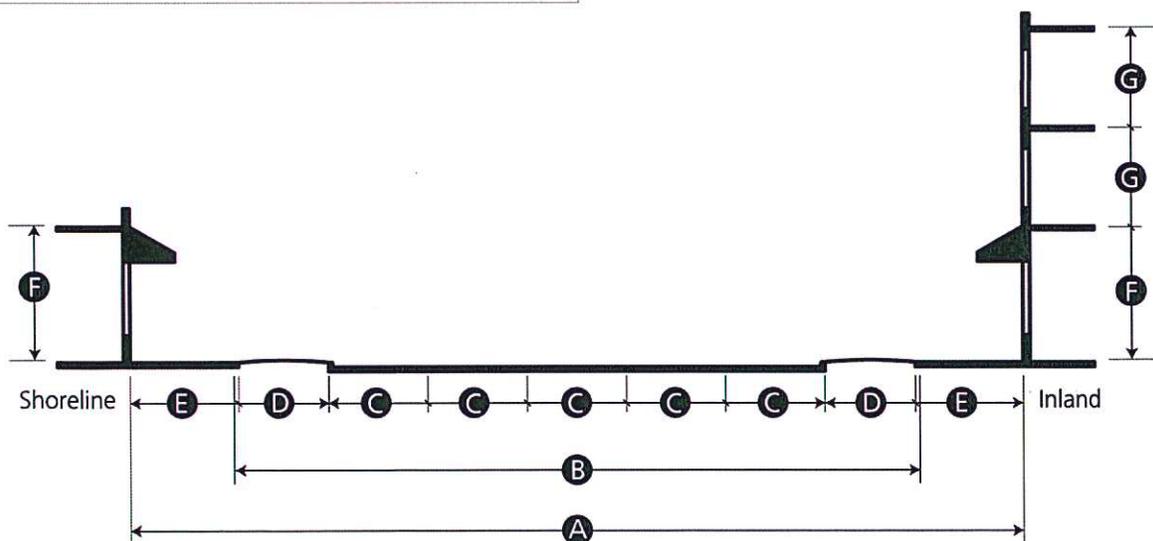
Parking Notes
Parking shall conform to Section 7.5, except the provisions in 7.5.3. Parking Space Requirements.
(1) Parking may be shared using the shared parking method outlined in Shared Parking

6.6.6.10 Site Amenities
Bicycle parking and loops/racks must be provided on site based on a ratio of 1 bicycle stall per 10 vehicular parking spaces.
Benches may be required at the discretion of the Planning Commission

**Section 6.6.7
PUBLIC SPACE STANDARDS**

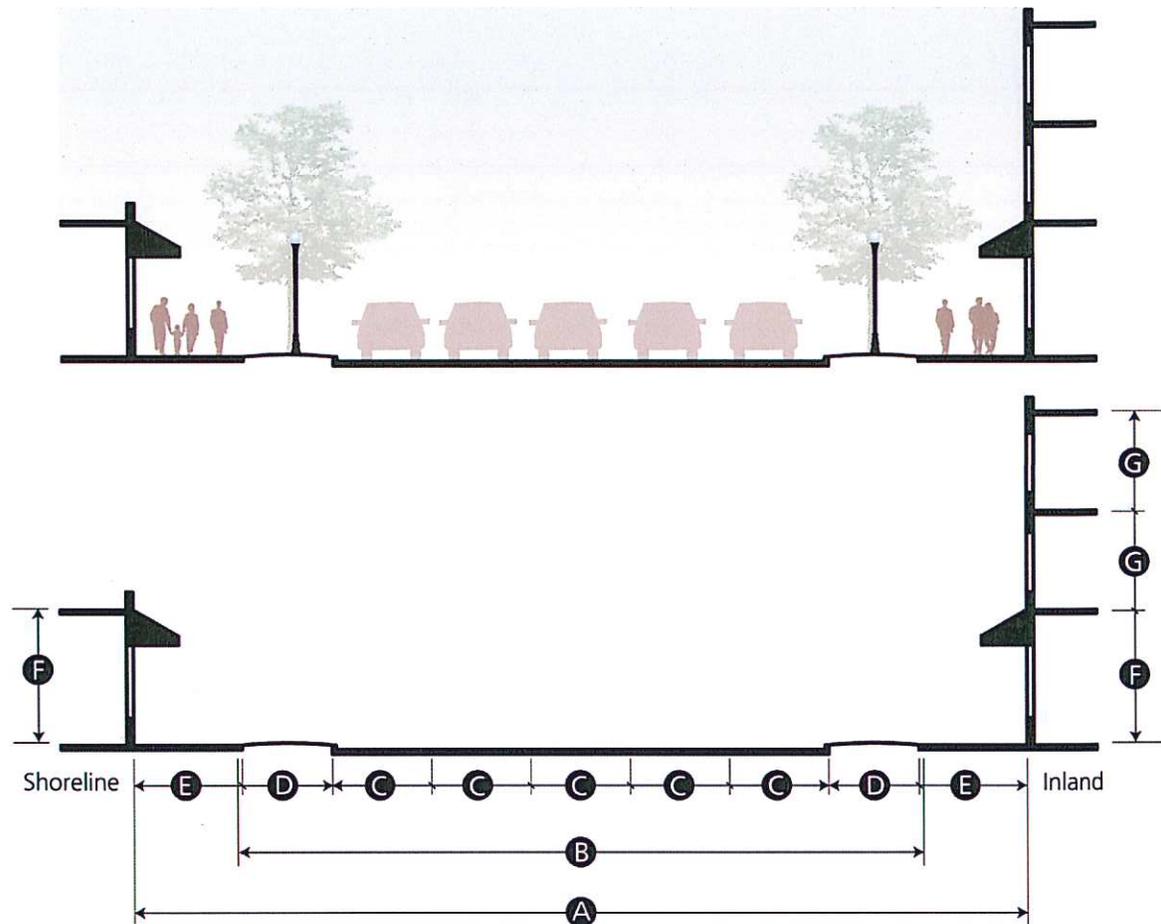
**6.6.7.1
Terminology**

STREET TERMINOLOGY	
Right-of-Way (ROW) Width ^A	
The measurement across a thoroughfare of the area the Michigan Department of Transportation, Grand Traverse County Road Commission or private property owner controls or owns.	B
Curb Face to Curb Face Width ^B	
The distance across a thoroughfare between the vertical faces of the curb, typically intended for vehicles, including any on-street parking, planting strips, and gutters.	C
Traffic and Parking Lanes ^D	
The number and width of areas designated for vehicular travel, not including bicycle lanes.	D
Planting Zone ^E	
The area of the ROW used to plant street trees, flowers, and install Low Impact Development stormwater features, such as rain gardens. In some instances, this zone, depending on surface materials, can be used for outdoor dining.	E
Pedestrian Zone	
The area used for pedestrian movement and dedicated to sidewalks and outdoor cafes,	



Street Terminology Cross Section

US-31 Corridor

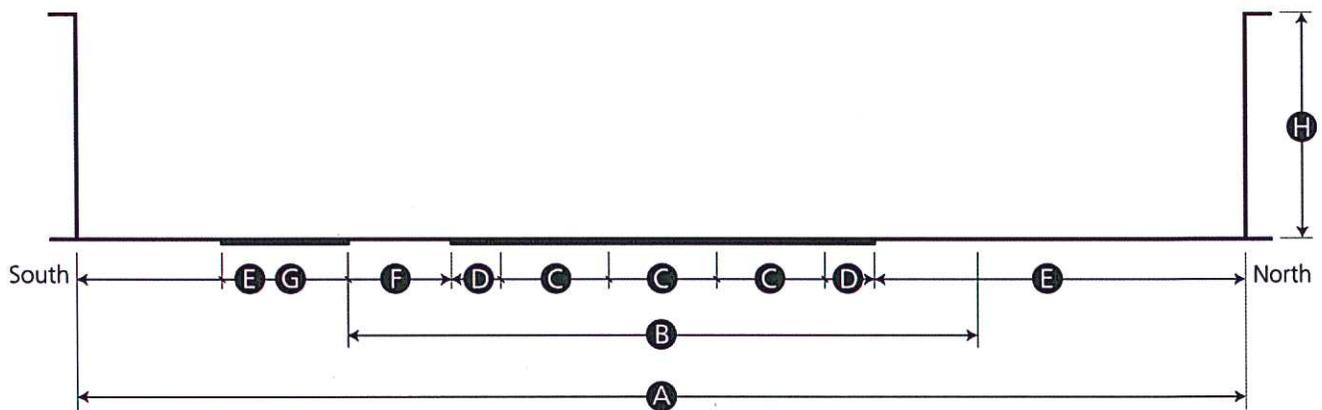
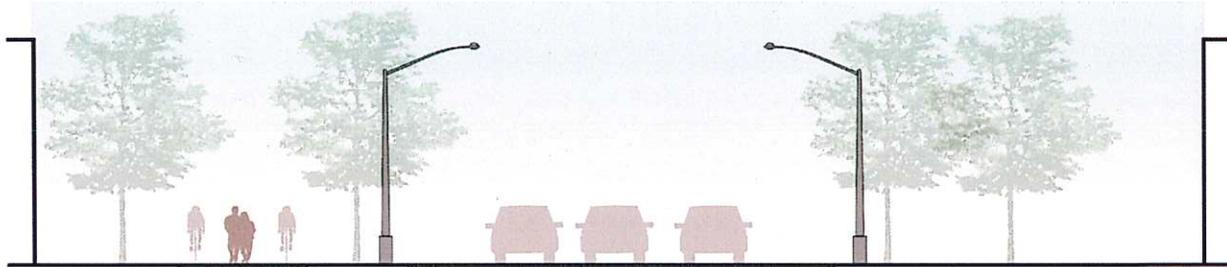


Application	
Target Speed	
Target Speed	25 - 30 MPH
Overall Widths	
Public Realm (Between BTL)	99' (A)
Right-of-Way (ROW) Width	76' (Varies) (B)
Lanes	
Traffic Lanes	11' (C)
Turn Lanes	At Intersections
Shoulders	None
Bicycle Lanes	5' - 6' (C)
Parking Lanes	8'
Medians	None

Edges	
Curbs	1'
Planters / Tree Grates	10' (D)
Landscaping	Evenly Spaced (D)
Walkways	Sidewalk - 12' (E)

Source: Designing Walkable Urban Thoroughfares: ITE and CNU; Table 6.4 "Design Parameters for Walkable Urban Thoroughfares"

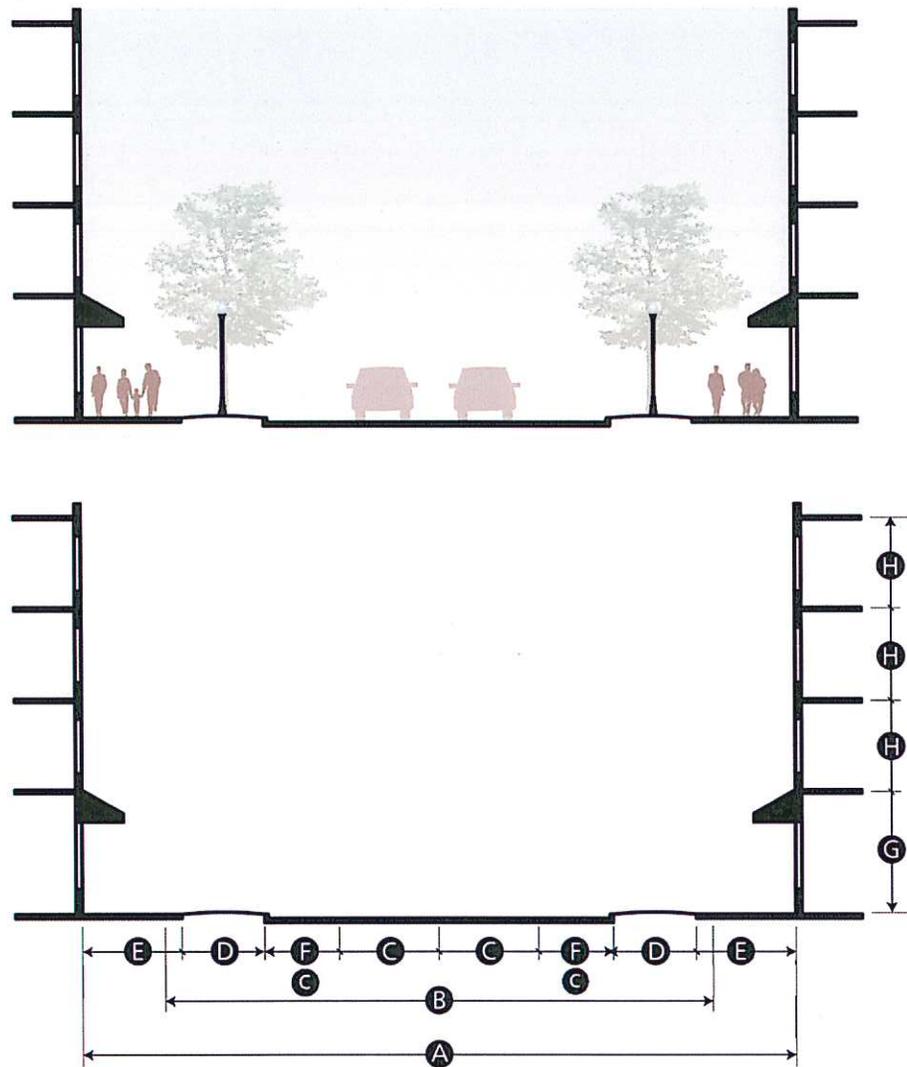
M-72 Corridor



Application		
Overall Widths		
Public Realm (Between Build-To Lines)	210'	(A)
Right-of-Way (ROW) Width	150'	(B)
Lanes		
Traffic Lanes	11'	(C)
Turn Lanes	At Intersections	
Shoulders	7'	(D)
Edges		
Curbs	1'	
Planters	15'	(F)
Landscaping		
Walkways	Path - 14'	(G)

Source: Designing Walkable Urban Thoroughfares: ITE and CNU;
Table 6.4 "Design Parameters for Walkable Urban Thoroughfares"

Other Road Space Standards



Application	
Transect Level	T3-T4
Overall Widths	
Public Realm (Between Build-To Lines)	86' (A)
Right-of-Way (ROW) Width	66' (B)
Lanes	
Target Speed	25 MPH
Traffic Lanes	10' (C)
Parking Lanes (On-Street)	8' (C)
Turn Lanes	At Intersections (F)

Edges	
Curbs	1'
Planters / Planting Strip (minimum)	4' (D)
Landscaping (minimum)	Evenly Spaced
Walkways (minimum)	Sidewalk - 10' (E)

Source: Designing Walkable Urban Thoroughfares: ITE and CNU; Table 6.5 "Main Street Design Standards"

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231)946-2000

ORDER CONFIRMATION

Salesperson: SHERRY GRAVES Printed at 05/24/16 16:03 by sgrav

Acct #: 6 Ad #: 434702 Status: N
ACME TOWNSHIP Start: 05/25/2016 Stop: 05/25/2016
CATHY DYE, CLERK Times Ord: 1 Times Run: ***
6042 ACME ROAD STDAD 3.00 X 4.54 Words: 266
WILLIAMSBURG MI 49690 Total STDAD 13.62
Class: 147 LEGALS
Rate: LEGAL Cost: 103.25
Affidavits: 1

Contact: Ad Descrpt: LEGAL NOTICE ACME TOWNSH
Phone: (231)938-1350 Given by: EMAIL SHAWN WINTER
Fax#: (231)938-1510 Created: sgrav 05/24/16 15:59
Email: szollinger@acmetownship.org Last Changed: sgrav 05/24/16 16:02
Agency:

Source: 052500000601 Section: _____ Page: __
Camera Ready: N Group: _____ AdType: _____
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COMMENTS:
please send affidavit after publication.

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RE A 97 W 05/25/16 1 05/25/16 SMTWTFS
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AUTHORIZATION

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Please be sure to check your ad on the first day it appears. Although we are happy to make corrections at any time, the Record-Eagle is only responsible for the first day's incorrect insertions. Also, we reserve the right to edit or reclassify your ad to better serve buyers and sellers.

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120 WEST FRONT STREET
TRAVERSE CITY MI 49684
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ORDER CONFIRMATION (CONTINUED)

Salesperson: SHERRY GRAVES

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Ad #: 434702

Status: N

LEGAL NOTICE

**ACME TOWNSHIP
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the ACME TOWNSHIP ZONING BOARD OF APPEALS will hold a public hearing at a meeting on Thursday, June 9, 2016 at 7:00 p.m. in the Acme Township Hall, 6042 Acme Rd, Williamsburg, MI 49690 to consider the following:

Zoning Map interpretation at the request of the Acme Township Zoning Administrator to determine the zoning classification of the property owned by Janet T. and Lavern A Andres located at 4946 E M-72, Williamsburg, MI 49690, more fully described as:

COM AT NE COR NE 1/4, W 339', S 220', E 25', S 105', E 314', N 325'
TO POB EXC RD R/W. SEC 2 T27N R10W.

Parcel No.: 28-01-102-003-00

On June 5, 2012 the Acme Township Board of Trustees approved a rezoning of the property from R-3: Urban Residential to B-2: General Business at the request of the property owner. On April 8, 2014 the Acme Township Board of Trustees approved a Zoning Ordinance Amendment #039 establishing the US-31/M-72 Business District that rezoned the majority of parcels from B-2: General Business to C: Corridor Commercial. The parcel referenced above was overlooked in this process, and therefore requires an interpretation to determine current zoning classification due to the fact that the B-2: General Business district no longer exists.

If you are planning to attend and require any special assistance, please notify Cathy Dye, Township Clerk, within 24 hours of the meeting at 938-1350.

Written comments may be directed to:

Shawn Winter, Zoning Administrator
6042 Acme Rd
Williamsburg, MI 49690
(231) 938-1350
swinter@acmetownship.org

May 25, 2016-1T

434702

ANDRES LAVERN A & JANET T
P O BOX 433
ACME MI 49610

GOOD WILL CO INC
PROPERTY TAX DEPT
2929 WALKER AVE NW
GRAND RAPIDS MI 49544

300' Mailing List

MEIJER INC
2929 WALKER AVE NW
GRAND RAPIDS MI 49544

THE VILLAGE AT GRAND TRAVERSE LLC
1651 E HAYES RD
ITHACA MI 48857

GRAND TRAVERSE RESORT AND SPA LLC
P O BOX 404
ACME MI 49610

**ACME TOWNSHIP
Zoning Board of Appeals**

Oct. 09, 2014

Thursday 7:00 p.m.

Acme Township Hall

Acme, Michigan

Meeting called to Order at 7:02 p.m.

Members present: J. Kuncaitis (Chair), L. LaSusa, T. Forgette, J. Maitland

Members excused: L Belcher

Staff present: N. Lennox; Zoning Administrator, Recording Secretary

1. Review and approval of the agenda, inquiry as to conflicts of interest: None

2. Correspondence: None

3. A. Hearing: 4612 US 31 N. Water's Edge Assisted Living

J. Kuncaitis gives history of site and project. Request is for a deck on the rear of the building partially within the rear set back. Doug Mansfield, representative for the project states that the deck and a walkway to the tart were discussed during site plan review with the PC, due to the traffic and limited side set-backs they are requesting the variance to the rear set-back for the deck for residents.

Public Comment opened 7:21 p.m.: None, Closed: 7:22 p.m.

Motion by: LaSusa, to approve as presented, with all basic conditions met and special condition a. met. 2nd by Maitland. Motion passes unanimously.

B. Hearing: 6597 Deepwater Point Rd. Wentzloff residence. Extension of nonconforming structure. Request to build an exterior stairway within the required side set-back on the North side of the property. Tim Hertler, contractor for applicant states stairway has rotted and needs to be built to code but cannot be rebuilt where it stands due to egress code issues of door on the main floor and the angle of the new stairway. The new stairway would be L shaped and to the West of the 2nd story deck to which it will connect to, and is proposed within the 10' setback.

Kevin Whiting (North adjoining property owner, of 33' drain easement) has complaints that the house is encroaching and is partially over his property line. He is concerned that more will be encroaching onto his property. He thinks some of their landscaping is on our property

J. Maitland comments that a survey should be required to make sure Wentzloff are not encroaching onto the Whiting property. ZBA wants to verify that the new proposed stairway will not be on the neighboring property. Maitland states this needs to be identified and resolved. Lennox will advise applicant to have survey of North line and verify and inform

ZBA members of outcome.

Public Comment opened and closed. No other comments.

Motion by: LaSusa to conditionally approve variance based on applicant surveying property line for compliance. All Basic conditions have been met and special condition b. are met. 2nd by Maitland. Motion passes unanimously.

4. Approval of minutes from the July 23, 2014, meeting.

Motion by: LaSusa 2nd by Forgette. Motion passes.

Motion to Adjourn by: Forgette, second by LaSusa. Motion passes.

ADJOURNED AT 8:03 p.m.