

# *Charter Township of Oscoda*

## Planning Commission

### **AGENDA -AMENDED**

June 5, 2023 6PM  
Robert J. Parks Public Library  
6010 Skeel Ave  
Oscoda, MI 48750

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- 1) **Call to Order –**
  - 2) **Pledge of Allegiance**
  - 3) **Welcome Guests**
  - 4) **Member Roll Call**
  - 5) **Approval of Work Session and Planning Commission Minutes –**
    - i. Planning Commission Regular Meeting Minutes May 1, 2023
  - 6) **Agenda – Additions, Corrections, & Approval**
  - 7) **Public Comment – (Non-Scheduled and Scheduled Agenda Items)**
  - 8) **Old Business –**
    - i. **2022 Case Updates (For informational purposes only)**
      - 202-2022 Steve & Cathy Wusterbarth- SLUP for Accessory Structure-**Approved, Construction not yet started, Land Use Permit Extended per applicants' request.**
      - 902-2022 & 903-2022 Enviro Analytical- SLUP's for Marihuana Safety Compliance Facilities- **Progressing through licensing process**
      - 205-2022 AuSable Developments- SLUP for Apartments- **Preliminary Site Plan Approved, pending final Site Plan review.**
      - 906-2022 Great Green North- SLUP for Class B Grow Facility- **Preliminary approval given, progressing through licensing process.**
      - 103-2022 John Hedstrom- Site Plan Review- **Preliminary approval given.**
    - ii. **Case 103-2022- Final Site Plan Review, John Hedstrom/ Dollar Tree 5018 N US 23**
  - 9) **Public Hearing–**
    - i. **Case 202-2023- SLUP for Biggby Drive Thru, Jim & Melanie Rowden 5401 N US 23**
  - 10) **New Business –**
    - i. **Case 108-2023- Site Plan Review, Thomas Maxwell N US 23**
    - ii. **Case 109-2023- Preliminary Site Plan Review, Jim & Melanie Rowden 5401 N US 23**
    - iii. **Township Hall Space Needs Analysis- Jason Groff WTA & Rick Freeman**
    - iv. **Election of Officers**
      - a. **Chairperson**
      - b. **Vice-Chair**
      - c. **Secretary**
      - d. **Master plan Sub-Committee Representatives**
      - e. **Ordinance Revision Sub-Committee Representatives**

**f. ZBA Representative**

**g. EIC Representative**

- 11) Report of the Zoning Board of Appeals Representative**
- 12) Report of the Township Board Representative**
- 13) Report of the Planning Commission Sub-Committees**
- 14) Report of the Economic Improvement Committee**
- 15) Comments of Planning Commission members**
- 16) Report of the Zoning Director**
- 17) Adjournment**

# ***Charter Township of Oscoda***

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## **Planning Commission**

### **Meeting Minutes**

**May 1, 2023 6PM**

Robert J. Parks Public Library

6010 Skeel Ave

Oscoda, MI 48750

- 1) **CALL TO ORDER**  
Jeff Linderman, Chair, called the meeting to order at 6:00 PM.
- 2) **Pledge of Allegiance**
- 3) **WELCOME GUEST** – Mr. Linderman welcomed guests to the meeting.
- 4) **ROLL CALL**  
**Present** – Mr. Palmer, Mr. Schulz, Ms. Hopcroft, Mr. Tasior, Mr. Linderman  
**Absent** – Ms. Beckner, Ms. Mackenzie  
**Quorum** – Mr. Linderman determined a quorum present.
- 5) **APPROVAL of Meeting Minutes-**
  - i. Planning Commission Regular Meeting Minutes April 3, 2023- Ms. Hopcroft made a motion to approve the minutes as presented. Supported by Mr. Schulz. Roll call vote. All in favor.
  - ii. Planning Commission Special Meeting Minutes April 17, 2023- Ms. Hopcroft made a motion to approve the minutes as presented. Supported by Mr. Linderman. Roll call vote. All in favor.
- 6) Point of Order was called by Mr. Schulz. Mr. Schulz stated the reason for his point of order was that per the Planning Commission By-Laws only one Township Board member can be on the Planning Commission and there were two at this meeting, Mr. Palmer and Mr. Tasior. After a lengthy discussion and hearing the Attorneys Opinion on the matter, the point of order did not go to vote and both members remained seated for the meeting. Mr. Schulz went on record to request the opportunity to see correspondence from the Attorney regarding Planning Commission business.
- 7) **AGENDA – Additions, Corrections & Approval –**
  - iii. Mr. Linderman made a motion to approve the agenda with one correction (removing “Special” from the top of the agenda). Supported by Ms. Hopcroft. Roll call vote. All in favor.
- 8) **PUBLIC COMMENT –**
  - i. Lary Holland- Spoke about By-Laws and state law along with the gas station that is on the agenda for the evening.
  - ii. Nancy Roy- Spoke about having two Township Board Members at the meeting.
  - iii. Brian Haley- Spoke about DNR Training, wondering about the status of it and talked about grant opportunities.
  - iiii. Teresa Landino- Spoke about her lot that butts up to the Lot where the proposed gas tanks are to go and all of her concerns.
  - iiii. Ramon Kattola- Spoke about the gas stations and answered questions about Teresa’s concerns.
- 9) **OLD BUSINESS –**
  - i. **2022 Case Updates (For informational purposes only)**
    - 202-2022 Steve & Cathy Wusterbarth- SLUP for Accessory Structure-

**Approved, Construction not yet started, Land Use Permit Extended per applicants' request.**

- 902-2022 & 903-2022 Enviro Analytical- SLUP's for Marihuana Safety Compliance Facilities- **Progressing through licensing process**
- 205-2022 AuSable Developments- SLUP for Apartments- **Preliminary Site Plan Approved, pending final Site Plan review.**
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**10) NEW BUSINESS –**

**i. Case 106-2023 Site Plan Review for Ramon Kattola**

- a. Ms. Vallette read Case 106-2023 details to the board. Oscoda Properties LLC submitted a Site Plan Review for proposed Gas Pumps and Canopy are to go on parcel #'s 064-A30-000-038-00 (5684 F-41) and 064-A30-000-033-00 (5692 F-41) Both parcels are zoned Corridor Business District F-41 Zone and are in process of being combined. The structure on 5684 F-41 would be demolished. Ms. Vallette stated that certain studies are not required by the Ordinance, such as Traffic Impact Study and an Environmental Study but found that all other applicable standards for approval have been met.
- b. Mr. Kattola stated that he could work with the neighbor to possibly block off the Easement that is for Lot 37. The proposed access for the tankers that fill up the gas tank will utilize an existing entrance behind Party & Food. No new curb cuts or drives are proposed.
- c. Mr. Palmer had some concerns, but not with the Site Plan itself. His concern is that a pre-development meeting did not take place. Mr. Palmer is in favor of the project.
- d. Mr. Tasior had a long list of concerns. Under Section 7.3, he had concerns with #5, signage and lighting. He would like to see a lighting diagram listing the lumens and a drawing of the canopy. He would also like to know the effects the Canopy will have on the Residential area behind the proposed Construction. #6 in Section 7.3, residential units within 200' are not shown. #10 in Section 7.3 Above and Below grade utilities, not all are depicted (water and sewer). #13 in Section 7.3, Location of cross access Easement, claims it is not depicted, but it is on the Site Plan. Is the underground storage tank allowed to be all the way up to the Easement? Who is responsible for maintenance, etc? What is the Canopy height or how it is structurally built? Discharge of fumes or increase in noise levels? Along with many other concerns. Some concerns are not valid as they are listed on the site plan, some other concerns are concerns that we cannot require information on, per the Ordinance. MDOT, EGLE and the Road Commission do not sit in on any pre-development meetings typically, per the Guide to Development.
- e. Mr. Schulz stated that he assumed EGLE would be involved and wasn't too concerned about that aspect. He stated that he felt the applicant was trying to do a good job including his neighbors' concerns.
- f. Ms. Hopcroft echoed the comments of the other Planning Commission members and stated that she has gotten written reports from other entities when she worked for a different municipality in the past.
- g. Mr. Linderman stated he thought EGLE did a good job but wondered about spill containment on the site.
- h. Ms. Hopcroft made a motion to deny Case 106-2023. 2<sup>nd</sup> not received.
- i. Mr. Tasior made a motion to deny Case 106-2023. Ms. Hopcroft withdrew her previous motion. Supported by Ms. Hopcroft. Mr. Tasior then withdrew this motion.



- j. Mr. Tasior made a motion to postpone Case 106-2023, pending a pre-development meeting, for up to 3 months, with a waiver on the applicant paying the fee again. Supported by Mr. Schulz. Roll call vote. All in favor.

ii. **Case 107-2023 Site Plan Review for Chickens**

- a. Ms. Vallette read the case memo to the Commissioners. Ms. Palushaj is proposing to build a metal chicken coop for four chickens with a fence around it at 4464 M-65 Oscoda, Parcel # 064-W20-000-003-00. The proposed structure is 24' from the rear property line and 24' from the side.
- b. The Applicant was unable to attend the meeting so Ms. Vallette asked her questions in advance of the meeting. **Has she spoken to her neighbors about it?** Ms. Palushaj stated No, but she doesn't feel they will have a problem with it as they are not extremely close to each other. **Where will the food be stored?** In the garage. **What will she do with the waste?** Use it as compost in the garden.
- c. Mr. Palmer asked if she was planning on having Roosters. Ms. Vallette stated that she did ask the applicant, and she is not going to have Roosters.
- d. Mr. Schulz clarified that Ms. Vallette's recommendation was to approve this Case. Ms. Vallette did clarify that she was recommending it for approval.
- e. Mr. Palmer stated that the site sketch was missing details. Ms. Vallette stated that it was hard to get applicants to fill out 100% of the information all the time. Mr. Palmer has no opposition. Mr. Linderman noted that he looked the property up on Google Earth
- f. Ms. Hopcroft made a motion to approve Case 107-2023 as presented. Supported by Mr. Schultz. Roll call vote. All in favor.

**11) Informational- Robert Tasior, Vice-Chair Resignation Letter**

- i. Mr. Linderman explained that Mr. Tasior was only resigning his position as Vice-Chair on the Planning Commission.

**12) Report of the Zoning Board of Appeals Representative**

- i. Mr. Schulz stated that there was a Variance request in April for a deck to be built all the property line. The request was denied.

**13) Report of the Township Board Representative**

- i. Mr. Palmer stated the Township Board approved and adopted a Brownfield Redevelopment Authority.
- ii. Drop off refuse program dates have been set.
- iii. Mission St. slip lining was approved for an RFP for that project.
- iv. The annual meeting of the board was scheduled for 5/9/2023 at 2pm.
- v.

**14) Report of the Planning Commission Sub-Committees- N/A**

**15) Report of the Economic Improvement Committee**

- i. Mr. Tasior stated that the Piety Hill Project site was designated as a priority site, allowing them to apply for grants through MEDC.
- ii. Arts & Placemaking Committee presented some projects, they were approved.
- iii. The Brownfield Authority sent a recommendation for the developer on Skeel St.

**15) Comments of Planning Commission members**

- i. Ms. Hopcroft was excited that there were guests in the audience and thanked Lary, Nancy, Brian and Teresa for speaking up.
- ii. Mr. Palmer appreciated everyone coming out and stated that we could work with the Kattolas to get the site plan reviewed and get answers we are looking for.

- iii. Mr. Tasior thanked the applicants for investing in our community.
- iv. Mr. Linderman also thanked the applicants for their investment.

**16) Report of the Zoning Administrator-** Ms. Vallette spoke about the training sessions that she is coordinating with MAP that we are going to host at Warrior Pavilion.

**Declaring no further business, Mr. Linderman adjourned the meeting at 7:22 PM.**

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Jeff Linderman - Chair

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Date

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Nichole Vallette – Planning & Zoning Director

Oscoda Charter Township  
110 S. State Street Oscoda, MI 49750  
989-739-3211 Ext. 250  
zoning@oscodaownshp.com

Case# 103-2022

APPLICATION FOR: (circle one)  
SPECIAL LAND-USE PERMIT  
SITE PLAN REVIEW  
ADMINISTRATIVE REVIEW

Property owner information:

Name: Frederic Rivesthine (Honey) Fray  
Address: 281 W. Lake Lansing Rd.  
Phone: 517-904-9059

Applicant information:

Name: Tom Hedin  
Address: 176 Matheson St. Oscoda, MI 49750  
Phone: 517-417-8489

Property information:

Address: 308 W. US 23

Engineer - Architect - Surveyor - Road To:  
other consultant  
Name: Ron Ireland (Ireland)

Zoning District: CBD - US 23 Zone

Address: 400 Zepeda Rd. Box 2752

Parcel#: 063-034-400-014-00

Vehicle, FL 3985 Trucks MI 49406

Phone: 517-1017-9449

Phone: 517-987-5661

Parcel Size: 5/10 of 1/4 Acre

E-mail: Reveline@aol.com

Site Plan/Operational Information Submitted (2 complete copies, max. scale 1"=50', 1"=100' over 3 acres)

Project Title and Brief Description:

Timothy Deline & Deline Tree Limbs Shop

Project Completion Schedule/Phasing:

10-31-2023

Please Note: The applicant or their official representative should be present at the Planning Commission's Public Hearing/Meeting to present the application and answer any questions Commission Members may have.

Applicant's Signature: I am the owner of the property included in this application or am officially acting on the owner's behalf. I hereby attest that the information on this application form, the site plan and other attachments is, to the best of my knowledge, true and accurate. I hereby grant permission to the Township Staff and/or any appropriate Township Official to access this property to review the accuracy of the information submitted.

Frederic Rivesthine  
Applicant Signature

11-21-22  
Date

**Oscoda Township**  
Site Plan - Special Land Use Application  
OFFICIAL USE ONLY

Application Submitted: 11/29/2022 Complete Application Accepted: \_\_\_\_\_ By: AN  
Zoning information reviewed and verified as: (circle one) Complying Non-Complying with basic standards of the CD District.  
Non-Compliance(s): \_\_\_\_\_ OS 23 Zone

**Approval Required: (circle one) Zoning Director (see Sect. 10.1 B & C) or Planning Commission**  
**Water - Sewer Dept. review and approval is also required:**

**Water-Sewer Dept. Approval:** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Fire Department Approval:** \_\_\_\_\_ **Date** 5-22-23

**Administrative Review:** In accordance with (circle one) Section 10.1(8) or 10.1(C) of the Zoning Ordinance, I find this application meets/does not meet applicable requirements.  
Therefore I hereby (circle one) **APPROVE** **DENY** this application.

\_\_\_\_\_  
Planning & Zoning Director Signature \_\_\_\_\_  
Date

**Planning Commission Review:** Final Site Plan Review

**Public Notice Mailing Date:** N/A **Publication Date:** N/A  
**Public Hearing/Meeting Date:** June 5, 2023 **Materials to Commission:** June 7, 2023

**Planning Commission Action:** (circle one) **Approved** **Denied** **Approved with Conditions**

**Conditions of Approval:**

If the Special Land Use/Site Plan is approved with conditions:

I understand that I will forward documentation to the Planning Commission within 6 months attesting to the progress relative to compliance with conditions 1 through \_\_\_\_\_

\_\_\_\_\_  
Applicant \_\_\_\_\_  
Date

**CHARTER TOWNSHIP OF  
OSCODA**

**Zoning Department**

## **Memo**

**To:** Planning Commission Members

**From:** Nichole Vallette, Planning & Zoning Director

**Date:** May 31, 2023

**Re:** Case #103-2022

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**Nature of Case #103-2022:**

Case #103-2022, DT Oscoda LLC, has submitted a Site Plan Application for a proposed new business, a general retail store, which is permitted by right in that Zoning District. The parcel has an existing building that would be demolished, and a new building will be constructed.

**Existing Property Conditions:**

The parcel is in the Corridor Business District US-23 Zone. The property is 190'x180' or 0.785 acre. The parcel number is 063-034-400-014-00.

**Communications Received:**

No mailing is required for a Site Plan Review.

**Planning & Zoning Director Recommendations/Comments:**

This is a final site plan review. A pre-development meeting was held, and all required departments attended. Rick Freeman stated in an email to myself that: "I have also reviewed the additional information provided by the developer which in addition to the site plan previously submitted completes the final site plan review. The MDOT permit application looks good.

The only exception is that the water/sewer service connection locations still need to be address on the final construction drawing submittal which I recommend to be review by myself prior to construction starting on site."

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The list of the following, Section 7.3 Site Plan Review, Article X Land Use Permit Application and Site Plan Review Procedures and Corridor Business District US-23 Zone, must be met for Site Plan Approval

### **Section 7.3 Site Plan Review:**

#### **Section 7.3.1 Intent and Purpose**

This Article governs the processes and standards for all uses and structures for which site plan approval is required under other provisions of this ordinance. Site plans for permitted uses and special uses shall be approved by the Planning Commission. Site plans for planned unit developments shall receive a recommendation from the Planning Commission and a final decision by the Township Board.

(Amd. of 1-27-2022)

#### **Section 7.3.2 General Requirements**

1. **Site Plan Required:** Site plans are required for the following uses:
  - A. Any development that would, if approved, provide for the establishment of more than one (1) principal use on a parcel, such as, a single family site condominium or similar project where a single parcel is developed to include two (2) or more sites for detached single family dwellings, excluding accessory dwelling units.
  - B. Development of any commercial use and residential use with two (2) or more dwelling units.
  - C. The development or construction of any accessory uses or structures, except for uses or structures that are accessory to a residential use.
  - D. Any use or construction for which submission of a site plan is required by any provision of this Ordinance.
  - E. Establishment, expansion, or enlargement of any regulated use unless expressly exempted in this Article.
2. **Site Plan Not Required:** Site plan approval is not required for the following activities, however, payment of any or all applicable bonds is required for issuance of a land use permit.
  - A. Construction, moving, relocating or structurally altering a principal residential structure including any customarily incidental accessory structures.
  - B. Excavating, filling, or otherwise removing soil, provided that such activity is normally and customarily incidental to single family uses described in this subsection for which site plan approval is not required.
  - C. A change in the ownership of land or a structure.

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- D. A change in the use of a structure to a use allowed by right in the zoning district in which it is located, provided that no modification to the site is proposed or required by the standards of this Ordinance and that the site maintains full and continuing compliance with these regulations.
  - E. Permitted home occupations.

(Amd. of 1-27-2022)

### Section 7.3.3 Standards for Site Plan Approval

The following criteria shall be used as a basis upon which site plans will be reviewed and approved:

1. **Adequacy of Information:** The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.
2. **Site Design Characteristics:** All elements of the site shall be harmoniously and efficiently designed in relation to the topography, size, and type of land, and the character of the adjacent properties and the proposed use. The site shall be developed so as not to impede the reasonable and orderly development or improvement of surrounding properties for uses permitted on such property.
3. **Site Appearance:** Landscaping, earth berms, fencing, signs, walls, structures and other site features shall be designed and located on the site so that the proposed development is maintaining a community ambience and harmonious with nearby existing or future developments.
4. **Compliance with District Requirements:** The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, open space, density and all other requirements set forth in Section 4.28 of the Zoning Ordinance, unless otherwise provided in these regulations.
5. **Privacy:** The site design shall provide reasonable visual and sound privacy. Fences, walls, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and the safety and privacy of occupants and uses.
6. **Emergency Vehicle Access:** All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.
7. **Circulation:** Every structure or dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways. The site plan shall provide a pedestrian circulation system that is insulated as completely as is reasonably possible from the vehicular circulation system. The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian ways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry.
8. **Parking:** The parking provided for an intended use shall meet the standards of Section 6.7 of this Ordinance.
9. **Drainage:** Appropriate measures shall be taken to ensure that the removal or drainage of surface water will not adversely affect adjoining properties or the capacity of the public drainage system. Provisions shall be made for a feasible storm drainage system, the construction of storm water collection, storage and transportation facilities, and the prevention of erosion. Surface water on all paved areas shall be collected at intervals so that it will not obstruct vehicular or pedestrian traffic and will not create nuisance ponding in paved areas. Final grades may be required to conform to existing and future grades of adjacent properties. Grading and drainage plans shall be subject to review by the Township Engineer.

10. **Soil Erosion and Sedimentation:** The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction, in accordance with current Iosco County soil erosion control standards.
11. **Exterior Lighting:** Exterior lighting shall be designed so that it is deflected away from adjoining properties, visual glare is minimized, and so that it does not impede vision of drivers along adjacent streets.
12. **Public Services:** Adequate services and utilities, including water, sewage disposal, sanitary sewer, and storm water control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development.
13. **Screening:** Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height. All walls must be solid and constructed of masonry and shall be subject to the approval of the code official and cannot be located in required setbacks without written authorization from the code official.
14. **Danger from Fire and Hazards:** The level of vulnerability to injury or loss from incidents involving fire and hazardous materials or processes shall not exceed the capability of the Township to respond to such incidents so as to prevent injury and loss of life and property. In making such an evaluation, the Township shall consider the location, type, characteristics, quantities, and use of materials or processes in relation to the personnel, training, equipment and materials, and emergency response plans and capabilities of the Township. Sites that include significant storage of flammable or hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, and public sewer system.
15. **Health and Safety Concerns:** Any use in any zoning district shall comply with applicable federal, state, county, and local health and pollution laws and regulations with respect to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic radiation; radioactive materials; and, toxic and hazardous materials.
16. **Phases:** All development phases shall be designed in logical sequence to ensure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.

(Amd. of 1-27-2022)

### Section 7.3.4 Site Plan Application Requirements

An application for site plan review shall be submitted on a form provided by the Township with the required items presented in the table below. Required items shall be demonstrated on the site plan drawings, written narrative/submitted documentation, or both as indicated in the table.

SITE PLAN APPLICATION REQUIREMENTS			
Item	Description	Site Plan	Narrative
1.	The date, north arrow, and scale. Scale shall be as follows: < 3 acres: One (1) inch = fifty (50) feet > 3 acres: One (1) inch = one hundred (100) feet	✓	
2.	The boundary lines of the property, to include all dimensions, gross and net acreage, and legal description.	✓	
3.	The location and width of all abutting rights-of-way.	✓	



4.	The existing zoning district in which the site is located and the zoning of adjacent parcels. In the case of a request for a zoning change, the classification of the proposed new district must be shown.	✓	
5.	The location of all existing and proposed structures and uses on the site, including proposed drives, walkways, signs, exterior lighting, parking (showing the dimensions of a typical parking area), loading and unloading areas, common use areas and recreational areas and facilities.	✓	
6.	The location and identification of all existing structures within a two hundred (200) foot radius of the site.	✓	
7.	Natural features that will be retained, removed, and/or modified including vegetation, hillsides, drainage, streams, wetlands, shorelands, and wildlife habitat.	✓	
8.	A landscaping plan with all existing and proposed landscaping, walls and/or fences.	✓	
9.	A grading plan showing the topography of the existing and finished site, including ground floor elevations, shown by contours or spot elevations. Contours shall be shown at height intervals of two (2) feet or less.	✓	
10.	Location, type and size of all above and below grade utilities.	✓	
11.	Type, direction, and intensity of outside lighting shown on a photometric plan in compliance with exterior lighting standards.	✓	
12.	Location of any cross access management easements, if required.	✓	
13.	Location of pedestrian and non-motorized facilities, if required.	✓	
14.	An indication of how the proposed use conforms to existing and potential development patterns and any adverse effects.	✓	✓
15.	The number of units proposed, by type, including a typical floor plan for each unit, dimensions, and area in square feet.	✓	
16.	Elevations for all building facades.	✓	
17.	Phasing of the project, including ultimate development proposals.	✓	✓
18.	Sealed/stamped drawings from a licensed architect, engineer, or landscape architect.	✓	
19.	The location and description of the environmental characteristics of the site prior to development such as topography, soils, vegetative cover, mature specimen trees, drainage, streams, wetlands, shorelands, or any other unusual environmental features.	✓	✓
20.	A stormwater management plan showing all existing above and below grade drainage facilities, and proposed plans incorporating low impact development water quality technologies and other best management practices.	✓	✓
21.	Plans to control soil erosion and sedimentation, including during construction.	✓	✓
22.	The name and address of the property owner.	✓	✓
23.	Name(s) and address(es) of person(s) responsible for preparation of site plan drawings and supporting documentation.	✓	✓
24.	The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site.		✓
25.	Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes, vibration, smoke or lights.		✓
26.	Descriptions of all existing and proposed structures referenced in item 5.		✓
27.	The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate areas of change.		✓
28.	General description of deed restrictions and/or cross access management easements, if any or required.		✓

29.	The method to be used to serve the development with water.		✓
30.	The method to be used for sewage treatment.		✓
31.	The number of people to be housed, employed, visitors or patrons, anticipated vehicular and pedestrian traffic counts, and hours of operation.		✓
32.	Site photos from the road		✓

- A. Upon recommendation by the Zoning Director, the Planning Commission may waive any of the above required items based upon a finding that it is not applicable.
- B. The Planning Commission, Zoning Director, or other party authorized by the Township may request any additional information it deems necessary in the review of a submitted site plan. This additional information shall be requested through the Zoning Director.
- C. Evidence the plan has been submitted for review to all affected jurisdictions, including but not limited to Iosco County Road Commission, District Health Department No. 2, Oscoda Township Volunteer Fire Department, Michigan Department of Transportation (MDOT), and Michigan Department of Environment, Great Lakes, and Energy (EGLE), and Michigan Department of Natural Resources (MDNR). If an applicable review is not submitted, statement of a date certain for submission or the reason why their review is not applicable must be provided.
- D. All professionally drawn site plan drawings shall be submitted on three (3) sets of twenty four (24) inch by thirty six (36) inch sheets, ten (10) sets of eleven (11) inch by seventeen (17) inch sets, and in digital PDF format.

(Amd. of 1-27-2022)

### Section 7.3.5 Site Plan Review Application Submission Procedures

1. **Pre-Application Conference:** An applicant can request a pre-application conference with the Zoning Director and/ or Planner to discuss in general the substantive requirements for the application prior to submittal.
2. **Conceptual Review:** After a pre-application conference, an applicant may submit an application for conceptual review before the Planning Commission prior to formal submittal of a site plan review application. The purpose is to gather feedback on the proposed land use and potential requirements of the Planning Commission. Feedback provided by the Planning Commission under a conceptual review is non-binding, subject to change, and is not to be construed as a guarantee for approval. A conceptual review does not include a completeness or technical review by the Zoning Director.
3. **Completeness Review:** All required application materials shall be presented to the Zoning Director's office by the property owner or their designated agent at least twenty-one (21) days prior to the Planning Commission meeting where the site plan will be considered. The Zoning Director shall review the application for completeness in order to determine if the application has been properly submitted and the applicant has corrected all deficiencies. Completeness reviews are solely for the purpose of determining whether the preliminary information required for submission of the application is sufficient to allow further processing and shall not constitute a decision as to whether an application complies with the provisions of this Ordinance.
4. **Technical Review:** An application determined to be complete will undergo a technical review by the Zoning Director or Township designee to determine compliance with applicable standards. This review may include distributing the plan to other local agencies or departments with jurisdiction for comment on any issues the plans might present and shall result in a report submitted to the Planning Commission with the site plan review application. Once the technical review is complete, the application will be placed on the next regularly scheduled Planning Commission meeting agenda.

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(Amd. of 1-27-2022)

### Section 7.3.6 Site Plan Application Review

Site plan review applications shall be reviewed by the Planning Commission or Development Review Committee as determined by the criteria below.

1. **Development Review Committee:** The Development Review Committee may review and make a decision on a qualifying site plan review application. The Development Review Committee shall consist of the Zoning Director, Planning Commission Chair, a Planning Commissioner and the Economic Improvement Director, and shall perform the duties of the Planning Commission prescribed in this Article when conducting an development review. No part of this subsection shall prohibit the Zoning Director, Development Review Committee or Applicant from requesting the site plan be submitted to the Planning Commission for review and approval. A site plan review application qualifying for development review shall meet all of items A.—D., or item E.
  - A. The proposed use is permitted by right in the established zoning district;
  - B. The proposed use will result in less than three thousand (3,000) square feet of new development or construction;
  - C. The proposed use will be located at least five hundred (500) feet from AuSable River and Van Etten Lake.
  - D. The proposed use will generate less than five hundred (500) additional trip ends per day as determined by the proposed land use activity based on the most recent edition of the Trip Generation Manual published by the Institute of Transportation Engineers;
  - E. The proposed use is a shoreline stabilization structure along Lake Huron.
2. **Planning Commission Review:** All other uses requiring a site plan shall be reviewed and decided upon by the Planning Commission.

(Amd. of 1-27-2022)

### Section 7.3.7 Site Plan Application Determinations

Upon review of a site plan review application, the Planning Commission or Development Review Committee shall make a determination to approve the application, require any conditions it may find necessary, or deny the application.

1. **Approval:** The site plan shall be approved upon determination that it is in compliance with the standards of this Ordinance, other Township planning documents, other applicable ordinances, and state and federal statutes.
2. **Conditional Approval:** The Planning Commission may approve a site plan, subject to any conditions to address necessary modifications, obtain variances, or approvals from other agencies. Conditions imposed shall meet each of the following objectives:
  - A. Be designed to protect natural resources, the health, safety, and welfare, as well as 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;

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- B. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity;
  - C. Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in the zoning ordinance for the land use or activity under consideration, and be necessary to ensure compliance with those standards.
3. **Denial:** If the Planning Commission determines that a proposed site plan does not meet the standards of this Ordinance, or otherwise will tend to be injurious to the public health, safety, welfare or orderly development of the Township, it shall deny the application by a written decision which clearly sets forth the reason for such denial.

(Amd. of 1-27-2022)

### Section 7.3.8 Record of Actions

The Township shall keep a record of decisions on all site plans on file in the Clerk's Office. The record shall include the following information:

1. **Minutes:** All minutes from any meeting where the site plan was considered.
2. **Finding of Fact:** The decision on a site plan review shall be incorporated in a finding of fact relative to the land use under consideration and shall specify the basis for the decision and any conditions imposed.
3. **Final Site Plans:** The final site plan shall consist of an electronic pdf version and one (1) full size print set (twenty-four (24) inches by thirty-six (36) inches) of the final site plans stamped by a licensed architect, landscape architect, or civil engineer.
  - A. Approved site plans shall include any required revisions and the date of the revisions. The print set shall be marked "Approved" and signed and dated by the Applicant and Planning Commission Chair.
  - B. Denied site plans shall be marked "Denied" and signed and dated by Planning Commission Chair.
4. **Development Agreement:** An approved site plan shall include a site plan development agreement outlining the approved use, any applicable conditions, and procedural process. The development agreement shall be signed by the applicant and Planning Commission Chair.
5. **Occupancy:** No occupancy or operation of a use and/or structure allowable under an approved site plan review shall be permitted to occur prior to receiving an occupancy permit from the Zoning Director.

(Amd. of 1-27-2022)

### Section 7.3.9 Expiration, Revocation and Reapplication

1. **Expiration:** A site plan review approved under this Article shall be valid for a period of one (1) year from the date of approval. If the applicant fails to submit an application for a land use permit to the Township for the approved site plan review in that time period, then the site plan review approval shall automatically expire. The applicant may request an extension of the permit by submitting a written request for consideration to the Planning Commission before the expiration date. The Planning Commission may grant one (1) extension for a period of up to one (1) year.

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2. **Revocation:** If a violation of any of the conditions or standards imposed on an approved site plan review is found to exist following inspection, the Zoning Director shall notify the owner of the premises, the applicant of the site plan review, and the Planning Commission that such violation exists and that the site plan review approval will be revoked within fifteen (15) days of such notification. If said violation is not corrected within fifteen (15) days, the Planning Commission may revoke the permit. Furthermore, such a violation is hereby declared a violation of this Ordinance, subject to all the remedies and penalties provided for within this Ordinance.
  3. **Reapplication:** An application that has been denied wholly or in part by the Planning Commission or Development Review Committee may reapply after all bills for the review have been paid in full. Reapplication shall constitute a new application and shall require resubmission of all required materials, payment of all applicable fees, and the establishment of a new escrow account.

(Amd. of 1-27-2022)

### Section 7.3.10 Amendments and Modifications

A previously approved site plan may be modified according to the following procedures:

1. **Insignificant Deviations:** The Zoning Director may authorize insignificant deviations in an approved site plan if the resulting use will still meet all applicable standards and requirements of this Ordinance, and any conditions imposed. A deviation is insignificant if the Zoning Director determines it will result in no discernible changes to or impact on neighboring properties, the general public, or those intended to occupy or use the proposed development and will not noticeably change or relocate the proposed improvements to the property.
2. **Minor Amendments:** The Planning Commission may permit minor amendments to an approved site plan if the resulting use will still meet all applicable standards and requirements of this Ordinance, and any conditions imposed unless otherwise requested to be modified, and do not substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, demand for public services, or vulnerability to hazards. The Planning Commission may make a decision on minor amendments upon receipt of an application. Minor amendments are those modifications the Zoning Director determines will have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development, but exceed the extent to which can be approved as an insignificant deviation.
3. **Major Amendments:** All other requests for amendments to an approved site plan shall be processed in the same manner as a new application. The Planning Commission may impose new conditions on the approval of an amendment request if such conditions are warranted as described in this Article. The holder of the original site plan approval may reject such additional conditions by withdrawing the request for an amendment and proceeding under the existing site plan approval.

(Amd. of 1-27-2022)

### Section 7.3.11 Fees and Performance Guarantees

Fees and performance guarantees associated with the review and approval of a site plan review application shall be consistent with the requirements in Section 10.8.

(Amd. of 1-27-2022)

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## **Section 7.4 Permits Required:**

The terms "altered" and "repaired" shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the applicable local Building Code, Housing Law, or this Ordinance. The above may require either a special use permit or a site plan approval, except for minor repairs or changes not involving any of the aforesaid features.

No open land shall be used, or an existing use of land be changed to a use of a different class or type unless a land use permit is first obtained.

Land Use Permits issued shall remain valid for one year from the date of issue and unless construction is started within that year, the permit expires. In the event a permit expires, a new permit must be obtained prior to commencing work.

All actions described on a Land Use Permit application shall be completed within twelve (12) months of the permit's approval date. If said actions are not completed within twelve (12) months, a new permit that only allows for a six-month extension must be obtained from the Zoning Administrator. When a Land Use Permit is allowed to expire or there is not active construction in progress, then the construction site building is subject to the condition requirements of the Township's Property Maintenance Ordinance (Ordinance No. 205 as amended).<sup>3</sup>

Building in violation of the permit, or failure to obtain a permit will result in the structure being in violation of the Ordinance, and the Township shall be allowed to seek whatever remedy it deems appropriate as allowed by this Ordinance, or other Township Ordinances, or generally by law (see Article XII).<sup>(17)</sup>

### **Section 7.4.1 Land Use Permits Not to be Issued<sup>(17)</sup>**

No Land Use permit shall be issued for the erection, alteration, or use of any building or structure, or part thereof, or for the use of any land which is not in accordance with all provisions of this Ordinance.

### **Section 7.4.2 Permits for New Use of Land**

Iosco County Building and Housing permits may be required. Please contact the Iosco County Building Department for further information.<sup>(17)</sup>

### **Section 7.4.3 Permits for New Use of Buildings**

No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained from the Iosco County Building Department.

### **Section 7.4.4 Permits for Wrecking Buildings**

Before a building or structure can be wrecked, the owner, wrecking company, or person who secures the permit shall notify all utilities having service connections within the building such as water, electric, gas, sewer, and other connections. A permit to wreck a building shall not be issued unless a release is obtained from the utilities stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed and/or sealed and plugged in a safe manner; nor shall a wrecking permit be issued until a report has been received from the public utility companies concerned, that said wrecking operations may be accomplished in such a manner as not to create a hazardous condition as a result of the proximity of such public utility installations.

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Before a permit is issued for the wrecking of any building, such application for permit shall be referred to the Iosco County Building Department for examination of the premises to determine whether or not rodent extermination procedures are necessary.

Blasting and use of explosives shall be done only by a person licensed by the Fire Department to perform such work.

The requirements of this section are designated as the minimum necessary for average conditions and, in the case of unusual or dangerous situations, adequate provision shall be made and every precaution taken to protect the safety of the public and workmen. The Planning Commission may impose additional safeguards to satisfy the intent of this Section. All abandoned basements or cellars and holes shall be filled to grade, and all excess materials, rubbish, and debris shall not be permitted to remain on the premises above grade. The Fire Department shall be notified before removing standpipes, sprinklers, or fire protection water supplies. When demolition of the Principal Structure is proposed within a Residential District and accessory structures are to be left standing, a new principal structure must be constructed within one (1) year of the demolition. If after one (1) year a new principal structure is not constructed, removal of all Accessory Structures must be completed within thirty (30) days.<sup>3</sup>

Wrecking actions will be completed within thirty (30) days of issuance of a permit. This requirement includes the removal of all demolished materials and completion of lot restoration.<sup>3</sup>

### **Section 7.5 Certificates:**

No land, building, or part thereof, shall be occupied by or for any use unless and until a certificate of occupancy shall have been issued for such use by the Iosco County Building Department.

### **Section 7.6 Fees:**

Fees for inspection and the issuance of permits or certificates or copies thereof required or issued under the provisions of this Ordinance shall be collected by the Treasurer in advance of issuance. The amount of such fees shall be established by resolution of the Township Board and shall cover the cost of inspection and supervision resulting from enforcement of this Ordinance.

### **Section 7.7 Violations:<sup>10</sup>**

**Nuisance Per Se.** Any building or structure which is erected, moved, placed, reconstructed, razed, extended, enlarged, altered, maintained or used, and any use of a lot or land which is begun, continued, or changed in violation of any term or provision of this Ordinance, is hereby declared to be a nuisance per se subject to abatement pursuant to MCL 125.3407 and as otherwise provided by law.<sup>10</sup>

**Violation.** Any person who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, any administrative decision made under the Ordinance, or any permit or approval issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance. Any person responsible for a violation of this Ordinance whether as an owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal.

**Municipal Civil Infraction.** A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute.

#### **Section 7.7.1 Enforcement and Penalties<sup>10</sup>**

The owner of any building, structure or premises or part thereof, where any condition in violation of this Ordinance shall exist or shall be created, and who has assisted knowingly in the commission of such violation shall

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be guilty of a separate offense and, upon conviction thereof, shall be liable for the fines, penalties, and provisions of the Charter Township of Oscoda Code, Section 1-10.

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which Oscoda Township has incurred in connection with the municipal civil infraction.

### **Section 7.7.2 Each Day a Separate Offense**

A separate offense shall be deemed committed upon each day during or when a violation occurs or continues.

### **Section 7.7.3 Rights and Remedies are Cumulative**

Any violation of this Ordinance shall constitute a basis for injunctive relief or other appropriate remedy in any court of competent jurisdiction to compel compliance with this Ordinance and enforce the provisions thereof.<sup>10</sup>

### **Section 7.8 Amendments:<sup>10</sup>**

The Township Board may, upon recommendation from the Township Planning Commission, amend, supplement or change the regulations or the district boundaries of this Ordinance pursuant to the authority and in accordance with the Michigan Zoning Enabling Act, as amended. Amendments or supplements to the regulations or the district boundaries of this Ordinance may be initiated by the Township Board or the Planning Commission. A resident or property owner of the Township may petition to amend the regulations of this Ordinance or to change the zoning district boundary for one (1) or more adjacent parcels. Whenever a petitioner requests a zoning district boundary amendment, he shall be the fee holder owner of the premises concerned or else have the fee holder owner also subscribe to his petition. The petitioner shall submit a petition for an amendment to the Township Clerk and shall deposit the sum established by resolution of the Township Board with the Township Treasurer at the time that the petition is filed to cover the publication and other miscellaneous costs for the review of and action on said change. There shall be a twelve-month minimum waiting period between a Township Board denial for a Zoning Ordinance amendment and a new request.<sup>13</sup>

All proposed amendments to this Ordinance initiated by the Township Board or by a petitioner shall first be referred to the Planning Commission for review and recommendation. Petitions to amend the text of the ordinance shall also be reviewed by the Zoning Administrator to ensure that the language and formatting of the amendment is consistent with the Ordinance. Except, an amendment to conform a provision of the Ordinance to a decree of a court of competent jurisdiction as to any specific lands may be adopted by the Township Board and the notice of the adopted amendment published without referring the amendment to any other board or agency provided for under this Ordinance.<sup>13</sup>

Before submitting its recommendations for a proposed zoning ordinance amendment to the Township Board, the Planning Commission shall hold at least one (1) public hearing. Notice of the time and place of the public hearing shall be given in the same manner as required under section 7.9 of this Ordinance. Notice of the time and place of the public hearing shall also be given by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the Township Clerk for the purpose of receiving the notice of public hearing. The notices required under this section shall include the places and times at which the proposed text and any maps of the Zoning Ordinance may be examined.

Following the hearing required in Section 7.9, the Township Planning Commission shall submit the proposed zoning ordinance amendment, including any zoning maps, to the County Planning Commission for review and recommendations.<sup>13</sup>



The County Planning Commission will have waived its right for review and recommendations of an ordinance if the recommendation of the County Planning Commission has not been received by the Township Planning Commission within thirty (30) days from the date the proposed ordinance is received by the County Planning Commission.

Following the required public hearing under Section 7.9, the Planning Commission shall transmit a summary of comments received at the hearing and its proposed zoning ordinance, including any zoning maps and recommendations, to the Township Board.

After receiving a zoning ordinance or an amendment, the Township Board may hold a public hearing if it considers it necessary or as may otherwise be required. Notice of the hearing shall be given in the same manner as required under Section 7.9. The Township Board shall grant a hearing on a proposed ordinance provision to an interested property owner who requests a hearing by certified mail, addressed to the clerk of the township board.<sup>13</sup>

The Township Board may refer any proposed amendments to the Planning Commission for consideration and comment within a time specified by the Township Board.

After the public hearing held as allowed under this section, the Township Board shall consider and vote upon the adoption of a zoning ordinance, with or without amendments. A zoning ordinance and any amendments shall be approved by a majority vote of the members of the Township Board.

A zoning ordinance shall take effect upon the expiration of seven (7) days after publication as required by this section or at such later date after publication as may be specified by the Township Board. Following adoption of a zoning ordinance or any subsequent amendments by the Township Board, the zoning ordinance or subsequent amendments shall be filed with the Clerk of the Township Board, and a notice of ordinance adoption shall be published in a newspaper of general circulation in the Township within fifteen (15) days after adoption. A copy of the notice shall be mailed to the airport manager of an airport entitled to notice under this section. The notice of ordinance adoption shall include:<sup>13</sup>

- A. In the case of an amendment to an existing zoning ordinance, either a summary of the regulator effect of the amendment, including the geographic area affected, or the text of the amendment.
- B. The effective date of the ordinance or amendment.
- C. The place where and time when a copy of the ordinance or amendment may be purchased or inspected.

Following the enactment of the zoning ordinance, the planning Commission shall at least once per year prepare for the Township Board a report on the administration and enforcement of the Zoning Ordinance and recommendations for amendments or supplements to the Ordinance.

A zoning ordinance shall take effect upon the expiration of seven (7) days after publication as required by this section or at such later date after publication as may be specified by Township Board. Except, within seven (7) days after publication of a zoning ordinance, a registered elector residing in the zoning jurisdiction of the Charter Township of Oscoda may file with the Township Clerk a notice of intent to file a petition.<sup>13</sup>

If a notice of intent is filed, the petitioner shall have thirty (30) days following the publication of the zoning ordinance to file a petition signed by a number of registered electors residing in the zoning jurisdiction equal to not less than fifteen (15) percent of the total vote cast within the zoning jurisdiction for all candidates for governor at the last preceding general election at which a governor was elected, with the Township Clerk, requesting the submission of a zoning ordinance or part of a zoning ordinance, to the electors residing in the Charter Township of Oscoda for their approval.

Upon filing of a notice of intent, the zoning ordinance or part of the zoning ordinance adopted by the legislative body shall not take effect until one (1) of the flowing occurs:

- A. The expiration of thirty (30) days after publication of the ordinance, if a petition is not filed with that time.

- B. If a petition is filed with thirty (30) days after publication of the ordinance, the Township Clerk determines that the petition is inadequate.
- C. If a petition is filed with thirty (30) days after publication of the ordinance, the Township Clerk determines that the petition is adequate and the ordinance or part of the ordinance is approved by a majority of the registered electors residing in the Charter Township of Oscoda voting on the petition at the next regular election or at any special election called for that purpose. The Township Board shall provide the manner of submitting the zoning ordinance or part of the zoning ordinance to the electors for their approval or rejection and determining the result of the election. Petition and an election under this section are subject to the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

## Section 7.9 Public Notice:<sup>10</sup>

All zoning activities or applications development approval requiring a public hearing shall comply with the Michigan Zoning Enabling Act, PA 110 of 2006, as amended, and other provision of this Section with regard to public notification.

1. **Responsibility:** When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be delivered and / or published, the Zoning Administrator shall be responsible for preparing the content of the notice, having it published in a newspaper of general circulation in the Charter Township of Oscoda and mailed or delivered as provided in this Section.
2. **Public Hearing and Notification:** Pursuant public notice requirements of the Michigan Zoning Enabling Act, as amended, or within this Ordinance, whenever the Township is required to provide notice of public hearing, the Township shall publish notice of such Public Hearing in a newspaper of general circulation for the Charter Township of Oscoda. Newspaper notices for public hearings shall:
  - a. **Describe the nature of request:** Identify whether the request is for a rezoning, text amendment, special land use, planned unit development, variance, appeal, ordinance interpretation or other purpose.
  - b. **Location:** Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need addresses if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number, identifying the nearest cross street, or including a map showing the location of the property.
  - c. **Date, Time and Location of Hearing:** State when and where the request will be considered.
  - d. **Written Comments:** Include a statement describing when and where written comments will be received concerning the request. Include at statement that the public may appear and be heard in person or by representing Counsel, at the public hearing.
  - e. **Handicap Access:** Information concerning how to secure assistance in the event that handicap access or other special needs requirements are to be satisfied.
3. **Personal Delivery and Mailed Notices:**
  - a. When the zoning activity involves fewer than ten (10) properties, notice(s) shall be sent by mail or personal delivery to all persons to whom real property is assessed and to those who occupy properties within three hundred (300) feet of the boundary of the property subject to the activity, regardless of whether the property or occupant is located within the boundaries of the Charter Township of Oscoda. If the name of the occupant is not known, the term "occupant" may be used in making notification.
  - b. Notice shall also be sent by mail or personal delivery to the owners of property for which approval is being considered.
  - c. Notification need not be given to more than one (1) occupant of a structure unless a structure contains more than one (1) dwelling unit, business, or organization that occupy individual units or distinct spatial areas that are owned or leased by different individuals or parties.
  - d. When a single structure includes more than four (4) dwelling units or other distinct spatial areas that are owned or occupied by different individual parties, notice may be given to the owner or manager of the structure with instructions to post the notice at the primary entrance to the structure.
  - e. If eleven (11) or more adjacent properties are proposed for zoning activity, notice of the proposed activity shall be delivered in the same manner as above, except that notices shall not include a listing of all existing street addresses within the property and the notices need not be sent to:
    - (1) Property owners for which approval is being considered;
    - (2) Persons with real property assessed within three hundred (300) feet;
    - (3) Occupants of all structures within three hundred (300) feet.

- f. **Other Governmental Units or Infrastructure Agencies:** When the boundaries of a zoning activity are within three hundred (300) feet of the jurisdictional boundary of a neighboring governmental agency, a notice shall be delivered to that neighboring governmental agency.
- 4. **General:** Any neighborhood organization, public utility company, railroad or any other person may register with the Zoning Administrator so as to receive written notices pursuant to this Section. Fees, as established by the Township Board, may be assessed for the provision of these types of general notices. Registrants must first provide the Zoning Administrator with a written request that includes delivery information, including the name and address of the registrant. Registrations shall remain valid for six (6) months. Thereafter the Zoning Administrator will not continue to send hearing notifications, pursuant to this Section, unless the person, organization, public utility company, or railroad re-registers.
- 5. **Timing of Notices:** Unless otherwise provided in the Michigan Zoning Enabling Act, PA 110 of 2006, or this Ordinance, notice of public hearings shall be provided not less than fifteen (15) days before the date in which the hearing will be conducted. Notices must be published in a newspaper of general circulation and all personal notices that are required to be sent by mail or otherwise delivered will be done not less than fifteen (15) days before the hearing.<sup>13</sup>
- 6. **Notice by Mail & Affidavit:** Notice shall be deemed mailed by its deposit during normal business hours in the United States mail, first class, properly addressed, postage paid. The Zoning Administrator may prepare an Affidavit of Mailing that lists those to whom notices were mailed as well as anyone to whom personal notice was delivered.<sup>13</sup>

5/16/2023

## **Oscoda Site Plan Review – Oscoda Charter Township Engineer**

### **Preliminary Site Plan Review/Pre-Development Meeting Summary**

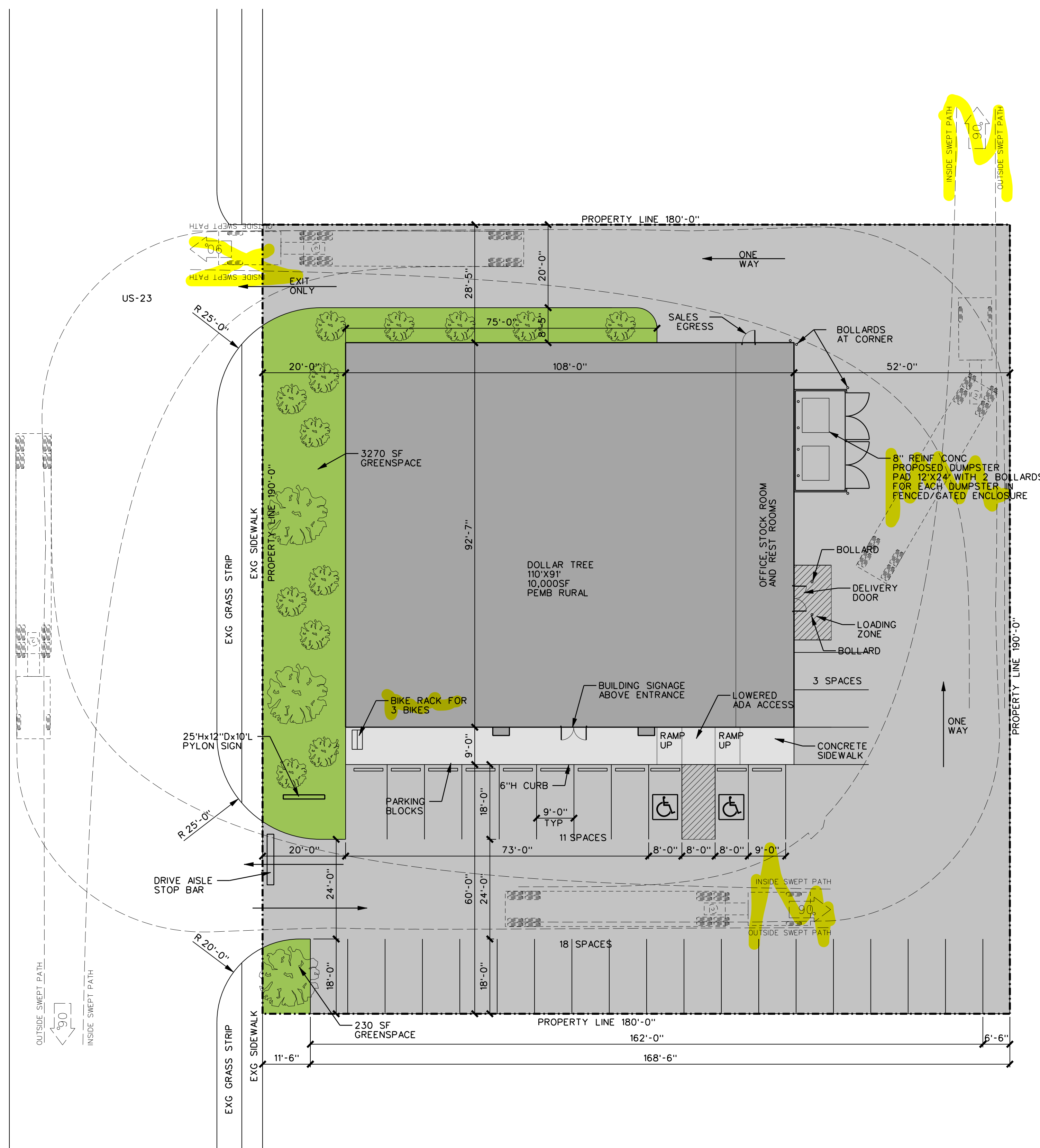
Dollar Tree Development

I have reviewed the preliminary site plan that was submitted to the Township and was present at the Pre-Development Meeting conducted on May 16, 2023. The following are my review comments/concerns and follow up discussion during the meeting on 5/16/23.

1. The site consists of an existing building (Arby's/Blue Iguana) that will be demolished, and a new structure will be constructed that will be the Dollar Tree. The site will be completely reworked.
  - Existing site information needs to be provided showing limits of building demolition, existing water/sewer service connections, storm drainage, gas and electrical.
  - Any/all deed restrictions/easements must be identified.
  - 200 feet of adjoining property and any buildings within that reach must be shown.
2. Proposed site will consist of new structure, parking and improved entrance/exits onto U.S. 23.
  - MDOT permit will be required.
  - Iosco County Building Department permit will be required.
  - Oscoda Charter Township Fire Department will need to review and approve final site plan.
  - Parking spaces, bike rack, and vehicle movement layout has been provided.
  - New water/sewer service connections need to be shown, size of service (pit meter size), location of meter pit needs to be included. It is possible that existing connections are off Bachman Road and not U.S. 23?
  - Storm drainage runoff will be essentially the same as existing since impervious areas are the same from existing to proposed.
  - Site lighting is located on the building.
  - Site signage is a stand alone sign and on building.
  - Dumpster and screening have been provided.

Final site plan review and recommendations from the Oscoda Charter Township Engineer will be provided before the next Planning and Zoning Committee meeting if submitted in a timely manner.





SITE PLAN  
SCALE: 1/16" = 1'-0"



AERIAL INSET LOCATION  
SCALE: 1" = 40'-0"

ADDRESS: 5018 NORTH US HWY 23

SITE DATA:  
LOT AREA = 34,200 SF  
BUILDING AREA = 10,000 SF

PARKING COUNT =  
30 REGULAR STALLS  
2 ADA STALLS

32 TOTAL SPACES PROVIDED  
30 TOTAL SPACES REQUIRED

GENERAL NOTES:

1. HVAC UNITS TO BE PLACED ON TOP OF PRE-ENG MTL BUILDING ROOF
2. EXISTING ZONING = R-1  
PROPOSED ZONING = R-1
3. SETBACK REQUIREMENTS =  
FRONT = 20'  
SIDE = 10'  
REAR = 35'
4. BUILDING CONSTRUCTION  
RURAL COMBO

Reviewed and approved by Township Engineer with following comments

- water/sewer service connection locations along with meter pit, water service size needs to be included on final construction drawings
- storm drainage components need to be clearly identified on final construction drawings



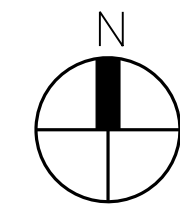


Sheet  
**C1.2**



AERIAL SITE PLAN

SCALE: 1/16" = 1'-0"



New Dollar Tree  
5018 North US Highway 23  
Oscoda, Michigan

IRELAND  
ARCHITECTS  
450 Zapata  
Venice, FL 34285  
phone: (517) 227-9061

Date  
4/21/23

Issued for  
REVIEW

Sheet  
C1.3



- LANDSCAPE SCHEDULE:  
(4) TREES @ 39" O.C.  
TABLE (1)  
3" CALIPER  
SHRUBS  
TABLE (2)  
GROUND COVER  
(TABLE 3)
- LIGHTING SCHEDULE  
(A) 2-250W SHOEBOX ON  
20' POLE  
(B) 200W WALL PACK  
(C) 150W WALL PACK  
NOTE: MAX 2' FC



LANDSCAPE AND LIGHTING PLAN  
SCALE: 1/16" = 1'-0"

IRELAND  
ARCHITECTS  
450 Zapata  
Venice, FL 34285  
phone: (517) 227-9061

New Dollar Tree  
5018 North US Highway 23  
Oscoda, Michigan

Date	Issued for
4/21/23	REVIEW
5/30/23	REVIEW



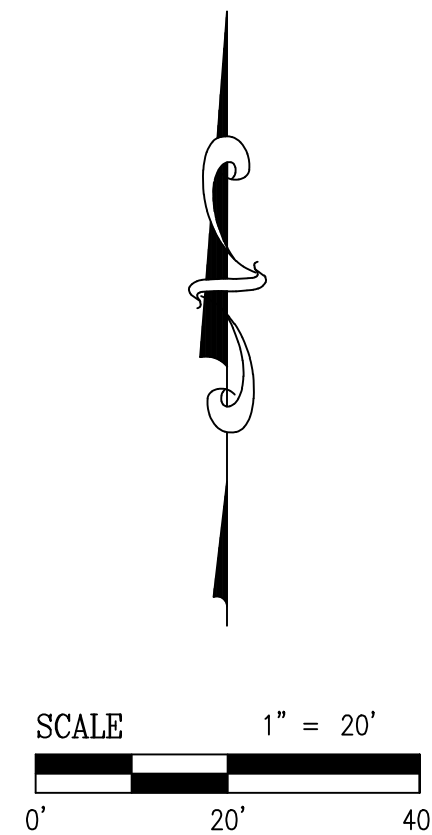
RECORD DESCRIPTION	
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The West 180.00 feet of that part of the North 190.00 feet of the South 616.00 feet, Government Lots 2 and 3, Section 34, Town 24 North, Range 9 East, lying Easterly of and adjacent to the East line of Highway U.S. 23, being 50.00 feet East of the centerline as now surveyed.

The above described property is the same property that is described in Old Republic National Title Insurance Company, Commitment No. 35-22848230-SCM, dated August 11, 2022 at 8:00 A.M.

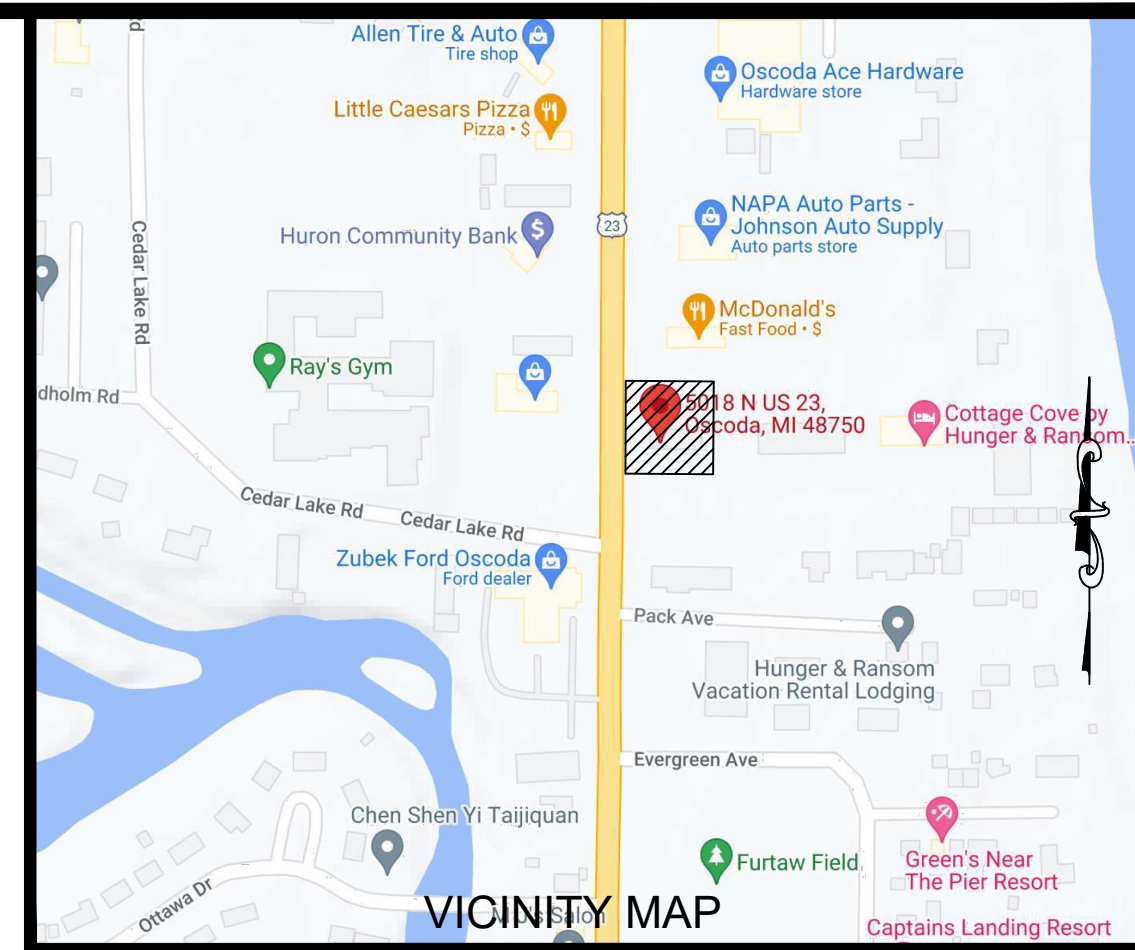
ITEMS CORRESPONDING TO SCHEDULE B

- (8) Highway Easement Released granted to the State of Michigan for improvement of Highway US-23 recorded in Liber 5M, Page 448, Isoco County Records, and the terms, conditions and provisions contained therein. AFFECTS AS SHOWN.
- (9) Right of Ways granted to Consumers Power Company for construction, installation and maintenance of lines for transmitting and distributing electricity and/or conducting a communication business recorded in Liber 6M, Page 393 and in Liber 6M, Page 394, Isoco County Records, and the terms, conditions and provision contained therein. BLANKET IN NATURE.



## MISCELLANEOUS NOTES

- MN1 Some features shown on this plat may be shown out of scale for clarity.
- MN2 Dimensions on this plat are expressed in feet and decimal parts thereof unless otherwise noted. Bearings are referred to an assumed meridian and are used to denote angles only. Monuments were found at points where indicated.
- MN3 The basis of bearings is N 89°38'00" W being the South line of subject property.
- MN4 All of the various survey monuments shown on this plat as found and/or used are in good condition, apparently undisturbed, unless otherwise noted.
- MN5 At the time of survey, there was no observable evidence of earth moving work, building construction, or building additions.
- MN6 At the time of survey, there were no changes in street right of way lines or observable evidence of street or sidewalk repairs.
- MN7 At the time of survey, there was no observable evidence of substantial areas of refuse.
- MN8 At the time of survey, the site is not being used as a cemetery.
- MN9 All field measurements matched record dimensions within the precision requirements of ALTA/NSPS specifications unless otherwise shown.
- MN10 Subject parcels contains 0.785 Acres (34,200 square feet), more or less.
- MN11 There were 52 regular striped parking spaces and 3 disabled striped parking spaces observed in the field, Total parking spaces of 55.
- MN12 Subject parcels access N US HWY 23 at 2 location from the West side of the subject property, being a publicly dedicated right of way.
- MN13 The location of all utilities serving or existing on the surveyed property as depicted were determined by observed above-ground evidence.
- MN14 No wetlands were delineated for this survey or information provided to the location of any wetlands on subject property.
- MN15 Site address of 5018 N US 23 Oscoda, MI, as disclosed in record documents.
- MN16 Heavy snow cover at the time of field survey made it difficult to identify all ground features.



REVISION NOTES

[illegible]

Job No.: 23147A Drawn: BGS

Date: DATE Chk'd.: JMS

Scale: 1"=20' Rev.: REVDATE

SURVEY WORK PERFORMED BY:



GLOBAL LAND SOLUTIONS, L.L.C.

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9730 N. Greenville Rd, Lakeview, Michigan 48850  
(989) 352-4000

www.GlobalLandSolutions.com

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SURVEYING & MAPPING      PROJECT ADMINISTRATION

\_\_\_\_\_

## LEGEND

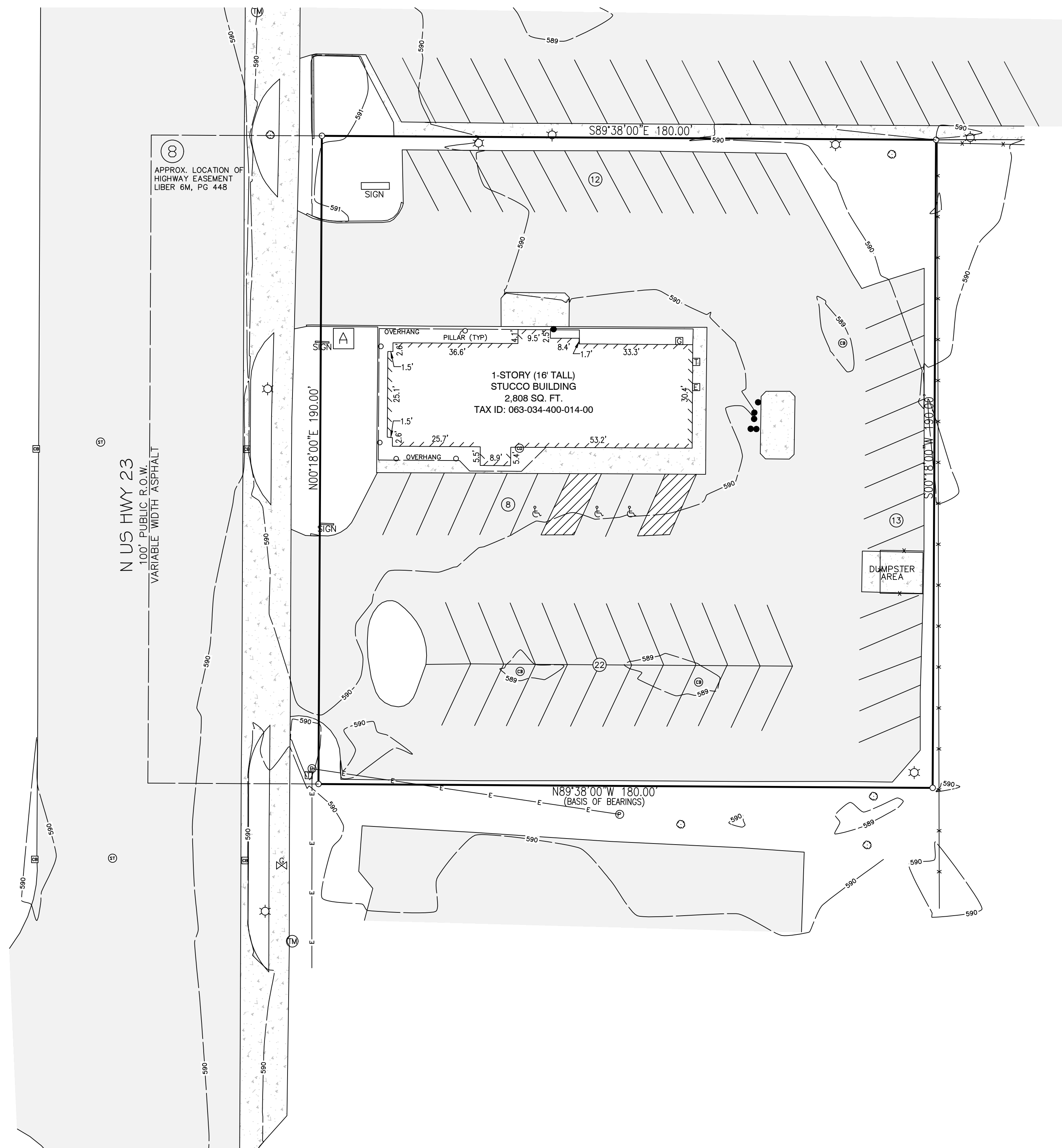
FOUND SECTION CORNER  
FOUND 5/8" IRON  
BOLLARD  
POWER POLE  
FLAG POLE  
TREE  
LIGHT POLE  
ELECTRIC TRANSFORMER BOX  
TELEPHONE MANHOLE  
GAS METER  
TELEPHONE PEDESTAL  
ELECTRIC METER  
GAS VALVE  
FIRE HYDRANT  
CLEAN OUT  
STORM CATCH BASIN (SQUARE)  
STORM CATCH BASIN (ROUND)  
STORM SEWER MANHOLE  
MAIL BOX

OVERHEAD ELECTRIC  
UNDERGROUND ELECTRIC  
UNDERGROUND CABLE TV  
UNDERGROUND TELEPHONE  
UNDERGROUND GAS  
FENCE  
BUILDING LINE  
ASPHALT  
CONCRETE

**FLOOD NOTE:**

By graphic plotting only, this property is in Zone(s) "X" of the Flood Insurance Rate Map, Community Panel No. 26069C0287F, which bears an effective date of June 15, 2022 and is not in a Special Flood Hazard Area. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency. Zone "X", area determined to be outside of the 0.2% annual chance floodplain.

By graphic plotting only, this property is in Zone(s) "X" of the Flood Insurance Rate Map, Community Panel No. 26069C0287F, which bears an effective date of June 15, 2022 and is not in a Special Flood Hazard Area. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency. Zone "X", area determined to be outside of the 0.2% annual chance floodplain.



## SIGNIFICANT OBSERVATIONS

**A** SIGN CROSSES PROPERTY LINE BY AS MUCH AS 1.65' ON THE WEST SIDE OF SUBJECT PROPERTY.

UTILITY NOTES

UN1 UTILITIES SHOWN HEREON ARE BASED ON OBSERVED EVIDENCE ALONG WITH MARKINGS IN THE FIELD, AT TIME OF FIELD SURVEY.

## ZONING INFORMATION

THE SURVEYOR WAS NOT PROVIDED WITH ZONING INFORMATION BY THE INSURER PURSUANT TO TABLE A ITEM 6b.

## CERTIFICATION

To: FIPENROC PROPERTIES, LLC; Old Republic National Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items \_\_\_\_\_ of Table A thereof. The fieldwork was completed on March 20, 2024.

*Date of Plat or Map: March 27, 2023*

Jay M. Schwandt, PS, JD  
Michigan Registration No. 47974

Site Address:

5018 N US HWY 23  
OSCODA, MI 48750  
IOSCO COUNTY

Sheet Title:

ALTA/NSPS  
LAND TITLE SURVEY  
SURVEY

Sheet No.:

SHEET 1 OF 1



Oscoda Charter Township  
110 S. State Street Oscoda, MI 48750  
989-739-3211 Ext. 250  
zoning@oscodatownshipmi.gov

Case# 20A2023  
\$500.00

**APPLICATION FOR: (circle one)**  
**SPECIAL LAND USE PERMIT**  
**SITE PLAN REVIEW**  
**ADMINISTRATIVE REVIEW**

**Property owner Information:**

Name: MSI, Inc  
Address: 6243 Eli Rd  
Ludington 49431  
Phone: 231-233-9536

**Applicant Information:**

Name: Melanie Bowden  
Address: 7214 Woodlea Rd Oscoda  
Phone: 989-870-5795

**Property Information:**

Address: 5401 N. Huron Rd  
Zoning District: CBD- US 23 Zone  
Parcel#: 064-W70-000-023-00  
Phone: \_\_\_\_\_  
Parcel Size: \_\_\_\_\_

**Engineer - Architect- Surveyor -  
other consultant**

Name: Interplan  
Address: One South 280 Summit Ave  
Ste D Oakbrook Terrace IL  
Phone: 630-932-2336 60181  
E-Mail: JWhalen@InterplanLLC.com

**Site Plan/Operational Information Submitted (2 complete copies; max. scale 1"=50', 1"=100' over 3 acres)**

**Project Title and Brief Description:**

drive thru - everything already in place -  
just have to put new window in

**Project Completion Schedule/Phasing:**

July 2023

**Please Note:** The applicant or their official representative should be present at the Planning Commission's Public Hearing/Meeting to present the application and answer any questions Commission Members may have.

**Applicant's Signature:** I am the owner of the property included in this application or am officially acting on the owner's behalf. I hereby attest that the information on this application form, the site plan and other attachment(s) is, to the best of my knowledge, true and accurate. I hereby grant permission to the Township Staff and/or any appropriate Township Official to access this property to review the accuracy of the information submitted.

Melanie Bowden  
Applicant Signature

4/24/23  
Date

**Oscoda Township**  
Site Plan - Special Land Use Application  
OFFICIAL USE ONLY

Application Submitted: 4-27-2023 Complete Application Accepted: \_\_\_\_\_ By: [Signature]  
Zoning information reviewed and verified as: (circle one) Complying Non-Complying with basic standards of the CBD District.  
Non-Compliance(s): (Drive-thru allowed under SLUP) US 23 Zone

**Approval Required:** (circle one) Zoning Director (see Sect. 10.1 B & C) or Planning Commission

Water - Sewer Dept. review and approval is also required:

Water-Sewer Dept. Approval: [Signature]

Date \_\_\_\_\_

Fire Department Approval: \_\_\_\_\_

Date 5/22/23

**Administrative Review:** In accordance with (circle one) Section 10.1(8) or 10.1(C) of the Zoning Ordinance, I find this application meets/does not meet applicable requirements.  
Therefore I hereby (circle one) **APPROVE** **DENY** this application.

Planning & Zoning Director Signature \_\_\_\_\_

Date \_\_\_\_\_

**Planning Commission Review:**

Public Notice Mailing Date: 5-18-2023

Publication Date: 5-17-2023

Public Hearing/Meeting Date: June 5<sup>th</sup>, 2023

Materials to Commission: June 1, 2023

**Planning Commission Action:** (circle one) Approved Denied Approved with Conditions

**Conditions of Approval:**

If the Special Land Use/Site Plan is approved with conditions:

I understand that I will forward documentation to the Planning Commission within 6 months attesting to the progress relative to compliance with conditions 1 through \_\_\_\_\_

Applicant \_\_\_\_\_

Date \_\_\_\_\_

**CHARTER TOWNSHIP OF  
OSCODA**

**Zoning Department**

# Memo

**To:** Planning Commission Members

**From:** Nichole Vallette, Planning & Zoning Director

**Date:** June 1, 2023

**Re:** Cases #202-2023

---

**Nature of Application #202-2023:** Jim & Melanie Rowden have submitted an application for a Special Land Use Permit to utilize the existing building at 5401 N US 23 for a Drive Thru and Dine In Restaurant (Biggby). Drive Thrus are allowed under Special Land Use Approval. The site plan for this is further down the agenda.

**Existing Property Conditions:**

The subject property is located at 5401 N US 23. The parcel # is 064-W70-000-023-00 and is zoned Corridor Business District US 23 Zone.

**Communications Received:**

The Planning & Zoning Director will announce at the meeting any communications received.

**Planning & Zoning Director Recommendations/Comments:**

When this parcel was zoned B-2, Drive Thrus were allowed by right. Now that it is zoned Corridor Business District, a Special Land Use Permit is required. Two opinion letters from John Iacoangeli are attached, pertaining to not needing as much detailed information due to the building pre-existing.

**Applicable Ordinance Sections:**

**Section 9.7 Approval of Special Use Permits**

1. The Planning Commission shall review the particular circumstances and facts applicable to each proposed special condition use in terms of the following standards and requirements and shall make a determination as to whether the use proposed to be developed on the subject parcel meets the following standards and requirements:

- A. Shall be incumbent upon the Planning Commission when considering Special Land Use Permits that the proposed use be in accordance with the general objectives of the current master plan, to the maximum extent possible.<sup>2</sup>
  - B. Will be designed, constructed, operated, maintained, in harmony with existing and intended character of the general vicinity and so that such use will not change the essential character of that area.
  - C. Will not be hazardous or disturbing to existing or future neighboring uses.
  - D. Will represent a substantial improvement to property in the immediate vicinity and to the community as a whole.
  - E. Will be served adequately by necessary public services and utilities, such as highways, streets, drainage structures, sanitary sewers, water, police, and fire protection and refuse disposal, or persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.
  - F. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
  - G. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration, or odors.
  - H. Will be consistent with the intent and purposes of this Ordinance in general, and Article X, basis for approval (for site plans) in particular.
2. If the facts regarding the special use permit being reviewed do not establish by a preponderance of the evidence that the standards and requirements set forth in this Zoning Ordinance will be met by the proposed use, the Planning Commission shall not grant special condition use approval.
- In approving a special use permit, the Planning Commission may impose such reasonable conditions of use as it deems necessary to protect the best interests of the Township and the general vicinity, to achieve the objectives of this Ordinance and to assure that the general public health, safety, and welfare still not be infringed upon.
- The Planning Commission may deny, approve, or approve with conditions, a request for special use permit approval. The action on a special use permit shall be incorporated in a statement containing the conclusions relative to the special use permit under consideration which specifies the basis for the decision and any conditions imposed.
3. Any conditions imposed shall remain unchanged except upon the mutual consent of a majority of the Township Planning Commission and the landowner. The Township shall maintain a record of all conditions that are changed. All records of proceedings hereunder shall be kept and made available to the public.

If the Planning Commission finds that the application meets all applicable standards specified in 9.12 of the Zoning Ordinance, it should grant Special Land Use approval as requested.

The Planning Commission may grant approval subject to conditions as may be necessary to ensure the application meets the applicable standards of Section 9.12 and the objectives of the Zoning Ordinance.

If the Planning Commission finds that the application does not meet the applicable standards specified in Section 9.7 & Section 9.12, it should reject the application.

## **Section 9.12 Standards for Special Permit Uses**

### **14. Drive-In, Carry-Out Restaurant, or Fast-Food Restaurant Establishment:**

A. No drive-in, fast-food, or carry-out restaurant shall be located within five hundred (500) feet from an elementary, junior, or senior high school.

B. Points of vehicular ingress and egress shall be limited to an adjacent major thoroughfare only.

C. The minimum width of driveways at the property line shall be twenty-four (24) feet, and not greater than thirty (30) feet.

D. The minimum distance between driveways on the site shall be seventy-five (75) feet measured from the two (2) closest driveways' curbs, measured along the right-of-way.

E. The minimum distance a driveway into the site shall be from a street intersection shall be sixty (60) feet measured from the intersection of the street right-of-way to the nearest end of the curb radius.

F. Motor-vehicle oriented businesses adjacent to or integrated in a shopping center or cluster of commercial facilities shall use the common access with other business establishments in that center.

G. The entire parking area shall be paved with a permanent surface of concrete or asphalt and shall be graded and drained in accordance with standards specified in [Section 6.7](#) as may be adopted by the Township. Any unpaved area of the site shall be landscaped with lawn or other horticultural materials, maintained in a neat and orderly fashion at all times and separated from the paved parking or driveway area by a raised curb or other equivalent barrier.

H. Concrete curbing, six (6) inches in height, shall be properly placed and maintained along or parallel to all property lines, except where bumper guards are required and except across approved driveways, so as to prevent vehicular encroachment onto or over the public right-of-way and to prevent vehicular encroachment onto or over the adjoining property, or vehicular damage to the adjoining buildings.

The Planning Commission, upon application of the property owner, may modify or waive the curbing requirement where unusual site characteristics exist or in instances where landscaping or other natural or manmade features would produce the same effect.



I. All outside trash receptacles, except those intended for use by the customer, shall be enclosed as required by [Section 6.3](#).

J. During the period when a drive-in restaurant, fast-food restaurant, or carry-out restaurant is vacated, closed, or otherwise not opened for business for more than thirty (30) consecutive days, the owner, franchise holder, or lessee shall be subject to complying with the following regulations:

(1) Vehicular parking and storage shall be prohibited at all times anywhere on the premises and the owner, franchise holder, or lessee shall post a sign or signs on the premises, giving notice that all parked or stored vehicles are subject to ticketing and removal by the Township at vehicle owner's expense. In addition, the owner, franchise holder, or lessee, whoever is in possession, is subject to ticketing if unlawfully parked or stored vehicles are permitted on the premises by consent of owner, franchise holder, or lessee. The Township shall have the right of entry to subject property for the purpose of accomplishing said ticketing and removal.

(2) The ground shall be kept free of rubbish and debris, and the grass, if any shall be well kept and cut as necessary so as to present a neat and attractive appearance at all times.

(3) Within sixty (60) days of such closing, all curb cuts across driveway entrances and all other points of ingress and egress to the premises shall be closed to vehicular traffic by properly placed and secure precast concrete wheel stops or the equivalent, as may be approved by the appropriate Township agency.



*planning review*

Date: 05.22.2023

From: John Iacoangeli, FAICP  
To: Nichole Vallette  
Planning & Zoning Administrator  
Oscoda Township  
110 S. State Street  
Oscoda, MI 48750

Project: Biggby Coffee

Remarks:

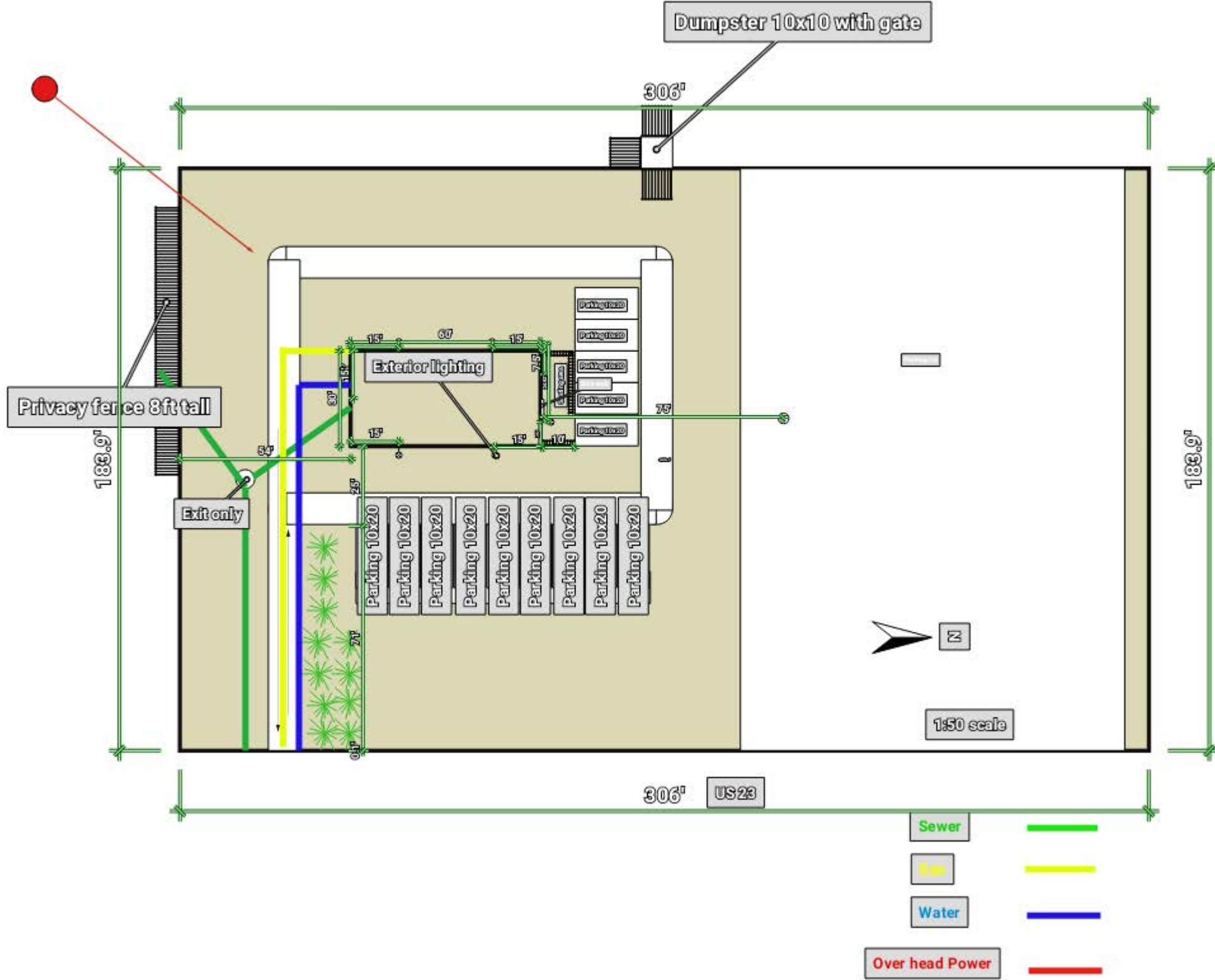
The Planning & Zoning Director asked me to write a technical review of the proposed Biggby Coffee proposed for US-23. The proposed site plan review is guided by §4.14 Corridor Business District.

It is my understanding that proposed Biggby Coffee store and drive-thru was a drive-thru prior to the adoption of the Corridor Business District. As such it falls under §4.14.3.5 Properties Currently Developed and Occupied. §4.14.3.5(b) specifies that buildings existing before the adoption of the ordinance do not have to comply with §4.14.4.2 and §4.14.4.4 which are the Dimensional Standards & Building Form provisions of the ordinance.

The sections that do apply to the proposed site plan include:

§4.14.6.3 Driveways & Drive-Thru's; specifically that the drive-thru doesn't conflict with vehicular traffic entering the site;  
§4.14.6.5 Site Lighting;  
§4.14.6.6 Signs; and  
§4.14.6.18 Landscaping specifically §4.14.6.18 (b) and (c).

For future site plans reviews where buildings existed prior to the adoption of the Corridor Business District the Planning Commission should be focused on site standards not building standards since these are existing structures. Implementation of the site standards will assist in unifying the business district.



**Oscoda Charter Township**

110 S. State Street Oscoda, MI 48750

989-739-3211 Ext. 250

zoning@oscodatownshipmi.gov

Case# 201-2023 SLUP  
108-2023 Site Plan

**APPLICATION FOR: (circle one)**  
**SPECIAL LAND USE PERMIT**  
**SITE PLAN REVIEW**  
**ADMINISTRATIVE REVIEW**

**Property owner Information:**

Name: Cathy's Investments

Address: PO Box 558 Oscoda

Phone: 989-305-0459

**Applicant Information:**

Name: Tom Maxwell

Address: 123 S. State St. Oscoda

Phone: 989-305-0459

**Property Information:**

Address: N W 23/ Cedar Lake Rd

Zoning District: 064-440-000-028-00 .468 Acre

Parcel#: 064-440-000-055-00 .466 Acre

Phone: 989-305-0459

Parcel Size: 60' x 678.99 combined

**Engineer - Architect - Surveyor -  
other consultant**

Name: Trachte Building Systems

Address: 314 Wilburn Rd

Sun Prairie WI 53590

Phone: 1-800-356-5824

E-Mail: \_\_\_\_\_

**Site Plan/Operational Information Submitted (2 complete copies; max. scale 1'=50', 1'=100' over 3 acres)**

**Project Title and Brief Description:**

Cathy's Storage Units 1' = 30' x 240 1' = 30 x 230

Two buildings of Storage Units Lean-to style

**Project Completion Schedule/Phasing:**

**Please Note:** The applicant or their official representative should be present at the Planning Commission's Public Hearing/Meeting to present the application and answer any questions Commission Members may have.

**Applicant's Signature:** I am the owner of the property included in this application or am officially acting on the owner's behalf. I hereby attest that the information on this application form, the site plan and other attachment(s) is, to the best of my knowledge, true and accurate. I hereby grant permission to the Township Staff and/or any appropriate Township Official to access this property to review the accuracy of the information submitted.

Tom Maxwell  
Applicant Signature

2-6-23  
Date

**Oscoda Township**  
Site Plan - Special Land Use Application  
OFFICIAL USE ONLY

Application Submitted: 2/6/2023 Complete Application Accepted: 2/6/2023 By: NW

Zoning information reviewed and verified as: (circle one) Complying Non-Complying with basic standards of the B-2 District.  
For Special Land Use

Non-Compliance(s): .....

Approval Required: (circle one) Zoning Director (see Sect. 10.1 B & C) or Planning Commission

Water - Sewer Dept. review and approval is also required:

Water-Sewer Dept. Approval: [Signature]

Date \_\_\_\_\_

Fire Department Approval: \_\_\_\_\_

Date 6-1-2023

**Administrative Review:** In accordance with (circle one) Section 10.1(8) or 10.1(C) of the Zoning Ordinance, I find this application meets/does not meet applicable requirements.  
Therefore I hereby (circle one) **APPROVE** **DENY** this application.

Planning & Zoning Director Signature \_\_\_\_\_

Date \_\_\_\_\_

**Planning Commission Review:**

Public Notice Mailing Date: 3/1/2023

Publication Date: 3/1/2023

Public Hearing Meeting Date: 6/5/23  
Site Plan

Materials to Commission: 3/13/2023  
site plan 6/1/2023

Planning Commission Action: (circle one) Approved Denied Approved with Conditions

**Conditions of Approval:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the Special Land Use/Site Plan is approved with conditions:

I understand that I will forward documentation to the Planning Commission within 6 months attesting to the progress relative to compliance with conditions 1 through \_\_\_\_\_

Tam m/p  
Applicant

2-6-23  
Date

As part of a Land Use Permit application, an accurate site plan must be submitted, including:

- Property dimensions, including total width and depth, and a "North" arrow.
- All structures currently located on the property with their size(s) indicated.
- The exact distance(s) between all structures on the property.
- All roads or easements adjoining, abutting or traversing the property.
- An accurate depiction of the driveway access to the property and parking areas.
- The proposed placement of any new structure, addition or other improvement on the property, showing the dimensions of the improvements and the distances between them and other structures and the lot lines.

**Note:** It is preferred that the site plan information be included on, or with, a copy of a **property survey**. However, if a survey is not available, the applicant may use the grid area below, or a similar format, to provide the required drawing information.

[illegible]

## APPLICANT CERTIFICATION

"I certify the above or attached drawing accurately reflects the subject property as surveyed including property lines and the height, size, and setback locations of existing and proposed structures and improvements."

Signature (Applicant)

(Date)

**CHARTER TOWNSHIP OF  
OSCODA**

**Zoning Department**

# Memo

**To:** Planning Commission Members

**From:** Nichole Vallette, Planning & Zoning Director

**Date:** June 1, 2023

**Re:** Case #108-2023

---

**Nature of Case #108-2023:**

Case #108-2023, Tom Maxwell, has submitted a Site Plan Application for Two New Mini Storage Buildings, one 30'x240' and the other 30'x240. Special Land Use Approval was given at the 3/16/2023 Planning Commission meeting.

**Existing Property Conditions:**

The parcels are in the B-2 General Business District. There are two parcels that the applicant has combined. Parcel #064-W40-000-028-00, N US 23, is 60'x340' or .468 Acres. Parcel #064-W40-000-055-00, Cedar Lake Rd, is 60'x338' or .466 Acres. The two parcels total .934 Acres. These parcels are currently vacant.

**Communications Received:**

Communications received will be read at the meeting.

**Planning & Zoning Director Recommendations/Comments:**

Rick Freeman has reviewed the site plan and is recommending it for final site plan approval. He will review final construction drawings before construction starts.

The list of the following must be met for Site Plan Approval.

**Section 10.3 - Standards for Approval:**

A site plan shall be reviewed and approved by the Planning Commission upon finding that the following conditions are met.

1. That the proposed use will not be detrimental to the adjacent properties or the surrounding neighborhood.



2. That there is a proper relationship between existing roads and highways and proposed deceleration lanes, service drives, ingress and egress drives, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic.
3. That buildings, structures, parking areas, utility areas, walls, and fences are so designed and located to minimize the adverse effects of such development on users of such development and occupants of adjacent properties.
4. That any adverse effects of the proposed development and activities which will impact adjoining occupants or owners shall be minimized by appropriate landscaping, fencing, or other screening.
5. That as many natural landscape features possible are retained, particularly where they provide a barrier or buffer between the development and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control soil erosion or the discharge of storm water.
6. The proposed development provides for the proper development of public utilities and infrastructure.
7. All buildings or groups of buildings are arranged to permit emergency vehicle access.
8. That the plan for soil erosion control, storm water discharge, wells, and septic systems have been approved by appropriate public agencies.
9. The Planning Commission may further require landscaping, fences, and walls in pursuit of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.
10. In approving a site plan, the Planning Commission may recommend marginal access drives. For a narrow frontage, which will require a single outlet, the Planning Commission may recommend that escrow money be placed with the Township so as to provide for a marginal service drive equal in length to the frontage of the property involved. Zoning compliance permits shall not be issued until the improvement is physically provided or monies having been deposited with the Township Treasurer. The Planning Commission shall require marginal access drives for all subdivisions having residential lots facing onto major thoroughfares. Where practical, the Planning Commission shall require a rear lot relationship to major thoroughfares.
11. Where the Township has adopted specific area or neighborhood improvement or redevelopment plans and recommendations involving, but not limited to, public rights-of-way, utilities and storm drainage, parking facilities, building placement, access drives, floor space density allocations, building facade and architectural treatment, no site plan shall be approved unless there is general compliance with such Township plan.

## **Section 4.14 B-2, General Business District:**

1. **Intent and Purpose:** To provide for convenient day-to-day shopping and personal services for the people of the community with minimum impact upon surrounding residential areas.
2. **Principal Uses:**
  - A. Antique Shops;
  - B. Arcades;
  - C. Building Materials/Supplies;
  - D. Bakeries;
  - E. Barber and Beauty Shops including Spa/Massage Services;<sup>15</sup>
  - F. Book Stores, Newsstands, Tobacconists;
  - G. Drive-ins and Fast-food Restaurants;
  - H. Retail, general;
  - I. Financial Institutions;
  - J. Business, general;
  - K. Furniture Repair and Upholstering;
  - L. Funeral Homes;
  - M. Motels, Hotels and Resorts;
  - N. Indoor Theaters;
  - O. Indoor Amusement and Recreation Services;
  - P. Small Engine Repair and Associated Sales;
  - Q. Truck and Trailer Rentals;
  - R. Restaurants;
  - S. Seasonal Goods;
  - T. Sign Companies;
  - U. Community Events;
  - V. Non-profit Community Theater;
  - W. Medical and Dental Clinics;
  - X. Fraternal Organizations and Clubs;
  - Y. Taxicab Establishments;
  - Z. Service Station;
  - AA. Watercraft Sales and Service;
  - BB. Convenient Stores;
  - CC. Drug Store/Pharmacy;



DD.Home and Garden Supplies;  
EE. Museums;  
FF. Nurseries, Wholesale and Retail (no production);  
GG. Child Day Care and/or Pre-School;  
HH.Pet Store - Retail and Pet Grooming Services;<sup>3</sup>  
II. Professional Services;<sup>6</sup>  
JJ. Advertising Firms;<sup>7</sup>  
KK. Catering Services;<sup>7</sup>  
LL. Mail Order Companies;<sup>7</sup>  
MM. Pool and Spa Sales;<sup>7</sup>  
NN.Printing Companies;<sup>7</sup>  
OO. Radio/TV Stations (No Towers);<sup>7</sup>  
PP. Recording Studios;<sup>7</sup>  
QQ. Saddlery and Harness Sales;<sup>7</sup>  
RR.Technical Services;<sup>7</sup>  
SS. Building Sales and Display;<sup>7</sup>  
TT. Contractor Services;<sup>7</sup>  
UU.Small Engine Repair, Parts, and Sales.<sup>7</sup>

**3. Special Permit Uses:**

A. Alternative energy generation, private;  
B. Resident Manager Quarters;  
C. Recreational Vehicle Storage Facility;  
D. Planned Unit Developments (See Article V);  
E. Veterinary Clinics;  
F. Mini-warehouses;  
G. Vehicle Wash Establishments;  
H. Public Facilities such as Administrative Offices, Police and Fire Stations, Libraries, Museums and Recreation Centers;  
I. Hospitals;  
J. Antique Restoring, repair;  
K. Recreational Vehicle Sales and Service;  
L. Taverns;  
M. Places of Worship;  
N. Malls/Shopping Centers;

- O. Vending Machine Companies;
  - P. Bottled Gas Filling Stations;
  - Q. Motor Vehicle Sales and Service;
  - R. Motor Vehicle Repair, Body, Paint, Customizing, etc.;
  - S. Used Motor Vehicle Sales;
  - T. Publicly-owned and operated Parks, Parkways, and other Publicly-owned Outdoor Recreational Facilities;
  - U. Community Use Facility, Private;
  - V. Multiple Family Dwellings;<sup>14</sup>
  - W. Tattoo Services;<sup>15</sup>
  - X. Parking Lots.
4. **Accessory Uses and Temporary Structures:** See Section 2.2, "Use, Accessory," and "Structure, Temporary," for definitions and permitted uses.
5. **Lot, Building, Yard Requirements:**
- A. **Lot:** Area, five thousand (5,000) SF minimum; width, fifty (50) feet minimum; coverage, eighty-five (85) percent maximum.
  - B. **Principal Building:**
    - 1. Properties fronting on the west side of US-23 and south of F-41: Height, ninety (90) feet maximum; stories, six (6) maximum; area, six hundred (600) sf minimum.
    - 2. All other areas: Height, fifty (50) feet maximum; stories, four (4) maximum; six hundred (600) sf minimum.
6. **Special Notes:**
- A. Businesses abutting residences shall provide opaque fencing or screening in accordance with Section 6.13.
  - B. Off-street parking and loading/unloading areas must be provided in accordance with Section 6.7.
  - C. **Setbacks subject to site plan approval.**
- (Amd. of 7-12-2018; Amd. of 11-29-2018; Amd. of 8-7-2019)

**Article IX- Special Land Permits; Mini-warehouse definition:**  
**Mini-warehouses:**

- A. Building separation between self-storage buildings on the same site shall be a minimum of twenty-four (24) feet or equal to the building height, whichever is greater.
- B. The total lot coverage of all structures shall be limited to thirty-five (35) percent of the total lot area.

C. A ten-foot landscaped greenbelt shall be provided between the property line and wall required along all street frontages. A five-foot landscaped greenbelt shall be provided between the property line and wall where the site abuts any residential district. All materials shall be planted in conformance with [Section 6.13](#).

D. Parking shall be provided in accordance with the following: two (2) spaces for the resident manager, one (1) additional space for each additional employee, and two (2) additional spaces for customers shall be provided adjacent to the rental office.

E. Internal driveway aisles shall be a minimum of twenty-four (24) feet in width.

F. All off-street parking areas and driveways shall be hard surfaced and drained so as to preclude drainage onto adjacent property.

G. All ingress and egress from this site shall be onto a collector street or major thoroughfare.

H. Building height shall not exceed one (1) story or fifteen (15) feet except that a caretaker or resident manager's unit may be allowed a building height of two (2) stories or twenty-five (25) feet.

I. No single storage building shall exceed seventy-five hundred (7,500) square feet.

J. All storage on the property shall be kept within an enclosed building.

**OSCODA CHARTER TOWNSHIP**  
**Combine Request**

I/We do hereby request and authorize the Oscoda Township Assessor's Office to combine the following parcels of property:

Parcel Code # 064-W40-000-055-00 Cedar Lk. Rd.

Parcel Code # 064-W40-000-028-00 N. US-23

Parcel Code # \_\_\_\_\_

The request is being made for the following reasons:

☒ Zoning  
☐ Other

(Please Describe) Property development

All property taxes and special assessments owing on the above property must be paid in full on all parcels before this request will be processed

*I the undersigned owner(s) do acknowledge that this Parcel Combine may be permanent and that the Assessor's office may refuse to re-split the property if the Zoning Administrator deems the division to be non-conforming to the Township Zoning ordinances.*

Owner Signature: Tam 3-27-23  
Date

Owner Signature: \_\_\_\_\_  
Date

Owner Telephone # ( 989 ) 305 - 0459

Owner Telephone # ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

.....  
Department Approval

Fee: \$ 35.<sup>00</sup> Receipt # 100098890 3-27-2023  
Date

Treasurer: Jane Huhbom 3-30-2023  
Date

Zoning: Nichole Vallitto 3-30-2023  
Date

Water/Sewer: W. H. H. H. 03-30-2023  
Date

Assessor: Dang Sch 4-6-2023  
Date

Special Assessment District: \_\_\_\_\_  
Date

Contingency: \_\_\_\_\_

5/31/2023

## **Oscoda Site Plan Review – Oscoda Charter Township Engineer**

### **Preliminary Site Plan Review/Pre-Development Meeting Summary**

#### **Maxwell Storage Unit Development**

I have reviewed the preliminary site plan that was submitted to the Township and was present at the Pre-Development Meeting conducted on May 30, 2023. The following are my review comments/concerns and follow up discussion during the meeting on 5/30/23.

1. The site consists of an existing open area undeveloped. Proposed storage units are to be constructed on the property.
  - Existing site information has been provided adequately.
  - Property information has been provided.
  - 200 feet of adjoining property and any buildings within that reach has been shown.
  - There is no water/sewer service connections existing/required.
  - Storm drainage calculations will need to be provided retaining/detaining all runoff on the property.
2. Proposed site will consist of new structure, parking and improved entrance/exits onto U.S. 23.
  - MDOT permit will not be required. Access to U.S. 23 must be fenced off.
  - Iosco County Building Department permit will be required.
  - Oscoda Charter Township Fire Department will need to review and approve final site plan.
  - No water/sewer service connections are required.
  - Storm drainage runoff must be retained/detained on-site. The area needs to identified and dimensions to match runoff calculations. These will need to be reviewed and approved by Township Engineer on final construction drawings prior to construction.
  - Site lighting being provided?
  - Site signage being provided?

These plans are recommended to be approved as final site plans. Comments made are required to be included in final construction plans to be reviewed and approved by Township Engineer prior to construction.



PROJECT INFORMATION  
LOTS 28 & 55

PARCEL ID  
064-W40-000-055-00  
064-W40-000-058-00

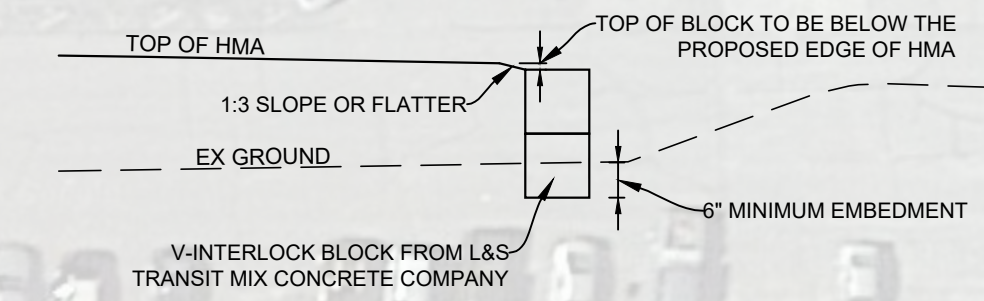
WEIR PINES NO 1  
OSCODA TOWNSHIP  
IOSCO COUNTY, MICHIGAN.

PROPERTY OWNER:  
TOM MAXWELL  
123 S STATE STREET  
OSCODA, MI 48750

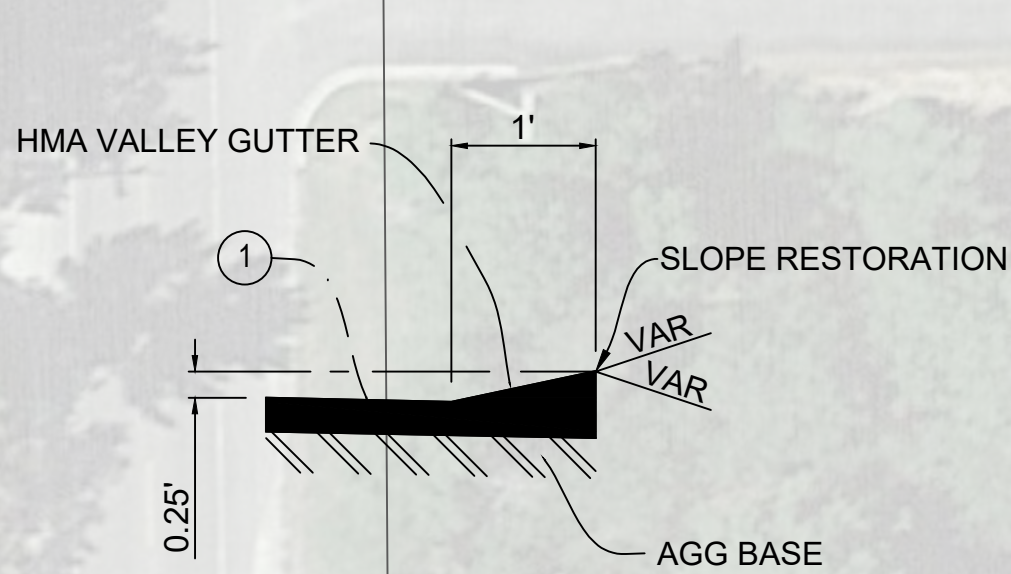
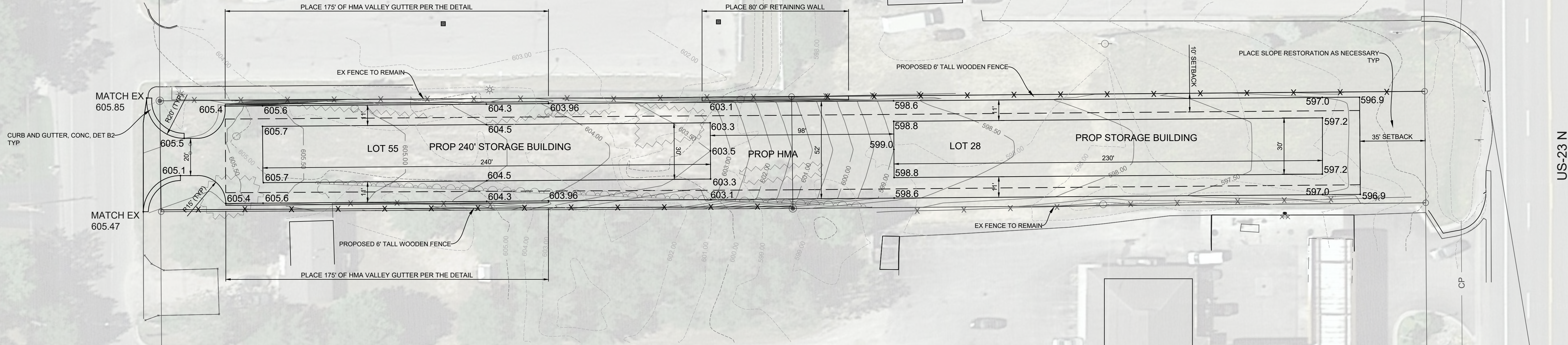
CURRENT ZONING B2 GENERAL BUSINESS

ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE 2020 MICHIGAN DEPARTMENT OF  
TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION.

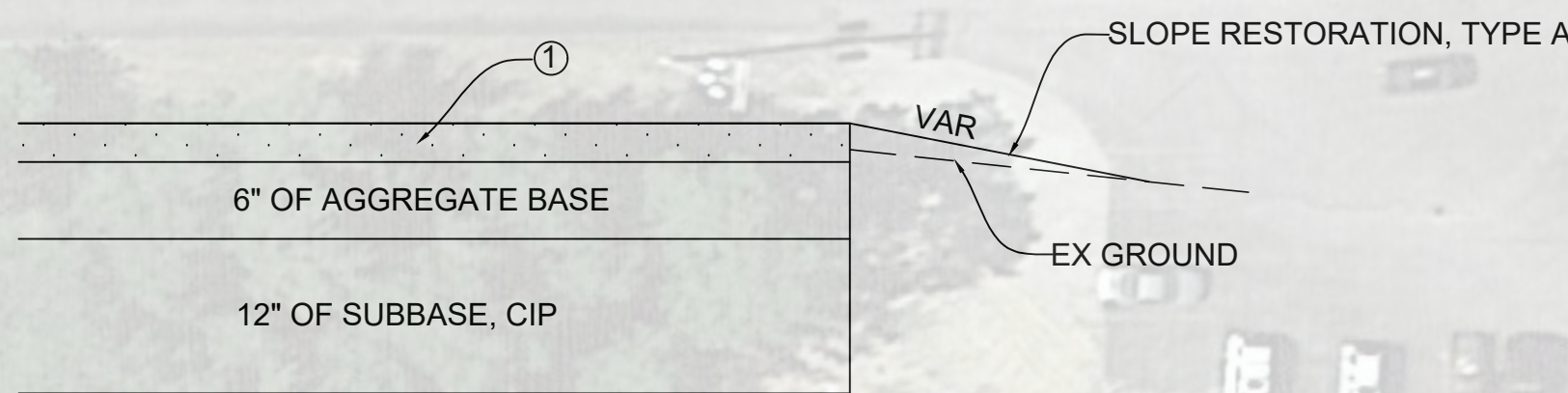
PLACE MULCH BLANKET ON SLOPES THAT ARE A 1:2 OR STEEPER.



RETAINING WALL DETAIL  
NOT TO SCALE



HMA VALLEY GUTTER DETAIL  
NOT TO SCALE



HMA PAVEMENT DETAIL  
NO SCALE

HMA APPLICATION TABLE					
	IDENT.	PAY ITEM	RATE #/SYD	PERFORMANCE GRADE	REMARKS
1	HMA, 13A		220	58-28	TOP COURSE, AWI = 220
	HMA BOND COAT	0.05-0.15 GAL/SYD (FOR INFORMATION ONLY)			

PREPARED BY:  
HURON ENGINEERING AND SURVEYING, INC.  
REBECCA RIVARD, P.E.  
3205 US-23 SOUTH  
ALPENA, MI 49707

MAXWELL STORAGE SITE PLAN

SCALE  
N/A

ENGINEER  
RIVARD

DATE  
MAY 8, 2023

HURON JOB NUMBER  
23.056

**HURON**  
ENGINEERING & SURVEYING, INC.

SHEET NO.

1







PROJECT INFORMATION  
LOTS 28 & 55

PARCEL ID  
064-W40-000-055-00  
064-W40-000-058-00

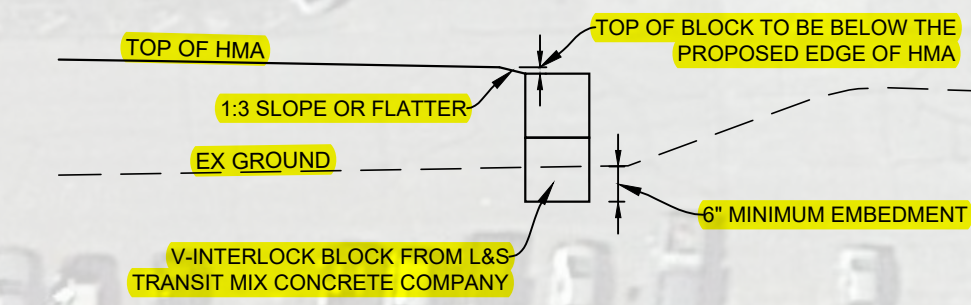
WEIR PINES NO 1  
OSCODA TOWNSHIP  
IOSCO COUNTY, MICHIGAN.

PROPERTY OWNER:  
TOM MAXWELL  
123 S STATE STREET  
OSCODA, MI 48750

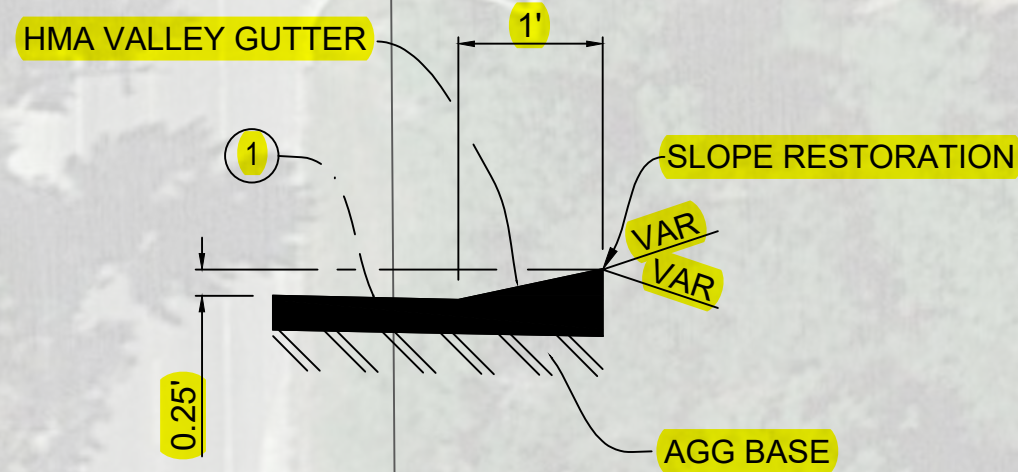
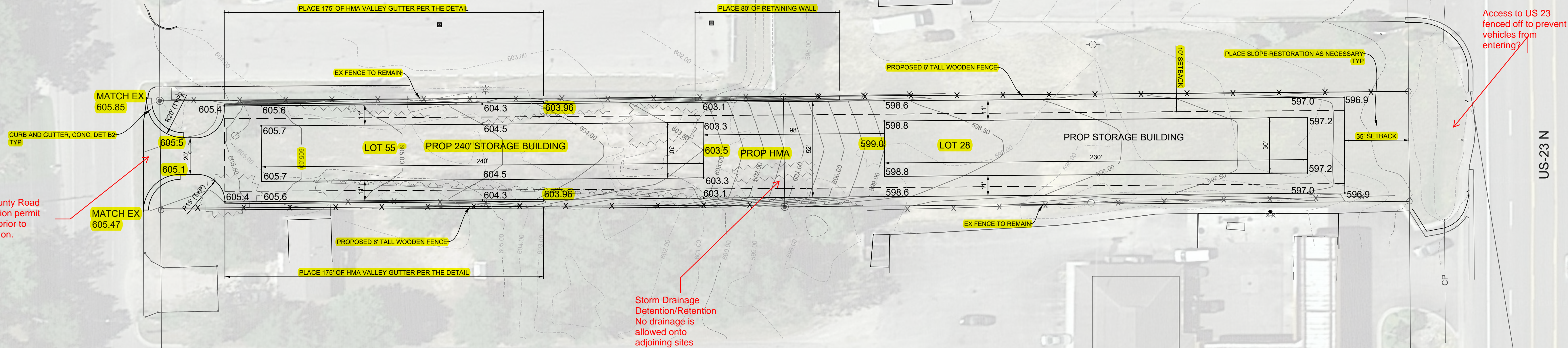
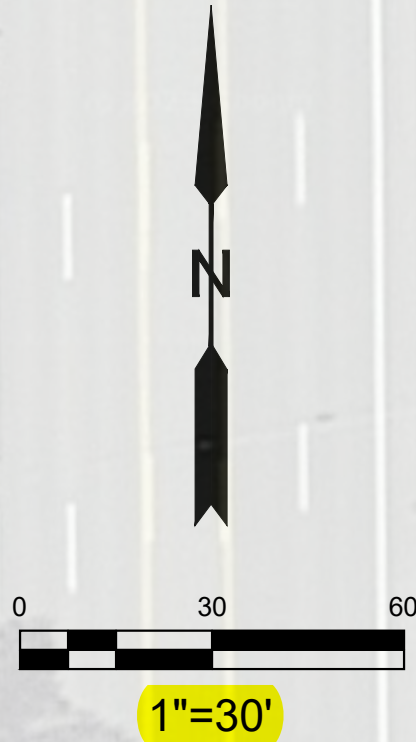
CURRENT ZONING B2 GENERAL BUSINESS

ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE 2020 MICHIGAN DEPARTMENT OF  
TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION.

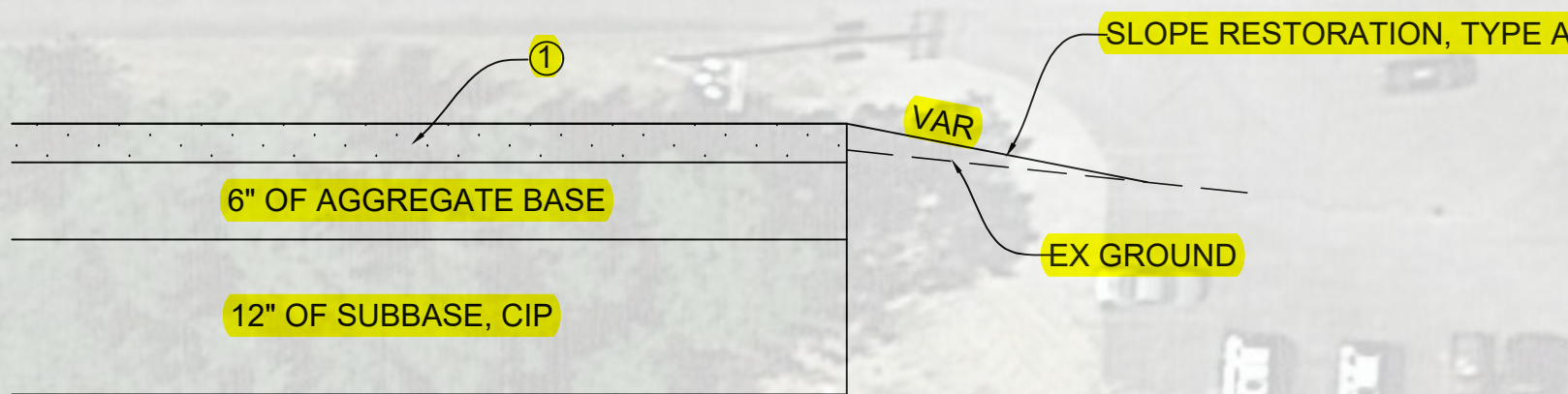
PLACE MULCH BLANKET ON SLOPES THAT ARE A 1:2 OR STEEPER.



RETAINING WALL DETAIL  
NOT TO SCALE



HMA VALLEY GUTTER DETAIL  
NOT TO SCALE



HMA PAVEMENT DETAIL  
NO SCALE

HMA APPLICATION TABLE					
	IDENT.	PAY ITEM	RATE #/SYD	PERFORMANCE GRADE	REMARKS
1	HMA, 13A		220	58-28	TOP COURSE, AWI = 220
	HMA BOND COAT 0.05-0.15 GAL/SYD (FOR INFORMATION ONLY)				

Reviewed by Township Engineer 5/31/23

- access to and from US 23 must be fenced off at right-of-way line
- on-site detention/retention must be shown and sized appropriately for storm drainage.
- no drainage allowed onto adjoining properties.

These revisions must be included in final construction plan and is to be reviewed by Township Engineer prior to construction

PREPARED BY:  
HURON ENGINEERING AND SURVEYING, INC.  
REBECCA RIVARD, P.E.  
3205 US-23 SOUTH  
ALPENA, MI 49707

MAXWELL STORAGE SITE PLAN

SCALE

N/A

ENGINEER

RIVARD

DATE

MAY 8, 2023

HURON JOB NUMBER

23.056

**HURON**  
ENGINEERING & SURVEYING, INC.

SHEET NO.

1



Oscoda Charter Township  
110 S. State Street Oscoda, MI 48750  
989-739-3211 Ext. 250  
zoning@oscodatownshipmi.gov

Case# 109-2023  
\$500.00 for SLUP/site plan

APPLICATION FOR: (circle one)  
SPECIAL LAND USE PERMIT  
SITE PLAN REVIEW  
ADMINISTRATIVE REVIEW

Property owner Information:

Name: MSI, Inc  
Address: 6243 Eli Rd  
Phone: 231-233-9536 Ludington 49431

Applicant Information:

Name: Melanie Bowden  
Address: 7214 Woodlea Rd Oscoda  
Phone: 989-870-5795

Property Information:

Address: 5401 N. Huron Rd  
Zoning District: CBD- US 23 Zone  
Parcel#: 064-W70-000-023-00  
Phone: \_\_\_\_\_  
Parcel Size: \_\_\_\_\_

Engineer - Architect- Surveyor -  
other consultant

Name: Interplan  
Address: One South 280 Summit Ave  
Ste D Oakbrook Terrace IL  
Phone: 630-932-2336 68181  
E-Mail: JWhalen@InterplanIL.com

Site Plan/Operational Information Submitted (2 complete copies; max. scale 1"=50', 1"=100' over 3 acres)

Project Title and Brief Description:

drive thru - everything already in place -  
just have to put new window in

Project Completion Schedule/Phasing:

July 2023

**Please Note:** The applicant or their official representative should be present at the Planning Commission's Public Hearing/Meeting to present the application and answer any questions Commission Members may have.

**Applicant's Signature:** I am the owner of the property included in this application or am officially acting on the owner's behalf. I hereby attest that the information on this application form, the site plan and other attachment(s) is, to the best of my knowledge, true and accurate. I hereby grant permission to the Township Staff and/or any appropriate Township Official to access this property to review the accuracy of the information submitted.

Melanie Bowden  
Applicant Signature

4/21/23  
Date

**Oscoda Township**  
Site Plan - Special Land Use Application  
OFFICIAL USE ONLY

Application Submitted: 4-27-2023 Complete Application Accepted: \_\_\_\_\_ By: AD  
Zoning information reviewed and verified as: (circle one) Complying Non-Complying with basic standards of the CBD District.  
Non-Compliance(s): \_\_\_\_\_ US 23 Zone

**Approval Required: (circle one) Zoning Director (see Sect. 10.1 B & C) or Planning Commission**

Water - Sewer Dept. review and approval is also required:

Water-Sewer Dept. Approval: [Signature]

Date \_\_\_\_\_

Fire Department Approval: \_\_\_\_\_

Date 5/22/23

**Administrative Review:** In accordance with (circle one) Section 10.1(8) or 10.1(C) of the Zoning Ordinance, I find this application meets/does not meet applicable requirements.  
Therefore I hereby (circle one) **APPROVE** **DENY** this application.

\_\_\_\_\_  
Planning & Zoning Director Signature

\_\_\_\_\_  
Date

**Planning Commission Review:**

Public Notice Mailing Date: [Signature]

Publication Date: [Signature]

Public Hearing/Meeting Date: 6/5/23

Materials to Commission: 6/1/23

**Planning Commission Action:** (circle one) Approved Denied Approved with Conditions

**Conditions of Approval:**

If the Special Land Use/Site Plan is approved with conditions:

I understand that I will forward documentation to the Planning Commission within 6 months attesting to the progress relative to compliance with conditions 1 through \_\_\_\_\_

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

---

**CHARTER TOWNSHIP OF  
OSCODA**

**Zoning Department**

## **Memo**

**To: Planning Commission Members**

**From: Nichole Vallette, Planning and Zoning Director**

**Date: June 1, 2023**

**Re: Case# 109-2023 Preliminary Site Plan Review**

---

**Nature of Application #109-2023:** Jim & Melanie Rowden have submitted an application for a site plan review to utilize the existing building at 5401 N US 23 for a Drive Thru and Dine In Restaurant (Biggby). Drive Thrus are allowed under Special Land Use Approval

**Location/Description of Property:** The subject property is located at 5401 N US 23. The parcel # is 064-W70-000-023-00 and is zoned Corridor Business District US 23 Zone.

**Applicable Zoning Regulations:** Section 4.14- Corridor Business District US 23 Zone

### **Staff Comments:**

Rick Freeman has recommended that this is only a preliminary site plan review, to be brought back for a final review. Two opinion letters from John Iacoangeli are attached, pertaining to not needing as much detailed information due to the building pre-existing.

### **Communications Received**

The Planning & Zoning Director will update the Planning Commission on any communication or correspondence received.

---

The list of the following, Section 7.3 Site Plan Review, Article X Land Use Permit Application and Site Plan Review Procedures and Corridor Business District US-23 Zone, must be met for Site Plan Approval

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## Section 7.3 Site Plan Review:

### Section 7.3.1 Intent and Purpose

This Article governs the processes and standards for all uses and structures for which site plan approval is required under other provisions of this ordinance. Site plans for permitted uses and special uses shall be approved by the Planning Commission. Site plans for planned unit developments shall receive a recommendation from the Planning Commission and a final decision by the Township Board.

(Amd. of 1-27-2022)

### Section 7.3.2 General Requirements

1. **Site Plan Required:** Site plans are required for the following uses:
  - A. Any development that would, if approved, provide for the establishment of more than one (1) principal use on a parcel, such as, a single family site condominium or similar project where a single parcel is developed to include two (2) or more sites for detached single family dwellings, excluding accessory dwelling units.
  - B. Development of any commercial use and residential use with two (2) or more dwelling units.
  - C. The development or construction of any accessory uses or structures, except for uses or structures that are accessory to a residential use.
  - D. Any use or construction for which submission of a site plan is required by any provision of this Ordinance.
  - E. Establishment, expansion, or enlargement of any regulated use unless expressly exempted in this Article.
2. **Site Plan Not Required:** Site plan approval is not required for the following activities, however, payment of any or all applicable bonds is required for issuance of a land use permit.
  - A. Construction, moving, relocating or structurally altering a principal residential structure including any customarily incidental accessory structures.
  - B. Excavating, filling, or otherwise removing soil, provided that such activity is normally and customarily incidental to single family uses described in this subsection for which site plan approval is not required.
  - C. A change in the ownership of land or a structure.
  - D. A change in the use of a structure to a use allowed by right in the zoning district in which it is located, provided that no modification to the site is proposed or required by the standards of this Ordinance and that the site maintains full and continuing compliance with these regulations.
  - E. Permitted home occupations.

(Amd. of 1-27-2022)

### Section 7.3.3 Standards for Site Plan Approval

The following criteria shall be used as a basis upon which site plans will be reviewed and approved:

1. **Adequacy of Information:** The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.

2. **Site Design Characteristics:** All elements of the site shall be harmoniously and efficiently designed in relation to the topography, size, and type of land, and the character of the adjacent properties and the proposed use. The site shall be developed so as not to impede the reasonable and orderly development or improvement of surrounding properties for uses permitted on such property.
  3. **Site Appearance:** Landscaping, earth berms, fencing, signs, walls, structures and other site features shall be designed and located on the site so that the proposed development is maintaining a community ambiance and harmonious with nearby existing or future developments.
  4. **Compliance with District Requirements:** The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, open space, density and all other requirements set forth in Section 4.28 of the Zoning Ordinance, unless otherwise provided in these regulations.
  5. **Privacy:** The site design shall provide reasonable visual and sound privacy. Fences, walls, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and the safety and privacy of occupants and uses.
  6. **Emergency Vehicle Access:** All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.
  7. **Circulation:** Every structure or dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways. The site plan shall provide a pedestrian circulation system that is insulated as completely as is reasonably possible from the vehicular circulation system. The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian ways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry.
  8. **Parking:** The parking provided for an intended use shall meet the standards of Section 6.7 of this Ordinance.
  9. **Drainage:** Appropriate measures shall be taken to ensure that the removal or drainage of surface water will not adversely affect adjoining properties or the capacity of the public drainage system. Provisions shall be made for a feasible storm drainage system, the construction of storm water collection, storage and transportation facilities, and the prevention of erosion. Surface water on all paved areas shall be collected at intervals so that it will not obstruct vehicular or pedestrian traffic and will not create nuisance ponding in paved areas. Final grades may be required to conform to existing and future grades of adjacent properties. Grading and drainage plans shall be subject to review by the Township Engineer.
  10. **Soil Erosion and Sedimentation:** The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction, in accordance with current Iosco County soil erosion control standards.
  11. **Exterior Lighting:** Exterior lighting shall be designed so that it is deflected away from adjoining properties, visual glare is minimized, and so that it does not impede vision of drivers along adjacent streets.
  12. **Public Services:** Adequate services and utilities, including water, sewage disposal, sanitary sewer, and storm water control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development.
  13. **Screening:** Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height. All walls must be solid and constructed of masonry and shall be subject to the approval of the code official and cannot be located in required setbacks without written authorization from the code official.
  14. **Danger from Fire and Hazards:** The level of vulnerability to injury or loss from incidents involving fire and hazardous materials or processes shall not exceed the capability of the Township to respond to
-

such incidents so as to prevent injury and loss of life and property. In making such an evaluation, the Township shall consider the location, type, characteristics, quantities, and use of materials or processes in relation to the personnel, training, equipment and materials, and emergency response plans and capabilities of the Township. Sites that include significant storage of flammable or hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, and public sewer system.

15. **Health and Safety Concerns:** Any use in any zoning district shall comply with applicable federal, state, county, and local health and pollution laws and regulations with respect to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic radiation; radioactive materials; and, toxic and hazardous materials.
16. **Phases:** All development phases shall be designed in logical sequence to ensure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.

(Amd. of 1-27-2022)

### Section 7.3.4 Site Plan Application Requirements

An application for site plan review shall be submitted on a form provided by the Township with the required items presented in the table below. Required items shall be demonstrated on the site plan drawings, written narrative/submitted documentation, or both as indicated in the table.

Item	Description	Site Plan	Narrative
1.	The date, north arrow, and scale. Scale shall be as follows: < 3 acres: One (1) inch = fifty (50) feet > 3 acres: One (1) inch = one hundred (100) feet	✓	
2.	The boundary lines of the property, to include all dimensions, gross and net acreage, and legal description.	✓	
3.	The location and width of all abutting rights-of-way.	✓	
4.	The existing zoning district in which the site is located and the zoning of adjacent parcels. In the case of a request for a zoning change, the classification of the proposed new district must be shown.	✓	
5.	The location of all existing and proposed structures and uses on the site, including proposed drives, walkways, signs, exterior lighting, parking (showing the dimensions of a typical parking area), loading and unloading areas, common use areas and recreational areas and facilities.	✓	
6.	The location and identification of all existing structures within a two hundred (200) foot radius of the site.	✓	

7.	Natural features that will be retained, removed, and/or modified including vegetation, hillsides, drainage, streams, wetlands, shorelands, and wildlife habitat.	✓	
8.	A landscaping plan with all existing and proposed landscaping, walls and/or fences.	✓	
9.	A grading plan showing the topography of the existing and finished site, including ground floor elevations, shown by contours or spot elevations. Contours shall be shown at height intervals of two (2) feet or less.	✓	
10.	Location, type and size of all above and below grade utilities.	✓	
11.	Type, direction, and intensity of outside lighting shown on a photometric plan in compliance with exterior lighting standards.	✓	
12.	Location of any cross access management easements, if required.	✓	
13.	Location of pedestrian and non-motorized facilities, if required.	✓	
14.	An indication of how the proposed use conforms to existing and potential development patterns and any adverse effects.	✓	✓
15.	The number of units proposed, by type, including a typical floor plan for each unit, dimensions, and area in square feet.	✓	
16.	Elevations for all building facades.	✓	
17.	Phasing of the project, including ultimate development proposals.	✓	✓
18.	Sealed/stamped drawings from a licensed architect, engineer, or landscape architect.	✓	
19.	The location and description of the environmental characteristics of the site prior to development such as topography, soils, vegetative cover, mature specimen trees, drainage, streams, wetlands, shorelands, or any other unusual environmental features.	✓	✓
20.	A stormwater management plan showing all existing above and below grade drainage facilities, and proposed plans incorporating low impact development water quality technologies and other best management practices.	✓	✓

21.	Plans to control soil erosion and sedimentation, including during construction.	✓	✓
22.	The name and address of the property owner.	✓	✓
23.	Name(s) and address(es) of person(s) responsible for preparation of site plan drawings and supporting documentation.	✓	✓
24.	The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site.		✓
25.	Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes, vibration, smoke or lights.		✓
26.	Descriptions of all existing and proposed structures referenced in item 5.		✓
27.	The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate areas of change.		✓
28.	General description of deed restrictions and/or cross access management easements, if any or required.		✓
29.	The method to be used to serve the development with water.		✓
30.	The method to be used for sewage treatment.		✓
31.	The number of people to be housed, employed, visitors or patrons, anticipated vehicular and pedestrian traffic counts, and hours of operation.		✓
32.	Site photos from the road		✓

- A. Upon recommendation by the Zoning Director, the Planning Commission may waive any of the above required items based upon a finding that it is not applicable.
- B. The Planning Commission, Zoning Director, or other party authorized by the Township may request any additional information it deems necessary in the review of a submitted site plan. This additional information shall be requested through the Zoning Director.
- C. Evidence the plan has been submitted for review to all affected jurisdictions, including but not limited to Iosco County Road Commission, District Health Department No. 2, Oscoda Township Volunteer Fire Department, Michigan Department of Transportation (MDOT), and Michigan Department of Environment, Great Lakes, and Energy (EGLE), and Michigan Department of Natural Resources (MDNR).



If an applicable review is not submitted, statement of a date certain for submission or the reason why their review is not applicable must be provided.

- D. All professionally drawn site plan drawings shall be submitted on three (3) sets of twenty four (24) inch by thirty six (36) inch sheets, ten (10) sets of eleven (11) inch by seventeen (17) inch sets, and in digital PDF format.

(Amd. of 1-27-2022)

### Section 7.3.5 Site Plan Review Application Submission Procedures

1. **Pre-Application Conference:** An applicant can request a pre-application conference with the Zoning Director and/ or Planner to discuss in general the substantive requirements for the application prior to submittal.
2. **Conceptual Review:** After a pre-application conference, an applicant may submit an application for conceptual review before the Planning Commission prior to formal submittal of a site plan review application. The purpose is to gather feedback on the proposed land use and potential requirements of the Planning Commission. Feedback provided by the Planning Commission under a conceptual review is non-binding, subject to change, and is not to be construed as a guarantee for approval. A conceptual review does not include a completeness or technical review by the Zoning Director.
3. **Completeness Review:** All required application materials shall be presented to the Zoning Director's office by the property owner or their designated agent at least twenty-one (21) days prior to the Planning Commission meeting where the site plan will be considered. The Zoning Director shall review the application for completeness in order to determine if the application has been properly submitted and the applicant has corrected all deficiencies. Completeness reviews are solely for the purpose of determining whether the preliminary information required for submission of the application is sufficient to allow further processing and shall not constitute a decision as to whether an application complies with the provisions of this Ordinance.
4. **Technical Review:** An application determined to be complete will undergo a technical review by the Zoning Director or Township designee to determine compliance with applicable standards. This review may include distributing the plan to other local agencies or departments with jurisdiction for comment on any issues the plans might present and shall result in a report submitted to the Planning Commission with the site plan review application. Once the technical review is complete, the application will be placed on the next regularly scheduled Planning Commission meeting agenda.

(Amd. of 1-27-2022)

### Section 7.3.6 Site Plan Application Review

Site plan review applications shall be reviewed by the Planning Commission or Development Review Committee as determined by the criteria below.

1. **Development Review Committee:** The Development Review Committee may review and make a decision on a qualifying site plan review application. The Development Review Committee shall consist of the Zoning Director, Planning Commission Chair, a Planning Commissioner and the Economic Improvement Director, and shall perform the duties of the Planning Commission prescribed in this Article when conducting an development review. No part of this subsection shall prohibit the Zoning Director, Development Review Committee or Applicant from requesting the site plan be submitted to the Planning Commission for review and approval. A site plan review application qualifying for development review shall meet all of items A.—D., or item E.

- A. The proposed use is permitted by right in the established zoning district;

- 
- B. The proposed use will result in less than three thousand (3,000) square feet of new development or construction;
  - C. The proposed use will be located at least five hundred (500) feet from AuSable River and Van Etten Lake.
  - D. The proposed use will generate less than five hundred (500) additional trip ends per day as determined by the proposed land use activity based on the most recent edition of the Trip Generation Manual published by the Institute of Transportation Engineers;
  - E. The proposed use is a shoreline stabilization structure along Lake Huron.

- 2. **Planning Commission Review:** All other uses requiring a site plan shall be reviewed and decided upon by the Planning Commission.

(Amd. of 1-27-2022)

### **Section 7.3.7 Site Plan Application Determinations**

Upon review of a site plan review application, the Planning Commission or Development Review Committee shall make a determination to approve the application, require any conditions it may find necessary, or deny the application.

- 1. **Approval:** The site plan shall be approved upon determination that it is in compliance with the standards of this Ordinance, other Township planning documents, other applicable ordinances, and state and federal statutes.
- 2. **Conditional Approval:** The Planning Commission may approve a site plan, subject to any conditions to address necessary modifications, obtain variances, or approvals from other agencies. Conditions imposed shall meet each of the following objectives:
  - A. Be designed to protect natural resources, the health, safety, and welfare, as well as 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;
  - B. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity;
  - C. Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in the zoning ordinance for the land use or activity under consideration, and be necessary to ensure compliance with those standards.
- 3. **Denial:** If the Planning Commission determines that a proposed site plan does not meet the standards of this Ordinance, or otherwise will tend to be injurious to the public health, safety, welfare or orderly development of the Township, it shall deny the application by a written decision which clearly sets forth the reason for such denial.

(Amd. of 1-27-2022)

### **Section 7.3.8 Record of Actions**

The Township shall keep a record of decisions on all site plans on file in the Clerk's Office. The record shall include the following information:

- 1. **Minutes:** All minutes from any meeting where the site plan was considered.

2. **Finding of Fact:** The decision on a site plan review shall be incorporated in a finding of fact relative to the land use under consideration and shall specify the basis for the decision and any conditions imposed.
3. **Final Site Plans:** The final site plan shall consist of an electronic pdf version and one (1) full size print set (twenty-four (24) inches by thirty-six (36) inches) of the final site plans stamped by a licensed architect, landscape architect, or civil engineer.
  - A. Approved site plans shall include any required revisions and the date of the revisions. The print set shall be marked "Approved" and signed and dated by the Applicant and Planning Commission Chair.
  - B. Denied site plans shall be marked "Denied" and signed and dated by Planning Commission Chair.
4. **Development Agreement:** An approved site plan shall include a site plan development agreement outlining the approved use, any applicable conditions, and procedural process. The development agreement shall be signed by the applicant and Planning Commission Chair.
5. **Occupancy:** No occupancy or operation of a use and/or structure allowable under an approved site plan review shall be permitted to occur prior to receiving an occupancy permit from the Zoning Director.

(Amd. of 1-27-2022)

### Section 7.3.9 Expiration, Revocation and Reapplication

1. **Expiration:** A site plan review approved under this Article shall be valid for a period of one (1) year from the date of approval. If the applicant fails to submit an application for a land use permit to the Township for the approved site plan review in that time period, then the site plan review approval shall automatically expire. The applicant may request an extension of the permit by submitting a written request for consideration to the Planning Commission before the expiration date. The Planning Commission may grant one (1) extension for a period of up to one (1) year.
2. **Revocation:** If a violation of any of the conditions or standards imposed on an approved site plan review is found to exist following inspection, the Zoning Director shall notify the owner of the premises, the applicant of the site plan review, and the Planning Commission that such violation exists and that the site plan review approval will be revoked within fifteen (15) days of such notification. If said violation is not corrected within fifteen (15) days, the Planning Commission may revoke the permit. Furthermore, such a violation is hereby declared a violation of this Ordinance, subject to all the remedies and penalties provided for within this Ordinance.
3. **Reapplication:** An application that has been denied wholly or in part by the Planning Commission or Development Review Committee may reapply after all bills for the review have been paid in full. Reapplication shall constitute a new application and shall require resubmission of all required materials, payment of all applicable fees, and the establishment of a new escrow account.

(Amd. of 1-27-2022)

### Section 7.3.10 Amendments and Modifications

A previously approved site plan may be modified according to the following procedures:

1. **Insignificant Deviations:** The Zoning Director may authorize insignificant deviations in an approved site plan if the resulting use will still meet all applicable standards and requirements of this Ordinance, and any conditions imposed. A deviation is insignificant if the Zoning Director determines it will result in no

discernible changes to or impact on neighboring properties, the general public, or those intended to occupy or use the proposed development and will not noticeably change or relocate the proposed improvements to the property.

2. **Minor Amendments:** The Planning Commission may permit minor amendments to an approved site plan if the resulting use will still meet all applicable standards and requirements of this Ordinance, and any conditions imposed unless otherwise requested to be modified, and do not substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, demand for public services, or vulnerability to hazards. The Planning Commission may make a decision on minor amendments upon receipt of an application. Minor amendments are those modifications the Zoning Director determines will have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development, but exceed the extent to which can be approved as an insignificant deviation.
3. **Major Amendments:** All other requests for amendments to an approved site plan shall be processed in the same manner as a new application. The Planning Commission may impose new conditions on the approval of an amendment request if such conditions are warranted as described in this Article. The holder of the original site plan approval may reject such additional conditions by withdrawing the request for an amendment and proceeding under the existing site plan approval.

(Amd. of 1-27-2022)

### **Section 7.3.11 Fees and Performance Guarantees**

Fees and performance guarantees associated with the review and approval of a site plan review application shall be consistent with the requirements in Section 10.8.

(Amd. of 1-27-2022)

### **Section 7.4 Permits Required:**

The terms "altered" and "repaired" shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the applicable local Building Code, Housing Law, or this Ordinance. The above may require either a special use permit or a site plan approval, except for minor repairs or changes not involving any of the aforesaid features.

No open land shall be used, or an existing use of land be changed to a use of a different class or type unless a land use permit is first obtained.

Land Use Permits issued shall remain valid for one year from the date of issue and unless construction is started within that year, the permit expires. In the event a permit expires, a new permit must be obtained prior to commencing work.

All actions described on a Land Use Permit application shall be completed within twelve (12) months of the permit's approval date. If said actions are not completed within twelve (12) months, a new permit that only allows for a six-month extension must be obtained from the Zoning Administrator. When a Land Use Permit is allowed to expire or there is not active construction in progress, then the construction site building is subject to the condition requirements of the Township's Property Maintenance Ordinance (Ordinance No. 205 as amended).<sup>3</sup>

Building in violation of the permit, or failure to obtain a permit will result in the structure being in violation of the Ordinance, and the Township shall be allowed to seek whatever remedy it deems appropriate as allowed by this Ordinance, or other Township Ordinances, or generally by law (see Article XII).<sup>(17)</sup>

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### **Section 7.4.1 Land Use Permits Not to be Issued<sup>(17)</sup>**

No Land Use permit shall be issued for the erection, alteration, or use of any building or structure, or part thereof, or for the use of any land which is not in accordance with all provisions of this Ordinance.

### **Section 7.4.2 Permits for New Use of Land**

Iosco County Building and Housing permits may be required. Please contact the Iosco County Building Department for further information.<sup>(17)</sup>

### **Section 7.4.3 Permits for New Use of Buildings**

No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained from the Iosco County Building Department.

### **Section 7.4.4 Permits for Wrecking Buildings**

Before a building or structure can be wrecked, the owner, wrecking company, or person who secures the permit shall notify all utilities having service connections within the building such as water, electric, gas, sewer, and other connections. A permit to wreck a building shall not be issued unless a release is obtained from the utilities stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed and/or sealed and plugged in a safe manner; nor shall a wrecking permit be issued until a report has been received from the public utility companies concerned, that said wrecking operations may be accomplished in such a manner as not to create a hazardous condition as a result of the proximity of such public utility installations.

Before a permit is issued for the wrecking of any building, such application for permit shall be referred to the Iosco County Building Department for examination of the premises to determine whether or not rodent extermination procedures are necessary.

Blasting and use of explosives shall be done only by a person licensed by the Fire Department to perform such work.

The requirements of this section are designated as the minimum necessary for average conditions and, in the case of unusual or dangerous situations, adequate provision shall be made and every precaution taken to protect the safety of the public and workmen. The Planning Commission may impose additional safeguards to satisfy the intent of this Section. All abandoned basements or cellars and holes shall be filled to grade, and all excess materials, rubbish, and debris shall not be permitted to remain on the premises above grade. The Fire Department shall be notified before removing standpipes, sprinklers, or fire protection water supplies. When demolition of the Principal Structure is proposed within a Residential District and accessory structures are to be left standing, a new principal structure must be constructed within one (1) year of the demolition. If after one (1) year a new principal structure is not constructed, removal of all Accessory Structures must be completed within thirty (30) days.<sup>3</sup>

Wrecking actions will be completed within thirty (30) days of issuance of a permit. This requirement includes the removal of all demolished materials and completion of lot restoration.<sup>3</sup>

### **Section 7.5 Certificates:**

No land, building, or part thereof, shall be occupied by or for any use unless and until a certificate of occupancy shall have been issued for such use by the Iosco County Building Department.

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## **Section 7.6 Fees:**

Fees for inspection and the issuance of permits or certificates or copies thereof required or issued under the provisions of this Ordinance shall be collected by the Treasurer in advance of issuance. The amount of such fees shall be established by resolution of the Township Board and shall cover the cost of inspection and supervision resulting from enforcement of this Ordinance.

## **Section 7.7 Violations:<sup>10</sup>**

**Nuisance Per Se.** Any building or structure which is erected, moved, placed, reconstructed, razed, extended, enlarged, altered, maintained or used, and any use of a lot or land which is begun, continued, or changed in violation of any term or provision of this Ordinance, is hereby declared to be a nuisance per se subject to abatement pursuant to MCL 125.3407 and as otherwise provided by law.<sup>10</sup>

**Violation.** Any person who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, any administrative decision made under the Ordinance, or any permit or approval issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance. Any person responsible for a violation of this Ordinance whether as an owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal.

**Municipal Civil Infraction.** A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute.

## **Section 7.7.1 Enforcement and Penalties<sup>10</sup>**

The owner of any building, structure or premises or part thereof, where any condition in violation of this Ordinance shall exist or shall be created, and who has assisted knowingly in the commission of such violation shall be guilty of a separate offense and, upon conviction thereof, shall be liable for the fines, penalties, and provisions of the Charter Township of Oscoda Code, Section 1-10.

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which Oscoda Township has incurred in connection with the municipal civil infraction.

## **Section 7.7.2 Each Day a Separate Offense**

A separate offense shall be deemed committed upon each day during or when a violation occurs or continues.

## **Section 7.7.3 Rights and Remedies are Cumulative**

Any violation of this Ordinance shall constitute a basis for injunctive relief or other appropriate remedy in any court of competent jurisdiction to compel compliance with this Ordinance and enforce the provisions thereof.<sup>10</sup>

## **Section 7.8 Amendments:<sup>10</sup>**

The Township Board may, upon recommendation from the Township Planning Commission, amend, supplement or change the regulations or the district boundaries of this Ordinance pursuant to the authority and in accordance with the Michigan Zoning Enabling Act, as amended. Amendments or supplements to the regulations or the district boundaries of this Ordinance may be initiated by the Township Board or the Planning Commission. A

resident or property owner of the Township may petition to amend the regulations of this Ordinance or to change the zoning district boundary for one (1) or more adjacent parcels. Whenever a petitioner requests a zoning district boundary amendment, he shall be the fee holder owner of the premises concerned or else have the fee holder owner also subscribe to his petition. The petitioner shall submit a petition for an amendment to the Township Clerk and shall deposit the sum established by resolution of the Township Board with the Township Treasurer at the time that the petition is filed to cover the publication and other miscellaneous costs for the review of and action on said change. There shall be a twelve-month minimum waiting period between a Township Board denial for a Zoning Ordinance amendment and a new request.<sup>13</sup>

All proposed amendments to this Ordinance initiated by the Township Board or by a petitioner shall first be referred to the Planning Commission for review and recommendation. Petitions to amend the text of the ordinance shall also be reviewed by the Zoning Administrator to ensure that the language and formatting of the amendment is consistent with the Ordinance. Except, an amendment to conform a provision of the Ordinance to a decree of a court of competent jurisdiction as to any specific lands may be adopted by the Township Board and the notice of the adopted amendment published without referring the amendment to any other board or agency provided for under this Ordinance.<sup>13</sup>

Before submitting its recommendations for a proposed zoning ordinance amendment to the Township Board, the Planning Commission shall hold at least one (1) public hearing. Notice of the time and place of the public hearing shall be given in the same manner as required under section 7.9 of this Ordinance. Notice of the time and place of the public hearing shall also be given by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the Township Clerk for the purpose of receiving the notice of public hearing. The notices required under this section shall include the places and times at which the proposed text and any maps of the Zoning Ordinance may be examined.

Following the hearing required in Section 7.9, the Township Planning Commission shall submit the proposed zoning ordinance amendment, including any zoning maps, to the County Planning Commission for review and recommendations.<sup>13</sup>

The County Planning Commission will have waived its right for review and recommendations of an ordinance if the recommendation of the County Planning Commission has not been received by the Township Planning Commission within thirty (30) days from the date the proposed ordinance is received by the County Planning Commission.

Following the required public hearing under Section 7.9, the Planning Commission shall transmit a summary of comments received at the hearing and its proposed zoning ordinance, including any zoning maps and recommendations, to the Township Board.

After receiving a zoning ordinance or an amendment, the Township Board may hold a public hearing if it considers it necessary or as may otherwise be required. Notice of the hearing shall be given in the same manner as required under Section 7.9. The Township Board shall grant a hearing on a proposed ordinance provision to an interested property owner who requests a hearing by certified mail, addressed to the clerk of the township board.<sup>13</sup>

The Township Board may refer any proposed amendments to the Planning Commission for consideration and comment within a time specified by the Township Board.

After the public hearing held as allowed under this section, the Township Board shall consider and vote upon the adoption of a zoning ordinance, with or without amendments. A zoning ordinance and any amendments shall be approved by a majority vote of the members of the Township Board.

A zoning ordinance shall take effect upon the expiration of seven (7) days after publication as required by this section or at such later date after publication as may be specified by the Township Board. Following adoption of a zoning ordinance or any subsequent amendments by the Township Board, the zoning ordinance or subsequent amendments shall be filed with the Clerk of the Township Board, and a notice of ordinance adoption shall be published in a newspaper of general circulation in the Township within fifteen (15) days after adoption. A copy of

the notice shall be mailed to the airport manager of an airport entitled to notice under this section. The notice of ordinance adoption shall include:<sup>13</sup>

- A. In the case of an amendment to an existing zoning ordinance, either a summary of the regulator effect of the amendment, including the geographic area affected, or the text of the amendment.
- B. The effective date of the ordinance or amendment.
- C. The place where and time when a copy of the ordinance or amendment may be purchased or inspected.

Following the enactment of the zoning ordinance, the planning Commission shall at least once per year prepare for the Township Board a report on the administration and enforcement of the Zoning Ordinance and recommendations for amendments or supplements to the Ordinance.

A zoning ordinance shall take effect upon the expiration of seven (7) days after publication as required by this section or at such later date after publication as may be specified by Township Board. Except, within seven (7) days after publication of a zoning ordinance, a registered elector residing in the zoning jurisdiction of the Charter Township of Oscoda may file with the Township Clerk a notice of intent to file a petition.<sup>13</sup>

If a notice of intent is filed, the petitioner shall have thirty (30) days following the publication of the zoning ordinance to file a petition signed by a number of registered electors residing in the zoning jurisdiction equal to not less than fifteen (15) percent of the total vote cast within the zoning jurisdiction for all candidates for governor at the last preceding general election at which a governor was elected, with the Township Clerk, requesting the submission of a zoning ordinance or part of a zoning ordinance, to the electors residing in the Charter Township of Oscoda for their approval.

Upon filing of a notice of intent, the zoning ordinance or part of the zoning ordinance adopted by the legislative body shall not take effect until one (1) of the following occurs:

- A. The expiration of thirty (30) days after publication of the ordinance, if a petition is not filed with that time.
- B. If a petition is filed with thirty (30) days after publication of the ordinance, the Township Clerk determines that the petition is inadequate.
- C. If a petition is filed with thirty (30) days after publication of the ordinance, the Township Clerk determines that the petition is adequate and the ordinance or part of the ordinance is approved by a majority of the registered electors residing in the Charter Township of Oscoda voting on the petition at the next regular election or at any special election called for that purpose. The Township Board shall provide the manner of submitting the zoning ordinance or part of the zoning ordinance to the electors for their approval or rejection and determining the result of the election. Petition and an election under this section are subject to the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.



## Section 7.9 Public Notice:<sup>10</sup>

All zoning activities or applications development approval requiring a public hearing shall comply with the Michigan Zoning Enabling Act, PA 110 of 2006, as amended, and other provision of this Section with regard to public notification.

1. **Responsibility:** When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be delivered and / or published, the Zoning Administrator shall be responsible for preparing the content of the notice, having it published in a newspaper of general circulation in the Charter Township of Oscoda and mailed or delivered as provided in this Section.
2. **Public Hearing and Notification:** Pursuant public notice requirements of the Michigan Zoning Enabling Act, as amended, or within this Ordinance, whenever the Township is required to provide notice of public hearing, the Township shall publish notice of such Public Hearing in a newspaper of general circulation for the Charter Township of Oscoda. Newspaper notices for public hearings shall:
  - a. **Describe the nature of request:** Identify whether the request is for a rezoning, text amendment, special land use, planned unit development, variance, appeal, ordinance interpretation or other purpose.
  - b. **Location:** Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need addresses if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number, identifying the nearest cross street, or including a map showing the location of the property.
  - c. **Date, Time and Location of Hearing:** State when and where the request will be considered.
  - d. **Written Comments:** Include a statement describing when and where written comments will be received concerning the request. Include a statement that the public may appear and be heard in person or by representing Counsel, at the public hearing.
  - e. **Handicap Access:** Information concerning how to secure assistance in the event that handicap access or other special needs requirements are to be satisfied.
3. **Personal Delivery and Mailed Notices:**
  - a. When the zoning activity involves fewer than ten (10) properties, notice(s) shall be sent by mail or personal delivery to all persons to whom real property is assessed and to those who occupy properties within three hundred (300) feet of the boundary of the property subject to the activity, regardless of whether the property or occupant is located within the boundaries of the Charter Township of Oscoda. If the name of the occupant is not known, the term "occupant" may be used in making notification.
  - b. Notice shall also be sent by mail or personal delivery to the owners of property for which approval is being considered.
  - c. Notification need not be given to more than one (1) occupant of a structure unless a structure contains more than one (1) dwelling unit, business, or organization that occupy individual units or distinct spatial areas that are owned or leased by different individuals or parties.
  - d. When a single structure includes more than four (4) dwelling units or other distinct spatial areas that are owned or occupied by different individual parties, notice may be given to the owner or manager of the structure with instructions to post the notice at the primary entrance to the structure.
  - e. If eleven (11) or more adjacent properties are proposed for zoning activity, notice of the proposed activity shall be delivered in the same manner as above, except that notices shall not include a listing of all existing street addresses within the property and the notices need not be sent to:
    - (1) Property owners for which approval is being considered;
    - (2) Persons with real property assessed within three hundred (300) feet;
    - (3) Occupants of all structures within three hundred (300) feet.

- f. **Other Governmental Units or Infrastructure Agencies:** When the boundaries of a zoning activity are within three hundred (300) feet of the jurisdictional boundary of a neighboring governmental agency, a notice shall be delivered to that neighboring governmental agency.
4. **General:** Any neighborhood organization, public utility company, railroad or any other person may register with the Zoning Administrator so as to receive written notices pursuant to this Section. Fees, as established by the Township Board, may be assessed for the provision of these types of general notices. Registrants must first provide the Zoning Administrator with a written request that includes delivery information, including the name and address of the registrant. Registrations shall remain valid for six (6) months. Thereafter the Zoning Administrator will not continue to send hearing notifications, pursuant to this Section, unless the person, organization, public utility company, or railroad re-registers.
5. **Timing of Notices:** Unless otherwise provided in the Michigan Zoning Enabling Act, PA 110 of 2006, or this Ordinance, notice of public hearings shall be provided not less than fifteen (15) days before the date in which the hearing will be conducted. Notices must be published in a newspaper of general circulation and all personal notices that are required to be sent by mail or otherwise delivered will be done not less than fifteen (15) days before the hearing.<sup>13</sup>
6. **Notice by Mail & Affidavit:** Notice shall be deemed mailed by its deposit during normal business hours in the United States mail, first class, properly addressed, postage paid. The Zoning Administrator may prepare an Affidavit of Mailing that lists those to whom notices were mailed as well as anyone to whom personal notice was delivered.<sup>13</sup>

*planning review*

Date: 05.22.2023

From: John Iacoangeli, FAICP  
To: Oscoda Planning Commission  
Oscoda Township  
110 S. State Street  
Oscoda, MI 48750

Project: Site Plan Reviews

Commissioners:

The Planning & Zoning Director asked me to write a technical review of the proposed Biggby Coffee proposed for US-23. As noted in that review the building, drive-thru and parking lot were previously existing prior to the adoption of the Corridor Business District and as a result need to follow certain site standards and not any of the provisions dealing with setbacks, dimensions, and placement requirements.

In regard to site plan review and approval, those requirements and standards are outlined in Article X of the Zoning Code. Specially, §10.2 Required Data outlines what content is needed on the site plan. §10.2 (3) provides some relieve from the data required when site plan is subject to administrative review because of building re-occupancy or minor improvement. Further, §10.1 Application states that *“those cases requiring site plan review solely as a result of building re-occupancy, site plan review procedures may be modified, at the discretion of the Zoning Administrator.”* Had the Biggby Coffee not required a SLUP through the enactment of the Corridor Business District this would have likely been an administrative review. The enactment of this ordinance resulted in a former permitted use becoming a SLUP. In this instance, I believe the Zoning Administrator and Planning Commission can provide some relieve by not requiring all of the site plan elements and relying on §10.2 (3) because this is a re-occupancy.

§10.3 Standards for Approval outline the eleven (11) standards that the Planning Commission needs to evaluate as part of the approval process. Many know through your PC training that if an applicant provides the required data and meets the standards of the ordinance then the site plan must be approved.

5/16/2023

## **Oscoda Site Plan Review – Oscoda Charter Township Engineer**

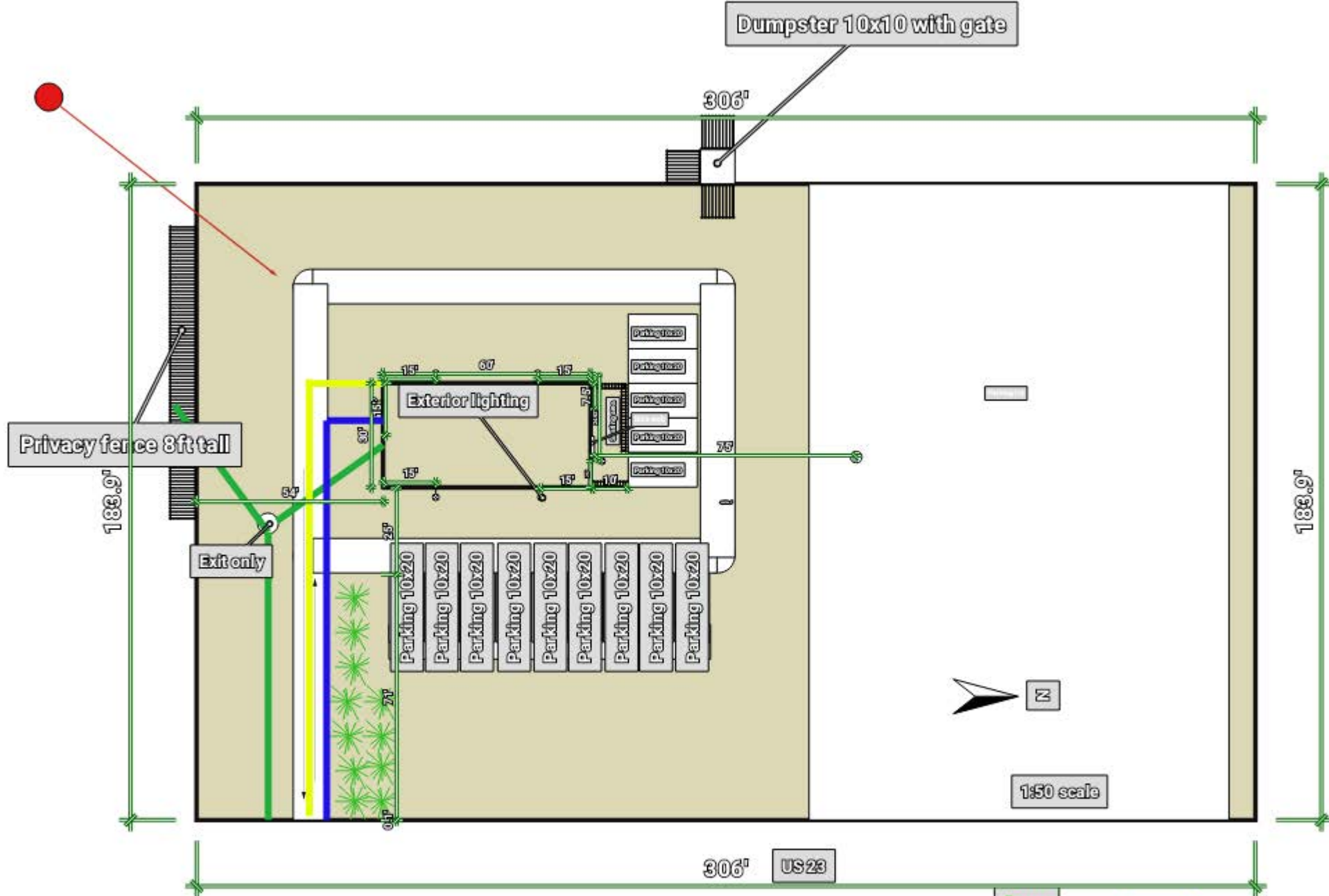
### **Preliminary Site Plan Review/Pre-Development Meeting Summary**

Biggby Development

I have reviewed the preliminary site plan that was submitted to the Township and was present at the Pre-Development Meeting conducted on May 16, 2023. The following are my review comments/concerns and follow up discussion during the meeting on 5/16/23.

1. The site consists of the existing building adjacent to the Family Fare Supermarket on U.S. 23 Highway. The existing building will be renovated per the franchise floorplan provided by Biggby Coffee. The site will have minor improvements to accommodate parking (vehicles/bicycles, a drive thru service, fencing, and signing.
  - The site plan needs to a professionally completed drawing(s) by a licensed professional engineer/architect.
  - The existing features of the site need to be provided as a topographical drawing so that the proposed improvements can be evaluated against existing conditions. Including 200 feet of the adjoining property on all sides.
  - Excavation/pavement removals will need to be delineated on the existing site plan.
  - Existing utilities (water/sewer service connections, gas and electrical service points.
  - There are no proposed changes to the U.S. 23 entrance/exit. An MDOT permit will be required due work in/adjoining the U.S. 23 right-of-way.
  - An Iosco County Building Permit will be required before construction can begin.
  - Deed and easements documents will need to be furnished to verify ownership of the property.
2. Proposed site plan will need to show a minimum of the following information.
  - Site parking with dimensions.
  - Bike rack location and number of stations.
  - New and/or improvements to signage located on the building and/or on site.
  - Site lighting is utilizing existing lighting from the Family Fare site.
  - Drive thru location and layout of vehicle movement patterns.
  - Storm drainage plan/outlet. No change in runoff. Existing site is impervious as is proposed.
  - Dumpster location/screening.

Final site plan review and recommendations from the Oscoda Charter Township Engineer will be provided before the next Planning and Zoning Committee meeting if submitted in a timely manner.



Sewer

Gas

Water

Over head Power

# Charter Township of Oscoda

## Municipal Services Center

### Space Needs Analysis

PROJECT NO. 2022042  
REV: May 31, 2023

ROOM / SPACE NAME	Occ.	Qty.	Unit Area	Subtotal Area	Description / Remarks
<b>PUBLIC SAFETY</b>					
<b>Fire Department</b>					
Fire Apparatus Room		12	560	6,720	14 x 40 bays - min 18-ft height
Equipment / Gear Storage		1	500	500	storage cabinets, equipment racks
Service Bay		1	720	720	1 bay @18 x 40
Dayroom					Table, chairs, soft seating
Radio Dispatch		1	75	75	
Private Offices		2	125	250	Fire Chief, Training
Womens Locker Room	5	1	45	225	Showers, toilets, 24 x 24 lockers
Mens Locker Room	15	1	35	525	Showers, toilets, 24 x 24 lockers
Laundry		1	100	100	Commercial washer
Compressor Room		1	100	100	Air compressor & bottle fill station
<b>FIRE DEPT SUB TOTAL</b>				9,215	
<b>Police Department</b>					
Police Garage		4	420	1,680	14 x 30 bays
Equipment / Gear Storage		1	100	100	storage cabinets, equipment racks
Public Lobby		1	100	100	
Public Complaint Room		1	75	75	audio/video monitored
Admin / Secretarial Office	2	1	75	150	w/ bullet proof public window
Police Chief Office		1	150	150	
Sergeant Offices		2	100	200	
Detective Sergeant Office		1	100	100	
Squad Room	5	1	50	250	Shared work space for road officers
Interview Room		2	75	150	audio/video recording
Secure Weapon's Vault		1	50	50	interior location
Evidence Room / Processing		1	150	150	interior location
Secure Drug Evidence Storage		1	75	75	interior location
Secure Weapon Storage		1	75	75	interior location
Womens Locker Room	4	1	45	180	Showers, toilets, 24 x 24 lockers
Mens Locker Room	14	1	35	490	Showers, toilets, 24 x 24 lockers
Secure Records Storage		1	300	300	
Secure IT/Server Room		1	75	75	
<b>POLICE DEPT SUB TOTAL</b>				4,350	
<b>Shared Use Spaces</b>					
Training Room	32	1	25	800	presentation / AV equipment
Commercial Kitchen		1	250	250	
Pantry Storage		1	100	100	
<b>SHARED USE SUB TOTAL</b>				1,150	
<b>PUBLIC SAFETY SUB TOTAL</b>				14,715	
Efficiency Factor (circulation, structural, etc.)		25%		3,679	
<b>PUBLIC SAFETY TOTAL</b>				18,394	



WTA ARCHITECTS

100 S. JEFFERSON AVENUE-SUITE 601, SAGINAW, MI 48607

# Charter Township of Oscoda

## Municipal Services Center

### Space Needs Analysis

PROJECT NO. 2022042  
REV: May 31, 2023

ROOM / SPACE NAME	Occ.	Qty.	Unit Area	Subtotal Area	Description / Remarks
<b>TOWN HALL OFFICES</b>					
<b>Clerk's Office</b>					
Private Offices		1	125	125	Clerk
Reception / Open Office	2	1	75	150	work stations
Public Counter		1	20	20	public window
File Storage		1	50	50	filing cabinets, shelving
Archive / Records Storage		1	250	250	
Election Hall					utilize community center gymnasium
<b>SUB TOTAL</b>				595	
<b>Treasurer's Office</b>					
Private Office		1	125	125	Treasurer
Reception / Open Office	2	1	75	150	work stations
Public Counter		1	20	20	public window, storage shelves
File Storage		1	50	50	filing cabinets, shelving
Work Counter		1	20	20	layout area for mailers, etc.
Archive / Records Storage		1	125	125	
<b>SUB TOTAL</b>				490	
<b>Assessor's Office</b>					
Private Office		1	125	125	Assessor
Reception / Open Office	2	1	75	150	work stations
Public Counter		1	20	20	public window, computer, storage shelves
File Storage		1	100	100	legal size filing cabinets, shelving
Archive Storage		1	125	125	
<b>SUB TOTAL</b>				520	
<b>Code Compliance &amp; Zoning</b>					
Zoning Administrator Office		1	125	125	
Public Counter		1	20	20	public window
File Storage		1	50	50	filing cabinets, shelving
Code Compliance Office		1	100	100	
Archive / Records Storage		1	125	125	
Meeting Room					utilize community center multi-purpose
<b>SUB TOTAL</b>				420	
<b>Water Department</b>					
Private Office		1	100	100	work station, bullet proof public window
File Storage		1	100	100	filing cabinets, shelving
<b>SUB TOTAL</b>				200	
<b>Administrative Offices</b>					
Executive Secretary		1	100	100	work station
File Storage		1	50	50	filing cabinets, shelving
Township Superintendent		1	250	250	large conference table
Township Supervisor/ Hotel Board / Commissioner		1	150	150	
<b>SUB TOTAL</b>				550	
<b>Common Use Spaces</b>					
Public Lobby	20	1	5	100	waiting area
Payment Kiosks		1	25	25	payments & printing forms
Board Room					utilize community center multi-purpose
Video Recording Room		1	80	80	
Staff Break Area	10	1	15	150	table, chairs
Kitchenette		1	25	25	sink, microwave, refrigerator
Work Counter		1	25	25	
Staff Toilets		2	60	120	men & women
IT/Server Room		1	75	75	
<b>SUB TOTAL</b>				600	
<b>TOWN HALL SUB TOTAL</b>				<b>3,375</b>	
Efficiency Factor (circulation, structural, etc.)		30%		1,013	
<b>TOWN HALL TOTAL</b>				<b>4,388</b>	



WTA ARCHITECTS

100 S. JEFFERSON AVENUE-SUITE 601, SAGINAW, MI 48607

# Charter Township of Oscoda

## Municipal Services Center

### Space Needs Analysis

PROJECT NO. 2022042  
REV: May 31, 2023

ROOM / SPACE NAME	Occ.	Qty.	Unit Area	Subtotal Area	Description / Remarks
<b>COMMUNITY CENTER</b>					
Gymnasium		1	6,000	6,000	84 ft x 50 ft basketball court
Walking Track		1	1,700	1,700	5 foot wide perimeter track
Platform/Podium		1	500	500	Presentation, projector, screen
A/V control room		1	80	80	
Exercise / Fitness Room		1	300	300	Exercise equipment
Multi-Purpose Rooms		2	900	1,800	Conference, Meetings, A/V capabilities
Equipment Storage		1	200	200	
Table-Chair Storage		1	200	200	
Check-in Desk / Lobby		1	100	100	
Women's Locker Rooms	25	1	7	175	metal lockers, benches
Toilets / Restrooms		1	190	190	4 toilets, 3 sinks
Showers		4	45	180	individual shower/changing stalls
Men's Locker Rooms	25	1	7	175	metal lockers, benches
Toilets / Restrooms		1	190	190	4 toilets, 3 sinks
Showers		4	45	180	individual shower/changing stalls
Parks & Recreation Office		1	100	100	
<b>COMMUNITY CENTER SUB TOTAL</b>				<b>12,070</b>	
Efficiency Factor (circulation, structural, etc.)	15%			1,811	
<b>COMMUNITY CENTER TOTAL</b>				<b>13,881</b>	

<b>SENIOR CENTER</b>					
Dinning Room					utilize community center multi-purpose
Exercise Room					utilize community center multi-purpose
Banquets					utilize community center gymnasium
Private Offices		2	100	200	hostess, home cleaning service
Commerical Kitchen					utilize common kitchen
Pantry Storage		1	100	100	dedicated pantry storage
General Storage		1	100	100	
<b>SENIOR CENTER SUB TOTAL</b>				<b>400</b>	
Efficiency Factor (circulation, structural, etc.)	15%			60	
<b>SENIOR CENTER TOTAL</b>				<b>460</b>	

<b>LIBRARY</b>					
Circulation / Administrator Desk	2	1	75	150	work stations, shelving, book drop
Network / Server Closet		1	10	10	1 gig fiber-optic broadband
Card Catalogue Computer Station		1	40	40	
Program Space					utilize community center gymnasium
Adult Book Stacks		136	9	1,224	3 ft shelf sections
Public Seating / Reading Areas		4	75	300	table, chairs, wi-fi, device charging
Public Use Computers	12	1	15	180	open to public area
Children's Reading Area		1	200	200	tables, chairs
Book Stacks		35	9	315	3 ft shelf sections
Teen Reading Area		1	200	200	tables, chairs
Book Stacks		18	7	126	3 ft shelf sections
Study Rooms		4	50	200	quiet rooms, exams
Genealogical Office		1	500	500	dedicated phone line
Special Meeting Rooms					utilize community center multi-purpose
Work Office		1	250	250	
Kitchenette					utilize town hall break room
Staff Toilet Room					utilize town hall staff toilets
Storage Room		1	150	150	
<b>LIBRARY SUB TOTAL</b>				<b>3,845</b>	
Efficiency Factor (circulation, structural, etc.)	27%			1,038	
<b>LIBRARY TOTAL</b>				<b>4,883</b>	



WTA ARCHITECTS

100 S. JEFFERSON AVENUE-SUITE 601, SAGINAW, MI 48607



# Charter Township of Oscoda

## Municipal Services Center

### Space Needs Analysis

PROJECT NO. 2022042  
REV: May 31, 2023

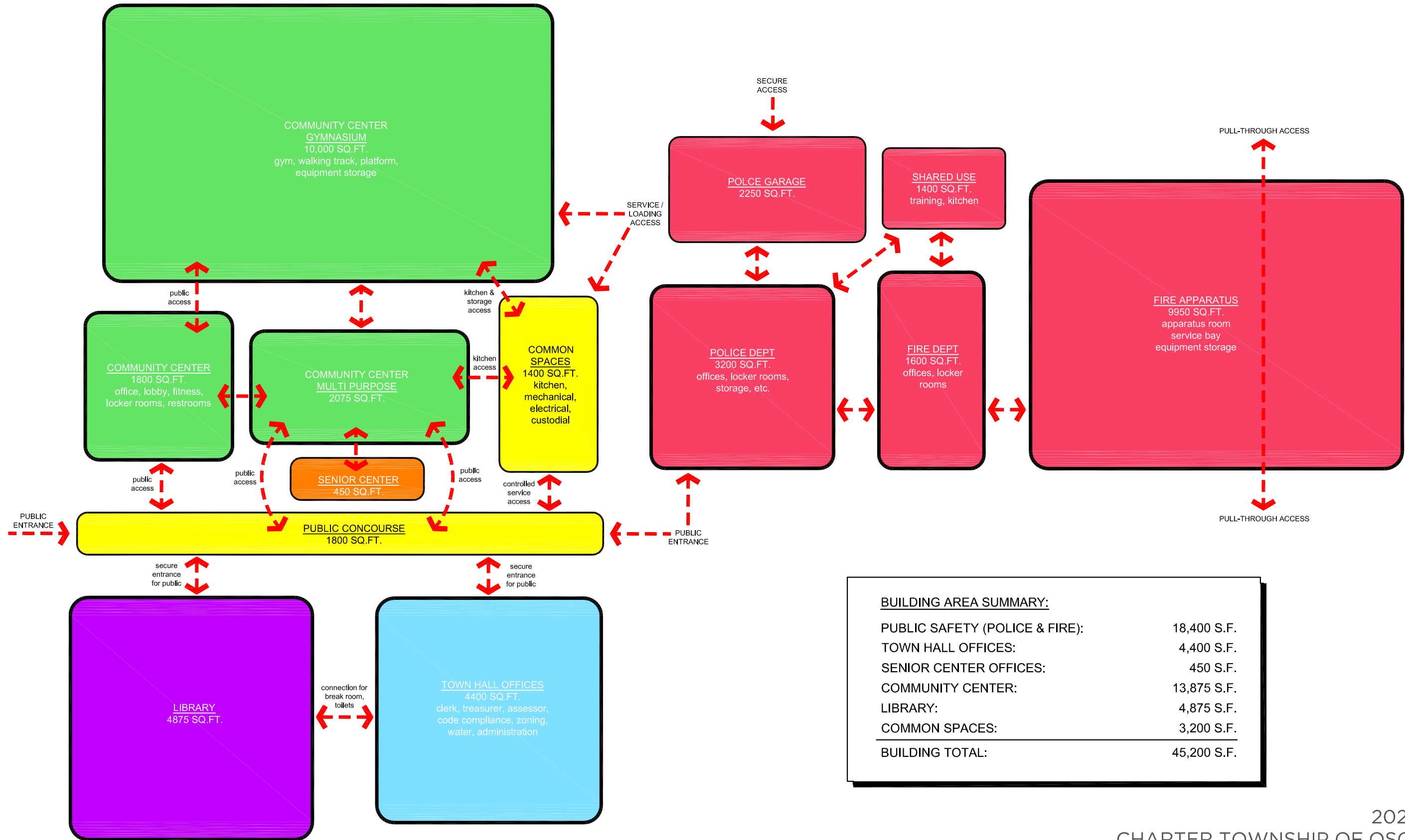
ROOM / SPACE NAME	Occ.	Qty.	Unit Area	Subtotal Area	Description / Remarks
BUILDING COMMON SPACES					
Public Concourse	300	1	5	1,500	
Vestibule		2	75	150	
Commerical Kitchen		1	400	400	
General Pantry Storage		1	100	100	
Fire Pump Room		1	50	50	
Electrical Room		1	100	100	Emergency generator
Mechanical Room		1	500	500	
Phone Equipment Closet		1	50	50	
Janitor Closet		1	50	50	
Stairways					
Elevator					
COMMON SPACE SUB TOTAL				2,900	
Efficiency Factor (circulation, structural, etc.)	10%		290		
COMMON SPACE TOTAL				3,190	

<b>BUILDING SUMMARY</b>	
Public Safety Total	18,394
Town Hall Total	4,388
Community Center Total	13,881
Senior Center Total	460
Library Total	4,883
Common Space Total	3,190
<b>BUILDING TOTAL</b>	<b>45,195</b>



WTA ARCHITECTS

100 S. JEFFERSON AVENUE-SUITE 601, SAGINAW, MI 48607

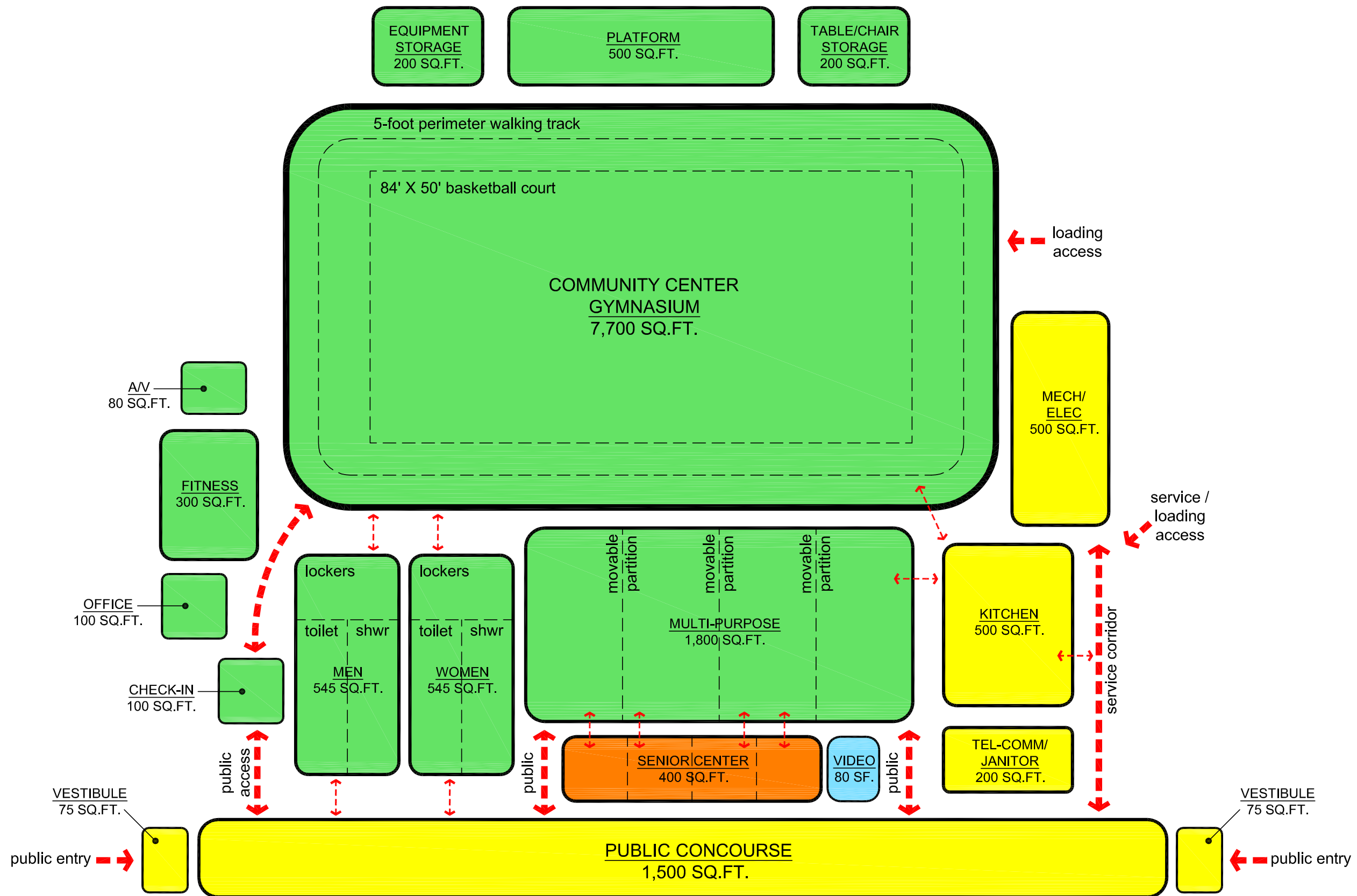


BUILDING AREA SUMMARY:	
PUBLIC SAFETY (POLICE & FIRE):	18,400 S.F.
TOWN HALL OFFICES:	4,400 S.F.
SENIOR CENTER OFFICES:	450 S.F.
COMMUNITY CENTER:	13,875 S.F.
LIBRARY:	4,875 S.F.
COMMON SPACES:	3,200 S.F.
BUILDING TOTAL:	45,200 S.F.

MAY 31, 2023

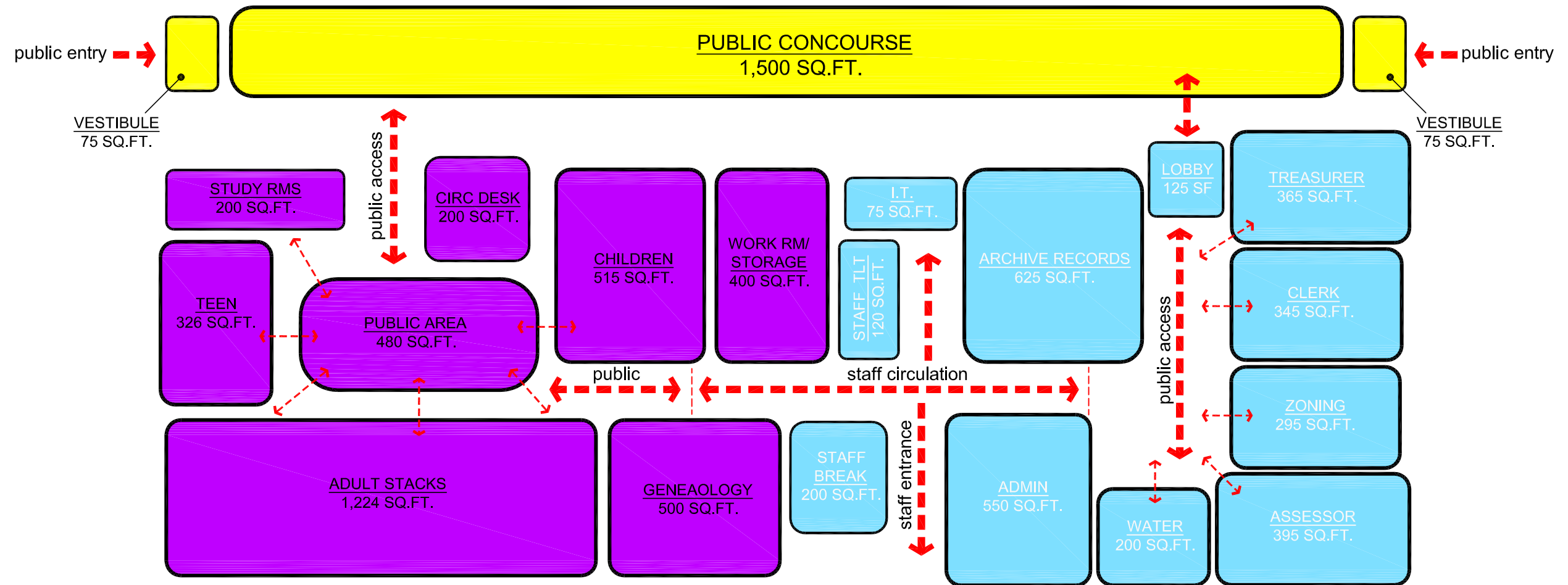
2022042  
 CHARTER TOWNSHIP OF OSCODA  
 MUNICIPAL SERVICES CENTER





MAY 31, 2023



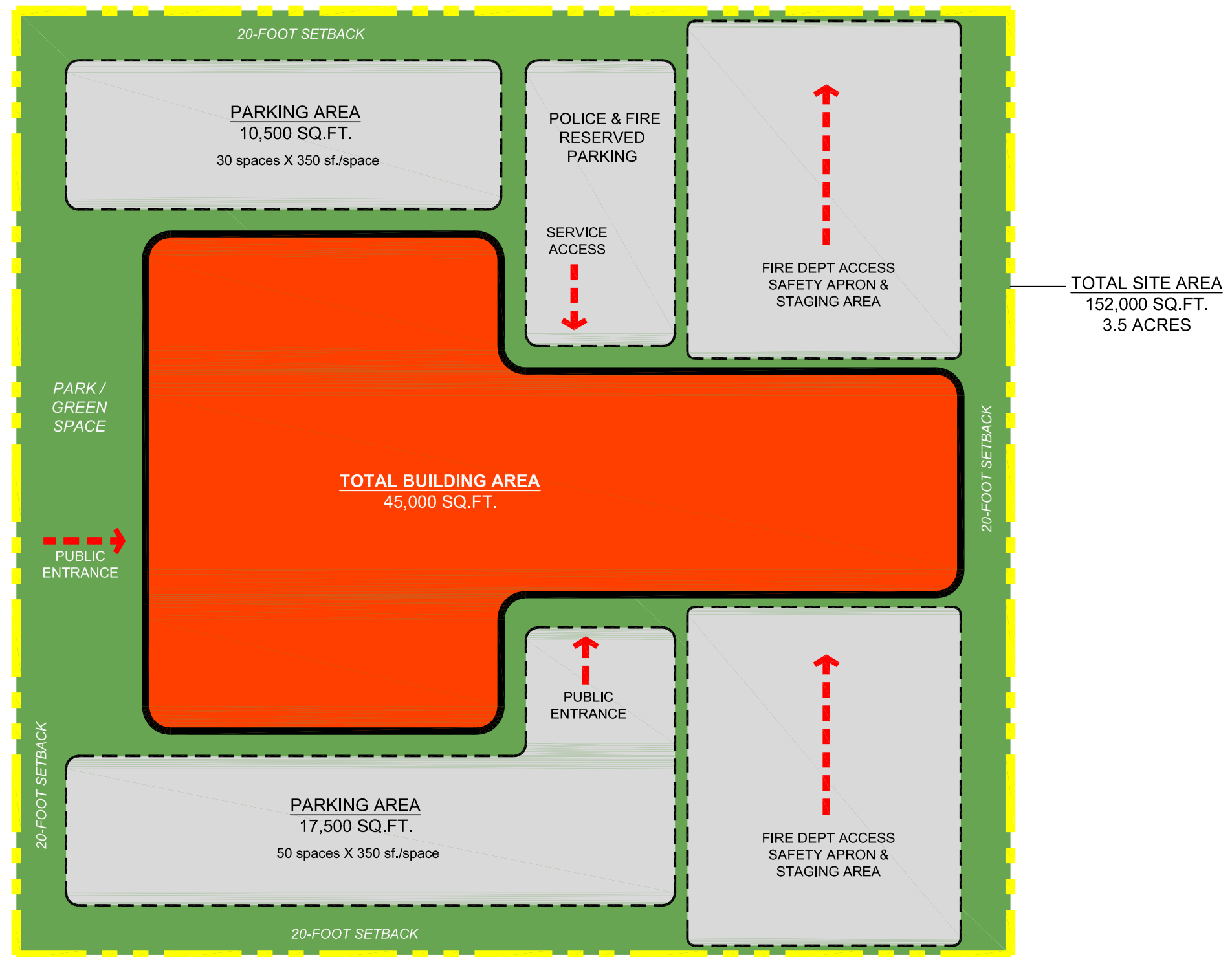


MAY 31, 2023

WTA ARCHITECTS

2022042  
CHARTER TOWNSHIP OF OSCODA  
MUNICIPAL SERVICES CENTER





MAY 31, 2023

2022042  
CHARTER TOWNSHIP OF OSCODA  
MUNICIPAL SERVICES CENTER

The below reports contain information pertaining to the cost of gas and electricity for the proposed building. Based on received information and previous knowledge the electricity rate was averaged to approximately \$0.15 per KWH. It is understood that there is most likely some sort of stepped rate for electricity, this is just an estimated value as the actual per KWH rates were not provided. After some research, the natural gas rate was found to be roughly \$1.12 per Therm in Losco County. This was the value used for the natural gas rate. Note, both the electricity and natural gas prices are based off of the flat rates listed above and have no minimum charge accounted for. The occupancy schedules are all based on an office type schedule and may not be completely accurate for this particular situation. This was an estimation based on given information.



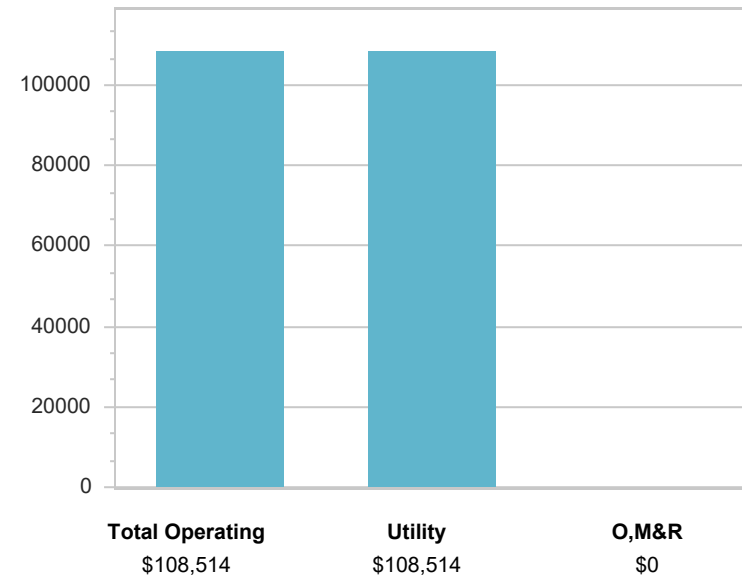
## Economic Summary

### Economic Summary and Calculation Parameters

#### Life Cycle and Costing Parameters

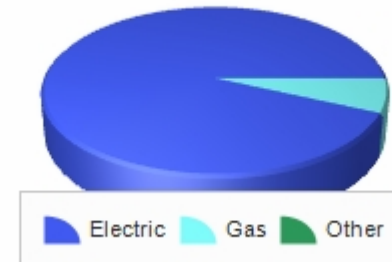
Length of Study	30 years
Inflation Approach	ConstantDollar
Discounting Convention	BeginningOfYear
Real Discount Rate	3.00%
Nominal Discount Rate	-- N/A --
Inflation Rate	-- N/A --
Tax Rate	5.00%
Depreciation Method	None
Base Date	July 2019
Service Date	July 2019
Building Area	35,938 (ft²)
Net Conditioned Building Area	35,938 (ft²)
Initial Capital Investment Cost	\$0

#### Average Costs

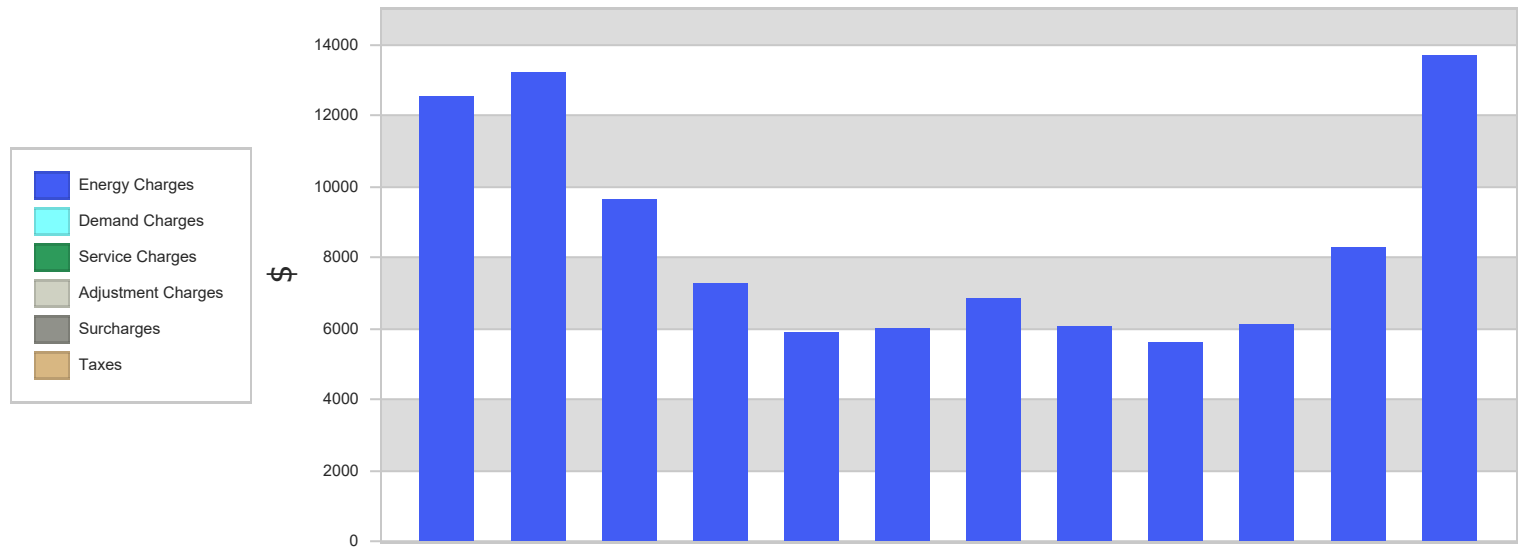


#### Energy Cost Summary

Name	Electricity	Gas	Other	Total
Energy Cost (Net)	\$101,328	\$7,185	\$0	\$108,514
Renewables Offset	\$0	\$0	\$0	\$0
Energy Cost (Total)	\$101,328	\$7,185	\$0	\$108,514
Cost per Building Area	\$2.82	\$0.20	\$0.00	\$3.02
Cost per Net Cond. Bldg Area	\$2.82	\$0.20	\$0.00	\$3.02

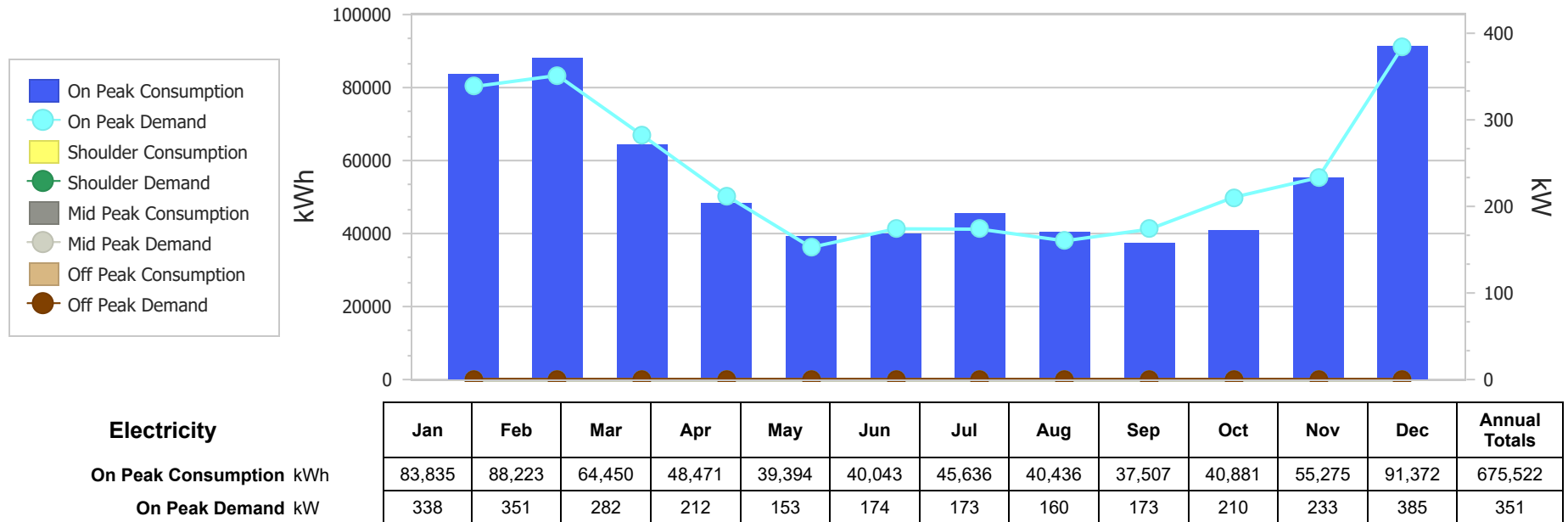


## Monthly Utilities Cost Summary

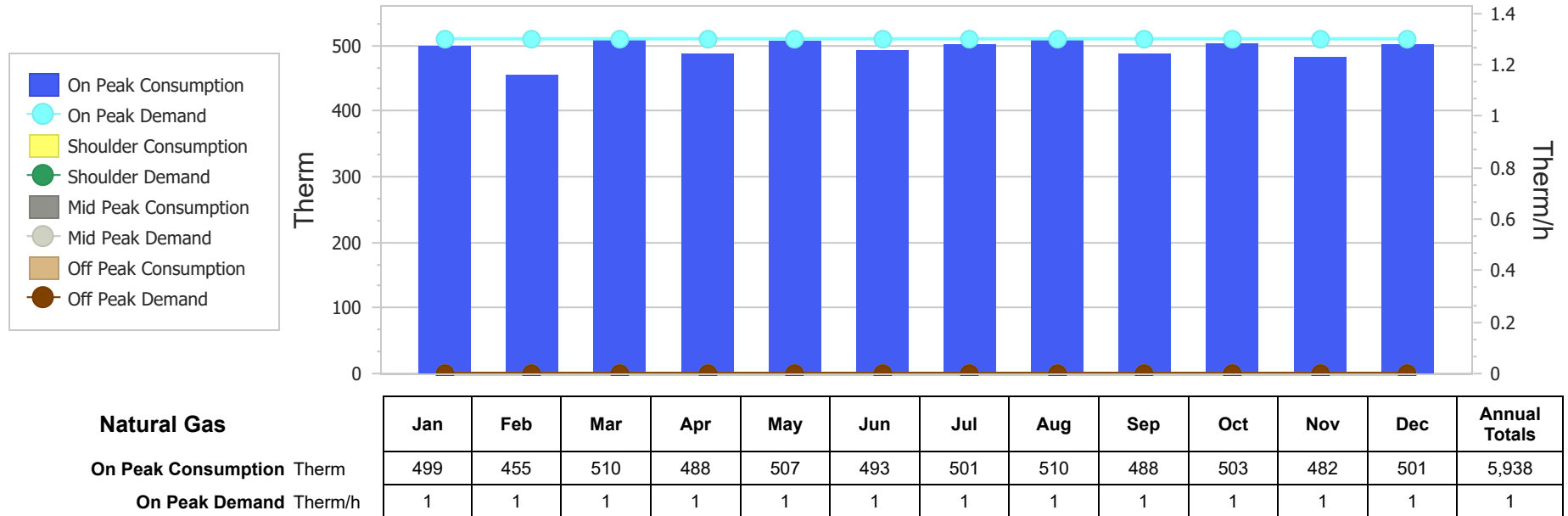


Tariff Catagory	Fuel Type	Jan (\$)	Feb (\$)	Mar (\$)	Apr (\$)	May (\$)	Jun (\$)	Jul (\$)	Aug (\$)	Sep (\$)	Oct (\$)	Nov (\$)	Dec (\$)	Annual Total (\$)	% of Total
Consumption Charges	Electricity	12,575	13,234	9,667	7,271	5,909	6,007	6,845	6,065	5,626	6,132	8,291	13,706	101,328	93.38%
ServiceCharges	All	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%
Basis	All	12,575	13,234	9,667	7,271	5,909	6,007	6,845	6,065	5,626	6,132	8,291	13,706	101,328	93.38%
Adjustment	All	604	551	617	590	613	597	607	617	590	608	583	607	7,185	6.62%
Surcharge	All	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%
Subtotal	All	13,179	13,784	10,285	7,861	6,522	6,603	7,452	6,683	6,216	6,741	8,874	14,312	108,514	100.00%
Taxes	All	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%
	Total	13,179	13,784	10,285	7,861	6,522	6,603	7,452	6,683	6,216	6,741	8,874	14,312	108,514	

## Monthly Utility Details



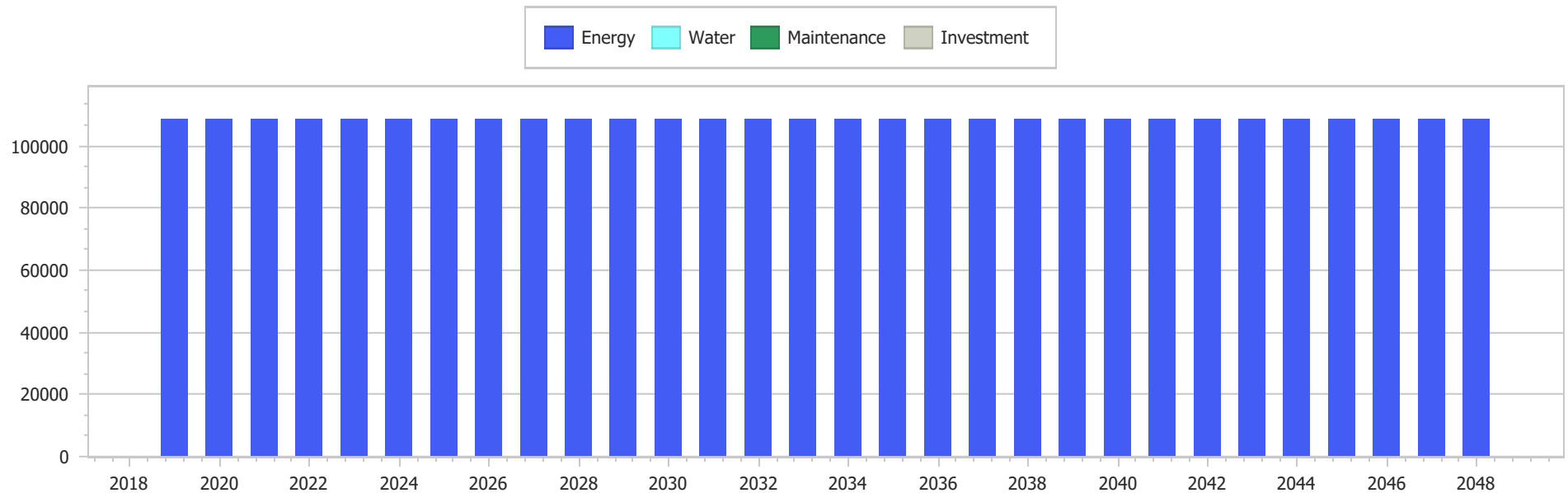
## Monthly Utility Details



## Tariff Details

Tariff Name	Selected	Qualified	Meter Name	Buy or Sell	Group	Total Annual Cost
OSCODA GAS AND POWER_NGAS	Yes	Yes	BUILDING NATURAL GAS	Buy	(none)	\$7,185
OSCODA GAS AND POWER_ELEC	Yes	Yes	BUILDING ELECTRICITY	Buy	(none)	\$101,328

## Life Cycle Operating Cash Flow (without escalation)



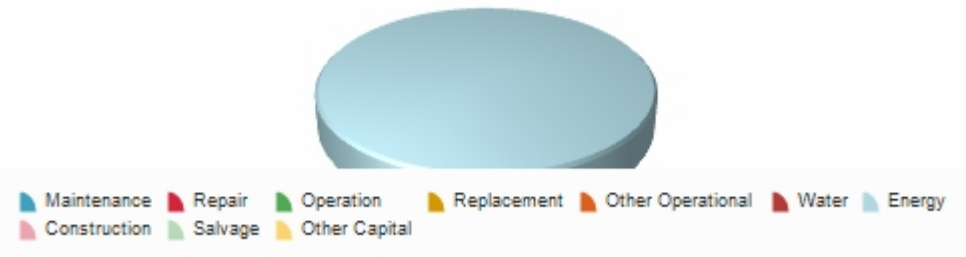
Year	Energy	Water	Maintenance	Investment	Total
2019	108,514	0	0	0	108,514
2020	108,514	0	0	0	108,514
2021	108,514	0	0	0	108,514
2022	108,514	0	0	0	108,514
2023	108,514	0	0	0	108,514
2024	108,514	0	0	0	108,514
2025	108,514	0	0	0	108,514

Year	Energy	Water	Maintenance	Investment	Total
2026	108,514	0	0	0	108,514
2027	108,514	0	0	0	108,514
2028	108,514	0	0	0	108,514
2029	108,514	0	0	0	108,514
2030	108,514	0	0	0	108,514
2031	108,514	0	0	0	108,514
2032	108,514	0	0	0	108,514
2033	108,514	0	0	0	108,514
2034	108,514	0	0	0	108,514
2035	108,514	0	0	0	108,514
2036	108,514	0	0	0	108,514
2037	108,514	0	0	0	108,514
2038	108,514	0	0	0	108,514
2039	108,514	0	0	0	108,514
2040	108,514	0	0	0	108,514
2041	108,514	0	0	0	108,514
2042	108,514	0	0	0	108,514
2043	108,514	0	0	0	108,514
2044	108,514	0	0	0	108,514
2045	108,514	0	0	0	108,514
2046	108,514	0	0	0	108,514
2047	108,514	0	0	0	108,514
2048	108,514	0	0	0	108,514

## Present Value Analysis (Without Escalation)

### Present Value By Year

Year	Total Cost	Present Value
2019	108,513.50	108,513.50
2020	108,513.50	105,352.90
2021	108,513.50	102,284.40
2022	108,513.50	99,305.25
2023	108,513.50	96,412.86
2024	108,513.50	93,604.72
2025	108,513.50	90,878.37
2026	108,513.50	88,231.43
2027	108,513.50	85,661.58
2028	108,513.50	83,166.58
2029	108,513.50	80,744.25
2030	108,513.50	78,392.48
2031	108,513.50	76,109.20
2032	108,513.50	73,892.43
2033	108,513.50	71,740.22
2034	108,513.50	69,650.70
2035	108,513.50	67,622.04
2036	108,513.50	65,652.47
2037	108,513.50	63,740.26
2038	108,513.50	61,883.75
2039	108,513.50	60,081.31
2040	108,513.50	58,331.37
2041	108,513.50	56,632.40
2042	108,513.50	54,982.91
2043	108,513.50	53,381.46
2044	108,513.50	51,826.66
2045	108,513.50	50,317.15
2046	108,513.50	48,851.60
2047	108,513.50	47,428.74
2048	108,513.50	46,047.32
<b>Total Life Cycle Cost</b>		<b>2,190,720.31</b>



Category	Present Value	
Maintenance	\$0.00	0%
Repair	\$0.00	0%
Operation	\$0.00	0%
Replacement	\$0.00	0%
Other Operational	\$0.00	0%
Water	\$0.00	0%
Energy	\$2,190,721.00	100%
<b>Total Operation</b>	<b>\$2,190,721.00</b>	
Construction	\$0.00	0%
Salvage	\$0.00	0%
Other Capital	\$0.00	0%
<b>Total Capital</b>	<b>\$0.00</b>	
<b>Total Energy</b>	<b>\$2,190,721.00</b>	
<b>Grand Total</b>	<b>\$2,190,721.00</b>	



**PRELIMINARY BUDGET RECOMMENDATION**

<b>Construction Budget:</b>				
Building Construction Trades	45,000 sf.	x	\$220.00 /sf.	\$9,900,000
Site Development & Utilities	45,000 sf.	x	\$40.00 /sf.	\$1,800,000
<i>Trades Subtotal</i>				\$11,700,000
Contractor Fees (Gen Cond: 10%, Ovhd: 5%, Profit: 10%)			25%	\$2,925,000
<i>Construction Subtotal</i>				\$14,625,000
Project Construction Contingency			5%	\$731,250
<b>Construction Total</b>				<b>\$15,356,250</b>
<b>Project Soft Costs:</b>				
Professional Fees (incl. Architectural, Civil Eng, Struct-Mech-Elect Eng, Interior Design, Kitchen & Acoustical design, Geotechnical & Surveys)			9%	\$1,382,063
Furnishings/Fixtures/Equipment				\$150,000
Security/Data/Communications				\$75,000
<b>Soft Cost Total</b>				<b>\$1,607,063</b>

**TOTAL RECOMMENDED BUDGET** **\$16,963,313**

*The above information is opinion only, and is intended to assist the Owner with project planning. Unit costs indicated are based on estimated 2023 construction costs with an escalation factor that assumes 2025 construction start.*



**WTA ARCHITECTS**

100 S. JEFFERSON AVENUE-SUITE 601, SAGINAW, MI 48607