



Wexford Joint Planning Commission

% Cherry Grove Township
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Cadillac, Michigan 49601

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June 13, 2018

STAFF REPORT

1. Application

Applicant's Agent:	Harry Luzius, Professional Engineer
Owner:	Jerry Perry
Owner Address:	7864 S. 1 ½ Rd Harrietta, MI 49638
Site Address, Contact Information, And Proposed Location	S. M-37 Hwy and M-55 (South of M-55) Parcel ID# 2112-18-1202 – South Branch Township
Zoned:	Split Zoned C-1 and R-R, Approximately 7 acres Commercial, 18 Acres Rural Residential
Site Plan:	Attached (Exhibit A)

2. Development Proposal

- 2.1 Property Description – The property is located in Section 18, South Branch Township, at the SW Corner of M-37 and M-55. The property is approximately 25 acres, or 1,099,996 square feet. Assessment Role Description reads: COM AT N 1/4 COR; E 330.24 FT; S 71.55 FT TO S'LY R/W M-55 TO POB: E 567.23 FT; S54D43'50"E 185.6 FT ALG CVA TO W'LY R/W OF M-37; S21D39'30"E 594.93 FT; S 450.76 FT; W 991.16 FT; N 1243.39 FT TO POB. --25.16 A M/L- SB SEC 18 T21N R12W -CAPS- [[ASSESSED W/ 18-1201 '99.
- 2.2 Action Report – The Applicant is coming before the PC with a Site plan for the proposed Campground on twenty-five (25) acres south of M-55, covering only the northern part of the parcel.
- 2.3 NARRATIVE: Mr. Perry, through his agent, Mr. Harry Luzius, instituted a permit for a Campground in Spring of 2017. The subsequent year proceeded to develop and permit the North side of M-55, with PC meetings in October and November to conclude that

situation. Mr. Luzius approached the Planning and Zoning Staff the Spring of 2018 to go forward on the Campground. In the last few weeks, Mr. Luzius has provided our office with one of the most complete packages of information in the most user-friendly format that our office has ever seen. This binder includes ALL relevant permits for Water, Septic field, MDOT Driveway permit, etc., much more than which even our WJZO asks. This would be a veritable template for any future Campgrounds which we may review in the future.

3. Standards for Site Plan Review

3.1 According to WJZO Article 9411 – The following standards shall be used by the Planning Commission to review site plans.

1. Does the site plan show “all applicable regulations of this Ordinance” both “generally to all districts,” and apply to this “specific zoning district” (C and/or R-R)? (Refers to page 141 WJZO 9411.A)
 - **The Site Plan shows all the applicable regulations of the ordinance, specifically the section entitled “Campground,” Section 1604.**
2. Have “all utility easements” been “distributed on site in a manner which is least harmful to surrounding properties?” And, are all “electric, telephone, and coaxial cable and other lines” to be located (if not already located) underground? (Refers to page 141 WJZO 9411.B)
 - **All utilities and telephone cables are placed underground.**
3. Are all “water lines, sewer lines,” and “all provisions of surface water drainage” approved by respective agencies?
 - **All water lines and septic lines, plus all surface water drainage permits have been applied for and are shown on the site plan.**

3.2 Findings of Fact and Conclusions of Law

1. As per WJZO 9412, “within sixty (60) days of the site plan being found complete, the Commission shall act to approve, approve with modifications, or disapprove the site plan in writing with reasons.”
2. Reasons for Approval have been met in their entirety by the current Site Plan and Narrative from the Applicant. WJZO 9412.C states that there should be “reasons for approval” of the Site Plan. Therefore, approval should be given by the Planning Commission.
3. According to WJZO 9417, “minor nonsubstantive changes may be made to an existing approved site plan if such change is sought prior to the issuance of an occupancy permit for work authorized by the Special Use Permit.”

Recommendation #1 – Approval of the Site Plan

- **“The Planning and Zoning Administrators recommend the Planning Commission approve the Site Plan as it is currently expressed. We find the Site Plan complete and transparent concerning the existing structures and proposed future structures.”**
- **The only problem with the current site plan is the fact that two billboards are listed as to be “relocated,” but there is not a place on the plan to relocate those billboards.**
- **There is also noted that the current distance from the western man-made pond to the septic drain field edge is eighty-two (82’) feet. This is eighteen (18’) shy of what the ordinance dictates according to WJZO 1011 – Water Protection. We note this because of the relatively ease with adjusting the quite large drain field to the north of this point, which will more than meet the Campground needs.**

4. Standards for Special Use Permit with Staff Comments and Recommendations

- 4.1 According to WJZO Article 8609 – The following standards shall be used by the Planning Commission to review Special Use Permits.
- **The following Staff Recommendations are according to the requirements of the Zoning Ordinance.**
1. Is the use reasonable and designed to protect the health, safety, and welfare of the community? (Refers to page 131, Section 8609.A.1)
 - **With everything shown on the site plan as it is, there is a reasonable understanding that the Campground is designed to protect the community.**
 2. Is the use consistent with the intent and purpose of the district? (Refers to page 131, Section 8609.A.2)
 - **A Campground does meet both the intent and purpose of a Rural Residential District and a Commercial District. The Staff used the more stringent District’s (Commercial) criteria to determine this consistency.**
 3. Is the use compatible with adjacent land uses? (Refers to page 131, Section 8609.A.3.)
 - **It is very compatible with the Canoe Rental across M-37, the Canoe Rental across M-55, and the gas station diagonally across M-55 and M-37.**
 4. Is the use designed to ensure that the public services and facilities are capable of accommodating increased loads caused by the land use or activity? (Refers to page 131, Section 8609.A.4.)
 - **The Campground is designed and capable of handling upwards of eighty-three (83) camp sites with all vehicles and a flowing gravel road (later to be paved) throughout the facility.**

5. Does the use comply with other general and specific standards in section 1601 of this ordinance, the respective district, and general provisions of this ordinance? (Refers to page 131, Section 8609.A.5.)
 - **The Staff has gone through the site plan and the narrative with a fine-tooth comb referencing the ordinance and found the lighting, landscape, and water/septic facilities to be all in accordance with the standards of section 1601 of the ordinance.**

4.2 **Findings of Fact and Conclusions of Law**

1. The above section of the Ordinance (WJZO 8600, et. Seq.) have been met in their entirety.
2. Special Use Permits, as per WJZO 8616 – Expiration of Special Use Permits, are issued for one year only. An SUP will expire according to the Ordinance “if the use is not used, moved or vacated for a period of one year.”
3. This Ordinance section (WJZO 8600) specifies that the secondary phase of the Site Plan must be started within one year of the approval of the Special Use Permit for the Site Plan of the Rural Residential District of the property.
4. No changes of the usages approved in the Special Use Permit area may be changed pursuant to WJZO 8614, unless the Applicant makes an Amendment to the Special Use Permit as per WJZO 8613.
5. Therefore, as determined by the WJPC Staff, the Special Use Permit should be granted to the Applicant.

Recommendation #2 – Approval of the Special Use

- **The Zoning Administrators recommend the Special Use Permit be approved by the Planning Commission as is suggested above in the findings and conclusions of law.**

Respectfully submitted,

Robert A. Hall, Planning and Zoning Administrator

cc: Perry V2 file