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**Wexford Twp., Wexford County**

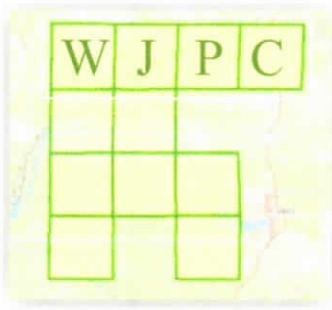
\* Please contact Wexford County Register of Deeds for official ownership information.

Assessment Roll Owner Name(s): STEWART, KEVIN

Assessment Roll Owner Address: 9651 N 3 RD  
COPEMISH MI 49625

Assessment Roll Parcel Address: 9651 N 3 RD  
COPEMISH MI 49625

**Special Land Use Request**



## Wexford Joint Planning Commission

c/o Cherry Grove Township

4830 E. M-55

Cadillac, Michigan 49601

[www.wexfordjpc.org](http://www.wexfordjpc.org)

Email: [planningandzoning@wexfordjpc.org](mailto:planningandzoning@wexfordjpc.org)

(231)775-1138x6

September 17, 2021

### STAFF REPORT/SITE PLAN REVIEW/SPECIAL LAND USE

#### 1. Application

Applicant:	<b>Stewart, Kevin</b> 9651 N. 3 Road Copemish, Michigan 49625
Owner(s):	SAME AS APPLICANT
Site Address, And Proposed Location	9651 N. 3 Road, Copemish, Michigan 49625 Parcel ID# 2412-18-1201 Wexford Township
Zoned:	2412-18-1201 Rural Residential
Site Plan:	Attached (see applicant provided packet)

#### 2. Development Proposal

- 2.1 Property Description – Parcel ID# 2412-18-1201, **Wexford Township**  
NW 1/4 OF NE 1/4 & S 1/2 OF NE 1/4 SUB TO ESMNT LIBER 266 PAGE 01 120 A. WEX. SEC. 18  
T24N R12W -MESICK-
- 2.2 Action Report – The Applicant(s) are requesting to operate a COTTAGE INDUSTRY FOR SHORT TERM RENTAL OF DWELLING(S) as a special use listed in Article 37, Section 3703.C of the Wexford Joint Zoning Ordinance. More specifically, 6 ‘cabins/ dwellings’ are being proposed (4 now | 2 future) for short term rental operations.

- 2.3 Cottage Industry – The Wexford Joint Zoning Ordinance defines a Cottage Industry as follows:

COTTAGE INDUSTRY means a use which includes **any activity** carried out for gain by a resident on the property on which the resident lives including manufacturing, services, sales of goods, and services made or provided on the premises. The use is intended to allow residents to conduct economic activities on their property at a scale greater than a home occupation but less than a full-scale commercial or industrial enterprise. (*emphasis added*)

2.4 Current Narrative:

1. The Planning and Zoning Administrator was contacted early on in the process inquiring about the steps needed to operate the requested special land use in Wexford Township. Advice regarding the process was given to the applicant.
2. The applicant presented at the April 7<sup>th</sup>, 2021 meeting of the Wexford Township Board per Article 86, Section 8604.B – meeting minutes attached.
3. A completed site plan was received approximately 30 days prior to the scheduled September 27<sup>th</sup>, 2021 meeting of the WJPC.

3. Standards for Site Plan Review with Staff Comments and Recommendations

- 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 that “all applicable regulations of this Ordinance” both “generally to all districts,” and to the “specific zoning district” (R-R) as being complied with?

**GENERAL REGULATIONS (Article 10)**

Staff has determined that the following denoted General Regulations are Generally applicable to the subject property: (*see commentary below*)

Section	Section	Section		
1001		1031		1061 X
1002		1040		1062
1003		1041		1070
1004		1042		1071
1010	X	1050	X	1072
1011		1051		1073
1012		1052		1074
1013	X	1053		1080 X
1020		1054	X	1081
1030		1060	X	1082

***Staff Commentary related to ‘applicable’ General Regulations***

1010: **Water Supply and Sewage Facilities-** Proposed locations for both the water supply well and the septic system are shown on the site plan – subject to final design standards to be approved by the District 10 Health Department.



1050: **Driveway Design**-The nearest driveway is approximately 280' north and on the opposite side of the road of the 'proposed' driveway. The 'proposed' driveway meets the minimum specifications for width, spacing, and sight distance requirements.

1054: **Vehicular Parking Space, Access and Lighting**-the zoning ordinance specifically refers to this use as a 'dwelling'- dwellings are required to have two (2) parking spaces for each unit. On-site parking lot lighting shall be in compliance with Article 10, Sections 1054 and 1061

1060: **Signs**-There is one proposed entry sign and a stop sign that shall comply with Article 10, Section 1060 of the Wexford Joint zoning ordinance.

1061: **Outside Lights**-The site plan does not indicate any existing or proposed outside lighting. Any installed lighting shall comply with Article 10, Section 1061

1080: **Dwellings**-With the exception of the minimum square footage requirement for a dwelling in this zoning district (Article 37, Section 3704.F.1) these standards are primarily 'structural building' requirements and are shown to be met or will be met by other departmental compliance.

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?

***Staff Comments and Recommendations: The electrical service is 'not' shown on the plan and will be required to be located underground in compliance with Article 94, Section 9411.B***

3. Are all "water lines, sewer lines," and "all provisions of surface water drainage" approved by respective agencies?

***Staff Comments and Recommendations: The 'proposed' well and septic system is subject to approval prior to the issuance of any Land Use (zoning) Permit that will authorize construction. The office manager for the building department is also the Wexford County Soil Erosion agent and will handle surface water drainage in lieu of any storm water management ordinance within our jurisdiction. The topography has a gentle rise from southwest to northeast.***

#### 4. Special Use Specific Standards

##### **1610. Cottage Industry for Cottage Industry: (*see applicants' submission*)**

- A. The use and associated activity is located on the same property as the business operator's dwelling.
- B. The manufacturing or assembly activity shall be accessory to the residential use of the property.
- C. The activities and carrying on of the enterprise shall be operated in such a manner that, under normal circumstances, will not create a nuisance.
- D. Buildings erected for the business shall be designed to be in keeping with the rural character of the surrounding area
- E. One sign for the enterprise shall be allowed. The sign shall not exceed twelve (12) square feet in size and the sign shall not be lighted.

F. The cottage industry shall not involve the

1. generation of any hazardous waste as defined in Article II Chapter 3 Part 111 of P.A. 451 of 1994, as amended, (being the Hazardous Waste Management part of the Natural Resources and Environmental Protection Act, M.C.L. 324.11101 et. seq.), or [Annotation: M.C.L. 324.11101 et. seq. is formerly P.A. 64 of 1979 (being M.C.L. 299.501 to 299.551, the Hazardous Waste Management Act).]

2. use of materials which are used in such quantity, or are otherwise required, to be registered pursuant to the Code of Federal Regulations, Title 29, Chapter XVII, part 1910(2), except this provision shall not apply to material purchased retail over the counter for household cleaning, lawn care, operation of a photocopy machine, paint, printing, art and craft supplies or heating fuel.

G. The volume of business is such that there shall not be more than two automobile(s) parked in the vicinity at a time for customers at the Cottage Industry.

H. The enterprise shall employ no more than two full time equivalent employees per year in addition to those who live in the dwelling.

I. Equipment, materials and waste stored outside shall be screened from view with vegetation, berm or fence, so it cannot be seen from adjacent property or public rights-of-way.

~~J. Major Home-based enterprise is listed as a possible special use in the respective district.~~

*It is the opinion of staff that this standard is a typographical error as the Wexford Joint Zoning Ordinance does NOT list a Major Home-based enterprise anywhere within the text.*

#### 5. 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.

1. Is the use reasonable and designed to protect the health, safety, and welfare of the community?

***Staff Comment and Recommendations:*** *The proposed site plan incorporates the natural wooded and vegetative state of the area to almost totally hide the proposed development as a Cottage Industry. If all other regulatory entities offer approval, then the use should not present any health, safety, or welfare issues.*

2. Is the use consistent with the intent and purpose of the district?

***Staff Comment and Recommendations:*** *The use is listed as a ‘special’ use in the subject zoning district. Any ‘concerns’ should be mitigated through the review and approval process by the Wexford Joint Planning Commission.*



3. Is the use compatible with adjacent land uses?

**Staff Comment and Recommendations:** *In Michigan, Zoning must be based on a plan (part of the Master Plan). The uses (both Permitted and Special) that are listed in the Rural Residential District (Article 37 of the Wexford Joint Zoning Ordinance) in which this property is located are contemplated as being compatible when and if certain provisions are complied with. The site plan, statements of the applicant, and special use process for the requested use are to be reviewed for compatibility.*

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?

**Staff Comments and Recommendations:** *The increased impact will be mitigated and sustained totally on the site.*

*The applicant has adequately demonstrated their intent to comply with applicable provisions of Article 10, General Regulations.*

**Recommendation #1 – Approval of Site Plan**

*“Staff believes that the applicant narrative and site plan have demonstrated compliance with the purpose and intent of the zoning ordinance and it is recommended that the Site Plan of Applicant be approved.”*

**Recommendation #2 – Approval of Special Use**

*“The Zoning Administrator recommends the Special Use Permit be approved by the Planning Commission as is suggested above.”*

Respectfully submitted for Planning Commission consideration,



Planning and Zoning Director

**Wexford Joint Planning Commission**  
c/o Cherry Grove Township  
4830 E. M-55, Cadillac, MI 49601-9332  
Ph: 231-775-1138x6 Fax: 231-775-0037 Attn: WJPC  
[planningandzoning@wexfordjpc.org](mailto:planningandzoning@wexfordjpc.org)

## SPECIAL LAND USE PERMIT APPLICATION

1. APPLICANT: Name: STEWART Kevin R.  
(Last) (First) (MI)  
Address: 9651 N. 3 Road Copemish MI 49625  
(No. & Street) (City) (State) (Zip)  
Phone Nos: (248) 390-4229 (231) 252-0849 (810) 252-5925  
(Work) (Home) (Cell) (Fax)

2. APPLICANT'S INTEREST IN PROPERTY: Owner

3. OWNER: Name: See Above  
(Last) (First) (MI)  
Address: \_\_\_\_\_  
(No. & Street) (City) (State) (Zip)  
Phone Nos: 231-252-0849  
(Work) (Home) (Cell) (Fax)

4. REQUESTING SPECIAL LAND USE PERMIT FOR (Specify Use): Development of short-term cabin rentals on Owner's property

5. LEGAL DESCRIPTION OF PROPERTY: \_\_\_\_\_  
NW 1/4 of NE 1/4 and S 1/2 of NE 1/4, Section 18, T24N-R12W

6. ADDRESS OF PROPERTY: 9651 N. 3 Rd., Copemish

7. PRESENT USE OF PROPERTY: Forest land with Owner's home

8. ATTACH REQUIRED SITE PLAN DRAWING and all documentation required to demonstrate compliance with Article 94 (Site Plan), Article 86 (Special Uses), and all other applicable articles and provisions of the Wexford Joint Zoning Ordinance.

9. NAMES & ADDRESSES OF ALL OTHER PERSONS, FIRMS, OR CORPORATIONS HAVING A LEGAL INTEREST IN THE PROPERTY: \_\_\_\_\_

10. APPLICANT'S SIGNATURE:

X [Signature] Date: 7/15/2021

11. OWNER'S SIGNATURE:

X [Signature] Date: 7/15/2021

### -OFFICIAL USE ONLY-

CASE NO: \_\_\_\_\_  
FILING DATE: \_\_\_\_\_  
REC'D BY: \_\_\_\_\_ RECEIPT NO: \_\_\_\_\_  
PC ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_  
BOARD ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_

## **Special Use Permit Application**

### General Information required by Article 86

**Applicant:**

Kianna Meek and Kevin Stewart  
9651 North 3 Rd.  
Copemish, MI 49625

**Affidavit:**

See Attachment A

**Property Address:**

9651 North 3 Rd.  
Copemish, MI 49625

**Legal Description:**

See Site Plan

**Statement of Findings:**

This is to certify that the proposed K&K Hideaway Cabin Rentals Is 1.) a reasonable land use and is designed to protect the health, safety, and welfare of the community, 2.) Is consistent with the intent and purpose of the district, 3.) is compatible with adjacent land uses, 4.) Is designed to ensure that public services and facilities are capable of accommodating increased loads caused by the land use or activity, and 5.) the proposed land use does comply with other general and specific standards in section 1601 of this Ordinance, the respective district, and general provisions of this ordinance.

**Project Narrative:**

K&K Hideaway Cabin Rentals will provide short-term weekend or get-away cabin rentals in the SE corner of the 120-acre Meeks-Stewart property located on North 3 Rd. The area to be developed is approximately 20 acres with the remaining land to remain in its natural state and contains the Meeks-Stewart residence. The proposed development will contain 4-6 single bedroom cabins built in compliance with the 2015 Michigan Residential Code and will be located on perimeter of an existing open area in forest. A community water supply and on-site sanitary system will be installed according to permit issued by the district health department. Underground electric shall serve each cabin along with connection to a propane supply. No other utilities are proposed. The existing trail road used to access open area will be improved to allow for year-round access

The open area will be used for guest activities such as field sports and include one or more fire pits for gatherings. The remaining property may be used by guests for hiking or other non-motorized activities.

The subject property and surrounding area are zoned Rural Residential. The proposed land use is listed as a Special Use under Article 43, Section 4303(D).



Access to the development site is from North 3 Road, a Wexford County public gravel road. The existing trail road leading to the open area will be improved, and addition gravel road shall be installed and maintained by owner as detailed on the Site Plan.

**Impact on Community Services:**

The small scale and density of the proposed development will not significantly impact Wexford County community services.

**Environmental Impact Statement:**

The small scale and density of the proposed development, together with the proposed use and site design, will not significantly impact the land, water, or air quality on or near the project.

**Site Plan:**

See attached



# Wexford Joint Planning Commission

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**Wexford Twp., Wexford County**

\* Please contact Wexford County Register of Deeds for official ownership information.

**Assessment Roll Owner Name(s):** STEWART, KEVIN  
**Assessment Roll Owner Address:** 9651 N 3 RD  
COPEMISH MI 49625  
**Assessment Roll Parcel Address:** 9651 N 3 RD  
COPEMISH MI 49625

## SPECIAL USE SPECIFIC STANDARDS NARRATIVE BY APPLICANT:

### 1610. Cottage Industry

For Cottage Industry:

A. The use and associated activity is located on the same property as the business operator's dwelling.

Applicant: Yes...the business will be located on same property we live on so we can take care of our guests needs personally.

B. The manufacturing or assembly activity shall be accessory to the residential use of the property.

Applicant: There will be no manufacturing or assembly activity per se...it will be guest cabins for short term rental use.

C. The activities and carrying on of the enterprise shall be operated in such a manner that, under normal circumstances, will not create a nuisance.

Applicant: Yes...it is to be a quiet peaceful relaxing place for vacation guests to stay.

D. Buildings erected for the business shall be designed to be in keeping with the rural character of the surrounding area

Applicant: Yes...our cabins will be built to fit our wooded surroundings yet modern and stylish.

E. One sign for the enterprise shall be allowed. The sign shall not exceed twelve (12) square feet in size and the sign shall not be lighted.

Applicant: Agree

F. The cottage industry shall not involve the

1. generation of any hazardous waste as defined in Article II Chapter 3 Part 111 of P.A. 451 of 1994, as amended, (being the Hazardous Waste Management part of the Natural Resources and Environmental Protection Act, M.C.L. 324.11101 et. seq.), or

[Annotation: M.C.L. 324.11101 et. seq. is formerly P.A. 64 of 1979 (being M.C.L. 299.501 to 299.551, the Hazardous Waste Management Act).]

Applicant: OK

2. use of materials which are used in such quantity, or are otherwise required, to be registered pursuant to the Code of Federal Regulations, Title 29, Chapter XVII, part 1910(2), except this provision shall not apply to material purchased retail over the counter for household cleaning, lawn care, operation of a photocopy machine, paint, printing, art and craft supplies or heating fuel.  
Applicant: OK

G. The volume of business is such that there shall not be more than two automobile(s) parked in the vicinity at a time for customers at the Cottage Industry.  
Applicant: The ultimate goal will hopefully be to have up to 6 cabins total so I would anticipate 1 – 2 vehicles per cabin for guests

H. The enterprise shall employ no more than two full time equivalent employees per year in addition to those who live in the dwelling.  
Applicant: Agreed

I. Equipment, materials and waste stored outside shall be screened from view with vegetation, berm or fence, so it cannot be seen from adjacent property or public rights-of-way.  
Applicant: Agreed

J. Major Home-based enterprise is listed as a possible special use in the respective district.  
Applicant: OK



# AFFIDAVIT

The State of Michigan

)

) S.S.

County of Wexford

)

I, Kevin Stewart, of Copemish, in Wexford, Michigan, MAKE OATH AND SAY THAT:

1. I am the owner of property known as 9651 North 3 Rd., Copemish Mi 49625, also known by Tax ID 2412-18-1201.

STATE OF MICHIGAN

COUNTY OF WEXFORD

SUBSCRIBED AND SWORN TO BEFORE ME,  
on the 16th day of July, 2021

29th

Signature

(Seal)

NOTARY PUBLIC

My Commission expires:

NANCY COALTER

NOTARY PUBLIC, STATE OF MICHIGAN  
MANISTEE COUNTY

My Commission Exp. Feb. 04, 2023

Acting in the County of MAUI

(Signature)

Kevin Stewart