



Agenda

Lake Odessa Planning Commission

Regular Meeting for September 25, 2023 at 6:30 PM

Page Memorial Building, 839 Fourth Avenue, Lake Odessa MI 48849

1. Call to Order
2. Pledge of Allegiance
3. Attendance Roll Call
4. Approval of Written Agenda
5. Limited Public Comment
6. Approval of Minutes from the August 23, 2023 Planning Commission Meeting
7. Public Hearings
8. Action Items
 - a. Consideration of Approval of RFP for Master Plan Update
 - b. Consideration of Approval of Special Use Permit (911 Second St)
 - c. Consideration of Approval of Special Use Permit (1001 W Tupper Lake Street)
9. Discussion Items
10. Other Business
11. Member Comments
12. Adjournment

Individuals wishing to speak during public comment are limited to five (5) minutes. The Village of Lake Odessa complies with the Open Meetings Act. If you require special accommodations to attend or participate because of a disability, please contact Village Manager Ben Geiger at (616) 374-7110 or by email at bgeiger@lakeodessa.org.

**VILLAGE OF LAKE ODESSA
PLANNING COMMISSION**

MINUTES

SPECIAL MEETING

WEDNESDAY, AUGUST 23, 2023 - 7:00 p.m.

Page Memorial Building
Lake Odessa, Michigan

Present: Karen Banks, Al Hamp, Ben Geiger, Ben DeJong, Meg Wheeler, Martha Yoder
Absent: Beth Barrone
Staff: Zoning Administrator Jeanne Vandersloot, Village Clerk/Treasurer Kathy Forman

1. **CALL TO ORDER:** Meeting called to order by Chair Wheeler at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:**
3. **ATTENDANCE ROLL CALL:**
4. **AGENDA:** Motion by DeJong, with support by Yoder, to approve agenda as presented. All ayes; motion carried 6-0.
5. **PUBLIC COMMENT:** None.
6. **MINUTES:** Motion by Geiger, with support by DeJong, to approve minutes of 7/24/23 regular meeting. All ayes; motion carried 6-0.
7. **PUBLIC HEARINGS:**
 - a. Motion by Banks, with support by DeJong to open the Public Hearing for Stuart Ventures, LLC. All ayes; motion carried 6-0.
Reviewed public letter received. Public comment in support of the project – None. Public comment opposed to the project – None.
Motion by Banks, with support by Yoder to close the Public Hearing. All ayes; motion carried 6-0.
 - b. Motion by Geiger, with support by Yoder to open the Public Hearing for the proposed ordinance change to allow Tattoo Parlors in the Central Business District. All ayes; motion carried 6-0.
Public comment in support of the change – Sabrina Strong, 1517 Emerson Street, spoke of her vision for her proposed business. Public comment opposed to the change – None.
Motion by DeJong, with support by Geiger to close the Public Hearing. All ayes, motion carried 6-0.

8. ACTION ITEMS:

a. Stuart Ventures Site Plan:

Vandersloot reviewed her checklist with the Planning Commission. Discussion took place about each item. No performance bond is needed for this phase of the project, will look at it for Phase 2 if necessary. Written Findings of Fact were read by Banks (attached).

Motion by DeJong, with support by Yoder to approve the Written Findings of Fact and Decisions. All ayes; motion carried 6-0.

b. Tattoo Parlor Ordinance:

Motion by Banks, with support by Geiger, to forward the draft Tattoo Ordinance to the Village Council with a recommendation for approval. All ayes; motion carried 6-0.

9. DISCUSSION ITEMS: None.

10. OTHER BUSINESS:

Vandersloot has a Business Use Application to bring to the 9/25/23 meeting.

11. MEMBER COMMENTS:

Chair Wheeler thanked everyone for their hard work on these two items.

12. ADJOURNMENT: Motion by Geiger, support by DeJong, to adjourn. All ayes; motion carried 6-0. Meeting adjourned at 7:54 p.m.

Respectfully submitted,

Kathy Forman
Clerk/Treasurer

**PLANNING COMMISSION
VILLAGE OF LAKE ODESSA**

In the Matter of:

**Application of Stuart Ventures, LLC, for
Special Use Permit and Site Plan Approval
for a Planned Development at 874 Third
Avenue, Lake Odessa, Michigan**

FINDINGS OF FACT AND DECISION

FINDINGS OF FACT

Following a required public hearing held on Wednesday, August 23, 2023, the Lake Odessa Planning Commission has considered an application from Stuart Ventures, LLC, for a special use permit and approval of a site plan for a planned development at 874 Third Avenue, Lake Odessa, Michigan, and makes the following findings of fact:

1. The proposed planned development is consistent with the Master Plan.
2. The site is zoned MF, Multi-Family.
3. The proposed site plan meets the requirements for site plan review enumerated in Section 36-66(c).
4. The site plan document contains information required by Section 36-66(i), with the exception that a Master Deed is in the process of being prepared.
5. The proposed special use meets the standards for consideration of special uses enumerated in Section 36-67(1).
6. The proposed special use meets the intent and purpose of planned developments as stated in Section 36-94, and the requirements of subsections (c)-(e) have been met.
7. The proposed special use meets the requirements of Section 36-35(d), zoning district regulations for the MF, multiple-family residential district, with the exception of subsections (6)a and (6)c, which are superseded by Section 36-94 allowing for a minimum of 3 acres for planned developments and a 20-foot setback.
8. To the extent that any subsections of the above-referenced sections are not met, they are addressed within the conditions enumerated in the decision below.

The Planning Commission Checklist prepared by the Zoning Administrator will be incorporated and attached hereto as Exhibit A.

DECISION

Based upon the foregoing Findings of Fact which demonstrate conformance with the requirements of Sections 36-35(d), 36-66, 36-67, and 36-94 of the Lake Odessa Code of Ordinances, the request by Stuart Ventures, LLC, for a special use permit and site plan approval for a planned development at 874 Third Avenue is approved, subject to the following conditions:

1. A performance bond is not required at this time and may be reviewed at a later date for future phases.
2. Master Deed, when finished, shall include all applicable items and shall be reviewed and approved by the Village attorney.
3. The one-year time limit set forth in Section 36-67(5) shall not apply to future phases.
4. Applicant shall submit a new application(s) for site plan review for future phases.
5. Drainage requirements shall be reviewed by the Ionia County Drain Commission and their engineer.

A revised, dated site plan and comments and/or documents addressing the above conditions will be submitted for staff approval within 90 days.

PLANNING COMMISSION CHECKLIST

Application from Stuart Ventures, LLC, for Special Use Permit to allow a Planned Unit Development (PUD) housing project to be constructed in phases at 874 Third Avenue

Sec. 36-66. Site plan review and approval.

	Condition Met?	Comments
(a) Site plan review by zoning administrator. All applications for zoning permits, special use permits, rezonings and variances, as governed in this chapter, shall first require site plan review by the zoning administrator (or any other body or official designated by the village control to review site plans). Refer to subsection (f) of this section regarding revisions to an approved site plan.		
(b) Site plan approval. Unless otherwise noted, all requests for zoning permits must have a site plan approval by the zoning administrator. All requests for special use permits must have a site plan reviewed by the zoning administrator, and approved by the village planning commission.		
(c) <i>Standards for the review of site plans.</i> The site plan is to be reviewed in order to determine that:		
(1) The proposed use conforms to the uses permitted in the respective zoning districts;	Y	Multi-family
(2) The dimensional arrangement of buildings and structures conforms to the required yards, setbacks and height restrictions of the ordinance, unless waived by variance granted by the zoning board of appeals;	Y	
(3) The proposed use conforms to all use and design provisions and requirements (if any) as found in this chapter for certain specific uses, unless waived by variance granted by the zoning board appeals;	Y	
(4) There is a proper relationship between the existing and proposed streets and highways within the vicinity in order to assure the safety and convenience of pedestrian and vehicular traffic;	Y	
(5) The proposed on-site buildings, structures, and entryways are situated and designed to minimize adverse effects (upon owners and occupants of adjacent and surrounding properties) by providing for adequate design of access/egress, interior/exterior circulation, storm drainage, erosion, grading, lighting and parking, as specified by this chapter or any county or state law;	Y	
(6) As many natural features of the landscape shall be retained as possible where they can be useful to the development of the site, or where they furnish a barrier or buffer between the project and adjoining properties (used for dissimilar proposes) or where they assist in preserving the general safety, health, and appearance of the neighborhood, i.e., controlling erosion or the discharge of storm waters, etc;	Y	
(7) Any adverse effects of the proposed developments and activities emanating therefrom upon adjoining residents or owners shall be minimized by appropriate screening, fencing, or landscaping (as provided or required in this chapter);	Y	Perimeter landscaping fence in Phase 2 on southwest boundary.

EXHIBIT A

	Condition Met?	Comments
(8) All buildings and structures are accessible to emergency vehicles	Y	
(9) The site plan as approved is consistent with the intent and purpose of zoning which is to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability; to avoid the overcrowding of population; to lessen congestion on the public roads and streets; to reduce hazards of life and property; and to facilitate the village land use plan.	Y	Provides needed housing for the Village.
(d) <i>Conditional approval.</i> As a condition of granting site plan approval, the designated site plan approval body or official for zoning permits and special use permits may require that certain site development measures be taken by the applicant in order to satisfy the review standards set forth in subsections (c)(1) through (c)(9) of this section; and which essentially are designed to protect the general health, safety and welfare, as well as to promote environmental preservation and nuisance abatement. Site development guidelines are provided in this chapter. Site development guidelines include but are not limited to drainage, soil erosion, planning and design to site, fencing, screening strips, landscaping, on-site lighting, signing and off-street parking. Said measures must be incorporated by the applicant onto the site plan and maintained at all times.	*	Conditions are permitted by the Planning Commission for approval.
(e) <i>Compliance with performance standards.</i> Compliance with performance standards for certain uses enumerated in this chapter is required.	*	
(f) <i>Final approved site plan on file.</i> A copy of the final approved site plan (and all revised, final approved site plans) shall be so marked and placed on file as the officially approved document of the applicant along with copies of any and all permits requested for the property in question. Approval of revised, final site plans can be made only by the designated body or official who first gave initial approval.	*	
(g) <i>Conformity to approved site plan.</i> Property which is the subject of the site plan approval must be developed in strict compliance with the approved site plan, and with any revisions, amendments or modifications made thereto. If construction and development does not conform with such approved plan, the approval there of shall be revoked by the zoning administrator by written notice of such revocation posted upon the premises involved and mailed to the developer at his last known address. Upon revocation of such approval, all further construction activities shall cease upon the site, other than for the purpose of correcting the violation.	*	
(h) <i>Performance bond required.</i> Wherever any physical improvements to the property in question are to be provided by the applicant as a requirement or condition of site plan approval, the applicant or his agent shall post a performance bond. See article V of this chapter for posting of bonds.	*	Planning Commission <u>may</u> require a cash bond. Amount to be determined.
(i) <i>Site plan specifications.</i> The information to be submitted as part of the site plan document must include the following:		
(1) A vicinity area map at a convenient scale, showing proximity to any railroads, streams, streets, and street intersections; the location of the nearest public roads on all sides; and all such schools, firehouses,	Y	

EXHIBIT A

* = informational ordinance section

	Condition Met?	Comments
houses of worship, recreational areas, etc.		
(2) A map of applicant's entire subject property and all surrounding properties at a designated scale; and which shall display:		
a. The name of all owners of record of adjacent property;	Y	
b. Existing fire, school and other special district boundaries within 500 feet of the tract, if any;	Y	
c. Boundaries of property and existing lot lines as shown on the existing plat or tax map;	Y	
d. Existing public streets, easements, or other reservations of lands;	Y	
e. Location of all existing structures on the site, as well as those of adjacent properties within 100 feet of subject lot line;	Y	See county aerial map.
f. The proposed location and use of any building or structure;	Y	
g. The proposed location of any use not requiring a structure, including walkways, benches, fences, and recreational facilities;	Y	
h. Location and design of all driveways, parking and loading areas, if any;	Y	
i. Location of all existing and proposed water lines, valves, and hydrants, and all sewer lines, if any;	Y	
j. Proposed fencing, screening and landscaping; and	Y	More in later phases.
k. Location of existing watercourses, wooded areas, and rock outcrops, if any.	Y	
(3) A copy of any covenants or deed restrictions that are intended to cover all or any part of the tract.		Master Deed is in process. Should be a condition of approval.
(4) Where the applicant wishes to develop the project in stages, a site plan indicating total development shall be presented for approval of the entire parcel.	Y	
(5) The zoning administrator (for zoning permits) and the planning commission (for special use permits) may require additional data where it is warranted due to special conditions of the site or complexity of the proposed development.	Y	

EXHIBIT A

Sec. 36-67. Special use permits.

In order that this chapter be flexible and reasonable, special uses are provided for in this chapter and require special use permits by the planning commission. Conformance to special use standards is required, in addition to all other requirements of this chapter. All such uses are hereby declared to possess characteristics of such unique and distinct form that each specific use shall be considered on an individual case. The granting of a special use permit does not negate the requirement for any other required permit.

	Condition Met?	Comments
(1) <i>Standards for the consideration of special uses.</i> The review for a special use shall consider the following:		
a. The general safety, health, and welfare of the community-at-large. This shall include:		
1. Accessibility of the property in question to fire and police protection;	Y	
2. Traffic conditions, creating or adding to a hazardous situation;	N/A	
3. Transportation design requirements, if any, which will be needed to accommodate any traffic impact for the use intended	N/A	Existing street.
4. Appropriateness of the location, nature and height of the proposed use to the size, type, and kind of buildings, uses and structures in the vicinity and adjacent properties, including the safety and convenience of people therefrom.	Y	Traditional design to blend with neighborhood.
b. Any potential decrease in the market value of adjacent buildings, uses and structures which are permitted by right under current zoning, if the proposed use is granted;	Y	No issues.
c. Harmony with the village land use plan. This considers whether the location and size of the proposed use, the nature and intensity of the activities involved, the size of the site with respect to existing and future streets (giving access to it), parks and drainage systems will be in harmony with the village land use plan and the character of land use which is intended by said village plan for the area or district in question;	Y	Master planned as multi-family. Meets goal for this type of development.
d. Impact from the applicant's proposed use, its location and intensity and the height of its buildings, walls, fences and other structures upon the appropriate character of development intended for the area as deemed desirable by the village land use plan;	Y	Should blend with neighborhood. No issues.
e. Any hazards arising from storage and use of dangerous toxic substances, combustible, inflammable, or caustic fluids or chemicals.	Y	No issues.
f. That the operations in connection with any special use shall not be environmentally objectionable to nearby properties by reason of noise, fumes, pollution, vibration, or lights to an extent which is more than would be the operations of any use permitted by right for that district wherein the special use is proposed.	Y	No issues should occur.

EXHIBIT A

	Condition Met?	Comments	
(2) <i>Conditional approval.</i> As a condition of granting a special use permit, the planning commission may require that certain development precautions and remedies be taken by the applicant in order to satisfy the special use review standards and the site plan review standards set forth in this chapter; and which essentially are designed to protect the general health, safety and welfare, as well as to promote environmental preservation and nuisance abatement. Site development guidelines are provided in this chapter. Site development guidelines include but are not limited to drainage, soil erosion, planning and design of site, fencing, screening, buffer strips, landscaping, on-site lighting, signing and off-street parking. Said measures must be incorporated by the applicant onto the site plan and maintained at all times.	*	Conditions can be applied if reasonable.	
(3) <i>Compliance with performance standards.</i> Compliance with performance standards for certain uses enumerated in this chapter is required.	*		
(4) <i>Site plan approval required.</i> Site plan approval by the planning commission is required for all special use permits. Site plans are initially reviewed by the zoning administrator.	* Y		
(5) <i>Time constraints.</i> A special use permit shall be deemed to authorize only one particular special use and shall expire if the special use shall cease for more than 12 months for any reasons. Initial development must begin within one year from the date of issuance.		Future phases will not need to be done in 1 year.	
(6) <i>Existing violations.</i> No permit shall be issued for a special use for a property where there is an existing violation of this chapter, with respect to a new use or structure.	Y	No violations exist.	
(7) <i>Decisions in writing.</i> It is further provided that in granting or denying a special use permit, the planning commission shall specify in the written decision the particular reason relied upon and its relation to the proposed use.			
(8) <i>Appeals.</i> Any and all appeals regarding a decision or condition imposed upon a special use application shall be made to the zoning board of appeals within 15 days from the date of decision or imposed condition.			

EXHIBIT A

* = informational ordinance section

Sec. 36-94. Planned developments.

	Condition Met?	Comments
(a) <i>Intent and purpose.</i> Planned developments are provided herein by special use permit in order to allow for flexibility in design of residential areas, economy in the usage of land, and conservation of sensitive physical and environmental features. Based upon the standards and criteria contained in sections 36-67 and 36-94, the planning commission may review, and permit with conditions, a modification in bulk requirements in order to allow residential development containing both privately owned sites and common property, and which are planned collectively as a single unit. The planned development section of this chapter is provided in order that the growing demands for housing for young married couples, senior citizens and existing residents (who no longer wish to maintain a large one-family house) may be met by a greater variety of innovative housing types, and by planning and design of structures with the benefit of cost effective land utilization in such developments.		
(c) <i>Residential planned unit development.</i> A residential planned unit development (residential PUD) may be applied for through the special use permit procedure. The granting of a special use permit for a residential PUD is permitted only for R-1 and MF zoning districts.	Y	MF District
(1) <i>Site eligibility.</i> The minimum area necessary to qualify as a residential PUD shall not be less than three contiguous acres of land. However, an owner of land less than the minimum required area may apply if his land is adjacent to a proposed or constructed residential PUD.	Y	5.7 acres
(2) A minimum of 20 percent of the property shall be dedicated as open space. Open space includes natural areas and parks. Public and private streets, any rights-of-way, the area of any lot or unit, and 25 percent of streams, lakes, ponds, and wetlands shall not be included in the open space calculation and shall not be counted as open space.	Y	53% green space 4.1% paths 57.1% total open space
(3) Density on the remainder of the property may be increased up to 1.75 times the maximum number of dwelling units per acre permitted under R-1 zoning. The density increase shall be applied to the remnant acreage of the property after the proposed open space acreage, which shall be a minimum of 20 percent, has been deducted.	Y	5.7 acres x 8 units per acre + 45.6 units. Plan for entire project is 49 units, no MF formula. Use #4 to allow more units. Final units may change in later phases. Two amenities shown. Density will be re-visited in future phases.
(4) A further density increase may be granted by the planning commission at the specific request of the applicant if the planning commission finds that the density increase would: <ul style="list-style-type: none"> a. Result in a recognizable benefit to the village and residents of the PUD; b. Provide additional amenities; and c. Preserve additional open space or natural features. 		
(5) The dwelling units in the residential PUD may be constructed in any combination of housing types, except for mobile homes.	Y	

EXHIBIT A

	Condition Met?	Comments
(d) <i>Preapplication conference with planning commission for concept review.</i> Prior to formal application submission for a proposed planned development, the developer/applicant shall be required to make a presentation to the planning commission in order to discuss initial design concepts and the application of said concepts to the land in question. The purpose of the pre-application conference is to inform the planning commission of the proposal and to receive preliminary review comments in connection with the standards of this section.	Y	
(e) <i>Standards and considerations.</i> In addition to complying with the standards for special use permits, the following special standards for a cluster development or a PUD must be met:		
(1) <i>Ownership.</i> The tract of land may be owned, leased or controlled by a single person, partnership, corporation, cooperative association, or association of individual owners (condominium). An application may be filed by the owner, jointly by the owner of all property to be included, or by a person, persons, corporation, or corporations, with an option to buy said property. A plan, once approved, shall be binding.	Y	
(2) <i>Utilities.</i> A cluster development and a PUD shall connect to public water and sewer provided by the developer, and must be approved by all legal state, county and local agencies (health, conservation, etc.) which are in authority and have jurisdiction.	Y	Applicant is working with Public Works Department on future connections. Lines are available.
(3) <i>Permitted residential housing types and uses.</i> The following are considered eligible for inclusion in an application:		
a. <i>Primary uses:</i>		
1. Single-family detached homes.	N/A	
2. Two-family houses.	N/A	
3. Single-family attached homes (such as row houses and town houses) of eight dwelling units or less per building.	Y	Phase 1 building
4. Multiple-family structure (apartments) of ten dwelling units or less per building.	N/A	None proposed. Each building is 8 units or less.
b. <i>Accessory uses and amenities:</i>		
1. Open space - passive and active.	Y	
2. Indoor and outdoor recreational facilities, decks, gazebos, children's playhouses or similar typical uses.	Y	Gazebo, walking path.
3. Carports, garages, and personal storage facilities for use by residents of the development.	Y	
4. Community building and meeting halls.		None proposed
5. On-premise laundry facilities for use by residents of the development.		None proposed

EXHIBIT A

	Condition Met?	Comments
(4) <i>Site design standards.</i> Unless modified by the planning commission in writing at the time of application approval, compliance with the following design standards is required:		
a. Minimum yard requirements and building setbacks from the exterior perimeter of the development property lines shall be 20 feet.	Y	
b. Maximum building height, 2½ stories or 35 feet (excludes antennas, steeples, spires, etc.) measured from the average existing topography (no grade mounding).	Y	
c. Minimum spacing between single-family attached homes and multiple family structures shall not be less than the building height of the tallest building. Bulk regulations shall be determined by the planning commission after reviewing the proposed site plan. Criteria to use for making the determinations shall include the following:	Y	
1. Granting of the PUD will result in a recognizable and substantial benefit to the ultimate users of the project and to the community where such benefit would otherwise be unfeasible or unlikely to be achieved.	Y	
2. In comparison to the bulk regulations ordinarily applied, the proposed type and density of uses shall not result in a material increase in the need for public services, facilities, and utilities, and shall not place a material burden upon the subject or surrounding land or property owners and occupants or the natural environment. Fire safety shall not be compromised and fire hydrants shall be located to adequately serve the site.	Y	1 hydrant existing. Future phases may have more once determined.
3. The proposed development shall be compatible with the master plan of the village and shall be consistent with the intent and purpose of a PUD as expressed in section 36-94(a).	Y	
4. The PUD shall not change the essential character of the surrounding area.	Y	
5. High quality building materials shall be provided.	Y	
d. All sensitive natural features such as drainage ways and streams, wetlands, lands within the 100-year floodplain, and stream or river banks (which by virtue of soil and slope may create highly erodible hazards to the public health and safety) shall remain unencumbered by residential buildings and structures except for approved docks, boardwalks, benches and access stairs.	Y	
e. All access and egress easements and street openings from the development onto public or private roads shall be in accordance with the regulations and standards of the appropriate agency having jurisdiction over the proposed entrance areas (Ionia	Y	Phase 1

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	Condition Met?	Comments
County Road Commission, Michigan Department of Transportation and/or Village of Lake Odessa).		
f. Within the required 20-foot perimeter setback, a planted or landscaped buffer area is required along all exterior perimeter boundaries of the proposed property area to be developed. The following requirements for plantings in the buffer areas shall be met:		
1. Two evergreen trees and two deciduous trees shall be required for every 50 linear feet of buffer area, or fraction thereof.	Y	Phase 1
2. Evergreen trees shall be a minimum of six feet in height at time of planting; and deciduous trees shall be a minimum of eight feet in height at time of planting.	Y	Phase 1
3. Existing trees within the 20-foot perimeter setback may count toward the planting requirements, as long as the existing trees meet the minimum height requirements in subsection 2.	Y	Phase 1. Later phases will be shown.
g. Drainage requirements shall be reviewed and approved by the village engineer.	N/A	Ionia County Drain Commission reviews and approves drainage.
h. Permanent conservation easements or other forms of equivalent irrevocable conveyance shall be created and recorded to protect required open space areas from future development.		Will be in the Master Deed
i. Off-street parking is required at the rate of two parking spaces per dwelling unit.	Y	1 outside, 1 on garage
(5) <i>Applicable standards.</i> All applicable standards of the zoning ordinance outside of this section must be met, unless waived by the planning commission in consideration of the standards set forth in subsection (4)c.1. through 5.	Y	Phase 1
(6) <i>Public easements on common property which is privately owned.</i> When common property exists in private ownership, the owners shall grant easements, over, under and through such property, to the village as are required for public purposes.		Existing county drain. Others if needed and utility lines to be shown on Master Deed.
(7) <i>Common property in the planned unit development.</i> Common property in the PUD is a parcel or parcels of land, a privately owned road or roads, together with the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the individual building sites. When common property exists, the ownership of such common property shall be private. When privately owned, arrangements must be made for the improvement, operation, and maintenance of such common property and facilities, including private streets, drives, service parking and recreational areas. A proposed maintenance agreement to permanently protect and provide for future maintenance of the common areas shall be reviewed and approved by the village attorney prior to issuance of any village permits. The approved agreement shall be recorded at the		Will be in Master Deed.

EXHIBIT A

	Condition Met?	Comments
Ionia County Register of Deeds.		
(8) <i>Dimensional variances prohibited.</i> After approval of planned development under section 36-94, no dimensional variances may be granted to the approved application.		
(f) <i>Appeals.</i> Any and all administrative interpretations, decisions, and requirements of the planned development provisions shall be appealed within 15 days to the zoning board of appeals. Except for the prohibited granting of dimensional variances after planned development approval, the zoning board of appeals shall exercise all its power and duties as provided for in sections 36-137 and 36-138.		
(g) <i>Public hearing.</i> A public hearing is required for all planned developments in accordance with Section 103 of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.	Y	Public hearing held 8/23/2023

Sec. 36-35. Zoning district regulations.

	Condition Met?	Comments
(d) <i>MF, Medium/high density: Multiple family residential district.</i> Zoning district regulations for the MF, medium/high density: multiple family residential district shall be as follows:		
(1) <i>Intent and purpose.</i> The multiple family residential district is intended for new uses and structures such as apartment buildings of three or more dwelling units, specialized housing for seven or more unrelated individuals and senior citizen housing.	*	
(2) <i>Uses permitted by right.</i> Uses permitted by right in the MF district shall be as follows:		
a. Single-family dwellings.	N/A	
b. Two-family dwellings, duplexes.	N/A	
c. Type 1 home occupations within a dwelling.		
(3) <i>Uses permitted by special use permit.</i> Uses permitted by special use permit in the MF district shall be as follows:		
a. Multiple family dwellings.	Y	Proposed
b. Essential public services.		
c. Residential planned developments. See section 36-94.	Y	Proposed
d. Nursing homes, convalescent homes, housing for the elderly.		
e. Type 2 home occupations within an accessory building.		
(4) <i>Permitted accessory uses.</i> Permitted accessory uses in the MF district shall be as follows:		
a. Private garages (noncommercial), lawn sheds, swimming pools, and accessory private parking.	Y	
(5) <i>Permitted accessory signs.</i> One ground sign or one wall sign is permitted, with a maximum permitted sign area of 25 feet. The minimum sign setback for ground signs shall be one-half the required setback for the yard in which the sign is located. Only signs identifying the use and occupant are permitted. No sign shall be illuminated by flashing or moving lights and external illumination shall be downward facing.		
(6) <i>Bulk regulations.</i> Bulk regulations for the MF district shall be as follows:		
a. <i>Minimum lot area:</i> The minimum lot area for multiple family development shall be 4,000 square feet per unit or eight units per acre. For single-family and two-family development lot size shall be 8,700 square feet. All other uses permitted by special use permit, the lot size shall be nine acres.	N/A	PUD allows 3-acre minimum
b. <i>Minimum lot width:</i> The minimum lot width for single-family and two-family dwellings shall be 66 feet and for other permitted uses, 200 feet.	Y	

EXHIBIT A

* = informational ordinance section

	Condition Met?	Comments												
c. <i>Required front yard:</i> The required front yard shall be 25-foot setback for single-family and two-family dwelling and 30 feet for all other permitted uses.	Y	PUD has different setbacks.												
d. <i>Required side yard:</i> Six feet minimum side yard is required for both single-family and two-family dwellings and for other permitted uses it shall be 30 feet. Total width for both required side yards: The total minimum width of both required side yards for single-family and two-family dwellings shall be 12 feet. For all other permitted uses the total width shall be 60 feet.	Y	PUD has different setbacks.												
e. <i>Required rear yard depth:</i> Minimum rear yards for single-family and two-family dwellings shall be not less than 20 feet, for all other permitted uses, 30 feet.	Y													
f. <i>Maximum building height:</i> The maximum building height for all uses shall be 2½ stories or 35 feet. Accessory buildings shall not exceed a height of 15 feet.														
g. <i>Minimum dwelling floor area:</i>														
1. Each new single-family detached dwelling shall have a minimum finished living area of 864 square feet of floor area with a minimum of 650 square feet on the ground floor for units of more than one story.	N/A													
2. Attached single-family including two-family and townhouses, each new dwelling unit shall have a minimum finished living area of 800 square feet with a minimum of 600 square feet on the ground floor for units of more than one story.	N/A													
3. Other permitted uses shall follow the following floor area requirements:														
<table><tr><td>For</td><td>Floor Area/Unit</td></tr><tr><td>Efficiency</td><td>375 sq. ft.</td></tr><tr><td>1 bedroom</td><td>600 sq. ft.</td></tr><tr><td>2 bedroom</td><td>780 sq. ft.</td></tr><tr><td>3 bedroom</td><td>940 sq. ft.</td></tr><tr><td>In the excess of three bedroom</td><td>940 + 80 sq. ft. for each additional bedroom.</td></tr></table>	For	Floor Area/Unit	Efficiency	375 sq. ft.	1 bedroom	600 sq. ft.	2 bedroom	780 sq. ft.	3 bedroom	940 sq. ft.	In the excess of three bedroom	940 + 80 sq. ft. for each additional bedroom.	Y	
For	Floor Area/Unit													
Efficiency	375 sq. ft.													
1 bedroom	600 sq. ft.													
2 bedroom	780 sq. ft.													
3 bedroom	940 sq. ft.													
In the excess of three bedroom	940 + 80 sq. ft. for each additional bedroom.													
h. <i>Minimum off-street parking:</i>														
1. One space (ten feet by 20 feet) per residence: one-half dwelling unit. For other permitted uses such as a church, public building, adult foster care facility, nursing and convalescent homes and essential public services: one space for every 200 square feet of floor area, but not less than one space for each three seats where provided. For school and nursery schools, one space for each 12 seats or students.	Y	2 spaces per unit in the PUD.												
2. Nonresidential parking requirements of this chapter may be satisfied by participation in a municipal or joint community parking program designed to serve a larger area, provided all plans for such community parking have been first approved by the planning commission.	N/A													

EXHIBIT A

REQUEST FOR PROPOSALS
LAKE ODESSA, MICHIGAN MASTER PLAN REVIEW AND UPDATE
2023

ISSUED:
SEPTEMBER 26, 2023

SUBMITTAL DEADLINE:
NOVEMBER 17, 2023

INTRODUCTION

The Village of Lake Odessa hereby requests proposals from qualified, multi-disciplinary professionals in the fields of urban planning, architecture, traffic and civil engineering, historic preservation, economic and community development, or related fields, to assist in the preparation of a Comprehensive Master Plan.

Bids will be accepted until 11:00 AM on November 17, 2023 at the Village of Lake Odessa, 839 Fourth Avenue, Lake Odessa MI 48849, at which time the bids will be opened and read aloud in the Village Council Chambers. To assure that the respondents' submittals arrive at the proper place, on time and to prevent opening by unauthorized individuals, submissions must be clearly identified on the outside, as follows: **Comprehensive Master Plan**

Faxed or electronic submissions will not be accepted. Once received, submissions will not be returned. Formal communication such as requests for clarification and/or information concerning this solicitation shall be submitted to Ben Geiger, Village Manager via email addressed to bgeiger@lakeodessa.org by phone at 616-374-8679 or by mail to 839 Fourth Avenue, Lake Odessa, MI 48849

The anticipated schedule for this project is as follows:

ACTIVITIES

RFP Available	September 26, 2023
Submissions Due	November 17, 2023
Staff Review and Shortlist Recommendation	TBD
Planning Commission Interview and Selection	TBD
Kickoff Meeting	TBD

BACKGROUND

The Village of Lake Odessa is a dynamic waterfront community located in southern Ionia County, Michigan. Lake Odessa seeks to enhance the quality of life for its residents and further define itself as a recreation destination.

Over the years, "Lake Odessians" have always been very proud of their beautiful park, and the public beach at Jordan Lake. In 1991, over 400 volunteers worked feverishly for five days building the very popular Swifty's Place, in the park, a wooden playground superstructure constructed with enough lumber to build five homes. In 2012, a \$300,000 grant was obtained through the DNR and along with local matching funds, improvements were made to the public beach area that included a universally accessible floating dock, all terrain wheelchairs, a security system, canoe/kayak launch and parking lot lighting.

Lake Odessa's estimated population is 2,083 according to the most recent United States census estimates with a median age of 36.4. Between 2016 and 2017, the population of Lake Odessa, MI grew from 2,066 to 2,083, a 0.823% increase.

SCOPE OF WORK

As referenced above, the primary focus of the project will be to complete a Village Master Plan that shall be developed in accordance with the Michigan Planning Enabling Act (Act 33 of 2008, as amended).

The task of the Planning Consultant is to lead the Village in implementing a project approach which has been recommended by the Consultant and accepted by the Planning Commission. The Master Plan will be a useful document for the Village in the exercise of their responsibilities during the next 5-20 years. It is important that the Plan be user friendly, incorporate past studies, be innovative and flexible, with the concepts graphically conveyed to the greatest extent possible. The Master Plan must also meet or exceed all elements required under State Law.

Existing Conditions

This component will provide a "snap-shot" of existing physical, social, and economic characteristics that may influence future land use patterns and redevelopment opportunities. At a minimum, the existing conditions element should include:

- Analysis and evaluation of existing conditions
- Existing land use
- Economic analysis
- Transportation and Pedestrian traffic
- Community utilities
- Community facilities
- Recreation, natural features and parks

Community Input

The Village recognizes that meaningful public participation is a critical element of the master planning process. The Consultant, in cooperation with the Planning Commission and Village staff will be expected to incorporate meaningful public participation elements at appropriate times throughout the process. The Consultant will be expected to attend Planning Commission and Village Council meetings to assist in the public participation process. The proposal should outline a procedural approach to identify and include participation, in an appropriate degree, of various individuals and groups, both public and private, in the master planning process.

Policies and Goals

The Master Plan needs to consist of policies intended to function as benchmarks and to provide basic guidelines for making reasonable and realistic community development decisions. This Plan will be used by representatives of the Village, those making private sector investments, and by all citizens interested in the future development of the Village of Lake Odessa. The land use component of the Master Plan must be based on policies developed to address the goals of the community. The Consultant will assist the Village in forming meaningful policies and goals to serve as a guide in defining and implementing the Plan.

Future Land Use

The Future Land Use section must contain proposed land use categories based upon the vision and policies of the community. The narrative of these categories will need to reflect the applicable zoning district and district intent. Also, a future land use map and summary of the land use categories as they relate to the future land use plan must be prepared.

Development Pattern

Land Use patterns are to be mapped, and measured by category in tabular form. A narrative summary of each land use category is needed describing the amount of land occupied by each land use and their distribution in the Village. Land use trends should be presented in tabular form to show changes over the past years.

PLAN OBJECTIVES

- Conduct visioning sessions with the Village of Lake Odessa, Village Council, Planning Commission, Downtown Development Authority, residents, business owners and Village staff.
- Review and audit the current Master Plan, Village Zoning Code, and any other relevant documents and note any relevant inconsistencies in the Master Plan. Provide a plan to make necessary revisions to eliminate any inconsistencies.
- Be able to complete the project within twelve (12) months of the contract execution date.
- Define a clear direction of how and where development/re-development should occur over the next 10, 15, and 20 years.
- Determine a specific implementation plan for short-and long-term goals.

SELECTION CRITERIA

Final decisions in awarding a contract will be based on the following criteria.

- Specialized experience of the **firm** and related experience on projects of similar scope.
- Qualifications, references, and capability of key staff members.
- Project approach including team organization, structure, and schedule.
- Demonstration of the understanding of project objectives.
- Quality and completeness of the proposal.
- Firm's demonstrated experience working with agencies such as MEDC, EGLE, USDA Rural Development, Regional Planning, etc.
- Demonstrated experience and creativity conducting a public engagement strategy to produce positive outcomes
- Project cost, as well as a proven track record of projects staying within original budget Priority will be given to consultant teams who have a proven track record in the following areas:
 - Economic Development Planning
 - Community Marketing Strategies
 - Economic and Market Analysis
 - Downtown Planning
 - Redevelopment Planning

SUBMITTAL

Submit all required materials as detailed in the Evaluation Criteria and Proposal Content section on the following pages. Include nine (9) bound copies of proposal, and a disc or flash-drive containing an electronic copy.

Submit proposal no later than 11:00 A.M, November 17, 2023 sealed package clearly marked as indicated:

COMPANY/FIRM NAME "PROPOSAL TO UPDATE VILLAGE OF LAKE ODESSA MASTER PLAN"

Proposal shall be sent to:

Ben Geiger, Village Manager
Village of Lake Odessa
839 Fourth Avenue
Lake Odessa, MI 48849

Any questions concerning the Proposal shall be directed to:
Ben Geiger, Village Manager, (616) 374-8698
bgeiger@lakeodessa.org

Note: The Village of Lake Odessa reserves the right to reject any or all responses to this RFP, to advertise for new RFP responses, or to accept any RFP response deemed to be in the best interest of the Village. A response to this RFP should not be construed as a contract, nor indicate a commitment of any kind. The RFP does not commit the Village to pay for costs incurred in the submission of a response to this RFP or for any cost incurred prior to the execution of a final contract.

MATERIALS

Letter of Interest - Cover letter indicating interest in the project and identifying the firm's ability to provide services needed.

Introduction - A brief description of the firm including the number of years the firm has been in existence, range of professional services, office locations, and staff size.

Work Program - In the project overview, describe the general project approach and process to be employed, describe a process approach that was used in the past to successfully complete similar project, describe the proposed project schedule including timeline of major milestones, deliverables, and completion.

Experience and Qualifications - A brief description of the firm's prior work relevant to this RFP including the name, address, and phone number of client references and the primary contact persons.

Consultant Personnel - Identify individuals from the firm's professionals and other who will work on the project along with a brief summary of the individual and their experience.

List of Clients - Provide a list of comparable clients for which similar services have been provided in addition to contact information.

Timeframe Flow Chart - Submit a flow chart with estimated project timeframe for meeting important project targets.

Estimated Costs - Submit cost estimates for Master Plan Objectives and overall completion

MEMO TO LAKE ODESSA PLANNING COMMISSION

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

REGARDING: 811 Second Ave - Home Occupation SUP in Accessory Building

8-10-23

I had received a tip that the owner of the above address was doing auto repair type of work in his detached new garage quite a few months ago. I did a drive by and saw a pickup truck with a business name on it. I looked up the name in the State website and it is registered as Across the Tracks Outfitters LLC on 7-28-22 at this address. This was the same name on the truck.

I had a consultation with the Ordinance Enforcement Officer about this and he checked it out further. He then talked to the owner and gave him a home business application. The owner has now filled out this application and a copy is provided to you.

The owner notes on his application that he is not an auto repair facility but installs aftermarket automotive accessories such as radios, lights, roof and bed racks, off road bumpers, skid plates and rims and tires on vehicles. It is a part time business by appointment.

Any home occupation business that is conducted in an accessory building requires a special use permit with a public hearing. Section 36-95 (14) is the Home Occupation language. There are Type1 which are conducted within a home with a list of specific kinds such as wood working, computer, bookkeeping, dressmaking, upholstery, arts, music, offices, tutoring, travel booking, small item repair, dog grooming and many others. The residents of the home must be the business persons plus one other person is permitted to work at the home business. There are square footage restrictions, and all business items and use must be indoors. Off street parking must be provided, not more than normal traffic, and have reasonable hours.

Section 14 d goes into the type 2 home occupations which are those in a detached accessory building or exceeds the floor area percentage for Type 1 or more than 2 non-resident employees. Specific uses are listed as gymnastics, dance instruction, martial arts instruction and similar, bed and breakfast, veterinary office or clinic and beauty salons and barber shops. Section 14 e lists standards for findings. There are 5 of them to study. In section 14 f are the conditions of approval that must be met with your review.

The use by the applicant is not specifically listed in type 1 or 2 but 14 d 1 says a Type 2 is any home occupation which involves the use of a detached accessory building so you will need to determine if this kind of business may be allowed because it is in a detached garage.

This application should be discussed at your next meeting and a public hearing scheduled. After the public hearing you can determine if the application should be approved after going through all the review standards. The Home Occupation Section is attached on the following pages.

(14) *Home occupations.* The regulations of this section are intended to ensure that home occupations remain subordinate to the residential use and shall not be a detriment to the character and livability of the surrounding neighborhood, and the residential viability of the dwelling is maintained. A home occupation may be permitted in the R-1, R-2, R-3, and MF Districts in association with any dwelling in accordance with this section. For purposes of this ordinance, a home occupation is a gainful profession or occupation, carried out in the home or on the residential premises by one or more persons residing on the premises, as a use that is clearly incidental to the use of the home and premises as a place of residence. A home occupation may be conducted entirely within a residential dwelling and/or an attached garage accessory to the dwelling. A home occupation may only be permitted within a detached garage or other detached accessory building as a special use reviewed pursuant to section 36-67 and the standards of section 36-95(14)d.

a. *Type 1 permitted home occupations.* The following home occupations shall be permitted by right subject to the minimum conditions of subsection b. below and subject further to issuance of a zoning compliance home occupation permit by the zoning administrator:

1. Architecture, engineering, interior design, and similar professions.
2. Bookkeeping, law practice, accounting, and financial planning.
3. Cabinet making and carpentry work.
4. Computer programming and other computer-related work.
5. Consulting and counseling services.
6. Drafting and illustration services.
7. Dressmaking, sewing and tailoring.
8. Furniture upholstery.
9. Gun dealer and gun repair service.
10. Instruction in or creating arts and crafts, including but not limited to rug weaving, quilting, pottery and ceramics, model making, woodworking, lapidary work and jewelry making.
11. Musical instrument instruction, except that no instrument may be electronically amplified so as to be audible beyond the parcel of land where the use occurs.
12. Office of minister, priest or other member of the clergy.
13. Office of building contractor or building trades persons (excluding equipment parking).
14. Office of a salesperson, sales representative or manufacturer's representative.
15. Office of realty salesperson.
16. Painting, sculpture and writing.
17. Private tutoring.
18. Secretarial services.
19. Storage and distribution of direct sale products, such as home cleaning products, cosmetics, food containers and the like.
20. Taxidermy.
21. Television and other small appliance repair.

22. Telephone answering service and telephone solicitation work.
23. Travel booking service.
24. Watch repair.
25. Dog grooming.
26. Food catering and cottage food operation.
27. A registered primary caregiver, as defined by and in compliance with the General Rules of the Michigan Department of Community Health, Michigan Admin Code, R 333.101 through R 333.133 (the "General Rules"), the Michigan Medical Marihuana Act, PA 2008, Initiated Law 1, MCL 333.26421 et seq. (the "Act"), and the requirements of this section, shall be allowed as a Type 1 permitted home occupation. Nothing in this section, or in any companion regulatory section adopted in any other provision of this chapter, is intended to grant, nor shall they be construed as granting immunity from prosecution for growing, sale, consumption, use, distribution or possession of marihuana not in strict compliance with the Act and the General Rules. Also, since federal law is not affected by the Act or the General Rules, nothing in this section, or in any companion regulatory section adopted in any other provision of this chapter, is intended to grant, nor shall they be construed as granting immunity from criminal prosecution under federal law. The Act does not protect users, caregivers or the owners of properties on which medical use of marihuana is occurring from federal prosecution, or from having their property seized by federal authorities under the Federal Controlled Substances Act. In addition to requirements imposed by this section and this chapter, the following requirements for a registered primary caregiver shall apply:
 - (a) The medical use of marihuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
 - (b) A registered primary caregiver must be located outside of a 1,000-foot radius from any school or library, as defined by the Michigan Public Health Code, 1978 PA 368, as amended, MCL 333.7410, to insure community compliance with federal "Drug-Free School Zone" requirements.
 - (c) Not more than one primary caregiver shall be permitted to service qualifying patients on a parcel.
 - (d) Not more than five qualifying patients shall be assisted with the medical use of marihuana within any given calendar week.
 - (e) All medical marihuana shall be contained within the main building in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices that permit access only by the registered primary caregiver or qualifying patient, as reviewed and approved by the village building official and the village police department.
 - (f) All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting or watering devices that support the cultivation, growing or harvesting of marihuana are located.
 - (g) If a room with windows is utilized as a growing location, any lighting methods that exceed usual residential periods between the hours of 11:00 pm to 7:00 am, local time, shall employ shielding methods, without alteration to the exterior of the residence, to prevent ambient light spillage that may create a distraction for adjacent residential properties.

- (h) That portion of the residential structure where energy usage and heat exceeds typical residential use, such as a grow room, or where the storage of any chemicals such as herbicides, pesticides and fertilizers occurs, shall be subject to inspection and approval by the village fire department to ensure compliance with applicable provisions of the fire code.
- b. *Minimum conditions for permitted home occupations.* The following minimum conditions shall apply to all permitted home occupations:
- 1. Home occupations involving the use of a detached accessory building or outdoor storage may only be permitted as a special use under the provisions of subsections d., e. and f. contained herein.
 - 2. The use shall be carried out only by the residents of the premises and not more than one other person.
 - 3. The use shall be clearly incidental, subordinate and secondary to the use of the dwelling and premises for residential purposes, and the appearance of the structure shall not be altered in any manner other than with a residential character. The occupation must not be conducted in a manner that will cause the premise to take on a non-residential character either by the use of colors, materials, construction, lighting or by the emission of sounds, vibrations or electromagnetic radiation.
 - 4. On each premises, one sign may be used to identify a home occupation not exceeding three square feet in area, non-illuminated, and mounted flat against the wall of the building.
 - 5. The maximum floor area devoted to the home occupation shall be limited to 30 percent of the gross floor area of the dwelling unit and attached garage above grade combined and up to 50 percent of a basement area.
 - 6. There shall be no sale of products or services except as are produced on the premises or those products which may be directly related to and incidental to the home occupation. There shall be no outdoor, on-site storage of materials, equipment, or accessory items and/or display of materials, goods or supplies used in the conduct of the home occupation. No traffic shall be generated from such sales in greater volumes than would normally be expected in a residential neighborhood. Orders placed by mail or telephone or at a sales event off the premises may be filled on the premises. Delivery of purchased items to the buyer is preferred.
 - 7. No storage or display shall be visible from outside the dwelling or an attached building.
 - 8. No combustible, toxic or hazardous material may be used or stored on the premises, except in a safe manner and in full compliance with all federal, state and other governmental requirements concerning the use, handling, transport, storage and disposal of any such materials.
 - 9. There shall be no activity associated with the occupation that will interfere with local radio or television transmission or reception, nor shall there be any noise, vibrations, smoke, dust, odors, heat or glare noticeable at offensive levels at or beyond the property line.
 - 10. The occupation will cause no appreciably greater motor vehicle or pedestrian traffic than is considered normal for a residential use in the zoning district.
 - 11. There shall be adequate off-street parking spaces of ten feet by 20 feet on site for anticipated and actual business clients or customers. On-street parking, or parking within the street right-of-way in support of the home occupation is prohibited.

12. Deliveries and shipments by commercial vehicles shall be on an occasional or incidental basis.
 13. Hours of operation shall be reasonable and customary for the type of home occupation approved and for the zoning district within which the home occupation will exist.
- c. *Unlisted, but similar home occupations.* In addition to the above listed Type I permitted home occupations, other home occupations which are similar in nature and effect to those specifically listed in this section may also be classified as permitted Type 1 uses. The determination whether an unlisted home occupation is sufficiently similar in nature and effect to be classified a Type 1 home occupation may be made by the zoning administrator, or, at the discretion and request of the zoning administrator, by the planning commission. In determining whether an unlisted home occupation is to be classified a Type 1 home occupation, the zoning administrator or the planning commission, as the case may be, shall consider and make findings based upon the following standards:
1. Whether the home occupation is incidental and secondary to the use of the premises as a dwelling.
 2. Whether the nature of the home occupation is substantially in keeping with the residential use of the property.
 3. Whether the likely effects of the home occupation upon adjacent and nearby lands would be within the scope of the effects likely to result from other, similar Type I home occupations that are specifically permitted in this section.
 4. Whether the home occupation could have appreciable adverse effects upon adjacent and nearby lands and the uses thereof.
 5. Whether the home occupation is contrary to local, state and/or federal law.
- d. *Type 2 home occupations approved as special uses.* Unless otherwise governed by this ordinance, the following home occupations may be permitted in the R-1, R-2, R-3, and MF Districts if approved by the planning commission as a special use pursuant to the procedures contained in section 36-67:
1. Any home occupation which involves the use of a detached accessory building, or that exceeds the percentage floor area limitations for Type 1 home occupations, or which is carried out by two or more non-resident employees.
 2. Gymnastics, dance instruction, martial arts instruction, and similar activities.
 3. Bed and breakfast establishments.
 4. Veterinary office or clinic.
 5. Beauty salons and barber shops.
- e. *Type 2 home occupations - Standards.* When considering any Type 2 home occupation for approval as a special use, the planning commission shall consider and make findings upon the following standards:
1. Whether the home occupation is incidental and secondary to the use of the premises as a dwelling and the likelihood or practicality that it will remain as such over time.
 2. Whether the likely effects of the home occupation upon adjacent and nearby lands are within the category and magnitude of the effects resulting from other uses permitted and occurring in the district and other home occupations that are specifically permitted without a special use permit.

3. Whether the home occupation will have appreciable adverse effects upon adjacent and nearby lands and the uses thereof.
 4. All of the standards of section 36-95(14)b., notwithstanding those limits on the use of detached accessory buildings, floor area, and number of non-resident employees.
 5. Whether the home occupation is contrary to local, state and/or federal law.
- f. *Type 2 home occupations - Conditions of approval.* In approving any Type 2 home occupation special land use, the planning commission may impose restrictions and limitations upon the use, relating, but not limited to, consideration of the following:
1. The use as located within a dwelling and/or accessory building.
 2. The floor area of the use.
 3. The area, height, bulk, sound prevention and location of any accessory building used for the occupation.
 4. The storage or display of goods, inventory or equipment that may be visible from outside the dwelling or accessory building and the screening thereof.
 5. The storage or use of combustible toxic or hazardous materials on the premises.
 6. Machinery or electrical activity that will interfere with nearby radio or television reception or create noise, vibrations, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
 7. Motor vehicle and/or pedestrian traffic and its circulation on and off site.
 8. Off-street parking provided, and the location and surfacing and drainage thereof.



pd 7/31/23
\$150⁰⁰ KSF
via Debit Card

Lake Odessa
Page Memorial Building
839 Fourth Avenue
Lake Odessa, MI 48849

Phone: (616) 374-7110

Fax: (616) 374-0040

website: www.lakeodessa.org

Home Occupation Business Application Special Use Permit

This application must be completed in full and approved by the Planning Commission before beginning any business, construction, excavation or use regulated by the Village of Lake Odessa Zoning Ordinance.

Proposed Business Type

Installation bay for Aftermarket Automotive Accessories (Radios, lights, roof and bed racks, off road bumpers, skid plates, fims & tires) this is NOT a repair facility

Property Information

Address 811 2nd Ave

Parcel Number 34-101- 200-001-065-00

Legal Description (may attach copy)

Applicant Information

Name Christopher Hall

Address 811 2nd Ave

City Lake Odessa State MI Zip 48849

Phone Numbers (616) 902-8185 () ()

Property Owner Information (if different from applicant)

Name _____

Address _____

City _____ State _____ Zip _____

Phone Numbers () () ()

Home Occupation Business Application (page 2)

Present Zoning District

R-1

Present Use of the Property

Family Dwelling

Site Plan

Include a scaled site plan showing the dwelling and any existing structures or the proposed location of any new construction or additions. Show where off street parking and size will be located. Sketch your home floor plan and show square footage of area devoted to the home occupation business. → on back

Employees

Number of people working at the home occupation business living at the home 1

Hours of Operation

Describe hours you are open for business Appointment Only

Waste Materials

Describe type of waste materials and disposal methods Tires & metal scrap
Cut side walls out of tires for trash pickup
Scrap metal will go to Franklin Metals

Impacts on Area

Describe any anticipated levels of noise, odor, glare, dust, fumes and method of lessening impact

air compressor and tool noise - will not operate after 9pm

Traffic Levels

Describe anticipated customer traffic volumes per day

No Higher traffic then normal

Other Information

Describe any other additional information that is pertinent to your business proposal This is not a full time shop nor do I intend it to be

Home Occupation Business Application (page 3)

Affidavit

I certify and affirm that I am either the tenant or the property or building owner and that I agree to conform to applicable zoning laws of the Village of Lake Odessa. I also certify and affirm that this application is accurate and complete to the best of my knowledge. I hereby give permission for representatives to visit this location. I have read and will abide by the home occupation business regulations.

Applicant Signature

Date

4-29-23

Property Owner Signature

Date

4-29-23

Zoning Administrator Use

Received date 7-31-23

Public Hearing date

Application Approved Date

Conditions of Approval

Application Denied Date

Reason for Denial

Planning Commission Chairperson Signature Date

MR. C. HALL

HOME OCCUPATION PERMIT APPLICATION PROCEDURES

1. Applicant fills out all parts of the form including the drawing of the site plan.
2. Any questions can be directed to Jeanne Vandersloot at 616-897-4242 or zoningadmin@msn.com.
3. Completed applications are scanned and emailed to Jeanne Vandersloot at zoningadmin@msn.com.
4. Completed applications can be placed in the gray cubby labeled zoning while awaiting for Jeanne's approval or denial.



Paid
SEP 15 2023
KSF
Cash \$100⁰⁰

Lake Odessa
Page Memorial Building
839 Fourth Avenue
Lake Odessa, MI 48849

Recd Cash
\$50⁰⁰
9/22/23

Phone: (616) 374-7110

Fax: (616) 374-0040

website: www.lakeodessa.org

Site Plan Review Application

This application must be completed in full and approved by the Lake Odessa Planning Commission before beginning any construction, excavation or use regulated by the Lake Odessa Zoning Ordinance.

Proposed Request: ☒ Special Use Permit ☐ Commercial ☐ Industrial ☐ Residential

Property Information

Address 1001 W. Tupper Lake St., Lake Odessa MI, 48849

Parcel Tax ID Number _____ Number of Acres or Square Feet 1,000

Legal Description (use attachments if needed)

Tattoo parlor (body art facility), temporary tattoos, art and jewelry shop.

Applicant Information

Name Sabrina A. Strong

Address 1517 Emerson St

City Lake Odessa State Mi Zip 48849

Phone Numbers (616) 755-1762 (616) 414-452 ()

Property Owner Information (if different from applicant)

Name Kurt Suidinski

Address 500 Biley St.

City Hudsonville State Mi Zip 49426

Phone Numbers (616) 5162-8184 () ()

Site Plan Review Application (page 2)

Present Zoning District

Central Business District

Present Use of the Property

body art tattoos, selling of art, jewelry, and tattoo products
temporary tattoos,

Site Plan (see zoning ordinance section 36.66 for details)

Include a site plan showing the location of the proposed use, any existing structures or the proposed location of any new construction or additions. Site plans must contain all of the information required in the Lake Odessa Zoning Ordinance.

Affidavit

I certify and affirm that I am the property or building owner or the owner's authorized agent and that I agree to conform to applicable zoning laws of the Village of Lake Odessa. I also certify and affirm that this application is accurate and complete to the best of my knowledge. I hereby give permission for Village representatives to visit this location.

Signature Agent

Signature Owner

[Signature]
Kurt Suidinski

dotloop verified
 09/11/23 2:18 PM EDT
 B2QZ-TGJN-F36S-XYTU

Date

9/15/2023

Date

9/11/2023

Office / Zoning Administrator Use

Fee paid _____ Date _____

Application Approved _____ Date _____

Conditions of Approval _____

Application Denied _____ Date _____

Reason for Denial _____

Zoning Administrator Signature

_____ Date _____